

PNPE 9 FORM A - NOTICE OF AN AMENDMENT OF AN APPLICATION

WHY HAVE I RECEIVED THIS NOTICE AND WHEN IS ANY RESPONSE DUE?

1. There is a VCAT proceeding about a planning permit application or application to amend a planning permit. Information about that application and the proceeding is set out below.
2. VCAT's reference number for the proceeding is:
3. The applicant wants to amend its application, as described below.
4. You are a person who VCAT requires be given notice the proposed amendment. Information about what you need to do to respond to this notice is set out below.
5. If you want to respond to this notice, VCAT must receive your statement of grounds by the following date:

ABOUT THE APPLICATION

6. Land to which the application relates:

Street address

Suburb/Town State Postcode

7. Name of applicant:

8. How to contact the applicant:

Email Phone

9. Name of responsible authority:

10. Permit / permit application number:

11. Brief description of the proposal:

Planning Permit TPA/49751 allows for the construction of a three to seven storey building to be used as a retirement village with a food and drink premises (café) at ground level and two levels of basement car parking.

The proposal currently before VCAT is an application to amend the permit. As originally proposed, the application sought modifications to the layout of the approved building and an increase in the number of apartments from 79 to 88.

Leave will be sought at the commencement of the hearing to substitute the proposed plans, with changes including a one storey reduction in the overall height, the removal of the food and drink premises and an increase in the number of apartments to 97. The changes are described in the accompanying statement of changes.

DETAILS OF PROPOSED AMENDMENT TO APPLICATION

12. The proposed amendments are to the:

- application plans
- proposed use, development or other reason for which a permit is required
- other, applicant to specify:

INFORMATION ABOUT THIS VCAT PROCEEDING

13. Date/s of hearing: 13 and 14 December 2021

14. Date of compulsory conference (if any): not applicable

15. Date/s of practice day or preliminary hearing (if any): not applicable

16. The type of proceeding is:

- Review of refusal to grant a permit (section 77 of the Planning and Environment Act 1987)
- Review of failure to grant a permit (section 79 of the Planning and Environment Act 1987)
- Review of condition/s in a permit (section 80 of the Planning and Environment Act 1987)
- Review of decision to grant a permit (section 82 of the Planning and Environment Act 1987)
- Amendment of a permit issued at the direction of Tribunal (section 87A of the Planning and Environment Act 1987)

WHAT YOU HAVE TO DO TO RESPOND TO THIS NOTICE

17. If you are already a party to the VCAT proceeding you may:

- (a) do nothing, and continue to rely on the statement of grounds that you have already filed with the Tribunal;
- (b) amend your statement of grounds by the date in paragraph 5 of this notice;
- (c) object to the request for the amendment to the permit application, explaining the reasons for your objection by the date in paragraph 5 of this notice.

18. If you are not already a party to the VCAT proceeding, you may:

- (a) if you do not want to be involved in the proceeding – do nothing;
- (b) if you want to become a party to the proceeding –
 - i. lodge a statement of grounds with VCAT by the date in paragraph 5 of this notice using the statement of grounds form available from the VCAT website;
 - ii. tick the box in the statement of grounds form indicating that you intend to appear and present a submission at the hearing;
 - iii. pay the relevant fee; and
 - iv. give a copy of the statement of grounds to the applicant and the responsible authority by the date in paragraph 5 of this notice.
- (c) if you do not want to become a party to the proceeding, but would like to provide a statement of grounds for the Tribunal's consideration:
 - i. lodge a statement of grounds with VCAT by the date in paragraph 5 of this notice using the statement of grounds form available from the VCAT website;
 - ii. tick the box in the statement of grounds form indicating that you do not intend to appear and present a submission at the hearing;
 - iii. give a copy of the statement of grounds to the applicant and the responsible authority by the date in paragraph 5 of this notice.

Note: If you choose this option (c), you will not be a party to the proceeding. This means that you will not receive any further correspondence from VCAT about the proceeding and will not be able to participate in any compulsory conference or be heard at the hearing.

CONTACTING VCAT

You can lodge your statement of grounds by email, post or in person using the details below. If you have any questions, you can also contact VCAT using the details below or look at the information on the VCAT website.

Please quote VCAT's reference number in any communication with VCAT and give a copy of any

correspondence to all other parties at the same time.

Victorian Civil and Administrative Tribunal (VCAT)

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GPO Box 5408 Melbourne VIC 3001

Website www.vcat.vic.gov.au
Email admin@vcat.vic.gov.au

Phone 1300 01 8228