

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	1365 Princes Highway, Pakenham VIC 3810 L1 PS406181 V10380 F763
The application is for a permit to:	To construct and carry out works in the C1Z. To display signage (business identification and illuminated). To alter access to a TRZ2
The applicant for the permit is:	Urbis Ltd
The application reference number is:	T230573
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: <a href="https://www.cardinia.vic.gov.au/advertisedplanningapplications">https://www.cardinia.vic.gov.au/advertisedplanningapplications</a>

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must

- \* be sent to the Responsible Authority in writing, at Cardinia Shire Council, PO Box 7, Pakenham, Vic, 3810 or email at [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au).
- \* include the name and address of the objector/ submitter.
- \* include the application number and site address.
- \* include the reasons for the objection, and
- \* state how the objector would be affected.

The Responsible Authority will not decide on the application before:	16 May 2024
--	-------------

If you object, the Responsible Authority will tell you its decision.

Please be aware that copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process.

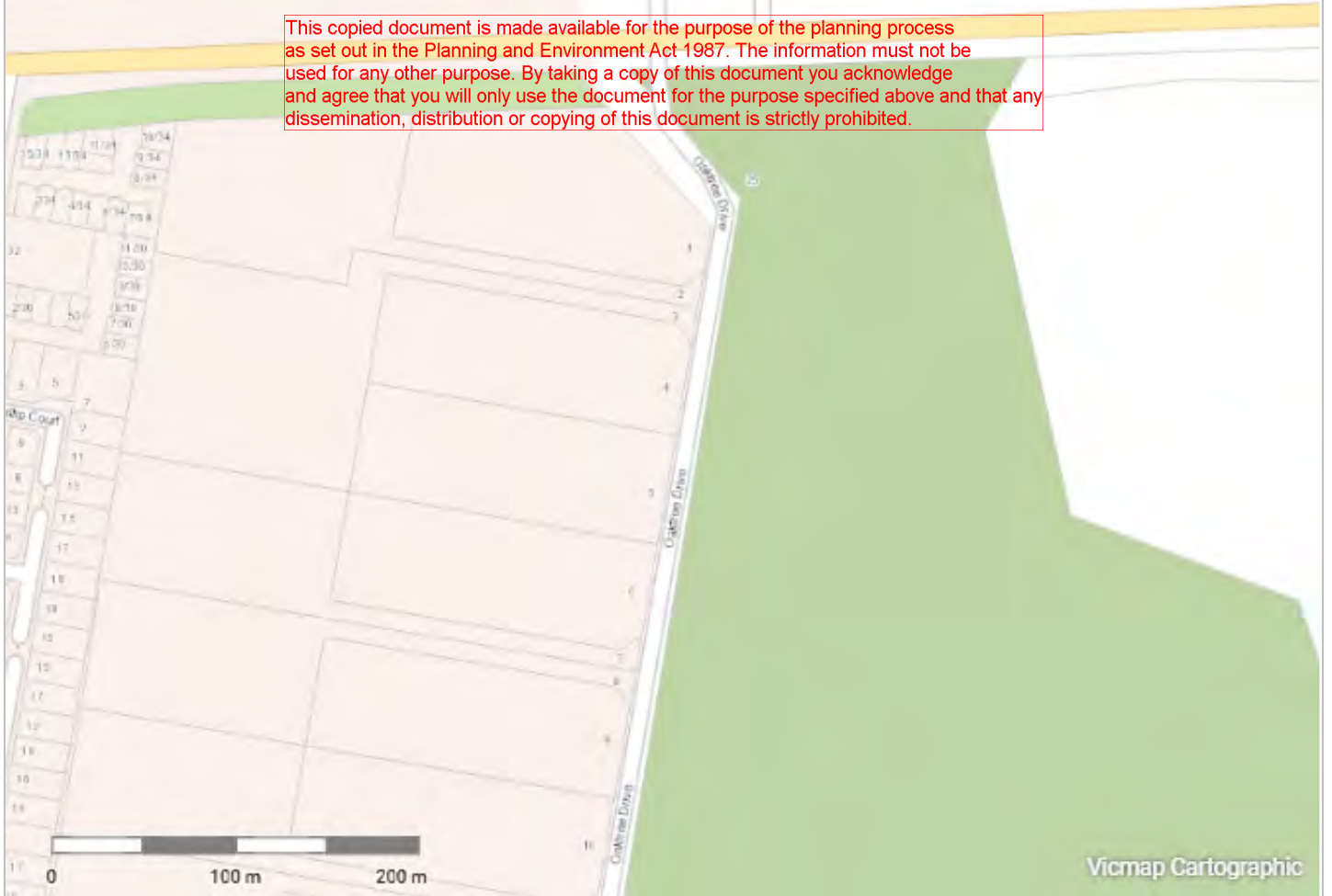
For additional information or advice contact Cardinia Shire Council, Planning Department on 1300 787 624 or [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au).

Your objection/submission and personal information is collected by Cardinia Shire Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987*. If you do not provide your name and address, Council will not be able to consider your objection/submission. Your objection/submission will be available free of charge at the Council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the *P&E Act*. You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

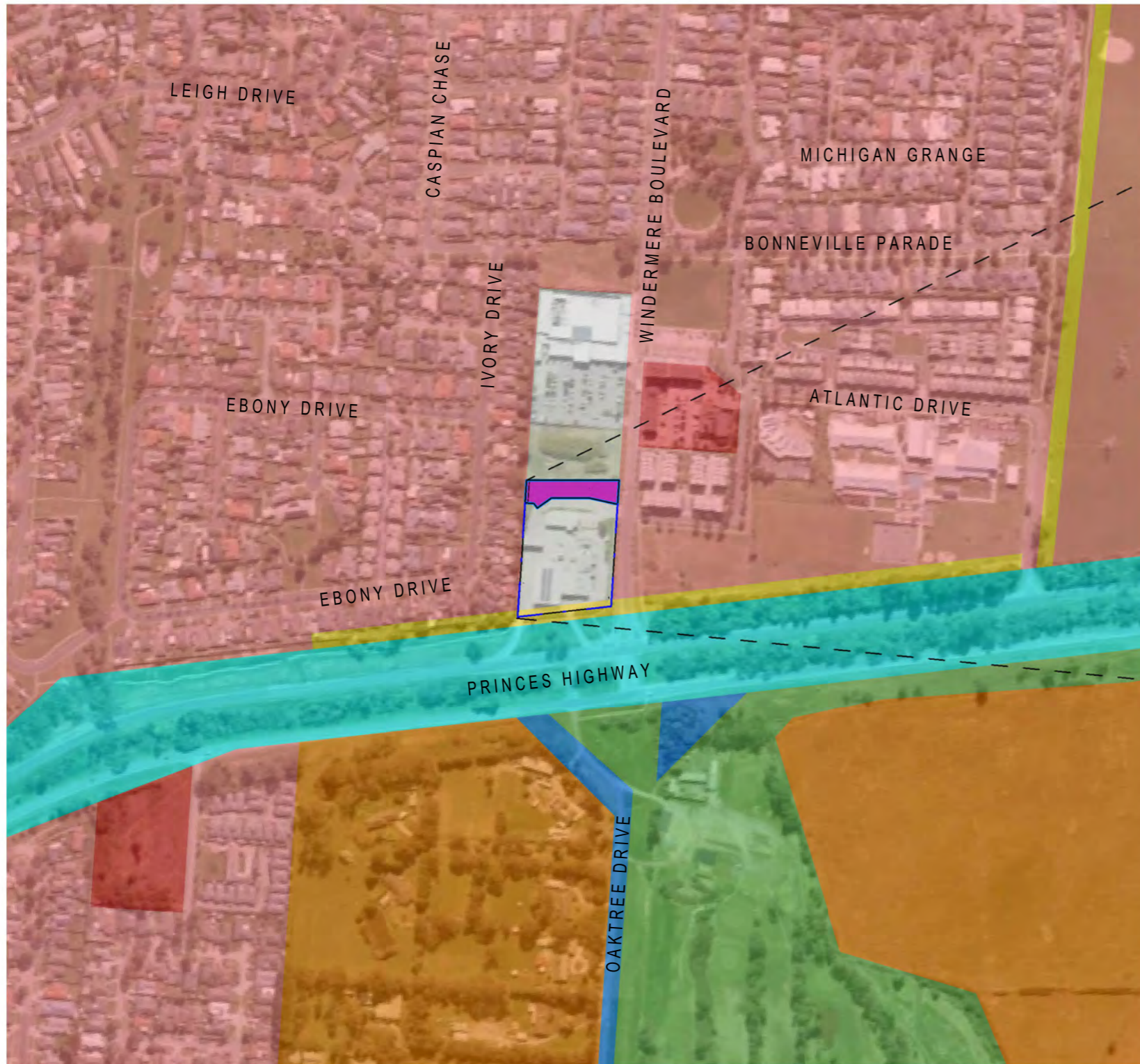
This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

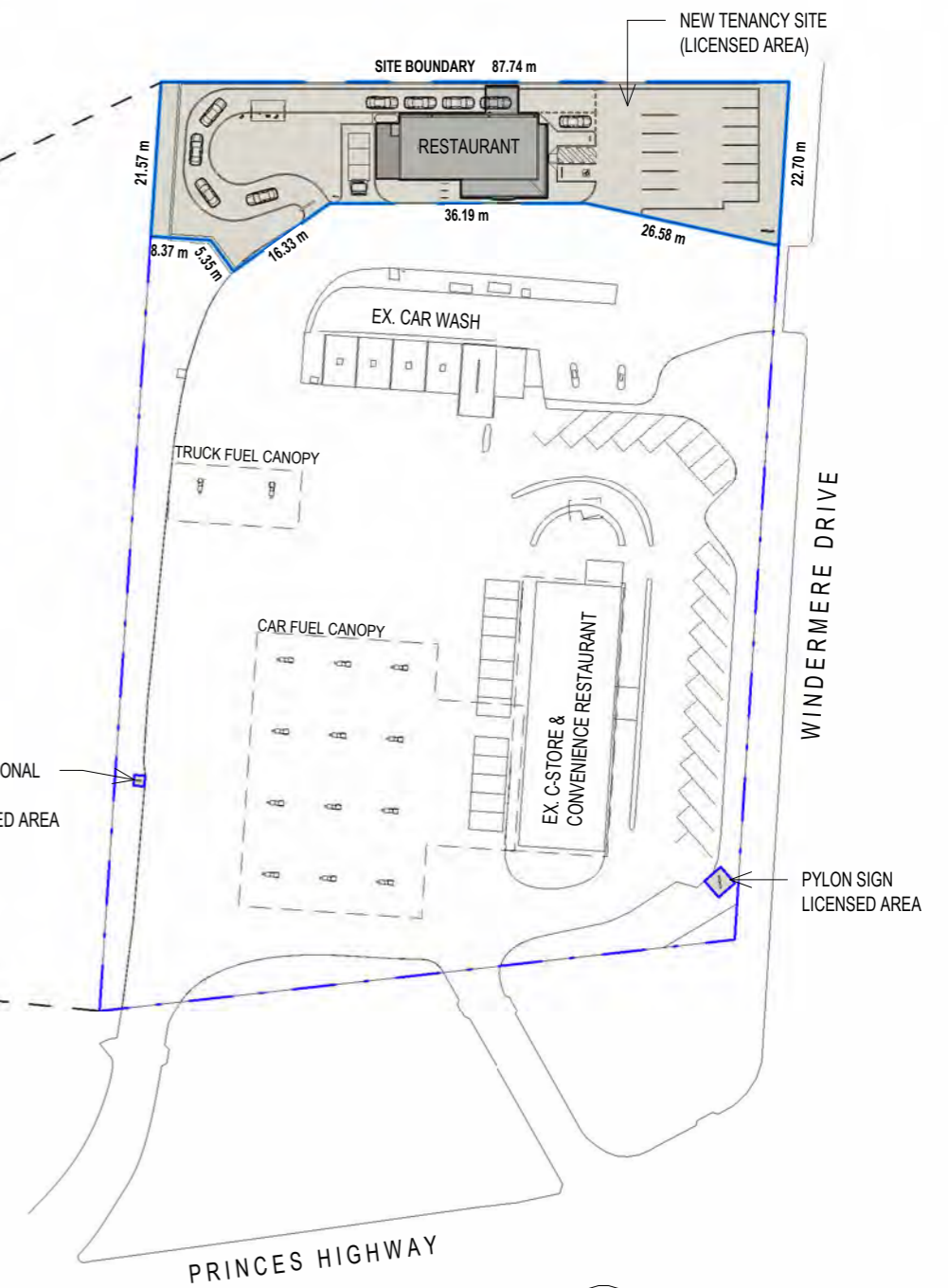






**1** LOCATION PLAN  
DA-04 1 : 5000

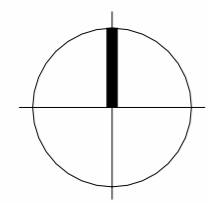
- SUBJECT SITE
- C1Z - COMMERCIAL ZONE 1
- GRZ1 - GENERAL RESIDENTIAL ZONE
- LDRZ2 - LOW DENSITY RESIDENTIAL
- MUZ - MIXED USE ZONE
- PPRZ - PUBLIC PARK AND RECREATION ZONE
- PUZ1 - PUBLIC USE ZONE (SERVICE AND UTILITY)
- TRZ2 - PRINCIPAL ROAD NETWORK
- TRZ3 - SIGNIFICANT MUNICIPAL ROAD



**2** OVERALL SITE PLAN  
DA-04 1 : 1000

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

**BDAI**  
ARCHITECTURE  
INTERIOR DESIGN  
DESIGN MANAGEMENT  
  
1B Stanley Street,  
Collingwood, VIC, 3066  
  
T 03 9063 3780  
E hello@bdai.com.au  
W bdai.com.au



**NOMINATED ARCHITECT**  
MAURICE BERALDO VIC REG 17678  
  
© Copyright  
This drawing remains the property of BDAI (MELB) Pty Ltd. ABN 21 659 382 402. The designs, concept, details and information described in the drawings are copyright. Other than for the purpose prescribed under the Copyright Act, no part of it may in any form or by any means be used or reproduced without prior written permission.  
Contractor shall verify all levels and dimensions on site prior to commencing any work or shop drawings. Use figured dimensions only. Do not scale drawings.

date	notes	rev
12.10.23	TP REVISIONS	P4
04.09.23	TENANT REVISIONS	P3
14.08.23	PRELIMINARY ISSUE	P2
02.08.23	PRELIMINARY ISSUE	P1

project  
**OPORTO PAKENHAM**  
  
1365 PRINCES HIGHWAY, PAKENHAM VIC 3810  
  
drawing  
**LOCATION & OVERALL SITE PLAN**

PROJECT NO	23149
DRAWN	DM
CHECKED	PC
drawing no	revision
<b>DA-01</b>	<b>P4</b>
scale	As indicated @ A1

TOWN PLANNING

SYDNEY

MELBOURNE



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

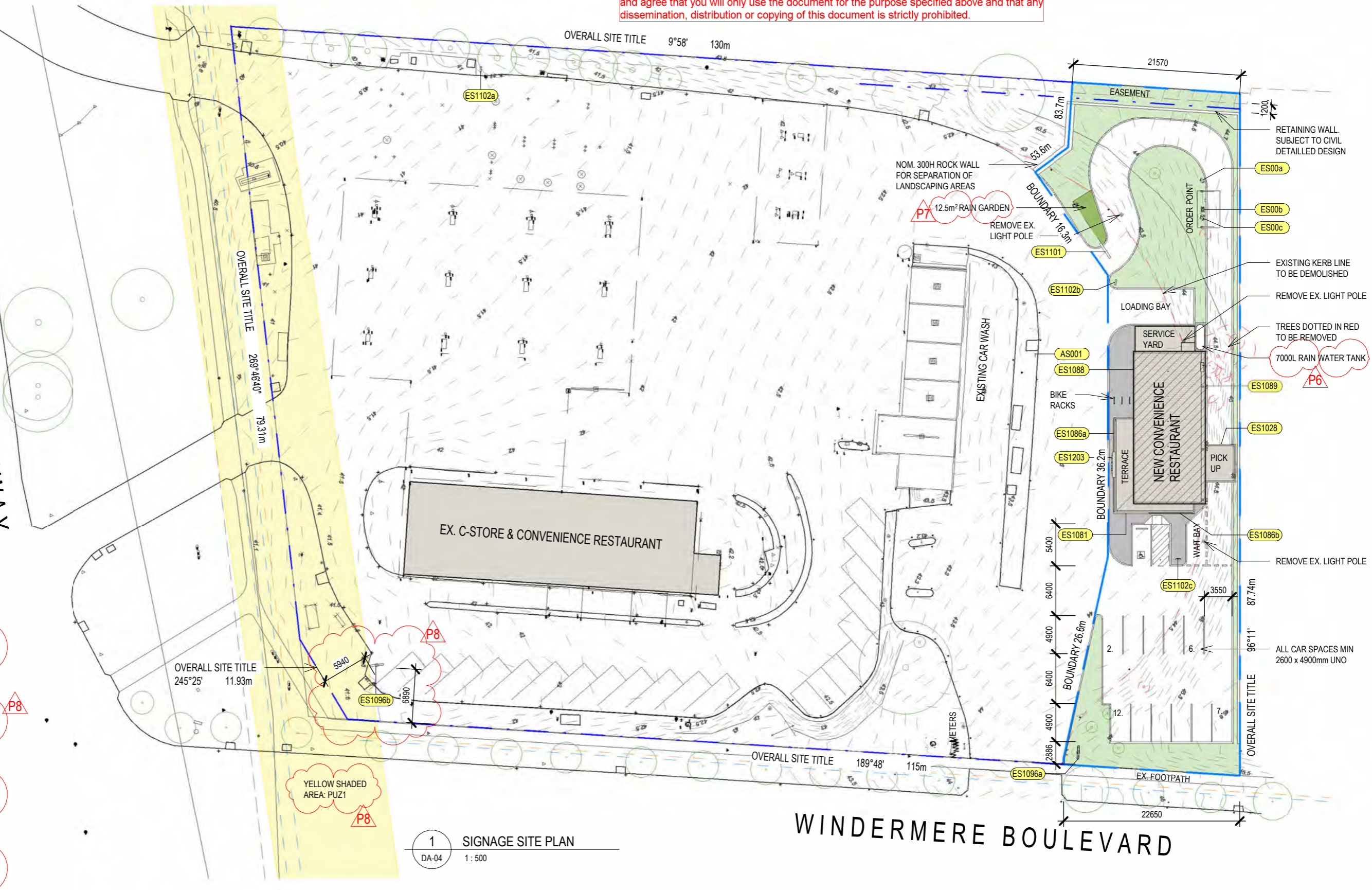
PRINCES HIGHWAY

WINDERMERE BOULEVARD

DEVELOPMENT SUMMARY	
OVERALL SITE AREA	10944 m <sup>2</sup>
DEVELOPMENT SITE AREA	1693 m <sup>2</sup>
BUILDING AREA	182 m <sup>2</sup>
SERVICE YARD AREA	25 m <sup>2</sup>
INTERNAL PUBLIC AREA	58 m <sup>2</sup>

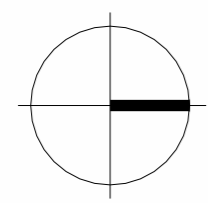
CAR PARKS	12
BIKE PARKS	8
PATRONS (INTERNAL SEATS)	26
PATRONS (EXTERNAL SEATS)	16

SIGNAGE SCHEDULE		
ID	DESCRIPTION	ILLUM.
AS001	ANCILLARY SIGN	NO
ES00a	DIGITAL MENUBOARD	YES
ES00b	DIGITAL MENUBOARD	YES
ES00c	DIGITAL MENUBOARD	YES
ES1028	1500 x 300mm DRIVE THRU PICK UP SIGNAGE	NO
ES1081	3200 x 1170mm HORIZONTAL SIGN BOX (MEDIUM)	YES
ES1086a	2140 x 375mm FLAME GRILLED WALL SIGNAGE	YES
ES1086b	2140 x 375mm FLAME GRILLED WALL SIGNAGE	YES
ES1088	4820 x 2430mm EXTERNAL SUNRISE GRAPHIC	NO
ES1089	19,500 x 3000mm (NOM) DRIVE THRU MURAL	NO
ES1096a	1750 x 2500mm HEAD ON 5m POLE PYLON SIGN	YES
ES1096b	1750 x 2500mm HEAD ON 12m POLE PYLON SIGN	YES
ES1101	2600 x 3300mm HEIGHT BAR	YES
ES1102a	700 x 2000 DIRECTIONAL SIGNAGE	YES
ES1102b	700 x 2000 DIRECTIONAL SIGNAGE	YES
ES1102c	700 x 2000 DIRECTIONAL SIGNAGE	YES
ES1203	2300 x 3000mm BLADE LOGO	YES



1 SIGNAGE SITE PLAN  
DA-04 1:500

**BDAI**  
ARCHITECTURE  
INTERIOR DESIGN  
DESIGN MANAGEMENT  
1B Stanley Street,  
Collingwood, VIC, 3066  
T 03 9063 3780  
E hello@bdai.com.au  
W bdai.com.au



**NOMINATED ARCHITECT**  
MAURICE BERALDO VIC REG 17678  
© Copyright  
This drawing remains the property of BDAI (MELB) Pty Ltd. ABN 21 659 382 402. The designs, concept, details and information described in the drawings are copyright. Other than for the purpose prescribed under the Copyright Act, no part of it may in any form or by any means be used or reproduced without prior written permission.  
Contractor shall verify all levels and dimensions on site prior to commencing any work or shop drawings. Use figured dimensions only. Do not scale drawings.

19.02.24	REVISED SIGNS	P8
12.02.24	RAIN GARDEN REVISION	P7
06.02.24	TP REVISIONS	P6
08.11.23	EXT. SEAT NUMBERS	P5
12.10.23	TP REVISIONS	P4
04.09.23	TENANT REVISIONS	P3
14.08.23	PRELIMINARY ISSUE	P2
date	notes	rev

project  
**Oporto PAKENHAM**  
1365 PRINCES HIGHWAY, PAKENHAM VIC 3810  
drawing  
**TENANCY SITE & SIGNAGE PLAN**

PROJECT NO	23149
DRAWN	DM
CHECKED	PC
drawing no	DA-02
scale	1:500 @ A1
revision	P8

TOWN PLANNING  
SYDNEY  
**BDAI**  
MELBOURNE





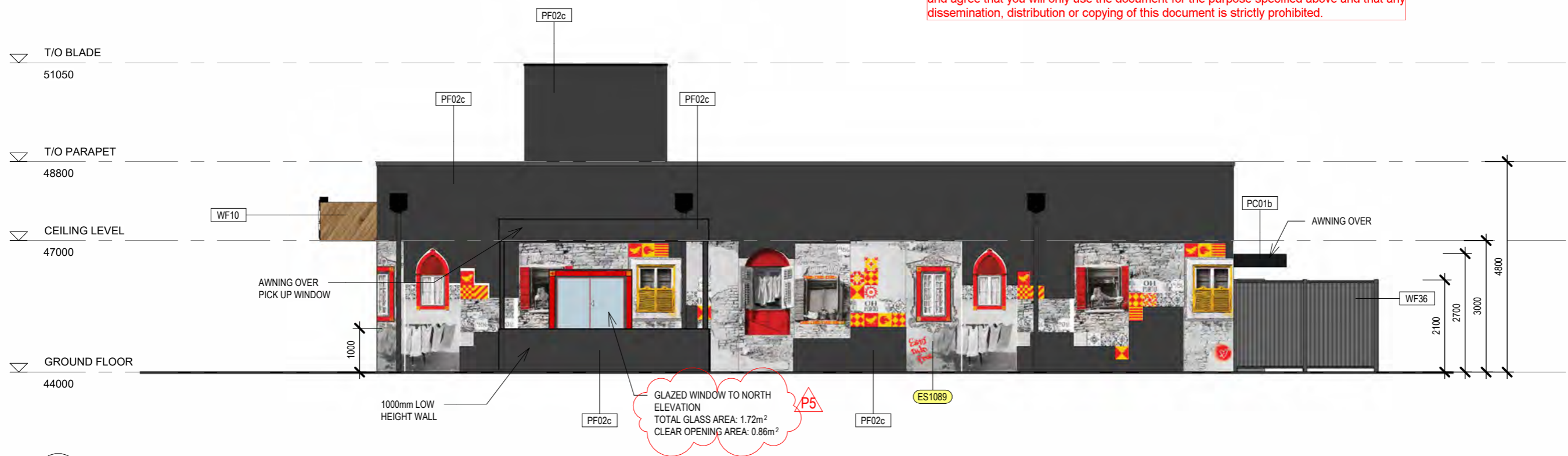




FINISHES SCHEDULE		
IMAGE	ID	DESCRIPTION
	GL	CLEAR GLAZING TO SECTION J REQUIREMENTS
	PC01b	DULUX DURATEC ZEUS POWDERCOAT 'CHARCOAL' 90Z7766S MATT
	PF02c	DULUX WEATHERSHIELD LOW SHEEN 'DOMINO' SG6G8
	WF03	BLACK CERAMIC TILE, 150mm x 150mm 'BLACK' MATT, 3mm GROUT LINES DARK GREY (728)
	WF10	DECOWOOD CLADDING 'TASMANIAN OAK'
	WF36	CORRUGATED BOUNDARY FENCING 'NEETASCREEN' MONUMENT, 2100mm H
	WF37	PARAPET CAPPING, 'MONUMENT' (COLORBOND)

1 EAST ELEVATION  
DA-03 1:100

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



2 NORTH ELEVATION  
DA-03 1:100

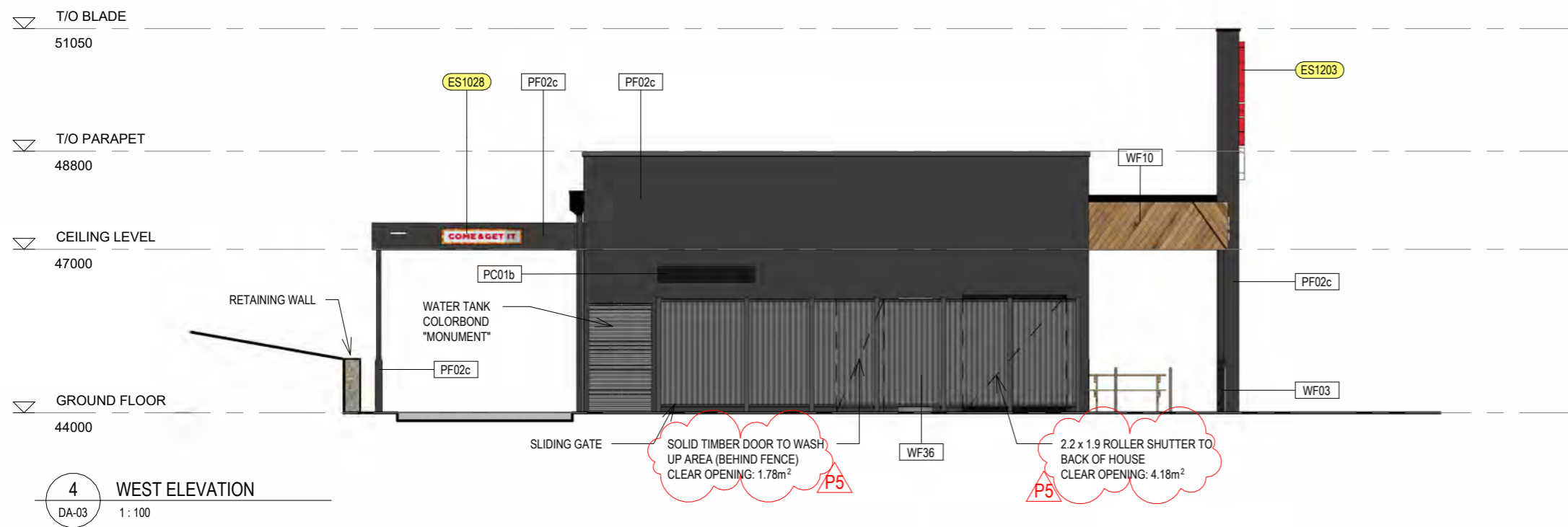
<b>BDAI</b> ARCHITECTURE INTERIOR DESIGN DESIGN MANAGEMENT  1B Stanley Street, Collingwood, VIC, 3066  <b>T</b> 03 9063 3780 <b>E</b> hello@bdai.com.au <b>W</b> bdai.com.au	<b>NOMINATED ARCHITECT</b> MAURICE BERALDO VIC REG 17678  © Copyright This drawing remains the property of BDAI (MELB) Pty Ltd. ABN 21 659 382 402. The designs, concept, details and information described in the drawings are copyright. Other than for the purpose prescribed under the Copyright Act, no part of it may in any form or by any means be used or reproduced without prior written permission. Contractor shall verify all levels and dimensions on site prior to commencing any work or shop drawings. Use figured dimensions only. Do not scale drawings.	<table border="1"> <tr> <th>date</th> <th>notes</th> <th>rev</th> </tr> <tr> <td>19.02.24</td> <td>REVISED SIGNS</td> <td>P6</td> </tr> <tr> <td>06.02.24</td> <td>TP REVISIONS</td> <td>P5</td> </tr> <tr> <td>12.10.23</td> <td>TP REVISIONS</td> <td>P4</td> </tr> <tr> <td>04.09.23</td> <td>TENANT REVISIONS</td> <td>P3</td> </tr> <tr> <td>14.08.23</td> <td>PRELIMINARY ISSUE</td> <td>P2</td> </tr> <tr> <td>02.08.23</td> <td>PRELIMINARY ISSUE</td> <td>P1</td> </tr> </table>	date	notes	rev	19.02.24	REVISED SIGNS	P6	06.02.24	TP REVISIONS	P5	12.10.23	TP REVISIONS	P4	04.09.23	TENANT REVISIONS	P3	14.08.23	PRELIMINARY ISSUE	P2	02.08.23	PRELIMINARY ISSUE	P1	project <b>OPORTO PAKENHAM</b>  1365 PRINCES HIGHWAY, PAKENHAM VIC 3810  drawing <b>ELEVATIONS - SHEET 1</b>	<table border="1"> <tr> <td>PROJECT NO</td> <td>23149</td> </tr> <tr> <td>DRAWN</td> <td>DM</td> </tr> <tr> <td>CHECKED</td> <td>PC</td> </tr> <tr> <td>drawing no</td> <td>revision</td> </tr> <tr> <td><b>DA-04</b></td> <td><b>P6</b></td> </tr> <tr> <td>scale</td> <td>1:100 @ A1</td> </tr> </table>	PROJECT NO	23149	DRAWN	DM	CHECKED	PC	drawing no	revision	<b>DA-04</b>	<b>P6</b>	scale	1:100 @ A1	<table border="1"> <tr> <th colspan="2">TOWN PLANNING</th> </tr> <tr> <td colspan="2">SYDNEY</td> </tr> <tr> <td colspan="2"><b>BDAI</b></td> </tr> <tr> <td colspan="2">MELBOURNE</td> </tr> </table>	TOWN PLANNING		SYDNEY		<b>BDAI</b>		MELBOURNE	
	date	notes	rev																																											
	19.02.24	REVISED SIGNS	P6																																											
	06.02.24	TP REVISIONS	P5																																											
	12.10.23	TP REVISIONS	P4																																											
04.09.23	TENANT REVISIONS	P3																																												
14.08.23	PRELIMINARY ISSUE	P2																																												
02.08.23	PRELIMINARY ISSUE	P1																																												
PROJECT NO	23149																																													
DRAWN	DM																																													
CHECKED	PC																																													
drawing no	revision																																													
<b>DA-04</b>	<b>P6</b>																																													
scale	1:100 @ A1																																													
TOWN PLANNING																																														
SYDNEY																																														
<b>BDAI</b>																																														
MELBOURNE																																														



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



3 SOUTH ELEVATION  
DA-03 1:100



4 WEST ELEVATION  
DA-03 1:100

FINISHES SCHEDULE		
IMAGE	ID	DESCRIPTION
	GL	CLEAR GLAZING TO SECTION J REQUIREMENTS
	PC01b	DULUX DURATEC ZEUS POWDERCOAT 'CHARCOAL' 90Z7766S MATT
	PF02c	DULUX WEATHERSHIELD LOW SHEEN 'DOMINO' SG6G8
	WF03	BLACK CERAMIC TILE, 150mm x 150mm 'BLACK' MATT, 3mm GROUT LINES DARK GREY (728)
	WF10	DECOWOOD CLADDING 'TASMANIAN OAK'
	WF36	CORRUGATED BOUNDARY FENCING 'NEETASCREEN' MONUMENT, 2100mm H
	WF37	PARAPET CAPPING, 'MONUMENT' (COLORBOND)

**BDAI**  
ARCHITECTURE  
INTERIOR DESIGN  
DESIGN MANAGEMENT  
1B Stanley Street,  
Collingwood, VIC, 3066  
T 03 9063 3780  
E hello@bdai.com.au  
W bdai.com.au

**NOMINATED ARCHITECT**  
MAURICE BERALDO VIC REG 17678  
© Copyright  
This drawing remains the property of BDAI (MELB) Pty Ltd. ABN 21 659 382 402. The designs, concept, details and information described in the drawings are copyright. Other than for the purpose prescribed under the Copyright Act, no part of it may in any form or by any means be used or reproduced without prior written permission.  
Contractor shall verify all levels and dimensions on site prior to commencing any work or shop drawings. Use figured dimensions only. Do not scale drawings.

