

Notice of Application for a Planning Permit



The land affected by the application is located at:		PT L5 LP218744 V9954 F668 50 Topp Road, Tonimbuk VIC 3815
The application is for a permit to:		Buildings and Works (Construction of an Agricultural shed)
A permit is required under the following clauses of the planning scheme:		
35.04-5	Construct a building within nominated setbacks	
35.04-5	Construct or carry out earthworks specified in a schedule to this zone	Cardinia
42.01-2	Construct a building or construct or carry out works	ADVERTISED MATERIAL Planning Application: T250530 PA
43.01-1	Construct a building or construct or carry out works	Date Prepared: 07 January 2026
APPLICATION DETAILS		
The applicant for the permit is:	Mark Bennett Design Studio	
Application number:	T250530	

You may look at the application and any documents that support the application at the **office of the Responsible Authority:**

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

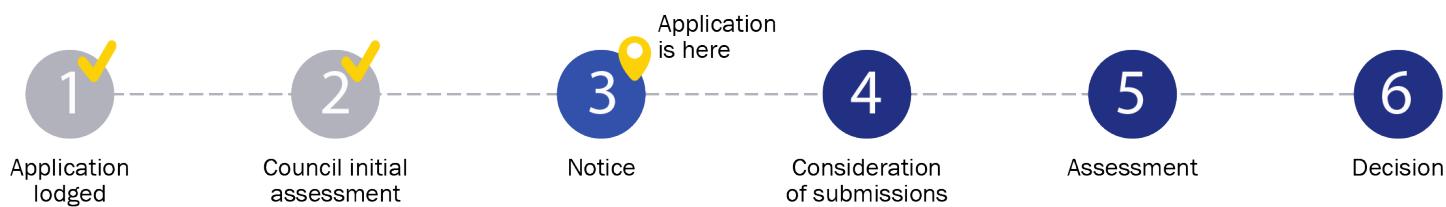
This can be done during office hours and is free of charge.

Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.



HOW CAN I MAKE A SUBMISSION?

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:		22 January 2026
WHAT ARE MY OPTIONS? Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority. If you object, the Responsible Authority will notify you of the decision when it is issued.	An objection must: <ul style="list-style-type: none">• be made to the Responsible Authority in writing;• include the reasons for the objection; and• state how the objector would be affected.	The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.





ePlanning

Application Summary

Portal Reference A3256DE

Basic Information

Proposed Use	Agricultural shed
Current Use	Agriculture - cattle farm
Cost of Works	\$170,000
Site Address	50 Topp Road Tonimbuk 3815

Covenant Disclaimer

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope? Not Applicable, no such encumbrances apply.

Contacts

Type	Name	Address	Contact Details

Regulation Fee Condition		Amount	Modifier	Payable
9 - Class 4	More than \$100,000 but not more than \$500,000	\$1,462.50	100%	\$1,462.50
		Total		\$1,462.50

Documents Uploaded

Date	Type	Filename
03-09-2025	A Copy of Title	24056 - Title.pdf
03-09-2025	Alteration statement	24056 - MBDS Cover letter.pdf
03-09-2025	Site plans	24056 - 50 Topp Rd Tonimbuk.pdf



Civic Centre
20 Siding Avenue, Officer, Victoria
Council's Operations Centre (Depot)
Purton Road, Pakenham, Victoria

