

Town Planning Committee Meeting

Minutes

Monday 7 April 2025

Commenced at 7:00 PM

Council Chambers
20 Siding Avenue, Officer
Victoria

Members: Cr Jack Kowarzik Mayor
Cr Samantha-Jane Potter
Cr Casey Thomsen
Cr David Nickell
Cr Collin Ross
Cr Brett Owen
Cr Trudi Paton
Cr Liz Roberts

Officers: Debbie Tyson General Manager Community & Planning Services
Duncan Turner Manager Planning and Design
Peter Harris Manager Governance, Safety & Property
Natasha Berry Senior Governance Officer

Meeting opened at 7:00pm.

Order of Business

1 Opening And Reflection.....	4
2 Acknowledgements	4
3 Apologies.....	4
4 Declaration Of Interests	4
5 Ordinary Business.....	5
5.1 Planning Application T240573 - 130 Greenhills Road Pakenham	5
5.2 Planning Matters Dealt With By Officers Under Delegated Authority - April 2025 10	
5.3 Planning Matters VCAT Report - April 2025.....	11
5.4 Planning Scheme Amendments Activity Report - April 2025	12

1 Opening And Reflection

I would ask those gathered to join us now for a few moments of silence as we reflect on our roles in this chamber. Please use this opportunity for reflection, Prayer or thought, to focus on our shared intention to work respectfully together for the well-being of our whole community.

2 Acknowledgements

Cardinia Shire Council acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to their elders past, present and emerging.

3 Apologies

Cr Alanna Pomeroy, Deputy Mayor

4 Declaration Of Interests

Nil

5 Ordinary Business

5.1 PLANNING APPLICATION T240573 - 130 GREENHILLS ROAD PAKENHAM

Responsible GM:	Debbie Tyson
Author:	Lisa Hall
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	4.1 We support our productive land and employment land to grow local industries 4.1.2 Plan for sustainable employment precincts to entice new industries to the region and support new business.

Resolution

Moved Cr Paton, seconded Cr Roberts.

That Council resolve to issue a Permit for Planning Permit Application T240573 at Lot 2 PS904617S (Proposed Lot B) 130 Greenhills Road, Pakenham for development of the land for warehouses, works within the Land Subject to Inundation Overlay, reduction in car-parking and advertising signs (illuminated business identification signs) in accordance with the endorsed plans, subject to the following conditions:

1. Before the commencement of any buildings and works, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the plans submitted with the application prepared by Concept Y drawing no. 2411-136-DA-000, but modified to show:
 - a. Sight distances for access driveways in accordance with AS2890.1 (Clause 3.2.4(a)).
2. Before the development starts, an amended landscape plan, prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and one electronic copy in an approved format must be provided. The landscaping plan must be generally in accordance with the landscape concept plans prepared by KLM (Ref 12328.00 LP01) dated 15/1/25 but modified to show:
 - a. Removal of all landscaping works from the streetscapes.
 - b. Identify that *Macrolaena stipoides* is to be mowed or removal of *Macrolaena stipoides* from frontages visible to the street.

All species selected must be to the satisfaction of the Responsible Authority and should be drought tolerant and proven hardy cultivars suitable to the local conditions. Plantings are not to impact sight lines for vehicles or pedestrians.

3. Before the development starts, an amended Sustainability Management Plan must be submitted to an approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by Sustainable

Development Consultants dated January 2025 but modified to account for the amended layout/development as per the approved plans. When approved, the plan will form part of the permit and all works/development/use must be in accordance with the plan.

4. Before the development starts a stormwater management plan showing the site specific stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. Once approved, the stormwater management plan will be endorsed and will then form part of the permit. 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, proposed Lot B as shown on PS918148 must be titled and all roads and streetscapes providing access to Lot B must be designed and constructed to the satisfaction of the Responsible Authority, including Meadow Parade, roundabout at Greenhills Road/Meadow Parade, Waddell Loop and roundabout at Waddell Loop/Meadow Parade/Kitchen Drive.
6. Before the development starts, easement E-1 on Lot 2 PS904617S must be removed from the land.
7. All concrete and steel structures and associated below ground drainage infrastructure must be designed for a non-aggressive to mild aggressive soil exposure classification in accordance with AS2159-2009 to the satisfaction of the Responsible Authority.
8. At least 14 days before any works start, a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP. The CEMP must address all environmental risks and include:
 - a. Temporary stormwater management including sedimentation control,
 - b. Provision of pollution and contamination controls including noise and dust,
 - c. Location of stockpiles and stockpile management,
 - d. Location of site office and facilities,
 - e. Equipment, materials and goods management, and
 - f. Tree protection zones, trees to be retained and trees to be removed.

