



# Planning Panels Victoria

Department of Transport and Planning

1 Spring Street  
Melbourne Victoria 3000  
GPO Box 2392  
Melbourne, Victoria 3001  
Telephone (03) 5381 9457

13 November 2024

Dear Submitter

## **Priority Projects Standing Advisory Committee Referral 45 Amess Road Precinct Structure Plan, Riddells Creek**

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We are writing to you because you made a submission to draft Planning Scheme Amendment C161macr (Amendment) and draft Planning Permit PLN2024/219 (Permit) affecting 131.8 hectares of land in Riddells Creek. The Proponent is Banner Asset Management.

The Minister for Planning (Minister) has referred all submissions to the Priority Projects Standing Advisory Committee (Committee) for advice and recommendations on whether to approve the Amendment and grant the Permit. The letter of referral dated 24 October 2024 is attached.

This letter:

- tells you about the Public Hearing process
- tells you what you need to do if you want to participate in the Public Hearing
- explains how we will use information we collect
- sets out draft directions for the Hearing.

### **The Committee**

The Minister appointed the Committee under section 151 of the *Planning and Environment Act 1987* (the Act). The Minister provided the Committee with updated Terms of Reference dated 9 September 2023 (attached).

Committee members Sarah Raso (Chair), Elizabeth McIntosh and Peter Edwards will consider this matter, which will be known as Referral 45.

### **The draft Amendment and Permit**

The draft Amendment proposes to:

- introduce and apply Schedule 1 to the existing Urban Growth Zone
- apply a Development Contributions Plan Overlay
- apply a Road Closure Overlay to Wohl Court
- introduce the Amess Road Precinct Structure Plan, Amess Road Development Contributions Plan, and Amess Road Native Vegetation Precinct Plan as incorporated documents.

The draft Permit proposes to:

- subdivide 182 lots for Stage 1 of the Amess Road Precinct Structure Plan at 115 Amess Road, 12 Wohl Court, 61 Wohl Court and 58 Wohl Court
- introduce design guidelines.

#### **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 Transport and Planning, PO Box 500, East Melbourne, Victoria 8002*



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## The Hearing process

The public Committee process includes a Directions Hearing and a main Hearing.

The Committee will:

- consider submitters in an independent forum
- be informal and not like a court
- give fair, unbiased advice to Council and the Minister for Planning about the Amendment.

Submissions and other information presented throughout the process, including the Hearing, will be treated as public documents. Please carefully read the attached *Privacy Collection Notice*.

### Directions Hearing

At the Directions Hearing, the Committee will:

- give directions about exchanging information before the Hearing and the conduct of the Hearing
- consider Hearing times and venue and site inspections
- answer questions people have about the Panel process including the Hearing.

The Directions Hearing details are:

**2:30pm, Monday, 9 December 2024**

**Hearing Room 2, Planning Panels Victoria (Ground Floor, 1 Spring Street, Melbourne)**

You can also participate in or observe the Directions Hearing online via MS Teams video conference: [Click here to join the meeting](#)

The Committee has drafted preliminary directions including key dates for consideration and discussion at the Directions Hearing. It will finalise these and any additional matters raised in writing after the Directions Hearing.

If you wish to comment on the preliminary directions, key dates or any other matters, you can provide comments in writing to [planning.panels@transport.vic.gov.au](mailto:planning.panels@transport.vic.gov.au) by **12 noon on Thursday 5 December 2024** (see Direction 2).

### Hearing

The purpose of the main Hearing is for people to speak to their written submission and to hear from the Proponent. The Hearing will start on Monday 10 February 2025 and should run for two to three weeks. The Hearing is open for anyone to attend.

The Committee will consider all referred written submissions when preparing its report, including those from submitters who do not attend the Hearing.

## If you wish to be involved in the Hearing

Please complete the [online request to be heard form](#) by **12 noon on Thursday 5 December 2024** if:

- you wish to be involved in the Hearing
- you do not wish to speak but would like a copy of the timetable and directions.

Notes on completing the online request to be heard form are attached.

## Further Information

The attached *Privacy Collection Notice* explains how your submission will be used by the Committee.

Further information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at:

[www.planningpanels.vic.gov.au/guides-and-resources](http://www.planningpanels.vic.gov.au/guides-and-resources)

If you need a paper copy of these documents or if you have any other questions, please contact [REDACTED]  
[REDACTED] Planning Panels Victoria on [REDACTED] [planning.panels@transport.vic.gov.au](mailto:planning.panels@transport.vic.gov.au)

Yours sincerely



**Sarah Raso**  
Committee Chair

# Preliminary Directions

Priority Projects Standing Advisory Committee Referral 45  
Amess Road Precinct Structure Plan, Riddells Creek

## Preliminary directions

### Direction 1: Statement of issues

All submitters who seek to be heard at the Hearing are to file a statement outlining the key issues you intend to rely upon at the Hearing by **12 noon on Thursday 5 December 2024**.

The statement must be no more than two pages long and will be discussed at the Directions Hearing. Statements must be emailed to [planning.panels@transport.vic.gov.au](mailto:planning.panels@transport.vic.gov.au).

### Direction 2: Procedural matters

Please advise the Committee in writing if you have any procedural or timing matters that you wish to raise at the Directions Hearing by **12 noon on Thursday 5 December 2024**.

### Direction 3: Advocates and witnesses

All Parties must advise the Committee by **12 noon on Thursday 5 December 2024**:

- the name of your advocate(s) (if any)
- the name and expertise of all witnesses (if any).

