

Town Planning Committee Meeting

Minutes

Monday 7 March 2022

Commenced at 7:00 PM

**Council Chambers
20 Siding Avenue, Officer
Victoria**

Members: Cr Jeff Springfield Mayor
Cr Tammy Radford Deputy Mayor
Cr Kaye Cameron
Cr Stephanie Davies
Cr Jack Kowarzik
Cr Graeme Moore
Cr Collin Ross
Cr Brett Owen
Cr Carol Ryan

Officers: Peter Benazic General Manager Infrastructure and Environment
Lili Rosic General Manager Liveable Communities
Doug Evans Manager Governance

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1 Opening And Prayer

Meeting opened at 7:00pm.

I would ask those gathered to join us now for a few moments of silence as we reflect on our roles in this chamber. Please use this opportunity for reflection, Prayer or thought, to focus on our shared intention to work respectfully together for the well-being of our whole community.

2 Acknowledgements

Cardinia Shire Council acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to their elders past, present and emerging.

3 Apologies

Cr Owen was an apology for tonight's meeting.

4 Declaration Of Interests

Nil.

5 Ordinary Business

5.1 T200713 PA - Development of the Land for a Habitable Outbuilding and Development of the Land for a Non-Habitable Outbuilding (Carport) at 21 Ford Rd, Emerald

Responsible GM: Lili Rosic
Author: Stephanie Preece

Recommendation(s)

That Council refuse to grant Planning Permit T200713 for the development of the land for a habitable outbuilding and non-habitable outbuilding (carport) at PC362011, 21 Ford Road, Emerald VIC on the following grounds:

1. The application does not comply with relevant State and Local planning policies in relation to the protection and preservation of agricultural land.
2. The application does not comply with relevant State and Local planning policies in relation to the maintenance and enhancement of the landscape.
3. The application does not comply with the environmental objectives of the Significant Landscape Overlay – Schedule 1.
4. The application does not comply with the environmental objectives of the Environmental Significance Overlay – Schedule 1.
5. The application does not comply with the relevant considerations of Clause 65 Decision Guidelines, including the purpose of the zones and overlays and the orderly planning of the area.

Attachments

1. Locality Map [5.1.1 - 1 page]
2. Plans and Documents [5.1.2 - 31 pages]
3. CONFIDENTIAL - Copy of Objections - Circulated to Councillors only [5.1.3 - 13 pages]

Executive Summary

Application no.:	T200713
Applicant:	Alex Alonaritis Adex Design and Drafting
Land:	PC362011, 21 Ford Road, Emerald
Proposal:	Development of the land for a habitable outbuilding and development of the land for a non-habitable outbuilding (Carport).
Planning controls:	Green Wedge Zone – Schedule 2 Significant Landscape Overlay – Schedule 1 Environmental Significance Overlay – Schedule 1 Bushfire Management Overlay

Notification & objections:	<p>The application has been advertised pursuant to Section 52 of the <i>Planning and Environment Act 1987</i>, by sending notices to the owners and occupiers of adjoining land.</p> <p>Six (6) objections to the application were received.</p>
Key planning considerations:	<p>Whether the extension of the residential use of the land is appropriate in the context of agricultural land</p> <p>Visual impact to the rural character of the area</p> <p>Visual impact to the Puffin Billy Scenic Railway corridor</p>
Recommendation:	Refusal

Background

An application for a ‘habitable outbuilding’ was received by Council on 4 November 2020. The application was subsequently amended in response to concerns raised by Council. The location of the outbuilding was changed, and an amendment was received by Council on 3 August 2021.

The planning permit history of the site includes the following:

- Planning Permit T040638 was issued by Council on 8 November 2004 for the development of the land for the purpose of a farm shed and water tank.

There have been several compliance issues associated with the site, including:

- 1st February 2017: Council determined that earthworks had been conducted on the land without a planning permit, in contravention of Clauses 35.04-5 and 42.01-2 of the Planning Scheme.
- 28 August 2019: Council determined that the land was operating as a Host Farm, which requires a planning permit. The landowner was to cease the operation and apply to Council for a planning permit. A planning permit application was not received by Council.

Subject Site

The subject site is located on the western side of Ford Road, Emerald, and has an overall size of approximately 8.57 hectares.

Access to the site is via two crossovers located on the eastern (front) boundary.

A dwelling, farm shed, and several small buildings are currently located on the site.

The site has a slope of 9% across the site from west to east.

The land is largely free from vegetation, except for established vegetation along a waterway which traverses the site in a north-south direction at the rear of the site.

Emerald Lake Park adjoins the western side of the northern boundary and the Puffing Billy Railway is located north and west of the site.

The main characteristics of the surrounding area are:

- North: the westernmost portion of the subject site adjoins the Emerald Lake Park. The northern boundary also adjoins 26 Ford Road. This site has a size of 11.52 hectares with a dwelling in the south-east corner of the site.
- East: Ford Road is immediately east of the site and opposite is the continuation of 26 Ford Road, as described above.
- South: 19 Ford Road adjoins the southern boundary of the subject site and has an overall area of 6.56 hectares. This site contains two dwellings, several scattered buildings (sheds) and a dam at the rear of the property.
- West: 24 William Street adjoins the western boundary of the subject site and has an overall area of 2.53 hectares. The site contains a dwelling and a moderate amount of vegetation. There are several other buildings on the site however their use is not known.

Relevance to Council Plan

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Proposal

The proposal consists of two elements: a habitable outbuilding and a carport as described below:

Habitable outbuilding:

The habitable outbuilding will be located 26 metres west of the existing dwelling, 20 metres from the northern boundary and 104 metres from the eastern boundary. The outbuilding will reach an overall height of 4.9 metres to the top of a 12.5-degree pitched roof.

The outbuilding will include three bedrooms bathroom, water closet and an open plan living and games rooms. A carport that spans the length of the outbuilding will be attached to the eastern side of the building and a verandah on the northern, southern western sides of the building.

The building will have a length of 22.0 metres and an overall width of 15.6 metres, equating to a footprint of 343.20m².

The roof of the building will be constructed of Colorbond in 'Pale Eucalypt' colour (a natural green colour). No material or colour has been nominated for the wall cladding.

The existing driveway that provides access to the dwelling and farm shed will be extended to provide access to the proposed habitable building.

No vegetation removal is required to accommodate the outbuilding.

Carport:

The carport will be attached to the existing dwelling and will be setback approximately 24 metres from the northern boundary and 50 metres from the eastern boundary.

The carport will be attached to the eastern (front) façade of the dwelling and have an overall height of 4.6 metres to the top of the 22.5-degree pitched roof.

Earthworks of 500mm are required to accommodate the carport.

The carport roof will be constructed of Colorbond in the colour 'Classic Cream'.

Planning Scheme Provisions

The relevant Clauses of the Planning Policy Framework (PPF) are:

- Clause 11.01-1R Green wedges – Metropolitan Melbourne
- Clause 11.03-3S Peri-urban areas
- Clause 11.03-5S Distinctive areas and landscapes
- Clause 12.05-1S Environmentally sensitive areas
- Clause 12.05-2S Landscapes
- Clause 13.02-1S Bushfire planning
- Clause 14.01-1S Protection of agricultural land
- Clause 15.01-5S Neighbourhood character
- Clause 15.01-6S Design for rural areas
- Clause 16.01-3S Rural residential development

The relevant Clauses of the Local Planning Policy Framework (LPPF) are:

- Clause 21.02-2 Landscape
- Clause 21.02-4 Bushfire management
- Clause 21.03-4 Rural townships
- Clause 21.03-5 Rural residential and rural living development
- Clause 21.07-3 Emerald, Avonsleigh and Clematis

Relevant Particular/General Provisions and relevant incorporated or reference documents:

The relevant provisions/documents are:

- Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions
- Clause 53.02 Bushfire Planning
- Clause 65 Decision Guidelines
- Clause 66 Referral and Notice Provisions
- Clause 71.02-3 Integrated Decision Making

Planning Permit Triggers

- Pursuant to Clause 35.04-5 of the Green Wedge Zone a permit is required to construct or carry out buildings or works associated with a Section 2 use (dwelling)
- Pursuant to Clause 42.01-2 a permit is required to construct a building or construct or carry out works (height of a building (not a dwelling) exceeding 4.0 metres)(gross floor area of outbuildings on the land exceeds 120 square metres)
- Pursuant to Clause 42.03-2 a permit is required to construct a building or construct or carry out works (height of a building (not a dwelling) exceeding 4.0 metres)
- Pursuant to Clause 44.06-2 a permit is required to construct a building or construct or carry out works associated with Accommodation.

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.

The notification has been carried out correctly, and Council has received six (6) objections to date.

The key issues that were raised in the objections are:

- Concerns regarding the proposed use were raised several times. Objectors are concerned that the outbuilding will be utilised as an extension to the Bed and Breakfast currently operating on the site and the outbuilding will not be utilised as a retreat for the landowners 'teenage children'
- Cruelty to animals allegedly occurring on site
- Current buildings are not well maintained
- Capability of the site to treat and retain wastewater (effluent disposal)
- Excessive size of the building does not reflect a 'teenage retreat'

Referrals

Referrals/Notice	Referral Authority	Brief summary of response
Section 55 Referrals	Country Fire Authority [Recommending]	No objection (subject to conditions)
	Puffing Billy Railway Tourist Board [Recommending]	No objection (no conditions)
Section 52 Notices	Nil	

Discussion

The application is for the development of the land for a habitable outbuilding and non-habitable outbuilding (carport), which requires a planning permit under the provisions of the Green Wedge Zone, Environmental Significance Overlay, Significant Landscape Overlay and the Bushfire Management Overlay:

The key considerations of this application relate to:

- The relevant policies of the Planning Policy Framework and the Local Planning Policy Framework
- The purpose and decision guidelines of the Green Wedge Zone
- The purpose, objectives and decision guidelines of the Significant Landscape Overlay
- The purpose, objectives and decision guidelines of the Environmental Significance Overlay

- The requirements of Clause 51.02 (Metropolitan Green Wedge Land: Core Planning Provisions)
- The purpose, decision guidelines and requirements of the Bushfire Management Overlay and Clause 53.02 (Bushfire Planning)
- The decision guidelines of Clause 65.

Planning Policy Framework and Local Planning Policy Framework

As outlined earlier, there are several planning policies that are relevant to the proposed development. Broadly, these policies seek to protect agricultural land from inappropriate development, ensure development respects the rural character of the area, ensure development does not detract from the landscape and ensure development can implement appropriate bushfire protection measures.

The proposed carport, to be attached to the eastern side of the existing dwelling, complies with all relevant policies. The carport will extend the dwelling towards the eastern boundary, an area that has already been removed from agricultural production and is already being utilised for rural residential purposes demonstrating compliance with Clauses 14.01-1S (Protection of agricultural land) and 16.01-3S (Rural residential development). The carport has been designed to complement the existing dwelling with a 22.5-degree pitched roof and an overall height of 4.6 metres. The carport will be an open structure, reducing visual bulk and the roof will be constructed of Colorbond in the colour 'Classic Cream', a colour and design that is complementary to the rural character of the area demonstrating compliance with Clauses 11.03-5S (Distinctive areas and landscapes) 15.01-6S (Design for rural areas) and 21.03-5 (Rural residential and rural living development).

In contrast, the proposed habitable outbuilding largely fails to comply with the relevant policies. It has a large footprint of 343.20m² and is setback 26.0 metres west of the existing dwelling. Whilst a building footprint of this size in the form of 'agricultural' buildings may be considered acceptable on a large rural allotment to support agricultural production, the size of the habitable outbuilding is unacceptable given the proposed use. The building size, together with the location, will remove agricultural land from production permanently, thus failing to comply with Clause 14.01-1S (Protection of agricultural land). It can also be argued that the land surrounding the proposed building will also be removed from agricultural production due to the purpose of the outbuilding, i.e., for habitable purposes. Additionally, the proposed habitable outbuilding fails to protect and enhance the landscape due to its footprint, size and visually exposed location, failing to comply with Clauses 12.05-2S (Landscapes) 15.01-5S (Neighbourhood character) and 21.02-2 (Landscape). Currently, the subject site contains a dwelling, a large building (farm shed) and several smaller structures. The proposed habitable outbuilding will significantly increase the built form on site and result in a scattered mass of buildings across the site, detracting from the landscape and rural character of the area.

Vegetation removal is not required to accommodate the proposed outbuilding and the applicant has demonstrated that the outbuilding can accommodate appropriate bushfire protection measures to reduce the risk to human life and property in the event of a bushfire (Clause 13.02-1S (Bushfire planning) and 21.02-4 (Bushfire Management)).

In its entirety the proposal fails to comply with the key relevant state and local planning policies.

Green Wedge Zone – Schedule 2

The purpose of the Green Wedge Zone (GWZ) is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.

- To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
- To encourage use and development that is consistent with sustainable land management practices.
- To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
- To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.
- To protect and enhance the biodiversity of the area

The decision guidelines of the GWZ cover a range of issues, an assessment against the relevant considerations has been provided below.

General issues:

As discussed above the proposal, in its entirety, fails to comply with the Municipal Planning Strategy and the Planning Policy Framework. A Land Capability Assessment was not provided however due to the large size of the land it is considered that all wastewater is able to be treated and retained on site in accordance with the relevant legislation. As the proposal is associated with the current use of the land for residential purposes, it does not relate to rural land use, rural diversification natural resource management, natural or cultural heritage management, recreation or tourism. Due to the size, location and constraints of the site, the proposed habitable outbuilding will negatively impact the rural character and natural scenic beauty of the area, design and siting issues are discussed further below in an assessment against the ESO and SLO,

Rural issues:

It is not considered that the land is currently utilised for agricultural production therefore the proposed outbuilding will not support nor enhance agricultural production. Whilst the site and surrounding properties are largely utilised for rural residential uses, the purpose of the zoning of the land cannot be ignored, and the removal of land from future agricultural production must not be lightly entertained. The proposed outbuilding will further fragment the land, reducing the capacity of the site to be used for agricultural production in the future. The schedule to the zone does not specify a maximum size for an outbuilding thus the outbuilding may be expanded in the future which may increase the negative impact on adjoining and nearby agricultural land holdings.

