

5.6 PLANNING MATTERS VCAT REPORT - FEBRUARY 2025

Responsible GM:	Debbie Tyson
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Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Recommendation

That Council note the 'Planning Matters Victorian Civil and Administrative Tribunal (VCAT) Report – February 2025' report.

Executive Summary

The following list is presented to keep Council informed of applications that are currently the subject of appeals proceedings and recent decisions from the Victorian Civil and Administrative Tribunal (VCAT). This list is current as of 17 January 2025.

Matters Recently Lodged at VCAT

Hearing Date	App. No.	Address	Proposal	Council Decision	Appealed By
23-24/07/2025	T120364-3	2 Montuna Grove, Guys Hill	Use of Land for an Art Gallery, Building and Works (Construction of a Studio and Art Gallery) and Display of Signage (Business Identification)	Notice of Decision to Grant a Permit	Objector

Matters Currently the Subject of VCAT Appeal

Hearing Date	App. No.	Address	Proposal	Council Decision	Appealed By
14-15/05/2025	T210341	209 Berglund Road, Beaconsfield Upper	Use and development of the land a dwelling, outbuilding and removal of native vegetation	Refusal	Applicant
1-2/04/2025	T220667	24-26 Honeyeater Way, Pakenham	Use and development of a Child Care Centre	Refusal	Applicant
8-10/04/2025	T230342	565 Murray Road, Vervale	Use of the land for Rural Industry (mud brick manufacturing)	Notice of Decision to Grant a Permit	Objector
29/04/2025	T230499	1 Outlook Road, Emerald	Buildings and Works (Construction of a Garage and Earthworks) and Vegetation Removal	Refusal(FTD)	Applicant
TBD	N/A	67 Officer South Road, Officer	N/A – Application for declaration in relation to the Officer Major Activity Centre Urban Design Framework	UDF adopted	Applicant

*FTD denotes an application for review of Council's failure to issue a decision within the prescribed timeframe.

Matters Recently Decided at VCAT

App. No.	Address	Proposal	Council Decision	Appealed By	Outcome	Decision Date
T150215	Lot H PS400130 Princes Highway, Pakenham	Request for Extension of Time to Planning Permit T150215, which allows for: Use and development of a service station and associated convenience shop, food and drink premises, development of 4 shops, reduction in the loading and unloading requirement of Clause 52.07, variations to Clause 52.12 (crossover width and landscape buffer), alter access to a Road in a Category 1 Road Zone and the erection of advertising and business identification signage.	Refusal	Applicant	Withdrawn	N/A
T220194	20 - 32 Station Street, Pakenham	Use of the land for an education centre (adult employment training)	Permit	Applicant	Application dismissed	20/11/2024
T220375	4915 South Gippsland Highway, Lang Lang	Subdivision of land into two (2) lots (boundary realignment)	Refusal	Applicant	Affirmed – No permit issued	29/11/2024
T220569	195 Dore Road, Pakenham	Use and Development of Land for a Place of Worship and Vegetation Removal	Refusal	Applicant	Decision set aside - Permit issued	05/12/2024