

26 - 56 Queens Parade

How To Fill In Your Statement of Grounds

VCAT case number is P1168/2020

Statement Of Grounds Due in by : 4pm Wednesday 30th September 2020

If you live nearby, are an original objector, or put in a Statement of Grounds to the original VCAT case, you should have a letter from Planning & Property Partners lawyers.

Their client, Tim Gurner, has applied to VCAT to change the approved plans for 26-56 Queens Parade, Fitzroy North to add 50 extra apartments and 51 new car spaces.

If you are an impacted neighbour, whether or not you were part of the original case, definitely **put in a paid Statement of Grounds**, so you **have a say on changed plans**. You may also consider hiring a professional planner to help you fully understand and represent your personal circumstances.

The Statement of Grounds needs to include your main reason/s why the developer should not receive approval for his new plans.

The City of Yarra page for this case: [Permit number: PLN16/0434](#)

Bigger with Less Character



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

You can use any of the following methods to obtain the Statement of Grounds form:

- Use the **printed form at the back of the VCAT papers** you received by post. It is ok to submit a scanned copy, or photo of the completed paper form via email.
- **Download the PDF form from VCAT** to fill it in by handwriting the information (once you print it) or on your desktop by using a PDF editor (e.g. Adobe Reader): [Statement of Grounds](#)
- Use the **VCAT online form** - [Online Statement of Grounds](#) - but it only informs VCAT. If you use the on-line form, use Ctrl-P to print the filled in form to a PDF file, send a copy of the PDF file to both the council, and the developer's lawyers, Planning & Property Partners, see the **send a copy** section on page 4 of this guide for email addresses.

The guide below follows the [PDF form](#), but also can be useful filling in the online form.

The business hours VCAT help line is very good : 1300 01 8228 Option 5. [VCAT SoG Webpage](#)

(Tip : Call back until you get in the queue - then hang on. Don't use the callback option)

Filling in the Form

Case Details

Date the statement of grounds must be received by VCAT This is on the notice you received or the sign at the site. If your statement of grounds is received by VCAT after this date, you will not be a formal party to the case.		30/09/2020
VCAT reference number	P1168/2020	
Site address	26 - 56 Queens Parade, Fitzroy North, 3068	

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 of the top two boxes**:

- Tick the **top box** if you **did receive a notice letter** informing you of the application.
- Tick the **second box** if you **did not receive a notice letter**. If you were not part of the original VCAT process you cannot now put in a statement of grounds unless you live nearby & would therefore be directly affected.

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 someone already organised. You can organise a representative or pick someone else to represent you later, should you wish.

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.

Provided you have put in a personal paid Statement of Grounds, you have until the Compulsory Conference to choose to be represented by PFN, represent yourself, or be represented by someone else you nominate.

Your Statement of Grounds

This section is compulsory. This is where you say your reasons why VCAT should not approve the proposed amended plans - 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.

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

8. State your grounds:

The application adds an additional 50 apartments, 400+ sqm of gym/retail, and 1,500+ sqm office space, this is a significant increase in intensity.

The application introduces new elements not previously considered, a new design, underground recreation areas, unsympathetic street wall presentation, intrusive lift over-runs, and uses different materials.

The new design provides a worse outcome on multiple planning areas already assessed by the tribunal. The concrete arches do not fit the neighbourhood character. The heritage impact is diminished by the new design, and the increased visual bulk in the heritage streetscape. It has worse bicycle parking, worse amenity outcomes, in particular for light and ventilation, and worse ESD.

Other Reasons :

- No photo-voltaic panels, all gas appliances, no provision for drying clothes.
- The addition of 51 car spaces (through the use of car stackers).

- The new plans do not reflect the heritage conditions in the original decision.
- The new building design does not fit the heritage character.
- The setbacks to the neighbours to the west have reduced

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 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 keeps your options open. Only people with paid Statement of Grounds can comment on further updates to plans. You can still choose to stop taking part at any point. You can allow someone else to speak on your behalf or authorise a residents group, like PFN, to represent your interests.

Sections on **How much time**, **How many expert witnesses**, etc. can be left blank if you intend to be represented by PFN. If you wish to speak at the hearing or call an expert witness (e.g. an expert in heritage) then put down an estimate of time required. If you intend to speak or call a witness, then you must include a time that is roughly correct. By including a time, you are not bound to present at the hearing and can change your mind.

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

If you are completing the **online form** you can pay the fee to VCAT over the phone.

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.

1. Send a copy with **all pages** to **VCAT** - if you did not use the VCAT 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 - leave the credit card fee payment page blank.

VCAT via **Email** send to : Addressed to Principal 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.

(Using the **VCAT online form**, this form is only sent to VCAT, not to the other parties).

2. **Send a copy** of pages 1 to 4 of the PDF form **excluding the payment page** to :

City of Yarra Planning Dept. Email address : planningadmin@yarracity.vic.gov.au

3. **Send a copy** of pages 1 to 4 of the PDF form **excluding the payment page** to:

Planning & Property Partners. Email address : admin@pppartners.com.au