



Planning Panels Victoria

Department of Transport and Planning

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

15 August 2024

Dear Party

Priority Projects Standing Advisory Committee Referral 42 Victorian Civil and Administrative Tribunal Call-In – 102-108 Humffray Street South, Bakery Hill

The Committee held a Directions Hearing for the above matter on Wednesday 14 August 2024 at Planning Panels Victoria and online via MS Teams videoconference. Please find attached:

- Committee Directions
- Distribution List
- Hearing Timetable.

The following dates apply:

Time	Date	Actions for filing and other matters	Direction
12 noon	Wednesday, 21 August 2024	Further material	6 and 7
12 noon	Wednesday, 11 September 2024	Expert witness reports to be filed	8
12 noon	Friday, 20 September 2024	Written submissions to be filed	12
10 am	Wednesday, 25 September 2024	Hearing commences	

Declarations

The Committee declared no conflict of interest in this matter.

If you have any questions, please contact Gabrielle Trowse, Project Officer, Planning Panels Victoria on [REDACTED] or planning.panels@transport.vic.gov.au.

Yours sincerely

Sarah Raso
Committee Chair

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002

OFFICIAL



Directions

Priority Projects Standing Advisory Committee Referral 42
Victorian Civil and Administrative Tribunal Call-In – 102-108 Humffray Street South, Bakery Hill

Filing documents

1. Documents must be circulated by email to all parties on the distribution list.
2. Documents must meet the following requirements:
 - a) Files must not exceed 20MB in size.
 - b) File names must be as short as possible and begin with the name of the party as it appears on the distribution list:

[Party name] - [Document Title].
 - c) If tabling more than 10 documents at once, all documents must be provided through a fileshare link (for example, DropBox or OneDrive) and be accompanied by an index list.
 - d) A Microsoft Word version or unlocked PDF version of the document must be emailed directly to planning.panels@transport.vic.gov.au after being filed.
3. All information presented to the Committee for the purposes of the Committee process is a public document solely for that purpose unless the Committee directs otherwise. It cannot be used for any other purpose.

Notes

Any request to access a document after that date will be subject to the Freedom of Information process.

For more information on how your submission will be used, refer to the [PPV Website](#).

If your document is larger than 20MB, break it down into parts that are less than 20MB each.

If you do not file documents by the specified time, the Committee may not accept the evidence or material. If you think you will not meet the specified deadline you must provide reasons in writing to planning.panels@transport.vic.gov.au before the deadline.

The Committee will not publish or accept material that contains offensive or defamatory material, or personal information about other people (such as emails and phone numbers or photographs of people, particularly children).

Paper documents will only be permitted in exceptional circumstances.

If you have with difficulties providing documents electronically you should contact Planning Panels Victoria.

Before the Hearing

Hearing Administration

4. Planning Panels Victoria will publish notice of the Hearing on its website, with information on how members of the public can observe it in person and online.
5. Council (with assistance from the Applicant) must host and manage the Hearing, including the video conference.

Further material

6. Council must file a copy of all background and strategic documents it intends to rely on by **12 noon on Wednesday, 21 August 2024**.
7. The Applicant must file by **12 noon on Wednesday, 21 August 2024**:
 - a) a copy of the concept sketch it intends to rely on to show a relocated access arrangement to the car park within the residential building which seeks to address proposed permit conditions 1(b), (c) and (d)
 - b) confirmation on whether any updated shadow diagrams and/or updated elevations or renders have been prepared based on the amended built form required by proposed permit condition 1(a).

Expert witness details and reports

8. The Applicant must file its expert witness reports by **12 noon on Wednesday, 11 September 2024**
9. An expert witness report must:
 - a) comply with the PPV Practice Note 1 - Expert Evidence ([Expert witnesses \(planningpanels.vic.gov.au\)](https://planningpanels.vic.gov.au))
 - b) not refer to any individual submitter by name – if necessary, individual submitters should be referred to by submission number. Community groups, organisations, corporations and government agencies can be referred to by name.

At the Hearing

Presenting material

10. Submissions, presentations and other material presented to the Committee:
 - a) must be presented electronically
 - b) must be filed by 12 noon on the business day before the material is to be presented
 - c) should relate to the matters before the Committee.

Submissions

11. All parties have provided a statement of key issues, and submissions must address those issues.
12. All written submissions must be filed by **12 noon on Friday, 20 September 2024**.

