

Town Planning Committee Meeting

Minutes

Monday 5 February 2024

Commenced at 7:00 PM

Council Chambers
20 Siding Avenue, Officer
Victoria

Members:	Cr Jack Kowarzik	Mayor
	Cr Graeme Moore	Deputy Mayor
	Cr Tammy Radford	
	Cr Kaye Cameron	
	Cr Stephanie Davies	
	Cr Jeff Springfield	
	Cr Collin Ross	
	Cr Brett Owen	
	Cr Carol Ryan	
Officers:	Lili Rosic	General Manager Liveable Communities
	Peter Benazic	General Manager Infrastructure and Environment
	Debbie Tyson	General Manager Governance, Facilities and Economy
	Wayne Mack	General Manager Customer, People and Performance
	Peter Harris	Manager Governance, Safety & Property

Meeting opened at 7pm.

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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

Nil

4 Declaration Of Interests

Nil

5 Ordinary Business

5.1 T230400 PA - Subdivision of Land

Responsible GM: Lili Rosic
Author: Lisa Hall

Recommendation

That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T230400 for subdivision of land on the following grounds:

1. The application is not generally in accordance with the Officer Precinct Structure Plan

Attachments

1. T230400 PA - Delegate Report [5.1.1 - 9 pages]

Application Details

APPLICATION NO.:	T230400
APPLICANT:	Human Habitats for Rosa Dell'Aquila
LAND:	Lot A PS836962B, 64 McMullen Road, Officer (future Lot B PS845098R 90 Pratincole Boulevard)
PROPOSAL:	Subdivision of land
PLANNING CONTROLS:	Urban Growth Zone Schedule 3 Officer Precinct Structure Plan
NOTIFICATION & OBJECTIONS:	The application was not advertised on the basis that a permit cannot be granted
KEY PLANNING CONSIDERATIONS:	Application is not in accordance with the Officer Precinct Structure plan The land proposed for subdivision for housing is nominated as land for a future government school in the Officer PSP
REASON FOR MEETING:	Refusal
RECOMMENDATION:	Notice of Decision to Refuse to Grant a Permit

Executive Summary

The application proposes residential subdivision of land, which is identified for a future school site in the Officer Precinct Structure Plan. The application is not generally in accordance with the Officer Precinct Structure Plan and as such a permit cannot be granted, as set out by the provisions of the Urban Growth Zone.

Resolution

Moved Cr Tammy Radford, seconded Cr Brett Owen.

That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T230400 for subdivision of land on the following grounds:

2. The application is not generally in accordance with the Officer Precinct Structure Plan

Carried

5.2 T230399 PA - Subdivision of Land

Responsible GM: Lili Rosic
Author: Lisa Hall

Recommendation

That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T230399 for subdivision of land on the following grounds:

1. The application is not generally in accordance with the Officer Precinct Structure Plan

Attachments

1. T230399 PA - Delegate Report [5.2.1 - 7 pages]

Application Details

APPLICATION NO.:	T230399
APPLICANT:	Human Habitats for Anwar Zakarya Nan
LAND:	Lot 1 PS819663J, 100 Pratincole Boulevard, Officer
PROPOSAL:	Subdivision of land
PLANNING CONTROLS:	Urban Growth Zone Schedule 3 Officer Precinct Structure Plan
NOTIFICATION & OBJECTIONS:	The application was not advertised on the basis that a permit cannot be granted.
KEY PLANNING CONSIDERATIONS:	Application is not in accordance with the Officer PSP. The land proposed for subdivision for housing is nominated as land for a future government school in the Officer PSP.
REASON FOR MEETING:	Refusal
RECOMMENDATION:	Notice of Decision to Refuse to Grant a Permit

Executive Summary

The application proposes residential subdivision of land, which is identified for a future school site in the Officer Precinct Structure Plan. The application is not generally in accordance with the Officer Precinct Structure Plan and as such a permit cannot be granted, as set out by the provisions of the Urban Growth Zone

Resolution

Moved Cr Tammy Radford, seconded Cr Stephanie Davies.

That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T230399 for subdivision of land on the following grounds:

2. The application is not generally in accordance with the Officer Precinct Structure Plan

Carried

5.3 T220833 PA - Use and Development of a Dwelling - 245 Simpson Road, Iona

Responsible GM: Lili Rosic
Author: Jason Gilbert

Recommendation

That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T220833 for Use and development of a dwelling on the following grounds:

1. The proposal is inconsistent with Planning Policy Framework and Local Planning Policy Framework, that seeks to discourage non-agricultural and non-soil-based uses that are established on soil of high agricultural valued land, specifically:
 - a. Clause 14.01-1S - Protection of Agricultural Land;
 - b. Clause 14.01-1R - Protection of Agricultural Land – Metropolitan Melbourne;
 - c. Clause 14.01-2S - Sustainable Agricultural Land Use;
 - d. Clause 21.04-2 – Agriculture; and
 - e. Clause 22.05 – Western Port Green Wedge, and particularly Precinct 1.
2. The proposal is inconsistent with the purposes and decision guidelines of the Special Use Zone – Schedule 1.
3. The proposal is contrary to Clause 51.02 - Metropolitan Green Wedge Land: Core Planning Provisions.
4. The proposal does not comply with the relevant considerations of Clause 65 and the orderly planning of the area.

Attachments

1. T220833 PA - Locality Map [5.3.1 - 1 page]
2. T220833 PA - Officer Report [5.3.2 - 16 pages]
3. T220833 PA - Development Plans [5.3.3 - 10 pages]

Application Details

APPLICATION NO.:	T220833
APPLICANT:	Madeleine Heard Hotondo Homes
LAND:	245 Simpson Road, Iona VIC 3815 Lot 1 TP611732 V8208 F242
PROPOSAL:	Use and development of a dwelling
PLANNING CONTROLS:	Zone: Special Use Zone Schedule 1 (SUZ1)

NOTIFICATION & OBJECTIONS:	Overlay: Land Subject to Inundation Overlay (LSIO)
KEY PLANNING CONSIDERATIONS:	Pursuant to section 52 of the <i>Planning and Environment Act 1987</i> , the application was advertised by sending notices in the mail to nearby property owners and placement of signage on site.
REASON FOR MEETING:	Recommendation for refusal Deferred from Town Planning Committee Meeting on 4 December 2023
RECOMMENDATION:	Refusal

Executive Summary

Planning permission is sought for the use and development of the land for a single storey dwelling, comprising 4 bedrooms, 2 bathrooms, 2 living areas, double garage and alfresco area.

The subject site comprises approximately 41.16 hectares of highly productive agricultural land.

The property currently houses an agricultural shed, 80 head of beef cattle and fodder conservation in the form of hay and silage. The applicants stated that the dwelling is required to enable more appropriate management of the onsite beef cattle, hay and silage production. This was not expanded upon.

