

Notice of an Application for an Amendment to a Planning Permit

The land affected by the application is located at:	L1 TP854849 V3106 F038 420 Mountain Road, Gembrook VIC 3783
The application is to:	Amendment to planning permit T160492-1 to allow use of land and buildings and works for a Small Second Dwelling


A permit is required under the following clauses of the planning scheme:

35.04-1	Use of the land for a Small Second Dwelling
35.04-5	Construct a building or construct or carry out works associated with a use in Section 2 (Small Second Dwelling)
35.04-5	Construct a building within nominated setbacks
42.01-2	Construct a building or construct or carry out works
42.03-2	Construct a building or construct or carry out works

APPLICATION DETAILS

The applicant for the amendment to the permit is:	Lakeside Building Consultants
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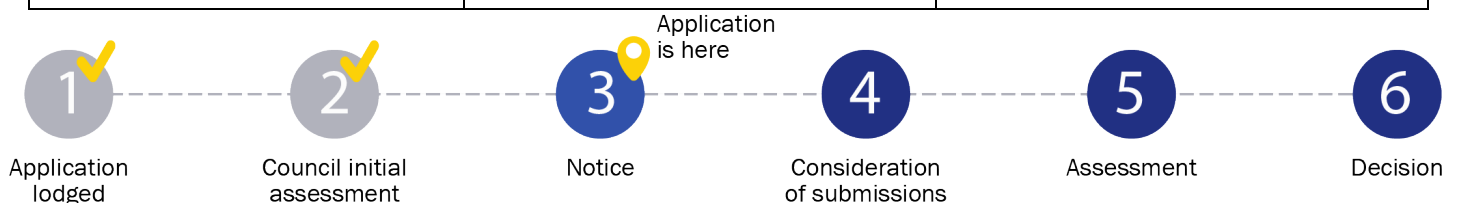
Application number:	T160492 - 2
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<p>You may look at the application and any documents that support the application at the office of the Responsible Authority:</p> <p>Cardinia Shire Council, 20 Siding Avenue, Officer 3809.</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.</p>	
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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:	30 June 2026
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<p>WHAT ARE MY OPTIONS?</p> <p>Any person who may be affected by the proposed amendment to permit may object or make other submissions to the responsible authority.</p> <p>If you object, the Responsible Authority will notify you of the decision when it is issued.</p>	<p>An objection must:</p> <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. 	<p>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.</p>
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Application to amend a current planning application



Declaration	
I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the planning permit application.	
Print name:	
Signature:	

Fees	
Amendment in accordance with Section 50 or 50A	Nil
Amendment in accordance with Section 57A	40% of the fee applicable to the original permit class plus the difference in fees if the amendment changes the class of permit to that with a higher application fee.

Lodgement of application

Your application can then be sent via email, mail or submitted in person at Council's Civic Centre.

Assistance

If any assistance in completing this form is required, we recommend you contact Council's Statutory Planning Team on 1300 787 624 before lodging an application. Insufficient or unclear information may delay the processing of your application.

Note: *Any material submitted with this application, 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 the planning process under the Planning and Environment Act 1987.*

Cardinia Shire Council
Civic Centre
20 Siding Avenue, Officer

PO Box 7
Pakenham 3810 (DX 81006 Pakenham)

Phone: 1300 787 624
Email: mail@cardinia.vic.gov.au
Web: cardinia.vic.gov.au


National Relay Service (NRS)
TTY: 133 677 (ask for 1300 787 624)
Speak and Listen (speech-to-speech relay): 1300 555 727 (ask for 1300 787 624)


Translator Interpretation Service
131 450 (ask for 1300 787 624)

Planning Enquiries
Phone: 1300 787 624
Web: www.cardinia.vic.gov.au


Application to AMEND a Planning Permit


If you need help to complete this form, read MORE INFORMATION at the end of this form.

 Any material submitted with this application, 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*. If you have any questions, please contact Council's planning department.

 This form cannot be used to:

- amend a permit or part of a permit if the Victorian Civil and Administrative Tribunal (VCAT) has directed under section 85 of the Act that the responsible authority must not amend that permit or that part of the permit (as the case requires); or
- amend a permit issued by the Minister under Division 6 of Part 4 of the Act (these applications must be made to the Minister under section 971 of the Act).

 Questions marked with an asterisk (*) must be completed.

 Click for further information.

Clear Form

The Land


Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 420	St. Name: Mountain Rd
Suburb/Locality: Gembrook		Postcode:

Formal Land Description *

Complete either A or B.

 This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.


A	Lot No.: 1	<input type="radio"/> Lodged Plan	<input checked="" type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.: 854849
OR					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

Planning Permit Details

What permit is being amended?*

Planning Permit No.:	T160492-2
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The Amended Proposal

 You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application

What is the amendment being applied for?*

- Indicate the type of changes proposed to the permit.
- List details of the proposed changes.

If the space provided is insufficient, attach a separate sheet.

This application seeks to amend:	
<input checked="" type="checkbox"/> What the permit allows	<input type="checkbox"/> Plans endorsed under the permit
<input type="checkbox"/> Current conditions of the permit	<input type="checkbox"/> Other documents endorsed under the permit
Details: change from habitable outbuilding to DPU	
 Provide plans clearly identifying all proposed changes to the endorsed plans, together with: any information required by the planning scheme, requested by Council or outlined in a Council checklist; and if required, include a description of the likely effect of the proposal.	

Development Cost i

Estimate cost of development*

If the permit allows **development**, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit.

Cost of proposed amended development:	Cost of the permitted development:	Cost difference (+ or -):
\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="0"/>

Insert 'NA' if no development is proposed by the permit.

You may be required to verify this estimate.

Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Have the conditions of the land changed since the time of the original permit application? Yes No
If yes, please provide details of the existing conditions.

rurual with dwelling and usual outbuildings

Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable): Lakeside Building Consultants		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:


Contact information for applicant OR contact person below	
Business phone:	Email:
Mobile phone:	Fax:

Contact person's details*		Same as applicant <input checked="" type="checkbox"/>
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:

Name:		Same as applicant <input type="checkbox"/>
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:
Owner's Signature (Optional):	Date:	day / month / year

Declaration

This form must be signed by the applicant*

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

I declare that I am the applicant; that all the information in this application is true and correct; that all changes to the permit and plan have been listed as part of the amended proposal and that the owner (if not me) has agreed to the permit application.

Signature:	Date: 17/07/2025
	day / month / year

Need help with the Application?

If you need help to complete this form, read More Information at the end of this form or contact Council's planning department. General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer

<input type="radio"/> No	<input type="radio"/> Yes	If 'Yes', with whom?:
		Date: day / month / year



Checklist

Have you:

- Filled in the form completely?
- Paid or included the application fee?
- Attached all necessary supporting information and documents?
- Completed the relevant council planning permit checklist?
- Signed the declaration above?



Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Lodgement

Lodge the completed and signed form and all documents with:

Cardinia Shire Council
PO Box 7
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

Contact information:

Telephone: 1300 787 624

Fax: (03) 5941 3784

Email: mail@cardinia.vic.gov.au

DX: 81006

Deliver application in person, by post or by electronic lodgement.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

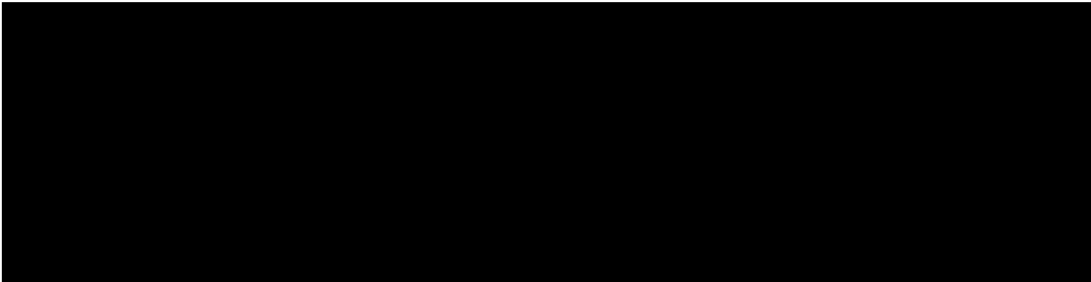
VOLUME 03106 FOLIO 038

Security no : 124126248144K
Produced 16/07/2025 08:09 AM

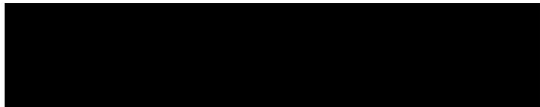
LAND DESCRIPTION

Lot 1 on Title Plan 854849G (formerly known as part of Lot 3 on Plan of Subdivision 004229).
PARENT TITLE Volume 02792 Folio 285
Created by instrument 0518874 26/01/1906

