



Cardinia

MINUTES OF TOWN PLANNING COMMITTEE

MONDAY, 2 DECEMBER 2019

MINUTES OF TOWN PLANNING COMMITTEE

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 2 December 2019
The meeting commenced at 7:01pm

PRESENT: Mayor, Jeff Springfield, Chairman
Councillors Jodie Owen, Collin Ross, Ray Brown, Graeme Moore, Brett Owen
Messrs Carol Jeffs (CEO), Tracey Parker (GMLC), Peter Benazic (GMIE),
Jack Coogan (GO)

APOLOGIES:

Crs Michael Schilling, Carol Ryan, Leticia Wilmot

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

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1 DEVELOPMENT OF THE LAND FOR SIX (6) DWELLINGS AND ALTERATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1

FILE REFERENCE INT1990855

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Evangeline McGauley-Kennedy

RECOMMENDATION

That a Notice of Decision to Grant Planning Permit T190155 be issued for the development of the land for six (6) dwellings (five (5) additional dwellings) and alteration of an access to a Road in Road Zone Category 1 at 9 Sybella Avenue, Koo Wee Rup VIC 3981 subject to the conditions attached to this report.

Attachments

- | | | |
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| 1 | Locality Map | 1 Page |
| 2 | Development Plans | 14 Pages |
| 3 | Copy of Objections - Circulated to Councillors only | 4 Pages |

EXECUTIVE SUMMARY:

APPLICATION NO.:	T190155
APPLICANT:	Mr Phil Walton
LAND:	9 Sybella Avenue, Koo Wee Rup VIC 3981
PROPOSAL:	Development of the land for six (6) dwellings (five (5) additional dwellings) and alteration of an access to a Road in Road Zone Category 1.
PLANNING CONTROLS:	Neighbourhood Residential Zone - Schedule 1 Land Subject to Inundation Overlay
NOTIFICATION & OBJECTIONS:	Pursuant to Section 55 of the <i>Planning and Environment Act 1989</i> , the application was advertised by the placing of a sign on site and notices in the mail to adjoining property owners. Four (4) objections have been received to date.
KEY PLANNING CONSIDERATIONS:	Neighbourhood Character Site coverage and dwelling density Traffic and Road access Amenity Land Subject to Inundation (Flooding)
RECOMMENDATION:	Notice of Decision to Grant a Permit

BACKGROUND:

The subject site is located on the north-eastern side of Sybella Avenue, approximately 300 metres to the south-west of Koo Wee Rup Town Centre (cnr. Rossiter Road and Station Street). The site is a rectangular shape with a frontage to Sybella Avenue of 20.12m and a depth of 100.58m. It is 2024sqm in size and currently contains a single storey Edwardian era (circa 1920's) weatherboard dwelling, which is proposed to be retained. The Lot was created by instrument 1122818 on 30 March 1926. There are no restrictive covenants affecting the land.

The site is within an area of Aboriginal Cultural Significance, however a Cultural Heritage Management Plan (CHMP) was not required to be prepared as the site is not identified as being located in the *Koo Wee Rup Plain*. In accordance with the Surface Geology of Victoria 1:250 000 map book land identified as being located in the *Koo Wee Rup Plain* is identified as "Qg" and "Qm1" under the Aboriginal Heritage Regulations 2018. This site is identified as "Qa1" on this map:



The application was received by Council on 20 March 2019.

There are no previous planning approvals issued for this site.

An application is currently lodged for the subdivision of the land into six (6) lots (T190262) subject to the issue of this Planning Permit.

SUBJECT SITE

The site is located on the north-eastern side of Sybella Avenue, Koo Wee Rup.

There are two (2) existing crossovers located at the northern and southern ends of the street frontage and a 2.1-metre-wide drainage easement along the rear boundary of the allotment.

The site currently contains a single dwelling, which will be retained as part of the proposal, along with some existing mature vegetation.

The topography of the land is relatively flat.

The main characteristics of the surrounding area comprise of established residential allotments and unit developments, with Koo Wee Rup Town Centre being located approximately 300 metres (approximately 5-minute walk) to the north-east of the site, via Rossiter Road.

- North: Directly north of the site is 7 Sybella Avenue, which is currently developed with five (5) single story brick dwellings which approval of which was issued by Planning Permit T010474 on 10 October 2001. Further north of the site is another unit development at 5 Sybella Avenue which was approved by Planning Permit T960615 on 13 December 1996. This site also comprises of five (5) single storey brick dwellings. Further north are other smaller multi-unit developments.
- South: Directly south of the site is 11 Sybella Avenue, which is a similarly sized allotment containing a single storey residential dwelling, along with a large outbuilding. Further south are two other similarly sized allotments with single dwellings, as well as a large residential subdivision completed in the 1990's.
- East: Directly east of the site is 2 Icke Road, which is currently developed with twenty-nine (29) single storey units (Retirement living). Further east is Lions Park and the Koo wee Rup Rail Trail, along with other existing residential subdivisions.
- West: Directly west of the site is Sybella Avenue, which is a Road Zone Category 1 under the authority of VicRoads. Across Sybella Avenue are 10 Sybella Avenue, which currently contains a single dwelling and outbuilding, and 12 Sybella Avenue, which has been subdivided into two (2) lots. Further west is Charles Street, which has a number of two (2) and three (3) dwelling developments, along with traditional single dwelling allotments.

PROPOSAL

Approval is sought for the development of the land for five (5) additional dwellings, to the rear of the existing dwelling on the lot and alteration of access to a Road in Road Zone Category 1.

Site layout

The site is rectangular in shape and access to the five (5) new dwellings is proposed by a common driveway along the northern boundary, whilst access to the existing dwelling is provided by a separate driveway along the southern boundary.

The development will comprise of two (2), three (3) bedroom dwellings and four (4), two (2) bedroom dwellings. All six (6) dwellings will be single storey. The dwellings will have a maximum height of between 5 metres (existing dwelling) and a minimum height of 4.72 metres (Unit 3) to the peak of the pitched roof(s) from natural ground level.

A total site coverage of 41.1 percent is proposed and the mandatory 35 percent Garden Area can be provided. The proposed dwellings provide a contemporary version of a traditional design, incorporating brick, rendered and weatherboard facades, with gabled porches, along with a mixture of Colorbond and tile roofs.

The designs takes cues from the character of the existing weatherboard cottage on the site, as well as the surrounding neighbourhood character, providing for a variation of layouts and facades which avoid repetition.

Dwelling 1 (existing)

The existing single storey, weatherboard dwelling, will be retained and is located within the front of the allotment, which measures 471sqm in size. This dwelling currently contains three (3) bedrooms, one and a half (1.5) bathrooms and an open plan kitchen and dining area and separate living room and sunroom.

An existing corrugated steel garage currently located to the rear of the allotment will be demolished to accommodate the proposed dwellings to the rear. A new single carport is proposed for Dwelling 1 and will be located to the south of the dwelling, a tandem space will be provided directly behind. Dwelling 1 will utilise the existing crossover to Sybella Avenue, located near to the southern boundary. This dwelling will be the sole user of this access point.

Dwelling 1 will have 59sqm of Secluded Private Open Space (S.P.O.S) with a total Private Open Space (P.O.S) measuring 114sqm, which can be accessed directly from the living areas.

Landscaping is proposed to be incorporated to soften the built form and the existing trees in the front yard are proposed to be retained.

Dwelling 2

Dwelling 2 is proposed directly behind the existing dwelling and will be accessed from the common driveway proposed along the northern title boundary to Sybella Avenue. The proposed allotment will measure 190sqm, with the proposed dwelling measuring 121sqm in floor area.

This proposed dwelling will be single storey and constructed with face brickwork facade in a 'brown' tone and Weatherboard infill in a 'cream' tone. It will be constructed with a 'charcoal' Colorbond roof and reach a total overall height of 4.62 metres to the peak of the pitched roof (22.5 degree pitch). The design of the dwelling is relatively modest and contemporary in style, incorporating a covered front porch with a gable.

This dwelling will contain an open plan kitchen, living and dining area, two (2) bedrooms, one (1) bathroom which can also be accessed from the Master bedroom and a laundry. An attached single garage is proposed to the west of the proposed dwelling.

Dwelling 2 will be provided 46sqm of Secluded Private open Space (S.P.O.S) with a total Private Open Space (P.O.S) measuring 67sqm, which can be accessed directly from the living areas.

There are adequate opportunities for landscaping within the rear of this dwelling and along the common property driveway.

Dwelling 3

Dwelling 3 is proposed directly behind proposed Dwelling 2 and will be accessed from the common driveway proposed along the northern title boundary to Sybella Avenue. The proposed allotment will be slightly larger than Dwelling 2, measuring 192sqm, with the proposed dwelling measuring 121sqm in floor area.

This proposed dwelling will be single storey and constructed with face brickwork facade in a 'brown' tone, rendered finishes in a 'dark grey' tone and Weatherboard infill gables in a 'coffee' tone. It will be constructed with a 'charcoal' tiled roof and reach a total overall height of 4.72metres to the peak of the pitched roof (22.5 degree pitch). The design of the dwelling is relatively modest and contemporary in style, incorporating a covered front porch with a gable.

Dwelling 3's internal layout will mirror that of Dwelling 2 and will contain an open plan kitchen, living and dining area, two (2) bedrooms one (1) bathroom which can also be accessed from the master bedroom and a laundry. An attached single garage is proposed to the west of the proposed dwelling.

Dwelling 3 will be provided 46sqm of Secluded Private Open Space (S.P.O.S) with a total Private Open Space (P.O.S) measuring 69sqm, which can be accessed directly from the living areas.

There are adequate opportunities for landscaping within the rear of this dwelling and along the common property driveway.

Dwelling 4

Dwelling 4 is proposed directly behind proposed Dwelling 3 and will be accessed from the common driveway proposed along the northern title boundary to Sybella Avenue. The proposed allotment will measure 190sqm, with the proposed dwelling measuring 121sqm in floor area.

Dwelling 4 will mirror the design of proposed Dwelling 2 and is proposed to be single storey and constructed with face brickwork facade in a 'brown' tone and Weatherboard infill in a 'cream' tone. It will be constructed with a 'charcoal' Colorbond roof and reach a total overall height of 4.62 metres to the peak of the pitched roof (22.5 degree pitch). The design of the dwelling is relatively modest and contemporary in style, incorporating a covered front porch with a gable.

Dwelling 4's internal layout will also mirror the layout of Dwelling 2 and will contain an open plan kitchen, living and dining area, two (2) bedrooms one (1) bathroom which can also be accessed from the master bedroom and a laundry. An attached single garage is proposed to the west of the proposed dwelling.

Dwelling 4 will be provided 46sqm of Secluded Private Open Space (S.P.O.S) with a total Private Open Space (P.O.S) measuring 67sqm, which can be accessed directly from the living areas.

There are adequate opportunities for landscaping within the rear of this dwelling and along the common property driveway.

Dwelling 5

Dwelling 5 is proposed directly behind proposed Dwelling 4 and will be accessed from the common driveway proposed along the northern title boundary to Sybella Avenue. The proposed allotment will measure 180sqm, with the proposed dwelling measuring 121sqm in floor area.

Dwelling 5 is proposed to be single storey and constructed with face brickwork facade in 'light brown' tone, with rendered brickwork in a 'dark brown' tone and Weatherboard infill in 'grey'. It will be constructed with a 'charcoal' tiled roof and reach a total overall height of 4.94 metres to the peak of the pitched roof (22.5 degree pitch). The design of the dwelling is relatively modest and contemporary in style, incorporating a covered front porch with a gable.

Dwelling 5's internal layout will contain an open plan kitchen, living and dining area, two (2) bedrooms one (1) bathroom which can also be accessed from the master bedroom and a laundry. An attached single garage is proposed to the west of the proposed dwelling.

Dwelling 5 will be provided 43sqm of Secluded Private Open Space (S.P.O.S) with a total Private Open Space (P.O.S) measuring 58sqm, which can be accessed directly from the living areas.

There are adequate opportunities for landscaping within the rear of this dwelling and along the common property driveway.

Dwelling 6







Dwelling 6 is proposed at the rear of the allotment and will be accessed from the common driveway proposed along the northern title boundary to Sybella Avenue. The largest of the proposed dwellings, the allotment will measure 247sqm, with the proposed dwelling measuring 163sqm in floor area.

Dwelling 6 is proposed to be single storey and constructed with face brickwork facade in 'light brown' tone and Weatherboard gable infill in 'cream'. It will be constructed with a 'grey' Colorbond roof and reach a total overall height of 4.82 metres to the peak of the pitched roof (22.5 degree pitch). The design of the dwelling is relatively modest and contemporary in style, incorporating a covered front porch, and gable elements.

Dwelling 6's internal layout will contain an open plan kitchen, living and dining area, three (3) bedrooms (including a Master with ensuite), an additional main bathroom, a powder room and a separate laundry. An attached double garage is proposed to the north of the proposed dwelling.

Dwelling 6 will be provided 46sqm of Secluded Private Open Space (S.P.O.S) with a total Private Open Space (P.O.S) measuring 87sqm, which can be accessed directly from the living areas.

There are adequate opportunities for landscaping within the rear of this dwelling and along the common property driveway.

<p>Dwelling 1:</p>  <p>UNIT 1 PROPOSED 3D VIEW 1:100</p>	<p>Dwelling 2:</p>  <p>UNITS 2 & 4 3D VIEW 1:100</p>	<table border="1"> <thead> <tr> <th colspan="2">STATISTICS</th> <th>m2</th> </tr> </thead> <tbody> <tr> <td>SITE AREA</td> <td></td> <td>2,024.00</td> </tr> <tr> <td>UNIT 1 RESIDENCE</td> <td></td> <td>140.51</td> </tr> <tr> <td>UNIT 1 CARPORT</td> <td></td> <td>22.16</td> </tr> <tr> <td>UNIT 1 VERANDAH</td> <td></td> <td>21.32</td> </tr> <tr> <td>UNIT 2 RESIDENCE</td> <td></td> <td>95.75</td> </tr> <tr> <td>UNIT 2 GARAGE</td> <td></td> <td>23.63</td> </tr> <tr> <td>UNIT 2 PORCH</td> <td></td> <td>2.20</td> </tr> <tr> <td>UNIT 3 RESIDENCE</td> <td></td> <td>95.55</td> </tr> <tr> <td>UNIT 3 GARAGE</td> <td></td> <td>23.63</td> </tr> <tr> <td>UNIT 3 PORCH</td> <td></td> <td>2.55</td> </tr> <tr> <td>UNIT 4 RESIDENCE</td> <td></td> <td>95.75</td> </tr> <tr> <td>UNIT 4 GARAGE</td> <td></td> <td>23.63</td> </tr> <tr> <td>UNIT 4 PORCH</td> <td></td> <td>2.20</td> </tr> <tr> <td>UNIT 5 RESIDENCE</td> <td></td> <td>95.24</td> </tr> <tr> <td>UNIT 5 GARAGE</td> <td></td> <td>23.63</td> </tr> <tr> <td>UNIT 5 PORCH</td> <td></td> <td>2.44</td> </tr> <tr> <td>UNIT 6 RESIDENCE</td> <td></td> <td>120.70</td> </tr> <tr> <td>UNIT 6 GARAGE</td> <td></td> <td>37.48</td> </tr> <tr> <td>UNIT 6 PORCH</td> <td></td> <td>2.52</td> </tr> <tr> <td>SITE COVER</td> <td></td> <td>830.89 m²</td> </tr> <tr> <td>SITE COVER RATIO</td> <td></td> <td>41.0%</td> </tr> <tr> <td>PAVING AREAS - DRIVES & PATHS</td> <td></td> <td>432.48 m²</td> </tr> <tr> <td>HARD COVER AREA</td> <td></td> <td>1,263.37 m²</td> </tr> <tr> <td>HARD COVER RATIO</td> <td></td> <td>62.4%</td> </tr> <tr> <td colspan="3">CARPARKING</td> </tr> <tr> <td>REQUIRED</td> <td></td> <td>1</td> </tr> <tr> <td>PROVIDED</td> <td></td> <td>1</td> </tr> </tbody> </table>	STATISTICS		m2	SITE AREA		2,024.00	UNIT 1 RESIDENCE		140.51	UNIT 1 CARPORT		22.16	UNIT 1 VERANDAH		21.32	UNIT 2 RESIDENCE		95.75	UNIT 2 GARAGE		23.63	UNIT 2 PORCH		2.20	UNIT 3 RESIDENCE		95.55	UNIT 3 GARAGE		23.63	UNIT 3 PORCH		2.55	UNIT 4 RESIDENCE		95.75	UNIT 4 GARAGE		23.63	UNIT 4 PORCH		2.20	UNIT 5 RESIDENCE		95.24	UNIT 5 GARAGE		23.63	UNIT 5 PORCH		2.44	UNIT 6 RESIDENCE		120.70	UNIT 6 GARAGE		37.48	UNIT 6 PORCH		2.52	SITE COVER		830.89 m²	SITE COVER RATIO		41.0%	PAVING AREAS - DRIVES & PATHS		432.48 m²	HARD COVER AREA		1,263.37 m²	HARD COVER RATIO		62.4%	CARPARKING			REQUIRED		1	PROVIDED		1
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Visitor car parking and Access

One (1) vistor space was required to be provided in accordance with Clause 52.06 (Car Parking) which has been provided in between Dwellings 5 and 6 to the rear of the site.

As previously mentioned access to Sybella Avenue is proposed via the two (2) existing crossovers to the property. The northern driveway is 3.5m in width and will provide access to the five (5) rear dwellings. Provision is made of vehicles to turn around within the site so all cars can enter and leave the site in a forward direction. The southern driveway is 3m wide and only provides access to the front dwelling (dwelling 1), with a turn around bay provided to ensure that vehicles are not reversing onto Sybella Avenue.

Vegetation removal

Two (2) small trees are required to be removed from the rear of the site, however the existing trees in the front setback will be retained and incorporated in the landscape plan. It is noted that there are no vegetation controls that apply to the site, therefore these trees about be removed without a permit. It is also noted that there are no trees or significant vegetation located close by (within 15 metres) to the development on the neighbouring allotments.

Landscaping

A landscaping plan has not been provided, however, one will be requested via permit condition prior to the plans being endorsed. The site is large and the design and layout have demonstrated that meaningful landscaping can be provided along both the driveway and within the rear yards for each unit. The retention of mature trees within the front setback will also have a positive contribution to the streetscape and the appearance of the site.

PLANNING SCHEME PROVISIONS

State Planning Policy Framework (SPPF)

Planning Policy Framework (PPF)

The relevant clauses of the PPF are:

- Clause 13.02-1s Bushfire Planning (In Bushfire Prone Areas)
- Clause 13.03-1S Floodplain management
- Clause 15.01-2S Building Design
- Clause 15.01-5S Neighbourhood Character
- Clause 16.01-1s Integrated housing
- Clause 16.01-2 Location of Residential Development
- Clause 16.01-3 Housing Diversity

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.02-1 Catchment and coastal management
- Clause 21.03-1 Housing
- Clause 21.03-3 Rural Townships

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 52.29 Land adjoining a Road in a Road Zone Category 1
- Clause 52.06 Car Parking
- Clause 55 Two or more dwellings on a Lot and Residential Buildings
- Clause 65 Decision Guidelines
- Clause 66 Referral and Notice Provisions
- Koo Wee Rup Township Strategy

Cardinia Shire's Liveability Plan 2017-2029

This proposal has regard to Cardinia Shire's Liveability Plan 2017-2029, in particular:

- Improved safety through a strong address to the street and associated passive surveillance frontages
- Reduce obesity through the use of common park areas and decreased dependency on cars to encourage walkability within close proximity to services at of Koo Wee Rup.
- Reduce financial vulnerability through providing housing diversity and smaller, more affordable housing (i.e. elderly, retirees, singles and young families), wanting to stay within the community and locate area.

Zone

The land is subject to the **Neighbourhood Residential Zone - Schedule 1**

Overlays

The land is subject to the following overlays:

- Land Subject to Inundation Overlay

The land is also adjacent to a Road Zone Category 1

PLANNING PERMIT TRIGGERS

The proposal for the development of the land for six (6) dwellings (five (5) additional dwellings) and alteration of an access to a Road in Road Zone Category 1 requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.09-6 (NRZ1) a planning permit is required to construct two or more dwelling on a lot.
- Pursuant to Clause 44.01-2 (LSIO) a planning permit is required to construct or carry out works.
- Pursuant to Clause 52.29-2 (RDZ1) a planning permit is required to alter access to a Road in a Road Zone Category 1.

PUBLIC NOTIFICATION

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- *Sending notices to the owners and occupiers of adjoining land; and*
- *Placing a sign on site.*

Council has received four (4) objections to date.

The key issues that were raised in the objections are:

- Site coverage
- Density
- Neighbourhood character

In addition:

- The proposed northern boundary fence is not high enough at 1.8m

DISCUSSION

The Application has been assessed against the decision guidelines of all relevant clauses of the Cardinia Planning Scheme and the proposed development is determined to be consistent with these requirements.

Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS)

A number of state and local policies are relevant to this application that aim to ensure dwelling design achieves attractive and diverse neighbourhoods, and to encourage a diversity in housing, close to activity centres to meet the needs of future and existing residents.

Clause 13.02-1S (Bushfire Planning) seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life, even where a development site is not in the BMO, but is identified as being in a Bushfire Prone Area in accordance with the Victorian Building Regulations.

Clauses 13.03-1S (Floodplain management) and 21.02-1 (Catchment and coastal management) are implemented to assist the protection of life, property and community infrastructure from flood hazard, the natural flood carrying capacity of rivers, streams and floodways, the flood storage function of floodplains and waterways and the floodplain areas of environmental significance or of importance to river health.

Clause 15.01-2S (Building Design) seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-5S (Neighbourhood Character) seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 16.01-3S (Housing diversity) has an objective to provide for a range of housing types to meet diverse needs, which is met through a mix of housing types and adaptable internal dwelling design.

Clause 16.01-2S (Location of residential development) has an objective to locate new housing in designated locations that offer good access to jobs, services and transport. Strategies include increasing the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in Greenfield and dispersed development areas.

Clause 21.03-1 (Housing) provides local context to Clause 16, with an objective to encourage diversity in housing to meet the needs of existing and future residents.

Clause 21.03-3 (Rural townships) seeks to maintain and enhance the distinct character and environmental qualities of each of the townships with the Shire. This Clause has a number of strategies, including the need to ensure that new buildings and works complement the rural character of the township, and do not dominate the landscape or surrounding built form character.

The proposal is compatible with the residential character from the area, and due to the retention of the existing (character dwelling), proposed setbacks, height and appropriate location of the proposed dwellings, it is not expected to have any negative impacts on the surrounding residences. The dwellings are modest in design and an adequate amount of garden area and P.S.O.S has been provided to each dwelling. The site coverage is considered reasonable and is under the limitations set out by the Koo Wee Rup Township Strategy. Landscaping can be provided to provide for shade of canopy trees and to soften the built form. This is consistent with clauses 13.03-1S, 15.01-2S, 15.01-5S, 16.01-2, 16.01-3, 21.03-1 and 21.03-2 that seek ensure that residential development (in flood prone areas) results in a good and safe design outcome, adequate access to services and amenities, responsive to neighbourhood character (Koo Wee Rup Township Strategy) and is compliant with the standards and objectives of Rescode.

It is considered that the proposal adequately responds to the above and also compliments the existing and emerging development pattern of this street and the surrounding area.

Therefore, it is considered that the proposal is consistent with the PPF and MPS as it contemplates development of a previously-developed parcel (single dwelling) that will result in infill development near public transport and services.

Neighbourhood Residential Zone – Schedule 1

The key purpose of the Neighbourhood Residential Zone – Schedule 1 is to recognise areas of predominately single and double storey residential development, manage and ensure that the development respects the identified neighbourhood character, heritage, environmental or landscape values and also to allow for community facilities and other non-residential uses to serve the local community needs, in appropriate locations.

Pursuant to Clause 32.09-6 (NRZ1) a Planning Permit is required to construct two or more dwellings on a lot. The decision guidelines for the Neighbourhood Residential Zone require the Responsible Authority to consider the objectives, standards and decision guidelines of Clause 55.

The proposed development provides for a diversity of housing types within close proximity to the Koo Wee Rup Township and its services, transport options and employment opportunities. It also respects the existing and emerging residential character of the area and is consistent and complies with the relevant purposes and decision guidelines of the Neighbourhood Residential Zone.

The surrounding area generally consists of a residential development pattern of multi-unit developments, dual occupancies, conventional residential allotments and a mixed-use zone with shops and other businesses (further north along Rossiter Road). It is considered that the proposal fits within this range of established and emerging development patterns within the immediate area, while also reinforcing the residential character of the area through the retention of the existing weatherboard dwelling, which maintains character and rhythm within the streetscape. Appropriate side and rear setbacks, as well as spacing between buildings provide a sense of spaciousness appropriate within a township, whilst the single storey design meets the objectives of the NRZ1 which recognises that these 'townships' generally have a single storey character, which is sought to be maintained. Provisions for landscaping and partial retention of mature vegetation within the front setback also add to the visual amenity of the proposal and maintains the rhythm of the streetscape and township character.

Planning Scheme Amendment VC110 introduced the mandatory garden area requirement and mandatory height limit in the NRZ1. As the site is over 650sqm, it is a mandatory requirement that there be 35 percent garden area provided across the lot (Clause 32.09-4). The development plans currently propose 36.3 percent garden area across the site. However, it is noted that amended plans are required to show the proposed turning bay for Dwelling 1, which measures approximately 23sqm in area. The inclusion of this turning bay will reduce the proposed garden area from 36.3 percent garden area to approximately 35.2 percent; however, this still complies with the requirement.