Prior to Occupation

9. Before the development is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works on the endorsed landscape plan, must be carried out and completed to the satisfaction of the Responsible Authority.
10. Before the development is occupied, outfall drainage for the development must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority.
11. Before the development is occupied, all proposed areas set aside on the approved plan/s for accessways, crossovers, circulation, car parking and bicycle parking as shown on the endorsed plans must be constructed, properly formed to such levels that they can be used in accordance with the plans, drained, line-marked to indicate each car space and all access lanes and clearly show the direction of traffic along access lanes and

driveways. The vehicle crossovers must be designed and constructed generally in accordance with AS2890.2 and pavement composition must be to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

General

12. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
13. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
15. The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be carried out entirely within the site and must not interfere with other traffic.
16. Vehicles using the site must not exceed 26m in length and vehicles longer than 8.8m must enter and exit the site in a forward direction.
17. Access gates for truck entry must remain open during delivery times, unless with the prior written consent of the Responsible Authority.
18. Carparking spaces are to be shared for:
 - a. Warehouse 1A, 1B, 1C and 1D;
 - b. Warehouse 2A and 2C; and
 - c. Warehouse 2B and 2E.
19. The development must be provided with reticulated water and sewerage, underground power and telecommunications connections to the satisfaction of the Responsible Authority.
20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties to the satisfaction of the Responsible Authority.
21. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
22. 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.
23. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development of the subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
24. At all times, 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.
25. 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.
- 26. 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.
 - 27. The areas set aside for car parking as shown on the endorsed plans must not be used for any other purposes.
 - 28. 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.
 - 29. The premises must not be used for a purpose shown in the table to Clause 53.10 if no threshold distance is specified or if the threshold distance is not met.
 - 30. The premises must not require a notification under the Occupational Health and Safety Regulations 2017, a licence under the *Dangerous Goods Act 1985*, or exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.

Signs

- 31. The location and details of the signs, including those on supporting structures, as shown on the endorsed plan/s, must not be altered without the written consent of the Responsible Authority.
- 32. Sign/s must be displayed and maintained to the satisfaction of the Responsible Authority.
- 33. The sign/s lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
- 34. The sign/s must not contain any flashing light.

Melbourne Water

- 35. Before the commencement of works, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
- 36. Before the issue of a Certificate of Occupancy under the Building Act 1993, a certified survey plan (CSP) to Melbourne Water's satisfaction, prepared by or under the supervision of a licensed land surveyor, must be provided. The CSP is to demonstrate the finished levels reduced to the Australian Height Datum, the 1% AEP flood levels associated with any existing or proposed Melbourne water asset and demonstrate that the required 600mm freeboard has been achieved for each warehouse.
- 37. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- 38. Before the issue of a Certificate of Occupancy under the Building Act 1993, any temporary outfall works required to service the warehouse development must be completed to the satisfaction of Melbourne Water and Council. Council acceptance of any temporary drainage infrastructure should be forwarded to Melbourne Water.

Expiry

- 39. This permit will expire if:

- a. The development does not start within two (2) years of the date of this permit; or
- b. The development is not completed within four (4) years after the issue of the permit.
- c. The permit for the signage will expire fifteen (15) years from the date of the permit being issued. On expiry the sign and structures specifically to support and illuminate the signage must be removed.

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

1. Please be advised that the land falls within the Growth Areas Infrastructure Contribution area. The Growth Areas Infrastructure Contribution is a one-off contribution payable for certain “events” usually associated with urban property development. This levy is payable to the State Revenue Office not Cardinia Shire Council. It is recommended that advice be sought from the State Revenue Office, the Metropolitan Planning Authority or an independent legal expert.
2. Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development complies with the Building Act and Building Regulations.
3. Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
4. A Vehicle Crossing Permit must be obtained from Cardinia Shire Council before the any works associated with any proposed vehicle crossing start.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

5.2 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATED AUTHORITY - APRIL 2025

Responsible GM:	Debbie Tyson
Author:	Jason Gilbert
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Resolution

Moved Cr Owen, seconded Cr Thomsen.

That Council note the 'Planning Matters Dealt with by Officers Under Delegated Authority – April 2025' report.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen
Against: Nil

Carried

5.3 PLANNING MATTERS VCAT REPORT - APRIL 2025

Responsible GM:	Debbie Tyson
Author:	Jason Gilbert
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Resolution

Moved Cr Roberts, seconded Cr Nickell.

That Council note the 'Planning Matters VCAT Report – April 2025' report.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen
Against: Nil

Carried

5.4 PLANNING SCHEME AMENDMENTS ACTIVITY REPORT - APRIL 2025

Responsible GM:	Debbie Tyson
Author:	Marcelle Bell
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Resolution

Moved Cr Potter, seconded Cr Nickell.

That Council note the 'Active Planning Scheme Amendments' report in Table 1.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

6 Meeting Closure

The Mayor noted that Carol Jeffs has resigned from her role as Chief Executive Officer, Cardinia Shire Council. He extended his thanks for her service to the Community and Council for the last six and a half years and wished her well in her new role.

Meeting closed at 7:25pm.

Minutes confirmed
Mayor