

Town Planning Committee Meeting

Minutes

Monday 3 July 2023

Commenced at 7:00 PM

Council Chambers
20 Siding Avenue, Officer
Victoria

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

Officers: Carol Jeffs Chief Executive Officer
Lili Rosic General Manager Liveable Communities
Doug Evans Manager Governance

Meeting opened at 7.00pm.

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1 Opening And Prayer

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 Tammy Radford lodged an apology as she was unwell, Cr Brett Owen on a leave of absence

4 Declaration Of Interests

Nil

5 Ordinary Business

5.1 T220208 - Use and Development of a Place of Worship at 14 O'Sullivan Street Pakenham - July 2023

File Reference: {file-reference}
Responsible GM: Lili Rosic
Author: Frances Stipkovic

Recommendation(s)

That Council refuse to grant Planning Permit T220208 for the use and development of a Place of Worship at Lot 17 PS747005 known as 14 O'Sullivan Street, Pakenham VIC 3810 on the following grounds:

- 1) The proposal is incompatible with the industrial location, sought to be protected by:
 - a. Clause 33.01 Industrial 1 Zone
 - b. Clause 11.02-6S (Regional and Local Places Planning)
 - c. Clause 13.07-1S (Land use compatibility)
 - d. Clause 17.03-2S (Sustainable Industry)
 - e. Clause 17.03-3S (State-significant Industrial land), and
 - f. Clause 21.04-4 (Industry)

- 2) The proposal undermines the protection of State-significant Industrial land, sought to be protected by Clause 17.03-3S (State significant Industrial land).

- 3) Built form outcomes are contrary to the industrial area and do not provide functionality or adaptability, as sought by:
 - a. Clause 15.01-1S (Urban Design)
 - b. Clause 15.01-2S (Building Design)
 - c. Clause 21.06-1 (Urban Design)

- 4) The proposed site has limited accessibility, contrary to Clause 19.02-4S (Social and Cultural Infrastructure) and Clause 21.05-6 (Community services and facilities).

- 5) The proposal does not appropriately respond to Clause 65 Decision Guidelines of the Cardinia Planning Scheme.

Attachments

1. T 220208 PA - Locality Map [5.1.1 - 1 page]
2. T 220208 PA - Development Plans [5.1.2 - 6 pages]

Executive Summary

APPLICATION NO.:	T220208
APPLICANT:	Glory Architecture
LAND:	Lot 17 PS747005 14 O'Sullivan Street, Pakenham VIC 3810

PROPOSAL:	Use and development of the land for a Place of Worship
PLANNING CONTROLS:	Clause 33.01 - Industrial 1 Zone (IN1Z)
NOTIFICATION & OBJECTIONS:	The proposal was advertised pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> . To date, zero (0) objections have been received
KEY PLANNING CONSIDERATIONS:	Appropriateness of use within state significant industrial land. Built Form Outcomes
RECOMMENDATION:	Refusal

Relevance to Council Plan

[\[council-plan\]](#)

Background

T220208 was lodged in March 2022, with the Planning Officer requiring further information (and highlighting some concerns with the proposal) via a “Request for Further Information” in May 2022.

A response to Council’s Request for Further Information was lodged in June 2022. External referral responses (Transport for Victoria) were received in July 2022.

The application proceeded to notice (advertising) in October 2022, with a Statutory Declaration confirming notification was actioned appropriately in November 2022. No objections have been received at the time of writing this report.

As the Officer Recommendation recommends refusal of the application, the application is required to proceed to a Council Meeting for a decision.

The application was most recently heard at Council’s Town Planning Committee Meeting on 1 May 2023, where it was decided to defer consideration of the application for two (2) months. There have been no relevant changes to the Cardinia Planning Scheme, site context or the application material since this meeting.

Subject Site

The site is located on the eastern side of O’Sullivan Street, located within both an established and emerging ‘triangular’ industrial area in the south-east of Pakenham bounded by:

- Railway Line 530m to the north
- Pakenham Bypass 450m to the south and further east
- Racecourse Road 220m to the west

The site is located centrally on O’Sullivan Street, with the O’Sullivan Street / Bald Hill Road intersection to the north, and the O’Sullivan / Peet Street intersection to the south. O’Sullivan Street runs generally north-south and includes a pedestrian footpath on the eastern boundary adjacent to the property boundary of the subject site.

The rectangular 3,746m² site has a 38m frontage to O'Sullivan Road and 98.59m side boundaries and is generally flat, and currently void of any substantial information as the site is cleared and ready for development.

The surrounding land includes a mix of developed sites, sites under construction or vacant sites. The developed sites reflect the industrial zoning of the site, with a mixture of multi-unit industrial factorette / warehousing complexes, interspersed with larger individual industrial / warehousing buildings.

Industry, warehousing and restricted retail business listed typologies within the vicinity include hardware, acrylic warehousing, art supplies, distillery, farm equipment, animal feed stores, plumbing supplies, lighting supplier, furniture warehousing, automotive parts, Kennards Hire, Camper and Caravan sales.

Dominant built form characteristics reflect a typical industrial and warehousing precinct, including large 'boxy' built form to allow ease-of-use and access for large vehicles and transferrable business opportunities. Built form generally extends through the site, with small landscaping buffers at the street front, with car parking opportunities to the front, side and rear.



Figure 1 - Subject Site (Nearmap, accessed February 2023)



Figure 2 - Subject site and wider surrounds (Nearmap, accessed February 2023)

Registered Restrictions

Section 173 Agreement AD662045K is registered on title and requires the provision of water supply and sewerage through South East Water. The Agreement further imposes drainage requirements including payment of contributions to Melbourne Water. The Agreement further requires land consolidation prior to the issuing of a Statement of Compliance.

Section 173 Agreement AU853697B is registered on title and prohibits the further subdivision of Lot 6 on Plan of Subdivision 747005 (subject site is Lot 17).

The proposal will not result in a breach of either Agreement.

Proposal

Approval is sought for the use and development of the land for a Place of Worship (Church).

It is acknowledged several errors and conflicting information is provided within the application material. For clarity, therefore, the Officer's assessment / calculations of the proposal detailed in this report may conflict with the written submission provided by the applicant.

Use

Sought opening hours and capacity regards:

- Monday – Friday: 4:00PM – 8:30PM, maximum of 50 patrons and 4 staff at any one time
- Saturday – Sunday: 8:00AM – 8:30PM, maximum of 200 patrons and 10 staff at any one time

Associated with the place of worship, administrative tasks will be undertaken on site, small group gatherings and 'special interest group' meeting opportunities.

Development

The built form is to be located near to the south-east corner of the site, with the predominant area of car parking to be located within the frontage of the site.

