

LIST G BARRISTERS

Recent Cases

RESTRICTIVE COVENANTS

[Randell v Uhl](#) [2019] VSC 668 -- an application to modify single dwelling covenant in Templestowe

Re: [Izadi and Ors](#) [2019] VSC 137 -- an application to modify a building materials covenant

Re: [Zhang](#) [2018] VSC 721 -- variation of a single dwelling covenant in Reservoir

[Del Papa v Falting](#) [2018] VSC 384--an application to modify a single dwelling covenant in Balwyn

[Conlan v Benton & Ors](#) [2017] VSC 244--a declaration and variation concerning a single dwelling covenant in a strip shopping centre in Essendon

[Clare & Ors v Bedelis](#) [2016] VSC 381--a declaration considering a "single storey" restrictive covenant in Wheelers Hill

[MacLurkin v Searle](#) [2015] VSC 750--the variation of a single dwelling covenant in Boronia

[Prowse v Johnstone \(No. 2\)](#) [2015] VSC 621--declaration concerning the validity of a restrictive covenant in the Coonil Estate in Malvern

[Gardencity v Grech & Ors](#) [2015] VSC 538--the variation of a building materials restrictive covenant in Altona

Re: [Morrison](#) [2015] VSC 269--the variation of a single dwelling covenant on Beach Road in Mentone

[Wong v McConville & Ors](#) [2014] VSC 148--the variation of a single dwelling restrictive covenant in Pascoe Vale

[Mark William Suhr & Ors v Andrew Gordon Michelmore & Ors](#) [2013] VSC 284--the variation of a height control covenant in South Yarra

[Prowse v Johnstone & Ors](#) [2012] VSC 4--the variation of a restrictive covenant and declaration application in the Coonil Estate, Malvern

Re: [Milbex](#) [2006] VSC 298--the variation of a single dwelling restrictive covenant in Elwood

Re: [Pivotel](#) [2000] VSC 264--the variation of a single dwelling restrictive covenant in Croydon

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[*Fitt v Luxury Developments Pty Ltd*](#) [2000] VSC 258--an injunction to prevent the construction of dwellings in contravention of a restrictive covenant, prompting the Victorian Parliament to introduce the *Planning and Environment (Restrictive Covenants) Act 2000*

RESIDENTIAL

[*Eastar Group Pty Ltd v Greater Dandenong CC*](#) [2019] VCAT 784

[*Healesville Projects Pty Ltd v Yarra Ranges SC*](#) [2018] VCAT 1910

[*Jamarok Pty Ltd v Yarra CC*](#) [2018] VCAT 348

[*Burwood Highway Projects Pty Ltd v Whitehorse CC*](#) [2018] VCAT 1052

[*535 Hogans Road Pty Ltd v Wyndham CC*](#) [2017] VCAT 1193

[*The Ramsay Consultants Pty Ltd v Whitehouse CC*](#) [2017] VCAT 153

ADVERTISING SIGNS

[*Fivex Pty Ltd v Melbourne CC*](#) [2019] VCAT 138

[*Brady Vision Pty Ltd v Melbourne CC*](#) [2018] VCAT 589

[*Melbourne Grand Apartments v Melbourne City Council*](#) [2018] VCAT 254

[*Octopus Media Pty Ltd v Melbourne City Council*](#) [2017] VSC 429

[*Octopus Media Pty Ltd v Melbourne CC*](#) [2016] VCAT 2191

[*Eyecorp Pty Ltd v Melbourne CC & Ors*](#) [2012] VCAT 1918

[*APN \(Outdoor\) Trading Pty Ltd v Melbourne City Council*](#) [2012] VSC 8

[*APN Outdoor Pty Ltd v Melbourne CC \(Red Dot\)*](#) [2010] VCAT 1759

[*Tewlen Pty Ltd v Melbourne CC \(Red Dot\)*](#) [2010] VCAT 535

[*Asia Pacific Hotels Pty Ltd v Melbourne CC*](#) [2009] VCAT 2492

[*Central Equity v Melbourne CC*](#) [2009] VCAT 2075

[*Melbourne Central Custodian Pty Ltd v Melbourne CC*](#) [2006] VCAT 276

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AGED/COMMUNITY CARE FACILITIES