Environmental issues:

The proposed outbuilding is located in an area free from vegetation. The outbuilding and its defendable space can be accommodated without the requirement to remove vegetation. It is not expected the outbuilding will have a negative impact on the biodiversity of the area. Whilst, the applicant has not submitted a Land Capability Assessment, to demonstrate that wastewater can be treated and retained on site, the large size of the land is considered capable of doing so.

Design and siting issues:

The property is particularly sensitive as it nears the top of the ridgeline, and therefore any additional built form is visually exposed to the landscape. The built form and footprint of the outbuilding is considered excessive. Design and siting issues are discussed in further details against the Environmental Significance Overlay (Schedule 1) and the Significant Landscape Overlay (Schedule 1).

Environmental Significance Overlay – Schedule 1

The environmental objectives of Schedule 1 to the ESO are:

- To protect and enhance the significant environmental and landscape values in the northern hills area including the retention and enhancement of indigenous vegetation.
- To ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.
- To ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.
- To protect and enhance biolinks across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.

The proposed habitable outbuilding and carport do not require any vegetation to be removed to accommodate the building footprints or applicable defensible space, ensuring that the habitat is not compromised. Whilst a Land Capability Assessment has not been submitted, due to the size of the land, it is considered that wastewater from the habitable outbuilding can be treated and retained on site without compromising the health of waterways or adjoining land.

The proposed habitable outbuilding does not require a significant amount of cut or fill to be accommodated, however the subject site is located in a particularly sensitive area as it nears the ridgeline, making any additional built form visually exposed to the surrounding areas. For this reason, combined with the excessive footprint of the habitable outbuilding it is considered that the development is considered inappropriate and will negatively impact the rural character of the land and diminish the environmental and landscape values the overlays seek to protect due to its large built form and scale and separation distance from other buildings on the land. The proposed habitable outbuilding will also result in a scattered mass of buildings across the site, acknowledging there is an existing dwelling and farm shed on the site. The increase in built form would be reducing vegetation's current status as the predominant feature of the landscape; would neither be maintaining, nor enhancing the rural landscape and negatively impact upon the overall natural environment and character of the area.

The siting, in relation to bushfire hazard is considered appropriate and all bushfire protection measures can be appropriately accommodated, including defensible space within the boundaries of the site.

Please note that the proposed carport, an open structure to be attached to the eastern side of the existing dwelling would theoretically be considered appropriate as it will not negatively impact the area's character in the way described above. The carport utilises design elements that are complementary to the rural character of the area, for example the pitched roof and use of non-reflective materials in a colour that is appropriate in the rural context of the site. The carport also has a maximum overall height of 4.6 metres ensuring that it does not protrude beyond the height of the existing dwelling. However, as an application must be approved or refused in its entirety this becomes a moot point.

Significant Landscape Overlay – Schedule 1

The environmental objectives of the SLO are:

- To recognise the importance of the rural and natural landscape in the scenic corridor and views from the railway line as a significant attraction of the Puffing Billy Tourist Railway.

- To ensure that any development on land within the scenic corridor is appropriately sited and designed to have a minimal impact in the immediate corridor and viewlines.
- To encourage the retention of vegetation and, wherever possible, promote natural regeneration, revegetation, reforestation and long-term management of vegetation to prevent the incremental loss of vegetation.
- To support the biolink along the corridor.

As previously mentioned, the subject site is near the top of a ridgeline. This ridgeline, and the subject site, overlooks the Puffing Billy Tourist Railway. The rural and natural landscape of the scenic corridor is a significant attraction of the Puffing Billy Tourist Railway thus minimising the impact of visually exposed buildings and retaining vegetation as the main character of the corridor imperative. Whilst the Emerald Tourist Railway Board offered no objection to the proposal, when assessed against the decision guidelines of the SLO, the proposal largely fails to comply.

The proposed habitable outbuilding will increase built form that is visually exposed to the Puffing Billy Tourist Railway. The proposed habitable outbuilding also has a significant footprint of 343m², emphasizing its presence on the site and its impact on the corridor. The proposed habitable outbuilding will not maintain, nor enhance the rural landscape and will negatively impact on view lines and the scenic corridor along the Puffing Billy railway line. Additionally, the location of the proposed habitable outbuilding, 26 metres west of the existing dwelling increases the spread of built form on the site, further reducing the value and significance of the scenic corridor.

As noted above, the proposed carport, an open structure to be attached to the eastern side of the existing dwelling would theoretically be considered appropriate as it will not negatively impact on the scenic corridor. The carport is visually hidden from the corridor, being attached to the east side of the dwelling. However, as an application must be approved or refused in its entirety this becomes a moot point.

Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions:

The proposal is contrary to the purposes of Clause 51.02 (Metropolitan Green Wedge Land: Core Planning Provisions). The relevant purposes within this particular provision are: (1) To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values, and (2) To protect productive agricultural land from incompatible uses and development.

Despite the residential use of the land being established, as discussed above, the proposed habitable outbuilding would result in further permanent loss of agricultural land, including the land surrounding the proposed building. Therefore, the Application is inconsistent with Clause 51.02.

Bushfire Management Overlay and Clause 53.02 (Bushfire Planning)

The site is located in a Bushfire Prone Area and affected by the Bushfire Management Overlay, which includes the following purposes:

- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The prioritisation of the protection of human life over all other policy considerations is also identified in Clause 13.02-1S. This clause requires consideration to be given to the risk of bushfire to people, property and community infrastructure, the implementation of appropriate bushfire protection measures to address the identified bushfire risk and the implementation of these measures without unacceptable biodiversity impacts. These provisions are supported at a local level by Clause 21.02-4.

At Clause 53.02 of the Planning Scheme, several measures are outlined to ensure that the location, design, and construction of development appropriately responds to bushfire hazard. Clause 53.02-4 applies to the proposed outbuilding and an assessment against these requirements is provided below.

Please note the proposed carport does not trigger the requirement for a Planning Permit under this overlay as it is an extension to an existing dwelling where the floor area is less than 50% of the gross floor area of the existing dwelling.

53.02-4.1 Landscaping siting and design objectives:

AM2.1 – the bushfire risk can be mitigated to an acceptable level, with the site mostly cleared of vegetation, and the separation distance of the development from bushfire hazard has been maximised. The surrounding landscape to the north-west, north-east and more predominantly east is densely vegetated and poses the most significant bushfire risk, however the outbuilding is setback appropriately from this hazard.

AM2.2 – the entirety of the site is largely free from vegetation, except for the vegetation located along the watercourse, thus the outbuilding is located in a cleared area and close to existing access, with a driveway access to Ford Road. The distance of the development from bushfire hazard has is considered appropriate.

AM2.3 – the design of the building is responsive to the landscape risk and will reduce the impact of bushfire on the building. This includes elements such as pitched roofing, construction on concrete slab and the construction to BAL19.

53.02-4.2 Defendable space and construction objective:

AM3.2 – the outbuilding is required to provide satisfactory defendable space and separation distance from bushfire hazard and will provide 25 metres of defendable space to the north and west and 22 metres east and south (or to the property boundary, which is the lesser distance). It must be noted that the applicant proposed alternative defendable space however the defendable space to be implemented is recommended by the CFA. The building is required to wholly be constructed to a BAL19 construction standard. No variations to the vegetation management are proposed.

53.02-4.3 Water supply and access objectives:

AM4.2 – the outbuilding includes water supply and access in accordance with the requirements of Table 4 and 5 of Clause 53.02-5.

Overall, subject to conditions, it is considered the development represents an acceptable outcome in response to bushfire risk, with the outbuilding having appropriate measures in regard to siting, construction standards, access and water supply. Along with any mandatory conditions required by the Planning Scheme, the CFA has requested an amended Bushfire Management Plan which will be required to be approved by the CFA prior to the endorsement of plans, should a Planning Permit be issued. Standard permit conditions will ensure the BMP is implemented.

Response to Objections

- Cruelty to animals allegedly occurring on site
 - o This is not a planning consideration relevant to the proposal. Any concerns regarding the welfare of animals should be directed to the relevant authority.
- Current buildings are not well maintained
 - o The onus is on the landowner to maintain the visual appearance of buildings on private land.
- Effluent disposal
 - o Whilst a Land Capability Assessment was not submitted with the application, the size of the site is capable of treating and retaining wastewater on site in accordance with the relevant legislation.
- Excessive size of the building does not reflect a 'teenage retreat' and concerns that the outbuilding will be utilised as an extension to the Bed and Breakfast currently operating on the site.
 - o It is acknowledged that the proposed habitable outbuilding (teenage retreat) extends beyond the usual characteristics of a traditional 'habitable outbuilding' and its size, relevant to the use is considered excessive. However, Council can only consider what the applicant has made the application for and in this instance a habitable outbuilding has been applied for.

Clause 65 Decision Guidelines

As discussed above, the proposal fails to comply with the Municipal Planning Strategy, the Planning Policy Framework, the purpose of the zone and overlays, and Clauses 51.02 and 65 of the Cardinia Planning Scheme. The proposed development will not contribute to the orderly planning of the area as it is considered that the habitable outbuilding will be visually obtrusive and diminish the rural character of the area. Whilst the finished floor levels of the dwelling can be raised to levels to minimise damage that would occur in the event of a flood and no native vegetation is required to be removed to accommodate the proposed dwelling it is

Conclusion

As discussed above the application, in its entirety, fails to comply with key planning policies set out in the Cardinia Planning Scheme. The proposed habitable outbuilding would undermine the purpose of the SLO and the ESO and result in obtrusive visual impact to the Puffin Billy Tourist Railway and detract from the rural character of the area and should not be supported.

Therefore, it is recommended that Council refuse to grant a Planning Permit T200713 for the development of the land for a habitable outbuilding and non-habitable outbuilding (carport) at PC, 21 Ford Road, Emerald VIC on the following grounds:

1. The application does not comply with relevant State and Local planning policies in relation to the protection and preservation of agricultural land.
2. The application does not comply with relevant State and Local planning policies in relation to the maintenance and enhancement of the landscape.
3. The application does not comply with the environmental objectives of the Significant Landscape Overlay – Schedule 1.

4. The application does not comply with the environmental objectives of the Environmental Significance Overlay – Schedule 1.
5. The application does not comply with the relevant considerations of Clause 65 Decision Guidelines, including the purpose of the zones and overlays and the orderly planning of the area.

Resolution

Moved Cr Stephanie Davies, seconded Cr Kaye Cameron.

That Council refuse to grant Planning Permit T200713 for the development of the land for a habitable outbuilding and non-habitable outbuilding (carport) at PC362011, 21 Ford Road, Emerald VIC on the following grounds:

1. The application does not comply with relevant State and Local planning policies in relation to the protection and preservation of agricultural land.
2. The application does not comply with relevant State and Local planning policies in relation to the maintenance and enhancement of the landscape.
3. The application does not comply with the environmental objectives of the Significant Landscape Overlay – Schedule 1.
4. The application does not comply with the environmental objectives of the Environmental Significance Overlay – Schedule 1.
5. The application does not comply with the relevant considerations of Clause 65 Decision Guidelines, including the purpose of the zones and overlays and the orderly planning of the area.

Carried

5.2 T210617 PA - Use and Development of the Land for a Telecommunications Facility and Associated Works at 1015 Manks Rd, Dalmore

Responsible GM: Lili Rosic
Author: Evie McGauley-Kennedy

Recommendation(s)

That Council issue a Notice of Decision to Grant a Permit for the use and development of the land for a Telecommunications Facility at L1 TP142357, 1015 Manks Road, Dalmore VIC 3981, subject to the following conditions:

Plans required:

1. Before the use and 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 and fully dimensioned. The plans must be generally in accordance with the amended development plans prepared for Stillmark Telecommunications Ltd, Rev B-1, dated 28/09/21 submitted with the application but modified to show:
 2.
 - a. The monopole and equipment shelter to be painted 'Eucalyptus green' or a similar neutral colour.
 - b. Setbacks from all property boundaries shown correctly to scale and fully dimensioned.
 - c. The location, width and construction material for the driveway required to access the facility.
 - d. A landscape plan in accordance with Condition 2.
 - e. Fencing around the facility to be a minimum of 50 percent open style in accordance with Condition 16.
 - f. Any other changes to plans required by Condition 13.
 3. 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 provide a landscape buffer immediately surrounding the fenced Telecommunications Facility, and must be drawn to scale with dimensions. The plan must show:
 4.
 - a. 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.

- b. Species must be compatible with the surrounding farming activities and must not contain or be contaminated with any environmental or horticultural weeds.

Prior to Commencement:

5. Before works start, a fence must be erected around any tree within 15 metres of the proposed buildings and works. 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 chain mesh 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.

Secondary Consent:

6. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Amenity:

7. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
8. The exterior colour and cladding of the telecommunication facility must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the equipment shelter, including the roof, must be of a non-reflective nature.
9. Electromagnetic energy emissions must comply with the Australia Radiation Protection and Nuclear Safer Agency (ARPANSA) (or as amended).

Earthworks:

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.

Landscaping installation:

12. Within three (3) months of the Telecommunications Facility being completed the landscaping as shown on the endorsed landscaping plan must be carried out and completed to the satisfaction of the Responsible Authority.

Maintenance of Landscaping:

13. 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.

Removal of redundant infrastructure

14. If the telecommunications facility becomes redundant, all infrastructure associated with the facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three (3) months of the facility ceasing to operate and must be at the expense of the permit holder.

