


Notice of an Application for an Amendment to a Planning Permit

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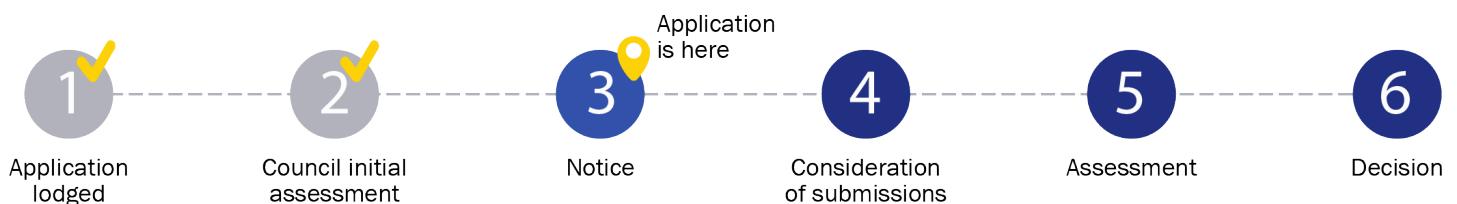
The land affected by the application is located at:	L1 TP117750 CA 27 South Bank Road, Bunyip VIC 3815
The application is to:	S72 Amendment to Alter the Approved Plans (alter endorsed plans to allow for additional buildings and works)

APPLICATION DETAILS

The applicant for the amendment to the permit is:	Bayside Town Planning Pty Ltd
Application number:	T040870 - 1
You may look at the application and any documents that support the application at the office of the Responsible Authority: Cardinia Shire Council, 20 Siding Avenue, Officer 3809. This can be done during office hours and is free of charge. Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.	

HOW CAN I MAKE A SUBMISSION?

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:	25 April 2025
WHAT ARE MY OPTIONS? Any person who may be affected by the proposed amendment to permit may object or make other submissions to the responsible authority. If you object, the Responsible Authority will notify you of the decision when it is issued.	An objection must: <ul style="list-style-type: none">• be made to the Responsible Authority in writing;• include the reasons for the objection; and• state how the objector would be affected. The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.





Planning Enquiries
 Phone: 1300 787 624
 Web: www.cardinia.vic.gov.au

Application to AMEND a Planning Permit

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- ⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.
- ⚠ This form cannot be used to:
 - amend a permit or part of a permit if the Victorian Civil and Administrative Tribunal (VCAT) has directed under section 85 of the Act that the responsible authority must not amend that permit or that part of the permit (as the case requires); or
 - amend a permit issued by the Minister under Division 6 of Part 4 of the Act (these applications must be made to the Minister under section 971 of the Act).
- ⚠ Questions marked with an asterisk (*) must be completed.
- ℹ Click for further information.

The Land i

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 27	St. Name: SOUTH BANK ROAD
Suburb/Locality: BUNYIP		Postcode: 3815

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: 1 Lodged Plan Title Plan Plan of Subdivision No.: 117750

OR

B Crown Allotment No.: 27 Section No.:

Parish/Township Name:

Planning Permit Details i

What permit is being amended?*

Planning Permit No.: T040870

The Amended Proposal i

⚠ You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application

What is the amendment being applied for?*

- Indicate the type of changes proposed to the permit.
- List details of the proposed changes.

If the space provided is insufficient, attach a separate sheet.

This application seeks to amend:

What the permit allows Plans endorsed under the permit

Current conditions of the permit Other documents endorsed under the permit

Details: THE USE & DEVELOPMENT OF THE LAND FOR THE PURPOSE OF A STORAGE SHED (BARN), DECK, VERANDAH & OUTBUILDINGS/STRUCTURES (RETROSPECTIVE) IN A L510 & R0.

Provide plans clearly identifying all proposed changes to the endorsed plans, together with: any information required by the planning scheme, requested by Council or outlined in a Council checklist; and if required, include a description of the likely effect of the proposal.



Development Cost i

Estimate cost of development*

If the permit allows **development**, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit.

Cost of proposed amended development:	Cost of the permitted development:	Cost difference (+ or -):
\$	\$	\$30,000

Insert 'N/A' if no development is proposed by the permit.

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Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Have the conditions of the land changed since the time of the original permit application? Yes No

If yes, please provide details of the existing conditions.

LAND IS USED FOR AGRICULTURE WITH STORAGE SHED & RETROSPECTIVE DECK, VERANDAH & OUT BUILDINGS/STRUCTURES.

Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

Yes (If 'yes' contact council for advice on how to proceed before continuing with this application.)

No

Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.



Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

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Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact information for applicant OR contact person below

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Declaration i

This form must be signed by the applicant*

⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

Need help with the Application?

If you need help to complete this form, read More Information at the end of this form or contact Council's planning department. General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer



Checklist

Have you:

- Filled in the form completely?
- Paid or included the application fee? Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
- Attached all necessary supporting information and documents? This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.
- Completed the relevant council planning permit checklist?
- Signed the declaration above?

Lodgement

Lodge the completed and signed form and all documents with:

Cardinia Shire Council
PO Box 7
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

Contact information:

Telephone: 1300 787 624

Fax: (03) 5941 3784

Email: mail@cardinia.vic.gov.au

DX: 81006

Deliver application in person, by post or by electronic lodgement.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

VOLUME 09789 FOLIO 456

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Security no: 124169948728C
Produced 19/11/2024 08:52 AM

LAND DESCRIPTION

Lot 1 on Title Plan 117750Q.
PARENT TITLE Volume 09347 Folio 804
Created by instrument L512375E 14/02/1985

REGISTERED PROPRIETOR

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP117750Q FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: SOUTH BANK ROAD BUNYIP VIC 3815

ADMINISTRATIVE NOTICES

NIL

eCT Control 24346A VALLEY CONVEYANCING
Effective from 28/02/2024

DOCUMENT END



Imaged Document Cover Sheet

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Document Identification	TP117750Q
Number of Pages (excluding this cover sheet)	2
Document Assembled	19/11/2024 08:52

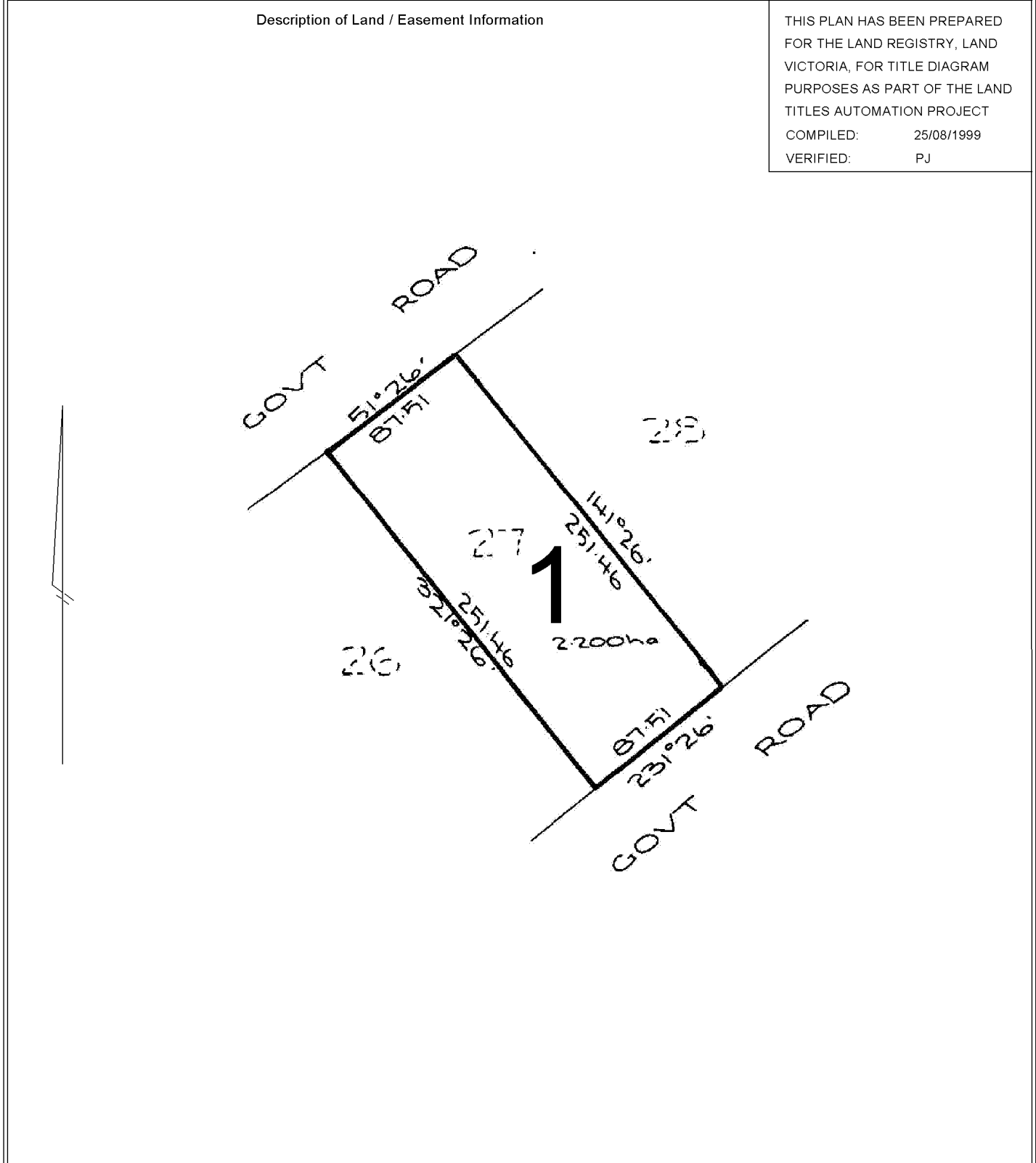
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TITLE PLAN	EDITION 2	TP 117750Q
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<p>Location of Land</p> <p>Parish: KOO-WEE-RUP EAST</p> <p>Township: Q</p> <p>Section: 27</p> <p>Crown Allotment: 27</p> <p>Crown Portion:</p> <p>Last Plan Reference:</p> <p>Derived From: VOL 9789 FOL 456</p> <p>Depth Limitation: 15.24 m</p>	<p>Notations</p> <div style="border: 1px solid red; padding: 5px; color: red; font-size: small;"> <p>This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.</p> </div> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
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LENGTHS ARE IN METRES	Metres = 0.3048 x Feet	Metres = 0.201168 x Links	Sheet 1 of 1 sheets
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PLANNING PERMIT APPLICATION

