

NOTICE TO MOUNT EVELYN COMMUNITY REGARDING VCAT HEARING ON NOVEMBER 12 AND ASSISTANCE WITH 'STATEMENT OF GROUNDS' FORMS

Read the VCAT notice dated 4 September 2007 carefully and note the dates *but more importantly for us the VCAT Orders that are L.A.W. and must be adhered to. We must at all cost ensure that the timelines as given will be adhered to by URBIS.*

Main Points follow.

- The VCAT Hearing commences on the 12 November and will be 6 days in duration. This is long.
- It is in front of a two member Tribunal (Remember the Shire asked and were granted Tribunal Members with Town Planning Expertise)
- Leave was given to the original objectors who missed out a period of 28 days (*MEEPPA have won that*) to file their 'Statement of Grounds'. This was 28 days from this 'Order' which means that 26 September is the cut off point.
- Clause 11. '*Amendments to the Development*' is also the subject of the other 'Order' *MEEPPA won*. The list of other things on Page 2 (Item a) is extremely important – especially.. *A Statement in writing describing the changes from the previous plans*". ...and under (b) ... '*Clearly readable scaled copies of the amended plans*'...etc.
- These have to be provided *no later than 30 business days (6 Weeks) prior to the hearing..*" This means that by **OCTOBER 1** all objectors should have all of these things as listed?
- '*The Responsible Authority*' referred to is the Shire.
- MEEPPA is seeking further clarification on the list of names denoted as.. '*In person*'
- MEEPPA will be represented at the Final Hearing by Mr. Peter O'Farrell.

The Hearing has come a lot quicker than most people expected. Early December was the original 'tip' or even next year?

It is therefore critical that you or anyone you know off who was an objector and 'missed' in the original 'Notification' is appraised of these facts and acts now on these instructions.

The 30 business days is critical to the timing of the Hearing and we have already been asked.. 'What if Urbis do what they did last time'? I think the 'MEEPPA's Position Statement' clarifies what we believe. We expect..' due process'.. of the law and that is NOT NEGOTIABLE.

Please be aware that many VCAT decisions are '*reserved*' and are not immediately available. These can be up to 3 or 4 weeks after the event. Which in this case would put it close to Christmas?

I don't have to remind you that this is a critical time in our town's history and will be the culmination of what we have fought for since the insidious actions over Amendment C14. five long years ago.

A separate letter to the Planning Minister asking for the up dated status of the DDO has been sent to the Minister for Planning. Because of the limited time now the DDO *will still carry weight* as a (S.E.P.) '*Seriously Entertained Proposal*' - precedents for which already exist in VCAT decisions.

Greater Communities are the sum of lesser individual but collective energies where the only direction is Forward.