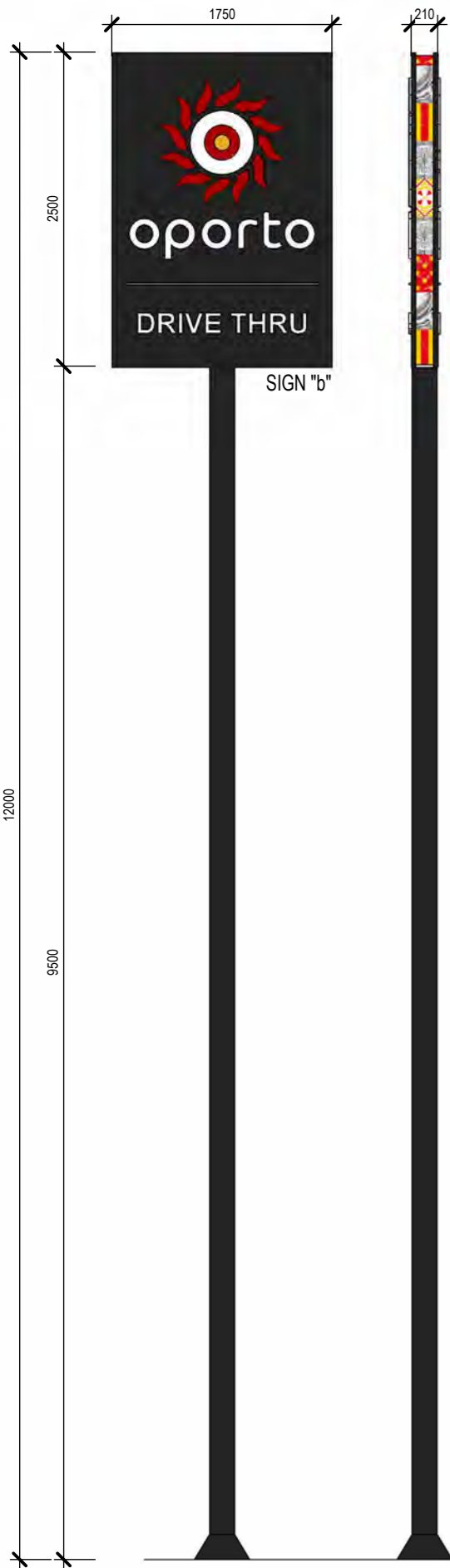
date	notes	rev
06.02.24	TP REVISIONS	P5
12.10.23	TP REVISIONS	P4
04.09.23	TENANT REVISIONS	P3
14.08.23	PRELIMINARY ISSUE	P2
02.08.23	PRELIMINARY ISSUE	P1

project  
**OPORTO PAKENHAM**  
1365 PRINCES HIGHWAY, PAKENHAM VIC 3810  
drawing  
**ELEVATIONS - SHEET 2**

PROJECT NO	23149
DRAWN	DM
CHECKED	PC
drawing no	DA-05
revision	P5
scale	1:100 @ A1

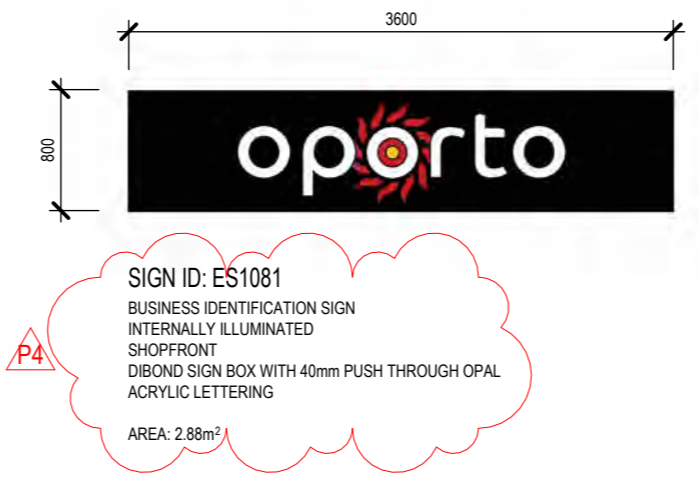
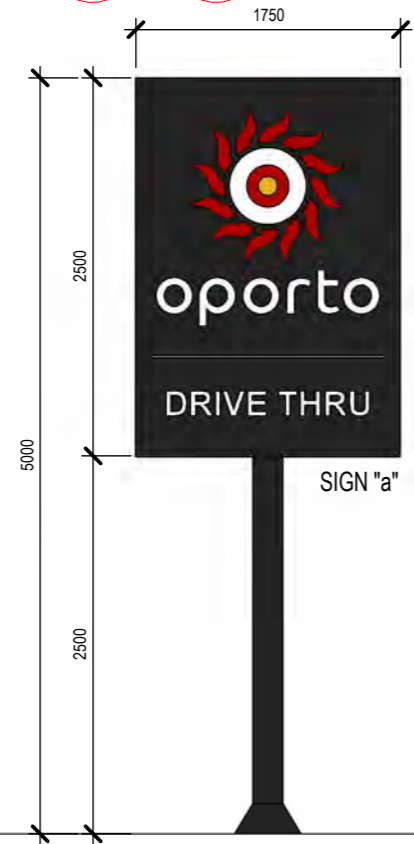
TOWN PLANNING  
SYDNEY  
**BDAI**  
MELBOURNE





**SIGN ID: ES1096 - b**  
 BUSINESS IDENTIFICATION SIGN  
 INTERNALLY ILLUMINATED  
 PYLON (DOUBLE SIDED)  
 AREA: 4.375m<sup>2</sup> (EACH SIDE) P4

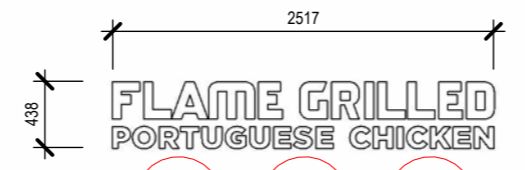
**SIGN ID: ES1096 - a**  
 BUSINESS IDENTIFICATION SIGN  
 INTERNALLY ILLUMINATED  
 PYLON (DOUBLE SIDED)  
 AREA: 4.375m<sup>2</sup> (EACH SIDE) P4



**SIGN ID: ES1081**  
 BUSINESS IDENTIFICATION SIGN  
 INTERNALLY ILLUMINATED  
 SHOPFRONT  
 DIBOND SIGN BOX WITH 40mm PUSH THROUGH OPAL  
 ACRYLIC LETTERING  
 AREA: 2.88m<sup>2</sup> P4



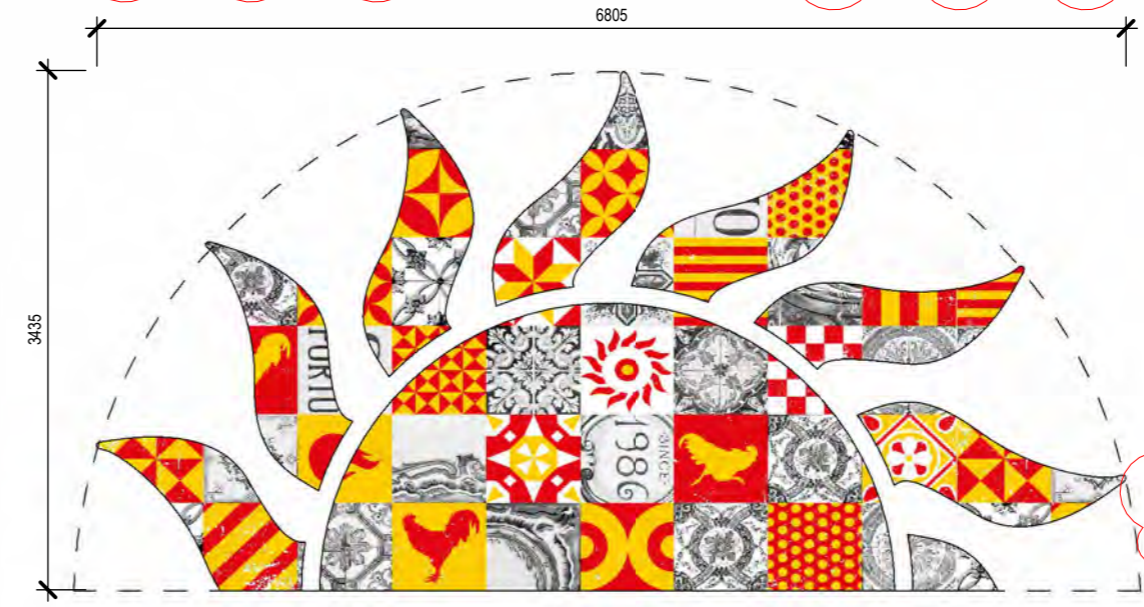
**SIGN ID: ES1203**  
 BUSINESS IDENTIFICATION SIGN  
 INTERNALLY ILLUMINATED  
 BLADE  
 OPAL ACRYLIC SIGN FACE WITH FABRICATED  
 SIGNAGE TRAY PROFILED TO SHAPE OF LETTERS  
 AREA: 4.78m<sup>2</sup> P4



**SIGN ID: ES1086**  
 PROMOTION SIGN  
 INTERNALLY ILLUMINATED  
 SECONDARY SHOPFRONT  
 OPAL ACRYLIC SIGN FACE WITH FABRICATED  
 SIGNAGE TRAY PROFILED TO SHAPE OF LETTERS  
 AREA: 1.10m<sup>2</sup> P4



**SIGN ID: ES1028**  
 PROMOTION SIGN  
 DRIVE THRU PICK UP  
 NON-ILLUMINATED DIGITAL PRINT DIBOND PANEL  
 SUITABLE FOR EXTERNAL USE  
 AREA: 0.45m<sup>2</sup> P4



**SIGN ID: ES1088**  
 BUSINESS IDENTIFICATION SIGN  
 LARGE SUN  
 NON-ILLUMINATED DIGI PRINTED DIBOND  
 PANELS (LASER CUT)  
 AREA: 18.87m<sup>2</sup> P4

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

**BDAI**  
 ARCHITECTURE  
 INTERIOR DESIGN  
 DESIGN MANAGEMENT  
 1B Stanley Street,  
 Collingwood, VIC, 3066  
 T 03 9063 3780  
 E hello@bdai.com.au  
 W bdai.com.au

**NOMINATED ARCHITECT**  
 MAURICE BERALDO VIC REG 17678  
 © Copyright  
 This drawing remains the property of BDAI (MELB) Pty Ltd. ABN 21 659 382 402. The designs, concept, details and information described in the drawings are copyright. Other than for the purpose prescribed under the Copyright Act, no part of it may in any form or by any means be used or reproduced without prior written permission.  
 Contractor shall verify all levels and dimensions on site prior to commencing any work or shop drawings. Use figured dimensions only. Do not scale drawings.

date	notes	rev
06.02.24	TP REVISIONS	P4
12.10.23	TP REVISIONS	P3
04.09.23	TENANT REVISIONS	P2
02.08.23	PRELIMINARY ISSUE	P1

project  
**OPORTO PAKENHAM**  
 1365 PRINCES HIGHWAY, PAKENHAM VIC 3810  
 drawing  
**SIGNAGE DETAILS - SHEET 1**

PROJECT NO	23149
DRAWN	DM
CHECKED	PC
drawing no	revision
<b>DA-06</b>	<b>P4</b>
scale	1 : 50 @ A1

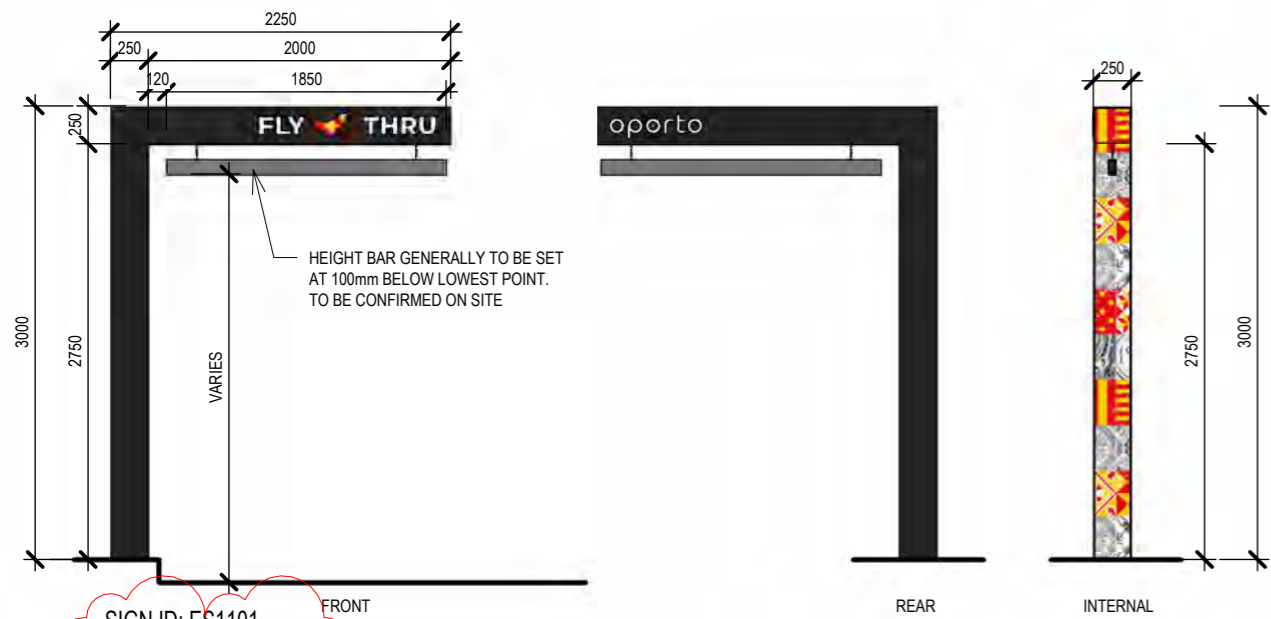
TOWN PLANNING

SYDNEY

**BDAI**

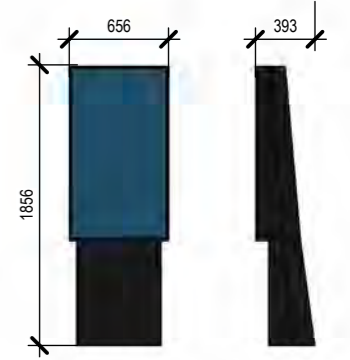
MELBOURNE



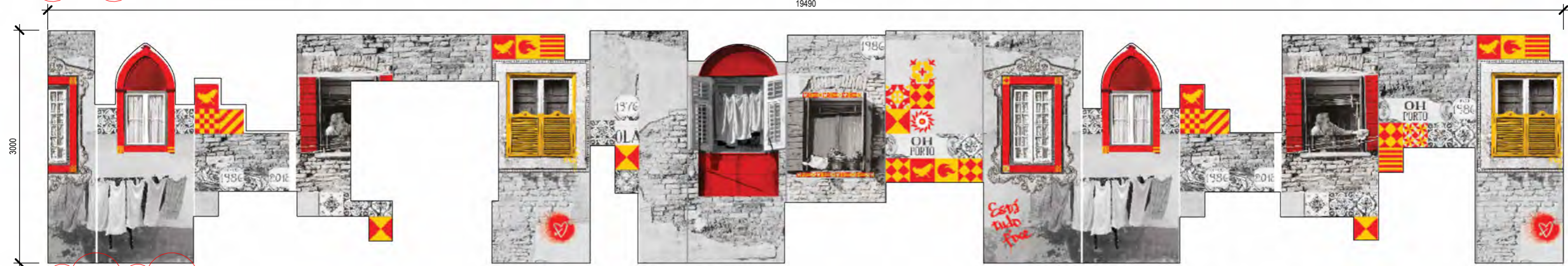


**SIGN ID: ES1101**  
BUSINESS IDENTIFICATION SIGN  
INTERNALLY ILLUMINATED  
DRIVE THRU VEHICLE GANTRY  
AREA: 0.14m<sup>2</sup> / 0.12m<sup>2</sup>

**SIGN ID: ES1102**  
BUSINESS IDENTIFICATION SIGN  
INTERNALLY ILLUMINATED  
DIRECTIONAL  
AREA: 1.40m<sup>2</sup> (EACH SIDE)

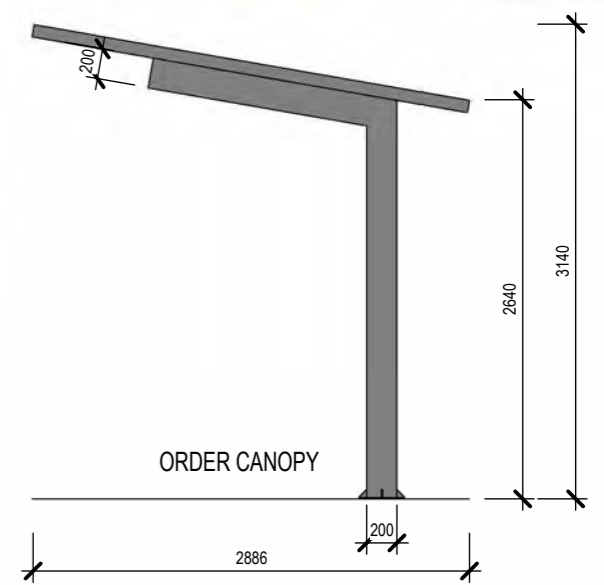


**SIGN ID: ES00**  
ELECTRONIC SIGN  
DIGITAL MENUBOARD  
AREA: 0.76m<sup>2</sup>



**SIGN ID: ES1089**  
WALL ART SIGNAGE  
INCLUDING BUSINESS IDENTIFICATION  
NON-ILLUMINATED DIGI PRINT DIBOND  
PANELS SUITABLE FOR EXTERNAL USE  
AREA: 40.22m<sup>2</sup>

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



<b>BDAI</b> ARCHITECTURE INTERIOR DESIGN DESIGN MANAGEMENT  1B Stanley Street, Collingwood, VIC, 3066  T 03 9063 3780 E hello@bdai.com.au W bdai.com.au	<b>NOMINATED ARCHITECT</b> MAURICE BERALDO VIC REG 17678  © Copyright This drawing remains the property of BDAI (MELB) Pty Ltd. ABN 21 659 382 402. The designs, concept, details and information described in the drawings are copyright. Other than for the purpose prescribed under the Copyright Act, no part of it may in any form or by any means be used or reproduced without prior written permission. Contractor shall verify all levels and dimensions on site prior to commencing any work or shop drawings. Use figured dimensions only. Do not scale drawings.	<table border="1"> <tr><th>date</th><th>notes</th><th>rev</th></tr> <tr><td>19.02.24</td><td>REVISED SIGNS</td><td>P5</td></tr> <tr><td>06.02.24</td><td>TP REVISIONS</td><td>P4</td></tr> <tr><td>12.10.23</td><td>TP REVISIONS</td><td>P3</td></tr> <tr><td>04.09.23</td><td>TENANT REVISIONS</td><td>P2</td></tr> <tr><td>02.08.23</td><td>PRELIMINARY ISSUE</td><td>P1</td></tr> </table>	date	notes	rev	19.02.24	REVISED SIGNS	P5	06.02.24	TP REVISIONS	P4	12.10.23	TP REVISIONS	P3	04.09.23	TENANT REVISIONS	P2	02.08.23	PRELIMINARY ISSUE	P1	project <b>OPORTO PAKENHAM</b>  1365 PRINCES HIGHWAY, PAKENHAM VIC 3810  drawing <b>SIGNAGE DETAILS - SHEET 2</b>	PROJECT NO	23149	<b>TOWN PLANNING</b>  SYDNEY <b>BDAI</b>  MELBOURNE
			date	notes	rev																			
			19.02.24	REVISED SIGNS	P5																			
			06.02.24	TP REVISIONS	P4																			
			12.10.23	TP REVISIONS	P3																			
04.09.23	TENANT REVISIONS	P2																						
02.08.23	PRELIMINARY ISSUE	P1																						
DRAWN	DM																							
CHECKED	PC																							
drawing no	revision																							
<b>DA-07</b>	<b>P5</b>																							
scale	1 : 50 @ A1																							



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



<b>BDAI</b> ARCHITECTURE INTERIOR DESIGN DESIGN MANAGEMENT  1B Stanley Street, Collingwood, VIC, 3066  <b>T</b> 03 9063 3780 <b>E</b> hello@bdai.com.au <b>W</b> bdai.com.au	<b>NOMINATED ARCHITECT</b> MAURICE BERALDO VIC REG 17678  © Copyright This drawing remains the property of BDAI (MELB) Pty Ltd. ABN 21 659 382 402. The designs, concept, details and information described in the drawings are copyright. Other than for the purpose prescribed under the Copyright Act, no part of it may in any form or by any means be used or reproduced without prior written permission. Contractor shall verify all levels and dimensions on site prior to commencing any work or shop drawings. Use figured dimensions only. Do not scale drawings.	<table border="1"> <tr> <td>12.10.23</td> <td>TP REVISIONS</td> <td>P3</td> </tr> <tr> <td>04.09.23</td> <td>TENANT REVISIONS</td> <td>P2</td> </tr> <tr> <td>02.08.23</td> <td>PRELIMINARY ISSUE</td> <td>P1</td> </tr> <tr> <td>date</td> <td>notes</td> <td>rev</td> </tr> </table>	12.10.23	TP REVISIONS	P3	04.09.23	TENANT REVISIONS	P2	02.08.23	PRELIMINARY ISSUE	P1	date	notes	rev	project <b>OPORTO PAKENHAM</b>  1365 PRINCES HIGHWAY, PAKENHAM VIC 3810  drawing <b>PERSPECTIVE VIEW</b>	<table border="1"> <tr> <td>PROJECT NO</td> <td>23149</td> </tr> <tr> <td>DRAWN</td> <td>DM</td> </tr> <tr> <td>CHECKED</td> <td>PC</td> </tr> <tr> <td>drawing no</td> <td>revision</td> </tr> <tr> <td><b>DA-08</b></td> <td><b>P3</b></td> </tr> <tr> <td>scale</td> <td></td> </tr> <tr> <td>@ A1</td> <td></td> </tr> </table>	PROJECT NO	23149	DRAWN	DM	CHECKED	PC	drawing no	revision	<b>DA-08</b>	<b>P3</b>	scale		@ A1		<b>TOWN PLANNING</b>  SYDNEY <b>BDAI</b> MELBOURNE
			12.10.23	TP REVISIONS	P3																										
			04.09.23	TENANT REVISIONS	P2																										
			02.08.23	PRELIMINARY ISSUE	P1																										
date	notes	rev																													
PROJECT NO	23149																														
DRAWN	DM																														
CHECKED	PC																														
drawing no	revision																														
<b>DA-08</b>	<b>P3</b>																														
scale																															
@ A1																															

URBIS

# 1365 PRINCES HIGHWAY, PAKENHAM

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

# TOWN PLANNING REPORT

NOVEMBER 2023



**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director [REDACTED]  
Associate Director [REDACTED]  
Senior Consultant [REDACTED]  
Project Code P0046399  
Report Number REP01

---

**Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.**

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

© Urbis Pty Ltd  
50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission.

You must read the important disclaimer appearing within the body of this report.

[urbis.com.au](http://urbis.com.au)

# CONTENTS

<b>Introduction</b> .....	<b>1</b>
<b>1. Subject Site and Surrounds</b> .....	<b>2</b>
1.1. Subject Site.....	2
1.2. Planning Permit History.....	2
1.3. Site Interfaces.....	3
1.3.1. North.....	3
1.3.2. East.....	4
1.3.3. South.....	4
1.3.4. West.....	5
1.4. Broader Surrounds.....	5
<b>2. The Proposal</b> .....	<b>8</b>
2.1. Built Form.....	9
2.2. Signage.....	9
2.3. Landscaping.....	9
2.4. Vehicle Access and Parking.....	9
<b>3. Planning Policy</b> .....	<b>10</b>
3.1. Zoning.....	10
3.1.1. Clause 34.01 Commercial 1 Zone.....	10
3.1.2. Clause 36.01 Public Use Zone - 1.....	10
3.2. Overlays.....	11
3.2.1. Clause 45.06 Development Contributions Plan Overlay – Schedule 1.....	11
3.3. Planning Policy Framework.....	11
3.4. Local Planning Policy Framework.....	12
3.5. General and Particular Provisions.....	12
3.5.1. Clause 52.05 Signs.....	12
3.5.2. Clause 52.06- Car Parking.....	13
3.5.3. Clause 52.29 – Land Adjacent to The Principal Road Network.....	13
3.5.4. Clause 53.18 – Stormwater Management in Urban Development.....	13
3.5.5. Clause 65 – Decision Guidelines.....	13
<b>4. Planning Assessment</b> .....	<b>14</b>
4.1. Planning Considerations.....	14
4.2. Planning Policy Support.....	14
4.3. Built Form.....	15
4.4. Advertising Signage.....	16
4.5. Landscaping and Vegetation Removal.....	16
4.6. Landscaping.....	16
4.7. Vegetation Removal.....	17
4.8. Sustainability.....	17
4.9. Off-Site Amenity Impacts.....	18
4.10. Traffic & Parking.....	18
4.10.1. Access and Traffic Generation.....	18
4.10.2. Car Parking.....	18
4.10.3. Bicycle Parking.....	18
4.10.4. Loading.....	19
4.11. Waste.....	19
<b>5. Conclusion</b> .....	<b>21</b>
<b>Disclaimer</b> .....	<b>22</b>

No table of contents entries found.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## FIGURES

Figure 1 Subject Site Aerial View .....	2
Figure 2: Zoning Map.....	10
Figure 3: Development Contributions Plan Overlay - Schedule 1 .....	11
Figure 4 Proposed built form .....	15
Figure 5 Proposed signage .....	16
Figure 6 Proposed waste management practices (Source: One Mile Grid).....	20

## PICTURES

Picture 1: Northern Interface to Subject Site with site on the left (south).....	3
Picture 2: Cardinia Lakes Shopping Centre .....	4
Picture 3: Eastern Interface to Subject Site.....	4
Picture 4: Southern Interface to 1 Oaktree Drive, Pakenham .....	5
Picture 5: 1 Oaktree Drive Screening fronting Princes Highway .....	5
Picture 6: Typical residential dwelling west of the site .....	5
Picture 7: 38 & 40 Ebony Drive, Pakenham .....	6
Picture 8: 4 Oaktree Drive, Pakenham .....	6
Picture 9: Mixed Use Buildings along Windermere Boulevard.....	7

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

# INTRODUCTION

This planning report has been prepared on behalf of Yarraside Service Station Pty Ltd ('the applicant') in support of a planning permit application at 1365 Princes Highway, Pakenham ('the site') for the development of a convenience restaurant.

The convenience restaurant is proposed at the rear area of the site, setback approximately 130 metres from Princes Highway. The existing site fronts the north of Princes Highway and provides services for travelling road users and surrounding residents with food, service station, and car washing services. At current, the rear area of the site is vacant and underutilised.

The broader Pakenham area is undergoing substantial urban growth at the easternmost point adjacent to the future Pakenham East Precinct Structure area. The proposal makes the most of the site's locational benefits, providing an excellent opportunity to enhance the food offerings in the area to address the needs of the growing population.

The site is primarily located within the Commercial 1 Zone (C1Z), with a small area along the southern boundary located within the Public Use Zone – Schedule 1 (PUZ1). This application does not propose works within the PUZ1. The site is also subject to the Development Contributions Overlay – Schedule 1 (DCO1).

A planning permit is required for the proposal subject to the following provisions of the Cardinia Planning Scheme.

- Clause 34.01 to construct a building or carry out works in the C1Z;
- Clause 52.29 to alter access to a Transport Zone 2 (TRZ2); and
- Clause 52.05 to construct and display a sign.

The development has been designed by BDAI Architects and has been informed by various specialist consultants to ensure the proposal presents a site responsive design considerate of the existing site constraints and more sensitive adjacent residential development. The proposal incorporates a carefully considered landscape response to enhance the site's overall amenity and interfaces and ensures the car parking design standard requirements of the Cardinia Planning Scheme are addressed appropriately.

This report should be read in conjunction with the following information provided in support of the planning application:

- Architectural plans prepared by BDAI Architects
- Environmentally Sustainable Design Report prepared by Sustainable Development Consultants
- Landscape Plans prepared by Etched
- Transport Impact Assessment prepared by OneMile Grid
- Waste Management Plan prepared by OneMile Grid
- Arborist Report prepared by Baxter Ecology

This report addresses the planning merits of the proposal and its consistency with the relevant planning controls and policies of the Cardinia Planning Scheme.

Overall, this report finds the proposal provides a high-quality development that is responsive to its surrounds and appropriately addresses applicable planning policy.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# 1. SUBJECT SITE AND SURROUNDS

## 1.1. SUBJECT SITE

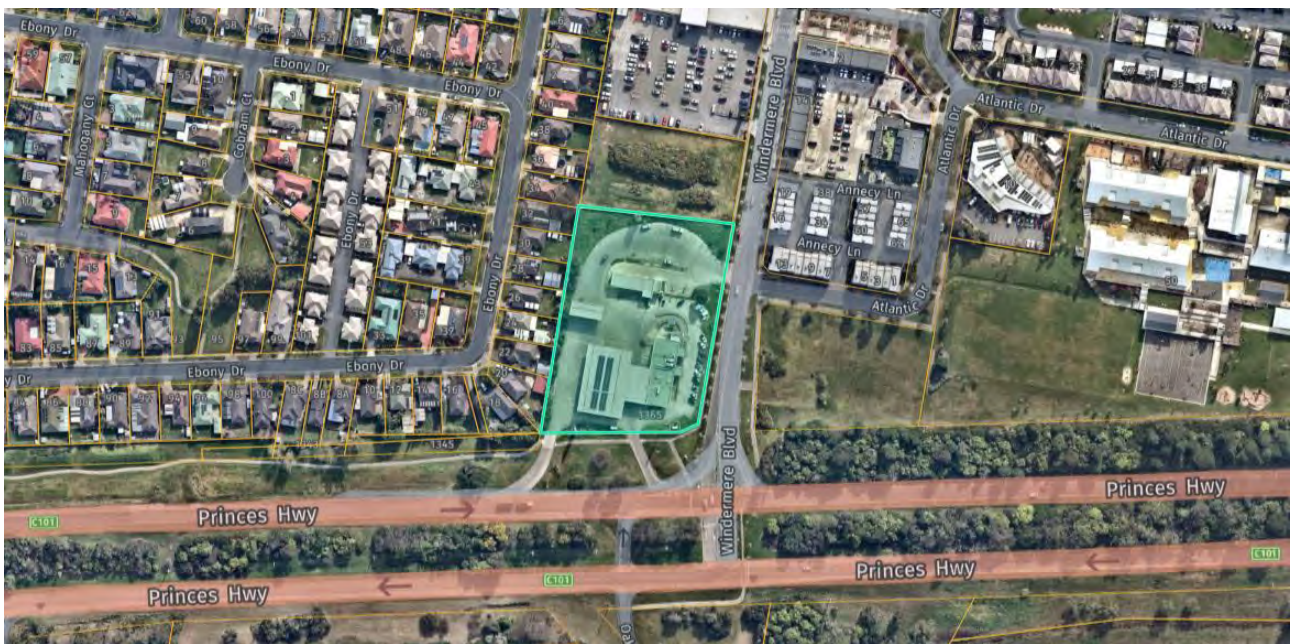
The site is located on the north-west corner of Princes Highway and Windermere Boulevard and is formally known as Lot 1 on Plan of Subdivision 406181G.

The subject site currently accommodates a Petrol Station (Liberty), a Car Wash (Liberty) and Fast Food Premises (Red Rooster).

Three crossovers allow access to the site. Two (2) single width crossovers that allow for vehicular access to the petrol station from Princes Highway are located within the southwest and southeast corner of the site. A dual width crossover is also located within the north-eastern corner of the site, allowing for vehicular access from Windermere Boulevard.

Sporadic vegetation exists on site primarily around the perimeter.

Figure 1 Subject Site Aerial View



Source: Nearthmap

## 1.2. PLANNING PERMIT HISTORY

Various planning permits have been issued for the site to facilitate the existing service station, car wash and fast food premises and associated signage. These are summarised as follows:

### Car Wash

- Permit T98-0263 issued 1 June 1998 for use and development of a manual car wash.
- Permit T98-0468 issued 20 August 1998 for an automatic and manual car wash.

### Petrol Station & Takeaway Food Premises

- Permit T97-0274 issued 31 July 1997 for the use and development of the land for a petrol station and takeaway food premises.

### Signage

- Permit T99-0287 issued 13 October 1999 for signage for Shell (expires October 2024)

- Permit T00-0364 issued 16 June 2000 for Red Rooster signage including a 12m high pylon sign (permit expired 2015)
- Permit T00-0443 issued 5 July 2000 for the refurbishment of signs for Ampol (permit expired 2015)
- Permit T06-0289 issued 27 June 2006 for signage (in relation to retrofitting Red Rooster) (permit expired 2021)

#### Subdivision

- Permit T96-0276 issued 23 July 1997 for subdivision.
- Permit T99-0488 issued 23 November 1999 for resubdivision and removal of reservation.