SUBJECT:

Retrospective buildings and works including deck, verandah and outbuildings/structures within a Green Wedge Zone- Schedule 1, Restruction Overlay and Land Subject to Inundation Overlay



SITE:

Lot 1, TP117750Q CA 27 South Bank Road, Bunyip

APPLICANT:

Bayside Town Planning Pty Ltd

RESPONSIBLE AUTHORITY:

Cardina City Council

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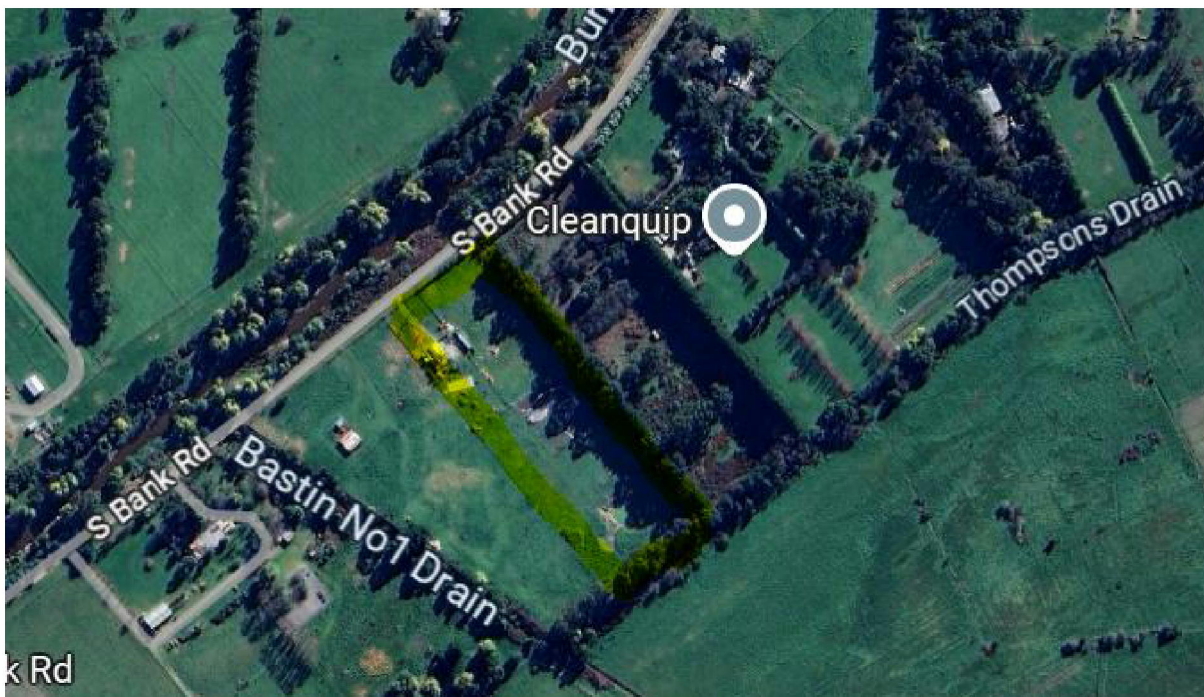
INTRODUCTION

This report has been prepared by Bayside Town Planning Pty Ltd on behalf of the owner. It has been prepared in support of the retrospective buildings and works including deck, verandah and outbuildings/structures located behind an existing storage shed (barn) within a Green Wedge Zone-Schedule 1, Restriction Overlay - Schedule 51 and Land Subject to Inundation Overlay.

The report comprises an urban context and planning analysis of the site and surrounds including a detailed assessment of the development against the provisions of the Cardina Planning Scheme (Scheme).

THE SUBJECT SITE

The subject site is known as Lot 1 TP117750Q CA 27 South Bank Road, Bunyip and is located on the south-east side of South Bank Road between Entircott Road and Nar Nar Goon – Longwarry Road. The subject site is rectangular in shape and oriented in a north-south direction with north facing towards South Bank Road. The subject site has a street frontage of 87.51 metres, a maximum depth of 251.46 metres and a total area of approximately 22,005 square metres.



The land is occupied by an existing colourbood cladded storage shed and retrospective deck, verandah and outbuildings/structures located directly behind and to the side. The existing storage shed has a street setback of 38 metres and a side setback of 6.6 metres from the west side boundary. Retrospective deck and verandahs are located to the rear of the shed. The shed has a floor area of 10,000 sqm.

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tanks are located to the west side of the existing storage shed and retrospective outbuildings (sheds and a greenhouse) are located to the rear of the existing storage shed.

There are no significant trees located within proximity to these retrospective structures.

TITLE/RESTRICTION/EASEMENT

The subject site is known as Lot 1 on Title Plan 117750Q (Volume 09789 Folio 456).



There are no covenant restrictions or easements shown on the certificate of title of the subject site.

SURROUNDING DEVELOPMENT

Abutting the subject site is the following:

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- To the **north** of the subject site, is the South Bank Road and the Bunyip River;



- To the **south** of the subject site, is the Thompson Drain and beyond this is a farmland with frontage to Bastin No.1 Drain; and

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- To the east and west of the subject site, are farmland with farmhouses.

SUMMARY OF PROPOSAL

In accordance with the submitted plans, the proposal comprises of the following main elements:

- Retrospective buildings and works including deck, verandah and outbuildings/structures are located directly behind and to the side of the an existing storage shed;
- The dimensions of the retrospective decks are 7.5 metres wide by 5.3 metres long and 2.5 metres wide by 3.2 metres long. Total area of the retrospective decks is 47.75 square metres. The decks are between 225mm to 300mm above the natural ground level;
- The retrospective verandahs are 8 metres wide by 5.3 metres long and 3.25 metres wide by 2.65 metres long. The total area of the retrospective verandahs is 51.01 square metres. The verandahs have a maximum height of 3.6 metres above the natural ground level;
- The two retrospective rain water tanks have the combined capacity to store 20000 litres of water;
- A retrospective ship

