

3.6 VCAT decisions and decisions under delegation February 2021

Abstract

This report sets out the delegated planning decisions made and VCAT decisions received during February 2021.

Officers' recommendation

That the Urban Planning Delegated Committee resolve to receive and note the Delegated Planning Permit Decisions by Ward report and the VCAT Decisions by Ward report for February 2021.

Responsible director: **Shiran Wickramasinghe, Director Urban Living**

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 February 2021.

2. Policy implications and relevance to community plan and 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 - February 2021
- **Attachment 2** - VCAT Decisions by Ward - February 2021

5. Consultation/communication

The report is provided to inform Council of planning permit applications that have been determined during February 2021.

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: **Simon Mitchell, Manager Strategic and Statutory Planning**

Attachment 1 - Delegated Planning Permit Decisions by Ward – February 2021

No.	Property Address	App No.	Description	Ward	Decision	Responsible Officer	Co-ordinator	Decision Date
1	61 Doncaster Road BALWYN NORTH VIC 3104	PP20/0365	Display of promotional signage	Bellevue	Permit Delegated	STANG	EDICKETT	9/02/2021
2	197 Kilby Road KEW EAST VIC 3102	PP20/0591	Construction of two (2) dwellings on a lot	Bellevue	Permit Delegated	HPARKER	TALBERT	12/02/2021
3	16 Kyora Parade BALWYN NORTH VIC 3104	PP20/0783	Partial demolition and construction of alterations and additions associated with a dwelling in a Heritage Overlay	Bellevue	Permit Delegated	ADESILVA	JHARPER	17/02/2021
4	15 Maud Street BALWYN NORTH VIC 3104	PP20/1005	Construction of alterations and additions to existing dwelling on a lot under 500 square metres	Bellevue	NOD Delegated	KCAPORAS	EDICKETT	19/02/2021
5	197 Kilby Road KEW EAST VIC 3102	PP21/0093	Subdivision of land into two (2) lots in accordance with the previously approved development permit (Spear Ref: S170708M)	Bellevue	Withdrawn	HPARKER	MKENNEDY	22/02/2021
6	2/26 McConchie Avenue KEW EAST VIC 3102	PP21/0025	Construct an out-building (shed) associated with a lot less than 500 square metres.	Bellevue	Permit Delegated	ESPANJER	JHARPER	24/02/2021
7	82 Maud Street BALWYN NORTH VIC 3104	PP20/1086	Construction of two (2) dwellings on a lot	Cotham	Withdrawn	CLORINI	CREA	10/02/2021
8	301 Cotham Road KEW VIC 3101	PP20/1137	Buildings and works associated with an existing education centre (Genazzano FCJ College) in accordance with approved Master Plan DP20/003	Cotham	Permit Delegated	LJOHNSTO	CREA	19/02/2021
9	19 Acheron Avenue CAMBERWELL VIC 3124	PP20/0631	Construction of two (2) dwellings on a lot	Gardiner	Permit Delegated	ADESILVA	JHARPER	8/02/2021
10	39 Albion Road GLEN IRIS VIC 3146	PP20/1020	Construction of a building (crossover) associated with a lot under the Special Building Overlay.	Gardiner	Permit Delegated	ESPANJER	CREA	10/02/2021
11	1 Rix Street GLEN IRIS VIC 3146	PP20/0882	Buildings and works (deck and verandah) associated with a dwelling on land affected by a Special Building Overlay (SBO) and on a lot under 500 square metres	Gardiner	Permit Delegated	JPHAM	CREA	24/02/2021
12	39 Albion Road GLEN IRIS VIC 3146	PP21/0050	(VicSmart) Retrospective Construction of a dwelling and front fence on a lot affected by a Special Building Overlay (SBO)	Gardiner	Permit Delegated	NSHAH	JHARPER	24/02/2021
13	15 Manningtree Road HAWTHORN VIC 3122	PP20/0193	Partial demolition and construction of additions and alterations to existing dwelling in a Heritage Overlay and on a lot under 500 square metres	Glenferrie	NOD Delegated	MMERTUSZ	TALBERT	8/02/2021
14	460 Burwood Road HAWTHORN VIC 3122	PP20/0903	Use of the land for the sale and consumption of liquor associated with an existing restaurant	Glenferrie	Permit Delegated	DSPLITGE	EDICKETT	9/02/2021
15	479-487 Burwood Road HAWTHORN VIC 3122	PP21/0051	Buildings and works associated with an existing building	Glenferrie	Permit Delegated	HPARKER	EDICKETT	9/02/2021
16	11 Gordon Avenue KEW VIC 3101	PP20/0839	Part demolition and construction of alterations and additions associated with a dwelling in a Heritage Overlay and on a lot under 500 square metres	Glenferrie	Permit Delegated	KCAPORAS	EDICKETT	11/02/2021
17	3/45-49 Linda Crescent HAWTHORN VIC 3122	PP21/0070	(VicSmart) Construction of alterations (replacement balustrade) associated with a dwelling in a Heritage Overlay.	Glenferrie	Permit Delegated	TLUCKIN	JHARPER	11/02/2021
18	109 Edgevale Road KEW VIC 3101	PP20/0974	Partial demolition and construction of alterations and additions associated with a dwelling in a Heritage Overlay and on a lot under 500 square metres	Glenferrie	Permit Delegated	ADESILVA	JHARPER	17/02/2021
19	707 Glenferrie Road HAWTHORN VIC 3122	PP20/1136	Use of the land for the sale of liquor for on and off premises consumption (General Licence) associated with a bottle shop and bar.	Glenferrie	NOD Delegated	TALBERT	EDICKETT	18/02/2021
20	57 Mason Street HAWTHORN VIC 3122	PP21/0003	Construction of external alterations to a dwelling in a Heritage Overlay	Glenferrie	Permit Delegated	KCAPORAS	EDICKETT	18/02/2021

