

APPLICATION FOR COSTS OR FOR REIMBURSEMENT OF FEES

WHAT COSTS AND FEES YOU CAN APPLY FOR

In a VCAT case, the general rule is that each party bears its own costs. This means that there is no automatic right to costs, even if you are the successful party.

You can apply for the following costs and fees under the *Victorian Civil and Administrative Tribunal Act 1998* (VCAT Act):

- costs you have incurred in participating in a proceeding (section 109 of the VCAT Act)
- reimbursement of fees you have paid in a proceeding (section 115B of the VCAT Act).
- costs you have incurred in participating in a proceeding in a circumstance where the application is withdrawn (section 74 of the VCAT Act)
- compensation from the applicant for any costs, expenses, loss, inconvenience and embarrassment resulting from a proceeding in a circumstance where VCAT makes an order summarily dismissing or striking out all or any part of the proceeding (section 75 of the VCAT Act)

Note: The VCAT Act contains exceptions to the use of section 109 and section 115B. Before making an application, check the Act to determine whether these exceptions apply in your circumstances.

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.

WHO IS MAKING THIS APPLICATION?

1. Full name of the person, body corporate, company or authority making this application.

2. Are you?

- Applicant for review
- Responsible authority
- Referral authority
- Respondent party
- Other (specify):

CASE DETAILS

3. VCAT reference number:

4. Address of the land:

5. Applicant/s:

6. Responsible authority:

7. Referral authorities:

8. Respondents, eg. joined parties or objectors:

WHAT ARE YOU APPLYING FOR?

9. I am applying for:

- costs incurred in the proceeding, under section 109 of the VCAT Act
- fees paid in the proceeding, under section 115B of the VCAT Act
- costs incurred in the proceeding, under section 74 of the VCAT Act
- costs incurred in the proceeding, under section 75 of the VCAT Act
- Other (specify):

10. Tell us the reasons why you are making this application.

In giving your reasons, address any relevant matters detailed in the section/s of the VCAT Act under which you are applying.

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

11. Who are you seeking costs from?

12. What is the amount of costs you are applying for?

Itemise the costs. If you need more space, attach a separate document.

13. If you are seeking costs from more than one person, state whether you are seeking the costs jointly, separately or specify the proportion.

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

A fee is payable for an application for costs made under section 109 of the VCAT Act, when it is made after the Tribunal has issued its final order in a proceeding.

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 (front and back) with your Statement of Grounds. If more than one person is named on the Statement of Grounds, this card needs to be provided for each person. 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): /

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, we will send you and the other party/parties an order setting out what happens next.

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.