



Cardinia

MINUTES OF TOWN PLANNING COMMITTEE

MONDAY, 4 JUNE 2018

MINUTES OF TOWN PLANNING COMMITTEE

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 4 June 2018

The meeting commenced at 7.00pm

PRESENT:

Mayor, Collin Ross, Chairman

Councillors Michael Schilling, Carol Ryan, Jodie Owen, Ray Brown, Brett Owen

Messrs Andrew Paxton (GMPD), Doug Evans (MG)

APOLOGIES:

Crs Jeff Springfield, Leticia Wilmot, Graeme Moore

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

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1 EXTENSION OF AN EXISTING CHILDCARE CENTRE AND CAR PARKING REDUCTION 1-2 STATION STREET LANG LANG

FILE REFERENCE INT1835063

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Melanie Wright

RECOMMENDATION

That a Notice of Decision to Grant Planning Permit T010679 -1 be issued to amend the existing Planning Permit for the use and development of the land for an extension to a childcare centre at 1-2 Station Street, Lang Lang subject to the conditions attached to this report.

Attachments

- | | | |
|---|--|---------|
| 1 | Locality map | 1 Page |
| 2 | Development plans | 7 Pages |
| 3 | Copy of objection circulated to councillors only | 1 Page |

EXECUTIVE SUMMARY:

APPLICATION NO.:	T010679-1
APPLICANT:	ModDesign Studio
LAND:	1-2 Station Street, Lang Lang
PROPOSAL:	The application is to amend the planning permit under Section 72 of the Planning and Environment Act by extending the premises, increase in the number of children and the alteration of hours of use. A car parking reduction is also required/
ORIGINAL PERRMIT:	The use and development of the land of a Childcare Centre (15 additional children) generally in accordance with the approved plan.
PLANNING CONTROLS:	Neighbourhood Residential Zone (NRZ)
NOTIFICATION & OBJECTIONS:	Notice of the application was given by way of sending notices to adjoining and near-by land owners/occupiers and by placing a sign on site To date Council has received one objection
KEY PLANNING CONSIDERATIONS:	Car parking
RECOMMENDATION:	Approval

BACKGROUND:

Planning permit T960534A was issued 20 November 1996 for the extension and use of the existing building for the purpose of a Child Minding Centre (35 children).

Planning Permit T010679 was issued 2 January 2002 for the use and development of the land for an extension to a childcare centre (additional 15 children).

SUBJECT SITE:

The site is located on the south-west side of Station Street Lang Lang. The site currently contains the childcare centre, associated car parking and a single dwelling at the combined addresses of 1-3 Station Street.

The lot containing the existing childcare is located at 1 Station Street, it includes five (5) car parking spaces on the land, along the southern boundary that are accessed from the laneway which runs from Station Street through to Cambridge Street. The lot containing a single residence is at No.3 Station Street, this is accessed via a crossover located long the common boundary of the two lots.

The sites are mostly flat and have some established vegetation along the front boundary and southern boundary.

The main characteristics of the surrounding area are:

- East - 1-7 Oxford Street, Lang Lang occupied by a manufacturing and warehouse business
- South - 35, 35a and 39 Westernport Road includes multiple retail and premises facing Westernport Road and a Council car park
- West - 6 Cambridge St occupied by a single storey residential dwelling with POS and outbuildings to the rear of the site adjoining the common boundary with the subject land.
- North - 5 Station Street occupied by two recently constructed dwellings

PROPOSAL:

Approval is sought to amend an existing permit for the childcare centre at 1-3 Station Street, Lang Lang.

The application seeks to extend the existing childcare centre by demolishing the existing dwelling on No. 3 Station Street, increasing the floor area to allow for additional children on site. This extension to the building and increase in the number of children will result in a requirement for a reduction in the statutory car parking rate.

It is proposed that:

- the floor area of the childcare centre is to be extended from 302.9sqm to 537sqm.
- the total children on the site will increase from the current 50 children to 88 children.
- the hours of operation will increase from Monday to Friday - 7am to 6pm to Monday to Friday - 6am to 7pm. (It is noted that the current permit allows for 7am to 7pm, it is proposed to commence an hour earlier)

PLANNING SCHEME PROVISIONS:

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 11.02-3 Planning for growth areas

- 11.06-4 Place and Identity
- 11.06-5 Neighbourhoods
- 15.01-2 Urban design principles
- 15.01-4 Design and safety
- 15.01-5 Cultural identity and neighbourhood character
- 18.02-5 Car parking

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- 21.04-1 Employment
- 21.05-6 Community services and facilities
- 21.06-1 Design and built form
- 21.07-4 Lang Lang

Cardinia Shire's Liveability Plan 2017-2029

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

- Improved Social Cohesion
- Improved safety
- Reduce obesity
- Reduce financial vulnerability

Zone

The land is subject to the Neighbourhood Residential Zone

Overlays

The land is not subject to any overlays.

Particular Provisions:

- Clause 52.06 – Car parking
- Clause 65 – Decision Guidelines
- Lang Lang Township Strategy

PLANNING PERMIT TRIGGERS

The proposal for an amendment to the existing childcare centre which includes an increase in floor area, increase in number of children and a reduction in the car parking rate requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.09-8 (NRZ) a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2
- Pursuant to Clause 52.06-3 (Car Parking) a planning permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5

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 a sign on site

The notification has been carried out correctly, and Council has received 1 objection at the time of writing the report.

The key issue that was raised in the objection is:

- Parking

REFERRALS

No external referrals required

DISCUSSION

State & Local Policy Framework

A number of state and local policies are relevant to this application, such as Clause 21.07-4 (Lang Lang), Clause 17.01 (Commercial) and Clause 21.06-1 (Design and built form), which aim to encourage commercial diversity, promote a high standard of design and achieve attractive, diverse, sustainable and liveable townships.

At a local level, Clause 21.04-1 (Employment) and Clause 21.05-6 (Community services and facilities) of the Local Policy Planning Framework is also relevant to this application. This includes objectives and strategies to help deliver a range of social services types to residential areas, while being consistent with the existing and/or preferred neighbourhood character.

Clauses 15.01-4 (Design and safety) and 11.04-4 (Liveable communities and neighbourhoods) are also relevant to this application. These clauses aim to prevent inappropriate development and to provide job diversity close to residential areas.

The proposed development responds to these clauses and will support the increase of housing close to the town centre of Lang Lang and contribute towards a diversity of jobs, while respecting the character of the area.

The proposed amendments to the existing child care centre is consistent with the aim and objectives of the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement. The provision of community infrastructure, particularly for children within this developing area is vital for a growing community and is consistent with the strategic direction of the area.

Neighbourhood Residential Zone

The existing child care centre adjoining the Lang Lang town centre it is located in an established residential area. The child care centre has been in operation since 1997 and occupies an original Masonic Lodge. The building was extended under the existing permit, issued in January 2002.

The proposal maintains a single storey built form and will maintain a generous setbacks from all boundaries. The design, height and setbacks of the proposed building respect the single storey built form of the area. The development is not considered to be over development the site as it allows for generous landscaping around the extended building.

The extension to the building is unlikely to cause unreasonable amenity impacts as it is modest in scale with no second storey elements and reasonable setbacks to adjoining residential lots. The urban design of the building incorporates contemporary design by retaining the heritage features of the existing building to provide high quality architectural response.

The proposal will service the local communities need for child care and is considered to be of a scale and intensity that is appropriate for the area. The site is located within walking distance to the Lang Lang Town Centre and the main residential area of Lang Lang.

The site is located on Station Street, a street that intersects with Westernport Road and as such is capable of accommodating the increased traffic generation. The proposal includes the construction of on street car spaces along Station Street and will maintain pedestrian access to the centre from the public footpath to ensure a safe route into the building.

It is proposed to increase the number of children by 38 children, resulting in the total number of children on the site being 88, which will be distributed across 4 rooms. The extension will allow for a kinder room to accommodate 33 children. The increase in children is considered an appropriate number having consideration for the growing population in Lang Lang and Cardinia and the need for greater community services in the area such as early education centres. The extension to the centre and increased number is considered to benefit the local community benefit and allow for residents to access locally available early education services.

Proposed changes to the hours of operation will be amended from 7am to 7pm on weekdays to 6am to 7pm weekdays. The additional hour in the morning is considered minor in nature and will allow for the centre to cater of the needs of the community and varying work hours of local families. This hour increase is not anticipated to cause unreasonable amenity impact to the adjoining neighbours.

On balance, the proposal is consistent with the objectives of the Neighbourhood Residential Zone and will not unreasonably impact the amenity of the adjoining neighbours.

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5 the number of car parking spaces required for the proposal is 0.22 spaces per child.

The proposed child care centre is to accommodate 88 children; therefore, the overall use generates a requirement for 19 car parking spaces.

Existing rate (permit): 50 children = 11 spaces required, 5 spaces were provided on site and the approval allowed a reduction of 6 spaces

Proposed Rate: 38 extra Children = 8 spaces required

Overall Total: 50+38 children = 88 children. 88 children x 0.22 car parking rate = 19 spaces required overall

There are five (5) spaces located on the site currently and the applicant seeks to construct an additional two (2) spaces. This will result in seven (7) spaces on site, out of the 19 required. It is proposed to waiver 12 spaces. Six (6) spaces have already been waived with the Existing Planning Permit, this Planning Permit proposes to waiver addition six (6) spaces.

The applicant has also proposed to construct four (4) additional on street car parking spaces, while this will contribute to the overall car parking issues in Station Street they cannot be included in the reduction of the car parking rate.