Melbourne Water:

15. Prior to the development plans being endorsed, 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 show:
 - a. Finished floor levels of the equipment cabin must be set no lower than 600mm above the surrounding natural surface levels.
 - b. a notation stating all electrical equipment is located above the applicable flood level
16. Finished floor levels of the equipment cabin must be constructed no lower than 600mm above the surrounding natural surface levels.
17. Any electrical equipment associated with the works must be located above the applicable flood level of 3.37 metres to AHD.
18. Any new fencing must be 'open style' a minimum of 50% of construction to allow for the conveyance of floodwaters.

Expiry:

19. A permit for the use and development of land expires if –
 - a. the development does not start within two (2) years after the issue of the permit; or
 - b. the development is not completed within four (4) years after the issue of the permit; or
 - c. the use does not start within two (2) years of the completion of the development; or
 - d. the use is discontinued for a period of two (2) years.

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

Notes:

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

Melbourne Water Notes:

- iii. The applicable flood level is 300mm above the natural surface levels.
- iv. This property will also be affected by any incremental mean sea level rise associated with climate change predictions. The flood level for Western Port is 3.37 metres AHD.

Attachments

1. Locality Map [5.2.1 - 1 page]
2. Current Plans and Documents [5.2.2 - 38 pages]
3. CONFIDENTIAL - Copies of Objections - Circulated to Councillors only [5.2.3 - 10 pages]
4. CONFIDENTIAL - Applicants Response to Objector Concerns [5.2.4 - 4 pages]

Executive Summary

APPLICATION NO.:	T210617
APPLICANT:	Stilmark Group
LAND:	L1 TP142357, 1015 Manks Road, Dalmore VIC 3981
PROPOSAL:	Use and development of the land for a Telecommunications Facility
PLANNING CONTROLS:	Zone: <ul style="list-style-type: none"> • Special Use Zone – Schedule 1 Overlays: <ul style="list-style-type: none"> • Land Subject to Inundation Overlay
NOTIFICATION & OBJECTIONS:	Pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> , the application was advertised by the placing of a sign on site and sending notices in the mail to nearby property owners. Six (6) objections were received.

<p>KEY PLANNING CONSIDERATIONS:</p>	<ul style="list-style-type: none"> • Compliance with 'A Code of Practice for Telecommunications Facilities in Victoria' • Proximity to dwellings • Visual impact • Site location • Protecting agricultural land • Land subject to inundation (Flooding)
<p>RECOMMENDATION:</p>	<p>Notice of Decision to Grant a Permit</p>

Background

There is no relevant planning history for this site.

The site is currently occupied by a freezing and cool storage facility.

Subject Site



The site is located on the northern side of Manks Road Dalmore. It is located on the corner with Rices Road located on the western side of the site.

There is one vehicle crossing from Manks Road near the south-west corner of the land and an additional three vehicle crossings located along the western boundary to Rices Road.

The site currently contains a dwelling and associated outbuilding, a freezing and cool storage facility and a large dam.

The topography of the land is relatively flat.

There are no title restrictions affecting the subject site.

The site is located within an area subject to Aboriginal Cultural Sensitivity, however, in accordance with the Aboriginal Heritage Regulations, 2018, the proposal is not considered a 'high impact activity' and therefore, a Cultural Heritage Management Plan (CHMP) is not required to be prepared.

The main characteristics of the surrounding area are:

- North: Directly north of the site is part of 1035 Manks Road containing a large crop raising property, with an associated dwelling and a dam. Further north are other crop raising properties located along Rices Road.
- South: Directly south of the site is Manks Road. Further south are other crop raising properties, most of which also contain associated dwellings.
- East: Directly east of the site is 1035 Manks Road (described above). Further east are more crop raising properties, as well as Lower Gum Scrub Creek.
- West: Directly east of the site is Rices Road. Across Rices Road are more crop raising and agricultural properties, some of which also contain associated dwellings.



Relevance to Council Plan

4.1 We support our productive land and employment land to grow local industries

4.1.1 Facilitate better planning for our agricultural land to support industry, innovation, local food economy and local job growth.

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Proposal

The application is for the use and development of a Telecommunications Facility to provide improved mobile and data service coverage for Dalmore and the surrounding area.

The applicant suggests that there is a need for this facility given that the nearest existing NBN capable telecommunications facility (located off Tooradin Station Road) is more than 3.5 kilometres away and the existing mobile phone base stations are even more distant, with the closest, a Telstra facility, some 3.8km to the north. Other facilities are located at a distance away in Koo Wee Rup.



Figure 1: Locations of nearby telecommunication facilities (Orange squares)

The applicant states that it is not possible to adequately and efficiently service the area around the proposed location from these existing facilities. Data services, in particular, are unreliable and throughput speeds slow. Due to the numerous businesses and rural residential properties within the surrounding area, the applicant contends it is imperative that a new telecommunications facility be installed to service the exponential demand in mobile telecommunications services into the future.

The site has been chosen as it is directly in the centre of these existing facilities and therefore, can provide the greatest and most efficient coverage of this area.

The facility is proposed to be located in the north-east portion of the site, approximately 75 metres from the cold store buildings, with a minimum setback of approximately 138 metres from the Rices Road frontage (west), over 20 metres from the eastern boundary and approximately 240 metres from the Manks Road frontage (south).



Figure 2: Proposed siting

The infrastructure will be located in a compound area of 10 metres by 12 metres. The telecommunications facility will comprise a 30-metre monopole with triangular headframe and three (3) panel antennas, with ancillary components including an outdoor equipment cabinet and chain wire fencing.

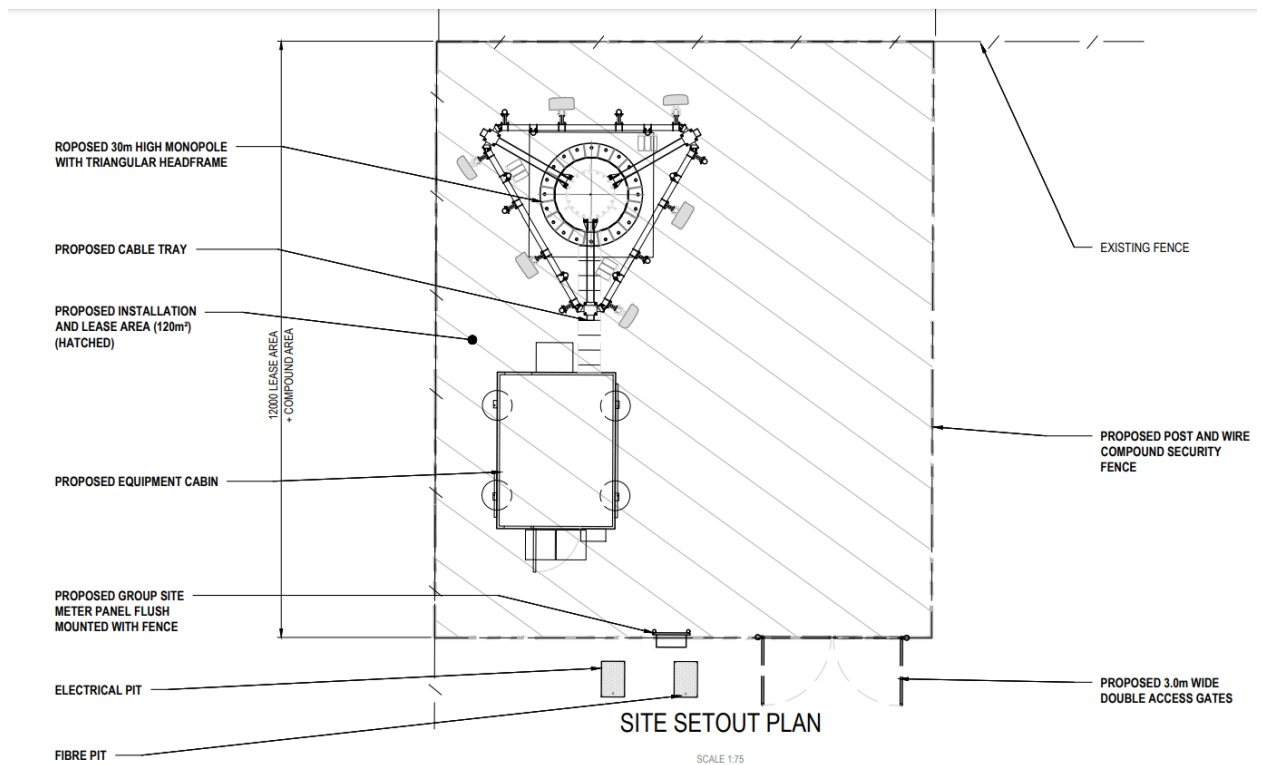


Figure 3: Site Setout Plan

The specific components of the proposed installation are described below:

- a 30-metre-high monopole with headframe;
- a new headframe mounted at the top of the monopole to accommodate three (3) future panel antennas;
- a new 3.15 metre by 2.38 metre equipment shelter (equipment cabinet) located at the base of the monopole; and
- a 1.8-metre-high chain wire security fenced compound around the proposed facility.

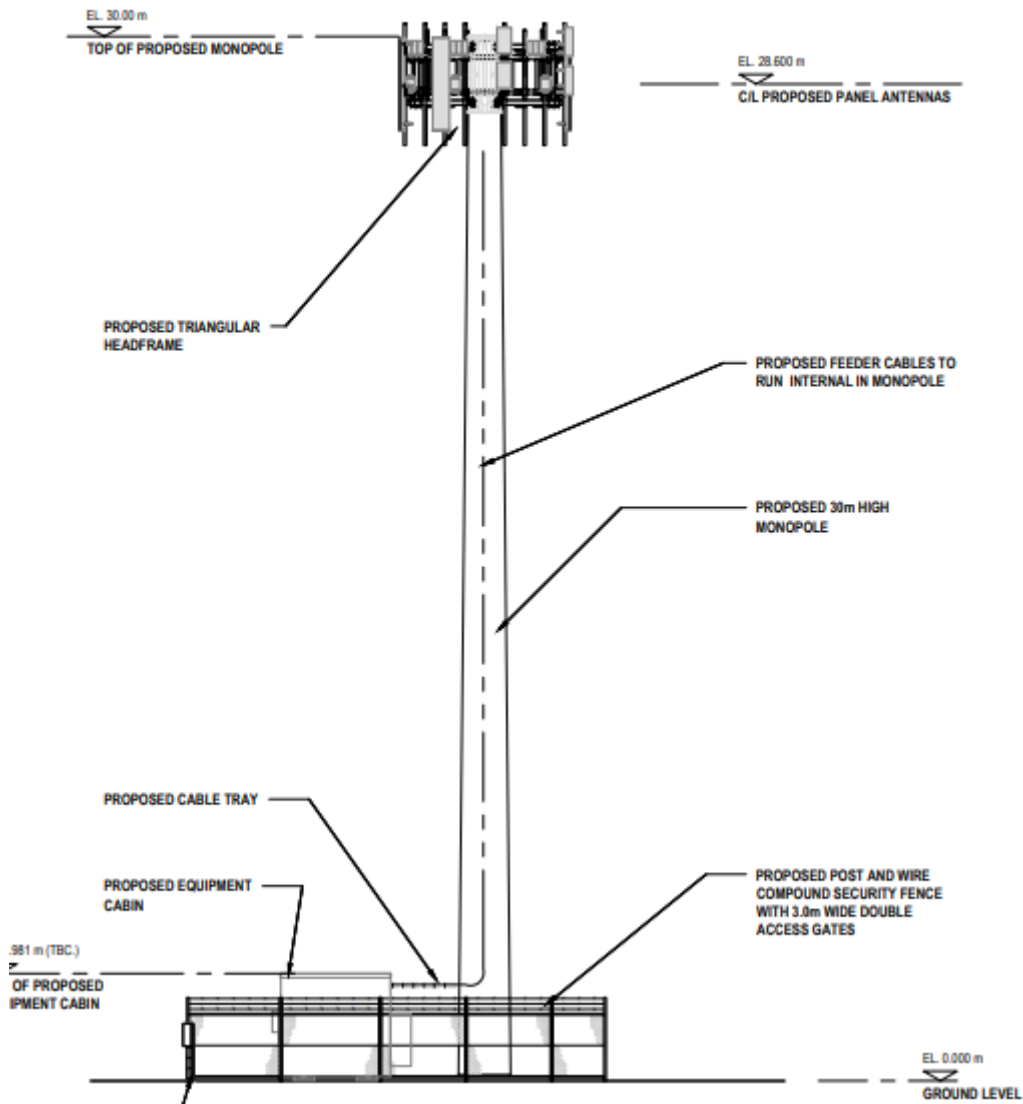


Figure 4: Proposed elevation

The compound will be accessed from Rices Road via an existing crossover. A new internal driveway will be constructed to access the facility.

No vegetation removal is proposed.

Planning Scheme Provisions

Planning Policy Framework (PPF)

The relevant clauses of the PPF are:

- Clause 11.01-1S Settlement
- Clause 11.01-1R Green Wedges – Metropolitan Melbourne
- Clause 12.05-1S Landscape

- Clause 13.03-1S Floodplains
- Clause 13.07-1S Land use compatibility
- Clause 14.01-1S Protection of agricultural land
- Clause 19.03-4S Telecommunications
- Clause 19.03-4R Telecommunications – Metropolitan Melbourne

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.01 Cardinia Shire Key Issues and Strategic Vision
 - Clause 21.01-3 Key Issues: Infrastructure
- Clause 21.02-1 Catchment and coastal management
- Clause 21.02-2 Landscape
- Clause 21.03-4 Rural townships
- Clause 21.04-1 Employment
- Clause 21.04-2 Agriculture
- Clause 21.05-1 Infrastructure provision
- Clause 22.05 Westernport Green Wedge Policy

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 51.02 Metropolitan Green Wedge Land: core planning provisions
- Clause 52.19 Telecommunications Facility
- Clause 65 Decision Guidelines
- Clause 66 Referral and Notice Provisions
- Clause 71.02-3 Integrated Decision Making
- Cardinia Western Port Green Wedge Management Plan (May 2017)

Planning Permit Triggers

The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 37.01-1 (SUZ1) a planning permit is required to use the land for a Utility installation (Telecommunications facility).
-
- Pursuant to Clause 37.01-4 (SUZ1) a planning permit is required to construct or carry out works.
-
- Pursuant to Clause 44.04-2 (LSIO) a planning permit is required to construct or carry out works.

