



Cardinia

MINUTES OF TOWN PLANNING COMMITTEE

MONDAY, 4 DECEMBER 2017

MINUTES OF TOWN PLANNING COMMITTEE

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 4 December 2017
The meeting commenced at pm

- PRESENT:** Mayor, Collin Ross, Chairman
- Councillors Michael Schilling, Carol Ryan, Jodie Owen, Graeme Moore, Ray Brown, Jeff Springfield,
- Messrs Garry McQuillan (CEO), Derek Madden (GMCS), Jenny Scicluna (GMCWB), Debbie Tyson (MDCS)
- APOLOGIES:** Crs Leticia Wilmot, Brett Owen, Doug Evans (MG), Andrew Paxton (GMPD)

DECLARATION OF PECUNIARY AND OTHER INTERESTS
Nil.

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1 CONTRACTOR'S DEPOT - 72 MANOORA ROAD, MARYKNOLL

FILE REFERENCE INT1779982

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Jason Gilbert

RECOMMENDATION

That a Notice of Decision to Grant Planning Permit T160434 be issued for the use of the land for a Contractor's Depot and associated buildings and works (including one shed, two water tanks and earthworks); and the removal of native vegetation at 72 Manoora Road, Maryknoll subject to the conditions attached to this report.

Attachments

- | | | |
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| 1 | Locality map | 1 Page |
| 2 | Development plans | 1 Page |
| 3 | Confidential letters of objection circulated to councillors only | 51 Pages |

EXECUTIVE SUMMARY:

APPLICATION NO.:	T160434
APPLICANT:	Fiona Wiffrie, Beveridge Williams
LAND:	72 Manoora Road, Maryknoll VIC 3812
PROPOSAL:	Use of the land for a Contractor's Depot and associated buildings and works (including one shed, two water tanks and earthworks); Removal of native vegetation
PLANNING CONTROLS:	Low Density Residential Zone – Schedule 1 (LDRZ) Bushfire Management Overlay – Schedule 2 (BMO), Design and Development Overlay - Schedule 1 (DDO1), Heritage Overlay – Schedule 55 (H055) and Vegetation Protection Overlay - Schedule 1 (VPO1)
NOTIFICATION & OBJECTIONS:	The application has been advertised by sending notices to the owners and occupiers of adjoining land and placing one (1) sign on site facing Manoora Road. Twelve (12) objections have been received to date.
KEY PLANNING CONSIDERATIONS:	Land use conflict and compatibility, amenity impacts, interface with residential areas, environmental impact, characterisation of use, protection of township character.
RECOMMENDATION:	Approval

BACKGROUND:

The application under consideration follows enforcement action by Council over approximately the last two years:

- Notice of Intention to Inspect issued by Council's Compliance Services Department on 28 August 2015 relating to the use of the land for a store, earthworks and vegetation removal.
- Planning Infringement Notice issued by Council's Compliance Services on 21 September 2015 in relation to use of land for a contractor's depot in contravention of the Cardinia Planning Scheme.
- Notice of Intention to Inspect issued by Council's Compliance Services Department on 29 February 2016 relating to the operation of a depot.
- Council's Compliance Services Department sent a letter on 17 March 2016 requiring a planning permit application be submitted within 28 days for earthworks already undertaken (and for a proposed outbuilding).
- Council's Compliance Services Department sent a letter on 21 June 2016 requiring the cessation of the use of land for a store and reinstatement of the land to before the earthworks were undertaken within 28 days. The planning permit application under consideration was lodged on 11 July 2016 following the issue of this letter.

There have been two relevant amendments to the Cardinia Planning Scheme since the application was first lodged:

- Planning Scheme Amendment C188 was gazetted on 27 October 2016. The amendment introduced Schedules 2 and 3 to the Low Density Residential Zone and numbered the existing unnumbered schedule to the Low Density Residential Zone to Schedule 1. As a result of this amendment, the zoning of the subject site changed from the unnumbered Low Density Residential Zone to Low Density Residential Zone – Schedule 1. This change has no implications for the current application.
- Planning Scheme Amendment GC13 was gazetted on 3 October 2017. The amendment inserted new schedules to the Bushfire Management Overlay and resulted in the site being subject to the Bushfire Fire Management Overlay – Schedule 2 instead of the unnumbered Bushfire Management Overlay. This change has no significant implications for the current application.

There is no recent Planning Permit history on file for the subject site.

SUBJECT SITE

The 11,482-square-metre (1.15 hectare) site is generally of a rectangular shape and has frontages to Manoora Road to the south and west and Mortimer Road to the north.

The site currently contains a single storey dwelling, which is setback approximately 20 metres from the western boundary (Manoora Road), and associated outbuildings to the rear of the dwelling. An open horse arena is located approximately 25 metres to the south-east of the dwelling.

Currently, the vehicles and equipment that form part of this application for the contractor's depot are generally stored outdoors to the south and south-east of the dwelling. The land has been excavated approximately 10 metres south of the dwelling with the excavated soil having been placed further south on the land. A shipping container has been placed in the excavated area.

The remainder of the land is generally undeveloped and divided into fenced paddocks. Post and wire fencing extends along the perimeter of the site. The site contains scattered remnant and planted native trees, with similar vegetation also located along most of the perimeter of the site.

The site contains two unsealed crossovers on the western boundary of the site to Manoora Road. The northernmost crossover generally services the dwelling, while the southern crossover generally serves the proposed contractor's depot. The site does not contain any easements.

The topography of the land generally slopes from the north to the south, with levels ranging between approximately 116 metres and 97 metres respectively.

The main characteristics of the surrounding area are:

- North - The site is bounded by Mortimer Road to the north and opposite is an approximate 48.52-hectare allotment used for rural residential and agricultural purposes. The dwelling on this lot is located approximately 530 metres north-west of the subject site.
- East - The site is bounded by an approximate 1.3-hectare allotment to the east, which is used for residential purposes and contains a single dwelling and associated outbuildings. The dwelling is located approximately 27 metres east of the subject site.
- South - The site is bounded by Manoora Road to the south and opposite is Manoora Reserve, which is undeveloped and contains moderate to dense vegetation coverage.
- West - The site is bounded by Manoora Road to the west and opposite are three allotments ranging between approximately 1.05 hectares and 1.23 hectares and used for residential purposes. Each lot contains a single dwelling and associated outbuildings, with the nearest dwelling located approximately 45 metres from the subject site.
- The site is located on the north-west edge of the Maryknoll township and interfaces with Green Wedge-zoned land to the north and Green Wedge A-zoned land to the west. Maryknoll is predominantly a residential area, with minimal other land uses.

PROPOSAL

The proposal is for the use of the land for a Contractor's Depot, associated buildings and works (including one shed, two water tanks and earthworks), and the removal of native vegetation.

Use of the land for a Contractor's Depot

The resident of the land operates an earthmoving/excavation business and proposes to use the land for a contractor's depot to support the operation of the business. The proposal involves storing and garaging of one (1) truck, one (1) trailer, two (2) diggers, and associated tools and equipment.

The hours of operation are between 5.30am and 7.30pm although the majority of the business occurs at external work sites. The applicant estimates there will be a maximum of four truck movements per day but typical truck movements will be two per day. Once the vehicles depart to the external worksite, there is no activity carried out on the land. There are no external employees involved with the operation on the site.

Buildings and works (one shed, two water tanks and earthworks)

The proposed shed is located approximately 16 metres to the south-east of the existing dwelling and has a length of 27 metres and a width of 7 metres, resulting in a building footprint of 189 square metres.

The building is setback a minimum of 16.7 metres from the eastern (side) boundary, approximately 57 metres from the northern (Mortimer Road) boundary, 42 metres from the western (Manoora Road) boundary and 68 metres from the southern (Manoora Road) boundary.

The shed has a maximum wall height of 5.0 metres and the pitched roof results in an overall maximum height of 5.6 metres. Due to the level of earthworks, the maximum height of the shed from natural ground level will be closer to approximately 6.0 metres

An approximate 5.0m wide by 5.4m high roller shutter door is located on the western side of the shed and a personal access door is located on the southern side. Two 25,000-litre water tanks are located on the eastern side of the shed, with a setback of approximately 12 metres from the eastern boundary.

Due to the slope of the site, earthworks are required to accommodate the development. On the north-east side of the shed, the site will be cut approximately 1.3 metres below existing ground level, which tapers to approximately 0.24 metres on the north-west side. The cut will be retained by a retaining wall setback by 1 metre on the north and east side of the shed.

On the south-west side of the shed, the site will be filled approximately 0.75 metres above ground level, which tapers to approximately 0.2 metres on the south-east side. The fill is shown to be battered.

The shed will be accessed via a proposed gravel driveway, which will extend from Manoora Road and via the already-excavated area of land to the south of the dwelling.

Removal of native vegetation

The proposal involves the removal 13 trees on the south-east side of the shed (identified as T2 to T14) and one tree on the east side of the shed (identified as T15).

	Genus / Species	Common Name	Height	DBH (cm)	Remove / retain
T1	<i>Eucalyptus ovata</i>	Swamp gum	19	99	Retain
T2	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	5	20	Remove
T3	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	7	2 x 10	Remove
T4	<i>Eucalyptus ovata</i>	Swamp gum	7	25	Remove
T5	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	9	25	Remove
T6	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	4	8	Remove
T7	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	3	10	Remove
T8	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	6	18	Remove
T9	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	7	15	Remove
T10	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	8	20	Remove
T11	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	3	3 x 10	Remove
T12	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	8	30	Remove
T13	<i>Eucalyptus cephalocarpa</i>	Silver leaf stringybark	2	10	Remove
T14	<i>Acacia sophorae</i>	Coast wattle	7	15	Remove
T15	<i>Eucalyptus sp.</i>		10	35	Remove

Another tree identified as T1 is in close proximity to the proposed shed but is proposed to be retained. According to the supplied arborist report, the development will have a 'major intrusion' of 22.1 per cent within the tree protection zone of the tree. The tree is identified as having a high retention value and a high amenity value. Based on the details of the development, the arborist report states that T1 is "likely to remain viable within the current design provided that the recommendations of this report are adopted and effectively implemented."

PLANNING SCHEME PROVISIONS

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 11.06-7 Green wedges;
- 12.01-1 Protection of biodiversity;
- 12.01-2 Native vegetation management;
- 12.04-2 Landscapes;
- 13.04 Noise and air;
- 13.05-1 Bushfire planning strategies and principles;
- 15.01 Urban environment; and
- 15.03-1 Heritage conservation.

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- 21.02-2 Landscape;
- 21.02-3 Biodiversity;
- 21.02-4 Wildfire management;
- 21.02-6 Post-contact heritage;
- 21.03-3 Rural townships;
- 21.06-1 Design and built form; and
- 22.07 Maryknoll Township.

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Maryknoll Township Heritage Precinct Incorporated Plan;
- Clause 52.06 Car Parking;
- Clause 52.07 Loading and Unloading of Vehicles;
- Clause 52.17 Native Vegetation;
- Clause 52.47 Planning for Bushfire;
- Clause 57 Metropolitan Green Wedge Land;
- Clause 65 Decision Guidelines; and
- Clause 66 Referral and Notice Provisions.

Zone

The land is subject to the Low Density Residential Zone – Schedule 1 (LDRZ1).

Overlays

The land is subject to the following overlays:

- Bushfire Management Overlay – Schedule 2 (BMO);
- Design and Development Overlay - Schedule 1 (DDO1);
- Heritage Overlay – Schedule 55 (H055); and

- Vegetation Protection Overlay - Schedule 1 (VPO1).

PLANNING PERMIT TRIGGERS

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

- Pursuant to Clause 32.03-1 of the Low Density Residential Zone, a permit is required to use the land for a contractor's depot;
- Pursuant to Clause 32.03-4 of the Low Density Residential Zone, a permit is required to construct a building or carry out works associated with a use in Section 2;
- Pursuant to Clause 43.02-2 of the Design and Development Overlay, a permit is required to construct a building or carry out works (earthworks exceeding 1 metre and gross floor area of all outbuildings exceeds 120sqm);
- Pursuant to Clause 42.02-2 of the Vegetation Protection Overlay, a permit is required to remove, destroy or lop any vegetation;
- Pursuant to Clause 52.17, a permit is required to remove, destroy or lop native vegetation;
- Pursuant to Clause 43.01-1 of the Heritage Overlay, a permit is required to construct a building or carry out works; and
- Pursuant to Clause 43.01-1 of the Heritage Overlay, a permit is required to construct to remove, destroy or lop a tree.