In considering a parking reduction, Council must consider the availability of alternative parking in the locality, availability of public transport, impact on adjoining uses, previous uses and impact on the local traffic management of the area.

The traffic report provides and assessment for reducing the car parking requirement.

Four locations with a total car parking capacity of 85 were surveyed at different times across one day observed the following:

- Car parking within the Assessment Area is never more than 50% utilized throughout the day.
- Car parking considered directly linked to the Child Care Centre between 9am & 5pm is never above 50%.
- At peak drop-off (morning) and pick-up (afternoon) for the child care centre the car parking bays in the immediate area never exceed 50% capacity
- Parking along Westernport Road never exceed 50% capacity though out the day

The application was referred to Council's Traffic Engineering Department, who expressed concerns in relation to the potential overflow of car parking from the future businesses in the area. However, the traffic assessment as detailed above, provides evidence that there are sufficient car parking spaces available during business hours to cover the shortfall of 6 (six) spaces in the Lang Lang Town Centre.

Clause 65 Decision Guidelines

The proposed development is consistent with the SPPF and LPPF, the purpose of the zone and is consistent with the orderly planning of the area. Furthermore, the proposal will have limited impact on the amenity of surrounding area.

Objector response:

Traffic: Although the proposal does not comply with the statutory requirement the use will utilise existing car parking and will construct additional car parking on site and on the street. It is considered the car parking reduction can be accommodated in the site and context and will allow for the much need expansion of the service.

CONCLUSION

It is considered that the application is consistent with the requirements of the Cardinia Planning Scheme and it is recommended that an Amendment to the Planning Permit for the use and development of the land for an extension to a childcare centre at 1-2 Station Street, Lang Lang be approved subject to the conditions outlined below

Amendment will entail:

Permit:

- Permit preamble amended and error corrected

Original:

Te use and development of the land of a Childcare Centre (15 additional children) generally in accordance

Amended:

The use and development of the land for a childcare centre and car parking reduction generally in accordance with the approved plans

- New permit conditions (Condition 4,5,8,9,11,12,13,14,15&16)
- Permit conditions renumbered
- Permit conditions amended
 1. Condition 1 (formally Condition 2) to include:
 - (a) Proposed floor plan shown in relation to title boundary
 - (b) Plan of the amended seven (7) onsite car parking spaces to include 1 disabled car space dimensioned
 - (c) Crossover to No.3 deleted from site plan
 2. Condition 9 (formally Condition 6)- Number of children must not exceed 88
 3. Condition 10(formally Condition 7)- Hours of use amended
 4. Condition 21 (formally Condition 11)- Expiry updated
- Condition deleted (former condition 9)

Plans:

- Existing child care centre extended
- Cross over to No.3 to be removed
- Changes to configuration of onsite car parking configuration and addition 2 spaces including one disabled space

CONDITIONS

1. Prior to the development commencing, plans and specifications must be submitted to and approved by the responsible authority showing:
 - (a) Full construction plans including a sealed surface with underground drainage for the car parking areas to the front and side of the property. The footpath to the front of the site will need to be relocated to the satisfaction of the responsible authority.
 - (b) Proposed floor plan shown in relation to title boundary
 - (c) Plan of the amended seven (7) onsite car parking spaces to include 1 disabled car space dimensioned
 - (d) Crossover to No.3 deleted from site plan

2. The layout of the site and the size of the proposed buildings and works, as shown on the approved plan/s, must not be altered or modified without the consent in writing of the responsible authority.
3. The use must not be commenced until:
 - (a) The premises are connected to a reticulated sewerage system of a sewerage authority;
 - (b) Drainage of the extension has been provided in accordance with standards to the satisfaction of the responsible authority;
 - (c) The areas set aside on the approved plans for access and car parks have been constructed, sealed, drained and delineated to the satisfaction of the responsible authority. The area must be maintained in accordance with these requirements once constructed.
4. Before the development commences, Lot 214 and Lot 215 of LP3250 must be consolidated into one lot under the *Subdivision Act 1988* as evidenced by the certification of a plan by the Responsible Authority and the registration of such a plan by the Registrar of Titles. A copy of the title must be presented to the building surveyor as evidence.
5. The operation of the childcare centre must at all times comply with the requirements of the Children Services Regulations 2009.
6. No more than 88 children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
7. The use may only operate between the hours of 6:00am and 7.00pm Monday to Friday without the further written consent of the Responsible Authority.
8. Four (4) on-street parking bays are to be constructed before the increase in use commences to the satisfaction of the responsible authority.
9. Disabled car parking must be provided in accordance with AS2890.6
10. Stormwater must only be discharged from the site by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain.
11. Prior to the commencement of the proposed use the proposed on-street parking spaces must be constructed in accordance with plans and specifications submitted to and approved by the Responsible Authority
12. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.
13. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

14. Before the development is occupied any redundant existing vehicle crossing must be removed and the nature strip and *kerb and channel* reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
15. 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.
16. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
17. All waste generated by the use of the land will be managed in accordance with the waste management plan for the land approved by the Responsible Authority;
18. The loading and unloading of vehicles must always be carried on entirely within the site and must not interfere with other traffic.
19. No nuisance or annoyance shall be caused by the operation of the use to persons beyond the site.
20. The exterior colour and cladding of the extension 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.
21. This permit will expire if:
 - a. the development is not commenced within two (2) years of the date of this permit; or
 - b. the development is not completed within four (4) years of the date of this 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.

Notes:

- A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health & Wellbeing, Food or Tobacco Acts.

1 EXTENSION OF AN EXISTING CHILDCARE CENTRE AND CAR PARKING REDUCTION 1-2 STATION STREET LANG LANG

Moved Cr R Brown Seconded Cr M Schilling

That a Notice of Decision to Grant Planning Permit T010679 -1 be issued to amend the existing Planning Permit for the use and development of the land for an extension to a childcare centre at 1-2 Station Street, Lang Lang subject to the following conditions:

1. Prior to the development commencing, plans and specifications must be submitted to and approved by the responsible authority showing:
 - (a) Full construction plans including a sealed surface with underground drainage for the car parking areas to the front and side of the property. The footpath to the front of the site will need to be relocated to the satisfaction of the responsible authority.
 - (b) Proposed floor plan shown in relation to title boundary
 - (c) Plan of the amended seven (7) onsite car parking spaces to include 1 disabled car space dimensioned
 - (d) Crossover to No.3 deleted from site plan
2. The layout of the site and the size of the proposed buildings and works, as shown on the approved plan/s, must not be altered or modified without the consent in writing of the responsible authority.
3. The use must not be commenced until:
 - (a) The premises are connected to a reticulated sewerage system of a sewerage authority;
 - (b) Drainage of the extension has been provided in accordance with standards to the satisfaction of the responsible authority;
 - (c) The areas set aside on the approved plans for access and car parks have been constructed, sealed, drained and delineated to the satisfaction of the responsible authority. The area must be maintained in accordance with these requirements once constructed.
4. Before the development commences, Lot 214 and Lot 215 of LP3250 must be consolidated into one lot under the *Subdivision Act 1988* as evidenced by the certification of a plan by the Responsible Authority and the registration of such a plan by the Registrar of Titles. A copy of the title must be presented to the building surveyor as evidence.
5. The operation of the childcare centre must at all times comply with the requirements of the Children Services Regulations 2009.
6. No more than 88 children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
7. The use may only operate between the hours of 6:00am and 7.00pm Monday to Friday without the further written consent of the Responsible Authority.
8. Four (4) on-street parking bays are to be constructed before the increase in use commences to

the satisfaction of the responsible authority.

9. Disabled car parking must be provided in accordance with AS2890.6
10. Stormwater must only be discharged from the site by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain.
11. Prior to the commencement of the proposed use the proposed on-street parking spaces must be constructed in accordance with plans and specifications submitted to and approved by the Responsible Authority
12. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.
13. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
14. Before the development is occupied any redundant existing vehicle crossing must be removed and the nature strip and *kerb and channel* reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
15. 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.
16. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
17. All waste generated by the use of the land will be managed in accordance with the waste management plan for the land approved by the Responsible Authority;
18. The loading and unloading of vehicles must always be carried on entirely within the site and must not interfere with other traffic.
19. No nuisance or annoyance shall be caused by the operation of the use to persons beyond the site.
20. The exterior colour and cladding of the extension 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.
21. This permit will expire if:
 - a. the development is not commenced within two (2) years of the date of this permit; or
 - b. the development is not completed within four (4) years of the date of this 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.

Notes:

- A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health & Wellbeing, Food or Tobacco Acts.

Cd.

2 CONSTRUCTION OF 19 WAREHOUSES, REDUCTION OF CAR PARKING SPACES AND SIGNAGE, LOT 37 PS549308, COMMERCIAL DRIVE, PAKENHAM

FILE REFERENCE INT1835094

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Jason Gilbert

RECOMMENDATION

That Planning Permit T170799 be issued for Construction of nineteen (19) warehouses and associated buildings and works; Reduction of the number of car parking spaces required under Clause 52.06; Display of a business identification panel sign at Commercial Drive, Pakenham subject to the conditions attached to this report.

Attachments

- 1 Locality map 1 Page
- 2 Development plans 7 Pages

EXECUTIVE SUMMARY:

APPLICATION NO.:	T170799
APPLICANT:	Mr Matthew Wilson
LAND:	Commercial Drive, Pakenham VIC 3810
PROPOSAL:	Construction of nineteen (19) warehouses and associated buildings and works; Reduction of the number of car parking spaces required under Clause 52.06; Display of a business identification panel sign
PLANNING CONTROLS:	Industrial 1 Zone (IN1Z)
NOTIFICATION & OBJECTIONS:	The proposed buildings and works and car parking reduction are exempt from notice requirements. The proposed advertising sign was not advertised as it was considered that it would not result in material detriment.
KEY PLANNING CONSIDERATIONS:	Built form, car parking and traffic impacts
RECOMMENDATION:	Approval

BACKGROUND:

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

SUBJECT SITE:

The 1.002-hectare corner site is generally of a square shape and located on the southern side of Commercial Drive and the western side of Export Drive, with frontages of approximately 84.03 metres and 94.59 metres respectively, with a corner splay of 13.73 metres.

