

3 Presentation of officer reports

3.1 VCAT decisions and decisions under delegation April 2019

Abstract

This report sets out the delegated planning decisions made and VCAT decisions received during April 2019.

Officers' recommendation

That the Urban Planning Special Committee resolve to receive and note the Delegated Planning Permit Decisions by Ward report and the VCAT Decisions by Ward report for April 2019.

**Responsible director: Shiran Wickramasinghe
City Planning**

1. Purpose

The purpose of this report is to provide Council with a list of the delegated planning permit decisions made by officers and decisions made by the Victorian Civil and Administrative Tribunal (VCAT) during April 2019.

2. Policy implications and relevance to council plan

This report is intended to promote the principles of good governance through regular reporting on planning permit applications that have been determined, as requested by Council.

The report is consistent with Council objective 1.2: *Ensure a high standard of democratic and corporate governance through open and transparent processes and strong accountability to the community.*

3. Background

The report is provided at the request of councillors and will be provided on a monthly basis.

4. Outline of key issues/options

Attached to this report are the following documents:

- **Attachment 1** - Delegated Planning Permit Decisions by Ward – April 2019
- **Attachment 2** - VCAT Decisions by Ward – April 2019

5. Consultation/communication

The report is provided to inform Council of planning permit applications that have been determined during April 2019.

6. Financial and resource implications

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

The officers responsible for this report have no direct or indirect interests requiring disclosure.

7. Governance issues

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

The officers responsible for this report have no direct or indirect interests requiring disclosure.

8. Social and environmental issues

There are no social or environmental issues arising from this report.

9. Conclusion

That the Delegated Planning Permit Decisions by Ward report and VCAT Decisions by Ward report be noted.