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES



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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP854849G 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)

Street Address: 420 MOUNTAIN ROAD GEMBROOK VIC 3783

ADMINISTRATIVE NOTICES

NIL



DOCUMENT END

<h1>TITLE PLAN</h1>	<h2>EDITION 1</h2>	<h1>TP854849G</h1>
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LOCATION OF LAND

Parish: GEMBROOK
 Township: -
 Section: -
 Crown Allotment: A17 (PT)
 Crown Portion: -

Last Plan Reference: - LP 4229
 Derived From: VOL. 3106 FOL. 038

Depth Limitation: NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land/Easement Information

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date: 11 - 3 - 2008
 VERIFIED: A. DALLAS
Assistant Registrar of Titles

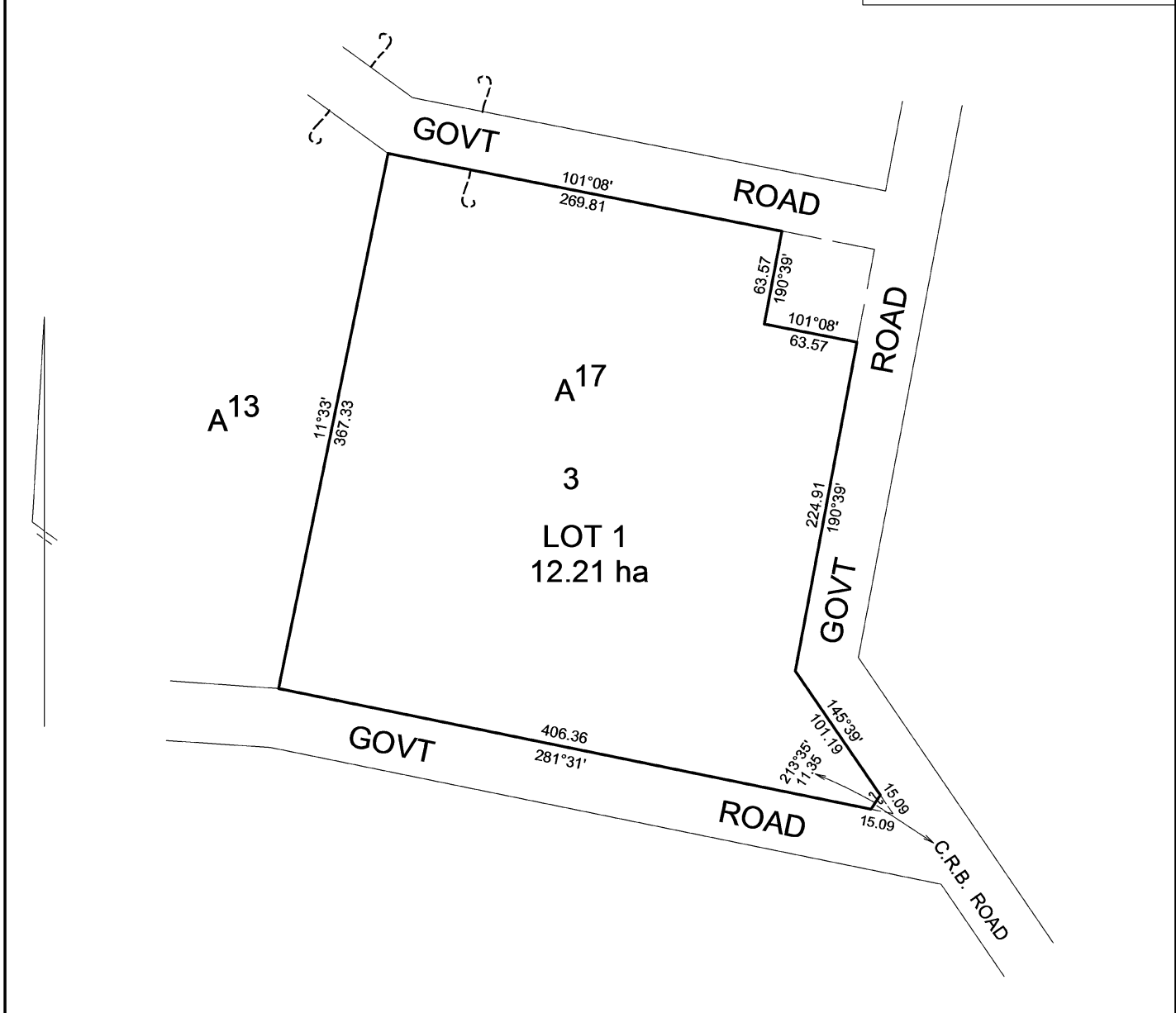




TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
LOT 1 = LOT 3 (PT) ON LP 4229


All building works to be completed in accordance with: Building Act 1993 Regulations 2018, and Relevant Building Code of Australia

Stormwater to be discharged via 90mm Dia UPVC pipe to System, in accordance with Council's Requirements

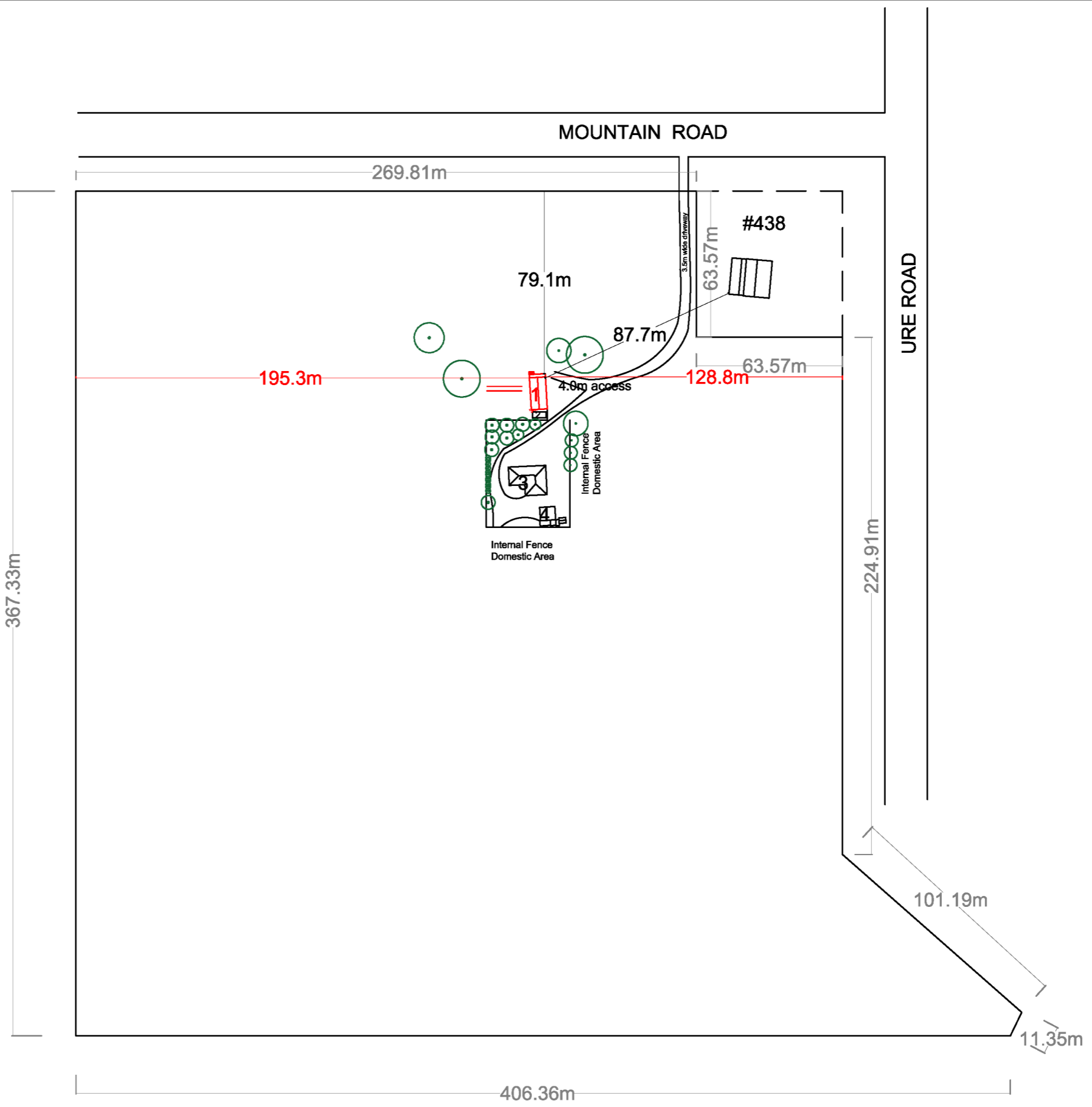
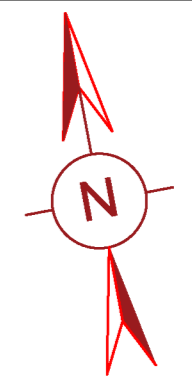
- 1: Existing Outbuilding
- 2: Existing shipping container - to be removed
- 3: Existing Dwelling
- 4: Existing Sheds