The site is cleared and vacant, with no existing fencing and no significant vegetation. Two small trees are present on the site. The topography of the land is generally flat, with the supplied feature survey showing levels of between approximately 21.71 metres and 22.30 metres above AHD.

A 20.12-metre-wide gas supply easement partially extends through the north-east corner of the site and a 2m x 1m electricity reserve is located to the north-west corner of the site.

A covenant (AK832247Q) was registered on the land title on 9 January 2014. The covenant has a number of requirements in relation to the use, development and subdivision of land within the SouthEast Business Park. It also requires plans to be approved by SouthEast Business Park Pty Ltd prior to any development.

The main characteristics of the surrounding area are:

- The site is bounded by Commercial Drive to the north, Export Drive to the east and Lot DD to the south and west, which has an area of approximately 118 hectares and is mostly undeveloped.
- The site forms part of the SouthEast Business Park, which is an approximate 165-hectare master-planned industrial and commercial estate located to the south-east of the commercial centre of Pakenham.
- Of the developed areas of the SouthEast Business Park, most consist of warehouses that are used for light industrial or automotive-related purposes.

PROPOSAL:

The proposal is for the construction of nineteen (19) warehouses and associated buildings and works, as well as a reduction of the number of car parking spaces and the display of a business identification panel sign.

Warehouses

The nineteen warehouses are arranged in three groups:

- The first group comprises warehouses 1 to 10 and is located to the south of the site, with a setback of 3.008 metres from the eastern boundary. The warehouses will be constructed along the east-west axis, with warehouses 1 to 5 on the south side and warehouses 6 to 10 on the north side.

All 10 warehouses feature ground floor warehouse areas of between 105 square metres and 117 square metres, plus first floor mezzanine levels ranging between 75 square metres and 82 square metres. Each warehouse is provided with a 4m x 3m waste disposal area, 5m by 7.6m loading bay, and toilet and kitchen facilities.

The warehouses are accessed via internal driveways and roads, with no warehouse having direct frontage or access to Export Drive to the east. Each warehouse includes a personal access door, roller access door, and 1 internal bicycle space.

The warehouses incorporate a modern design, with the front facades featuring a range of materials and elements, including aluminium framed glazing, Colorbond glazing, alucobond cladding and painted vertical concrete panels. The warehouses have a maximum height of 8.450 metres above ground level and finished floor level of 22.30 metres above AHD.

The glazing of the front façades of the warehouses partially wraps around to the Export Drive facade. This street frontage will also feature painted concrete fin panels, painted concrete panels and aluminium-framed glazing. The western façade will consist of vertical precast concrete panels.

- The second group comprises warehouses 11 to 13 and is located to the north-east section of the site. The warehouses will be constructed along the east-west axis and include both front and rear access and a main frontage facing Commercial Drive. The warehouses will be setback a minimum of 3.008 metres from the eastern boundary and a minimum of 16.337 metres from the northern boundary.

The three warehouses feature ground floor warehouse areas of 384 square metres, ground floor 'display area' of 120 square metres, and 120 square metres of mezzanine floor area. Each warehouse is provided with a 4m x 3m waste disposal area, 5m by 7.6m loading bay, and toilet and kitchen facilities.

The warehouses are accessed via internal driveways and roads, with no warehouse having direct frontage or access to Export Drive to the east or Commercial Drive to the north. Each warehouse includes 1 internal bicycle space, personal access doors on both the north and south elevations and roller access doors on the southern elevation.

The warehouses incorporate a modern design, with the front facades facing Commercial Drive and featuring a range of materials and elements, including aluminium framed glazing, Colorbond glazing, alucobond cladding and painted vertical concrete panels. The warehouses have a maximum height of 9.2 metres above ground level and finished floor level of 22.30 metres above AHD.

The glazing of the front façade will partially wrap around to the Export Drive elevation on the east and the elevation to the west, which will also include painted concrete panels, and in the case of the Export Drive façade, painted concrete fin panels. The southern elevation consists of vertical precast concrete panels and powdercoated roller shutter doors.

- The third group comprises warehouses 14 to 19, which will be built along most of the western boundary of the site, with a minimum setback of 4.496 metres from the northern boundary and 3.5 metres from the southern boundary.

Warehouse 14 has frontage to both Commercial Drive and the internal driveway and will have a ground floor warehouse area of 533 square metres, ground floor 'display area' of 120 square metres and a mezzanine level of 120 square metres. The remaining warehouses have ground floor warehouse areas of approximately 161 square metres to 188 square metres, and mezzanine levels of between 100 square metres to 127 square metres.

Each warehouse is provided with a 4m x 3m waste disposal area, 5m by 7.6m loading bay, and toilet and kitchen facilities.

The warehouses are accessed via internal driveways and roads, with no warehouse having direct vehicle access to Commercial Drive to the north. Each warehouse includes a personal access door, roller access door, and 1 internal bicycle space.

The warehouses incorporate a modern design, with the eastern façade facing the internal driving and featuring a range of materials and elements, including aluminium framed glazing, Colorbond glazing, alucobond cladding and painted vertical concrete panels. The warehouses have a maximum height of 8.45 metres above ground level and finished floor level of 22.30 metres above AHD.

The materials and design of the eastern façade will also continue around to the Commercial Drive façade on the north, which will also include wood cladding and painted concrete fin panels. The western and southern façades will consist of precast concrete panels.

Intended uses

According to the applicant, the warehouses have no defined end users or tenants.

Car Parking, Bicycle Facilities and Access

All warehouses will be accessed via shared internal concrete-paved driveways, with three 6m-7m wide crossings provided along the eastern boundary to Export Drive, and one 7.5m wide crossing provided on the northern boundary to Commercial Drive.

A total of 76 car parking spaces are provided within the development, which includes 26 spaces along the southern boundary and 20 spaces within the front setback of warehouses 11 to 13.

All accessways, driveways and car parking spaces will be of concrete construction.

Earthworks and vegetation removal

A minor amount of earthworks is required. The site has levels of between approximately 21.71 metres and 22.30 metres above AHD, while the warehouses will have finished floor levels of 22.3 metres.

No significant vegetation is present on site but the plans show the removal of six street trees.

Fencing

The proposal includes the construction of 2.1 metre high powdercoated fencing with black metal pickets along the northern and eastern perimeter of the site, and 1.8 metre high black chainwire fencing along the southern boundary.

Signage

The application proposes a double-sided sign, which is to be located within the front landscaping strip along the Commercial Drive. The sign measures 9.2m in height by 2.5m in width, resulting in an advertising area of approximately 23 square metres.

Subdivision

No subdivision is proposed as part of this application.

Landscaping

The proposal includes minimum 3 metre wide landscaped areas with the front setbacks of the development.

Other

The plans show the provision of a single 5,000-litre above ground water tank on the southern side of warehouse 19, which will be used for toilet reflush of this warehouse.

PLANNING SCHEME PROVISIONS:

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 11.06-1 Jobs and investment;
- 15.01 Urban environment;
- 15.02 Sustainable development;
- 17.02 Industry; and
- 18.02-5 Car parking.

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- 21.04-1 Employment;
- 21.04-4 Industry;
- 21.05-3 Local roads; and
- 21.06-1 Design and built form.

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Cardinia Design Guidelines for Industrial Development;
- Clause 52.05 Advertising Signs;
- Clause 52.06 Car Parking;
- Clause 52.29 Land Adjacent to a Road Zone Category 1;
- Clause 52.34 Bicycle Facilities;
- Clause 65 Decision Guidelines; and
- Clause 66 Referral and Notice Provisions.

Cardinia Shire's Liveability Plan 2017-2029

Cardinia Shire's Liveability Plan has been developed to provide a clear framework for public health planning within the Shire, and it has a number of goals and actions relating to policy domains that include active travel, education, employment and housing. The application is considered consistent with this Plan as it facilitates investment in the local economy and creates the potential for new job opportunities.

Zone

The land is subject to the Industrial 1 Zone (IN1Z).

Overlays

The land is not subject to any overlays.

PLANNING PERMIT TRIGGERS

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

- Pursuant to Clause 33.01-4 of the Industrial 1 Zone, a permit is required to construct a building or carry out works;
- Pursuant to Clause 52.06-3, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5; and
- Pursuant to Clause 52.05-8, a permit is required for the display of a panel sign.

PUBLIC NOTIFICATION

The proposed buildings and works and car parking reduction are exempt from notice requirements for the following reasons:

- Pursuant to Clause 33.04-4 of the Industrial 1 Zone, an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the *Planning and Environment Act 1987*.
- Pursuant to Clause 52.06-4, an application under Clause 52.06-3 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), if:
 - The application is only for a permit under Clause 52.06-3; or
 - The application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d).

The proposed advertising sign was not advertised as it was considered that it would not result in material detriment to any person for the following reasons:

- The sign is proportionate to the size of the site and the proposed building; and
- The sign is consistent with the industrial character of the area.

REFERRALS

APA

The application was referred to APA Group and APA VTS for comment. APA Group had no objection and requested no conditions, while APA VTS has no objection subject to conditions.