The double-storey built form is to have an overall floor area of 1,232m², and will have an overall building height of 10.5m² at its highest point but it is acknowledged the built form has a varied roofline.

The 887m² ground floor is to incorporate a large stage and stadium area of 21m x 16m (336m²), with 5 separated rooms to be used for various related activities accessed off an entryway lobby area, as well as kitchen and bathroom facilities.

The 345m² upper floor, accessed via an internal stairwell, incorporates two separated rooms and a large void above the stage/stadium area below.

External materials, colours and finishes include grey and light Gray rendered concrete, timber look composite cladding, dark red wall cladding and monument colorbond roofing.

Car Parking, Access and Landscaping

The existing crossover is to be modified to result in two access points, with a proposed 74 car parks to be provided (46 to the front of the building, 28 to the side and rear) inclusive of two access points. Landscaping pockets are provided along property boundaries.



Figure 3 - Ground Floor Site Plan

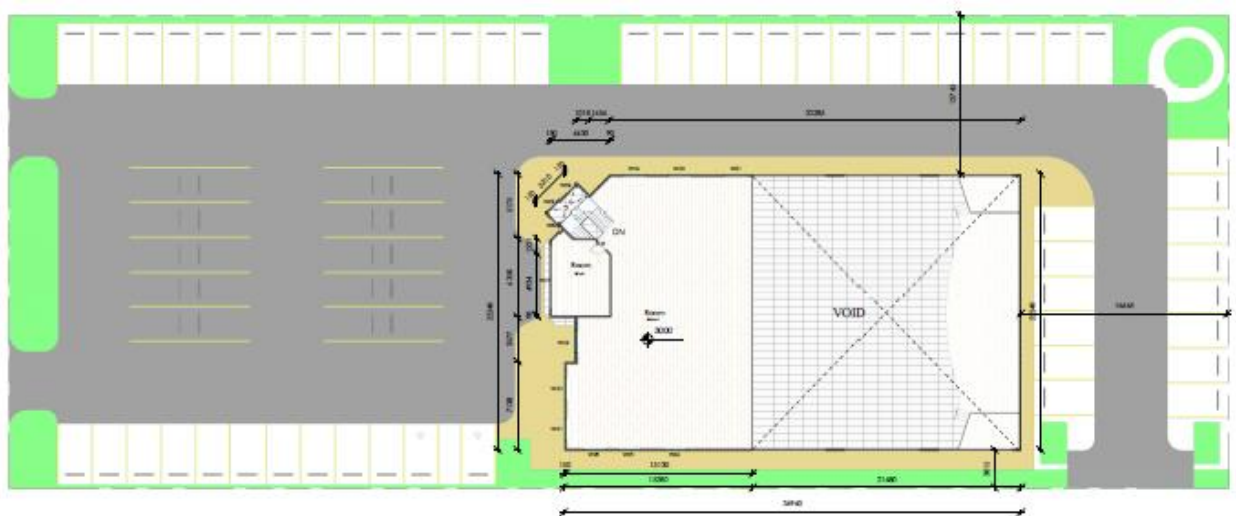


Figure 4 - Upper Floor Plan



Figure 5 - Elevation Plans (noting elevation labels are incorrect).

Planning Scheme Provisions

The relevant clauses of the PPF are:

- Cause 11.01-1S Settlement
- Clause 11.02-6S Regional and Local Places
- Clause 13.05-1S Noise management
- Clause 13.07-1S Land use compatibility
- Clause 15.01-1S Urban Design
- Clause 15.01-2S Building design
- Clause 17.03-2S Sustainable industry
- Clause 17.03-3S State significant industrial land
- Clause 19.02-4S Social and cultural infrastructure

The relevant clauses of the LPPF are:

- Clause 21.04-4 Industry
- Clause 21.06-1 Urban design
- Clause 21.05-6 Community services and facilities

The relevant Particular and General Provisions are:

- Clause 52.06 Car Parking
- Clause 65 Decision Guidelines

Planning Permit Triggers

The proposal for the use and development of land for a Place of Worship requires a planning permit under the following clause of the Cardinia Planning Scheme:

- Pursuant to Clause 33.01-1 of the Industrial 1 Zone, a permit is required to use the land for a Place of Assembly (Place of Worship) being a Section 2 – Permit Required use.

- Pursuant to Clause 33.01-4 of the Industrial 1 Zone, a permit is required to construct a building 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 land.
- Placing one sign on site.

A statutory declaration has been submitted confirming the completion of public notice.

At the time of writing this report, Council has received zero (0) objections and one submission in support of the application.

Referrals

Internal referrals

No internal referrals were required.

External authorities

One Section 55 referral was required to Transport for Victoria (TfV) who are a determining authority for this matter.

TfV do not object to the granting of any planning permit. No conditions are required to be imposed on any Permit granted.

Discussion

Planning Policy Framework

Several State and Local policies are relevant to this application for use and development of a Place of Worship which must be considered on its merit from a wider strategic perspective at both a Local and State strategic level.

The Local Planning Policy Framework seeks to support and expand on the Planning Policy Framework, including several key policies relevant to this application, and as such this assessment considers 'themes' of policy.

Industry and Land Use Compatibility

Clause 11 Settlement and Clause 11.01-1S Settlement identifies that the structure, function and character of each settlement considers its context and framework. Balancing strategic objectives should result in improved land use and development outcomes at a local level. Clause 11.02-6S Regional and Local Places Planning seeks to facilitate integrated place-based planning by considering characteristics and needs of local places in planning for future land use and development.

Clause 13 Environmental Risks and Amenity identifies that "planning should identify, prevent and minimise the risk of harm to ... amenity through land use and development compatibility." Specifically, Clause 13.05-1S Noise Management seeks to assist the management of noise effects by ensuring that development is not prejudiced. In greater detail, Clause 13.07-1S Land Use Compatibility seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site

impacts. Applicable strategies include:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively*

Clause 17 Economic Development includes Clause 17.03-2S Sustainable industry which seeks to ensure the availability of land for industry, which is supported by strategies such as:

- *Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.*
- *Preserve locally significant industrial land for industrial or employment generating uses, unless long-term demand for these uses can be demonstrably met elsewhere.*
- *Avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.*

Additionally, Clause 17.03-3S State Significant Industrial Land seeks to protect industrial land, including the Officer/Pakenham Industrial Precinct by way of ensuring inappropriate and incompatible uses or development does not occur.

Clause 21.04-4 Industry identifies key issues including to develop industry, manufacturing and service industries that provide services to local residents and businesses, supporting employment and a high standard of urban design.

The Place of Worship will provide for cultural and spiritual activities with no link to manufacturing, warehouses or an industrial-type use in the locally and regionally significant industrial precinct.