-  -Existing Trees
-  -Existing fallen tree

3m driveway existing from gate - level each side no vegetation impacted

 - Septic lines

Dwelling to east 179m across Ure Rd

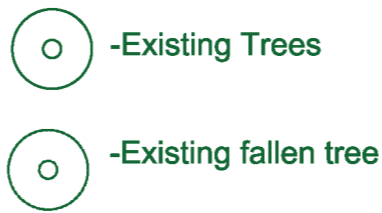


OWNER 	PROJECT ADDRESS 420 Mountain Road Gembrook	VOL 03106	FOL 038	PROPOSAL Compliance Matters	SITING 79.1m to North Boundary 128.8m to East Boundary 1.0m to Existing Shed (South) 195.3m to West Boundary	PLANNING GWZ (2) ESO (1) SLO (1)	SCALE 1:2000 (A3)	
		LOT 1	PS 854849				DATE 9/12/2025	ISSUE C

All building works to be completed in accordance with: Building Act 1993 Regulations 2018, and Relevant Building Code of Australia

Stormwater to be discharged via 90mm Dia UPVC pipe to System, in accordance with Council's Requirements

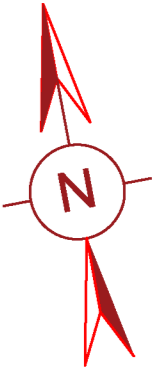
- 1: Existing Outbuilding
- 2: Existing shipping container - to be removed
- 3: Existing Dwelling
- 4: Existing Sheds



Driveway - all crushed rock

main entry - 3.5m wide
to unit - 4.0m wide

no tree incursion
all clear on both sides



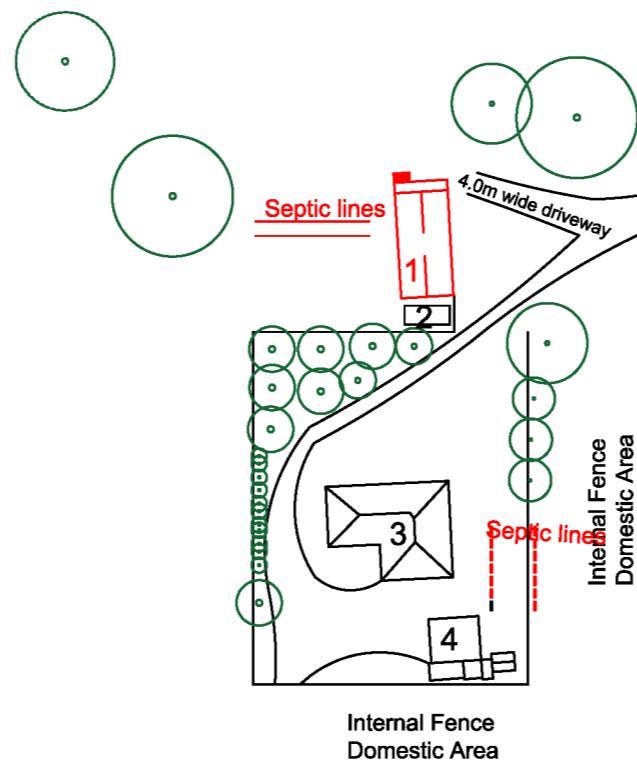
MOUNTAIN ROAD

#438



URE ROAD

new septic system to be installed for SSD - application to be lodged by plumber



PROJECT ADDRESS

420 Mountain Road
Gembrook

VOL

03106

LOT

1

FOL

038

PS

854849

PROPOSAL

Compliance Matters

SITING

79.1m to North Boundary
128.8m to East Boundary
1.0m to Existing Shed (South)
195.3m to West Boundary

PLANNING

GWZ (2)
ESO (1)
SLO (1)

SCALE

1:1000 (A3)

DATE

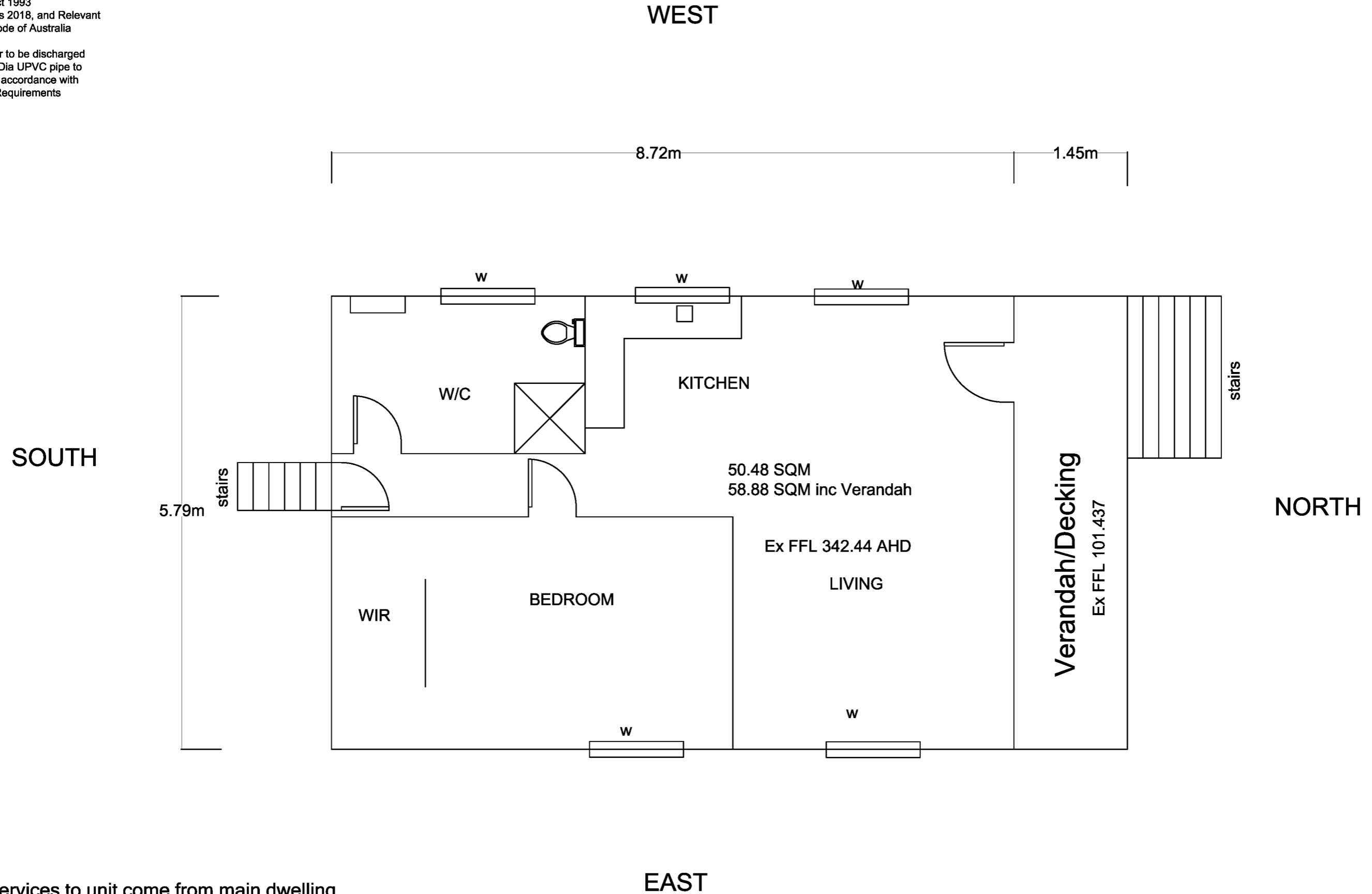
9/12/2025

ISSUE

C

All building works to be completed in accordance with:
 Building Act 1993
 Regulations 2018, and Relevant
 Building Code of Australia