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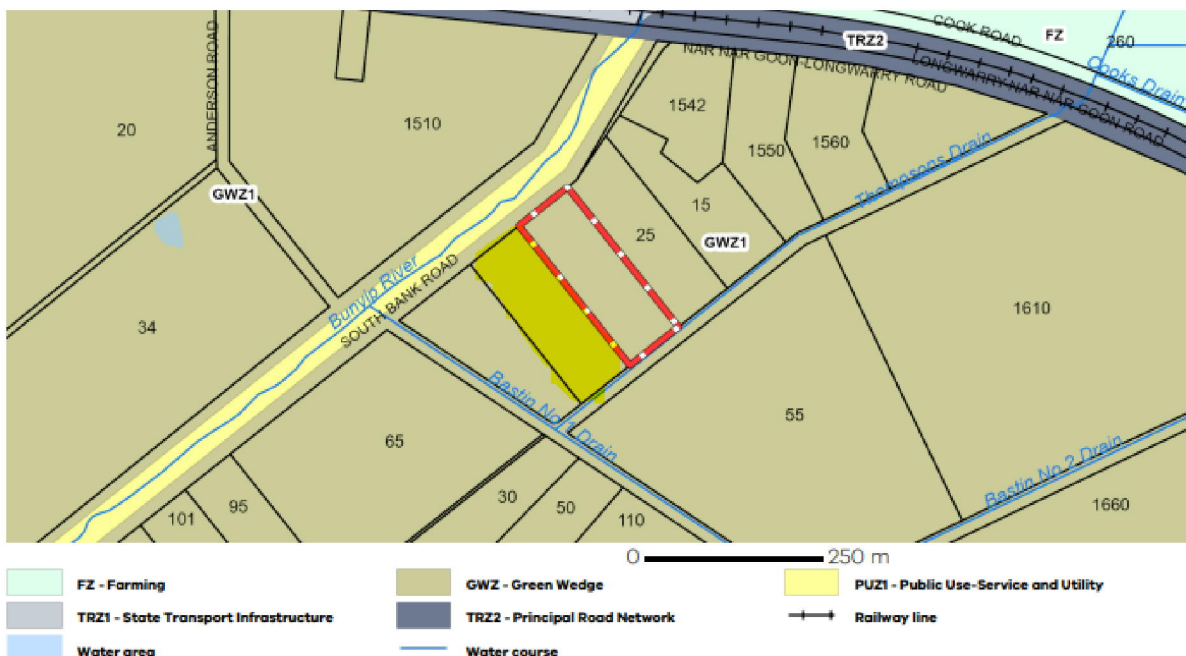
shed and is used for storage; and

- Three retrospective sheds and a greenhouse are located at the rear of the existing storage shed.

PLANNING CONTROL – CARDINA CITY COUNCIL

Zoning Controls

The subject site and the surrounding land are located within a Green Wedge Zone – Schedule 1 (GWZ1) under the Scheme.



Note - The subject site is highlighted on the above map.

Clause 35.04-1 Use

The existing use of the land is for agricultural purpose. The existing storage shed is used as a store of farming equipment and storage. The intended use of the deck and verandah for which retrospective approval is sought is for a shelter open space for which the farmers could use for weather protection while working on the land.

Clause 35.04-5 Buildings and Works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:

- An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.

Not applicable, given there is no dwelling located on this land.

- An alteration or extension to a small second dwelling.

Not applicable, given there is no small second dwelling located on this land.

- An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.

The total area of all buildings/structures is sought for retrospective approval is less than 100sqm and these buildings are not used to keep, board, breed or train animal.

- A rainwater tank.

Rainwater tank is not considered as buildings and works.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

The proposal does not include any earthworks.

- A building which is within any of the following setbacks:
 - 100 metres from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road.

Not applicable, given South Bank Road is not within a TRZ2 and there is no land in a public acquisition overlay.

- 40 metres from a Transport Zone 3 or land in a Public Acquisition Overlay for a road if the Head, Transport for Victoria is not the acquiring authority.

Not applicable, given South Bank Road is not a TRZ3 or land in a public acquisition overlay

- 20 metres from any other road.

The existing storage shed is setback 38 metres from South Bank Road.

- 5 metres

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The existing storage shed and retrospective buildings/structures are set back at least 6.6 metres from the side and rear boundaries.

- 100 metres from a dwelling or small second dwelling not in the same ownership.

A planning permit is required for the locations of the retrospective buildings/structures given they are located within 100 metres from a dwelling not in the same ownership.

- 100 metres from a waterway, wetlands or designated flood plain.

A planning permit is required for the locations of the retrospective buildings/structures given they are located within 100 metres from Bunyip River.



- Permanent or fixed feeding infrastructure for season or supplementary feeding for grazing animal production constructed within 100 metres of:

- A waterway, wetland or designated flood plain.

Not applicable, given there are no animal on the land.

- A dwelling not in the same ownership.

Not applicable, given there are no animal on the land.

- A residential or urban growth zone.

Not applicable, given there are no animal on the land.

- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Not applicable, given there is no house located on this land and the site is not located within 500 metres from any quarries.

Clause 35.04-6 Decision Guidelines

In addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*

The retrospective structures are compatible with the MPS and PPF given they are associated with the existing agricultural use and are located behind an existing storage shed. It is used as a sheltered open area or storage purpose.

- *Any Regional Catchment Strategy and associated plan applying to the land.*

There are no know regional catchment strategy or any associated plans apply to the land.

- *The capability of the land to accommodate the proposed use or development.*

The land is large enough to accommodate the retrospective buildings/structures.

- *How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.*

The existing use of the land is for agricultural, and the retrospective buildings/structures are consistent with this purpose.

- *Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.*

The land is suitable for agricultural use and the retrospective buildings/structures are consistent with adjoining land uses which is also agricultural or farming.

- *Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.*

There is no house located on this land. The retrospective buildings/structures are part of typical rural buildings, and the land is not close to any urban areas.

- *The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.*

The retrospective buildings/structures are located directly behind an existing storage shed and are not visible from the South Bank Road.

- *The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

Not applicable, given there is no house located on this land. There is an existing storage shed with retrospective buildings/structures located behind it. The land is not located within 500 metres of any extractive industry operation.

Rural issues

- *The maintenance of agricultural production and the impact on the rural economy.*

Not applicable, however the land could be maintained for agricultural production.

- *The environmental capacity of the site to sustain the rural enterprise.*

Not applicable, however the land is large enough to sustain the rural enterprise.

- *The need to prepare an integrated land management plan.*

Not applicable, given the retrospective buildings/structures exist on the land.

- *The impact on the existing and proposed rural infrastructure.*

Not applicable, given the retrospective buildings/structures are existing and do not impact on the rural infrastructure. Stormwater from the roofs of the existing buildings/structures is collected in rainwater tanks to be used on the land.

- *The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.*

Not applicable, given there is no plan to expand any further development on the land. The retrospective buildings/structures are existing and do not impact on nearby agriculture and other land uses.

- *The protection and retention of land for future sustainable agricultural activities.*

No applicable, however the land is retained for future sustainable agricultural activities.

Environmental issues

- *The impact of the use or development on the flora and fauna on the site and its surrounds.*

Not applicable, given the retrospective buildings/structures are existing and do not impact on the flora and fauna. There are no significant trees located within close proximity to these buildings/structures.

- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*

Not applicable, given the retrospective buildings/structures are existing and do not impact the biodiversity of the areas. No trees are to be removed as a result of the proposed buildings and works and they are located approximately 72 metres from the Bunyip River.

- *How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.*

Not applicable, given the retrospective buildings/structures are existing and integrated with the existing storage shed.

- *The location of onsite effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.*

There is no house located on this land to generate general waste. However, any wastes would be collected by the Council long South Bank Road.

Design and siting issues

- *The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.*

The retrospective buildings/structures, in particular the decks and verandah, are made from timber with timber deck flooring and see through plastic roof sheeting. These structures are located directly behind an existing metal shed and are not visible from the street. The maximum height of the verandahs is 3.6 metres which is lower than the height of the existing metal shed. The size of the retrospective decks and verandahs is approximately 51 square metres, which is considered small compared to

- *The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.*

The stormwater from the roofs of the existing storage shed and retrospective buildings/structures will channel to the rainwater tanks to be used on the land.

- *The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.*

The retrospective buildings/structures are not visible from the street given they are located directly behind an existing shed. It is also setback approximately 73 metres from the nearby farmhouse. There are no features of archaeological, historic or scientific significance of natural scenic beauty in the area.

- *The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

No farmhouse or dwelling exists on this land. The land is not within 500 metres from any extractive industry operation.

