

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P875/2024

APPLICANT	Ajaz Haq (owner of 230 Cookes Road, DOREEN VIC 3754)
RELEVANT AUTHORITY	Whittlesea City Council
SUBJECT LAND	As set out in Schedule A
HEARING TYPE	Practice Day Hearing
DATE OF HEARING	13 September 2024
DATE OF ORDER	16 September 2024

ORDER

Amend VCAT application

- 1 Under s 127 of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic), the address of the subject land is changed to the land set out in the Schedule to this order.

Order and conduct of proceeding

- 2 The decision with respect to the future conduct of this proceeding having regard to related proceedings P875/2024 and P881/2024 is reserved and will be finalised on the papers once all parties to each of the proceedings are known.

Hearings

- 3 This application is listed for a hearing as detailed below.

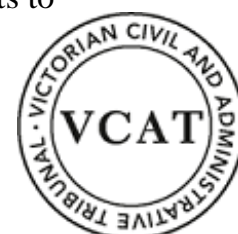
If there is any change to these details, the Tribunal will notify you.

Fast Track Hearing:	
Date and time	26 November 2024 10.00am – 4.30pm
Conduct	In person
Place	VCAT Melbourne, 55 King Street, MELBOURNE VIC 3000

The details of the online platform will be provided to the parties before the hearing.

What the applicant must do

- 4 By **20 September 2024** the applicant must give the following documents to the relevant authority:
 - a copy of the application and all attachments; and



- any other material given to the Tribunal; and
 - a copy of this order.
- 5 By **1 October 2024** the applicant must give the following documents to any other person required to be notified by the responsible authority:
- a copy of the application and all attachments; and
 - a copy of this order; and
 - a letter that must:
 - explain that an application has been made to the Tribunal,
 - that VCAT Proceeding P873/2024 and P881/2024 are related proceedings;
 - that detailed information regarding the application is available on the website of the Whittlesea City Council;
 - specify the date in Order 6 as the date by which any statement of grounds must be given to the Tribunal, to the relevant authority and to the applicant,
 - include the link to the online Statement of Grounds form on the Tribunal’s website (www.vcat.vic.gov.au/documents/forms/statement-grounds-planning)
 - advise that an online Statement of Grounds must be completed in order to take part in the proceeding,
 - specify the date and time scheduled for the hearing.
- 6 By **7 October 2024** the applicant must give to the Tribunal:
- a completed statement of service; and
 - a list of names and addresses of all persons and authorities who were notified; and
 - a sample of the letter sent with the documents.

If a statement of service is not given to the Tribunal by **7 October 2024**, this application may be struck out without further notice. No reminder will be sent.

What the relevant authority must do

- 7 By **24 September 2024**, the relevant authority must give to the applicant and to the Tribunal:
- the names and addresses or email addresses of all persons who should be notified of the application; and
 - details of all referral authorities who should be notified of the application.

- 8 By **1 October 2024**, the relevant authority must upload to its website all material relevant to the application for review.
- 9 By **8 October 2024** the relevant authority must give the information required by the Tribunal's Practice Notice **PNPE2 – Information from Decision Makers (PNPE2)** to the Tribunal, unless this material has already been given in another related proceeding. The relevant authority must give a copy of the completed table of PNPE2 to the applicant. The attachments do not need to be given to the applicant.

Statement of grounds

- 10 If you want to become a party and take part in this proceeding, you must complete a Statement of Grounds online at www.vcat.vic.gov.au/documents/forms/statement-grounds-planning and give a copy to the Tribunal, the relevant authority and the applicant by **15 October 2024**.

(Note: a fee may apply. Information regarding fees is available at www.vcat.vic.gov.au/fees. A fee does not apply to referral authorities.)

What all parties must do

- 11 No later than **5 business days** before the hearing, the parties must provide an electronic copy of their submissions and associated material (such as supporting documentation, case law and photographs) to the Tribunal and all parties. The copy for the Tribunal must be sent to admin@vcat.vic.gov.au
No further submissions will be required at the hearing.
- 12 The applicant's submissions for the hearing must include the specific orders and the specific amendments to the approved development plan that are sought.
- 13 All expert evidence must be filed and served in accordance with the Tribunal's Practice Note PNVCAT2 Expert Evidence.