The site is situated within the centre of an emerging industrial precinct where a lower level of general amenity is expected, particularly from emissions of odour and noise that are not typically experienced in commercial and residential areas.

Through the introduction of a community land use such as that being proposed, a higher likelihood of conflict between existing and future industrial activities is anticipated due to these expectations, undermining the protection of industrial land uses that benefit from as-of right use of the land.

The applicant's submission that *"it is expected that abutting and surrounding properties will be closed on weekends and weekdays after 5PM"* has not been substantiated, and it is acknowledged that weekend trade is possible for some industries however many businesses are typically closed.

The sole objective of Council's local policy (Clause 21.04-4) is to develop manufacturing and service industries that provide services to local residents and businesses, support local employment and reflect a high standard of urban design. The wider scope of all land use strategies generally seeks to limit non-industrial uses, except those undertaken in association with industry.

The precinct benefits from strong freight connectivity due to its proximity to the arterial road networks and Princes Freeway while the site's location enjoys substantial separation from sensitive land uses such as residential areas, emphasising a capacity to accommodate various industries that can otherwise be constrained.

The purpose-built community use has no link to industry or manufacturing and removes the capacity of the site to support the encouraged uses. Furthermore, the introduction of a place of worship undermines the viability of more appropriate land uses locating in the precinct and increases the likelihood of conflict.

As a result, the proposal is fundamentally inconsistent with the objective and key strategies of these policies which directs for the need to protect land from encroachment and incremental erosion by inappropriate land uses and development.

Much of the policy direction and consideration has been substantiated through VC215 (March 2023), providing additional clarity on the importance of supply, protection and enhancement of industrial land.

As such, the proposal is considered incompatible with this industrial location.

Built Form

Clause 15 Built Environment and Heritage broadly seeks to *“recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods”* via ensuring that planning respects existing and preferred built form and streetscape character, and results in functional, accessible, safe and diverse physical and social environments.

Clause 15.01-1S Urban Design has an objective to *“to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”* Further, Clause 15.01-2S Building Design seeks to *“achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.”* A number of similar strategies overarchingly seek for development to minimise impact of development on neighbouring properties and the public realm, and to encourage development to retain existing vegetation.

Additionally, Clause 21.06-1 Urban Design seeks for “long term benefits” of good design, resulting in more attractive, functional and sustainable built environments. It is noted that *“Good design is based on the principle of being site responsive, designing to take into account the character and constraints of a site and wider area”* and a key issue is identified as a need to enhance the design and built form of industrial areas. The relevant objective is *“to promote a high standard of design which creates a strong character and identity for the area, provides for a functional built environment, and promotes community and personal safety”* by way of strategies including:

- *Ensure that all development takes into account the character and constraints of the site and wider area.*
- *Ensure development contributes to the character, identity and sense of place of the area, particularly in newly developing areas.*
- *Ensure new development is designed to address public spaces and enhance the public realm.*
- *Maintain and improve the appearance and function of industrial precincts by ensuring high quality urban design including site layout, streetscape, building design and landscaping.*
- *Ensure that landscaping areas within development are adequately maintained to enhance the appearance of the area.*

Whilst the built form can be considered appropriate and attractive in its own right, the contextual siting of the built form requires close attention.

These clauses seek for functional design that respects the sense of place and local context of the area in which it sits. “Long term benefits” and “site responsive” design is equally important

in a residential, commercial or industrial setting. However, an industrial setting is unique in that adaptable built form outcomes are required for potential future occupants in years to come.

Site layout and building design in industrial areas should be adaptive to suit a wide range of businesses to future proof and respect the industrial area.

However, the design is unique and specific in its design to accommodate the use sought (Place of Worship) and will be at odds with 'standard' industrial design which incorporates large floor areas, promotes large vehicle movement and generally incorporates high site coverage.

Whilst at a micro level, the design is articulated and attractive, the design is more appropriate for a commercial or residential area (noting community services can be co-located in established and emerging residential areas) and not that of an industrial area.

The design of the built form appears specific to a niche use, and it does not have a lifespan beyond the specific needs of the Place of Worship (or other similar community uses). The high proportion of parking required for this use results in an underutilisation of the site that cannot be resolved through building design alone and will not be appropriate for a large swathe of industrial or warehousing uses in the future.

As such, the built form is not appropriate and does not reflect the emerging and expected built form character of the area and is not adaptable nor functional.

Community Infrastructure and Services

Clause 19 Infrastructure, and in particular Clause 19.02-4S Social and Cultural Infrastructure seeks to provide fairer distribution of and access to, social and cultural infrastructure with relevant strategies including:

- *Encourage the location of social and cultural infrastructure in activity centres.*
- *Ensure social infrastructure is designed to be accessible.*

Clause 21.05-6 Community services and facilities also identifies the importance of access to a range of services and facilities and that these are provided in response to community need. Key strategies of this policy seek to:

- *Establish community facilities in the most accessible location for local residents having regard to their service catchment.*
- *Facilitate the establishment of commercial activities (eg: medical practitioners) community based organisations (eg: churches) and early years services (ie childcare) which serve the needs of the community in activity centres and in residential areas where they can be provided in a manner which minimises any impacts on the amenity of the area.*

The proposed site is located well beyond the Pakenham Activity Centre in an area that has been strategically considered for industrial activity due to the location outside residential catchments yet relative proximity to the arterial road network.

As such, the site has very limited accessibility. Given the locational attributes in conjunction with the proposed evening/weekend operation, accessibility is significantly prejudiced by such a location.

Due to the collective benefits provided by community uses such as Places of Worship, the land use and community would benefit from an area that has been designed with greater transport integration, services and infrastructure.

Industrial 1 Zone

The purpose of the zone is to implement the Municipal Planning Strategy and the Planning Policy Framework. It also seeks to provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

The table of uses contained in this provision list Place of Worship (identified under Place of Assembly) as a Section 2 use, where planning permission is required. In addition, buildings and works also require planning approval under the zone.

The relevant decision guidelines for the assessment of use and buildings and works applications under the zone require the consideration of:

The Municipal Planning Strategy and the Planning Policy Framework.

The most applicable policies that support this zone are discussed above, identifying concerns of the proposals response to various policies that seek to protect industrial areas from inappropriate and conflicting land uses, and built form outcomes reflecting an industrial character.

For reasons outlined in the above chapter, the proposal is considered inconsistent with the purposes, objectives and key strategies identified within the Planning Policy and Local Planning Policy Framework.

The effect that nearby industries may have on the proposed use.

The precinct is developing with recent examples of warehousing and industry uses reflecting the vision for the important industrial precinct. It is noted that many industry uses do not require planning permission in this precinct and therefore a complete register of these land uses and their proximity to the site is not available.