Council has considered the purposes of the Special Use Zone Schedule 1 (Horticultural Preservation) and Western Port Green Wedge Policy set out in Clause 22.05. The onus is on applicants to justify the needs of a dwelling. In this instance, the proposed dwelling is not required in order to support cattle on site with the dwelling also fragmentating the land and causing a notable loss in productive agricultural land.

This application was previously considered at Council's Town Planning Committee Meeting on 4 December 2023, where it was resolved to defer consideration of the matter to the February 2024 Town Planning Committee Meeting. It is noted that there have been no changes to the application or planning controls since the previous meeting.

Recommendation

That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T220833 for Use and development of a dwelling on the following grounds:

1. The proposal is inconsistent with Planning Policy Framework and Local Planning Policy Framework, that seeks to discourage non-agricultural and non-soil-based uses that are established on soil of high agricultural valued land, specifically:
 - a. Clause 14.01-1S - Protection of Agricultural Land;
 - b. Clause 14.01-1R - Protection of Agricultural Land – Metropolitan Melbourne;
 - c. Clause 14.01-2S - Sustainable Agricultural Land Use;
 - d. Clause 21.04-2 – Agriculture; and
 - e. Clause 22.05 – Western Port Green Wedge, and particularly Precinct 1.
2. The proposal is inconsistent with the purposes and decision guidelines of the Special Use Zone – Schedule 1.

3. The proposal is contrary to Clause 51.02 - Metropolitan Green Wedge Land: Core Planning Provisions.
4. The proposal does not comply with the relevant considerations of Clause 65 and the orderly planning of the area.

Alternate Resolution

Moved Cr Kaye Cameron, seconded Cr Collin Ross.

That Council Defers consideration of Application T220833 for Use and development of a dwelling due to the applicant advising council that the application will be withdrawn.

Carried

5.4 T230101 PA - Mary Street, Bunyip VIC 3185 - Construction of Eleven (11) Dwellings on a Lot

Responsible GM: Lili Rosic
Author: Ben Jones

Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit for Planning Permit Application No. T230101 for 'Construction of Eleven (11) Dwellings on a Lot' subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one (1) electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
 - a. Driveway crossover for the internal road to be widened to 6.0 metres and a passing bay area measuring 6.1 m x 7.0 metres in accordance with requirements of Clause 52.06-9 (Design Standard 1 – Accessways) of the Cardinia Planning Scheme.
 - b. Provision of a pedestrian access gate to the visitor parking spaces for Units 2, 3, 4 & 5.
 - c. Details of all internal fencing (materiality and height).
 - d. An amended landscape plan which provides for increased planting of native trees, shrubs and ground covers.

Layout Not Altered

2. The layout of the buildings and works, as shown on the endorsed plans, must not be altered or modified without the consent in writing of the Responsible Authority.

Satisfactory Completion

3. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.

Landscaping

4. Before the development is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
5. 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 must be replaced.

Car Parking and Access

6. The areas shown on the endorsed plans for access and car parking must not be used for any other purpose to the satisfaction of the Responsible Authority.
7. Before the development is occupied:

- a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
 - b. A residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
8. The proposed crossover is to be in accordance with Standard Drawing EDCM 501 (from the Engineering Design and Construction Manual111).

Amenity and Site Services

9. The development approved by this permit must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
 - a. Any fencing shown on the endorsed plans must be constructed at the cost of the owner/permit holder in accordance with the endorsed plans.
 - b. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless an alternative date is agreed to in writing by the Responsible Authority.
 - c. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - d. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
 - e. A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - f. A mailbox must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
 - g. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - h. Lighting must be provided along the internal accessway and near the front entrance and garages of each dwelling to the satisfaction of the Responsible Authority.
10. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.
11. All residential waste must be stored within the specified bin storage area for each dwelling. Garbage bins are to be placed on the street for collection in a tidy manner on the appropriate waste collection day for the area.
12. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the Responsible Authority.
13. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Stormwater and Wastewater

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

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

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

15. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
16. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
17. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the responsible authority.

Site Management

18. 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.
19. 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.
20. At least 14 days before any works start, a site-specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.

The CEMP must address all environmental risks and include:

- a. Temporary stormwater management including sedimentation control;
- b. Provision of pollution and contamination controls including noise and dust;
- c. Location of stockpiles and stockpile management;
- d. Location of site office and facilities;
- e. Equipment, materials and goods management; and
- f. Tree protection zones, trees to be retained and trees to be removed.

Expiry

21. The permit for the 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.

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. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- ii. 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.
- iii. This permit has been assessed against Clause 55 of the Cardinia Planning Scheme.

AND

That Council authorise the Manager Planning and Design to instruct Council's Statutory Planners and/ or Council's Solicitors on any future application for review at the Victorian Civil and Administrative Tribunal.

Attachments

1. T230101 PA - Locality Map [5.4.1 - 1 page]
2. T230101 PA - Officer Report [5.4.2 - 28 pages]
3. T230101 PA - Assessed Plans [5.4.3 - 15 pages]
4. CONFIDENTIAL - T230101 PA - Copy of Objections [5.4.4 - 19 pages]

Application Details

APPLICATION NO.:	T230101
APPLICANT:	Duran Investments Pty Ltd
LAND:	L2 PS428145 V10470 F520, Mary Street, Bunyip VIC 3815
PROPOSAL:	Construction of Eleven (11) Dwellings on a Lot
PLANNING CONTROLS:	General Residential Zone - Schedule 1
NOTIFICATION & OBJECTIONS:	<p>Notice was undertaken pursuant to Section 52 of the <i>Planning and Environment 1987</i> by way of sending notices to the owners and occupiers of adjoining land and placing a sign on site.</p> <p>Council has received nine (9) objections to date.</p>
KEY PLANNING CONSIDERATIONS:	<p>Neighbourhood Character Bunyip Township Strategy (2009) Clause 55 Rescode Traffic Impacts</p>
REASON FOR MEETING:	Four (4) or more objections received to application.
RECOMMENDATION:	Notice of Decision to Grant a Permit

Executive Summary

The purpose of this report is to consider an application for the Construction of Eleven (11) Dwellings on a Lot at L2 PS428145 V10470 F520, Mary Street, Bunyip VIC 3815.

The application was initially submitted to Council on the 7 March 2023. A preliminary assessment was undertaken in consultation with internal departments and a request for additional information and concerns was issued on the 4 April 2023. The application was subsequently amended to reduce the proposed number of dwellings from fourteen (14) double storey dwellings to eleven (11) single storey dwellings and to no longer seek concurrent subdivision of land as part of the application.