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 facing Manoora Road.*

The notification has been carried out correctly, and Council has received 12 objections to date. The key issues that were raised in the objection/s is/are:

- Environmental impact, including pollution;
- Impact on property values;
- Potential to set a precedent for other earthmoving businesses;
- Amenity impacts, including noise, dust, vibration, light spill, visual impact;
- Road safety concerns;
- Impact on road quality;
- Potential for applicant to upgrade and/or replace machinery without further consent from council;
- Inconsistent with the rural and residential character of the area; and
- Potential fire hazard.

REFERRALS

Country Fire Authority

The application was referred to the Country Fire Authority (CFA) for comment. The CFA had no objection to the proposal subject to conditions.

DISCUSSION

The Cardinia Planning Scheme recognises Maryknoll for its distinctive character that includes low density residential allotments and a number of environmental attributes, including significant areas of remnant vegetation. The importance of protecting and retaining Maryknoll's character is highlighted by the multiple layers of planning controls that apply to the site and surrounding area, which cover matters related to design and built form, heritage, bushfire and vegetation protection. The number of objections received to this application highlights the importance of appropriately managing the development of Maryknoll.

The proposal involves three main components: 1) use of the land for a contractor's depot; 2) buildings and works; and 3) vegetation removal. Due to the number of planning controls applying to the site, the application had a number of 'permit triggers' and therefore it required consideration of various objectives, strategies and decision guidelines.

Buildings and works

In terms of objections, the least controversial component of the application is the proposed shed and associated earthworks and water tanks. However, the initial plans for the shed were for a larger and more dominant building (13 metres by 27 metres) with minimal setback (approximately 5.9 metres) from Manoora Road, Council's Planning Officers raised significant concern regarding its lack of consistency with built form controls and incompatibility with the character of the area. In response, the applicant revised their plans to locate the shed in its current location, which is considered appropriately setback from all boundaries. The shed was also reduced in size to 27 metres by 7 metres, which while still large, is a significant reduction in size compared to the previous plans.

As previously mentioned, the site is subject to numerous planning controls and therefore a wide range of assessment criteria and decision guidelines are applicable, including whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the surrounding. Other guidelines recognise the importance of protecting and enhancing the natural environment, including vegetation and significant landscapes, and encourage development to respond to the natural, cultural and strategic context of its location.

More specific to Maryknoll, Clause 22.07 states that the siting and design of buildings should complement – not dominate – the rural character of the township and protect the natural environment, with consideration to be given to works that enhance the environment. In Cardinia's Heritage Study, Maryknoll is considered significant as a "substantially intact township unified by harmonious architectural style which was created by a single firm of architects and planners from Melbourne, Smith and Tracey." The study includes general guidelines that encourage development to be designed so as not to dominate or overwhelm the historic setting, and while the subject site is identified as a non contributory property, its contribution to the surrounding area should not be discounted.

With the reduced size and a minimum setback of 42 metres from roads, the development is not expected to overwhelm or dominate the landscape. Despite being associated with a non-residential use, the proposed shed is similar in style and size to other residential and agricultural sheds in the surrounding area, which ensures it is consistent with the residential nature of the area. The land is also of a sufficient area to ensure that the buildings do not result in impacts relating to overshadowing and overlooking.

The shed has been sited so as to ensure the 'short face' of the building is oriented to Manoora Road to the west, which helps to minimise visual impact from the street front and the properties to the west. The building is also located adjacent to existing sheds, which help to provide a form of screening for each other and ensure that development on the site is consolidated within one area rather than scattered and fragmented.

While it is acknowledged the proposed shed will have some impact on the landscape and environment, it is not considered uncharacteristic compared to the surrounding area. The area consists of development nestled within vegetated and cleared areas that is setback from boundaries and of an appropriate scale and form. The shed incorporates these elements, and while some vegetation removal is required, the more significant trees are retained and the applicant has proposed a comprehensive landscaping plan, which can be enforced and implemented via a permit condition. In addition to providing some screening, the re-vegetation will help to enhance the environment and provide habitat.

The development is not associated with a use listed in Clause 44.06 and therefore a permit is not required for the development under the Bushfire Management Overlay. Despite this, the application was referred to the CFA for comment. The CFA did not have any objection to the proposal, subject to conditions that can be placed on a planning permit. The proximity from the existing dwelling and surrounding dwellings and the proposed construction materials are considered appropriate, and provided the bushfire management conditions are implemented, the development is not expected to result in increased bushfire risk to life or property.

The associated earthworks and water tanks have not been discussed in detail but the earthworks are generally of the minimum extent necessary to accommodate and provide access to the building without causing additional environmental impact. The water tanks are adjacent to the shed and screened on most views. They also provide a resource in terms of fire protection, water conservation and stormwater management.

Vegetation removal

The proposal involves the removal 13 trees on the south-east side of the shed and one tree on the east side of the shed. While the removal of any tree is generally contrary to the Vegetation Protection Overlay and Clause 52.17 Native Vegetation, as well as relevant state and local policies, the proposed vegetation removal is considered an acceptable outcome when balanced with other requirements of the Planning Scheme and conditions of any planning permit.

The 13 trees of the south-east side of the shed are considered 'planted vegetation' and therefore exempt from the permit requirements of Clause 52.17; however, they are still protected under the VPO and HO. These trees are of a relatively small size, with an average DBH of approximately 18cm and an average height of 5.9 metres, which minimises their contribution to the environment and landscape of the area.

It is noted that the trees to be removed have not been individually recognised as having any particular importance in terms of cultural or heritage significance, conservation of flora and fauna, or management of erosion and ground water. The application has been referred to Council's Environment and Heritage departments, who did not object to the vegetation removal subject to conditions relating to offsets and re-vegetation. In addition, the previously-mentioned landscape plan will help to offset the loss of the trees.

While there were options to locate the buildings and works in a cleared area, doing this would likely increase the prominence of the shed and detract from the character of the area.

Use of land for a Contractor's Depot

What is the correct land use definition?

The proposed land use would support the earthmoving/excavation business operated by the resident of the land, and involves storing and garaging of one (1) truck, one (1) trailer, two (2) diggers, and associated tools and equipment. The hours of operation are between 5.30am and 7.30pm although the majority of the business occurs at external work sites. The applicant estimates there will be a maximum of four truck movements per day but typical truck movements will be two per day.

The applicant initially proposed the land use as a 'Store' but this was changed to 'Contractor's Depot' at the recommendation of Council's Planning Officers. The classification of the proposed use as a Contractor's Depot is considered appropriate and consistent with *Johnston v Cardinia SC [2010]*, which included a discussion of the definitions of 'Store' and 'Contractor's Depot'. In this case, it was concluded that Contractor's Depot is a suitable definition for land that is used as a place for "parking or garaging commercial, earthmoving etc vehicles and machinery used for work elsewhere." This compared to a 'Store', which applies to land used to store goods, machinery, or vehicles on a more permanent basis.

If the proposal did not involve the truck or shed exceeding 100 square metres, the provisions of Clause 52.11 Home Occupation may have been applicable to this proposal. Additionally, if the proposal did not include the excavators and specialised equipment, it may have been considered ancillary to the residential use of the land and therefore not require a planning permit. A discussion of this last point can be found in *Deutscher v Frankston CC [2009]*, and discussions of the use of a commercial vehicle for commuting that is ancillary to the domestic use of the land can be found in *Manningham CC v Nicolosi [2001]* and *Guymer v Frankston CC [2007]*.

A 'Contractor's Depot' is not one of the land uses defined in the planning scheme. However, the list of Section 2 uses (Permit required) of the Low Density Residential Zone includes "any other use not in Section 1 or Section 3" and therefore a 'Contractor's Depot' is classified as an 'innominate' use that falls within Section 2 use and requires a planning permit.

Clause 31.02 of the Planning Scheme makes it clear that being a Section 2 use does not imply that a permit should or will be granted, adding that the "responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65."

Is a contractor's depot appropriate for the area?

Maryknoll is predominantly a residential area with a distinctive character and important environmental attributes, which means that any proposal for a non-residential use must demonstrate sensitivity and appropriateness. The number and nature of the submissions received identifies the impacts that non-residential land uses can cause.

The use of the land for a Contractor's Depot is appropriate in this site context. While the proposal goes beyond the ancillary use of the land as discussed in *Manningham CC v Nicolosi*, it does so in a limited way. A maximum of one (1) truck, one (1) trailer, two (2) diggers, and associated tools and equipment, is not excessive having regard to the total area of the land, location of vehicles to be stored and location of dwellings on adjoining land. The vehicles and equipment spend the majority of the daytime at external worksites before returning to the depot for garaging. There are also no other employees that form part of the business.

The limited scale of the use and the fact it is being operated by the resident of the site means that it will occupy a small proportion of the approximate 1.15 hectare site, with the remainder of site to remain generally unchanged and used for rural-residential purposes. The shed and associated driveway for the contractor's depot occupy approximately 731 square metres of land, which equates to less than seven per cent of the overall site. The quantity of the vehicles and equipment being used as part of the contractor's depot can also be limited via permit conditions and their storage inside the proposed shed will minimise visual impact and clutter on the site.

The site also benefits from its location on the edge of the Maryknoll township and opposite land zoned Green Wedge and Green Wedge A. Given that the purpose of these zones is focused on rural activities rather than residential activities, the keeping of larger commercial type of vehicles and equipment is not out of context for a rural area, where vehicles such as tractors, stock trucks, and feed trucks are not uncommon. As such, the amenity requirements of these zones are generally of a lower standard than a residential zone. With Manoora Reserve located to the south of the site, this means that the site is adjoined by only one property zoned Low Density Residential (i.e. 105 Mortimer Road to the east), which did not make a submission to this application.

The application was referred to Council's Traffic Engineering Department, which did not object to the proposal subject to conditions. It is noted that Manoora Road and the surrounding road network are public roads and managed by Council. Unsealed roads are typical in this rural setting and most types of vehicles can utilise these roads with no restrictions.

While the twelve (12) objections received raised a number of concerns and issues, it is considered that many can be avoided or managed by the imposition of conditions. A response to the main themes of the objections is provided below:

- Environmental impact, including pollution – the proposed vegetation removal will be appropriately offset and measures to enhance the environment through re-vegetation can be implemented via a permit condition.
- Impact on property values – Changes to property values are not a relevant consideration but the amenity impacts that may impact property values have been considered as part of this assessment.
- Potential to set a precedent for other earthmoving businesses – Any application to use the land in a certain way, including a contractor's depot, is subject to the provisions of the Planning Scheme and will be assessed on merit. The approval of one application does not provide automatic approval for others.
- Amenity impacts, including noise, dust, vibration, light spill, visual impact – Conditions can be placed on any planning permit to avoid, minimise and manage amenity impacts.
- Road safety concerns – All vehicles have a right to the use of roads and any breach of road rules or safety hazards is a matter for road authorities.
- Impact on road quality – The road is managed and maintained by Council. Council's Engineering Department did not raise concerns regarding the scale of the use.
- Potential for applicant to upgrade and/or replace machinery without further consent from council – Conditions can limit the number of vehicles and machinery allowed on site. While replacement may be possible, expansion would require consent from Council.
- Inconsistent with the rural and residential character of the area – This has been discussed previously.
- Potential fire hazard – The application was referred to CFA for comment, which did not object but did recommend conditions that can be placed on any planning permit. The proposal does not present any undue fire risk compared to the existing development of the area.

Notwithstanding the above, the proposal does represent a change to the established pattern of land use. The submissions received during the assessment process indicate that the land use has

resulted in negative amenity impacts and may continue to do so. On the other hand, the proposal is of a relatively small scale that allows the resident of the land to carry out their business.

Some of the impacts cited in the submissions relating to noise, dust and hours of operation are not confined solely to the proposed contractor's depot and can occur in many situations. For example, a resident who works late hours will also cause issues relating to the noise and light when commuting to or from their property. Additionally, the rural residential nature of the area and the relatively large allotments lend themselves to activities that may generate more noise than expected in a more conventional residential area, due to reasons such as the upkeep and maintenance of properties, more space for recreational pursuits and undertaking of more agricultural-type activities. The impacts relating to dust are not unexpected for rural area with unsealed roads and large areas of undeveloped land. One of the 'benefits' of this application under consideration is that it allows for the use to be carried out in a way that is regulated and controlled; rather than an as of right use where regulations may be less onerous.