Overlay

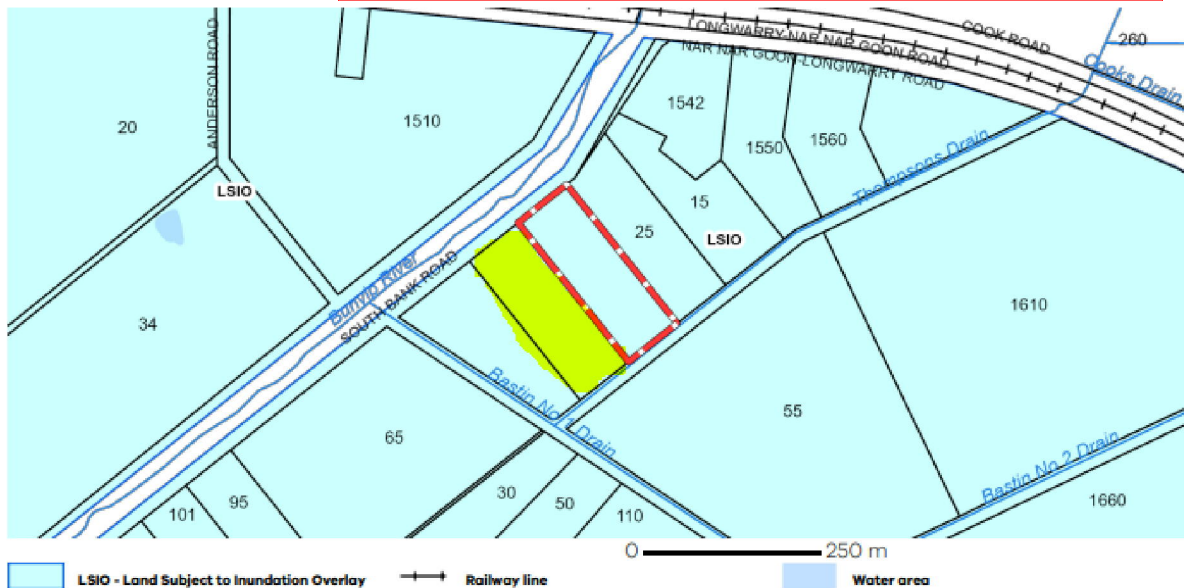
Land Subject to Inundation Overlay (LSIO)

The purpose of this overlay include:

- *“To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.”*

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Note - The subject site is highlighted on the above map.

Clause 44.04-2 (Buildings and Works) of the Scheme requires a permit to construct a building or to construct or carry out works, including:

- A pergola or verandah, including an open-sided pergola or verandah to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.

The proposal retrospective buildings/structures, in particular the verandah require a planning permit under this overlay given the maximum height exceeds 3 metres above natural ground level. It is noted that this structure is not visible from the street frontage of the site.

Clause 44.04-8 Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*

The retrospective buildings/structures (decks) are located above natural ground surface on stumps.

- *Any local floodplain development plan.*

The land is located within a Council local floodplain development plan.

- *Any comments from the relevant floodplain management authority.*

The application will be referred to the relevant floodplain management authority for comments and consent.

- *The existing use and development of the land.*

The existing use is agricultural and there is an existing storage shed on the land. The retrospective buildings/structures are located behind this existing shed.

- *Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.*

The land is whole contained within a LSIO. The retrospective buildings/structures could not be located on flood-free land given there is not any.

- *Alternative design or flood proofing responses.*

The timber decks are constructed on unenclosed foundation which allow water to flow through in the event of a flood.

- *The susceptibility of the development to flooding and flood damage.*

The retrospective buildings/structures are not susceptible to flood damage given the areas are used as a sheltered open area.

- *The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:*

- *The frequency, duration, extent, depth and velocity of flooding of the site and accessway.*

Not applicable, given there is no flood risk to life, health and safety as there is no house located on this land and the retrospective buildings/structures are used as a sheltered open area and storage purpose.

- *The flood warning time available.*

Not applicable, given the owner is unlikely to occupy the land during the flood season.

- *Tidal patterns.*

Not applicable, given the land is not near the coast areas.

- *Coastal inundation and erosion.*

Not applicable, given the land is not near the coast areas.

- *The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.*

Not applicable, given there is no house located on this land.

- *The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.*

The retrospective buildings/structures are located on unenclosed foundation which do not redirect or obstruct floodwater, stormwater or drainage water. They also do not reduce flood water storage or increase flood levels or flow velocities.

- *The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.*

The retrospective structures are located approximately 72 metres from the Bunyip River and unlikely to cause any environmental impacts to this river.

- *Any other matters specified in a schedule to this overlay.*

There are no other matters specified in a schedule to this overlay.

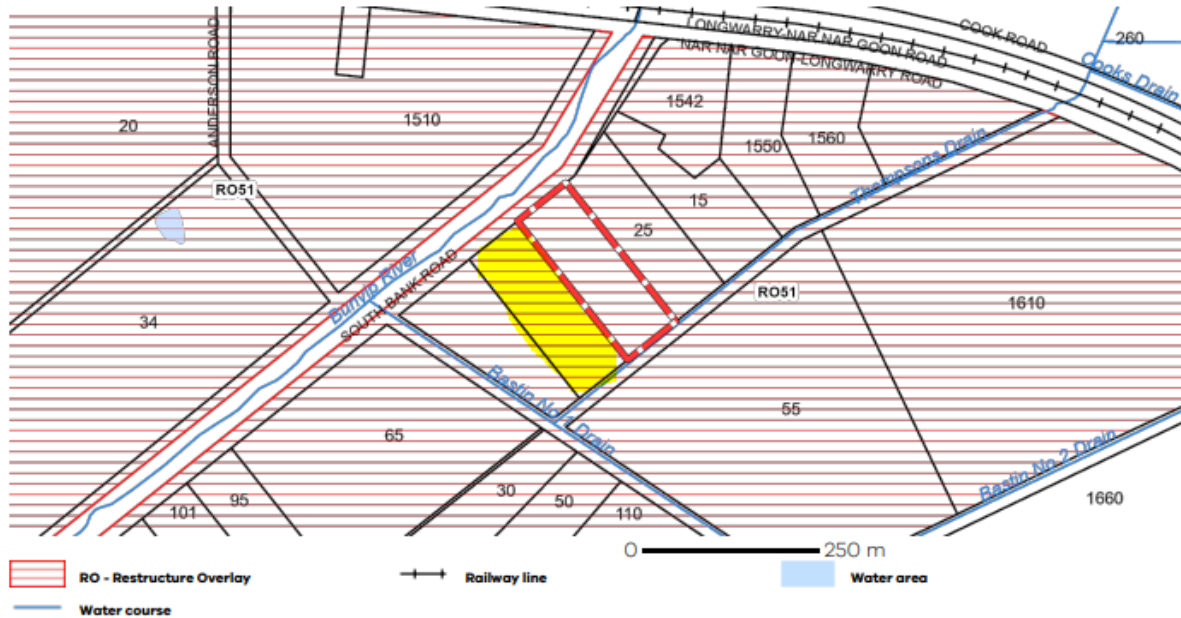
Clause 45.05 Restriction Overlay – Schedule 51 (RCO51)

The purpose of this overlay include:

- *“To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify old and inappropriate subdivisions which are to be restructured.*
- *To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.”*

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Note - The subject site is highlighted on the above map.

A permit is required under Clause 45.05-2 of the Scheme to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay.

The retrospective buildings/structures require a planning permit under this overlay given they are considered as other buildings.

PS map ref	Land	Title of restructure plan
RO51	All land identified on the planning scheme map as being within RO51.	Cardinia Shire Council – Subdivision Restructure Plans (Agricultural Land - Tenement), January 2002



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Clause 45.05-4 Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*

The retrospective structures are consistent with the purpose of the MPS and PPF, given there is no subdivision and the proposal is not a dwelling.

- *The objectives of the restructure plan for the area.*

There are no objectives specified in the restructure plan for the area.

- *Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.*

The land is relatively flat and there is no environmental hazard or constraint affecting the land including slope, drainage, salinity and erosion.

- *The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.*

The retrospective buildings/structures do not result in the loss of any vegetation including existing trees on-site.

- *The availability of utility services, including sewerage, water, drainage, electricity, telecommunications, and, where the subdivision is not a residential subdivision, gas*

There are no electricity or water connection to this site. Electricity is generated from a fuel generator and stormwater is collected from the roofs of the existing buildings/structures on the site and channelled to the rainwater tanks to be used for the land.

- *The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.*

The retrospective buildings/structures are similar to other nearby properties including farmhouses and their associated outbuildings.

- *The effect on surrounding uses, especially agricultural uses and nearby public land.*

The retrospective buildings/structures do not cause any impacts to nearby agricultural uses, given they are appropriately setback from the title boundaries.

- *The design of buildings.*

The design of the retrospective buildings/ structures is typical of the rural areas.

Cardina Planning Scheme

The Scheme is strategically based providing a Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS).

Clause 11 Settlement

“Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- *Health, wellbeing and safety.*
- *Diversity of choice.*
- *Adaptation in response to changing technology.*
- *Economic viability.*
- *A high standard of environmental sustainability, urban design and amenity.*
- *Climate change adaptation and mitigation.*
- *Prevention of land, water, air and noise pollution.*
- *Protecting, conserving and improving biodiversity, waterways and other natural resources.*
- *Accessibility.*
- *Land use and transport integration.*
- *Waste minimisation and resource recovery.*

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.”

Clause 11.01-1S Settlement

The objective of this policy is *“to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.”*

There is no house on this land. The retrospective buildings/structures are existing and is located behind an existing storage shed as a sheltered open area and storage purpose.

Clause 11.01-1R Green Wedges - Metropolitan Melbourne

The objective of this policy is *“to protect the green wedges of Metropolitan Melbourne from inappropriate development.”*

The retrospective buildings/structures are appropriately developed given they are associated with the rural character and environment of the area. There is no house on this land therefore it is not considered as an urbanization of the land.

