



Guide to the Distinctive Areas and Landscapes Standing Advisory Committee

**Presenting to the Advisory
Committee**
– Information for submitters



Version 1 – dated 9 March 2021

OFFICIAL

Public Hearing process

Public Hearing

The purpose of the Public Hearing is to provide submitters the opportunity to talk about their submission and highlight or expand on any key points for the Distinctive Areas and Landscapes Standing Advisory Committee (the Committee). The Hearing is open to the public and anyone can observe the proceedings.

Due to the high number of submitters, the Committee will place time limits on those who wish to speak at the Hearing but it will take all written submissions into account, irrespective of whether submitters appear at the Hearing to speak to their submission.

How will COVID-19 impact the conduct of the hearing?

The Committee will follow the health advice of the Victorian Government and the Chief Health Officer.

Due to the current coronavirus pandemic, the Public Hearing will be conducted remotely through video conference.

Directions Hearing

The Committee held a Directions Hearing Thursday 11 February 2021.

At the Directions Hearing, the Committee:

- identified what it considers the key issues
- discussed a draft timetable and the format of the Hearing
- discussed site inspections
- provided its directions about exchanging information, including evidence, and
- answered questions submitters had about the Committee process including the Hearing.

After the Directions Hearing, the Committee published Directions and a version 1 Hearing Timetable on its [Engage Victoria website](#).

Expert Witness Evidence and Meetings

The Committee is an expert body. The Committee will make recommendations and provide advice to the Minister for Planning based on the submissions received and evidence presented and tested throughout the hearing process.

An expert witness has specialised knowledge from training, study or experience and gives evidence in a field of expertise. Evidence usually includes facts relating to the Project and may include the opinions of a person based on their expertise. This can

include data modelling, photographs and other visual presentations.

Any party or submitter may call expert evidence to support its case, but there is no requirement to do so.

Tip: If you decide to use an expert witness, remember that expert witnesses are not 'hired guns'. They must be able to present evidence that fairly reflects their professional opinion. Their duty is to the Committee, not their client.

If called, an expert witness must prepare a report consistent with the Planning Panels Victoria Guide to Expert Evidence (<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>).

The Committee have directed that witnesses to supply their evidence statements, or expert witness report prior to the Hearing. The Proponent must file its evidence by **2 March**, and any other party must file its evidence by **5 March 2021**.

The Committee will provide an opportunity to parties and submitters to ask questions of witnesses at the Hearing, a process called cross-examination. Expert Witness' must be made available for cross-examination at the Public Hearing.

The Committee may limit the form of questions and the time requested by all parties through cross-examination. Priority will be given in cross examination to those parties calling 'like' evidence.

When engaging in cross examination and asking questions please note:

- A party wishing to cross-examine must be present for the whole of the evidence of the particular witness.
- Cross-examination will only be permitted of expert witnesses and must be directed towards established matters of fact or professional opinion.
- Questions must relate to the evidence and expertise of the witness and must be about the matters that are before the Committee.
- Questions are just that and are not statements or personal opinions, noting that

opportunity comes when at the allocated submission time.

- Questioning a witness is not an opportunity to argue with the witness.
- Cross examination must be respectful, and productive.
- Witnesses must not be badgered, nor can questions previously asked by someone else be repeated.
- Focus cross examination in a succinct and timely manner.
- Only one representative of an organisation or group may cross examine or ask questions of any one witness. Tag teaming cross examination, that is, two different advocates from or representing the one organisation or group is not permitted under any circumstance.

Unrepresented submitters seeking to ask questions of witnesses may wish to group together with other submitters and have one person ask the questions on behalf of the group of submitters, if time permits

Speaking at the Hearing gives you the chance to speak in support of your written submission to the Committee

Main Hearing

The Hearing will commence on Monday **15 March 2021** at 10.00am and will run for seven weeks, generally sitting four days per week (Monday to Thursday), concluding on 29 April 2021.

The Hearing is open to the public, and anyone can view the proceedings.

The Hearing allows for:

- The Proponent to set out their case in full and provide evidence in support of the Project.
- Municipal Councils, agencies, community groups and submitters to speak to their submissions and call evidence if required

All submitters who have requested to be heard will be allocated a dedicated time in the version 2 Hearing Timetable.

The Committee will consider all written submissions when preparing its report, including those from submitters who do not wish to speak to their submission at the Hearing.

What does presenting at the Hearing involve?

The Committee will have already read your written submission lodged through the exhibition period of November 2020 to January 2021 prior to the Public Hearing.

Your presentation or oral submission to the Committee will expand on the points you have made in your original written submission or place emphasis on particular points of importance.