This is not to discount the submissions raised by the objectors. It is accepted that if approved, the proposal will change the amenity of the area but it is considered that conditions can be implemented to appropriately avoid and manage many of the amenity impacts. Additionally, the size of the land, its location, the relatively small scale of the operation and associated development and the fact it is being undertaken in conjunction with the residential use of the land are factors that support the approval of the application.

CONCLUSION

Having regard to the above, it is considered that the proposal is consistent with the Cardinia Planning Scheme. It is recommended that a Notice of Decision to Grant a Planning Permit be issued for the **use of the land for a Contractor's Depot and associated buildings and works (including one shed, two water tanks and earthworks); and the removal of native vegetation at 72 Manoora Road, Maryknoll** subject to the below conditions.

CONDITIONS

1. Within two (2) months of the issue date of this permit or another date as approved in writing by the Responsible Authority, 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 plan must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

Site plan:

- a) The extent of the area to be used for the contractor's depot.
- b) Measures to prevent the intrusion of vehicles beyond the defined area for the use or into any areas of vegetation.
- c) The shipping container to the south of the dwelling must be labelled and identified for removal.
- d) Specify the minimum setback of the water tanks from the eastern boundary.
- e) Delete the 'potential site access' shown to the south of the proposed gravel driveway.
- f) Accurately show the location of the two areas of earthworks undertaken to the south of the dwelling (the 'cut' area and the 'fill' area) and measures to be implemented to reinstate, batter, stabilise or finish the earthworks.

Floor plan:

- g) A floor plan to shown the internal layout of the shed, including overall building dimensions, finished floor levels, external openings, room/area names.

Elevation drawings:

- h) Provide a schedule of all colours and materials, including for the water tanks.

2. Within two (2) months of a Final Certificate being issued for the shed or another date as approved in writing by the Responsible Authority:

- a) The shipping container located to the south of the dwelling must be removed from the land.
- b) The earthworks to the south of the dwelling must be finished in accordance with Condition 2f.

General

3. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. The exterior colour and cladding of the building must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.

Landscaping

6. The landscaping works as shown on the endorsed plans must be carried out within six (6) months of the issue date of this permit or another date approved in writing by the Responsible Authority and must be maintained to the satisfaction of the Responsible Authority.

Earthworks and drainage

7. All stormwater must be conveyed by means of drains to satisfactory points or areas of discharge approved by the Responsible Authority, so that it will have no detrimental effect on the environment or adjoining property owners.
8. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
9. 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.
10. Sediment control measures must be undertaken to the satisfaction of the Responsible Authority to ensure that the 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.
11. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the Responsible Authority.
12. All disturbed surfaces on the land resulting from the development must be revegetated and stabilised to the satisfaction of the Responsible Authority.

Contractor's depot

13. The contractor's depot must be used in conjunction with the occupation of a resident of a dwelling on the lot.
14. Vehicles associated with the contractor's depot may only enter and exit the site between 5.00am – 8.00pm Monday to Saturday.
15. The servicing/maintenance/washing of vehicles may only occur between 7:00am – 6:00pm Monday to Saturday.
16. Except with the written consent of the Responsible Authority, the vehicles associated with the normal operations of the contractor's depot must be in accordance with the following:
 - a) One (1) truck, one (1) trailer and two (2) diggers/excavators.
17. All vehicles and ancillary plant, tools and equipment must be kept within the approved building (once constructed) as shown on the endorsed plans.
18. The use and development must not detrimentally affect the amenity of the area, through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d) Presence of vermin.
19. Vehicles under the care, management or control of the operator of the use, including staff and customer vehicles, must not be parked in any nearby road or on any nearby public land.
20. The loading and unloading of goods from vehicles must only be carried out on the subject land.
21. All waste material must be obscured from the view of the public and must be disposed of in a manner to the satisfaction of the Responsible Authority.
22. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

23. The surface of the car park and access areas must be treated to the satisfaction of the Responsible Authority to prevent dust causing loss of amenity to adjoining and nearby properties and the neighbourhood.
24. The maintenance of all buildings, external storage and loading areas, parking areas, landscaping and the general surrounds as shown on the endorsed plans must be carried out so that the site is kept neat, tidy and clean at all times to the satisfaction of the Responsible Authority.

Bushfire management

25. Defendable space must be created for a distance of 10 metres around the proposed building or to the property boundary, whichever is the lesser, where vegetation (and other flammable materials) during the declared fire danger period will be managed in accordance with the following requirements:
 - a) Grass must be short cropped.
 - b) All leaves and vegetation debris must be removed at regular intervals.
 - c) Flammable objects must not be located close to the vulnerable parts of the building.
 - d) Shrubs must not be located under the canopy of trees.
 - e) Trees must not overhang or touch any elements of the building.
 - f) The canopy of trees must be separated by at least 2 metres.
 - g) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
26. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Environment

27. Before the removal of the tree identified as T15 on the plans, the applicant must provide a native vegetation offset that meets the following requirements and is in accordance with the Permitted clearing of native vegetation - Biodiversity assessment guidelines and the Native vegetation gain scoring manual.

The offset must:

- a) Contribute gain of 0.008 general biodiversity equivalence units.
 - b) Be located within the Port Philip and Westernport Catchment Management Authority boundary or the Cardinia municipal district.
 - c) Have a strategic biodiversity score of at least 0.095.
28. Before the development starts, the *Eucalyptus ovata* tree identified as T1 on the plans must have tree protection fencing (TPF) installed to the satisfaction of the Responsible Authority. The barrier must be a semi-permanent structure approved by the Responsible Authority and no person or vehicle other than is to be allowed into the area unless under supervision.
The tree protection fencing must meet the following requirements:
 - a) The fencing must extend as close as practicable to the outer edge of the tree's Tree Retention Zone – specifically to a distance of 11.9 metres from the trunk on the tree's northern, eastern and western sides. On the southern side, the Tree Protection Fencing must be taken in only the minimum amount necessary to allow the works to be completed (4m shown on plan)
 - b) The surface of the Tree Protection Zone not required for excavation and slab construction must be mulched prior to the construction works. Mulch must be laid to a minimum of depth of 2.5cm at this stage.
 - c) The fencing must be installed prior to the commencement of any demolition, excavation, dead tree removal, delivery of building/construction materials, temporary buildings and construction.
 - d) The fencing must not be removed until such works have been fully completed.
 - e) Areas within the TPF must not be used for:
 - i. Vehicular or pedestrian access, trenching or soil excavation.
 - ii. Storage or dumping of tools, equipment, materials or waste.
 - iii. Storage of any vehicles, machinery, equipment or other materials, trenching, washing out of chemicals, oil spills, lighting fires or tearing of tree roots
 29. Excavation and other machinery must avoid incursion into the preserved 78 per cent of Tree Protection Zone of T1 in order to avoid any soil compaction beyond the building footprint (Refer zone identified in Figure 1 of Construction Impact Assessment Report: "Tree 1 TPZ intrusion").
 30. Excavation within the Tree Protection Zone of T1 must be carefully conducted using a tracked excavator in accordance with the following:

- a) The excavation must not exceed 200mm in depth.
- b) Excavation must be supervised by a suitably qualified arborist.
- c) Any tree roots encountered during this excavation must be left intact if possible, otherwise neatly pruned using sharp hand tools by an attending arborist.

31. Post-construction, additional mulch must be spread across the residual Tree Protection Zone of T1 to a total depth of 75mm as an aid to moisture retention and hence tree recovery. The mulched area must be watered at 10 day intervals over summer months for the first year following construction

Expiry:

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

- a) the development does not start within **one (1) year** after the issue of the permit; or
- b) the development is not completed within **two (2) years** after the issue of the permit; or
- c) the use is discontinued for a period of **two (2) years**.

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

1 CONTRACTOR'S DEPOT - 72 MANOORA ROAD, MARYKNOLL

Moved Cr G Moore Seconded Cr R Brown

It is recommended that a Notice of Decision to Grant a Planning Permit be issued for the use of the land for a Contractor's Depot and associated buildings and works (including one shed, two water tanks and earthworks); and the removal of native vegetation at 72 Manoora Road, Maryknoll subject to the below conditions.

CONDITIONS

1. Within two (2) months of the issue date of this permit or another date as approved in writing by the Responsible Authority, 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 plan must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:
Site plan:
 - a) The extent of the area to be used for the contractor's depot.
 - b) Measures to prevent the intrusion of vehicles beyond the defined area for the use or into any areas of vegetation.
 - c) The shipping container to the south of the dwelling must be labelled and identified for removal.
 - d) Specify the minimum setback of the water tanks from the eastern boundary.
 - e) Delete the 'potential site access' shown to the south of the proposed gravel driveway.
 - f) Accurately show the location of the two areas of earthworks undertaken to the south of the dwelling (the 'cut' area and the 'fill' area) and measures to be implemented to reinstate, batter, stabilise or finish the earthworks.

Floor plan:

- g) A floor plan to show the internal layout of the shed, including overall building dimensions, finished floor levels, external openings, room/area names.

Elevation drawings:

- h) Provide a schedule of all colours and materials, including for the water tanks.

Landscaping Plans:

- i) Provide an effective screen of the proposed shed from Manoora Road (western property boundary). Plans are to show a dense planting formation of trees of maturity of at least 3 metres in height.
 - j) Incorporation of mature trees (minimum of three metres in height at the time of planting) along the southern property boundary.
2. Within two (2) months of a Final Certificate being issued for the shed or another date as approved in writing by the Responsible Authority:
 - a) The shipping container located to the south of the dwelling must be removed from the land.
 - b) The earthworks to the south of the dwelling must be finished in accordance with Condition 1f.

General

3. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. The exterior colour and cladding of the building must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.

Landscaping

6. The landscaping works as shown on the endorsed plans must be carried out within six (6) months of the issue date of this permit or another date approved in writing by the Responsible Authority and must be maintained to the satisfaction of the Responsible Authority.

Earthworks and drainage

7. All stormwater must be conveyed by means of drains to satisfactory points or areas of discharge approved by the Responsible Authority, so that it will have no detrimental effect on the environment or adjoining property owners.
8. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
9. 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.
10. Sediment control measures must be undertaken to the satisfaction of the Responsible Authority to ensure that the 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.
11. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the Responsible Authority.
12. All disturbed surfaces on the land resulting from the development must be revegetated and stabilised to the satisfaction of the Responsible Authority.

Contractor's depot

13. The contractor's depot must be used in conjunction with the occupation of a resident of a dwelling on the lot.
14. Vehicles associated with the contractor's depot may only enter and exit the site between:
6.00am – 8.00pm Monday to Saturday.
15. The servicing/maintenance/washing of vehicles may only occur between:
7:00am – 6:00pm Monday to Saturday.
16. Except with the written consent of the Responsible Authority, the vehicles associated with the normal operations of the contractor's depot must be in accordance with the following:
 - a) One (1) truck, one (1) trailer and two (2) diggers/excavators.
17. All vehicles and ancillary plant, tools and equipment must be kept within the approved building (once constructed) as shown on the endorsed plans.
18. The use and development must not detrimentally affect the amenity of the area, through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d) Presence of vermin.
19. Vehicles under the care, management or control of the operator of the use, including staff and customer vehicles, must not be parked in any nearby road or on any nearby public land.
20. The loading and unloading of goods from vehicles must only be carried out on the subject land.
21. All waste material must be obscured from the view of the public and must be disposed of in a manner to the satisfaction of the Responsible Authority.
22. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining

land to the satisfaction of the responsible authority.

23. The surface of the car park and access areas must be treated to the satisfaction of the Responsible Authority to prevent dust causing loss of amenity to adjoining and nearby properties and the neighbourhood.
24. The maintenance of all buildings, external storage and loading areas, parking areas, landscaping and the general surrounds as shown on the endorsed plans must be carried out so that the site is kept neat, tidy and clean at all times to the satisfaction of the Responsible Authority.