The height of the dwelling also complies with the mandatory height requirement (Clause 32.09-10) under the NRZ1 as both dwellings are single storey and do not exceed 9 metres in height.

It is also noted that there is an established character of multi-unit developments within the immediate area, including 5 and 7 Sybella Avenue directly to the north, as well as 2 Icke Road directly to the rear and many other multi-unit sites in the surrounding streets. Approved under previous planning schemes, these multi-unit developments provide between 38 and 42 percent site coverage, not dissimilar to this application, which proposes 41.1 percent site coverage.

Once subdivided, the area of the six (6) proposed lots will be consistent with the subdivision pattern of the surrounding area.

Clause 55 Two or More Dwellings on a Lot and Residential Buildings

The proposed development is considered appropriate for the site and surrounds and complies with all the relevant objectives and standards of Clause 55. A summary of the assessment of the development against Clause 55 is listed below:

Clause 55.02 Neighbourhood character and infrastructure:

It is considered that the proposed development accords with the existing and developing neighbourhood character of the area. As previously mentioned the site is on the edge of the Koo Wee Rup Town Centre, within an area categorised with dwellings of various ages which include unit developments, small (two-lot) subdivisions and larger single dwelling allotments.

The proposal reinforces the residential character of the area via the deliberate retention of the existing dwelling and its front garden, which would have been one of the earlier dwellings built within the township (circa 1920's). The existing dwelling is in relatively good condition for its age as it has been well maintained throughout the years and the development presents an opportunity for the dwelling and rhythm of the streetscape to be maintained into the future. Retaining the existing dwelling results in the retention of the existing front setback and is able to maintain a sense of the township character of Koo Wee Rup, being one of the main roads in and out of the town to South Gippsland Highway to the south. Mature trees within the front setback are proposed to be retained and will form part of a landscape plan required via permit condition.

The proposed dwellings are modest in design, with materials that complement the existing dwellings in the surrounding area. The single storey design also reinforces the township character as well as reducing the visual bulk visible from Sybella Avenue. The weatherboard infill and gable roof design have been chosen to complement traditional design elements of the existing dwelling, as well as other original dwellings located on neighbouring allotments. This in turn strengthens the neighbourhood and township character, which has been lost on some older neighbouring unit developments (in particular 5 and 7 Sybella Avenue directly north of the site).

The large allotment and existing crossovers have been utilised to give appropriate and safe access to Sybella Avenue. It also allows for the separation of built form and the front dwelling to present as a single dwelling in the streetscape. Given the number of multi-dwelling developments within the immediate area, it is considered that the design responds and provides balance to the existing and emerging residential character of Koo Wee Rup.

Although the proposal includes one (1) more dwelling (6 in total) than is typically seen in the surrounding vicinity, the site coverage is proposed is either equal to or less than that on sites with less dwellings, and is well under the 50 percent proposed by the Koo Wee Rup Township Strategy.

The objective of Clause 52.02-3 (Dwelling diversity) is also considered to be met as the proposal provides for both two (2) and three (3) bedroom dwellings to suit people at all stages of life. Being single storey, with easily accessible entrances, the dwellings could also cater for people with limited mobility to do disability or age. The simple design will also make the dwellings affordable, which reinforces the some of the objectives of Council's Liveability Plan 2017-2029.

It is also noted that the development can be suitably accommodated into the infrastructure of the existing area and as such, all reticulated services (electricity, water, gas and sewerage) will be available to the development.

Clause 55.03 Site layout and building massing:

The site layout and building massing generally meet all standards and objectives, including building height, site coverage, permeability, open space, landscaping and safety. All dwellings are single storey and designed and sited to ensure appropriate energy efficiency and access.

Site coverage is considered acceptable as the standard under Clause 55.03-3 mandates a maximum site coverage of 60 percent and the Koo Wee Rup Township Strategy guidelines specify a maximum site coverage of 50 percent. The proposed development comfortably meets these with a site coverage of 41.1 percent and as discussed previously, although the development includes an additional dwelling to what has typically been approved in the surrounding area, the site coverage is

either equal to or less than these multi-dwelling developments. For example, number's 5 and 7 Sybella Avenue have site coverage of approximately 38 and 42 percent respectively.

Proposed at 37.6 percent the development also comfortably complies with Standard B9, which requires that the minimum permeable area of a site equal to at least 20 percent of the site area. Standard B9 also outlines that the stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999); and
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

A stormwater management report was requested to accompany the application which has been provided. The report concludes that the subject site has achieved both Standard W2 and B9 of Clause 53.18 of the VPP. Through the use of rainwater tanks and raingardens, the site achieves a 100 percent rating in the Melbourne Water STORM calculator, satisfying Standard W2. The site is proposed to be 37.6 percent pervious, which satisfies Standard B9.

Standard B10 is also met as the proposed design has been revised at Council's request to orientate the dwellings to make better use of solar energy. Living areas and private open space have been orientated to the north side of each dwelling, maximising solar access to north facing habitable room windows, with the exceptions of the southern P.O.S of Dwelling 1 and some the of living and P.O.S areas of Unit 6. However, this is considered reasonable due to their orientation on the allotment. Effort has been made to ensure that the P.O.S, Bedroom 1 and Lounge of Dwelling 6 will still have reasonable access to northern light.

Standard A8 is also achieved through the retention of mature trees within the front setback maintaining the landscape character of the neighbourhood.

Safety in design has also been considered with surveillance of Sybella Avenue offered from Dwelling 1 and entrances to dwellings being clearly visible from Sybella Avenue or the internal driveway.

Further, an attached garage is provided for each new dwelling providing convenient and secure parking for residents. A carport is provided for the existing dwelling. A minimum setback of 1.5m is provided between habitable room windows and common driveways consistent with Standard B15.

Clause 55.04 Amenity Impacts

The proposal does not vary Standard B6 (Street Setbacks) as the existing dwelling is proposed to be retained.

The proposed dwellings are well setback from the northern boundary due to the proposed common driveway with the exception of Dwelling 6, which has a setback of 1.2 metres and adjoins a garage to the north which is located on the property boundary.

The majority of Dwelling 6 is setback 3.7 metres from the eastern boundary other than a small section which is setback 1.2 metres. To the south, all new proposed dwellings are setback a minimum of 1.5 metres from the boundary. The carport associated with the existing dwelling (Dwelling 1) is located on the property boundary. All setbacks comply with Standard B17 of Clause 55.04- 1. It is also noted that there are no side setbacks proposed in the guidelines in the Koo Wee Rup Township Strategy for multi dwelling developments in established areas.

The height and setbacks of the development respect the existing and preferred neighbourhood character and will have a limited impact on the amenity of existing dwellings. There are no walls on boundaries, with the exception of the proposed carport for Dwelling 1, which will have a call length of 6 metres and a maximum height of 2.6 metres, which meets the requirements of Standard B18 and is considered acceptable. It is further noted that no objection from this adjoining landowner was received to this proposal.

Standards B19, B20 and B21 therefore is considered that there will be no impact on the daylight to existing windows, north facing windows or private open space of the neighbouring lots.

Furthermore, as all dwellings are single storey with adequate setbacks there is no impact on existing windows, overlooking of private open space or habitable windows and no significant overshadowing.

Clause 55.05 On Site Amenities and Facilities:

The development has been designed to provide a sense of identity for each dwelling and adequate open space areas in accordance with the requirements of Clause 55. The proposal has been designed to ensure adequate provision of on-site amenities and facilities, including accessibility, daylight and solar access. Given the orientation of the site, north facing windows can and have been provided to each dwelling and its P.O.S.

The proposal also complies with Standard B27, as direct access from a living area to P.O.S has been provided and there is adequate solar access from north facing habitable room windows (living areas).

Clause 55.06 Detailed Design:

The design details of the proposed development are compatible with the character of the surrounding area. The proposal is of a good standard of design that responds to the residential character of the area.

No new front fencing is proposed.

The proposed driveways are functional and capable of efficient management. The remainder of the internal side fencing between the two dwellings will be constructed of timber palings to a maximum height of 1.8 metres. There is an existing 1.9-metre high paling fence on the northern side, which is proposed to be replaced with a 1.8-metre high fence, however the objections received raised this as a concern and as such a condition will require a 1.9 metre high fence to be reinstalled. A 1.8-metre high paling fence is proposed on the southern boundary and with no complaints received, this can remain as proposed.

It is considered that all services and facilities can be provided to the site, and this will take the form of conditions on any permit issued.

Land Subject to Inundation Overlay

The Land Subject to Inundation Overlay (LSIO) identifies areas where a 1 in 100 Year flood or floodplain area determined by a floodplain management authority warrants protection from flood hazards. These measures ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

As the entire site is covered by the LSIO it is not possible for the dwellings to be located on flood-free land or land with a lesser hazard outside this overlay. The proposed dwellings are consistent with the existing use of the land and the existence of established dwellings on the surrounding properties supports this. Pursuant to Section 55 the application was referred to Melbourne Water, who had no objection to the proposed subdivision and development, subject to conditions.

These conditions include the requirement for the dwellings to be constructed 600mm above the applicable flood level to ensure the safety of occupants and allow the passage of flood waters through the site. Melbourne Water also require that any new fencing be open style (more than 50% open) or timber paling. As timber palings are proposed, this satisfies this requirement.

Stormwater detention works are required by Council's Engineering Department and Stormwater management report has been provided to accompany the application in accordance with Clause 53.18 and Standards W2 and B9, which is discussed above. The system will be designed to meet

the current best practice performance objectives outlined in *urban Stormwater – Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).

Given that Melbourne Water had no objection to the proposed development, it is considered that proposed dwellings will not increase the potential risk to life, health or safety a 1 in 100 Year flood poses, and will not affect or obstruct floodwater, stormwater or drainage over the property, subject to their conditions being met.

Clause 52.29 Land Adjacent to a Road Zone Category 1

The key purpose of Clause 52.29 is to ensure appropriate access to identified roads and to ensure appropriate subdivision of land adjacent to identified roads. Pursuant to Clause 52.29 a Planning Permit is only required to do either of the following:

- Create or alter access to a road on a in a Road Zone Category 1 or land in a Public Acquisition Overlay (PAO) to be used as a Category 1 Road.
- To subdivide land adjacent to a road in a Road Zone Category 1 or land in a Public Acquisition Overlay (PAO) to be used as a Category 1 Road.

As the application seeks to alter both existing access points to Sybella Avenue (RDZ1) by intensifying the crossovers which once serviced only one (1) dwelling. Referral to VicRoads under Section 55 of the Act was required. VicRoads being the determining authority originally objected to the proposal due to concerns around the safety of access to Sybella Avenue from Dwelling 1. Originally the design of the driveway for this dwelling would have required a vehicle to reverse out onto Sybella Avenue, which being a RDZ1, is not an acceptable outcome due to the safety risks.

However, VicRoads gave the applicant the opportunity to revise the plans to show safe that access to Sybella Avenue could be achieved. The revised plans indicate that by providing a 'turn-around-bay' within the front setback of Dwelling 1, they were able to achieve both a vehicle leaving the tandem space, as well as the carport exiting the site in a forward facing manner. On review of these amended plans, VicRoads were satisfied with the design outcome and provided their support of the proposal subject to conditions. Council's Traffic Department were also satisfied with the internal layout and design of the internal driveway and provided their support, subject to conditions.

VicRoads conditions will require the applicant to appropriately seal both crossovers to their current standards and that vehicles must enter and exit the land in a forward direction at all times. Given the support of VicRoads, subject to their conditions being met, the application should be supported.

Koo Wee Rup Township Strategy

This strategy sets out the key issues facing the Koo Wee Rup Township and explains why they are important. The strategy then sets out objectives (what we are trying to achieve) and policies and actions (how the objectives will be achieved). Council, with the assistance of local community groups and other government agencies, will play a critical role in implementing the actions set out in this strategy.

Some of the key considerations of the policy relating to multi-dwelling proposals include:

- Contain urban development within the current Urban Growth Boundary;
- Facilitate developments that respects and enhances the existing rural township character and heritage;
- Enhance and strengthen the existing town centre;
- Provide a range of housing options which caters for the needs of a diverse range of ages and households; and
- Minimise the risk of and damage caused by floods and natural disasters.

This site is located in Residential Precinct 1 (Established Residential) which indicates that there will be some unit development near the town centre, as these areas are appropriate for this type of infill development.

The development guidelines of the Strategy state that development should:

- Maintain 70% of the lots with sizes over 700 square metres (new development);
- Encourage diversity of development styles;
- Maintain continuity of building rhythm along streets with appropriate building frontage;
- Unit development to avoid repetitive and uniform siting and design of dwellings;
- Locate unit development within vicinity of the town centre;
- Require a landscape plan to accompany all applications for unit development; and
- Maintain a sense of spaciousness between allotments of the residential areas through.

Unit developments should maintain sense of spaciousness in unit development by:

- Providing a minimum 30% site coverage of the allotment as private open space;
- Retaining existing vegetation;
- Providing new trees and garden spaces;
- Preferably no front fence to allow gardens and nature strips to merge;
- Orientating driveway along one side of the property than down the middle and curvilinear driveway with tree planting;
- Providing a minimum front setback of 7metres or no less than the average setback of the dwellings on either side;
- Providing maximum building site coverage of 50% of the site; and
- Minimum lot width of 18 metres.

It is considered that the proposal ensures that the above objectives are achieved which is evident in the design. Therefore, it is considered that the proposal is keeping with the Township Strategy and future strategic direction of Koo Wee Rup, as it maintains a sense of neighbourhood character through the implementation of the measures listed above, especially in regards to site coverage, setbacks, diversity of dwelling design and maintaining the building rhythm of Sybella Avenue's streetscape.

The proposal is also considered to meet other objectives of the Strategy relating to the provision of housing that is affordable and accessible to the varied demographic of Koo Wee Rup presently and into the future, as well as being well located close to services, shops, schools and other facilities.

Response to Objections

As outlined above the application was advertised by sending notices in the mail to the adjoining property owners and by placing a sign on the site. Forty-two (42) notices were sent out to the owners/ occupiers of the directly adjoining properties of which four (4) objections have been received to date.

The main issues and concerns raised by these objections are as follows:

- Site coverage.
- Dwelling density.
- Neighbourhood character.

In addition:

- The proposed northern boundary fence is not high enough at 1.8 metres high.

The concerns raised above have been taken into consideration in forming this decision.

Fencing

In response to the concerns around the height of the proposed replacement fence between 7 and 9 Sybella Avenue, the applicant has agreed that a 1.9 metre-high fence will be provided, as the fence that currently separates the two properties is already at this height. A permit condition will require this be updated on the plans, this should alleviate the concerns of the neighbouring properties in regards to this point of objection.

Site coverage

In response to the concerns regarding site coverage, as discussed above the proposed development comfortably meets the requirements of the Planning Scheme (Clause 55.03-3) the objective of which is to ensure that site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. It is considered that this proposal does both. The proposal comfortably complies with the Standard (B8), which specifies that the site area covered by buildings should not exceed 60 percent, whereas this development proposes a maximum site coverage of 41.1 percent. Taking into account that the Koo Wee Rup Township Strategy has a more restrictive requirement that any new development should achieve no more than 50 percent site coverage, this proposal comfortably meets the objectives of both of these controls.

As the proposal comfortably complies with these controls, it could be argued that in turn, the proposal then meets one of the objectives to ensure that the existing neighbourhood character of the site and surrounding areas is maintained.

Dwelling Density

It is further noted, that although the proposal includes one (1) more dwelling than is typical for this stretch of Sybella Avenue, the site coverage outcome is more or less the same (in one case less) than what has been achieved on previous unit development sites which contain five (5) dwellings. For example, the site coverage of the five dwellings at 7 Sybella Avenue is approximately 1 percent higher (42 percent approx.) than the site coverage proposed by the six (6) dwellings at 9 Sybella Avenue (41.1 percent). Therefore, although it would appear that the proposal has a higher density, as one (1) more dwelling is proposed, there is in fact not a substantial difference to what has been constructed on 5 and 7 Sybella Avenue. A conclusion could be drawn that the six (6) dwellings proposed at 9 Sybella Avenue is no more detrimental than the five (5) dwellings which already exist at 7 Sybella Avenue.

Further to this, the five (5) units at 5 Sybella Avenue have an approximate site coverage of 38 percent, which is also not much different to what is proposed.

Neighbourhood character

Leading on from the two points raised above, it is considered that the neighbourhood character objectives have been achieved. The proposal incorporates the existing dwelling and existing front garden, which will maintain the sense of spaciousness, setbacks and character of the streetscape and the proposed dwellings are well balanced on the allotment, also maintaining a sense of spaciousness. Each of the dwellings are setback from one another providing for break in the built form, which will allow for meaningful landscaping throughout the site. Each dwelling façade has been designed to avoid repetition and incorporates design elements from the existing dwelling,

which is expected to contribute to the township character. The dwellings are single storey, setback behind the existing dwelling and as such will not dominate or add visual bulk from the streetscape or neighbouring allotments, which will also help to maintain the township aesthetic and character of the site and its surrounds.

Given all of the above, it is considered that the proposal is responsive to the concerns raised in the objections received and should be supported.

Clause 65 Decision Guidelines

The application has been assessed against the Clause 65 – Decision Guidelines. It is considered that the application, as discussed above, complies with the relevant state and local policies and the purpose of the zone and overlays that apply to the site. The development is not expected to effect the township amenity of the area, nor should it have any negative effect on neighbourhood character, stormwater or flooding or traffic onto Sybella Avenue, subject to the conditions of the permit being implemented.

As such it is considered that the application has appropriate regard to the decision guidelines and should be supported.

CONCLUSION

It is recommended that a Notice of Decision to Grant a Planning Permit **T190155** be issued for the development of the land for six (6) dwellings and alteration of access to a road in a Road Zone Category 1 at **9 Sybella Avenue, Koo Wee Rup, VIC, 3981** subject to the following conditions.

CONDITIONS

Plans required:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Timber paling fence along the northern title boundary increased to 1.9 metres in height;
 - b) Turn around bay required by VicRoads for Dwelling 1;
 - c) The provision of additional splays as per plan IMP190335-DG-03-A, prepared by Impact Traffic Engineering Pty Ltd dated 23/10/19;
 - d) Garden Area plan updated to accommodate changes required by the turn around bay for Dwelling 1 and additional splays (Garden Area must demonstrate it complies with 35 percent requirement);
 - e) Tree Protection Zones for trees to be retained within the front setback of Dwelling 1;
 - f) Floor levels required by Melbourne Water Condition 18; and
 - g) Landscaping plan required by Condition 2.
2. Before the development starts, a landscape plan prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in an approved format must be provided. The landscaping plan must be in accordance with the indicative plans prepared by Greentrack Pty Ltd dated 13/05/19 but updated to show:

- a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
- b) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
- c) Details of surface finishes of pathways and driveways.
- d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- e) Landscaping and planting within all open areas of the subject land.
- f) All species selected must be to the satisfaction of the Responsible Authority and should be drought tolerant and proven hardy cultivars suitable to the local conditions. Plantings are not to impact sight lines for vehicles or pedestrians.
- g) A minimum of one (1) canopy tree retained within the front setback of Dwelling 1.
- h) A minimum of one (1) canopy tree within the private open space of Dwellings 2 to 6.
- i) Landscaping capable of softening the expanse of the driveway provided along the length of the common driveway.
- j) Plantings within the front setback of all other dwellings.

All species selected must be to the satisfaction of the Responsible Authority

3. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.

Note: As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.

Development Conditions:

4. Before works start, a fence must be erected around any tree shown to be retained on the endorsed plans. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of 12 × the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the trees, excepting the approved area of encroachment for construction as shown on endorsed plans to the satisfaction of the Responsible Authority. The protection fence must be constructed of star pickets and flagging tape or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:
 - a) vehicular access.
 - b) trenching or soil excavation.
 - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
 - d) entry and exit pits for underground services.
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.
 - f) Mulch the TPZ areas where possible with coarse mulch (e.g. composted wood chips 100mm deep), prior to heavy machinery entering the site.

5. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
6. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
7. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
9. The development approved by this permit must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
 - a) A certified plan showing finished floor levels of dwellings and garages (as constructed) to AHD must be submitted to Melbourne Water in accordance with Condition 21 of this permit.
 - b) Both the access crossover must be sealed and constructed in accordance with VicRoads requirements at Condition 24 of this permit.
 - c) Any timber paling fencing shown on the endorsed plans must be constructed at the cost of the owner/permit holder in accordance with the endorsed plans.
 - d) The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless an alternative date is agreed to in writing by the Responsible Authority.
 - e) The areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
 - f) A residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
 - g) Any redundant existing vehicle crossing must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
 - h) The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - i) Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
 - j) A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - k) A mail box must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
 - l) A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - m) Lighting must be provided near the front entrance of each dwelling to the satisfaction of the Responsible Authority.
10. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.

11. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
12. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
13. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
14. All residential waste must be stored within the specified bin storage area for each dwelling. Garbage bins are to be placed on the street for collection in a tidy manner on the appropriate waste collection day for the area.
15. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the Responsible Authority.
16. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the responsible authority.
17. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.

Melbourne Water Conditions:

18. Prior to the endorsement of plans, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must be modified to show:
 - a) Finished floor levels of the dwellings set no lower than 5.4 metres to AHD.
 - b) Finished floor levels of the garages for units 5 & 6 set no lower than 4.8 metres to AHD.
19. The dwellings must be constructed with finished floor levels set no lower than 5.4 metres to AHD, which is 600mm above the applicable flood level of 4.8 metres to AHD.
20. The garages must be constructed with finished floor levels set no lower than 4.8 metres to AHD, which is at the applicable flood level.
21. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels of the dwellings and garages (as constructed) reduced to AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
22. Imported fill must be kept to a minimum on the property and only be used for the sub floor areas of the dwellings, garages and driveway ramps.
23. Any new fence must be of an open style of construction (minimum 50% open) or timber paling unless with the written consent of Melbourne Water, to allow for the passage of floodwaters.

VicRoads Conditions:

24. Prior to the commencement of use or occupation, both the access crossover must be sealed with the edges of the crossovers angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road including 3-meter radial turnouts must be constructed to the satisfaction of the Responsible Authority and at no cost to VicRoads or the Responsible Authority.
25. Vehicles must enter and exit the land in a forward direction at all times.

Notes:

- Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development complies with the Building Act and Building Regulations.
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.

VicRoads Notes:

- No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

1 DEVELOPMENT OF THE LAND FOR SIX (6) DWELLINGS AND ALTERATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1

Moved Cr J Owen Seconded Cr G Moore

That a Notice of Decision to Grant Planning Permit T190155 be issued for the development of the land for six (6) dwellings (five (5) additional dwellings) and alteration of an access to a Road in Road Zone Category 1 at 9 Sybella Avenue, Koo Wee Rup VIC 3981 subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Timber paling fence along the northern title boundary increased to 1.9 metres in height;
 - b) Turn around bay required by VicRoads for Dwelling 1;
 - c) The provision of additional splays as per plan IMP190335-DG-03-A, prepared by Impact Traffic Engineering Pty Ltd dated 23/10/19;
 - d) Garden Area plan updated to accommodate changes required by the turn around bay for Dwelling 1 and additional splays (Garden Area must demonstrate it complies with 35 percent requirement);
 - e) Tree Protection Zones for trees to be retained within the front setback of Dwelling 1;
 - f) Floor levels required by Melbourne Water Condition 18; and
 - g) Landscaping plan required by Condition 2.
2. Before the development starts, a landscape plan prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in an approved format must be provided. The landscaping plan must be in accordance with the indicative plans prepared by Greentrack Pty Ltd dated 13/05/19 but updated to show:
 - a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
 - c) Details of surface finishes of pathways and driveways.
 - d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - e) Landscaping and planting within all open areas of the subject land.
 - f) All species selected must be to the satisfaction of the Responsible Authority and should be drought tolerant and proven hardy cultivars suitable to the local conditions. Plantings are not to impact sight lines for vehicles or pedestrians.
 - g) A minimum of one (1) canopy tree retained within the front setback of Dwelling 1.
 - h) A minimum of one (1) canopy tree within the private open space of Dwellings 2 to 6.
 - i) Landscaping capable of softening the expanse of the driveway provided along the length of the common driveway.
 - j) Plantings within the front setback of all other dwellings.

All species selected must be to the satisfaction of the Responsible Authority

3. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The

stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.

Note: As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.

Development Conditions:

4. Before works start, a fence must be erected around any tree shown to be retained on the endorsed plans. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of $12 \times$ the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the trees, excepting the approved area of encroachment for construction as shown on endorsed plans to the satisfaction of the Responsible Authority. The protection fence must be constructed of star pickets and flagging tape or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:
 - a) vehicular access.
 - b) trenching or soil excavation.
 - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
 - d) entry and exit pits for underground services.
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.
 - f) Mulch the TPZ areas where possible with coarse mulch (e.g. composted wood chips 100mm deep), prior to heavy machinery entering the site.
5. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
6. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
7. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
9. The development approved by this permit must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
 - a) A certified plan showing finished floor levels of dwellings and garages (as constructed) to AHD must be submitted to Melbourne Water in accordance with Condition 21 of this permit.
 - b) Both the access crossover must be sealed and constructed in accordance with VicRoads requirements at Condition 24 of this permit.
 - c) Any timber paling fencing shown on the endorsed plans must be constructed at the cost of the owner/permit holder in accordance with the endorsed plans.
 - d) The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless an alternative date is agreed to in writing by the Responsible Authority.
 - e) The areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the

parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

- f) A residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
 - g) Any redundant existing vehicle crossing must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
 - h) The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - i) Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
 - j) A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - k) A mail box must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
 - l) A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - m) Lighting must be provided near the front entrance of each dwelling to the satisfaction of the Responsible Authority.
10. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
11. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
12. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
13. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
14. All residential waste must be stored within the specified bin storage area for each dwelling. Garbage bins are to be placed on the street for collection in a tidy manner on the appropriate waste collection day for the area.
15. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the Responsible Authority.
16. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the responsible authority.
17. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.