The application proceeded to public notice on the 1 September 2023 with letters sent to surrounding properties and signage erected on-site. Nine (9) objections were received during and following the notice period.

An assessment against the relevant policies and controls that apply to the site reveal that the proposal represents an acceptable development that will make a positive contribution to the cultural and community infrastructure of the region. A detailed assessment of supporting documents demonstrate that visual and other off-site impacts can be appropriately managed, and that the development will form an effective 'buffer use' between residential and commercial within the Bunyip Town Centre.

Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit for Planning Permit Application No. T230101 for 'Construction of Eleven (11) Dwellings on a Lot' subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one (1) electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
 - a. Driveway crossover for the internal road to be widened to 6.0 metres and a passing bay area measuring 6.1 m x 7.0 metres in accordance with requirements of Clause 52.06-9 (Design Standard 1 – Accessways) of the Cardinia Planning Scheme.
 - b. Provision of a pedestrian access gate to the visitor parking spaces for Units 2, 3, 4 & 5.
 - c. Details of all internal fencing (materiality and height).
 - d. An amended landscape plan which provides for increased planting of native trees, shrubs and ground covers.

Layout Not Altered

2. The layout of the buildings and works, as shown on the endorsed plans, must not be altered or modified without the consent in writing of the Responsible Authority.

Satisfactory Completion

3. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.

Landscaping

4. Before the development is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
5. 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 must be replaced.

Car Parking and Access

6. The areas shown on the endorsed plans for access and car parking must not be used for any other purpose to the satisfaction of the Responsible Authority.
7. Before the development is occupied:
 - a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
 - b. A residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
8. The proposed crossover is to be in accordance with Standard Drawing EDCM 501 (from the Engineering Design and Construction Manual111).

Amenity and Site Services

9. The development approved by this permit must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
 - a. Any fencing shown on the endorsed plans must be constructed at the cost of the owner/permit holder in accordance with the endorsed plans.
 - b. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless an alternative date is agreed to in writing by the Responsible Authority.
 - c. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - d. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
 - e. A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - f. A mailbox must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
 - g. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - h. Lighting must be provided along the internal accessway and near the front entrance and garages of each dwelling to the satisfaction of the Responsible Authority.
10. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the

development must be of a non-reflective nature in accordance with the endorsed plans.

11. All residential waste must be stored within the specified bin storage area for each dwelling. Garbage bins are to be placed on the street for collection in a tidy manner on the appropriate waste collection day for the area.
12. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the Responsible Authority.
13. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Stormwater and Wastewater

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

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

15. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
16. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
17. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the responsible authority.

Site Management

18. 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.
19. 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.
20. At least 14 days before any works start, a site-specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.

The CEMP must address all environmental risks and include:

- a. Temporary stormwater management including sedimentation control;
- b. Provision of pollution and contamination controls including noise and dust;
- c. Location of stockpiles and stockpile management;

- d. Location of site office and facilities;
- e. Equipment, materials and goods management; and
- f. Tree protection zones, trees to be retained and trees to be removed.

Expiry

21. The permit for the 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.

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. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.*
- ii. 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.*
- iii. This permit has been assessed against Clause 55 of the Cardinia Planning Scheme.*

AND

That Council authorise the Manager Planning and Design to instruct Council's Statutory Planners and/ or Council's Solicitors on any future application for review at the Victorian Civil and Administrative Tribunal.

Alternate Resolution

Moved Cr Graeme Moore, seconded Cr Collin Ross.

That Council Defers consideration of Application T230101 planning application Mary Street, Bunyip Construction of Eleven(11) dwellings on a lot, to the March 2024 Town Planning Meeting due to concerns in relation to traffic impacts to Mary St and the surrounding road network and to enable officers to request a traffic impact assessment to be undertaken by the applicant.

Carried

5.5 Planning Scheme Amendment Activity Report - February 2024

Responsible GM: Lili Rosic
Author: Jason Gilbert

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

5.1 We practise responsible leadership

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

Status of Active Amendments

The following table provides details relating to planning scheme amendments that are currently being processed. The list is current as of 8 January 2024.

A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C262	XWB Consulting	11 Thom Road, Lang Lang	Rezone part of land from Farming Zone - Schedule 1 (FZ1) to Neighbourhood Residential Zone - Schedule 1 (NRZ1) and consider Planning Permit Application No. T190728 for: <ol style="list-style-type: none"> 1. a staged subdivision of the subject land into residential lots; 2. creation of two (2) Reserves; and, 3. creation of restrictions on the plan of subdivision; concurrently with the amendment.	Thu 10/03/2022	Mon 11/04/2022	<p>The amendment was adopted by Council at the April 2023 Council meeting.</p> <p>The amendment has been approved by the Minister for Planning and was gazetted on Thursday 07 December 2023.</p>
C265	Cardinia Shire Council	Pakenham South Employment Precinct	Incorporate the Pakenham South Employment Precinct Structure Plan into the Cardinia Planning Scheme.	Thu 15/10/2020	Thu 26/11/2020	<p>Adopted by Council at the July 2021 meeting.</p> <p>The amendment has been submitted to the Minister for Planning for approval.</p> <p>An Infrastructure Contributions Plan was adopted at the May 2023 Council by Council (Amendment C273) and submitted to the Minister for Planning for approval to allow the progression of this amendment.</p>
C268	NBA Group Pty Ltd.	49 Garfield Road, Garfield	The Amendment applies to 49 Garfield Road, Garfield (Lot 1 PS436250 and Lot 1 PS531590). The Amendment is a combined planning permit application and planning scheme amendment under section 96A of the Act. The amendment proposes to rezone most of the area of the site currently identified as Low Density Residential - Schedule 2 to Low Density Residential - Schedule 3. The proposed zone boundary aligns with a 30m setback from the Ti-Tree Creek. The Urban Growth Boundary (UGB) remains unchanged.	Thu 13/10/2022	Mon 14/11/2022	<p>Exhibition completed 14 November 2022.</p> <p>The Panel Hearing was held on 26 April 2023 and Council has received and reviewed the Panel Report. The Panel Report recommended some minor changes.</p> <p>A report was presented to the July 2023 Council meeting recommending that the amendment be adopted with changes as per the Panel Report.</p> <p>The amendment has been approved by the Minister for Planning and was gazetted on Friday 17 November 2023.</p>

A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C273	Cardinia Shire Council	Pakenham South Employment Precinct	The amendment inserts the Pakenham South Infrastructure Contributions Plan into the Cardinia Planning Scheme	N/A	N/A	<p>At the May 2023 Council meeting it was resolved that Council adopt the Pakenham South Infrastructure Contributions Plan (ICP) and submit it as an amendment under Section 20(A) of the Act.</p> <p>The ICP is consistent with the Pakenham South Precinct Structure Plan (PSP) and the ICP will apply a standard levy to collect a contribution for infrastructure and public land in accordance with the PSP.</p> <p>The amendment has been submitted to the Minister for Planning for approval.</p>
C278	Cardinia Shire Council	Municipal wide	The amendment introduces a new Environmentally Sustainable Development (ESD) local policy (Clause 22.11) and makes associated changes to the Municipal Strategic Statement (MSS).	To be determined	To be determined	<p>At the March 2023 Council meeting it was resolved to seek authorisation from the Minister for Planning to prepare the amendment.</p> <p>Authorisation has been granted to start the exhibition phase. Exhibition of the planning scheme amendment is likely to occur in February 2024.</p>

Resolution

Moved Cr Stephanie Davies, seconded Cr Tammy Radford.

