VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

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| planning and environment LIST | vcat reference No. P1472/2020Permit Application no. TPA/51432 |
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| **Applicant** | Oke Chukwu Samuel Umealu |

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| **Responsible Authority** | Monash City Council |

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| SUBJECT LAND | 85 Huntingdale RoadASHWOOD VIC 3147 |
| HEARING TYPE | Hearing |
| DATE OF HEARING | 10 June 2021 |
| DATE OF ORDER | 11 June 2021 |
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# Order

### No permit granted

1. In application P1472/2020 the decision of the responsible authority is affirmed.
2. In planning permit application TPA/51432 no permit is granted.

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| Mary-Anne Taranto**Member** |  |  |

# Appearances

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| For applicant | Mr S O’Brien, town planner of Universal planning.He called evidence from:* Mr James Holdsworth, architect
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| For responsible authority | Ms T Dalgliesh, town planner. |

# Information

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| Description of proposal | Construction of three 2-storey dwellings. |
| 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 | General Residential Zone – Schedule 3 (**GRZ3**) |
| Permit requirements | Clause 32.08-6 – Construction of two or more dwellings on a lot |
| Land description | This irregular shaped 721sqm lot on the south-west corner of Huntingdale Road and Arthur Street in Ashwood has street frontages of 15.8m and 30.5m respectively. The site falls by approximately 4.4m from the south-east to the north-west and contains a 3.05m wide easement along its west boundary. The land is presently developed with a single storey brick dwelling, double carport in the south-west corner and has two cross-overs to Arthur Street. |
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# Remarks

1. This matter concerns a review of Monash Council’s decision to refuse to grant a permit for three double storey dwellings on a corner lot in Ashwood.
2. At the heart of this dispute are the following key issues:
	* Whether the proposal has responded to the features of the site and its surrounds.
	* Whether the proposal positively contributes to the preferred character.
	* Whether the proposal offers acceptable levels of on-site amenity.
3. Reasons for this decision were given orally at the conclusion of the hearing.

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| Mary-Anne Taranto**Member** |  |  |