Stormwater to be discharged
 via 90mm Dia UPVC pipe to
 System, in accordance with
 Council's Requirements

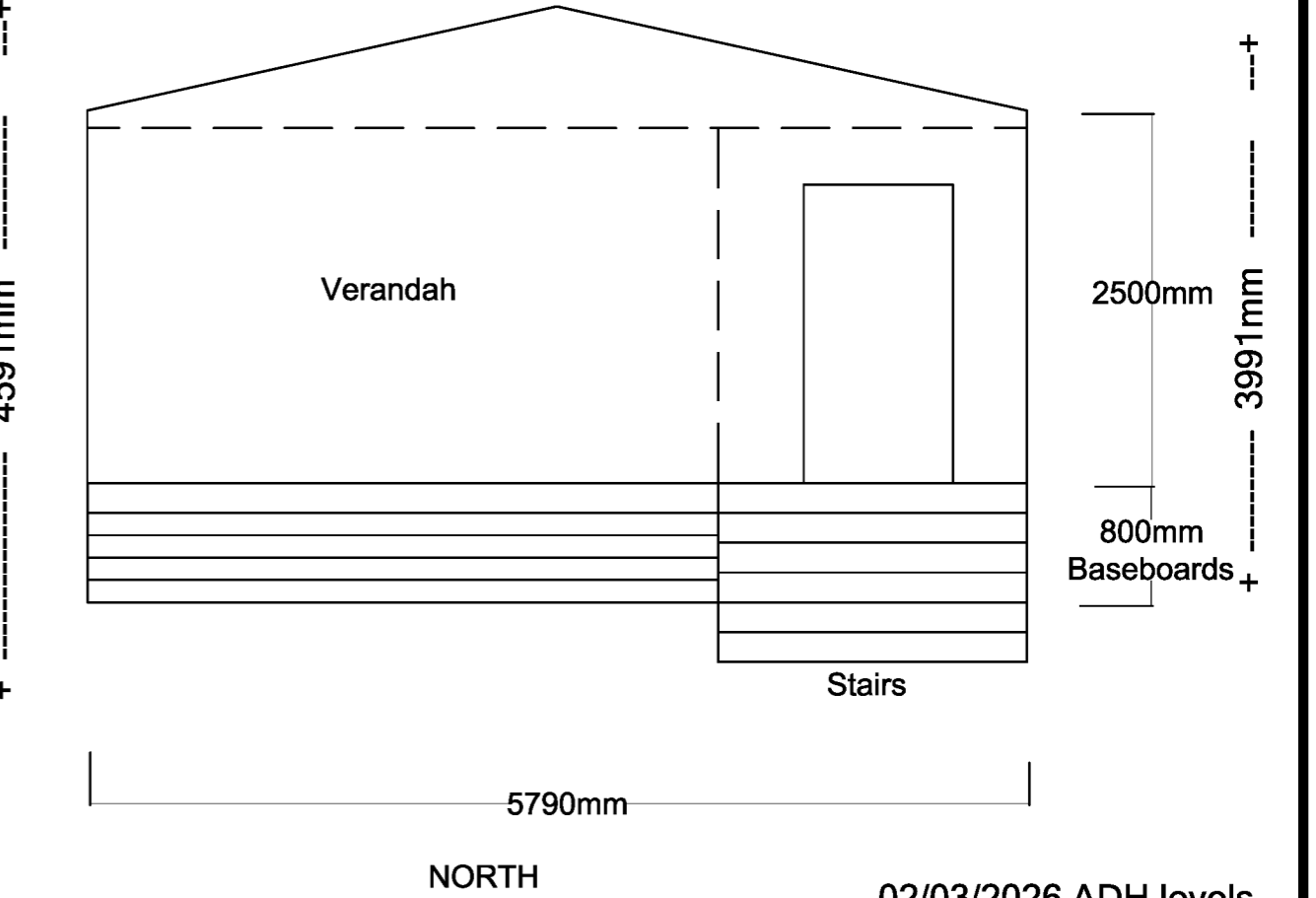