Evidence and cross examination

13. Unless agreed by the Chair, evidence-in-chief should be no longer than 30 minutes.
14. An expert witness may present a summary of their evidence at the Hearing, but it must:
 - a) not include new evidence
 - b) be filed by 12 noon the business day before that witness is scheduled to appear.
15. If giving evidence online, an expert 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 permission from the Committee
 - b) inform the Committee immediately should another person enter the room from which they are giving evidence
 - c) not discuss their evidence with any other person during breaks in evidence when under cross examination
 - d) not have before them any document, other than their expert witness report and relevant supporting documents.
16. A party, advocate and the Committee may question an expert witness.
17. If cross examining an expert witness, a party must:
 - a) be present for the whole of the expert witness giving their evidence
 - b) ask clear and relevant questions, directed to matters of fact or professional opinion, that genuinely assist the Committee in understanding the issues
 - c) allow the expert witness time to explain their answer.

Notes

The Chair will regulate cross examination. During the Hearing, the Chair may ask you how much time you will need for cross examining each witness, and will ask you to keep to your estimate. You should aim to complete your cross examination as concisely as possible.

Cross examination time may be limited.

You may be asked to move on to another topic if the line of questioning is not useful to the Committee.

Things to avoid when cross examining include:

- making a submission or providing your opinion
- giving extensive comment or context as an introduction to your question
- asking questions that are unrelated to the evidence
- arguing with the witness
- commenting on the expert or the evidence
- asking questions that have already been asked by another party.

If you do not support the evidence or basis on which it was prepared, or consider the evidence should not be given weight, detail your reasons in your submission rather than raising these issues in cross examination.

If you are not experienced in cross examination, you are encouraged to write your questions down to ensure they are succinct, structured into themes and able to be asked without long explanations of the context.

For information on how to cross examine, refer to the [PPV Website](#).

Right of reply

18. Council will be provided time to present a right of reply that:
- a) must not raise new matters
 - b) may respond to matters raised in other parties' submissions or evidence.

Privacy and use of personal information

19. A party must not record, keep, distribute or publish contact details of any other party obtained during the Committee process, or use those contact details for any other purpose.
20. A party must not record any part of a Hearing by any means without permission from the Chair.
21. A party who wishes proceedings to be recorded must make a request to the Chair at least five business days before the Hearing commences, outlining its reasons.
22. If Planning Panels Victoria records a Hearing, any person provided with a copy of the recording must not publish or distribute that recording or use it for any purpose other than for the Committee process.

Note

Committee hearings are only recorded in exceptional circumstances.

For more information on how your personal information will be used, refer to the Privacy Collection Notice attached to the Committee's letter dated 30 April 2024.

The Committee reserves the right to make additional Directions during these proceedings.

Timetable

Priority Projects Standing Advisory Committee Referral 42
Victorian Civil and Administrative Tribunal Call-In – 102-108 Humffray Street South, Bakery Hill

Timetable Version 1

Day 1: Wednesday 25 September 2024

Venue: Ballarat (TBC) and online via MS Teams video conference: [Click here to join the meeting](#)

Time	Party	Allocated
10.30am – 10.45am	Preliminary matters	15 mins
10.45am – 11.45am	City of Ballarat represented by Jason Kane of Counsel	1 hour
11.45am – 12.00pm	Break	15 mins
12.00pm – 2.00pm	Joint objectors represented by John Simpson and Stuart Kelly	2 hours
2.00pm	Day close	

Day 2: Thursday 26 September 2024

Venue: Ballarat (TBC) and online via MS Teams video conference: [Click here to join the meeting](#)

Time	Party	Allocated
10.00am – 10.15am	Preliminary matters	15 mins
10.15am – 11.15am	Humffray Development Partnership Pty Ltd (Proponent) represented by Kim Piskuric of Harwood Andrews, calling the following expert evidence: <ul style="list-style-type: none">- Craig Czarny of Hansen Partnership in Urban Design- Valentine Gnanakone of One Mile Grid in Traffic/Car parking	3 hours
11.15am – 11.30am	Break	15 mins
11.30am – 12.30pm	Proponent cont.	
12.30pm – 1.30pm	Lunch break	1 hour
1.30pm – 2.30pm	Proponent cont.	
2.30pm – 3.00pm	Council right of reply	30 mins
3.00pm	Day close	

Hearing Timetable Notes:

1. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria on Planning.panels@transport.vic.gov.au or [REDACTED] as soon as possible.
2. Please be present or online at least 15 minutes before your scheduled start time.
3. The Committee may amend a Party's start time without notice. However you will be contacted in advance if you are to be rescheduled to a different day.
4. Time will be made for morning and afternoon breaks each day. Break times will be taken at appropriate points in the proceedings, and break times in the timetable are indicative only.
5. Getting to the Hearing venue – Planning Panels Victoria (corner Spring and Flinders Streets) is on the 75 and City Circle tram lines and a short walk from the Collins Street trams 109, 11, 12 and 48. It is also a short walk from Parliament Train Station.
6. If you have any questions about the timetable, please contact Planning Panels Victoria on Planning.panels@transport.vic.gov.au or [REDACTED]