Melbourne Water Conditions:

18. Prior to the endorsement of plans, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must be modified to show:
- a) Finished floor levels of the dwellings set no lower than 5.4 metres to AHD.
 - b) Finished floor levels of the garages for units 5 & 6 set no lower than 4.8 metres to AHD.

19. The dwellings must be constructed with finished floor levels set no lower than 5.4 metres to AHD, which is 600mm above the applicable flood level of 4.8 metres to AHD.
20. The garages must be constructed with finished floor levels set no lower than 4.8 metres to AHD, which is at the applicable flood level.
21. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels of the dwellings and garages (as constructed) reduced to AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
22. Imported fill must be kept to a minimum on the property and only be used for the sub floor areas of the dwellings, garages and driveway ramps.
23. Any new fence must be of an open style of construction (minimum 50% open) or timber paling unless with the written consent of Melbourne Water, to allow for the passage of floodwaters.

VicRoads Conditions:

24. Prior to the commencement of use or occupation, both the access crossover must be sealed with the edges of the crossovers angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road including 3-meter radial turnouts must be constructed to the satisfaction of the Responsible Authority and at no cost to VicRoads or the Responsible Authority.
25. Vehicles must enter and exit the land in a forward direction at all times.

Cd.

2 AMENDMENT C234 - PAKENHAM EAST PRECINCT STRUCTURE PLAN

FILE REFERENCE INT1990764

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Marcelle Bell

RECOMMENDATION

Council endorse a submission to the proposed changes to Amendment C234 by the Minister for Planning, by requesting:

1. The four parcels of land intersected by the electricity transmission easement remain as part of Amendment C234 and the Pakenham East Precinct Structure Plan.
2. The four parcels of land intersected by the electricity transmission easement remain as Urban Growth Zone and the Pakenham East Precinct Structure Plan provides the opportunity and guidance in the design and development of the land, as per the discussions in this report and
3. If the land is to be designated as Farming Zone, Council respectfully requests the Minister for Planning modifies the location of the urban growth boundary to demonstrate the four parcels of land are located outside the urban growth boundary within green wedge land to provide greater certainty on its future use and development.
4. Assurance from the Victorian Planning Authority that the Infrastructure Contributions Plan is a standard levy and there is still a surplus in the Infrastructure Contributions Plan associated with Amendment C234.

Attachments

1	Minister for Planning Notification and Plans of Proposed Changes	10 Pages
2	Victorian Planning Authority Background Report January 2018	27 Pages
3	SMEC Urban Design Response Options for the Transmission Easement 2013	21 Pages
4	Confidential Attachment - Circulated to Councillors only	6 Pages

EXECUTIVE SUMMARY

The Minister for Planning is proposing to remove land within the urban growth boundary (UGB) from the Pakenham East Precinct Structure Plan (the PSP) area, due to the development constraints resulting from the electricity transmission easement that encumbers the northern section of the precinct and approximately half of the developable area of four parcels of land.

BACKGROUND

The Victorian Planning Authority (VPA) adopted Amendment C234, including the Pakenham East Precinct Structure Plan (PSP) and Native Vegetation Precinct Plan (NVVP) at its board meeting on the 10th October 2018. Following submission of the Amendment to the Minister for Planning for approval, the Minister for Planning is seeking the views on proposed changes to the Amendment under Section 33 of the Planning and Environment Act 1987 (the Act).

The Minister for Planning is proposing to remove the following four parcels of land located within the urban growth boundary from the Pakenham East Precinct Structure Plan:

- 155 Dore Road Pakenham
- 365 Seymour Road, Nar Nar Goon North
- 325 Seymour Road Nar Nar Goon North and
- 85 Mount Ararat North Road Nar Nar Goon North

The removal of the land from the precinct structure plan area will require consequential changes to the Amendment documentation, including the following changes to the precinct structure plan and proposed rezoning of land:

- The four parcels of land proposed to be removed from the precinct structure plan will be zoned Farming Zone instead of Urban Growth Zone.
- The location of the urban growth boundary will not change.
- The precinct structure plan will be revised to remove the four lots from all associated plans in the precinct structure plan.
- Realign the 'interface housing area 1' to revise northern boundary (Plan 5)
- Realign the bushfire interface and edge road to the revised northern boundary of the precinct structure plan as shown on Plan 6 and 7. It is noted an additional bridge over Hancock's Bridge is demonstrated.
- Rezone the portion of the precinct structure plan parcel 14 that is encumbered by the electricity transmission easement to Urban Growth Zone Schedule 5 (UGZ5) rather than to Special Use Zone Schedule 8 (SUZ8), to be consistent with the zoning of the balance of parcel 14 and other land in the precinct structure plan. This change will have the effect of making the easement land in parcel 14 liable for a Growth Areas Infrastructure Contributions (GAIC), in the same way that other UGZ5 will be liable for GAIC.

A complete list of changes to all affected plans, requirements, guidelines and figures are shown in Attachment 1.

Should the Minister approve Amendment C234 with these changes, the four parcels of land will no longer form part of the Amendment and will remain under the Farming Zone (FZ). Any future development of these parcels would be subject to a separate Planning Scheme Amendment process.

RELEVANT HISTORIC SUBMISSIONS BY COUNCIL

2011 Council Submission Logical Inclusion Process:

In May 2011, the Minister for Planning (Matthew Guy MP) established an independent Logical Inclusions Advisory Committee to review and advise the Minister on the logical inclusion of land into the urban growth boundary of Metropolitan Melbourne. The Growth Area Authority (now known as the Victorian Planning Authority) released a Preliminary Assessment Report South East August 2011 and sought feedback from landowners and relevant state agencies on four areas in Cardinia Shire, proposed to be included within the urban growth boundary, known as Area 1, Area 2, Area 3 (which included 3A, Area 3B, Area 3C) and Area 4. Please refer to Figure 1 (Logical Inclusion Investigation Areas) for the investigation areas. All submissions were forwarded to the Logical Inclusions Advisory Committee for review.

Insight Planning Consultants on behalf of Cardinia Shire Council made a submission to the Logical Inclusion Process. The Pakenham East area formed part of

- Area 2 and
- Area 3 (3A and 3B)

Below is a summary of Councils submission relevant to Pakenham East Precinct Structure Plan:

Council's response to proposed Area 2:

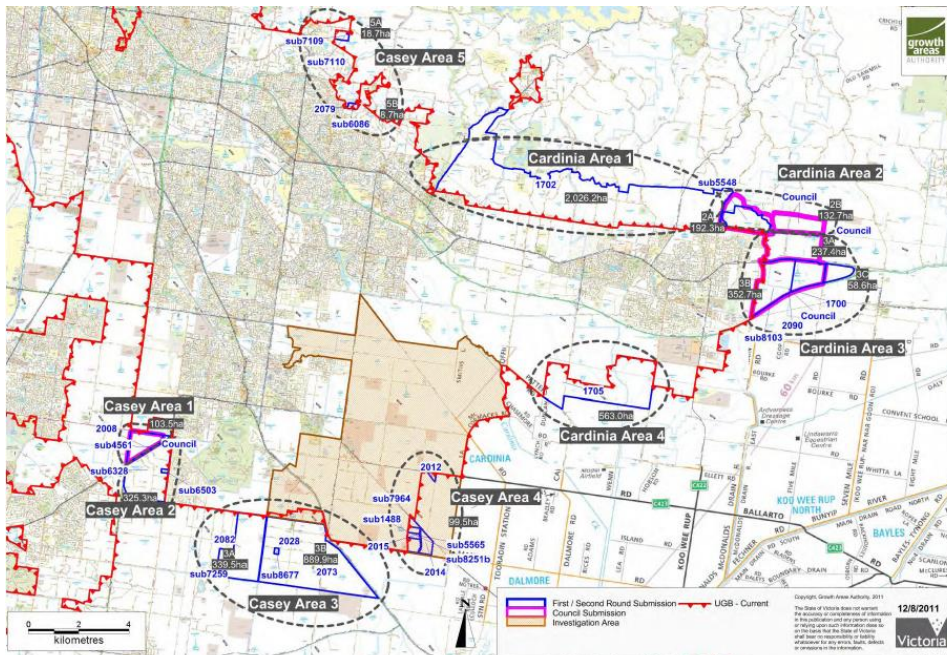
- Area 2 comprised of 225.2 ha north of the electricity transmission easement between Army Road in Pakenham and Mount Ararat Road, Nar Nar Goon (which forms part of Pakenham East)
- Council's view was that this land should be part of a future urban growth boundary review rather than the logical inclusion process and further analysis would be necessary to determine the best form of residential development within this area. Council stated there was merit increasing the diversity of housing in the growth area through the provision of lower density housing north of the electricity transmission easement in a number of defined pockets where relevant environmental constraints and servicing issues could be addressed.
- Council recommended land within Area 2 should not be included within the urban growth boundary until further detailed investigations were undertaken to understand the impacts of varying densities of development.
- Council sought support from the Advisory Committee to note that subject to 'further detailed assessment' Area 2 may be suitable for a diverse form of housing that provides an option to the standard form of housing that is currently being delivered in the growth area. Large lot sizes were seen to provide the opportunity for those seeking a lifestyle change or large executive housing that isn't a catered form in growth area planning.

Council's response to proposed Area 3 (3A and 3B):

- Area 3 (3A and 3 B) comprised generally of the Pakenham East area.
- The land characteristics in Pakenham East varies somewhat on each side of the transmission easement and therefore Council's view was that the land to the south of the transmission easement between Deep Creek and Mount Ararat Road should be developed for conventional residential development whilst the land to the north of the transmission easement should be developed for less intense forms of development and provide a development interface between the core urban area and the environmental rural areas to the north.
- **Council recommended land within Area 3 (3A and 3B) to be included within the urban growth boundary as part of the 'Logical Inclusion Process'.**

The Pakenham East Precinct Structure Plan area was included within the Urban Growth Boundary in 2012, through the State Government's 'Logical Inclusion Process' and included land to the north of the electricity transmission easement. The Pakenham East area was subsequently identified in the South-East Growth Corridor Plan (August 2012) as the location for residential use and development.

Figure 1. Logical Inclusion Investigation Areas



Source: Growth Areas Authority, 2011

2018 Council Submission to exhibited Amendment C234

Amendment C234 (Pakenham East Precinct Structure Plan Dec 2017) was formally placed on public exhibition for six weeks from the 15 January 2018 until the 23 February 2018. The proposed Precinct Structure Plan demonstrated the four parcels of land north of the electricity transmission easement as part of the Amendment and forming part of Interface Housing Area 3.

Interface Housing Area 3 required under Requirement R15:

- A building envelope to address the ridgeline and electricity line easement
- That the application will achieve an average minimum lot size of 2000 square metres
- Rural fencing that is low scale and visually permeable to facilitate the rural lifestyle character of this area and
- Maximise side setbacks and create openness between the dwellings.

Council's submission to Amendment C234 did not object to these four parcels of land being included within the urban growth boundary or precinct structure plan but requested consideration to larger lot sizes greater than 2000 sqm as the size of the land outside of the electricity easement was not considered large enough to assist landowners to build appropriate sheds or ancillary buildings for this type of lifestyle topology proposed, as no buildings can be built on the electricity easement. Council also submitted that it was important for Interface Housing Area 2 to remain within the precinct structure plan north of the transmission easement to provide an appropriate transition from urban development to rural land.

The release of the Planning Panel Report (10 September 2018) for Amendment C234 (Pakenham East Precinct Structure Plan) noted the following:

Pakenham East is bound by the urban growth boundary to the north, east and south which effectively defines the limits of metropolitan Melbourne. The south boundary of the PSP is defined by the Princes Freeway. The land to the northeast is within a Green Wedge Zone. These interface areas within the PSP mark the transition from urban to non-urban uses. In the Panel's view, it is appropriate that the development of this land recognises this change. The interface areas are intended to provide a transition from the urban residential development of Pakenham East to the rural areas outside of the UGB. The initial proposal by the VPA was to achieve this by a combination

of minimum lot sizes and front setbacks. Ryan Road is different because it interfaces with an existing urban area with a Low Density Residential Zone which nevertheless, is a lower density than proposed for the bulk of Pakenham East.

The Panel accepts the submissions of Lendlease and Bauernort that interface housing requirements should provide the flexibility for the development to respond to design criteria and not be limited by a lot size. In this respect the Panel supports the view of the VPA that the front setback of interface housing should be sufficient to accommodate a canopy tree.

The Panel agrees that the changes proposed by the VPA address most of the concerns expressed in submissions. The Panel accepts the view expressed by the VPA that land in Pakenham East is a finite and valuable resource and it is particularly inappropriate to lock that land into lot sizes of 2,000 square metres or larger lots along the interface with Ryan Road. In the Panel's view, design criteria can more effectively ensure that an appropriate transition between Pakenham East and the surrounding area is created.

Council staff supported the Panel recommendations that design criteria can more effectively ensure an appropriate transition from urban development to rural land than locking in a specific lot size.

Proposed changes to Amendment C234

The Minister for Planning is proposing to remove the four parcels of land intersected by the electricity transmission easement from Amendment C234 and the precinct structure plan. Should the Minister approve Amendment C234 with these changes, the four parcels of land will no longer form part of the Amendment and will remain under the Farming Zone (FZ). Any future development of these parcels would be subject to a separate planning scheme amendment. In response to the Minister's proposed changes, the following considerations are relevant:

1. Previous Council position on the four parcels of land

Council has made previous submissions to the Logical Inclusion Process and Amendment C234 and did not object to these four parcels of land being included within the Urban Growth Boundary. It is acknowledged that Council previously recommended during the Logical Inclusion Process that land to the north of the electricity easement should not be included within the urban growth boundary until further detailed investigations were undertaken to understand the impacts of varying densities of development (Note, these assessment have now been completed). Council also sought support from the Advisory Committee to note that subject to 'further detailed assessment' Area 2 may be suitable for a diverse form of housing that provides an option for low density residential housing in comparison to the standard form of housing that is currently being delivered in the growth area.

2. Is development of these four parcels of land possible?

The total land area of each four lots located within the urban growth boundary is approximately between 8 to 12 hectares. The electricity transmission easement reduces the Net Developable Area of these four lots to approximately 6 to 8 hectares each. Council staff consider the remaining land size area sufficient for housing development to occur.

The four lots have been subject to a variety of detailed technical reports which have informed the future urban form of the Pakenham East Precinct Structure Plan and demonstrates that

development of the four lots is possible. A summary of all background reports is available in Attachment 2 (Victorian Planning Authority Background Report January 2018), with the following information of utmost relevance to the four lots:

- The gradient of the land has been assessed. The four lots generally demonstrate 10-15 percent land slope and analysis of the slope and possible slope design responses has occurred during the development of the 'Guidelines for Slope Management in Subdivisions Dec 2017'. The four lots do not demonstrate a slope greater than 20 per cent as per the slope analysis plan. A Slope Management Plan is required to be submitted for any land with a pre-development slope greater than 10 per cent to demonstrate that subdivision, as well as the subsequent development on lots created by the subdivision will respond to and respect the natural topography of the land, as per the 'Guidelines for Slope Management in Subdivisions December 2017'. It is considered development of the land is not hindered by slope.
- Detailed ecological investigations have been completed for the precinct. The Native Vegetation Precinct Plan (December 2017) identified the four lots as having low biodiversity values as the land has continued to be grazed and there is limited native vegetation on site. The Native Vegetation Precinct Plan (December 2017) indicates what native vegetation must be protected and what native vegetation can be removed, destroyed or lopped. There are nine scattered native trees proposed to be retained and two dead stags proposed to be retained within the four lots. It is considered development of the land is not hindered by existing flora and fauna values.
- Aboriginal cultural heritage values have been investigated. Three of the four sites have been identified as having no cultural heritage sensitivity present, as identified by the Aboriginal Heritage Regulations 2007 and a proponent is not legally required by the Aboriginal Heritage Act 2006 to prepare a Cultural Heritage Management Plan. One site will be required to complete a mandatory cultural heritage management plan during the approval process for a planning permit.
- There are no post contact heritage sites identified within the four lots and no Heritage Overlay proposed. It is considered development of the land is not hindered by post contact heritage values.
- The subject area has access to connect to all necessary infrastructure services, when available.
- The precinct structure plan incorporates an extensive road and trail network that links with the four lots and a bus network will be developed to provide appropriate public transport to residents within the precinct.
- A bushfire assessment for the precinct has been completed by Terramatrix on behalf of the Victorian Planning Authority for the panel hearing associated with Amendment C234. The report assessed the bushfire hazard in and around the precinct in accordance with Clause 13.02 (Bushfire) of the Cardinia Planning Scheme. All of the precinct is currently designated as a Bushfire Prone Area (BPA) but no part of the precinct is affected by a Bushfire Management Overlay (BMO). The landscape has been identified as of low bushfire risk and accordingly it is considered that the risk can be mitigated to an acceptable level and that development in the precinct is appropriate, if dwellings are separated from hazardous vegetation to allow a BAL rating of 12.5 construction, in accordance with the building regulations and Clause 13.02 (bushfire). It is considered development of the land is not hindered by bushfire risks.
- Council in 2013 appointed SMEC Urban to design and test development options for the electricity transmission easement. Please refer to Attachment 3 for the SMEC Urban Design response options for the Transmission Easement 2013 report. The report investigated five development options which included:
 - Option 1 - full development north and south of the transmission easement

- Option 2 - development with linear trail along transmission easement
- Option 3 - development and public use of easement as open space
- Option 4 - no development north of electricity transmission easement and
- Option 5 - rural lots only

Each option provides information on the possible development outcomes, including preliminary land budget and site yields. Overall, what the report demonstrates is that a development solution (Option 1, Option 4 and Option 5) is possible for these four parcels of land.

Based on the technical assessments undertaken for the Pakenham East Precinct Structure Plan, development of the four lots has been demonstrated to be possible. The four parcels of land are considered to be of an appropriate size, even with the encumbrance of the electricity transmission easement and demonstrate limited constraints/issues to hinder development. Based on this, Council staff recommend the four parcels of land should remain within the urban growth boundary and the merits of any future planning permit application, with appropriate guidance from the Pakenham East Precinct Structure Plan should determine the integration with the wider precinct structure plan and respond to the electricity transmission easement, topography, native vegetation, bushfire risk, access to each site and transition to the rural landscape.

3. Is development under an electricity transmission easement possible?

Based on the technical assessments undertaken for the Pakenham East Precinct Structure Plan, specifically the SMEC Urban Design response options for the Transmission Easement 2013 report (Attachment 3) development of the four lots has been demonstrated to be possible.

In 2018, the Victorian Planning Authority exhibited Amendment C234 and proposed to utilise the land within the electricity transmission easement as large lots (2000sqm minimum average) that could be attractive to people desiring a large home and hobby farm. Land encumbered by the transmission easement was proposed to be private property and used as a hobby farm with grazing animals, while to the north and south of the transmission easement residential development would be possible as per Figure 2 Transmission Concept Plan.

The use of the electricity transmission easement is not dissimilar to what has occurred along Mullane Road in Pakenham, as shown in Figure 3 (Aerial photo). Given the undulating topography and larger rural allotments along the transmission easement and proposed design criteria to provide interface housing north of the transmission easement, this use and development located in between standard residential development and rural land was generally considered appropriate by Council staff.

Figure 2. Transmission Concept Plan



Figure 3. Aerial photo of land along Mullane Road Pakenham adjacent to Transmission Easement



4. Is development of these four parcels of land feasible?

Bauenort representing 155 Dore Road Pakenham have undertaken a feasibility assessment to determine if development of their parcel of land is commercially viable. Please refer to Attachment 4 (In confidence and distributed to Councillors only) for a full cost breakdown. Development of land along the electricity transmission easement is commercially viable on the basis standard densities are applied to the land outside of the electricity transmission easement, enabling the developer to deliver affordable product to the market in line with purchasers expectations and budget constraints. This feasibility assessment has considered GAIC, the ICP and other levies applicable. Unfortunately, Council staff are not aware of any other feasibility assessments for the other parcels of land to provide relevant feedback on this matter.

One of the biggest challenges for the four parcels of land are the fees associated with:

- The growth area infrastructure contribution (GAIC) was established to help provide infrastructure in Melbourne's expanding fringe suburbs. It is a one off contribution payable on certain events usually associated with urban property development. These are usually buying, subdividing and applying for a building permit on large block of land. GAIC is applicable to these four parcels of land.

- Metropolitan Planning Levy is a levy paid at the planning permit stage to develop land in metropolitan Melbourne. The levy is used to fund the Victorian Planning Authority and Plan Melbourne initiatives. The Metropolitan Planning Levy is applicable to these four parcels of land.
- Infrastructure Contributions Plan. Establishes the statutory mechanism for developers to make a financial contribution towards the cost of infrastructure projects in a precinct structure plan. The ICP is applicable to these four parcels of land.

As per previous discussions Council has identified from the SMEC Urban, Design Response Options for the Transmission Easement 2013 report, a development solution (Option 1, Option 4 and Option 5) is possible for these four parcels of land. The feasibility of development as per Bauenort assessment is reliant on standard lot sizes outside of the electricity transmission easement. Council staff supported the Panel recommendations that design criteria can more effectively ensure an appropriate transition from urban development to rural land rather than locking in a specific lot size.

5. Does Council have any concerns with the proposed Farming Zone?

Clause 35.07 (Farming Zone) preamble states the Farming Zone is:

- To implement the Municipal Planning Strategy and Planning Policy Framework
- To provide for the use of land for agriculture
- To encourage the retention of productive agricultural land
- To ensure that non- agricultural uses, including dwellings, do not adversely affect the use of the land for agriculture
- To encourage use and development of land based on comprehensive and sustainable land management practises and infrastructure provision
- To provide for the use and development of land for specific purposes identified in a schedule to this zone the use of the land

The Farming Zone in the Cardinia Shire Planning Scheme is generally a planning tool utilised as a holding zone, whereby a landowner and/or Council can apply in the future for a Planning Scheme Amendment to rezone the land for urban purposes. Allocating the four parcels of land as Farming Zone creates the following implications:

- Designates Council to be responsible to administer, assess and potentially fund a future planning scheme amendment for four parcels of land that are located within the urban growth boundary, that have already undergone a review as part of the Logical Inclusion process and Planning Scheme Amendment C234 process.
- Does not provide certainty on the future use and development of the four parcels of land intersected by the transmission easement, which creates implementation risks and integration issues with the proposed Pakenham East Precinct Structure Plan. For example: the capacity of infrastructure south of the electricity transmission easement may not consider the future development of the four parcels of land if the four parcels of land are zoned as Farming Zone. This could result in an additional cost for the four parcels of land if development is allowed in the future and infrastructure requirements were not holistically assessed from the start.
- Council staff question the rationale of the proposed location of the temporary Interface Housing Area 2 and the Bushfire Risk Interface, south of the Farming Zone, as shown on Plan 5 (Image and Character, Housing and Community) and Plan 6 (Open space). Interface Housing generally demonstrates larger lots. If land in the Farming Zone has the ability in the future to be rezoned for urban purposes, the location of the temporary Interface Housing Area 2 and bushfire risk interface also changes. This situation creates

impacts on the development yield of land located within the existing Pakenham East Precinct Structure Plan, which influences the overall design of the precinct and the ratios for the provision of open space, community services etc. The proposed Farming Zone does not provide certainty and creates ad hoc planning and creates implementation risks in the future for Council.

- The precinct structure plan has been developed based on the four parcels of land included within the urban growth boundary which has influenced the population figures and the ratios for the provision of open space, community services, infrastructure, traffic movements and drainage. There is an expectation if the four parcels of land are not included as part of the Amendment, Council's evidence for the provision of open space, community services, drainage etc. for the remaining precinct structure plan could be challenged at the Victorian Civil Administrative Tribunal in the future. This is an unreasonable risk for Council.

Council staff would prefer to have a clearer and stronger understanding of the future of the four parcels of land to assist with the future implementation of the precinct structure plan. Council staff would prefer to know if the four parcels of land are located within the precinct structure plan and development is possible or the land is located outside of the precinct structure plan and no future development is possible. The Farming Zone as a holding zone is unclear and creates uncertainty. Therefore, if the land is to be designated as Farming Zone, Council respectfully requests the Minister for Planning modifies the location of the urban growth boundary to demonstrate the four parcels of land are located outside the urban growth boundary within green wedge land to provide greater certainty on its future use and development.

6. The land is located in two zones. Is this an issue?

No. The four parcels of land are presently located within two zones, Green Wedge and Farming Zone. If the provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of the zone.

POLICY IMPLICATIONS

Amendment C234 (Pakenham East Precinct Structure Plan) has been prepared with guidance from key Commonwealth, State, and Local Planning policies.

Key policy documents utilised include:

- Commonwealth Policy and Legislation:
 - Environmental Protection and Biodiversity Conservation (EPBC) Act 1999
- State Policy and Legislation
 - Fauna and Flora Guarantee Act (1988)
 - Planning and Environment Act (1987)
 - Victoria Planning Provisions
 - Plan Melbourne (2017-2050)
 - South East Growth Corridor Plan (August 2012)
 - Precinct Structure Planning Guidelines
 - Transport Integration Act (2010)
 - Biodiversity Assessment Guidelines for the Permitted Clearing of Native Vegetation (2013)

- Local Policies:
 - The preparation of the PSP will implement provisions of the Cardinia Municipal Strategic Statement (MSS) and align with a variety of Council policies.

