

Your Collingwood – VCAT steps

The decision in 1-57 Wellington Street and 71-77 Victoria Parade will be made by VCAT (Victorian Civil & Administrative Tribunal). Important VCAT dates:

Closing date for objectors to lodge Statement of Grounds with VCAT and serve applicant and responsible party	8 th November 2017	Must be <u>received</u> (not just sent) by this day. See below for information about email & post.
Practice Day Hearing:	10 th November 2017, 10.00 am	Brief session
Compulsory Conference:	19 th January 2018, 9.30 am	3 hours
Final Hearing:	9 th April 2018, 10.00 am	5 days

You **MUST** lodge a Statement of Grounds to be a party, to a VCAT proceeding and for VCAT to know you still object to the proposed development. Only people who are parties are kept informed on proceedings, and can have input.

1. Those who previously lodged an objection with Council

You should receive the VCAT paperwork from the developer's lawyers which includes a Statement of Grounds form. You must complete this form(or the electronic version) to partake in VCAT proceedings. Please note that **Yarra Council will not forward your objection to VCAT**.

2. For those who have NOT previously lodged an objection with Council

If you didn't originally lodge an objection, you can still participate in the VCAT process, but you must submit a Statement of Grounds.

STEP 1

Complete all sections of the 'Statement of Grounds', using VCAT reference number P2232/2017 (see below for guidance).

The link to download the form in word format the VCAT website if you prefer to fill in the form electronically then email :

<https://www.vcat.vic.gov.au/sites/default/files/resources/statement-of-grounds.doc>

You can also email yourcollingwood@gmail.com to request the form

STEP 2

On or before the 8th November 2017, send to copies to 1) VCAT, 2) developer's lawyers and 3) City of Yarra planning department

Guidance: How to complete 'Statement of Grounds'

CASE DETAILS

Date that statement of grounds must be received by VCAT This is on the notice you received or the sign at the site.	8th November 2017
VCAT reference number	P2232/2017
Site address	1-57 Wellington Street and 71-77 Victoria Parade, Collingwood

YOU PARTICIPATION IN HEARINGS

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

You must tick one of the boxes in the '**Participation in Hearing**' section:

- ✓ Tick the **top box** if you want to be a party to the proceedings, be kept informed on proceedings, and have the option to be involved at the hearing. You will pay a fee – see below (**recommended**).
- ✓ Tick the **bottom box** if you just want to let VCAT know why you oppose this development but don't wish to be further involved. You will not be kept informed on further proceedings including any updates to plans.

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.

You don't have to complete any of the 'Presenting at the Hearing' boxes, unless you want to present a case (e.g. for 30 minutes) or call witnesses (e.g. an expert in heritage, public transport, etc). What you say here does not commit you.

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

You must complete this section:

- ✓ Tick the **top box** if you have already lodged an objection with the City of Yarra.
- ✓ Tick the **second box** if you did not lodge an objection previously.

JOINT STATEMENT OF GROUNDS

You don't have to complete this section unless you want to speak on behalf of a group. The Your Collingwood group has **not** yet arranged for one person to speak for it, and leaving this blank keeps the organisation options open.

STATEMENT OF GROUNDS

You must complete this section:

- If you have already written an objection to Council:
 - **put your original objection into the form** and re-submit it (if emailing, scan any extra pages as part of the form), **OR**
 - Summarise/update/replace your previous objection points and put them in the box provided. You can add to or change your Council objection
- If you have not objected with Council:

- Complete this section with the grounds for your objection. We can help you with some points if you are starting from scratch and would like assistance.

You can consider adding : “I reserve the right to add to and/or amend my grounds for objection.”, if you think your grounds for objection may change.

SERVE A COPY

You must send a copy of your Statement of Grounds by post or email (scanned or electronic version of the form) or deliver it to all three entities below.

It must arrive by 4pm Wednesday 8th November 2017.

1. Applicant, i.e. 1-35 Wellington Street Pty Ltd, represented by Planning and Property Partners Pty Ltd.

Address: Attn: Mark Naughton, Planning & Property Partners, Level 2, 91-93 Flinders Lane, Melbourne 3000

Email: admin@pppartners.com.au

2. Responsible/relevant Authority, i.e. Yarra City Council

Address: P.O. Box 168 (330 Bridge Road), Richmond 3121

Email: planningadmin@yarracity.vic.gov.au

3. VCAT

Address: Planning & Environment List, GPO Box 5408 Melbourne 3001 (55 King Street, Melbourne 3000)

Email: vcat-admin@vcat.vic.gov.au

- Consider ‘Express Post’ for guaranteed next day delivery.
- If you are sending by email and have extra pages for your Statement of Grounds, scan these as well rather than attach them as a separate file.
- **If you email the Statement of Grounds and pay a fee, you will need two versions – one for VCAT including the fee page with credit card details then one for Property Partners and one for the City Of Yarra NOT including the fee page.**

CERTIFICATION - Self explanatory, we hope.

VCAT FEES

(Fees Page: <https://www.vcat.vic.gov.au/resources/planning-and-environment-fees>)

- Individuals: \$19.90 (\$9.90 for concession card holders)
- Corporations: \$28.40.

FEE RELIEF - Self explanatory, we hope.

FEES PAYMENT

This appears to be only by credit card, as VCAT has not provided any details about paying by cheque or Electronic Funds Transfer.

Remember DO NOT send the fee page with credit card details to the Applicant or Responsible Authority, **ONLY include it in the version you send to VCAT**.