[Brecat Holdings Pty Ltd v Kingston CC & Ors](#) [2012] VCAT 1321

[Talbot v Melton SC](#) [2011] VCAT 196

[Director of Housing v Moorabool SC](#) [2009] VCAT 882

[Melbourne C117 \(PSA\)](#) [2007] PPV 14

BROTHELS/SEXUALLY EXPLICIT ENTERTAINMENT VENUES

[Ferraro v Kingston CC](#) [2015] VCAT 2015

[Plenty River Hotel v Greater Geelong CC](#) [2006] VCAT 674

[Primelife Corporation Pty Ltd v Port Phillip CC](#) [2004] VCAT 325

[Babalis & Ors v Glen Eira CC and Ors](#) [2003] VCAT 667

CANCELLATION OR AMENDMENT OF PERMITS

[The Secretary to the Department of Health and Human Services and Melbourne Health v Melbourne CC](#) [2016] VCAT 2051

[Brown v Mornington Peninsula SC](#) [2006] VCAT 744

[Ruane & Ors v Swan Hill CC & Anor](#) [2002] VCAT 1355

[Cooper v Surfcoast SC](#) [2000] VCAT 2180

CHICKEN BROILER FARM

[Schembri v Cardinia SC](#) [2006] VCAT 2042

[Baird & Ors v Golden Plains Shire Council](#) [2003] VCAT 668

[David Proctor v Shire Melton](#) [2001] VCAT 630

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DEVELOPMENT/OPEN SPACE CONTRIBUTIONS

[Melbourne CC v Minister for Planning](#) [2015] VCAT 412

[Callea Property Developments Pty Ltd v Wyndham CC](#) [2014] VCAT 446

[Dexel Engineering Pty Ltd v Maribyrnong CC](#) [2014] VCAT 231

[Carson Simpson Pty Ltd v Casey CC](#) [2006] VCAT 1725

[Curry v Melton Shire Council](#) [2000] VSC 352

[Survey Group Earth Tech Engineering v Port Phillip CC](#) [2005] VCAT 2638

ELECTRONIC GAMING MACHINES

[Highlands Hotel Craigieburn Pty Ltd at Highlands Hotel premises](#) [2017] VCGLR 15

ENFORCEMENT

[Central Northeast Development Pty Ltd v Whittlesea CC](#) [2009] VCAT 643

[Upmark Pty Ltd v Melbourne CC](#) [2008] VCAT 2245

[Dennis v A J Baxter Pty Ltd](#) [2008] VCAT 2360

ENVIRONMENTAL CRIME

EPA v Exhaust Control Industries (2006)

EPA v Capral Aluminium Ltd (2002)

EPA v Envirogen (2001)

EXISTING USE RIGHTS

[Octopus Media Pty Ltd v Melbourne City Council](#) [2017] VSC 429

[Islamic Museum of Australia v Darebin CC](#) [2014] VCAT 1204

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[*The Dandenong Parish of the Russian Orthodox Church \(Abroad\) v Greater Dandenong CC*](#) [2014] VCAT 1071

[*Longwarry \(Eastbound\) Pty Ltd & Ors v Cardinia SC & Ors \(Correction\)*](#) [2011] VCAT 1851

[*Patty Malonnes Bar Pty Ltd v Melbourne CC*](#) [2010] VCAT 554

[*Asia Pacific Hotels Pty Ltd v Melbourne CC*](#) [2009] VCAT 2492

[*Kraan v Cardinia SC*](#) [2006] VCAT 1629

FREEWAY SERVICE CENTRES

[*Hocking v Cardinia SC*](#) [2011] VCAT 1793

[*Bredix Pty Ltd v Greater Geelong CC*](#) [2009] VCAT 1984

[*Carwoode Pty Ltd v Cardinia*](#) [2008] VCAT 1334

[*Bredix Pty Ltd v Greater Geelong CC*](#) [2007] VCAT 818

HERITAGE

[*Yarra C149 \(PSA\)*](#) [2013] PPV 41

[*Duster v Boroondara CC*](#) [2012] VCAT 21

[*Windsor Hotel*](#)