Due to the primary function of the area, there is a higher likelihood of off-site impacts to more sensitive land uses such as a Place of Worship.

The availability of and connection to services.

It is understood all necessary services are available to the property.

The effect of traffic to be generated on roads.

Whilst the proposal satisfies technical parking requirements, the out-of-centre location and limited public transport options is expected to place emphasis on private vehicle use. Noting this type of land use attracts a higher number of visitors to the site (particularly on weekends), it is considered that the surrounding road network can accommodate the associated vehicle movement. It is further noted that the peak periods for the proposed Place of Worship will occur on weekends (maximum 200 patrons) however many surrounding businesses are unlikely to be operating during this time.

Built form, parking and landscaping

For reasons outlined above when assessing the Planning Policy Framework and Local Planning Policy Framework in relation to built form outcomes, a warehouse-style built form is proposed to better integrate with the precinct and provide some degree of utility beyond its intended purpose for a Place of Worship.

Particular and General Provisions

Several particular and general provisions are required to be considered.

Clause 52.05 Signs

For clarification purposes only, the planning application does not seek permission for any signage pursuant to Clause 52.05 Signs, and no detail is provided on plans.

As such, it is considered that signage does not form part of this proposal.

Clause 52.06 Car Parking

The purpose of Clause 52.06 is to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality car parking requirements for the proposal.

A planning permit is otherwise required to reduce the number of parking spaces required.

The car parking requirements for the proposal are outlined in Clause 52.06-5 are as following:

Type	Rate	Parking required
Place of Assembly	0.3 spaces to each patron permitted	200 max patrons x 0.3 spaces
Total required		60 spaces

As the maximum patronage on site at any one time is 200, the resulting car parking requirement is 60 spaces. As 74 car parking spaces are provided, the proposal meets the required car parking provision.

Additionally, the development satisfies all Design Standards for access, parking space dimensions and urban design.

However, as detailed above, concerns are raised with the overprovision of car parking at the lack of landscaping opportunity throughout the site which could otherwise provide amenity benefit to the site.

Clause 53.18 Stormwater Management and drainage infrastructure

The purpose of Clause 53.18 is to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

It is acknowledged that if a permit were to be issued, suitable conditions could be placed on the permit to capture relevant information and requirements regarding stormwater management.

Clause 65 Decision Guidelines

Before deciding on an application, Clause 65 requires to be given to the planning policy framework, the purpose and any other matters required to be considered by a zone or other provision and the impacts a use will have on current and future development and operation of the transport system.

As highlighted in the policy response and the assessment against the zone, the proposal is not considered appropriate for the site and does not reflect orderly planning for an emerging industrial precinct.

Conclusion

An application seeking to use and develop land for a Place of Worship is required to appropriately respond to purposes, objectives, strategies and decision guidelines of wide-ranging Planning Policy Framework and Local Planning Policy Framework considerations, as well as zoning controls and Particular and General Provisions of the Cardinia Planning Scheme.

The proposal will result in the introduction of a community service/facility at odds with policy direction for the site located within the Industrial 1 Zone, limiting and negating any perceived community benefit.

Community services of a religious and cultural nature are encouraged within the Cardinia Planning Scheme, however are directed to be located in appropriate locations. The proposal is at odds with the Industrial 1 Zone and relevant planning policy and is likely to operate in an increased risk area in terms of amenity outcomes, whilst the built form and extensive car parking is at odds with the emerging character of the area, and is not adaptable, functional or 'future proofed' for other industrial or warehousing needs.

The land use and built form conflict may impact the productivity and functionality of the industrial precinct and is inconsistent with various key policies and provisions of the Cardinia Planning Scheme.

As such, it is recommended that Council refuse to grant a planning permit for T220208 for the use and development of a Place of Worship.

Resolution

Moved Cr Kaye Cameron, seconded Cr Carol Ryan.

That Council refuse to grant Planning Permit T220208 for the use and development of a Place of Worship at Lot 17 PS747005 known as 14 O'Sullivan Street, Pakenham VIC 3810 on the following grounds:

- 1) The proposal is incompatible with the industrial location, sought to be protected by:
 - a. Clause 33.01 Industrial 1 Zone
 - b. Clause 11.02-6S (Regional and Local Places Planning)
 - c. Clause 13.07-1S (Land use compatibility)
 - d. Clause 17.03-2S (Sustainable Industry)
 - e. Clause 17.03-3S (State-significant Industrial land), and
 - f. Clause 21.04-4 (Industry)
- 2) The proposal undermines the protection of State-significant Industrial land, sought to be protected by Clause 17.03-3S (State significant Industrial land).
- 3) Built form outcomes are contrary to the industrial area and do not provide functionality or adaptability, as sought by:
 - a. Clause 15.01-1S (Urban Design)
 - b. Clause 15.01-2S (Building Design)
 - c. Clause 21.06-1 (Urban Design)
- 4) The proposed site has limited accessibility, contrary to Clause 19.02-4S (Social and Cultural Infrastructure) and Clause 21.05-6 (Community services and facilities).
- 5) The proposal does not appropriately respond to Clause 65 Decision Guidelines of the Cardinia Planning Scheme.

Carried

Cr Ross called for a division.

For Cr Kaye Cameron, Cr Jack Kowarzik, Cr Carol Ryan, Cr Graeme Moore, Cr Jeff Springfield
Against Cr Colin Ross, Cr Stephanie Davies

5.2 Planning Matters Dealt with by Officers Under Delegated Authority - July 2023

File Reference: {file-reference}
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

{council-plan}

Planning Matters Report

The below is for the period between 3 April 2023 and 6 June 2023.

