VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

planning and environment DIVISION

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| planning and environment LIST | vcat reference No. P968/2020Permit Application no. TPA/50285 |

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| APPLICANT | 7 Homes |
| responsible authority | Monash City Council |
| SUBJECT LAND | 20 Smyth StreetMOUNT WAVERLEY VIC 3149 |
| WHERE HELD | Melbourne |
| BEFORE | Michelle Blackburn, Member |
| HEARING TYPE | Hearing |
| DATE OF HEARING | 24 September 2020 |
| DATE OF ORDER | 24 September 2020 |

# Order

### Conditions changed

1. The decision of the responsible authority is varied.
2. The Tribunal directs the responsible authority to issue a planning permit containing the conditions set out in its Notice of Decision to Grant a Permit issued in respect of application no. TPA/50285 dated 30 April 2020 with the following modifications:
	1. Conditions 1(a), (d), (e), (f), (g), (h), (i), (l) are deleted.
	2. Condition 1(j) is amended to read:

(j) Dwelling 1’s deck and pergola to be reduced in size to extend a maximum of 3m east of the dining room sliding door.

* 1. Condition 1(o) is amended to read:

(o) Relocation of the gate across the common driveway so that it is located at least 1 metre behind the front façade of Dwelling 1.

* 1. Conditions renumbered accordingly.

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| **Michelle Blackburn** **Member** |  |  |

# Appearances

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| For applicant | Mr M. Waldon, town planner, St-Wise Planning Professionals. |
| For responsible authority | Mr D. De Giovanni, town planner, of David De Giovanni Town Planning.  |

# Remarks

1. Oral reasons for the decision of the Tribunal were given at the hearing.

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| **Michelle Blackburn** **Member** |  |  |