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 and nearby land.

- Placing one sign on the site facing Manks Road.
-

The notification has been carried out correctly, and the statutory declaration has been submitted to Council on 11 November 2021.

Council has received six (6) objections to date.

The main concerns raised by the objections are:

- Negative visual impacts to the landscape and rural character of the area;
- Negative impacts on important agricultural land;
- The close proximity of dwellings to the proposed telecommunications facility;
- Health impacts;
- Loss of property value; and
- Alternative locations.

Referrals

External Referrals/Notices:

Referrals/ Notice	Referral Authority	Brief summary of response
Section 55 Referrals	Melbourne Water [Determining]	No objection (subject to conditions)
Section 52 Notices	N/A	

Internal Referrals:

Internal Council Referral	Advice/ Response/ Conditions
N/A	Standard landscaping and engineering conditions are to be placed on the permit.

Discussion

The proposal for the use and development of the land for a Telecommunications Facility is considered generally consistent with the aims and objectives of the objectives of the Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, as well as the zone and overlay which apply to the subject site as discussed below.

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

Several state and local policies are relevant to this application.

Whilst sometimes it is perceived that farming areas do not have a 'landscape character', the Special Use Zone (Schedule 1) in which the site sits, does recognise that there is a farming character of the area and asks the Responsible Authority to consider the impact of buildings and works on the character or appearance of the area.

Therefore, Clauses 12.05-2S (Landscape) and 21.02-2 (Landscape), which aim to protect landscapes and significant open spaces that contribute to the character, identity and sustainable environments and ensure the sensitive siting of buildings and other structures having regard to the protection of prominent ridgelines, significant views and areas of remnant vegetation is relevant to the application.

Additionally, the impact that the use, along with the buildings and works may have on the agricultural productivity of the area should also be considered. Clause 11.01-1R (Green wedges) aims to protect the green wedges of metropolitan Melbourne from inappropriate development, with specific strategies including the protection of areas of environmental, landscape and scenic value and support for development that provides for environmental, economic and social benefits.

The need for these types of facilities and the benefit they provide to the wider community must also be taken into consideration. Clause 19.03-4S (Telecommunications) aims to facilitate the orderly development, extension and maintenance of telecommunication infrastructure. The clause aims encourage the continued deployment of broadband telecommunications services and ensure that modern telecommunications facilities are widely accessible to business, industry and the community.

The provision of infrastructure to meet the needs of the existing and future community is also highlighted as a key issue in Clause 21.01 (Cardinia Shire Key Issues and Strategic Vision), and reinforced by Clause 21.05-1 (Infrastructure provision), which encourages the provision of high capacity telecommunications infrastructure.

Although the proposal will be visible within a generally agricultural and rural landscape, this infrastructure is not uncommon within the wider site context. The simple design of the facility together with a requirement for screen planting will minimise the impact on the rural landscape and provides an appropriate balance between the policy directions of the provision of appropriate telecommunications for the immediate and wider area and the impacts on the surrounding landscape.

A Code of Practice for Telecommunications Facilities in Victoria

In line with the decision guidelines outlined at Clause 52.19-6 (Telecommunications Facility), the principles for the design, siting, construction and operation of a telecommunication facility must be assessed against 'A Code of Practice for Telecommunication Facility in Victoria'. Each principal of this code has been addressed as follows:

Principle 1: A telecommunication facility should be sited to minimise visual impact

At a maximum height of 30 metres it is acknowledged that the monopole tower component of the facility will be visible from land outside of the subject site. However, as highlighted in the VCAT decision, *White v Ballarat CC [2014]* the simple visibility of the tower from surrounding land does not mean that there is an unacceptable planning or visual impact.

It is considered by Council officers that the location of this telecommunication facility is appropriately placed. The proposed compound is sited approximately 75 metres from the cold store buildings on the subject site, with a minimum setback of approximately 138 metres from the Rices Road frontage (west), over 20 metres from the eastern boundary and approximately 240 metres from the Manks Road frontage (south). The facility will be setback approximately 290 metres from the nearest dwelling to the south and all other dwellings are a minimum of 300 metres away. As well as being a strategic location to ensure efficient coverage is provided, the monopole has been sited inside towards the rear of the allotment to reduce the scale of

the structure from the surrounding properties and the road as much as possible. Additionally, given the flat terrain, the shortest possible monopole has been proposed, along with the slimline monopole design, in lieu of the bulkier lattice style.

The applicant states in its submission that the reasons for selecting this site are as follows:

- The facility is proposed to cater for a projected future need by the carriers in this area (and forms part of a larger strategic program across the South-East region of Victoria).
- The coverage in the area is generally poor and there are no mobile phone base stations within three-and-a-half kilometres of the proposed location.
- It is not possible to adequately and efficiently service the area around the proposed location from existing facilities. Data services, in particular, are unreliable and throughput speeds slow. Due to the numerous businesses and rural residential properties within the surrounding area, it is imperative that a new telecommunications facility be installed to service the exponential demand in mobile telecommunications services into the future;
- The site location benefits from the flat terrain of the area allowing for the smallest structure possible to be used to delivery service to the surrounding community;
- The site is centrally located between existing facilities, which provides an opportunity to provide efficient coverage and reduces the proliferation of telecommunication towers in the landscape;
- The proposal is not considered to cause unreasonable amenity impact within the rural landscape context of the site; and
- The proposal is not considered to cause unreasonable impacts on the availability of farming land, nor cause any unreasonable impacts to the neighbouring farming pursuits.

When discussing Principle 1, in regards to the previously highlighted *White v Ballarat CC [2014]*, Council was directed to consider aspects such as distances of the facility from the road, viewing points, and extent of any vegetation in the vicinity to obscure the pole. The VCAT decision also states that minimising an adverse impact on visual amenity does not mean that the telecommunication pole must be sited so that it cannot be seen by most or many people. Visibility cannot be equated to adverse visual impact. It is the extent to which a development is compatible with the particular location and how policies seek to guide change that is most relevant.

A proposed 30m slim line tower is to be used rather than other types of facilities, such as a lattice tower. The design and construction materials are considered less visually intrusive than existing telecommunications facilities in the area, like the tower approved by Planning Permit T160015 at 310 Tooradin Station Road, which has been constructed in the lattice style, to an overall height of 40 metres, and a monopole at Cardinia Road (approved by Planning Permit T160014) which has been constructed to a height of 40 metres.

Whilst it is acknowledged that the facility will be visible from adjoining land given the overall 30 metre height, the visual impact is not unreasonable in this rural context given its slimline design and appropriate setbacks and siting. The location of the facility will still allow for expansive, open views to be maintained from adjoining and opposite land.

Additionally, being setback a substantial distance off Manks Road and Rices Road and over 290 metres from the nearest dwelling, should ensure that the facility is less intrusive in the landscape.

The applicant has stated that the proposed monopole is the smallest structure capable of meeting coverage and operational objectives. Having regard to the above, it is considered that the siting of the facility is appropriate.

Principle 2: Telecommunication facilities should be co-located wherever practical

In terms of future requirements, the coverage in the area is generally poor and there are no mobile phone base stations within three-and-a-half kilometres of the proposed location.

The applicant contends that the new facility is well placed to allow for new and improved coverage and services to the area, which includes parts of Dalmore, as well along Manks Road and Dalmore Road. As stated above, it has been centrally located between three (3) existing towers within approximately 3.5 kilometres of the site. The proposed location has been chosen to maximise the efficiency of coverage and therefore reduce the need for multiple facilities within the area.

Given the lack of existing telecommunications infrastructure and other tall structures in the area, collocation is also not an option for addressing future requirements and a new structure will be required.

Principle 3: Health standards for exposure to radio emissions will be met

In accordance with *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*, a telecommunications facility must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with *Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz*, Arpana, May 2002.

As with all mobile telecommunications facilities in Australia, the proposed facility is required to comply at all time with the relevant Radiation Protection Standard, and once operational, must have this compliance certified by an accredited body.

Principle 4: Disturbance and risk relating to siting and construction should be minimised

Excavation will be required to install the footings for the monopole and the fencing. Other than this, the only other works proposed are those required by Melbourne Water for the equipment building to ensure it is constructed a minimum of 600mm above natural surface level for flood protection. Standard engineering conditions will be placed on any permit to ensure erosion and drainage will be appropriate for the site.

In addition to these principles, the decision guidelines of Clause 52.19-5 also ask the Responsible Authority to consider (as appropriate) the effect of the proposal on adjoining land, and if the proposal is located in an overlay listed, the decision guidelines of that said overlay.

The proposal is not located within any of the overlays listed, therefore this decision guideline has not been considered.

As discussed above, the effect the proposal may have on adjoining land in terms of visual and health impacts has been considered above. The effect the proposal may have on other important aspects of the surrounding land, including the impact to the horticultural significance of the Special Use Zone (Schedule 1) and the potential for flood impacts outlined by the Land Subject to Inundation Overlay are considered below.

Consideration of the agricultural/ horticultural context of the site

The subject site is located within the Special Use Zone – Schedule 1 and therefore particular consideration must be given to the impacts that a Telecommunications facility may have on the horticultural productivity of the site and the surrounding sites.

In terms of the use, the site is currently utilised for freezing and cool storage within the broader horticultural area. It is not currently farmed for horticultural purposes. However, although the site is not currently utilised for horticultural pursuits, consideration to the impacts on any future use of the site for horticultural pursuits must be considered. The proposed buildings and works are consistent with the setback requirements of the Special Use Zone (Schedule 1) with the tower being 20 metres from a boundary, the size of the works is considered minor, and well under the 200sqm specified by the Zone. In terms of any loss to agricultural land, the facility and driveway will occupy less than 0.002 percent of the 7.7Ha site.

Additionally, given the large setbacks from the surrounding road network and nearby dwellings, the facility is considered to be less visually intrusive on the landscape, than if it were to be located closer to the dwellings or road.

The use of the land for this purpose is also considered acceptable given the rural nature of the area and lack of telecommunication facilities within 3.5 kilometres of the site, and given that this type of use is supported in all Zones by Planning Policy where any negative impacts from the buildings and works can be minimised.

Overall, the proposed facility is considered to positively contribute to the horticultural and agricultural businesses within the area by providing more efficient and widespread telecommunications coverage that is currently lacking.

Consideration of the potential impacts of flooding on the site

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 proposed facility to be located on flood-free land or land with a lesser hazard outside this overlay. Pursuant to Section 55 of the Act the application was referred to Melbourne Water, who had no objection to the proposal, subject to amended plans being submitted to show:

- The finished floor level of the equipment building being constructed at 600mm above the surrounding natural surface levels.
- A notation stating all electrical equipment is located above the applicable flood level.

Melbourne Water also require that any new fencing installed must be open style (a minimum of 50% open) to allow for the conveyance of flood waters.

The facility takes up a relatively small portion of land and with the construction of an open style fence, should not negatively affect the passage or storage of flood waters across the site.

Given that Melbourne Water had no objection to the proposed development, it is considered that proposed facility 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.

Response to objections

Loss of property value

Some objector's submissions raised issues surrounding loss of property value. Loss of property value is not considered an objection on planning merit, and therefore, cannot be considered by Council.

However, it is considered that having better access to telecommunications within a rural area such as this to be a positive.

Alternative locations

Some objections raised the possibility of other more suitable sites as they would have less amenity impact, such as locating the facility closer to the existing cold stores on the site.

A suggestion to move the facility closer to the existing buildings on the site was also considered, however Council was advised that the landowner has plans to extend the cool rooms and therefore, locating the facility behind or nearby their northernmost building was not possible. Council has asked the applicant to explore alternative locations, and whilst they have advised that there may be other locations that could be considered to resolve some of the objectors' concerns, these locations would then have more of an impact and be closer to other dwellings.

Based on the central location and large setbacks from neighbouring dwellings afforded by the currently proposed location, it is considered that the location as proposed offers the greatest protection from visual and amenity impacts, whilst considering the optimal location to provide the level of coverage required.

Visual Impact

Several objectors consider that the proposal will have negative visual impacts to the landscape and rural character of the area. Whilst it is acknowledged that the facility will be visible from adjoining land, it is not considered to have an unreasonable adverse impact given the setbacks from title boundaries and nature of the surrounding rural allotments. The facility will be setback approximately 290 metres from the nearest dwelling to the south and all other dwellings are a minimum of 300 metres away. As previously stated, the findings of *White v Ballarat CC [2014]*, determined that the simple visibility of the tower from surrounding land does not mean that there is an unacceptable planning or visual impact.

As discussed, the applicant has sought the shortest possible tower to service the required area and has proposed a monopole instead of a lattice tower to further reduce visual bulk.

A condition can be placed on any permit issued requiring screen planting around the proposed development to obscure the lower form of the development. The simple form of the structure combined with a condition requiring landscaping of the compound will help to minimise impact on the immediate and wider site context.

A condition of approval will require that external materials must be non-reflective.

Impacts to agriculture/ loss of agricultural land

Several objections raised concerns about the potential for this type of use introducing more non-agricultural uses, as well as the physical loss of agricultural land from the footprint of the facility and its associated infrastructure.

As discussed above, the facility and driveway will occupy less than 0.002 percent of the 7.7Ha site. The location of the facility is considered appropriate given that it is located nearby the existing buildings on the site, and its small footprint is unlikely inhibit any future horticultural use of the land due to its size or siting.