Council is concerned the utilisation of the Farming Zone contradicts the planning objectives specified in existing State Government policies (Plan Melbourne 2017-50; South East Growth Corridor Plans and Council's Municipal Strategic Statement), as the land is located within an urban growth boundary and has been identified for future change for residential development.

RELEVANCE TO COUNCIL PLAN

The Council Plan seeks to balance the needs of development, the community and the environment. This balance has been a key consideration in the preparation of Pakenham East Precinct Structure Plan. The precinct structure plan responds to the main principles of Councils Plan:

Our Environment

- The delivery of the PSP will develop transport networks that incorporate effective public transport, pedestrian and cycling facilities.
- The delivery of the PSP will manage water resources in an integrated manner, and protect and enhance biodiversity.
- The PSP will provide a built environment that supports health and wellbeing and protect natural environments.

Our Community

- Balanced needs of development, the community and the environment.
- The PSP will plan for the development of complementary land uses required to meet the needs of the future community in a sustainable manner.

Our Economy

- The PSP will plan for the provision of local services that support the wellbeing of our communities.
- A local economy supporting the improved health and wellbeing of our communities.

CONSULTATION/COMMUNICATION

The Minister for Planning proposed changes to Amendment C234 were placed on public exhibition with notices sent to specific landowners and relevant state agencies for five weeks from the 1 October 2019 until the 31 October 2019.

The Minister may refer any written submissions to an independent planning panel. Should a panel hearing occur, all submitters will have the opportunity to make a submission before the panel. The Minister may also decide to make a decision on the amendment after considering the written submissions.

FINANCIAL AND RESOURCE IMPLICATIONS

Infrastructure Contributions Plan

Local infrastructure for the Pakenham East Precinct Structure Plan will be facilitated through an Infrastructure Contributions Plan (ICP).

An Infrastructure Contributions Plan:

- Establishes the statutory mechanism for developers to make a financial contribution towards the cost of infrastructure projects;
- Confirms what funds will be collected through a standard levy; and
- Resolves what credits will be funded back to landowners who partly funded the preparation of the Precinct Structure Plan

Based on the four parcels of land being removed from the precinct structure plan Council has estimated that approximately 9.1 million dollars of ICP funds will not be collected from the four parcels of land. Council is concerned with the ICP and seek assurance from Department of Environment, Land, Water and Planning and the Victorian Planning Authority that the ICP is still a standard levy and there is still a surplus in the Infrastructure Contributions Plan.

Council has considered the anticipated contributions of the residential and employment areas and estimated costings for the delivery of listed transport, recreation and community infrastructure categories and is concerned that the Infrastructure Contributions Plan will provide insufficient funding, specifically for the recreation and community category.

Development Services Scheme

Council also seeks advice from Melbourne Water and the Victorian Planning Authority on the impact of removing the four parcels of land from both the Dore Road and Hancock's Gully Development Services Scheme and confirmation on what the financial burden is for the remaining land located within the Pakenham East Precinct Structure Plan, as the shared costs of the Development Services Scheme has been reduced.

CONCLUSION

Based on the matters raised in this report, Council is requested to endorse a submission to the proposed changes to Amendment C234 by the Minister for Planning, by requesting:

1. The four parcels of land intersected by the electricity transmission easement remain as part of Amendment C234 and the Pakenham East Precinct Structure Plan.
2. The four parcels of land intersected by the electricity transmission easement remain as Urban Growth Zone and the Pakenham East Precinct Structure Plan provides the opportunity and flexible guidance in the design and development of the land, as per the discussions in this report and
3. If the land is to be designated as Farming Zone, Council respectfully requests the Minister for Planning modifies the location of the urban growth boundary to demonstrate the four parcels of land are located outside the urban growth boundary within green wedge land to provide greater certainty on its future use and development.
4. Assurance from the Victorian Planning Authority that the Infrastructure Contributions Plan is a standard levy and there is still a surplus in the Infrastructure Contributions Plan associated with Amendment C234.

2 AMENDMENT C234 - PAKENHAM EAST PRECINCT STRUCTURE PLAN

Moved Cr G Moore Seconded Cr C Ross

Council endorse a submission to the proposed changes to Amendment C234 by the Minister for Planning, by requesting:

1. The four parcels of land intersected by the electricity transmission easement remain as part of Amendment C234 and the Pakenham East Precinct Structure Plan.
2. The four parcels of land intersected by the electricity transmission easement remain as Urban Growth Zone and the Pakenham East Precinct Structure Plan provides the opportunity and guidance in the design and development of the land, as per the discussions in this report and
3. If the land is to be designated as Farming Zone, Council respectively requests the Minister for Planning modifies the location of the urban growth boundary to demonstrate the four parcels of land are located outside the urban growth boundary within green wedge land to provide greater certainty on its future use and development.
4. Assurance from the Victorian Planning Authority that the Infrastructure Contributions Plan is a standard levy and there is still a surplus in the Infrastructure Contributions Plan associated with Amendment C234.

Upon being put to the meeting, the motion was declared equal. Cr Collin Ross called for a Division. For the Motion were Crs G Moore, J Springfield and R Brown Total (3). Against the Motion were Crs J Owen, C Ross and B Owen Total (3).

The Mayor exercised a casting vote in favour of the motion and therefore declaring the motion as carried..

Cd.

3 AMENDED PERMIT - COMMERCIAL AND RESIDENTIAL DEVELOPMENT **SIDING AVENUE, OFFICER**

FILE REFERENCE INT1990564

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Lisa Hall

RECOMMENDATION

That Planning Permit T170584 be amended by staging the development into commercial and residential stages, changing the proposed commercial uses / developments approved, including advertising signage and licensed premises (bottle-shop) as part of the development, updating permit conditions accordingly and updating the address of the land to reflect the current land details.

Attachments

1	Locality Map	1 Page
2	Approved Planning Permit T170584	11 Pages
3	Approved Development Plans	28 Pages
4	Amended Development Plans	14 Pages

EXECUTIVE SUMMARY:

APPLICATION NO.: T170584-2

APPLICANT: Officer Developments Pty Ltd

LAND: Lot A & B PS820740K, Siding Avenue, Officer

PROPOSAL: Amended Permit – Staging the development, changes to the proposed commercial uses and developments approved (including advertising signage and licensed premise), changes to permit conditions and updating the address of the land to reflect current land details.

PLANNING CONTROLS: Urban Growth Zone Schedule 4
 Land Subject to Inundation Overlay
 Development Contributions Plan Overlay Schedule 4
 Clause 52.05 Signs
 Clause 52.06 Car-parking
 Clause 52.27 Licensed premises
 Officer Precinct Structure Plan September 2011
 Officer Native Vegetation Precinct Plan September 2011
 Officer Development Contributions Plan September 2011

NOTIFICATION & OBJECTIONS: Clause 37.07-13 of the Cardinia Planning Scheme exempts proposals from the notice requirements of Section 52(1)(a), (b) and (d) of the *Planning and Environment Act 1987*.

KEY PLANNING CONSIDERATIONS: Urban Growth Zone Schedule 4

Officer Precinct Structure Plan September 2011
 Clause 52.05 Signs
 Clause 52.06 Car-parking
 Clause 52.27 Licensed premises

RECOMMENDATION: Approval

BACKGROUND:

Planning Permit T170584 was issued 21st March 2018 for 'Buildings and works associated with the construction of thirty-four (34) residential dwellings, supermarket, shops, medical centres, gymnasium, offices and a reduction in car-parking'. Planning Permit T180697 was issued 17th December 2018 for 'Subdivision of land into two (2) lots and associated works, generally in accordance with the approved plans'. This permit created Lot B PS820740K containing the proposed commercial component and Lot A PS820740K containing the proposed residential component approved under permit T170584.

SUBJECT SITE

The permit site is 1.306ha in size and is located to the east of Siding Avenue between the Pakenham Railway line to the north and Bridge Road to the south, within the Officer Town Centre. The land is boarded to the north by Stroud Road, bordered to the east by Coxon Street and bordered to the south by Piggott Street. Vehicular access to the site is presently available from Stroud Road and Piggott Street via two existing vehicular crossovers. The land is flat, low-lying and vacant.

PROPOSAL

The proposed amendment will allow the residential and commercial development to be completed in separate stages. The residential development will comprise of dwellings (34) as currently approved. The commercial component will comprise of shops/food and drink premises (12), supermarket, medical centres, offices, bottle-shop (including liquor license), restaurant, gymnasium and advertising signage.

Below is a summary of the current approval and proposed amendments:

Features	Current approval	Proposed amendments
Site Layout	<ul style="list-style-type: none"> The commercial development is located in the western portion of the land and contains two two-storey buildings, each fronting Siding Avenue and wrapping around the corner to the north and south respectively to front Stroud Road and Piggott Street. Car-parking is located to the rear of these buildings and is accessible via Stroud Road to the north and Piggott Street to the south. 	<ul style="list-style-type: none"> The commercial development is located in the western portion of the land and contains two two-storey buildings, each fronting Siding Avenue and wrapping around the corner to the north and south respectively to front Stroud Road and Piggott Street. Car-parking is located to the rear of these buildings and is accessible via Siding Avenue to the west (left in/left out arrangement), Stroud Road to the north and Piggott Street to the south.

Features	Current approval	Proposed amendments
	<ul style="list-style-type: none"> The residential development is located in the eastern portion of the land and contains 34 two-storey dwellings fronting Coxon Street to the east, Stroud Road to the north and Piggott Street to the south. Car-parking is located within individual double garages located to the rear of each dwelling and is accessible via a separate access to the commercial development via Stroud Road and Piggott Street. Visitor car-parking is available within the commercial car-parking area. 	<ul style="list-style-type: none"> The residential development is located in the eastern portion of the land and contains 34 two-storey dwellings fronting Coxon Street to the east, Stroud Road to the north and Piggott Street to the south. Car-parking is located within individual double garages located to the rear of each dwelling and is accessible via a separate access to the commercial development via Stroud Road and Piggott Street.
Floor composition and floor space	<ul style="list-style-type: none"> The northern commercial building contains a medical centre (204sqm), dentist (169sqm) and six shops (72-134sqm) on the ground floor and gymnasium (615sqm) on the first floor. The southern commercial building contains a grocery store/small format supermarket (300sqm) and five shops (72-174sqm) on the ground floor and four offices (84-201sqm) on the first floor. The two commercial buildings are separated by pedestrian walk-through area linking Siding Ave to the car-parking area. The residential development consists of 34 two-storey dwellings, with joining party walls. Four different dwelling types are proposed. The dwellings contain three and four bedrooms, with detached garages and private courtyard. 	<ul style="list-style-type: none"> The northern commercial building contains a restaurant (340sqm), bottle-shop (97sqm) and seven shops/food and drink premises (67-104sqm) on the ground floor and office (590sqm) and gymnasium (352sqm) on the first floor. The southern commercial building contains a supermarket (350sqm) and five shops/food and drink premises (62-128sqm) on the ground floor and two medical centres (214 & 394sqm) on the first floor. The two commercial buildings are separated by a pedestrian and vehicular (left in/left out) access linking Siding Ave to the car parking area. The residential development consists of 34 two-storey dwellings, with joining party walls. Four different dwelling types are proposed. The dwellings contain three and four bedrooms, with detached garages and private courtyard.
Car parking	<ul style="list-style-type: none"> A total of 91 car spaces are proposed for the commercial development, including two (2) handicapped parking spaces. One loading bay is proposed. A total of six bicycle spaces are provided adjacent to the car-parking area. A total of 75 car spaces are proposed for the residential 	<ul style="list-style-type: none"> A total of 85 car spaces are proposed for the commercial development, including two (2) handicapped parking spaces and one waiting bay for the bottle-shop. Two loading bays are proposed. A total of 20 bicycle spaces are provided adjacent to the car-parking area. A total of 68 spaces are proposed for

Features	Current approval	Proposed amendments
	<p>development. A total of 68 of these spaces are within garages and a total of seven visitor spaces are proposed within the car-parking area of the commercial development.</p>	<p>the residential development. These spaces are located within garages. No visitor car-parking is proposed on-site and none is required by the Planning Scheme due to the location of the site (Principal Public Transport Network Area).</p>
Vehicular access	<ul style="list-style-type: none"> • Vehicular access to the commercial development is via an access-way off Stroud Road and an access-way off Piggott Street. • Vehicular access to the residential dwellings is via a separate access-way off Stroud Road and Piggott Street. 	<ul style="list-style-type: none"> • Vehicular access to the commercial development is via an access-way off Stroud Road, an access-way off Piggott Street and an access-way (left in/left out) off Siding Avenue. • Vehicular access to the residential dwellings is via a separate access-way off Stroud Road and Piggott Street.
Design and Built form	<ul style="list-style-type: none"> • The proposed commercial development features a modern design, with the use of metal cladding with powdercoat finishing, laminate soffit, brickwork and windows throughout. • The proposed residential development features a modern design, with timber look metal cladding, fibre cement sheeting, metal cladding with powdercoat finishing and selected brickwork. 	<ul style="list-style-type: none"> • The proposed commercial development features a modern design with the use of metal cladding, cement sheet, brickwork and windows throughout. • The proposed residential development features a modern design, with timber look metal cladding, fibre cement sheeting, metal cladding with powdercoat finishing and selected brickwork.
Signage	<ul style="list-style-type: none"> • No signage proposed. 	<ul style="list-style-type: none"> • A total of 42 signs are proposed as part of the commercial development. Twelve (12) of these signs which are internally illuminated require planning approval.
Licensed premises	<ul style="list-style-type: none"> • No liquor license proposed. 	<ul style="list-style-type: none"> • Approval is sought to use the land to sell liquor in order to operate the proposed bottle-shop.
Staging	<ul style="list-style-type: none"> • No staging proposed. 	<ul style="list-style-type: none"> • Staging of the development is proposed to allow the commercial and residential components of the application to be completed independently of each other.

PLANNING SCHEME PROVISIONS

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- *Clause 11.01-1R Settlement Metropolitan Melbourne*
- *Clause 11.02-2S Structure Planning*
- *Clause 11.02-3S Sequencing of Development*
- *Clause 11.03-1R Activity Centres – Metropolitan Melbourne*
- *Clause 11.03-2S Growth Areas*
- *Clause 13.02-1S Bushfire Planning*
- *Clause 13.03-1S Floodplain Management*
- *Clause 15.01-1S Urban Design*
- *Clause 15.01-2S Building Design*
- *Clause 15.01-4 Healthy Neighbourhoods*
- *Clause 15.01-5S Neighbourhood Character*
- *Clause 16.01-3S Housing Diversity*
- *Clause 17.01-2S Economic Development*
- *Clause 17.01-1S Diversified Economy*
- *Clause 17.01-1R Diversified Economy – Metropolitan Melbourne*
- *Clause 17.02-1S Business*
- *Clause 18.02-1S Sustainable Personal Transport*
- *Clause 18.02-4S Car Parking*

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- *Clause 21.03 Settlement and Housing*
- *Clause 21.04 Economic Development*
- *Clause 21.04-3 Activity Centres*

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/documents are:

- Clause 55 Two or more dwellings on a lot and residential buildings
- Clause 52.05 Signs
- Clause 52.06 Car parking
- Clause 52.27 Licensed premises
- Clause 65 Decision guidelines
- Officer Precinct Structure Plan (September 2011)
- Officer Development Contributions Plan (September 2011)
- Officer Native Vegetation Precinct Plan (September 2011)
- Draft Officer Town Centre Urban Design Framework
- Amendment C232 – Review of Officer Precinct Structure Plan

Cardinia Shire's Liveability Plan 2017-2029

The proposal has regard to Cardinia Shire's Liveability Plan 2017-2029, in particular:

- Improved Social Cohesion

- Improved safety
- Reduced obesity

Zone

The land is subject to the Urban Growth Zone Schedule 4.

Overlays

The land is subject to the following overlays:

- Land Subject to Inundation Overlay
- Development Contributions Overlay Schedule 4

PLANNING PERMIT TRIGGERS

The amended proposal for buildings and works associated with the staged development of 34 dwellings, shops/food and drink premises, offices, medical centres, gymnasium, restaurant, supermarket, internally illuminated signage, licensed premises and a reduction in car-parking requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 2.7 of the Urban Growth Zone Schedule 4 a planning permit is required to construct a building or construct or carry out any works.
- Pursuant to Clause 44.04-1 of the Land Subject to Inundation Overlay a planning permit is required to construct a building or construct or carry out any works.
- Pursuant to Clause 52.05 (Signs), a planning permit is required for internally illuminated signage where:
 - The total display area exceeds 1.5sqm to each premises;
 - The sign is above a verandah or if no verandah is more than 3.7m above pavement level.
- Pursuant to Clause 52.06 (Car parking), a planning permit is required to reduce the number of car-spaces.
- Pursuant to Clause 52.27 (Licensed premises), a planning permit is required to sell or consume liquor if a licence is required under the Liquor Control Reform Act 1998.

PUBLIC NOTIFICATION

Pursuant to Clause 37.07-13 of the Urban Growth Zone, an application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the • notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of section 64 (1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* unless the schedule to this zone specifies otherwise. The schedule to the zone does not specify otherwise and the proposal is generally in accordance with the precinct structure plan applying to the land.

REFERRALS

The application was referred to Melbourne Water as a statutory referral. Melbourne Water had no objection to the amendment and required no changes to their permit conditions.

DISCUSSION

Urban Growth Zone Schedule 4

The Urban Growth Zone Schedule 4 (UGZ4) locates the development site within the Urban Village sub-precinct of the Officer Town Centre. The proposed amendments are generally in accordance with the requirements of the UGZ4 for Urban Village and the proposed draft Urban Design Framework (UDF) for the Officer Town Centre.

The Victorian Planning Authority (VPA) is currently undertaking a review of parts of the Officer Precinct Structure Plan (Amendment C232). The review will result in changes to the UGZ4 with the introduction of applied zones and the re-drafting the UDF to reduce duplication within the Precinct Structure Plan and increase flexibility. Any proposed changes to come from the review are not expected to impact upon the amended development currently being considered, as it complies with proposed exhibited review documents.

Officer Precinct Structure Plan

The Officer Precinct Structure Plan (PSP) is a broad level plan which provides the future urban structure for Officer as it undergoes significant population growth. The objectives of the Urban Village as contained in the PSP include:

- *To establish a safe and attractive pedestrian-prioritised street environment.*
- *To provide a high density mixed use area, with commercial development focused on Main Street.*

The PSP contains a number of planning and design guidelines for the Urban Village that must be met, including:

- *The entrances to buildings are to be at ground level, providing an environment that promotes seamless movement for pedestrians between the public and private realm.*
- *Avoid internalised retail developments which present a blank façade and extensive car parking areas to the street.*
- *Prominent locations (including all corner sites) are to be developed to:*
 - *Provide buildings with a greater number of storeys than otherwise provided in the centre; and*
 - *Ensure frontages are well-articulated; or*
 - *Create the illusion of building height through landmark architecture.*
 - *A high quality of building materials are to be demonstrated in the design.*
- *Rooftop plants, telecommunication towers etc. are to be obscured from view by built form, screens or false facades.*
- *On-street parking is to be maximised.*
- *Car parking within the Activity Centre is to be centralised to allow for shared usage between tenancies.*
- *Buildings along street frontages are to be a minimum of two storeys.*
- *Zero lot line setbacks are required to Main Street. Minimise street setbacks elsewhere.*
- *Access to carparks and site services is not to front Main Street.*

The proposed development generally complies with the objectives and design guidelines of the Urban Village sub-precinct. The location of a vehicular access point from Siding Avenue (i.e. Main Street) is not preferable, however in this instance is considered satisfactory, noting this access is

effectively a secondary access (left in/left out arrangement) with the primary access being from Stroud Road to the north and Piggott Street to the south. Council's Urban Design team have assessed the proposal and have advised that the amended development is satisfactory from an Urban Design perspective. Overall the proposal provides a high quality mixed-use two-storey development, with the commercial development fronting Siding Avenue, with a zero set-back to the street and a centralised shared car-parking area.

Staging the development

The proposed development is situated on two separate titles in separate ownership, one title containing the proposed commercial component and one title containing the proposed residential component of development. It is proposed to develop each title in accordance with the permit but independently of each other and as such the amendment seeks to stage the development. The staging proposes two stages being Commercial Stage 1 and Residential Stage 1. This staging allows the flexibility for either stage to be developed first or each stage to be developed concurrently. Permit conditions have been adjusted accordingly to allow for staging and to group conditions according to commercial and residential elements of the development.

Signs (Clause 52.05)

The amendment includes 42 signs, 12 of which are subject to planning approval due to their internal illumination and location on the buildings. The signage proposed is considered appropriate for the Officer Town Centre and generally satisfactory from an urban design perspective. Additional permit conditions have been included to deal with the signs proposed.

Car-parking (Clause 52.06), vehicular access and loading

The original approval generated a planning scheme requirement for 182 car-spaces, with a total of 108 spaces associated with the commercial development and 74 spaces for the residential development (68 spaces in garages and 6 visitor spaces). A total of 166 car spaces were provided on-site, with a shortfall of 9% or 16 spaces. The original car-parking as proposed was satisfactory to Council's Traffic Engineering Department.

An assessment of car-parking for the proposed amendment application is set out in the table below:

Land-use	Total floor area	Planning scheme car-parking rate	Total spaces required by the Planning Scheme
Shops / Food and drink premises	1016sqm gross	3.5 spaces to each 100sqm of leasable floor area	35
Supermarket	350sqm	5 per 100sqm leasable floor area	17
Medical	608sqm	3.5 spaces to each 100sqm of leasable floor area	21
Gym	352sqm	No rate specified - Rate of 0.3 spaces per patron satisfactory to Responsible Authority (60 patrons proposed)	18
Office	590sqm	3 spaces to 100sqm net floor	17

		area	
Restaurant	340sqm	3.5 spaces to each 100sqm of leasable floor area. Hotel is the same rate	11
Bottleshop	97sqm	3.5 spaces to each 100sqm of leasable floor area	3
Residential	34 Dwellings	2 per dwellings	68
Total:			190 (122 for the commercial component & 68 for the residential component)

The amendment application proposes a total of 153 car spaces on-site, consisting of 85 spaces for the commercial development and 68 spaces (within garages) for the residential development, leaving a shortfall of 37 spaces for the commercial component of the development.

Council's Traffic Engineering Department have reviewed the level of car-parking proposed and have provided the following comments:

- A total of 85 on-site car spaces for the commercial development are proposed to be provided with a further 16 on-street spaces along the commercial frontages;
- The 85 on site spaces is less than the 122 spaces required by the planning scheme, with a 30% reduction being sought.
- The demand assessment indicates a peak demand for 94 car spaces, which appears to be reasonable.
- The peak parking demand should be accommodated within the on-site car parking, with on-street parking for overflow only. Increasing parking to 94 spaces will reduce the overall shortfall to 10% and ensure peak demand is catered for on-site.

Based upon the above Council's Traffic Engineering Department have advised that the parking is insufficient and recommend that on-site car parking needs to be increased to a minimum of 94 spaces.

The proposal falls substantially short (30%) of the required number of on-site spaces as required by the planning scheme. As outlined above 94 actual car spaces need to be provided to cater to the peak demand generated by the proposal. The proposal provides 85 on-site spaces and one waiting bay (falling 9 spaces short of the 94 requirement), but does provide an additional 16 on-street spaces directly adjacent to the development (total of 101 spaces). In this respect, sufficient parking will be available to customers during peak times from on-site or directly adjacent on-street parking. On this basis, noting any further increase in on-site parking would require a substantial re-design of the development, the level of parking proposed is considered satisfactory from a planning perspective.

Vehicular access to the commercial development is via Stroud Road to the north, Piggott Street to the south, with a secondary access left in/left out arrangement from Siding Avenue. As highlighted above direct access from Siding Avenue, being the main street of Officer Town Centre, is not generally supported by the Officer PSP. However in this instance it is not considered unreasonable to allow a left in/left access, with the primary access being via the full intersection arrangements from Stroud Road and Piggott Street. Council's Traffic Engineering Department do not objection to the vehicular access arrangements, but have advised that the access into Siding Avenue needs to

be left in / left out only with the provision of a central triangular splitter island to physically re-enforce the operation of this access arrangement. This can be dealt with via conditions of approval.

The application proposes two loading bays and two waste storage/collection areas. Waste collection times will be limited to the hours of 7am – 9am to reduce noise impacts to adjoining residents of the townhouses and reduce conflict between waste collection trucks moving through the site and customers utilising the car-parking area. Council's Traffic Engineering Department is comfortable with this approach. They have requested that kerbs and landscaping within the waste collection vehicle swept path route be kept to less than 150mm in height to allow waste collection vehicles to satisfactorily manoeuvre through the site. This can be a condition of approval.

Licensed premises (Clause 52.27)

The amendment proposes the sale of packaged liquor for the proposed bottle-shop. As the site forms part of a mixed-use development within Officer Town Centre it is considered a suitable location for a use of this nature. Further, the site is well separated from existing licensed premises, being approximately 800m metres from the Bottle-mart, Thai restaurant and Officer Recreation Reserve situated along the Princes Highway. In regard to amenity impacts, the location of the adjacent townhouses, means the bottle-shop does have some potential to impact upon the future amenity of residents. In order to reduce any potential amenity conflicts it is considered appropriate to place additional conditions on the permit, including a condition restricting the hours of operation of the licensed premise between 9am to 11pm. These hours are considered reasonable to allow the business to serve local residents, but also reduce the potential for any amenity reducing impacts to arise.

