



# Planning Panels Victoria

Department of Transport and Planning

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

23 January 2025

Dear Party

## **Priority Projects Standing Advisory Committee Referral 46 Victorian Civil and Administrative Tribunal Call-In – 810 Boneo Road, Boneo**

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The Minister for Planning (the Minister) called in VCAT Proceedings P1093/2024 and P1099/2024 (VCAT Proceedings) from the Victorian Civil and Administrative Tribunal (VCAT) on 17 January 2025. The call-in relates to the proposed amendment to Planning Permit P04/0289 at 810 Boneo Road, Boneo to:

- use and develop a Leisure and Recreation facility, buildings and works, and liquor sale and consumption
- develop a dwelling and use group accommodation
- use and develop a function centre and restaurant
- advertising signage
- create/alter access to a Transport Zone 2
- remove vegetation.

The Minister has referred this matter to the Priority Projects Standing Advisory Committee (the Committee) for advice and recommendations on whether a planning permit should issue, and if so, the appropriate permit conditions that should be imposed. The referral letter dated 15 January 2025 is attached.

We are writing to you because you are a party to one or both of the VCAT Proceedings. The Committee will not seek any further notification and only those parties to the VCAT Proceeding are able to participate.

### **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 (copy attached).

Committee Members Con Tsotsoros (Chair) and Annabel Paul will consider this matter, which will be known as Referral 46. The members have declared they have no known conflict of interest in this matter.

### **Directions Hearing**

**The Committee will hold a Directions Hearing as follows:**

**10am, Thursday, 20 February 2025**

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

**or join online by MS Teams video conference: [Click here to join the meeting](#)**

At the Directions Hearing, the Committee will:

- give directions about exchanging information before the Hearing and the conduct of the Hearing
- confirm Hearing times, venue and site inspections

#### **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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- consider any procedural issues.

## Background

Before these matters were referred, VCAT Proceedings P1093/2024 and P1099/2024 were to be heard together. The Committee will consider both matters together as they relate to the same permit amendment application.

The following dates were set for the VCAT Proceedings:

- Proceeding P1093/2024:
  - Compulsory conference: 30 January 2025
  - Hearing: 12, 13, 14, 15 and 16 May 2025
- Proceeding P1099/2024:
  - Compulsory conference: 18 February 2025
  - Hearing: 10, 11, 12, 16 and 17 June 2025.

## Preliminary directions

The Committee will consider issues specified in the respective objections that were submitted to VCAT. To assist the Committee process, the Committee directs the Proponent (Laser Strike Pty Ltd and Jodi and Aaron Neary), Mornington Peninsula Shire Council, Simon Stuart and Asher Nominees Pty Ltd identify which of these issues they intend to rely on at the Hearing. This summary must be no longer than one page and must be emailed to [planning.panels@transport.vic.gov.au](mailto:planning.panels@transport.vic.gov.au) by 12 noon on Tuesday 18 February 2025.

Each party must complete the [online request to be heard form](#) by 12 noon on Tuesday 18 February 2025.

## Hearing and site inspection

The purpose of the Hearing is to hear from the Parties to the VCAT Proceedings.

The Committee proposes to hold a Hearing of up to three days between 31 March and 3 April 2025. The Hearing is proposed to be held in person at Planning Panels Victoria, with online video access for those seeking to participate or observe remotely.

The Committee will:

- consider all submissions and evidence in an independent forum
- be informal and not like a court
- give fair, unbiased advice to the Minister about the planning permit application.

The Committee will discuss the arrangements for a site inspection at the Directions Hearing.

## Further Information

More information about the Committee is available at [www.planningpanels.vic.gov.au/panels-and-committees/projects/priority-projects-standing-advisory-committee](http://www.planningpanels.vic.gov.au/panels-and-committees/projects/priority-projects-standing-advisory-committee)

Information presented throughout the process, including the Hearing, will be **treated as public documents** unless the Committee specifically directs that the material is to remain confidential pursuant to its Terms of Reference (Clause 20). Please carefully read the attached *Privacy Collection Notice*.

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:

<https://www.planningpanels.vic.gov.au/guides-and-resources>

If you have any questions, please contact Gabrielle Trowse, Project Officer, Planning Panels Victoria on (03) 9935 4189 or [planning.panels@transport.vic.gov.au](mailto:planning.panels@transport.vic.gov.au).

Yours sincerely

A handwritten signature in black ink that reads "Con Tsotsoros". The signature is written in a cursive, flowing style.

**Con Tsotsoros**  
Committee Chair

# Completing the Request to be Heard Form

Priority Projects Standing Advisory Committee Referral 46  
Victorian Civil and Administrative Tribunal Call-In – 810 Boneo Road, Boneo

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 31/03/2025 and 3/04/2025.

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

You can tell us when you are not available.

The Committee 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 Committee before the Hearing.

Please note that it is critical the Committee 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

*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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# Planning Panels Victoria Privacy Notice

Your personal information will be collected during this Committee 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 Committee process.

## While the Committee process is underway

Natural justice for all participants and transparency are important parts of the Committee process. The *Planning and Environment Act 1987* requires the Committee to conduct any Hearing it holds in public, and to keep a public record of the material provided to the Committee. 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 Committee 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 Committee may broadcast the Hearing live on the internet.

The Committee 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 Committee 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 Committee confidentially, you will need to ask permission from the Committee Chair and provide reasons why the Committee should treat your submissions or material confidentially.

## The Committee report

Under the *Planning and Environment Act 1987*, a Committee report is a public document. The Committee'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 Committee has reported

When the Committee 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 Committee, or a copy of any recording the Committee 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 Committee submits its report. If the Committee 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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