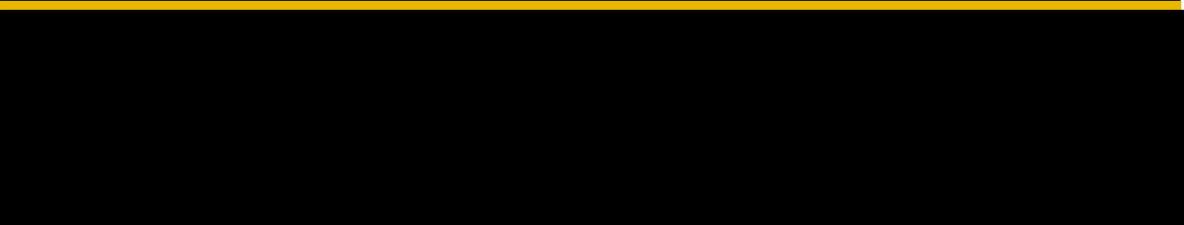
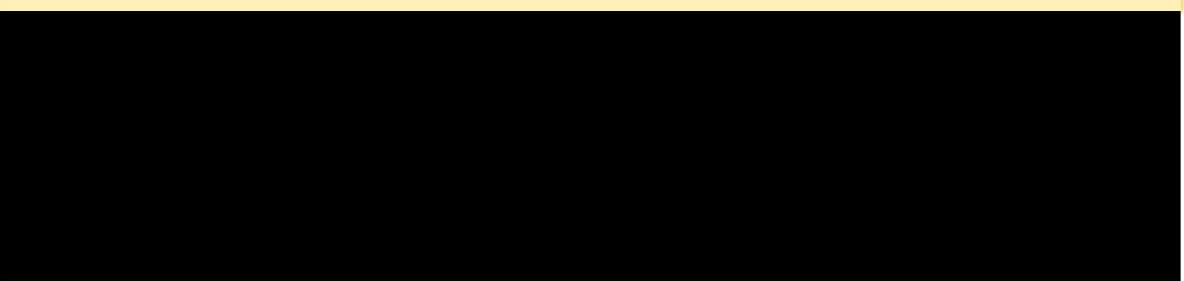


Postal Address
Cardinia Shire Council
P.O. Box 7, Pakenham VIC, 3810
Email: mail@cardinia.vic.gov.au



Monday to Friday 8.30am–5pm
Phone: 1300 787 624
After Hours: 1300 787 624
Fax: 03 5941 3784

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit



Council's Operations Centre
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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 09954 FOLIO 668

Security no : 124126749164X
Produced 01/08/2025 09:51 AM**LAND DESCRIPTION**

Lot 5 on Plan of Subdivision 218744A.
PARENT TITLE Volume 09500 Folio 101

REGISTERED PROPRIETOR**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AY541128Y 29/10/2024
WESTPAC BANKING CORPORATION

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP218744A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 163200 WESTPAC BANKING CORPORATION
Effective from 29/10/2024

DOCUMENT END

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	Plan
Document Identification	LP218744A
Number of Pages (excluding this cover sheet)	1
Document Assembled	01/08/2025 09:51

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The document is invalid if this cover sheet is removed or altered.



Job No. 24056

16 Aug 2025

Address: 50 Topp Road, Tonimbuk

Project: Proposed farm shed

Dear Town Planner,

We are applying for a planning permit for the proposed farm shed at the above property.

The property is zoned Green Wedge GWZ1

There are the following overlays on the property;

- Bushfire Management Overlay – BMO
- Environmental Significance Overlay - ESO1
- Heritage Overlay – HO122

The current land use is agriculture.

The proposed shed requires a planning permit under GWZ1 due to setbacks from waterway.

The proposed shed doesn't trigger a permit under BMO, as it is for Agricultural use.

The proposed shed triggers a permit under ESO1 as the height of the proposed shed exceeds 4m & the floor area for an agricultural building exceeds 160m².

There is no additional cut or fill proposed as part of this application as the site has already been prepared for the shed. I can't comment on the condition of the site before I visited (refer to attached photos). There is no native vegetation or trees proposed to be removed & from available aerial images none look to have been removed in preparing the area.

The shed location in relation to the transmission lines was referred to Ausnet last year by Gippy Farm Sheds & they have an email stating there was no issue with the location. I have emailed Ausnet again with my latest set of drawings to get their approval & will forward as soon as it is provided.

My clients bought the property 18 months ago & are preparing to run more cattle. Currently there is only 1 small 6x8m carport adjacent to the house that is used for parking of the owners' vehicles. There is not another shed on the property.

The proposed shed would be used as a machinery shed, workshop & general storage area for the farm. There is a proposed open sided bay on the end that is for feed storage (hay shed).

The proposed location has been selected for the shed utilising a part of a paddock that is close to the house, in an existing cleared portion of the property. It also has access to a second crossover from Topp Road via an existing gateway & road within the property.



The size of the shed is appropriate to accommodate such farming machinery as;

- Tractors
- Trailers & Carryall
- Bailer
- Feeder
- Fertiliser bin & spreader
- Side by side ATV
- Motorbike

Along with a separate area for tool storage, for machinery maintenance & general day to day operations associated with farming.