Bushfire management

25. Defendable space must be created for a distance of 10 metres around the proposed building or to the property boundary, whichever is the lesser, where vegetation (and other flammable materials) during the declared fire danger period will be managed in accordance with the following requirements:
 - a) Grass must be short cropped.
 - b) All leaves and vegetation debris must be removed at regular intervals.
 - c) Flammable objects must not be located close to the vulnerable parts of the building.
 - d) Shrubs must not be located under the canopy of trees.
 - e) Trees must not overhang or touch any elements of the building.
 - f) The canopy of trees must be separated by at least 2 metres.
 - g) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
26. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Environment

27. Before the removal of the tree identified as T15 on the plans, the applicant must provide a native vegetation offset that meets the following requirements and is in accordance with the Permitted clearing of native vegetation - Biodiversity assessment guidelines and the Native vegetation gain scoring manual.

The offset must:

 - a) Contribute gain of 0.008 general biodiversity equivalence units.
 - b) Be located within the Port Philip and Westernport Catchment Management Authority boundary or the Cardinia municipal district.
 - c) Have a strategic biodiversity score of at least 0.095.
28. Before the development starts, the Eucalyptus ovata tree identified as T1 on the plans must have tree protection fencing (TPF) installed to the satisfaction of the Responsible Authority. The barrier must be a semi-permanent structure approved by the Responsible Authority and no person or vehicle other than is to be allowed into the area unless under supervision. The tree protection fencing must meet the following requirements:
 - a) The fencing must extend as close as practicable to the outer edge of the tree's Tree Retention Zone – specifically to a distance of 11.9 metres from the trunk on the tree's northern, eastern and western sides. On the southern side, the Tree Protection Fencing must be taken in only the minimum amount necessary to allow the works to be completed (4m shown on plan)
 - b) The surface of the Tree Protection Zone not required for excavation and slab construction must be mulched prior to the construction works. Mulch must be laid to a minimum of depth of 2.5cm at this stage.
 - c) The fencing must be installed prior to the commencement of any demolition, excavation, dead tree removal, delivery of building/construction materials, temporary buildings and construction.
 - d) The fencing must not be removed until such works have been fully completed.
 - e) Areas within the TPF must not be used for:
 - i. Vehicular or pedestrian access, trenching or soil excavation.
 - ii. Storage or dumping of tools, equipment, materials or waste.

iii. Storage of any vehicles, machinery, equipment or other materials , trenching, washing out of chemicals, oil spills, lighting fires or tearing of tree roots

29. Excavation and other machinery must avoid incursion into the preserved 78 per cent of Tree Protection Zone of T1 in order to avoid any soil compaction beyond the building footprint (Refer zone identified in Figure 1 of Construction Impact Assessment Report: “Tree 1 TPZ intrusion”).
30. Excavation within the Tree Protection Zone of T1 must be carefully conducted using a tracked excavator in accordance with the following:
 - a) The excavation must not exceed 200mm in depth.
 - b) Excavation must be supervised by a suitably qualified arborist.
 - c) Any tree roots encountered during this excavation must be left intact if possible, otherwise neatly pruned using sharp hand tools by an attending arborist.
31. Post-construction, additional mulch must be spread across the residual Tree Protection Zone of T1 to a total depth of 75mm as an aid to moisture retention and hence tree recovery. The mulched area must be watered at 10 day intervals over summer months for the first year following construction

Expiry:

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

- a) the development does not start within one (1) year after the issue of the permit; or
- b) the development is not completed within two (2) years after the issue of the permit; or
- c) the use is discontinued for a period of two (2) years.

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

Cd.

2 RECREATIONAL VEHICLE APPLICATION - 23 REED AVENUE, UPPER BEACONSFIELD

FILE REFERENCE INT1779965

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Shannon Maynard

RECOMMENDATION

It is recommended to approve the Recreational Vehicle Permit for 23 Reed Avenue, Beaconsfield Upper, subject to conditions attached to this report.

Attachments

- | | | |
|---|--|----------|
| 1 | Plan of site showing vehicle track | 1 Page |
| 2 | Confidential letters of objection circulated to councillors only | 15 Pages |
| 3 | Confidential map of site and objectors property circulated to councillors only | 1 Page |

EXECUTIVE SUMMARY

As per Councils Recreational Vehicle Policy, Councillors are able to require the issuing of Recreational Vehicle Permits to be heard at a Council meeting for a decision. This application has been requested to be heard at a Council meeting.

BACKGROUND

The site is located on the south side of Reed Avenue as is approximately 5.4h in size.

The site currently contains existing dwelling, outbuildings, a small open grass area and a creek running north to south though established bushland on the west side of the property. The majority of the land consists of grassy forest/bushland.

The topography of the land is sloping steeply from east to west. There is an existing track traversing through the bushland.

The main characteristics of the surrounding area are:

- Rural residential properties of a mixture of sizes.
- Neighbouring bushland reserve to the south owned by Dept Sustainability & Environment.
- The area is one of environmental significance and is home to various protected flora and fauna.

POLICY IMPLICATIONS

This application is in accordance with Council's Recreational Vehicle Policy.

RELEVANCE TO COUNCIL PLAN

The Policy is in line with Council Plan goals:

- Variety of recreational and leisure opportunities
- Balanced needs of development, the community and the environment

CONSULTATION/COMMUNICATION

The application was advertised to properties within 1000 metres of the applicant's property. Council received six objections to the proposal.

The key issues raised in the objections were based on:

- Noise – worse due to slope of land
- Property nearby used for bed and breakfast
- Precedence in approving applications
- Negative impact on wildlife in the area
- Environmental impact to Flora and Fauna
- Number of recreational vehicle (4) proposed
- Negative effect on amenity
- Excessive amount of proposed hours of riding
- Area is a Conservation area
- Bushfire danger
- Unable to affectively police the riding area and times.

Officers have considered these concerns and offer the following response:

Noise

The noise factor will be controlled by the vehicle noise test which must be undertaken by the applicant prior to the vehicles being allowed to be used in accordance with this permit.

The 94Db rating has been recommended by the EPA as a reasonable level of noise for this type of activity and area. The duration of the noise will be controlled by only allowing for minimal hours of riding on the permit conditions.

Properties nearby used for bed and breakfast

The noise factor will be controlled by the vehicle noise test. The duration of the noise will be controlled by only minimising the days and hours of riding.

Precedence in approving applications

All applications are judged on an individual basis, as per Council's adopted policy position. A cumulative effect of permits is also considered when assessing applications of this nature.

Environmental impact to Flora & Fauna

An environmental assessment has been done by Councils Vegetation Management Officer. Measures have been put in place to assure that damage to the environment is kept to minimal or none at all. These measures have been reflected on the conditions of the permit.

Bushfire danger

A condition will be placed on the permit regarding days of total fire ban. The designated area proposed for riding is a low risk area with the created track.

Negative effects on amenity

Any possible risk to the detrimental effect on amenity in the area will be mitigated by conditions on the permit. Alternatively, if the conditions do not adequately prevent these issues the effect on amenity can be reassessed at the end of the trial period.

Compliance with permit conditions and riding times

The permit would be issued on a temporary basis for a trial period of six months. Any non-compliance with the permit conditions would result in the immediate cancellation of the permit. Any residents in the area who detect non-compliance with the permit conditions are encouraged to report to the Compliance Services Team.

Number of vehicles proposed

Proposed permit conditions would limit riding to two (2) motorbikes at a time.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be no financial implications to Council. Enforcement or monitoring activities in relation to this application will be absorbed into normal Compliance practices.

CONCLUSION

It is the recommendation that the permit be issued in this instance.

Council's Vegetation Management Officer conducted an assessment of the subject site, it has been considered the application can be supported with minimal impact on the environment.

The times allotted to the applicant for recreational vehicle use is very restrictive, and at maximum will result in riding for two hours a fortnight.

It is noted the applicant requested more hours and flexibility, however Council has considered the neighbouring property concerns and restricted the use occurring accordingly. These restricted hours seek to strike a balance between the use of the property for Recreational Vehicle and the surrounding residents amenity.

Site specific and standard conditions will alleviate concerns in relation to noise, environmental impact, bushfire danger and general amenity. Non-compliance to the permit will result in investigation of the complaint, and may result in the loss of the permit.

As per Councils Policy, a review of the permit will be conducted six (6) months after the permit is issued. This will allow Compliance officers to assess the impact of the use of Recreational Vehicles, and ensure that any non-compliance with the conditions can be taken into account before issuing a permanent permit. At all times a Local Laws Permit can be revoked if conditions and compliance is assessed not being adhered to.

The application has been considered against the Recreation Vehicle Policy, as per this policy a meeting was held with the assessing Officer, Coordinator Compliance Services and Manager Development and Compliance Service, it was considered that the application can be supported subject to the following conditions:

1. No more than two (2) motorbikes are permitted to be ridden at any one time
2. Motorbikes are only to be ridden on the designated area as per the attached approved plan
3. Permit is subject to each motorbike undertaking a noise test. Each noise test must show results of each bike being under 94Db
4. The use of recreational vehicles is prohibited on the property on days of total fire ban.

5. The permit holder must be present during the activities permitted pursuant to this permit.
6. This permit is non-transferable, and will cease should the permit holder vacate the property.
7. Only people that permanently reside at the property mentioned on the application may ride Recreational Vehicles in accordance with the permit.
8. Riding is permitted on One (1) Saturday in any fortnight from 3pm-4pm and one (1) weekday per fortnight from 4.00 – 5.00pm in accordance with the permit.
9. This permit is for a trial period of six (6) months from the date of issue. Any complaints received in this time will be considered upon review of the permit.

2 RECREATIONAL VEHICLE APPLICATION - 23 REED AVENUE, UPPER BEACONSFIELD

Moved Cr J Owen Seconded Cr C Ryan

It is recommended to approve the Recreational Vehicle Permit for 23 Reed Avenue, Beaconsfield Upper, subject to conditions attached to this report.

Cd.

3 PLANNING SCHEME AMENDMENT ACTIVITY REPORT

FILE REFERENCE INT1779775

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Tracey Parker

RECOMMENDATION

That the report be noted.

EXECUTIVE SUMMARY

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

Status of active amendments

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

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C209 – Part 1	Cardinia Shire Council	Oaktree Drive Road Reserve and part 25 Oaktree Drive & part 62 Cameron Way, Pakenham	Rezone land in the existing Oaktree Drive Road Reserve and part of 25 Oaktree Drive, Pakenham (Lot 1 TP 161356U & Lot 1 TP 159742C) and part of 62 Cameron Way, Pakenham (Lot 1 TP 161189, Lot 1 TP 161190, Lot 1 TP 844663 and Lot 1 TP 161468) from Road Zone Category 2 to Public Park and Recreation Zone.			Approved. Gazetted 9/11/17
C211	Cardinia Shire Council	Pakenham Structure Plan area	The Amendment adds the Pakenham Activity Centre Incorporated Provisions (March 2017) as an Incorporated document in the Schedule to Clause 81.01 and the Pakenham Structure Plan (March 2017) as a Reference document in Clauses 21.03-2, 21.04-1, 21.04-3 and 21.04-4. The	Thu 12/05/2016	Tue 14/06/2016	Amendment approved with changes and gazetted on 19/10/2017.

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
			Amendment revises the Local Planning Policy Framework (LPPF) to make reference to 'Activity Centre Structure Plans' in various Clauses.			
C223	Cardinia Shire Council	231 Dalmore Road, Dalmore	Apply Heritage Overlay (H0275) to the land at 231 Dalmore Road and respond "Yes" to the prohibited uses option in the Schedule to the Heritage Overlay (Clause 43.01). This Amendment will facilitate the restoration of the Hall and its use as a dwelling.	Thu 20/07/2017	Mon 21/08/2017	Amendment submitted to the Minister for approval on 21/09/2017. Awaiting approval.
C225	Cardinia Shire Council	270 Cardinia Road Officer South	To amend Clause 37.07 to the Urban Growth Zone Schedule 2 to: - Insert a new plan 1 showing the change of designation of the land from service business to commercial to facilitate a health precinct and change a portion of land designated for service business to residential to increase the amount of residential land in the Cardinia Road Precinct Structure Plan. - Include residential aged care facility and retirement villages as section 2 uses.			14/02/2017: Seeking authorization from the Minister for Planning to prepare an amendment.