That Council note the report.

Carried

5.6 Planning Matters Dealt with by Officers Under Delegated Authority - February 2024

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

The below is for the period between 13 November 2023 and 8 January 2024.

Beacon Hills Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
14/11/2023	T230345	90 Beaconsfield-Emerald Road, Dewhurst VIC 3808	Buildings and works for an outbuilding (carport)	Issued	17 July 2023
16/11/2023	T220796	135 Norbury Road, Beaconsfield Upper VIC 3808	Development of the land for a replacement dwelling and vegetation removal	Issued	05 December 2022
17/11/2023	T190679 - 4	215 Princes Highway, Beaconsfield VIC 3807	Amendment to planning permit T190679-3 to create interim egress from the subject land from the subject land to the Princess Highway.	Issued	11 July 2023
17/11/2023	T230431	20 Hoyles Road, Pakenham Upper VIC 3810	Buildings and Works (Construction of a Shed)	Issued	25 August 2023
20/11/2023	T230305	240 Beaconsfield-Emerald Road, Beaconsfield VIC 3807	change of use - Class 10A shed to Class 1A detached extension (Habitable outbuilding)	Application Withdrawn	22 June 2023
21/11/2023	T230552	3 Bourkes Creek Road, Pakenham Upper VIC 3810	To construct a lean to carport attached to an existing colourbond garage	Application Withdrawn	01 November 2023
21/11/2023	T230556	3 Bourkes Creek Road, Pakenham Upper VIC 3810	Construct a carport attached to existing shed	Issued	06 November 2023
24/11/2023	T230310	36 Railway Avenue, Beaconsfield VIC 3807	Construction of three (3) dwellings on a lot in General Residential Zone 1 (GRZ1)	Issued	26 June 2023
27/11/2023	T220010	45 Mount Shamrock Road, Pakenham VIC 3810	use and development of land for a rural store (storage bays)	Refused	10 January 2022
27/11/2023	T230275	25 Warrawee Avenue, Beaconsfield VIC 3807	Development associated with an existing dwelling	Issued	06 June 2023
28/11/2023	T210439	408 Paternoster Road, Mount Burnett VIC 3781	Buildings and works associated with a shed	Refused	15 June 2021
28/11/2023	T220264	221 Princes Highway, 215 Princes Highway and 233 Princes Highway, Beaconsfield VIC 3807	Use and development of the land for dwellings, development of land for a retail premises, reduction of car parking and alteration of access to a road in a Transport Zone 2	Issued	15 April 2022
28/11/2023	T230226	1 Alber Road, Beaconsfield Upper VIC 3808	Amendment to Liquor License Red Line Plan.	Issued	11 May 2023
30/11/2023	T210449	544 Brown Road, Officer VIC 3809	Re-subdivision of the land into three (3) lots	Refused	18 June 2021
30/11/2023	T220113	300 Gembrook Road, Gembrook VIC 3783	Removal of pine trees	Refused	15 February 2022
30/11/2023	T220723	630 Bourkes Creek Road, Dewhurst VIC 3808	Use and development of land for a dwelling and agricultural shed	Issued	31 October 2022

Date	Permit Number	Address	Proposal	Decision	Date Lodged
30/11/2023	T220840 - 1	62-64 Stoney Creek Road, Beaconsfield Upper VIC 3808	Use and development of a dwelling and outbuilding, removal of vegetation and variation to easement	Issued	27 November 2023
4/12/2023	T230583	113 Timberline Parkway, Pakenham VIC 3810	Development of a deck, ancillary to an existing dwelling.	Application Withdrawn	22 November 2023
7/12/2023	T230218 - 1	113 Timberline Parkway, Pakenham VIC 3810	Development of a deck, ancillary to an existing dwelling	Issued	01 December 2023
13/12/2023	T220626	20 Funnell Road, Beaconsfield Upper VIC 3808	Development of land for a replacement dwelling and associated works	Issued	26 September 2022
18/12/2023	T190284 - 1	56 Stoney Creek Road, Beaconsfield Upper VIC 3808	Subdivision of the land for two (2) lots and removal of vegetation	Issued	10 February 2023
22/12/2023	T230128	75-79 St Georges Road, Beaconsfield Upper VIC 3808	Construction, use and illumination of a private tennis court	Issued	23 March 2023
2/01/2024	T230550	4 Knapton Avenue, Beaconsfield Upper VIC 3808	Additions and alterations to an existing dwelling (garage)	Issued	03 November 2023

Bunyip Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
13/11/2023	T210236 - 1	Shop 1/36A Railway Avenue, Tynong VIC 3813	Amendment to Planning Permit T210236 for Use and development of the land for a postal agency and food and drink premises, and display of signage	Issued	23 August 2023
14/11/2023	T210511 - 1	130 Trevor Road, Nar Nar Goon North VIC 3812	Buildings and works associated with a replacement dwelling and lopping of vegetation	Issued	03 May 2023
15/11/2023	T220800	315 Pooley Road, Nar Nar Goon North VIC 3812	Use and Development of Land for the purpose of Rural Worker Accommodation and Bed & Breakfast	Refused	06 December 2022
17/11/2023	T190639	2705 Princes Highway, Tynong North VIC 3813	Works (car park) associated with an existing Outdoor Recreation Facility and removal of native vegetation	Application Withdrawn	18 October 2019
17/11/2023	T230072	37 Nar Nar Goon-Longwarry Road, Tynong VIC 3813	Two lot subdivision and vegetation removal.	Issued	17 February 2023
27/11/2023	T220770	290 Tynong North Road, Tynong North VIC 3813	Earthworks (associated with the filling of land)	Refused	22 November 2022
27/11/2023	T220771	2A Cameron Way, Pakenham VIC 3810	Use of the land for a Medical Centre, display of a business identification sign and reduction in the number of car parking spaces	Issued	23 November 2022
27/11/2023	T230279	A'Beckett Road, Bunyip VIC 3815	Buildings and Works (Construction of an agricultural shed)	Issued	07 June 2023
27/11/2023	T230102	CARW/1 Livingstone Boulevard, Pakenham VIC 3810	Display of Business identification signage	Issued	08 March 2023
27/11/2023	T230362	7 George Street, Bunyip VIC 3815	To demolish and to carry out alterations and extensions to an existing dwelling affected by Heritage Overlay (HO150)	Issued	19 July 2023
27/11/2023	T230440	20 Strafford Lane, Bunyip VIC 3815	Buildings and Works (Construction of an Agricultural Shed)	Issued	05 September 2023
28/11/2023	T220815	48 Archer Road & 67 Jefferson Road, Garfield VIC 3814	Subdivision of land into five (5) lots and creation of easements (drainage and sewerage)	NOD	12 December 2022
28/11/2023	T230535	A'Beckett Road, Bunyip VIC 3815	Including a horse shelter and alterations to existing shed	Application Withdrawn	27 October 2023
30/11/2023	T200031	44 Hope St, Bunyip VIC 3815	Subdivision of the land into two lots	Refused	23 January 2020
30/11/2023	T180659	53 A'Beckett Road, Bunyip VIC 3815	Subdivision of the land into 2 lots, and removal of native vegetation	Refused	04 October 2018

