

11 December 2020

Sandra Stewart
City of Port Phillip Council
99a Carlisle Street
ST KILDA VIC 3182

By email to: PlanHelp@portphillip.vic.gov.au

Dear Sandra,

**VCAT PROCEEDING P1287/2020
PLANNING PERMIT AMENDMENT 1112/1999/B
3-7A ALMA ROAD, ST KILDA**

We act for Owners Corporation 500976P, the Applicant for Review ('**Applicant**') in respect of the above, listed to be heard on the following dates:

Compulsory Conference:	
Date and time	Friday 12 February 2021 10am – 1 pm (3 Hours)
Conduct	Online platform

Hearing:	
Date and time	Wednesday 17 March 2021 2.15pm (3 Hours)
Conduct	Online platform

The Applicant seeks to substitute amended plans in this proceeding pursuant to s 127 and cl 64 of Schedule 1 of the *Victorian Civil & Administrative Tribunal Act 1998*.

Accordingly, by way of service we **enclose** copies of the following for filing:

1. VCAT PNPE9 Form A - '*Notice of an Amendment of an Application*';
2. A written statement describing the changes made to the application plans;
3. Three copies (electronic and hardcopy) of the amended plans, identifying the changes made, prepared by Port Phillip Building Services Pty Ltd, dated 07 December 2020, revision A.

We confirm that all parties and persons who were instructed to be served in accordance with the Tribunal's order dated 16 November 2020 have been served, as appropriate.

We have also provided electronic versions of the above documents for uploading to Council's website.

Please contact the undersigned on 03 8626 9000– (email: administration@pppartners.com.au) should you have any queries regarding this correspondence.

Yours faithfully



PAUL LITTLE
Planning & Property Partners Pty Ltd
Encl.

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:

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:

14. Date of compulsory conference (if any):

15. Date/s of practice day or preliminary hearing (if any):

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.

STATEMENT OF CHANGES: 3-7A ALMA ROAD, ST KILDA

The following list describes the changes made between the plans prepared by *Port Phillip Building Services Pty Ltd*, dated 6 June 2019, (the 'Advertised Plans') and the set of plans sought to be substituted in this Proceeding marked 'Revision A' dated 7 December 2020.

Drawing No.	Amendment	Reason for Amendment
TP-00	No change	
TP-01	No change	
TP-02	No change	
TP-03	No change	
TP-04	No change	
TP-05	No change	
TP-06	No change	
TP-07	Re-location of the proposed intake vent and associated ductwork to the northern section of the roof over the internal pool.	To address concerns raised by parties to the proceeding.
TP-08	Provision of screening around and over the re-configured services equipment and ductwork to limit views of the equipment	To address concerns raised by parties to the proceeding.
TP-09	Re-configuration of the services equipment and ductwork including lowering the profile of the equipment and the extent to which it protrudes above the roof.	To address concerns raised by parties to the proceeding.