

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P1058/2023
PERMIT APPLICATION NO.TPA/54713

APPLICANT C W Retail Group Pty Ltd
RESPONSIBLE AUTHORITY Monash City Council
SUBJECT LAND 113 Kingsway
GLEN WAVERLEY VIC 3150
DATE OF ORDER 28 November 2023

ORDER

Amend permit application

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

- Prepared by: CS&G Signs Pty Ltd
- Drawing numbers: Job #16868 Revision V6
- Dated: 15 November 2023

Decision set aside

2 In application P1058/2023 the decision of the responsible authority is set aside.

Permit granted

3 In permit application TPA/54713 a permit is granted and directed to be issued for the land at 113 Kingsway Glen Waverley VIC 3150 in accordance with the endorsed plans and the conditions set out in Appendix A. The permit allows:

Construction and display of business identification signs

Vacate hearing

4 The hearing scheduled to commence at 10.00 am on **5 December 2023** is vacated. No attendance is required.



Costs

5 No order as to costs.

Geoffrey Code
Senior Member



REMARKS

- 1 Pursuant to section 93(1) of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic), 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:
 - a the responsible authority is of the opinion that the permit or amended permit is appropriate having regard to the matters it is required to consider under section 60 of the Act, including the balanced application of the strategies and policies of the relevant planning scheme and is otherwise in conformity with the provisions of the planning scheme and the *Planning and Environment Act 1987*;
 - b the proposed orders will not result in any change to the proposed use or development which would materially affect any person other than the parties to the proceeding.
- 3 Based on the information available to the Tribunal, I consider it is appropriate to make these orders.

Geoffrey Code
Senior Member



APPENDIX A – PERMIT CONDITIONS

PERMIT APPLICATION NO	TPA/54713
LAND	113 Kingsway GLEN WAVERLEY VIC 3150

WHAT THE PERMIT ALLOWS

In accordance with the endorsed plans:

- Construction and display of business identification signs

Amended plans required

- 1 Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans identified as “Revision V6” dated 15 November 2023; Job #16868 but modified to show:
 - a. Same three perspectives depicted on the Advertised Plans (V4 dated 1 February 2023) reflecting the signage on the Proposed Revision V6 Plan.
 - b. The areas of clear glazing to the Kingsway doors and display window (facing Kingsway) clearly identified as such.
- 2 The amended plans required under Condition 1 must be submitted within 2 months of the date of the permit.
- 3 The signage, block out areas and areas depicted as clear glazing shown on the plans must be implemented within 2 months of the date of the endorsed plans under this permit required in Condition 2.

Signs and works not altered

- 4 The location, layout, dimensions, structures and features of the approved signs and works shown on the endorsed plans, must not be altered without the prior written consent of the Responsible Authority.

Sign maintenance

- 5 All signs must be constructed and maintained to the satisfaction of the Responsible Authority.

Business identification signage content

- 6 Signs advertising goods and services must, to the satisfaction of the Responsible Authority, only be for goods and services available on the land for which this permit is granted.



Permit Expiry

- 7 This permit expires if Conditions 2 and 3 are not undertaken within the required time.
- 8 This permit expires 15 years from the date of issue, at which time the signs and works must be removed, and the site made good to the satisfaction of the Responsible Authority.

– End of conditions –