Date	Permit Number	Address	Proposal	Decision	Date Lodged
30/11/2023	T220012	31B Home Road, Nar Nar Goon VIC 3812	Development of the land for an outbuilding (garage)	Refused	10 January 2022
30/11/2023	T230061	101-103 Nar Nar Goon-Longwarry Road, Garfield VIC 3814	Installation of Solar Panels in a Heritage Overlay	Refused	14 February 2023
30/11/2023	T230426	13 Pearson Street, Bunyip VIC 3815	Externally alter a building in a Heritage Overlay	Issued	23 August 2023
1/12/2023	T230311	5 Jolley Road, Bunyip VIC 3815	The subdivision of the land into two (2) lots	NOD	27 June 2023
8/12/2023	T220061 - 2	14 Petty Road, Bunyip VIC 3815	Staged subdivision of land into thirteen (13) lots and removal of native vegetation	Issued	06 December 2023
8/12/2023	T230365	41 Mulcare Street, Nar Nar Goon VIC 3812	Development of the land for an outbuilding (pool house) and removal of one (1) tree	Issued	24 July 2023
8/12/2023	T230537	12 Richards Road, Nar Nar Goon VIC 3812	Development of the land for an outbuilding (garage) and verandah	Issued	27 October 2023
11/12/2023	T220563	1200 Gembrook-Tonimbuk Road, Tonimbuk VIC 3815	The use and development of a dwelling	Issued	19 August 2022
12/12/2023	T230515	Road Reserve North of 35 Canty Lane, Pakenham VIC 3810	Native Vegetation removal	Issued	18 October 2023
12/12/2023	T230533	94A Wattletree Road, Bunyip VIC 3815	Buildings and works for an outbuilding on land affected by Design and Development Overlay (DDO1) and outside the registered building envelope	Issued	27 October 2023
13/12/2023	T230352	9 Kingston Avenue, Pakenham VIC 3810	Two Lot Subdivision	Issued	19 July 2023
13/12/2023	T230532	Racecourse Road, Nar Nar Goon VIC 3812	Buildings and Works (Construction of an Agricultural Building)	Issued	26 October 2023
14/12/2023	T230162 - 1	39 Main Street, Garfield VIC 3814	Development of the land for a permit Restaurant, display of signage and reduction to the number of car parking spaces required	Lapsed	11 October 2023
15/12/2023	T230281	23 Garfield Road, Garfield VIC 3814	Re-subdivision of two lots including the creation and variation of easements	Issued	08 June 2023
15/12/2023	T230516	405 Mont Albert Road, Garfield VIC 3814	Use of land for boat and caravan storage and associated buildings and works	Application Withdrawn	18 October 2023
3/01/2024	T230425	5 Jakobi Court, Bunyip VIC 3815	Buildings and Works (Construction of a Shed and Associated Earthworks)	Issued	25 August 2023
8/01/2024	T230382	65 Barrington Drive, Pakenham VIC 3810	Variation of the Restrictive Covenant S398504B On Lot 285 of LP216312	Issued	02 August 2023

Central Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
14/11/2023	T230186	Shop 1/1 Livingstone Boulevard, Pakenham VIC 3810	Building and works (car parking) in association with a Shopping centre	Issued	27 April 2023
1/12/2023	T170256 - 1	13 Katjusha Court, Pakenham VIC 3810	Development of the land for two dwellings	Issued	02 October 2023
1/12/2023	T230458	6 Pipit Close, Pakenham VIC 3810	Use of the land for a Rooming House	Issued	15 September 2023
4/12/2023	T170256 - 2	13 Katjusha Court, Pakenham VIC 3810	Development of the land for two dwellings	Application Withdrawn	01 December 2023
8/12/2023	T230549	21B Meeking Drive, Pakenham VIC 3810	Development of the land for a pergola	Issued	02 November 2023

Henty Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
13/11/2023	T220007	39 Rogers Street, Pakenham VIC 3810	Use of land for Community Care Accommodation	Refused	06 January 2022
14/11/2023	T230413	105 Racecourse Road, Pakenham VIC 3810	Buildings and works associated with the development of a telecommunications facility	Lapsed	21 August 2023
24/11/2023	T020178 - 1	116 Princes Highway, Pakenham VIC 3810	The use and development of the land for a Licensed Restaurant and Restricted Retail Premises	Lapsed	21 September 2023
28/11/2023	T220329	11 Ahern Road, Pakenham VIC 3810	Development of four (4) dwellings on a lot	NOD	11 May 2022
28/11/2023	T220541	Fl 1 Shop 1/1 Hunt Way, Pakenham VIC 3810	Display and Construction of Business Identification and Internally Illuminated Signs	Issued	10 August 2022
29/11/2023	T220659	11 Eagle Drive, Pakenham VIC 3810	Construction of Three (3) Double Storey Dwellings on a Lot	NOD	29 September 2022
30/11/2023	T210068	49 Bald Hill Road, Pakenham VIC 3810	Use of the land for a place of worship	Refused	04 February 2021
1/12/2023	T230594	116 Princes Highway, Pakenham VIC 3810	Amendment to planning permit T020178 Condition 19 to reduce the permissible patron numbers to 130.	Application Withdrawn	28 November 2023
4/12/2023	T020178 - 2	116 Princes Highway, Pakenham VIC 3810	The use and development of the land for a Licensed Restaurant and Restricted Retail Premises	Issued	01 December 2023
5/12/2023	T230465	131 Main Street, Pakenham VIC 3810	Restaurant, cafe and bar.	Lapsed	19 September 2023
18/12/2023	T230369	44 Main Street, Pakenham VIC 3810	Works (Construction of a Hardstand Parking Area)	Refused	25 July 2023
22/12/2023	T230173	190-198 Princes Highway, Pakenham VIC 3810	Buildings and works associated with an existing Funeral Parlor	Issued	17 April 2023

