## Panels, Advisory Commitees and Environment Assessment Inquiries

Panels, Advisory Committees and Environment Effect Inquiries tend to operate in a similar way in terms of Hearing procedures and conduct. However, the Terms of Reference for Advisory Committee’s and Environment Effect Inquiries usually provide specific advice on what is required from the Committee and how Hearings are to be conducted.

This guide refers to ‘Panels’ but this term can in most cases be interchanged with an Advisory Committee or Environment Effects Inquiry.

## Hearing timetable

The Hearing Timetable will be prepared on the basis of information supplied by persons who complete a Request to be Heard form.

All Hearings are open to the public. Submitters are welcome to attend the while or any part of the Hearing and are requested to arrive at least 15 minutes before their scheduled time of commencement.

Please ensure that you complete your presentation within the time allocated. Extensions of time will not normally be possible. However, if you run out of time, any written material not addressed will still be considered by the Panel.

If you are unable to be present, please notify the Panel Co-ordinator at Planning Panels Victoria (PPV) on 8392 5115 as soon as possible.

## Submissions at the Hearing

The Panel will already have a copy of your original submission and you do not need to bring additional copies of it to the Hearing.

At the Hearing, please have copies of any additional written submission, material or PowerPoint you intend to rely upon. The Panel will make directions about the number of copies you need to provide. If you have difficulties with supplying copies please contact the relevant Municipality or PPV.

Written material presented at the Hearing should preferably be two-hole punched and stapled (not bound).

Photographs or other visual material should be presented in binders in A4 or A3 format, not on large boards. This makes the material easier to transport and file.

All submissions received and all information provided to the Panel during the Hearing will be treated as public documents. All written material submitted at the Hearings will be available for inspection during the course of the Hearing.

Copies of submissions (with name and contact details) and other written material provided to the Panel may be provided to the Proponent, Council, Government Agencies and other parties to the Hearing.

For more information on Privacy refer to the separate PPV **Guide to Privacy at Planning Panels Victoria.**

## Expert witnesses reports

Copies of expert witness reports or statements must be circulated in accordance with Directions made by the Panel. Copies will usually be given to the Panel and the Planning Authority and the Proponent. Other parties may obtain electronic copies by contacting PPV.

Before the Hearing, copies of witnesses’ reports or statements will normally be available for perusal by submitters at the offices of the Planning Authority or PPV.

For more information on Expert Witness Reports refer to the separate PPV **Guide to Expert Evidence.**

## People appearing at the Hearing

The following are the types of people likely to appear at the Hearing:

## Advocates

Usually professionals who are acting on behalf of a client. Their client may be the Planning Authority, the Proponent, or some other party. They generally run their client’s case and may or may not call an expert witness. They express their client’s view about the proposal but do not provide expert evidence themselves.

## Expert witnesses

People who give expert evidence in a particular field of expertise and who are 'called' to give that evidence. Common areas of expert evidence include planning, traffic, environmental issues, economics and the like.

## Submitters

People who have an opinion about a particular proposal and who wish to express that opinion. Submitters usually represent themselves or they may have a person such as a family member or friend speak on their behalf. Occasionally a submitter or group of submitters will engage a professional advocate.

## Questions at the Hearing

Only expert witnesses can be cross-examined through questioning. No cross-examination of submitters or their advocates (including the Proponent) will be permitted.

Questions to witnesses will only be permitted at the discretion of the Panel. The following criteria will guide the Panel in deciding whether to allow any question:

* Questions must be directed towards matters of fact or professional opinion.
* Questions must be relevant.
* Questions must be of assistance to the Panel.
* Questions must be genuine questions, not statements or arguments. If you disagree with a witness or wish to comment on something he/she has said, you should present this as part of your submission.
* Only those people who have heard the whole of the expert witness's evidence will be able to ask questions of that witness.

Only the Panel may ask questions of advocates and individual submitters. However, points of clarification may be put to a submitter or advocate through the Chair and at the Chair’s discretion.

## Hearing manners

Panel Hearings are intended to be relatively informal. However, people attending the Hearing are expected to show courtesy to others by allowing them to make their submission without being distracted by people talking amongst themselves or by passing comments.

Mobile phones should be turned off in the hearing

## Further information

Further information about Planning Panels Victoria can be found at:

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