

STATEMENT OF GROUNDS

Use this form to set out your reasons for contesting a planning and environment case at VCAT. These written reasons are called your statement of grounds.

CASE DETAILS

Date that statement of grounds must be received by VCAT

18 AUGUST 2017

This is on the notice you received or the sign at the site.

VCAT reference number

P2079/2016

Site address

26-56 Queens Parade, North Fitzroy

YOUR DETAILS

Name (objector, authority, company, other)

Contact person if different to above

Telephone/Mobile

Give us an email and another address for serving documents

We email copies of orders, including the final decision, if you are a party. We do not send a printed copy as well. If you do not give us an email, printed orders may arrive after the decision is published and after other parties get it by email. If you give us your email address, it will be available on VCAT's records. These may be inspected by other parties and media.

We do not accept any responsibility for emails not received due to changes in address, firewall or other security measures attached to your email account.

Email

Other address (this must be in Victoria)

YOUR PARTICIPATION IN HEARINGS

I intend to appear and present a submission at the hearing.

Fees apply.

I do not intend to participate in the hearing, but want VCAT to consider my statement of grounds.

No fee applies.

If you choose this, **you will not be a party** to the proceeding. VCAT considers your statement of grounds in any contested hearing but will not send you further correspondence.

FEES

Fees apply if you intend to appear or present a submission at the hearing. If you do not pay the fee at the time of lodging this form, you will not be a party and will not be entitled to take part, even if you indicated that you wanted to participate. For information about fees and fee relief, visit www.vcat.vic.gov.au.

You do not have to pay a fee if you are a permit applicant or holder, the determining or recommending referral authority, a person responding to an enforcement order application, or an applicant for a works authority or licence.

PRESENTING AT THE HEARING

If you intend to present at the hearing, tell us:

Time required to present your complete case at the hearing (submissions plus witnesses)	
Number of expert witnesses I intend to call (if any)	
Witness area/s of expertise	

For information about witnesses and evidence, visit vcat.vic.gov.au and see Practice Note PNVCAT2 – Expert Evidence.

WHO IS MAKING THIS STATEMENT?

This statement of grounds is lodged by or on behalf of:

Objector/s

- A person who objected to the original application to the council
- A person who did not object to the original application to the council but now wants to object
- A person responding to an application to amend plans or make other changes to an existing application
- A person responding to a notice by a permit holder to amend a permit

Permit applicant or permit holder

- A permit applicant responding to an objector's application for review
- A permit holder responding to a non-permit holder's application to amend or cancel a permit

Referral authority

- Determining referral authority
- Recommending referral authority

Enforcement orders

- A person responding to an application for an enforcement order

Environment applications

- Objector/s to a works approval application made to the Environment Protection Authority
- A works approval applicant
- An objector to an application made for a licence to take or use water or for works under the *Water Act 1989*
- An applicant for a licence to take and use water
- An applicant for a works licence or licence for underground disposal using a bore

Other

- Specify _____

JOINT STATEMENT OF GROUNDS

Complete this section if you are a spokesperson for people lodging a joint statement of grounds.

- Attach a list of the names and addresses of all the people you represent, showing whether you have their individual consent.
- Be aware you may be asked to provide VCAT with a copy of their written consent.

I certify that I have consent to act as spokesperson for the attached list of people where this is a joint statement of grounds:

- Yes No

We will only communicate with the nominated representative for a joint statement of grounds.

YOUR STATEMENT OF GROUNDS

A short summary of my reasons for contesting the VCAT application is

- in the box below
 attached.

SERVE A COPY

You must serve a copy of your statement of grounds on both the responsible or relevant authority and the applicant by the date that appears in the notice you received and on the sign at the site – the same date on the front of this form. If not, we may not be able to hear your views or consider your objections.

You must certify that you have done so and complete the acknowledgement on this form.

CERTIFICATION

I certify that I have served a copy of this statement of grounds

- on _____ (insert date dd/mm/yyyy) on the applicant
 on _____ (insert date dd/mm/yyyy) on the respondents (responsible/relevant authority)

ACKNOWLEDGEMENT

I understand and acknowledge that:

- to the best of my knowledge, all information provided in this form is true and correct
- it is an offence under section 136 of the *Victorian Civil and Administrative Tribunal Act 1998* to knowingly give false or misleading information to VCAT.

Full name of person completing this statement of grounds form: _____

Date: _____

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ABOUT VCAT FEES

VCAT fees are charged according to three levels:

- **corporate fees** for businesses and companies with a turnover of more than \$200,000 in the previous financial year, corporate entities and government agencies
- **standard fees** for individuals, not-for-profit organisations, and small businesses and companies with a turnover of less than \$200,000 in the previous financial year. Companies must provide a statutory declaration to support this claim
- **concession fees** for people who hold the Australian Government Health Care Card. You must provide a copy of your card with your application.

To find out if you need to pay an application fee and how much it costs, visit the fees page at www.vcat.gov.au

FEE RELIEF

We can reduce or not charge (waive) a VCAT fee in certain circumstances.

Some people are automatically entitled to a full fee waiver. You can also apply for fee relief if paying the fee would cause you financial hardship.

Visit www.vcat.vic.gov.au for more information about fee relief.

Are you applying for fee relief?

- No – complete **Fee payment** section
- Yes – complete **Fee relief form** and attach it to this application form

FEE PAYMENT

Complete this section unless you are applying for fee relief or no fee is payable.

Choose the fee level:

- Standard Corporate Concession

Fee amount charged: _____

CARD DETAILS

Cards Accepted: * VISA MasterCard

Cardholder Name: *

Card Number: *

Card Expiry: *

Signed: * _____

Date: _____

REMOVE THIS PAGE WHEN SENDING A COPY OF THIS APPLICATION TO OTHER PARTIES