



Planning Panels Victoria

Department of Transport and Planning

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

8 July 2026

Dear Party

Boroondara Planning Scheme Amendment C412boro and C417boro: Heritage Overlay proposed for eight properties

Please find attached the Panel Directions, Distribution List and Hearing Timetable. The timetable now includes an updated online link to Day 2.

The following dates apply:

Time	Date	Documents to be circulated and other matters	Direction
12 noon	Friday, 10 July 2026	Council 'Version 1' of any revised Amendment documentation	12
12 noon	Friday, 10 July 2026	Documents or material to be presented on Day 1 of the Hearing	9
10:00am	Monday, 13 July 2026	Hearing starts	

If you have questions, please contact Planning Panels Victoria on (03) 5381 9457 or office@planningpanels.vic.gov.au.

Yours sincerely

Con Tsotsoros
Panel 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 Transport and Planning, GPO Box 2392, Melbourne, Victoria 3001



Directions

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Circulating documents

1. Documents must be emailed 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 office@planningpanels.vic.gov.au after being circulated.
3. All information presented to the Panel for the purposes of the Panel process is a public document solely for that purpose unless the Panel 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 you do not circulate documents by the specified time, the Panel may not accept the evidence or material. If you think you will not meet the specified deadline you must provide reasons in writing to office@planningpanels.vic.gov.au before the deadline.

The Panel 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).

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

Before the Hearing

Notice of the Hearing

4. Council must publish notice of the Hearing on its website, with information on how members of the public can observe it in person or online.

Note

If you need additional information from another party and they have not agreed to provide it to you, you should make a request in writing to the Panel requesting it to direct the provision of the information. The information must be related to the proposal and be of assistance to the Panel. Requests should be short and clearly state why you need the information.

Council Part A (background and context) submission

5. Council must circulate a Part A (Background and context) submission by 12 noon on Wednesday, 1 July 2026 that includes:
 - a) a summary of the physical context of the subject land
 - b) background to the Amendment including chronology of events
 - c) a summary of the conditions of authorisation and how they have been met
 - d) a summary of the strategic context, including relevant planning policies and provisions

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- e) an explanation of how the methodology applied to assess local heritage significance aligns with guidance in the Victorian Local Heritage Guidelines (Department of Transport and Planning, May 2026)
- f) a summary of the issues raised in submissions, including an explanation of any issues have been resolved and how.

Note

Council's Part A (background and context) submission will be taken as read. Council should allow time for questions on Day 1 of the Hearing.

Expert details and statements

- 6. Parties must circulate expert statements by 5:00pm on Monday, 6 July 2026.
- 7. An expert statement must:
 - a) comply with the PPV Practice Note 1 - Expert Evidence (Expert witnesses (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

- 8. Council must provide administrative support to manage the Hearing.

Note

This may include finding a suitable venue for an in person Hearing, or if the Hearing is online or hybrid, configuring a video conference meeting, publishing links to the Hearing online, issuing direct invitations to participants (including the Panel, parties and experts) and providing technical support.

Presenting material

- 9. In cases where submissions or evidence have been generated, wholly or in part, using Artificial Intelligence, a declaration must be made in writing to the Panel at the time of circulation.
- 10. Submissions, presentations and other material presented to the Panel:
 - a) must be presented electronically
 - b) must be circulated by 12 noon on the business day before the material is to be presented
 - c) should relate to the matters before the Panel.

Council Part B (main) submission

- 11. Council must address the following issues in its Part B (main) submission or through evidence:
 - a) its response to submissions and evidence
 - b) its final position on the Amendment.
- 12. Council must circulate by 12 noon on Friday, 10 July 2026, a Version 1 of any Amendment documentation that is proposed to be changed since exhibition. Version 1 must:
 - a) show any suggested changes in response to submissions
 - b) be marked up against the exhibited version
 - c) be labelled 'Council Version 1 – Clause X'
 - d) be in an editable format such as MS Word.

