VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

planning and environment DIVISION

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| planning and environment LIST | vcat reference No. P1733/2019Permit Application no. TPA/49796 |

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| APPLICANT | A & T Property Development Pty Ltd |
| responsible authority | Monash City Council |
| Referral Authority | Vic Roads - Metropolitan South East Region |
| SUBJECT LAND | 1504 North RoadCLAYTON VIC 3168 |
| WHERE HELD | Melbourne |
| BEFORE | Joel Templar, Member |
| HEARING TYPE | Hearing |
| DATE OF HEARING | 4 March 2020 |
| DATE OF ORDER | 10 March 2020 |

# Order

### Amend permit application

1. Pursuant to clause 64 of Schedule 1 of the *Victorian Civil & Administrative Tribunal Act 1998*, the permit application is amended by substituting for the permit application plans, the following plans filed with the Tribunal:

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| * Prepared by:
 | Archimedium Australia |
| * Drawing numbers:
 | TP3 to TP9 inclusive. |
| * Dated:
 | 16 January 2020 |

### No permit granted

1. In application P1733/2019 the decision of the responsible authority is affirmed.
2. In planning permit application TPA/49796 no permit is granted.

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| **Joel Templar** **Member** |  |  |

# Appearances

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| For A & T Property Development Pty Ltd | Mr Simon Skinner, town planner of Planning Sense. He called evidence from the following witness:* Mr Robert Thompson, landscape architect of Habitat.
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| For Monash City Council | Mr James Turner, Principal Planner – Appeals Advisor, Monash City Council |
| For Vic Roads - Metropolitan South East Region | No appearance. |

# Information

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| Description of proposal | Construction of seven dwellings on a lot. The dwellings would be a range of two and three storeys in scale, attached and arranged in a tandem format. The front unit is proposed at three storeys in scale as presented to North Road. The existing crossover is to be retained providing common driveway access along the western side of the property to the various garages of each dwelling. A separate pedestrian access for unit 1 and units 2-7 is proposed along the eastern side of the proposal. |
| Nature of proceeding | Application under section 77 of the *Planning and Environment Act 1987* – to review the refusal to grant a permit.  |
| Planning scheme | Monash Planning Scheme |
| Zone and overlays | Residential Growth Zone Schedule 3 |
| Permit requirements | Clause 32.07-5 – to construct two or more dwellings on a lot.Clause 52.29 – to create or alter access to a road in a Road Zone Category 1. |
| Land description | The review site is situated on the south side of North Road, approximately 75 metres west of its intersection with the Princes Highway and is accessed via a service road. It is generally rectangular in shape and falls towards the south-east corner. It has a frontage width of 16.17 metres, a length of 48.77 metres and an overall area of approximately 783 square metres. |
| Tribunal inspection | 4 March 2020 (prior to the hearing. |

# Reasons

1. Oral reasons for this decision were provided at the hearing.

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| Joel Templar**Member** |  |  |