Clause 11.03-3S Peri-urban Areas

The objective of this policy is *“to manage growth in peri-urban areas to protect and enhance their identified valued attributes.”*

The retrospective buildings/structures are existing, and their sizes are considered proportional in the context of the size of the land.

Clause 12 Environmental and Landscape Values

“Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.”

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, Australia's Strategy for Nature 2019-2030, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.”

Clause 12.03-1S River and Riparian Corridors, Waterways, Lakes, Wetlands and Billabongs

The objective of this policy is *“to protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.”*

The retrospective buildings/structures are located behind an existing storage shed which is setback at least 73 metres from the Bunyip River. These buildings/structures are located a substantial distance away from the river to cause any environmental impacts.

Clause 13 Environmental Risk and Amenity

“Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- *Land use and development compatibility.*
- *Effective controls to prevent or mitigate significant impacts.*

Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change.”

Clause 13.03-1S Floodplain Management

The objective of this policy is: *“to assist the protection of:*

- *Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.*
- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*

- *Floodplain areas of environmental significance or of importance to river, wetland or coastal health.”*

The retrospective buildings/structures are built above natural ground level to allow the flow of water in the event of a flood, given there are no enclosed foundations. There is also no house located on this land.

Clause 15 Built Environment and Heritage

“Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.

Planning should incorporate measures to protect culturally significant heritage places in locations exposed to climate related hazards.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Planning should promote excellence in the built environment and create places that:

- *Are enjoyable, engaging, and comfortable to be in.*
- *Support human health and community wellbeing.*
- *Accommodate people of all abilities, ages and cultures.*
- *Contribute positively to local character and sense of place.*
- *Reflect the particular characteristics and cultural identity of the community.*
- *Enhance the function, amenity and safety of the public realm.*

Planning should promote development that is environmentally sustainable and minimise detrimental impacts on the built and natural environment.

Planning should facilitate development that:

- *Is adapted and resilient to climate related hazards.*
- *Supports the transition to net zero greenhouse gas emissions.*

- *Minimises waste generation and supports resource recovery.*
- *Conserves potable water.*
- *Supports the use of, and access to, low emission forms of transport.*
- *Protects and enhances natural values.*
- *Minimises off-site detrimental impacts on people and the environment.”*

Clause 15.01S Urban Design

The objective of this policy is *“to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.”*

The retrospective buildings/structures are safe, functional and consistent with the peri-urban environment. They are site responsive to the rural character of the surrounding areas.

Clause 15.01-2S Building Design

The objective of this policy is *“to achieve building design outcomes that contribute positively to the local context and enhance the public realm.”*

The retrospective buildings/structures are typically found in most peri-urban or rural area. They are located behind an existing storage shed and not visible from the street.

Clause 15.01-5S Neighbourhood Character

The objective of this policy is *“to recognise, support and protect neighbourhood character, cultural identity, and sense of place.”*

The proposal will be in keeping with the peri-urban or rural character of the area which consists of semi-rural living with farmhouses and outbuildings. The retrospective buildings/structures are proportional to the height and size of other existing buildings/structures in the surrounding areas.

Clause 15.03-2S Aboriginal Cultural Heritage

The objective of this policy is “to ensure the protection and conservation of places of Aboriginal cultural heritage significance.”

The land is located within an area of Aboriginal Cultural Heritage Sensitivity.

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The activity was assessed against the tool in the First Peoples Relations website and does not require a Cultural Heritage Management Plan (CHMP).

Victoria Department of Premier and Cabinet		
Process List		
Project Name:	Retrospective decks and verandahs	
Project Location:	Lot 1, TP117750Q South Bank Rd Bunyip	
Date:	19-Nov-2024	
	QUESTION	ANSWER
Answer:	ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT	
	This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.	

CONCLUSION

It is noted that the retrospective structures are appropriate for the subject site and are consistent with the future planning of the area. In support of this statement, the following points are noted:

- This report demonstrates that the proposed buildings and works meet the relevant clauses, objectives and strategies of the Green Wedge Zone and provides a site responsive design that is sensitive to the amenity of adjoining properties and the character of the area;
- The retrospective buildings/structures are consistent with the strategic directions of the Cardina Planning Scheme, the Planning Policy Frameworks and proper and orderly planning principles. They also are consistent with the LSIO and the RO51;
- They do not restrict the flow of water in the event of a flood;
- They provide a sheltered open area on the land and do not endanger lives in the event of a flood given there is no house on the land; and
- The design of the retrospective buildings/structures is similar to other buildings found on farmland and is consistent with the context of the area.

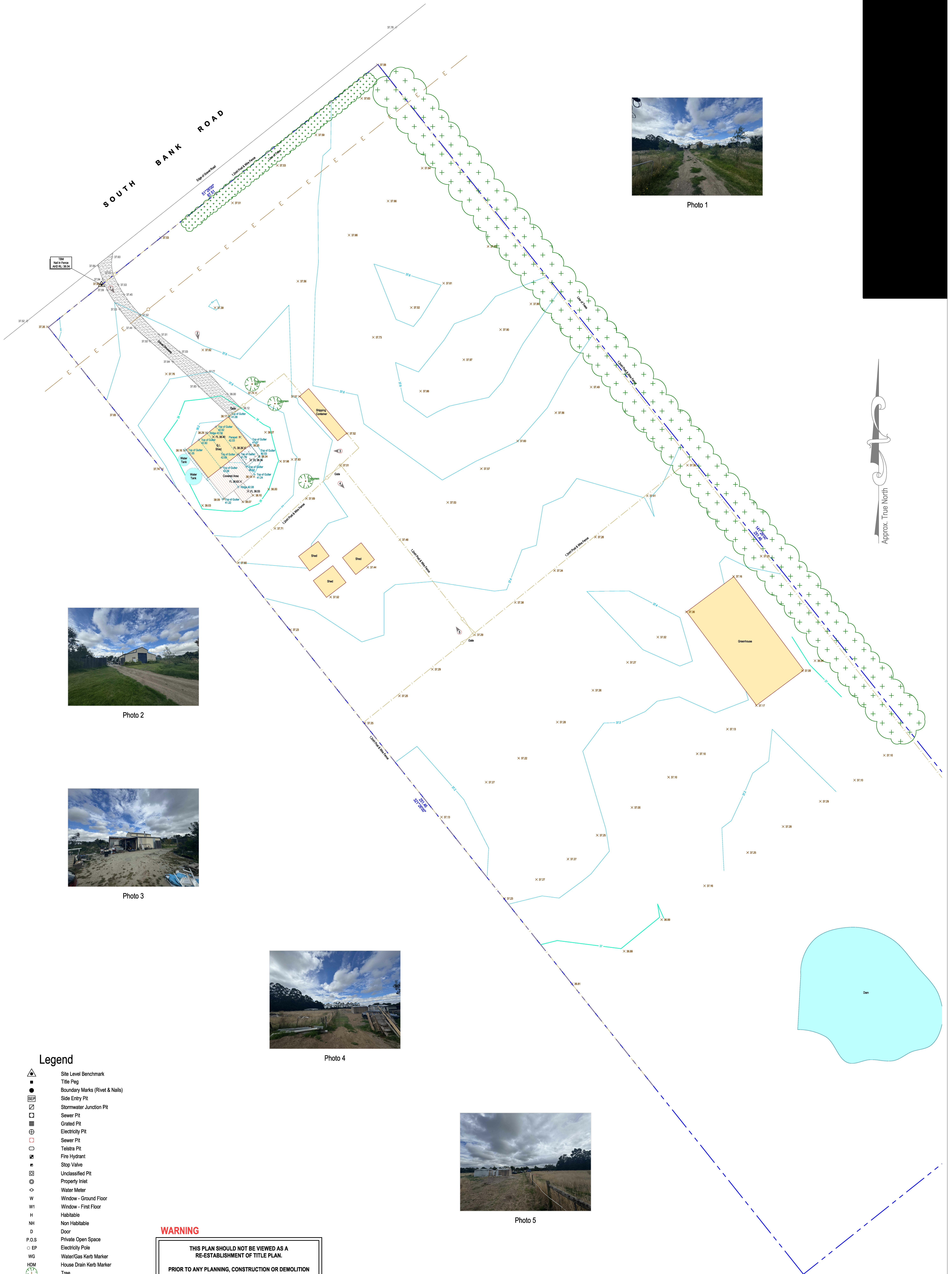


Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Legend

- ▲ Site Level Benchmark
- Title Peg
- Boundary Marks (Rivet & Nails)
- Side Entry Pit
- SE Stormwater Junction Pit
- Sewer Pit
- ▨ Grated Pit
- ⊕ Electricity Pit
- ⊖ Sewer Pit
- Telstra Pit
- Fire Hydrant
- Stop Valve
- ⊙ Unclassified Pit
- ⊙ Property Inlet
- ⊙ Water Meter
- W Window - Ground Floor
- W1 Window - First Floor
- H Habitable
- NH Non Habitable
- D Door
- P.O.S Private Open Space
- ⊙ EP Electricity Pole
- WG Water/Gas Kerb Marker
- ⊙ House Drain Kerb Marker
- ⊙ Tree
- Indicative Boundary
- - - Fence Line
- - - Powerlines
- ① Photo Point