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All submissions

13. Submissions are to focus on whether a subject property meets one or more of the criteria set out in the Victorian Local Heritage Guidelines (Department of Transport and Planning, May 2026).
14. A party who objects to the Heritage Overlay being applied to their property:
 - a) must explain why they consider each criterion has not been met
 - b) note any information regarding the subject land in the relevant Statement of Significance they do not agree with
 - c) should refer to relevant Council or government policy or strategy, or both.

Note

For information on how to prepare and present material at a Hearing, refer to the [PPV Website](#).

Evidence and cross examination

15. Unless agreed by the Chair, evidence-in-chief should be no longer than 30 minutes.
16. An expert may present a summary of their evidence at the Hearing, but it must:
 - a) not include new evidence
 - b) be circulated by 12 noon the business day before that expert is scheduled to appear.
17. If giving evidence online, an expert 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 Panel
 - b) inform the Panel 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 statement and relevant joint experts report and supporting documents.
18. A party, advocate and the Panel may question an expert.
19. If cross examining an expert, a party must:
 - a) be present for the whole of the expert giving their evidence
 - b) ask clear and relevant questions, directed to matters of fact or professional opinion, that genuinely assist the Panel in understanding the issues
 - c) allow the expert 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 expert, 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 Panel.

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 expert

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- 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](#).

Council closing submission

20. Council will be provided time to present its closing submission. The closing submission:
- a) must not raise new matters
 - b) may respond to matters raised in other parties' submissions or evidence.

Privacy and use of personal information

21. A party must not record, keep, distribute or publish contact details of any other party obtained during the Panel process, or use those contact details for any other purpose.
22. A party must not record any part of a Hearing by any means without permission from the Chair.

Distribution List

Boroondara Planning Scheme Amendment C412boro and C417boro:
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Use this list to circulate documents and information in accordance with the Panel's directions. It must not be used for any other purpose. If you are unsure about whether any material or content is appropriate for the Panel process, please seek guidance from Planning Panels Victoria before circulating the material.

Electronic documents

Party	email address
Planning Panels Victoria	office@planningpanels.vic.gov.au
City of Boroondara	amelia.hunter@maddocks.com.au rachel.brien@boroondara.vic.gov.au
Christina Branagan	christinabranagan@bigpond.com
Julian and Daina Nance	jlofting@rk.com.au ADonati@rk.com.au
Timothy and Madeleine McBain	tim.m@spaceful.com.au madeleinemagee16@gmail.com

Timetable

Boroondara Planning Scheme Amendment C412boro and C417boro:
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Timetable Version 3

Day 1: Monday 13 July 2026

Venue: Redgum Room, 8 Inglesby Road, Camberwell and online at: [Click here to join the Hearing](#)

Time	Party	Sub No	Allocated
10:00am	Preliminary matters		10 mins
10:10am	City of Boroondara represented by Amelia Hunter of Maddocks, calling expert evidence on: - heritage from Claire Miller of NBRS - heritage architecture from Anthony Hemingway of RBA Architects		4 hours
12:45pm	Lunch break		1 hour
1:45pm	City of Boroondara (continued)		
3:15pm	Break		15 mins
3:30pm	Christina Branagan	C412-21 C417-15	5 mins
3:35pm	Timothy and Madeleine McBain	C417-19	30 mins
4:05pm	Day close		

Day 2: Tuesday 14 July 2026

Venue: Redgum Room, 8 Inglesby Road, Camberwell and online at: [Click here to join the Hearing](#)

Time	Party	Sub No	Allocated
10:00am	Preliminary matters		10 mins
10:10am	Julian and Daina Nance represented by James Lofting of Russell Kennedy, calling expert evidence on: - heritage from Martin Turnor of Raworth Heritage	C417-30	2 hours
12:10pm	Break		15 mins
12:25pm	City of Boroondara – Reply submission		20 mins
12:45pm	Hearing close		

Hearing Timetable Notes:

1. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria on as soon as possible.
2. Please be present or online at least 15 minutes before your scheduled start time.
3. The Panel may amend a Party's start time without notice. 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. If you have any questions about the timetable, please contact Planning Panels Victoria on (03) 5381 9457.