21	37 Smart Street HAWTHORN VIC 3122	PP20/0638	Partial demolition and construction of alterations and additions associated with a dwelling in a Heritage Overlay and on a lot under 500 square metres	Glenferrie	NOD Delegated	KFLETCH	EDICKETT	19/02/2021
22	16 Pine Street HAWTHORN VIC 3122	PP20/0789	(VicSmart) Buildings and works (carport) associated with a dwelling on a lot under 500 square metres	Glenferrie	Permit Delegated	JPHAM	CREA	19/02/2021
23	39 Smart Street HAWTHORN VIC 3122	PP21/0082	(VicSmart) Part Demolition and Installation of a solar energy system associated with a dwelling in a Heritage Overlay	Glenferrie	Permit Delegated	NSHAH	MKENNEDY	26/02/2021
24	979 Burke Road CAMBERWELL VIC 3124	PP20/1158	Construction of a seven-storey mixed use development, constructed over three basement levels and alteration of access to a Road Zone Category 1 (RDZ1)	Junction	Refusal Delegated	SNG	CREA	8/02/2021
25	59 Cookson Street CAMBERWELL VIC 3124	PP20/0774	Part demolition and construction of alterations and additions associated with a dwelling in a Heritage Overlay	Junction	Permit Delegated	DBU	CREA	9/02/2021
26	8 Aberdeen Street HAWTHORN EAST VIC 3123	PP20/0796	Partial demolition, alterations and additions to a dwelling in a Heritage Overlay, Special Building Overlay, and on a lot under 500 square metres	Junction	Permit Delegated	ADESILVA	JHARPER	9/02/2021
27	827 Burwood Road HAWTHORN EAST VIC 3123	PP20/1146	Subdivision of existing building and common property into nine (9) lots (Spear Ref: S168825B)	Junction	Permit Delegated	JSMITH	MKENNEDY	12/02/2021
28	61 Prospect Hill Road CAMBERWELL VIC 3124	PP19/1000	Partial demolition, and construction of alterations and additions (including a fence) associated with an existing dwelling in a Heritage Overlay.	Junction	Permit Delegated	ESPANJER	CREA	19/02/2021
29	1/27B Stanhope Grove CAMBERWELL VIC 3124	PP20/1106	Partial demolition and the construction of a verandah associated with a dwelling in a Heritage Overlay and on a lot under 500 square metres	Junction	Permit Delegated	STANG	EDICKETT	23/02/2021
30	78 Lilydale Grove HAWTHORN EAST VIC 3123	PP20/0667	Part demolition and construction of alterations and additions associated with a dwelling in a Heritage Overlay and on a lot under 500 square metres	Junction	Permit Delegated	ADESILVA	JHARPER	26/02/2021
31	154 Prospect Hill Road CANTERBURY VIC 3126	PP20/1078	Construction of a building (solar energy facility) associated with a dwelling in a Heritage Overlay.	Lynden	Permit Delegated	ESPANJER	JHARPER	2/02/2021
32	1/1 Cooloongatta Road CAMBERWELL VIC 3124	PP20/0506	Construction of two (2), triple storey buildings above basement car parking comprising forty-five (45) apartments; three (3) double storey dwellings; and a front fence greater than 1.5 metres in height	Lynden	Refusal Delegated	LJOHNSTO	MKENNEDY	4/02/2021
33	1/1259 Toorak Road CAMBERWELL VIC 3124	PP21/0026	(VicSmart) Construction of a front fence greater than 2 metres in a Neighbourhood Residential Zone.	Lynden	Permit Delegated	TLUCKIN	JHARPER	16/02/2021
34	9 Lansell Crescent CAMBERWELL VIC 3124	PP20/0880	Part demolition and construction of alterations and additions associated with a dwelling in a Heritage Overlay	Lynden	NOD Delegated	HPARKER	MKENNEDY	23/02/2021
35	2 Acacia Street CAMBERWELL VIC 3124	PP20/0999	Partial demolition and construction of alterations and additions to existing dwelling in a Heritage Overlay	Lynden	NOD Delegated	DSPLITGE	EDICKETT	26/02/2021
36	79 Balwyn Road BALWYN VIC 3103	PP20/0879	Part demolition and the construction of buildings and works; display of a sign; and alteration of access to a road in a Road Zone (RDZ1) associated with an existing education facility in a Heritage Overlay	Maling	Permit Delegated	STANG	EDICKETT	3/02/2021
37	242 Canterbury Road CANTERBURY VIC 3126	PP20/1031	Partial demolition and construction of buildings and works associated with an existing building in a Heritage Overlay.	Maling	Permit Delegated	JSMITH	CREA	15/02/2021
38	16 Church Street CANTERBURY VIC 3126	PP19/0981	Part demolition and construction of alterations and additions to existing dwelling in a Heritage Overlay	Maling	Permit Delegated	SNG	TALBERT	16/02/2021
39	222 Mont Albert Road SURREY HILLS VIC 3127	PP20/0444	Demolition and construction of a dwelling in a Heritage Overlay	Maling	Permit Delegated	MMERTUSZ	MKENNEDY	16/02/2021
40	7 Cherry Road BALWYN VIC 3103	PP20/1045	Subdivision of land into eleven (11) lots in accordance with the previously approved development permit (Spear Ref: S167094S)	Maling	Permit Delegated	JSMITH	SNG	18/02/2021
41	49 Wattle Valley Road CANTERBURY VIC 3126	PP20/1108	Partial demolition and construction of alterations and additions associated with an existing dwelling in a Heritage Overlay	Maling	Permit Delegated	TALBERT	EDICKETT	23/02/2021