Officer Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
14/11/2023	T220599	275 Princes Highway, Officer VIC 3809	Subdivision of land	Issued	05 September 2022
15/11/2023	T230114	25 Bayview Road, Officer VIC 3809	Development and use of a childcare centre, display of business identification signage and a reduction of the car parking requirements pursuant to Clause 52.06 of the Scheme.	Issued	16 March 2023
16/11/2023	T180762 - 1	30 Starling Road, Officer VIC 3809	Use and development of the land for a place of worship, advertising signage and subdivision of land	Issued	31 August 2023
16/11/2023	T230307	13 Armytage Road, Officer VIC 3809	Use of the land for a Host Farm and Animal Husbandry, installation of business identification signage and associated works	Issued	22 June 2023
27/11/2023	T230435	20 Brunt Road, Beaconsfield VIC 3807	Construct and carry out buildings and works associated with a Section 2 Use (Accommodation)	Issued	01 September 2023
1/12/2023	T230296	190 Kenilworth Avenue, Beaconsfield VIC 3807	Development and Use of the land for a Medical Centre, the display of business identification signage, a waiver of the bicycle parking requirements pursuant to Clause 52.34 and a reduction in car parking pursuant to Clause 52.06 of the Cardinia Planning Scheme.	Issued	19 June 2023
7/12/2023	T230453	26 Whiteside Road, Officer VIC 3809	Lopping of vegetation within a Heritage Overlay (HO130)	Application Withdrawn	13 September 2023
18/12/2023	T220210 - 1	31 Tivendale Road, Officer VIC 3809	Amendment to the use and development of a child care centre and display of signage	Issued	26 September 2023
20/12/2023	T200662 - 3	65 McMullen Road, Officer VIC 3809	Development of the land for dwellings, subdivision of land, creation of an easement, removal of an easement and car parking reduction	Issued	14 November 2023
8/01/2024	T230576	64 Goldsborough Drive, Officer VIC 3809	Buildings and works associated with accommodation (dwelling) within the Bushfire Management Overlay	Issued	17 November 2023

Pakenham Hills Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
16/11/2023	T230134	7 Blessing Rise, Pakenham VIC 3810	Subdivision of Land into Two (2) Lots & Removal of Covenant	Issued	27 March 2023
12/12/2023	T120188 - 3	Atlantic Drive, Pakenham VIC 3810	Use of land for food and drink premises, medical centre ,restricted recreational facility (gymnasium), and education centre development of the land for fifty-two (52) dwellings and a reduction in the car parking requirement of Clause 52.06 and loading bay requirement of Clause 52.07 generally in accordance with the approved plans.	Issued	10 July 2023
15/12/2023	T230591	18 Tranquil Way, Pakenham VIC 3810	Buildings and Works (Construction of a Deck and Extension of a Dwelling)	Application Withdrawn	27 November 2023

Ranges Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
13/11/2023	T230346	80 Kilvington Drive, Emerald VIC 3782	Buildings and Works (Extension to an Existing Dwelling)	Issued	17 July 2023
16/11/2023	T180658 - 1	24 View Hill Road, Cockatoo VIC 3781	Earthworks exceeding 1 metre (in association with a dwelling) and removal of vegetation	Issued	07 June 2022
17/11/2023	T220816	186 Beenak Road, Gembrook VIC 3783	use and development of the land for a replacement dwelling and shed	Issued	13 December 2022
17/11/2023	T230005	51 Main Street, Gembrook VIC 3783	Buildings and works associated with an extension to a dwelling	Application Withdrawn	10 January 2023
17/11/2023	T230093	20 Main Street, Gembrook VIC 3783	Development for a dwelling and outbuilding and alteration of access to a road in a Transport Zone 2.	Issued	01 March 2023
20/11/2023	T230031	37 Westlands Road, Emerald VIC 3782	Buildings and Works (Construction of a Shed)	Refused	27 January 2023
20/11/2023	T230190	64 Woori Yallock Road, Cockatoo VIC 3781	Buildings and works for an outbuilding and concrete pad	Issued	28 April 2023
21/11/2023	T230304	98 Grey Road, Gembrook VIC 3783	Construct an outbuilding associated with a dwelling and construct two sheds associated with agriculture	Lapsed	21 June 2023
22/11/2023	T230403	2 Mountain Road, Cockatoo VIC 3781	signage	Application Withdrawn	08 August 2023
23/11/2023	T220157 - 1	510 Ure Road, Gembrook VIC 3783	Construction of a Replacement Dwelling	Issued	18 May 2023
23/11/2023	T230570	30 Lawsons Road, Emerald VIC 3782	Removal of One (1) Tree	Issued	15 November 2023
24/11/2023	T230386	32 Majestic Drive, Emerald VIC 3782	Development of a carport	Issued	03 August 2023
27/11/2023	T220778	2 Johnson Street, Avonsleigh VIC 3782	Buildings and works associated with an extension to a dwelling and construction of an outbuilding	Issued	24 November 2022
27/11/2023	T230209	28 Church Crescent, Cockatoo VIC 3781	Alterations and extension to existing Emergency Service Facility (Fire Station)	Issued	05 May 2023
28/11/2023	T220158	17A View Hill Road, Cockatoo VIC 3781	Buildings and works for an outbuilding	Failure	06 March 2022
29/11/2023	T230187 - 1	39 Macclesfield Road, Emerald VIC 3782	Amendment to the Endorsed Plans pursuant to s72 of the Act, to relocate the carport and location of crossover	Issued	16 November 2023
30/11/2023	T200138	400 Mountain Road, Gembrook VIC 3783	Re-subdivision of the land into two (2) lots (boundary realignment)	Refused	16 March 2020