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C226	Cardinia Shire Council	Lot 5 PS321195 67 Whiteside Rd Officer, Lot 2 PS327845 130 Whiteside Rd Officer and Lot PP PS746064 325 Princes Hwy Officer	Insert new schedule to the Rural Conservation Zone 3 (RCZ3) to Clause 35.06 to implement Officer Precinct Structure Plan. Amend table 1 in Clause 37.07 of the Urban Growth Zone 3 subclause 2.2 from Rural Conservation Zone to Rural Conservation Zone Schedule 3.	Thu 22/06/2017	Mon 24/07/2017	Panel Hearing set for 05/12/2017.

3 PLANNING SCHEME AMENDMENT ACTIVITY REPORT

Moved Cr J Owen Seconded Cr C Ryan

That the report be noted.

Cd.

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

FILE REFERENCE INT1779933

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Debbie Tyson

RECOMMENDATION

That the report be noted.

Attachments

Nil.

EXECUTIVE SUMMARY

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

Hearing Date	App No.	Address	Proposal	Council Decision	Appealed By	Outcome
10/4/18	T990164-2	100 School Road, Bayles	Amendment to Planning Permit T9900164 (issued for the use and development of the land as a rural store)	Refusal	Applicant	Waiting on hearing
22/01/18	T970402	455 Westernport Road, Lang Lang	Amended permit-delete condition 5 and use and development of a dwelling	Refusal	Applicant	Waiting on hearing
18/10/17	T160108	65 Moody Street, Koo Wee Rup	Subdivision of land into 19 lots	Failure to determine (Refusal)	Applicant	Waiting on decision from VCAT
23/11/17	P160025	5-9 Salisbury Road, Beaconsfield Upper	Additions and alterations to an existing aged care facility, vegetation removal and associated works	Refusal	Applicant	Waiting on hearing
10/01/18	T110314	36 Bunyip Modella Road, Bunyip	Storage facility and native vegetation removal	Approval	Objector	Waiting on hearing
20/12/17	T160760	54 Rosebery Stree, Lang Lang	Variation of a restrictive covenant	Refusal	Applicant	Waiting on hearing
7/12/17	T160772	368 O'Neil Road Officer	Use and development of the land for a telecommunications facility and vegetation removal	Refusal	Applicant	Waiting on hearing

Hearing Date	App No.	Address	Proposal	Council Decision	Appealed By	Outcome
28/11/17		13 May Road, Beaconsfield	Extension of time	Refusal	Applicant	Waiting on hearing
4/10/17	T140410	24 Tivendale Road, Officer	Amendment to permit (amendment for additional access to RDZ1)	Refusal	Applicant	Council decision set aside – Permit issued
5/09/17	T160026	44 Ambrose St, Emerald	The subdivision of land into six (6) lots in three (3) stages and creation of a road	Approval	Objector	The application struck out for non-payment of application fee – Permit Approved

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

Moved Cr J Owen Seconded Cr C Ryan

That the report be noted.

Cd.

5 PLANNING ENFORCEMENT MATTERS (INCLUDING MAGISTRATES' COURT PROSECUTIONS)

FILE REFERENCE INT1779938

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Owen Hardidge

RECOMMENDATION

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

EXECUTIVE SUMMARY

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

BACKGROUND

Where breaches of the Planning Scheme are detected that cannot be satisfactorily resolved Council undertakes enforcements action at the Victorian Civil and Administrative Tribunal (VCAT).

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

Where breaches are sufficiently serious, criminal proceedings in the Magistrates' Court will be commenced, and if so, the successful criminal proceedings will usually be followed by VCAT proceedings (criminal proceedings taking precedence over "civil" proceedings).

Current enforcement cases

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

Property Address	Nature of Contravention	Status
2705 Princes Hwy, Tynong North (OH:LK:17356)	Removal of native vegetation in Council road reserve, in breach of Environmental Significance Overlay (42.01) and Native Vegetation Particular Provisions (52.17). Breach of planning permit condition relating to protection of remnant vegetation	Magistrates Court prosecution listed for mention on 16th November 2017 , and adjourned by consent to 18th January 2018 . Case alleges the wrongful removal of extensive tract of native vegetation along Council road reserve, and breaches of the planning permit for the associated development, by failing to protect native vegetation on site.
715 Gembrook Rd, Pakenham Upper (ref: OH:AB:14130)	Construction of retaining wall without building permit.	FOR INFORMATION ONLY – no ongoing <i>planning enforcement</i> matters relating to property

Property Address	Nature of Contravention	Status
		<p>MAGISTRATES COURT CASE relating to unpermitted building work (retaining wall) –</p> <p>The matter is set down for a 3- day contested hearing from 29th November 2017.</p> <p>The property has a 20 yr history of litigated planning disputes between 1997 and 2015.</p>
<p>765 Gembrook Rd, Pakenham Upper (OH:LK:16299)</p>	<p>Native vegetation removal, and earthworks creating driveway and hardstand, in breach of Rural Conservation Zone – Schedule 2, Environmental Significance Overlay Schedule 1, and Clause 52.17</p>	<p>Magistrates’ Court proceeding, alleging that the owner has conducted earthworks that require a permit, and cleared native vegetation, both without a permit.</p> <p>The mater is set down for a 2-day contested hearing from May 2nd 2018.</p>
<p>230 Telegraph Rd, Beaconsfield Upper OH:LK:17351</p>	<p>Native vegetation removal, in breach of Clause 52.17 (Native Vegetation) and Clause 42.04-2 (Environmental Significance Overlay – Schedule 1)</p>	<p>Magistrates’ Court proceeding is listed for further mention on 7th December 2017.</p>
<p>555 Back Creek Rd, Gembrook EH:LK:16272</p>	<p>Native vegetation removal, and earthworks creating a dam, in breach of Section 173 agreement and the scheme. Rural Conservation Zone – Sch 1, Environmental Significance Overlay – Sch 1, Bushfire Management Overlay, and Clause 52.17</p>	<p>Magistrates’ Court prosecution arising from the creation of a large dam (by earthworks and vegetation removal), contrary to strict environmental controls and Section 173 agreement protecting vegetation on the land.</p> <p>On 15th September 2016 the Court issued a Warrant for arrest to compel the attendance of the accused. The matter is adjourned indefinitely, pending Victoria Police execution of the warrant.</p>

5 PLANNING ENFORCEMENT MATTERS (INCLUDING MAGISTRATES' COURT PROSECUTIONS)

Moved Cr J Owen Seconded Cr C Ryan

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

Cd.

6 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATION AUTHORITY

FILE REFERENCE INT1779940

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Debbie Tyson

RECOMMENDATION

That the report be noted.

EXECUTIVE SUMMARY

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

Date	Permit No	Location	The Proposal	The Decision	Lodged Date
Central Ward					
2 Oct 2017	T170527	7 Serene Court, Pakenham VIC 3810	Development of the land for a single dwelling	Issued	11 Aug 2017
3/10/2017	T120082 - 2	Se 1/50-54 John Street, Pakenham Victoria 3810	Amended Permit - The use and development of the land for a Restricted Recreation Facility (Gym) and associated signage, generally, in accordance with the approved plans	Issued	20 February 2017
6/10/2017	T110145 - PC1	25 Princes Highway, Pakenham Victoria 3810	Landscape Plan - Development of the land for five (5) dwellings and alterations to existing access to a Road Zone Category 1	Issued	07 September 2017
6/10/2017	T160792	Michael Street, Pakenham VIC 3810	Construction of 79 dwellings and subdivision of land (79 lots) and vegetation removal	Issued	30 November 2016
6/10/2017	T170433	92 Grandvue Boulevard, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	18 July 2017
6/10/2017	T170640	34 Montalto Drive, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	27 September 2017
6/10/2017	T170390 - PC1	44 Pinehill Drive, Pakenham VIC 3810	Use and development of the land for two dwellings	Issued	02 October 2017

9/10/2017	T170461	Caversham Drive, Pakenham VIC 3810	Subdivision of the land into seven (7) lots and development of seven (7) dwellings	Issued	19 July 2017
9/10/2017	T170571	4-6 Olympic Way, PAKENHAM VIC 3810	Change to condition 2 - hours of operation. Application to change the operation hours to; 5:00am - 12:00am Monday - Sunday. Application to also include provision for the Gym facility to operate 24 hours a day.	Withdrawn	29 August 2017
9/10/2017	T170623	70 Skyline Drive, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay - Schedule 6	Issued	18 September 2017
10/10/2017	T170342	61 Racecourse Road, Pakenham VIC 3810	Amendment of Section 173 Agreement AL630477P	Issued	01 June 2017
10/10/2017	T170592	Retirement Village Community Centre, 13 Main Street, Pakenham VIC 3810	Through section 72 amendment, extend the existing "Main Street Retirement Village" (Permit T140656 SC0081/16) onto two adjacent lots (being 19 and 21 Main St Pakenham), by constructing 11 additional units in the same design and layout as the existing retirement village units. In doing so the crossovers at 19 Main St will be deleted.	Withdrawn	12 September 2017
17/10/2017	T160329 - PC1	20 Cumberland Drive, Pakenham VIC 3810	Amended plans to comply with Condition 1 of Planning Permit T160329	Issued	08 December 2016
17/10/2017	T160329 - PC2	20 Cumberland Drive, Pakenham VIC 3810	Amended plans to comply with Condition 1 of Planning Permit T160329	Issued	01 September 2017
18/10/2017	T040250 - 1	4-6 Olympic Way, PAKENHAM VIC 3810	The development of the land for an Aquatic & Recreation Centre generally in accordance with the approved plans.	Issued	06 October 2017
18/10/2017	T160861	49 Gardenia Street, Pakenham VIC 3810	Develop two dwellings to the rear of an existing dwelling	NOD	23 December 2016
18/10/2017	T170004 - PC1	Henry Road, Pakenham VIC 3810	Landscape plan - Development of the land for two (2) dwellings	Issued	10 August 2017

18/10/2017	T170180	12 Rogers Street, Pakenham VIC 3810	Development of the land for four (4) dwellings	Issued	28 March 2017
18/10/2017	T170256	13 Katjusha Court, Pakenham VIC 3810	Development of the land for two dwellings	Issued	09 May 2017
19/10/2017	T170044 - PC1	Caversham Drive, Pakenham VIC 3810	Planning Condition 1. (one)	Issued	25 August 2017
19/10/2017	T170675	29 Montalto Drive, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	13 October 2017
20/10/2017	T160634 - PC1	Caversham Drive, Pakenham VIC 3810	Condition 1 - The development of nineteen (19) dwellings and associated works in accordance with endorsed plans	Issued	31 August 2017
20/10/2017	T170508	15 Pakenham Road, Pakenham VIC 3810	Sixteen (16) lot subdivision adjacent to a Road Zone Category 1	Issued	02 August 2017
23/10/2017	T150538	310 Princes Highway, Officer VIC 3809	The use and development of the land for shops, the development of an office (medical centre) and a reduction in the car parking requirement of Clause 52.06 generally in accordance with the approved plans	Issued	09 September 2015
30/10/2017	T170413	9 Acacia Court, Pakenham VIC 3810	Extension of existing dwelling (new carport), construction of two additional dwellings and associated buildings and works	Issued	29 June 2017
31/10/2017	T170607	88 Grandvue Boulevard, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	14 September 2017
31/10/2017	T170661	10 Lotus Street, Pakenham VIC 3810	Development of the land for a dwelling on a lot less than 300 square metres	Issued	06 October 2017
1/11/2017	T170276 - PC1	5 Gardiner Street, Pakenham VIC 3810	Development of a second dwelling to the rear of the existing dwelling and alterations and additions to the existing dwelling.	Issued	15 September 2017

8/11/2017	T160634 - PC2	Caversham Drive, Pakenham VIC 3810	Landscape Plan and Waste Management Plan - The development of nineteen (19) dwellings and associated works in accordance with endorsed plans	Issued	01 September 2017
8/11/2017	T160634 - PC3	Caversham Drive, Pakenham VIC 3810	Condition 4 -The development of nineteen (19) dwellings and associated works in accordance with endorsed plans	Withdrawn	12 September 2017
9/11/2017	T130211 - 1	Bianca Court, Pakenham Victoria 3810	The use and development of the land for a shop, development of the land for offices and multi dwelling development in two (2) stages, associated access and reduction in car parking (office and shops).	Issued	22 March 2017
10/11/2017	T170561	4-6 Olympic Way, PAKENHAM VIC 3810	Development of the land for 30 metre monopole and telecommunications facility	Issued	21 August 2017
10/11/2017	T170724	83 Grandvue Boulevard, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	08 November 2017
10/11/2017	T130211 - PC1	Bianca Court, Pakenham Victoria 3810	The use and development of the land for a shop, development of the land for offices and multi dwelling development in two (2) stages, associated access and reduction in car parking (office and shops).	Issued	09 November 2017
10/11/2017	T130211 - PC2	Bianca Court, Pakenham Victoria 3810	The use and development of the land for a shop, development of the land for offices and multi dwelling development in two (2) stages, associated access and reduction in car parking (office and shops).	Issued	09 November 2017