DISCUSSION

The proposal for the construction of nineteen (19) warehouses and associated buildings and works, a reduction of the number of car parking spaces required under Clause 52.06 and the display of a business identification panel sign is consistent with the relevant aims and objectives of the Cardinia Planning Scheme.

State and Local policies

A number of state and local policies are relevant to this application, including clauses 15.01 (Urban environment) and 21.06-1 (Design and built form), which require development to respond to its context in terms of urban character and surrounding landscape. The proposal is responsive to the surrounding industrial area and is expected to make a positive contribution due to the use of appropriate landscaping, design features, and built form.

Clauses 11.06-1 (Delivering jobs and investment) and 17.02 (Industry) of the SPPF seeks to ensure availability of land for industry and to facilitate the sustainable development and operation of industry and research and development activity. The development is consistent with the industrial nature of the area and should not have any impact on surrounding land uses.

The proposal also responds to clauses 21.04-1 (Employment) and 21.04-4 (Industry) of the LPPF as it will help to create employment opportunities within the Shire and deliver an appropriate streetscape character and working environment.

Industrial 1 Zone

This zone aims to provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities. The relevant decision guidelines cover a range matters such as streetscape character, built form, landscape treatment, interface with non-industrial areas, parking and site access.

While the streetscape character of the area is still evolving, the proposal is expected to make a positive contribution and complement a number of similar buildings in the wider SouthEast Business Park area. The Commercial Road elevation of the warehouse provides some visual interest due to a well-articulated design and varied colours and materials. While the frontage to Export Drive is not as articulated as the Commercial Road frontage, this is considered appropriate as Export Drive is considered the secondary frontage and the applicant made changes (such as the addition of glazing) during the assessment process to improve the presentation to Export Drive.

The maximum building height of 9.2 metres is considered appropriate and consistent with the established standards for the area.

The proposal includes 3-metre-wide landscaping strips along the Commercial Road and Export Drive boundaries, which will help to soften the appearance of the development and provide a buffer between it and the street.

The landscape treatment, building setback, street interface and parking and site access is considered satisfactory. The proposal is not expected to have any negative impact on the safety or amenity of adjoining land uses or the wider area.

The application has been assessed against the decision guidelines of the Industrial 1 Zone, and this is summarised below:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies:
 - This has been stated previously and the proposal complies with the relevant policies.
- Any natural or cultural values on or near the land:
 - The proposal will not impact on any natural and cultural values on or near the land. The land surrounding the subject site has been zoned for industrial purposes. Any assessment on the above would have been assessed during the rezoning of the land. As a result, it is considered that the proposal will not impact on any natural or cultural values on or near the land.

- Streetscape character:
 - The proposal will be setback within the proposed lots and be generally consistent with the streetscape of the SouthEast Business Park. The SouthEast Business Park design guidelines specify a number of requirements, and the development generally complies with these guidelines, with approval granted from the design review panel.
- Built form:
 - The built form is generally consistent with the surrounding developments and the emerging character of the area.
- Landscape treatment:
 - The landscaping consists of minimum 3m wide landscaping strips along the street boundaries. The landscape plans have been reviewed and supported by Council's Landscape Department.
- Interface with non-industrial areas:
 - The proposed lots do not interface with any non-industrial areas.
- Parking and site access:
 - This has been assessed by Council's Engineering and Traffic departments, which have responded with no objection to the application subject to conditions.
- Loading and service areas:
 - The proposal has appropriate areas for loading and unloading of vehicles. A condition will be placed on the permit to ensure that loading and unloading of vehicles is done within the subject site.
- Outdoor storage:
 - A condition will be placed on the permit to ensure that the amenity of the area will not be impacted upon by the proposed development.
- Lighting:
 - A condition will be placed on the permit to ensure that any lighting does not impact on any surrounding properties.
- Stormwater discharge:
 - A condition will be placed on the permit with regards to stormwater discharge.

Clause 52.05 Advertising Signs

This Clause regulates the display of signs and associated structures and aims to: ensure that signs are compatible with the amenity and visual appearance of an area; ensure signs do not contribute to excessive visual clutter or visual disorder; and ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

For the purpose of advertising signs, land within the Industrial 1 Zone is classed as 'Category 2' (Low Limitation). The purpose of this category is to provide for adequate identification signs and signs that are appropriate to office and industrial areas.

The application proposes a double-sided sign, which is to be located within the front landscaping strip along the Commercial Drive. The sign measures 9.2m in height by 2.5m in width, resulting in an advertising area of approximately 23 square metres. Based on the size and type of the sign, it is best defined as a business identification panel sign.

Pursuant to Clause 52.05-8, a permit is required for the display of a panel sign in a Category 2 area. There are a number of relevant decision guidelines, including the compatibility of the proposed sign with the existing or desired future character of the area, impacts on views and vistas, the relationship to the streetscape and the relationship to the site and building.

The sign has been sited and designed in a way to complement the proposed warehouses and provide appropriate identification for future tenancies. While large, the sign is considered proportionate to the size of the site and the proposed building and is considered appropriate when regard is given to the industrial character of the area and signs in the surrounding area.

52.06 Car Parking

This Clause has a number of purposes, including to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

While no specific land use has been applied for as part of this application, the car parking assessment has been undertaken for a 'warehouse', which requires 2 spaces to each premises plus 1.5 car spaces to each 100 square metres of net floor area.

Based on the floor areas and number of warehouses, the development generates a requirement for 112 car parking spaces.

As the development provides 76 car parking spaces, a permit is required under Clause 52.06-3 to reduce the number of car parking spaces required. The car parking reduction of 32 spaces (or 33 per cent) is considered appropriate for the following reasons:

- The reduction is supported by Council's Traffic Engineering Department;
- The development exceeds the car parking requirements contained in Cardinia's Design Guidelines for Industrial Development;
- The supplied traffic impact assessment includes an empirical analysis of a similar development in SouthEast Business Park, and based on this analysis, it is estimated that the peak parking demand of the proposal could be 1.0 space per 100sqm. Applying this rate to the 5,877sqm of warehouse activity proposed yields a predicted peak demand of 59 spaces, which would result in a surplus of car parking.
- The site has frontages to both Commercial Drive and Export Drive, with a total of approximately 120 to 130 metres (factoring in crossings), which can accommodate up to 19 on-street parking spaces.
- Similar scales of reductions have been approved at 21 Southeast Boulevard (T170380), Commercial Drive (T150796) and Corporate Terrace (T130069).

All car park spaces meet the design standards of Clause 52.06-8.

52.34 Bicycle Facilities

This clause seeks to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

While no specific land use has been applied for as part of this application, the car parking assessment has been undertaken for a 'warehouse' (industry), which requires 1 bicycle space to each 1000 square metres of net floor area.

The development exceeds this requirement, with each warehouse providing one bicycle space.

SouthEast Business Park Design Guidelines and Covenant AK832247Q

Covenant AK832247Q was registered on 9 January 2014. The covenant has a number of requirements in relation to the use, development and subdivision of land within the SouthEast

Business Park. It also requires plans to be approved by SouthEast Business Park Pty Ltd prior to any development. The proposal is in accordance with the Covenant and has been approved by SouthEast Business Park Pty Ltd. These requirements are generally reinforced by the SouthEast Business Park Design Guidelines. The proposed plans have been approved by SouthEast Business Park Pty Ltd (see INC17117634), with dispensation granted for the reduced setback.

While the covenant requires development to be in accordance with the SouthEast Business Park Design Guidelines, it is noted that the guidelines are not mandatory but represent a set of preferred objectives. For this reason, it is considered acceptable for the development to vary from the requirements of the covenant, such as the reduced street setbacks; especially as the application has been approved by SEBP Pty Ltd.

Clause 65 Decision Guidelines

The proposal is consistent with the SPPF and LPPF, the purpose of the zone and relevant provisions. The proposal does not undermine the orderly planning of the area and the siting and design of the warehouses is considered appropriate and should have no impact on the safety or amenity of adjoining land uses or the wider area.

CONCLUSION

The proposal is consistent with the purposes and objectives of the relevant provisions of the Cardinia Planning Scheme. The proposed development is considered appropriate for the subject site and surrounding area and is not expected to diminish the amenity or detract from the character of the area. Due to the above reasons, it is recommended that Planning Permit T170799 be issued for Construction of nineteen (19) warehouses and associated buildings and works; Reduction of the number of car parking spaces required under Clause 52.06; Display of a business identification panel sign at Commercial Drive, Pakenham subject to the following conditions:

CONDITIONS:

1. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
2. The location and details of the signs, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc.). All works must be undertaken in accordance with the approved stormwater management plan.
5. Before the development starts, a tree protection fence must be erected around the existing street trees to be retained to define a "Tree Protection Area". The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area

without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007 under supervision by Council's arborist.

6. Prior to the commencement of any works, including demolition, within the easement or on land within 50 metres of the gas transmission pipeline easement, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The plan must:
 - a. Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
 - b. Avoid significant vibration, heavy loadings stored over the pipeline and Heavy vehicle / plant crossings of the pipeline within the easement.
 - c. Be endorsed by the operator of the gas transmission pipeline where the works are within or crossing the relevant gas transmission easement.
 - d. Include any other relevant matter to the satisfaction of the Responsible Authority.

The Responsible Authority must be satisfied that the gas transmission pipeline licensee (APA VTS Australia (Operations) Pty Ltd) has reviewed and approved the Construction Management Plan. The Construction Management Plan must be implemented to the satisfaction of the Responsible Authority. The Construction Management Plan may be amended to the satisfaction of the Responsible Authority.