WARNING

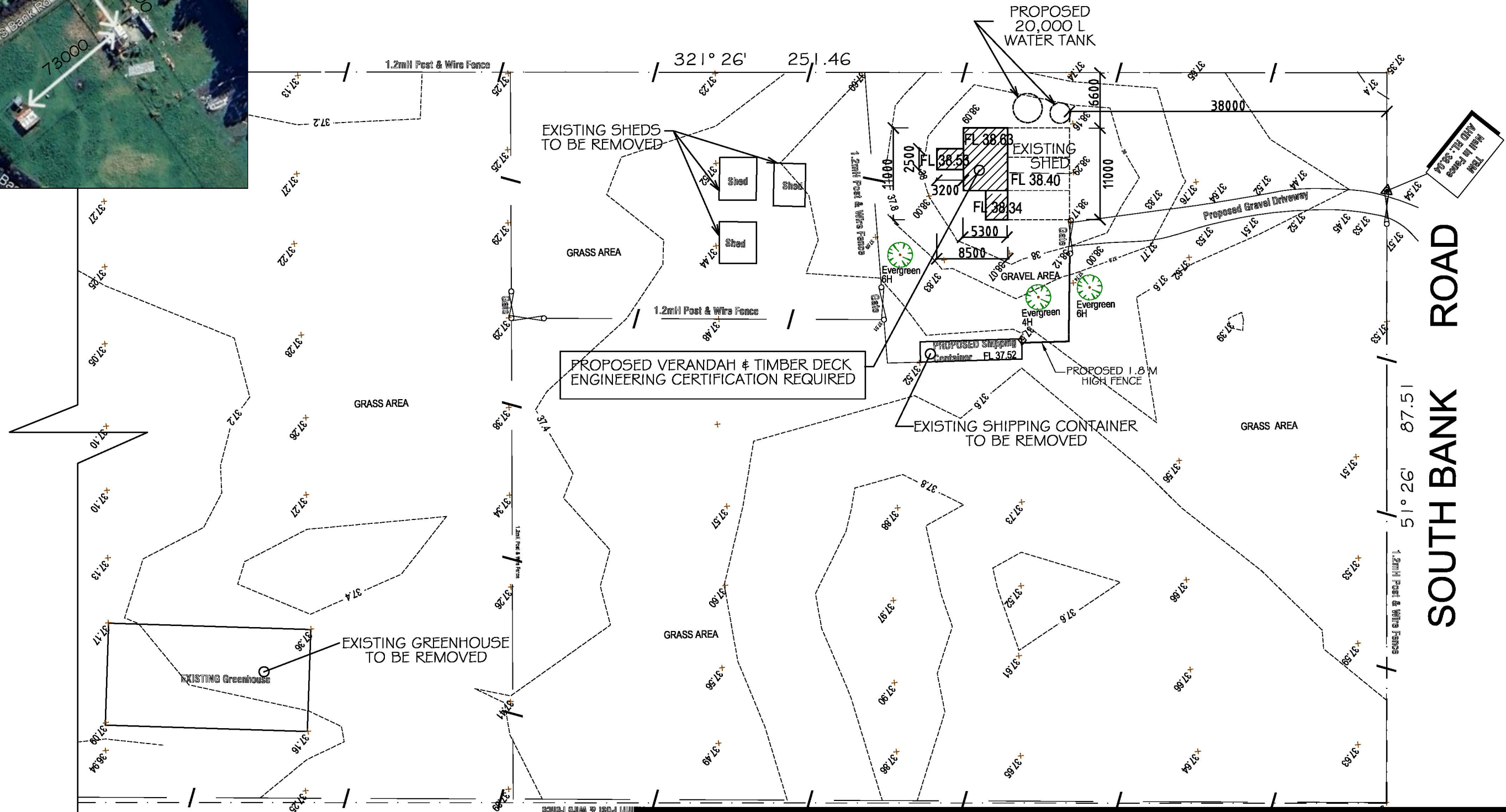
THIS PLAN SHOULD NOT BE VIEWED AS A RE-ESTABLISHMENT OF TITLE PLAN.

PRIOR TO ANY PLANNING, CONSTRUCTION OR DEMOLITION RELATING TO THIS SITE, IT IS STRONGLY RECOMMENDED THAT A TITLE RE-ESTABLISHMENT SURVEY BE CARRIED OUT TO DETERMINE THE EXACT LOCATION OF THE TITLE BOUNDARY WITH RESPECT TO EXISTING OCCUPATIONS.

Refer to Plan of Subdivision TP 579950 for bearing, distances and easement details



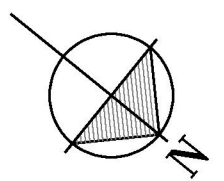
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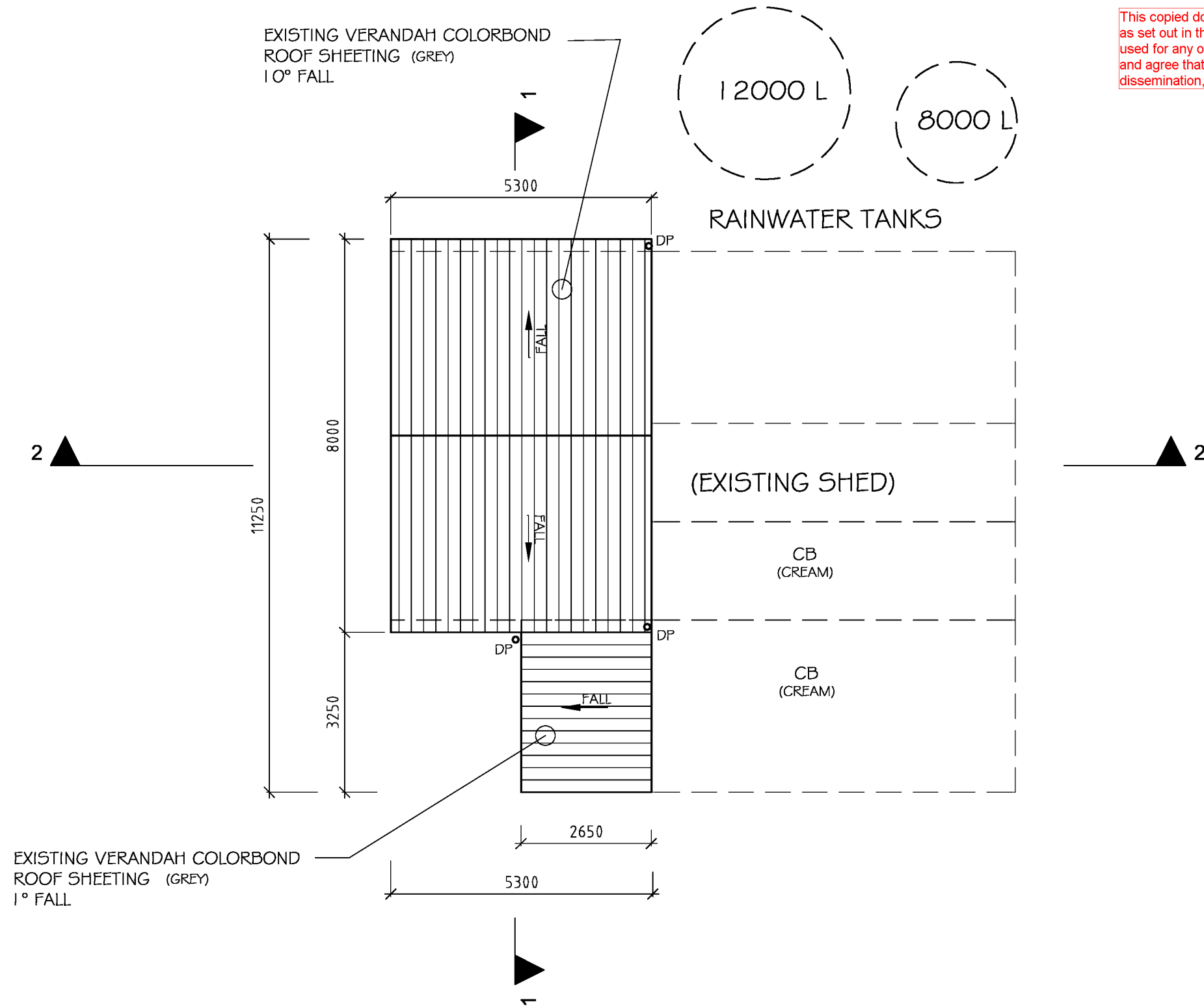
SITE PLAN