In addition, the site remains zoned Special Use Zone (Schedule 1) and the allowable land uses set out by this Schedule must still be adhered to. The planning scheme intentionally ensures that Telecommunication Facilities are not prohibited in any Zone and therefore, in many instances these proposal as considered appropriate.

The importance of protecting the Special Use Zone (Schedule 1) from inappropriate uses (such as residential uses) continues to be a priority when considering planning applications and therefore any application for the introduction of any use or works that are not in conformity with the objectives of this zone will continue to be assessed against these objectives as to whether it is suitable or not.

Health risks

Several objectors have raised concerns over health risks associated with the facility.

As discussed above, telecommunication towers are required by law to comply with *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*. This legislation requires that telecommunications facilities must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with *Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz*, Arpana, May 2002.

This exposure range outlined by this report has been considered safe for humans.

Additionally, the applicant has provided an additional response to these concerns, explaining that:

All mobile phone Carriers must strictly adhere to Commonwealth Legislation and regulations regarding mobile phone facilities and equipment administered by the Australian Communications and Media Authority (ACMA).

In 2020 the ACMA adopted a technical standard for exposure of the general public to RF EME from mobile base stations. The standard, known as the Standard for Limiting Exposure to Radiofrequency Fields – 100kHz to 300GHz (2021) RPS S-1 (Rev 1), was prepared by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and is the same as that recommended by ICNIRP (International Commission for Non-Ionising Radiation Protection), an agency associated with the World Health Organisation (WHO).

Mobile carriers must comply with the Australian Standard on exposure to EME set by the ACMA.

Due to the specific mandated operational standards these facilities must comply with in Australia, the frequencies used do not impact the use or operation of medical devices or medical equipment. Mobile telecommunications base station facilities are

commonly installed on the rooftop of Hospitals and Medical Centres to assist in the provision of up-to-date mobile telecommunications technology.

Decision Guidelines

The proposal is consistent with the PPF and LPPF, the purpose of the zone, overlay and relevant provisions. The proposal does not undermine the orderly planning of the area and the siting, design and visual impact of the facility is considered appropriate when regard is given to the social and economic benefits provided by improved and enhanced telecommunications.

Conclusion

The proposed facility, comprising a 30-metre-high monopole with attached antennas and equipment cabinets is to be located within the site so that it reduces visual amenity issues, whilst ensuring adequate coverage is achieved. The proposal satisfies the requirements of the Code of Practice for Telecommunications Facilities in Victoria, whilst also addressing coverage deficiencies within the local area.

The proposal is also consistent with the stated objectives of the Cardinia Planning Scheme and, in particular, Clause 52.19 relating to telecommunications facilities. It is not considered to have any unreasonable impact to the amenity of the surrounding area, although visible, has been sited and designed to provide an appropriate balance between visual impacts and the provision of improved services for the wider site context.

It is therefore recommended that a Notice of Decision to Grant a Permit be issued for Planning Permit Application T210617 for the Use and development of the land for a Telecommunications Facility and associated works at L1 TP142357, 1015 Manks Road, Dalmore VIC 3981 subject to the following conditions:

Conditions

Plans required:

1. Before the use and 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 and fully dimensioned. The plans must be generally in accordance with the amended development plans prepared for Stillmark Telecommunications Ltd, Rev B-1, dated 28/09/21 submitted with the application but modified to show:
2.
 - a. The monopole and equipment shelter to be painted 'Eucalyptus green' or a similar neutral colour.
 - b. Setbacks from all property boundaries shown correctly to scale and fully dimensioned.
 - c. The location, width and construction material for the driveway required to access the facility.
 - d. A landscape plan in accordance with Condition 2.
 - e. Fencing around the facility to be a minimum of 50 percent open style in accordance with Condition 16.
 - f. Any other changes to plans required by Condition 13.
3. 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 provide a landscape buffer immediately surrounding the fenced Telecommunications Facility, and must be drawn to scale with dimensions. The plan must show:
4.
 - a. 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.
 - b. Species must be compatible with the surrounding farming activities and must not contain or be contaminated with any environmental or horticultural weeds.

Prior to Commencement:

5. Before works start, a fence must be erected around any tree within 15 metres of the proposed buildings and works. 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 chain mesh 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.

Secondary Consent:

6. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Amenity:

7. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
8. The exterior colour and cladding of the telecommunication facility must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the equipment shelter, including the roof, must be of a non-reflective nature.
9. Electromagnetic energy emissions must comply with the Australia Radiation Protection and Nuclear Safer Agency (ARPANSA) (or as amended).

Earthworks:

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.

Landscaping installation:

12. Within three (3) months of the Telecommunications Facility being completed the landscaping as shown on the endorsed landscaping plan must be carried out and completed to the satisfaction of the Responsible Authority.

Maintenance of Landscaping:

13. 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.

Removal of redundant infrastructure

14. If the telecommunications facility becomes redundant, all infrastructure associated with the facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three (3) months of the facility ceasing to operate and must be at the expense of the permit holder.

Melbourne Water:

15. Prior to the development plans being endorsed, 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 show:
 - a. Finished floor levels of the equipment cabin must be set no lower than 600mm above the surrounding natural surface levels.
 - b. a notation stating all electrical equipment is located above the applicable flood level
16. Finished floor levels of the equipment cabin must be constructed no lower than 600mm above the surrounding natural surface levels.
17. Any electrical equipment associated with the works must be located above the applicable flood level of 3.37 metres to AHD.
18. Any new fencing must be 'open style' a minimum of 50% of construction to allow for the conveyance of floodwaters.

Expiry:

19. A permit for the use and development of land expires if –
 - a. the development does not start within two (2) years after the issue of the permit; or
 - b. the development is not completed within four (4) years after the issue of the permit; or
 - c. the use does not start within two (2) years of the completion of the development; or
 - d. the use is discontinued for a period of two (2) years.

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

Notes:

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

Melbourne Water Notes:

- iii. The applicable flood level is 300mm above the natural surface levels.
- iv. This property will also be affected by any incremental mean sea level rise associated with climate change predictions. The flood level for Western Port is 3.37 metres AHD.

Resolution

Moved Cr Stephanie Davies, seconded Cr Graeme Moore.

That Council issue a Notice of Decision to Grant a Permit for the use and development of the land for a Telecommunications Facility at L1 TP142357, 1015 Manks Road, Dalmore VIC 3981, subject to the following conditions:

Plans required:

1. Before the use and 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 and fully dimensioned. The plans must be generally in accordance with the amended development plans prepared for Stillmark Telecommunications Ltd, Rev B-1, dated 28/09/21 submitted with the application but modified to show:
 2.
 - a. The monopole and equipment shelter to be painted 'Eucalyptus green' or a similar neutral colour.
 - b. Setbacks from all property boundaries shown correctly to scale and fully dimensioned.
 - c. The location, width and construction material for the driveway required to access the facility.
 - d. A landscape plan in accordance with Condition 2.
 - e. Fencing around the facility to be a minimum of 50 percent open style in accordance with Condition 16.
 - f. Any other changes to plans required by Condition 13.
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 provide a landscape buffer immediately surrounding the fenced Telecommunications Facility, and must be drawn to scale with dimensions. The plan must show:
 - a. 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.
 - b. Species must be compatible with the surrounding farming activities and must not contain or be contaminated with any environmental or horticultural weeds.

Prior to Commencement:

3. Before works start, a fence must be erected around any tree within 15 metres of the proposed buildings and works. 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 chain mesh 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.

Secondary Consent:

4. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Amenity:

5. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
6. The exterior colour and cladding of the telecommunication facility must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the equipment shelter, including the roof, must be of a non-reflective nature.
7. Electromagnetic energy emissions must comply with the Australia Radiation Protection and Nuclear Safer Agency (ARPANSA) (or as amended).

Earthworks:

8. 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.
9. 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.

Landscaping installation:

10. Within three (3) months of the Telecommunications Facility being completed the landscaping as shown on the endorsed landscaping plan must be carried out and completed to the satisfaction of the Responsible Authority.

Maintenance of Landscaping:

11. 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.

Removal of redundant infrastructure

12. If the telecommunications facility becomes redundant, all infrastructure associated with the facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three (3) months of the facility ceasing to operate and must be at the expense of the permit holder.

Melbourne Water:

13. Prior to the development plans being endorsed, 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 show:
 - a. Finished floor levels of the equipment cabin must be set no lower than 600mm above the surrounding natural surface levels.
 - b. a notation stating all electrical equipment is located above the applicable flood level
14. Finished floor levels of the equipment cabin must be constructed no lower than 600mm above the surrounding natural surface levels.
15. Any electrical equipment associated with the works must be located above the applicable flood level of 3.37 metres to AHD.
16. Any new fencing must be 'open style' a minimum of 50% of construction to allow for the conveyance of floodwaters.

Expiry:

17. A permit for the use and development of land expires if –
 - a. the development does not start within two (2) years after the issue of the permit; or
 - b. the development is not completed within four (4) years after the issue of the permit; or
 - c. the use does not start within two (2) years of the completion of the development; or
 - d. the use is discontinued for a period of two (2) years.

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

Notes:

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

Melbourne Water Notes:

- iii. The applicable flood level is 300mm above the natural surface levels.
- iv. This property will also be affected by any incremental mean sea level rise associated with climate change predictions. The flood level for Western Port is 3.37 metres AHD.

Carried

5.3 Planning Scheme Amendment Activity Report

Responsible GM: Lili Rosic
Author: Luke Connell

Recommendation(s)

That Council note the report.

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.

Resolution

Moved Cr Carol Ryan, seconded Cr Jack Kowarzik.

That Council note the report.

Carried

5.4 Planning Matters VCAT Report

Responsible GM: Lili Rosic
Author: Jason Gilbert

Recommendation(s)

That Council note the report.

Executive Summary

The following list is presented to keep Council informed of applications that are currently the subject of appeals proceedings and recent decisions from the Victorian Civil and Administrative Tribunal (VCAT).

Relevance to Council Plan

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Matters Recently Lodged at VCAT

Hearing Date	Permit No.	Address	Proposal	Council Decision	Appealed By	Outcome	Decision Date
22/08/22	T210338	Warehouse 1/9 Southeast Boulevard, PAKENHAM VIC 3810	Use of the land for a food and drink premises, manufacturing sales and the sale and consumption of liquor (producer's licence) in association with industry (micro- brewery) and a reduction of car parking requirements	N/A	Applicant	Awaiting hearing	

Matters Recently Decided at VCAT

Hearing Date	Permit No.	Address	Proposal	Council Decision	Appealed By	Outcome	Decision Date
13/12/21	T180651	369 Paternoster Road	Use and development of the land for a dwelling and removal of vegetation	Refusal	Applicant	Affirmed – no permit issued	1/02/2022
19/11/21	T200380	55 Mullane Road, Pakenham	Buildings and works associated with the construction of a dwelling	Refusal	Applicant	Affirmed - no permit issued	8/12/2021

Matters Currently the Subject of VCAT Appeal

Hearing Date	Permit No.	Address	Proposal	Council Decision	Appealed By	Outcome	Decision Date
27/07/22	T210005	150 Settlement Road, Caldermeade	Use and development of the land for Domestic Animal Husbandry (Dog Breeding)	Refusal	Applicant	Awaiting hearing	
4/04/22	T190768	7 Knights Court, Tynong	Subdivision of land into (2) lots and variation of restrictive covenant PS705124	Notice of Decision to Grant a Permit	Objector	Awaiting hearing	
28/01/22	T200589	48 James Street, Lang Lang	Development of the land for six (6) dwellings	Refusal	Applicant	Awaiting determination	
1/12/21	T190304-1	3480 Princes Highway Bunyip	Amendments to Planning Permit T190304 (issued for the use and development of the land for dog breeding) to increase dog numbers for commercial dog breeding and include additional buildings and works.	Refusal	Applicant	Awaiting determination	
14/12/21	T200167	197 Quamby Road, Beaconsfield Upper	Alterations and additions to an existing dwelling and outbuilding	Refusal	Applicant	Awaiting determination	
2/09/21	T190712	565 Murray Road, Vervale	Use and development of the land for Rural Industry and Caretakers Dwelling associated with Industrial Hemp	Refusal	Applicant	Awaiting determination	

Resolution

Moved Cr Carol Ryan, seconded Cr Jack Kowarzik.

That Council note the report.

Carried

5.5 Planning Matters Dealt with by Officers Under Delegated Authority

Responsible GM: Lili Rosic
Author: Jason Gilbert

Recommendation(s)

That Council note the report.

