

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

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File No: CL/04/004

Attachments: Nil

SUMMARY

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.

RECOMMENDATION

THAT Council receive and note the report on the Victorian Civil and Administrative Tribunal Hearings and Activities carried out under delegation.

Victorian Civil and Administrative Tribunal (VCAT) activity update.

Upcoming appeals

The following is an update of the upcoming VCAT appeals.

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
Hearing occurred from 28 May until 4 June 2018 – awaiting decision	VCAT – P2885/2017 Council – PLP027/16	2330 Epping-Kilmore Road, Wallan	Use and development of the land for an earth and energy resources industry (clay extraction) and alteration to a category 1 road	Appeal against Council's refusal to grant a planning permit
Hearing occurred on 13 July 2018 – awaiting decision	VCAT – P29/2018 Council – PLP228/17	6 Kooralinga Drive, Wandong	2 lot subdivision	Appeal against Council's refusal to grant a planning permit
26 October 2018	VCAT – P768/2018 Council – PLP199/17	530 Arkells Lane, Bylands	Use and development of the land for a transfer station	Appeal against Council's notice of decision to grant a planning permit
22 November 2018	VCAT – P1079/2018 Council – PLP298/17	440 Doctors Creek Road, Clonbinane	Use of the land for a place of assemble (recreation use) and accommodation	Appeal against Council's notice of decision to grant a planning permit

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

14 January 2019	VCAT – P1364/2018 Council – PLP328/17	9 Eden Place, Wallan	Construction of 6 dwellings on a lot	Appeal against Council's refusal to grant a planning permit
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Decisions since last report

No decisions have been received since the previous report.

Activities Carried out Under Delegation

A list of planning permit applications dealt with under delegated powers for the month of August 2018 are included below.

Permit No.	Address	Description of Permit	Decision	Date Approved
South Ward				
PLP316/16.01	Station Street WALLAN	Buildings and works for a multi-unit development and reduction of car parking requirements	Section 72 Amendment	13/08/18
PLP153/18	160 Gunns Gully Road BEVERIDGE	Buildings and works for the construction of a dwelling	Planning Permit	17/08/18
PLP295/17	25 Hidden Valley Boulevard WALLAN	Buildings and works for the construction of a dwelling and removal of vegetation	Planning Permit	17/08/18
PLP159/18	111 Dolomite Rise WALLAN	Buildings and works for the construction of a dwelling	Planning Permit	21/08/18
PLP323/17	3237 Epping Kilmore Road WANDONG	5 lot subdivision and creation of access to a road zone category 1 and removal of native vegetation	Planning Permit	28/08/18
PLP128/18	5 Commercial Drive WALLAN	Use and development of the land for a restricted retail premises and creation of access to a road zone category 1	Notice of Refusal (objection of determining authority – VicRoads)	31/08/18
Central Ward				
PLP195/18	36 Sydney Street KILMORE	VICSMART Installation and display of signage	Planning Permit	07/08/18
PLP109/18	38 White Street BROADFORD	2 lot subdivision SPEAR S120957H	Planning Permit	22/08/18
PLP024/15.01	55 Sutherland Street KILMORE	9 lot subdivision	Section 72 Amendment	24/08/18
PLP283/17	110-120 Kilmore Lancefield Road KILMORE	Staged subdivision of the land, removal of easement and alteration of access to a Road Zone Category 1	Notice of Decision (Delegate Committee)	27/08/18

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

PLP163/18	APT 99/33 The Elms Boulevard KILMORE	Buildings and works associated with a residential building	Planning Permit	23/08/18
PLP160/18	55 Donaldson Drive BROADFORD	Buildings and works for the construction of a dwelling	Planning Permit	24/08/18
PLP130/18	12B Melrose Drive KILMORE	Buildings and works for the construction of a dwelling	Planning Permit	23/08/18
PLP225/17	Hamilton Street KILMORE	Buildings and works for the construction of 28 dwellings, and reduction of visitor car parking requirements	Planning Permit	29/08/18
North Ward				
PLP013/18	Northern Highway TOOBORAC	Staged 9 lot subdivision (re-subdivision)	Planning Permit	02/08/18
PLP137/18	640 Kilmore Glenaroua Road GLENAROUA	Buildings and works for the construction of a dwelling	Planning Permit	07/08/18
PLP157/18	32 Butler Street SEYMOUR	Buildings and works for alterations and additions to the existing dwelling	Planning Permit	09/08/18
PLP104/18	Main Road TALLAROOK	Removal of native vegetation	Planning Permit	08/09/18
PLP108/18	530 Elliotts Road TALLAROOK	Buildings and works for the construction of a dwelling and shed	Planning Permit	14/08/18
PLP138/18	Northern Highway TOOBORAC	Use and development of the land for a dwelling	Planning Permit	17/08/18
PLP143/18	66 Leahys Road TALLAROOK	Earthworks associated with the construction of a farm shed	Planning Permit	17/08/18
PLP154/18	520 Hall Lane AVENEL	Buildings and works for the construction of an agricultural shed	Planning Permit	17/08/18
PLP149/18	Goulburn Park 36 The Esplanade SEYMOUR	Buildings and works for the construction of a fishing jetty and removal of native vegetation	Planning Permit	09/08/18

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report. Failure to comply with the Child Safe Standards and associated legal responsibilities would be a breach of human rights.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.