

10.6 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.

RECOMMENDATION

THAT the information in the report be received and noted.

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 - awaiting the outcome of a current application	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
Awaiting decision	VCAT - P983/2020 Council – PLP150/19	36 Victoria Street, Seymour	Multi-unit development	Conditions appeal by applicant (reduction of unit numbers)
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)

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

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
3 June 2021	VCAT – P389/20 Council PLP193/20	40 Melrose Drive, Kilmore	Development of the land for an outbuilding (shed)	Request to cancel the planning permit

VCAT decisions since last report*2 Tootle Street, Kilmore (PLP274/19) – Multi-lot stages subdivision*

2.2 Council issued a Planning Permit for a staged 116 lot residential subdivision, subject to conditions regarding development and funding of Northern Highway intersection works. The Applicant lodged a VCAT Appeal seeking to remove and amend VicRoads conditions.

2.3 Prior to the VCAT Hearing, all parties were able to resolve matters which resulted in the applicant withdrawing the VCAT Appeal and lodging a new planning application to amend VicRoads conditions as agreed by all parties.

3. Activities Carried out Under Delegation

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

Permit No.	Address	Description of Permit	Decision	Date Approved
South Ward				
PLP042/21	33 Camerons Lane BEVERIDGE	Display of signage	Planning Permit	8/04/2021
PLP094/21	8/5 Eden Place WALLAN	VicSmart - Development of the land for a carport	Planning Permit	9/04/2021
PLP233/20	200 Donovans Lane BEVERIDGE	Construction of an agricultural building	Planning Permit	9/04/2021

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PLP136/19	81 Darraweit Road WALLAN	Multi-dwelling development and reduction of car parking	Planning Permit	20/04/2021
PLP180/17	16 & 24 King Street WALLAN	Multi-lot subdivision and creation of super lot	Planning Permit	29/04/2021
PLP002/21	116 Bentinck Street WALLAN	Development of the land for multiple dwellings	Planning Permit	28/04/2021
PLP217/19	61 Minton Street BEVERIDGE	Use and development of the land for industry (concrete batching plant) and reduction in bicycle parking requirements	Refusal	19/04/2021
Central Ward				
PLP332/20	4 Ballantine Court KILMORE	Development of the land for a domestic outbuilding	Planning Permit	9/04/2021
PLP240/20	4B Freeway Drive WALLAN	Use and development of the land for Industry (Concrete Batching Plant)	Planning Permit	9/04/2021
PLP165/20	3 White Street KILMORE	Extension of childcare centre and ancillary uses (place of assembly (Community Programs) and maternal child health)	Notice of Decision	9/04/2021
PLP141/20	East Street KILMORE	Construction of an informal outdoor recreation facility (walking track) and removal of native vegetation	Planning Permit	9/04/2021
PLP225/20	45-47 Melbourne Street KILMORE	Subdivision of the land into four (4) lots	Planning Permit	16/04/2021
PLP271/20	95 Smedleys Lane CLONBINANE	Use and development of the land for a dwelling and associated agricultural building	Planning Permit	21/04/2021
PLP067/21	3 Staple Street WALLAN	Development of the land for a dwelling	Planning Permit	21/04/2021
PLP071/21	197 Wallara Waters Boulevard WALLAN	Development of the land for a dwelling	Planning Permit	19/04/2021
PLP044/21	30 Ram Circuit WALLAN	Development of the land for a dwelling	Planning Permit	22/04/2021
PLP041/21	26 Ram Circuit WALLAN	Development of the land for a dwelling in a land subject to inundation overlay	Planning Permit	22/04/2021
North Ward				

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PLP342/20	4/45 Wallis Street SEYMOUR	Use of the land for Restricted Recreational Facility (Gym) and installation and display of business identification signage	Planning Permit	6/04/2021
PLP286/20	3 Bell Court BROADFORD	Development of the land for a store (self-storage)	Planning Permit	8/04/2021
PLP287/14.02	214 High Street BROADFORD	Use and development of the land for a store (caravan storage), a reduction in car parking requirements and alteration of access to a road in a Road Zone, Category 1	Amended Planning Permit	9/04/2021
PLP219/20	26 Morison Crescent SEYMOUR	Development of the land for two dwellings	Planning Permit	8/04/2021
PLP269/20	Crawfords Road HIGH CAMP	Development of the land for a dwelling and associated habitable outbuilding	Corrected Planning Permit	9/04/2021
PLP316/20	120 Rosella Drive MANGALORE	Use and development for industry (commercial kitchen) and ancillary place of assembly	Planning Permit	9/04/2021
PLP136/20	22 McKenzie Street BROADFORD	Development of the land for three dwellings	Planning Permit	9/04/2021
PLP068/21	85 Ryans Rise CLONBINANE	Development of the land for an agricultural building	Planning Permit	9/04/2021
PLP099/21	350 Tallarook Pyalong Road TALLAROOK	Buildings and works for an agricultural building	VicSmart Planning Permit	19/04/2021
PLP218/20	14 Tehan Street SEYMOUR	Development of the land for four (4) dwellings	Planning Permit	21/04/2021
PLP106/21	70 Ashes Bridge Road TALLAROOK	Development of the land for an agricultural shed	VicSmart Planning Permit	21/04/2021
PLP097/21	35 Hamiltons Lane SUGARLOAF CREEK	VicSmart - Buildings and works for an agricultural building.	VicSmart Planning Permit	26/04/2021
PLP279/20	45 Racecourse Road PYALONG	Use and development of land for a dwelling and associated outbuilding	Planning Permit	14/04/2021

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

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.