7. Prior to the commencement of any works within the gas transmission pipeline easement, the proponent must enter a Third Party Works Authorisation agreement with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). Works within the easement must comply with any conditions attached to a third party works approval.
8. Prior to the development commencing for any stage which includes the gas transmission pipeline easement, landscape plans depicting any planned landscaping, including the planting of vegetation, species details, surface treatments, furniture, structures or improvements on or immediately abutting the gas transmission pipeline easement must be submitted to and approved by the Responsible Authority. A three metre minimum clearance between the pipeline and any vegetation with a mature height greater than 0.5 metres must be maintained. The Responsible Authority will seek the view of the pipeline licensee / operator (APA VTS Australia (Operations) Pty Ltd) in this matter.
9. Buildings, structures, roadway, pavement, pipeline, cable, fence or any other improvement on or under the land within the gas transmission pipeline easement must not be constructed without prior consent in writing from the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). No structure or vegetation will be permitted on the easement that prohibits maintenance of line of sight along the pipeline easement.
10. No civil infrastructure providing for water, sewer, electric, telecommunications and other like services will be accepted within the gas pipeline easement, other than service crossings to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
11. Before the development is occupied:

- a) Commercial/industrial standard concrete vehicle crossings as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
 - b) All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
 - c) The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless otherwise approved in writing by the Responsible Authority.
12. The areas shown on the endorsed plan/s for access and landscaping must not be used for any other purpose and must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced.
 13. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
 14. Bicycle spaces must be provided on the subject land in accordance with Clause 52.34 of the Planning Scheme.
 15. Delivery vehicles associated with the warehouses must not be larger than 6.4 metres in length.
 16. The areas set aside for car parking shown on the endorsed plans must be made available for use free of charge to employees and visitors at all times and must not be used for any other purposes.
 17. The filling of underground tanks, the fuelling and servicing of vehicles, the loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bay/s and must not disrupt the circulation and parking of vehicles on the subject land.
 18. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
 19. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
 20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
 21. The sign/s must not be illuminated by external or internal light except with further approval from the Responsible Authority.
 22. The sign/s must be displayed and maintained to the satisfaction of the Responsible Authority.
 23. All waste water from the development must be discharged into the reticulated sewerage system to the satisfaction of the Responsible Authority.

24. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building must be of a non-reflective nature.
25. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
26. Without further written consent of the Responsible Authority, any use established within the building must not be for a purpose shown with a Note 1 or Note 2 in table to Clause 52.10 of the Cardinia Planning Scheme.
27. The development must not detrimentally affect the amenity of the area, through the:
- Transport of materials, goods or commodities to or from the land.
 - Appearance of any building, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - Presence of vermin.
28. All bins and receptacles used for the collection and storage of garbage, bottles and other solid wastes shall be kept in a storage area screened from view to the satisfaction of the Responsible Authority.
29. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Expiry:

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

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

This permit for the reduction of the number of car parking spaces **required under Clause 52.06** expires if one of the following circumstances applies:

- The associated use does not start within **two (2) years** after the issue of the permit; or
- The use is discontinued for a period of **two (2) years**.

This permit for the display of advertising signs expires **fifteen (15) years** after the date it is issued.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

Notes:

- A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the vehicle crossing.
- Should the future development be used for a commercial enterprise involving handling of food or drink, hairdressing, beauty therapy, myotherapy, colonic irrigation, skin penetration or tattooing or be providing accommodation to more than four (4) persons then the applicant must contact the Environmental Health Department for further advice concerning legislative requirements.
- Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health and Wellbeing, Food or Tobacco Acts.

APA VTS Notes:

- If you are planning on undertaking any physical works on property containing or proximate to a pipeline, or are seeking details on the physical location of a pipeline, please contact Dial Before you Dig on 1100, or APA directly on APAprotection@apa.com.au
- An early works agreement from APA is required for any assessments/approvals that require greater than 3 days assessment or supervision. Lead in times for agreements can be up to 12 weeks. Please contact APA at APAprotection@apa.com.au or 1800 103 452 to discuss the issue.
- Infrastructure and services other than perpendicular service crossings will not be supported within the APA VTS gas transmission pipeline easement. Service crossings of the APA VTS gas transmission pipeline easement should be kept to a minimum and grouped wherever possible.
- Where access to the pipeline will not be readily available because of the proposed development e.g. significantly obstructed by pavement etc an assessment of the condition of the pipeline coating will be required prior to development commencing. Any re-coating works required as a result of this assessment, due to future inaccessibility will be at the developers expense and to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).

2 CONSTRUCTION OF 19 WAREHOUSES, REDUCTION OF CAR PARKING SPACES AND SIGNAGE, LOT 37 PS549308, COMMERCIAL DRIVE, PAKENHAM

Moved Cr C Ryan Seconded Cr J Owen

That Planning Permit T170799 be issued for Construction of nineteen (19) warehouses and associated buildings and works; Reduction of the number of car parking spaces required under Clause 52.06; Display of a business identification panel sign at Commercial Drive, Pakenham subject to the following conditions:

1. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
2. The location and details of the signs, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc.). All works must be undertaken in accordance with the approved stormwater management plan.
5. Before the development starts, a tree protection fence must be erected around the existing street trees to be retained to define a "Tree Protection Area". The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007 under supervision by Council's arborist.
6. Prior to the commencement of any works, including demolition, within the easement or on land within 50 metres of the gas transmission pipeline easement, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The plan must:
 - a. Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
 - b. Avoid significant vibration, heavy loadings stored over the pipeline and Heavy vehicle / plant crossings of the pipeline within the easement.
 - c. Be endorsed by the operator of the gas transmission pipeline where the works are within or crossing the relevant gas transmission easement.
 - d. Include any other relevant matter to the satisfaction of the Responsible Authority.

- The Responsible Authority must be satisfied that the gas transmission pipeline licensee (APA VTS Australia (Operations) Pty Ltd) has reviewed and approved the Construction Management Plan. The Construction Management Plan must be implemented to the satisfaction of the Responsible Authority. The Construction Management Plan may be amended to the satisfaction of the Responsible Authority.
7. Prior to the commencement of any works within the gas transmission pipeline easement, the proponent must enter a Third Party Works Authorisation agreement with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). Works within the easement must comply with any conditions attached to a third party works approval.
 8. Prior to the development commencing for any stage which includes the gas transmission pipeline easement, landscape plans depicting any planned landscaping, including the planting of vegetation, species details, surface treatments, furniture, structures or improvements on or immediately abutting the gas transmission pipeline easement must be submitted to and approved by the Responsible Authority. A three metre minimum clearance between the pipeline and any vegetation with a mature height greater than 0.5 metres must be maintained. The Responsible Authority will seek the view of the pipeline licensee / operator (APA VTS Australia (Operations) Pty Ltd) in this matter.
 9. Buildings, structures, roadway, pavement, pipeline, cable, fence or any other improvement on or under the land within the gas transmission pipeline easement must not be constructed without prior consent in writing from the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). No structure or vegetation will be permitted on the easement that prohibits maintenance of line of sight along the pipeline easement.
 10. No civil infrastructure providing for water, sewer, electric, telecommunications and other like services will be accepted within the gas pipeline easement, other than service crossings to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
 11. Before the development is occupied:
 - a) Commercial/industrial standard concrete vehicle crossings as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
 - b) All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
 - c) The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless otherwise approved in writing by the Responsible Authority.
 12. The areas shown on the endorsed plan/s for access and landscaping must not be used for any other purpose and must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced.
 13. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
 14. Bicycle spaces must be provided on the subject land in accordance with Clause 52.34 of the Planning Scheme.

15. Delivery vehicles associated with the warehouses must not be larger than 6.4 metres in length.
16. The areas set aside for car parking shown on the endorsed plans must be made available for use free of charge to employees and visitors at all times and must not be used for any other purposes.
17. The filling of underground tanks, the fuelling and servicing of vehicles, the loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bay/s and must not disrupt the circulation and parking of vehicles on the subject land.
18. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
19. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
21. The sign/s must not be illuminated by external or internal light except with further approval from the Responsible Authority.
22. The sign/s must be displayed and maintained to the satisfaction of the Responsible Authority
23. All waste water from the development must be discharged into the reticulated sewerage system to the satisfaction of the Responsible Authority.
24. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building must be of a non-reflective nature.
25. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
26. Without further written consent of the Responsible Authority, any use established within the building must not be for a purpose shown with a Note 1 or Note 2 in table to Clause 52.10 of the Cardinia Planning Scheme.
27. The development must not detrimentally affect the amenity of the area, through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) 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.

28. All bins and receptacles used for the collection and storage of garbage, bottles and other solid wastes shall be kept in a storage area screened from view to the satisfaction of the Responsible Authority.

29. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Expiry:

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

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

This permit for the reduction of the number of car parking spaces **required under Clause 52.06** expires if one of the following circumstances applies:

- a) The associated use does not start within **two (2) years** after the issue of the permit; or
- b) The use is discontinued for a period of **two (2) years**.

This permit for the display of advertising signs expires **fifteen (15) years** after the date it is issued.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

Notes:

- A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the vehicle crossing.
- Should the future development be used for a commercial enterprise involving handling of food or drink, hairdressing, beauty therapy, myotherapy, colonic irrigation, skin penetration or tattooing or be providing accommodation to more than four (4) persons then the applicant must contact the Environmental Health Department for further advice concerning legislative requirements.
- Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health and Wellbeing, Food or Tobacco Acts.

APA VTS Notes:

- If you are planning on undertaking any physical works on property containing or proximate to a pipeline, or are seeking details on the physical location of a pipeline, please contact Dial Before you Dig on 1100, or APA directly on APAprotection@apa.com.au
- An early works agreement from APA is required for any assessments/approvals that require greater than 3 days assessment or supervision. Lead in times for agreements can be up to 12 weeks. Please contact APA at APAprotection@apa.com.au or 1800 103 452 to discuss the issue.