Beacon Hills Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
6/04/2023	T220625	218 Beaconsfield-Emerald Road, Beaconsfield VIC 3807	Buildings and works associated with Rural Industry	Issued	14 September 2022
13/04/2023	T210263	L1 & L2 TP369868G, 230 Mt Eirene Road and CA106 & CA109C Parish of Gembrook, 260 Mt Eirene Road, Gembrook VIC 3783	Re-subdivision of the land (four (4) lot boundary re-subdivision)	NOD	16 April 2021
13/04/2023	T220377	Red Hill Road, Beaconsfield Upper VIC 3808	Use and development of the land for a dwelling and outbuildings and native vegetation removal	Issued	31 May 2022
14/04/2023	T220672	58 Stoney Creek Road, Beaconsfield Upper VIC 3808	Buildings and works associated with an existing dwelling	Issued	06 October 2022
18/04/2023	T220576	15 Doyle Road, Pakenham Upper VIC 3810	Development of the land for an outbuilding (garage) and associated earthworks	Issued	25 August 2022
20/04/2023	T220292	30 McArthur Road, Beaconsfield Upper VIC 3808	Buildings and Works (Construction of an Outbuilding)	Issued	02 May 2022
21/04/2023	T210279	3 Luke Place, Guys Hill VIC 3807	Building and works associated with a dwelling extension	Issued	21 April 2021
21/04/2023	T220387	96 Manestar Road, Beaconsfield Upper VIC 3808	Buildings and Works (Construction of a Shed and associated Earthworks) and associated Vegetation Removal	Issued	02 June 2022
21/04/2023	T220606	890 Toomuc Valley Road, Pakenham Upper VIC 3810	Buildings and Works for an outbuilding	Issued	08 September 2022
28/04/2023	T220355	188 Toomuc Valley Road, PAKENHAM VIC 3810	Alterations and additions to an existing dwelling, development of the land for one (1) agricultural building and earthworks associated with an existing dam	Issued	23 May 2022
28/04/2023	T230044	30 Quamby Avenue, Guys Hill VIC 3807	Buildings and Works (Construction of a Shed)	Issued	03 February 2023
2/05/2023	T220216	30 Burton Road, Beaconsfield Upper VIC 3808	Buildings and Works (Construction of a Shed) and Native Vegetation Removal	Issued	26 March 2022
5/05/2023	T180336 - 1	12 Mavis Avenue, Beaconsfield VIC 3807	Use and development of the land for a dwelling, associated works and vegetation removal	Issued	24 June 2022
12/05/2023	T230069	380 Toomuc Valley Road, Pakenham VIC 3810	Buildings and works associated with an agricultural shed	Issued	16 February 2023

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
15/05/2023	T220229	300 Old Gembrook Road, Pakenham Upper VIC 3810	Buildings and Works (Construction of a Shed)	Issued	31 March 2022
16/05/2023	T230218	113 Timberline Parkway, Pakenham VIC 3810	Construct a pergola	Issued	09 May 2023
23/05/2023	T140413 - 2	12 Holm Park Road, Beaconsfield VIC 3807	Use of the land for animal keeping (four dogs)	NOD	08 April 2022
26/05/2023	T220802	104 Foott Road, Beaconsfield Upper VIC 3808	Alterations and Additions to an Existing Dwelling on a Lot & Construction of an Outbuilding (Carport)	Issued	06 December 2022
2/06/2023	T220635	36 Leppitt Road, Pakenham VIC 3810	Use and development of a dwelling together with associated works generally in accordance with the submitted plans.	Issued	19 September 2022
6/06/2023	T220492	70 Woods Street, Beaconsfield VIC 3807	Development of the land for a Community Care Accommodation and subdivision of the land in to two (2) lots	NOD	20 July 2022
6/06/2023	T220668	65 Mount Shamrock Road, Pakenham VIC 3810	Use and development of the land for a dwelling and outbuilding and associated earthworks	Issued	04 October 2022

Bunyip Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
13/04/2023	T220256	148A Nash Road, Bunyip VIC 3815	Use and development of the land for a dwelling	Issued	12 April 2022
14/04/2023	T220143	43 Ryan Road, Pakenham VIC 3810	Subdivision of land into two (2) lots	NOD	01 March 2022
14/04/2023	T220478	2/48 Garfield Road, Garfield VIC 3814	Development of the land for one (1) outbuilding (shed)	Issued	13 July 2022
14/04/2023	T220574	45 Corcoran Road, Bunyip VIC 3815	Construction of an outbuilding (shed)	Issued	14 September 2022
20/04/2023	T220644	55 Croft Road, Nar Nar Goon North VIC 3812	Buildings and works associated with a Dwelling (replacement)	Issued	26 September 2022
21/04/2023	T220217	535 Bessie Creek Road, Nar Nar Goon North VIC 3812	Buildings and works associated with the construction of an agricultural shed	Issued	22 March 2022
21/04/2023	T220298	125 Wimpole Road, Bunyip North VIC 3815	Boundary realignment (2 lot subdivision)	Issued	05 May 2022
21/04/2023	T220395	1505 Bunyip River Road, Bunyip VIC 3815	Buildings and Works (Construction of a Farm Shed)	Issued	07 June 2022
21/04/2023	T230034	6 Pinehill Drive, Pakenham VIC 3810	Buildings and Works (Construction of a Garage)	Issued	30 January 2023
21/04/2023	T230054	19 Shinnars Close, Bunyip VIC 3815	Buildings and Works (Construction of a non-habitable outbuilding)	Issued	10 February 2023
27/04/2023	T220142	17 Pinehill Drive, Pakenham VIC 3810	Subdivision of land into two (2) lots	Issued	01 March 2022
27/04/2023	T220657	24 Warren Road, Nar Nar Goon North VIC 3812	Development of the land for one (1) outbuilding (shed)	Issued	28 September 2022
28/04/2023	T220736	6 Knights Court, Tynong VIC 3813	Buildings and works associated with a horse training facility (horse stables, feed shed, day yards and walker/round yard)	Issued	07 November 2022
2/05/2023	T220684	160 Fogarty Road, Tynong North VIC 3813	Buildings and works for an outbuilding and extension to an existing dwelling	Issued	12 October 2022
5/05/2023	T220689	8 Sweeney Court, Tynong VIC 3813	Use and development of the land for a dwelling and horse training facility	Issued	20 October 2022
9/05/2023	T220579	40 Tynong Road, Tynong VIC 3813	Buildings and works associated with an outbuilding (shed) and removal of one (1) tree	Issued	29 August 2022

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
11/05/2023	T220731	340 Ellis Road, Tonimbuk VIC 3815	Use of the land for a Dwelling; Buildings and works associated with a dwelling and agricultural buildings	Issued	03 November 2022
12/05/2023	T220665	18 Oaktree Drive, Pakenham VIC 3810	Buildings and works for an outbuilding	Issued	03 October 2022
15/05/2023	T220437	24 Dunbarton Drive, Pakenham VIC 3810	Development of the land for three dwellings on a lot	NOD	25 June 2022
16/05/2023	T220064	26A Pinehill Drive, Pakenham VIC 3810	Removal of vegetation	Issued	07 February 2022
17/05/2023	T210875	6 Kevis Court, Garfield VIC 3814	Development of two dwellings to the rear of the existing dwelling and additions to the existing dwelling	Issued	23 November 2021
17/05/2023	T220505	25 Cameron Way, Pakenham VIC 3810	Buildings and works associated with the construction of three (3) dwellings.	NOD	25 July 2022
22/05/2023	T220557	75 Bullen Road, Tynong North VIC 3813	Construction of an Agricultural Building	Issued	17 August 2022
26/05/2023	T230074	35 Butler Road, Bunyip VIC 3815	Buildings and Works (Construction of a Shed)	Issued	17 February 2023
29/05/2023	T220814	6 Knights Court, Tynong VIC 3813	Use and Development of the land for a dwelling	Issued	12 December 2022
1/06/2023	T230161	1610 Princes Highway, Nar Nar Goon VIC 3812	Display of Pole Signs	Issued	12 April 2023
2/06/2023	T220467	3 Jakobi Court, Bunyip VIC 3815	Buildings and works associated with an outbuilding (shed)	Issued	01 July 2022
2/06/2023	T230021	260 Nar Nar Goon-Longwarry Road, Nar Nar Goon VIC 3812	Buildings and works for a farm shed	Issued	19 January 2023