Manager and Report officer: Marjorie Kennedy, Acting Manager Statutory Planning

No.	Property Address	Application No.	Description	Ward	Decision	Officer	Coordinator	Decision Date
1	18 Kawarren Street BALWYN NORTH VIC 3104	PP18/00500	Construction of two (2) dwellings on a lot	Bellevue	Permit Delegated	YYUEN	CREA	4/04/2019
2	2-4 Ardgour Street BALWYN NORTH VIC 3104	PP18/00734	Construction of five (5) dwellings on a lot and the reduction of car parking requirement	Bellevue	NOD Delegated	KJOHNSTO	JHARPER	10/04/2019
3	41 Viewhill Road BALWYN NORTH VIC 3104	PP18/01021	Construction of two (2) dwellings on a lot	Bellevue	Permit Delegated	JSEVILLA	JHARPER	29/04/2019
4	39 The Boulevard BALWYN NORTH VIC 3104	PP18/01194	Partial demolition and construction of alterations and additions to an existing dwelling in a Heritage Overlay	Bellevue	Permit Delegated	KCAPORAS	EDICKETT	17/04/2019
5	1/56 Belford Road KEW EAST VIC 3102	PP18/01256	Re-Subdivision of the existing building under Section 32	Bellevue	Refusal Delegated	RKAVANAG	MKENNEDY	4/04/2019
6	31 Spruzen Avenue KEW EAST VIC 3102	PP18/01355	Construction of buildings and works associated with an existing dwelling partially located in a Land Subject to Inundation Overlay (LSIO).	Bellevue	Permit Delegated	JSMITH	JHARPER	10/04/2019
7	25 Minogue Street KEW EAST VIC 3102	PP19/00003	Construction of a deck in a Land Subject to Inundation Overlay.	Bellevue	Permit Delegated	TLUCKIN	JHARPER	11/04/2019
8	2/5 Munro Street KEW EAST VIC 3102	PP19/00029	Construction of buildings and works associated with a dwelling on a lot less than 500 square metres.	Bellevue	Permit Delegated	CMCBRIDE	JHARPER	10/04/2019
9	15 Strathalbyn Street KEW EAST VIC 3102	PP19/00195	Buildings and works (fence) associated with two or more dwellings on a lot less than 500 square metres	Bellevue	No permit required	STANG	CREA	2/04/2019
10	1/5 Parring Road BALWYN VIC 3103	PP14/00982	Construction of five (5) dwellings over two (2) lots.	Maranoa	Withdrawn	YYUEN	CREA	10/04/2019
11	32 Tower Road BALWYN NORTH VIC 3104	PP18/01010	Construction of two (2) dwellings on a lot	Maranoa	Permit Delegated	YYUEN	CREA	12/04/2019
12	20 Hilda Street BALWYN VIC 3103	PP18/01055	Construction of a front fence associated with a dwelling in a Special Building Overlay	Maranoa	Permit Delegated	TLUCKIN	JHARPER	24/04/2019
13	15 Yandilla Street BALWYN VIC 3103	PP18/01060	Construction of two (2) dwellings on a lot	Maranoa	Permit Delegated	TALBERT	EDICKETT	18/04/2019
14	39 Sutton Street BALWYN NORTH VIC 3104	PP18/01297	Construction of two (2) dwellings on a lot	Maranoa	Permit Delegated	TALBERT	EDICKETT	18/04/2019
15	203A Whitehorse Road BALWYN VIC 3103	PP18/01303	Construction of buildings and works associated with an existing dwelling on a lot less than 500m2	Maranoa	Permit Delegated	CMCBRIDE	MKENNEDY	11/04/2019
16	134 Maud Street BALWYN NORTH VIC 3104	PP18/01373	Construction of two (2) dwellings on a lot	Maranoa	NOD Delegated	TALBERT	EDICKETT	18/04/2019
17	10 Sylvan Street BALWYN NORTH VIC 3104	PP19/00186	Subdivision of the land into three (3) lots	Maranoa	Permit Delegated	RKAVANAG	MKENNEDY	23/04/2019
18	128 Balwyn Road BALWYN VIC 3103	PP19/00206	(VicSmart) Buildings and works (vergola) associated with a lot under 500 square metres	Maranoa	Permit Delegated	CLORINI	CREA	3/04/2019
19	188 Whitehorse Road BALWYN VIC 3103	PP17/00243	Use of the land for the sale and consumption of liquor	Maling	Withdrawn	JBENNETT	EDICKETT	29/04/2019
20	8 Conway Crescent BALWYN VIC 3103	PP18/00391	Construction of two (2) dwellings on a lot	Maling	NOD Delegated	SNG	MKENNEDY	10/04/2019
21	26 Dudley Parade CANTERBURY VIC 3126	PP18/01122	Part demolition and construction of an addition to an existing dwelling in a Heritage Overlay	Maling	NOD Delegated	LBOSLEY	JHARPER	29/04/2019