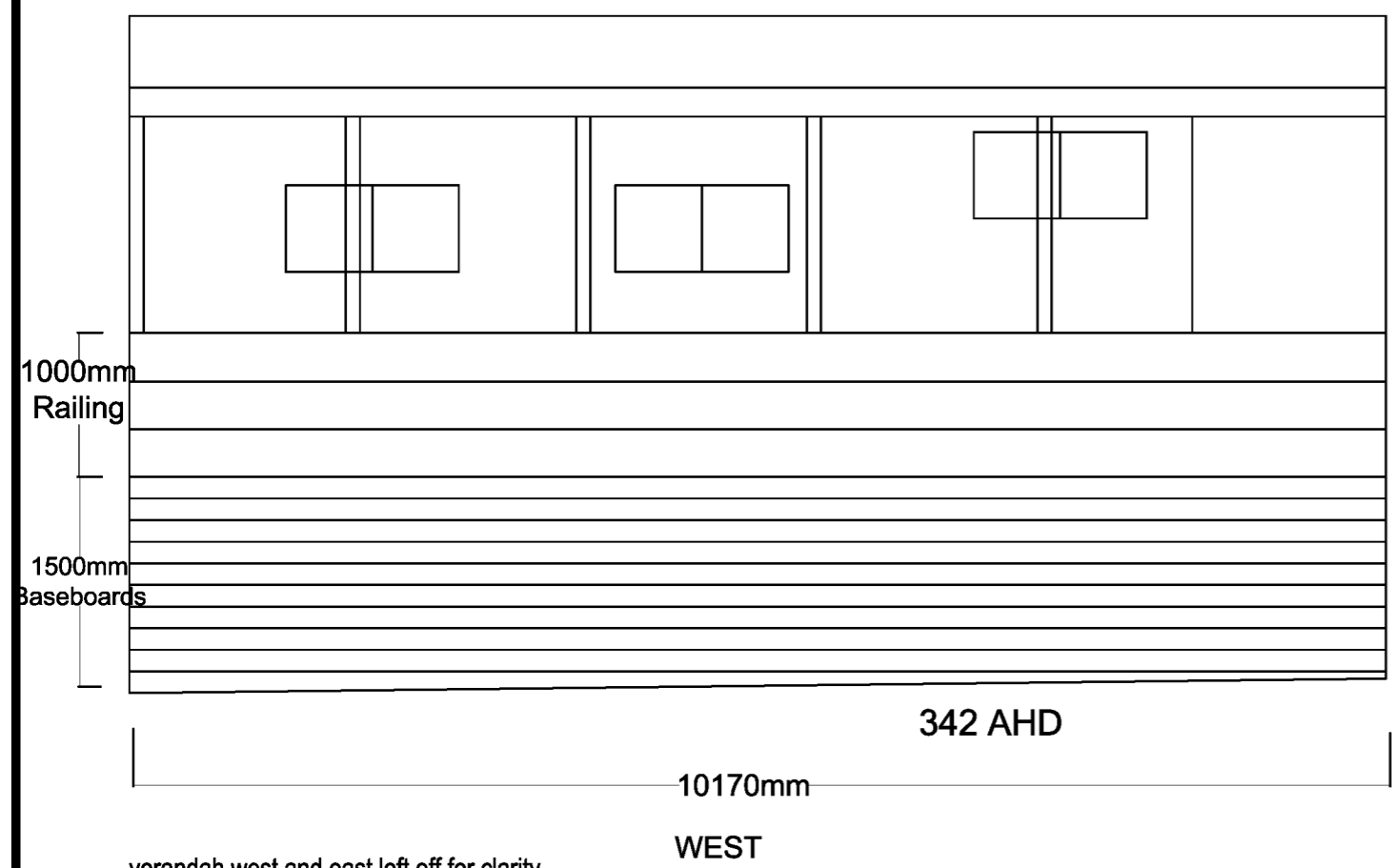
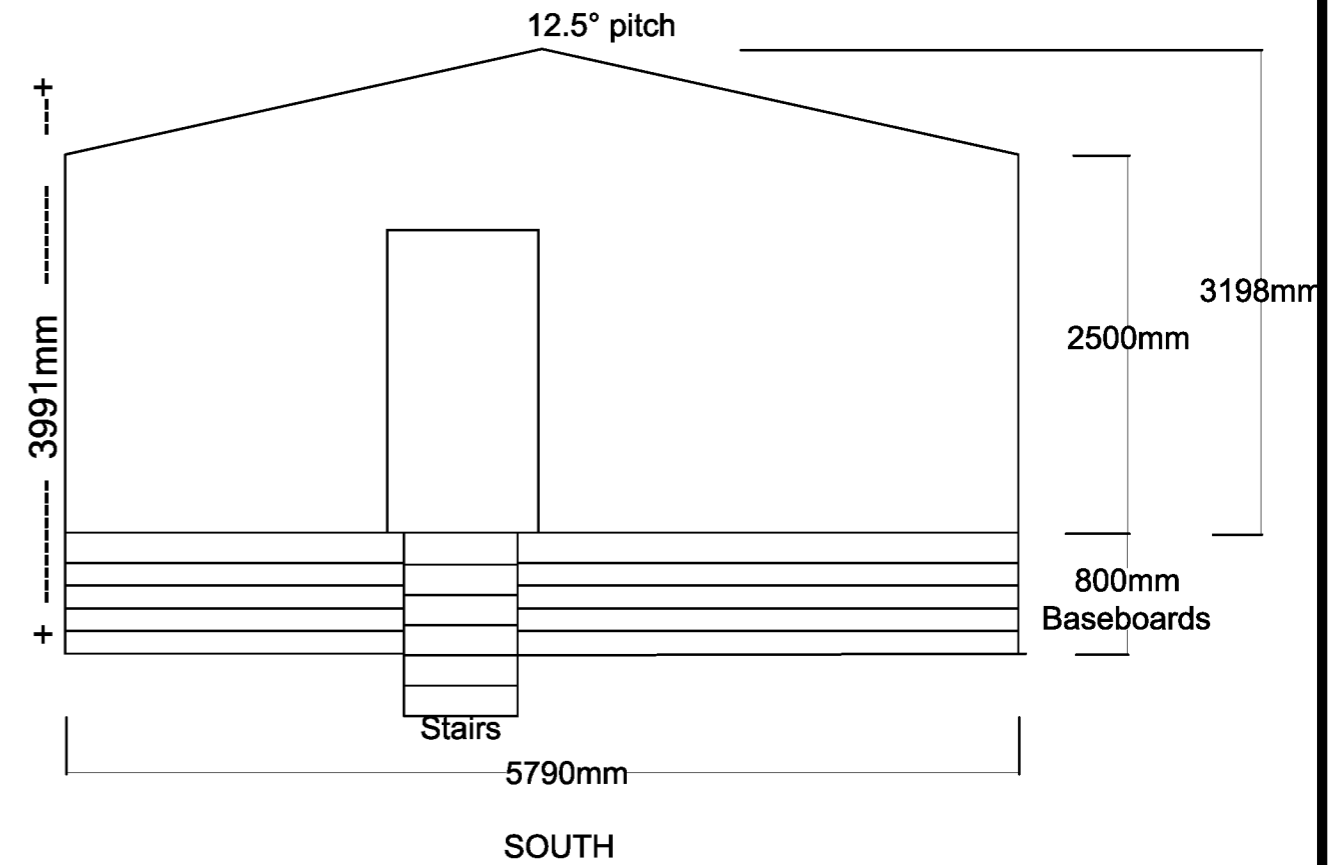
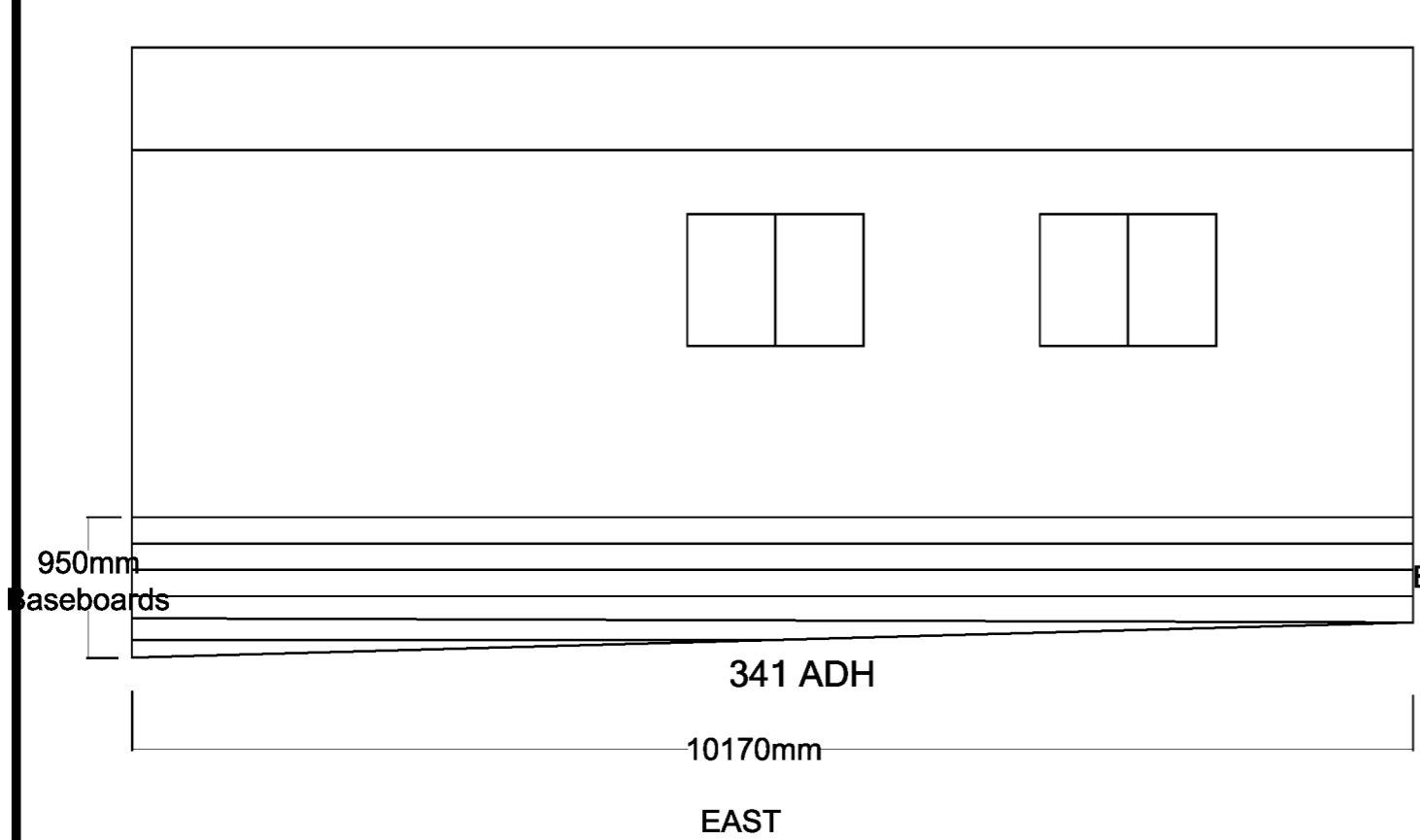