I trust the above explanation & the attached documents are satisfactory for council to approve this request.

Any questions or comments please let me know.

Best Regards

Mark Bennett
Director

Invoice

Applicant	Mark Bennett Mark Bennett Design Studio
Applicant Address	155 Yarrabubba Rd, Nar Nar Goon North VIC 3812
Owner	Kristian Perez
Owner Address	50 Topp Road, Tonimbuk VIC 3815
Preferred Contact	Mark Bennett Mark Bennett Design Studio
Preferred Contact Address	155 Yarrabubba Rd, Nar Nar Goon North VIC 3812
Site Address	50 Topp Road Tonimbuk 3815
Portal Reference	A3256DE
ReferenceNumber	T250530
InvoiceNumber	499956
InvoiceDate	03-Sep-2025
InvoicePayByDate	03-Oct-2025

Amount	\$1,462.50
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Regulation	Description	Amount	Modifier	Modified Amount
9 - Class 4	More than \$100,000 but not more than \$500,000	\$1,462.50	100%	\$1,462.50

Receipt

Receipt No	EPLAN010396
Amount Paid	\$1,462.50
Transaction Status	Processing
Transaction Date	3/09/2025 1:42:23 PM
Reference 1	T27714158
Reference 2	T250530
Reference 3	A3256DE

Applicant

Applicant Address

Owner

Owner Address

Preferred Contact

Preferred Contact Addr

Site Address 50 Topp Road Tonimbuk 3815

Portal Reference A3256DE
ReferenceNumber T250530

InvoiceNumber 499956
InvoiceDate 03-Sep-2025
InvoicePayByDate 03-Oct-2025

Regulation	Description	Amount	Modifier	Modified Amount
9 - Class 4	More than \$100,000 but not more than \$500,000	\$1,462.50	100%	\$1,462.50
Total Amount				\$1,462.50

Request to amend a current planning permit application

This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act 1987*) or after notice is given (section 57A of the Act).

PERMIT APPLICATION DETAILS

Application No.:	T25053 PA
Address of the Land:	50 TOPP RD, TONIMBURK

AMENDMENT TYPE

Under which section of the Act is this amendment being made? (select one)	
Section 50 – Amendment to application at request of applicant before notice:	<input type="checkbox"/>
Section 50A - Amendment to application at request of responsible authority before notice:	<input checked="" type="checkbox"/>
Section 57A – Amendment to application after notice is given:	<input type="checkbox"/>

AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for <input checked="" type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
WORKS 'DAIRY' REMOVED FROM SITE PLAN		
RETROSPECTIVE EARTHWORKS		

Specify the estimated cost of any development for which the permit is required:		
Not applicable <input type="checkbox"/>	Unchanged <input checked="" type="checkbox"/>	New amount \$

[REDACTED]

LODGEMENT

Please submit this form, including all amended plans/documents, to mail@cardinia.vic.gov.au

You can also make amendments to your application via the Cardinia ePlanning Portal at
<https://eplanning.cardinia.vic.gov.au/>

If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.

IMPORTANT INFORMATION

It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.

Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.

No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the *Planning and Environment (Fees) Regulations 2016* for more information.

The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.

Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.

Any material submitted with this request, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*.