### Direction 4: Dates for Hearing

The Hearing will commence on **Monday 10 February 2025** and should run for two to three weeks.

At the Hearing the likely order of appearance will be:

- Banner Asset Management (Proponent)
- Macedon Ranges Shire Council
- Government departments and agencies
- Community groups
- Individual submitters.

### Direction 5: Submissions and expert evidence

The Committee proposes the following Directions:

- the Proponent must file a background and context (Part A) submission by **12 noon on Monday 27 January 2025**
- the Proponent must file expert witness reports by **12 noon on Wednesday 29 January 2025**
- all other parties must file expert witness reports by **12 noon on Friday 31 January 2025**
- the Proponent must file an opening (Part B) submission by **12 noon on Thursday 6 February 2025**
- the Proponent and Council must file a 'Day 1' version of the relevant Amendment documentation and Permit by **12 noon on Thursday 6 February 2025**
- expert witnesses may be asked to meet and prepare a statement of agreed opinions and facts. The Committee will discuss with the Proponent and Council whether a meeting to discuss issues in dispute might be valuable.

# Completing the request to be heard form

Priority Projects Standing Advisory Committee Referral 45  
Amess Road Precinct Structure Plan, Riddells Creek

When completing the online [request to be heard](#) form, please note the following details.

## When will the Hearing be held?

The expected hearing dates are between 10/02/2025 and 28/02/2025.

## What if I have availability issues during the expected hearing dates?

You can tell us when you are not available.

The Panel will accommodate your availability where possible.

## Time required to present your submission

You will be allocated 10 minutes for your submission if this field is left blank.

## Expert witness details

An expert witness gives evidence in a field of expertise and must prepare a report.

If you propose to call expert witnesses, you must:

- provide details of all expert witnesses on the request to be heard form – this includes their name, organisation, and field of expertise
- file expert witness reports at the time directed by the Panel before the Hearing.

Please note that it is critical the Panel receives this information about expert witnesses on time as it assists in planning the draft timetable for the Hearing before the Directions Hearing.

Participants in the Hearing can generally cross-examine expert witnesses.

## What happens after I complete the form?

If you complete this form, a letter with directions and a timetable for the Hearing will be emailed to you after the Directions Hearing. Your name and email address will be added to the Distribution List for filing information, including reports and submissions for the Hearing unless you tell us otherwise.

## What if I do not have an email address?

Please contact Planning Panels Victoria on (03) 5381 9457 as soon as possible if you need a form mailed to you. A paper copy of documents such as the timetable will be mailed to submitters who provide a postal address.

## How will my contact information be used?

We will use your contact address to contact you. We will provide your email or postal address to participants in the Hearing so that they can share reports and submissions unless you tell us otherwise.

## Access requirements

Please contact PPV with any access requirements. Some Hearings are at PPV, some are at other locations (for example, local Council offices) and some are held online. PPV Hearing Rooms are equipped with a hearing loop, and a laptop and projector if required. If the Hearing is held at another location, we may need to ensure access requirements can be met.

### Privacy Statement

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# Planning Panels Victoria Privacy Notice

Your personal information will be collected during this Panel process for the purpose of documenting your views about the Amendment, advising the planning authority and the Minister for Planning about the Amendment, and communicating with you throughout the Panel process.

## While the Panel process is underway

Natural justice for all participants and transparency are important parts of the Panel process. The *Planning and Environment Act 1987* requires the Panel to conduct any Hearing it holds in public, and to keep a public record of the material provided to the Panel. Planning Panels Victoria (PPV) may:

- provide a copy of your material with all contact details to the Proponent, government agencies and other parties to the Hearing
- provide a copy of your material to any other person who requests it (your personal information will be removed first)
- provide a copy of your material to the Department of Transport and Planning (DTP) if needed for preparing Ministerial briefings
- publicly display a copy of your material in the PPV Office or Hearing room
- direct that a copy of your material be publicly displayed in the relevant local council office or DTP regional office.

## Hearings

The Panel may conduct a Hearing, either in person or using video conferencing. Hearings by video conference have special privacy requirements. If you choose to participate in the Hearing, you should be aware:

- a link to the Hearing will be published on the internet, and third parties will be able to join the Hearing and observe
- the Panel may broadcast the Hearing live on the internet.

The Panel may make a recording of the Hearing and may provide a copy of any recording to any person who requests it. Where Hearings are recorded, generally audio only is recorded (not video).

The Panel can hear submissions or accept material on a confidential basis, provided this would be fair to the other parties to the Hearing. If you want to make your submissions or provide material to the Panel confidentially, you will need to ask permission from the Panel Chair and provide reasons why the Panel should treat your submissions or material confidentially.

## The Panel report

Under the *Planning and Environment Act 1987*, a Panel report is a public document. The Panel's report will include a list of the names of submitters and a list of the names of the parties to the Hearing. It may include direct quotes from submitters. The report will be published on the internet up to 10 business days after it has been provided to the Planning Authority.

## After the Panel has reported

When the Panel has reported to the Planning Authority, your material will be removed from public display.

## Requesting copies

If you would like a copy of any submissions or material collected by the Panel, or a copy of any recording the Panel makes of the Hearing, make a request to PPV by email at [planning.panels@transport.vic.gov.au](mailto:planning.panels@transport.vic.gov.au) before the Panel submits its report. If the Panel has reported, you should submit your request to the DTP Freedom of Information and Privacy Unit at [foi.unit@transport.vic.gov.au](mailto:foi.unit@transport.vic.gov.au)

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8572 7999.

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