- Infrastructure and services other than perpendicular service crossings will not be supported within the APA VTS gas transmission pipeline easement. Service crossings of the APA VTS gas transmission pipeline easement should be kept to a minimum and grouped wherever possible.
- Where access to the pipeline will not be readily available because of the proposed development e.g. significantly obstructed by pavement etc an assessment of the condition of the pipeline coating will be required prior to development commencing. Any re-coating works required as a result of this assessment, due to future inaccessibility will be at the developers expense and to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).

Cd.

3 PLANNING SCHEME AMENDMENT ACTIVITY REPORT

FILE REFERENCE INT1835038

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Tracey Parker

RECOMMENDATION

That the report be noted

Attachments

Nil.

EXECUTIVE SUMMARY

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

Status of active amendments

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

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C205	EDM Group	80 McDonalds Track Lang Lang	Rezone part of the land at 80 McDonalds Track, Lang Lang (Lot 3 on PS542732), and Lots 1 and 2 (PS542732) Westernport Road, Lang Lang, from Farming Zone to Industrial 1 Zone, apply Schedule 20 to the Development Plan Overlay to this land and concurrently consider, under Section 96A of the Planning and Environment Act 1987, a planning permit application to subdivide the land at 80 McDonalds Track, Lang Lang into two (2) lots.	02/11/2017	04/12/2017	Exhibition period completed. Two submissions received. Currently being reviewed.
C220	Cardinia Shire Council	Beaconsfield	Implements the key objectives of the	09/11/2017	11/12/2017	Panel Hearing held on 28

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
			Beaconsfield Structure Plan December 2013 (expires March 2019) by applying the Design and Development Overlay (DDO) to the Princes Highway Gateway Precinct (Proposed DD05), Beaconsfield Point Precinct (Proposed DD06) and Woodland Grove Precinct (Proposed DD07).			March 2018. Panel Report received on 10 April. Report being prepared for Council meeting in May.
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: Finalising amendment documentation prior to seeking authorisation from the Minister for Planning to prepare an amendment.
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	On 19/02/2018 Council adopted the amendment. Awaiting approval from the Minister for Planning.
C229	Cardinia	Tynong,	Apply the			On

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
	Shire Council	Garfield and Bunyip	Environmental Significance Overlay (ESO) to Tynong, Bunyip and Garfield to facilitate the provision of habitat corridors for the Southern Brown Bandicoot.			16/10/2017 Council adopted to seek authorisation to prepare an amendment.
C230	Cardinia Shire Council	Various	The amendment corrects a number of mapping and ordinance anomalies within the Cardinia Planning Scheme.	Thu 18/01/2018	Thu 01/02/2018	Amendment approved with changes and gazetted on 03/05/2018.
C232	Victorian Planning Authority	Officer Precinct	The Amendment implements the revised Officer Precinct Structure Plan (Amended February 2018) by making changes to the zone, overlay and ordinance provisions of the Cardinia Planning Scheme.	Thu 22/03/2018	Fri 27/04/2018	Exhibition completed. Report being prepared for Council meeting on 21/05/2018.
C234	Victorian Planning Authority	Pakenham East Precinct Structure Plan	Incorporate the Pakenham East Precinct Structure Plan (PSP) and associated the associated Infrastructure Contributions Plan into the Cardinia Shire Council Planning Scheme along with associated Heritage Overlay.	Mon 15/01/2018	Fri 23/02/2018	Exhibition completed. Objections received. Expected to go to Panel late May.
C237	Cardinia Shire Council	Multiple addresses	Fix-up amendment.			On 16/04/2018 Council adopted to seek authorisation to prepare an amendment.
C238	Cardinia Shire Council	Glismann Road and Old Princes Highway, Beaconsfield	Rezone to General Residential Zone (Schedule 2) and introduce a Development Plan Overlay (DPO), a site			Submitted to Minister for Planning on 29/03/2018. Seeking authorisation

Cardinia Planning Scheme Amendment Activity Report						
A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
			specific Environmental Audit Overlay (EAO) and remove the Environment Significance Overlay 1 (ESO1). An ICP will be implemented at a later stage.			to prepare a planning scheme amendment.

3 PLANNING SCHEME AMENDMENT ACTIVITY REPORT

Moved Cr C Ryan Seconded Cr J Owen

That the report be noted

Cd.

4 PLANNING ENFORCEMENT MATTERS

FILE REFERENCE INT1835041

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Owen Hardidge

RECOMMENDATION

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

Attachments

Nil.

EXECUTIVE SUMMARY

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

BACKGROUND

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

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

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

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	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	<p>On 18 January 2018, the company that owns this property appeared in the Magistrates Court at Dandenong.</p> <p>Council and the owner have agreed to the making of an Enforcement Order which requires the owner to manage the road reserve for 10 yrs. Work has commenced on the relevant applications, which will result in orders by consent.</p> <p>This application is listed for Practice Day</p>

		Hearing on 15 June 2018 .
715 Gembrook Rd, Pakenham Upper	Construction of retaining wall without building permit.	<p>FOR INFORMATION ONLY – no on going <i>planning enforcement</i> matters relating to property</p> <p>MAGISTRATES COURT CASE relating to unpermitted building work (retaining wall) –</p> <p>On 21 December 2017, the Magistrates Court delivered judgement in this matter, finding the charges proven. The owner was fined \$1500, without conviction, and ordered the owner to pay in excess of \$15,000 costs.</p> <p>The COUNTY COURT has listed a contested hearing of the matter in May 29-31 2018.</p> <p>In April 2018, the owner has filed an application in the High Court of Australia in respect of this hearing. We expect that this HCA application may delay the County Court contest.</p>
765 Gembrook Rd, Pakenham Upper	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>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 was set down for a 2-day contested hearing from May 2nd 2018, but was adjourned to 13-14 November 2018, due to a recently-filed High Court of Australia application.</p>
555 Back Creek Rd, Gembrook	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>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>

CONCLUSION

The list of current enforcement activities is presented for information.

4 PLANNING ENFORCEMENT MATTERS

Moved Cr C Ryan Seconded Cr J Owen

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

Cd.

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

FILE REFERENCE INT1835180

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Debbie Tyson

RECOMMENDATION

That the report be noted

Attachments

Nil.

EXECUTIVE SUMMARY

The following list is 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
19/9/2018	T170462	3 Savage Street Pakenham	Develop the land with a residential building (boarding house)	Refusal	Applicant	Waiting on hearing
1/7/2018	T130742-2	365 Princes Hwy Officer	Multi lot subdivision of the land	Refusal	Applicant	Waiting on hearing
22/8/2018	T170698	Rix Road, Officer	Multi lot subdivision	Refusal	Applicant	Waiting on hearing
22/8/2018	T170671	Rix Road, Officer	Multi lot subdivision	Refusal	Applicant	Waiting on hearing
27/07/2018	T170666	Timbertop Blvd, Officer	Use of land for multi-unit development, subdivision of the land into eight (8) lots and a reduction in car parking	Refusal	Applicant	Waiting on hearing
9/7/2018	T170570	3 Niki Place Officer	Installation of 20 Electronic Gaming Machines	Refusal	Applicant	Waiting on hearing
5/7/2018	T170046	2 May Rd & 215 Princes Hwy Beaconsfield	Subdivision of the land	Approval permit issued. Disputing conditions	Applicant	Waiting on hearing
27/6/2018	T160693	46 Tivendale Road Officer	Multi lot subdivision	Refusal	Applicant	Waiting on hearing

Hearing Date	App No.	Address	Proposal	Council Decision	Appealed By	Outcome
14/5/2018	T170024	1 Station Street Officer	Buildings and works and use of a hotel, sale and consumption of liquor, installation and use of land for eighty (80) Electronic Gaming Machines	Refusal	Applicant	Waiting on hearing
10/04/2018	T990164-2	100 School Road, Bayles	Amendment to Planning Permit for the use and development of the land as a rural store by amending conditions and the endorsed plans.	Refusal	Applicant	Waiting on Decision

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

Moved Cr C Ryan Seconded Cr J Owen

That the report be noted

Cd.

6 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATED AUTHORITY

FILE REFERENCE INT1835082

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Debbie Tyson

RECOMMENDATION

That the report be noted

Attachments

Nil.