42	17 Bryson Street CANTERBURY VIC 3126	PP20/1112	(VicSmart) Construction of a front fence in a heritage overlay	Maling	Permit Delegated	MMERTUSZ	MKENNEDY	23/02/2021
43	10 Middlesex Road SURREY HILLS VIC 3127	PP20/0881	Partial demolition and construction of alterations and additions to an existing dwelling in a Heritage Overlay	Maling	NOD Delegated	CLORINI	CREA	26/02/2021
44	487 Whitehorse Road BALWYN VIC 3103	PP20/0521	Display of business identification, internally-illuminated, floodlit, promotional and panel signage publicising the sale of dwellings on the land	Maranoa	Permit Delegated	STANG	EDICKETT	8/02/2021
45	50 Yeneda Street BALWYN NORTH VIC 3104	PP20/0031	Display of freestanding electronic advertising signage associated with an existing church.	Maranoa	Permit Delegated	TLUCKIN	JHARPER	9/02/2021
			Construction of three (3) dwellings and a variation of Restrictive Covenant 1222695 contained in Plan of Consolidation PC374784L, Volume 5010 Folio 907 AND Volume 11582 Folio 892; as follows: "... building other than one dwelling house with outbuildings and that such dwelling house..." to be replaced with "... buildings other than three dwelling houses with outbuildings and that such dwelling houses ..."					
46	44 Relowe Crescent BALWYN VIC 3103	PP20/0399		Maranoa	Permit Delegated	ADESILVA	JHARPER	16/02/2021
47	21 Yandilla Street BALWYN VIC 3103	PP20/0588	Construction of two (2) dwellings on a lot	Maranoa	NOD Delegated	CREA	CREA	16/02/2021
48	5 Thea Avenue BALWYN NORTH VIC 3104	PP20/0657	Construction of two (2) dwellings on a lot	Maranoa	NOD Delegated	CREA	JHARPER	17/02/2021
49	8 Chelmsford Street BALWYN NORTH VIC 3104	PP20/0812	Construction of an illuminated tennis court	Maranoa	NOD Delegated	KFLETCH	EDICKETT	19/02/2021
50	108 Strabane Avenue BALWYN VIC 3103	PP20/1069	Construction of two (2) dwellings on a lot	Maranoa	Permit Delegated	KCAPORAS	EDICKETT	26/02/2021
51	3/24 Kalonga Road BALWYN NORTH VIC 3104	PP21/0102	(VicSmart) Construction of building and works (verandah) associated with a Dwelling on a lot less than 500sqm.	Maranoa	Permit Delegated	HPARKER	MKENNEDY	26/02/2021
52	13 Urquhart Street HAWTHORN VIC 3122	PP20/0814	(VicSmart) Part demolition and the construction of buildings and works (garage) associated with a dwelling in a Heritage Overlay	Riversdale	Permit Delegated	STANG	EDICKETT	1/02/2021
53	265 Auburn Road HAWTHORN VIC 3122	PP20/1026	Use of the land for an indoor recreation facility (Karate classes) and consent for car parking	Riversdale	Permit Delegated	TALBERT	EDICKETT	3/02/2021
54	31 Lisson Grove HAWTHORN VIC 3122	PP20/0900	Partial demolition and construction of alterations and additions to an existing dwelling in a Heritage Overlay.	Riversdale	Permit Delegated	KCAPORAS	EDICKETT	17/02/2021
55	62 Lisson Grove HAWTHORN VIC 3122	PP20/0886	Partial demolition, construction of alterations and additions to existing dwelling and garage in a Heritage Overlay	Riversdale	Permit Delegated	ADESILVA	JHARPER	24/02/2021
56	55 Kooyongkoot Road HAWTHORN VIC 3122	PP20/0464	Construction of two (2) dwellings on a lot	Riversdale	Refusal Delegated	HPARKER	MKENNEDY	25/02/2021
57	15 Yarra Street HAWTHORN VIC 3122	PP21/0111	(VicSmart) Buildings and works associated with an existing building in a Heritage Overlay	Riversdale	Permit Delegated	KFLETCH	EDICKETT	26/02/2021
58	43 Ward Street ASHBURTON VIC 3147	PP21/0031	Construction of building and works (alfresco) associated with a dwelling in a Heritage Overlay	Solway	Permit Delegated	STANG	TALBERT	2/02/2021
59	363 High Street ASHBURTON VIC 3147	PP21/0055	Display of business identification, floodlit, promotional and panel signage publicising the sale of dwellings on the land of an approved development	Solway	Permit Delegated	HPARKER	TALBERT	11/02/2021
60	24 Lexia Street ASHBURTON VIC 3147	PP20/1170	(VicSmart) Construction of buildings and works (sheds) associated with an existing dwelling in a Heritage Overlay	Solway	Permit Delegated	STANG	EDICKETT	15/02/2021
61	12 Ward Street ASHBURTON VIC 3147	PP21/0064	(VicSmart) Installation of solar panels associated with a dwelling in a Heritage Overlay	Solway	Permit Delegated	TLUCKIN	JHARPER	16/02/2021