All services to unit come from main dwelling
 New connections to be installed with BP lodgement

02/03/2026 - notes

OWNER [REDACTED]	PROJECT ADDRESS 420 Mountain Road Gembrook	VOL 03106	FOL 038	PROPOSAL change DPU to SSD Compliance Matters Proposed SSD	SITING 79.1m to North Boundary 128.8m to East Boundary 1.0m to Existing Shed (South) 195.3m to West Boundary	PLANNING GWZ (2) ESO (1) SLO (1)	SCALE 1:50 (A3)
	LOT 1	PS 854849	DATE 9/12/2025	ISSUE D			

Any change to colour must be non reflective tones



verandah west and east left off for clarity

02/03/2026 ADH levels

OWNER D. G. F. [REDACTED]	PROJECT ADDRESS 420 Mountain Road Gembrook	VOL 03106	FOL 038	PROPOSAL change DPU to SSD Compliance Matters Proposed SSD	SITING 79.1m to North Boundary 128.8m to East Boundary 1.0m to Existing Shed (South) 195.3m to West Boundary	PLANNING GWZ (2) ESO (1) SLO (1)	SCALE 1:50 (A3)	
		LOT 1	PS 854849				DATE 9/12/2025	ISSUE D

ro sed SS

420 Mountain Rd
Gembrook

340works are all faded green colourbond
FFL 600-1550mm above NGL

AHD 340 across the building site



1400mm



EAST FACING

600mm



Steps
north facing

1500 verandah - west facing

1400mm



south wall

Bartolo & Gae Failla
420 Mountain Rd
Gembrook

13/11/2025
Reduce building to 60m2





To Whom it May Concern


Re: 420 Mountain Road, Gembrook, VIC, 3783

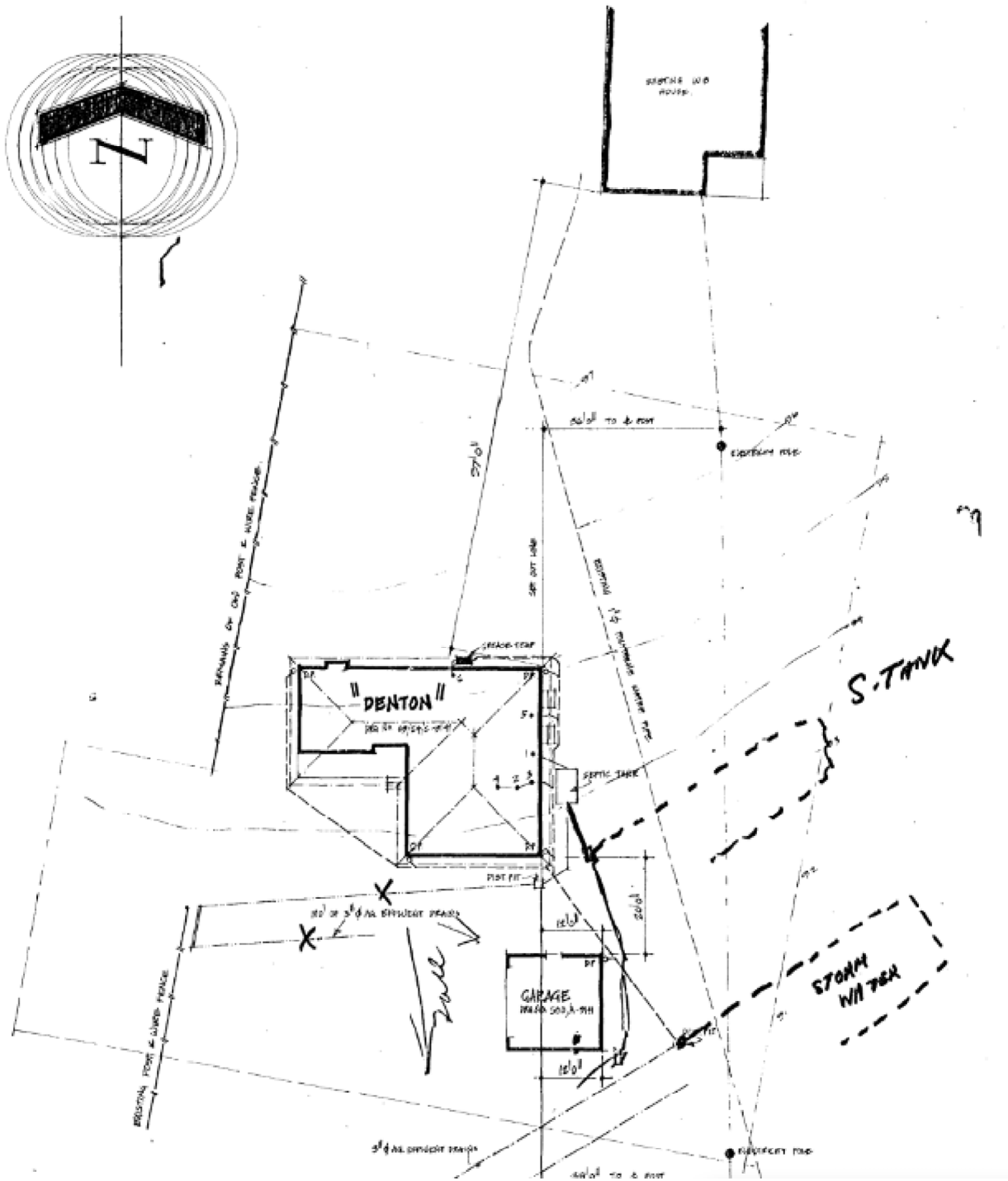
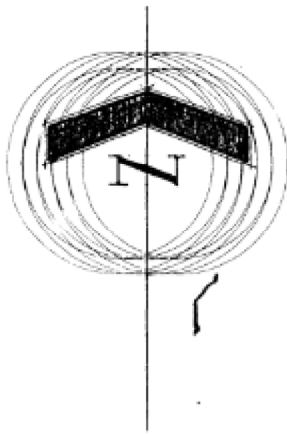
I can confirm that there is a working septic system for the dwelling at the above address.

There are, however, repairs required to the septic leach fields.

If you require any further information, please do not hesitate to contact me.

Regards,


Alpha Plumbing Solutions
Managing Director





Lakeside Building Consultants

Lakeside Building Consultants

P.O. Box 49

Pakenham, Vic 3810

sonya@lakesidebuilding.com.au

Phone: 0447 443 618

14 December 2025

Senior Planning Officer
Cardinia Shire
P.O. Box 7
Pakenham

Dear [REDACTED]

REF: 420 Mountain Rd Gembrook
– change of use habitable outbuilding to DPU – T160492-2

I refer to the above property and the RFI dated 14 August

1. Cost of works for new works onsite estimated to be \$30K
2. Site plan
 - Closest dwelling to the works is 179m to the east
 - Driveway existing is 3.0m wide from the road and closer to 4m where it swings toward the unit – this is the crushed rock area only and land is flat either side so more than capable of being widened to 3500mm with no impact to any trees
 - There is a septic waste system servicing the unit and is shown on the plans submitted
 - It is not known where the power and water to come in and this will be confirmed by licensed practitioners when the works are carried out but we need a building permit first and before building permit a planning approval is needed
 - Shipping container deleted
 - Plans are dated and version number supplied
3. Floorplans
 - A new floorplan and associated elevations are provided which shows that the new owner is happy to reduce the size of the structure to be under 60m². A building permit will be required for this works and new electrical and plumbing compliance certificate will be provided
 - All orientations and measurements are provided
4. Elevations – refer to floorplan notes above
5. Use of land
 - The current occupier of the building has power, water and septic servicing the building.
 - It is expected that these services can be continued moving forward
 - Septic system – it can be expected that should this need any works a permit to alter will be lodged with the MHO during the building permit process.

C. Building Regulations

- As the proposed works will require a building permit – shire should be aware that the Relevant Building Surveyor will seek plumbing and electrical compliance for any changes to the existing works on the building – Once the plumber has been able to locate the septic – any changes and he is required to lodge a permit to alter with the shire – we know where the lines are but not the tank

Until a building permit is issued we cannot open the septic lines without a Permit to Alter. A plumber is needed to do that and a permit to alter cannot be issued till planning is approved

I am hoping that this year – building, planning and health will be able to talk to each other to save time and costings to my clients

If you need further items please extend the cut off to 19 March to allow this works to be forwarded

If you have any queries, please do not hesitate to contact this office.

Yours Faithfully

A solid black rectangular box used to redact the signature of the Director.

Director



Lakeside Building Consultants

Lakeside Building Consultants

P.O. Box 49

Pakenham, Vic 3810

sonya@lakesidebuilding.com.au

Phone: 0447 443 618

14 August 2025

Senior Planning Officer
Cardinia Shire
P.O. Box 7
Pakenham

Dear [REDACTED]

**REF: 420 Mountain Rd Gembrook
– change of use habitable outbuilding to DPU – T160492-2**

I refer to the above property and the RFI dated 14 August

2 Bushfire –

The building was constructed in 1989 and does not appear to have ever been used as a shearing shed – previous owners ran cattle – the site itself is outside the BMO area but is declared under the building provisions

The site is approx. 1.0km west of Gembrook and there is farmland for 1.5km from the closest bush area that could be declared.

