# PLANNING AND ENVIRONMENT DIVISION GUIDELINESSubmissions in Short Cases

## AIMS

To provide the tribunal with all relevant information required to make a decision in a concise format.

To present your case in a way that enables it to be made in under 30 minutes. In most cases, it is expected that written submissions should be no longer than 5 pages.

## SUBMISSION STRUCTURE (refer attached template)

The review site and locality

List the site’s location, dimensions, area, contours, levels, features, use and development to the extent relevant to the proceeding before the Tribunal.

Provide copies or electronic images of the following that can be displayed at the hearing:

locality plan (including maps or plans showing lot layouts if relevant)

photographs and aerial photographs (dated and labelled)

if available, video/DVD images of the site and area.

Briefly summarise the characteristics of the surrounding area and locality if relevant.

### The proposal

Briefly describe the proposal and, if relevant, referral authority positions. Point out any features or items that are relevant to the dispute.

### Planning scheme provisions

List the applicable zones and overlays affecting the land and surrounding land and the relevant planning scheme provisions, policies, reference or incorporated documents.

In dot points, list any key policy themes as relevant to the dispute. It is unnecessary to insert extensive extracts copied from the *Planning and Environment Act 1987* or the Planning Scheme.

### Background information

Any relevant background information should be mentioned briefly. Only refer to background that is relevant to the issues in dispute.

Briefly refer to any existing approvals (if relevant) and previous Tribunal decisions (if relevant).

### Submissions about the matters in dispute (This should be the main part of your submission)

Focus on the issue in dispute.

Explain your position having regard to the reasons a permit is required and applicable provisions or policies in the Planning Scheme.

Give concise reasons and arguments in support of your position.

## OTHER MATTERS

Written submissions and all material submitted at the hearing should be hole-punched, without spiral binding, so it can be filed in a standard two-ring file. A CD may be provided for photographic information.

**Remember**: The tribunal’s file contains information read before the hearing by the Member including Practice Note 2 material filed by the Responsible Authority and issues identified in the Applicant’s grounds of review.

|  |  |
| --- | --- |
| VCAT FILE NO.  | P / |
| PERMIT APPLICATION/PERMIT NO. |  |
| SUBMISSION ON BEHALF OF: |  |

### THE PROCEEDING (to be completed by Responsible Authorities and Permit Applicants)

|  |  |
| --- | --- |
| Review or application type | Insert relevant section (s) e.g. section 80 of the Planning and Environment Act 1987 |

### THE SITE AND AREA (to be completed by all parties where relevant)

|  |  |
| --- | --- |
| Address | Insert street address and, if relevant, lot and title details |
| Site features | List the key features of the site if relevant to the dispute |
| Locality features | Summarise the key features of the street or area if relevant  |

### PLANNING SCHEME PROVISIONS (to be completed by Responsible Authorities & Permit Applicants)

|  |  |
| --- | --- |
| Proposal | List key features of the proposal as relevant to the dispute |
| Zoning | List the Zone applying to the land |
| Overlays | List any Overlays applying to the land |
| Reasons permit required | List clauses under which a permit is required |
| Policies and provisions | List relevant State and local policies and any other provisions  |

### PLANNING SCHEME THEMES (to be completed by all parties)

|  |  |
| --- | --- |
| Key messages | Identify the themes in policies as relevant to the proceeding |

### RELEVANT BACKGROUND INFORMATION (to be completed by all parties where relevant)

|  |  |
| --- | --- |
| Process/background | Refer to advertising and referrals only if relevant to the dispute |
| Previous permits | List if relevant |
| Previous Tribunal decisions | List if relevant |

### SUBMISSIONS

**Issue 1: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Identify the issue in dispute.

Identify any relevant provisions or policies in the Scheme that assist consideration of the issue.

List the arguments in support of your position.

**Issue 2: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Repeat as above

### CONCLUSION

Concisely conclude your position e.g. the Application should be allowed, should be allowed in part, or should be refused.

If changes are proposed to a permit or proposed permit conditions, specify the wording you request.