13/11/2017	T160247 - 1	Village Lakeside, Shop 5/9-17 Lakeside Boulevard, Pakenham VIC 3810	Amendment to Condition 2 of Planning Permit T160247, which allows for the use of land for the sale and consumption of liquor (the amendment would change the hours of the sale and consumption of liquor from Mon-Fri 6am-5pm and Sat-Sun 6.30am-3pm to Mon- Sun 11am-12midnight)	Issued	13 July 2017
13/11/2017	T160409	Lakeside Boulevard, Pakenham VIC 3810	Two lot subdivision (boundary re-alignment) and removal of a reserve (portion of Reserve No.2 on PS447403) on land adjacent to a road zone category 1 zone	NOD	30 June 2016
13/11/2017	T170719	5A Anderson Street, Pakenham VIC 3810	Two (2) lot subdivision	Issued	03 November 2017
14/11/2017	T040154 - 1	Lakeside Boulevard, Pakenham Victoria 3810	Amendment to preamble - Sale and consumption of alcohol	Issued	21 September 2017
15/11/2017	T170739	18 Cyprus Place, Pakenham VIC 3810	Second storey extension	Withdrawn	15 November 2017
16/11/2017	T170428	12-14 John Street, Pakenham VIC 3810	Subdivision of the land into seven (7) lots	Issued	06 July 2017
16/11/2017	T170473	96 Grandvue Boulevard, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	24 July 2017
16/11/2017	T170746	93 Grandvue Boulevard, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	13 November 2017
16/11/2017	T170686	33 Davidson Street, Pakenham VIC 3810	Buildings and works (earthworks and retaining wall) within the Significant Landscape Overlay – Schedule 6	Issued	21 October 2017
16/11/2017	T170695	35 Davidson Street, Pakenham VIC 3810	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	27 October 2017
20/11/2017	T170617	106 Henry Road, Pakenham VIC 3810	Subdivision of the land into six (6) lots	Issued	13 September 2017
Port Ward					

2/10/2017	T160851	28 Nar Nar Goon Road, Nar Nar Goon VIC 3812	Re-subdivision of the land (boundary realignment) into four (4) lots	Issued	20 December 2016
2/10/2017	T170266 - PC1	625 Bunyip-Modella Road, Iona VIC 3815	Development of the land for an outbuilding (shed) for agricultural use	Issued	11 September 2017
2/10/2017	T170384 - PC1	36 Bate Close, Pakenham VIC 3810	Condition 1 - Development of the land for two (2) warehouses	Issued	20 July 2017
2/10/2017	T170496	585 Bald Hill Road, Nar Nar Goon VIC 3812	Development of the land for educational building	Issued	27 July 2017
2/10/2017	T170505	74 Railway Avenue, Tynong VIC 3813	To Re-Subdivide Lot 1 & Lot 2, along with Common Property No.1 PS645420E.	Issued	03 August 2017
2/10/2017	T170565	10 Dixons Road, Cardinia VIC 3978	Construction of a dwelling with reduced setbacks	Issued	22 August 2017
3/10/2017	T170578	Corporate Terrace, Pakenham VIC 3810	Display Sign Trailer in paddock on West Bound side of Princes Freeway Pakenham between Koo-wee-rup Road and McGregor Road. Property Number.5000016897	Withdrawn	03 October 2017
4/10/2017	T170382	FY 18/99 Bald Hill Road, Pakenham VIC 3810	Use of land for Equestrian Supplies, reduction of the number of car parking spaces required under Clause 52.06, and reduction of loading bay requirements under Clause 52.07	Issued	19 June 2017
4/10/2017	T170412	90 No 7 Drain Road, Bayles VIC 3981	Use and development of the land for a dwelling and caretakers dwelling and the construction of an outbuilding	Issued	28 June 2017
4/10/2017	T170423	31 Kingston Avenue, Pakenham VIC 3810	The subdivision of land into two (2) lots	Issued	05 July 2017
5/10/2017	T170313	230 Lovers Lane, Garfield VIC 3814	The development of the land for a rural store	Issued	29 May 2017
6/10/2017	T170151 - PC1	365 Seymour Road, Nar Nar Goon North VIC 3812	Use and development of the land for a dwelling and horse stable.	Issued	18 August 2017
6/10/2017	T170329	475 Kettles Road, Lang Lang VIC 3984	Subdivision of the land into two (2) lots	Issued	30 May 2017

6/10/2017	T170427	35 Tynong North Road, Tynong North VIC 3813	Use of the land for advertising signage	Lapsed	06 July 2017
6/10/2017	T170481	103 Nash Road, Bunyip VIC 3815	The development of the land for replacement dwelling and removal of Covenant PS443638B from Lot 1 on PS443638B	Issued	24 July 2017
9/10/2017	T170616	11 Tankerton Street, Lang Lang VIC 3984	Development of the land for a garage	Withdrawn	14 September 2017
10/10/2017	T170050	4 Haynes Close, Bunyip VIC 3815	Development of the land for an outbuilding	Issued	02 February 2017
10/10/2017	T170383	260 Milners Road, Lang Lang East VIC 3984	The development of the land for an outbuilding	Issued	20 June 2017
12/10/2017	T170556	5035 South Gippsland Highway, Lang Lang VIC 3984	Buildings and works associated with a dwelling extension	Issued	18 August 2017
13/10/2017	T170275	Soldiers Road, Pakenham South VIC 3810	Use and development of the land for a dwelling	Issued	17 May 2017
16/10/2017	T030645 - 1	Fechner Road, Kooweerup North Victoria 3981	Development of land for three agricultural buildings	Issued	02 June 2017
16/10/2017	T170161	335 McGregor Road, Pakenham VIC 3810	Boundary Alignment (3 lots)	Issued	20 March 2017
17/10/2017	T160302 - PC1	28 Broadhurst Road, Pakenham VIC 3810	Amended plans to comply with Condition 1 of Planning Permit T160302	Issued	18 July 2017
17/10/2017	T170303	376 Rossiter Road, Koo Wee Rup VIC 3981	Construction of a second dwelling and associated buildings and works; Alteration of access to a Road Zone Category 1	Issued	24 May 2017
17/10/2017	T170363	29 A'Beckett Road, Bunyip VIC 3815	Construction of three (3) additional dwellings and associated buildings and works; Subdivision of the land into four (4) lots	Issued	13 June 2017
17/10/2017	T170369	225 Heads Road, Yannathan VIC 3981	Alterations and additions to an existing dwelling and outbuilding and construction of a water tank, outbuilding and fence	Issued	15 June 2017
17/10/2017	T170411	180 Rossiter Road, Koo Wee Rup VIC 3981	Subdivision of Land into two (2) lots	Issued	19 July 2017

17/10/2017	T170549	105 Duncan Road, Cardinia VIC 3978	Building and works for the construction of a building associated with animal keeping (storage)	Issued	17 August 2017
18/10/2017	T170497	175 South Yannathan Road, Yannathan VIC 3981	Development of the land for an outbuilding (shed)	Issued	31 July 2017
19/10/2017	T160725	Hobson Road, Rythdale VIC 3810	Alterations and additions to a dwelling	Issued	03 November 2016
19/10/2017	T170112	30 Exchange Drive, Pakenham VIC 3810	Building and works associated with a transfer station	Issued	24 March 2017
19/10/2017	T170554	175 Island Road, Koo Wee Rup VIC 3981	Development of the land for a stable & float park	Lapsed	16 August 2017
20/10/2017	T150467 - PC1	21 Cambridge Street, Lang Lang Victoria 3984	Development of the land for an outbuilding (shed) within a Green Wedge Zone and Land Subject to Inundation Overlay	Issued	24 July 2017
20/10/2017	T170095 - PC1	270 Cardinia Road, Officer South VIC 3809	Con. 01 Plans - Development of the land for seven (7) dwellings on a lot	Issued	18 October 2017
20/10/2017	T170520	140 Seymour Road, Nar Nar Goon North VIC 3812	Construction of farm building in relation to the use of the land (farming)	Issued	09 August 2017
23/10/2017	T160580 - PC1	145 Hall Road, Yannathan VIC 3981	Use of the land for a dwelling and Contractors Depot and development of a replacement dwelling.	Issued	18 October 2017
23/10/2017	T170211 - PC1	45 Patullos Road, Yannathan VIC 3981	The development of the land for a rural store	Issued	26 July 2017
23/10/2017	T170424	650 Dalmore Road, Cardinia VIC 3978	Development of the land for a two (2) lot subdivision (boundary re-alignment)	Issued	05 July 2017
23/10/2017	T170577	1340 Westernport Road, Heath Hill VIC 3981	Development of the land for a dwelling and outbuilding (shed)	Issued	25 August 2017
25/10/2017	T170505 - PC1	U 1/74 Railway Avenue, Tynong VIC 3813	Condition 1A of Planning Permit T170505.	Issued	05 October 2017

26/10/2017	T110588 - PC4	270 Cardinia Road, Officer South Victoria 3809	Condition 10 - 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	Issued	16 June 2017
26/10/2017	T170173	43 Westernport Road, Lang Lang VIC 3984	Building and works associated with the construction of a medical centre, office and associated car parking reduction	Issued	24 March 2017
26/10/2017	T170227	29 Main Street, Nar Nar Goon VIC 3812	Two (2) Lot Subdivision	Issued	01 May 2017
27/10/2017	T170082	490 Westernport Road, Lang Lang VIC 3984	Earthworks associated with a dam (including drain and sump) and the removal of vegetation	Issued	17 February 2017
27/10/2017	T170488	395 Fogarty Road, Maryknoll VIC 3812	The development of the land for an outbuilding, three (3) rainwater tanks and associated earthworks	Issued	26 July 2017
30/10/2017	T160626 - 1	47 Westernport Road, Lang Lang VIC 3984	Use and development of a brewery, business identification signage, the sale and consumption of liquor and a waiver of the loading bay requirements in accordance with the endorsed plans	NOD	14 August 2017
30/10/2017	T170320	160 Seymour Road, Nar Nar Goon North VIC 3812	Use and development of the land for a telecommunications facility	Issued	05 June 2017
31/10/2017	T170362	272 Rossiter Road, Koo Wee Rup VIC 3981	Alterations to an existing building	Issued	13 June 2017
31/10/2017	T170532	115 Fechner Road, Koo Wee Rup VIC 3981	Development of the land for three (3) agricultural buildings	Issued	16 August 2017
1/11/2017	T120247 - PC2	52 James Street, Lang Lang Victoria 3984	Condition 18 BDG Stage 1- Multi lot residential subdivision and removal of native vegetation and easements	Withdrawn	29 August 2017