Executive Summary

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

Relevance to Council Plan

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Planning Matters Report

Beacon Hills Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
11/11/2021	T210731	55 Apple Tree Lane, Pakenham Upper VIC 3810	Development of the land for an outbuilding	Issued	21/06/2021
16/11/2021	T210632	11 Leadbetter Road, Beaconsfield Upper VIC 3808	Alteration and extension to existing dwelling	Issued	18/08/2021
16/11/2021	T210751	107 Bourkes Creek Road, Pakenham Upper VIC 3810	Buildings and works associated with an outbuilding	Issued	30/09/2021
16/11/2021	T210777	6 Lenne Street, Beaconsfield Upper VIC 3808	Buildings and works associated with an outbuilding and associated works	Issued	11/10/2021
16/11/2021	T210260	69 Kitchen Road, Beaconsfield Upper VIC 3808	Alterations and additions to a Dwelling	Issued	15/04/2021
16/11/2021	T200455	122 Old Princes Highway, Beaconsfield VIC 3807	Use of the land for a Restricted Retail Premises, construction and display of signage, reduction in car spaces and alteration of access to a Road Zone Category 1	Issued	22/07/2020
22/11/2021	T210766	39 St Georges Road, Beaconsfield Upper VIC 3808	Development of the land for a non-habitable outbuilding (garage)	Issued	5/10/2021
23/11/2021	T210549	314 Thewlis Road, Pakenham VIC 3810	Development of the land for an outbuilding	Issued	26/07/2021
29/11/2021	T210392	455 Toomuc Valley Road, Pakenham VIC 3810	Use and development of the land for a dwelling and associated works	Issued	1/06/2021
29/11/2021	T210533	137 Beaconsfield-Emerald Road, Beaconsfield Upper VIC 3808	Buildings and works associated with a replacement dwelling, habitable outbuildings (home office/gym (including garage) and cabana) and outbuilding (carport)	Issued	20/07/2021
29/11/2021	T210538	205 Beaconsfield-Emerald Road, Beaconsfield VIC 3807	Alterations and additions to the existing dwelling and vegetation removal	Issued	21/07/2021
1/12/2021	T210727	288 Beaconsfield-Emerald Road, Beaconsfield VIC 3807	Use and development of the land for a dwelling and alteration of access to a Road Zone Category 1	Issued	21/09/2021
1/12/2021	T210502	8 Halford Street, Beaconsfield Upper VIC 3808	Buildings and works associated with alterations to an existing dwelling	Issued	6/07/2021

6/12/2021	T210396 - PC3	135 Beaconsfield-Emerald Road, Beaconsfield Upper VIC 3808	T210396 PC3 (Con. 01 C1P) - Plans to Comply Application	Application Withdrawn	25/11/2021
8/12/2021	T210142	60 A` Beckett Road, Beaconsfield Upper VIC 3808	Development of the land for a dwelling addition and alterations, associated works and vegetation removal	Issued	26/02/2021
9/12/2021	T210769	155 Mount Burnett Road, Mount Burnett VIC 3781	Development of the land for an outbuilding (pool house) and extension to existing dwelling	Issued	6/10/2021
14/12/2021	T180833 - 1	6 Ann Street, Beaconsfield VIC 3807	Amendment to Condition 13 on Planning Permit T180833-1 to enable a Section 173 Agreement to be entered into in lieu of construction of a dwelling on each lot prior to the issue of a Statement of Compliance	Issued	28/09/2021
16/12/2021	T210882	113 Beaconsfield-Emerald Road, Beaconsfield Upper VIC 3808	Development of the land for a non-habitable outbuilding (shed)	Issued	25/11/2021
16/12/2021	T210803	5 Roy Ross Court, Pakenham VIC 3810	Extension to an existing dwelling	Issued	19/10/2021
21/12/2021	T200535 - PC1	53 Lewis Road, Beaconsfield Upper VIC 3808	T200535 PC1 (Con. 01 NVCR) - Plans to Comply Application	Issued	4/11/2021
22/12/2021	T210604	18 McArthur Road, Beaconsfield Upper VIC 3808	Buildings and works associated with an outbuilding (garage)	Issued	11/08/2021
5/01/2022	T210225	67 Payne Road, Beaconsfield VIC 3807	Buildings and works associated with an extension to a dwelling and removal of vegetation	Issued	30/03/2021
6/01/2022	T210778	357 Army Road, Pakenham VIC 3810	Buildings and works associated with an outbuilding	Issued	12/10/2021
10/01/2022	T210566	137 Quamby Road, Guys Hill VIC 3807	Construction of an outbuilding and associated works	Issued	29/07/2021
10/01/2022	T210690	35 Bayard Drive, Pakenham Upper VIC 3810	Development of the land for a non-habitable outbuilding (shed)	Issued	8/09/2021
10/01/2022	T200770 - 1	10 Lenne Street, Beaconsfield Upper VIC 3808	Buildings and works for the construction of an outbuilding (garage) and removal of one tree	Issued	10/12/2021
10/01/2022	T210843	225 Beaconsfield-Emerald Road, Beaconsfield VIC 3807	Development of the land for an outbuilding (shed)	Issued	11/11/2021
11/01/2022	T210474	10 Corringham Road, Beaconsfield Upper VIC 3808	Buildings and works associated with an outbuilding and associated works (decking)	Issued	28/06/2021
11/01/2022	T210741	90 Bimbimbe Drive, Dewhurst VIC 3808	Buildings and works associated with an outbuilding	Issued	28/09/2021

11/01/2022	T190057 - PC1	3 Morris Road, Beaconsfield Upper VIC 3808	T190057 - PC1 Plans to Comply Application	Issued	25/05/2021
1/02/2022	T190679 - 2	215 Princes Highway, Beaconsfield VIC 3807	T190679-2 APP	Issued	23/12/2021
7/02/2022	T210690 - PC1	35 Bayard Drive, Pakenham Upper VIC 3810	T210690 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	1/02/2022
7/02/2022	T210939	135 Beaconsfield-Emerald Road, Beaconsfield Upper VIC 3808	Development of the land for two (2) attached outbuildings	Issued	15/12/2021

Bunyip Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
16/11/2021	T210236	36A Railway Avenue, Tynong VIC 3813	Use and development of the land for a postal agency and food and drink premises, and display of signage	Issued	6/04/2021
16/11/2021	T210300	145 Nash Road, Bunyip VIC 3815	Re-subdivision of the land into two (2) lots	Issued	3/05/2021
16/11/2021	T210755	6 Jakobi Court, Bunyip VIC 3815	Development of the land for an outbuilding	Issued	27/09/2021
19/11/2021	T210056	Beswick Street, Garfield VIC 3814	Proposed new shed	Issued	29/01/2021
19/11/2021	T210091 - PC2	48 Garfield Road, Garfield VIC 3814	T210091 PC2 (Con. 01 C1P) - Plans to Comply Application	Issued	10/09/2021
26/11/2021	T210648	497 Garfield North Road, Garfield North VIC 3814	Development of the land for a shed associated with agriculture and the removal of vegetation	Issued	23/08/2021
29/11/2021	T210712	130 Trevor Road, Nar Nar Goon North VIC 3812	Buildings and works associated with an outbuilding	Issued	14/09/2021
29/11/2021	T210547	45 Warren Road, Nar Nar Goon North VIC 3812	Buildings and works associated with an outbuilding	Issued	25/07/2021
29/11/2021	T210711	54 Bunyip-Modella Road, Bunyip VIC 3815	Buildings and works associated with a replacement dwelling	Issued	3/09/2021
30/11/2021	T210807	155 Yarrabubba Road, Nar Nar Goon North VIC 3812	Development of the land for an outbuilding	Issued	20/10/2021
2/12/2021	T210091 - PC1	48 Garfield Road, Garfield VIC 3814	T210091 PC1 (Con. 18 S173 - SEW) - Plans to Comply Application	Issued	4/08/2021
2/12/2021	T210368	230 Fogarty Road, Tynong North VIC 3813	- Animal production (Free Range Poultry Farm, around 1000 chickens, Free Range Pig Farm , up to 100 pigs), Rural industry & Freezing and cool storage - A permit for 'Place of Assembly' and have people come to Auyea Park (up to 10 events a year) - Permit for small restaurant (around 10 tables)	Lapsed	24/05/2021
7/12/2021	T210510	650 Bessie Creek Road, Nar Nar Goon North VIC 3812	Buildings and works associated with an extension to a dwelling	Issued	7/07/2021

14/12/2021	T210813	140 Moore Road, Nar Nar Goon North VIC 3812	Development of the land for a non-habitable outbuilding (shed)	Issued	26/10/2021
15/12/2021	T210250	1530 Princes Highway, Nar Nar Goon VIC 3812	Subdivision of land and creation of access to a road in a Road Zone, Category 1	Issued	1/04/2021
20/12/2021	T210326	10 Canty Lane, Pakenham VIC 3810	Subdivision of land in stages, creation of restrictions and easements, removal of native vegetation, works on land affected by the Land Subject to Inundation Overlay and associated works	Issued	11/05/2021
21/12/2021	T210625	35 Railway Avenue, Bunyip VIC 3815	Development of the land for a dwelling and associated works	Issued	17/08/2021
22/12/2021	T210458	62 Railway Avenue, Tynong VIC 3813	Subdivision of the land into two (2) lots	Issued	22/06/2021
4/01/2022	T210925	51A Ryan Road, Pakenham VIC 3810	Buildings and works associated with the construction of two (2) outbuildings	Application Withdrawn	8/12/2021
6/01/2022	T210550	40 Enticott Road, Bunyip VIC 3815	Buildings and works associated with an outbuilding (shed)	Issued	26/07/2021
10/01/2022	T210814	34 Railway Avenue, Bunyip VIC 3815	Buildings and works associated with accommodation (dwelling) and associated works within the Bushfire Management Overlay	Issued	27/10/2021
17/01/2022	T210536	6 Sweeney Court, Tynong VIC 3813	Use and development of the land for a Dwelling	Issued	21/07/2021
18/01/2022	T210027 - 1	51A Ryan Road, Pakenham VIC 3810	Development of land for an outbuilding and carport ancillary to a dwelling	Issued	23/12/2021
19/01/2022	T210926	20 Michell Road, Bunyip North VIC 3815	Development of the land for an outbuilding (carport)	Issued	9/12/2021
25/01/2022	T210733	340 Mont Albert Road, Tynong VIC 3813	Development of the land for an extension to an existing dwelling and the development of a non-habitable building (shed)	Issued	22/09/2021
25/01/2022	T210388	32 Dunbarton Drive, Pakenham VIC 3810	Development of the land for a second dwelling and buildings and works to an existing dwelling	Issued	28/05/2021
27/01/2022	T210386	2530 Princes Highway, Tynong VIC 3813	Alterations and extension to existing dwelling and associated works	Issued	28/05/2021

7/02/2022	T210468 - PC1	40 Dore Road, Nar Nar Goon North VIC 3812	T210468 PC1 (Con. 06 NVO) - Plans to Comply Application	Issued	13/01/2022
9/02/2022	T210430	14 Latta Road, Nar Nar Goon VIC 3812	Subdivision of the land into two (2) lots, and creation of a restriction	Issued	11/06/2021

Central Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
20/12/2021	T210865	84 Livingstone Boulevard, Pakenham VIC 3810	Pergola	Application Withdrawn	19/11/2021

Henty Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
19/11/2021	T210650	2 Deveney Street, Pakenham VIC 3810	Construction and display of one (1) internally illuminated sign	Issued	24/07/2021
29/11/2021	T210202	3 McLeish Terrace, Pakenham VIC 3810	Removal of covenant contained in Instrument No. T326405K	Refused	12/03/2021
29/11/2021	T190423 - 1	33-35 Main Street, Pakenham VIC 3810	Amendment to planning permit T190423 that allows the use and development of the land for an office and medical centre (exceeding 250 square metres) to alter the assessed plans and amend condition 15	Issued	30/07/2021
3/12/2021	T160690 - PC1	110 Pakenham Road, Pakenham VIC 3810	Plans to Comply with Condition 1	Issued	26/07/2021
3/12/2021	T160690 - PC2	110 Pakenham Road, Pakenham VIC 3810	T160690-2 PC2 (Con. 01 C1P) - Plans to Comply Application	Application Withdrawn	16/07/2021
8/12/2021	T210679	136 Princes Highway, Pakenham VIC 3810	Buildings and works for an extension to existing Primary School	Issued	3/09/2021
10/12/2021	T210009 - 1	Shop 1-2/67-69 Main Street, Pakenham VIC 3810	Amendment to planning permit T210009 (issued for buildings and works associated with an existing shopping centre) to amend the endorsed plans	Issued	13/09/2021
21/12/2021	T210523	Shop 1-2/67-69 Main Street, Pakenham VIC 3810	Use of land for the sale of packaged liquor	Issued	16/07/2021
10/01/2022	T210513	71 Ahern Road, Pakenham VIC 3810	Subdivision of the land into two (2) lots	Issued	8/07/2021
10/01/2022	T210521	Shop 1-2/67-69 Main Street, Pakenham VIC 3810	Display of business identification and internally illuminated signage	Issued	14/07/2021
17/01/2022	T210646	76-80 Princes Highway, Pakenham VIC 3810	Re-subdivision of land (boundary realignment)	Issued	23/08/2021
18/01/2022	T210410	51 King Street, Pakenham VIC 3810	Subdivision of the land into eight (8) lots	Issued	4/06/2021
19/01/2022	T210619	125 Henry Street, Pakenham VIC 3810	Subdivision of land into multiple lots	Issued	16/08/2021
31/01/2022	T200520 - PC2	37, 39 & 43 James Street, Pakenham VIC 3810	Plans to comply with Conditions 1b & 5 of Planning Permit T200520	Issued	27/01/2022

Officer Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
17/11/2021	T200320 - PC4	Bridge Road, Officer VIC 3809	T200320 PC4 (Con. 08 PIP) - Plans to Comply Application	Issued	8/10/2021
24/11/2021	T200719	130 Whiteside Road, Officer VIC 3809	Use of the land for winery, sale and consumption of liquor	Issued	6/11/2020
24/11/2021	T210265 - PC1	16 Bayview Road, Officer VIC 3809	T210265 PC1 - (Con. 01 C1P) Plans to Comply Application	Issued	3/11/2021
29/11/2021	T210864	33 Siding Avenue, Officer VIC 3809	Amend existing planning permit condition 65 - sale of liquor in the confines of the bottle shop. The Applicant would like to include the undercover driveway area to be the bottle shop sale of liquor area as well - a drive-through has been designed and constructed as per the endorsed plans	Application Withdrawn	29/11/2021
29/11/2021	T210660	11 Eastbourne Crescent, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	27/08/2021
1/12/2021	T190555	109 Starling Road, Officer VIC 3809	Subdivision of land and removal of native vegetation	Issued	18/09/2019
7/12/2021	T210039 - PC1	33 Station Street, Officer VIC 3809	T210039 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	10/08/2021
7/12/2021	T170584 - PC9	Bridge Road, Officer VIC 3809	T170584-3 PC9 (Con. 44 SMP) - Plans to Comply Application Condition 44 plans for approval (Commercial development plans)	Issued	15/11/2021
7/12/2021	T140500 - PC12	155 Peck Road, Officer VIC 3809	T140500-1 PC12 (Con. 21 S173) - Plans to Comply Application	Issued	2/07/2021
8/12/2021	T210358	90 McMullen Road, Officer VIC 3809	Subdivision of land	Lapsed	18/05/2021

