

APPLICATION BY AN OBJECTOR FOR A REVIEW OF A PLANNING DECISION

VCAT reference number (Office use only):

P

WHAT YOU CAN APPLY FOR

You can apply to have VCAT review a decision by a responsible authority (usually a council) to grant a planning permit or an amended permit.

You can apply for a VCAT review if you lodged an objection with the responsible authority opposing the permit application (section 82 of the *Planning and Environment Act 1987*).

If you were not an objector during the responsible authority's permit application process, use this form so VCAT can decide whether to accept your review application. We will schedule a practice day hearing to determine whether to grant you permission to apply for the review (section 82B of the *Planning and Environment Act 1987*).

You can also apply if you are from a referral authority affected by the decision to grant a planning permit or amended permit (section 82AAA of the *Planning and Environment Act 1987*).

You must apply for a review **within 28 days** of the date of the Notice of Decision to Grant a Permit or a Notice of Decision to Grant an Amended Permit.

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form, contact our Customer Service team:

- email admin@vcat.vic.gov.au
- call 1300 01 8228 (1300 01 VCAT) between 9 am and 4.30 pm Monday to Friday
- go to the Victorian Civil and Administrative Tribunal, Ground Floor, 55 King Street, Melbourne VIC 3000. We are open Monday to Friday from 8.30 am to 4.30 pm.

TYPE OF APPLICATION

1. I want VCAT to review a decision to grant a permit or an amended permit and I am:

- An objector (or represent an objector)
- From a referral authority (or acting on their behalf)
- Someone who did not lodge an objection with the responsible authority

2. What is the date on the Notice of Decision?

Date (DD/MM/YYYY)

WHO IS MAKING THIS APPLICATION?

3. Full name of the individual, body corporate, company or authority making this application:

4. Is this a joint application?

- Yes
- No – skip to Question 8

5. List all joint applicants. Provide their full names and addresses.

Attach a document showing you are authorised to represent them.

If you need more space, attach a document listing all joint applicants.

6. Did all joint applicants lodge a written objection with the responsible authority?

Yes, skip to Question 8 No

7. List all joint applicants who did not lodge a written objection with the responsible authority:

If you need more space, attach a document listing all joint applicants who did not lodge a written objection with the responsible authority.

8. Do you wish to be identified as a person of Aboriginal and/or Torres Strait Islander descent?

Yes No

9. What is your address?

This will be the address VCAT uses to correspond with you. It must be an address in Victoria. If you have a representative, we will send all our notices to your representative's address instead.

Street address

Suburb State Postcode

Phone number

Email

IS SOMEONE REPRESENTING YOU?

If you nominate a representative, we will send all our correspondences to your representative's address instead of your address. You must provide an address in Victoria.

10. Is someone representing you?

Yes No – skip to Question 12

11. Details of your representative:

Organisation name (if applicable)

Full name of representative

Street address

Suburb State Postcode

Phone number

Email

ABOUT THE PERMIT APPLICATION

12. Name of responsible authority:

13. Permit application number:

14. Address of the land related to the permit application:

15. What is the permit application for?

REASONS FOR THE APPLICATION

16. State your reasons for applying.
Explain how you are affected by the responsible authority's decision.

If you need more space, attach a document setting out your reasons.

HEARING ARRANGEMENTS

You can request a practice day hearing or preliminary hearing before we schedule a final hearing. We will decide if it is appropriate to grant your request.

We will schedule a practice day hearing if you or any joint applicants did not lodge an objection with the responsible authority.

17. Do you want to request a practice day hearing or preliminary hearing?
 Yes No – skip to Question 19

18. Explain why you want a practice day hearing or preliminary hearing.

PRESENTING YOUR CASE

We will schedule a compulsory conference for your application. All parties must attend.

If parties do not settle the dispute at the compulsory conference, we will schedule a final hearing.

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

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

hours minutes

20. How many expert witnesses will you call?

21. List the areas of expertise for your expert witnesses:

22. If you want VCAT to determine a specific question of law, state the precise question/s of law:

HEARING ASSISTANCE

We offer a range of support services for people with disability, language difficulties and to help with accessibility. Let us know of your needs so we can make arrangements for the hearing.

23. Does anyone mentioned in this application need special assistance at the hearing?

Help accessing the venue (e.g. wheelchair access)

Interpreter required

Language:

Assisted communication (e.g. assistive listening device or hearing loop)

Attend the hearing by phone or video link

Other

Provide more detail about who needs the forms of assistance you have indicated and why.

24. Tell us if there is anything else you want us to consider when we arrange a hearing.

For example, provide details of any related VCAT cases or ask for the hearing to take place at a specific VCAT venue.

ATTACH THESE DOCUMENTS TO YOUR APPLICATION

You must attach the following:

- Copy of the decision to be reviewed
- Copy of your written objection to the responsible authority
- Copy of written objections by joint applicants (if applicable)
- Document showing authority to represent joint applicants (if applicable)

Keep a copy of these documents for your records.

ACKNOWLEDGEMENT

By completing this application, I understand and acknowledge that:

- To the best of my knowledge, all information provided in this application 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 form:

Date of acknowledgement (DD/MM/YYYY):

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. We do not accept Pensioner Concession Cards or Department of Veteran Affairs health cards.



To find out if you need to pay an application fee and how much it costs, go to www.vcat.vic.gov.au/fees.

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. For more information about fee relief, go to www.vcat.vic.gov.au/feerelief.

Are you applying for fee relief?

- No, go to **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, no fee is payable or you wish to pay using another method. For other payment options, see www.vcat.vic.gov.au/howtopay.

Choose the fee level: Standard Corporate Concession

Fee amount charged

\$

Card details

Cards accepted: VISA MasterCard

Cardholder name:

Card number:

Card expiry (mm/yy):

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

SUBMITTING THIS APPLICATION

If you have supplied your credit card details, send your completed form to us by post or give it to us in person.

If you have not provided your credit card details on this form, you can submit your application to us by email, post or in person.

To protect yourself, do not send credit card details over email.

By email

Email admin@vcat.vic.gov.au

By post

Send to:

The Registrar
Planning and Environment Division
Victorian Civil and Administrative Tribunal
GPO Box 5408 Melbourne VIC 3001

In person

Go to:

Victorian Civil and Administrative Tribunal
Ground Floor, 55 King Street, Melbourne VIC 3000
Office hours: 8.30am to 4.30pm Monday to Friday (except public holidays)

WHAT HAPPENS NEXT

After we receive your application and open a VCAT case, we will send you and all other parties an order setting out what happens next, including dates to come to VCAT. The order will tell you the venue, time and date you must go to VCAT.

The order will also have your VCAT reference number. The number starts with 'P' and ends with the year the application was lodged (eg. P1/2020). Quote the reference number in all correspondence and documents about your case.

Contact us if you do not hear from us within two weeks of submitting your application.

PRIVACY INFORMATION

For a copy of VCAT's privacy statement, go to www.vcat.vic.gov.au/privacy.