

NOTICE OF DECISION TO REFUSE TO GRANT A PERMIT

Application No.:	PA2302348
Planning Scheme:	Hume Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	1585 Mickleham Road, Yuroke

WHAT HAS BEEN REFUSED:

Planning scheme clause No.	Description of what has been refused
35.04	Use the land for a Primary & Secondary School
35.04	Construct a building or construct or carry out works
52.17	To remove, destroy or lop native vegetation
53.19	To use or develop land for a primary school, secondary school or education centre.

GROUNDINGS OF REFUSAL:

1. The proposal is not consistent with key and relevant planning policies of the Hume Planning Scheme including Clause 11.01-1R, 11.02-1S, 13.07-1S, 15.01-6S and 19.02-2S.
2. The proposal is inconsistent with the purposes and decision guidelines of the Green Wedge Zone (GWZ) at Clause 35.04-6 of the Hume Planning Scheme.
3. The proposal is at odds with the strategic direction of the Cranbourne West Precinct Structure Plan as it fails to locate the secondary school in a designated education precinct and an area that is highly accessible to public transport.
4. The proposed access is incompatible with the operation of Mickleham Road and public safety.
5. The proposal will result in unacceptable road safety outcomes.

Date issued: 22 December 2023 **Signature for the responsible authority:**



Planning and Environment
Regulations 2015

Form 7

Sections 65(1) and 66(4)

6. The proposal is not in accordance with Clause 18.01-1S of the Hume Planning Scheme.
7. The Head of Transport for Victoria as a Determining Referral Authority has objected to the granting of a permit pursuant to Section 56(1) of the *Planning and Environment Act 1987* (the Act) and the Responsible Authority must refuse the grant of a permit pursuant to Section 61(2) of the Act.

Date issued: 22 December 2023 **Signature for the responsible authority:**

A handwritten signature in black ink, appearing to be a stylized name, located at the bottom right of the page.

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Form 7

Sections 65(1) and 66(4)

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

- The responsible authority has decided to refuse to grant a permit.
(Note: This is not a refusal under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)
- This notice sets out the grounds on which the application has been refused.
- The grounds on which the application has been refused are those of the responsible authority unless otherwise stated.

WHAT ABOUT REVIEWS?

For the applicant–

- The person who applied for the permit may apply for a review of the refusal.
- The application for review must be lodged within 60 days of the giving of this notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form, which can be obtained from the Victorian Civil and Administrative Tribunal and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority, each other party and each other person entitled to notice of the application for review under the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998** within 7 days after lodging the application with the Victorian Civil and Administrative Tribunal.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

For a recommending referral authority-

- If the applicant applies for a review of this decision, the applicant must give notice to any recommending referral authority that objected to the grant of the permit after an application for review is lodged.

For an objector-

- If the applicant applies for a review of this decision, the applicant must give notice to objectors in accordance with the requirements of the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998**.

Date issued: 22 December 2023 Signature for the responsible authority:

