

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P1563/2022
PERMIT APPLICATION NO. TPA/54061

APPLICANTS	Richard Paprzycki & Merna Short
RESPONSIBLE AUTHORITY	Monash City Council
RESPONDENT	Damian Orlando Design
SUBJECT LAND	2 Rua Court OAKLEIGH VIC 3166
WHERE HELD	Melbourne
HEARING TYPE	No hearing
DATE OF ORDER	10 May 2023

ORDER

- 1 In application P1563/2022 the decision of the Responsible Authority is set aside.
- 2 In planning permit application No TPA/54061 no permit is granted.
- 3 The three-hour compulsory conference scheduled to commence at **10:00 AM on 15 May 2023** is vacated. No attendance is required.
- 4 The one-day hearing scheduled to commence at **10:00 AM on 26 July 2023** is vacated. No attendance is required.

J A Bennett
Senior Member



REASONS

- 1 This proceeding is an application for review by an objector under section 82 of the *Planning and Environment Act 1987* in relation to a Notice of Decision to Grant a Permit issued by the responsible authority.
- 2 The permit applicant has advised by email dated 12/2/2023 that it no longer wishes to pursue the permit application to construct a double storey dwelling to the rear of the existing dwelling.
- 3 The Responsible Authority and the Applicant for Review have consented to the withdrawal of the permit application and 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*.
- 4 In such circumstances, it is therefore appropriate to set aside the responsible authority's decision to grant a permit and direct that no permit is to be granted.

J A Bennett
Senior Member

