

10.5 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

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File No: CL/04/004

Attachments: Nil

1. Purpose

1.1 The following is a summary of planning activity before the Victorian Civil and Administrative Tribunal (VCAT) as well as a list of decisions on planning permit applications dealt with under delegated powers for the period detailed.

2. Key Matters

Upcoming appeals

2.1 The following is an update of the upcoming VCAT appeals.

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
Deferred - VCAT to set provide new hearing date	VCAT – P1542/2019 Council – TP93/100	Hillview Drive, Broadford	Subdivision of the land into 25 lots and the removal of native vegetation	Appeal against Council's refusal to extend the completion date of the permit
21 July 2021	VCAT – P2492/2019 Council – PLP012/19	Hogan's Hotel, 88-94 High Street, Wallan	Construction of an extension, reduction in car parking, increase in licensed area and patron numbers	Conditions Appeal by applicant (indented car parking)
19 & 20 August 2021	VCAT – P93/2020 Council – P307127/12	160 Scotts Road, Tallarook	Use of the land for camping and use of existing buildings for a host farm and function centre	Appeal against Council's refusal to approve an amendment to a planning permit
6 August 2021	VCAT – P1055/220 Council – PLP121/20	(540) 74 Davidson Street Broadford	Multi lot subdivision and removal of vegetation	Failure to determine
30 August 2021	VCAT - 1888/2020 Council PLP055/20	111 Northern Highway, Kilmore	Construction of a major promotion sign	Appeal against Council's refusal to grant a planning permit

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

29 July 2021	VCAT – P447/2021 Council P306552/11.02	22 Dempsey Road, Seymour	Amendment to existing permit for a restricted place of assembly	Objector appeal against Council's approval of an amendment to a planning permit

VCAT decisions since last report*36 Victoria Street, Seymour (PLP150/19) – Multi Dwelling Development*

- 2.1 VCAT has issued a decision to remove conditions in relation to an appeal lodged by the permit applicant at 36 Victoria Street, Seymour.
- 2.2 The applicant had lodged an application for a multi dwelling development for 7 dwellings. Council Officers recommended approval subject to conditions to reduce the dwelling yield from 7 dwellings to 6 dwellings to assist in breaking up built form, respond to the character of the area and for additional vehicle parking spaces.
- 2.3 The conditions that were under review:
- 1(c) - An amended design with six dwellings on the lot.
 - 1(d) - A detached built form with a maximum of three dwellings per structure and a landscaped divide between the structure.
 - 1(g) - Provision of at least two visitor car parking spaces within the development.
- 2.4 The decision outlined that the dwelling density and built form of 7 dwellings was appropriate for the site given the proximity to the town centre of Seymour and the design providing a balanced response to relevant policies. Further, the proposal is in keeping with neighbourhood character and considered the emerging character of the area, along with the adjoining residential and industrial development.
- 2.5 As a result, VCAT required the conditions to be deleted from the permit.

40 Melrose Drive, Kilmore (PLP193/20) – Development of the land for an outbuilding.

- 2.6 An objector has lodged an appeal to cancel the planning permit. Prior to the hearing scheduled on 18 May 2021, the objector wrote in to VCAT requesting to withdraw the appeal, as such the application was withdrawn and no hearing occurred.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

3. Activities Carried out Under Delegation

3.1 A list of planning permit applications dealt with under delegated powers for the month of May 2021 is included below.

Permit No.	Address	Description of Permit	Decision	Date Approved
South Ward				
PLP328/20	121-129 Dudley Street WALLAN	Staged multi-lot subdivision	Planning Permit	30/04/2021
PLP081/21	7 Bedford Court WALLAN	Buildings and works for the construction of an outbuilding	Planning Permit	17/05/2021
PLP354/20	18 Whiteside Street BEVERIDGE	Staged multi lot subdivision	Planning Permit	20/05/2021
PLP030/19.01	22 Whiteside Street BEVERIDGE	Staged multi lot subdivision	Corrected Planning Permit	20/05/2021
PLP207/20	31 Raglan Street WALLAN	Development of multiple dwellings and reduction in one car parking space	NOD	20/05/2021
PLP111/21	138 High Street WALLAN	Building and works associated with an extension to the existing dwelling and altering access to land adjacent to a Road Zone – Category 1	Planning Permit	25/05/2021
Central Ward				
PLP355/20	120 Arkells Lane WANDONG	Use and development of the land for industry	Planning Permit	4/05/2021
PLP126/20	10 Glanville Drive KILMORE	Development of the land for a warehouse	Planning Permit	4/05/2021
PLP165/20	3 White Street KILMORE	Extension of childcare centre and ancillary uses (place of assembly (Community Programs) and maternal child health)	Planning Permit	12/05/2021
PLP050/21	25 Mitchell Street KILMORE	Development of the land for a single dwelling	Planning Permit	17/05/2021
PLP096/21	2-32 Station Street WALLAN	Removal of a light pole	Planning Permit	17/05/2021
PLP347/20	57 North Mountain Road HEATHCOTE JUNCTION	Use of the land for a store	NOD	17/05/2021
PLP274/19.02	2 Tootle Street KILMORE	Staged multi-lot subdivision, creation of restrictions, and subdivision of land adjacent to a Road Zone Category 1	Amended Planning Permit	14/05/2021
PLP132/21	760 O'Gradys Road WANDONG	VicSmart - Buildings and works for an outbuilding	Planning Permit	17/05/2021