SITE AREA	232,662m ² (57 ACRES)
PROPOSED SHED	450m ²



MARK BENNETT
Design Studio

Mobile: 0429 031 754
DP-AD 27151

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MARK@MBDS.NET.AU

Project
Proposed Machinery Shed
50 Topp Rd, Tonimbuk

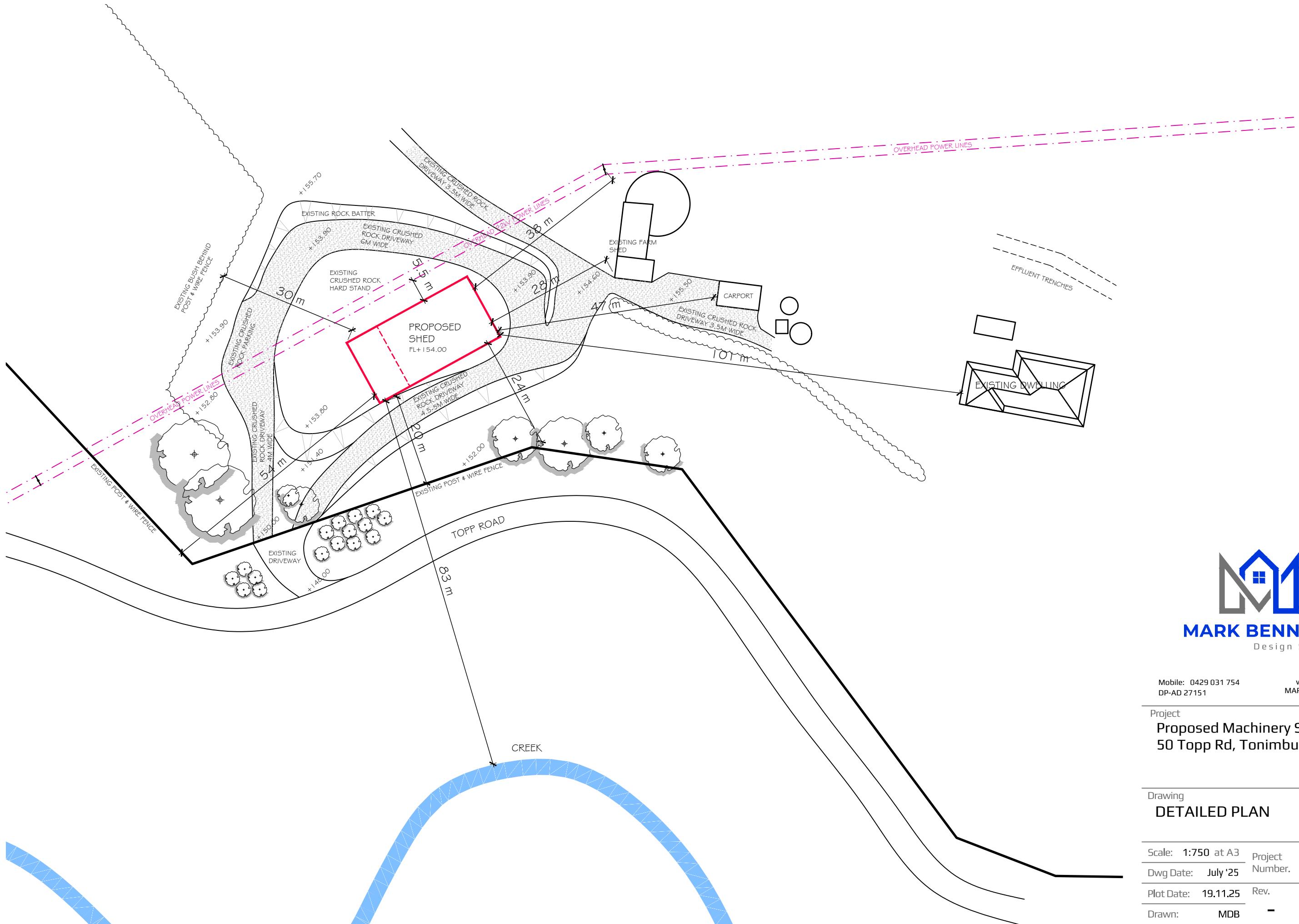
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Drawing
SITE PLAN



Scale: NTS at A3 Project Number. **24052**
Dwg Date: July '25 Rev. -
Plot Date: 19.11.25 Drg. No. **A02**
Drawn: MDB





