

# VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

## PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P580/2022  
PERMIT APPLICATION NO. TPA/52924

<b>APPLICANT</b>	Shun Ying Li
<b>RESPONSIBLE AUTHORITY</b>	Monash City Council
<b>SUBJECT LAND</b>	12 Fenton Street HUNTINGDALE VIC 3166
<b>HEARING TYPE</b>	Hearing
<b>DATE OF HEARING</b>	14 November 2022
<b>DATE OF ORDER</b>	14 November 2022

### ORDER

#### Conditions changed

- 1 The decision of the responsible authority is varied.
- 2 The Tribunal directs that planning permit TPA/52924 must contain the conditions set out in planning permit TPA/52924 issued by the responsible authority on 3 May 2022 with the following modifications:
  - (a) Conditions 1(b), 1(j) and 5 are deleted.
  - (b) Condition 1(c) is amended to read:
    - 1(c) The first floor eastern wall of the dwelling to have an increased setback of minimum 5.5 metres from the eastern title boundary.
  - (c) Conditions in the planning permit are renumbered accordingly.
- 3 The responsible authority is directed to issue a modified planning permit in accordance with this order.

Judith Perlstein  
**Member**



## APPEARANCES<sup>1</sup>

For Shun Ying Li

Melanie Ellis of Change of Plan, and Patrick  
Doyle of TP Legal.

For responsible authority

Sally Moser of Monash City Council.

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<sup>1</sup> Via online forum



## REASONS

- 1 Oral reasons were delivered at the conclusion of the hearing.

Judith Perlstein  
**Member**