1/11/2017	T120247 - PC3	52 James Street, Lang Lang Victoria 3984	Condition 18 BDG Stage 2- Multi lot residential subdivision and removal of native vegetation and easements	Withdrawn	29 August 2017
1/11/2017	T170452	55 McClures Road, Bayles VIC 3981	Realignment of boundaries and removal of Easement (E-1)	Issued	17 July 2017
2/11/2017	T170445	Shop 1/277 Rossiter Road, Koo Wee Rup VIC 3981	Use of the land Restricted Recreation Facility (Gym)	Lapsed	26 July 2017
2/11/2017	T170446	2740 Ballarto Road, Koo Wee Rup VIC 3981	Dwelling Additions and Alterations	Issued	14 July 2017
2/11/2017	T170490	75 McConnell Road, Bunyip North VIC 3815	Development of the land for an outbuilding (shed)	Issued	26 July 2017
2/11/2017	T140225 - PC2	74-76 Wattletree Road, Bunyip Victoria 3815	Section 173 Agreement - Subdivision of the land into two (2) lots	Issued	05 October 2017
3/11/2017	T170507	285 Cardinia Road, Officer South VIC 3809	Planning approval is sought for the subdivision of the land into two (2) lots in order to excise the subject site's portion of land identified in the PSP as Unencumbered open space, which is defined by the extent of land zoned Urban Growth Zone - Schedule 2 (UGZ2) north of land zoned Special Use Zone (SUZ).	Withdrawn	03 August 2017
8/11/2017	T170469	2 Venture Way, Pakenham VIC 3810	Subdivision of the land into six (6) lots	Issued	21 July 2017
8/11/2017	T170555	525 Tynong North Road, Tynong North VIC 3813	Building associated with group accommodation (horse arena)	Issued	17 August 2017
8/11/2017	T170665	140 Nash Road, Bunyip VIC 3815	Development of the land for an outbuilding (shed)	Issued	06 October 2017
8/11/2017	T170687	U 11/27 Jefferson Road, Garfield VIC 3814	Development of the land for a dwelling extension (verandah) on a lot less than 300 square metres	Issued	23 October 2017
9/11/2017	T120195 - PC3	170 McDonalds Track, Lang Lang Victoria 3984	Section 173 Agreement	Issued	17 February 2017
9/11/2017	T170223 - 3	2705 Princes Highway, Tynong North VIC 3813	Amended plans to include an additional ride "flow rider" in the water park area.	Withdrawn	09 November 2017

9/11/2017	T170453	390 Ellis Road, Tonimbuk VIC 3815	Development of the land for an outbuilding (shed)	Issued	14 July 2017
9/11/2017	T170618	490 Mont Albert Road, Tynong VIC 3813	Development of the land for an outbuilding (shed)	Issued	13 September 2017
9/11/2017	T170714	10 Violet Street, Bunyip VIC 3815	Residential home - Build outside of the building envelope	Withdrawn	03 November 2017
10/11/2017	T110588 - PC5	270 Cardinia Road, Officer South Victoria 3809	Condition 12 - 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	Issued	21 August 2017
10/11/2017	T110588 - PC6	270 Cardinia Road, Officer South Victoria 3809	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	Issued	29 August 2017
10/11/2017	T170175 - PC1	64 Racecourse Road, Pakenham VIC 3810	Condition 1A & 1B of Planning Permit T170175.	Issued	28 September 2017
10/11/2017	T170363 - PC1	29 A'Beckett Road, Bunyip VIC 3815	Construction of three (3) additional dwellings and associated buildings and works; Subdivision of the land into four (4) lots	Issued	30 October 2017
13/11/2017	T170502	895 Bunyip River Road, Vervale VIC 3814	Development of the land for an outbuilding (shed)	Withdrawn	01 August 2017
14/11/2017	T160044 - PC1	New Address - L211 PS705124C, Nar Nar Goon- Longwarry Road, Tynong Victoria 3813	Landscape Plan - Development of the land for a dwelling, outbuildings, horse stables and horse training facilities	Issued	11 October 2017
14/11/2017	T160045 - PC1	New Address - L212 PS705124C, Nar Nar Goon- Longwarry Road, Tynong Victoria 3813	Landscape Plan - Development of the land for a dwelling, outbuildings, horse stables and horse training facilities	Issued	11 October 2017

14/11/2017	T160046 - PC1	New Address - L213 PS705124C, Nar Nar Goon- Longwarry Road, Tynong Victoria 3813	Landscape Plan - Development of the land for a dwelling, outbuildings, horse stables and horse training facilities	Issued	11 October 2017
15/11/2017	T170447	7 Kingston Avenue, Pakenham VIC 3810	Development of the land for one additional dwelling and alterations and additions to the existing dwelling	Issued	13 July 2017
15/11/2017	T170743	190 Main Drain Road, Koo Wee Rup VIC 3981	See T170742 Extension to an existing dwelling	Withdrawn	15 November 2017
16/11/2017	T170032 - PC1	185 Monomeith Road, Monomeith VIC 3984	1A	Issued	03 October 2017
16/11/2017	T170736	7 Jemima Court, Garfield VIC 3814	CONSTRUCTION OF SINGLE STOREY DWELLING	Withdrawn	10 November 2017
17/11/2017	T170380	21 Southeast Boulevard, Pakenham VIC 3810	Construction of seven (7) warehouses and associated buildings and works; Reduction in the number of car parking spaces required (13 space reduction)	Issued	19 June 2017
17/11/2017	T170466	335 McCraws Road, Catani VIC 3981	Development of the land for an agricultural building	Issued	20 July 2017
Ranges Ward					
2/10/2017	T160600 - PC1	360 Princes Highway, Officer VIC 3809	Development of the land for twenty-one (21) dwellings and associated works	Issued	21 August 2017
2/10/2017	T170237	259 Belgrave- Gembrook Road, Emerald VIC 3782	Development of the land for a dwelling	NOD	27 April 2017
2/10/2017	T170294	5 Sydney Avenue, Emerald VIC 3782	Use and development of the land for a dwelling and removal of vegetation	Issued	18 May 2017
3/10/2017	T130648 - 1	515 Pakenham Road, Pakenham Upper VIC 3810	Alterations and additions to an existing dwelling	Issued	13 April 2017
3/10/2017	T170254	94 Beaconsfield- Emerald Road, Emerald VIC 3782	The development of the land for an outbuilding, carport and removal of one tree (within 100 metres from Road Zone Category 1, within 100 metres of a dwelling not in the same ownership)	Issued	10 May 2017

3/10/2017	T170321	84 Main Street, Gembrook VIC 3783	Subdivision of the land into two (2) lots	Issued	19 May 2017
3/10/2017	T170328	75-79 St Georges Road, Beaconsfield Upper VIC 3808	The development of the land for an outbuilding within 20 metres of a road, within 100 metres of a dwelling not in the same ownership and the gross floor area of all outbuildings on the land are in excess of 120 square metres in floor area.	Issued	30 May 2017
3/10/2017	T170517	Officer South Road, OFFICER VIC 3809	Replacement and upgrade of existing bridge from Officer South Road into Officer Station carpark, as part of the carpark upgrade works on behalf of Victrack.	Issued	10 August 2017
5/10/2017	T150083 - PC2	285 Princes Highway, Officer Victoria 3809	WMP, BDG, s173 (Con 11, 35 (a), 36) - The development of the land for twelve (12) dwellings and the subdivision of the land into seventeen (17) allotments	Issued	19 July 2017
5/10/2017	T150083 - PC3	285 Princes Highway, Officer Victoria 3809	The development of the land for twelve (12) dwellings and the subdivision of the land into seventeen (17) allotments	Withdrawn	09 August 2017
5/10/2017	T160453 - PC1	2 Lyle Avenue, Beaconsfield VIC 3807	Development of the land for two (2) dwellings	Issued	25 July 2017
6/10/2017	T160480 - PC1	60 Hoyles Road, Pakenham Upper VIC 3810	The use and development of a Telecommunications Facility and associated works	Issued	20 September 2017
6/10/2017	T170022 - PC1	125 Quamby Road, Guys Hill VIC 3807	BMP - Buildings and works in the form of extensions and alterations to a dwelling, construction of an outbuilding, and removal of native vegetation	Issued	09 August 2017
6/10/2017	T170025 - PC1	18 Amphlett Avenue, Cockatoo VIC 3781	Condition 1 - Development of the land for a dwelling and vegetation removal	Issued	20 September 2017

6/10/2017	T170160 - PC1	1 Nioka Close, Cockatoo VIC 3781	Development of the land for a dwelling, vegetation removal and associated earthworks.	Issued	03 August 2017
6/10/2017	T170345	68 Yackatoo Road, Beaconsfield Upper VIC 3808	The development of the land for an outbuilding (within 100 metres of a dwelling not in the same ownership)	Issued	05 June 2017
6/10/2017	T170477	12 Gembrook- Launching Place Road, Gembrook VIC 3783	Development of the land for alterations and additions to existing dwelling	Issued	25 July 2017
6/10/2017	T170560	140 Beenak East Road, Gembrook VIC 3783	Development of the land for an outbuilding (shed)	Issued	21 August 2017
9/10/2017	T170199	5 Old Gembrook Road, Emerald VIC 3782	Development of the land for an outbuilding, associated earthworks and vegetation removal	NOD	05 April 2017
9/10/2017	T170419	605 Gembrook Road, Pakenham Upper VIC 3810	Construction of an outbuilding and associated earthworks	Issued	03 July 2017
9/10/2017	T170537	3 Caroline Crescent, Emerald VIC 3782	Earthworks	Withdrawn	15 August 2017
9/10/2017	T170598	Curran Drive, Officer VIC 3809	Business identification signage	Issued	04 September 2017
10/10/2017	T170015	3 Carawa Street, Cockatoo VIC 3781	Development of the land for a dwelling and construction of an outbuilding	Issued	21 January 2017
10/10/2017	T170260	205 Dickie Road, Officer VIC 3809	Use of the land for animal keeping (dogs)	NOD	11 May 2017
10/10/2017	T170486	5-7 Palm Court, Emerald VIC 3782	Development of the land for a single dwelling	Issued	26 July 2017
10/10/2017	T170568	13 Kookaburra Court, Gembrook VIC 3783	buildings and works associated with an outbuilding	Issued	22 August 2017

11/10/2017	T160541 - 1	Brisbanes Road, Cockatoo VIC 3781	Amend Condition 5 to read: Prior to certification of the plan of subdivision the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987, and make application to the Registrar of Titles to have the agreement registered on the title to the land under section 181 of the Act which provides that: • Lot 2 on the Plan of Subdivision must not be further subdivided into more than two lots. The owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 agreement.	Issued	15 August 2017
16/10/2017	T100758 - PC5	Majestic Drive, Officer Victoria 3809	Use and development of an education facility and associated advertising signage	Issued	08 September 2017
16/10/2017	T160752	64 Rix Road, Officer VIC 3809	The staged subdivision of the land in accordance with the submitted plans.	Issued	16 November 2016
16/10/2017	T170344 - PC1	32 McMullen Road, Officer VIC 3809	condition 1	Withdrawn	31 August 2017
16/10/2017	T170392	35 Bowman Road, Beaconsfield VIC 3807	Development of the land for a dwelling and removal of vegetation	Issued	23 June 2017
16/10/2017	T170635	76 Collie Road, Gembrook VIC 3783	Development of the land for an outbuilding (carport)	Issued	26 September 2017
17/10/2017	T170306	6 Clink Road, Pakenham Upper VIC 3810	Development of the land for a pergola and deck and associated vegetation removal	Issued	25 May 2017
17/10/2017	T170391	18 Boundary Road West, Emerald VIC 3782	The development of the land for alterations and additions to an existing dwelling	Issued	21 June 2017
18/10/2017	T170011 - PC2	224 Kenilworth Avenue, Beaconsfield VIC 3807	Condition 1- Removal of native vegetation in accordance with the endorsed plans.	Issued	15 September 2017

19/10/2017	T160846	2895 Gembrook-Launching Place Road, Gembrook VIC 3783	Earthworks for a new driveway and creation of access to a Road Zone Category 1 associated with existing sawmill/timber yard	Issued	20 March 2017
19/10/2017	T170569	348-351 Belgrave-Gembrook Road, Emerald VIC 3782	Subdivision of existing buildings into four (4) lots(boundary realignment)	Issued	21 August 2017
19/10/2017	T170613	CA244 Hein Road, Pakenham VIC 3810	Replacement of existing powerline	Withdrawn	13 September 2017
20/10/2017	T170036	69 Avon Road, Avonsleigh VIC 3782	Use and development of the land for animal keeping	NOD	30 January 2017
20/10/2017	T170274	680 Woori Yallock Road, Nangana VIC 3781	Use and Development of the land for a Dependent Persons Unit, construction of outbuildings and creation of access to a Road Zone Category 1	Issued	17 May 2017
20/10/2017	T170315	555 O`Neil Road, Beaconsfield VIC 3807	Building and works for the construction of an outbuilding (carport)	Issued	29 May 2017
20/10/2017	T170333	414 Brown Road, Officer VIC 3809	Building and works for the construction of an outbuilding	Issued	01 June 2017
20/10/2017	T170576	1580 Pakenham Road, Cockatoo VIC 3781	Earthworks associated with a horse arena	Issued	24 August 2017
23/10/2017	T160291 - PC2	68-72 Main Street, Gembrook VIC 3783	Amended plans to comply with Condition 1 of Planning Permit T160291	Issued	14 July 2017
23/10/2017	T160394 - PC3	114-120 Old Princes Highway, Beaconsfield VIC 3807	Use and development of the land for a service station and associated convenience shop, car wash and food and drink premises, display of business identification signage and creation of an access to a road in a Road Zone Category 1.	Issued	18 October 2017
23/10/2017	T160573 - PC1	Timbertop Boulevard, Officer VIC 3809	Condition 1- Subdivision of the land	Issued	25 September 2017
23/10/2017	T170046	2 May Road & 215 Princes Highway, Beaconsfield VIC 3807	Subdivision of land adjacent to a road in a Road Zone Category 1 and subdivision into two (2) lots and creation of a road reserve	Issued	01 February 2017