CONCLUSION

The proposed amendment incorporating the staged development of 34 dwellings, shops/food and drink premises, supermarket, medical centres, offices, restaurant, gymnasium, internally illuminated signage, liquor licence and a reduction in car-parking is an appropriate mixed-use development for the Urban Village sub-precinct of the Officer Town centre. The proposed development is in accordance with the Officer Precinct Structure Plan and draft Urban Design Framework and will provide an appropriate urban design outcome along Siding Avenue. The application is also in accordance with proposed Amendment C232.

The residential development will comprise of dwellings (34) as currently approved. The commercial component will comprise of shops/food and drink premises (12), supermarket, medical centre, offices, bottle-shop (including liquor licence), restaurant, gymnasium and signage.

It is recommended that planning permit T170584 be amended by allowing staging of the development, changing the proposed commercial uses and development approved, changing permit conditions in response to these changes and updating the address of the land to reflect the current land details.

**AMENDED
PLANNING
PERMIT**

Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

PLANNING PERMIT NUMBER:

T170584-2

ADDRESS OF THE LAND: Lot A & B PS820740K, Siding Avenue, Officer

THIS PERMIT ALLOWS: Buildings and works in stages associated with the construction of thirty-four (34) residential dwellings, shops/food and drink premises, offices, medical centres, gymnasium, supermarket, restaurant, internally illuminated signs, use of land to sell liquor and a reduction in car-parking.

Date amended:	Pursuant to Section 72-76B of the <i>Planning and Environment Act 1987</i> the permit has been amended to:
2 December, 2019	<ul style="list-style-type: none"> • Update the permit preamble to include new components of development and staging; • Update the address of the land to reflect the current details; • Restructure permit conditions to facilitate staging; • Include permit conditions regarding signs and the sale of liquor; • Remove permit conditions no longer applicable; • Amend the plans to include new components of development and staging.

CONDITIONS

1. Before the development commences, a staging plan must be submitted to and approved by the Responsible Authority. The staging plan must show:
 - a) The residential and commercial components within separate stages identified as Residential Stage 1 and Commercial Stage 1;

To the satisfaction of the Responsible Authority.
2. The layout of the uses and buildings and works as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
3. The development of the land must proceed in the order of stages as shown on the endorsed plans unless otherwise agreed in writing by the Responsible Authority.
4. Once the development of each stage has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
5. Before each stage of development commences, a detailed landscape plan for the stage must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and one (1) copy must be provided in an approved electronic format. The landscape plan must show and include to the satisfaction of the Responsible Authority:
 - a) The location of all new plantings throughout the development.
 - b) A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and

- quantities of each plant. The plant schedule must be consistent with adjoining stages and adjoining land where roads connect through.
- c) Landscaping within the waste collection vehicle swept path route should be kept to less than 150mm in height to allow waste collection vehicles to manoeuvre through the site in accordance with the waste management plan.
 - d) The proposed layout, materials and finishes of paths, areas of pavement, structures and street furniture.
 - e) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
 - f) Additional supporting information, such as certified structural designs or building forms of fencing, feature walls and the like.
 - g) Canopy trees, a minimum of two metres tall when planted, in key locations within the car parking areas.
 - h) Details of the garden bed edging.
 - i) The implementation of any landscape principles and guidelines contained in the Officer Precinct Structure Plan and the Officer Town Centre Urban Design Framework

The landscaping works shown on the approved landscape plans must be carried out and completed to the satisfaction of the Responsible Authority.

6. At least 14 days before any works start for each stage, a site specific Construction Management Plan (CMP) for that stage to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CMP.

The CMP must address all environmental risks and include:

- a) Temporary stormwater management including sedimentation control.
 - b) Provision of pollution and contamination controls including noise and dust.
 - c) Location of stockpiles and stockpile management.
 - d) Location of site office and facilities.
 - e) Equipment, materials and goods management.
 - f) Tree protection zones, trees to be retained and trees to be removed.
7. Before the development commences for each stage, a stormwater management plan showing the stormwater works to the nominated point of discharge for that stage must be prepared to the satisfaction and approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (e.g. Trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.

Note: The development of the subject land must be provided with stormwater works which incorporates the use of water sensitive design principles to improve stormwater runoff quality. The system must be maintained to the satisfaction of the Responsible Authority. Council's development engineers can advise on satisfactory options to achieve these desired outcomes which may include the use of an infiltration or bio-retention system and rainwater tanks connected for re-use.

8. The development must be constructed in accordance with the mitigation measures as set out in the 'Places Victoria, Officer Subdivision, Hydrogeology Assessment' completed by Coffey, dated 1st May 2017.
9. Prior to any works commencing for each stage a Construction Environmental Management Plan (CEMP) for that stage must be prepared. The CEMP must specifically address significant flora and fauna where the buildings or works are within:
 - a) 100 metres of any waterbody (including creeks, drains, dams and wetland) under the provisions of the Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (September 2011).

The CEMP must address all requirements specified in the Officer Native Vegetation Precinct Plan (September 2011) and the relevant Conservation Management Plan and be to the satisfaction of the Responsible Authority.

10. Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the water body.
11. The actions which identify the responsible agent as the "landowner" or "developer" in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.
12. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
13. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
14. Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
15. Any roads used for the purpose of haulage of imported or exported materials for construction must be:
 - a) Approved in writing by the Responsible Authority for the submitted haulage strategy, at least seven days prior to the commencement of use.
 - b) Maintained in accordance with the Responsible Authority's maintenance intervention levels, or as requested by the Responsible Authority if the road deteriorates during the haulage period, and
 - c) Reinstated to the satisfaction of the Responsible Authority.
16. No fill material that is contaminated is to be deposited on the subject land. For the purpose of this condition, the term "contaminated" has the same meaning as that used in Ministerial Direction No. 1.
17. Site and building levels across the development must suitably integrate, including along the boundary separating the commercial and residential components of development.
18. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) Inappropriate storage of any works or construction materials.
 - c) Hours of construction activity.
 - d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
 - e) Presence of vermin.

To the satisfaction of the Responsible Authority.

19. Prior to the installation of zebra crossings, a Memorandum of Authorisation must be obtained from VicRoads (as per the Road Management Act 2004).
20. Unless with the prior written consent of the Responsible Authority, all rooftop plant and equipment (including air conditioning units, heating units and hot water systems) must be concealed or screened from general view to the satisfaction of the Responsible Authority.
21. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building/s must be of a non-reflective nature.
22. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
23. Before the development of each stage is occupied all access arrangements into the site and all proposed areas set aside on the approved plan/s for access, circulation and car parking for that stage must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed these areas must be maintained to the satisfaction of the Responsible Authority.
24. Before each stage of development is occupied a commercial/industrial standard concrete vehicle crossing/s as shown on the approved plans for that stage must be constructed to the approval and satisfaction of the Responsible Authority.
25. Before each stage of development is occupied all buildings within that stage must be connected to reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
26. Before each stage of the development is occupied the landowner must enter into a legally binding agreement (or an alternative agreement approved by DSE) for the payment to implement the Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011) in accordance with Section 2.3.1 Management Responsibilities and Funding and Appendix 8 to the satisfaction of the Department of Sustainability and Environment. The landowner must pay the reasonable costs of the preparation, execution, and registration of the agreement.
27. Before any stage of the development is occupied:
 - a) Stroud Road must be fully constructed along the northern boundary of the land in accordance with plans and specifications approved by the Responsible Authority.
 - b) Coxon Street must be fully constructed from Bridge Road to Stroud Road in accordance with plans and specifications approved by the Responsible Authority.
 - c) Piggott Street must be fully constructed from Siding Avenue to Coxon Street in accordance with plans and specifications approved by the Responsible Authority.
 - d) On-street car parking adjacent to the land must be provided in accordance with plans and specifications approved by the Responsible Authority.
 - e) Landscaping within the streetscape of Stroud Road, Coxon Street and Piggott Street must be completed in accordance with plans, specifications and bonding arrangements approved by the Responsible Authority.
28. Before the development of each stage is occupied, or any other time agreed to in writing by the Responsible Authority, the landscape works shown on the approved detailed landscape works plan for that stage must be carried out and completed to the satisfaction of the Responsible Authority.

29. The landscape works shown on the endorsed detailed landscape works plan/s must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
30. Public pedestrian access must be maintained through the land via the pedestrian access-way running east-west through the middle of the land from Siding Avenue to Coxon Road to the satisfaction of the Responsible Authority.

Residential Development conditions:

31. Before the residential development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one (1) copy must be provided in electronic format. The plans must be generally in accordance with the previously approved (now superseded) plans but modified to show:
 - a) Residential Stage 1 plans containing the residential development only.
 - b) Evidence that Melbourne Water conditions 65, 66 & 68 have been satisfied.

To the satisfaction of the Responsible Authority.

32. The residential development must be constructed in accordance with the requirements, recommendations and details of the Sustainable Management Plan Lot 1 Siding Ave prepared by Leonie Dixon of F2 design to the satisfaction of the Responsible Authority.
33. Waste collection arrangements for the residential development must be in accordance with the Waste Management Plan prepared by Low Impact Development Consulting, dated 30th November 2017.
34. Before the residential development is occupied, the owner of the land must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 to confirm waste collection arrangements for the residential development as informed by the approved waste management plan.

The agreement will be informed by the findings of the waste management plan and may provide that:

- a) all waste generated by the use of the land will be managed in accordance with the waste management plan for the land submitted to the Responsible Authority;
- b) the Owner acknowledges and agrees that the Responsible Authority is under no obligation to enter the land for the purpose of collecting waste;
- c) the Owner agrees to indemnify Cardinia Shire Council and its officers with respect to any injury or damage caused to any person (including the Council's officers) or property as a result of Council or its officers entering the land for the purpose of collecting waste; and
- d) the Owner acknowledges and agrees that, despite the waste collection arrangements that apply to the land, the Owner remains liable to pay the relevant waste collection levy.

The form and content of the agreement must be to the satisfaction of the Responsible Authority, and all costs relating to the preparation and registration of the agreement on title must be met by the permit holder. An application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.

Commercial Development conditions:

35. Before the commercial development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When

approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one (1) copy must be provided in electronic format. The plans must be generally in accordance with the Clarke Hopkins Clarke plans dated 15.10.2019 (ref. 190044) but modified to show:

- a) Left in / left out vehicular access arrangement at Siding Ave with triangular splitter island.
- b) Two (2) additional on-site car spaces adjacent to the kiosk on the roof development plan.
- c) Relocation of any proposed signs over windows away from windows.
- d) Material palette of external finishes.
- e) Notation on the plans stating kerbs within the waste collection vehicle swept path route will be kept to less than 150mm in height to allow waste collection vehicles to manoeuvre through the site in accordance with the waste management plan.
- f) Any changes as required by the amended Sustainable Management Plan at Condition 36.
- g) Evidence that Melbourne Water conditions 65, 66 & 68 have been satisfied.

To the satisfaction of the Responsible Authority.

36. Before the development commences, an amended Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be prepared by a suitably qualified person to the satisfaction of the Responsible Authority and one (1) copy must be provided in electronic format. The Plan must be generally in accordance with the Sustainable Management Plan, by F2 Design dated 16 October 19 issue C but modified to show:

- a) Removal of any reference to 12,000 litres of rainwater storage. Rainwater storage of 16,000 litres is required, consisting of two 8,000 litre tanks.
- b) Full JV3 energy modelling and final energy inputs (JV3 model inputs in BESS) to confirm commitments outlined in the Sustainable Management Plan will be achieved.
- c) Copy of the Builder Users Guide to be provided to the Responsible Authority in addition to occupants.

The commercial development must be constructed in accordance with the requirements, recommendations and details of the Sustainable Management Plan to the satisfaction of the Responsible Authority.

37. Before the development commences, detailed engineering plans for any works in Siding Avenue including the triangular splitter island must be submitted to and approved by the Responsible Authority.

When approved, the plans will be endorsed and will then form part of the permit. Three copies of the plan must be drawn to a scale of 1:500 to acceptable drafting standards and an electronic copy (pdf) must be provided.

The plan must show:

- a. Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls,
- b. Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for the construction and maintenance,
- c. A table of offsets for all utility services and street trees.

38. Waste collection arrangements for the commercial development must be in accordance with the Waste Management Plan prepared by Salt, dated 11th September 2019.
39. All proposed front entry doors of commercial tenancies on the ground level must match the adjacent footpath levels.
40. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to residences to a level satisfactory to the Responsible Authority.
41. External lighting must be designed, baffled and located so as to prevent any adverse effect to residences and adjoining landholders to the satisfaction of the Responsible Authority.
42. Before the development is occupied a site management plan for the commercial premises must be submitted to and approved by the Responsible Authority. The site management plan must include the following, to the satisfaction of the Responsible Authority:
 - a) Site security.
 - b) Provision of security cameras.
 - c) Details about managing graffiti and its removal.
 - d) Arrangements for managing the car park, landscape areas, deliveries and waste collection.
 - e) Arrangements for maintaining surveillance and views, including the maintenance of at least 60% of the glazing as unobstructed clear glazing enabling surveillance and views from buildings.
43. Unless with the prior written consent of the Responsible Authority, the commercial premises must operate in accordance with the approved site management plan and a copy must be included within any lease agreement to the satisfaction of the Responsible Authority.
44. Before the development is occupied, a report from a suitably qualified person must be submitted to the satisfaction of the Responsible Authority confirming that all measures as specified in the approved Sustainable Management Plan have been implemented.
45. The amenity of the area must not be detrimentally affected by the development through the:
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Emission of noise, artificial light, vibration, odours, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil;
 - c) Presence of vermin;
 - d) The appearance of the development;or in any other way, to the satisfaction of the Responsible Authority.
46. Noise levels emanating from the premises must not exceed those required to be met under the relevant Environment Protection Agency policy.
47. Except with the written consent of the Responsible Authority no external sound amplification equipment or loud speakers are to be used by the commercial tenancies for the purpose of announcement, broadcast, playing of music or similar purpose.
48. Nuisance must not be caused by the operation of the commercial premises to adjoining residents, including those within the development.
49. The gymnasium must not be used by more than 60 patrons at any one time except with the prior written consent of the Responsible Authority.
50. Any storage and handling of clinical and related wastes must comply with the Industry Code of Practice for the Management of Clinical and Related Wastes.

51. Any disposal of clinical and related wastes must comply with the requirements of the Environment Protection (Industrial Waste Resource) Regulations 2009.
52. All bins and receptacles used for the collection and storage of garbage, bottles and other solid wastes must be stored out of general view and storage areas maintained in a suitable condition to the satisfaction of the Responsible Authority.
53. The loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the subject land.
54. Loading and waste collection vehicles associated with the commercial development must not exceed 8.8m in length.
55. The areas set aside for car parking associated with the commercial development as shown on the endorsed plans must be made available for use free of charge to employees and visitors at all times and must not be used for any other purpose.
56. The development must operate in accordance with the requirements, recommendations and details of the approved Sustainable Management Plan to the satisfaction of the Responsible Authority.

Signage conditions:

57. The location and details of the signs, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
58. The content, colour, lettering style and materials of the signs must be to the satisfaction of the Responsible Authority.
59. The signs must be displayed and maintained to the satisfaction of the Responsible Authority.
60. The illumination of the signs as shown on the endorsed plans must not detrimentally affect the amenity of the area through the emission of unreasonable levels of light to the satisfaction of the Responsible Authority.
61. The signs must not contain any flashing light.
62. No signs other than those allowed by this permit or the planning scheme may be displayed on the subject land without the further consent of the Responsible Authority.

Use of land to sell liquor conditions:

63. This permit allows for the sale of packaged liquor only from within the confines of the bottle shop.
64. The sale of packaged liquor associated with bottle shop may only occur during the following trading hours:
 - Monday-Sunday: 9.00am – 11.00pm

Melbourne Water conditions:

65. Prior to Council endorsement of plans, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
66. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses. Prior to Council endorsement of plans, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.

67. Stormwater runoff from the development must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.
68. Prior to Council endorsement of plans, engineering plans of the development (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.
69. All new Building pads are to be filled to a minimum of 300mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
70. Prior to the issue of an Occupancy Permit, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
71. Alignment of roads, car parks and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
72. The development is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
73. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.
74. The developer is to negotiate with any downstream landowners to obtain a free draining outfall through their property. Approval is to be forwarded to Melbourne Water for our records prior to construction commencing.
75. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).
76. Prior to construction, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.

Expiry:

This permit will expire if one of the following circumstances applies:

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

The use of the land for the sale of packaged liquor expires if the use does not start within (2) years of the date of this permit or the use is discontinued for a period of two (2) years.

The signage on the land expires fifteen (15) years after the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

3 AMENDED PERMIT - COMMERCIAL AND RESIDENTIAL DEVELOPMENT SIDING AVENUE, OFFICER

Moved Cr B Owen Seconded Cr C Ross

That Planning Permit T170584 be amended by staging the development into commercial and residential stages, changing the proposed commercial uses / developments approved, including advertising signage and licensed premises (bottle-shop) as part of the development, updating permit conditions accordingly and updating the address of the land to reflect the current land details.

Subject to the following conditions:

1. Before the development commences, a staging plan must be submitted to and approved by the Responsible Authority. The staging plan must show:
 - a) The residential and commercial components within separate stages identified as Residential Stage 1 and Commercial Stage 1;
To the satisfaction of the Responsible Authority.
2. The layout of the uses and buildings and works as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
3. The development of the land must proceed in the order of stages as shown on the endorsed plans unless otherwise agreed in writing by the Responsible Authority.
4. Once the development of each stage has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
5. Before each stage of development commences, a detailed landscape plan for the stage must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and one (1) copy must be provided in an approved electronic format. The landscape plan must show and include to the satisfaction of the Responsible Authority:
 - a) The location of all new plantings throughout the development.
 - b) A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule must be consistent with adjoining stages and adjoining land where roads connect through.
 - c) Landscaping within the waste collection vehicle swept path route should be kept to less than 150mm in height to allow waste collection vehicles to manoeuvre through the site in accordance with the waste management plan.
 - d) The proposed layout, materials and finishes of paths, areas of pavement, structures and street furniture.
 - e) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
 - f) Additional supporting information, such as certified structural designs or building forms of fencing, feature walls and the like.
 - g) Canopy trees, a minimum of two metres tall when planted, in key locations within the car parking areas.
 - h) Details of the garden bed edging.

- i) The implementation of any landscape principles and guidelines contained in the Officer Precinct Structure Plan and the Officer Town Centre Urban Design Framework

The landscaping works shown on the approved landscape plans must be carried out and completed to the satisfaction of the Responsible Authority.

- 6. At least 14 days before any works start for each stage, a site specific Construction Management Plan (CMP) for that stage to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CMP.

The CMP must address all environmental risks and include:

- a) Temporary stormwater management including sedimentation control.
 - b) Provision of pollution and contamination controls including noise and dust.
 - c) Location of stockpiles and stockpile management.
 - d) Location of site office and facilities.
 - e) Equipment, materials and goods management.
 - f) Tree protection zones, trees to be retained and trees to be removed.
- 7. Before the development commences for each stage, a stormwater management plan showing the stormwater works to the nominated point of discharge for that stage must be prepared to the satisfaction and approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (e.g. Trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.

Note: The development of the subject land must be provided with stormwater works which incorporates the use of water sensitive design principles to improve stormwater runoff quality. The system must be maintained to the satisfaction of the Responsible Authority. Council's development engineers can advise on satisfactory options to achieve these desired outcomes which may include the use of an infiltration or bio-retention system and rainwater tanks connected for re-use.
 - 8. The development must be constructed in accordance with the mitigation measures as set out in the 'Places Victoria, Officer Subdivision, Hydrogeology Assessment' completed by Coffey, dated 1st May 2017.
 - 9. Prior to any works commencing for each stage a Construction Environmental Management Plan (CEMP) for that stage must be prepared. The CEMP must specifically address significant flora and fauna where the buildings or works are within:
 - a) 100 metres of any waterbody (including creeks, drains, dams and wetland) under the provisions of the Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (September 2011).

The CEMP must address all requirements specified in the Officer Native Vegetation Precinct Plan (September 2011) and the relevant Conservation Management Plan and be to the satisfaction of the Responsible Authority.

- 10. Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the water body.
- 11. The actions which identify the responsible agent as the "landowner" or "developer" in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.
- 12. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil

must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.

13. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
14. Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
15. Any roads used for the purpose of haulage of imported or exported materials for construction must be:
 - a) Approved in writing by the Responsible Authority for the submitted haulage strategy, at least seven days prior to the commencement of use.
 - b) Maintained in accordance with the Responsible Authority's maintenance intervention levels, or as requested by the Responsible Authority if the road deteriorates during the haulage period, and
 - c) Reinstated to the satisfaction of the Responsible Authority.
16. No fill material that is contaminated is to be deposited on the subject land. For the purpose of this condition, the term "contaminated" has the same meaning as that used in Ministerial Direction No. 1.
17. Site and building levels across the development must suitably integrate, including along the boundary separating the commercial and residential components of development.
18. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) Inappropriate storage of any works or construction materials.
 - c) Hours of construction activity.
 - d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
 - e) Presence of vermin.

To the satisfaction of the Responsible Authority.

19. Prior to the installation of zebra crossings, a Memorandum of Authorisation must be obtained from VicRoads (as per the Road Management Act 2004).
20. Unless with the prior written consent of the Responsible Authority, all rooftop plant and equipment (including air conditioning units, heating units and hot water systems) must be concealed or screened from general view to the satisfaction of the Responsible Authority.
21. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building/s must be of a non-reflective nature.
22. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
23. Before the development of each stage is occupied all access arrangements into the site and all proposed areas set aside on the approved plan/s for access, circulation and car parking for that stage must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed these areas must be maintained to the satisfaction of the Responsible Authority.
24. Before each stage of development is occupied a commercial/industrial standard concrete vehicle crossing/s as shown on the approved plans for that stage must be constructed to the

- approval and satisfaction of the Responsible Authority.
25. Before each stage of development is occupied all buildings within that stage must be connected to reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 26. Before each stage of the development is occupied the landowner must enter into a legally binding agreement (or an alternative agreement approved by DSE) for the payment to implement the Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011) in accordance with Section 2.3.1 Management Responsibilities and Funding and Appendix 8 to the satisfaction of the Department of Sustainability and Environment. The landowner must pay the reasonable costs of the preparation, execution, and registration of the agreement.
 27. Before any stage of the development is occupied:
 - a) Stroud Road must be fully constructed along the northern boundary of the land in accordance with plans and specifications approved by the Responsible Authority.
 - b) Coxon Street must be fully constructed from Bridge Road to Stroud Road in accordance with plans and specifications approved by the Responsible Authority.
 - c) Piggott Street must be fully constructed from Siding Avenue to Coxon Street in accordance with plans and specifications approved by the Responsible Authority.
 - d) On-street car parking adjacent to the land must be provided in accordance with plans and specifications approved by the Responsible Authority.
 - e) Landscaping within the streetscape of Stroud Road, Coxon Street and Piggott Street must be completed in accordance with plans, specifications and bonding arrangements approved by the Responsible Authority.
 28. Before the development of each stage is occupied, or any other time agreed to in writing by the Responsible Authority, the landscape works shown on the approved detailed landscape works plan for that stage must be carried out and completed to the satisfaction of the Responsible Authority.
 29. The landscape works shown on the endorsed detailed landscape works plan/s must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
 30. Public pedestrian access must be maintained through the land via the pedestrian access-way running east-west through the middle of the land from Siding Avenue to Coxon Road to the satisfaction of the Responsible Authority.

Residential Development conditions:

31. Before the residential development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one (1) copy must be provided in electronic format. The plans must be generally in accordance with the previously approved (now superseded) plans but modified to show:
 - a) Residential Stage 1 plans containing the residential development only.
 - b) Evidence that Melbourne Water conditions 65, 66 & 68 have been satisfied.

To the satisfaction of the Responsible Authority.

32. The residential development must be constructed in accordance with the requirements, recommendations and details of the Sustainable Management Plan Lot 1 Siding Ave prepared by Leonie Dixon of F2 design to the satisfaction of the Responsible Authority.
33. Waste collection arrangements for the residential development must be in accordance with the

Waste Management Plan prepared by Low Impact Development Consulting, dated 30th November 2017.

34. Before the residential development is occupied, the owner of the land must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 to confirm waste collection arrangements for the residential development as informed by the approved waste management plan.

The agreement will be informed by the findings of the waste management plan and may provide that:

- a) all waste generated by the use of the land will be managed in accordance with the waste management plan for the land submitted to the Responsible Authority;
- b) the Owner acknowledges and agrees that the Responsible Authority is under no obligation to enter the land for the purpose of collecting waste;
- c) the Owner agrees to indemnify Cardinia Shire Council and its officers with respect to any injury or damage caused to any person (including the Council's officers) or property as a result of Council or its officers entering the land for the purpose of collecting waste; and
- d) the Owner acknowledges and agrees that, despite the waste collection arrangements that apply to the land, the Owner remains liable to pay the relevant waste collection levy.

The form and content of the agreement must be to the satisfaction of the Responsible Authority, and all costs relating to the preparation and registration of the agreement on title must be met by the permit holder. An application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.

Commercial Development conditions:

35. Before the commercial development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one (1) copy must be provided in electronic format. The plans must be generally in accordance with the Clarke Hopkins Clarke plans dated 15.10.2019 (ref. 190044) but modified to show:

- a) Left in / left out vehicular access arrangement at Siding Ave with triangular splitter island.
- b) Two (2) additional on-site car spaces adjacent to the kiosk on the roof development plan.
- c) Relocation of any proposed signs over windows away from windows.
- d) Material palette of external finishes.
- e) Notation on the plans stating kerbs within the waste collection vehicle swept path route will be kept to less than 150mm in height to allow waste collection vehicles to manoeuvre through the site in accordance with the waste management plan.
- f) Any changes as required by the amended Sustainable Management Plan at Condition 36.
- g) Evidence that Melbourne Water conditions 65, 66 & 68 have been satisfied.

