

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

Author: James McNulty - Manager Development Approvals

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
5 October 2020	VCAT – P125/2019 Council – PLP206/18	8 Eden Place, Wallan	Development of the land for multiple dwellings	Appeal against Council's refusal to grant a planning permit
September 2020	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
23 March 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
Awaiting decision	VCAT – P9/2020 Council – PLP205/19	8 C Emily Street, Seymour	Major Promotion Sign	Appeal against Council's refusal to grant a planning permit
Adjourned – awaiting new hearing date	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

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

Compulsory Conference - 17 August 20 Hearing – 7 December 20 (5 days)	VCAT – P49/2020 Council – P307044/12	210 Tallarook Pyalong Road, Tallarook	Place of Assembly (music Festival) and a reduction of car parking requirements	Appeal against Council's approval of an amendment to a planning permit
9 July 2020 – awaiting decision	VCAT – P417/2020 Council – PLP268/19	175 Northern Highway, Wallan	Use and development of the land for stone extraction and creation of access to a Road Zone Category 1	Appeal against extent of advertising proposed
18 March 2021	VCAT - P983/2020 Council – PLP150/19	36 Victoria Street, Seymour	Multi-unit development	Conditions appeal
13 October 2020	VCAT – P1065/2020 Council – PLP347/19	149 Dudley Street, Wallan	Multi-unit development	Conditions appeal
6 April 2021	VCAT - P1002/2020	Springridge estate, 625 Northern Highway, Wallan	Amended Development Plan Springridge	Appeal against refusal of amendment to Development Plan
16 April 2021	VCAT – P1055/2020 Council – PLP274/19	Balance of land, 2 Tootle St Kilmore	Multi-lot staged subdivision	Conditions appeal (appealing VicRoads/Council conditions regarding intersection works/contribution)

VCAT decisions since last report

No decisions made since last report.

Activities Carried out Under Delegation

A list of planning permit applications dealt with under delegated powers for the month of July 2020 is included below.

Permit No.	Address	Description of Permit	Decision	Date Approved
South Ward				
PLP032/20	85 Carmelo Court WALLAN	Amendment to Section 173 Agreement	Notice of Refusal	02/07/20
PLP082/20	Wallan East Childcare - Lot Z Station Street WALLAN	Use and development of a Kindergarten and ancillary uses (place of assembly (Community	Planning Permit	03/07/20

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

		Programs), maternal child health) and to display business identification signage.		
PLP211/19	695 O'Gradys Road WANDONG	Use of the land for animal husbandry (dog obedience training & keeping of farm animals), education centre (Community farming education) and place of assembly (dog socialisation sessions)	Planning Permit	17/07/20
PLP238/19	90 Bentinck Street WALLAN	Development of the land for seven (7) dwellings, reduction of car parking requirements and written determination	Notice of Decision	21/07/20
Central Ward				
PLP105/20	15 Hunts Road KILMORE	Buildings and works for the construction of an outbuilding	Planning Permit	08/07/20
PLP325/17.01	275 Tantaraboo Road WILLOWMAVIN	Use and development of the land for a dwelling, covered horse arena, horse stables and associated structures	Amended Planning Permit	17/07/20
PLP095/20	640 Kilmore Glenaroua Road GLENAROUA	Buildings and works for the construction of an outbuilding	Planning Permit	23/07/20
North Ward				
PLP243/17	170 Taits Road CLONBINANE	Use and development of part of the land associated with Industry and the construction of a dependent persons unit	Planning Permit	01/07/20
PLP118/20	97 High Street SEYMOUR	Buildings and works for an outbuilding within a Heritage Overlay	VicSmart Planning Permit	08/07/20
PLP275/18	160 Johns Road SUGARLOAF CREEK	Development of the land for a dwelling and outbuildings	Planning Permit	08/07/20

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

PLP139/20	65 Seymour Pyalong Road HILLDENE	Buildings and works for an outbuilding within 100m to a watercourse	VicSmart Planning Permit	08/07/20
PLP015/20	605 Dairy Flat Road HEATHCOTE SOUTH	Development of the land for a dwelling	Planning Permit	23/07/20
PLP022/20	26/465 Tallarook Pyalong Road TALLAROOK	Development and use of the land for a dwelling	Planning Permit	30/07/20

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.