The occupant of the building can walk and drive and therefore it should be expected that people who occupy farmland are aware of the need to be over all that is required for bushfire protection

The age of this building will not allow a building surveyor to enforce AS3959 in any way

Clause 13.02 – it is noted that this site is not covered by the BMO and 90% of Cardinia shire is in a declared area and this works should have had a bushfire assessment done in 2016 when the habitable outbuilding was approved

Driveway shown on plans as being 4m wide already as it serves the main house, with a branch to the unit also 4m wide and all made of crushed rock – with no trees along either side – so access is more than acceptable.

The bulk of the trees near the unit are garden trees close to the main dwelling – a large fallen tree lays where it fell due to this planning notice being served and will be cut for firewood once planning allows them. The property is close to the main township of Gembrook (5min drive) and the bush to the NW of the site is approx. 2.1km west and to the east approx. 2.6km as the crow flies

There is sufficient for the family to safely vacate including the building occupiers in the event of fire in the area to the north east and west. It can reasonably be expected that the owners will ensure grass is kept short in the vicinity of both dwellings over the late spring and summer periods and take all precautions to ensure the buildings are safe from grass fire

It has since 2016 contained all that is normal to a dwelling and the building will be reduced to 60m² (see updated plans attached)

This will be an ongoing issue between planning and building whilst at planning it refers to habitable outbuilding and in building a detached extension so therefore, I doubt this will be the last of this sort of issue and matter – Cardinia is not alone in this issue and this office will continue to highlight the lack of unity between planning and building in the industry

The current owner of the site proposes to use it for family use but has reduced the size of the building to 60m² (removing the back 1/3 of the dwelling and making internal alterations to suit and this includes shortening the verandah at the same time. – this now makes this a single bedroom home but with a good bathroom and living spaces

PLANNING CONTROLS

The following policies are considered relevant this application:

11.01-1R – Green Wedges – Metropolitan Melbourne

Objective

To protect the green wedges of Metropolitan Melbourne from inappropriate development.

Strategies

Promote and encourage the key features and related values of each green wedge area.

Support development in the green wedge that provides for environmental, economic and social benefits.

Consolidate new residential development in existing settlements and in locations where planned services are available and green wedge values are protected.

Plan and protect major state infrastructure and resource assets, such as airports and ports with their associated access corridors, water supply dams, water catchments and waste management and recycling facilities.

Protect important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.

Support existing and potential agribusiness activities, forestry, food production and tourism.

Protect areas of environmental, landscape and scenic value such as biodiversity assets, national and state parks, Ramsar wetlands and coastal areas.

Protect significant resources of stone, sand and other mineral resources for extraction purposes.

Provide opportunities for renewable energy generation.

The proposal is consistent with the intent of the policy, as it does not compromise areas of environmental, landscape, or scenic value.

The building was issued a permit in 1989 and has been used since this time it is understood for occupancy purposes – this land has to be best of local knowledge never had sheep on it.

The new owners plan to reduce the size to allow it to be used for occupancy as either a DPU or SSD – new plans provided.

The new owners plan to work the land to bring it back to good condition for agricultural purposes – as the land has been left vacant for some time and needs a good feed.

42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

The statement of environmental significance for the Northern Hills is listed as follows:

The hills to the northern part of the municipality (generally to the north of the Princes Highway) is an area with significant landscape and environmental values. The area is characterised by a geology of Devonian Granitic and Silurian Sediment origin, moderate to steep slopes, and areas of

remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor in terms of environmental hazards including erosion and fire risk.

The vegetation supports the ecological processes and biodiversity of this area by forming core habitat areas within a complex network of bio link wildlife corridors. Sites containing threatened flora and fauna are defined as being of botanical and zoological significance. Development within and around these sites need to be appropriately managed to ensure the long-term protection, enhancement and sustainability of these ecological processes and the maintenance of biodiversity.

Environmental objectives to be achieved are identified as follows:

- To protect and enhance the significant environmental and landscape values in the northern hills area including the retention and enhancement of indigenous vegetation.
- To ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.
- To ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.
- To protect and enhance biolinks across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.

Outcome :

The owner proposes to reduce the size of the building and therefore there is no increase in building size or impact on the area where the works are located and therefore should be exempt from the outcomes of the ESO

Clause 13.02 Bushfire

seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Relevant strategies include:

- Reducing the vulnerability of communities to bushfires through the consideration of bush fire risk in decision making at all stages of the planning process; and
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.

Outcome

Site is located less than 5 minutes' drive from the township of Gembrook using good sealed roads. The grounds are well maintained, and the building is a short distance from the gate. It is unlikely a fire would travel fast enough to prevent evacuation to Gembrook which has a

place of last resort. Should this scenario occur then it's a short drive to Cockatoo. There are no trees on the site that would cause sudden impact to the unit

A fire front would most likely come from the Northeast to East (being the State Park) and is over 2km away. If you are living in this area you should know the need to enact the fire plan for the property before the start of the fire season in October each year – the new owners are very aware of the need to be fire ready

Clause 65.01 APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

The shire should consider that this building had a permit issued in 1989 for a shearing shed on land that contained cattle – There appears to have been several planning approvals over the last 10 years that contained errors.

The property owner has sold the land due to these issues and the new owner has agreed to reduce the size of the building to bring it under 60m² – at this time it is not known who will occupy the building or whether family or commercial gain will be implemented – however he is keen to retain the structure for the most part.

The stormwater will discharge to the watertank and overflow to feed the land (no overflow can affect any other property. No impact on any vegetation as the driveway is existing and no trees overhang the building – by reducing the building (at the rear) the works will move further from any vegetation. No earthworks are proposed and no impact on any adjoining land – the local community are used to seeing the building where located

A sec 50 has been attached due to the change of the plans provided

If you have any queries, please do not hesitate to contact this office.

Yours Faithfully



Director

AMENDED PERMIT

Planning Scheme: **Cardinia Planning Scheme**
Responsible Authority: **Cardinia Shire Council**

PLANNING PERMIT NUMBER: **T160492 - 1**

ADDRESS OF THE LAND: **L1 TP854849, 420 Mountain Road, Gembrook VIC 3783**
THIS PERMIT ALLOWS: **Development of the land for an outbuilding, generally in accordance with the approved plans**

THE FOLLOWING CONDITIONS WILL APPLY TO THE PERMIT:

Date amended:	What has been amended?
18 March 2022	Condition 5 deleted Condition 8 deleted

1. The layout of the site and the size of the proposed buildings and works, as shown on the approved plans, must not be altered or modified without the consent in writing of the Responsible Authority.
2. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
3. 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 unstabilised must be minimised to the satisfaction of the Responsible Authority.
4. The exterior colour and cladding of the structures must not result in any adverse visual impact on the environment of the area and all external cladding and trim of all of the buildings, including the roof, must be of a non-reflective nature.
5. DELETED
6. All stormwater must be conveyed by means of drains to satisfactory points or areas of discharge approved by the Responsible Authority, so that it will have no detrimental affect on the environment or adjoining property owners.
7. All waste water from the proposed outbuilding must be discharged into the existing septic system to the satisfaction of the Responsible Authority
8. DELETED

Please note the timeframes detailed in the 'Expiry of Permit' relate to the Date Issued, not the Date Amended.

Date Issued: 22 November 2016
Date Amended: 18 March 2022

Signature for the Responsible Authority:
Page 1 of 2



Note: Under Part 4, Division 1A of the *Planning and Environment Act 1987*, a permit may be amended. Please check with the Responsible Authority that this permit is the current permit and can be acted upon.

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 of Part 4 of the *Planning and Environment Act 1987*.)

WHEN DOES A PERMIT BEGIN?

A PERMIT OPERATES:

- a) From the date specified in the permit, or
 - b) If no date is specified; from:
 - i. The date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - ii. The date on which it was issued, in any other case.
-

WHEN DOES A PERMIT EXPIRE?

A PERMIT FOR THE DEVELOPMENT OF LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) The development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two (2) years of the issue of the permit, unless the permit contains a different provision, or
- c) The development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in case of a subdivision or consolidation within five (5) years of the certification of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.

A PERMIT FOR THE USE OF LAND EXPIRES IF:

- a) The use does not start within the time specified in the permit, or if no time is specified, within two (2) years of the issue of within two years after the issue of the permit; or
- b) The use is discontinued for a period of two (2) years.