Date	Permit Number	Address	Proposal	Decision	Date Lodged
30/11/2023	T210227	9 Orchard Grove, Emerald VIC 3782	Buildings and works associated with a shed and carport	Refused	30 March 2021
4/12/2023	T230544	4 Westlands Road, Emerald VIC 3782	To amend the existing planning permit and plans to accommodate changes to the layout of the proposal. Please see attached cover letter listing all changes to plans	Application Withdrawn	31 October 2023
6/12/2023	T210280 - 1	4 Westlands Road, Emerald VIC 3782	T210280 - 1 - APP - Amended Planning Application Native vegetation removal	Application Withdrawn	01 December 2023
11/12/2023	T220165	6 Innes Road, Gembrook VIC 3783	Construction of a Dwelling	NOD	08 March 2022
11/12/2023	T230212	8 Kings Road, Emerald VIC 3782	Development of a second dwelling on a Lot, alterations and additions to the existing dwelling, and two (2) lot subdivision	Issued	08 May 2023
11/12/2023	T230313	277 Ure Road, Gembrook VIC 3783	Development of the land for a replacement dwelling and associated works	Issued	27 June 2023
11/12/2023	T230581	3 Mountain Road, Cockatoo VIC 3781	Construct and Display a Promotion Sign	Issued	22 November 2023
11/12/2023	T230586	12 Sycamore Avenue, Emerald VIC 3782	Buildings and works associated with a dwelling (solar energy system)	Issued	24 November 2023
12/12/2023	T230261 - 1	17 Station Road, Gembrook VIC 3783	T230261 - 1 - APP - Amended Planning Application The subdivision of the land into two (2) lots and removal of vegetation	Issued	28 November 2023
12/12/2023	T230282	8 Kennedy Road, Avonsleigh VIC 3782	Use and development of the land associated with a Primary Produce Sales, construct and display Business Identification Signage and removal of vegetation	Lapsed	13 June 2023
13/12/2023	T220739	3 Carawa Street, Cockatoo VIC 3781	Buildings and works to construct a second dwelling and 2 lot subdivision	Issued	07 November 2022
13/12/2023	T230484	37 Bellbird Crescent, Emerald VIC 3782	Development of the land for an outbuilding (shed) and associated earthworks exceeding one (1) metre	Issued	05 October 2023
14/12/2023	T230124	6 Messmate Court, Emerald VIC 3782	Building and Works associated with an Outbuilding	Issued	22 March 2023
14/12/2023	T230501	39 Main Street, Gembrook VIC 3783	Development of land for an outbuilding	Lapsed	13 October 2023
15/12/2023	T230236	25 Ulmer Road, Emerald VIC 3782	Buildings and Works associated the construction of an Outbuilding.	Issued	18 May 2023

Date	Permit Number	Address	Proposal	Decision	Date Lodged
18/12/2023	T230047	25 Joffre Parade, Cockatoo VIC 3781	Buildings and Works (Construction of an Outbuilding and associated Earthworks)	Issued	06 February 2023
18/12/2023	T230625	21-23 Town Road, Gembrook VIC 3783	BUILDINGS AND WORKS TO CONSTRUCT A CARPORT	Application Withdrawn	15 December 2023
21/12/2023	T230028	5 Stringybark Road, Cockatoo VIC 3781	Buildings and Works (Construction of a Shed)	Issued	25 January 2023
21/12/2023	T230221	11 Carawa Street, Cockatoo VIC 3781	Development of land for a dwelling	Issued	10 May 2023
22/12/2023	T230235	38 Westlands Road, Emerald VIC 3782	Buildings and Works associated with the construction of an outbuilding.	Issued	18 May 2023
22/12/2023	T230308	16 Agnes Street, Gembrook VIC 3783	Construction of a bungalow and shed and associated works including earthworks and removal of vegetation	Issued	22 June 2023
22/12/2023	T230566	7 Maurice Street, Cockatoo VIC 3781	Buildings and works (Construction of a pergola)	Issued	10 November 2023
3/01/2024	T230276	Main Street (Road Reserve Prior to puffing billy railway station- eastern dnong ranges trail), Gembrook VIC 3783	Lop one (1) tree	Application Withdrawn	07 June 2023
5/01/2024	T230267	25 Gembrook-Launching Place Road, Gembrook VIC 3783	Subdivision (Realignment of boundary)	Issued	31 May 2023
8/01/2024	T220535	5 Glenbrook Road, Clematis VIC 3782	Buildings and works associated with accommodation	Issued	08 August 2022
8/01/2024	T220610	7 Upper Grieve Road, Avonsleigh VIC 3782	Buildings and works associated with the construction of a dwelling	Issued	08 September 2022

Toomuc Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
14/11/2023	T100065 - 2	8 Portobello Road, Pakenham VIC 3810	The proposal is to install two additional signs. Two (2) 4877mm W x 1800mm H Fascia Signs in the North and East elevations.	Issued	24 July 2023
28/11/2023	T230355	2 Roderick Drive, Pakenham VIC 3810	Use of land for a childcare centre (Integrated Child and Family Centre)	Issued	20 July 2023
29/11/2023	T100758 - 2	21 Majestic Drive, OFFICER VIC 3809	T100758-2 APP - Amended Planning Permit Application Amended Permit - Use and development of an education facility, childcare (early learning centre) and associated advertising signage	Issued	26 April 2023
22/12/2023	T230107	151 Mulcahy Road, Pakenham VIC 3810	Subdivision of land and associated buildings and works	Issued	09 March 2023

Westernport Ward

Date	Permit Number	Address	Proposal	Decision	Date Lodged
13/11/2023	T200820 - 1	275 McDonalds Drain Road, Koo Wee Rup VIC 3981	Amendment to Planning Permit T200820	Issued	10 May 2023
13/11/2023	T230407	680 Five Mile Road, Nar Nar Goon VIC 3812	Use and Development of Land for the Purpose of a Dwelling	Lapsed	16 August 2023
14/11/2023	T230254	17 Precision Drive, Pakenham VIC 3810	Building and Works (Construction of One (1) Warehouse) and reduction in car parking	Issued	23 May 2023
15/11/2023	T220618	145 McDonalds Road, Caldermeade VIC 3984	Subdivision of the land into two lots	Issued	14 September 2022
16/11/2023	T230401	228 Rossiter Road, Koo Wee Rup VIC 3981	Display and Construction of Business Identification Signs	Issued	15 August 2023
17/11/2023	T230080	100 Scanlons Drain Road, Bayles VIC 3981	Use and Development of the land for a Dwelling and Animal Husbandry (Horse Husbandry)	Lapsed	20 February 2023
17/11/2023	T230490	740 Main Drain Road, Koo Wee Rup North VIC 3981	Development of replacement dwelling and alterations to existing dwelling	Lapsed	10 October 2023
17/11/2023	T230575	200 Bladens Road, Koo Wee Rup VIC 3981	Domestic Animal Boarding	Application Withdrawn	16 November 2023
20/11/2023	T230577	26 Hill Street, Pakenham VIC 3810	Building and Works for 2 Warehouses and Ancillary Offices and reduction in carparks	Application Withdrawn	17 November 2023
22/11/2023	T230241	13 Grange Court, Koo Wee Rup VIC 3981	Development of the land for a dwelling, outbuilding and associated works	Issued	19 May 2023
23/11/2023	T220190	234-236 Rossiter Road, Koo Wee Rup VIC 3981	Re-subdivision of the land (two (2) lot boundary re-alignment) native vegetation removal and the creation of an easement	NOD	18 March 2022
23/11/2023	T230078	115 Backhouses Road, Bayles VIC 3981	Buildings and works associated with the development of an agricultural building.	Issued	20 February 2023
24/11/2023	T230049	7 Langley Boulevard, Lang Lang VIC 3984	Buildings and Works (Construction of a Shed)	Permit Not Required	30 January 2023
24/11/2023	T230337	Southeast Business Park, National Avenue, Pakenham VIC 3810	Subdivision of land into fifteen (15) lots in two stages	Issued	10 July 2023
28/11/2023	T200370	390 & 394 Rossiter Road and 9A Supreme Close, Koo Wee Rup VIC 3981	Subdivision of the land into 29 lots in stages, creation and alteration of access to a Transport Zone 2 and creation of a reserve	Refused	13 June 2020
30/11/2023	T200072	95 Hall Road, Pakenham South VIC 3810	Use and development of the land for earthworks (importation of fill)	Refused	14 February 2020
30/11/2023	T210847	90 Sette Circuit, Pakenham VIC 3810	Operation of transfer station for used tyres	Refused	11 November 2021

