

PLANNING AND ENVIRONMENT LIST

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.

DATE STATEMENT OF GROUNDS MUST BE RECEIVED BY VCAT This is on the notice you received or the sign on the site	26 October 2016	
Subject Land	11-33 Narelle Drive ASPENDALE GARDENS VIC 3195	VCAT Ref: P1595/2016

Name

PLEASE PRINT CLEARLY

Address for service

Email address

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.

Telephone/Mobile

PARTICIPATION IN HEARING

Please tick appropriate box

<input type="checkbox"/>	I intend to appear and present a submission at the hearing. Fee may apply
<input type="checkbox"/>	I do not intend to participate in the hearing, but want VCAT to consider my statement of grounds. No fee 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

You may have to pay a fee if you intend to appear or present a submission at the hearing. If you do not pay the fee when due, you will not be a party and will not be entitled to take part, even if you indicated that you wanted to participate. For fee information, visit 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 appear at the hearing, please provide the following information

Time required to present my 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.

Victorian Civil and Administrative Tribunal (VCAT)

55 King Street Melbourne VIC 3000
GPO Box 5408 Melbourne VIC 3001
Ausdoc DX 210576 Melbourne

Website www.vcat.vic.gov.au
Email vcat-admin@vcat.vic.gov.au

Telephone (03) 9628 9777
Facsimile (03) 9628 9789

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.

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STATEMENT OF GROUNDS

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

<input type="checkbox"/>	In the box below
<input type="checkbox"/>	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:

Please tick appropriate box and insert relevant date

<input type="checkbox"/>	on / / (insert date) on the applicant
<input type="checkbox"/>	on / / (insert date) 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*

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.vic.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:

- Corporate Standard Concession

Amount Charged _____

CARD DETAILS

Cards Accepted VISA MASTERCARD

Cardholder Name _____

Card Number _____

Card Expiry _____

Signed _____

Date / /

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FORM B – STATEMENT OF SERVICE

To be completed by or for the Applicant

Subject Land	11-33 Narelle Drive ASPENDALE GARDENS VIC 3195	VCAT Ref: P1595/2016
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I,(Print full name)
of(Print name of firm, if relevant)
.....(Print address)
.....

STATE to the Victorian Civil and Administrative Tribunal (VCAT) that:

1. I *am/*act for the Applicant in the application to VCAT with the above reference number **(*delete whichever does not apply)**
2. On **(date of service)** I served a copy of the application and all attachments and other material filed with the Tribunal and a copy of the initiating order on the responsible authority.
3. **Only tick this box if there are no objectors or referral authorities to serve.**
 There are no objectors or referral authorities to serve.

ALTERNATIVELY

4. On **(date of service)** I served the following documents on each of the persons specified below by post*/in person*. **(*delete whichever does not apply)**
Documents served:
 - a copy of the application (excluding attachments) and any documents, plans or cover letter required to be served by VCAT's initiating order;
 - a copy of the VCAT initiating order;
 - a copy of a blank Statement of Grounds.**Persons served: (tick as appropriate)**
 - any referral authorities
 - any person who lodged a written objection to the application for permit set out in the attached list, which I obtained from the relevant municipal council or other responsible authority
 - any person directed by the Tribunal
 - any other person or authority
5. I attach copies of the following documents.
Documents attached: (tick as appropriate)
 - list of names and addresses of all persons or authorities served
 - copy of sample cover letter sent with documents served

I understand that knowingly giving false or misleading information to VCAT may result in imprisonment or fine (section 136 of the *Victorian Civil and Administrative Tribunal Act 1998*).

SignatureDate.....

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