
Piedimontes

How To Fill In a Statement of Grounds

25-45 Best Street & 102-114 Scotchmer Street, Fitzroy North 3068

VCAT case number is P923/2020

Statement Of Grounds Due in by : [4pm Thursday 6th August 2020](#)

If you objected to the Piedimontes development, you should have received a letter from Piedimontes lawyers, letting you know they are appealing our council's refusal decision at VCAT.

If you're certain you objected but still haven't yet received a letter in the mail, you can still submit a Statement of Grounds.

The Statement of Grounds needs to include your main reason/s the development should not be approved in its current form.

If you are an impacted neighbour, definitely put in a paid statement of grounds, so you have a say on changed plans. A professional planner can help you fully understand your position &/or represent you.

Just Too Big



Before you begin - Get a copy of the form to fill in :-)

You can download the form to fill in using a pdf editor from VCAT : [Statement of grounds](#)

If you prefer to fill your forms in using a pen, the form in the post, at the back of the VCAT papers, or you can just print the download pdf form. It is ok to submit a scanned copy, or photo of the completed paper form via email.

There is a VCAT online form - [Online Statement of Grounds](#) - with one big issue. It only informs VCAT. You still have to fill in the first 4 pages of the pdf version and send a copy to both the council, and Piedimontes lawyers, Norton Rose Fulbright. This guide follows the pdf form.

The business hours VCAT help line is very good : 1300 01 8228

Filling in the Form

Case Details

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.	6 August 2020
VCAT reference number	P923/2020
Site address	25 - 45 Best Street and 102 - 114 Scotchmer Street, Fitzroy North

Who is making this statement ?

WHO IS MAKING THIS STATEMENT OF GROUNDS?

1. Full name of the person, company, authority or other making this statement of grounds.

2. Are you?

- 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
- Note:** You are not a formal party to the VCAT case and you must attend the hearing to be considered to be added as a formal party. You also must submit your own statement of grounds, separate to a person who objected to the original application to the council

You must tick one the the top two boxes:

Tick the **top box** if you **did lodge** an **objection** with the City of Yarra.

Tick the **second box** if you **did not lodge** an **objection** with the City of Yarra. If you did not object - you cannot put in a statement of grounds unless you are nearby, or impacted directly.

If you can **include** an **email address**. VCAT is faster and more reliable via email.

Tick **No** for **Is someone representing you ?** unless you have already organised someone to represent you. If you intend to be represented, you have two months before the Compulsory Conference to get that organised.

Joint Statement of Grounds

Leave it blank unless this Statement of Grounds represents a group of people. This guide does not include hints for doing this - try asking the VCAT help line.

If you put in a personal statement of grounds before the 6th August, you have two months, to decide if you wish to join with a group, and organize the paperwork, before the Compulsory Conference.

Presenting at the Hearing

YOUR PARTICIPATION IN HEARINGS

9. Do you intend to participate in hearings?

I intend to appear and present a submission at the hearing

Note: A fee applies if you intend to participate in hearings, and VCAT will send you further correspondence and orders.

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

Note: You will not be a party and no fee applies. VCAT will not send you further correspondence and orders. Skip to Question 14.

10. How much time will you need to present your entire case at a hearing?

Estimate the time you need to present, including time needed by any expert witnesses you will call.

hours minutes

11. How many expert witnesses will you call?

12. List the areas of expertise for your expert witnesses.

Tick the **I intend to appear** box if you want to continue to be part of the VCAT process, be represented by FNRAG or PFN, or just want to keep your options open. You will **pay a fee**.

Tick the **I do not intend to participate** box if you want to let VCAT know why you oppose this development in writing, but want **no further involvement**. You will **not pay a fee**.

PFN recommends paying the fee, if you can spare it. Paying the fee keeps you informed, and can comment on new versions of plans. You can still choose to stop taking part at any point. You can allow some-one else to speak on your behalf, or join in a residents group combined effort. A paid statement of grounds keeps your options open.

You don't have to answer **How much time**, **How many expert witnesses**, etc. unless you want to present a case (e.g. for 5 or 10 or 30 minutes) or call witnesses (e.g. an expert in heritage) and you know roughly how long you will need. You can change your mind on this, and decide closer to the hearing if you will present and for how long.

Your Statement of Grounds

This section is compulsory. This is where you say your reasons why VCAT should agree with the council's decision to refuse a permit for the development - in your own words.

Remember the developer will read your reasons - as well as VCAT, or members of the public who request to view Statements of Grounds.

Your reasons do not have to be the same as your objection, or the council's reasons.

Example Only - (using your own words is always more relevant and more powerful.)

WHAT GROUNDS DO YOU INTEND TO RELY UPON?

8. State your grounds:

support the council's refusal.

The height and bulk is excessive for a heritage neighbourhood village.

Loss of independant retail spaces, with thier businesses, including the chemist.

Having delivery trucks reversing across pedestrian and cycle traffic.

Certification and Acknowledgement

Last section to be completed on all form copies - fill in the certification and acknowledgement sections. Self explanatory, we hope.

Fee Relief - hopefully self explanatory.

Fees Payment

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

Lodgement of statement of grounds in a planning matter

Fees for	Standard	Corporate	Health Care Card
Intending to appear and present a submission at the hearing	\$20.70	\$29.60	\$10.40
Not intending to participate in the hearing but want VCAT to consider your statement of grounds	No fee	No fee	No fee

Send a copy to VCAT, City of Yarra, and the developer's lawyers

You have to send a copy of your statement of grounds to all three.

Send a copy including **all pages** to VCAT - if you are not using the VACT online form.

One copy of **all 5 pages**, including the credit card authorisation page, and additional documents, if any, you are submitting with your objection, should be sent to **VCAT**.

If you **are** paying the Fee - remember to fill in the credit card fee payment page.

If you **are not** paying the Fee - do not fill in the credit card fee payment page, leave it blank.

VCAT via **Email** send to : Principle Registrar at admin@vcat.vic.gov.au

OR via **Post** send to : Victorian Civil and Administrative Tribunal
GPO Box 5408, Melbourne Vic 3001

OR in person hand in : VCAT service counter, ground floor, at 55 King Street Melbourne.

Send a copy of the pdf form **without the payment page**, (only include pages 1 to 4) to :

Yarra planning

City of Yarra via Email send to : planningadmin@yarracity.vic.gov.au

Piedimontes lawyers

Linda Choi at Norton Rose Fulbright via **Email** send to : linda.choi@nortonrosefulbright.com