## 1.3. SITE INTERFACES

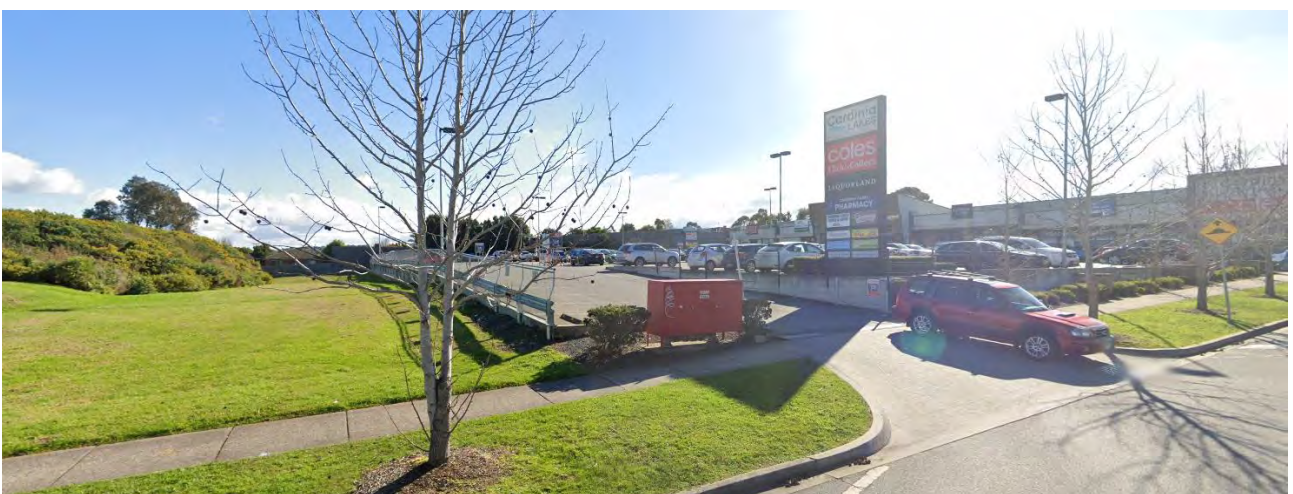
The immediate interfaces of the site are described as follows.

### 1.3.1. North

The subject site abuts a parcel of land formally identified as Lot 1 of PS428149, which is currently vacant. Immediately abutting the vacant site further north is a carpark for Cardinia Lakes Shopping Centre.



Picture 1: Northern Interface to Subject Site with site on the left (south)



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



Picture 2: Cardinia Lakes Shopping Centre

### 1.3.2. East

The subject site abuts Windermere Boulevard to the east, a local road comprising of single lane traffic in each direction with unrestricted on-street parking on both the eastern and western sides of the road.

Over the road reserve is a parcel of land formally identified as Lot 1032 of PS637699. This land is currently vacant and has been used to display signage for the 'Cardinia Lakes' Area. The Cardinia Lakes area spans Windermere Boulevard from the Subject site until Cardinia Lake, approximately 600m from the subject site.



Picture 3: Eastern Interface to Subject Site

### 1.3.3. South

The subject site abuts Princes Highway to the south, a major arterial road which comprises of multi lane traffic in each direction.

Over the road reserve is No. 1 Oaktree Drive, Pakenham which comprises of a single storey pitched roof dwelling (east) and a carport (north). The property includes Secluded Private Open Space to the rear of dwelling (west) and the property is screened from Princes Highway by vegetation along the sites northern border.



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Picture 4: Southern Interface to 1 Oaktree Drive, Pakenham



Picture 5: 1 Oaktree Drive Screening fronting Princes Highway

### 1.3.4. West

The subject site immediately abuts a series of residential properties from No. 20 to No. 32 Ebony Drive, Pakenham. These properties are predominantly single storey, pitched roof detached dwellings with generous front setbacks, a single width crossover provides access to the sites and secluded private space at the rear (east) of the properties, abutting the common boundary.



Picture 6: Typical residential dwelling west of the site

## 1.4. BROADER SURROUNDS

The wider area is characterised by a diverse range of built form typologies which are reflective of the varied land use zones surrounding the site. To the west and south of the subject site are residential dwellings located within the GRZ1 (west) and LDRZ2 (south).

Dwellings within the GRZ1 are characterised by:

- Single storey rendered brick and cladding pitched roof detached dwellings
- Consistent street setbacks, containing a mix of landscaped gardens setback minimal distances from street frontages
- Private open space located within the rear of the property
- Minimal front fencing





Picture 7: 38 & 40 Ebony Drive, Pakenham

Dwellings within the LDRZ2 are characterised by:

- Large parcels of land accommodating single storey rendered brick pitched roof detached dwellings
- Vegetation or high fencing along the front boundary, providing screening and privacy to the property



Picture 8: 4 Oaktree Drive, Pakenham

A transition towards increased built form densities is evident within the wider area to the north and east of the subject site. Land within these areas is located within the C1Z (north) and MUZ (east) and includes:

- Three & four-storey mixed use buildings along Windermere Boulevard with ground floor commercial/retail uses and residential use within the upper levels
- Cardinia Lakes Shopping centre, comprising of a series of small and local retail spaces



## Picture 9: Mixed Use Buildings along Windermere Boulevard

The subject site is located within close proximity to a variety of amenities and services including:

- Public Open Space at 25 Oaktree Drive (approximately 140m south) and Windermere Boulevard Playground (approximately 290m north)
- Cardinia Shopping Centre (approximately 125m north)
- Pakenham Primary School (approximately 240m east)
- A bus stop located along Pacific Promenade (approximately 140m north-east) which services the 840, 927 and 929 bus routes.
- Pakenham Train Station (approximately 2.4km south-west)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 2. THE PROPOSAL

The proposal seeks to develop the northern portion of the overall site for a convenience restaurant operating as an Oporto restaurant with 42 seats and a single drive-through lane, accommodating up to 12 waiting vehicles.

The proposal will enhance the existing conditions of the vacant, underutilised site and will provide a use that will serve local residents and the broader community in response to the emerging growth of the surrounds.

The key components of the proposal are summarised following and outlined below.

Building Component	Details
Development Site Area	1,693sqm
Service Yard	25sqm
Building Footprint	182sqm
Internal Public Area	58 sqm
Seating (Patrons)	42 (26 indoors and 16 outdoors)
Car Parking	12 spaces with 1 accessible space
Bicycle Parking	8 spaces ( with 3 allocated for staff)

Table 1 - Summary of proposal

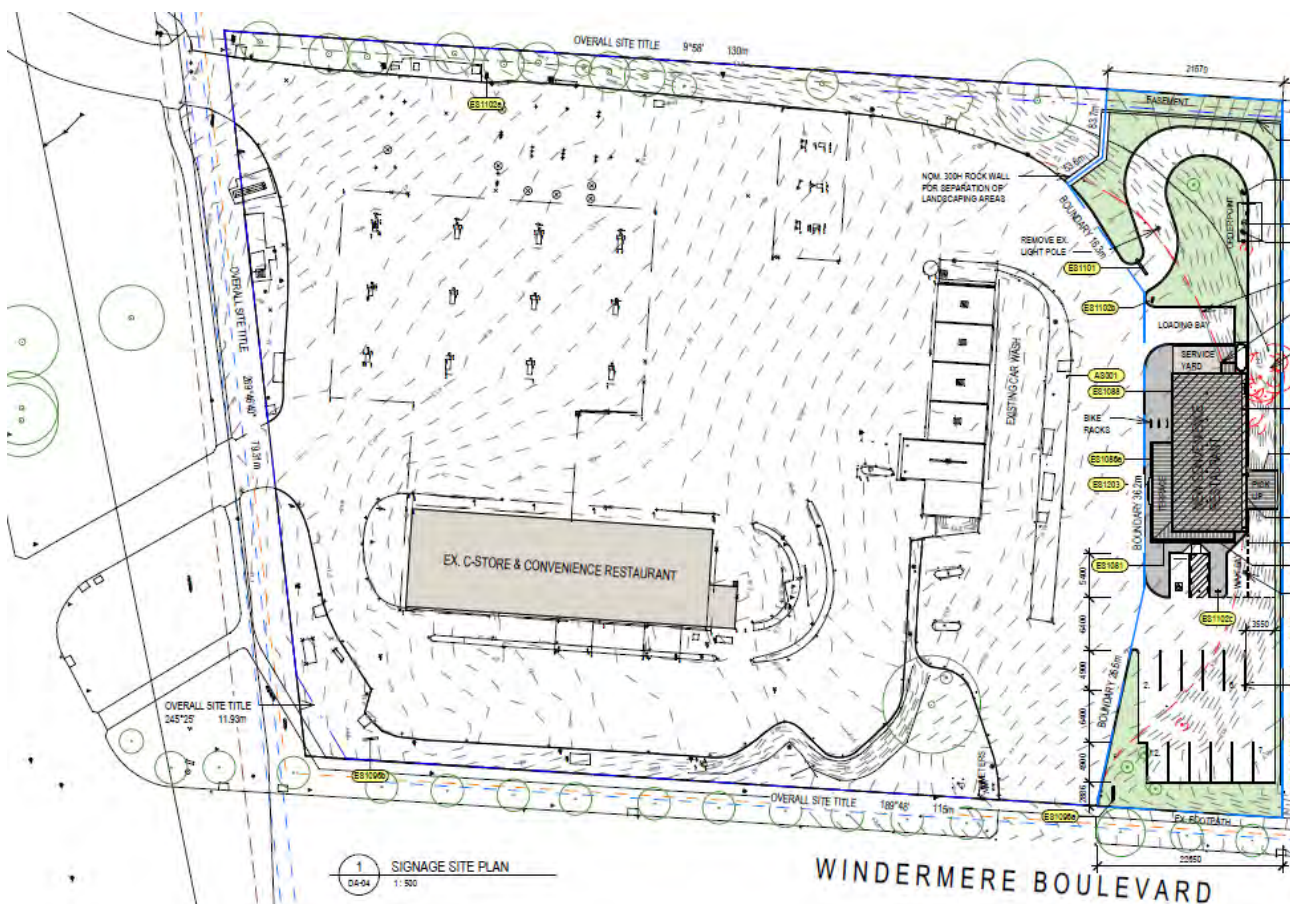


Figure 3 Proposed Site Plan

## 2.1. BUILT FORM

The development proposes a single storey building comprising:

- A convenience restaurant with a service yard to the west and an outdoor terrace along the front (south).
- A drive-thru to the west of the building with vehicle access entering this laneway and exiting the drive-thru along the northern boundary to Windemere Boulevard.
- A maximum building height of 7.05 metres as measured from the ground level to the entry portal. The balance of the building will measure 4.8 metres from the ground level to the parapet.
- A setback of approximately 30 metres from the building to the western boundary and abutting residential properties and 4 metres to the nearest point of the drive-thru where cars will transverse to order food at the ordering point. The ordering point is located approximately 15 metres from the nearest residence title boundary (rear backyard).

## 2.2. SIGNAGE

- A total of 19 signs are proposed throughout the site to appropriately identify the proposed business, promote menu options and allow for adequate wayfinding and movement throughout.
- One pylon sign is located in the south-east corner of the site to identify the business from Princes Highway. The sign measures 12 metres in height with a display area of 4.375 sqm.

## 2.3. LANDSCAPING

Landscaping is proposed where possible throughout the site with a concentration of planting along the western interface to provide enhanced screening for the adjoining residential properties. Landscaping proposed includes:

- Five (5) large trees planted strategically throughout the site. Three (3) Lightwood trees are proposed within the median of the drive-thru and a Blackwood and Luscious Water Gum are proposed near the western and eastern boundaries.
- Planting is proposed along the western boundary including fifteen (15) Resilience Lily Pilly's abutting the western boundary (growing to a height of 3 metres) and fifteen (15) Wynyabbies.

For further information refer to the attached Landscape Plan prepared by Etched.

## 2.4. VEHICLE ACCESS AND PARKING

- The proposal will utilise the existing site crossovers and no changes are proposed to the site access points.
- Twelve (12) car parking spaces with 1 (one) accessible parking space are proposed east of the convenience restaurant.
- Eight (8) bicycle spaces are proposed. Three (3) staff bicycle spaces are proposed in the Service Yard for staff use. Five (5) bicycling spaces are proposed at the site entrance.
- A Loading Bay is proposed west of the Service Yard, with loading vehicles expected to arrive during the day period only in accordance with EPA noise control criteria.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



### 3. PLANNING POLICY

The proposal is subject to the following relevant controls and policy in the Gardinia Planning Scheme.

#### 3.1. ZONING

##### 3.1.1. Clause 34.01 Commercial 1 Zone

The subject site is located within the Commercial 1 Zone (C1Z).. The relevant purposes of the C1Z include:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Pursuant to the C1Z:

- The use of land for a convenience restaurant (Food and Drink Premises) does **not** require a planning permit (Clause 34.01-1)
- A permit is required to construct a building or to construct and carry out works (Clause 34.01-4)

The C1Z nominates that signage requirements are found at Category 1 of Clause 52.05 'Signs'.



Figure 2: Zoning Map

##### 3.1.2. Clause 36.01 Public Use Zone - 1

The southern boundary of the site is subject to the Public Use Zone 1 – Services and Utility (PUZ1). The relevant purposes of this zone include:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise public land use for public utility and community services and facilities.

- To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Under the requirements of the zone, the use of land must be for the purposes of Services and Utility (Clause 36.01-1), however, as the proposed area of works remains outside the zone, this requirement is not applicable to this application.

## 3.2. OVERLAYS

### 3.2.1. Clause 45.06 Development Contributions Plan Overlay – Schedule 1

The subject site is located with the Development Contributions Plan Overlay - Schedule 1 Pakenham Township Development Contributions Plan. The purpose of this overlay includes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.



Figure 3: Development Contributions Plan Overlay - Schedule 1

## 3.3. PLANNING POLICY FRAMEWORK

The State Planning Policy Framework (SPPF) seeks to develop the objectives for planning in Victoria (as set out in the *Planning and Environment Act 1987*), to foster appropriate land-use and development planning policies and practices that encompass relevant environmental, social and economic factors.

The following sections of the SPPF are relevant to this application:

- Clause 11 - Settlement
- Clause 15 – Built Environment and Heritage
- Clause 17 – Economic Development

Broadly, these policies seek to:

This copied document is made available for the purpose of the planning process as set out in the *Planning and Environment Act 1987*. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



- Ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses, including through the consolidation, redevelopment and intensification of existing urban areas
- Ensure all new land use and development appropriately responds to its landscape and surrounding built form
- Facilitate urban environments which are safe, healthy, functional and enjoyable and which contribute to a sense of place.
- Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility, and efficient use of infrastructure
- Strengthen and diversify the economy through protecting and strengthening employment areas, facilitating growth in employment sectors including tourism.

### 3.4. LOCAL PLANNING POLICY FRAMEWORK

Local planning policies seek to further the objectives of planning in Victoria to the extent they are applicable to Cardinia, with the Local Planning Policy Framework (LPPF) providing a strategic framework for land use and development within the municipality.

The following local planning policies are applicable to the application:

- **Clause 21.01 Cardinia Shire Key Issues and Strategic Vision** recognises the development of new businesses and economic opportunities as a key issue for the Cardinia Shire. Development within Cardinia should aim to create a balanced local economy and local employment opportunities for its residents.
- **Clause 21.04 Economic Development** seeks to encourage a diverse mix of development that provides sufficient local jobs and services to meet the needs of the existing and future community.
- **Clause 21.05 Infrastructure** seeks to ensure that the consideration of an application for use or development considers the likely effects it may have on future services and the condition of the road network (21.05-3).
- **Clause 21.06 Particular Uses and Development** seeks to promote a high standard of design that creates a strong character and identity for the area and facilitates a functional, safe and sustainable built environment.
- **Clause 22.04 Highway Development** specifically applies to the development of land along Princes Highway and seeks to ensure a high standard of design within these areas to maintain the safe and efficient movement of traffic.
- **Clause 22.09 Signs** outlines that signs located within commercial areas should stimulate interest and enhance the visual amenity of the commercial area.

### 3.5. GENERAL AND PARTICULAR PROVISIONS

The following provisions are relevant to the proposal:

#### 3.5.1. Clause 52.05 Signs

The purpose of this Clause is to regulate the development of land for signs and associated structures. The Commercial 1 Zone outlines that the site is subject to Clause 52.05-11 Category 1- Commercial Areas.

A permit is required under this provision for the proposed business identification, internally illuminated and promotional signage.

No permit is required for the directional signage.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### **3.5.2. Clause 52.06- Car Parking**

The Clause seeks to ensure that an appropriate provision of car parking is provided for new uses and that car parking does not adversely impact upon the amenity of an area and sustainable transport alternatives are supported where appropriate.

The number of spaces required under Clause 52.06-5 is 0.3 to each patron permitted, or 12 spaces. The proposal meets this requirement.

### **3.5.3. Clause 52.29 – Land Adjacent to The Principal Road Network**

The Clause applies to land adjacent to a Transport Zone 2 to ensure appropriate access is accommodated without affecting the wider road network.

Pursuant to Clause 52.29-2, a permit is required to create or alter access to Princes Highway. While no physical works are proposed to the existing crossovers, the proposal will intensify the use of the access points, which in some cases may be considered an alteration.

Any alteration to access to Princes Highway must be referred to the Head, Transport for Victoria under section 55 of the Act pursuant to Clause 52.29-4.

### **3.5.4. Clause 53.18 – Stormwater Management in Urban Development**

This Clause seeks to ensure that stormwater is appropriately managed to (selected as relevant):

- *Encourage stormwater management that maximises the retention and reuse of stormwater.*
- *Encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*
- *Encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*
- *Ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system*
- *Protect drainage infrastructure and receiving waters from sedimentation and contamination*

### **3.5.5. Clause 65 – Decision Guidelines**

This Clause specifies a range of general 'Decision Guidelines' that the responsible authority must consider prior to deciding on any application. This includes the need to consider the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 4. PLANNING ASSESSMENT

A planning permit is sought for the following pursuant to the Cardinia Planning Scheme:

- To construct a building or construct or carry out works in the C1Z
- To alter access to a road in a Transport Zone 2; and
- To display illuminated and business identification signage.

### 4.1. PLANNING CONSIDERATIONS

The key planning considerations for the assessment of this application are as follows:

- Is there strategic support for the proposal in State and Local Policy?
- Does the proposed design and built form provide an appropriate response to the site context?
- Is the proposed signage appropriate for the land uses?
- Does the proposal provide an appropriate level of landscaping?
- Has the proposal incorporated Environmentally Sustainable Design (ESD) initiatives through construction and operation? Does the proposal result in any unacceptable off-site amenity impacts?
- Have traffic, car parking and service requirements been appropriately addressed?

Each of these matters are addressed in detail in the following sections of the report.

### 4.2. PLANNING POLICY SUPPORT

The following assessment demonstrates that the proposed use and development is consistent with the overarching objectives of the State and Local Planning Policy Frameworks.

- The area of the site is underutilised and provides an opportunity for a use that benefits from its highly accessible location. The proposal is located on commercial land adjacent to the Princes Highway, occupied by existing service uses. This location supports a commercial proposal to service the surrounding community and road users in accordance with the objectives of Clause 11 (Settlement) and Clause 22 (Highway Development).
- Landscaping has been maximised and is located adjacent to all site boundaries, with emphasis to the residential interface to the west. The planting schedule is consistent with the ecological conditions of the local area and will enhance the ecological values of the site with native species, including a range of species with low level planting, including grasses and small shrubs as well as canopy trees (Clause 12 Environmental and Landscape Values).
- The building design will contribute positively to the streetscape and its context. The single-storey massing responds to the surrounding low-scale built form and the commercial nature of the development complements the prevailing urban environment which reflects an emerging commercial area (Clause 15 Built Form and Environment).
- The proposal exhibits strong urban design attributes and a well resolved design response, consistent with the objectives of Clause 15.01-1S (Urban Design). A cohesive mixture of materials are used to ensure the building is visually interesting yet not domineering with lighter elements such as oak cladding and glazing interspersed with the predominant dark facade. The proposed colours promote a visually expressive built form which is appropriate in a commercial zone (Clause 15.01-1S Urban Design).
- The development includes Environmentally Sustainable Design initiatives such as best practice in stormwater management and aims to reduce greenhouse gas emissions through efficient air conditioning, as well as reduced environmental impact during the construction stage through the specification of sustainable materials (Clause 15.01-2S Building Design).
- The proposal will generate local employment opportunities for residents of Cardinia and surrounding areas (Clause 17 Economic Development).

- The site complies with local policy for Highway development. The site proposes the development within an existing service area and will not impact the movement of traffic or visual amenity along the highway given it's located at the rear of the site (Clause 22.04-3).

### 4.3. BUILT FORM

The proposal has been architecturally designed and demonstrates a high-quality response relative to the site context. Particular care has been taken to ensure the development responds sensitively to its adjoining interfaces, while adding architectural diversity to the existing development within the site.

The proposed building is single storey with a maximum height of approximately 7 metres when measuring the 'entrance' portal. The balance of the building is 4.8 metres in height mirroring surrounding single storey developments around the site.

The building is sited at the rear of the site ensuring the building is not visually obtrusive from the highway or street network, setback approximately 135 metres from Princes Highway and 35 metres from Windermere Boulevard.

The south and east facing facades are articulated with varying materials providing visual interest and ensuring the development is not overly voluminous from these prominent perspectives. Both these facades use the juxtaposition of varying dark colouring painting, wood panelling, and clear glazing to diversify the expression of the façade. Artwork is applied to the south façade which provide a decorative finish to the building which faces other uses within the broader site.

The proposed pylon signs are standalone structures and will not result in visual clutter, nor obstruct any significant views. The largest structure is located 17 metres from an existing pylon and setback 36 metres from Princes Highway at the south-east corner of the site. The smaller pylon sign in the north-east of the site off Windermere Boulevard is located behind existing street trees , with a proposed Blackwood tree located behind. This softens the view of this built form aspect with landscaping in front of and behind the structure.

The proposal also employs several design techniques to balance policy objectives and ensure the development complements its immediate and wider context. These include the use of a contemporary palette of materials and finishes, the inclusion of varying setbacks to minimise the visual impact of built form, and the incorporation of a diverse range of expressive architectural details and geometries.



Figure 4 Proposed built form

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 4.4. ADVERTISING SIGNAGE

It is considered the proposal satisfies the relevant decision guidelines of local policy at Clause 22.09 (Signs) and Clause 52.05, noting the following:

- The proposed signage is predominantly business identification signage. These signs are necessary to the commercial vitality of the site and to appropriately identify the new business.
- The signs will be of a scale and have been positioned so not to impact any important views or vistas, nor obstruct a driver's view or line of sight.
- The majority of the signs / graphics will be located on the built form, minimising the need for additional support structures. All signs will be contained wholly within the site. The signs will not comprise any dazzling elements and have been designed so not to be mistaken for a traffic control device.
- The size, position and style of the signs have been designed to ensure that the signs integrate with the architecture and scale of the built form.
- The proposed illumination will comply with relevant Australian Standards and will be limited to the extent necessary to identify the use. This will ensure the signs do not result in excessive light spill outside the site and protect the residential amenity to the west of the site.

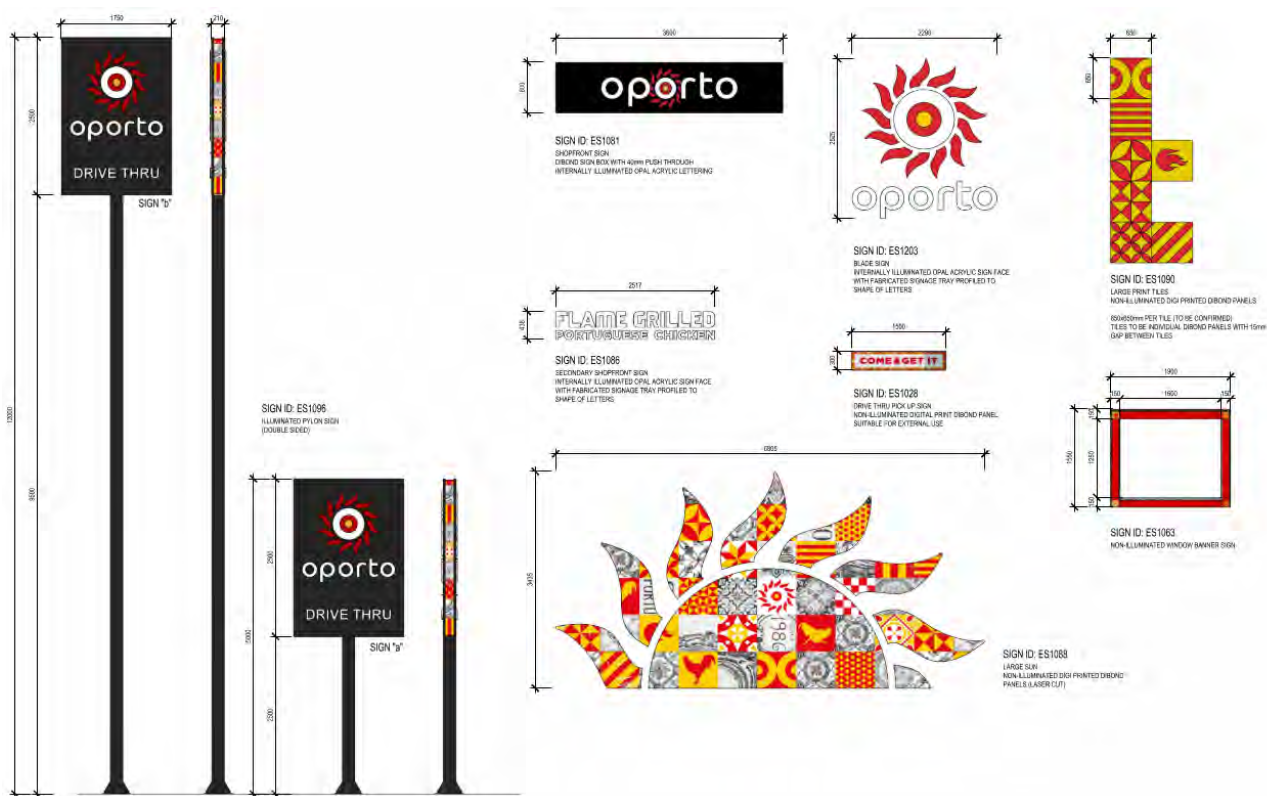


Figure 5 Proposed signage

## 4.5. LANDSCAPING AND VEGETATION REMOVAL

The proposal has been designed to maximise landscaping opportunities to enhance the site's visual amenity and ecological value. The key landscape features are outlined following.

## 4.6. LANDSCAPING

A core component of the proposal is landscaping throughout the site where possible softening the built form through vegetated landscapes, screening, and design.

Rosemary Groundcover is proposed at the eastern aspect of the site allowing views to the development from Windermere Boulevard. Adjacent to the entrance is a cluster of Wynyabbie and White Correa trees providing a landscaped entry statement to the proposed development.

Consistent planting is proposed along the northern boundary. This includes oscillating planting of Oriental Pears which will be 1.5 metres in height at maturity and low level planting with Wild Iris.

At the sensitive western interface extensive landscaping is proposed. This includes a vegetated median within the drive-thru, planting within a 300mm rock wall and fifteen (15) Resilience Lily Pilly's and fifteen (15) Wynyabbies planted between the abutting residence and the drive thru. This will assist to screen the development from the residential properties to the west.

To enhance biodiversity and support Environmentally Sustainable Design targets, 32% of the site (548m<sup>2</sup>) is covered with vegetation inclusive of a raingarden for stormwater management. This includes indigenous species in accordance with Council policy.

Refer to the Landscape Report prepared by Etched for further information.

## 4.7. VEGETATION REMOVAL

The development has been sited to maintain significant trees and allow adequate room for planting to enhance the landscaping character of the site.

An Arborist Report has been prepared by Baxter Ecology and Associates to identify the trees on the site and adjoining properties that may be impacted by the proposed development and assess the proposed tree removal.

Two significant native trees identified as Tree #1 and #5 (Narrow-leaved Peppermint Gums) are located to the south of the development to the east and west of the site. These trees contribute to the amenity of the area with heights of 8 and 10 metres and are proposed to be retained and are located within landscaped areas.

A total of two trees are proposed for removal along the northern boundary of the site. These are identified as Tree #3 and #4 and are self-seeded exotic trees (Lombardy Poplar). As such, no permit is required to remove these trees under Clause 52.17.

The Arborist report recommends tree protection measures to ensure all other trees on and surrounding the site can be visibly retained and will not be detrimentally impacted by the proposed development.

Refer to the Arborist Report prepared by Baxter Ecology for further information.

## 4.8. SUSTAINABILITY

A Sustainable Design Assessment has been prepared by Sustainable Design Consultants to inform the design of the development and respond to relevant ESD policy at Clause 15.01-2S, Clause 52.34 and Clause 53.18 in relation to building energy management, water-sensitive urban design, construction materials, indoor environment quality, waste management, and transport.

In summary, the proposal will meet best practice requirements with a BESS score of 50%.

In terms of stormwater, the proposal achieves a STORM score of 100%, with the inclusion of the following Water Sensitive Urban Design (WSUD) measures:

- Runoff from the roof will be diverted to a rainwater tank(s) with a capacity of 7,000L. The water will then be used for toilet flushing within the proposed development, with overflow diverted to the legal point of discharge.
- Stormwater runoff from the carpark, driveway and parking area will be diverted to inground raingardens with a minimum total surface area of 12.5m<sup>2</sup> before reaching the legal point of discharge.

The measures detailed in the Sustainable Design Assessment ensure that the proposed development will provide sustainable built form and will contribute positively to the local context and sustainability objectives.

Refer to the Sustainable Design Assessment prepared by Sustainable Design Consultants for further information.



## 4.9. OFF-SITE AMENITY IMPACTS

The proposal is located within a commercial zone which affords a commensurate consideration of amenity impacts for the commercial nature of the development. Having said this, established residential development adjoins the west of the site and therefore, amenity impacts must be considered to this more sensitive interface, as follows:

- The proposed lighting (signage illumination and safety lighting) will be maintained to the level necessary to avoid excessive light spill and will comply with relevant Australian Standards.
- Visual impacts will be minimised with single storey form and carefully considered landscaping to assist in screening the development from the residential properties.
- The proposed single storey massing will ensure no overshadowing impacts occur outside the site.
- The site layout has been designed to minimise potential acoustic impacts, locating the order point away from the site boundary, with landscaping in between the drive-thru and the boundary to create a buffer and mitigate impacts.

## 4.10. TRAFFIC & PARKING

A Traffic Impact Assessment has been prepared by One Mile Grid to inform the design of the proposed development. The key aspects of the assessment relevant to this report are summarised below.

Refer to the Traffic Impact Assessment has been prepared by One Mile Grid for further information.

### 4.10.1. Access and Traffic Generation

It is proposed to use the existing access point from Windermere Boulevard to serve the development to minimise impact on the local road network.

As the site is located adjacent to the Principal Road Network (Princes Highway), consideration must be given to Clause 52.29, which seeks to ensure appropriate access is provided to the Highway. No new access points or physical works are proposed to Princes Highway, and therefore, consistent with the objectives of Clause 52.29, the proposal is not expected to have any impact of the operation of Princes Highway along the site's frontage.

In terms of traffic generation, the proposal is expected to result in the equivalent on one vehicle trip every three minutes. This traffic will be disbursed between Windemere Boulevard and Princes Highway and is expected to be easily accommodated in the surrounding road network.

### 4.10.2. Car Parking

The proposed car parking layout and access has been designed in accordance with the requirements of Clause 52.06-9. A summary of compliance is provided at Section 4.1 of the Traffic Impact Assessment.

This will ensure easy and efficient manoeuvrability for vehicles throughout the site.

A total of 12 car parking spaces are proposed to be provided in accordance with the rate required under Clause 52.06 for a convenience restaurant. This includes one accessible space, conveniently located to the front of the building in accordance with the requirements of the National Construction Code (NCC).

### 4.10.3. Bicycle Parking

A total of 4 bicycle parking spaces (2 staff and 2 visitor spaces) are required in accordance with Clause 52.34 for the proposed use.

A total of 8 spaces are proposed, including 3 staff and 5 visitor spaces, exceeding the minimum requirement, and supporting more active forms of transport for users of the site in accordance with sustainable transport policy objectives at Clause 18.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

#### 4.10.4. Loading

In accordance with Clause 65, consideration must be given to the adequacy of loading and unloading facilities and any associated amenity, traffic and road safety impacts.

A designated loading area is provided on site between the building and drive-through. This area is conveniently located to provide access to the back of house and is appropriately sized to accommodate all loading activities for the proposed use.

#### 4.11. WASTE

A Waste Management Plan has been prepared by One Mile Grid which details anticipated waste generation, strategies to manage waste accrued by the proposed use and provides recommendations for the operations of the proposal for best practice waste management.