1:500

FL = FLOOR LEVEL TO AHD



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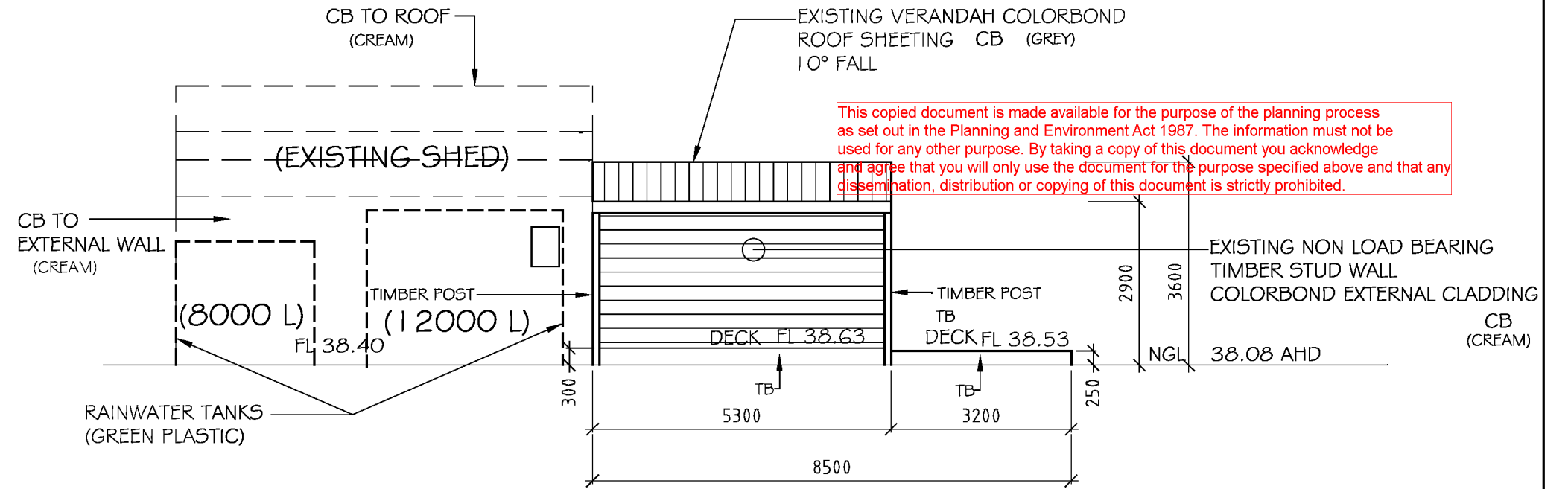


ROOF PLAN

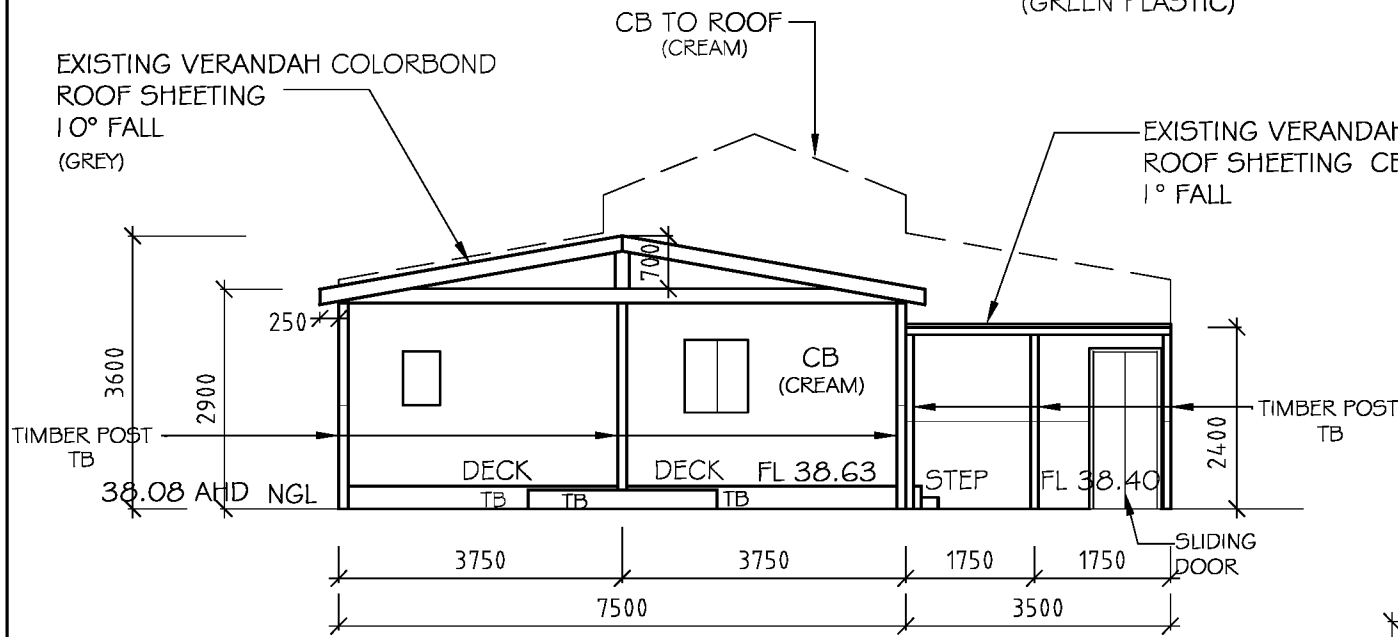
NOTE:
DP: EXISTING DOWNPIPE
CONNECTED TO EXISTING WATER TANK

SCHEDULE MATERIALS / FINISHES
 CB= COLORBOND
 TB= TIMBER

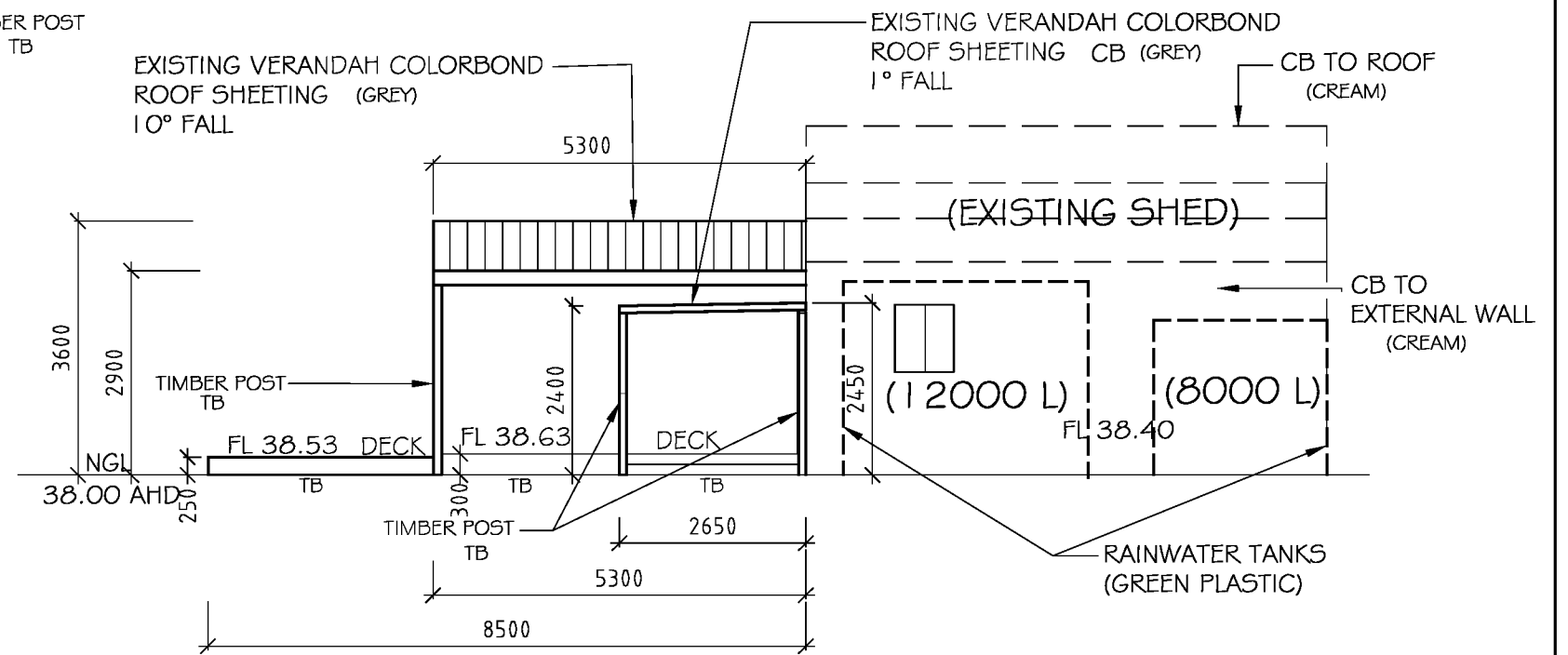
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SOUTH EAST - ELEVATION



