Planning Panels Victoria
Department of Transport and Planning

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

4 February 2025

Dear Party

Boroondara Planning Scheme Amendments C400boro: 86 Wattle Road, Hawthorn and C405boro: 508-510 Burke Road, Camberwell

The Panel held a Directions Hearing for the above matters on 3 February 2025. Please find attached:

- Panel Directions
- Distribution List
- Hearing Timetable.

Dates

The following dates apply:

Time	Date	Step	Direction
12 noon	Monday, 10 February 2025	Submitter location map	2
12 noon	Friday, 14 February 2025	Written submissions on the preliminary issue	4
12 noon	Tuesday, 18 February 2025	Panel's determination on the preliminary issue	5
12 noon	Friday, 21 February 2025	Expert reports	6
12 noon	Friday, 28 February 2025	Documents or material to be presented at the Hearing	9
10 am	**Monday, 3 March 2025**	**Hearing**	

Declarations

The Panel declared no conflict of interest.

Procedural matters – preliminary issue

At the Directions Hearing the Panel advised submitters that its preliminary view is that the relevant matters raised in submissions are confined to:

- whether the places in question meet the threshold of local significance
- in the case of 86 Wattle Road, whether the structural condition of the property is so poor that there is no realistic prospect of retaining and repairing the property.

Parties may take a different view, and the Panel invites written submissions in response to the Panel's preliminary view by Friday 14 February 2025. The Panel will advise the parties by Tuesday 18 February 2025 of its determination on the scope of relevant matters. Parties and experts must confine their submissions and evidence to relevant matters as outlined in the Panel's determination.

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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Procedural matters – withdrawal of Dr Nguyen

The Panel was advised on the afternoon of 3 February 2025 (after the Directions Hearing was completed) that Dr Nguyen is withdrawing from the Hearing. This is reflected in the attached timetable.

Procedural matters – joinder of Ms Pezzimenti

Ms Pezzimenti (submitter 18 to Amendment C400boro) attended the Directions Hearing and indicated that she wished to be heard. She requested 5 minutes. This is reflected in the attached timetable.

Further information

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

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

Yours sincerely



Sarah Carlisle
Panel Chair

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Before the Hearing

Notice of the Hearing

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

Submitter location map

2. Council must provide the Panel with the following documents by **12 noon on 10 February 2025**:
   a) for each Amendment, a map showing the location of submitters by submitter number (names must not be used).

Submissions on the preliminary issue

3. The Panel's preliminary view is that relevant matters raised in submissions are confined to:
   a) whether the places in question meet the threshold of local significance
   b) in the case of 86 Wattle Road, whether the structural condition of the property is so poor that there is no realistic prospect of retaining and repairing the property.
4. Any party wishing to make submissions in response to the Panel's preliminary view must circulate those submissions to the Distribution List by **12noon on Friday, 14 February 2025**.
5. The Panel will advise parties of its determination of the scope of relevant matters by **12noon on Tuesday, 18 February 2025**.

Expert reports

6. Expert reports must be filed by **12 noon on Friday, 21 February 2025**.
7. Expert reports must:
   a) be confined to relevant matters as outlined in the Panel's determination of the preliminary issue (see Directions 3 to 5)
   b) comply with PPV Practice Note 1 - Expert Evidence (Expert witnesses (planningpanels.vic.gov.au))
   c) not refer to any individual submitter by name.

At the Hearing

Presenting material

8. 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.
9. Material presented to the Panel must be:
   a) presented electronically
   b) circulated to the Distribution List by **12 noon on Friday 28 February 2025**.
10. Parties must confine their submissions at the Hearing to the relevant matters as outlined in the Panel's determination of the preliminary issue (see Directions 3 to 5).
11. Council must address the following through submissions or evidence:
    a) in the context of Amendment C405boro (508-510 Burke Road, Camberwell), the key findings of the Panel that considered Amendment C274 in relation to the Burke Road Precinct extension
    b) the methodology applied to the preparation of the Citations and Statements of Significance for the two heritage places, including consistency with Planning Practice Note 1: Applying the Heritage Overlay

c) a summary of any permit applications or recently granted permits that might impact on the Amendments
d) its response to submissions and evidence
e) its final position on the Amendment, including any changes Council proposes to make to the Amendment or the citations or Statements of Significance in response to submissions or evidence.

Evidence

12. Expert presentations should be no longer than 30 minutes.
13. An expert may present a summary of their report at the Hearing, but it must:
    a) not include new evidence
    b) be filed by **12 noon on Friday 28 February 2025**.
14. A party, advocate and the Panel may question an expert.
15. If questioning an expert, a party must:
    a) be present for the whole of the expert's presentation
    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 may regulate questions to experts.

Question 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 questioning an expert 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
- making comments on the expert or their report (rather than asking questions)
- asking questions that have already been asked by another party.

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

More information on how to question an expert is on the PPV Website.

Closing submission

16. Council will be provided time to present a 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

17. 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.

Distribution List

Boroondara Planning Scheme Amendments C400boro: 86 Wattle Road, Hawthorn and C405boro: 508-510 P Camberwell

Use this list to circulate 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 filing, please seek guidance from Planning Panels Victoria before filing the material.

Electronic documents

Party	email address
Planning Panels Victoria	planning.panels@transport.vic.gov.au
Boroondara City Council	amelia.hunter@maddocks.com.au
Christina Branagan	christinabranagan@bigpond.com
Montserrat Pezzimenti	montglendara@gmail.com

Planning Panels Victoria

Timetable

Boroondara Planning Scheme Amendments C400boro: 86 Wattle Road, Hawthorn and C405boro: 508-510 Burke Road, Camberwell

Timetable Version 1

Day 1: Monday 3 March 2025

Venue: Room 10 and 11, Level 2, 1 Spring Street, Melbourne and online at **Click here to join the Panel Hearing**

Time	Party	Sub No (C400/C405)	Allocated
10:00am – 10:15am	Preliminary matters		**20 mins**
10:10am – 1.30pm	**Council** represented by Briana Eastaugh of Maddocks calling the following expert evidence: - Heritage from Mark Huntersmith of GML Heritage		**3 hours**
11:15am – 11:30am	***Break***		***15 mins***
12:30pm – 1:30pm	***Lunch break***		***1 hour***
1:30pm – 1.45pm	**Christina Branagan**	69/9	15 mins
1.45pm – 1.50pm	**Montserrat Perzzimenti**	18/-	15 mins
1.50pm – 2.00pm	**Council closing**		10 mins
2.00pm	Day close		

Hearing Timetable Notes:

1. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria on (03) 5381 9457 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. 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.

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