Requests for procedural orders

- 14 Any request for procedural orders from the Tribunal must be made in writing and a copy must be given to all parties.

Teresa Bisucci
Deputy President

APPEARANCES

For applicant	Chas Shinkfield, Civil Engineering Consultant, Field Consulting Group Pty Ltd
For responsible authority	Zina Teoh, lawyer, Maddocks Lawyers

SCHEDULE A

Attachment 1 – Properties subject to Mernda Precinct 2A (part) Development Plan, May 2024

Property Address	Comment
811 Bridge Inn Road, Doreen	<ul style="list-style-type: none"> • Applicant for Review M. Hodges Investments Pty Ltd (VCAT P881/2024) • Consortia member
905 Bridge Inn Road, Doreen	<ul style="list-style-type: none"> • Applicant for Review Jordana Investments Pty Ltd (VCAT P873/2024)
911 Bridge Inn Road, Doreen	<ul style="list-style-type: none"> • Applicant for Review Alshara Investments Pty Ltd (VCAT P873/2024)
230 Cookes Road, Doreen	<ul style="list-style-type: none"> • Applicant for Review Ajaz Haq (VCAT P875/2024)
174 Cookes Road, Doreen	
180 Cookes Road, Doreen	
184 Cookes Road, Doreen	
190 Cookes Road, Doreen	
194 Cookes Road, Doreen	
200 Cookes Road, Doreen	
204 Cookes Road, Doreen	
210 Cookes Road, Doreen	
214 Cookes Road, Doreen	Consortia member
220 Cookes Road, Doreen	Consortia member
224 Cookes Road, Doreen	
234 Cookes Road, Doreen	
240 Cookes Road, Doreen	
244 Cookes Road, Doreen	
250 Cookes Road, Doreen	
260 Cookes Road, Doreen	
270 Cookes Road, Doreen	
274 Cookes Road, Doreen	
280 Cookes Road, Doreen	
290 Cookes Road, Doreen	
815 Bridge Inn Road, Doreen	Consortia member
821 Bridge Inn Road, Doreen	Consortia member
825 Bridge Inn Road, Doreen	
831 Bridge Inn Road, Doreen	
835 Bridge Inn Road, Doreen	
845 Bridge Inn Road, Doreen	
851 Bridge Inn Road, Doreen	
855 Bridge Inn Road, Doreen	
861 Bridge Inn Road, Doreen	



865-871 Bridge Inn Road, Doreen	
875 Bridge Inn Road, Doreen	Consortia member
881 Bridge Inn Road, Doreen	Consortia member
885 Bridge Inn Road, Doreen	
891 Bridge Inn Road, Doreen	
901 Bridge Inn Road, Doreen	
915 Bridge Inn Road, Doreen	
915 Yan Yean Road, Doreen	
935 Yan Yean Road, Doreen	Council owned
945 Yan Yean Road, Doreen	Consortia member



STATEMENT OF SERVICE

To be completed by or for the applicant for cancellation or amendment of the permit

Subject Land	230 Cookes Road DOREEN VIC 3754	VCAT Ref: P875/2024
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I,(Print full name)
of(Print name of firm, if relevant)
.....(Print address)
.....

STATE to the Victorian Civil and Administrative Tribunal (VCAT) that:

1. On (**date of service**) I served a copy of the application and all attachments and other material filed with the Tribunal and a copy of the initiating order on the responsible authority/relevant authority.

2. On (**date of service**) I served the following documents on each of the persons specified below by post*/by email*/in person*. (***delete whichever does not apply**)

Documents served:

- a cover letter
- a copy of the application, including all attachments and other material filed with VCAT required to be served by VCAT's initiating order;
- a copy of the VCAT initiating order;

Persons served: (tick as appropriate)

- owner of the land
- occupier of the land
- all relevant referral authorities
- any other persons who may have a material interest in the outcome of the application named in the application
- any other person or authority

3. I attach copies of the following documents.

Documents attached: (tick as appropriate)

- list of names and addresses of all persons or authorities served
- copy of sample cover letter sent with documents served

I understand that knowingly giving false or misleading information to VCAT may result in imprisonment or fine (section 136 of the *Victorian Civil and Administrative Tribunal Act 1998*).

SignatureDate.....