8/12/2021	T200819	8 Fairwood Rise, Officer VIC 3809	Business identification signage	Issued	11/12/2020
9/12/2021	T210481	64 Starling Road, Officer VIC 3809	Subdivision of the land into two (2) lots	Issued	29/06/2021
9/12/2021	T160614 - 1	67-69 Tivendale Road, Officer VIC 3809	Amendment to Planning Permit T160614 for use and development of an education centre (Primary and secondary school), childcare centre and associated signage, in stages	Application Withdrawn	29/07/2021
14/12/2021	T180847 - 1	65 Brunt Road, Officer VIC 3809	Amend Planning Permit T180847	Issued	29/11/2021
14/12/2021	T180847 - PC4	65 Brunt Road, Officer VIC 3809	T180847-1 PC4 - (Con. 37 WMP)	Issued	7/12/2021
14/12/2021	T210759	30 Starling Road, Officer VIC 3809	Buildings and works associated with an existing Education Centre	Issued	1/10/2021
14/12/2021	T210265 - PC2	16 Bayview Road, Officer VIC 3809	T210265 PC2 (Con. 06) - Plans to Comply Application	Issued	3/11/2021
15/12/2021	T170584 - 4	Siding Avenue, Officer VIC 3809	Amendment to the permit to allow changes to the liquor licensing area for the bottle shop	Issued	19/11/2021
20/12/2021	T200719 - 1	130 Whiteside Road, Officer VIC 3809	Use of the land for winery, sale and consumption of liquor	Issued	20/12/2021
21/12/2021	T160190 - PC8	90 McMullen Road, Officer VIC 3809	T160190 PC8 (Con. 24 GGFMP) - Plans to Comply Application	Issued	20/08/2021
22/12/2021	T210961	80 Armytage Road, Officer VIC 3809	Amendment to T160810	Application Withdrawn	21/12/2021
5/01/2022	T210834	93 Carpenter Road, Officer VIC 3809	Development of the land for an outbuilding (shed)	Issued	8/11/2021
17/01/2022	T200662	65 McMullen Road, Officer VIC 3809	Development of the land for dwellings, subdivision of land, creation of an easement and car parking reduction	Issued	19/10/2020
31/01/2022	T190555 - PC1	109 Starling Road, Officer VIC 3809	T190555 PC1 - (Con. 20 WMP)	Issued	21/01/2022
1/02/2022	T160521 - PC4	Starling Road, Officer VIC 3809	T160521 PC4 - (Con. 15 LandMP)	Application Withdrawn	9/07/2019
3/02/2022	T210872	Siding Avenue, Officer VIC 3809	Use of land for the sale and consumption of liquor	Issued	22/11/2021

3/02/2022	T210794	20 Brunt Road, Beaconsfield VIC 3807	Building and works associated with an existing residential village	Issued	15/10/2021
3/02/2022	T210602	20 Brunt Road, Beaconsfield VIC 3807	Building and works associated with an existing residential village	Issued	10/08/2021
4/02/2022	T210562	50 Viridian Avenue, Officer VIC 3809	Proposed veranda to be built outside the Building Envelope.	Application Withdrawn	29/07/2021
7/02/2022	T210433	18 Oakrind Rise, Officer VIC 3809	Buildings and works (dwelling) within the Bushfire Management Overlay	Issued	11/06/2021
7/02/2022	T190236 - PC7	125, 139, Lot X Peck Road, Lot Y Kenneth Road and Peck Road road reserve, OFFICER VIC 3809	PC7 (Con 14) BDGs	Issued	15/07/2021

Pakenham Hills Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
17/11/2021	T170831 - PC1	82-88 Ahern Road, Pakenham VIC 3810	T170831 PC1 - (Con. 01 C1P) - Plans to Comply Application	Issued	17/09/2021
23/11/2021	T210725	40 Tahoe Circuit, Pakenham VIC 3810	Construction of a building associated with animal husbandry	Issued	21/09/2021
2/12/2021	T210576	Level 1, 2 Pacific Promenade, PAKENHAM VIC 3810	Use of the land for an education centre	Application Withdrawn	2/08/2021
8/12/2021	T210061 - PC1	29 Solid Drive, Pakenham VIC 3810	T210061 - PC1 Plans to Comply Application Plans to comply with permit condition 1 of Permit T210061	Issued	7/06/2021
15/12/2021	T210758	30 Mullane Road, Pakenham VIC 3810	Subdivision of the land into thirty-one (31) lots, vegetation removal and associated works.	Lapsed	30/09/2021
21/12/2021	T210661	17 Blessing Rise, Pakenham VIC 3810	Development of land for a dwelling and associated earthworks	Issued	27/08/2021
5/01/2022	T210640	9 Osborn Grove, Pakenham VIC 3810	Two (2) lot subdivision and creation of restriction	Issued	20/08/2021
17/01/2022	T210772	24 Solid Drive, Pakenham VIC 3810	Development of land for a dwelling, fencing, and decking	Issued	7/10/2021

Ranges Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
12/11/2021	T210828	16 Old Gembrook Road, Emerald VIC 3782	Proposed Deck / Spa within 5m of a side boundary	Application Withdrawn	3/11/2021
16/11/2021	T210684	14 Johnson Street, Avonsleigh VIC 3782	Buildings and works associated with an outbuilding (shed)	Issued	6/09/2021
24/11/2021	T210672	2 Simmons Close, Cockatoo VIC 3781	Extension to existing dwelling	Issued	1/09/2021
25/11/2021	T210421	2 Beenak East Road, Gembrook VIC 3783	Buildings and works associated with an existing telecommunications facility (satellite dish)	Issued	8/06/2021
29/11/2021	T210697	266 Mountain Road, Gembrook VIC 3783	Development of the land for a non-habitable outbuilding (shed)	Issued	9/09/2021
29/11/2021	T210431	48 Second Avenue, Cockatoo VIC 3781	Buildings and works associated with an extension to a dwelling	Issued	9/06/2021
29/11/2021	T210164	30 Kings Road, Emerald VIC 3782	Buildings and works associated with a dwelling (carport and habitable outbuilding)	Issued	9/03/2021
29/11/2021	T210537	15 Fielder Road, Cockatoo VIC 3781	Development of land for an agricultural building	Issued	21/07/2021
30/11/2021	T190739 - 1	1 & 3 Neville Street, Cockatoo VIC 3781	Amendment to the permit preamble, permit conditions and assessed plans of Planning Permit T190739 (that allows for the subdivision of land into six (6) lots in stages)	Issued	12/03/2021
1/12/2021	T210407	40 Main Street, Gembrook VIC 3783	Development of the land for a dwelling	Issued	3/06/2021
2/12/2021	T210585	2066 Wellington Road, Clematis VIC 3782	Development of the land for a non-habitable outbuilding and associated earthworks	Issued	29/07/2021
2/12/2021	T210456	675 Woori Yallock Road, Cockatoo VIC 3781	Development of the land for a replacement dwelling and removal of vegetation	Issued	21/06/2021
7/12/2021	T210212 - PC1	12 Emerald-Monbulk Road, Emerald VIC 3782	T210212 PC1 (Con. 01 C1P) - Plans to Comply Application Plans to comply with permit conditions (Cond1)	Issued	24/11/2021
8/12/2021	T210033 - PC1	27 Emerald Lake Road, Emerald VIC 3782	T210033 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	18/08/2021

8/12/2021	T210033 - PC2	27 Emerald Lake Road, Emerald VIC 3782	T210033 PC2 (Con. 02 RPP) - Plans to Comply Application	Issued	18/10/2021
13/12/2021	T210403	8 Paradise Grove, Emerald VIC 3782	Development of the land for a dwelling, associated works and an outbuilding (carport)	NOD	2/06/2021
14/12/2021	T210411	2 & 4 Suffolk Avenue, Cockatoo VIC 3781	Re-subdivision of the land into two (2) lots	Issued	4/06/2021
14/12/2021	T210406	12-14 Kings Road, EMERALD VIC 3782	Subdivision of the land into six (6) lots (in accordance with development permit T190416)	Issued	2/06/2021
14/12/2021	T210195	250 Woori Yallock Road, Cockatoo VIC 3781	Installation of a wild fire bunker.	Lapsed	21/03/2021
15/12/2021	T210790	12 Margaret Road, Avonsleigh VIC 3782	Development of the land for a non-habitable outbuilding (shed)	Issued	15/10/2021
16/12/2021	T210916	7A Church Street, Emerald VIC 3782	Buildings and works for a dwelling extension (verandah)	Issued	7/12/2021
23/12/2021	T200108	19 and 55 Phillip Road, Avonsleigh VIC 3782	Two (2) lot subdivision (boundary realignment) and use and development of the land for a dwelling, outbuilding and associated vegetation removal	NOD	3/03/2020
10/01/2022	T210900	Belgrave-Gembrook Road, Emerald VIC 3782	Demolition of an existing building in a Heritage Overlay	Issued	1/12/2021
10/01/2022	T210337	14 Alexander Road, Cockatoo VIC 3781	Development of the land for an outbuilding (garage and carport) and associated works	Issued	11/05/2021
10/01/2022	T210664	140 Calder Road, NANGANA VIC 3781	Buildings and works associated with an agricultural shed	Issued	29/08/2021
11/01/2022	T210719	36 Grey Road, Gembrook VIC 3783	Buildings and works associated with an outbuilding (garage)	Issued	15/09/2021
11/01/2022	T210575	4 Lisheen Road, Cockatoo VIC 3781	Buildings and works associated with an outbuilding	Issued	2/08/2021
11/01/2022	T220007	14 Hamilton Road, Emerald VIC 3782	Boundary re-alignment	Application Withdrawn	7/01/2022

13/01/2022	T210781	20 Belgrave-Gembrook Road, Cockatoo VIC 3781	To alter the red line plane, so as to offer outdoor seating in compliance with new COVID-19 regulations. We will not be utilizing the whole property for outside seating, in the absence of defined areas I have included the whole property for the red line plan	Lapsed	12/10/2021
17/01/2022	T210494	2 Doery Street, Emerald VIC 3782	Use and development of the land for a dwelling, non-habitable outbuilding and vegetation removal	Issued	2/07/2021
17/01/2022	T210587	20 Westlands Road, Emerald VIC 3782	Buildings and works associated an outbuilding	Issued	5/08/2021
24/01/2022	T210827	32 Joffre Parade, Cockatoo VIC 3781	Development of the land for an outbuilding (garage)	Issued	1/11/2021
25/01/2022	T210664 - PC1	140 Calder Road, NANGANA VIC 3781	T210664 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	14/01/2022
25/01/2022	T210783	3 Vista Drive, Emerald VIC 3782	Development of the land for an outbuilding (carport)	Issued	12/10/2021
31/01/2022	T210164 - PC1	30 Kings Road, Emerald VIC 3782	T210164 PC1 (Con. 01a & 01b BMP) - Plans to Comply	Issued	6/12/2021
31/01/2022	T210456 - PC1	675 Woori Yallock Road, Cockatoo VIC 3781	T210456 PC1 (Con. 13 OMP IPP) - Plans to Comply Application	Issued	15/12/2021
1/02/2022	T190739-1 - PC2	1 & 3 Neville Street, Cockatoo VIC 3781	T190739-1 PC2 (Con. 01 C1P) - Plans to Comply Application	Application Withdrawn	18/01/2022
7/02/2022	T220060	14 Nobelius Street, Emerald VIC 3782	Withdrawn - duplicate application - refer to T220059 PA. Application for a free standing carport	Application Withdrawn	7/02/2022
7/02/2022	T210465	8 Cornish Road, Emerald VIC 3782	Development of the land for a dwelling and earthworks exceeding one (1) metre	Issued	21/06/2021
7/02/2022	T210343	8 Telopea Road, Emerald VIC 3782	Buildings and works associated with an outbuilding and associated earthworks	Issued	12/05/2021
7/02/2022	T210431 - PC1	48 Second Avenue, Cockatoo VIC 3781	T210431 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	31/01/2022
8/02/2022	T210232	10 Upper Grieve Road, Avonsleigh VIC 3782	Buildings and works associated with a dwelling extension	Issued	1/04/2021

Toomuc Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
30/11/2021	T190725 - 1	127 Mulcahy Road, Pakenham VIC 3810	Amend plans to show new finished floor levels. Insert a new planning permit condition to allow for secondary consent pathway.	Issued	15/10/2021
1/12/2021	T210584	15 Cemetery Road, Pakenham VIC 3810	Subdivision of the land into 18 lots and the removal of native vegetation	Application Withdrawn	5/08/2021
7/12/2021	T210775	54 Studd Road, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	8/10/2021
9/12/2021	T190204	7 Lakeside Boulevard, Pakenham VIC 3810	Buildings and works, liquor licence and reduction in car parking	Application Withdrawn	10/04/2019
14/12/2021	T210622	BCF, Shop 5/825 Princes Highway, Pakenham VIC 3810	Sale and consumption of liquor	Issued	11/08/2021
15/12/2021	T200731	55 Peck Road, Pakenham VIC 3810	Subdivision of land and removal of native vegetation	Issued	23/11/2020
21/12/2021	T210608	25 Davidson Street, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	12/08/2021
22/12/2021	T210763	125 Timberline Parkway, Pakenham VIC 3810	Buildings and works (dwelling) on land affected by the Significant Landscape Overlay – Schedule 6	Issued	4/10/2021
23/12/2021	T210592	44 Studd Road, Pakenham VIC 3810	Buildings and works (dwelling) on land affected by the Significant Landscape Overlay - Schedule 6	Issued	9/08/2021
23/12/2021	T210819	50 Studd Road, Pakenham VIC 3810	Buildings and works (dwelling) on land affected by the Significant Landscape Overlay – Schedule 6	Issued	28/10/2021
18/01/2022	T210812	123 Timberline Parkway, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	26/10/2021
24/01/2022	T210669	29 Verbier Road, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay - Schedule 6	Issued	31/08/2021
25/01/2022	T210578	27 Zermatt Loop, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	3/08/2021

