

STATEMENT OF GROUNDS BY AN AFFECTED PERSON – ENFORCEMENT

Use this form to set out your position if you are an affected person in an application for enforcement order at VCAT. Do not use this form if you are a respondent to an application for enforcement order.

CASE DETAILS

Date that statement of grounds must be received by VCAT This is on the notice you received.	
VCAT reference number	
Site address	

HELP WITH YOUR STATEMENT OF GROUNDS

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 9am 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 8.30am to 4.30pm

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 is adversely affected by the enforcement order or the alleged contravention?

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

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

Postcode

Phone number

Email

WHAT GROUNDS DO YOU RELY UPON?

7. State your position on the application for enforcement order including how you are or may be adversely affected by the alleged contravention or the making of an enforcement order.

YOUR PARTICIPATION IN HEARINGS

8. Do you intend to participate in hearings?

☐ I intend to appear and present a submission at the hearing

Note: If you are a person who may be adversely affected by the alleged contravention or the making of an enforcement order, you should attend the next scheduled hearing so that VCAT can consider your role in the proceeding. A fee applies if you intend to participate 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: If you do not participate in the hearing, VCAT may make an enforcement order that adversely affects your interests without further hearing from you. You will not be a party and no fee applies. Skip to Question 14.

9. 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

10. How many witnesses will you call to give evidence about factual matters (lay witnesses)?

11. How many witnesses will you call to give expert evidence and what is their area of expertise?

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.

12. 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.

CERTIFICATION

13. You must send a copy of your statement of grounds to the applicant and to the responsible authority (council) if they are not the applicant, by the date that appears in the order you received from VCAT.

I certify that I have served a copy of this statement of grounds.

Date served on applicant (DD/MM/YYYY):

Date served on responsible authority (DD/MM/YYYY):

ACKNOWLEDGEMENT

14. By completing this statement of grounds, 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 STATEMENT OF GROUNDS FEE

A fee may apply if you intend to appear or present a submission at the hearing.

To find out if you need to pay a statement of grounds fee and how much it costs, go to www.vcat.vic.gov.au/planningfees.

FEE RELIEF

We can reduce or not charge (waive) a VCAT fee for individuals experiencing financial hardship. Any application to reduce or waive the fee should be made as soon as possible to avoid delays. For more information about fee relief and to complete the form, 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 Statement of Grounds 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):

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

VCAT will process your statement of grounds and/or fee payment.

PRIVACY INFORMATION

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