No.	Property Address	Application No.	Description	Ward	Decision	Officer	Coordinator	Decision Date
22	5 Windsor Lane SURREY HILLS VIC 3127	PP18/01240	(VicSmart) Construction of a carport associated with a dwelling on a lot under 500 square metres	Maling	Permit Delegated	TLUCKIN	JHARPER	4/04/2019
23	91 Canterbury Road CANTERBURY VIC 3126	PP18/01302	Use of the land as a Section 2 use (temporary display suite and marketing office)	Maling	Permit Delegated	KCAPORAS	EDICKETT	18/04/2019
24	131 Union Road SURREY HILLS VIC 3127	PP19/00142	Display of a heritage plaque associated with a building in a Heritage Overlay	Maling	Permit Delegated	DBU	CREA	4/04/2019
25	129 Union Road SURREY HILLS VIC 3127	PP19/00143	Display of a heritage plaque associated with a building in a Heritage Overlay	Maling	Permit Delegated	DBU	CREA	4/04/2019
26	Shop 1/140-148 Union Road SURREY HILLS VIC 3127	PP19/00144	Display of a board associated with a building in a Heritage Overlay	Maling	Permit Delegated	DBU	CREA	4/04/2019
27	132 Union Road SURREY HILLS VIC 3127	PP19/00145	(VicSmart) Display of a heritage plaque associated with a building in a Heritage Overlay	Maling	Permit Delegated	DBU	CREA	4/04/2019
28	94 Union Road SURREY HILLS VIC 3127	PP19/00146	(VicSmart) Display of a heritage plaque associated with a building in a Heritage Overlay	Maling	Permit Delegated	DBU	CREA	4/04/2019
29	8 Myambert Avenue BALWYN VIC 3103	PP19/00259	Buildings and works (verandah) associated with a dwelling in a Heritage Overlay	Maling	Permit Delegated	STANG	CREA	26/04/2019
30	39 Glyndon Road CAMBERWELL VIC 3124	PP18/00426	Construction of two (2) dwellings on a lot and a two (2) lot subdivision.	Lynden	NOD Delegated	DSPLITGE	EDICKETT	1/04/2019
31	37 Fairview Avenue CAMBERWELL VIC 3124	PP18/00651	Part demolition and construction of an extension to an existing dwelling on a lot in the Heritage Overlay	Lynden	NOD Delegated	YYUEN	CREA	26/04/2019
32	704 Riversdale Road CAMBERWELL VIC 3124	PP18/00761	Construction of alterations and additions to existing dwelling in a Heritage Overlay and on a lot less than 500 square metres	Lynden	NOD Delegated	DSPLITGE	EDICKETT	18/04/2019
33	777 Riversdale Road CAMBERWELL VIC 3124	PP18/00859	Partial demolition and construction of alterations and additions to an existing dwelling in a Heritage Overlay and on a lot less than 500m ²	Lynden	Permit Delegated	SNG	MKENNEDY	10/04/2019
34	465 Camberwell Road CAMBERWELL VIC 3124	PP18/01134	Part demolition and construction of alterations and additions to existing dwelling in a Heritage Overlay.	Lynden	NOD Delegated	CLORINI	CREA	26/04/2019
35	181 Wattle Valley Road Ext CAMBERWELL VIC 3124	PP18/01144	Construction of two (2) dwellings on a lot	Lynden	Permit Delegated	LBOSLEY	JHARPER	30/04/2019
36	28 Finsbury Way CAMBERWELL VIC 3124	PP18/01267	Partial demolition and construction of buildings and works (extension, shed and front fence) and external alterations to an existing dwelling in a Heritage Overlay and on a lot less than 500 square metres	Lynden	Permit Delegated	LBOSLEY	JHARPER	26/04/2019
37	124 Wattle Valley Road CAMBERWELL VIC 3124	PP18/01345	Part demolition and construction of alterations and additions to existing dwelling in a Heritage Overlay	Lynden	NOD Delegated	HPARKER	MKENNEDY	30/04/2019
38	16 Immarna Road CAMBERWELL VIC 3124	PP19/00030	Extension to a dwelling on a lot less than 500 square metres	Lynden	Permit Delegated	TLUCKIN	JHARPER	24/04/2019
39	22 Lockhart Street CAMBERWELL VIC 3124	PP19/00266	(Retrospective) Alteration and construction of buildings and works associated with an existing dwelling in a Heritage Overlay	Lynden	Permit Delegated	STANG	CREA	26/04/2019
40	4 Garden Road CAMBERWELL VIC 3124	PP19/00267	(VicSmart) Construction of a front fence	Lynden	No permit required	CLORINI	CREA	15/04/2019
41	97 Victory Boulevard ASHBURTON VIC 3147	PP18/00218	Construction of two (2) dwellings on a lot	Solway	NOD Delegated	YYUEN	CREA	12/04/2019