You may highlight particular concerns you have or elements of the proposal you would like to see altered. You may also provide comment about the expert witness reports or the submissions that will be filed by the Proponent or the submission of the municipal councils and statutory authorities.

You may wish to have someone else present on your behalf such as a family member, friend, neighbour or professional representative.

How to prepare for the Hearing

Consider writing down what you want to say.

- It is a good idea to prepare written speaking notes to read out at the Hearing. Your presentation or oral submission should identify what is of particular concern to you about the proposal, the specific reasons why, and what, if anything you would like to see changed with the proposal. You may include examples that illustrate your key points using photographs or plans.
- Writing down what you want to say will help you convey your key messages in a logical order. You can read from all, or part of your document at the Hearing. This will ensure that you address all the points you wish without repetition.

You must be cognisant of the time and speak within the time allocated to you. There will always be someone following you and the Hearing must run to schedule

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Presenting on your allocated day

You should give the Committee a presentation that is clear and focused. The best way to do this is to keep your presentation simple, speak clearly and be yourself.

You can expect the Committee to treat you with respect and to put you at ease. You should treat them with respect also.

On the day you are scheduled to present, ensure you log in with plenty of time. If you are not planning on attending the full hearing day, you will need to log into the Zoom videoconference platform at least 20 minutes before your allocated presentation time.

When it is your turn to present, you will be invited to unmute your microphone and turn your camera on.

The Committee Chair will introduce herself and the other members present (noting that not all members will be present every hearing day). When making your submission or raising other matters you should refer to the Chair as "Madam Chair" or Ms Mitchell. Other members should be referred to as Ms Burdett, Ms Davies, Mr Edwards or Mr Hamm. Their names will be visible on their respective video tiles to help you know who each of the members are.

You must finish your whole presentation during the time allocated to you. If you run out of time, any written material you have prepared but not presented in your allocated time will be considered by the Committee.

As there will be multiple submitters presenting, try and talk about something in your submission that might be a bit different to what others are saying.

Tip: If you are delayed for any reason it is important that you contact Planning Panels Victoria as early as possible, so we can inform the Committee Chair and ensure any delays to the Hearing are minimised.

What happens if in my submission I said I did not want to be heard but I have changed my mind and now want to be heard?

If you have changed your mind and decide you now want to be heard in regard to your submission, you will need to make a request to the Committee. The Committee can decide whether or not to hear a person. If the person has made a written submission, the Committee will need to consider its Hearing timetable, the length of time involved, the number of people that have requested to be heard, the reasons for changing your mind and whether it is fair to the other parties involved.

Documents

The Committee has a copy of your original submission, so you do not need to resubmit it to the Committee during the course of the Hearing.

If you have other documents to present to the Committee (additional written document or MS PowerPoint presentation) you will need to provide an electronic copy to Planning Panels Victoria at planning.panels@delwp.vic.gov.au by 2.00pm the business day prior to your allocated presentation time. During your presentation, you will be able to share your screen to display a MS PowerPoint Presentation or document.

All information received by the Committee during the Hearing is treated as a public document and will be published on the Committee's Engage Victoria website.

Keeping you updated

All updates about the Hearing process will be provided on the Engage Victoria project site at <https://engage.vic.gov.au/dalsac>. This will include:

- the final Directions of the Committee and any updated or new directions
- the final timetable from the Directions Hearing and updates to it as the Hearing progresses
- numbered and updated or new documents tabled on the previous day.

Please check the Engage Victoria Distinctive Areas and Landscapes webpage for the Hearing timetable and other updates during the course of the Hearing at: <https://engage.vic.gov.au/dalsac>

Checklist for presenting at the hearing

The hearing provides submitters with a chance to have a say and participate in the planning decision-making process. Keep the following points in mind when making your presentation at the hearing:

- Begin your preparation early and think about the key messages you want to make.
- Practice reading your presentation or speaking notes before the hearing. There will be time limits, make sure you present within it.
- Log in to the hearing in plenty of time.
- Speak slowly and clearly.
- Introduce yourself and/or your organisation. If you are representing an organisation, state what your role is in the organisation, the organisation's objectives, activities and the membership base.
- Keep to the point. Clearly state your concerns and provide information to support your point of view.
- Speaking to two or three key points can be better than trying to rush through many issues.
- Avoid repeating what others have said but acknowledge where you agree with it.

Using Zoom videoconference technology

A dedicated guide for using the Zoom videoconferencing platform at the Hearing has been published on the Engage Victoria website along with the Zoom videoconference link to join the hearing.

Questions or further information

For further information, please contact:

Ms Andrea Harwood, Senior Project Manager or Ms Georgia Thomas, Project Officer and of Planning Panels Victoria at:
Planning.Panels@delwp.vic.gov.au

