

**PLANNING AND ENVIRONMENT LIST**

**PNPE9 FORM A – NOTICE OF AN AMENDMENT OF AN APPLICATION**

- A proceeding has been lodged with VCAT and allocated the following VCAT reference number. Please quote this number when communicating with VCAT about this matter.
- The applicant has applied to amend its application, which is the subject of this proceeding, in the manner set out below.
- Please read the important information accompanying this notice.
- If the proceeding is an application for review concerning a permit application, the permit application, the proposed amendment, relevant plans and supporting material can be inspected at the office of the responsible authority.
- If the proceeding is an application for review concerning a works approval or licence, the application for works approval or licence, the proposed amendment and supporting material can be inspected at the office of the EPA or other primary decision maker.

**VCAT REFERENCE NUMBER** P768/2014

**SUBJECT LAND** Waverley Park, Mulgrave  
*Insert address or description of the land*

**NAME OF APPLICANT** Mirvac Victoria Pty Ltd

**NAME OF RESPONSIBLE AUTHORITY OR PRIMARY DECISION-MAKER** Minister for Planning

**PERMIT APPLICATION NUMBER** STA/2001/000714B

**TYPE OF PROCEEDING**

*Place X in relevant box. Note that a permit application cannot be amended in a proceeding for review of conditions under section 80 Planning and Environment Act 1987.*

- Review refusal to grant amended permit under section 77 *Planning and Environment Act 1987*
- Review failure to grant a permit under section 79 *Planning and Environment Act 1987*
- Review notice of decision to grant permit under section 82 *Planning and Environment Act 1987*
- Amend permit under section 87A *Planning and Environment Act 1987*
- Review refusal to grant a works approval or licence under *Environment Protection Act 1970*
- Review failure to grant a works approval or licence under *Environment Protection Act 1970*

**WHAT IS THE NATURE OF THE PROPOSED AMENDMENT TO THE APPLICATION?**

Full details of the proposed amendment are provided in the accompanying material

*Place X in relevant box.*

- Amendment to plans
- Amendment to the development proposal
- Amendment of the proposed use or other reason for which a permit is required
- Other –  
*Please specify briefly*

<b>DATE BY WHICH A STATEMENT OF GROUNDS MUST BE LODGED WITH VCAT</b>	<b>1 August 2014</b>
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## PLANNING AND ENVIRONMENT LIST

### INFORMATION ABOUT NOTICE OF AN AMENDMENT OF AN APPLICATION

#### HOW TO RESPOND IF YOU ARE A PARTY TO THE PROCEEDING

If you are already a party to the proceeding, you may amend your statement of grounds at any time prior to the hearing or you may choose to continue to rely on the statement of grounds you have already lodged with VCAT and do nothing.

If you wish to amend your statement of grounds, you must file a copy of your amended statement of grounds with VCAT and serve a copy on the applicant and the responsible authority or other primary decision-maker.

#### HOW TO RESPOND IF YOU ARE NOT A PARTY TO THE PROCEEDING

If you are not a party to the proceeding and you wish to contest the proceeding or be heard in relation to this application, **by no later than the date specified at the bottom of the notice** you must:

1. Serve a copy of the **Statement of Grounds** on which you intend to rely on the person making this application (the Applicant).
2. Serve a copy of the **Statement of Grounds** on the responsible authority or other primary decision-maker.
3. Lodge a copy of the **Statement of Grounds** with VCAT, indicating that a copy was served on the applicant and the responsible authority or other primary decision-maker and the date(s) this was done.

If you return your statement of grounds by the due date, VCAT will join you as a party to the proceeding.

If you do not return a statement of grounds by the due date, the Tribunal may still consider your statement of grounds but you will not be a party to the proceeding. This means that you cannot participate in any mediation or be heard at the hearing unless the Tribunal gives you leave.

If you wish to be heard, you must attend the hearing and the Tribunal may grant leave for you to be heard after it has obtained and considered the views of the applicant and the responsible authority. You may apply to be joined as a party under section 60 of the *Victorian Civil and Administrative Act 1998* or to be heard without being joined. For example, you may only question or cross-examine witnesses if you are a party.

#### STATEMENT OF GROUNDS:

The attached Statement of Grounds form should assist you. When completing the Statement, you should provide sufficient information so that the issues you intend to raise can be identified clearly.

#### WITHDRAWING YOUR OBJECTION

If you wish to withdraw your statement of grounds at any time, please inform VCAT, the Applicant and the Responsible Authority in writing. You will then be withdrawn from VCAT's record and receive no further correspondence.

#### COMMUNICATING WITH VCAT

A person who communicates in writing with VCAT must serve a copy of that communication on all other parties at the same time and notify VCAT this has been done. The communication should state a copy was sent to the other parties and list the parties it was sent to. This applies to communications sent by letter, fax or email.

#### INSPECTING VCAT'S FILE

Any party to the proceeding may inspect a file without a fee; however, other persons must pay a fee. Charges are made for photocopying. To arrange an inspection time, complete the 'File Access and Subpoenaed Documents Request Form', on the website or by contacting VCAT.

#### ENQUIRIES

Should you have any further enquiries, please contact VCAT on the numbers below. Please quote VCAT's reference number. Guidelines and information on VCAT's procedures are on VCAT's website at [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au) or available from VCAT on request.