No.	Property Address	Application No.	Description	Ward	Decision	Officer	Coordinator	Decision Date
42	144 High Street GLEN IRIS VIC 3146	PP18/00296	Alterations and Additions to an Existing Dwelling on a lot less than 500 Square Meters	Solway	Withdrawn	JPHAM	MKENNEDY	16/04/2019
43	7 Gloucester Road ASHBURTON VIC 3147	PP18/00867	Construction of two (2) dwellings on a lot	Solway	NOD Delegated	KJOHNSTO	MKENNEDY	16/04/2019
44	2 Liberator Street ASHBURTON VIC 3147	PP18/00874	Construction of two (2) dwellings on a lot	Solway	Permit Delegated	KJOHNSTO	MKENNEDY	3/04/2019
45	76 Dent Street ASHBURTON VIC 3147	PP18/00988	Part demolition and construction of an addition to existing dwelling in a Heritage Overlay	Solway	Permit Delegated	KCAPORAS	EDICKETT	17/04/2019
46	31 Celia Street GLEN IRIS VIC 3146	PP18/01125	Variation of a Restrictive Covenant	Solway	Withdrawn	KCAPORAS	EDICKETT	5/04/2019
47	30 Lexia Street ASHBURTON VIC 3147	PP18/01331	Partial demolition and construction of additions and alterations to existing dwelling in a Heritage Overlay	Solway	NOD Delegated	STANG	CREA	15/04/2019
48	50 Baird Street ASHBURTON VIC 3147	PP19/00099	Subdivision of land into two (2) lots in accordance with previously approved development permit	Solway	Permit Delegated	JSMITH	MKENNEDY	10/04/2019
49	1A Pitt Street ASHBURTON VIC 3147	PP19/00264	(VicSmart) Construction of a fence associated with a dwelling in a Land subject to Inundation Overlay (LSIO)	Solway	Permit Delegated	DBU	CREA	16/04/2019
50	65 The Boulevard HAWTHORN VIC 3122	PP18/00714	Partial demolition works and the construction of buildings and works to an existing dwelling in a Heritage Overlay	Gardiner	NOD Delegated	TALBERT	EDICKETT	18/04/2019
51	123 Riversdale Road HAWTHORN VIC 3122	PP18/01282	Partial demolition of additions at the rear of existing dwelling, demolition of front fence and carport, construction of five (5) additional dwellings and front fence and alterations to access of a road in a Road Zone Category 1	Gardiner	Refusal Delegated	TALBERT	EDICKETT	3/04/2019
52	424 Auburn Road HAWTHORN VIC 3122	PP19/00152	(VicSmart) Construction of buildings and works (construction of a non permeable roof in area over BBQ) associated with a dwelling in a Heritage Overlay	Gardiner	Permit Delegated	MVIERA	EDICKETT	8/04/2019
53	8 Rockingham Street KEW VIC 3101	PP17/00329	Construct two (2) dwellings on a lot	Studley	Withdrawn	KJOHNSTO	FBEARD	11/04/2019
54	21 Holroyd Street KEW VIC 3101	PP17/00910	Construction of a deck (including balustrade railing) to a dwelling in a Heritage Overlay and removal of trees in a Significant Landscape Overlay.	Studley	Withdrawn	DBU	CREA	1/04/2019
55	226-232 High Street KEW VIC 3101	PP18/00404	Construction of a 6-storey building comprising a shop, offices and one (1) dwelling above basement car parking (Clauses 34.01-4 and 43.02-2); construction of a canopy above the footpath of a road in a Road Zone, Category 1 (Clause 36.04-2); Display an internally-illuminated above verandah promotion sign (Clause 52.05-7); alteration of access to a road in a Road Zone, Category 1 (Clause 52.29 - reinstatement of a redundant crossing) and reduction of the car parking requirement associated with offices and a shop (Clause 52.06-3)	Studley	NOD Delegated	SBYRNE	SMITCHEL	10/04/2019
56	12 Selbourne Road KEW VIC 3101	PP18/01168	Part demolition and construction of buildings and works including a new crossover associated with an education facility in a Heritage Overlay	Studley	Permit Delegated	YYUEN	CREA	2/04/2019

