LEX LOCI'S TRAVELS

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An ad-hoc one-pager from The Public Land Consultancy

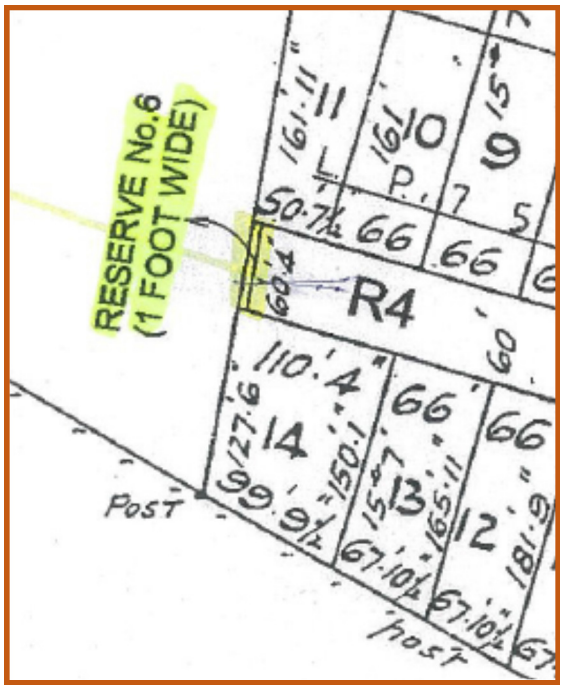
Lex and the Revengers

Grandpa didn't get on with his neighbors. When he subdivided his land, he made sure they couldn't benefit from the roads and drains he had paid for. He put in a revenge strip.

These reserves might be only 300 mm wide, or even narrower. They survive, for better or for worse, long after Gramp's departure.

In one such case, such a strip ran alongside a laneway. The properties abutting the lane didn't abut the lane – if you see what we mean. A perfectly reasonable development proposal was stymied – until VCAT pointed out that the council in question could easily remove the impediment, if it chose to.

In another case, however, the residents of grandpa's subdivision enjoyed their relative isolation, which was secured by 1-foot wide revenge strips across the ends of various roads. The council concerned had two opposing views before it – the developer of the neighboring land (who wanted the strips removed) and the existing residents (who wanted them to remain).



Fortunately, the removal of a revenge strip (section 24A, *Subdivision Act 1988*) requires a planning permit, which means that competing views can be expressed, heard, and evaluated.

The developer was invited to apply for such a planning permit, but faced with the prospect of multiple and vigorous objections, declined.

The residents say – thanks Grandpa!

See you there!
Lex Loci

* *Architectural Plans & Permits v Moreland City Council, VCAT (13 June 2014)*

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