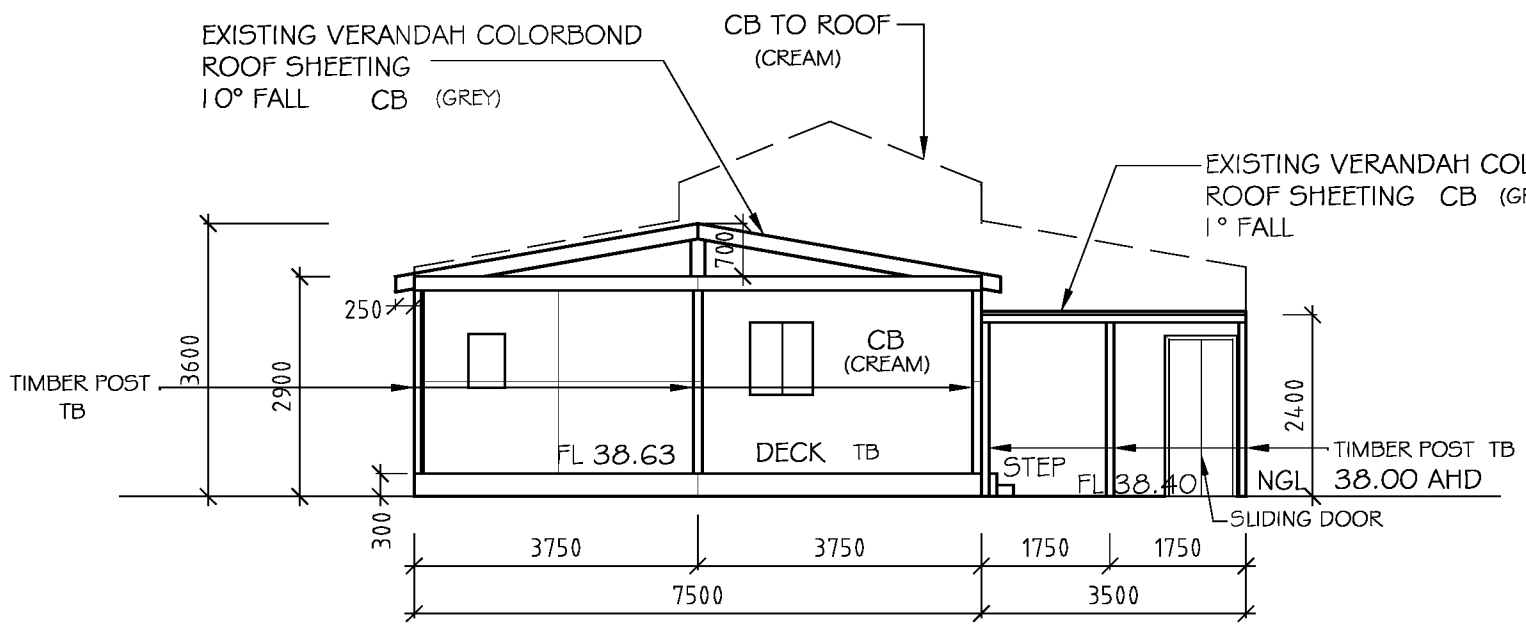
ELEVATION - C
 scale 1:100



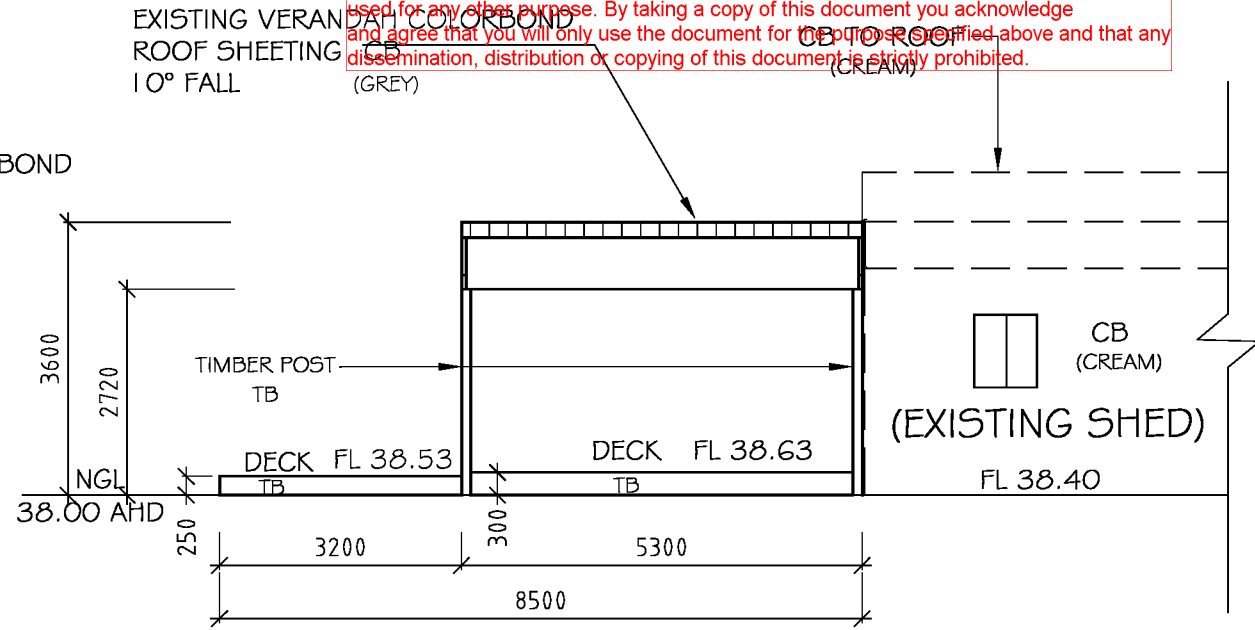
NORTH EAST - ELEVATION

NOTE:
 FL TO AHD

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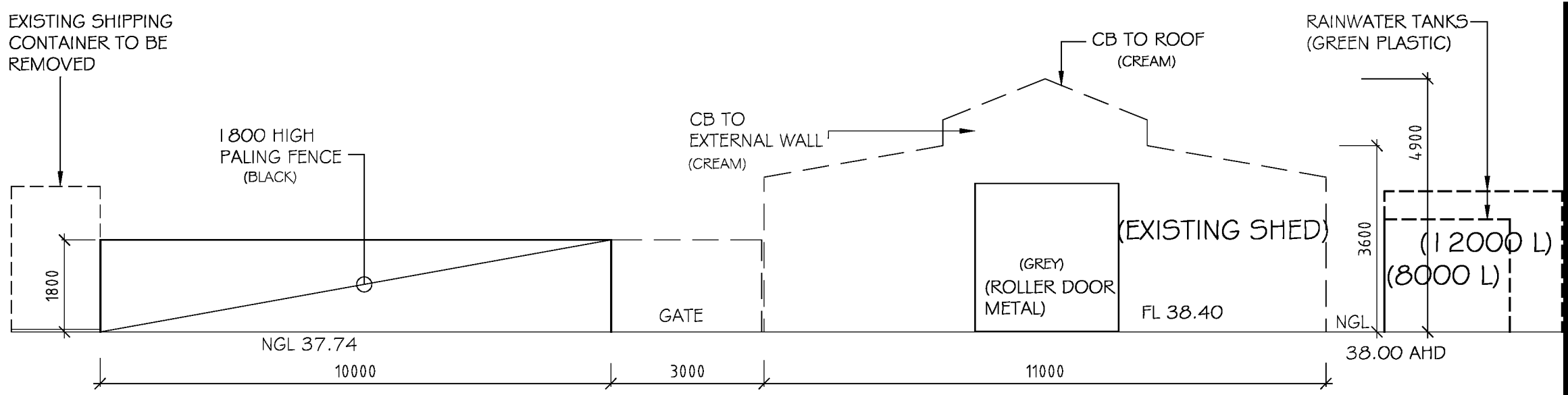


SECTION - 1



SECTION - 2

NOTE:
FL TO AHD



NORTHWEST - ELEVATION