Central Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
28/04/2023	T220609	Village Way, Pakenham VIC 3810	Use of the land for a Restricted Recreation Facility (Gym) and Function Centre, buildings and works, a reduction in car parking and for the sale and consumption of liquor	Issued	14 September 2022
9/05/2023	T220743	16B Meeking Drive, Pakenham VIC 3810	Removal of five (5) trees	Issued	11 November 2022

Henty Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
11/04/2023	T220451	FY 13/25 Bald Hill Road, Pakenham VIC 3810	Installation of raised steel storage area (mezzanine)	Issued	30 June 2022
27/04/2023	T230063	77 Racecourse Road, Pakenham VIC 3810	Subdivision of land into two (2) lots	Issued	15 February 2023
28/04/2023	T230037	174 Princes Highway, Pakenham VIC 3810	Alteration of access to a road in a Transport Zone 2	Issued	31 January 2023
9/05/2023	T210716	U 1/7 Highview Court, Pakenham VIC 3810	Subdivision of Land into Five Lots, in accordance with the approved Development Permit / Plans.	Issued	17 September 2021
29/05/2023	T220278	105 Racecourse Road, Pakenham VIC 3810	Increase the number of sites within an existing camping and caravan park and alteration of access to a road in a Transport 2 Zone	Issued	25 April 2022
29/05/2023	T220480	170 Princes Highway, Pakenham VIC 3810	Construction of Twelve (12) Dwellings on a Lot and Alteration of Access to a Road in a Transport Zone 2	NOD	14 July 2022
1/06/2023	T220810	5 Isaac Court, Pakenham VIC 3810	Alterations and additions to an existing dwelling and development of the land for a second dwelling and reduction in car parking requirements and two lot subdivision	Issued	09 December 2022
2/06/2023	T230036	Shop 15/67-69 Main Street, Pakenham VIC 3810	Construction and display of business identification signage	Issued	31 January 2023
6/06/2023	T220014	15 Katjusha Court, Pakenham VIC 3810	Development of a Second Dwelling and Alterations & Additions to the Existing Dwelling	Issued	12 January 2022
6/06/2023	T220839	174 Princes Highway, Pakenham VIC 3810	To display floodlight signage	Issued	22 December 2022

Officer Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
27/04/2023	T230105	20 Brunt Road, Beaconsfield VIC 3807	Buildings and works to develop the land with an addition eleven (11) movable dwellings associated with an existing residential village	Issued	09 March 2023
4/05/2023	T220301	50 Whiteside Road, Officer VIC 3809	Removal of easement	Issued	06 May 2022
11/05/2023	T190787 - 5	104 Tivendale Road, Officer VIC 3809	Use and development of the land for a place of worship and business identification signage	Issued	04 October 2022
24/05/2023	T220167	451 & 455 Brown Road, Officer VIC 3809	Development of the land for a Child Care Centre and Indoor Recreation Facility (Swim School), display of signage and a reduction in car parking	Issued	08 March 2022
1/06/2023	T220584 - 1	4 Station Street, Officer VIC 3809	Use and development of the land for a Medical Centre and display of signage	Issued	09 May 2023

Pakenham Hills Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
5/04/2023	T220359	43 Solid Drive, Pakenham VIC 3810	Construction of a dwelling, construction of a fence and associated earthworks	Issued	24 May 2022
21/04/2023	T220499	13 Solid Drive, Pakenham VIC 3810	Buildings and works associated with the construction of a dwelling and associated works	Issued	25 July 2022
3/05/2023	T220336	58 Gardenia Street, Pakenham VIC 3810	Construction of Two Dwellings on a Lot	NOD	19 May 2022
11/05/2023	T220820	59 Solid Drive, Pakenham VIC 3810	Development of the land for a dwelling, fence and associated earthworks	Issued	15 December 2022
23/05/2023	T210801	63 Gardenia Street, Pakenham VIC 3810	Construction of a Second Dwelling on a Lot	Issued	19 October 2021
1/06/2023	T220811	6 Gold Street, Pakenham VIC 3810	Buildings and works for the construction of one (1) dwelling and associated fencing	Issued	09 December 2022

Ranges Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
3/04/2023	T160026 - 1	44 Ambrose Street, Emerald VIC 3782	Amendment to planning permit T160026 (approved for the subdivision of land into six (6) lots into three (3) stages and creation of a road) to amend the permit preamble, delete and amend conditions and amend the assessed plans	Issued	06 April 2022
3/04/2023	T230035	2711 Gembrook-Launching Place Road, Gembrook VIC 3783	Development of the land for a dwelling extension (deck)	Issued	31 January 2023
4/04/2023	T220416	2 Cullen Place, Cockatoo VIC 3781	Development of land for a dwelling and associated works	Issued	17 June 2022
14/04/2023	T220317	2042 Wellington Road, Clematis VIC 3782	Alterations and additions to the existing dwelling	Issued	16 May 2022
21/04/2023	T220513	191 Ure Road, Gembrook VIC 3783	Use and development of the land for a dwelling, construction of an outbuilding and associated earthworks	Issued	28 July 2022
21/04/2023	T220712	14 Devon Avenue, Cockatoo VIC 3781	Buildings and works associated with a dwelling extension	Issued	24 October 2022
21/04/2023	T220792	16 Florence Avenue, Emerald VIC 3782	Buildings and Works (Construction of a Shed)	Issued	30 November 2022
21/04/2023	T230052	26 Pinnocks Road, Emerald VIC 3782	Buildings and Works (Construction of a Shed)	Issued	08 February 2023
24/04/2023	T220103 - 1	20 Old Beaconsfield Road, Emerald VIC 3782	Development of the land for one (1) outbuilding (carport) and removal of vegetation	Issued	23 March 2023
27/04/2023	T220705	24 Bailey Road, Cockatoo VIC 3781	Buildings and works for an extension to existing dwelling (verandah and garage)	Issued	19 October 2022
28/04/2023	T220543	140 Beenak East Road, Gembrook VIC 3783	Buildings and works (Alterations and additions) to an existing dwelling, generally in accordance with the approved plans	Issued	10 August 2022
1/05/2023	T220050	11 Old Beaconsfield Road, Emerald VIC 3782	Use and development of the land for a dwelling	Issued	01 February 2022
2/05/2023	T220633	3 Flora Close, Cockatoo VIC 3781	Buildings and works for an outbuilding	Issued	19 September 2022
5/05/2023	T230094	50 Westlands Road, Emerald VIC 3782	Buildings and works associated with construction of a single storey dwelling extension (Buildings & Works in Rural Zone)	Issued	02 March 2023

