



Planning Panels Victoria

Department of Environment, Land, Water and Planning

1 Spring Street
Melbourne Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Telephone (03) 8624 5712

22 April 2021

Dear Party,

Hobsons Bay Planning Scheme Amendment C131: Planning policy and residential zone review

The Panel held a Directions Hearing for the above matter on 14 April 2021 by videoconference. Please find attached:

- Panel Directions
- Distribution List
- Hearing Timetable.

The following dates apply:

Time	Date	Action	Direction
12 noon	Wednesday, 28 April 2021	Council must supply the documents specified	3
12 noon	Monday, 3 May 2021	Parties must identify relevant background documents	4
12 noon	Monday, 10 May 2021	Council must provide the Panel with a plan showing the location of submitters including late submitters	5
12 noon	Monday, 10 May 2021	Council must circulate its Part A submission	6
12 noon	Monday, 17 May 2021	Parties must circulate Expert witness reports	9
12 noon	Friday, 21 May 2021	Council must circulate its Part B submission	14
10 am	Monday, 24 May 2021	Video conference Hearing commences	

Declarations

Ms Redding declared that she is currently engaged on a project for the Department of Transport that Mr Glossop's firm is also working on. Ms Redding and Mr Glossop do not have direct involvement with one another. No concerns were raised about this.

If you have questions, please contact Planning Panels Victoria on (03) 8624 5712 or planning.panels@delwp.vic.gov.au.

Lester Townsend
Panel Chair

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Panel Directions

Hobsons Bay Planning Scheme Amendment C131: Planning policy and residential zone review

Before the Hearing

Circulation and sharing of documents

1. Documents should be circulated electronically. Paper documents will only be permitted in exceptional circumstances.
2. Council must contact Mr Ronald Watts to assist him in interpreting the residential zones.
3. **Council** must provide the following document to parties on the distribution list by **12 noon on Wednesday, 28 April 2021**:
 - a) A plan showing the proposed zones and submitters who have submitted about the residential zones coded 'want increased development potential', 'are happy with the changes', or 'want reduced development potential'.
4. All parties must identify support documents to be relied on and give a brief overview of their relevance by **12 noon on Monday, 3 May 2021**.
5. Council must provide the Panel with a plan showing the location of submitters including the late submitters by **12 noon on Monday, 10 May 2021**. The plan should identify submitters by submitter number, and not by name.

Council Part A submission

6. Council must circulate a Part A submission to parties on the distribution list by **12 noon on Monday, 10 May 2021** that includes:
 - a) background to the Amendment including chronology of events
 - b) strategic context and assessment

Note: Council's Part A submission will be taken as read by the Panel at the Hearing. Council should allow time for questions about its Part A submission on Day 1.

7. Council indicated that DELWP may present at the Hearing, as part of Council's submission, on the application of the residential zones. DELWP should circulate an outline of its submission by **12 noon on Monday, 10 May 2021** so that the experts can respond to it in their evidence if required.

Witness reports

8. A witness report must:
 - a) comply with the Guide to Expert Evidence (<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>)
 - b) not refer to any individual submitter by name – if necessary, submitters should be referred to by submission number
 - c) be provided to the Panel as an unlocked document.
9. Parties must circulate their witness reports to parties on the distribution list by **12 noon on Monday, 17 May 2021**.
10. Council must publish all witness reports on its website.

At the Hearing

Submissions and information

11. Parties must present material at the Hearing electronically.
12. Electronic information must be circulated to parties on the distribution list by 12 noon on the day before the information is to be presented at the Hearing.

Directions:

13. All information presented at the Hearing is a public document unless the Panel directs otherwise.

Council Part B submission

14. Council must circulate its Part B submission to all parties on the distribution list by **12 noon on Friday, 21 May 2021**. The Part B submission must include:

- a) its response to submissions and evidence
- b) its final position on the Amendment.

Evidence and cross examination

15. Evidence-in-chief must be no longer than 30 minutes – all expert witness reports will be read before the Hearing.

16. An expert witness may refer to a presentation which summarises their evidence, but it must not include new evidence.

17. An expert witness can provide their response to other evidence by 12 noon the day before that witness is scheduled to appear.

18. If cross-examining a witness, a party must:

- a) ask clear and relevant questions, directed to matters of fact or professional opinion, that genuinely assist the Panel in understanding the issues
- b) allow a witness time to explain their answer.

19. A witness must:

- a) be alone in the room from which they give evidence and not make or receive any communication with another person while giving evidence except with the express leave of the Panel
- b) inform the Panel immediately should another person enter the room from which they are giving evidence
- c) during breaks in evidence, when under cross-examination, not discuss their evidence with any other person, except with the leave of the Panel
- d) not have before them any document, other than their expert witness statement and documents referred to therein, or any other document which the Panel expressly permits them to view.

Other information

20. Any other material a party wishes to present at the Hearing must be circulated to parties on the distribution list by **12 noon on the day before** the party presenting the material is due to present.

21. After presenting to the Panel, submissions and other material (preferably in MS Word) should be emailed to planning.panels@delwp.vic.gov.au as an unlocked document.