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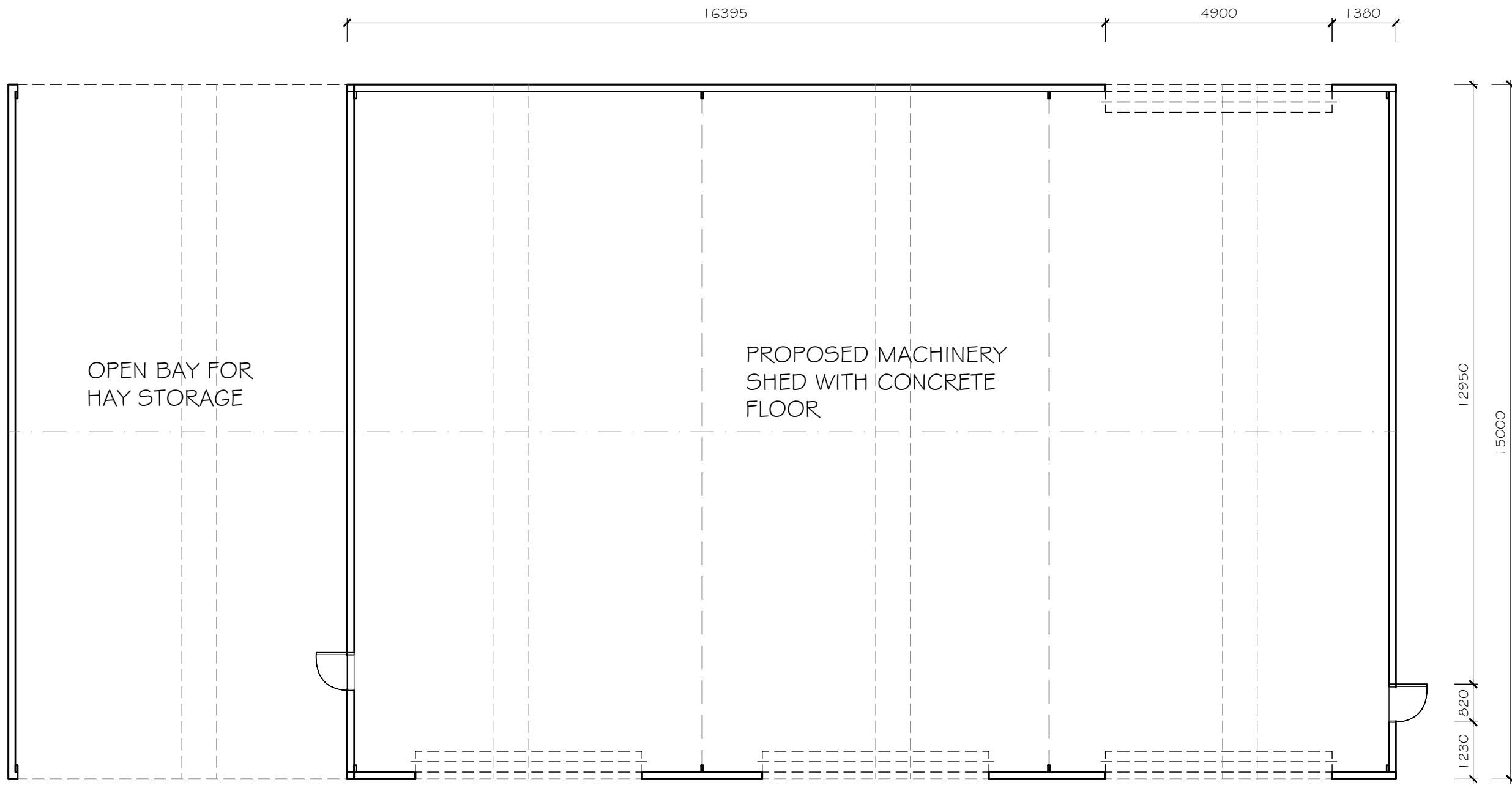
Project
Proposed Machinery Shed
50 Topp Rd, Tonimbuk

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Drawing
DETAILED PLAN



Scale: 1:750 at A3 Project Number. **24052**
Dwg Date: July '25 Rev. -
Plot Date: 19.11.25 Dwg. No. **A04**
Drawn: MDB



