

10.8 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

1. EXECUTIVE SUMMARY

- 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.

RECOMMENDATION

THAT the information in the report be received and noted.

2. REPORT

Upcoming appeals

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

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
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 1	Appeal against extent of advertising proposed
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
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
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

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

13 October 2020	VCAT – P1065/2020 Council – PLP347/19	149 Dudley Street, Wallan	Multi-unit development	Conditions appeal by applicant (requirement to not enclose garages)
26 October 2020	VCAT – P1160/2020 Council – PLP264/19	Tarcombe Road, Seymour	Multi-lot staged subdivision	Failure to determine within statutory timeframes
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
18 March 2021	VCAT - P983/2020 Council – PLP150/19	36 Victoria Street, Seymour	Multi-unit development	Conditions appeal by applicant (reduction of unit numbers)
22 March 2021	VCAT – P967/2020 Council – PLP298/19	1755 Seymour Tooborac Road, Glenaroua	Place of Assembly, alteration of access to a Road Zone 1 and removal of native vegetation	Conditions Appeal by applicant (Expiry condition)
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 (indented car parking)
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)
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.)

VCAT decisions since last report

2.2 No decisions made since last report.

3. ACTIVITIES CARRIED OUT UNDER DELEGATION

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

Permit No.	Address	Description of Permit	Decision	Date Approved
South Ward				
PLP128/20	28 Ram Circuit WALLAN	Development of the land for a single dwelling within the Land Subject to Inundation Overlay	Planning Permit	03/08/20
PLP079/20	65 Scanlons Road WANDONG	Extension to existing dwelling	Planning Permit	05/08/20
PLP104/20	1 Penny Place WALLAN	Development of the land for three (3) dwellings	Planning Permit	07/08/20
PLP066/20	21 Station Street WALLAN	Subdivision of the land into multiple lots and the creation of reserves and easements	Planning Permit	11/08/20
PLP246/15.02	156 Wellington Street WALLAN	Use and development of a childcare centre and display of business identification signage	Amended Planning Permit	17/08/20
PLP331/19	590 O'Gradys Road WANDONG	Use and development of the land for a dwelling and associated outbuilding.	Planning Permit	17/08/20
PLP112/20	8 Yarra Court WANDONG	Use and development of the land for a dwelling	Planning Permit	17/08/20
PLP238/19	90 Bentinck Street WALLAN	Development of the land for seven (7) dwellings, reduction of car parking requirements and written determination	Planning Permit	18/08/20
PLP001/20	4 Sundew Avenue WALLAN	Development and subdivision of 11 dwellings, and a reduction in (2) visitor car parking spaces.	Planning Permit	24/08/20
PLP138/20	10 Shepherd Street WALLAN	Development of the land for a dwelling in a land subject to inundation overlay	Planning Permit	24/08/20

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PLP123/20	149 King Street WALLAN	Creation of Easements	Planning Permit	24/08/20
PLP107/20	24A Alcantara Boulevard WALLAN	Buildings and works for the construction of a dwelling on a lot less than 300 square metres.	Planning Permit	26/08/20
Central Ward				
PLP125/20	2 Rida Park Drive KILMORE	Buildings and works for an outbuilding	Planning Permit	03/08/20
PLP344/19	16 Roditis Avenue BROADFORD	Construction of a dam	Planning Permit	04/08/20
PLP172/20	1 Meade Court KILMORE	Buildings and works for an outbuilding	Planning Permit	05/08/20
PLP131/20	2/15 Anvil Avenue KILMORE	Development of the land for internal alterations, a mezzanine floor and a reduction in the car parking requirement.	Planning Permit	07/08/20
PLP041/20	1204 Broadford Wandong Road SUNDAY CREEK	Use and development of a single dwelling	Planning Permit	07/08/20
PLP064/20	625 Tantaraboo Road WILLOWMAVIN	Development of the land for a replacement dwelling	Planning Permit	07/08/20
PLP170/20	66 Kellys Lane KILMORE	Development of the land for an outbuilding and a carport	Planning Permit	07/08/20
PLP156/20	109 Northern Highway KILMORE	VicSmart - Subdivision of the land into two lots	Planning Permit	11/08/20
PLP130/20	39 Sutherland Street KILMORE	Construction of a building (classroom)	Planning Permit	11/08/20
PLP038/20	1125 Sugarloaf Creek Road SUGARLOAF CREEK	Construction of 2 sheds	Planning Permit	14/08/20
PLP186/20	19 Branigan Drive KILMORE	VICSMART – Construction of an outbuilding and carport	Planning Permit	14/08/20
PLP161/20	73 & 75 Centenary Drive KILMORE	VicSmart - Boundary realignment between two lots	Planning Permit	17/08/20
PLP141/19	15 High Street BROADFORD	Subdivision of the land and creation of access to a Road Zone Category 1	Planning Permit	24/08/20

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PLP190/20	935 Seymour Pyalong Road SUGARLOAF CREEK	Buildings and works for the extension to a dwelling	Planning Permit	26/08/20
North Ward				
PLP167/20	160 Delatite Road SEYMOUR	Buildings and works for a rural store	Planning Permit	05/08/20
PLP159/20	2405 Northern Highway MORANDING	VICSMART – Construction of a rural store	Planning Permit	07/08/20
PLP101/20	70 Ashes Bridge Road TALLAROOK	Buildings and works for an outbuilding	Planning Permit	17/08/20
PLP089/20	135 Clonbinane Road CLONBINANE	Use and development of land for a dwelling and agricultural building and associated works	Planning Permit	17/08/20
PLP228/19	298 Goulburn Valley Highway SEYMOUR	Construction of one office building, one office reception building, one quarantine building and one storage building (shipping container) associated with the existing animal boarding.	Planning Permit	17/08/20
PLP083/20	7 & 9 Dragonfly Drive SEYMOUR	Multi lot subdivision (10 Lots for an already approved unit development)	Planning Permit	17/08/20
PLP349/19.01	28 Priestley Crescent SEYMOUR	Development of the land for a dwelling and outbuilding	Amended Planning Permit	17/08/20
PLP045/20	4 Bush Pea Drive SEYMOUR	Development of land for two outbuildings	Planning Permit	26/08/20
PLP148/20	17 Railway Street SEYMOUR	Construction of a Verandah - VicSmart	Planning Permit	27/08/20

4. CHARTER OF HUMAN RIGHTS IMPLICATIONS

- 4.1 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.

5. OFFICER DECLARATION OF CONFLICT OF INTEREST

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

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