EXECUTIVE SUMMARY

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

Central Ward

Date	Permit No	Location	The Proposal	The Decision	Lodged Date
17/04/2018	T180212	11 Henty Street, Pakenham VIC 3810	*duplicate T180213*Subdivision of the land into five (5) lots and common property	Withdrawn	17 April 2018
19/04/2018	T170253	10 Cumberland Drive, Pakenham VIC 3810	Development of the land for two (2) dwellings	Issued	06 June 2017
19/04/2018	T170629 - PC1	26-28 Meaby Drive, Pakenham VIC 3810	Development of the land for two (2) additional dwellings	Issued	07 March 2018
20/04/2018	T180188	120 Henry Road, Pakenham VIC 3810	removal of service station & convenience restaurant and increase of residential dwellings (29)	Withdrawn	09 April 2018
23/04/2018	T180047	22 Gardenia Street, Pakenham VIC 3810	Development of the land for two dwellings	NOD	25 January 2018
24/04/2018	T170368 - PC1	7 Donday Court, Pakenham VIC 3810	Use and development of the land for a second dwelling including alterations to existing dwelling and subdivision of the land into two (2) lots	Issued	03 April 2018
24/04/2018	T180174	Shop 4/206 Princes Highway, Pakenham VIC 3810	To display business identification signage	Issued	29 March 2018
24/04/2018	T170787	44 Pinehill Drive, Pakenham VIC 3810	Development of the land for an outbuilding (store)	Issued	13 December 2017
26/04/2018	T170280 - 1	6 Jacqueline	Subdivision of the land into two (2) lots	Issued	26 February

		Place, Pakenham VIC 3810			2018
26/04/2018	T180060	Chapel - Shire Offices, 1A Main Street, Pakenham VIC 3810	Works associated with a building within a Heritage Overlay	Issued	13 February 2018
30/04/2018	T170802	43 & 45 Princes Highway, Pakenham VIC 3810	Use and development of the land for the purposes of a childcare centre and alteration of access to a road in Road Zone, Category 1.	NOD	11 December 2017
3/05/2018	T170113 - PC1	Cardinia Cultural Centre, 40 Lakeside Boulevard, Pakenham VIC 3810	Development of additions and alterations to the existing Place of Assembly (Cultural & Community Centre) and associated car parking in accordance with the endorsed plans.	Issued	19 April 2018
18/05/2018	T180231	115 Henry Street, Pakenham VIC 3810	Development of the land for a dwelling	Issued	23 April 2018

Port Ward

Date	Permit No	Location	The Proposal	The Decision	Lodged Date
9/04/2018	T180044	50 Daleys Road, Koo Wee Rup VIC 3981	Development of the land for an outbuilding (shed)	Issued	24 January 2018
9/04/2018	T180132	234 Bessie Creek Road, Nar Nar Goon North VIC 3812	Development of the land for a dwelling extension	Issued	16 March 2018
10/04/2018	T170750	1 Mickle Street, Koo Wee Rup VIC 3981	Alterations and additions to an existing building (scout hall)	Issued	13 November 2017
10/04/2018	T170838	112 Murray Road, Cora Lynn VIC 3814	Use of the land for a dwelling	Withdrawn	21 December 2017
10/04/2018	T180159	10 Moore Road, Nar Nar Goon North VIC 3812	The Land is housing a single dwelling on the lot with a proposed garage addition for domestic items i.e. cars. We seek a VicSmart Planning Application for the proposed Garage Addition of 45m ² , due to the Green Wedge Zone 35.04-05.	Withdrawn	22 March 2018
11/04/2018	T180187	155 Taplins Road, Catani VIC 3981	duplicate Proposed minor extension	Withdrawn	11 April 2018
16/04/2018	T170232 - PC1	Campbell Street, Pakenham VIC 3810	Condition 8 - Fill land	Issued	08 December 2017
16/04/2018	T180039	21 Southeast Boulevard, Pakenham VIC 3810	Subdivision of the land into seven (7) lots	Issued	23 January 2018
16/04/2018	T180166	1 Oaktree Drive, Pakenham VIC 3810	Construction of an outbuilding	Issued	27 March 2018

17/04/2018	T170630 - PC1	4 Stacey Street, Bunyip VIC 3815	Two (2) lot subdivision	Issued	06 March 2018
17/04/2018	T170674	32 Pinehill Drive, Pakenham VIC 3810	Two lot subdivision and vegetation removal	Issued	13 October 2017
18/04/2018	T170716	51 Mirrabooka Road, Maryknoll VIC 3812	Use and development of the land for a second dwelling	NOD	03 November 2017
18/04/2018	T180186	155 Taplins Road, Catani VIC 3981	Alterations and additions to an existing dwelling	Issued	11 April 2018
19/04/2018	T170817	110 Seymour Road, Nar Nar Goon North VIC 3812	Use and development of the land for a dwelling, outbuilding and associated earthworks	Issued	12 December 2017
19/04/2018	T180158	14C Rupert Street, Lang Lang VIC 3984	Construction of a replacement fence	Issued	22 March 2018
23/04/2018	T170774 - PC1	14 Knights Court, Tynong VIC 3813	Development of the land for buildings and works associated with agriculture (equine stables and associated sheds for training racehorses)	Issued	06 April 2018
26/04/2018	T170241 - PC1	2 Alexandra Avenue, Koo Wee Rup VIC 3981	Amended plans to comply with Condition 1 of Planning Permit T170241	Issued	05 April 2018
26/04/2018	T180085	50 Hope Street, Bunyip VIC 3815	Subdivision of land into three lots	Issued	15 February 2018
26/04/2018	T180147	540 Main Drain Road, Koo Wee Rup VIC 3981	Removal of a Restrictive Covenant (AM826332S)	Issued	19 March 2018
30/04/2018	T150651 - PC1	105-107 Nar Nar Goon- Longwarry Road, Garfield Victoria 3814	Condition 1 - Use and development of 7 additional dwellings, construction of a building (carport) and creation and alteration of access to a Road Zone Category 1	Issued	16 May 2017
30/04/2018	T170447 - PC1	7 Kingston Avenue, Pakenham VIC 3810	Condition 1- Development of the land for one additional dwelling and alterations and additions to the existing dwelling	Issued	19 January 2018
30/04/2018	T180052	Freeway Service Centre West Bound, 94 Princes Freeway, Officer VIC 3809	Use and development of the land for a telecommunications facility (installation of 35 metre monopole, outdoor equipment cabinet and ancillary equipment)	NOD	01 February 2018
2/05/2018	T180215	605 Railway Avenue, Garfield VIC 3814	Development of the land for an outbuilding	Issued	16 April 2018
3/05/2018	T180199	230 Koo	Construction of an outbuilding	Issued	12 April

		Wee Rup-Longwarry Road, Koo Wee Rup VIC 3981			2018
7/05/2018	T170668	25 A Beckett Road, Bunyip VIC 3815	Development of the land for four (4) dwellings and subdivision into five (5) lots	NOD	09 October 2017
8/05/2018	T170227 - PC1	29 Main Street, Nar Nar Goon VIC 3812	Two (2) Lot Subdivision	Issued	05 December 2017
9/05/2018	T170442 - PC1	1610 Princes Highway, Nar Nar Goon VIC 3812	To subdivide land into two (2) lots including the creation of a carriageway easement and a restriction	Refused	06 April 2018
10/05/2018	T170170 - PC1	47 Exchange Drive, Pakenham VIC 3810	Condition 1 Buildings and works associated with Industry - Concrete Batching Plant	Issued	20 November 2017
10/05/2018	T170682	6 Commercial Drive, Pakenham VIC 3810	Construction of one (1) warehouse and associated works	Issued	01 November 2017
14/05/2018	T180065	18 Sette Circuit, Pakenham VIC 3810	Construction of ten (10) warehouses and associated buildings and works and reduction of car parking spaces (2 spaces)	Issued	07 February 2018
14/05/2018	T180250	23 Rodeo Drive, Lang Lang VIC 3984	Looking to build a new home at the address. There is a building envelope which is a T1, and this restricts the width of the area of the house we can build. The driveway has been placed on the wrong side of the land taking into account the building envelope, therefore the garage will be outside the building envelope	Withdrawn	14 May 2018
14/05/2018	T180273	52 National Avenue, Pakenham VIC 3810	duplicate of T180277 Display Business Sign	Withdrawn	14 May 2018
15/05/2018	T170300 - PC1	51 Ryan Road, Pakenham VIC 3810	Subdivision of the land into two (2) lots and vegetation removal	Issued	11 April 2018
15/05/2018	T180248	15 Beswick Street, Garfield VIC 3814	Subdivision of the land into two (2) lots	Issued	01 May 2018
16/05/2018	T170399 - PC1	17 Nar Nar Goon-Longwarry Road, Garfield VIC 3814	1A & 1B of Planning Permit T170399.	Issued	08 March 2018
17/05/2018	T180064 - 1	235 Bayles-Cora Lynn Road, Cora Lynn VIC 3814	Amendments to Planning Permit T180064 and the endorsed plans	Issued	04 April 2018
18/05/2018	T180100	31 Tarmac Way, Pakenham VIC 3810	Development of the land for two (2) warehouses and a reduction of two (2) car spaces	Issued	23 February 2018
18/05/2018	T180277	52 National Avenue, Pakenham VIC 3810	Display of a Business Sign	Issued	11 May 2018