Date	Permit Number	Address	Proposal	Decision	Date Lodged
30/11/2023	T210878	9 Administration Drive, Pakenham VIC 3810	Development of a warehouse	Refused	24 November 2021
30/11/2023	T220357	13 Trinity Way, Pakenham VIC 3810	Use of the land for Industry (pet crematorium)	Refused	16 May 2022
4/12/2023	T230541	8A Mickle Street, Koo Wee Rup VIC 3981	Development of the land for a dwelling	Application Withdrawn	30 October 2023
6/12/2023	T230593	8 Auto Way, Pakenham VIC 3810	Reduction in car parking	Permit Not Required	28 November 2023
11/12/2023	T220693	700 McDonalds Drain Road, PAKENHAM SOUTH VIC 3810	Use and development of land for a dwelling and two lot subdivision (boundary realignment)	Issued	14 October 2022
11/12/2023	T230615	310 Hall Road, Catani VIC 3981	Installation of Swimming Pool	Permit Not Required	07 December 2023
13/12/2023	T230505	231 Dalmore Road, Dalmore VIC 3981	Buildings and works for the installation of a roof mounted solar system on a dwelling with a Heritage Overlay (HO275)	Issued	13 October 2023
14/12/2023	T230380	11 Sette Circuit, Pakenham VIC 3810	Development of two warehouses	Issued	01 August 2023
14/12/2023	T230525	105 Jetty Road, Lang Lang VIC 3984	Buildings and works for an extension to an existing outbuilding (farm shed)	Issued	23 October 2023
18/12/2023	T230393	Cambridge Street, Lang Lang VIC 3984	Subdivision of the land into two (2) lots	Issued	10 August 2023
18/12/2023	T230409	55 Sette Circuit, Pakenham VIC 3810	Subdivision of Land (2 lot)	Issued	18 August 2023
18/12/2023	T230493	27 Tarmac Way, Pakenham VIC 3810	Subdivision of Land (2 lot)	Issued	11 October 2023
21/12/2023	T220841	1710 Main Drain Road, VERVALE VIC 3814	Buildings and works associated with agriculture (rural workers accommodation)	Issued	22 December 2022
21/12/2023	T230183	4 Mega Rise, Pakenham VIC 3810	Development of land for an industry and associated car parking reduction	Issued	26 April 2023
22/12/2023	T190477 - 1	475 Railway Road, Koo Wee Rup VIC 3981	Use and development of the land for a dwelling	Issued	03 April 2023
22/12/2023	T220219	51 Sybella Avenue, Koo Wee Rup VIC 3981	Development of land for a second dwelling, subdivision of land into two (2) lots and alteration of access to a road in a Transport Zone 2	Issued	22 March 2022
22/12/2023	T230649	107 Nar Nar Goon-Longwarry Road, Garfield VIC 3814	Section 72 Amendment to an application for Buildings and works to construct an outbuilding	Application Withdrawn	22 December 2023

Date	Permit Number	Address	Proposal	Decision	Date Lodged
22/12/2023	T230653	20 Lecky Road, Officer VIC 3809	Use and development of the land as a child care centre and kindergarten, and reduction of car parking	Application Withdrawn	22 December 2023

Resolution

Moved Cr Brett Owen, seconded Cr Collin Ross.

That Council note the report.

Carried

5.7 Planning Matters VCAT Report - February 2024

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 8 January 2024.

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	App. No.	Address	Proposal	Council Decision	Appealed By
5/08/2024	T220800	315 Pooley Rd NAR NAR GOON NORTH	Use and Development of Land for the purpose of Rural Worker Accommodation and Bed & Breakfast	Refusal	Applicant
18/03/2024	T220194	20 - 32 Station Street Pakenham	Use of the land for an education centre (adult employment training)	Permit	Applicant
31/05/2024, 3-4/05/2024	T220285	337 Belgrave- Gembrook Road Emerald	Use and development of land for a Medical Centre and alteration to an access in a Transport Zone Schedule 2	Notice of Decision to Grant a Permit	Objector

Matters Currently the Subject of VCAT Appeal

Hearing Date	App. No.	Address	Proposal	Council Decision	Appealed By
31/01/2024	T220366	550 Scanlons Drain Road, Catani 3981	The use and the development of the land for a dwelling	Refusal	Applicant
2/04/2024	T220660	275 Daly Road Nar Nar Goon 3812	Use and Development of Land for a Dwelling	FTD*	Applicant
14/05/2024	T220375	4915 South Gippsland Highway, Lang Lang	Subdivision of land into two (2) lots (boundary realignment)	Refusal	Applicant
13/02/2024	GE220364	Lot H on Plan of Subdivision 400130H, Princes Hwy, Pakenham	End of Section 173 Agreement T148994L	FTD*	Applicant
7/2/2024	T220809	490-494 McGregor Road, Pakenham VIC 3810	Subdivision of land into two (2) lots (re-subdivision of two lots)	FTD*	Applicant
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
T220221	205 Seven Mile Road Nar Nar Goon	Use and development of the land for a Contractors Depot	Refusal	Applicant	Affirmed – no permit issued	15/11/2023
T220813	375 Rossiter Road, Koo Wee Rup 3981	Buildings and works for the construction of twenty-one (21) warehouses; Creation or alteration of access to a road in a Transport Zone 2	FTD*	Applicant	Permit issued (by consent)	5/12/2023

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

Resolution

Moved Cr Stephanie Davies, seconded Cr Collin Ross.

That Council note the report.

Carried

6 Meeting Closure

Meeting closed at 7:25.

Minutes confirmed
Chairman