In summary:

- A private contractor will manage the collection and disposal of all waste streams associated with the proposal.
- Bins will be stored within a dedicated service yard adjacent the loading bay to the west of the building.
- The service yard can comfortably accommodate the bins required for garbage and recycling (4 in total), with additional area provided for storage of other items as required. The bin storage area is appropriately located, will be well-ventilated and will be secure and well separated from the main public areas.
- Waste will be collected from the loading bay, where the bins will be transferred directly to the waste truck for emptying. The bins will be returned to the bin storage room immediately following collection.
- The waste truck will enter from Princes Highway and exit via Windermere Boulevard.

Refer to the Waste Management Plan prepared by One Mile Grid for further information.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



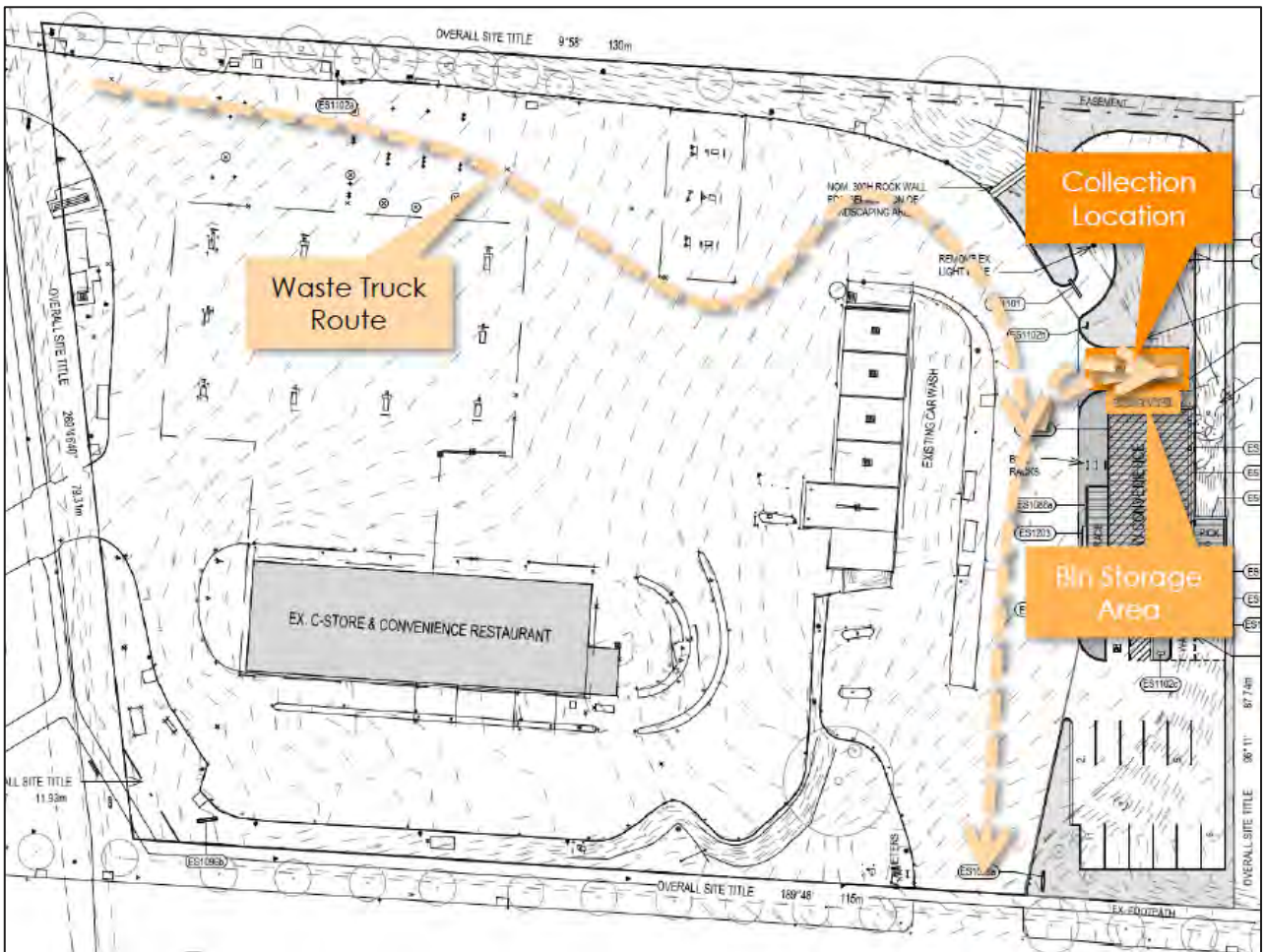


Figure 6 Proposed waste management practices (Source: One Mile Grid)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 5. CONCLUSION

The proposed convenience restaurant will enhance a currently underutilised area of the site. This report has carried out an assessment against the various objectives and intent of the specific planning policy and controls which apply under the Casey Planning Scheme.

This assessment has found that, on balance, the proposal responds positively to the strategic direction for this site as well as the general objectives of the Planning Scheme.

Based on the above assessment, we contend the proposal warrants favourable consideration based on:

- The proposed site is located strategically on commercial land already occupied by service uses north of Princes Highway. Thus the proposal is consistent with the commercial zoning of the site and provides an infill commercial development onto a site with similar uses as per policy objectives.
- The development proposes an architecturally designed building that incorporates high-quality finishes and best-practice Environmentally Sustainable Design initiatives. .
- The proposal will support the local economy and increase job opportunities for the community.
- New landscaping is provided throughout the site to enhance the site's ecology and natural setting of the development. Landscaping is also utilised to screen the development from surrounding sensitive uses.
- The siting of the development has been carefully considered to ensure off-site amenity impacts will be appropriately mitigated to ensure existing residents to the west continue to ensure a good level of amenity.
- Traffic, car parking and service (waste and loading) requirements have been appropriately considered to ensure operational requirements are met and traffic movements throughout the site are efficient with no impacts to the local road network.

For the above reasons it is considered that the proposed development represents a positive planning and design outcome for the site and surrounding area..

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# DISCLAIMER

This report is dated 9 November 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Yarraside Service Station Pty Ltd (**Instructing Party**) for the purpose of a planning permit application (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

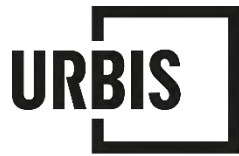
In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# SUSTAINABLE DEVELOPMENT \_CONSULTANTS

CREATE A BETTER PLACE TO LIVE.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Sustainable Design Assessment  
OSR, 1365 Princes Highway, Pakenham



Proposed Non-residential  
Development  
QSR, 1365 Princes Highway,  
Pakenham

---

Sustainable Design Assessment

September 2023

---

S4899 SDA.V1

---

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

PREPARED BY:

Sustainable Development Consultants

2nd Floor, 555 Riversdale Rd.  
Camberwell VIC 3124

T: (03) 9882 9967 F: (03) 9882 9969  
info@sdconsultants.com.au

[sdconsultants.com.au](http://sdconsultants.com.au)



## Table of Contents

1. Introduction.....	4
1.1 Site Description.....	4
1.2 Development Summary.....	5
1.3 Cardinia Shire Council Requirements .....	6
1.4 ESD Assessment Tools .....	6
1.4.1 BESS .....	6
1.4.2 Melbourne Water STORM Calculator .....	6
2. Sustainability Initiatives .....	7
2.1 Energy Efficiency.....	7
2.2 Water Resources & Stormwater Treatment.....	8
2.3 Indoor Environment Quality .....	9
2.4 Building, Construction and Waste Management.....	10
2.5 Building Materials.....	11
2.6 Transport.....	12
2.7 Urban Ecology.....	13
3. Conclusion.....	13
Appendix 1 – Green Star VOC and Formaldehyde Limits.....	14
Appendix 2 – WSUD Report.....	15
Appendix 3 – BESS Assessment .....	21
Appendix 4 – Daylight Hand Calculations.....	38
Appendix 5 – Non-Residential Effective Natural Ventilation.....	39

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Version	Date of Issue	Description	Author	Approved
V1	12-09-2023	For Council Approval	HW	PC



## 1. Introduction

This Sustainable Design Assessment (SDA) has been prepared to assist the design, construction and operation of the proposed non-residential development at 1365 Princes Highway, Pakenham which is to comprise a retail tenancy with on site external parking spaces.

Sustainable Development Consultants have assessed the proposed development and provided input to the design team. This SDA captures initiatives necessary to ensure that the development meets the sustainability requirements of the Cardinia Shire Council, as outlined in Section 1.3 of this report.

This document has been prepared by Sustainable Development Consultants with reference to the architectural drawings prepared by BDAI Architecture.

### 1.1 Site Description

The site at 1365 Princes Highway, Pakenham is on the corner of Princes Highway and Windermere Boulevard. It is approximately 60km south-east of the Melbourne CBD and 200m from the Cardinia Lakes Shopping Centre. The site is currently unoccupied, and used for truck parking.

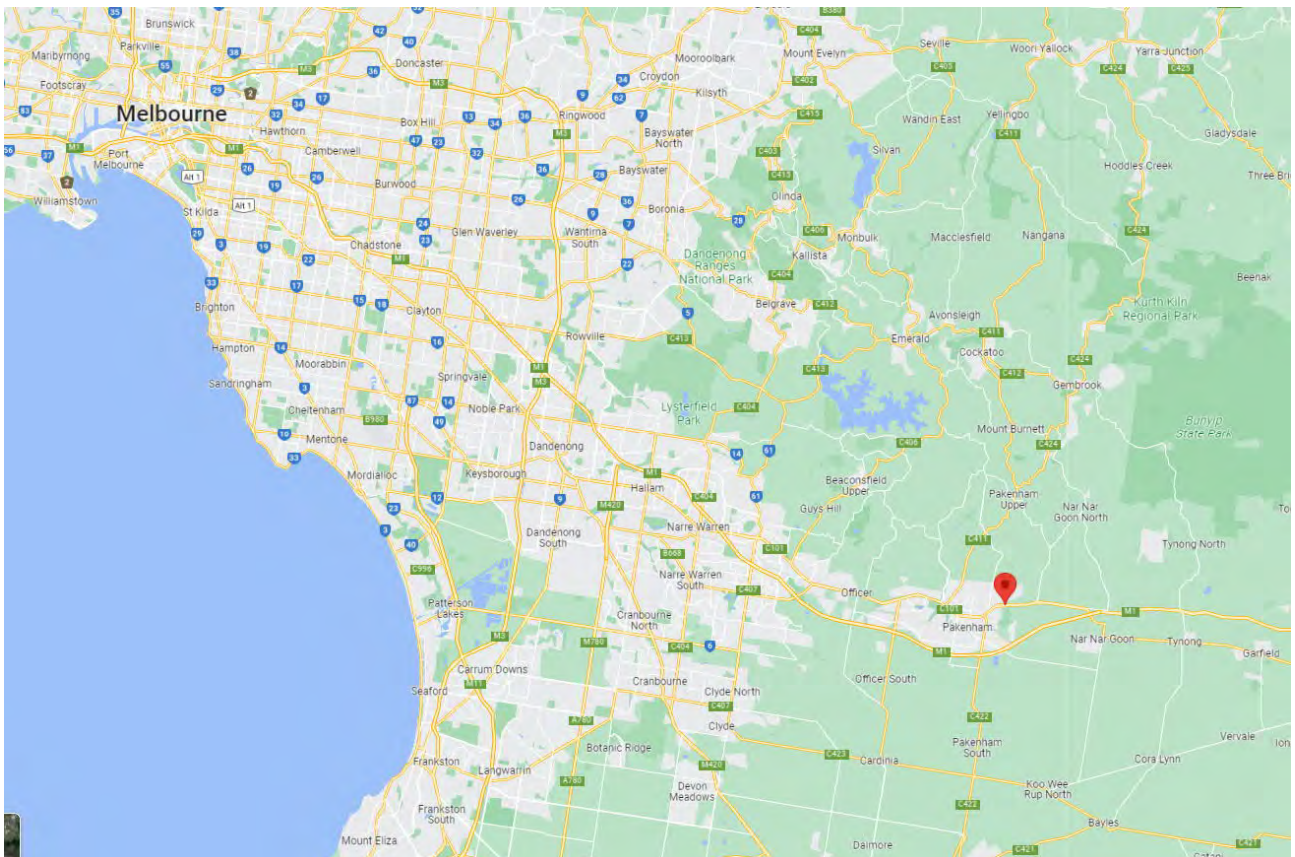


Figure 1: Location of 1365 Princes Highway, Pakenham in relation to the Melbourne CBD (Source: Google Maps)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



Figure 2: Aerial image of the development site at 1365 Princes Highway, Pakenham (Source: Landchecker, mark-up by SDC)

## 1.2 Development Summary

Set out in Table 1 below is a development summary for this project.

Table 1: Development Summary

Development Information	
Total Site Area	Approximately 1,690m <sup>2</sup>
Car & Bike Parking	<ul style="list-style-type: none"> <li>• 12 on-site external car parking spaces, including one accessible space;</li> <li>• Five external visitor bike spaces; and</li> <li>• Three secure employee bike spaces.</li> </ul>
Ground Level	Convenience Restaurant with GFA approximately 180m <sup>2</sup>

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### 1.3 Cardinia Shire Council Requirements

Cardinia Shire Council is committed to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development. Critical to achieving this commitment is for development to meet appropriate environmental design standards.

This Sustainable Design Assessment (SDA) has been prepared for the proposed development to demonstrate to Council how for this project will achieve 'Best Practice' in environmentally sustainable design in relation to building energy management, water-sensitive urban design, construction materials, indoor environment quality, waste management, and transport.

Cardinia Shire Council requires that this project address the following planning scheme provisions:

- Clause 15.01-2S Building Design
- Clause 52.34 Bicycle Facilities
- Clause 53.18 Stormwater Management in Urban Development

### 1.4 ESD Assessment Tools

There are several calculators and modelling programs available in Victoria to assess proposed developments against benchmarks for ESD, as set by the Victorian government, local councils and the Building Code of Australia.

For this project, set out below are the assessment tools that have been adopted for this project.

#### 1.4.1 BESS

BESS was developed by the Council Alliance for Sustainability in the Built Environment (CASBE). This tool assesses the energy and water efficiency, thermal comfort and overall environmental sustainability performance of new buildings or alterations. It was created to demonstrate that new developments meet sustainability requirements as part of a planning permit application.

A BESS assessment has been conducted for the proposed development. This provides a guide as to the level of sustainability achieved by the proposed development in line with the Council's ESD requirements.

Each target area within the BESS tool generally receives a score of between 1% and 100%. A minimum score of 50% is required for the energy, water and indoor environment quality (IEQ) areas, whilst a 100% score is required for stormwater. An overall score of 50% for the project represents 'Best Practice' while a score over 70% represents 'Excellence'.

The results of the BESS assessment can be found in Appendix 3 of this report.

#### 1.4.2 MELBOURNE WATER STORM CALCULATOR

Melbourne Water has developed the STORM calculator to simplify the analysis of stormwater treatment methods. The calculator is designed to enable a simple assessment of Water Sensitive Urban Design (WSUD) measures. The STORM Calculator determines the amount of treatment that typical WSUD measures will provide in relation to best practice targets.

The results of the STORM assessment can be found in Appendix 2 of this report.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 2. Sustainability Initiatives

The following sections outline the initiatives that will be incorporated into the development throughout its design, construction and operation. Initiatives that are included to contribute towards the BESS benchmark have a reference next to them, e.g. (BESS Management 4.1). Some initiatives without the BESS reference have also been included as they also contribute to the overall sustainability of the development.

The following sections, as well as nominating the sustainability initiatives, also identify the party/parties responsible for implementation of the initiative, and the stage at which implementation will be demonstrated.

The following are the broad project stages:

1	Design Development	<ul style="list-style-type: none"> <li>• Consultants develop conceptual design drawing to a detailed stage suitable as a basis for preparing working drawings - Integration of architectural, services, structure and site attributes</li> <li>• Checking compliance with all statutory requirements, codes and standards</li> <li>• Arranging special surveys or reports as required</li> </ul>
2	Construction Documentation	<ul style="list-style-type: none"> <li>• Architectural and services drawing sets completed</li> <li>• All specialist reports completed</li> <li>• All necessary planning and building consents obtained as required by authorities</li> </ul>
3	Construction	<ul style="list-style-type: none"> <li>• All work carried out onsite – site preparation, construction, alteration, extension, demolition</li> <li>• Purchase of all materials / certification</li> <li>• Evidence gathering from subcontractors</li> <li>• Commissioning</li> </ul>
4	Post Occupancy	<ul style="list-style-type: none"> <li>• Operation and Maintenance</li> <li>• Education – Building Users Guides</li> </ul>

### 2.1 Energy Efficiency

The development will minimise energy use through best practice building envelopes and efficient heating and air conditioning, as well as efficient hot water systems and lighting.

Design Requirements	Responsibility & Implementation	Project Stage
<b>Thermal Performance (BESS Energy 1.1 &amp; 2.1)</b>		
To meet best practice requirements for thermal efficiency, a Part J assessment (JV3 modelling) will be undertaken during the detailed design stage of the project to demonstrate that the proposed building's thermal fabric reduces heating and cooling energy consumption below the reference case (NCC2019 Section J) by at least 10%.  This is to be achieved with the specification of thermally efficient building fabric.	ESD Consultant / Architect / Services Consultant	Construction Documentation
<b>Heating and Cooling Systems (BESS Energy 2.1, 2.2 &amp; 2.3)</b>		
Heating and cooling will be provided by energy efficient air conditioners with a minimum 10% improvement in COP/EER against the MEPS requirement.	Mechanical Engineer	Design Development
<b>Peak Demand (BESS Energy 2.2)</b>		
Peak demand of the proposed building will be no higher than that of the reference building. This will be achieved via the consideration of internal blinds, suitable glazing performance, lighting power density and HVAC system efficiency.	Mechanical Engineer	Design Development

Design Requirements	Responsibility & Implementation	Project Stage
<b>Hot Water (BESS Energy 2.3 &amp; 3.2)</b> Hot water system will be provided via a high efficiency electric heat pump system(s) with a COP $\geq$ 3.5. All pipework will be insulated to minimise distribution heat losses.	Services Consultant	Design Development
<b>Indoor Lighting (BESS Energy 3.7)</b> Energy consumption from artificial lighting throughout the development to be reduced by using LED lighting and optimising daylight diffusion via light-coloured internal surfaces (particularly walls, furniture and ceilings). The maximum illumination power density (W/m <sup>2</sup> ) of internal lighting will target a 10% reduction against the requirements in Table J6.2a of the NCC 2019 Vol 1.	Electrical Engineer	Design Development
<b>External Lighting</b> External lighting will be LED and will have controls (e.g. motion detectors, and timers) to minimise consumption during off-peak times (e.g. 11pm-5am).	Electrical Engineer	Design Development
<b>Energy Efficient Appliances</b> All appliances provided as part of the base building works will be selected within one star of the best available.	Developer	Construction Documentation
<b>Building Sealing</b> All windows, doors, exhaust fans and pipe penetrations will be constructed to minimise air leakage as required by the provisions outlined in Section J3 of the 2019 BCA. This will include the use of seals around operable windows and doors as well as caulking to pipe penetrations, and the addition of self-closing louvers or dampers to exhaust fans.	Architect	Design Development

## 2.2 Water Resources & Stormwater Treatment

Water will be used efficiently throughout the development through efficient fixtures and fittings, and collection and use of rainwater which helps to reduce mains water requirements and diverts stormwater.

Design Requirements	Responsibility & Implementation	Project Stage
<b>Water Fixtures and Fittings (BESS Water 1.1)</b> Efficient water fittings and fixtures will be installed to reduce the volume of mains water used. The following Water Efficiency Labelling Scheme (WELS) star ratings will be specified: <ul style="list-style-type: none"> <li>• Kitchen and Bathroom taps: flowrate <math>\leq</math>6.0L/min (5 Star); <b>and</b></li> <li>• Toilets: dual flush, 3/4.5 L/flush (4 Star);</li> </ul>	Architect / Services Consultant	Design Development
<b>Water Efficient Appliances (BESS Water 1.1)</b> Dishwashers will be minimum of 4 Star WELS rated (if installed by the developer as a part of the contracted building works).	Developer	Construction Documentation
<b>Rainwater Collection and Reuse (BESS Water 1.1 &amp; Stormwater 1.1)</b> Rainwater runoff from the entire 240m <sup>2</sup> building roof area will be collected and stored in a 7kL rainwater tank. The rainwater tank will be connected to all toilets throughout the development. See Appendix 2 for further information.	Civil / Hydraulic Engineer	Design Development

Design Requirements	Responsibility & Implementation	Project Stage
<p><b>Water Efficient Landscaping (BESS Water 3.1)</b></p> <p>Landscaping will be drought tolerant and will include mulch and soil wetting agents to reduce the potable water which will be required to water these garden areas in future.</p> <p>A portion of landscaping will be designed in accordance with xeriscape principles, emphasizing drought tolerance and grouping plants with similar water demand characteristics together without need for an irrigation system.</p> <p>If required, a sub-surface drip irrigation system with moisture sensor override will be specified for remaining vegetation.</p>	Developer	Construction Documentation



Figure 3: Examples of drought tolerant landscaping that could be incorporated into the development design.

Design Requirements	Responsibility & Implementation	Project Stage
<p><b>Waterless HVAC System</b></p> <p>The proposed development will not have a sprinkler system.</p> <p>Air-conditioning units will use air-cooled condenser components which will help to reduce the development’s overall water usage, whilst also preventing the growth of legionella bacterium which thrive in warm stagnant water.</p>	Mechanical Engineer	Construction Documentation

### 2.3 Indoor Environment Quality

Indoor Environment Quality (IEQ) will be improved through various initiatives which help to create a healthy indoor environment free from toxins with ample supply of daylight and outside air.

Design Requirements	Responsibility & Implementation	Project Stage
<p><b>Daylight Access (BESS IEQ 1.4)</b></p> <p>Access to natural daylight is extremely important for employees, providing an essential connection with nature and improving health and wellbeing.</p> <p>Green Star daylight hand calculations have been undertaken for the development, with the following results:</p> <ul style="list-style-type: none"> <li>33.4% of the nominated floor area achieves a minimum daylight factor of 2%.</li> </ul> <p>Refer to Appendix 3 BESS Daylight Assessment for further details.</p>	Architect	Design Development

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



Design Requirements	Responsibility & Implementation	Project Stage
<i>Note that the glazing must have a minimum visible light transmittance (VLT) of 40% for the above advice to hold true for this project.</i>		
<b>Acoustic Comfort</b>		
Noise from any mechanical services will be kept to a minimum using good quality, suitably located and baffled mechanical plant and quiet air conditioners and fans.	Mechanical Engineer	Construction Documentation
<b>Daylight Improvement</b>		
Daylight penetration through windows/openings will be enhanced with the use of light internal colours, allowing for a better internal reflection of daylight.	Architect	Construction Documentation
<b>Ventilation – Non-Residential (BESS IEQ 2.3)</b>		
The kitchen, dining area and pickup area will experience a high level of natural ventilation due to multiple openings positioned along the eastern, southern and northern façade, allowing 64% of the nominated regular-use area to achieve effective natural ventilation.	Mechanical Engineer	Design Development
The HVAC systems of the proposed building will provide outside air at a rate that exceeds the minimum required rate per person outlined in AS 1668.2:2012, by a minimum of 50%, to provide a comfortable and healthy internal environment.		
The ventilation systems are to be designed to achieve, monitor and maintain a maximum CO <sub>2</sub> concentration of maximum 800ppm to regular use areas.		
<b>Shading</b>		
The north glazing to regular use areas is effectively shaded via an overhang.	Architect	Construction Documentation
<b>Volatile Organic Compounds (VOCs) (BESS IEQ 4.1)</b>		
All paints, adhesives and sealants and flooring (including carpets) will not exceed the limits outlined in Appendix 1. Alternatively, products with no VOCs will be selected.	Architect	Construction Documentation
<b>Formaldehyde Minimisation (BESS IEQ 4.1)</b>		
All engineered wood products will have 'low' formaldehyde emissions, certified as E0 or better. Alternatively, products will be specified with no formaldehyde. Emissions limits are listed in Appendix 1.	Architect	Construction Documentation

## 2.4 Building, Construction and Waste Management

Initiatives included in building, construction and waste management promote adoption of environmental initiatives at different stages of the project – not just in the project design stage.

Design Requirements	Responsibility & Implementation	Project Stage
<b>Operational Waste (BESS Waste 2.2)</b>		
The proposed building will be provided with dedicated bins for the separation and collection of general waste and recyclables, in both customer and staff areas. Recycling facilities will be adjacent to each bin for general waste, with bin colouring and signage to ensure a clear distinction between the two waste streams.	Architect/ Building Owner	Design Development/ Post Occupancy

Design Requirements	Responsibility & Implementation	Project Stage
<b>Construction Waste Management</b>		
<p>The builder will develop a construction waste management plan (CWMP) for the construction phase. This will include the following:</p> <ul style="list-style-type: none"> <li>• Waste generation;</li> <li>• Any waste systems;</li> <li>• Minimisation Strategy;</li> <li>• Performance / Reduction targets;</li> <li>• Bin quantity and size;</li> <li>• Collection frequency;</li> <li>• Signage; and</li> <li>• Monitoring and reporting including frequency and method.</li> </ul> <p>The CWMP will include a requirement for not less than 80% of all civil works and built form construction waste to be recycled or re-used.</p> <p>The CWMP will require that all hazardous substances, pollutants and contaminants must be managed and disposed of in accordance with all state regulatory requirements. Where these materials are treated, or used on site, they must be in accordance with a sanctioned remediation process.</p>	Builder	Construction Documentation

## 2.5 Building Materials

Materials initiatives help reduce the use of virgin materials and generating waste and promote the use of materials with lower embodied energy and environmental impacts.

Design Requirements	Responsibility & Implementation	Project Stage
<b>Concrete</b>		
A minimum of 50% of the concrete mix will contain non-potable mains water (rainwater or purchased recycled water).	Builder / Structural Engineer	Construction Documentation
<b>Steel</b>		
Wherever possible, steel for the development will be sourced from a Responsible Steel Maker <sup>1</sup> . Reinforcing steel for the project will be manufactured using energy reducing processes.	Builder / Structural Engineer	Construction Documentation
<b>Timber</b>		
All timber used in the development will be Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified, or recycled / reused.	Architect	Construction Documentation
<b>Cables, pipes, floors and blinds</b>		
All standard uses of cables, pipes, flooring and blinds within the development will either not contain any PVC or will be sourced from a manufacturer/supplier that adheres to the Green Building Council of Australia's <i>Best Practice Guidelines for PVC in the Built Environment</i> .	Services Consultant	Construction Documentation

<sup>1</sup> A Responsible Steel Maker must have facilities with a currently valid and certified ISO 14001 Environmental Management System (EMS) in place and be a member of the World Steel Association's (WSA) Climate Action Program (CAP).

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Design Requirements	Responsibility & Implementation	Project Stage
<b>Flooring</b> All flooring will be manufactured from materials/products certified under any of the following: <ul style="list-style-type: none"> <li>• Carpet Institute of Australia Limited, Environmental Certification Scheme (ECS) v1.2;</li> <li>• Ecospecifier GreenTag GreenRate V3.1;</li> <li>• Good Environmental Choice (GECA); and/or</li> <li>• The Institute for Market Transformation to Sustainability (MTS) Sustainable Materials Rating Technology Standard Version 4.0 – SMaRT 4.0.</li> </ul> Alternatively, floor coverings must be durable, include some eco-preferred content, be modular and/or come from a manufacturer with a product stewardship program and ISO 14001 certification.	Builder/ Architect	Construction Documentation



Figure 4: Examples of approved environmental labels for products which may be incorporated for the development

## 2.6 Transport

Design Requirements	Responsibility & Implementation	Project Stage
<b>Bicycle Parking (BESS Transport 1.4 &amp; 1.5)</b> The development will offer three bicycle parking spaces for staff use and five visitor bicycle parking spaces. The employee bike parking spaces will be located on the west of the proposed building with shelter provided, whereas the visitor bike parking spaces will be located on the south. The number of visitor and employee bike parking spaces provided exceeds the planning scheme bike parking requirement by 50%. This initiative aims to promote cycling as an alternative mode of transportation for both staff and visitors.	Architect	Design Development

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 2.7 Urban Ecology

Design Requirements	Responsibility & Implementation	Project Stage
<b>Communal Spaces (Urban Ecology 1.1)</b>		
A dedicated dining area (45m <sup>2</sup> ) has been provided within the building, allowing people to gather in for social exchange.	Architect	Design Development
<b>Vegetation (BESS Urban Ecology 2.1)</b>		
32% of the site (548m <sup>2</sup> ) is covered with vegetation. It is recommended that several indigenous species be included in the landscaping of the site. This will help maintain/enhance local biodiversity and encourage native birds to visit the space.	Architect / Landscape Architect	Design Development
<b>Refrigerant Ozone Depleting Potential</b>		
All HVAC refrigerants used in the development will be selected to have an Ozone Depletion Potential (ODP) of zero.	Mechanical Engineer	Construction Documentation
<b>Insulation Ozone Depleting Potential</b>		
All thermal insulation used in the development will not contain any ozone-depleting substances and will not use any in its manufacturing.	Architect	Construction Documentation
<b>Light Pollution</b>		
No external luminaire on the project will have an Upward light Output Ratio (ULOR) exceeding 5%, relative to its mounted orientation. External lighting will be designed to avoid light spill off the site or into the night sky.	Architect/ Electrical Engineer	Schematic Design
<b>Urban Heat Island Effect Reduction</b>		
The development will adopt multiple initiatives to reduce the impact of urban heat island effect on the site. These initiatives include areas of landscaping and light-coloured surfaces. Landscaped areas will help provide cooling.  Proposed Zinalume metal roof sheeting will reduce solar heat gain into the building when compared to darker roofing options.	Architect	Design Development

## 3. Conclusion

As set out in this SDA the proposed building at 1365 Princes Highway, Pakenham will meet best practice requirements through the initiatives outlined in this report such as the inclusion of a rainwater tank for rainwater reuse and reduction in greenhouse gas emissions through efficient air conditioning, as well as reduced environmental impact during the construction stage through the specification of sustainable materials and a mindful construction team.

The initiatives that have been included within this SDA all have a proven track record of serving their individual purpose and can be easily maintained with any failures obvious to the occupants of the development. This helps to ensure the ongoing sustainability of the development as the systems installed in the beginning are maintained for purpose throughout the life of the development.

With appropriate implementation, management, monitoring and maintenance, the initiatives outlined within this SDA will serve to provide the occupants with lower running costs, as well as benefit the surrounding environment with an environmentally and economically sustainable development.

The implementation of this SDA requires a clear process that will include:

- Full integration with architectural and building services plans and specifications;
- Endorsement of the SDA with town planning drawings; and
- SDA initiatives to be included in plans and specifications for building approval.

## Appendix 1 – Green Star VOC and Formaldehyde Limits

Table 2: Maximum Volatile Organic Compound Levels for construction materials (Source: Green Building Council Australia – Green Star Buildings Submission Guidelines Version 1, 2021)

Product Type/Sub Category	Max TVOC Content (g/L of ready-to-use-product)
<b>Paints, Adhesives and Sealants</b>	
General purpose adhesives and sealants	50
Interior wall and ceiling paint, all sheen levels	16
Trim, varnishes and wood stains	75
Primers, sealers and prep coats	65
One and two pack performance coatings for floors	140
Acoustic sealants, architectural sealant, waterproofing membranes and sealant, fire retardant sealants and adhesives	250
Structural glazing adhesive, wood flooring and laminate adhesives and sealants	100
<b>Carpets</b>	
Total VOC limit	0.5 mg/m <sup>2</sup> per hour
4-PC (4-Phenylcyclohexene)	0.05mg/m <sup>2</sup> per hour
ISO 16000 / EN 13419 - TVOC at three days	0.5 mg/m <sup>2</sup> per hour
ISO 10580 / ISO/TC 219 (Document N238) - TVOC at 24 hours	0.5 mg/m <sup>2</sup> per hour

Table 3: Maximum Formaldehyde levels for processed wood products. (Source: Green Building Council Australia – Green Star Buildings Submission Guidelines Version 1, 2021)

<b>Formaldehyde emission limit values for different testing methods</b>	
Test Method	Emission Limit/ Unit of Measurement
AS/NZS 2269:2004, testing procedure AS/NZS 2098.11:2005 method 10 for Plywood	≤1mg/ L
AS/NZS 1859.1:2004 - Particle Board, with use of testing procedure AS/NZS 4266.16:2004 method 16	≤1.5 mg/L
AS/NZS 1859.2:2004 - MDF, with use of testing procedure AS/NZS 4266.16:2004 method 16	≤1mg/ L
AS/NZS 4357.4 - Laminated Veneer Lumber (LVL)	≤1mg/ L
Japanese Agricultural Standard MAFF Notification No.701 Appendix Clause 3 (11) - LVL	≤1mg/ L
JIS A 5908:2003- Particle Board and Plywood, with use of testing procedure JIS A 1460	≤1mg/ L
JIS A 5905:2003 - MDF, with use of testing procedure JIS A 1460	≤1mg/ L
JIS A1901 (not applicable to Plywood, applicable to high pressure laminates and compact laminates)	≤0.1 mg/m <sup>2</sup> hr
ASTM D5116 (applicable to high pressure laminates and compact laminates)	≤0.1 mg/m <sup>2</sup> hr
ISO 16000 part 9, 10 and 11 (also known as EN 13419), applicable to high pressure laminates and compact laminates	≤0.1 mg/m <sup>2</sup> hr (at 3 days)
ASTM D6007	≤0.12mg/m <sup>3</sup>
ASTM E1333	≤0.12mg/m <sup>3</sup>
EN 717-1 (also known as DIN EN 717-1)	≤0.12mg/m <sup>3</sup>
EN 717-2 (also known as DIN EN 717-2)	≤3.5mg/m <sup>2</sup> hr

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Appendix 2 – WSUD Report

### Objectives

The quality and quantity of stormwater leaving a site can have a significant impact on the surrounding infrastructure and waterways. Impervious surfaces move water quickly and efficiently out of built-up areas straight into stormwater infrastructure, which in turn quickly moves the untreated water into natural watercourses. This process does not treat the stormwater and as the water flows into natural water courses, it causes erosion and pollution of those waterways with the rubbish, sediments, pathogens, and other pollutants off the impervious surfaces into the stormwater drains.

