

# VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

## PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P84/2022  
PERMIT APPLICATION NO. TPA/53099

<b>APPLICANT</b>	Roger Rao
<b>RESPONSIBLE AUTHORITY</b>	Monash City Council
<b>SUBJECT LAND</b>	2 Huff Street GLEN WAVERLEY VIC 3150
<b>WHERE HELD</b>	Melbourne
<b>BEFORE</b>	Sarah McDonald
<b>HEARING TYPE</b>	No Hearing
<b>DATE OF ORDER</b>	21 April 2022

### ORDER

#### Hearing vacated

- 1 The hearing scheduled for 26 April 2022 is vacated. No attendance is required.

#### Conditions changed

- 2 The decision of the responsible authority is varied.
- 3 The Tribunal directs that planning permit TPA/53099 must contain the conditions set out in planning permit TPA/53099 issued by the responsible authority on 13 January 2022 with the following modifications:
  - (a) Condition 1(d) is amended to read:
    - 1(d) The setback of the eastern façade of the first floor of dwelling 1 to the eastern boundary is increased by 0.5 metre.
  - (b) Condition 1(l) is deleted.
- 4 The responsible authority is directed to issue a modified planning permit in accordance with this order.

Sarah McDonald  
**Member**



## REMARKS

- 1 Pursuant to section 93(1) of the *Victorian Civil and Administrative Tribunal Act 1998*, 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.

Sarah McDonald  
**Member**