To the satisfaction of the Responsible Authority.

36. Before the development commences, an amended Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be prepared by a suitably qualified person to the satisfaction of the Responsible Authority and one (1) copy must

be provided in electronic format. The Plan must be generally in accordance with the Sustainable Management Plan, by F2 Design dated 16 October 19 issue C but modified to show:

- a) Removal of any reference to 12,000 litres of rainwater storage. Rainwater storage of 16,000 litres is required, consisting of two 8,000 litre tanks.
- b) Full JV3 energy modelling and final energy inputs (JV3 model inputs in BESS) to confirm commitments outlined in the Sustainable Management Plan will be achieved.
- c) Copy of the Builder Users Guide to be provided to the Responsible Authority in addition to occupants.

The commercial development must be constructed in accordance with the requirements, recommendations and details of the Sustainable Management Plan to the satisfaction of the Responsible Authority.

37. Before the development commences, detailed engineering plans for any works in Siding Avenue including the triangular splitter island must be submitted to and approved by the Responsible Authority.

When approved, the plans will be endorsed and will then form part of the permit. Three copies of the plan must be drawn to a scale of 1:500 to acceptable drafting standards and an electronic copy (pdf) must be provided.

The plan must show:

- a. Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls,
 - b. Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for the construction and maintenance,
 - c. A table of offsets for all utility services and street trees.
38. Waste collection arrangements for the commercial development must be in accordance with the Waste Management Plan prepared by Salt, dated 11th September 2019.
39. All proposed front entry doors of commercial tenancies on the ground level must match the adjacent footpath levels.
40. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to residences to a level satisfactory to the Responsible Authority.
41. External lighting must be designed, baffled and located so as to prevent any adverse effect to residences and adjoining landholders to the satisfaction of the Responsible Authority.
42. Before the development is occupied a site management plan for the commercial premises must be submitted to and approved by the Responsible Authority. The site management plan must include the following, to the satisfaction of the Responsible Authority:
- a) Site security.
 - b) Provision of security cameras.
 - c) Details about managing graffiti and its removal.
 - d) Arrangements for managing the car park, landscape areas, deliveries and waste collection.
 - e) Arrangements for maintaining surveillance and views, including the maintenance of at least 60% of the glazing as unobstructed clear glazing enabling surveillance and views from buildings.
43. Unless with the prior written consent of the Responsible Authority, the commercial premises must operate in accordance with the approved site management plan and a copy must be included within any lease agreement to the satisfaction of the Responsible Authority.

44. Before the development is occupied, a report from a suitably qualified person must be submitted to the satisfaction of the Responsible Authority confirming that all measures as specified in the approved Sustainable Management Plan have been implemented.
45. The amenity of the area must not be detrimentally affected by the development through the:
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Emission of noise, artificial light, vibration, odours, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil;
 - c) Presence of vermin;
 - d) The appearance of the development;or in any other way, to the satisfaction of the Responsible Authority.
46. Noise levels emanating from the premises must not exceed those required to be met under the relevant Environment Protection Agency policy.
47. Except with the written consent of the Responsible Authority no external sound amplification equipment or loud speakers are to be used by the commercial tenancies for the purpose of announcement, broadcast, playing of music or similar purpose.
48. Nuisance must not be caused by the operation of the commercial premises to adjoining residents, including those within the development.
49. The gymnasium must not be used by more than 60 patrons at any one time except with the prior written consent of the Responsible Authority.
50. Any storage and handling of clinical and related wastes must comply with the Industry Code of Practice for the Management of Clinical and Related Wastes.
51. Any disposal of clinical and related wastes must comply with the requirements of the Environment Protection (Industrial Waste Resource) Regulations 2009.
52. All bins and receptacles used for the collection and storage of garbage, bottles and other solid wastes must be stored out of general view and storage areas maintained in a suitable condition to the satisfaction of the Responsible Authority.
53. The loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the subject land.
54. Loading and waste collection vehicles associated with the commercial development must not exceed 8.8m in length.
55. The areas set aside for car parking associated with the commercial development as shown on the endorsed plans must be made available for use free of charge to employees and visitors at all times and must not be used for any other purpose.
56. The development must operate in accordance with the requirements, recommendations and details of the approved Sustainable Management Plan to the satisfaction of the Responsible Authority.

Signage conditions:

57. The location and details of the signs, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
58. The content, colour, lettering style and materials of the signs must be to the satisfaction of the Responsible Authority.
59. The signs must be displayed and maintained to the satisfaction of the Responsible Authority.
60. The illumination of the signs as shown on the endorsed plans must not detrimentally affect the amenity of the area through the emission of unreasonable levels of light to the satisfaction of

the Responsible Authority.

61. The signs must not contain any flashing light.
62. No signs other than those allowed by this permit or the planning scheme may be displayed on the subject land without the further consent of the Responsible Authority.

Use of land to sell liquor conditions:

63. This permit allows for the sale of packaged liquor only from within the confines of the bottle shop.
64. The sale of packaged liquor associated with bottle shop may only occur during the following trading hours:
 - Monday-Sunday: 9.00am – 11.00pm

Melbourne Water conditions:

65. Prior to Council endorsement of plans, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
66. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses. Prior to Council endorsement of plans, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
67. Stormwater runoff from the development must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.
68. Prior to Council endorsement of plans, engineering plans of the development (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.
69. All new Building pads are to be filled to a minimum of 300mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
70. Prior to the issue of an Occupancy Permit, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
71. Alignment of roads, car parks and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
72. The development is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
73. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.
74. The developer is to negotiate with any downstream landowners to obtain a free draining outfall through their property. Approval is to be forwarded to Melbourne Water for our records prior to construction commencing.
75. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).
76. Prior to construction, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.

Expiry:

This permit will expire if one of the following circumstances applies:

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

The use of the land for the sale of packaged liquor expires if the use does not start within (2) years of the date of this permit or the use is discontinued for a period of two (2) years.

The signage on the land expires fifteen (15) years after the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Cd.

4 PLANNING SCHEME AMENDMENT ACTIVITY REPORT

FILE REFERENCE INT1991149

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Luke Connell

RECOMMENDATION

That the report be noted.

EXECUTIVE SUMMARY

The report provides an update on the status of active planning scheme amendments and planning scheme amendment requests received.

Status of active amendments

The following table provides details relating to planning scheme amendments that are currently being processed.

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C205	EDM Group	80 McDonalds Track Lang Lang	Rezone part of the land at 80 McDonalds Track, Lang Lang (Lot 3 on PS542732), and Lots 1 and 2 (PS542732) Westernport Road, Lang Lang, from Farming Zone to Industrial 1 Zone, apply Schedule 20 to the Development Plan Overlay to this land and concurrently consider, under Section 96A of the Planning and Environment Act 1987, a planning permit application to subdivide the land at 80 McDonalds Track, Lang Lang into two (2) lots.	Thu 02/11/2017	Mon 18/12/2017	Approved with changes and gazetted on 04/10/2019.
C222	XWB Consulting	85 McNamara Road, Bunyip	Amendment C222 proposes to: <ul style="list-style-type: none"> • rezone land from Farming Zone Schedule 1 (FZ1) to Low Density Residential Zone Schedule 3 (LDRZ3) (55 & 85 McNamara Road), • apply a Development Plan Overlay Schedule 21 (DPO 21) (85 McNamara Road), 	Thu 08/08/2019	Fri 06/09/2019	9 Dec 2019 Council Mtg – Request for Panel Week 20 Jan/2020 Directions Hearing Week 24 Feb/2020 Panel Hearing

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
			<ul style="list-style-type: none"> • apply a Design and Development Overlay Schedule 1 (DD01), and • delete the Environmental Significance Overlay Schedule 1 (ES01). 			
C226	Cardinia Shire Council	Lot 5 PS321195 67 Whiteside Rd Officer, Lot 2 PS327845 130 Whiteside Rd Officer and Lot PP PS746064 325 Princes Hwy Officer	Repair inconsistent policy in the Urban Growth Zone Schedule 3 (UGZ3) and the applied Schedule of the Rural Conservation Zone (RCZ) that prevents development in the 3 lots identified from occurring in line with the Officer Precinct Structure Plan (PSP) that was adopted by Council in 2011. The amendment proposes to add a Schedule to the RCZ removing the minimum subdivision requirements for the 3 sites identified, that would otherwise exist in the provision. This ensures there is a match between the policy intention of the PSP and the provisions in the UGZ3 and the applied zone (RCZ).	Thu 22/06/2017	Mon 24/07/2017	On 11/05/2018 Council received advice from DELWP stating that, based on new environmental risk regulations approved via Amendment VC140 on 12/12/2017, further work is required prior to the Minister considering the amendment. A draft Bushfire Development Report (June 2019) was received from Terramatrix. Council Officers have provided a response to the draft.
C228	Cardinia Shire Council	Pakenham Activity Centre	Apply the Activity Centre Zone (ACZ) to the Pakenham Activity Centre.	Thu 24/10/2019	Fri 06/12/2019	On exhibition ends 6 Dec
C229	Cardinia Shire Council	Tynong, Garfield and Bunyip	Apply the Environmental Significance Overlay (ESO) to Tynong, Bunyip and Garfield to facilitate the provision of habitat corridors for the Southern Brown Bandicoot.	Thu 21/11/2019	Fri 20/12/2019	Re-exhibition.
C205	Victorian Planning Authority	Officer Precinct	Implement the revised Officer Precinct Structure Plan (Amended February 2018) by making changes to the zone,	Thu 22/03/2018	Fri 27/04/2018	Adopted by VPA on 15/05/2019. Awaiting approval from the Minister for Planning.

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
			overlay and ordinance provisions of the Cardinia Planning Scheme.			
C234	Victorian Planning Authority and Cardinia Shire Council	Pakenham East Precinct	Incorporate the Pakenham East Precinct Structure Plan (PSP) and rezone the majority of land to Urban Growth Zone Schedule 5 (UGZ5) to facilitate the development of the land generally in accordance with the PSP, and make a number of other consequential changes to the Cardinia Planning Scheme to support the implementation of the PSP.	Thu 18/01/2018	Fri 23/02/2018	Adopted by VPA on 10/10/2018. Awaiting approval from the Minister for Planning. Subsequent feedback process initiated in mid-October for consideration of land north of power line easement by VPA.
C235	Planning Central	145 Rossiter Road, Koo Wee Rup	Rezone land from Farming Zone to Neighbourhood Residential Zone Schedule 1 (NRZ1). Apply a Development Plan Overlay Schedule 22 (DPO22), and corrects the mapping of the Heritage Overlay for the adjacent heritage property 'Shepton Mallet'.	Thu 27/06/2019	Fri 02/08/2019	Panel Hearing held on 22/11/2019.
C238	Cardinia Shire Council	Beaconsfield Precinct - Glismann Road and Old Princes Highway.	Rezone to General Residential Zone (Schedule 2) and introduce a Development Plan Overlay (DPO), a site specific Environmental Audit Overlay (EAO) and remove the Environment Significance Overlay 1 (ESO1). An ICP will be implemented at a later stage.			All Amendments lodged with DELWP who are reviewing prior to authorisation.
C240	Cardinia Shire Council	Koo Wee Rup Township	Implement the objectives of the Koo Wee Rup Township Strategy by applying Development Plan			Exhibition to commence last week of January 2020.

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
			Overlays 23 & 24 and Design and Development Overlays 8 & 9 over various precincts within Koo Wee Rup.			
C244	Cardinia Shire Council	Pakenham Activity Centre Parking Precinct	Implement the key objectives of the Pakenham Parking Precinct Plan (May 2018) by applying the Parking Overlay to the Pakenham Activity Centre.	Thu 04/10/2018	Tue 06/11/2018	Approved with changes by the Minister for Planning. Awaiting gazettal.
C249	Cardinia Shire Council	Various fix ups	To ensure the effective use of the Cardinia Planning Scheme	Thu 19/12/19	Mon 3/2/2020	Preparing exhibition.
C250	Cardinia Shire Council	Cardinia Shire	Implementation of Cardinia Planning Scheme Review 2018.	Thu 14/11/2019	Mon 16/12/2019	On exhibition.
C257	Cardinia Shire Council	53-65 Woods Street, Beaconsfield	Application of a DPO to 53-65 Woods Street, Beaconsfield			Drafting DPO and in consultation with landowner.
C260	Cardinia Shire Council	Extending the expiry date of the Pakenham AC Incorporated Provisions 20	Extending the expiry date of the Pakenham AC Incorporated Provisions 20 (4) while Amendment C228 progresses & controls remain in place			Submitted to the Minister for Planning for Approval 30/10/19.
C262	XWB Consulting	11 Thom Road, Lang Lang	Rezone 11 Thom Road, Lang Lang from FZ to NRZ1 to facilitate residential development			Reviewing submitted amendment documents.
C263	Cardinia Shire Council	Extending the expiry date of the Beaconsfield Structure Plan	Extending the expiry date of the Beaconsfield Structure Plan to ensure that controls remain in place while Amendment C257 progresses 20 (4)			Submitted to the Minister for Planning for Approval.
C264	Cardinia Shire Council	Cardinia Shire	To implement the Advertising Signage Policy into the Cardinia Planning Scheme			Undergoing consultation on the draft Advertising Signage Policy.

4 PLANNING SCHEME AMENDMENT ACTIVITY REPORT

Moved Cr J Owen Seconded Cr G Moore

That the report be noted.

Cd.

5 PLANNING ENFORCEMENT MATTERS (INCLUDING MAGISTRATES' COURT PROSECUTIONS)

FILE REFERENCE INT1991147

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Owen Hardidge

RECOMMENDATION

That the list of enforcement matters currently before VCAT and the Magistrates' Court (and the County Court) be noted.

EXECUTIVE SUMMARY

The following list of enforcement matters currently before VCAT & the Magistrates' Court is submitted for Councillors information.

BACKGROUND

Where breaches of the Planning Scheme are detected, the breaches may give rise to criminal liability, which may result in infringements being issued, or charges being filed in the Magistrates Court of Victoria.

If Council cannot obtain appropriate remediation by consent, Council undertakes enforcement action at the Victorian Civil and Administrative Tribunal (VCAT).

VCAT enforcement actions will usually be delayed until Magistrates' Court proceedings are completed.

These matters can take several forms and the following are the usual steps in the enforcement process.

CURRENT ENFORCEMENT CASES

The following list indicates such enforcement activities that are currently before VCAT or the Magistrates' Court.

Property Address	Nature of Contravention	Status
765 Gembrook Rd, Pakenham Upper (OH:LK:16299)	Native vegetation removal, and earthworks creating driveway and hardstand, in breach of Rural Conservation Zone – Schedule 2, Environmental Significance Overlay Schedule 1, and Clause 52.17	Magistrates' Court proceeding, alleging that the owner has conducted earthworks that require a permit, and cleared native vegetation, both without a permit. Contested hearing commenced on 13 November 2019, and is adjourned "part-heard" to 18 th December 2019.
13-15 Carney St, Koo Wee Rup OH:JALF:19446	Use of the land as a store, without a planning permit, contrary to the Commercial 1 Zone.	VCAT made an enforcement order (by consent) on 12 November 2019, ordering the owner to remove remaining items from the land, and to pay Council costs. The owner of the land has been co-operative with the Council. The occupier (who was undertaking the unpermitted use) is no longer in occupation of the land.)
112 Murray Rd, Cora Lynn JALF:JALF:19463	Use of the land for the purpose of a dwelling, without a planning permit, and alteration and use of a building (approved by planning permit T020163) contrary to the conditions of the permit.	VCAT enforcement order application was listed for Practice day hearing on 30 August 2019, and will be listed for administrative mention on 29 November 2019.

CONCLUSION

The list of current enforcement activities is presented for information.

Glossary of terms

Practice day hearing

This is the first stage of the VCAT process, and is held shortly after the application is lodged. It is used to assess the future path of the case, and determine if the case can be settled, or will need to proceed to a full hearing.

Mention hearing

A mention hearing is a brief hearing, where the Court or VCAT lists the matter for brief hearing. If the case can be dealt with swiftly, it will be dealt with at a Mention hearing. For more lengthy matters (such as contested hearings) the case will be further adjourned. In the Magistrates' Court, the Court may hear a "guilty plea" during a mention hearing.

Administrative Mention

Administrative Mention is a hearing held without the parties in attendance and requires written correspondence from both parties to update the Member on the process of the matter.

Adjournment

A court or Tribunal will adjourn a case when the matter is deferred until another date. This can occur for a number of reasons, and is at the discretion of the Magistrate or VCAT member.

Land Management Plan

These plans are used to describe actions that will remediate the land, and commonly describe rehabilitation following unlawful vegetation removal. This plan will then become mandatory, by being incorporated into an Enforcement Order or a Section 173 agreement. The contents of the Plan will be decided by Council's Environment Team, or Vegetation Management officer.

Contested hearing / Full hearing

A contested (or "full" hearing) means the matter is disputed by the accused/respondent, and Council and the respondent will fully present and test each other's evidence and/or submissions. A contested (of "full") hearing is effectively a "trial".

Consent Orders

Consent Orders are an agreement between Council and the Respondents to, in most cases, create an Enforcement Order with conditions that are agreed to by both Parties. This is done where a Respondent has accepted there has been a breach of the Act and wants to comply with Council's proposed Enforcement Order. This saves on time and money by avoiding a hearing or lengthy VCAT processes.

5 PLANNING ENFORCEMENT MATTERS (INCLUDING MAGISTRATES' COURT PROSECUTIONS)

Moved Cr J Owen Seconded Cr G Moore

That the list of enforcement matters currently before VCAT and the Magistrates' Court (and the County Court) be noted.

Cd.

6 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATION AUTHORITY

FILE REFERENCE INT1991157

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Debbie Tyson

RECOMMENDATION

That the report be noted.

EXECUTIVE SUMMARY

The following matters have been dealt with under delegated powers since the last report to Council.

Central Ward

Date	Permit No	Location	The Proposal	The Decision	Lodged Date
14/08/2019	T190252	Galton Walk, Pakenham VIC 3810	Proposed single dwellings	Lapsed	14 May 2019
14/08/2019	T190046	4 Snodgrass Street, Pakenham VIC 3810	Development of the land for three (3) dwellings	NOD	30 January 2019
14/08/2019	T190103	26 Rogers Street, Pakenham VIC 3810	Development of the land for three (3) dwellings	Issued	21 February 2019
16/08/2019	T190341	20 Cumberland Drive, Pakenham VIC 3810	Subdivision of the land into two (2) lots (in accordance with development permit T160329)	Issued	17 June 2019
20/08/2019	T190314	15 Station Street, Pakenham VIC 3810	Subdivision of the land into two (2) lots (in accordance with development permit T170261)	Lapsed	29 May 2019
21/08/2019	T190066	212 Princes Highway & 9 Carlyle Street, Pakenham VIC 3810	Use of the land for a vehicle store	Issued	06 February 2019
21/08/2019	T190072	22 Solid Drive, Pakenham VIC 3810	Development of the land for a dwelling, earthworks and boundary fencing	Issued	08 February 2019
23/08/2019	T190401	140 Main Street, Pakenham VIC 3810	Business identification signage (external signage/media screen)	Issued	17 July 2019
26/08/2019	T190465	7 Donday Court, Pakenham VIC 3810	Subdivision of Land into Two Lots, in accordance with the approved Development Permit / Plans.	Withdrawn	06 August 2019
27/08/2019	T190409	Mulcahy Road, Pakenham VIC 3810	Development of land for self storage units (store)	Issued	08 July 2019
28/08/2019	T190141 - PC1	Station Street, Pakenham VIC 3810	Subdivision of the land into 132 lots and the creation of a reserve	Withdrawn	28 June 2019
28/08/2019	T190141 - PC2	Station Street, Pakenham VIC 3810	Section 173 Agreement	Issued	02 August 2019
3/09/2019	T190480	77-79 Henry Street, Pakenham VIC 3810	Amendment to Planning Permit T180415 to remove No.81 Henry Street from the subject site boundary, delete condition 2, omit the small office space, relocate and marginally reduce the overall size of the supermarket, relocate the loading bay and subsequent amendments to the parking layout	Withdrawn	02 September 2019
4/09/2019	T180585	17 Hound Court, Pakenham VIC 3810	Development of the land for two (2) dwellings	Issued	03 September 2018
4/09/2019	T190417	12 Rogers Street, Pakenham VIC 3810	Subdivision of the land into four (4) lots	Issued	12 July 2019
5/09/2019	T190027 - PC1	125 Mulcahy Road, PAKENHAM VIC 3810	WMP	Issued	26 July 2019
10/09/2019	T190257	1 Meeking Drive, Pakenham VIC 3810	Use and development of the land for a second dwelling	Issued	16 May 2019
11/09/2019	T190305	FY 2/5 Embrey Court, Pakenham VIC 3810	Use of site for a restricted recreation facility	Issued	24 May 2019
12/09/2019	T180012 - PC1	2 Meeking Drive, Pakenham VIC 3810	To Subdivide land into two lots	Withdrawn	22 July 2019

11/09/2019	T190495	2 Galton Walk, Pakenham VIC 3810	(2, 4, 6, 8, 10, 14 & 16 Galton Walk) PROPOSED DWELLINGS	Withdrawn	26 August 2019
18/09/2019	T190139	600 Brown Road, Officer VIC 3809	Subdivision of land	Issued	14 March 2019
19/09/2019	T180454	Princes Highway, Pakenham VIC 3810	Use and development of the land, in stages, for a place of assembly (cinema), food & drink premises, medical centre, shops (including discount department store and supermarket), creation of easements, signage, reduction in car parking, sale & consumption of liquor and, to create & alter access to a Road Zone Category 1	Refused	23 July 2018
19/09/2019	T190160	38 Eagle Drive, Pakenham VIC 3810	Buildings and works associated with the construction of a second dwelling	NOD	26 March 2019
20/09/2019	T190141 - 1	Station Street, Pakenham VIC 3810	Subdivision of the land into 132 lots and the creation of a reserve	Withdrawn	07 August 2019
24/09/2019	T190139 - PC1	600 Brown Road, Officer VIC 3809	PC1 - (Con. 11 BDG)	Issued	18 September 2019
25/09/2019	T180143 - PC1	37, 39, 41 & 43 Rogers Street, Pakenham VIC 3810	Construction of fifty-four (54) dwellings and native vegetation removal.	Issued	01 July 2019
25/09/2019	T190139 - PC2	600 Brown Road, Officer VIC 3809	PC2 - (Con. 08 PIP)	Issued	18 September 2019
26/09/2019	T170261 - 1	Station Street, Pakenham VIC 3810	Amendment to T170261 to allow the development in stages, amend plans and permit conditions	Issued	07 August 2019
30/09/2019	T190108	110 Army Road, Pakenham VIC 3810	Development of the land for 30 dwellings	NOD	25 February 2019
30/09/2019	T190521	7 Kate Court, Pakenham VIC 3810	Subdivision of land into two (2) lots	Issued	12 September 2019
7/10/2019	T170802 - PC1	43 & 45 Princes Highway, Pakenham VIC 3810	Use and development of the land for the purposes of a childcare centre and alteration of access to a road in Road Zone, Category 1.	Issued	30 July 2019
11/10/2019	T180428 - PC2	Aspen Street, Pakenham VIC 3810	Development of land for nineteen (19) dwellings and subdivision of land	Withdrawn	23 May 2019
11/10/2019	T190604	4-6 Olympic Drive, PAKENHAM VIC 3810	Copy of planning permit	Withdrawn	11 October 2019
15/10/2019	T190029 - PC1	35 Mary Street, Pakenham VIC 3810	Buildings and works associated with an existing poultry hatchery and caretaker's house	Issued	21 August 2019
15/10/2019	T190072 - PC1	22 Solid Drive, Pakenham VIC 3810	Development of the land for a dwelling, earthworks and boundary fencing	Issued	23 August 2019
16/10/2019	T180822	21 King Street, Pakenham VIC 3810	Development of eight (8) dwellings	NOD	17 December 2018
16/10/2019	T190437	Services Central, 6B Henry Street, Pakenham VIC 3810	Display of business identification signage	Issued	24 July 2019
21/10/2019	T180827 - PC1	17 Cunningham Crescent, Pakenham VIC 3810	Development of the land for a second (double storey) dwelling	Issued	20 August 2019
22/10/2019	T190427	Lot TT PS728893 (Proposed Lots 88 & 89 PS823245) Southeast Boulevard, Pakenham VIC 3810	Development of the land for three (3) warehouses and associated works	Issued	19 July 2019
24/10/2019	T190029 - PC2	35 Mary Street, Pakenham VIC 3810	Buildings and works associated with an existing poultry hatchery and caretaker's house	Issued	22 October 2019
24/10/2019	T190218	Tncy 4/1280 Koo Wee Rup Road, Pakenham VIC 3810	Display of an electronic sign	Issued	29 April 2019
8/11/2019	T190461	Shop 4/114 Princes Highway, Pakenham VIC 3810	Use of the land as an indoor recreation facility (swim school) and display of signage	Issued	05 August 2019
11/11/2019	T190042 - 1	36-40 Gallery Way, Pakenham VIC 3810	I request that the wording of the Permit be amended to allow: "Multi lot subdivision of the land in stages."	Withdrawn	01 November 2019