[*Hurtob Homes Pty Ltd v Campaspe SC*](#) [2010] VCAT 1241

[*Urban Design Architects Pty Ltd v Banyule CC*](#) [2010] VCAT 709

LANDFILL AND REHABILITATION

[*Wheelahan & Anor v City of Casey & Ors \(No 5\)*](#) [2011] VSC 62

[*Dennis v A J Baxter Pty Ltd*](#) [2008] VCAT 2360

[*Skye Environmental Services Pty Ltd v Frankston CC*](#) [2006] VCAT 2596

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MEDICAL CENTRES

[68 Kangaroo Road Pty Ltd v Glen Eira CC](#) [2016] VCAT 1028

NATIVE VEGETATION

[North Burnside Pty Ltd v Melton SC](#) [2009] VCAT 1203

[Leighton Properties \(Vic\) Pty Ltd v Melton CC](#) [2008] VCAT 2563

[Greater Dandenong C87 \(PSA\)](#) [2008] PPV 82

PANEL HEARINGS

[North East Link Project \(ESS\)](#) [2019] PPV 57

[C89](#) to the Latrobe Planning Scheme

[C196](#) into the built form controls for City North

[C190](#) into the built form controls for Arden Macaulay

[C171](#) into height limits in Southbank

[C143 \(PSA\)](#) Kingston Green Wedge

PERMIT EXTENSIONS

[Yarra Valley Grammar School v Maroondah CC](#) [2008] VCAT 1172

[Fraser v Macedon Ranges SC](#) [2008] VCAT 1822

[Tylden Nominees PL v Macedon Ranges Shire Council](#) [2004] VCAT 1655

LICENSED PREMISES AND PLACE OF ASSEMBLY

[350 William Street Owners Corporation No 1 PS 636376F v Melbourne CC](#) [2018] VCAT 335

[Tuhan v Moira SC](#) [2016] VCAT 235

[Robertson v Yarra CC](#) [2014] VCAT 571

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[Righele v Darebin CC](#) [2012] VCAT 829

[AA Holdings Pty Ltd v Boroondara CC](#) [2013] VCAT 437

[Orangechapel Pty Ltd v Director of Liquor Licensing](#) [2010] VCAT 110

[The Friendly Backpacker Pty Ltd v Melbourne CC](#) [2008] VCAT 669

RENEWABLE ENERGY FACILITIES

[Powervault Mildura Solar Generator One Pty Ltd v Mildura Rural CC](#) [2019] VCAT 1473

ROADS AND RAIL

[Pipingas v Stonnington CC](#) [2019] VCAT 1713

[Casey C102 \(PSA\)](#) [2009] PPV 62

[Vic Roads v Nillumbik SC & Ors](#) [2002] VCAT 1003

[Bevacqua v Casey CC](#) [2001] VCAT 2264

SCHOOLS

[Firbank Grammar School v Bayside CC](#) [2019] VCAT 1985

[Marsden v Macedon Ranges CC \(includes Summary\) \(Red Dot\)](#) [2012] VCAT 1038

[Eltham College v Nillumbik SC & Ors](#) [2010] VCAT 439

[Yarra Valley Grammar School v Maroondah CC](#) [2008] VCAT 1172

[Campbell v Shire of Macedon](#) [2005] VCAT 2826

RECENT PAPERS

[Adverse possession: a summary of basic principles and some reflections on recent cases](#), Paper to the Law Institute of Victoria's Accredited Property Law Specialists professional development forum, Sofitel, March 2018

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[Overview of statutory controls and dispute resolution mechanisms in relation to use and development in Victoria](#)--Presentation to the University of Melbourne's Masters of Laws program, 12 October 2017

[Recent developments in restrictive covenants and easements in Victoria](#)--Paper for the Law Institute of Victoria's Accredited Property Law Specialists professional development forum, Sofitel, March 2017

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Owen Dixon Chambers

205 William Street Melbourne 3000

T 03 9225 8558 | F 03 9225 8668

List G Barristers Pty Ltd as trustee for the List G Unit Trust ABN 82 920 371 625