No.	Property Address	Application No.	Description	Ward	Decision	Officer	Coordinator	Decision Date
57	24 Denmark Street KEW VIC 3101	PP19/00014	(VicSmart) Construction of a front fence associated with a dwelling in a Heritage Overlay	Studley	Permit Delegated	STANG	CREA	12/04/2019
58	19 High Street GLEN IRIS VIC 3146	PP19/00125	Subdivision of the land into eight (8) lots	Studley	Permit Delegated	RKAVANAG	MKENNEDY	10/04/2019
59	8 Raheen Drive KEW VIC 3101	PP19/00201	Remove destroy or lop one tree	Studley	Refusal Delegated	DBU	CREA	10/04/2019
60	134 Eglinton Street KEW VIC 3101	PP19/00228	(VicSmart) Subdivision of land into two (2) lots in accordance with the previously approved development (Spear Ref: S138496B)	Studley	Permit Delegated	RKAVANAG	MKENNEDY	8/04/2019
61	Stage 2C 115 Princess Street KEW VIC 3101	PP19/00248	Lop a tree (pruning of dead wood) in a Vegetation Protection Overlay, Schedule 2 (VPO2).	Studley	Permit Delegated	JSMITH	JHARPER	24/04/2019
62	Stage 2C 115 Princess Street KEW VIC 3101	PP19/00249	Lop (pruning of dead wood) a tree in a Vegetation Protection Overlay, Schedule 2 (VPO2).	Studley	Permit Delegated	JSMITH	JHARPER	24/04/2019
63	21 Adeney Avenue KEW VIC 3101	PP17/01241	Part demolition and construction of alterations and additions (including front fence) to existing dwelling in a Heritage Overlay	Cotham	Withdrawn	SNG	CREA	2/04/2019
64	1-3 Palm Grove DEEPDENE VIC 3103	PP18/00432	Part demolition and construction of alterations and additions to existing dwelling in a Heritage Overlay	Cotham	Permit Delegated	CMCBRIDE	JHARPER	4/04/2019
65	1 Rimington Avenue KEW VIC 3101	PP18/00882	Construction of two (2) dwellings on a lot	Cotham	NOD Delegated	KJOHNSTO	CREA	9/04/2019
66	1199 Burke Road KEW VIC 3101	PP18/00890	(VicSmart) Alteration of a front fence associated with a dwelling in a Heritage Overlay	Cotham	Permit Delegated	DBU	CREA	3/04/2019
67	1/74 Doncaster Road BALWYN NORTH VIC 3104	PP18/01239	Construction of buildings and works associated with an existing office building (Tenancy 17), reduction in the standard car parking requirement and in DDO16	Cotham	NOD Delegated	HPARKER	MKENNEDY	16/04/2019
68	43 Sackville Street KEW VIC 3101	PP19/00227	Removal of Easement (Spear Ref: S138565S)	Cotham	Permit Delegated	RKAVANAG	MKENNEDY	24/04/2019
69	35 Fairholm Grove CAMBERWELL VIC 3124	PP16/01244	Use of the land for the purpose of a place of assembly (Camberwell Community Centre), construction of a double storey building over two (2) lots associated with the place of assembly and a reduction in the standard car parking requirement	Junction	NOD Council	KJOHNSTO	SMITCHEL	17/04/2019
70	70 Rathmines Road HAWTHORN EAST VIC 3123	PP18/00779	Extension to a dwelling on a lot less than 500 square metres	Junction	NOD Delegated	KFLETCH	EDICKETT	24/04/2019
71	62 Canterbury Road CAMBERWELL VIC 3124	PP18/00975	Partial demolition and construction of alterations and additions (including front fence) to an existing dwelling in a Heritage Overlay and Public Acquisition Overlay and vary access to RDZ1	Junction	Permit Delegated	DBU	CREA	12/04/2019
72	5 Aberdeen Street HAWTHORN EAST VIC 3123	PP18/01216	Construction of an extension to an existing dwelling on a lot less than 500 square metres in a Special Building Overlay.	Junction	Permit Delegated	HPARKER	MKENNEDY	24/04/2019
73	Rear 636 Burke Road CAMBERWELL VIC 3124	PP19/00019	Use of land for the sale and consumption of liquor associated with a Nandos restaurant	Junction	Permit Delegated	TLUCKIN	JHARPER	4/04/2019