22. All information presented at the Hearing is a public document unless the Panel directs otherwise.

Closing submissions

23. Council will be provided time to present a closing submission.

24. The closing submission may respond to matters raised in other parties' submissions but must not raise new matters.

Recording Hearings and use of personal information

25. Parties must not record any part of an electronic hearing by any means without permission from the Panel.

Directions:

Hobsons Bay Planning Scheme Amendment C131: Planning policy and residential zone review

26. In exceptional cases the Chair may direct that the Hearing be recorded. Parties who wish proceedings to be recorded must make a written request to the Panel five business days before the commencement of the Hearing, outlining its reasons.
27. If Planning Panels Victoria records an electronic hearing, parties who are provided with a copy of the recording on request must not to publish or distribute that recording, or to use it for any purpose other than for the Hearing.
28. Parties must not to record, keep, distribute or publish contact details of any other party obtained in the course of an electronic hearing session, or to use those contact details or personal information for any purpose other than for the Hearing.

Distribution list

Hobsons Bay Planning Scheme Amendment C131: Planning policy and residential zone review

Use this list to circulate expert witness statements and other information requested by the Panel. It must not be used for any other purpose.

Electronic documents

Party	email address
Planning Panels Victoria	planning.panels@delwp.vic.gov.au
Hobsons Bay City Council	adeline.lane@marcuslanegroup.com.au simone.jackson@marcuslanegroup.com.au
Aitken Properties Pty Ltd	andrew@graykinnane.com.au
Roland Watts	rolwatts2@bigpond.com
Giles Black	gablack@mac.com
Rex Allum	rexallum47@gmail.com
Annabel Smith and Anthony Hill	annabelsmith@yahoo.com.au arhill@gmail.com
Vega One Pty Ltd	eminney@besthooper.com.au
Julie Nagy	jmnagy9@gmail.com
Daniel Herrmann	dlhplanning@gmail.com
Newport Properties Vic Pty Ltd and Kings Apartments Pty Ltd	rcarletti@tract.net.au
Kippax Pty Ltd and Penske Power Systems Pty Ltd Salta Properties Pty Ltd	mooney@pppartners.com.au
Natasha Angeleski	n.juravic@gmail.com
Malgorzata and Jacek Klatt	jacek.klatt@gmail.com

Timetable

Hobsons Bay Planning Scheme Amendment C131: Planning policy and residential zone review

Timetable Version 1

Hearing Timetable Notes:

1. The Panel may amend the timetable without notice.
2. Please logon at least 15 minutes before your scheduled commencement time.
3. Time will be made for morning and afternoon breaks each day.
4. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria as soon as possible.
5. If you have any questions about the timetable, please contact the Panel Coordinator on (03) 8624 5712.

Day 1: Monday 24 May 2021

Venue: Videoconference: a link will be sent closer to the Hearing date

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 11.15am	Hobsons Bay City Council represented by Adeline Lane of Marcus Lane Group calling evidence in: - Planning from John Glossop of Glossop Town Planning		1.5 days
11.15am – 11.30am	Break		15 mins
11.30am – 12.30pm	Council cont.		
12.30pm – 1.30pm	Lunch Break		1 hour
1.30pm – 4.30pm	Council cont.		
4.30pm	Day close		

Day 2: Tuesday 25 May 2021

Venue: Videoconference: a link will be sent closer to the Hearing date

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 11.15am	Council cont.		
11.15am – 11.30am	Break		15 mins
11.30am – 12.30pm	Council cont.		
12.30pm – 1.30pm	Lunch Break		1 hour
1.30pm – 2.00pm	Julie Nagy	51	30 min
2.00pm – 4.00pm	Rex Allum	14	2 hours
4.00pm – 4.10pm	Natasha Angeleski	54	10 min
	Reserve		
4.30pm	Day close		

Timetable Version 1:

Hobsons Bay Planning Scheme Amendment C131: Planning policy and residential zone review

Day 3: Wednesday 26 May 2021

Venue: Videoconference: a link will be sent closer to the Hearing date

Time	Party	Sub No	Allocated
10.00am – 1.00pm	Kippax Pty Ltd, Penske Power Systems Pty Ltd and Salta Properties Pty Ltd represented by Planning and Property Partners calling evidence in: - Planning, TBC	42 45	3 hours
11.15am – 11.30am	<i>Break</i>		15 mins
11.30am – 1.00pm	Kippax, Penske Power Systems and Salta cont.		
1.00pm – 2.00pm	<i>Lunch Break</i>		1 hour
2.00pm – 2.15pm	Roland Watts	29	15 min
2:15pm– 2.30pm	Giles Black	25	15 min
2.30pm – 3.00pm	Newport Properties Vic Pty Ltd and Kings Apartments Pty Ltd represented by R Carletti of Tract	56	30 min
3.00pm – 3.15pm	<i>Break</i>		15 mins
3.15pm – 4.15pm	Annabel Smith and Anthony Hill <i>Reserve</i>	35	1 hour
4.30pm	Day close		

Day 4: Friday 28 May 2021

Venue: Videoconference: a link will be sent closer to the Hearing date

Time	Party	Sub No	Allocated
10.00am – 10.45am	Aitken Properties Pty Ltd represented by Andrew Gray of GrayKinnane	21	45 min
10.45am – 11.45am	Vega One Pty Ltd represented by Best Hooper calling evidence in: - Planning, TBC	36	2 hours
11.45am – 12 noon	<i>Break</i>		15 mins
12 noon – 1.00pm	Vega One cont.		1 hour
1.00pm – 2.00pm	<i>Lunch Break</i>		1 hour
2.00pm – 3.00pm	Daniel Herrmann <i>Break</i>	39	1 hour 15 mins
3.15pm – 4.30pm	Council closing submissions		45 mins
4.30pm	Day close		