24/10/2017	T120349 - PC1	120 Cardinia Road, Officer Victoria 3809	Section 173 (private waste) Multi-dwelling development, associated access and vegetation removal, generally in accordance with the approved plans	Issued	04 May 2016
25/10/2017	T150760 - PC4	2973 Gembrook-Launching Place Road, Gembrook Victoria 3783	Condition 10 - Section 173 - Two (2) lot subdivision	Issued	10 July 2017
25/10/2017	T160146 - PC4	Officer South Road, Officer VIC 3809	PC PIP (Condition 7) - Subdivision of the land, associated works (including road-works within land affected by the Land Subject to Inundation Overlay) and creation of restrictions	Issued	21 October 2016
25/10/2017	T170011 - 1	224 Kenilworth Avenue, Beaconsfield VIC 3807	Removal of native vegetation in accordance with the endorsed plans.	Issued	25 October 2017
25/10/2017	T170011 - PC1	224 Kenilworth Avenue, Beaconsfield VIC 3807	Condition 2 - Removal of native vegetation in accordance with the endorsed plans.	Issued	14 September 2017
25/10/2017	T170075 - PC1	120 Old Gembrook Road, Pakenham Upper VIC 3810	Condition 1	Issued	12 September 2017
25/10/2017	T170536	1 Carawa Street, Cockatoo VIC 3781	Development of the land for a dwelling	Issued	15 August 2017
26/10/2017	T170361	74 Stoney Creek Road, Beaconsfield Upper VIC 3808	Use and development of the land for a dwelling, construction of an outbuilding and native vegetation removal	Issued	15 June 2017
26/10/2017	T170476	Shop 4/52-62 Old Princes Highway, Beaconsfield VIC 3807	Subdivision of land (subdividing existing lots 1 and 7 in to two lots each)	Issued	27 June 2017
26/10/2017	T170529	Berwick Grammar School, 80 Tivendale Road, Officer VIC 3809	Development of the land for a school sports hall (gymnasium) and associated works	Issued	25 August 2017

27/10/2017	T160286 - 1	40 Armytage Road, Officer VIC 3809	Amendment to Planning Permit T160286 to allow for a new outbuilding in place of the existing outbuilding shown to be extended; change the permit preamble to 'Development of the land for two (2) outbuildings and associated buildings and works'	Issued	02 May 2017
27/10/2017	T170513	155 Red Road, Gembrook VIC 3783	Development of the land for an outbuilding and associated earthworks	Issued	07 August 2017
27/10/2017	T170519	232 Split Rock Road, Beaconsfield Upper VIC 3808	Development of an agricultural building (Horse Shelter)	Issued	08 August 2017
27/10/2017	T170525	70 Boyd Road, Gembrook VIC 3783	Development of the land for an outbuilding (shed) and associated earthworks	Issued	09 August 2017
27/10/2017	T170559	371 Beaconsfield-Emerald Road, Guys Hill VIC 3807	Development of a shed for storage of personal vehicles	Issued	18 August 2017
27/10/2017	T170680	71 Marks Lane, Emerald VIC 3782	Extension and alterations to an existing dwelling (verandah)	Issued	18 October 2017
30/10/2017	T170541	3 Kookaburra Court, Gembrook VIC 3783	Development of the land for a dwelling	Issued	15 August 2017
31/10/2017	T170530	5 Carawa Street, Cockatoo VIC 3781	The development of a single dwelling together with associated earthworks and vegetation removal.	Issued	13 August 2017
31/10/2017	T170547	Brown Road, Pakenham VIC 3810	Development of the land for a dwelling, and an outbuilding (shed)	Issued	15 August 2017
31/10/2017	T170596	105 Blue Ridge Road, Dewhurst VIC 3808	Construction of two (2) outbuildings	Issued	03 September 2017
31/10/2017	T170624	21 Eastbourne Crescent, Officer VIC 3809	Construction of a double story dwelling on vacant land	Issued	20 September 2017
1/11/2017	T170244	45 Mount Shamrock Road, Pakenham VIC 3810	The use of the land for intensive animal husbandry and buildings and works for the construction of horse shelters	Issued	03 May 2017

2/11/2017	T150708 - 1	13 Avon Road, Avonsleigh VIC 3782	Amend wall cladding from Colourbond 'Cottage Green' to 'Manor Red' in keeping with cladding colours on existing shed in adjacent location on same property Amend water tank colour from Colourbond 'Cottage Green' to 'Pale Eucalyptus' in keeping with existing tanks in similar location on same property	Issued	20 August 2017
2/11/2017	T160698	4 Blackwood Lane, Gembrook VIC 3783	Boundary realignment and variation of a restriction on title (Amend location of building envelope)	Issued	12 October 2016
2/11/2017	T170403	198 & 204 Kenilworth Avenue, Beaconsfield VIC 3807	Boundary re-alignment	Withdrawn	27 June 2017
2/11/2017	T170646	50 Majestic Drive, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	13 October 2017
2/11/2017	T170704	12-14 Old Princes Highway, Beaconsfield VIC 3807	Duplicate of T170703 Application for a planning permit for the sale and consumption of liquor (Cafe and Restaurant Licence) associated with a Restaurant, partial demolition and associated buildings and works and a waiver of the statutory requirement for car parking of Clause 52.06	Withdrawn	02 November 2017
2/11/2017	T170705	12-14 Old Princes Highway, Beaconsfield VIC 3807	Duplicate of T170703 - Application for a planning permit for the sale and consumption of liquor (Cafe and Restaurant Licence) associated with a Restaurant, partial demolition and associated buildings and works and a waiver of the statutory requirement for car parking of Clause 52.06	Withdrawn	02 November 2017

2/11/2017	T170706	12-14 Old Princes Highway, Beaconsfield VIC 3807	Application for a planning permit for the sale and consumption of liquor (Cafe and Restaurant Licence) associated with a Restaurant, partial demolition and associated buildings and works and a waiver of the statutory requirement for car parking of Clause 52.06	Withdrawn	02 November 2017
3/11/2017	T050071 - 1	3 Silvan Court, Emerald Victoria 3782	Amend the planning permit pursuant Section 72 of the Planning Environment Act 1987 in following manner: The permit preamble is to change from: 'To use and develop the land for the purpose of constructing a second dwelling to be used as a manager's residence' To: 'The development of a second dwelling'	Issued	16 September 2016
3/11/2017	T150821 - PC3	105 Mary Street, Officer VIC 3809	Plans to Comply - Condition 3 & 4 - Landscape Plans - The development of thirty-eight (38) dwellings and associated works generally in accordance with the endorsed plans	Issued	24 February 2017
3/11/2017	T160868 - PC2	Curran Drive, Officer VIC 3809	Use and Development of the land for a Child Care Centre	Issued	29 August 2017
3/11/2017	T170141	63 Foott Road, Beaconsfield Upper VIC 3808	Alterations and additions to an existing dwelling and associated earthworks	Issued	09 March 2017

3/11/2017	T170709	McBride Street, Cockatoo VIC 3781	See T170708 In accordance with the Pulling Billy Railway Master Plan 2017, the Emerald Tourist Railway Board (ETRB) is seeking to re-establish the Cockatoo Railway Station buildings as per their 1924 layout and appearance in a form which maintains the 1920s "era of significance" for the railway. This development would occur on the existing Cockatoo Station platform. The development would include the reinstatement of the original heritage style diamond fencing and be landscaped with appropriate plants and gardens.	Withdrawn	03 November 2017
6/11/2017	T170436	2 Innes Road, Gembrook VIC 3783	Development of a single dwelling on a lot	Issued	10 July 2017
6/11/2017	T170676	39 Eastbourne Crescent, Officer VIC 3809	Buildings and works (dwelling) within the Significant Landscape Overlay – Schedule 6	Issued	14 October 2017
8/11/2017	T150083 - PC4	285 Princes Highway, Officer Victoria 3809	Section 173 - The development of the land for twelve (12) dwellings and the subdivision of the land into seventeen (17) allotments	Withdrawn	25 October 2017
8/11/2017	T170187	32-34 St Georges Road, Beaconsfield Upper VIC 3808	Subdivision of the land into three (3) lots and the removal of vegetation	Issued	31 March 2017
8/11/2017	T170562	19 Sydney Avenue, Emerald VIC 3782	Development of the land for a dwelling extension (deck)	Issued	17 August 2017
8/11/2017	T170602	4 Sunnyside Terrace, Emerald VIC 3782	Construction of an outbuilding	Issued	08 September 2017
9/11/2017	T170106 - PC1	7-9 Haupt Place, Beaconsfield Upper VIC 3808	Vegetation Removal	Issued	02 October 2017

10/11/2017	T150083 - PC5	285 Princes Highway, Officer Victoria 3809	Section 173 Agreement - The development of the land for twelve (12) dwellings and the subdivision of the land into seventeen (17) allotments	Withdrawn	09 November 2017
10/11/2017	T170254 - PC1	94 Beaconsfield-Emerald Road, Emerald VIC 3782	Condition 1 - The development of the land for an outbuilding, carport and removal of one tree (within 100 metres from Road Zone Category 1, within 100 metres of a dwelling not in the same ownership)	Issued	09 October 2017
10/11/2017	T170373	63-65 McMullen Road, Officer VIC 3809	The subdivision of the land into two lots in accordance with the submitted plans	Issued	13 June 2017
14/11/2017	T160394 - PC2	114-120 Old Princes Highway, Beaconsfield VIC 3807	Section 173 Agreement - Use and development of the land for a service station and associated convenience shop, car wash and food and drink premises, display of business identification signage and creation of an access to a road in a Road Zone Category 1.	Issued	18 October 2017
14/11/2017	T160590 - PC2	101 Mount Burnett Road, Mount Burnett VIC 3781	Section 173 Agreement	Issued	12 October 2017
14/11/2017	T160605 - PC1	19 Station Road, Gembrook VIC 3783	Three (3) lot subdivision	Issued	12 October 2017
15/11/2017	T140500 - PC1	155 Peck Road, Officer Victoria 3809	Subdivision of land, removal of native vegetation and associated works (including road-works) on land affected by the Land Subject to Inundation Overlay	Issued	09 June 2016
15/11/2017	T140500 - PC2	155 Peck Road, Officer Victoria 3809	Section 173 Agreement - Subdivision of land, removal of native vegetation and associated works (including road-works) on land affected by the Land Subject to Inundation Overlay	Issued	22 May 2017

15/11/2017	T170518	198 Toomuc Valley Road, Pakenham VIC 3810	The development of the land for a carport and dwelling extension (verandah)	Issued	08 August 2017
15/11/2017	T170747	17 Melville Road, Officer VIC 3809	Development of the land for a dwelling on a lot under 300m - no permit required	Withdrawn	13 November 2017
15/11/2017	T170748	21 Melville Road, Officer VIC 3809	Development of the land for a dwelling on a lot under 300m ²	Withdrawn	13 November 2017
17/11/2017	T170379	18 Morris Road, Beaconsfield Upper VIC 3808	Development of the land for a dwelling, outbuilding and associated earthworks	Issued	16 June 2017
17/11/2017	T170493	1 Cremin Drive, Pakenham VIC 3810	Development of the land for a dwelling	Issued	28 July 2017
17/11/2017	T170588	335 Evans Road, Cockatoo VIC 3781	Buildings and works for a proposed extension to existing dwelling.	Issued	30 August 2017

**6 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATION
AUTHORITY**

Moved Cr J Owen Seconded Cr C Ryan

That the report be noted.

Cd.

Meeting closed atpm

Minutes Confirmed
Chairman