New developments in the Shire of Cardinia must comply with *Clause 53.18* and the best practice performance targets for suspended solids, total phosphorous and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, Victoria Stormwater Committee 1999. Currently, these water quality performance targets require:

- Suspended Solids - 80% retention of typical urban annual load.
- Total Nitrogen - 45% retention of typical urban annual load.
- Total Phosphorus - 45% retention of typical urban annual load.
- Litter - 70% reduction of typical urban annual load.

New developments must also incorporate treatment measures that improve the quality of water and reduce flow of water discharged into waterways (such as collection and use of rainwater/stormwater on site) and encourage the use of measures to prevent litter being carried off-site in stormwater flows.

### Site Characteristics

For the purpose of the stormwater assessment, the development has been delineated into the basic surface types listed below and highlighted in marked-up plans following:

- Total site area: 1,690.0m<sup>2</sup>
- Roof catchment area (blue): 240.0m<sup>2</sup>
- Permeable landscaping (green): 533.7m<sup>2</sup>
- Impervious driveways to be diverted to raingardens (yellow): 620.0m<sup>2</sup>
- All remaining impervious area (orange): 296.3m<sup>2</sup>

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



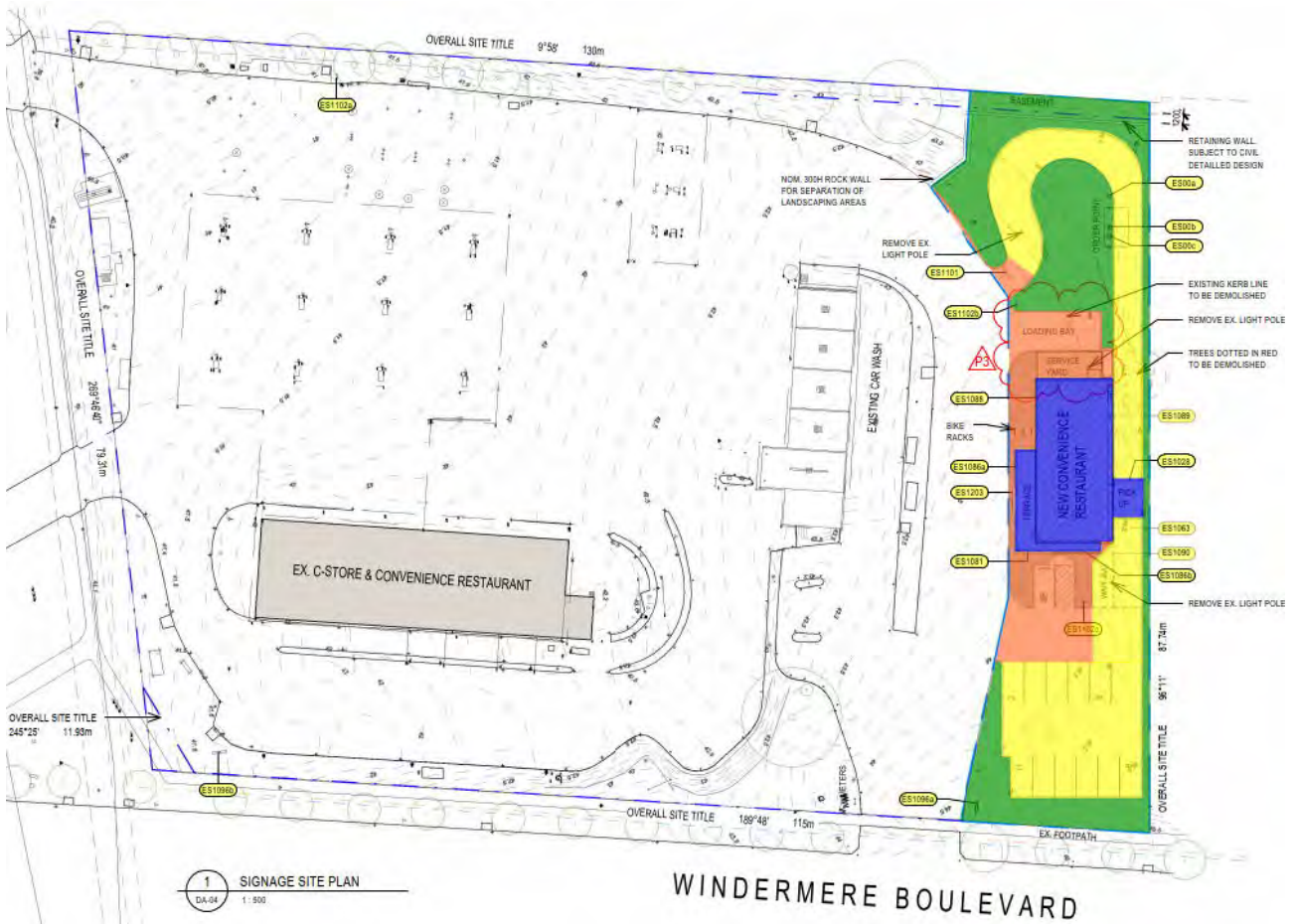


Figure 5: Site Delineation

### Stormwater Management Initiatives

Stormwater treatment initiatives will need to be implemented. The following section presents the different surfaces that have been identified for treatment, and the required treatment<sup>2</sup>. The initiatives to manage stormwater flows for the building area will underpin the overall performance of the site and its ability to meet stormwater management objectives.

Table 4: List of areas and their stormwater treatment measures.

Surfaces	Area	Required Treatment
Roof catchment area (blue)	240 m <sup>2</sup>	Runoff from the roof catchment area of 240m <sup>2</sup> will be diverted to a rainwater tank(s) with a total effective storage capacity of 7,000L. The stored water will be used for toilet flushing within the proposed development. Overflow from the tank(s) will be diverted to the Legal Point of Discharge (LPD) on site.
Permeable landscaping (green)	533.7 m <sup>2</sup>	Permeable vegetated areas: no treatment required
Impervious to Raingarden (yellow)	620 m <sup>2</sup>	Stormwater runoff from a total 620m <sup>2</sup> of the carpark driveway and parking area will be diverted to inground raingardens with a minimum total surface area of 12.5m <sup>2</sup> , with a detention depth of at least 0.1m, before reaching the legal point of discharge. The

<sup>2</sup> Please note that alternative stormwater treatment devices may be selected, provided that they result in an equivalent or better level of stormwater treatment.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Surfaces	Area	Required Treatment
		positioning of raingardens will be determined by the civil engineer and landscape designer.
Remaining Impervious	296.3 m <sup>2</sup>	All remaining impervious area runoff will be diverted directly to the LPD onsite.

Rainwater Reuse

For the purpose of calculating water consumption using the STORM tool, an occupancy value of 25 (19 visitors and 6 staff) has been input to account for the toilet flushing demand.

The recommended treatments have been applied to the STORM tool and as a result, the proposed development has achieved a score of 100%. With the proposed stormwater treatment measures incorporated into the development, the design will meet the minimum performance standards required by BESS and Shire of Cardinia.

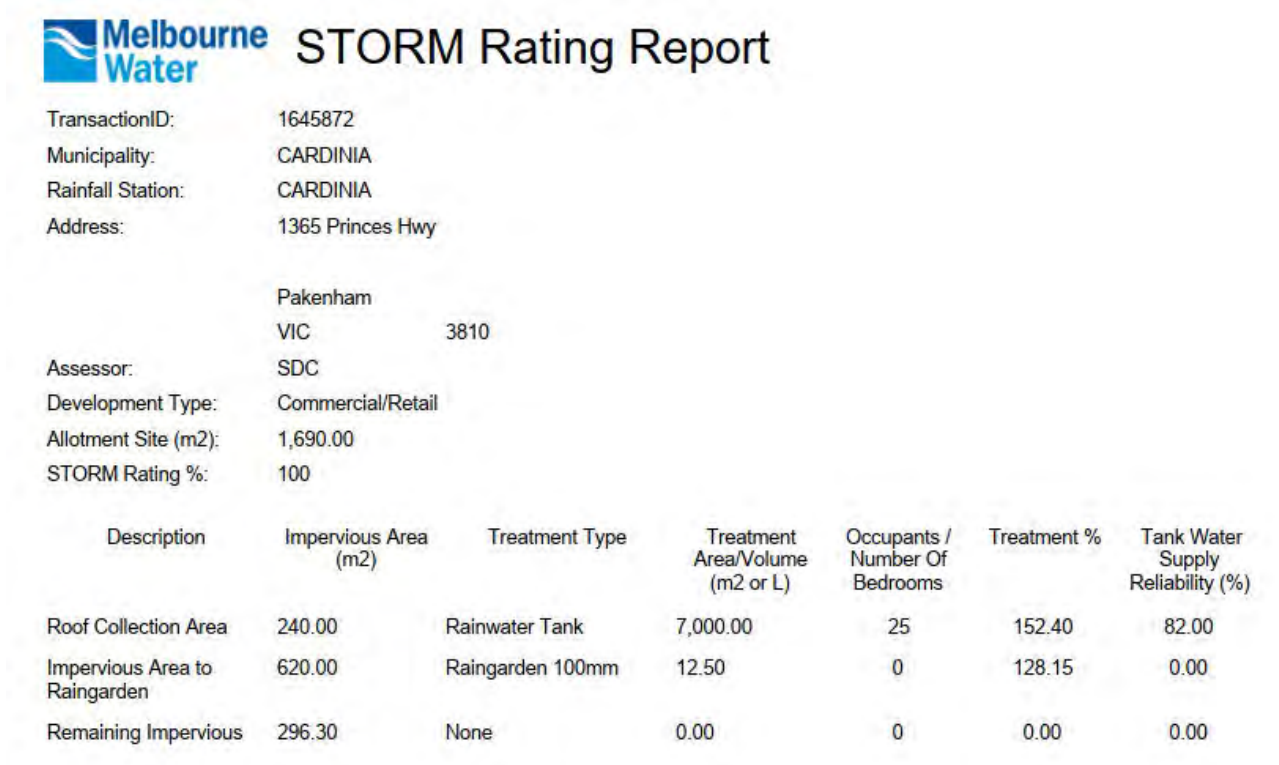


Figure 6: Stormwater calculator result.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Management and Maintenance Guidelines

Inspections and maintenance of the proposed stormwater treatment systems should occur regularly to ensure their ongoing performance. It is the responsibility of the building manager to ensure the appropriate measures are undertaken for the rainwater tank maintenance. Some general maintenance requirements are provided in the table below. However, any specific maintenance requirements nominated by the product's manufacturer may also apply and would supersede those outlined below. The proposed system will be nominated at the detailed design stage.

### Rainwater Tank

Task	When?	Requirement
Inspect rainwater tanks	Every 6 months	<ul style="list-style-type: none"> <li>- Check for any damage/compression</li> <li>- Check any blockage of first flush diverter</li> <li>- Correct operation of potable mains back up switch</li> <li>- Check that mesh covers have not deteriorated and intact.</li> <li>- Check that supporting base is free of cracks and movement.</li> <li>- Mosquito infestation</li> </ul>
	Every 3-5 years	<ul style="list-style-type: none"> <li>- Sludge Build up – if sludge build up occurs a vacuum tank needs to be called out to site</li> </ul>
Inspect pumps	Every 2 years	<ul style="list-style-type: none"> <li>- Serviced to prolong the pump life</li> </ul>
Inspect roofs & gutters	Every 6 months	<ul style="list-style-type: none"> <li>- Clean out of leaves / debris</li> <li>- Remove any overhanging branches onsite</li> </ul>

### Rainwater Filter (e.g. Rainceptor or similar)

As a minimum, two inspections should be scheduled every year. The first scheduled maintenance event each year should involve general routine maintenance (including but not limited to the items outlined in the table below) in addition to an assessment of the products condition. This information will then inform the extent and urgency of the second scheduled maintenance for the year (i.e. whether the filter is expected to need replacing). In addition to the two scheduled maintenance events, inspection of the equipment should occur following major storm events.

Task	When?	Requirement
Inspection/Minor Maintenance	Every 6 months; and after major storm events	<ul style="list-style-type: none"> <li>- Assess filter externally for observable defects/problems</li> <li>- Check filter is functioning correctly</li> <li>- Clear filter of debris and provide detail clean when required</li> <li>- Take notes and document external and internal filter conditions</li> <li>- Make arrangements for filter replacement at next scheduled maintenance event if required</li> </ul>
Major Maintenance	Yearly or When necessary	<p>Examples of major maintenance could include:</p> <ul style="list-style-type: none"> <li>- Replacement of filter due to end-of-life or unexpected damage</li> <li>- Removal of sediment build-up</li> </ul>

### Disposal of Waste Materials

The accumulated pollutants found in the stormwater treatment systems must be handled and disposed of in a manner that is in accordance with all applicable waste disposal regulations. When scheduling maintenance, consideration must be made for the disposal of solid and liquid wastes.



## Stormwater Runoff Treatment during the Construction Stage

### Treatment – Various

Stormwater management in the construction stage will include measures which will be put in place to minimise the likelihood of contaminating stormwater discharge from the site as well as reduce the velocity of the flows generated from the building as it is being constructed. This will mean ensuring buffer strips are in place, and the site will be kept clean from any loose rubbish. More information is available from "Keeping Our Stormwater Clean – A Builder's Guide" by Melbourne Water<sup>3</sup>. The diagram below is an illustration of the various objectives which assist in minimising the impacts of stormwater runoff typical during the construction phase. Typical pollutants that are generated from a construction site during a rainfall event include:

- Dust
- Silt
- Mud
- Gravel
- Stockpiled materials
- Spills/oils
- Debris/litter

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

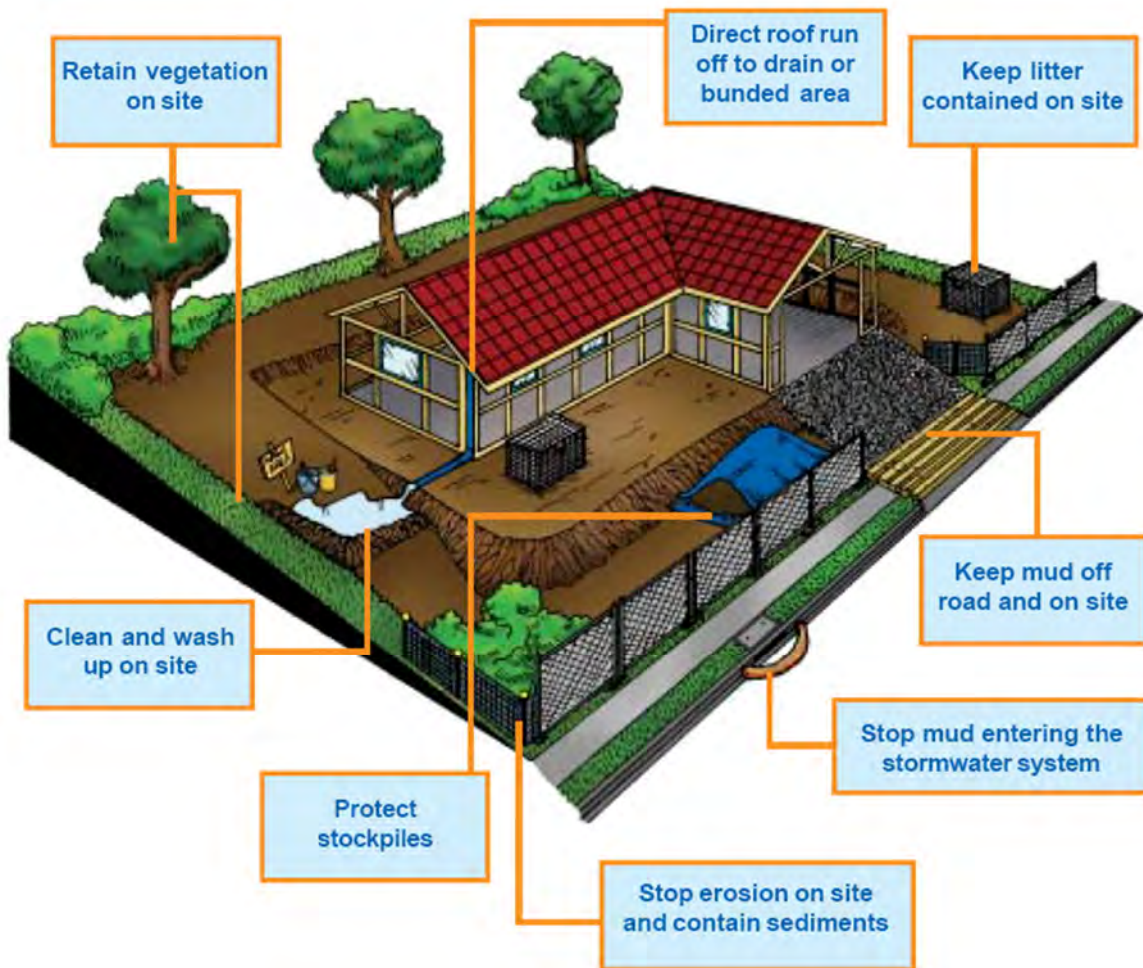
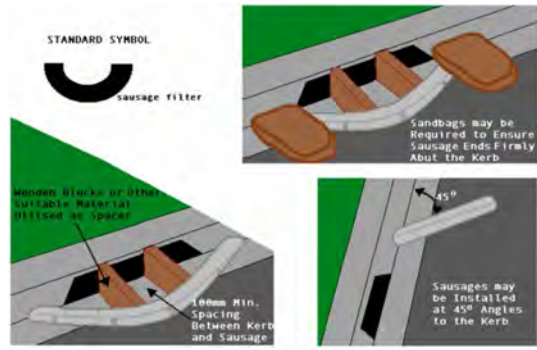


Figure 7: Stormwater will be effectively managed during construction phase according to the requirements listed in "Keeping Our Stormwater Clean – A Builder's Guide"

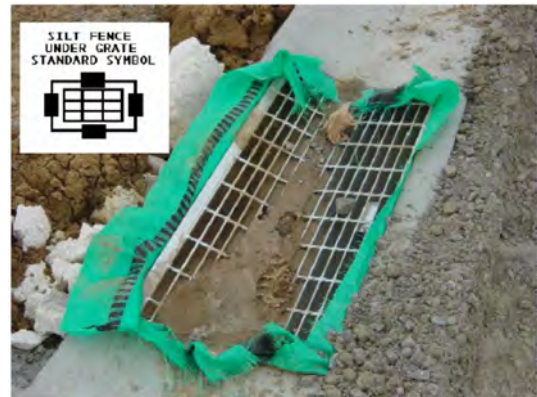
To reduce the impacts and minimise the generation of these pollutants the following measures are proposed. The symbols embedded within each image are typically used for Construction Environmental Management Plans.

<sup>3</sup> For copies please contact Melbourne Water on 131 722.

Gravel Sausage filters – to be placed at the entrance of pits/side stormwater inlets. These permeable sacks will filter the suspended soils and sediments and any other litter carried by the stormwater to prevent the pollutants entering the system.



Silt Fences Under Grates - Silt fence material may be placed under the grate of surface-entry inlets to prevent sediment from entering the stormwater system.



Temporary Rumble Grids – these are designed to open the tread on tires and vibrate mud and dirt off the vehicle (in particular the chassis). This will heavily minimise the amount of soil/dirt deposited on local roads where it can be washed (by rainfall or other means) into the stormwater drains.



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

# Appendix 3 – BESS Assessment

BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia; 1365 Princes Hwy, Pak

## BESS Report

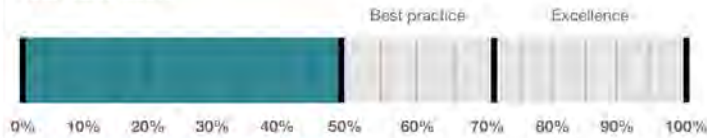
Built Environment Sustainability Scorecard



This BESS report outlines the sustainable design commitments of the proposed development at 1365 Princes Hwy Pakenham Victoria 3810. The BESS report and accompanying documents and evidence are submitted in response to the requirement for a Sustainable Design Assessment or Sustainability Management Plan at Cardinia Shire Council.

Note that where a Sustainability Management Plan is required, the BESS report must be accompanied by a report that further demonstrates the development's potential to achieve the relevant environmental performance outcomes and documents the means by which the performance outcomes can be achieved.

### Your BESS Score



# 50%

### Project details

Address: 1365 Princes Hwy Pakenham Victoria 3810  
 Project no: 4BCEEDE2-R1  
 BESS Version: BESS-7

---

Site type: Non-residential development  
 Account: hillary@sdconsultants.com.au  
 Application no.:  
 Site area: 1,690.00 m<sup>2</sup>  
 Building floor area: 180.00 m<sup>2</sup>  
 Date: 12 September 2023  
 Software version: 1.8.0-B.402



### Performance by category

● Your development    ■ Maximum available

Category	Weight	Score	Pass
Management	5%	0%	-
Water	9%	50%	✓
Energy	28%	50%	✓
Stormwater	14%	100%	✓
IEQ	17%	52%	✓
Transport	9%	42%	-
Waste	6%	50%	✓
Urban Ecology	6%	62%	✓
Innovation	9%	0%	-

The Built Environment Sustainability Scorecard is an initiative of the Council Alliance for a Sustainable Built Environment (CASBE). For more details see [www.bess.net.au](http://www.bess.net.au)

Page 1 of 17

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia 1365 Princes Hwy, Pak...

## Buildings

Name	Height	Footprint	% of total footprint
Oporto Convenience Restaurant	1	180 m <sup>2</sup>	100%

## Dwellings & Non Res Spaces

### Non-Res Spaces

Name	Quantity	Area	Building	% of total area
<b>Shop</b>				
Oporto Convenience Restaurant	1	180 m <sup>2</sup>	Oporto Convenience Restaurant	100%
<b>Total</b>	<b>1</b>	<b>180 m<sup>2</sup></b>	<b>100%</b>	

## Supporting information

### Floorplans & elevation notes

Credit	Requirement	Response	Status
Water 3.1	Annotation: Water efficient garden details	To be printed Landscape drawings to show.	✓
Stormwater 1.1	Location of any stormwater management systems (rainwater tanks, raingardens, buffer strips)	To be printed RWT shown on the architectural drawing. Raingardens to be shown on landscape drawings.	✓
Transport 1.4	Location of non-residential bicycle parking spaces	To be printed Shown on the architectural drawing.	✓
Transport 1.5	Location of non-residential visitor bicycle parking spaces	To be printed Shown on the architectural drawing.	✓
Waste 2.2	Location of recycling facilities	To be printed To be included on the architectural drawing.	✓
Urban Ecology 1.1	Location and size of communal spaces	To be printed FOH area shown on the architectural drawing.	✓
Urban Ecology 2.1	Location and size of vegetated areas	To be printed Landscape drawings to show.	✓

### Supporting evidence

Credit	Requirement	Response	Status
Energy 1.1	Energy Report showing calculations of reference case and proposed buildings	To be printed BESS - Annotation Refer to the Energy 1.1 Annotation.	✓

The Built Environment Sustainability Scorecard is an initiative of the Council Alliance for a Sustainable Built Environment (CASBE).  
For more details see [www.bess.net.au](http://www.bess.net.au)

Page 2 of 17

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia | 1365 Princes Hwy, Pak.

Credit	Requirement	Response	Status
Energy 3.7	Average lighting power density and lighting type(s) to be used	To be printed Electrical Drawing Electrical Documentation (which will be prepared during detailed design stage) to show average lighting power density and lighting type(s) to be installed in the development.	✓
Stormwater 1.1	STORM report or MUSIC model	To be printed SDA Refer to SDA Appendix 2	✓
IEQ 1.4	A short report detailing assumptions used and results achieved.	To be printed SDA Refer to SDA Appendix 4	✓

### Credit summary

#### Management Overall contribution 4.5%

Requirement	Contribution	Status
<b>Management</b>	<b>0%</b>	
1.1 Pre-Application Meeting	0%	
2.3 Thermal Performance Modelling - Non-Residential	0%	
3.2 Metering - Non-Residential	N/A	Scoped Out
The development will not have more than one separate commercial tenancy.		
3.3 Metering - Common Areas	N/A	Scoped Out
The development does not have common areas.		
4.1 Building Users Guide	0%	

#### Water Overall contribution 9.0%

Requirement	Contribution	Minimum required	Status
<b>Water</b>	<b>50%</b>	<b>50%</b>	<b>Pass</b>
1.1 Potable Water Use Reduction	40%	50%	
3.1 Water Efficient Landscaping	100%	50%	
4.1 Building Systems Water Use Reduction	N/A	50%	Scoped Out
The building will have no sprinkler system.			

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia, 1365 Princes Hwy, PAK

**Energy Overall contribution 27.5%**

		Minimum required 50%	50%  Pass
1.1 Thermal Performance Rating - Non-Residential			37%
2.1 Greenhouse Gas Emissions			100%
2.2 Peak Demand			100%
2.3 Electricity Consumption			100%
2.4 Gas Consumption			0%
2.6 Electrification			0%  Disabled
Credit is available when project is declared to have no gas connection			
3.1 Carpark Ventilation			N/A  Scoped Out
There is no enclosed carpark.			
3.2 Hot Water			100%
3.7 Internal Lighting - Non-Residential			100%
4.1 Combined Heat and Power (cogeneration / trigeneration)			N/A  Scoped Out
No cogeneration or trigeneration systems in use.			
4.2 Renewable Energy Systems - Solar			0%  Disabled
No solar PV renewable energy is in use.			
4.4 Renewable Energy Systems - Other			0%  Disabled
No other (non-solar PV) renewable energy is in use.			

**Stormwater Overall contribution 13.5%**

		Minimum required 100%	100%  Pass
1.1 Stormwater Treatment			100%

**IEQ Overall contribution 16.5%**

		Minimum required 50%	52%  Pass
1.4 Daylight Access - Non-Residential			33%  Achieved
2.3 Ventilation - Non-Residential			100%  Achieved
3.4 Thermal comfort - Shading - Non-Residential			0%
3.5 Thermal Comfort - Ceiling Fans - Non-Residential			0%
4.1 Air Quality - Non-Residential			100%

The Built Environment Sustainability Scorecard is an initiative of the Council Alliance for a Sustainable Built Environment (CASBE). For more details see [www.bess.net.au](http://www.bess.net.au)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



BESS, 1365 Princes Hwy, Pakenham VIC 3510, Australia; 1365 Princes Hwy, Pak

**Transport Overall contribution 9.0%**

		<b>42%</b>
1.4 Bicycle Parking - Non-Residential		100%
1.5 Bicycle Parking - Non-Residential Visitor		100%
1.6 End of Trip Facilities - Non-Residential		0%
2.1 Electric Vehicle Infrastructure		0%
2.3 Motorbikes / Mopeds		0%

**Waste Overall contribution 5.5%**

		<b>50%</b>
1.1 - Construction Waste - Building Re-Use		N/A  Scoped Out
<small>The site has not been developed previously</small>		
2.1 - Operational Waste - Food & Garden Waste		0%
2.2 - Operational Waste - Convenience of Recycling		100%

**Urban Ecology Overall contribution 5.5%**

		<b>62%</b>
1.1 Communal Spaces		100%
2.1 Vegetation		100%
2.2 Green Roofs		0%
2.3 Green Walls and Facades		0%
3.2 Food Production - Non-Residential		0%



**Innovation Overall contribution 9.0%**

		<b>0%</b>
1.1 Innovation		0%

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Credit breakdown

### Management Overall contribution 0%

<b>1.1 Pre-Application Meeting</b>	0%
Score Contribution	This credit contributes 50.0% towards the category score.
Criteria	Has an ESD professional been engaged to provide sustainability advice from schematic design to construction? AND Has the ESD professional been involved in a pre-application meeting with Council?
Question	Criteria Achieved ?
Project	No
<b>2.3 Thermal Performance Modelling - Non-Residential</b>	0%
Score Contribution	This credit contributes 33.3% towards the category score.
Criteria	Has a preliminary facade assessment been undertaken in accordance with NCC2019 Section J1.5?
Question	Criteria Achieved ?
Shop	No
Criteria	Has preliminary modelling been undertaken in accordance with either NCC2019 Section J (Energy Efficiency), NABERS or Green Star?
Question	Criteria Achieved ?
Shop	No
<b>3.2 Metering - Non-Residential</b>	N/A  Scoped Out
This credit was scoped out	The development will not have more than one separate commercial tenancy.
<b>3.3 Metering - Common Areas</b>	N/A  Scoped Out
This credit was scoped out	The development does not have common areas.
<b>4.1 Building Users Guide</b>	0%
Score Contribution	This credit contributes 16.7% towards the category score.
Criteria	Will a building users guide be produced and issued to occupants?
Question	Criteria Achieved ?
Project	No

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

BESS, 1365 Princes Hwy, Pakinham VIC 3810, Australia | 1365 Princes Hwy, Pak.

**Water** Overall contribution 4% Minimum required 50%

<b>Water Approach</b>	
What approach do you want to use for Water?:	Use the built in calculation tools
<b>Project Water Profile Question</b>	
Do you have a reticulated third pipe or an on-site water recycling system?:	No
Are you installing a swimming pool?:	No
Are you installing a rainwater tank?:	Yes
<b>Water fixtures, fittings and connections</b>	
Showerhead:	Scope out
Bath:	Scope out
Kitchen Taps:	>= 5 Star WELS rating
Bathroom Taps:	>= 5 Star WELS rating
Dishwashers:	>= 4 Star WELS rating
WC:	>= 4 Star WELS rating
Urinals:	Scope out
Washing Machine Water Efficiency:	Occupant to Install
Which non-potable water source is the dwelling/space connected to?:	Rainwater Tank
Non-potable water source connected to Toilets:	Yes
Non-potable water source connected to Laundry (washing machine):	No
Non-potable water source connected to Hot Water System:	No
<b>Rainwater Tank</b>	
What is the total roof area connected to the rainwater tank?:	240 m <sup>2</sup> Rainwater Tank
Tank Size:	Rainwater Tank 7,000 Litres
Irrigation area connected to tank:	Rainwater Tank 0.0 m <sup>2</sup>
Is connected irrigation area a water efficient garden?:	No Rainwater Tank
Other external water demand connected to tank?:	Rainwater Tank 0.0 Litres/Day

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia; 1365 Princes Hwy, Pak

<b>1.1 Potable Water Use Reduction</b>		40%
Score Contribution	This credit contributes 83.3% towards the category score.	
Criteria	What is the reduction in total potable water use due to efficient fixtures, appliances, rainwater use and recycled water use? To achieve points in this credit there must be >25% potable water reduction.	
Output	Reference	
Project	455 kL	
Output	Proposed (excluding rainwater and recycled water use)	
Project	381 kL	
Output	Proposed (including rainwater and recycled water use)	
Project	327 kL	
Output	% Reduction in Potable Water Consumption	
Project	28 %	
Output	% of connected demand met by rainwater	
Project	100 %	
Output	How often does the tank overflow?	
Project	Very Often	
Output	Opportunity for additional rainwater connection	
Project	286 kL	
<b>3.1 Water Efficient Landscaping</b>		100%
Score Contribution	This credit contributes 16.7% towards the category score.	
Criteria	Will water efficient landscaping be installed?	
Question	Criteria Achieved ?	
Project	Yes	
<b>4.1 Building Systems Water Use Reduction</b>		N/A <input checked="" type="checkbox"/> Scoped Out
This credit was scoped out	The building will have no sprinkler system.	