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
8/05/2023	T220474	455 Ure Road, Gembrook VIC 3783	Use and development of land for a dwelling	Issued	07 July 2022
9/05/2023	T230022	29 Fern Glade Drive, Emerald VIC 3782	Variation of E-1 (Drainage easement) on CP171449W	Issued	19 January 2023
12/05/2023	T220430	29 Joffre Parade, Cockatoo VIC 3781	Building and works for an outbuilding and associated earthworks	Issued	23 June 2022
15/05/2023	T220612	28 Steel Road, Emerald VIC 3782	Buildings and works associated with the construction of an outbuilding (shed)	Issued	09 September 2022
16/05/2023	T220741	18 William Street, Emerald VIC 3782	Buildings and works associated with a dwelling extension	Issued	08 November 2022
16/05/2023	T230094 - 1	50 Westlands Road, Emerald VIC 3782	T230094 -1 - APP - Amended Planning Permit Buildings and works associated with construction of a single storey dwelling extension (Buildings & Works in Rural Zone)	Issued	11 May 2023
17/05/2023	T220647	5 Boronia Crescent, Cockatoo VIC 3781	Subdivision of Land into Two Lots, in accordance with the approved Development Permit / Plans.	Issued	27 September 2022
22/05/2023	T220040	15 Station Road, Gembrook VIC 3783	Development of a Double Storey Dwelling and associated Vegetation Removal	Issued	26 January 2022
22/05/2023	T230113	22 Hillside Road, Cockatoo VIC 3781	Buildings and Works (Construction of a Shed)	Issued	15 March 2023
23/05/2023	T210526	280 Ure Road, Gembrook VIC 3783	Buildings and works associated with the construction of a non-habitable outbuilding (shed)	Issued	18 July 2021
30/05/2023	T220784	8 Tarrana Street, Cockatoo VIC 3781	Buildings and works for an outbuilding	Issued	28 November 2022
6/06/2023	T220438	1 Como Street, Emerald VIC 3782	Development of the land associated with an existing dwelling	Issued	27 June 2022

Toomuc Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
4/04/2023	T230083	29 Zermatt Loop, Pakenham VIC 3810	Planning permit to demonstrate a compliant Landscape design to support the Significant Landscape Overlay.	Issued	20 February 2023
6/04/2023	T110251 - 3	565 Princes Highway, Officer VIC 3809	T110251-3 CP - Corrected Planning Permit Application AMENDED PERMIT - Multi lot residential subdivision of land and removal of native vegetation	Issued	06 March 2023
12/04/2023	T190027 - 1	125 Mulcahy Road, Pakenham VIC 3810	Amendment to Planning Permit T190027	Issued	04 August 2021
18/04/2023	T100065 - 1	8 Portobello Road, Pakenham VIC 3810	Amendment to planning permit T100065-1 Use and development of the land for a bottle shop, associated advertising signage	Issued	31 August 2022
27/04/2023	T230144	23 Skyline Drive, Officer VIC 3809	Construct buildings and works in an overlay (Alfresco & Roof constructed of timber & metal)	Issued	03 April 2023
25/05/2023	T230001	19 Corvara Way, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	04 January 2023

Westernport Ward

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
3/04/2023	T210951	15 Link Road, Pakenham VIC 3810	Building and Works (Construction of One (1) Warehouse)	Issued	20 December 2021
3/04/2023	T220069	17 & 19 Link Road, Pakenham VIC 3810	Buildings and works (Construction of two (2) warehouses)	Issued	09 February 2022
3/04/2023	T220121	21 & 23 Link Road, Pakenham VIC 3810	Buildings and Works (Construction of Two (2) Warehouses)	Issued	26 April 2022
3/04/2023	T220688	8 Link Road, Pakenham VIC 3810	Subdivision of the land into six (6) lots	Issued	13 October 2022
4/04/2023	T220259	57-59 Southeast Boulevard, Pakenham VIC 3810	Buildings and works (Construction of two (2) warehouses) and reduction in car parking	Issued	13 April 2022
5/04/2023	T220837	500 Seven Mile Road, Nar Nar Goon VIC 3812	Construction and display of one (1) business identification sign	Issued	22 December 2022
6/04/2023	T220404	We 3/7-9 Bormar Drive, Pakenham VIC 3810	Use of Land for an Education Centre (Carpentry Training)	NOD	10 June 2022
13/04/2023	T220777	40 Rosebery Street, Lang Lang VIC 3984	Development of the land for a dwelling in a Bushfire Management Overlay	Issued	24 November 2022
14/04/2023	T230060	45 Diamond Drive, Koo Wee Rup VIC 3981	Buildings and works associated with an existing dwelling (pergola)	Issued	14 February 2023
17/04/2023	T220687	48 James Street, Lang Lang VIC 3984	Subdivision of the land into six (6) lots	Issued	13 October 2022
20/04/2023	T220199	18 Precision Drive, Pakenham VIC 3810	Building and Works (Construction of One (1) Warehouse)	Issued	23 March 2022
21/04/2023	T220412	4 Evolution Drive, Pakenham VIC 3810	Building and Works (Construction of Four (4) Warehouses)	Issued	16 June 2022
21/04/2023	T220554	9 Sette Circuit, Pakenham VIC 3810	Use and development of land for Industry (Odour Decanting Facility) and buildings and works associated with one (1) warehouse	Issued	15 August 2022
21/04/2023	T220727	100 Greenhills Road, Pakenham VIC 3810	Building and works (bulk earthworks)	Issued	11 November 2022
27/04/2023	T220552	31 Fincks Road, Bayles VIC 3981	Buildings and works for an agricultural shed	Issued	15 August 2022