No.	Property Address	Application No.	Description	Ward	Decision	Officer	Coordinator	Decision Date
74	2 Auburn Parade HAWTHORN EAST VIC 3123	PP19/00097	Construction of a second dwelling on a lot	Junction	Withdrawn	HPARKER	MKENNEDY	24/04/2019
75	73 Fletcher Street HAWTHORN EAST VIC 3123	PP19/00110	Extension to a dwelling on a lot under 500 square metres	Junction	Permit Delegated	STANG	CREA	24/04/2019
76	696 Burke Road CAMBERWELL VIC 3124	PP19/00247	(VicSmart) Construction of buildings and works associated with a Commercial premises within a Heritage Overlay	Junction	Permit Delegated	HPARKER	MKENNEDY	24/04/2019
77	8 Launder Street HAWTHORN VIC 3122	PP18/00352	Demolition of the existing dwelling and the construction of two (2) dwellings on a lot in a Heritage Overlay in accordance with the endorsed plans.	Glenferrie	NOD Delegated	JPHAM	JHARPER	12/04/2019
78	2/29A Mary Street HAWTHORN VIC 3122	PP18/01203	Part demolition and construction of alterations and additions to an existing dwelling where there are more than two dwellings on a lot in a Heritage Overlay	Glenferrie	NOD Delegated	TLUCKIN	JHARPER	3/04/2019
79	8 Grattan Street HAWTHORN VIC 3122	PP19/00011	Construction of an apartment building comprising 22 dwellings over two lots and removal of an easement.	Glenferrie	Refusal Delegated	KCAPORAS	EDICKETT	5/04/2019
80	2A Burwood Road HAWTHORN VIC 3122	PP19/00058	Demolition of a ramp to facilitate a new structure associated with a Reserve in a Heritage Overlay	Glenferrie	Permit Delegated	DBU	CREA	24/04/2019
81	1/1A Kinkora Road HAWTHORN VIC 3122	PP19/00244	(VicSmart) Buildings and works (verandah) associated with a dwelling in a Heritage Overlay	Glenferrie	Permit Delegated	STANG	CREA	12/04/2019

(8) Appeals

VCAT Decisions Received by Ward
01/04/2019 - 30/04/2019

07/05/2019

No.	Property Address	Appeal No.	Description	Ward	Original Decision	Appeal Against	Outcome	Win/ Lose	VCAT Decision Received	Responsible Officer	Coordinator	Council Advocate
1	5 McCubbin Street KEW EAST VIC 3102	PA18/00070	Construction of two (2) dwellings on a lot	Bellevue	Refusal Delegated	Refusal	RefusePerm	Win	2/04/2019	KCAPORAS	AKERR	Officer
2	1/15 Maling Road CANTERBURY VIC 3126	PA18/00088	Extend an existing dwelling on a lot less than 500sqm in a Heritage Overlay.	Maling	Refusal Delegated	Refusal	Withdrawn	Win	15/04/2019	KFLETCH	AKERR	Officer
3	1/1114 Burke Road BALWYN NORTH VIC 3104	PA19/00005	Buildings and works to construct seven (7) dwellings across two lots and over common property and alteration of access to a Road Zone Category 1	Cotham	Refusal Delegated	Refusal	GrantPerm	RslvdByMed	4/04/2019	KJOHNSTO	AKERR	Officer
4	369 Cotham Road KEW VIC 3101	PA19/00008	(Appeal against failure) Construction of a 3-storey building comprising not more than 18 dwellings above basement car parking and alteration of access to a road in a Road Zone, Category 1 (Cotham Road) generally in accordance with the endorsed plans	Cotham	Refusal Council	Failure	GrantPerm	RslvdByMed	23/04/2019	SBYRNE	SBYRNE	Officer
5	9 Power Avenue HAWTHORN VIC 3122	PA19/00004	Construction of four (4) dwellings on a lot.	Glenferrie	Refusal Delegated	Failure	GrantPerm	RslvdByMed	29/04/2019	JBENNETT	AKERR	Officer
6	5 Lyall Street HAWTHORN VIC 3122	PA18/00091	(VicSmart) Buildings and works (landscaping and crossover) associated with an existing dwelling in a Heritage Overlay	Glenferrie	Refusal Delegated	Refusal	GrantPerm	Lose	2/04/2019	KCAPORAS	AKERR	Officer
			No VCAT decisions	Maranoa								
			No VCAT decisions	Lynden								
			No VCAT decisions	Solway								
			No VCAT decisions	Gardiner								
			No VCAT decisions	Studley								
			No VCAT decisions	Junction								