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

BESS, 1365 Princes Hwy, Pakinham VIC 3810, Australia; 1365 Princes Hwy, Pak

**Energy** Overall contribution 14% Minimum required 50%

Use the BESS Deem to Satisfy (DtS) method for Energy?:	No
Are you installing a cogeneration or trigeneration system?:	No
<b>Non-Residential Building Energy Profile</b>	
Heating, Cooling & Comfort Ventilation - Electricity	25,658 kWh
Reference fabric & services:	
Heating, Cooling & Comfort Ventilation - Electricity - proposed fabric and reference services:	23,000 kWh
Heating, Cooling & Comfort Ventilation - Electricity	23,000 kWh
Proposed fabric & services:	
Heating - Gas - Reference fabric and services:	-
Heating - Gas - Proposed fabric and Reference services:	-
Heating - Gas - Proposed fabric and services:	-
Heating - Wood - reference fabric and services:	-
Heating - Wood - proposed fabric and reference services:	-
Heating - Wood - proposed fabric and services:	-
Hot Water - Electricity - Reference:	40.0 kWh
Hot Water - Electricity - Proposed:	40.0 kWh
Hot Water - Gas - Baseline:	-
Hot Water - Gas - Proposed:	-
Lighting - Reference:	12,211 kWh
Lighting - Proposed:	11,170 kWh
Peak Thermal Cooling Load - Reference:	100 kW
Peak Thermal Cooling Load - Proposed:	100 kW
<b>1.1 Thermal Performance Rating - Non-Residential</b>	<b>37%</b>
Score Contribution	This credit contributes 36.4% towards the category score.
Criteria	What is the % reduction in heating and cooling energy consumption against the reference case (NCC 2019 Section J)?
Annotation	HVAC, Lighting, DHW electricity/energy use estimated based on 'Baseline Energy Consumption and Greenhouse Gas Emissions in Commercial Buildings in Australia', in year 2022. Average 795.6MJ/m2 for retail and wholesale trade buildings, split into energy end uses as per Figure 78 ('Electricity End Use Shares by major system, shopping centre base building') of the same document (in lieu of a specific breakdown for restaurant). HVAC use: 795.6MJ/m2 x 180m2 x 0.645 =92369 MJ = 25658kWh Lighting use: 795.6 MJ/m2 x 180m2 x 0.312 =44681 MJ = 12411kWh Hot Water Use 795.6MJ/m2 x 180m2 x 0.001= 143MJ = 40kWh 64.5% HVAC 31.2% Lighting 0.001% to DHW
Output	Total Improvement
Shop	10 %

The Built Environment Sustainability Scorecard is an initiative of the Council Alliance for a Sustainable Built Environment (CASBE). For more details see [www.bess.net.au](http://www.bess.net.au)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia; 1365 Princes Hwy, Pak.

<b>2.1 Greenhouse Gas Emissions</b>	100%
Score Contribution	This credit contributes 9.1% towards the category score.
Criteria	What is the % reduction in annual greenhouse gas emissions against the benchmark?
Output	Reference Building with Reference Services (BCA only)
Shop	26,212 kg CO2
Output	Proposed Building with Proposed Services (Actual Building)
Shop	23,501 kg CO2
Output	% Reduction in GHG Emissions
Shop	10 %
<b>2.2 Peak Demand</b>	100%
Score Contribution	This credit contributes 4.5% towards the category score.
Criteria	What is the % reduction in the instantaneous (peak-hour) demand against the benchmark?
Output	Peak Thermal Cooling Load - Baseline
Shop	100 kW
Output	Peak Thermal Cooling Load - Proposed
Shop	100 kW
Output	Peak Thermal Cooling Load - % Reduction
Shop	0 %
<b>2.3 Electricity Consumption</b>	100%
Score Contribution	This credit contributes 9.1% towards the category score.
Criteria	What is the % reduction in annual electricity consumption against the benchmark?
Output	Reference
Shop	25,698 kWh
Output	Proposed
Shop	23,040 kWh
Output	Improvement
Shop	10 %
<b>2.4 Gas Consumption</b>	0%
Score Contribution	This credit contributes 9.1% towards the category score.
Criteria	What is the % reduction in annual gas consumption against the benchmark?
<b>2.6 Electrification</b>	0% <input checked="" type="checkbox"/> Disabled
This credit is disabled	Credit is available when project is declared to have no gas connection.
<b>3.1 Carpark Ventilation</b>	N/A <input checked="" type="checkbox"/> Scoped Out
This credit was scoped out	There is no enclosed carpark.




The Built Environment Sustainability Scorecard is an initiative of the Council Alliance for a Sustainable Built Environment (CASBE). For more details see [www.bess.net.au](http://www.bess.net.au)

Page 10 of 17

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



BESS, 1365 Princes Hwy, Pakenham, VIC 3810, Australia; 1365 Princes Hwy, Pak.

<b>3.2 Hot Water</b>	100%
Score Contribution	This credit contributes 4.5% towards the category score.
Criteria	What is the % reduction in annual energy consumption (gas and electricity) of the hot water system against the benchmark?
Output	Reference
Shop	144 MJ
Output	Proposed
Shop	144 MJ
Output	Improvement
Shop	0 %
<b>3.7 Internal Lighting - Non-Residential</b>	100%
Score Contribution	This credit contributes 9.1% towards the category score.
Criteria	Does the maximum illumination power density (W/m2) in at least 90% of the area of the relevant building class meet the requirements in Table J6.2a of the NCC 2019 Vol 1?
Question	Criteria Achieved?
Shop	Yes
<b>4.1 Combined Heat and Power (cogeneration / trigeneration)</b>	N/A  Scoped Out
This credit was scoped out	No cogeneration or trigeneration system in use.
<b>4.2 Renewable Energy Systems - Solar</b>	0%  Disabled
This credit is disabled	No solar PV renewable energy is in use.
<b>4.4 Renewable Energy Systems - Other</b>	0%  Disabled
This credit is disabled	No other (non-solar PV) renewable energy is in use.

**Stormwater** Overall contribution 14% Minimum required 100%

Which stormwater modelling are you using?:	Melbourne Water STORM tool
<b>1.1 Stormwater Treatment</b>	100%
Score Contribution	This credit contributes 100.0% towards the category score.
Criteria	Has best practice stormwater management been demonstrated?
Question	STORM score achieved
Project	101
Output	Min STORM Score
Project	100

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

**IEQ** Overall contribution 9% Minimum required 50%

<b>1.4 Daylight Access - Non-Residential</b>		33%	✔ Achieved
Score Contribution	This credit contributes 35.3% towards the category score.		
Criteria	What % of the nominated floor area has at least 2% daylight factor?		
Question	Percentage Achieved?		
Shop	33 %		
<b>2.3 Ventilation - Non-Residential</b>		100%	✔ Achieved
Score Contribution	This credit contributes 35.3% towards the category score.		
Annotation	61.4m2 out of the 96.45m2 will achieve effective natural ventilation		
Criteria	What % of the regular use areas are effectively naturally ventilated?		
Question	Percentage Achieved?		
Shop	64 %		
Criteria	What increase in outdoor air is available to regular use areas compared to the minimum required by AS 1668.2:2012?		
Question	What increase in outdoor air is available to regular use areas compared to the minimum required by AS 1668:2012?		
Shop	50 %		
Criteria	What CO2 concentrations are the ventilation systems designed to achieve, to monitor and to maintain?		
Question	Value		
Shop	800 ppm		
<b>3.4 Thermal comfort - Shading - Non-Residential</b>		0%	
Score Contribution	This credit contributes 17.6% towards the category score.		
Criteria	What percentage of east, north and west glazing to regular use areas is effectively shaded?		
Question	Percentage Achieved?		
Shop	16 %		
<b>3.5 Thermal Comfort - Ceiling Fans - Non-Residential</b>		0%	
Score Contribution	This credit contributes 5.9% towards the category score.		
Criteria	What percentage of regular use areas in tenancies have ceiling fans?		
Question	Percentage Achieved?		
Shop	0 %		
<b>4.1 Air Quality - Non-Residential</b>		100%	
Score Contribution	This credit contributes 5.9% towards the category score.		
Criteria	Do all paints, sealants and adhesives meet the maximum total indoor pollutant emission limits?		
Question	Criteria Achieved ?		
Shop	Yes		

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

BESS, 1365 Princes Hwy, Pakenham, VIC 3810, Australia; 1365 Princes Hwy, Pak.

Criteria	Does all carpet meet the maximum total indoor pollutant emission limits?
Question	Criteria Achieved ?
Shop	Yes
Criteria	Does all engineered wood meet the maximum total indoor pollutant emission limits?
Question	Criteria Achieved ?
Shop	Yes

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



**Transport** Overall contribution 4%

<b>1.4 Bicycle Parking - Non-Residential</b>		100%
Score Contribution	This credit contributes 28.6% towards the category score.	
Criteria	Have the planning scheme requirements for employee bicycle parking been exceeded by at least 50% (or a minimum of 2 where there is no planning scheme requirement)?	
Annotation	Two bike parking spaces need to be provided to the development to meet the requirement of the planning scheme Clause 52.34. Two secure bike racks have been provided on the west of the building, providing 3-4 spaces.	
Question	Criteria Achieved ?	
Shop	Yes	
Question	Bicycle Spaces Provided ?	
Shop	3	
<b>1.5 Bicycle Parking - Non-Residential Visitor</b>		100%
Score Contribution	This credit contributes 14.3% towards the category score.	
Criteria	Have the planning scheme requirements for visitor bicycle parking been exceeded by at least 50% (or a minimum of 1 where there is no planning scheme requirement)?	
Annotation	According to the planning scheme Clause 52.34, the minimum bike parking spaces needing to be provided to convenience restaurants is 2. The number of visitor bike parking spaces provided to the development is 3. Therefore, it exceeds the planning requirement by 50%.	
Question	Criteria Achieved ?	
Shop	Yes	
Question	Bicycle Spaces Provided ?	
Shop	5	
<b>1.6 End of Trip Facilities - Non-Residential</b>		0%
Score Contribution	This credit contributes 14.3% towards the category score.	
Criteria	Where adequate bicycle parking has been provided. Is there also: * 1 shower for the first 5 employee bicycle spaces plus 1 to each 10 employee bicycles spaces thereafter, * changing facilities adjacent to showers, and * one secure locker per employee bicycle space in the vicinity of the changing / shower facilities?	
Question	Number of showers provided ?	
Shop	0	
Question	Number of lockers provided ?	
Shop	0	
Output	Min Showers Required	
Shop	1	
Output	Min Lockers Required	
Shop	3	

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia; 1365 Princes Hwy, Pak.

<b>2.1 Electric Vehicle Infrastructure</b>	0%
Score Contribution	This credit contributes 28.6% towards the category score.
Criteria	Are facilities provided for the charging of electric vehicles?
Question	Criteria Achieved ?
Project	No
<b>2.3 Motorbikes / Mopeds</b>	0%
Score Contribution	This credit contributes 14.3% towards the category score.
Criteria	Are a minimum of 5% of vehicle parking spaces designed and labelled for motorbikes (must be at least 5 motorbike spaces)?
Question	Criteria Achieved ?
Project	No

**Waste** Overall contribution 3%

<b>1.1 - Construction Waste - Building Re-Use</b>	N/A	Scoped Out
This credit was scoped out	The site has not been developed previously.	
<b>2.1 - Operational Waste - Food &amp; Garden Waste</b>	0%	
Score Contribution	This credit contributes 50.0% towards the category score.	
Criteria	Are facilities provided for on-site management of food and garden waste?	
Question	Criteria Achieved ?	
Project	No	
<b>2.2 - Operational Waste - Convenience of Recycling</b>	100%	
Score Contribution	This credit contributes 50.0% towards the category score.	
Criteria	Are the recycling facilities at least as convenient for occupants as facilities for general waste?	
Question	Criteria Achieved ?	
Project	Yes	

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

**Urban Ecology** Overall contribution 3%

<b>1.1 Communal Spaces</b>		100%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	Is there at least the following amount of common space measured in square meters : * 1m <sup>2</sup> for each of the first 50 occupants * Additional 0.5m <sup>2</sup> for each occupant between 51 and 250 * Additional 0.25m <sup>2</sup> for each occupant above 251?	
Annotation	45m <sup>2</sup> of dining area within the building allowing people to gather for social exchange.	
Question	Common space provided	
Shop	45.0 m <sup>2</sup>	
Output	Minimum Common Space Required	
Shop	18 m <sup>2</sup>	
<b>2.1 Vegetation</b>		100%
Score Contribution	This credit contributes 50.0% towards the category score.	
Criteria	How much of the site is covered with vegetation, expressed as a percentage of the total site area?	
Question	Percentage Achieved ?	
Project	32 %	
<b>2.2 Green Roofs</b>		0%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	Does the development incorporate a green roof?	
Question	Criteria Achieved ?	
Project	No	
<b>2.3 Green Walls and Facades</b>		0%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	Does the development incorporate a green wall or green façade?	
Question	Criteria Achieved ?	
Project	No	
<b>3.2 Food Production - Non-Residential</b>		0%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	What area of space per occupant is dedicated to food production?	
Question	Food Production Area	
Shop	0.0 m <sup>2</sup>	
Output	Min Food Production Area	
Shop	5 m <sup>2</sup>	

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



BESS, 1365 Princes Hwy, Pakenham VIC 3810, Australia 1365 Princes Hwy, Pak...

**Innovation** Overall contribution 0%

<b>1.1 Innovation</b>	0%
Score Contribution	This credit contributes 100.0% towards the category score.
Criteria	What percentage of the Innovation points have been claimed (10 points maximum)?

**Disclaimer**

The Built Environment Sustainability Scorecard (BESS) has been provided for the purpose of information and communication. While we make every effort to ensure that material is accurate and up to date (except where denoted as 'archival'), this material does in no way constitute the provision of professional or specific advice. You should seek appropriate, independent, professional advice before acting on any of the areas covered by BESS.

The Municipal Association of Victoria (MAV) and CASBE (Council Alliance for a Sustainable Built Environment) member councils do not guarantee, and accept no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of BESS, any material contained on this website or any linked sites

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Appendix 4 – Daylight Hand Calculations

### Non-Residential

The following hand calculations are included to show that there is sufficient daylight amenity across the proposed development. All regular use floor areas are considered as the nominated area (yellow areas, as shown on documentation). The areas shaded green within these areas identify the proportion of nominated floor space deemed to achieve a Daylight Factor of 2% or greater. These calculations are based on the visible light transmittance for the glazing being equal to or greater than 40%.

The Green Star Daylight Hand Calculation methodology was used to assess light penetration through the glazing, targeting a minimum 33% of floor area across the regularly occupied spaces achieving compliance.

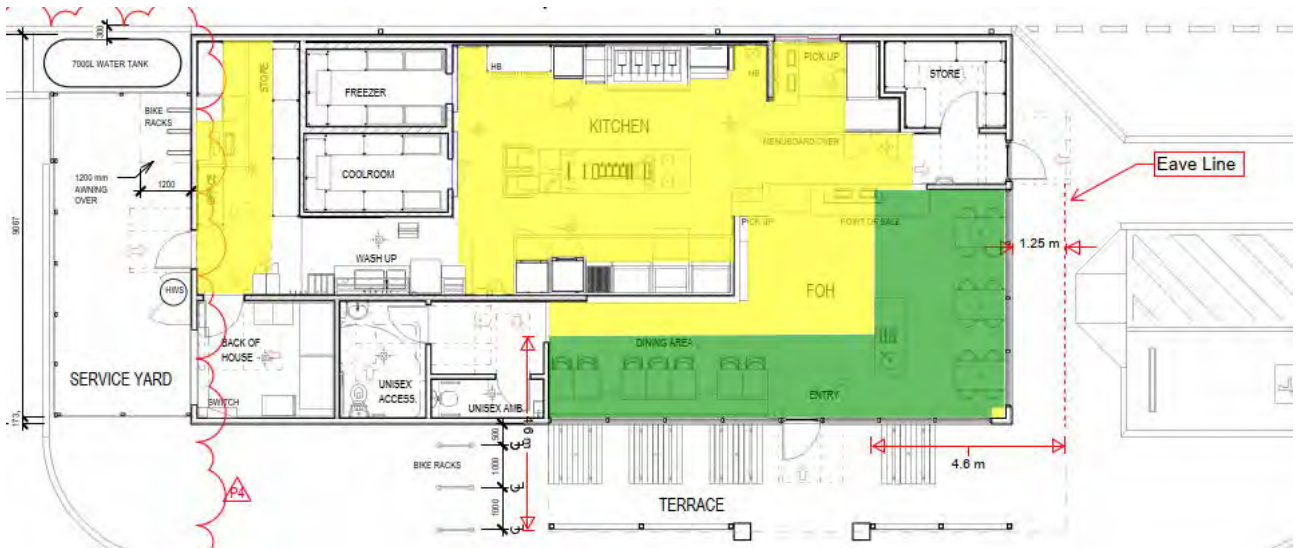


Figure 8: Convenience Restaurant, compliant areas marked in light green (mark-up by SDC)

Table 5: Hand Calculation daylight assessment of spaces:

Nominated Area (m <sup>2</sup> )	As Designed Compliance Area (m <sup>2</sup> )	As Designed % Compliant Area
95.7	32.0	33.4%

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### Appendix 5 – Non-Residential Effective Natural Ventilation

The following figure illustrates the areas that achieve effective natural ventilation through openings available in the north, east, and south facades. The areas highlighted in yellow are deemed non-compliant nominated areas, while the areas highlighted in aqua are deemed compliant areas that meet the effective natural ventilation requirement for cross-flow ventilation. The remaining spaces are considered transitional and are therefore excluded from the effective natural ventilation assessment.

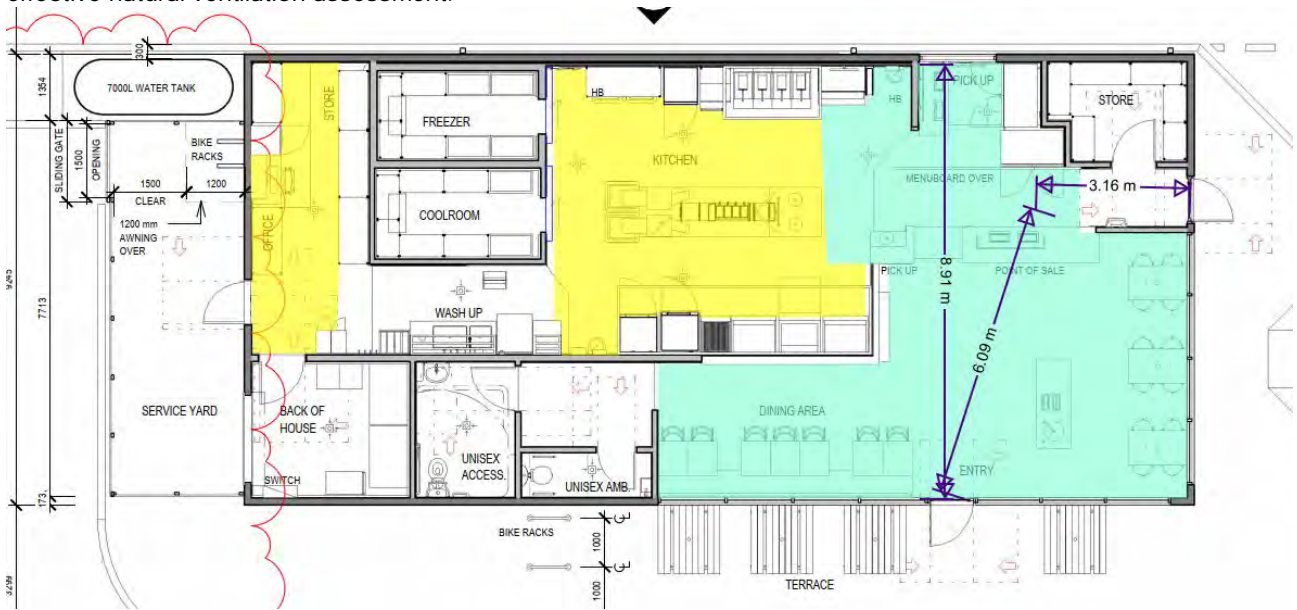


Figure 9: Mark-up for Effective Natural Ventilation Compliant Area.

Table 6: Effective Natural Ventilation Assessment for the proposed development:

Nominated Area (m <sup>2</sup> )	As Designed Compliance Area (m <sup>2</sup> )	As Designed % Compliant Area
96.4	61.4	64%

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### LEGEND

- EXISTING TREE TO BE RETAINED
- EXISTING TREE TO BE REMOVED
- PROPOSED TREE REFER PLANT SCHEDULE
- PROPOSED SHRUB REFER PLANT SCHEDULE
- PROPOSED GRASSES / GROUNDCOVERS REFER PLANT SCHEDULE
- PROPOSED PAVEMENT AREA (HARDSTAND)
- BUILDING HATCH

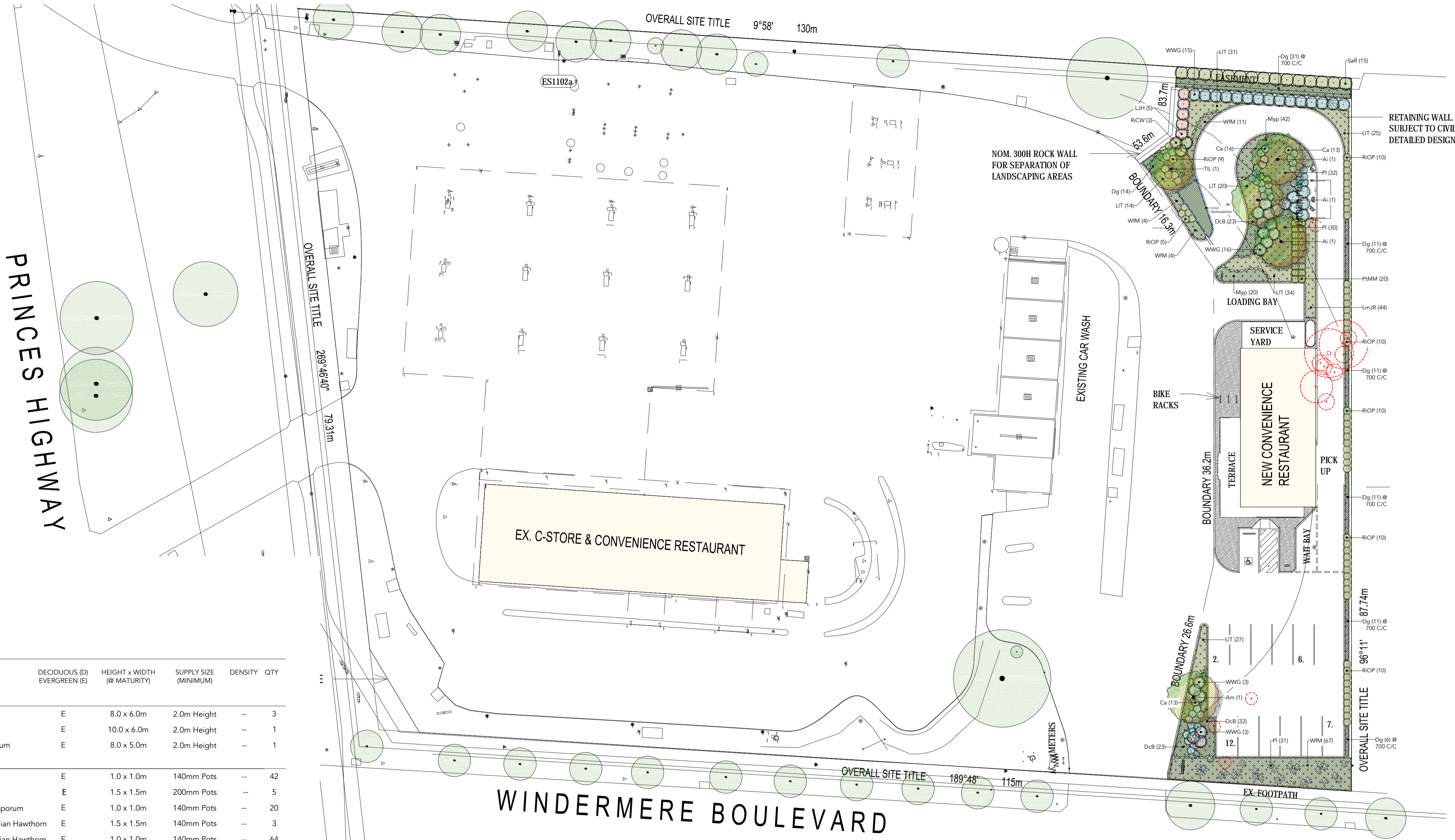
0 5 10 15m  
SCALE 1:300

### PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	DECIDUOUS (D) EVERGREEN (E)	HEIGHT x WIDTH (@ MATURITY)	SUPPLY SIZE (MINIMUM)	DENSITY	QTY
<b>TREES</b>							
Ai	<i>Acacia implexa</i>	Lightwood	E	8.0 x 6.0m	2.0m Height	--	3
Am	<i>Acacia melanoxylon</i>	Blackwood	E	10.0 x 6.0m	2.0m Height	--	1
TIL	<i>Tristanopsis laurina</i> 'Luscious'	Luscious Water Gum	E	8.0 x 5.0m	2.0m Height	--	1
<b>SHRUBS</b>							
Ca	<i>Correa alba</i>	White Correa	E	1.0 x 1.0m	140mm Pots	--	42
LJH	<i>Leucadendron</i> 'Jack Harre'	Jack Harre	E	1.5 x 1.5m	200mm Pots	--	5
PtMM	<i>Pittosporum tobira</i> 'Miss Muffet'	Miss Muffet Pittosporum	E	1.0 x 1.0m	140mm Pots	--	20
RCW	<i>Rhaphiolepis indica</i> 'Cosmic White'	Cosmic White Indian Hawthorn	E	1.5 x 1.5m	140mm Pots	--	3
RIOP	<i>Rhaphiolepis indica</i> 'Oriental Pearl'	Oriental Pearl Indian Hawthorn	E	1.0 x 1.0m	140mm Pots	--	64
SaR	<i>Syzygium australe</i> 'Resilience'	Resilience Lilly Pilly	E	3.0 x 1.2m	140mm Pots	--	15
WWG	<i>Westringia</i> 'Wynyabbie Gem'	Wynyabbie	E	1.5 x 1.5m	140mm Pots	--	37
<b>GROUNDCOVERS</b>							
DcB	<i>Dianella caerulea</i> 'Breeze'	Breeze Paroo Lily	E	0.6 x 0.7m	140mm Pots	2.5 p/m <sup>2</sup>	78
Dg	<i>Dietes grandiflora</i>	Wild Iris	E	0.7 x 0.7m	140mm Pots	1.5 p/m <sup>2</sup>	95
LIT	<i>Lomandra longifolia</i> 'Tanika'	Tanika Lomandra	E	0.6 x 0.6m	140mm Pots	2.5 p/m <sup>2</sup>	151
LnJR	<i>Liriope muscari</i> 'Just Right'	Just Right Turf Lily	E	0.5 x 0.5m	140mm Pots	2.5 p/m <sup>2</sup>	44
Myp	<i>Myoporum parvifolium</i>	Creeping Boobialla	E	0.2 x 0.7m	140mm Pots	2.0 p/m <sup>2</sup>	62
PI	<i>Poa labillardieri</i>	Common Tussock Grass	E	0.9 x 0.9m	140mm Pots	1.5 p/m <sup>2</sup>	93
Wm	<i>Westringia fruticosa</i> 'Mundi'	Groundcover Rosemary	E	0.4 x 1.5m	140mm Pots	1.0 p/m <sup>2</sup>	86
<b>GROUNDCOVERS FOR RAINGARDEN</b>							
Ca	<i>Carex appressa</i>	Tall Sedge	E	0.8 x 0.6m	50mm Tubes	5 p/m <sup>2</sup> *	**
Di	<i>Dianella longifolia</i>	Pale Anther Flax Lily	E	0.5 x 0.5m	50mm Tubes	5 p/m <sup>2</sup> *	**
Dr	<i>Dianella revoluta</i> var. <i>revoluta</i>	Spreading Flax Lily	E	0.6 x 0.7m	50mm Tubes	5 p/m <sup>2</sup> *	**
Jf	<i>Juncus flavidus</i>	Juncus	E	1.0 x 1.0m	50mm Tubes	5 p/m <sup>2</sup> *	**
LI	<i>Lomandra longifolia</i>	Spiny-headed Mat Rush	E	0.5 x 0.7m	50mm Tubes	5 p/m <sup>2</sup> *	**

\*\* Even mix of planting is to be installed in Raingarden areas as per Landscape Plan.  
\* Raingarden(s) planting density as per the Plant Schedule.

NOTES:  
—Stock procurement must be from a suitable local provenance supplier (nursery) with plants to be in a healthy condition, free of pests and disease and with relevant certification.  
—All plants must be signed off by the client/ landscape architect prior to delivery & installation to ensure adequate size and maturity.



### SPECIFICATION NOTES

**Site Preparation**  
Remove any on-site building material, rubbish and weeds from planting areas that will be restrictive to plant growth. Stump ground all trees marked as to be removed. Imported topsoil to be a medium texture sandy loam.

**Garden Beds**  
Existing subgrade to be dug to a depth of no less than 275mm below finished grade in garden beds to allow for 200mm topsoil and 75mm mulch. Original sub-base to be cultivated where possible. Oppium to be spread if there is a clay sub surface. Use organic mulch on all garden beds.

**Trees**  
Use three 50 x 50 x 2400 HW stakes per tree. Fasten trees to stakes with 50mm fabric tie in figure 8 loop. Existing street trees to be suitably protected. Maintain existing ground levels at the interface between the ground and the tree trunk. Area beneath the canopy should be fenced prior to the commencement of the construction activities. No excavation, filling, machinery or storage of materials shall occur within the fenced off area. Roots requiring severance beyond the tree canopy shall be clean cut with hand saw and kept moist. All roots over 40mm dia. Any roots within the fenced area should not be cut without the approval from an experienced arborist.

**Planting**  
All plants used throughout the development are to be supplied by a nursery which specialises in native and exotic plants. Plants being relocated to be trimmed prior to lifting and located in a protected position during the works. Ensure an adequate root system is retained and any damaged roots to be pruned clearly. Seal to be used on a fortnightly basis to assist in transplant shock and keep the plants healthy during the works and for 3 months after final planting.

**Mulch**  
Mulch is to be supplied to all garden beds and is to be an organic type laid to a minimum depth of 75mm, consisting of fine dark coloured chipped or shredded pine bark or similar with 80% of particles in the size range 10 to 20mm in plan and 5mm in thickness. No particles are to exceed 30mm in plan. Mulch shall be free of damaging matter such as soil, weeds and sticks and is to be stockpiled and thoroughly weathered prior to delivery. All mulch is to be sloped towards plant stems but shall be kept back 100mm from the stems of all plants to prevent collar rot.

**Fertilizer**  
Use 6-9 month osmocote suitable for Australian plants and applied at following rates:  
Advanced trees: 200g per tree, 200 dia pots: 20g per pot, 150 dia pots: 15g per pot.

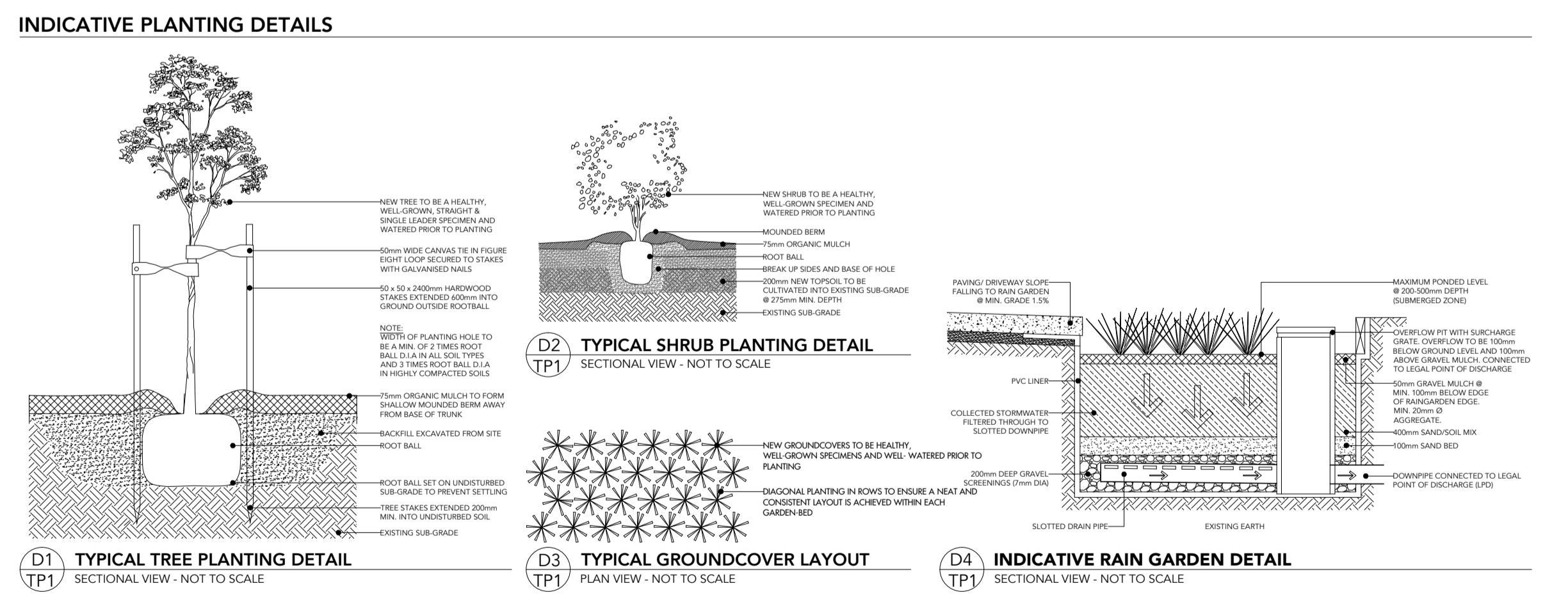
**Irrigation**  
Drip irrigation to be supplied. For all shrub/ tree areas include a battery operated timer, water filter, pressure regulator backflow preventer, vacuum breakers and master valve.