62	115 Victory Boulevard ASHBURTON VIC 3147	PP19/0811	Construction of two (2) dwellings on a lot	Solway	NOD Delegated	ADESILVA	JHARPER	19/02/2021
63	21 Hortense Street GLEN IRIS VIC 3146	PP21/0065	(VicSmart) Part Demolition and construction of a front fence, pedestrian gate and retaining wall in a Heritage Overlay.	Solway	Permit Delegated	NSHAH	MKENNEDY	19/02/2021
64	8 Rosemary Grove GLEN IRIS VIC 3146	PP20/1075	Construction of two (2) dwellings on a lot	Solway	NOD Delegated	TALBERT	EDICKETT	26/02/2021
65	18 Cremin Close KEW VIC 3101	PP20/0871	Construction of an outbuilding (storage shed) on land affected by Design and Development Overlay 1	Studley	Withdrawn	LJOHNSTO	JHARPER	3/02/2021
66	143-145 High Street KEW VIC 3101	PP20/0553	Use of the building as a food and drink premises, including increasing licensed area for the sale of liquor for on and off premises consumption (General License), part-demolition, construction of buildings and works and display of an above verandah internally illuminated business identification signage associated with an existing building in a Heritage Overlay and Design and Development Overlay and a reduction in car parking requirements	Studley	NOD Delegated	SNG	TALBERT	9/02/2021
67	62 Tennyson Street KEW VIC 3101	PP21/0040	(VicSmart) Subdivision of land into two (2) lots in accordance with the previously approved development permit (Spear Ref: S169545C)	Studley	Permit Delegated	TLUCKIN	JHARPER	10/02/2021
68	1 Banool Avenue KEW VIC 3101	PP20/0833	Partial demolition, construction of alterations and additions associated with a dwelling in a Heritage Overlay	Studley	Permit Delegated	MMERTUSZ	TALBERT	12/02/2021
69	138 Edgevale Road KEW VIC 3101	PP19/0817	Partial demolition and construction of an addition to an existing dwelling in a Heritage Overlay and on a lot under 500 square metres	Studley	Permit Delegated	KFLETCH	EDICKETT	18/02/2021
70	10 Barrington Avenue KEW VIC 3101	PP20/0970	Partial demolition, buildings and works and construction of a fence associated with a dwelling in a Heritage Overlay	Studley	NOD Delegated	DSPLITGE	EDICKETT	26/02/2021
71	82 Molesworth Street KEW VIC 3101	PP20/1080	(VicSmart) Removal of vegetation on land affected by a Significant Landscape Overlay (SLO1)	Studley	Lapsed	MMERTUSZ	MKENNEDY	26/02/2021