Mobile: 0429 031 754
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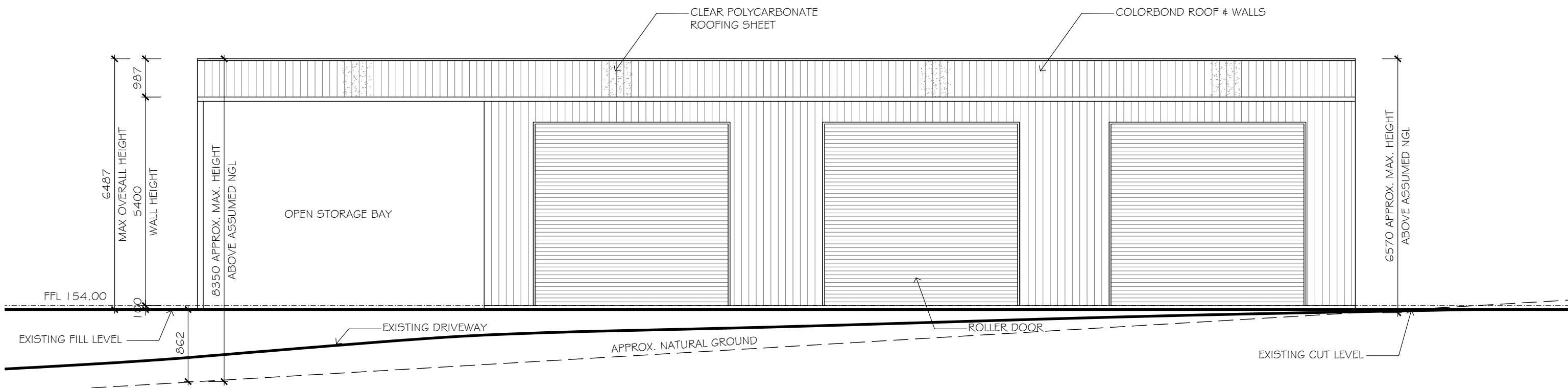
Project
Proposed Machinery Shed
50 Topp Rd, Tonimbuk

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Drawing
DETAILED PLAN



Scale: 1:100 at A3 Project Number. **24052**
Dwg Date: July '25
Plot Date: 19.11.25 Rev. - Org. No.
Drawn: MDB - **A05**



COLOUR SAMPLE



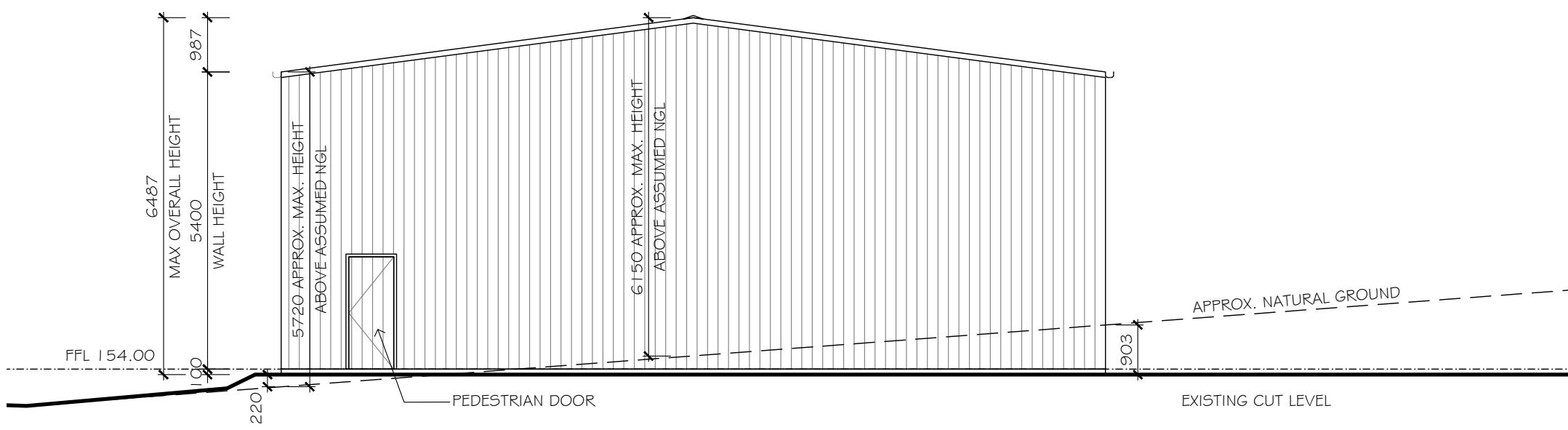
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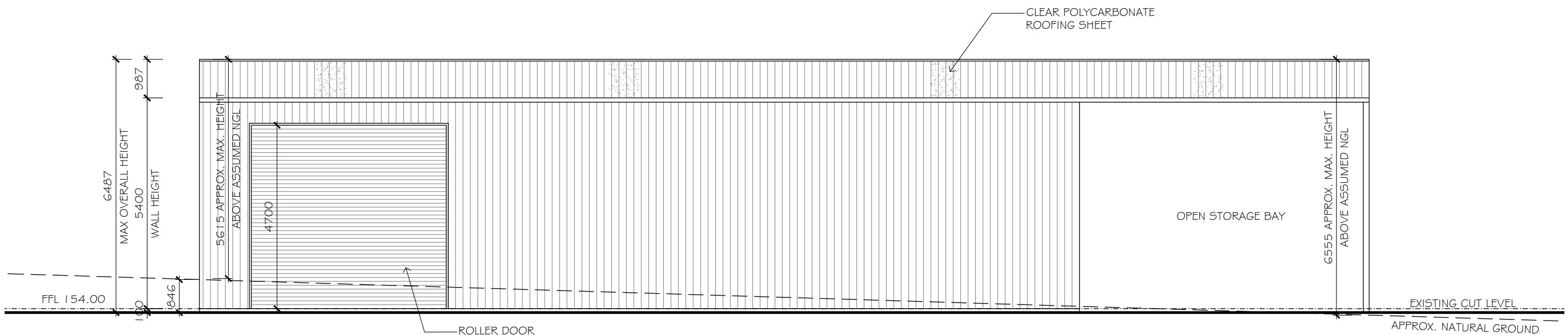
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Drawing
PROPOSED ELEVATIONS