**Maintenance Schedule**  
To follow for a two year period after final completion. Work to be carried out by the owner or body corporate. Plants to be regularly checked for pests and diseases and appropriate treatments applied. Where necessary:  
i. prune every 3 months to ensure good shape and remove dead limbs  
ii. additional applications of osmocote as per manufacturers recommendations  
iii. regular watering during summer months and dry periods  
iv. replace dead plants with equally sized plants within maintenance period  
v. control weeds throughout maintenance via hand and chemical means  
vi. replenish mulch  
vii. remove tree stakes after establishment to ensure successful ongoing health & shape of trees



### TREE LIST

Tree No	Botanical Name / Common Name	Height (m)	Crown Spread (m)	DBH (cm)	TPZ radius (m)	SRZ radius (m)
1	<i>Eucalyptus radiata</i> / Narrow-leaved Peppermint	8	7	70	8.4	3.0
2	<i>Quercus robur</i> / English Oak	15	20	85	10.2	3.3
3	<i>Populus nigra</i> / Lombardy Poplar	12	2	27	3.2	2.2
4	<i>Populus nigra</i> / Lombardy Poplar	12	4	32	3.8	2.4
5	<i>Eucalyptus radiata</i> / Narrow-leaved Peppermint	10	7	61	7.3	2.9
6	<i>Liquidambar styraciflua</i> / Sweetgum	8	5	21	2.5	1.9
7	<i>Liquidambar styraciflua</i> / Sweetgum	7	5	20	2.4	2.0



ETCHED PROJECTS PTY. LTD.	REVISION	DATE	DRAWN
LANDSCAPE ARCHITECTURE STUDIO 7, 6 BROMHAM PLACE, RICHMOND VIC 3121 INFO@ETCHEDPROJECTS.COM ETCHEDPROJECTS.COM	—TOWN PLANNING ISSUE	01.11.2023	RM

# Etched

1365 PRINCES HIGHWAY, PAKENHAM — PROPOSED COMMERCIAL DEVELOPMENT

Project  
LANDSCAPE PLAN  
Drawing

230410  
Job N°  
1:300  
Scale

HH  
Drawn  
A1  
Sheet

NOT FOR CONSTRUCTION  
L-TP1 --  
Drawing N°. Revision





# BAXTER ECOLOGY & ASSOCIATES

Aborigiculture · Bushfire · Biodiversity · Sustainable Landscapes  
Specialists in the Ecology of the Built Environment

## Tree Health and Development Impact Assessment



1365 Princes Highway,

Pakenham

Shire of Cardinia

Report Date: 27/09/2023

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Tree Health and Development Impact Assessment Report prepared by Baxter Ecology Pty Ltd on behalf of Yarraside Investments

Baxter Ecology Pty Ltd  
ABN: 57 623 867 783  
160 Victoria St  
Brunswick, Victoria, 3056  
Mob: +61 450 400 617  
Email: [info@baxterecology.com.au](mailto:info@baxterecology.com.au)

Report prepared by:

[REDACTED]  
Senior Consulting Arborist /Landscape Ecologist  
[REDACTED]

&

[REDACTED]  
Consulting Arborist  
[REDACTED]

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Report Brief

Summary Findings & Recommendations

Tree Protection Fencing

Methodology

Tree Protection Zone (TPZ) Information

Map 1 - Tree Location and Assessment

Map 2 - Tree Assessment on Plans

Results

Photo Library

Conclusions

Appendix A - Tree Assessment Terms

Appendix B - Tree Protection Information

Appendix C - References

Appendix D - Limitations & Constraints

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# Report Brief

This report has been commissioned by Yarraside Investments on behalf of their client to meet the Permit requirements associated with the development of a convenience restaurant (refer Maps 1 and 2). This triggers a review of the vegetation at the subject site and also vegetation adjacent to the title boundary which may be affected.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Council Tree Protections

The subject trees are situated in the Shire of Cardinia. A search of the Victorian Government's Department of Transport and Planning (DTP), [Planning Schemes Online website](#), reveals that 1365 Princes Highway, Pakenham, Council Property Number 5000009448, Lot 1 PS406181 is not subject to any planning overlays.

### *Clause 52.17 - Native Vegetation*

As the site is greater than 0.4 hectares, Native trees present are protected under *Clause 52.17 - Native Vegetation*. Under this Clause a permit must be obtained for the removal, destruction or lopping of any native vegetation.

Council Street Trees in the Shire of Cardinia are recognised as an important part of the urban landscape and are protected under the Local Law 17. Section 59 - *Interference with vegetation* states that: "A person must not destroy, damage, lop, remove or otherwise interfere with any trees or vegetation (whether living or dead) on any Council land or road (including a road reserve, footpath or nature strip), without written consent of the Council."

## Summary Findings & Recommendations

A total of seven (7) trees with a height greater than 3m were assessed on and adjacent to the subject property see Results page 10 and Maps 1 and 2. Of the trees assessed, only two exotic trees were identified proposed for removal. All other trees on site are outside of the development area and with the correct tree protection from works, should not be impacted.

- **Trees 1 and 5** are *Eucalyptus radiata* (Narrow-leaved Peppermint) these two trees are native and are to be retained and protected from any works. Correct tree protection measures must be installed around these trees prior to the commencement of works. If any impact to these trees occurs then *Clause 52.17-Native vegetation*, will be triggered.

- **Tree 2**, a *Quercus robur* (English Oak) is a third-party tree located approximately 8m from the title boundary in the neighbouring property to the north-west. The canopy of this tree has a small overhang into the subject property and it is recommended to prune back the canopy in accordance with *AS 4373-2007-Pruning of Amenity Trees* from the title boundary prior to the commencement of works
- **Trees 3 and 4** are *Populus nigra* (Lombardy Poplar) located within 4m of the north title boundary. These are self-seeded exotic trees that are not protected under the planning scheme or Council policy. Under the current proposal these trees will require removal.
- **Trees 6 and 7**, *Liquidambar styraciflua* (Sweetgum) are Council Street trees located adjacent to the entrance driveway. These trees are part of an avenue of street trees and are protected under Local Law 17 as detailed above. These trees are to be retained and protected from any works. Correct tree protection measures must be installed around these trees prior to the commencement of works.

## Tree Protection Fencing

Prior to the commencement of works, **tree protection fencing** must be installed around the trees to be protected and maintained for the life of the project. Fencing is to be installed around trees at distances specified in the results table while still allowing pedestrian and vehicle access. No construction materials can be stored within the TPZ fencing (refer to *Tree Protection Zone (TPZ) information* below).

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Methodology

A site inspection was conducted at 1365 Princes Highway, Pakenhamat 08 / 09 / 2023 A review of the site was carried out to determine the general layout of landscape elements in relation to the proposed works; and to assess the health of the trees identified by the client as being those which may be impacted by the proposed development.

The inspection was carried out in accordance with steps one and two of the Visual Tree Assessment (VTA) methodology. This method for assessing trees was developed by Matteck and Breloer (1994) and is included in standard arboricultural texts by Harris, Clarke and Matheny (2004) and Lonsdale (1999). No invasive or diagnostic tests were carried out. This assessment of trees in this report does not constitute an analysis of risk as defined by Quantified Tree Risk Assessment (QTRA) system.

Binoculars were used in the visual inspection. A clinometer was used to estimate tree height and a tape measure was used to measure tree dimensions.

Diameter at Breast Height (DBH) was measured at 1.4m as per the Australian Standard 4970-2009 Protection of Trees on Development Sites.

The Tree Protection Zone (TPZ) was calculated at  $DBH \times 12$  as per the AS 4970-2009.

Tree health and structure were assessed based on descriptors from the aforementioned arboricultural texts.

Trees are assessed based on size, location, health, structure, significance, management requirements and local by-laws.

Based on the above-mentioned descriptors, trees are categorised as having a retention value of None, Low, Moderate or High. Descriptor definitions can be found in Tree Assessment Terms in Appendix 1.

## Tree Protection Zone (TPZ) Information

The Tree Protection Zone is a designated area to limit or exclude any activities during development that could be detrimental to tree health. The TPZ is designed to protect the tree crown, trunk and the rooting area that is considered essential to tree health.

The radius of the TPZ is calculated at  $12 \times$  the diameter of the trunk (DBH) at 1.4m as per AS 4970-2009. Where possible, any proposed development should be designed outside the indicative TPZ of any tree being retained.

Generally, a 10% encroachment of the TPZ area is considered to be permissible provided that the encroachment is compensated for, resulting in no loss to the total TPZ area and there is no encroachment into the Structural Root Zone (SRZ). The SRZ is the area considered essential to tree stability and is only calculated when there is major encroachment proposed into the TPZ.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Major encroachment (>10% of TPZ area) may require tree sensitive construction techniques to minimise the impact on the tree and/or a non-destructive root investigation may be required to be carried out to conclusively prove to the responsible authority that the encroachment will not be detrimental to tree health as per the recommendations in AS4970-2009.

No works within the TPZ should be undertaken unless stipulated by the relevant Consulting Arborist.

Activities generally excluded from the TPZ, but not limited to it, include:

- Storage of materials and/or chemicals
- Parking of vehicles and machinery
- Excavation or compaction of existing soil levels, trenching or soil level changes
- Wash down and cleaning of equipment
- Dumping of waste/chemical

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Trunk and Branch Protection

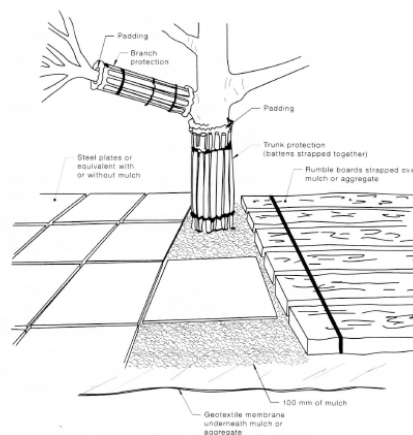
Where necessary, trunk and branch protection may be require to be installed using boards and padding as instructed by the Consulting Arborist.

## Ground Protection

For areas with the TPZ that cannot be adequately fenced off, ground protection should be installed to prevent root damage and soil compaction. Methods of ground protection include but are not limited to:

- A permeable geotextile beneath 100mm of mulch
- A cellular structure such as Bodcell
- A cellular structure such Bodcell© 35-20 (or equivalent), filled with 20mm washed angular stone
- Rumble boards over a layer of mulch or aggregate
- Steel plates or equivalent with or without mulch

These measures may be applied to root zones beyond the TPZ.



**NOTES:**

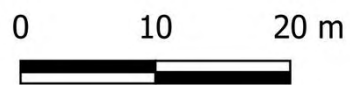
- 1 For trunk and branch protection use boards and padding that will prevent damage to bark. Boards are to be strapped to trees, not nailed or screwed.
- 2 Rumble boards should be of a suitable thickness to prevent soil compaction and root damage.





# Map 1: Tree Location and Assessment

1365 Princes Hwy, Pakenham



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Legend

- |               |               |
|---------------|---------------|
| <b>Trees</b>  | <b>TPZ</b>    |
| ● Third Party | ○ Third Party |
| ● High        | ○ High        |
| ● Low         | ○ Low         |
|               | ● SRZ         |

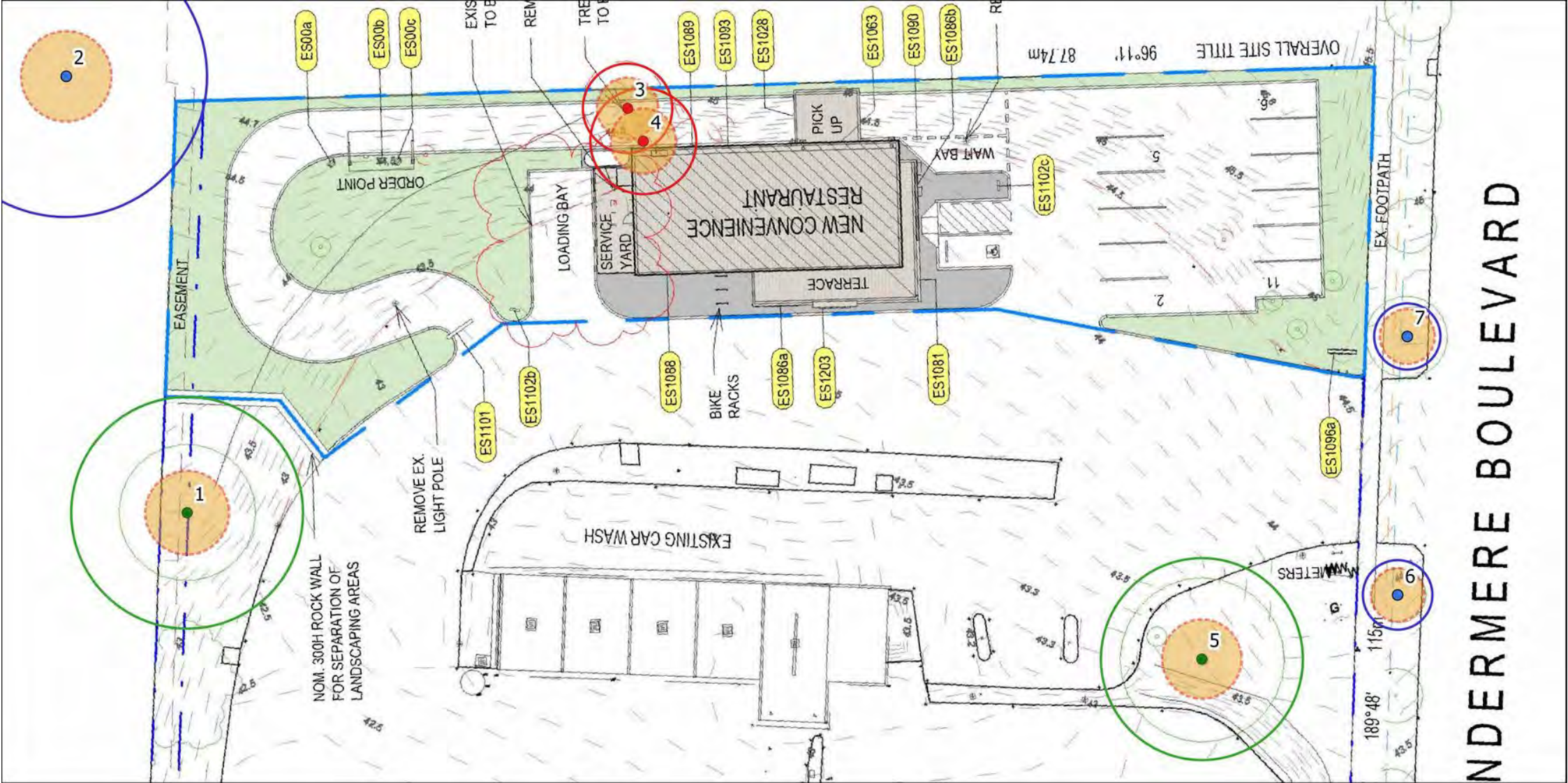
DATE: 18-09-2023

DATA SOURCES:  
On-site data collection  
NearMap aerial imagery

CRS: EPSG: 7855

TREE LOCATIONS:  
Aligned to aerial imagery &  
Feature Survey by BDAI





# Map 1: Tree Location & Assessment

1365 Princes Hwy, Pakenham

0 10 20 m



## Legend

- |               |               |
|---------------|---------------|
| <b>Trees</b>  | <b>TPZ</b>    |
| ● Third Party | ○ Third Party |
| ● High        | ○ High        |
| ● Low         | ○ Low         |
|               | ○ SRZ         |

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



DATE: 18-09-2023  
 DATA SOURCES:  
 On-site data collection  
 NearMap aerial imagery  
 CRS: EPSG: 7855  
 Feature Survey by: BDAI  
 TREE LOCATIONS:  
 Aligned to aerial imagery  
 & Feature Survey

# Results – 1365 Princes Highway, Pakenham

Client: Yarraside Investments  
 Inspection Date: 08 / 09 / 2023

Site Address: 1365 Princes Highway, Pakenham  
 Weather: Rainy overcast - 6 degrees

Tree No	Botanical Name / Common Name	Height (m)	Crown Spread (m)	DBH (cm)	DAB (cm)	Age Class	Health	Structure	Useful Life (ULE)	Retention Value	TPZ radius (m)	SRZ radius (m)	Notes
1	<i>Eucalyptus radiata</i> / Narrow-leaved Peppermint	8	7	70	82	Mature	Good	Good	Long	High	8.4	3.0	Bifurcated at 0.5m. Minor deadwood in canopy.
2	<i>Quercus robur</i> / English Oak	15	20	85	98	Mature	Good	Good	Long	Third Party	10.2	3.3	Neighbours. Very healthy proud tree.
3	<i>Populus nigra</i> / Lombardy Poplar	12	2	27	39	Semi-mature	Good	Good	Long	Low	3.2	2.2	
4	<i>Populus nigra</i> / Lombardy Poplar	12	4	32	45	Mature	Good	Good	Long	Low	3.8	2.4	
5	<i>Eucalyptus radiata</i> / Narrow-leaved Peppermint	10	7	61	72	Mature	Good	Good	Long	Low	7.3	2.9	
6	<i>Liquidambar styraciflua</i> / Sweetgum	8	5	21	28	Semi-mature	Good	Good	Long	Third Party	2.5	1.9	Council Street tree adjacent to driveway
7	<i>Liquidambar styraciflua</i> / Sweetgum	7	5	20	30	Semi-mature	Good	Good	Long	Third Party	2.4	2.0	Council Street tree

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# Photo Library – 1365 Princes Highway, Pakenham

Photos are included as a guide only to provide an overall impression of the site however the images are not a true representation of the scale. These images are not intended as a substitute to a site visit.



Tree 1



Tree 2



Trees 3 & 4



Tree 5



Tree 7 - Street Tree

## Conclusions

The plans to develop the property at 1365 Princes Highway, Pakenham under the current proposal shows appropriate consideration to the retention of valuable trees particularly those on adjoining allotments.

With the implementation of prescribed tree protection measures described in this report it is concluded the existing tree stock can be preserved with little impact.

If the reader should have any queries or require clarification of terms and/or concepts please do not hesitate to advise the author.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Appendix A - Tree Assessment Terms

**Age** - Young: Juvenile tree recently planted.  
Semi-mature: Tree still growing  
Mature: Specimen has reached expected size in current situation  
Senescent: Tree is over mature and in decline

**Form** - Good: Canopy full and symmetrical  
Fair: Minor asymmetry or suppression. Considered typical for species in situation.  
Poor: Canopy suppressed, major asymmetry. Stump re-growth.

### Health

#### Good:

Crown full with good density, foliage entire, with good colour, minimal or no pathogen damage. Good growth indicators, e.g. extension growth. No or minimal canopy dieback. Good wound-wood and callus formation.

#### Fair:

Tree is exhibiting one or more of the following symptoms:  
Tree has <30% deadwood. Or can have minor canopy dieback. Foliage generally with good colour, some discolouration may be present, minor pathogen damage present. Typical growth indicators, e.g. extension growth, leaf size, canopy density for species in location may be slightly abnormal.

#### Poor:

Tree has >30% deadwood. Canopy dieback present. Discoloured or distorted leaves and/or excessive epicormic re-growth. Pathogen is present and/or stress symptoms that could lead to or are contributing to the decline of tree.

#### Dead:

Tree is dead.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### Structure

#### Good:

Good Branch attachment and/or no minor structural defects. Trunk and scaffold branches sound or only minor damage. Good trunk and scaffold branch taper. No branch or over extension. No damage to structural roots and/or good buttressing present. No obvious root pests or diseases.

#### Fair:

Some minor structural defects and/or minimal damage to trunk. Bark missing. Cavities could be present. Minimal or no damage to structural roots. Typical structure for species.

#### Poor:

Major structural defects and/or trunk damaged and/or missing bark. Large cavities and/or girdling or damaged roots that are problematic.

#### Hazardous:

Tree poses immediate hazard potential that should be rectified as soon as possible.

### Vigour

Good, Fair or Poor. This describes the ability of a tree to promote extension growth and wound-callus effectively; this is directly related to the annual progress of tree growth, including root systems, which are dependent on in-situ and environmental conditions.



## General Condition

Describes a tree or a group of trees in a broad term of convenient précis that considers all of these Tree Descriptors as mentioned in Documents and Tree Data Tables.

## Useful Life Expectancy

Useful Life Expectancy (ULE) means that in a planning context the length of time a tree can be maintained as a useful amenity and not a liability is by far the most important long-term consideration. ULE is contingent on a number of obvious management assumptions and the fundamental principles of public safety and usefulness in the landscape.

## Retention Value

The Retention Value is determined as a result of the collation of the data set (species, size, age, health, structure, form and site conditions etc) in relation to the following retention descriptors:

- **None**

Tree with severe health and/or structural defects that cannot be rectified through reasonably practicable Arboricultural works; Tree may be inter dependent with surrounding trees and will be unable to be retained once adjacent shelter trees are removed; The tree is classed as a noxious or environmental weed species and is detrimental to the environment; Trees that have no retention value are likely to require immediate removal prior to any development works.

- **Low**

A tree that offers little in terms of contributing to the future landscape for reasons of poor health, structural condition, or species suitability in relation to unacceptable growth habit, or combinations of these characteristics; A tree that is not significant due to its size and/or age and can be easily replaced; Tree is likely to have a ULE of under 10 years; Trees classed as having a low retention value may be able to be retained in the mid to short term if they do not require a disproportionate expenditure of resources (i.e. design modification).

- **Moderate**

A tree with some attributes that may benefit the site in relation to botanical, horticultural, historical or local significance but may be limited to some degree by their current health condition or future growth in relation to existing or future site conditions and/or immediate/future maintenance requirements. The tree is likely to tolerate changes in its environment and will respond to Arboricultural treatments. Trees classed as having a moderate retention value should be considered for retention if reasonably practicable. Arboricultural works may be required but should remain within reasonable limits. Tree may have a ULE of over 10 years if managed appropriately.

- **High**

A tree in good overall condition that has the potential to positively contribute to the landscape in the mid to long-term if appropriately managed. Species is suited to its existing site conditions and is capable of tolerating certain changes in its environment. Ideally, trees with a high retention value should be retained and incorporated into any development plans. The tree is considered to be worthy of material constraint.

## Appendix B - Tree Protection Information

### Tree protection fencing

Where possible tree protection fencing should be used to isolate the TPZ. Tree protection fencing must be erected prior to the commencement of any works.

Fencing should comply with AS 4687 for temporary fencing and hoarding.

The fence should be appropriately signed to identify the TPZ with the contact details of the supervising Arborist and Responsible Authority.

Example:

### **TREE PROTECTION ZONE KEEP OUT**

Prohibited activities include:

- Storage of materials and/or chemicals
- Parking of vehicles and machinery
- Excavation, trenching or soil level changes
- Wash down and cleaning of equipment
- Dumping of waste/chemicals
- Mixing of cement

### **Penalties Will Apply**

Supervising Arborist:

Contact Number:

Responsible Authority:

Contact Number:

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### Irrigation

Where possible an automated drip irrigation system should be installed within the TPZ of all retained trees to help the trees adapt and react to the changes within their growing conditions. Soil moisture levels within the TPZ should be monitored and irrigation applied accordingly. Drench irrigation applied through a hose is also considered adequate.

### Mulch

During construction, a layer of composted organic mulch should be applied to the TPZ at a depth of 50-100mm. Mulching will assist in moisture retention, ameliorate topsoil and help minimise soil compaction. 1 cubic meter of mulch covers an area of approximately 10 square meters.

## Ground Protection

For areas within the TPZ that cannot be adequately fenced off, ground protection should be installed to prevent root damage and soil compaction.

Methods of ground protection include but are not limited to:

- A permeable geotextile beneath 100mm of mulch
- A cellular structure such Bodcell© 35-20 (or equivalent), filled with 20mm washed angular stone
- Rumble boards over a layer of mulch or aggregate
- Steel plates or equivalent with or without mulch

## Service Installation

Trenching within the TPZ to install services can have a detrimental effect on tree health and the structural stability of the tree. Where possible all services should be routed outside of the TPZ. If this is not possible installation of services should be done utilising direct drilling techniques, at a minimum depth of 600mm or using manual excavation to ensure significant roots are not damaged. The Project Arborist should assess the likely impacts of boring or bore pits on any retained trees. Manual excavation should only be carried out under the supervision of The Project Arborist.

## Soft Landscaping

Soft landscaping within the TPZ can be potentially damaging to tree health. There should be no excavation or compaction of the existing soil grade, other than the removal of organic debris. Any fill should be permeable and not compacted. Soil grade around the trunk should be kept at the original level.

## Landscaping works and Pathways

Paving and pathways within the SRZ & TPZ of any retained trees should employ an above grade construction technique with no excavation or compaction to the natural ground level to establish a foundation. Paved surfaces should utilise pervious materials (block pavers, in situ concrete, crushed rock) on a foundation of sand or aggregate 20mm in diameter or greater. This will assist in reducing the degree of compaction within the TPZ area and will allow for greater water permeability allowing water and oxygen to the tree's feeder roots.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



---

## Appendix C - References

AS4970 (2009) *Protection of Trees on Development Sites*

AS 4373-2007 *Pruning of Amenity Trees*

Ellison, Michael J. (2004) *Quantified Tree Risk Assessment Used in the Management of Amenity Trees*.

Harris, R.W., Matheny, N.P., and Clarke, J.R., 1999, *Arboriculture; Integrated Management of Landscape Trees, Shrubs and Vines*, Pretence Hall Publishing

Lonsdale, D, 1999, *Principles of Tree Hazard Management and Assessment*, TSO Publishing

Matheck, C and Breloer, H, 1994, *The Body Language of Trees*, TSO Publishing

www.TreeAZ.com; Author Jeremy Barrell

Costermans, L, 2007, *Native Trees of SE Australia*, Read New Holland

Draper, D.B., and Richards, P.A, 2009, *Dictionary for Managing Trees in Urban Environments*, CSIRO Publishing

Roberts, J, Jackson, N, Smith, M, 2006, *Tree Roots in the Built Environment*, TSO Publishing

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Appendix D - Limitations & Constraints

*Tree Assessment* is based on external visual examination from ground level only. No internal decay diagnostic equipment was used, no excavation of the root plate undertaken and no samples removed for further analysis unless otherwise stated.

*Risk Assessment* is provided only as an estimation of the potential of the tree(s) listed in this report as to their probability to cause damage to people and / or property and cannot be considered to constitute a prediction of future events.

Recommendations contained in this report are based on the measurements and observations prevalent at the time of inspection. Future changes or site development may render this report and recommendations invalid.

Care has been taken to obtain all information from reliable sources. All data has been verified where possible, however, *Baxter Ecology & Associates* can neither guarantee nor be responsible for the accuracy of the information provided by third parties.

Any legal description, titles and ownership of any property provided to the *Consulting Arborist* are assumed to be correct. No responsibility is assumed for matters legal in character.

Maps, diagrams and photographs in this report are included as visual aids. They cannot be considered to be to scale and are not intended to be used to locate trees or in the place of structural and / or architectural plans.

Loss or alteration of any part of this report invalidates the entire report.

Possession of this report or a copy thereof does not imply right of publication or use for any purpose by anyone but the person to whom it was commissioned by, without the prior written consent of *Baxter Ecology & Associates*.

Neither all nor any part of the contents of this report, nor any copy thereof, shall be used for any purpose by anyone but the person to whom it is addressed, without the written consent of *Baxter Ecology & Associates*. Nor shall it be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the written consent of the consultant. *Baxter Ecology & Associates* shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

# 1365 Princes Highway, Pakenham

## Transport Impact Assessment



230283TIA001C-F

13 November 2023



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

onemilegrid

ABN: 79 168 115 679

(03) 9939 8250  
Wurundjeri Woieworong Country  
56 Down Street  
COLLINGWOOD, VIC 3066  
[www.onemilegrid.com.au](http://www.onemilegrid.com.au)

## DOCUMENT INFORMATION

Prepared for	Pentaco		
File Name	230283TIA001C-F	Report Date	13 November 2023
Prepared by	MG	Reviewed by	VPG

onemilegrid operates from Wurundjeri Woieworong Country of the Kulin nation. We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land. We pay our respects to leaders and Elders past, present and emerging for they hold the memories, the traditions, the culture, and the hopes of all Wurundjeri Peoples.

© One Mile Grid Pty Ltd. This document has been prepared by onemilegrid for the client as per the terms of engagement. It may not be modified or altered, copied, reproduced, sold or transferred in whole or in part in any format to any person other than by agreement. onemilegrid does not assume responsibility or liability to any third party arising out of misuse of this document.

## CONTENTS

1	INTRODUCTION.....	5
2	EXISTING CONDITIONS.....	5
2.1	Site Location.....	5
2.2	Planning Zones and Overlays.....	7
2.3	Road Network.....	8
2.3.1	Princes Highway.....	8
2.3.2	Windermere Boulevard.....	9
2.4	Public Transport.....	10
3	DEVELOPMENT PROPOSAL.....	11
4	DESIGN ASSESSMENT.....	12
4.1	Cardinia Planning Scheme – Clause 52.06.....	12
4.1.1	Design Standard 1: Accessways.....	12
4.1.2	Design Standard 2: Car Parking Spaces.....	13
4.2	Loading and Waste Collection.....	13
4.3	Bicycle Parking.....	13
4.4	Drive-Through Lane.....	13
4.5	Integration with the Overall Site.....	14
4.6	Clause 52.29 – Land Adjacent to the Principal Road Network.....	14
5	LOADING.....	15
6	BICYCLE PARKING.....	15
7	CAR PARKING.....	16
7.1	Statutory Car Parking Requirements.....	16
7.1.1	Car Parking Requirements – Clause 52.06.....	16
7.2	Accessible Car Parking.....	16
8	TRAFFIC.....	17
8.1	Traffic Generation.....	17
8.2	Traffic Impact.....	17
9	CONCLUSIONS.....	18

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## TABLES

Table 1	Clause 52.06-9 Design Assessment – Design Standard 1 .....	12
Table 2	Clause 52.34 – Bicycle Parking Requirements .....	15
Table 3	Clause 52.06 – Car Parking Requirements .....	16
Table 4	Fast Food Restaurant Traffic Generation .....	17
Table 5	Anticipated Traffic Generation .....	17

## FIGURES

Figure 1	Site Location .....	5
Figure 2	Site Context (26 April 2023) .....	6
Figure 3	Planning Scheme Zones .....	7
Figure 4	Princes Highway, looking west adjacent to the subject site .....	8
Figure 5	Windermere Boulevard, looking north adjacent to the subject site .....	9
Figure 6	Public Transport Provision .....	10
Figure 7	Proposed Site Layout .....	11
Figure 8	B-Double Truck Circulation .....	14

## APPENDICES

### APPENDIX A SWEEP PATH DIAGRAMS

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# 1 INTRODUCTION

onemilegrid has been requested by Pentaco to undertake a Transport Impact Assessment of the proposed convenience restaurant at 1365 Princes Highway, Pakenham.

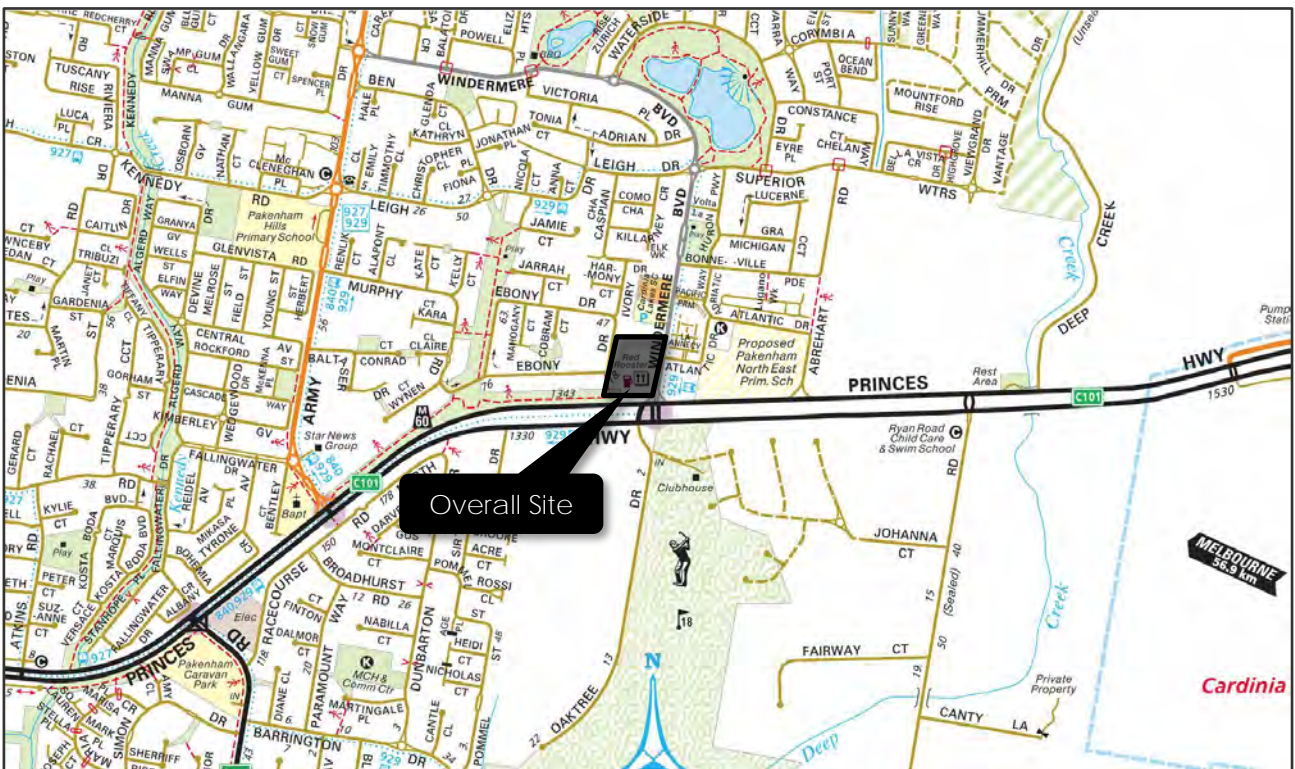
As part of this assessment the subject site has been reviewed with due consideration of the development proposal, traffic and parking data has been sourced and relevant background reports have been reviewed.