A PERMIT FOR THE DEVELOPMENT AND USE OF THE LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) The development or any stage of it is not completed within the time specified in the permit, or if no time is specified within two years after the issue of the permit.
- c) The use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
- d) The use is discontinued for a period of two (2) years.

If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in [section 6A\(2\) of the *Planning and Environment Act 1987*](#), or to any combination of use, development or any of those circumstances requires the certification of a plan under the [Subdivision Act 1988](#), unless the permit contains a different provision:

- a) The use or development of any stage is to be taken to have started when the
- b) Plan is certified; and
- c) The permit expires if the plan is not certified within two years of the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.

An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.

An application for review is lodged with the Victorian Civil and Administrative Tribunal.

An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.

An application for review must state the grounds upon which it is based.

An application for review must also be served on the Responsible Authority.

Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal

Victoria Civil and Administrative Tribunal, Planning List
55 King Street, MELBOURNE VIC 3000
Ph (03) 9628 9777 Fax: (03) 9628 9789

STUDIO FOR PRIVATE USE ONLY

APPROVED AMENDED PLAN
 PLANNING AND ENVIRONMENT ACT 1987
 CARDINIA PLANNING SCHEME
 PERMIT NO.: T160492.1
 SHEET: 1 OF 1
 APPROVED BY: Stephanie Preece
 CARDINIA SHIRE COUNCIL
 DATE: Friday, 18 March 2022

STAIRCASE NOTES:

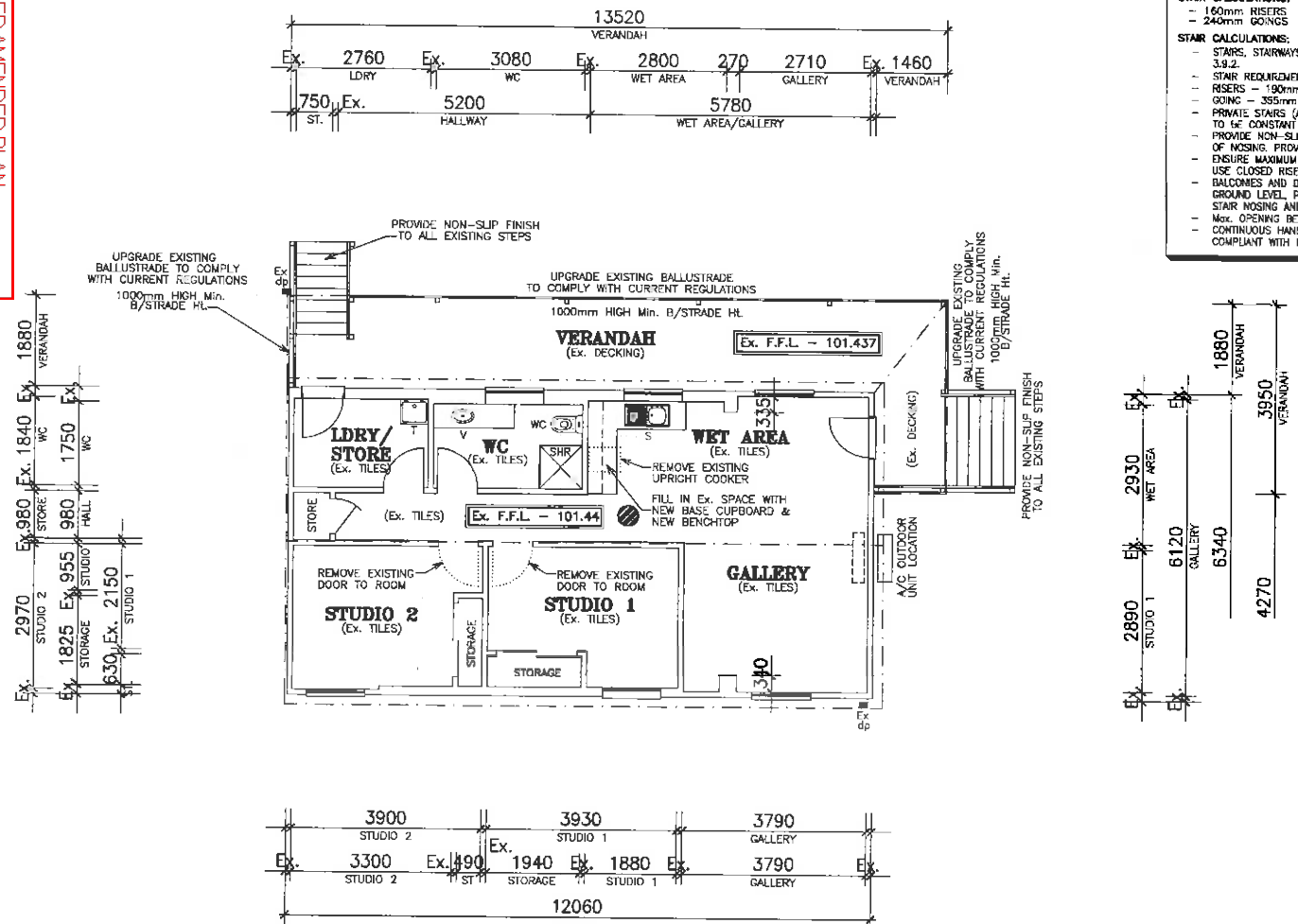
- STEP TREADS TO ACHIEVE Min. STEP RESISTANCE CLASSIFICATION, AS PER TABLE 3.9.1.1 OF BCA
- TREAD SURFACE TREATMENT CLASSIFICATION: INTERNAL STEPS TO P3 OR R10, EXTERNAL STEPS TO P4 OR R11
- STAIR NOSING STRIP CLASSIFICATION: INTERNAL STEPS TO P3, EXTERNAL STEPS TO P4
- (COMPLIANCE OF STAIRS TO MANUFACTURERS DESIGN)

STAIR CALCULATIONS:

- 160mm RISERS
- 240mm GOINGS

STAIR CALCULATIONS:

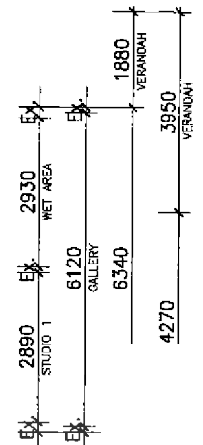
- STAIRS, STAIRWAYS AND BALUSTRADES TO COMPLY WITH BCA 3.9.1 & 3.9.2
- STAIR REQUIREMENTS (OTHER THAN SPIRAL STAIRCASE DESIGNS)
- RISERS - 190mm Max, 115mm Min
- GOING - 355mm Max, 240mm Min
- PRIVATE STAIRS (AND 250mm FOR PUBLIC STAIRS), RISERS AND TREADS TO BE CONSTANT IN SIZE THROUGHOUT STAIR FLIGHT
- PROVIDE NON-SLIP FINISH OR SUITABLE NON-SKID STRIP NEAR EDGE OF NOSING. PROVIDE CONTINUOUS HANDRAIL 1000mm MINIMUM HEIGHT
- ENSURE MAXIMUM GAP BETWEEN RISERS NOT TO EXCEED 125mm, OR USE CLOSED RISERS
- BALCONIES AND DECKS THAT ARE 1000mm OR MORE ABOVE NATURAL GROUND LEVEL PROVIDE AN 885mm Min. HEIGHT HANDRAIL ABOVE STAIR NOSING AND LANDINGS
- Max. OPENING BETWEEN BALUSTERS NOT TO EXCEED 125mm
- CONTINUOUS HANDRAIL TO BE INSTALLED TO ONE SIDE OF STAIRS, COMPLIANT WITH PART 3.9.2.4 OF THE BCA 2015



PROPOSED FLOOR AREAS:

Ex. FLOOR TO REMAIN	: 76.46 sqm	8.23 sq
Ex. VERANDAH TO REMAIN	: 28.44 sqm	3.06 sq
TOTAL	: 104.90 sqm	11.29 sq

● **SMOKE DETECTOR**
 connected to mains power and
 having a standby power supply
 (IN ACCORDANCE WITH AS3786-1990)



Dwg. TITLE	
FLOOR PLAN	
CONTRACT No.	0081
DATE FILE NAME	MASTER UPDATE
DRAWN BY	D. MOORE
DATE (DRAFT)	14/11/15
DATE (PRELIM)	
SCALE	1:100
DATE (FINAL)	23/09/16
DRAWING No.	A.03