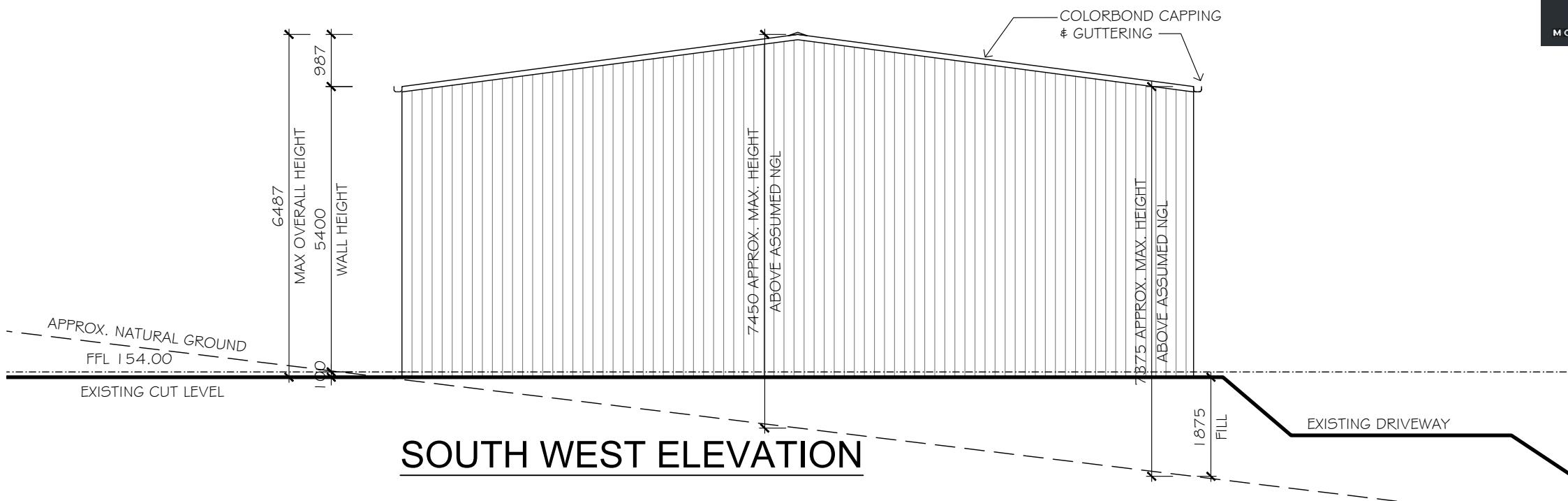
Scale: 1:100 at A3 Project Number. **24052**
Dwg Date: July '25
Plot Date: 19.11.25 Rev. **A06**
Drawn: **MDB**





NORTH WEST ELEVATION

COLOUR SAMPLE



SOUTH WEST ELEVATION



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Project
Proposed Machinery Shed
50 Topp Rd, Tonimbuk

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Drawing
**DETAILED PLAN
ELEVATIONS**



Scale: 1:100 at A3
Dwg Date: July '25
Plot Date: 19.11.25
Drawn: MDB
Project Number: 24052
Rev. A07
Drg. No.