

**APPLICATION FOR REVIEW BY AN OBJECTOR
UNDER SECTION 82 OF THE PLANNING AND ENVIRONMENT ACT 1987**

Please read the *Guide for Objectors* before completing this form.

1 Details of applicant(s)¹

Name Jan Warracke & Others

Is this a group application? Please tick only one box

No Yes (If yes, refer to Part 1 of the *Guide for Objectors*.)

Did the applicant/s lodge a written objection with the responsible authority?

No Yes

2 Address of applicant(s)

All correspondence will be sent to the applicant(s) at this address, unless they are represented. If represented, all correspondence will be sent to the representative.

Address for service PO Box 418

MALDON VIC 3463

Workday telephone 03 5475 2883

Mobile telephone 0408 518 003

Facsimile 03 5475 2884

Email address jiw@swpa.com.au

3 Details of representative

Name/Firm _____

Address for service _____

Reference
name/number _____

Workday telephone _____

Facsimile _____

Email address _____

¹ Refer to part 1 of the *Guide for Objectors*. All applicants must be original objectors. If not, an application for leave to apply for review must be made under section 82B *Planning and Environment Act 1987*.

4 Details of the land and the permit application

Information regarding the land to which the permit application relates and the permit application. Please refer to part 2 of the *Guide for Objectors*.

Address or description of the land ²	79 High Street MALDON 3463
	Lots 2 & 3 PS317675A, Parish of Maldon
Responsible authority ³	Mount Alexander Shire Council
Permit application number	PA204/2009
Proposal	Commercial Building and Signage and waiving of Car Parking requirements

Is the permit application an application to amend an existing permit?

No Yes If yes, what is the permit number? _____

Are you seeking a review of the decision of the responsible authority to grant a permit or to amend a permit under section 82 of the *Planning and Environment Act 1987*?

You must attach a copy of the responsible authority's notice of decision to grant a permit.

Yes No

If you have answered **No** to the question above, then you are using the incorrect form.⁴

5 Reasons for reviewing the decision (statement of grounds)

Set out a short statement of the grounds⁵ you rely on to support your application.

Attach a separate sheet if necessary.

Our appeal will be broadly based on, but not limited to, the following:

The proposed building is an inappropriate and unacceptable insertion in Maldon's largely intact and authentic historic streetscape;

The height, bulk and scale of the building will dominate and compete with the historic character and significance of Maldon – Australia's first and only Notable Town;

Statement of Grounds is continued on next page

² If there is no conventional address (street number, street and locality) insert a land description i.e. certificate of title volume and folio, or lot and lodged plan number, or crown allotment, section and township/parish numbers.

³ This is usually the local council, e.g. Melbourne City Council.

⁴ You can contact the Planning and Environment List of VCAT to obtain further advice as to what avenues may be available to you, depending on the circumstances regarding the planning permit in dispute.

⁵ A "statement of grounds" is a short but precise list of issues you wish to raise with VCAT, which contests the decision made by the responsible authority. The *Planning and Environment Act 1987* and planning schemes define the issues VCAT can consider. VCAT must have regard to the matters set out in section 84B of the *Planning and Environment Act 1987* when making a decision on an application for review.

6 Attachments

Attach the following documents to this application. Attach a separate list if necessary.

- A copy of the responsible authority's decision to be reviewed. Ref. No. 001
PA204/2009
- Other attachments (if relevant):
- Copy of letter from Council accompanying Notice of Decision Ref. No. 002
dated 2 Jul 2010 and received on 5 Jul 2010
- List containing name, address & signature of each joint applicant Ref. No. 003

7 Hearing conduct, time and complexity

Are you requesting mediation?

If you would like your application to be considered by way of mediation, please tick the box below. Please note, VCAT may schedule a mediation even if parties do not request it

- Yes, I am requesting mediation

Estimate the time it will take you to make your primary submissions at a hearing of the application and the number of expert witnesses you intend to call, if any.

Time to make submissions Hours Minutes
Number of expert witnesses

8 Signature

Category of signatory:

- Applicant in person Authorised representative

Signature

Name and position (print) Jan Warracke (Joint applicant)

Date 23rd July 2010

Application checklist

Before you lodge this application, make sure that:

- You have signed and dated your application.
 You have completed all details and responded to all questions.
 All documents regarding fees (eg fee waiver documents, credit card form or cheque) are supplied with your application.
 You have attached and properly referenced all of the attachments listed in this form and, in particular, you have attached a copy of the responsible authority's decision you are seeking to be reviewed.

Fees

The relevant fee or application for waiver must accompany this application.

A fee is payable in relation to all applications to VCAT in the Planning and Environment List. Current fees for applications to the Planning and Environment List are set out on our website at www.vcat.vic.gov.au

VCAT fees may rise on 1st July each year.

Application Fee

\$307-10

There are instances where the Tribunal can waive the requirement to pay a filing fee. Please refer to the website for more information about a request to waive the filing fee. If you think you are eligible for a fee waiver, you should apply for a waiver at the same time that you lodge this application. Otherwise, you must pay the fee with your application.

Fees can be paid via money order, cheque, cash or credit card.

Money orders and cheques are to be made payable to 'VCAT'. Cash payments will only be accepted if you are delivering this application in person to VCAT. Do not send cash in the mail. If faxing the application, you can only pay by credit card.

If you wish to pay the fee by credit card, please fill in the details below.

Payment by credit card

If paying by credit card, fill in the details here.

Visa Mastercard Bankcard Amex

Card Number

Expiry date Amount (\$)

Name on Card _____ Signature _____

Lodgement and contact information

Lodge this completed form, any attachments and the applicable fee by:

Mail or deliver to:	DX delivery to:	Fax to:
The Principal Registrar VCAT Planning and Environment List Ground Floor, 55 King Street MELBOURNE VIC 3000	The Principal Registrar VCAT Planning and Environment List DX 210576 MELBOURNE VIC	The Principal Registrar VCAT Planning and Environment List Fax Number: 9628 9789

Planning and Environment List Phone Number: 9628 9777

Office Hours: Monday to Friday from 9:00am to 4:30pm

Further information is available on the VCAT website: www.vcat.vic.gov.au