Port Ward

Date	Permit No	Location	The Proposal	The Decision	Lodged Date
14/08/2019	T180180 - PC2	27 Pinehill Drive, Pakenham VIC 3810	Subdivision of the land into two (2) lots and removal of vegetation	Issued	04 April 2019



TOWN PLANNING COMMITTEE - 2 DECEMBER 2019

14/08/2019	T190304	3480 Princes Highway, Bunyip VIC 3815	Use of the land for Animal keeping (dog breeding) and associated buildings and works	Issued	24 May 2019
14/08/2019	T190338	330 Sanders Road, Bunyip North VIC 3815	Development of the land for an outbuilding (machinery shed)	Issued	13 June 2019
14/08/2019	T190355	150 Bassed Road, Garfield North VIC 3814	Development of the land for an outbuilding (shed)	Issued	20 June 2019
14/08/2019	T190454	195 Garfield North Road, Garfield North VIC 3814	Development of the land for a building (shed) associated with agriculture (fire-affected property)	Issued	29 July 2019
15/08/2019	T190299	115 Leask Road, Tonimbuk VIC 3815	Buildings and works associated with the construction of a dwelling, outbuilding and associated vegetation removal	Issued	27 May 2019
15/08/2019	T190399	76 Leask Road, Tonimbuk VIC 3815	Development of the land for a replacement dwelling	Issued	04 July 2019
15/08/2019	T190410	90 Sanders Road, Garfield North VIC 3814	Buildings and works associated with three (3) outbuildings	Withdrawn	09 July 2019
15/08/2019	T190418	35 Butler Road, Bunyip VIC 3815	Development of the land for a replacement outbuilding	Issued	15 July 2019
16/08/2019	T190276	4 Kevis Court, Garfield VIC 3814	Development of land for a second dwelling	Lapsed	21 May 2019
16/08/2019	T190325	LTT PS728893, (Future Lot 19 PS823245), 28 Southeast Boulevard, Pakenham VIC 3810	Subdivision of the land into three (3) lots	Issued	04 June 2019
16/08/2019	T190358	55 Wallaby Court, Garfield North VIC 3814	Development of the land for an outbuilding (shed)	Issued	20 June 2019
16/08/2019	T190403	370 Sanders Road, Bunyip North VIC 3815	Use and development of the land for a dwelling	Issued	05 July 2019
20/08/2019	T170776 - PC2	91 Gainsborough Avenue, Lang Lang VIC 3984	Multi lot subdivision and associated works	Issued	03 December 2018
20/08/2019	T190172	24 Racecourse Road, Nar Nar Goon VIC 3812	Development of the land for an outbuilding (shed)	Lapsed	26 March 2019
21/08/2019	T190354	210 Old Sale Road, Garfield North VIC 3814	Development of the land for an outbuilding (replacement)	Issued	20 June 2019
21/08/2019	T190446	45 Tonimbuk Road, Bunyip North VIC 3815	Development of the land for an agricultural building (shed)	Issued	26 July 2019
22/08/2019	T180452	Jeffers Road, Cora Lynn VIC 3814	Use and development of the land for a dwelling, outbuildings, rainwater tanks	NOD	18 July 2018
22/08/2019	T180513	3545 Ballarto Road, Bayles VIC 3981	Development of land for four (4) buildings (two (2) shipping containers, a relocatable office and detached WC) and extension of an existing outbuilding (shed)	NOD	14 August 2018
23/08/2019	T180555 - PC1	15 Henry Street, Koo Wee Rup VIC 3981	Development of the land for a second dwelling	Issued	24 June 2019
23/08/2019	T180836	Centenary Boulevard, Officer South VIC 3809	Subdivision of the land in stages and the development of multi-dwellings in stages including ancillary clubhouse and maintenance shed and associated works in accordance with the approved plans.	Issued	12 December 2018
23/08/2019	T190226 - PC1	29 Tarmac Way, Pakenham VIC 3810	Development of the land for two (2) warehouses with ancillary offices, and a reduction of car parking	Issued	29 July 2019
26/08/2019	T190434	43 Westernport Road, Lang Lang VIC 3984	Business identification signage	Issued	22 July 2019
27/08/2019	T180505 - PC1	254 Snell Road, Nar Nar Goon North VIC 3812	Buildings and works (new building and boardwalks) associated with an existing Accommodation facility	Issued	27 May 2019
27/08/2019	T190151	525 Tynong North Road, Tynong North VIC 3813	Development of the land for an office administration building	Issued	19 March 2019
27/08/2019	T190506	20 Haynes Close, Bunyip VIC 3815	residential	Withdrawn	26 August 2019
29/08/2019	T190221 - PC1	15 Agnoletto Court, Bunyip VIC 3815	Development of a dwelling and associated works.	Issued	13 August 2019
29/08/2019	T190510	77 Wattletree Road, Bunyip VIC 3815	Development of the land for an outbuilding	Issued	23 August 2019
30/08/2019	T190077	80 Hope Street, Bunyip VIC 3815	Subdivision of the land into three (3) lots	Issued	12 February 2019
2/09/2019	T190497	42 Gainsborough Avenue, Lang Lang VIC 3984	construction of domestic outbuilding	Withdrawn	19 August 2019
2/09/2019	T190498	5115 South Gippsland Highway, Lang Lang VIC 3984	Buildings and works associated with a carport	Issued	20 August 2019
3/09/2019	T180062 - 1	335 McCraws Road, Catani VIC 3981	Amendment to Planning Permit and endorsed plans associated with T180062 to allow for additional filling of the land	Withdrawn	29 October 2018



TOWN PLANNING COMMITTEE - 2 DECEMBER 2019

4/09/2019	T190248	39 Commercial Drive, Pakenham VIC 3810	Subdivision of the land into nineteen (19) lots	Issued	18 June 2019
4/09/2019	T190268	275 Lone Pine Road, Garfield VIC 3814	Development of the land for a dwelling extension	Issued	13 May 2019
4/09/2019	T190320	1540 Westernport Road, Heath Hill VIC 3981	Development of the land for an outbuilding (shed) and associated works (earthworks)	Issued	30 May 2019
4/09/2019	T190436	566 Ellis Road, Tonimbuk VIC 3815	Development of the land for a building associated with agriculture (stables)	Issued	23 July 2019
4/09/2019	T190518	5 Milla Way, Koo Wee Rup VIC 3981	Construct a second vehicle crossing on property as requested by council in correspondence dated 7 June 2019	Withdrawn	30 August 2019
5/09/2019	T180558 - 1	Hill Street, Pakenham VIC 3810	The development of multiple warehouses, variation to the car parking requirements of Clause 52.06 and associated works in accordance with the submitted plans.	Issued	31 July 2019
5/09/2019	T190178	355 Pooles Road, Lang Lang East VIC 3984	Development of a dwelling extension	Issued	29 March 2019
5/09/2019	T190224	15 Chaffey Grove, Officer South VIC 3809	single residential dwelling	Withdrawn	24 April 2019
5/09/2019	T190344	230 Jolley Road, Tonimbuk VIC 3815	Development of the land for an outbuilding (shed)	Issued	17 June 2019
6/09/2019	T190318	Peet Street, Pakenham VIC 3810	Development of the land for three (3) warehouses with ancillary offices	Issued	13 June 2019
6/09/2019	T190405	25 School Road, Bayles VIC 3981	Development of the land for a dwelling	Issued	06 July 2019
6/09/2019	T190412	415 Dore Road, Nar Nar Goon North VIC 3812	Buildings and works associated with the construction of a building associated with agriculture	Issued	09 July 2019
10/09/2019	T180062 - PC1	335 McCraws Road, Catani VIC 3981	Use and development of the land for a dwelling and associated earthworks	Issued	24 May 2018
11/09/2019	T180198 - PC2	1 Maughan Road, Koo Wee Rup VIC 3981	Section 173 Agreement - Subdivision of the land into three (3) lots	Issued	24 January 2019
11/09/2019	T190253	215 Jeffers Road & 190 Murray Road, Cora Lynn VIC 3814	Realignment of boundaries between two (2) lots	Issued	07 May 2019
11/09/2019	T190509	398 Tonimbuk Road, Tonimbuk VIC 3815	Development of the land for an agricultural shed	Issued	23 August 2019
12/09/2019	T040408 - PC1	Drovers Place, Pakenham Victoria 3810	Waste recycling & composting facility	Withdrawn	12 September 2018
12/09/2019	T190212	15 Barrington Drive, Pakenham VIC 3810	Variation of restrictive covenant	Issued	15 May 2019
12/09/2019	T190263	1455 Westernport Road, Heath Hill VIC 3981	Re-subdivision of the land (two lot boundary re-alignment)	Issued	07 May 2019
12/09/2019	T190445	62 Cameron Way, Pakenham VIC 3810	Liquor Licence	Issued	30 July 2019
13/09/2019	T190278 - PC1	30 Bourke Road, Pakenham VIC 3810	Use and development of the land for Rural Industry and reduction in requirements of Clause 52.34 (bicycle facilities)	Issued	15 August 2019
13/09/2019	T190278 - PC2	30 Bourke Road, Pakenham VIC 3810	Condition 2	Issued	28 August 2019
13/09/2019	T190309	52-54 Peet Street, Pakenham VIC 3810	Construction and display of two (2) major promotional signs (one floodlit and one electronic)	Issued	28 May 2019
13/09/2019	T190352	24 Gardner Street, Koo Wee Rup VIC 3981	Subdivision of land into three (3) lots	Issued	20 June 2019
18/09/2019	T190290	Exchange Drive (future Lot 38 Greenhills Boulevard), Pakenham VIC 3810	Development of land for an industrial building	Issued	20 May 2019
18/09/2019	T190471	45 Tonimbuk Road, Bunyip North VIC 3815	Use and development of the land for a dwelling and associated earthworks	Issued	08 August 2019
18/09/2019	T190527	90 Michell Road, BUNYIP NORTH VIC 3815	Development of the land for two (2) outbuildings	Issued	06 September 2019
20/09/2019	T190455	47 Westernport Road, Lang Lang VIC 3984	We would like to apply to vary our existing permit of 80 patrons to 120 patrons.	Withdrawn	20 September 2019
24/09/2019	T180340 - 1	84 Railway Avenue, Tynong VIC 3813	Amendment to planning permit T180340 to alter condition 7 to include a condition to defer the Public Open Space Contribution to a later date via a Section 173 Agreement	Issued	09 August 2019
24/09/2019	T180395 - PC1	3460 Ballarto Road, Koo Wee Rup VIC 3981	Use and development of the land for a replacement dwelling, an outbuilding and a farm building, alteration of access to a Road Zone	Issued	18 July 2019

			Category 1, and associated earthworks		
24/09/2019	T190212 - PC1	15 Barrington Drive, Pakenham VIC 3810	Variation of restrictive covenant	Issued	18 September 2019
24/09/2019	T190270	140 Walkers Drain Road, Garfield VIC 3814	Development of the land for one (1) outbuilding associated with a dwelling and one (1) outbuilding associated with agriculture	Issued	09 May 2019
24/09/2019	T190332	185 Linehams Road, Catani VIC 3981	Development of the land for an outbuilding	Issued	11 June 2019
25/09/2019	T180721 - PC1	26-28 Mary Street, Bunyip VIC 3815	Condition 1	Issued	26 June 2019
25/09/2019	T180816 - PC1	15 Nar Nar Goon- Longwarry Road, Garfield VIC 3814	Condition 1A, B & C of Planning Permit T180816. Reason for Revision: Rewording of Condition 9. Below is a condition relating to a two lot subdivision that I have modified: Under the Subdivision Act 1988, a sum equivalent to 8 per cent of the site value of all the subject land in the subdivision must be paid to the Responsible Authority. OR The owner of the land must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to provide for the following: i. Unless otherwise agreed to in writing by the Responsible Authority, Lots 1, 2 or 3 on the plan of subdivision approved by Planning Permit T180816 must not be subdivided unless a sum equivalent to 8 per cent of the site value of all the subject land in the subdivision is paid to the Responsible Authority. An application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act. The land owner under this permit must pay the reasonable costs incurred by the Responsible Authority in the preparation or review, execution and registration of the Section 173 Agreement.	Issued	30 May 2019
25/09/2019	T190251	24 Warren Road, Nar Nar Goon North VIC 3812	Development of the land for an outbuilding (shed)	NOD	02 May 2019
25/09/2019	T190462	15 Henry Street, Koo Wee Rup VIC 3981	Subdivision of the land into two (2) lots (in accordance with development permit T180555)	Issued	05 August 2019
26/09/2019	T180798	34-36 Tynong Road, TYNONG VIC 3813	Re-subdivision of the land into two (2) lots (boundary realignment)	Issued	17 December 2018
26/09/2019	T190193	96 Gainsborough Avenue, Lang Lang VIC 3984	Development of the land for an outbuilding	Issued	08 April 2019
1/10/2019	T190430	150 Warren Road, Nar Nar Goon North VIC 3812	Proposed stable	Lapsed	20 July 2019
2/10/2019	T190343	1550 Princes Highway, Nar Nar Goon VIC 3812	Undertake earthworks in the Farming Zone, Schedule 1 (FZ1).	Lapsed	19 June 2019
3/10/2019	T190209 - PC1	24 Industrial Drive, Pakenham VIC 3810	Development of the land for a warehouse (associated with motor repairs), ancillary office, display of business identification signage and reduction in car parking.	Issued	18 July 2019
3/10/2019	T190342	34 Shinnars Close, Bunyip VIC 3815	Earthworks	Issued	14 June 2019
4/10/2019	T190551	175 Bridal Road, Tonimbuk VIC 3815	Development of the land for an Agricultural building and associated earthworks	Issued	12 September 2019
7/10/2019	T190383	60 Leeson Street, Officer South VIC 3809	Development of the land for a dwelling on a lot less than 350 square metres	Issued	10 July 2019
7/10/2019	T190384	58 Leeson Street, Officer South VIC 3809	Development of the land for a dwelling on a lot less than 350 square metres	Issued	10 July 2019
7/10/2019	T190385	64 Leeson Street, Officer South VIC 3809	Development of the land for a dwelling on a lot less than 350 square metres.	Issued	10 July 2019
7/10/2019	T190386	66 Leeson Street, Officer South VIC 3809	Development of the land for a dwelling on a lot less than 350 square metres	Issued	10 July 2019
7/10/2019	T190387	54 Leeson Street, Officer South VIC 3809	Development of the land for a dwelling on a lot less than 350 square metres	Issued	10 July 2019
7/10/2019	T190388	56 Leeson Street, Officer South VIC 3809	Development of the land for a dwelling on a lot less than 350 square metres	Issued	10 July 2019
7/10/2019	T190389	62 Leeson Street, Officer South VIC 3809	Development of the land for a dwelling on a lot less than 350 square metres	Issued	10 July 2019
7/10/2019	T190511	20 Haynes Close, Bunyip VIC 3815	Development of the land for a dwelling with associated earthworks	Issued	26 August 2019
8/10/2019	T160539	80 McDonalds Track, LANG LANG VIC 3984	Two (2) lot subdivision to accord with zone boundaries (Section 96A with pending Scheme Amendment C205)	Issued	23 August 2016
8/10/2019	T180003 - 1	Industrial Drive, Pakenham VIC 3810	Buildings and works for a service station and associated workshop and truck wash, twenty-two (22) warehouses and two (2) convenience restaurants; Use of the land for two (2) convenience restaurants; Create and alter access to a road in a Road Zone Category 1; Display of signage	Issued	02 July 2019

			including internally-illuminated signs		
9/10/2019	T190334	63 Garfield Road, Garfield VIC 3814	Development of the land for three (3) outbuildings (garage, pool house and shed) and an addition to an existing outbuilding	Issued	12 June 2019
9/10/2019	T190578	26 Main Street, Bunyip VIC 3815	Three Lot Subdivision, removal of the building envelope restriction from Lot 3 on PS617830S created in PS617830S.	Withdrawn	30 September 2019
9/10/2019	T190601	120 Wright Road, Garfield North VIC 3814	Development of the land for an outbuilding and a building associated with agriculture (hay shed)	Issued	04 October 2019
10/10/2019	T190129	250 Tooradin Station Road & 15 Hardys Road, Tooradin VIC 3980	Re-alignment of boundaries between two lots	Issued	05 March 2019
10/10/2019	T190466	1195 Murray Road, Bunyip VIC 3815	Development of a shed associated with the agricultural use of the land	Issued	05 August 2019
10/10/2019	T190456	29-31 Riverside Avenue, Bunyip VIC 3815	Development of the land for an outbuilding	Withdrawn	30 July 2019
11/10/2019	T190420	Campbell Street, Pakenham VIC 3810	Buildings and works (installation of four (4) geostone bins associated with current concrete batching plant)	Issued	24 July 2019
15/10/2019	T180279 - PC2	3 Morris Way, Bunyip VIC 3815	Condition 1	Issued	03 May 2019
16/10/2019	T170760 - PC1	770 Five Mile Road, Nar Nar Goon VIC 3812	Use of the land and earthworks associated with the disposal of clean fill	Issued	23 July 2019
16/10/2019	T180003 - 2	44 Exchange Drive (formerly Industrial Drive), Pakenham VIC 3810	Buildings and works for a service station and associated workshop and truck wash, twenty-two (22) warehouses and two (2) convenience restaurants; Use of the land for two (2) convenience restaurants; Create and alter access to a road in a Road Zone Category 1; Display of signage including internally illuminated signs	Issued	07 August 2019
16/10/2019	T180003 - PC1	44 Exchange Drive (formerly Industrial Drive), Pakenham VIC 3810	Buildings and works for a service station and associated workshop and truck wash, eighteen (18) warehouses and two (2) convenience restaurants; Use of the land for two (2) convenience restaurants; Create and alter access to a road in a Road Zone Category 1; Display of signage including internally-illuminated signs	Issued	08 October 2019
16/10/2019	T190585	15 Topp Road, Tonimbuk VIC 3815	Development of the land for an agricultural building (hay shed)	Issued	26 September 2019
17/10/2019	T190216	47 Mirrabooka Road, Maryknoll VIC 3812	Extension of a single storey dwelling, buildings and works for a pool and outbuilding, and associated earth works	Issued	16 April 2019
17/10/2019	T190256 - PC1	13 Agnoletto Court, Bunyip VIC 3815	Buildings and works associated with a dwelling	Issued	19 August 2019
17/10/2019	T190362	45A Jury Road, Tynong North VIC 3813	Development of the land for two (2) outbuildings	Issued	20 June 2019
17/10/2019	T190545	19 Henry Road, Bunyip VIC 3815	Buildings and works associated with the construction of a dwelling (earthworks exceeding 1 metre)	Issued	11 September 2019
17/10/2019	T190558	2B Pinehill Drive, Pakenham VIC 3810	Development of the land for an outbuilding (shed)	Issued	23 September 2019
21/10/2019	T170771 - PC1	8-10 Stacey Street, Bunyip VIC 3815	1A, 1B, 1C & 1D.	Issued	24 June 2019
21/10/2019	T190349 - PC1	Lot TT PS728893, Southeast Boulevard (Future Lot 1 PS823245, 47 Commercial Drive), Pakenham VIC 3810	Development of the land for three (3) warehouses and associated works	Issued	19 August 2019
21/10/2019	T190407	130 Trevor Road, Nar Nar Goon North VIC 3812	Development of the land for an outbuilding	Issued	07 July 2019
22/10/2019	T150641 - 2	895 Bunyip River Road, Vervale Victoria 3814	To continue the use and development of the land for a dwelling (replacement) and development of an outbuilding and watertanks	Issued	10 July 2019
22/10/2019	T180594	42 Tarmac Way, Pakenham VIC 3810	Subdivision of the land into four (4) lots	Issued	09 September 2018
22/10/2019	T180813 - PC1	1550 & 1560 Princes Highway, Nar Nar Goon VIC 3812	Realignment of boundaries between three (3) lots, the variation of a carriageway easement shown as A-1 on Plan of Subdivision 547978 and as E-1 on Plan of Subdivision 308950F and two existing dwellings on proposed Lot 1	Issued	03 October 2019
22/10/2019	T190428	Lot TT PS728893 (Proposed Lot 22 PS823245E) Southeast Boulevard, Pakenham VIC 3810	Development of the land for four (4) warehouses, a reduction in car parking and associated works	Issued	26 July 2019

22/10/2019	T190613	55 Bridal Road, Tonimbuk VIC 3815	Development of the land for an agricultural outbuilding (shed)	Issued	10 October 2019
22/10/2019	T190631	85 National Avenue, Pakenham VIC 3810	Building and works for warehouse development with ancillary office	Withdrawn	22 October 2019
22/10/2019	T190646	20 Auto Way, Pakenham VIC 3810	Business Identification Signage	Withdrawn	22 October 2019
23/10/2019	T180816 - 1	15 Nar Nar Goon-Longwarry Road, Garfield VIC 3814	Subdivision of the land into three (3) lots	Issued	08 August 2019
23/10/2019	T190151 - PC1	525 Tynong North Road, Tynong North VIC 3813	Development of the land for an office administration building	Issued	25 September 2019
24/10/2019	T190039	11 Kevis Court, Garfield VIC 3814	Development of a second dwelling on a lot	NOD	29 January 2019
24/10/2019	T190307	615 Railway Avenue, Garfield VIC 3814	Use and development of the land for a dwelling	Issued	28 May 2019
24/10/2019	T190457	365 Seven Mile Road, Nar Nar Goon VIC 3812	Development of the land for an outbuilding and associated works	Issued	02 August 2019
24/10/2019	T190615	445 Ellis Road, Tonimbuk VIC 3815	Development of the land for an agricultural building	Issued	10 October 2019
28/10/2019	T190453	23 Princess Street, Bunyip VIC 3815	Subdivision of the land into two (2) lots	Issued	01 August 2019
29/10/2019	T160776 - PC2	11 Pinehill Drive, Pakenham VIC 3810	Plans have been revised to be in accordance with Condition 1a, b, c and d of Permit T160776. Reason for Revision: The Plan of Subdivision has been amended to show the driveway width as 6m, as requested by our Client and further to a discussion with Council. In addition to this Lot 1 has been removed from the Owners Corporation Schedule. Reason for Revision: Condition 1	Issued	28 May 2018
29/10/2019	T190398	210 Ellis Road, Tonimbuk VIC 3815	additions to the dwelling, development of the land for an building associated with agriculture and earthworks associated with a dam	Issued	04 July 2019
29/10/2019	T190580	150 Warren Road, Nar Nar Goon North VIC 3812	Development of the land for an outbuilding (shed)	Issued	01 October 2019
29/10/2019	T190640	2705 Princes Highway, Tynong North VIC 3813	Conduct a music event on 30 November 2019	Withdrawn	18 October 2019
30/10/2019	T160292 - 1	352-354 Rossiter Road, Koo Wee Rup VIC 3981	Use and development of the land for a two (2) storey building for the purpose of a medical centre, alteration of access to RDZ1, use as a restricted recreational facility and associated car parking	NOD	08 August 2019
30/10/2019	T190605	Browning Road, Nar Nar Goon VIC 3812	Development of the land for an outbuilding (carport)	Issued	08 October 2019
31/10/2019	T190414	Exchange Drive (proposed Lots 26 & 27), Pakenham VIC 3810	Buildings and works associated with Industry (Machinery sales and repairs) and display of signage	Issued	11 July 2019
6/11/2019	T190307 - PC1	615 Railway Avenue, Garfield VIC 3814	Use and development of the land for a dwelling	Issued	28 October 2019
11/11/2019	T190433	145 Carses Road, Iona VIC 3815	Development of the land for a shed to be used in conjunction with the agricultural use of the land	Issued	10 July 2019
11/11/2019	T190614	525 Tonimbuk Road, Tonimbuk VIC 3815	Development of the land for a building associated with agriculture (hay shed)	Issued	10 October 2019
12/11/2019	T190068 - 1	350 McDonalds Track, Lang Lang VIC 3984	Change location of extraction area to better location on site	Withdrawn	12 November 2019
12/11/2019	T190593	580 Monomeith Road, Monomeith VIC 3984	Development of a Dwelling Extension	Issued	03 October 2019
12/11/2019	T190623	26 Industrial Drive, Pakenham VIC 3810	Buildings and works associated with a warehouse development with an ancillary office	Issued	11 October 2019
13/11/2019	T190656	3185 Princes Highway, Bunyip VIC 3815	Development of the land for an outbuilding	Issued	29 October 2019

Ranges Ward

Date	Permit No	Location	The Proposal	The Decision	Lodged Date
14/08/2019	T180606 - 1	32 McMullen Road, Officer VIC 3809	Display of Business Identification Signage (Internally Illuminated)	Issued	07 August 2019
14/08/2019	T180726	87 Starling Road, Officer VIC 3809	Subdivision of land	Issued	05 November 2018
14/08/2019	T190117	24 Larmour Road, Pakenham VIC 3810	Removal of easement (electricity easement)	Issued	04 March 2019

