



Planning Panels Victoria

Department of Environment, Land, Water and Planning

1 Spring Street
Melbourne Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Telephone (03) 8392 5115

8 April 2020

As addressed

Dear Submitter,

Your submission to the draft Yarra Strategic Plan: Part 2 Land Use Framework

We are writing to you because you made a submission to the above draft Land Use Framework.

As lead agency, Melbourne Water is in the process of considering your submission under s24(3) of the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017* (the Act).

Submissions that are not fully adopted by Melbourne Water will be formally referred to a Panel. The Minister for Water is in the process of appointing a Panel under s25 of the Act, and the members will be advised soon.

The following information about the role of the Panel and the Hearing will be relevant to submitters whose submission is formally referred. Submitters will be advised of whether their submission has been formally referred to the Panel in the coming weeks.

The role of the Panel

The Panel's role under the Act is to give submitters and other defined parties a 'reasonable opportunity to be heard' in support of their submissions (s32(1) and s32(2)). Following consideration of their submissions, the Panel must report its findings and recommendations to the Minister (s32(4)).

The Panel will operate in a similar manner to a Panel appointed under the *Planning and Environment Act 1987* and will:

- consider submitters in an independent forum
- be informal and not like a court
- give fair, unbiased advice to the Minister for Water about the submissions and draft Land Use Framework.

Submissions and other information presented throughout the process, including the Hearing, will be treated as public documents.

Hearing

The Panel process typically includes a Directions Hearing and the Hearing itself.

However, given the social distancing restrictions in response to the Novel Coronavirus Disease 2019 (COVID-19), Planning Panels Victoria are not conducting face-to-face hearings at this time. As a result, **the Directions Hearing previously scheduled for 27 April 2020 will not be held.**

The Panel will proceed as follows:

1. Following receipt of requests to be heard (see below), the Panel will consider whether a Hearing via teleconference or videoconference is possible by agreement.

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



2. If no requests to be heard are received, the Panel may choose to report to the Minister based on the written material it has ('on the papers').
3. You will be contacted and provided with details about the Hearing process after the deadline for requests to be heard has closed (see below). At this time, the Panel will give directions about:
 - exchanging information before the Hearing and the conduct of the Hearing (if one is required)
 - the arrangements for the Hearing, likely to be conducted via videoconference using commonly used online software
 - any other matters the Panel needs to complete its task and report to the Minister.

The Hearing is for people to speak to their written submission. Written submissions formally referred to the Panel will be considered by the Panel regardless of whether you attend the Hearing.

If a Hearing is required, it will be held in the advertised window between **25 May 2020 and 5 June 2020**.

If you wish to speak at the Hearing

Please complete the [online request to be heard form](#) by **4.00pm on Friday 24 April 2020** if:

- your submission has been formally referred to the Panel (see above advice); and
- you wish to participate in the Panel process; or
- you do not wish to participate but would like a copy of the timetable and directions.

Completing the online request to be heard form

When completing the online *request to be heard form*, please note:

1. The expected hearing dates are between 25/05/2020 and 5/06/2020.
2. You can tell us when you are not available. The Panel will accommodate your availability where possible.
3. Expert witness details must be provided on the request to be heard form.
4. In the '*List additional experts or comments here*' field, please confirm:
 - if you have internet access which will enable you to participate in the Panel process through videoconference
 - if you agree to the Hearing being held by videoconference.

What if I do not have an email address?

Please contact Planning Panels Victoria as soon as possible by mail at GPO Box 2392, Melbourne VIC 3001 if you need a hard copy form mailed to you.

How will my contact information be used?

We will use your contact information 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.

Expert witnesses

An expert witness gives evidence in a field of expertise and must prepare a report. People calling expert witnesses are required to circulate expert witness reports at a specified time before the Hearing. Participants in the Hearing can generally cross examine expert witnesses.

Further information

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

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

<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>

If you have any other questions, please contact Nicola Clark or Amy Selvaraj at Planning Panels Victoria via email at planning.panels@delwp.vic.gov.au.

Yours sincerely,

A handwritten signature in blue ink that reads "H Matheas".

Harry Matheas

Business Manager

Privacy Collection Notice

Natural justice for all participants and transparency are important parts of the Panel process. In meeting its legislative requirements, the Panel may:

- provide a copy of your submission with all contact details to the Proponent, Local Council, Government Agencies and other parties to the Hearing
- provide a copy of your submission to the Department of Environment, Land, Water and Planning if needed for preparing Ministerial briefings
- display a copy of your submission in the Planning Panels Victoria Office or Hearing room.
- display a copy of your submission in the relevant Local Council Office or Regional Government Office as appropriate.

The Panel does not propose to display your full submission on a website unless this is necessary and you have given your consent. However, your name and other personal information may be published on the internet as detailed below.

Publication of your personal information on the internet

A Panel Report will be published on the internet and may include:

- each submitter's name
- direct quotes from submissions
- submitter addresses, if required.

Please note that even when your personal information is removed from the internet, it may remain on external servers indefinitely.

After the Panel has reported

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

Your original submission and any additional material provided will be held at Planning Panels Victoria for two years and then sent to the Public Record Office Victoria. All additional copies of the submission and other material held by Planning Panels Victoria will be securely destroyed.

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8392 5114.