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
27/04/2023	T220654	47 & 49 Sette Circuit, Pakenham VIC 3810	Subdivision of the land into three (3) lots	Issued	28 September 2022
27/04/2023	T220690	24 Henry Street, Koo Wee Rup VIC 3981	Buildings and works for an outbuilding	Issued	12 October 2022
27/04/2023	T230090	13 Precision Drive, Pakenham VIC 3810	Subdivision of the land into two (2) lots	Issued	23 February 2023
28/04/2023	T220671	33 Boundary Drain Road, Koo Wee Rup VIC 3981	Buildings and works for an outbuilding	Issued	05 October 2022
28/04/2023	T220817	1330 Caldermeade Road, Catani VIC 3981	Buildings and works for an agricultural shed	Issued	14 December 2022
1/05/2023	T220666	FY 8/18 Racecourse Road, Pakenham VIC 3810	Use of land for a shop	Refused	03 October 2022
5/05/2023	T220590	1220 Main Drain & 295 Bayles-Cora Lynn Roads, Cora Lynn VIC 3814	Three (3) lot boundary realignment	Issued	14 September 2022
5/05/2023	T220713	140 Toner Road, Cora Lynn VIC 3814	Buildings and works for an agricultural shed	Issued	24 October 2022
8/05/2023	T210752 - 1	12 O'Sullivan Street, Pakenham VIC 3810	Refer attached letter	Issued	08 February 2023
11/05/2023	T230007	28 Link Road, Pakenham VIC 3810	Development of the land for one (1) warehouse	Issued	11 January 2023
11/05/2023	T230008	30 Link Road, Pakenham VIC 3810	Development of the land for one (1) warehouse	Issued	11 January 2023
11/05/2023	T230009	26 Link Road, Pakenham VIC 3810	Development of land for one (1) warehouse	Issued	11 January 2023
15/05/2023	T220695	We 2/67 National Avenue, Pakenham VIC 3810	Use of land for Car Sales	Issued	14 October 2022
15/05/2023	T220790	65 Cameron Road, Heath Hill VIC 3981	Earthworks associated with a horse arena	Issued	29 November 2022
16/05/2023	T220804	100 Greenhills Road, Pakenham VIC 3810	Use and development of the land for warehouses and display of signage (business identification)	Issued	07 December 2022
24/05/2023	T160790 - 1	11 Industrial Drive, Pakenham VIC 3810	Development of the land for Industry (pre-cast concrete manufacturing), ancillary offices, associated display area, display of advertising signage and reduction in on-site car parking (110spaces)	Issued	05 December 2022

Date Issued	Permit Number	Address	Proposal	Decision	Date Lodged
29/05/2023	T220198	12 Precision Drive, Pakenham VIC 3810	Buildings and Works (Construction of One (1) Warehouse) and a reduction in car parking	Issued	23 March 2022
29/05/2023	T230185	Cardinia Road, Officer South VIC 3809	Carry out works for the temporary placement of stockpiles	Refused	20 April 2023
30/05/2023	T220452	24 Wattle Court, Lang Lang VIC 3984	Subdivision of the land into 2 lots	Issued	30 June 2022
30/05/2023	T230029	230 Eight Mile Road, Nar Nar Goon VIC 3812	Development of the land for an agricultural building (farm shed)	NOD	24 January 2023
1/06/2023	T220570 - 1	16 Henry Street, Koo Wee Rup VIC 3981	Subdivision of land into four (4) lots	Issued	08 March 2023
2/06/2023	T220677	170 Milners Road, Lang Lang East VIC 3984	Development of the land for a replacement dwelling	Issued	04 October 2022
6/06/2023	T220733	130 McDonalds Track, Lang Lang VIC 3984	Use and Development of Land for a Child Care Centre and Alteration of Access to a Road in a Transport Zone 2	Issued	04 November 2022

Resolution

Moved Cr Graeme Moore, seconded Cr Collin Ross.

That Council note the report.

Carried

5.3 Planning Scheme Amendment Activity Report

File Reference: {file-reference}
Responsible GM: Lili Rosic
Author: Anita Ransom

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.

Relevance to Council Plan

{council-plan}

Status of Active Amendments

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

Resolution

Moved Cr Collin Ross, seconded Cr Kaye Cameron.

That Council note the report.

Carried

5.4 Planning Matters VCAT Report - July 2023

File Reference: {file-reference}
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). This list is current as of 7 June 2023.

Relevance to Council Plan

{council-plan}

Applications Recently Lodged at VCAT

Hearing Date	App. No.	Address	Proposal	Council Decision	Appealed By
23, 24, 25 October 2023	T220501	74-76 Ahern Road Pakenham	Construction of Seventeen (17) Dwellings on a Lot	FTD*	Applicant

Matters Currently the Subject of VCAT Appeal

Hearing Date	App. No.	Address	Proposal	Council Decision	Appealed By
16/06/2023	T210567	28 Hill Street, Pakenham	Use and development of the land for a place of worship	Refusal	Applicant
18/07/2023	T210643	44 Paternoster Road, Cockatoo	Use and Development of the Land for a Telecommunications facility	Notice of Decision to Grant a Permit	Objector
3/08/2023	T220221	205 Seven Mile Road Nar Nar Goon	Use and development of the land for a contractors depot	Refusal	Applicant

*FTD denotes an application for review of Council's failure to issue a decision within the prescribed timeframe.

Matters Recently Decided at VCAT

App. No.	Address	Proposal	Council Decision	Appealed By	Outcome	Decision Date
T150215 ET3	Lot H PS400130 Princes Highway Pakenham	Extension of time to Planning Permit T150215, which allows for the Use and development of a service station and associated convenience shop, food and drink premises, development of 4 shops, reduction in the loading and unloading requirement of Clause 52.07, variations to Clause 52.12 (crossover width and landscape buffer), alter access to a Road in a Category 1 Road Zone and the erection of advertising and business identification signage.	Refusal	Applicant	Set Aside – Extension Granted	22 May 2023
T210968	1-3 Savage Street, Pakenham	Use and Development of Land for a Child Care Centre	Refusal	Applicant	Set Aside – Consent Order	1 May 2023
T210885	4 Ann Crescent, Pakenham	Development of the land for four (4) dwellings	Notice of Decision to Grant a Permit	Objector	Varied by Consent	4 April 2023
T210902	13-15 Mahon Avenue Beaconsfield	Buildings and works associated with the construction of thirty-one (31) dwellings	FTD*	Applicant	Affirmed - Permit Refused	12 April 2023
T200173- 2	Centenary Boulevard, Officer South	A two stage subdivision of land (generally in accordance with the approved plans)	FTD*	Applicant	Set Aside – Permit Issued	27 March 2023
T110588	Centenary Boulevard, Officer South	Multi-lot residential subdivision of the land in stages, associated road networks and works to remove two existing waterbodies within the land, generally in accordance with the approved plans	Refusal	Applicant	Declaration issued Amended plans approved	27 March 2023

*FTD denotes an application for review of Council's failure to issue a decision within the prescribed timeframe.

Resolution

Moved Cr Kaye Cameron, seconded Cr Carol Ryan.

That Council note the report.

Carried

6 Meeting Closure

Meeting closed at 7:17pm