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PLP357/20	31 Broadford Wandong Road WANDONG	2 Lot Subdivision	Planning Permit	17/05/2021
PLP256/19.01	165 Color Drive KILMORE EAST	Use and development of the land for a dwelling	Amended Planning Permit	17/05/2021
PLP249/20	25-31 Allan Street KILMORE	Staged multi-lot subdivision	Planning Permit	17/05/2021
PLP197/20	75 Powlett Street KILMORE	Extension to existing Medical centre	Planning Permit	20/05/2021
PLP095/21	230 Nannys Creek Road KILMORE EAST	Development of the land for an outbuilding	Planning Permit	20/05/2021
PLP115/21	135 Scanlons Road WANDONG	VicSmart - Development of the land for an agricultural shed.	Planning Permit	20/05/2021
PLP203/17.02	80 Clarke Street & 109 Northern Highway KILMORE	Buildings and works for the construction of a supermarket with speciality stores and medical centre, use of the land for sale of package liquor, alteration of access to Road Zone 1 and removal of native vegetation.	Amended Planning Permit	28/05/2021
PLP109/21	44 Ram Circuit WALLAN	Development of the land for a single dwelling	Planning Permit	28/05/2021
PLP355/20	120 Arkells Lane WANDONG	Use and development of the land for industry	Planning Permit	4/05/2021
PLP126/20	10 Glanville Drive KILMORE	Development of the land for a warehouse	Planning Permit	4/05/2021
North Ward				
PLP202/20	Lot E Delatite Road SEYMOUR	Native Vegetation Removal	Notice of Decision	3/05/2021
PLP281/20	215 Anzac Avenue SEYMOUR	Development of the land for four dwellings and creation of access to a Road Zone Category 1	Notice of Decision	3/05/2021
PLP054/21	680 Strath Creek Road TYAAK	Development of the land for a dwelling	Planning Permit	3/05/2021
PLP350/20	655 Spur Road CLONBINANE	Development of the land for an extension to an existing dwelling	Planning Permit	29/04/2021
PLP065/21	Hume Freeway TALLAROOK	Installation and display of replacement business identification signage	Planning Permit	30/04/2021
PLP126/21	590 Elliots Road TALLROOK	VicSmart - Development of the land for an agricultural shed.	Planning Permit	4/05/2021
PLP036/21	153 High Street BROADFORD	Development of the land for two additional dwellings in addition to an existing dwelling and alteration of access to a Road Zone Category 1	Planning Permit	5/05/2021

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PLP024/21	13 Romano Drive PYALONG	Single storey dwelling with a carport	Planning Permit	6/05/2021
PLP032/21	800 Telegraph Road SEYMOUR	Use and development of the land for a dwelling and associated outbuilding	Planning Permit	10/05/2021
PLP078/21	1 Industrial Court SEYMOUR	Buildings and works for an extension to a warehouse	Planning Permit	17/05/2021
PLP076/21	45 Kilpara Drive TALLAROOK	Installation and display of replacement business identification signage	Planning Permit	17/05/2021
PLP209/20	60 Reservoir Road BROADFORD	Removal of native vegetation	Planning Permit	17/05/2021
PLP144/21	7 Hammond Court SUNDAY CREEK	Buildings and works for an outbuilding	Planning Permit	20/05/2021
PLP148/21	13 Reditis Avenue BROADFORD	Buildings and works for an outbuilding	Planning Permit	20/05/2021
PLP060/21	45 Govett Street BROADFORD	Two lot subdivision	Planning Permit	20/05/2021
PLP070/21	19 Heritage Drive BROADFORD	Construction of outbuilding	Planning Permit	25/05/2021
PLP298/20	70 Paynes Road FORBES	Two lot subdivision	Planning Permit	25/05/2021
PLP092/21	9 Doogan Street PYALONG	Development of the land for a dwelling.	Planning Permit	28/05/2021
PLP103/21	54 Wallis Street SEYMOUR	Development of a single dwelling	Planning Permit	28/05/2021
PLP279/20	45 Racecourse Road PYALONG	Use and development of land for a dwelling and associated outbuildings	Corrected Planning Permit	28/05/2021
PLP043/21	55 Jordan Street SEYMOUR	Buildings and works for an outbuilding	Planning Permit	28/05/2021

RECOMMENDATION

THAT the information in the report be received and noted.