

# APPLICATION TO REVIEW THE REFUSAL OR FAILURE TO EXTEND TIME OF A PERMIT

VCAT reference number (Office use only): P

## WHAT YOU CAN APPLY FOR

You can apply under section 81(1) of the *Planning and Environment Act 1987* to have VCAT review a decision by a responsible authority to refuse or fail to extend the time of a permit.

VCAT can only consider an application to extend the time on a permit if the responsible authority refused to extend the time or failed to make a decision to extend the time. The application to the responsible authority must be made within the time specified in the permit or section 69 of the *Planning and Environment Act 1987*.

## 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](mailto: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.

## WHAT YOU WANT VCAT TO DO

### 1. What do you want VCAT to do?

- Extend the time for the use to start
- Extend the time for the development, or any stage, to start
- Extend the time for the development, or any stage, to be completed
- Extend the time for a plan of subdivision or consolidation to be certified

## WHO IS MAKING THIS APPLICATION?

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

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

- Yes  No

### 4. 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/Town

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. It must be an address in Victoria.

### 5. Is someone representing you?

- Yes       No – skip to Question 7

### 6. Details of your representative:

Organisation name (if applicable)

Full name of representative

Street address

Suburb

State

VIC

Postcode

Phone number

Email

## ABOUT THE PERMIT TO BE EXTENDED

### 7. Address of the land the permit relates to:

### 8. Permit number:

### 9. Name of responsible authority:

### 10. When was the permit first issued?

Date (DD/MM/YYYY):

### 11. Has the permit been extended before?

- Yes       No – skip to Question 14

### 12. How many times has the permit been extended?

### 13. When was the permit last extended?

Date (DD/MM/YYYY):

### 14. Has the development or a stage of the development started?

- Yes       No – skip to Question 16       Not relevant – skip to Question 16

**15. When did the development or a stage of the development start?**

Date (DD/MM/YYYY):

**16. When did you apply to the responsible authority to extend the time?**

Date (DD/MM/YYYY):

**17. When did the responsible authority issue its refusal, if relevant?**

Date (DD/MM/YYYY):

**18. If the permit or amended permit was granted by VCAT, what is the reference number and/or AUSTLII citation?**

**19. Give reasons to support your application to extend the time:**

If you need more space, attach another document.

## HEARING ARRANGEMENTS

You can request to have your case heard in the Short Cases List. You can also ask for a practice day hearing or preliminary hearing. We will decide if it is appropriate to grant your request.

For more information about the benefits of the Short Cases List, go to [www.vcat.vic.gov.au/planning](http://www.vcat.vic.gov.au/planning).

**20. Are you applying for any of the following?**

Short Cases List

Practice day hearing or preliminary hearing – explain why:

**21. 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.

**PRESENTING YOUR CASE**

**22. 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 witnesses you will call.

hours     minutes

**23. How many expert witnesses will you call?**

**24. List the areas of expertise for your expert witnesses:**

**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.

**25. 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.

## ATTACH THESE DOCUMENTS TO YOUR APPLICATION

You must attach the following:

- Copy of permit to be extended
- Copy of the current endorsed plans, if relevant
- Copy of the responsible authority's decision to refuse to extend the permit, if relevant
- Copy of the VCAT decision relating to the permit or amended permit, if relevant.

## 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](http://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](http://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](http://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):  /

**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](mailto: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 correspondences 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](http://www.vcat.vic.gov.au/privacy).