VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

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| planning and environment LIST | vcat reference No. P1027/2020Permit no. TPA/48873 |
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| APPLICANT | Rohit Kumar |
| responsible authority | Monash City Council |
| SUBJECT LAND | 2 Beauford Street, Huntingdale |
| HEARING TYPE | No Hearing |
| DATE OF ORDER | 13 November 2020 |

# Order

### Application allowed

1. Application P1027/2020 is allowed.

### Permit amended

1. Pursuant to section 87A of the *Planning and Environment Act* *1987*, Permit TPA/48873 issued by the responsible authority in respect of the subject land, is amended as follows:
	1. For condition 1(i) substitute:

5 metre rear setback to have permeable paving, or decking, to allow for canopy trees in the open space.

* 1. For condition 12 substitute:

The stormwater connection for the site must be separate for each dwelling, and must be collected and free-drained via pipes to the rear easement of 1 Hargreaves Street. The stormwater connection must be via existing pit and a new 600 x 900 mm pit in the rear easement of No. 1 Hargreaves Street, and constructed to Monash City Council standards.

### Amended permit must issue

1. The responsible authority is directed to amend the permit and issue an amended permit to the owner of the subject land pursuant to section 91 of the *Planning and Environment Act* *1987*.

### Hearing vacated

1. The hearing scheduled at **9.30am on 23 November 2020** is vacated. No attendance is required.

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| Geoffrey Code**Senior Member** |  |  |

# Remarks

1. This order is made at the request of the parties and with their consent.
2. The Tribunal regards the consent of the responsible authority to be a confirmation to the Tribunal that:
* the responsible authority is of the opinion that the amended permit is appropriate having regard to the matters it is required to consider under section 60 of the *Planning and Environment Act 1987* (**Act**), including the balanced application of the strategies and policies of the Monash Planning Scheme (**Planning Scheme**) and is otherwise in conformity with the provisions of the Planning Scheme and the Act;
* the proposed orders will not result in any change to the proposed development which would materially affect any person other than the parties to the proceeding.
1. Based on the information available to the Tribunal, I consider it is appropriate to give effect to the settlement reached by the parties pursuant to section 93(1) of the *Victorian Civil and Administrative Tribunal Act 1998*.

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| Geoffrey Code**Senior Member** |  |  |