Ranges Ward

Date	Permit No	Location	The Proposal	The Decision	Lodged Date
9/04/2018	T170701	1 Andrew Court, Emerald VIC 3782	Construction of a dwelling, outbuilding (shed), earthworks and vegetation removal.	Issued	31 October 2017
10/04/2018	T170791	430 Mt Eirene Road, Gembrook VIC 3783	Removal of two (2) eucalypt trees	Issued	05 December 2017
11/04/2018	T170249 - 1	30 Lakeside Drive, Emerald VIC 3782	Development of the land for a dwelling extension and associated earthworks	Issued	29 March 2018
11/04/2018	T170815	280 Beaconsfield-Emerald Road, Beaconsfield VIC 3807	Buildings and works for a front fence in a Floodway Overlay	Issued	13 December 2017
16/04/2018	T160757 - PC2	5 Buckland Lane, Pakenham Upper VIC 3810	Offset plans to comply with Condition 4 of Planning Permit T160757	Issued	03 April 2018
16/04/2018	T170373 - PC2	63-65 McMullen Road, Officer VIC 3809	The subdivision of the land into two lots in accordance with the submitted plans	Issued	05 March 2018
16/04/2018	T170379 - PC1	18 Morris Road, Beaconsfield Upper VIC 3808	Condition 1	Issued	21 February 2018
16/04/2018	T180091	25 Majestic Drive, Emerald VIC 3782	Retrospective removal of fourteen (14) native trees	Withdrawn	20 February 2018
18/04/2018	T160714 - PC1	150 Beaconsfield Emerald Road, BEACONSFIELD VIC 3807	Condition 2 - Demolition of a heritage building (Payne House)	Issued	16 March 2018
18/04/2018	T170572	226 Beaconsfield-Emerald Road, Beaconsfield VIC 3807	Development of the land for a replacement dwelling and associated vegetation removal	Issued	24 August 2017
18/04/2018	T170770	15 Mavis Avenue, Beaconsfield VIC 3807	Alterations and additions to existing dwelling, construction of an outbuilding, vegetation removal and associated earthworks	Issued	26 November 2017
18/04/2018	T180070	4 Clematis Park Road, Clematis VIC 3782	Development of the land for an outbuilding and associated earthworks	Issued	09 February 2018
19/04/2018	T140635 - PC3	150 Rix Road, Officer Victoria 3809	Condition 8 PIP Multi-lot subdivision	Issued	13 December 2017
19/04/2018	T140635 - PC6	150 Rix Road, Officer Victoria 3809	Condition 15 HYD Multi-lot subdivision	Issued	15 December 2017
19/04/2018	T170703 - PC1	12-14 Old Princes Highway, Beaconsfield VIC 3807	Condition 1a&b	Issued	03 April 2018
19/04/2018	T170732	59 Bird Road, Avonsleigh VIC 3782	Development of land for an outbuilding (shed) and removal of vegetation	Issued	09 November 2017
19/04/2018	T180105	815 Gembrook Road, Pakenham Upper VIC 3810	Development of the land for an agricultural building and associated works.	Issued	28 February 2018
20/04/2018	T170807	6 Sutherland Road, Beaconsfield Upper VIC 3808	Use and development of the land for a second dwelling	Lapsed	20 December 2017
23/04/2018	T160291 - PC4	68-72 Main Street, Gembrook VIC 3783	Section 173 Agreement to comply with Condition 2 of Planning Permit T160291	Issued	19 March 2018
23/04/2018	T160569 - 1	32 McMullen Road, Officer VIC 3809	Use and development of the land for a Residential Village to be completed in stages, removal of native vegetation, buildings and works on land within a Land Subject to Inundation Overlay and buildings and works on land shown as Encumbered Open Space associated with the re-alignment of Gum Scrub Creek	Issued	29 November 2017
23/04/2018	T160569 - PC4	32 McMullen Road, Officer VIC 3809	Condition 11 Use and development of the land for a Residential Village to be completed in stages, removal of native vegetation, buildings and works on land within a Land Subject to Inundation Overlay and buildings and works on land shown as Encumbered Open Space associated with the re-alignment of Gum Scrub Creek	Issued	23 April 2018
23/04/2018	T170178	15 Phillip Road,	Section 173 Agreement Development of the land for a	Issued	19 April

	- PC1	Avonsleigh VIC 3782	dwelling and subdivision of the land (boundary realignment)		2018
24/04/2018	T010421 - 1	200 Evans Road, Gembrook Victoria 3783	The use and development of the land for the purpose of four (4) tourist accommodation cabins (Amendment to condition 5)	Withdrawn	09 March 2018
24/04/2018	T170609	9 Clematis Park Road, Clematis VIC 3782	Development of the land for a dwelling and removal of native vegetation	Issued	13 September 2017
24/04/2018	T180020	18 Amphlett Avenue, Cockatoo VIC 3781	Development of the land for an outbuilding and associated earthworks	Issued	09 January 2018
24/04/2018	T180117 - 1	295 Beaconsfield- Emerald Road, Beaconsfield VIC 3807	Amendment to Planning Permit P.8145 (T180117-1) to allow the sale and consumption of liquor associated with the existing golf driving range	Issued	05 March 2018
24/04/2018	T180125	1 View Street, Avonsleigh VIC 3782	Development of the land for a dwelling extension and carport	Issued	06 March 2018
26/04/2018	T140635 - 1	150 Rix Road, Officer Victoria 3809	Multi-lot subdivision	Issued	23 April 2018
26/04/2018	T160852 - PC1	19-21 Woods Street, Beaconsfield VIC 3807	Development of the land for retail and offices, associated vegetation removal, partial demolition of an existing building and associated reduction in on-site car parking (1 space)	Issued	29 March 2018
26/04/2018	T170387	36 Grey Road, Gembrook VIC 3783	Development of the land for a dwelling extension	Issued	20 June 2017
26/04/2018	T180025	22 Poplar Crescent, Emerald VIC 3782	Development of the land for a dwelling and earthworks	Issued	12 January 2018
30/04/2018	T120590 - 2	Station Street, Officer Victoria 3809	AMENDED PERMIT - Multi lot staged subdivision, access to a road zone category 1, earthworks, road works, creation of a reserve, creation of easement (E-3, E-6 & E-7) and removal of easements (E-1 on LP210795 and E-6 on PS407947R)	Issued	19 April 2018
30/04/2018	T150376 - 1	Hickson Road, Officer Victoria 3809	Subdivision of the land, construction of a road within the land subject to inundation overlay and removal of existing easements	Issued	19 April 2018
30/04/2018	T160772 - PC1	368 O`Neil Road, Officer VIC 3809	Use and development of the land for a telecommunications facility and vegetation removal	Issued	16 March 2018
30/04/2018	T170185 - PC2	8 Pioneer Way, Officer VIC 3809	Subdivision of the land in accordance with the endorsed plans	Issued	16 April 2018
30/04/2018	T180025 - 1	22 Poplar Crescent, Emerald VIC 3782	Development of the land for a dwelling and earthworks (Amending to include Vegetation Removal)	Issued	27 April 2018
30/04/2018	T180202	8 Belgrave Avenue, Cockatoo VIC 3781	Removal of dead tree	Withdrawn	12 April 2018
30/04/2018	T180239	385 Beaconsfield- Emerald Road, Guys Hill VIC 3807	Removal of a tree	Withdrawn	24 April 2018
1/05/2018	T170834	90 Brunt Road, Beaconsfield VIC 3807	Use of a child care centre and associated buildings and works (building extension).	Issued	20 December 2017
1/05/2018	T180223	90 Kitchen Road, Beaconsfield Upper VIC 3808	Development of the land for an outbuilding	Issued	18 April 2018
2/05/2018	T170020 - PC2	1 Carawa Street, Cockatoo VIC 3781	Section 173 - Subdivision of the land	Issued	28 February 2018
2/05/2018	T180162	19 Valentine Crescent, Officer VIC 3809	Buildings and works associated with accommodation (dwelling) within the Bushfire Management Overlay	Issued	22 March 2018
3/05/2018	T140500 - PC4	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	06 February 2018
3/05/2018	T180184	31 Avondale Street, Officer VIC 3809	Building permit for construction of a residence.	Issued	09 April 2018
8/05/2018	T160521 - PC2	Starling Road, Officer VIC 3809	Development and subdivision of the land for dwellings, removal and creation of easements	Issued	23 April 2018
8/05/2018	T170187 - PC2	32-34 St Georges Road, Beaconsfield Upper VIC 3808	Amended plans to comply with Condition 2 of Planning Permit T170187	Issued	19 February 2018
9/05/2018	T170510	115 Bayview Road, Officer VIC 3809	Subdivision of the land	Issued	03 August 2017
10/05/2018	T170351	Officer South Road, Officer VIC 3809	Use and development of the land as a childcare centre	Issued	06 June 2017
10/05/2018	T170491 - PC1	340 Princes Highway, Officer VIC 3809	CONDITION 1	Withdrawn	10 May 2018
10/05/2018	T180271	11 Iceberg Road, Beaconsfield VIC 3807	Development of the land for a dwelling	Withdrawn	08 May 2018

11/05/2018	T170660	44 & 50 Whiteside Road, Officer VIC 3809	Subdivision of the land into 42 lots	Withdrawn	06 October 2017
14/05/2018	T130545 - PC1	92 Cooida Road, Beaconsfield Victoria 3807	Use and development of the land for a dwelling, vegetation removal and earthworks	Issued	03 October 2017
14/05/2018	T160569 - PC3	32 McMullen Road, Officer VIC 3809	Con. 30 (Land Management Plan) - Use and development of the land for a Residential Village to be completed in stages, removal of native vegetation, buildings and works on land within a Land Subject to Inundation Overlay and buildings and works on land shown as Encumbered Open Space associated with the re-alignment of Gum Scrub Creek	Issued	13 April 2018
14/05/2018	T170842	2 Ozone Avenue, Emerald VIC 3782	Development of the land for an outbuilding (shed) and associated earthworks	Issued	23 December 2017
16/05/2018	T140500 - PC3	155 Peck Road, Officer Victoria 3809	Condition 6 - Subdivision of land, removal of native vegetation and associated works (including road-works) on land affected by the Land Subject to Inundation Overlay	Issued	10 January 2018
17/05/2018	T150698 - PC2	2970 & 2972, Gembrook-Launching Place Road, Gembrook Victoria 3783	Section 173 Agreement - Two lot subdivision (Boundary Realignment)	Issued	06 April 2018
17/05/2018	T180253	3 Paternoster Road, Cockatoo VIC 3781	Development of the land for an outbuilding (carport)	Issued	02 May 2018
21/05/2018	T180298	405 O`Neil Road, Beaconsfield VIC 3807	Renovation and extension work of the existing single storey brick house.	Withdrawn	18 May 2018

6 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATED AUTHORITY

Moved Cr C Ryan Seconded Cr J Owen

That the report be noted

Cd.

Meeting closed at 7.12pm

Minutes Confirmed
Chairman