31/01/2022	T210956	39 Skyline Drive, Officer VIC 3809	Buildings and works (verandah) within the Significant Landscape Overlay - Schedule 6	Issued	20/12/2021
31/01/2022	T210866	34 Skyline Drive, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay - Schedule 6	Issued	19/11/2021
7/02/2022	T210922	36 Studd Road, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay - Schedule 6	Issued	8/12/2021

Westernport Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
11/11/2021	T210626	35 Sette Circuit, Pakenham VIC 3810	Development of the land for a warehouse	Issued	17/08/2021
11/11/2021	T210665	70 McCraws Road, NAR NAR GOON VIC 3812	Alterations and additions to existing dwelling	Issued	30/08/2021
12/11/2021	T210612 - PC1	775 McDonalds Drain Road, Pakenham South VIC 3810	T210612 PC1 (Con. 01 C1P) - Plans to Comply Application Lodgement of Condition 1 plans	Issued	21/10/2021
16/11/2021	T210282	50 Southeast Boulevard, Pakenham VIC 3810	Building and works for office and warehouse building	Application Withdrawn	23/04/2021
16/11/2021	T210571	75 Rices Road, Dalmore VIC 3981	Construction of one (1) building for workers' accommodation in association with crop raising	Issued	30/07/2021
16/11/2021	T210666	345 Fourteen Mile Road, Garfield VIC 3814	Building associated with agriculture	Issued	30/08/2021
16/11/2021	T210541 - PC1	8 Trade Place, Pakenham VIC 3810	T210541 PC1 (Con. 01b C1P) - Plans to Comply Application	Issued	13/10/2021
17/11/2021	T210728	24 Sette Circuit, Pakenham VIC 3810	Development of land for a warehouse	Issued	21/09/2021
18/11/2021	T210784	60 Beazley Road, Cardinia VIC 3978	Development of the land for a dwelling	Application Withdrawn	13/10/2021
19/11/2021	T210682	395 Monomeith Road, Monomeith VIC 3984	Development of the land for a non-habitable outbuilding (shed)	Issued	5/09/2021
22/11/2021	T210546	6 Trade Place, Pakenham VIC 3810	Development of the land for a warehouse and associated works	Issued	23/07/2021
24/11/2021	T210504	175 Fechner Road, Koo Wee Rup VIC 3981	To reinstate areas of land on our property to the level they previously sat, before severe rain fall caused it to wash away, leaving it below drain level.	Lapsed	6/07/2021
26/11/2021	T210332	Road Reserve adjoining 130 Hobson Road, Rythdale VIC 3810	Road reconstruction	Application Withdrawn	10/05/2021
26/11/2021	T180403 - PC2	485 Kettles Road, Lang Lang VIC 3984	T180403-1 PC2 (Con. 06 S173) - Two (2) lot subdivision and removal of vegetation	Issued	20/02/2020
29/11/2021	T210272	45 & 47 Southeast Boulevard, Pakenham VIC 3810	Development of the land for two (2) warehouses and a reduction in the car parking requirement	Issued	20/04/2021

29/11/2021	T210539	39 Sette Circuit, Pakenham VIC 3810	Development of the land for a warehouse	Issued	21/07/2021
29/11/2021	T210627	33 Sette Circuit, Pakenham VIC 3810	Development of the land for a warehouse	Issued	17/08/2021
30/11/2021	T210825	97 National Avenue, Pakenham VIC 3810	Building and works for two (2) warehouses	Issued	29/10/2021
1/12/2021	T210484	550 Caldermeade Road, Caldermeade VIC 3984	Buildings and work associated with an agricultural building	Issued	28/05/2021
1/12/2021	T210229	160 Hall Road, Yannathan VIC 3981	Use and development of the land for a Dependant Persons Unit	Lapsed	31/03/2021
2/12/2021	T210603	Murray Road, Cora Lynn VIC 3814	Development of the land for a hay shed	Issued	11/08/2021
2/12/2021	T210486	420 South Yannathan Road, Yannathan VIC 3981	Development of the land for a non-habitable building (shed)	Issued	30/06/2021
3/12/2021	T210442	14 Hill Street, Pakenham VIC 3810	Development of the land for a warehouse	Issued	15/06/2021
6/12/2021	T210603 - PC1	Murray Road, Cora Lynn VIC 3814	Development of the land for a hay shed	Issued	2/12/2021
7/12/2021	T210495	450 Tynong-Bayles Road, Cora Lynn VIC 3814	Development of the land for a dwelling and outbuilding	Issued	2/07/2021
8/12/2021	T210753	4 Link Road, Pakenham VIC 3810	Subdivision of the land into two (2) lots	Issued	16/09/2021
14/12/2021	T210045 - 1	49 Southeast Boulevard, Pakenham VIC 3810	Amend planning permit T210045 (issued for the use and development of the land for an indoor recreation facility) to allow for the sale and consumption of liquor and amend condition 7 to allow the use to operate between 6am and 11pm	Issued	28/07/2021
14/12/2021	T210626 - PC1	35 Sette Circuit, Pakenham VIC 3810	T210626 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	30/11/2021
14/12/2021	T210627 - PC1	33 Sette Circuit, Pakenham VIC 3810	T210627 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	30/11/2021
15/12/2021	T210935	18 Southeast Boulevard, Pakenham VIC 3810	Proposed internal and facade renovations to existing factory building	Application Withdrawn	14/12/2021
16/12/2021	T210149 - PC2	Centenary Boulevard, Officer South VIC 3809	T210149 PC2 (Con. 01 C1P & 04 LMP) - Plans to Comply Application	Application Withdrawn	20/09/2021

16/12/2021	T190123 - 1	5-9 Production Way, Pakenham VIC 3810	Amendments to Planning permit T190123 (issued for the development of the land for eight (8) warehouses, a reduction in car parking and associated works) to reduce the number of warehouses to three (3) and provide the required car parking.	Issued	29/09/2021
20/12/2021	T210324	990 Koo Wee Rup Road, Pakenham VIC 3810	Buildings and works for a truck wash down bay, sludge pump and upgrade works (Sludge Stockpile Areas & Sludge Drying Pans) associated with an existing Utility installation (water treatment plant)	Issued	6/05/2021
21/12/2021	T200297 - PC1	8 Mickle Street, Koo Wee Rup VIC 3981	T200297 PC1 (Con. 01b C1P) - Plans to Comply Application Condition 1(b) Plans and/or drawings to show two (2) car parking spaces for the existing dwelling on Lot 1 in accordance with the requirements and design standards of Clause 52.06 of the Cardinia Planning Scheme.	Issued	12/08/2021
22/12/2021	T210520	105 National Avenue, Pakenham VIC 3810	Subdivision of the land into 2 lots with Common Property	Issued	14/07/2021
22/12/2021	T210149 - PC1	Centenary Boulevard, Officer South VIC 3809	T210149	Application Withdrawn	21/09/2021
23/12/2021	T170776 - 3	91 Gainsborough Avenue, Lang Lang VIC 3984	Amendment to the conditions of Planning Permit T170776-2 (issued for a multi-lot subdivision)	Issued	26/11/2021
4/01/2022	T210858	16 Blackfish Drive, Koo Wee Rup VIC 3981	Proposed New Shed	Application Withdrawn	17/11/2021
5/01/2022	T210856	50 Southeast Boulevard, Pakenham VIC 3810	Building and works for the development of a warehouse and take away food premises and reduction of one (1) car parking space	Issued	16/11/2021
6/01/2022	T210634 - PC1	19 Sette Circuit, Pakenham VIC 3810	T210634 PC1 (Con. 01b C1P) - Plans to Comply Application Plans to comply as per Condition 1	Issued	1/10/2021
7/01/2022	T190474	830 Koo Wee Rup-Longwarry Road, Bayles VIC 3981	Development of the land for a replacement dwelling and outbuilding	Application Withdrawn	8/08/2019
10/01/2022	T210822	325 Rossiter Road, Koo Wee Rup VIC 3981	Partial demolition and alterations to existing outbuildings associated with an existing Place of Assembly	Issued	29/10/2021

10/01/2022	T210429	John the Baptist Primary School, 172-180 Station Street, Koo Wee Rup VIC 3981	Variation to easement E-2 on LP147923T	Issued	11/06/2021
10/01/2022	T210591	970 McDonalds Drain Road, Pakenham VIC 3810	Development of the land for an extension to an existing shed	Issued	9/08/2021
11/01/2022	T210726	8 Exchange Drive, Pakenham VIC 3810	Development of land for a warehouse	Issued	21/09/2021
11/01/2022	T210692	6 Link Road, Pakenham VIC 3810	Development of the land for seven (7) warehouses	Issued	15/09/2021
17/01/2022	T210720	1/16 Southeast Boulevard, Pakenham VIC 3810	Development of the land for three (3) warehouses	Issued	17/09/2021
17/01/2022	T210644	460 McDonalds Track, Lang Lang VIC 3984	Use of land for a Dependent Person's Unit	Issued	23/08/2021
17/01/2022	T210636	75 Island Road, Koo Wee Rup VIC 3981	Buildings and works associated with an agricultural building	Issued	12/08/2021
19/01/2022	T210848	32 Sette Circuit, Pakenham VIC 3810	Buildings and works associated with the construction of a warehouse	Issued	12/11/2021
19/01/2022	T210845	27 Sette Circuit, Pakenham VIC 3810	Buildings and works associated with the construction of a warehouse	Issued	11/11/2021
19/01/2022	T210654	10 Tarmac Way, Pakenham VIC 3810	Development of the land for a warehouse	Issued	26/08/2021
24/01/2022	T210873	18 Innovation Way, Pakenham VIC 3810	Development of land for a warehouse	Issued	22/11/2021
24/01/2022	T210915	Southeast Boulevard, Pakenham VIC 3810	Development of the land for a warehouse and a reduction in car parking requirement	Issued	7/12/2021
24/01/2022	T210918	Southeast Boulevard, Pakenham VIC 3810	Development of the land for a warehouse and a reduction in the car parking requirement	Issued	7/12/2021
24/01/2022	T210874	Southeast Boulevard, Pakenham VIC 3810	Buildings and works for the construction of a warehouse	Issued	22/11/2021
24/01/2022	T210851	140 O'Briens Road, Yannathan VIC 3981	1) Minor Earthworks for Drainage, Pasture Management & Livestock welfare. 2) Minor Earthworks and construct a horse riding arena with a second purpose of having a dry sheltered area for livestock in the event of bad weather and minor flooding for horse welfare management	Lapsed	13/11/2021

25/01/2022	T210196	10 No 5 Drain Road, Koo Wee Rup VIC 3981	Removal of Powerline Easements created as E3, E4 & E5 on PS825012T in favour of TXU Electricity Ltd and Creation of Powerline Easements E3 & E4 in favour of AusNet Electricity	Issued	22/03/2021
25/01/2022	T210917	Southeast Boulevard, Pakenham VIC 3810	Development of the land for a warehouse	Issued	7/12/2021
28/01/2022	T220018	30 Carrington Way, Lang Lang VIC 3984	Build a verandah	Application Withdrawn	13/01/2022
1/02/2022	T210017	112 Murray Road, Cora Lynn VIC 3814	Use and development of the land for a dwelling	Application Withdrawn	14/01/2021
3/02/2022	T210913	14 Innovation Way, Pakenham VIC 3810	Development of the land for a warehouse and associated works	Issued	7/12/2021
3/02/2022	T200401 - PC1	Koo Wee Rup Road, Pakenham VIC 3810	T200401 PC1 (Con. 01 and 24) - Plans to Comply Application	Issued	22/10/2021
3/02/2022	T210338	We 1/9 Southeast Boulevard, Pakenham VIC 3810	Use of the land for a food and drink premises, manufacturing sales and the sale and consumption of liquor (producer's licence) in association with industry (micro-brewery) and a reduction of car parking requirements.	Failure	11/05/2021
4/02/2022	T210723	27 Link Road, Pakenham VIC 3810	Buildings and works for a warehouse in the Industrial 1 Zone and Land Subject to Inundation Overlay	Issued	20/09/2021
4/02/2022	T210706	23 Link Road, Pakenham VIC 3810	Development of the land for a warehouse	Issued	14/09/2021
4/02/2022	T210844	8 Evolution Drive, Pakenham VIC 3810	Building and works for warehouse development with ancillary office and reduction in car parking requirements	Application Withdrawn	11/11/2021
7/02/2022	T210815	60 Cameron Road, Heath Hill VIC 3981	Buildings and works associated with the construction of an outbuilding (shed)	Issued	27/10/2021
7/02/2022	T200353 - 1	172-180 Station Street, Koo Wee Rup VIC 3981	Amendments to the endorsed plans for T200353 to include an outdoor shelter with amenities, extensions to an existing multi-purpose hall (storage facilities), front entry landscaping enhancements (including drop-off/pick-up area)	Issued	29/11/2021
8/02/2022	T210243 - PC1	290 Officer South Road, Officer South VIC 3809	T210243 PC1 (Con. 01 C1P) - Plans to Comply Application	Issued	1/02/2022

Resolution

Moved Cr Carol Ryan, seconded Cr Jack Kowarzik.

That Council note the report.

Carried

6 Meeting Closure

Meeting closed at 7:12pm.

Minutes confirmed
Chairman