

# VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

## PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P172/2023  
PERMIT APPLICATION NO. TPA/54251

**APPLICANT** Steffen Doerrfuss  
**RESPONSIBLE AUTHORITY** Monash City Council  
**SUBJECT LAND** 7 Surrey Crescent  
OAKLEIGH EAST VIC 3166  
**HEARING TYPE** Hearing  
**DATE OF HEARING** 24 May 2023  
**DATE OF ORDER** 24 May 2023

### ORDER

#### Conditions changed

- 1 The decision of the responsible authority is varied.
- 2 The Tribunal directs that planning permit TPA/54251 must contain the conditions set out in planning permit TPA/54251 issued by the responsible authority on 31 January 2023 with the following modifications:
  - (a) Condition 1(b) is amended to read:
    - 1(b) The eaves over both bedroom 3 of Dwelling 1 and 2 to be deleted to avoid intrusion into the separation between the upper stories of the dwellings.
    - (b) 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.

Karina Shpigel  
**Member**



## APPEARANCES

For Steffen Doerrfuss

Panos Nickas, Nickas Legal Pty Ltd.

For Monash CC

Nicolas Rocca, Town Planner.



## INFORMATION

Description of proposal	The construction of two double storey dwellings.
Nature of proceeding	Application under section 80 of the <i>Planning and Environment Act 1987</i> – to review the conditions contained in the permit.
Planning scheme	Monash Planning Scheme
Zone and overlays	General Residential Zone, Schedule 3.
Permit requirements	Clause 32.06-6 to construct two or more dwellings on a lot.
Land description	<p>The land is located on the western side of Surrey Crescent. The lot is rectangular in shape with an overall area of 640 square metres.</p> <p>The site is developed with a detached single storey weatherboard dwelling with a pitched roof.</p> <p>There is a fall of approximately 1.75 metres from the north-west corner to the south east.</p>



## REMARKS

- 1 This proceeding was listed in the Short Cases List and at the conclusion of the hearing the parties were provided with an Oral Ruling, which included the reasons for the decision.

Karina Shpigel  
**Member**