14/08/2019	T190138 - PC1	6 Davey Road, Emerald VIC 3782	Use and development of the land for a private tennis court, retaining wall, earthworks and associated vegetation removal	Issued	25 July 2019
15/08/2019	T190081 - PC2	180 Bayview Road, Officer VIC 3809	Section 173 Agreement - Development of the land for a Dependent Persons Unit and associated earthworks and the removal of one (1) tree - condition 3 requires a s 173 agreement	Issued	19 July 2019
20/08/2019	T190239	605 Ure Road, Cockatoo VIC 3781	Removal of one (1) tree	Lapsed	30 April 2019
21/08/2019	T180299	37 Mountain Road, Cockatoo VIC 3781	Development of the land for a dwelling, removal of vegetation and earthworks exceeding 1 metre	Issued	18 May 2018
21/08/2019	T180726 - PC1	87 Starling Road, Officer VIC 3809	PC1 - (Con. 13 BDG)	Issued	12 August 2019
21/08/2019	T180726 - PC2	87 Starling Road, Officer VIC 3809	PC2 - (Con. 15 WMP)	Issued	16 August 2019
21/08/2019	T180726 - PC3	87 Starling Road, Officer VIC 3809	PC3 - (Con. 12 PIP)	Issued	16 August 2019
21/08/2019	T190091	10 Fox Road, Beaconsfield Upper VIC 3808	Development of the land for an outbuilding	NOD	08 February 2019
21/08/2019	T190195 - PC1	2 Pink Hill Boulevard, Beaconsfield VIC 3807	Use and development of a child care centre and business identification signage.	Issued	08 July 2019
21/08/2019	T190464	2 Ivy Street, Cockatoo VIC 3781	Development of the land for an outbuilding (shed)	Issued	05 August 2019
22/08/2019	T170671 - PC9	Rix Road, Officer VIC 3809	MCP (Stage 21) Subdivision of the land in stages, associated works (including road-works within land affected by the Land Subject to Inundation Overlay) and creation of restrictions	Issued	12 July 2019
22/08/2019	T180730 - PC1	460 Toomuc Valley Road, Pakenham VIC 3810	Development of alterations and additions to an existing dwelling and associated earthworks	Issued	16 July 2019
22/08/2019	T190451	40&-40a Main Street, Gembrook VIC 3783	Realignment of common boundaries between two (2) lots	Issued	01 August 2019
23/08/2019	T180634 - PC5	230 Princes Highway, Beaconsfield VIC 3807	The development of ten (10) dwellings and associated subdivision of ten (10) lots and creation of access to a Road Zone Category 1 generally in accordance with the submitted plans	Withdrawn	22 July 2019
26/08/2019	T180398 - PC1	24 St Georges Road, Beaconsfield Upper VIC 3808	Section 173 Agreement - Condition 5	Issued	19 August 2019
26/08/2019	T180398 - PC2	24 St Georges Road, Beaconsfield Upper VIC 3808	Section 173 Agreement - Condition 10	Issued	19 August 2019
26/08/2019	T190494	14 Snicket Crescent, Officer VIC 3809	Construction of a verandah	Withdrawn	16 August 2019
27/08/2019	T180634 - PC1	230 Princes Highway, Beaconsfield VIC 3807	Condition 1 Plans	Issued	24 June 2019
27/08/2019	T180634 - PC2	230 Princes Highway, Beaconsfield VIC 3807	Landscape Plan	Issued	28 June 2019
27/08/2019	T180634 - PC3	230 Princes Highway, Beaconsfield VIC 3807	Waste Management Plan	Issued	22 July 2019
27/08/2019	T180634 - PC4	230 Princes Highway, Beaconsfield VIC 3807	Arborist Report	Issued	22 July 2019
27/08/2019	T180820 - PC3	110 Bayview Road, Officer VIC 3809	Con. 8, WMP - Current Waste Management Plan	Issued	05 August 2019
27/08/2019	T190396	7 Oakwood Close, Officer VIC 3809	Building and works (dwelling) within a Heritage Overlay	Issued	03 July 2019
28/08/2019	T180398 - PC3	24 St Georges Road, Beaconsfield Upper VIC 3808	Section 173 Agreement - Condition 2	Issued	26 August 2019
28/08/2019	T190121	269 Princes Highway, Officer VIC 3809	Development of land for 16 dwellings and associated subdivision generally in accordance with the endorsed plans.	Issued	18 March 2019
28/08/2019	T190203	311 Ure Road, GEMBROOK VIC 3783	Use and development of the land for a dwelling and associated earthworks	Issued	11 April 2019
28/08/2019	T190327	10 Liam Circuit, Beaconsfield VIC 3807	Vary the restrictive covenant PS811154A	Issued	05 June 2019
29/08/2019	T180767	8 Upton Drive, Officer VIC 3809	Business identification signage	Issued	20 November 2018
29/08/2019	T180775 - PC1	3 Innes Road, Gembrook VIC 3783	Development of a dwelling within ten (10) metres of a road and within five (5) metres of a boundary	Issued	18 July 2019
29/08/2019	T180842	165 Rainy Hill Road, Cockatoo VIC 3781	Use and development of a dwelling	Issued	20 December

2018

29/08/2019	T190070	10 Fox Road, Beaconsfield Upper VIC 3808	Use and development of the land for a Dependent Person's Unit	Issued	07 February 2019
29/08/2019	T190121 - PC1	269 Princes Highway, Officer VIC 3809	Development of land for 16 dwellings and associated subdivision generally in accordance with the endorsed plans.	Issued	28 August 2019
29/08/2019	T190424	7 Coach House Lane, Beaconsfield VIC 3807	Development of the land for an outbuilding	Issued	17 July 2019
29/08/2019	T190468	20 Brunt Road, Beaconsfield VIC 3807	Buildings and works associated with an existing residential village	Issued	07 August 2019
30/08/2019	T190429	3 Craik Road, Beaconsfield Upper VIC 3808	Buildings and works associated with a dwelling extension	Issued	20 July 2019
2/09/2019	T180315	24 Payne Road, Beaconsfield VIC 3807	Re-subdivision of the land (two (2) lot boundary realignment)	Issued	25 May 2018
4/09/2019	T160810 - 1	Armytage Road, Officer VIC 3809	Use and development of the land for a dwelling and removal of vegetation	Issued	19 March 2019
4/09/2019	T190094	65 Norris Road, Pakenham VIC 3810	Development of the land for a replacement dwelling, outbuilding and associated earthworks	Issued	16 February 2019
4/09/2019	T190391	27 Rosebank Lane, Beaconsfield Upper VIC 3808	Development of the land for a dwelling and associated earthworks	Issued	01 July 2019
5/09/2019	T130732 - 2	53 Old Princes Highway, Beaconsfield VIC 3807	Amendments to Planning Permit T130732-1 to alter the permit preamble and endorsed plans	Issued	25 June 2019
5/09/2019	T190051 - PC1	85 Army Settlement Road, Pakenham VIC 3810	Development of the land for an outbuilding and associated vegetation removal	Issued	09 August 2019
5/09/2019	T190431	134 Stoney Creek Road, Beaconsfield Upper VIC 3808	Extension to existing outbuilding	Issued	18 July 2019
6/09/2019	T180674	35 Kings Road, Emerald VIC 3782	Development of the land for three (3) dwellings	NOD	16 October 2018
6/09/2019	T190023 - PC1	23 Steane Street, Cockatoo VIC 3781	Alterations and additions to an existing dwelling (dwelling extension & deck)	Issued	15 August 2019
10/09/2019	T130545 - PC2	92 Cooina Road, Beaconsfield Victoria 3807	Conditions 4 and 5	Issued	11 June 2019
10/09/2019	T190210 - PC1	26 St Georges Road, Beaconsfield Upper VIC 3808	Removal of 17 trees (Evergreen Alder)	Issued	31 July 2019
11/09/2019	T160008 - PC2	329 Belgrave-Gembrook Road, Emerald Victoria 3782	Use of the land for a restaurant and take away food premises, sale and consumption of liquor and a reduction in the car parking requirements of Clause 52.06 of the Cardinia Planning Scheme	Issued	04 July 2019
11/09/2019	T160686 - PC5	90 Rix Road, Officer VIC 3809	Subdivision of land in stages in accordance with the submitted plans.	Issued	25 March 2019
11/09/2019	T170298 - 1	381 Paternoster Road, Cockatoo VIC 3781	Amendment to Planning Permit T170298 to allow the alteration of endorsed plans and variation of condition 5	Issued	13 June 2019
11/09/2019	T190099	32 Second Avenue, Cockatoo VIC 3781	Development of the land for an outbuilding	Issued	18 February 2019
11/09/2019	T190198	13 Gembrook Road, Gembrook VIC 3783	Development of the land for a dwelling extension	Issued	09 April 2019
11/09/2019	T190246	20 Oakrind Rise, Officer VIC 3809	Buildings and works associated with accommodation (dwelling) within the Bushfire Management Overlay	Issued	07 May 2019
11/09/2019	T190264	8 Fairwood Rise, Officer VIC 3809	The use and development of a medical centre and associated works generally in accordance with the submitted plans	Issued	10 May 2019
11/09/2019	T190347	110 Old Soldier Road, Cockatoo VIC 3781	Alterations and additions to exiting Caravan carport, annex and decking on area known as Site 83	Withdrawn	18 June 2019
11/09/2019	T190365	311 Ure Road, GEMBROOK VIC 3783	Buildings and works associated with an extension to an agricultural building	Issued	20 June 2019
12/09/2019	T170839 - PC1	270 Brown Road, PAKENHAM VIC 3810	1	Issued	25 June 2019
12/09/2019	T190149	14 Victor Road, Clematis VIC 3782	Development of the land for a Dependent Person's Unit	Issued	19 March 2019
12/09/2019	T190222	24 Kilvington Drive, Emerald VIC 3782	Use and development of the land for a second dwelling	Issued	29 April 2019
12/09/2019	T190237	9 Nobelius Street, Emerald VIC 3782	Additions to an existing dwelling and the development of the land for an outbuilding (garage)	Issued	01 May 2019
12/09/2019	T190440	24 Kentwell Road, Officer	Buildings and works associated with accommodation (dwelling) within the	Issued	25 July

		VIC 3809	Bushfire Management Overlay		2019
12/09/2019	T190520	20 Brunt Road, Beaconsfield VIC 3807	Buildings and works associated with an existing residential village	Issued	02 September 2019
12/09/2019	T190525	20 Brunt Road, Beaconsfield VIC 3807	Buildings and works associated with an existing residential village	Issued	03 September 2019
13/09/2019	T090453 - 2	15 Fairbridge Lane (previously 2-8 Rouen Road), Cockatoo VIC 3781	Amended permit to include sale of packaged liquor	Issued	06 June 2019
13/09/2019	T190395	66 Skyline Drive, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	01 July 2019
13/09/2019	T190496	16 Valentine Crescent, Officer VIC 3809	Buildings and works associated with accommodation (dwelling) within the Bushfire Management Overlay	Issued	19 August 2019
13/09/2019	T190512	2046 Wellington Road, Clematis VIC 3782	Development of the land for an outbuilding (shed)	Issued	26 August 2019
18/09/2019	T170389 - 1	2 Desmond Court, Beaconsfield VIC 3807	Two lot subdivision, vegetation removal and removal of an easement	Issued	13 March 2019
18/09/2019	T180111	16 May Road, Beaconsfield VIC 3807	Development of the land for dwellings, subdivision of land, alteration of access to a Road Zone Category 1 and a reduction in car parking	Issued	01 March 2018
18/09/2019	T180760	10 Main Street & 5 Station Road, Gembrook VIC 3783	Three (3) lot subdivision and removal of an easement pursuant to Section 36 of Subdivision Act 1988 and alteration of access to a road in a Road Zone Category 1	Issued	21 November 2018
18/09/2019	T190360	281 277-281 & 285-287 Belgrave-Gembrook Road, Emerald VIC 3782	Use and development of the land for the purpose of an emergency services facility, vegetation removal and alteration & creation of access to a Road Zone, Category 1	Issued	20 June 2019
18/09/2019	T190397	3 Corringham Road, Beaconsfield Upper VIC 3808	Development of land for an outbuilding (shed)	Issued	03 July 2019
18/09/2019	T190443	5 Oakwood Close, Officer VIC 3809	Buildings and works (dwelling) and lopping of vegetation within a Heritage Overlay	Issued	29 July 2019
19/09/2019	T190199	50 Phillip Road, Avonsleigh VIC 3782	Construction of a shed and associated earth works	Issued	09 April 2019
24/09/2019	T160669 - 1	655 Pakenham Road, Pakenham Upper VIC 3810	Development of the land for an outbuilding	Issued	13 May 2019
24/09/2019	T180716 - 1	1 Damon Street, Officer VIC 3809	Staged development of the land for a convenience restaurant, food and drink premises, office and the display of business identification signage.	Issued	15 May 2019
24/09/2019	T180716 - PC1	1 Damon Street, Officer VIC 3809	Condition 1 - Development of the land for a convenience restaurant, food and drink premises, office and the display of business identification signage.	Issued	05 July 2019
24/09/2019	T180716 - PC3	1 Damon Street, Officer VIC 3809	Condition 3 - Development of the land for a convenience restaurant, food and drink premises, office and the display of business identification signage.	Issued	05 July 2019
24/09/2019	T180716 - PC4	1 Damon Street, Officer VIC 3809	Condition 4 - Development of the land for a convenience restaurant, food and drink premises, office and the display of business identification signage.	Issued	05 July 2019
24/09/2019	T180716 - PC5	1 Damon Street, Officer VIC 3809	Condition 10b - Development of the land for a convenience restaurant, food and drink premises, office and the display of business identification signage.	Issued	05 July 2019
25/09/2019	T090453 - PC2	8 Rouen Road, Cockatoo Victoria 3781	Use & development of the land for a supermarket/liquor storage, vegetation removal and reduction in carparking.	Issued	26 August 2019
25/09/2019	T180722 - PC1	96 St Georges Road, Beaconsfield Upper VIC 3808	Creek Management Plan	Issued	13 August 2019
25/09/2019	T160693 - PC5	46 Tivendale Road, Officer VIC 3809	PC5 - (Con. 37 CEMP)	Issued	23 September 2019
25/09/2019	T190135	247, 251 & 255 Princes Highway, Officer VIC 3809	Development of land for multiple dwellings and associated subdivision	Issued	21 March 2019
25/09/2019	T190205	58 Emerald-Monbulk Road, Emerald VIC 3782	Development of the land for a Dependent Person's Unit	Issued	10 April 2019
26/09/2019	T170671 - PC10	Rix Road, Officer VIC 3809	Subdivision of the land in stages, associated works (including road-works within land affected by the Land Subject to Inundation Overlay) and creation of restrictions	Issued	04 September 2019
26/09/2019	T190298	110 Carpenter Road, Officer VIC 3809	Use and development of the land for a dwelling, outbuilding, earthworks and removal of vegetation	Issued	22 May 2019
26/09/2019	T190566	3 Thomson Road,	The application seeks to extend the existing dwelling in a north-westerly	Withdrawn	26

		Beaconsfield Upper VIC 3808	direction with the additional floor plan offering the following: ? An enlarged laundry to cater for an internal cat run; ? A verandah on the north-west side abutting the existing small galvanized iron shed; ? An additional bedroom, with robe and bathroom; ? A bar and rumpus area; ? A new deck to the south-east side. Council may seek to add conditions.		September 2019
30/09/2019	T180722 - PC2	96 St Georges Road, Beaconsfield Upper VIC 3808	Replacement Planting Plan	Issued	13 August 2019
30/09/2019	T130545 - PC4	92 Cooina Road, Beaconsfield Victoria 3807	Use and development of the land for a dwelling, vegetation removal and earthworks	Issued	23 September 2019
2/10/2019	T190378	4 Beaconsfield Avenue, BEACONSFIELD VIC 3807	Buildings and works associated with an existing education facility	Issued	25 June 2019
3/10/2019	T180820 - PC2	110 Bayview Road, Officer VIC 3809	Con. 5, BDG - Current Building Design Guidelines	Issued	05 August 2019
3/10/2019	T180826	47 Timbertop Boulevard, Officer VIC 3809	The development of land for four (4) dwellings and subdivision of the land	Issued	18 December 2018
3/10/2019	T190070 - PC1	10 Fox Road, Beaconsfield Upper VIC 3808	Use and development of the land for a Dependent Person's Unit	Issued	19 September 2019
3/10/2019	T190348	216 Woori Yallock Road, Cockatoo VIC 3781	Use and Development of the land for a Dependent Person's Unit and a Garage	Issued	18 June 2019
4/10/2019	T190592	329 Belgrave-Gembrook Road, Emerald VIC 3782	DUPLICATE of T190591 To open a yoga and meditation studio at Shop 1, 329-331 Belgrave-Gembrook Road, Emerald, Victoria 3782	Withdrawn	04 October 2019
7/10/2019	T170323 - PC2	280 Princes Highway, Officer VIC 3809	PC2 - (Con. 12 BDG)	Issued	04 June 2019
7/10/2019	T180502 - PC1	275 Huxtable Road, Pakenham Upper VIC 3810	Use and development of the land for a Dependent Person's Unit (DPU) and development of the land for three (3) outbuildings	Issued	10 July 2019
7/10/2019	T190136	37 Oakrind Rise, Officer VIC 3809	Buildings and works associated with accommodation (dwelling) within the Bushfire Management Overlay	Issued	07 March 2019
7/10/2019	T190261	3 Victor Road, Clematis VIC 3782	Alterations and additions to an existing dwelling	Issued	09 May 2019
7/10/2019	T190361	25 Bayview Road, Officer VIC 3809	Creation of a drainage and sewerage easement in accordance with the approved plans	Issued	23 August 2019
7/10/2019	T190487	389-391 Princes Highway, Officer VIC 3809	Use and development of the land for a land sales centre and associated signage	Issued	14 August 2019
8/10/2019	T190419	17 Valentine Crescent, Officer VIC 3809	Buildings and works associated with accommodation (dwelling) within the Bushfire Management Overlay	Issued	15 July 2019
8/10/2019	T190450	10 Annabel Crescent, Officer VIC 3809	Building and works associated with accommodation (dwelling) within the bushfire management overlay	Issued	31 July 2019
8/10/2019	T190587	20 Brunt Road, Beaconsfield VIC 3807	Buildings and works associated with an existing residential village.	Issued	02 October 2019
10/10/2019	T190361 - PC1	25 Bayview Road, Officer VIC 3809	Creation of a drainage and sewerage easement in accordance with the approved plans	Issued	10 October 2019
11/10/2019	T130545 - PC3	92 Cooina Road, Beaconsfield Victoria 3807	Use and development of the land for a dwelling, vegetation removal and earthworks	Issued	13 September 2019
11/10/2019	T190187 - PC1	28 Emerald-Monbulk Road, Emerald VIC 3782	Development of the land for an outbuilding (garage)	Issued	13 August 2019
14/10/2019	T180716 - PC2	1 Damon Street, Officer VIC 3809	Condition 2a Development of the land for a convenience restaurant, food and drink premises, office and the display of business identification signage.	Issued	05 July 2019
15/10/2019	T170092 - 1	Linden Road, Pakenham Upper VIC 3810	Earthworks associated with a dam extension and construction of an outbuilding	Refused	12 June 2019
15/10/2019	T180460 - 1	30 Tivendale Road, Officer VIC 3809	Use and development of the land (in stages) for a place of worship and food & drinks premises (restaurant), buildings and works within the Land Subject to Inundation Overlay, business identification signage and a reduction in car parking	Issued	18 September 2019
15/10/2019	T190121 - PC2	269 Princes Highway, Officer VIC 3809	Condition 1 and 4	Issued	12 September 2019
16/10/2019	T160144 - PC1	195 Mountain Road, Gembrook VIC 3783	Use and development of land for Rural Industry, the development of the land for a two outbuildings (one to be used for a bed and breakfast) and the extension of an existing outbuilding.	Refused	26 July 2019
16/10/2019	T190246 - PC1	20 Oakrind Rise, Officer VIC 3809	Buildings and works associated with accommodation (dwelling) within the Bushfire Management Overlay	Issued	18 September 2019

17/10/2019	T190515	Bourkes Creek Road, Pakenham Upper VIC 3810	Development of the land for a building associated with agriculture (open-side horse arena)	Issued	26 August 2019
21/10/2019	T190142	2 Desmond Court, Beaconsfield VIC 3807	Development of the land for a dwelling and associated building and works	Issued	13 March 2019
21/10/2019	T190157	5 Harvie Road, Pakenham Upper VIC 3810	Development of land for an agricultural building and removal of vegetation (5 trees)	Issued	21 March 2019
21/10/2019	T190537	100 Evans Road, Cockatoo VIC 3781	Development of an Extension to an existing Dwelling	Issued	09 September 2019
22/10/2019	T190448	11 Oakwood Close, Officer VIC 3809	Building and works (dwelling) within a Heritage Overlay	Issued	30 July 2019
23/10/2019	T190091 - PC1	10 Fox Road, Beaconsfield Upper VIC 3808	Development of the land for an outbuilding	Issued	19 September 2019
23/10/2019	T190328	25 Gembrook-Launching Place Road, Gembrook VIC 3783	Development of the land for an outbuilding	Issued	04 June 2019
24/10/2019	T100758 - PC7	Majestic Drive, Officer Victoria 3809	PC7 - (Con, 50 & 06 Stage 3A)	Issued	29 August 2019
24/10/2019	T190452	13 Armstrong Road, Beaconsfield Upper VIC 3808	Development of the land for a dwelling extension	Issued	01 August 2019
28/10/2019	T190458	2735 Gembrook-Launching Place Road, Gembrook VIC 3783	Development of the land for an outbuilding	Issued	02 August 2019
29/10/2019	T190008 - PC1	10 Stella Street, Beaconsfield VIC 3807	Please find attached the development plans and landscape plan as per the permit conditions	Issued	16 September 2019
29/10/2019	T190295	110 Bayview Road, Officer VIC 3809	Removal of a covenant U215270U relating to development of single storey dwellings and height restrictions	Refused	21 May 2019
30/10/2019	T190376	2 Pink Hill Boulevard, Beaconsfield VIC 3807	Removal of easements	Issued	27 June 2019
31/10/2019	T160414 - PC2	1 Station Street, Officer VIC 3809	Subdivision of the land into two (2) lots	Issued	09 October 2019
31/10/2019	T190356	435 Princes Highway, Officer VIC 3809	Use of land for a shop (hairdresser), alteration of access to a Road Zone Category 1, advertising signage and associated carparking	Issued	18 June 2019
6/11/2019	T180169 - PC1	92 Foott Road, Beaconsfield Upper VIC 3808	Condition 1	Issued	12 June 2019
6/11/2019	T180833 - PC1	6 Ann Street, Beaconsfield VIC 3807	Condition 1	Issued	18 September 2019
7/11/2019	T190500	18 Bayview Road, Officer VIC 3809	Subdivision of land	Issued	26 August 2019
8/11/2019	T190460	9 Harewood Park Road, Gembrook VIC 3783	Buildings and works associated with a dwelling extension	Issued	05 August 2019
8/11/2019	T190576	243 Mt Eirene Road, GEMBROOK VIC 3783	Use and development of the land for a dwelling, and associated earthworks	Issued	27 September 2019
8/11/2019	T190678	215 Princes Highway, Beaconsfield VIC 3807	Use of the land for a food and drinks premises and service station, construction of a building, display of business identification signage and create or alter access to a road in a Road Zone Category 1	Failure	
11/11/2019	T170703 - 2	12-14 Old Princes Highway, Beaconsfield VIC 3807	Amendments to Planning Permit T170703-1 for alterations to the endorsed plans and changes to the Permit preamble	Withdrawn	04 July 2019
11/11/2019	T190356 - PC1	435 Princes Highway, Officer VIC 3809	PC1 - (Con. 01 C1P)	Issued	07 November 2019
12/11/2019	T160658 - PC1	18 Bayview Road, Officer VIC 3809	PC1 - (Con. 01 C1P)	Issued	20 August 2019
12/11/2019	T160658 - PC2	18 Bayview Road, Officer VIC 3809	PC2 - (Con. 04 LMP)	Issued	20 August 2019

6 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATION AUTHORITY

Moved Cr J Owen Seconded Cr G Moore

That the report be noted.

Cd.

7 PLANNING MATTERS CURRENTLY THE SUBJECT OF APPEAL AT THE VICTORIAN AND ADMINISTRATIVE TRIBUNAL & THEIR OUTCOMES

FILE REFERENCE INT1991154

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Debbie Tyson

RECOMMENDATION

That the report be received and noted.

Attachments

Nil.

EXECUTIVE SUMMARY

The following list is presented to keep Council informed of applications that are currently the subject of appeals proceedings.

Hearing Date	App No.	Address	Proposal	Council Decision	Appealed By	Outcome
30/3/2020	T180454	900 Princes Highway, Pakenham	Use and development of the land for in stages for a cinema, food & drink premises, medical centre, shops, signage and reduction in car parking	Refusal	Applicant	Waiting on hearing
16/4/2020	T180501	5 Birch Ave & 63 Westlands Rd, Emerald	Re-subdivision of two lots	Refusal	Applicant	Waiting on hearing
24/2/2020	T190026	33 Highland Dr Pakenham	Variation of a restrictive covenant	Refusal	Applicant	Waiting on hearing
18/12/2019	T170516	Merretts Road, Avonsleigh	Use and development of the land for a dwelling, outbuilding, removal of vegetation and associated earthworks	Approved	Applicant review of conditions	Waiting on hearing
18/11/2019	T180406	Tivendale Road, Officer	Subdivision of Land	Failure to determine	Applicant	Waiting on Decision
23/9/2019	T180793	48-50 James Street, Pakenham	Use and Development of Two Offices, Two Retail Premises, Thirty-Six Apartments and a Reduction in Car Parking	Failure to determine	Applicant	Consent order issued – permit approved
5/9/2019	T180303	61-63 Princes Highway, Pakenham	Use and development of a Medical Centre	Objector	Approved	Waiting on Decision

7 PLANNING MATTERS CURRENTLY THE SUBJECT OF APPEAL AT THE VICTORIAN AND ADMINISTRATIVE TRIBUNAL & THEIR OUTCOMES

Moved Cr C Ross Seconded Cr G Moore

That the report be received and noted.

Cd.

Meeting closed at 7:25pm

Minutes Confirmed
Chairman