Attachment 2 - VCAT Decisions by Ward – February 2021

No.	Property Address	Ram Id	Description	Electorate	Decision	Appeal against	Outcome	Win/Lose	VCAT Decision Received	Responsible Officer	Co-ordinator
4	3/223 Balwyn Road BALWYN NORTH VIC 3104	PA20/0036	Buildings and works (carport) on common property	Maranoa	NOD Delegated	NOD	Withdrawn	N/A	5/2/21	HPARKER	CMURPHY
7	1/39 Munro Avenue ASHBURTON VIC 3147	PA20/0098	Construction of an extension to a dwelling on a lot under 500 square metres	Solway	NOD Delegated	NOD	Struck Out	Win	26/2/21	KCAPORAS	CMURPHY
2	454 Burke Road CAMBERWELL VIC 3124	PA20/0048	Construction of ten dwellings above basement car parking and alteration of access to a Road Zone Category 1.	Gardiner	NOD Delegated	NOD	Withdrawn	Win	23/2/21	SNG	CMURPHY
3	848 Toorak Road HAWTHORN EAST VIC 3123	PA20/0024	Construction of a new dwelling and front fence within 3m of a street on a lot less than 500sqm	Gardiner	Refusal Delegated	Refusal	Grant Permit	Lose	2/2/21	KFLETCH	CMURPHY
1	53 Earl Street KEW VIC 3101	PA20/0089	Buildings and works associated with a mixed use development, buildings and works in a Road Zone Category 1, use of the land for dwellings, a reduction in the standard car parking rate, waiver of loading requirements and alteration of access to a road in a Road Zone Category 1.	Studley	NOD Council	Amend Permit	Grant Amendment	Resolved By Mediation	5/2/21	KCAPORAS	CMURPHY
5	1/79-83 High Street South KEW VIC 3101	PA20/0041	Construction of buildings and works associated with an existing building in a Commercial 1 Zone and Design and Development Overlay (two storey extension to an office building); Reduction in the standard car parking requirement associated with use of the land as an office; and alteration of access to a road in a Road Zone Category 1.	Studley	Refusal Delegated	Refusal	Issue Permit	Lose	16/2/21	KCAPORAS	CMURPHY
6	39 Ryeburne Avenue HAWTHORN EAST VIC 3123	PA20/0094	Partial demolition and construction of alterations and additions to an existing dwelling in Heritage Overlay	Cotham	NOD Delegated	Cancelled	Withdrawn	N/A	10/2/21	DSPLITGE	CMURPHY
			No VCAT decisions	Bellevue							
			No VCAT decisions	Maling							
			No VCAT decisions	Lynden							

		No VCAT decisions	Junction							
		No VCAT decisions	Glenferrie							
		No VCAT decisions	Riversdale							