## 2 EXISTING CONDITIONS

### 2.1 Site Location

The [overall site](#) is addressed as 1365 Princes Highway, Pakenham and is located on the north western corner of the Princes Highway and Windermere Boulevard intersection, as shown in Figure 1.

Figure 1 Site Location



Copyright Melway Publishing

The overall site is generally rectangular in shape and has road frontages to Princes Highway and Windermere Boulevard for approximately 90 m and 110 m respectively. The overall site is currently occupied by various commercial tenancies including a service station (including truck refuelling), car wash and a convenience restaurant. The site is operating under an existing Planning Permit T970274B.

A number of vehicle access points are provided to the site, with a separate entry-only and exit-only vehicle crossovers provided via Princes Highway whilst a two-way access point is provided via Windermere Boulevard.

The application area deals with the northern portion of the site.

Land use in the immediate vicinity of the site is largely residential and commercial in nature, and includes Cardinia Lakes Shopping Centre to the north.

An aerial view of the subject site is provided in Figure 2.

Figure 2 Site Context (26 April 2023)



Copyright Nearmap

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 2.2 Planning Zones and Overlays

It is shown in Figure 3 that the site is located within a Commercial 1 Zone (C1Z) and Public Use Zone (PUZ). Additionally, the site abuts Princes Highway, which is within a Transport Zone (TRZ2); Principal Road Network.

Figure 3 Planning Scheme Zones



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 2.3 Road Network

### 2.3.1 Princes Highway

Princes Highway is a major Victorian arterial road which runs between Princes Freeway within Melbourne to the west and Moe in the east. Adjacent the subject site, Princes Highway typically comprises of a divided carriageway with two through traffic lanes in each direction, with additional turn lanes provided site access points for left turning vehicles and at breaks within the central median for right turning vehicles.

A long left turn lane is provided along the site frontage which provides access into the subject site as well as the left turn slip lane associated with the Windermere Boulevard signalised intersection.

The cross-section of Princes Highway at the frontage of the site is shown in Figure 4.

Figure 4 Princes Highway, looking west adjacent to the subject site



Copyright Google

An 80km/h speed limit applies to Princes Highway in the vicinity of the site.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### 2.3.2 Windermere Boulevard

Windermere Boulevard is a local road, running between Army Road to the northwest, and Princes Highway to the south. Windermere Boulevard provides an 11 m wide road carriageway, facilitating traffic movements in both directions adjacent the site. As noted above, the intersection with Princes Highway is controlled by traffic signals with a wide median treatment provided.

The cross-section of Windermere Boulevard at the frontage of the site is shown in Figure 5.

Figure 5 Windermere Boulevard, looking north adjacent to the subject site



Copyright Google

A signed 50km/h speed limit applies to Windermere Boulevard in the vicinity of the site.

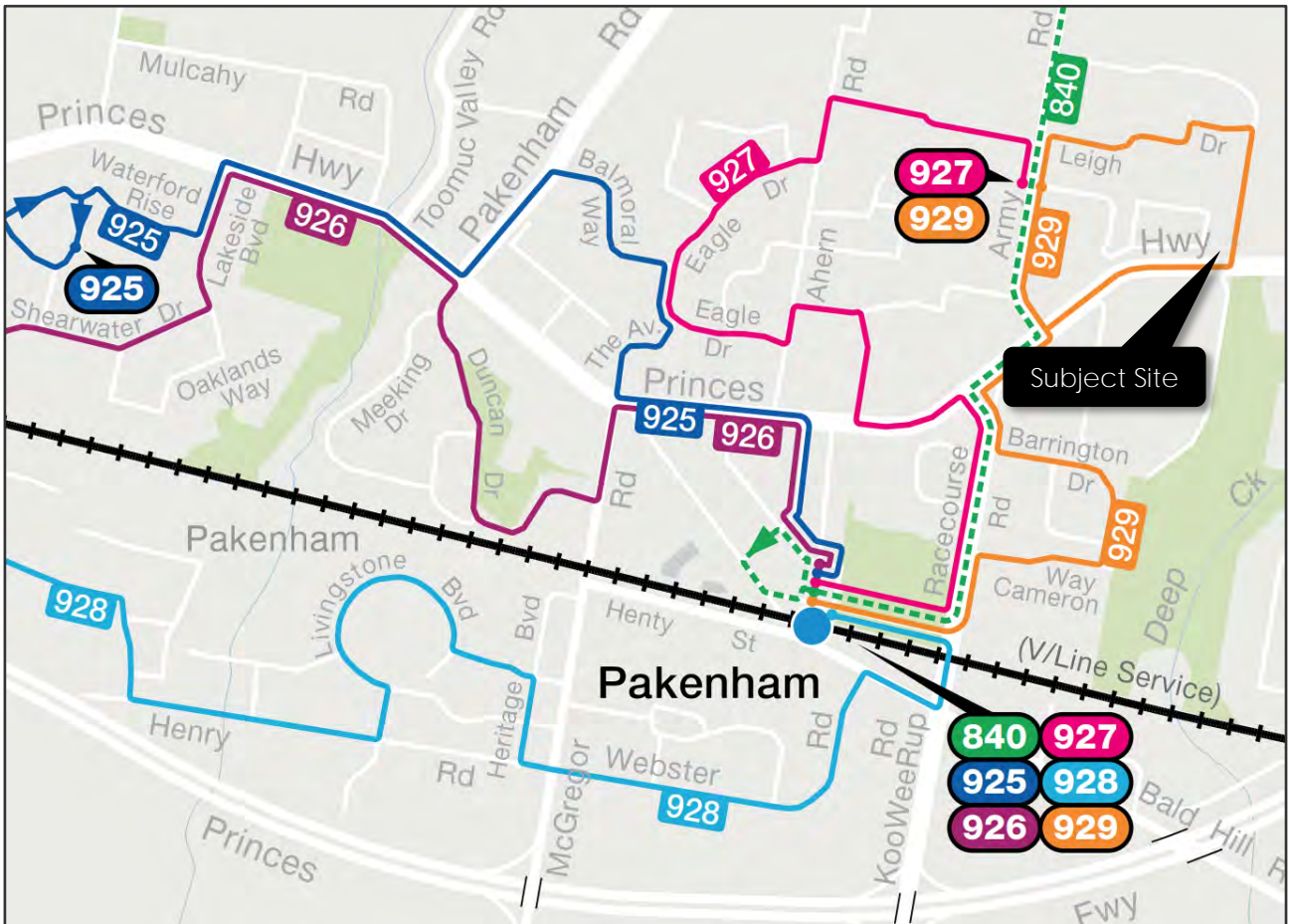
This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 2.4 Public Transport

The full Pakenham public transport provision is shown in Figure 6. It is shown that public transport in the area is limited to the route 929 Pakenham Station – Pakenham North via Army Road & Windermere Boulevard) bus service, which provided direct access to Pakenham Station for additional bus services, metro train line and V/Line services.

Figure 6 Public Transport Provision



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



### 3 DEVELOPMENT PROPOSAL

It is proposed to develop the northern portion of the overall site for a convenience restaurant (approximately 182 m<sup>2</sup>, 58 m<sup>2</sup> available to the public), operating as an Oporto restaurant with 42 seats (26 internal and 16 external) and a single drive-through lane, accommodating up to 12 waiting vehicles.

Access to the site will be provided from the common hardstand area via the overall site, with access to the drive-through lane to the west and access to the car park to the west.

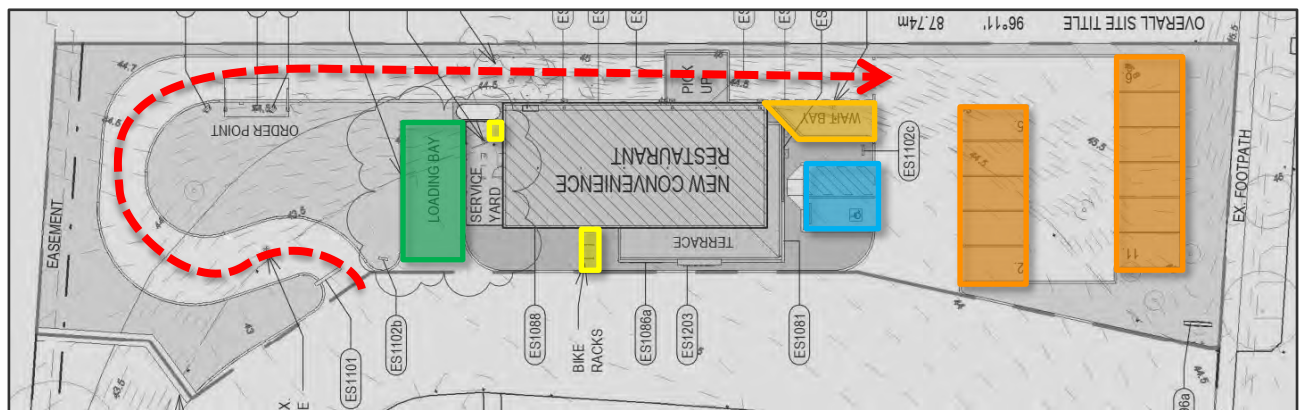
A total of 12 car spaces (inclusive of one accessible space), plus an additional one waiting bay at the end of the drive-through, are proposed within an at-grade car park to the east of the building.

A loading area is proposed adjacent the building and drive-through.

A total of eight bicycle parking spaces are proposed on-site, including three vertical spaces provided in the service yard for staff use whilst three horizontal racks (one single sided and two double sided) are provided at the building entrance for visitors.

A view of the proposed convenience restaurant is provided in Figure 7.

Figure 7 Proposed Site Layout



- Staff/Visitor Parking
- Accessible Space
- Waiting Bay
- Bicycle Parking
- Loading Zone
- Drive-Through

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 4 DESIGN ASSESSMENT

### 4.1 Cardinia Planning Scheme – Clause 52.06

onemilegrid has undertaken an assessment of the car parking layout and access for the proposed development with due consideration of the Design Standards detailed within Clause 52.06-9 of the Planning Scheme. A review of those relevant Design Standards is provided in the following sections.

#### 4.1.1 Design Standard 1: Accessways

A summary of the assessment for Design Standard 1 is provided in Table 1.

Table 1 Clause 52.06-9 Design Assessment – Design Standard 1

Requirement	Comments
Be at least 3 metres wide.	Satisfied – Drive-through access point is 3.5 m
Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.	Satisfied
Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	Satisfied
Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.	Satisfied
If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.	Satisfied
Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.	Satisfied – Accessway to the car park is greater than 6.1 m in width and 7 m in length
Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	Satisfied
If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.	Satisfied

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

#### 4.1.2 Design Standard 2: Car Parking Spaces

All car spaces on-site are proposed with a minimum width of 2.6 metres, length of 4.9 metres and are accessed from aisles of no less than 6.4 metres.

The accessible bay is provided with a length of 5.4 metres and a width of 2.4 metres, and an adjacent shared area of the same dimensions, in accordance with the Australian Standard for Parking facilities, Part 6: Off-street parking for people with disabilities (AS 2890.6:2022).

### 4.2 Loading and Waste Collection

A bin storage area is located adjacent the loading area. Bins will be transferred from the bin room to adjacent the loading area where the waste vehicle will be propped.

Refer to the Waste Management Plan for further information.

### 4.3 Bicycle Parking

Bicycle parking is proposed to be provided in a mixture of vertically mounted staggered bicycle racks and on-ground bicycle hoops.

The vertical mounted racks have been designed in accordance with the Australian Standard; specifically, they are located at 500 mm centres, with an envelope of 1.2 m provided for bicycles and a 1.5 m access aisle.

The bicycle hoops have been designed in accordance with the Australian Standard; specifically, they are provided at one metre centres, with an envelope of 1.8 metres provided for bicycles and a 1.5 metre access aisle.

In addition, the bicycle parking spaces proposed have been provided as on-ground hoops exceeding the Australian Standard requirement for 20% of spaces being provided on-ground.

### 4.4 Drive-Through Lane

A drive-through is proposed with a minimum width of 3.2 metres in accordance with the minimum accessway width detailed in Design Standard 1 of Clause 52.06-8 to the Planning Scheme.

In regard to length of drive-through lanes, reference is made to the "Guide to Traffic Generating Developments" dated October 2002, produced by The New South Wales Roads and Traffic Authority (now the Department of Transport, Roads and Maritime Services). The RTA Guide states the following in regard to drive-through services:

*"An exclusive area for queuing of cars for a drive through facility is required (queue length of 5 to 12 cars from the pickup point). There should also be a minimum of four car spaces for cars queued from ordering point."*

In accordance with the above, the drive-through proposed accommodates in excess of 12 vehicles without encroaching on the car parking area, including a minimum of seven cars prior to the ordering point, even should one of the drive-through lanes be occupied for loading activities.

The proposed provision of queuing within the drive-through facility is therefore considered to be appropriate.

Swept paths have been prepared demonstrating that B99 design vehicles can store within the drive-through land and circulate throughout. The swept path assessment is included in Appendix A.



## 4.5 Integration with the Overall Site

The proposed convenience restaurants are located to the north of the site accessed from the existing circulating road. To assess the turning movements of trucks through this area noting that the truck refuelling canopy is located to the south of this area, swept paths have been prepared to demonstrate that appropriate circulation can be achieved.

To ensure there is no conflict with other vehicles, a No Stopping zone is recommended to allow for B-Double trucks to navigate from the truck refuelling area along the internal access road and out of the site in line with existing operation. An extract of the swept path and proposed location of the No stopping signage is provided below.

Figure 8 B-Double Truck Circulation



## 4.6 Clause 52.29 – Land Adjacent to the Principal Road Network

The development proposal is subject to the requirements of Clause 52.29 of the Cardinia Planning Scheme which applies to land adjacent to the Principal Road Network (Princes Highway) and aims to ensure appropriate access is provided to identified roads.

Relevant to the proposed development, the Clause states that a permit is required to create or alter access to a road in a Transport Zone 2, and that the proposal is to be referred to the relevant referral authority (in this case the Department of Transport and Planning (VicRoads)).

The proposed development does not propose any additional vehicle access points to Princes Highway, is anticipated to have no impact on the operation of Princes Highway along the site frontage, and it is therefore considered that the proposed development will satisfy the requirements of Clause 52.29.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 5 LOADING

Clause 65 (Decision Guidelines) of the Cardinia Planning Scheme identifies that “Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate: The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.”

It is proposed to accommodate all loading within the existing Loading Zone between the building and drive-through, which can provide convenient access to the back of house. The proposed development provides significant area for loading and unloading, specifically designed for the use, and therefore appropriate for the proposed development.

The provision for loading is therefore considered appropriate for the proposed use.

## 6 BICYCLE PARKING

The bicycle parking requirements for the subject site are identified in Clause 52.34 of the Cardinia Planning Scheme, which specifies the following requirements for the proposed convenience restaurant.

Table 2 Clause 52.34 – Bicycle Parking Requirements

Component	No/Area	Requirement	Total
Convenience restaurant	60 m <sup>2</sup>	1 space per 25m <sup>2</sup> of floor area available to the public for staff	2
		2 spaces for visitors	2
<b>Total</b>			<b>4</b>

Considering the above, the proposed provision of eight bicycle parking spaces, including three staff spaces and five visitors spaces are provided, therefore satisfying the Planning Scheme requirements.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 7 CAR PARKING

### 7.1 Statutory Car Parking Requirements

#### 7.1.1 Car Parking Requirements – Clause 52.06

The car parking requirements for the subject site are identified in Clause 52.06 of the Cardinia Planning Scheme, which specifies the following requirements for the proposed development. Typically, only internal seats are considered for car parking purposes noting that the external seats are largely weather dependant. Nevertheless for a conservative assessment, the full seating allocation will be considered.

Table 3 Clause 52.06 – Car Parking Requirements

Use	No/Area	Rate	Car Parking Measure	Total
Convenience restaurant	42	0.3	to each patron permitted	12

It is proposed to provide a total of 12 car parking spaces to service the proposed development, which is in accordance with the Planning Scheme requirements outlined above. It is noted that if only the internal seats were considered a requirement for 7 spaces would result.

The provision of car parking is therefore considered to be appropriate to satisfy the parking demands generated by the development.

### 7.2 Accessible Car Parking

The National Construction Code specifies the minimum requirements for provision of accessible car parking.

The proposed convenience restaurant, classified as a Class 6 building, requires provision of one accessible car space for every 50 car parking spaces or part thereof for the first 1,000 spaces, and then 1 space per 100 car parking spaces or part thereof in excess of 1,000 spaces.

Noting the proposed provision of 12 car spaces on-site, the National Construction Code (NCC) requires at least one accessible car space on-site.

The proposed provision of one space thus satisfies the NCC requirements.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 8 TRAFFIC

### 8.1 Traffic Generation

The Roads and Maritime Service (RMS) of NSW commissioned Bitzios Consulting to undertake a study of 'Trip Generation and Parking Demand Surveys at Fast-Food Outlets' which was published in 2016. The study looked at the operation of 26 existing fast-food outlets across metropolitan Sydney and regional New South Wales.

The results of the study are summarised in Table 4 below.

Table 4 Fast Food Restaurant Traffic Generation

	<i>Hungry Jacks</i>	<i>KFC</i>	<i>McDonalds</i>	<i>Oporto</i>	<i>Red Rooster</i>
PM Trip Generation	61	73	183	41	35
Diverted Trips	54%	43%	51%	n/a	51%

Based on the above results and noting the location of the Red Rooster on the same site and various other fast food restaurants within a 3 km radius of the site (McDonalds, Guzman Y Gomez), it is conservatively estimated that the proposed convenience restaurant will generate approximately 41 vehicle trips in the PM peak period as per the 'Oporto' traffic generation rate detailed above. During the AM peak, traffic is expected to be no more than half of the PM volumes.

Based on the above, the anticipated traffic generated by the proposed development is shown in Table 5.

Table 5 Anticipated Traffic Generation

<i>Period</i>	<i>Inbound</i>	<i>Outbound</i>	<i>Total</i>
AM Peak	20	21	41
PM Peak	10	10	20

### 8.2 Traffic Impact

Reviewing the volumes above, it is noted that a maximum of 21 vehicle movements per hour are expected for any one movement, equivalent to one vehicle trip every three minutes. This level of traffic will then be further distributed between the two access points from the overall site, and are expected to be easily absorbed into the surrounding road network.

With regard to the additional movement within the overall site, it is anticipated that these movements can be suitably accommodated noting the level of truck traffic is infrequent, clear sightlines are available, and there is sufficient width for vehicles to pass throughout the roadway.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 9 CONCLUSIONS

---

It is proposed to develop the northern portion of the overall site in order to develop a convenience restaurant operating as an Oporto restaurant with 26 internal seats and 16 external seats and a single drive-through lane.

Considering the analysis presented above, it is concluded that:

- The car parking layouts and accesses have been designed generally in accordance with the requirements of the Planning Scheme and are considered appropriate;
- The integration of the proposal is acceptable with regard to the existing operations;
- The proposed provision of parking meets the statutory requirements for car parking and is considered acceptable;
- The anticipated traffic volumes generated by the development is not expected to have an impact on the operation of the surrounding road network; and
- There are no traffic engineering reasons which would preclude a permit from being issued for this proposal.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

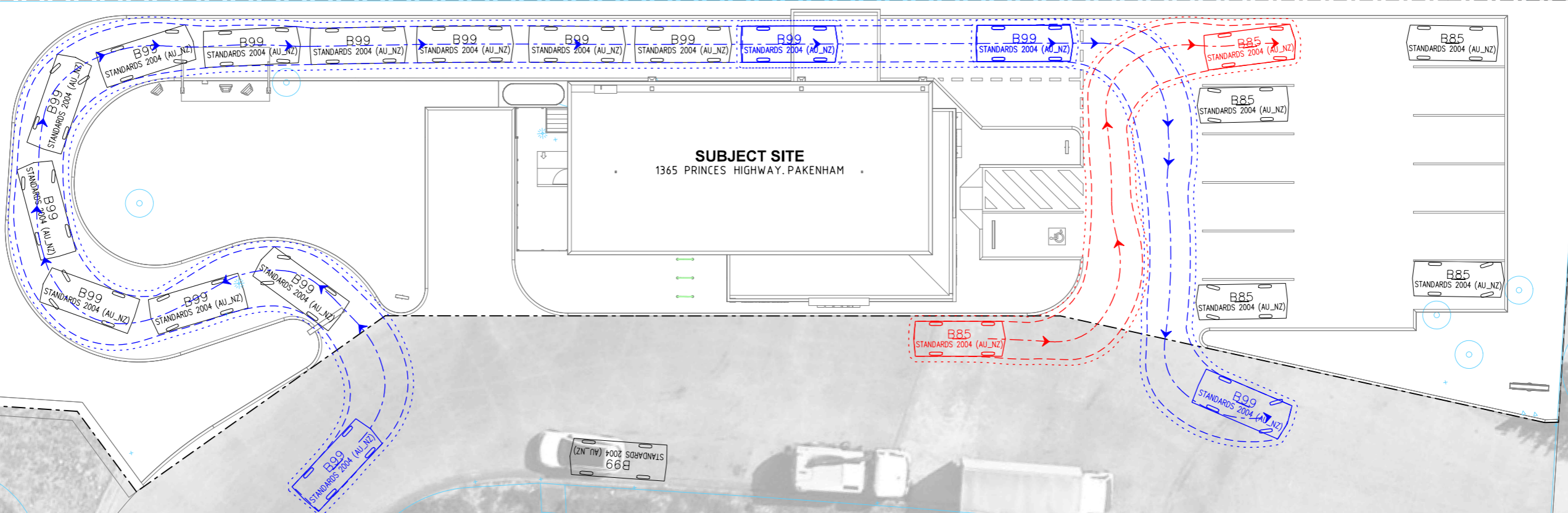
# Appendix A Swept Path Diagrams

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.





This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



	4.91	5.20	
B85	0.92	2.80	
B99	0.95	3.05	
Width	: 1.87	Width	: 1.94
Track	: 1.77	Track	: 1.84
Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0
Steering Angle	: 34.1	Steering Angle	: 33.9

**SWEPT PATH LEGEND**  
 - - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ······ 300mm CLEARANCE ENVELOPE SHOWN DOTTED



Wurundjeri Woiwurrung Country  
 56 Down Street, Collingwood, VIC 3066  
 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone (03) 9939 8250

Scale: 1:250 @ A3

Drawing Title  
 1365 PRINCES HIGHWAY, PAKENHAM  
 VEHICLE SITE ACCESS  
 SWEEP PATH ANALYSIS

Designed	Approved	Melway Ref
JPB	VG	317 K9
Project Number	Drawing Number	Revision
230283	SPA100	C

CAD File: \\auv\svr\01\Company\Projects\2023\230283\Drawings\230283SPA100.dgn

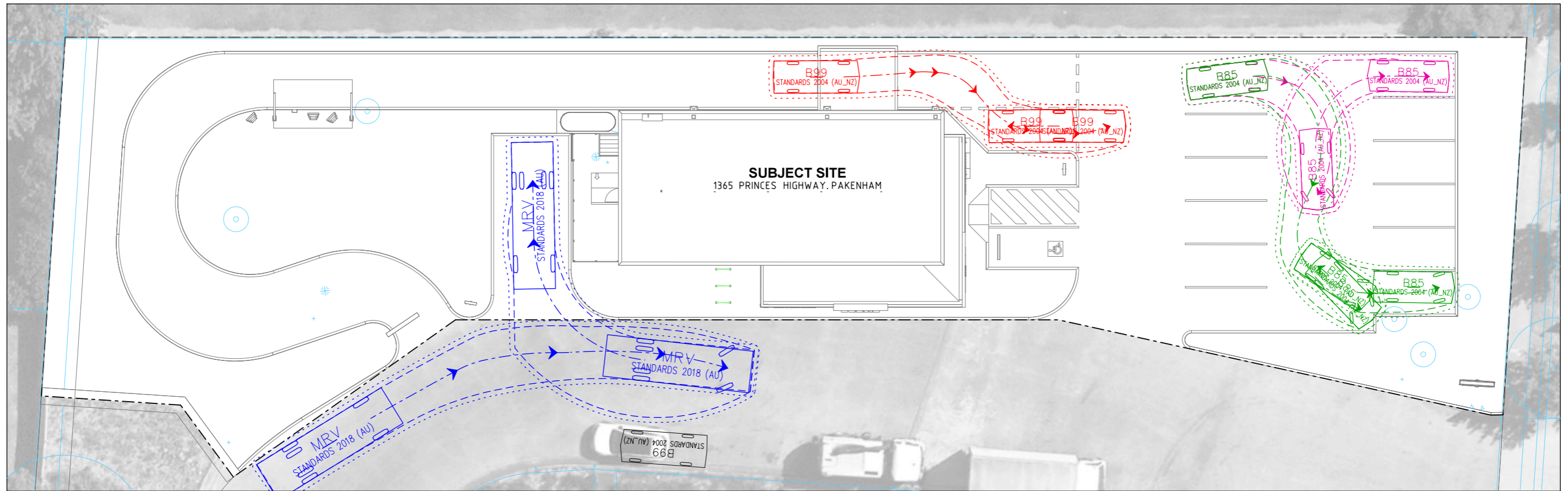
Date Plotted: 16-08-2023 8:59:30 AM

Copyright  
 This document may only be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted without the written authority of onemilegrid. Unauthorised use of this document in any form is prohibited.

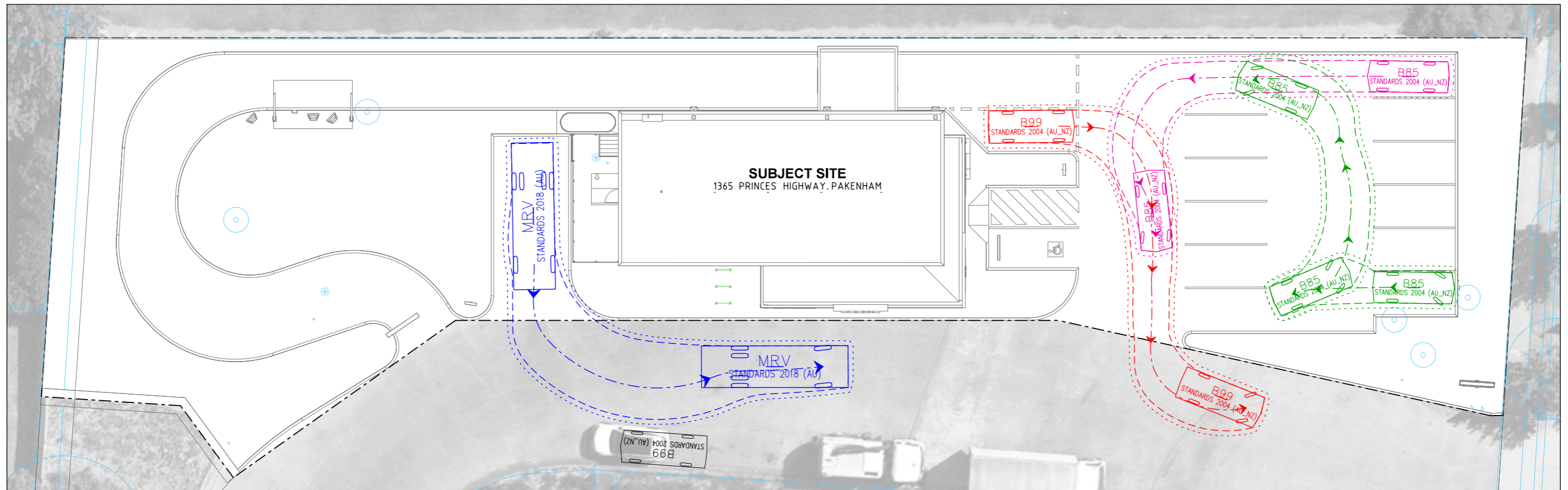
onemilegrid operates from Wurundjeri Woiwurrung Country of the Kulin nation. We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land. We pay our respects to leaders and Elders past, present and emerging for they hold the memories, the traditions, the culture, and the hopes of all Wurundjeri Peoples.

Aerial Photography  
 Aerial photography provided by Nearmap





**ENTRY MANOEUVRES**  
 - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ····· 300mm CLEARANCE ENVELOPE SHOWN DOTTED



**EXIT MANOEUVRES**  
 - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ····· 300mm CLEARANCE ENVELOPE SHOWN DOTTED

CAD File: \\auv\svr01\Company\Projects\2023\230283\Drawings\230283SPA101.dgn

Date Plotted: 16-08-2023 8:59:35 AM

B85		B99		MRV	
meters		meters		meters	
Width	: 1.87	Width	: 1.94	Width	: 2.50
Track	: 1.77	Track	: 1.84	Track	: 2.50
Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0
Steering Angle	: 34.1	Steering Angle	: 33.9	Steering Angle	: 34.0

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

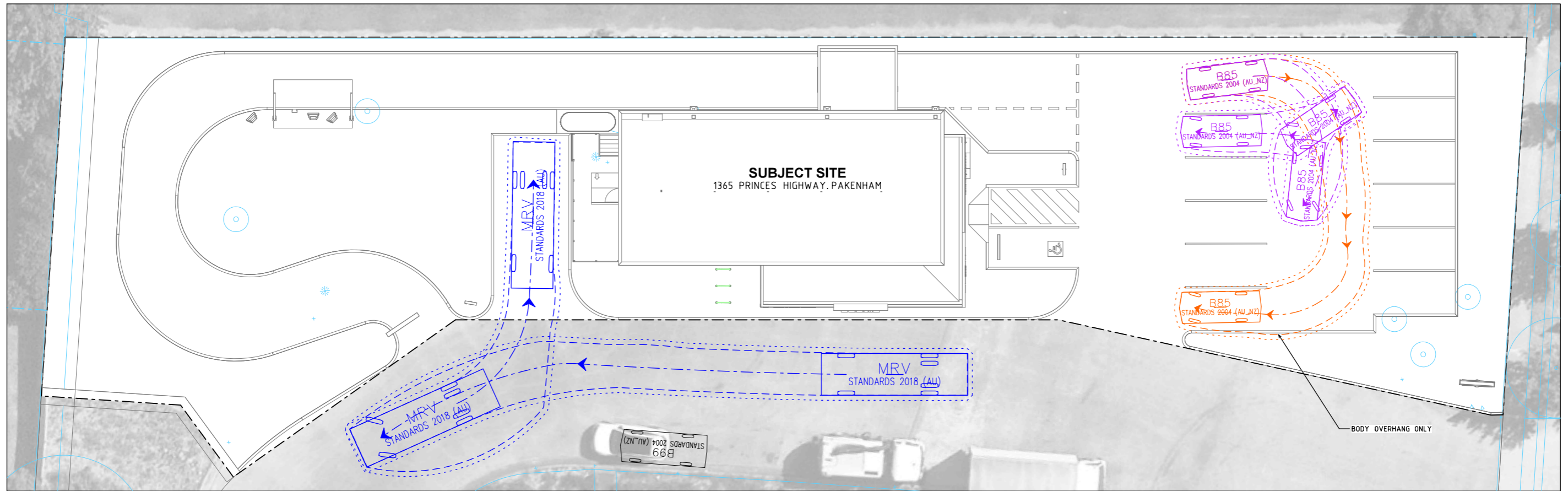
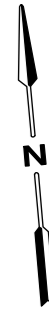
Wurundjeri Woiwurrung Country  
 56 Down Street, Collingwood, VIC 3066  
 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone: (03) 9939 8250

Scale: 1:250 @ A3

Drawing Title 1365 PRINCES HIGHWAY, PAKENHAM VEHICLE SITE ACCESS SWEEP PATH ANALYSIS		
Designed JPB	Approved VG	Melway Ref 317 K9
Project Number 230283	Drawing Number SPA100	Revision C

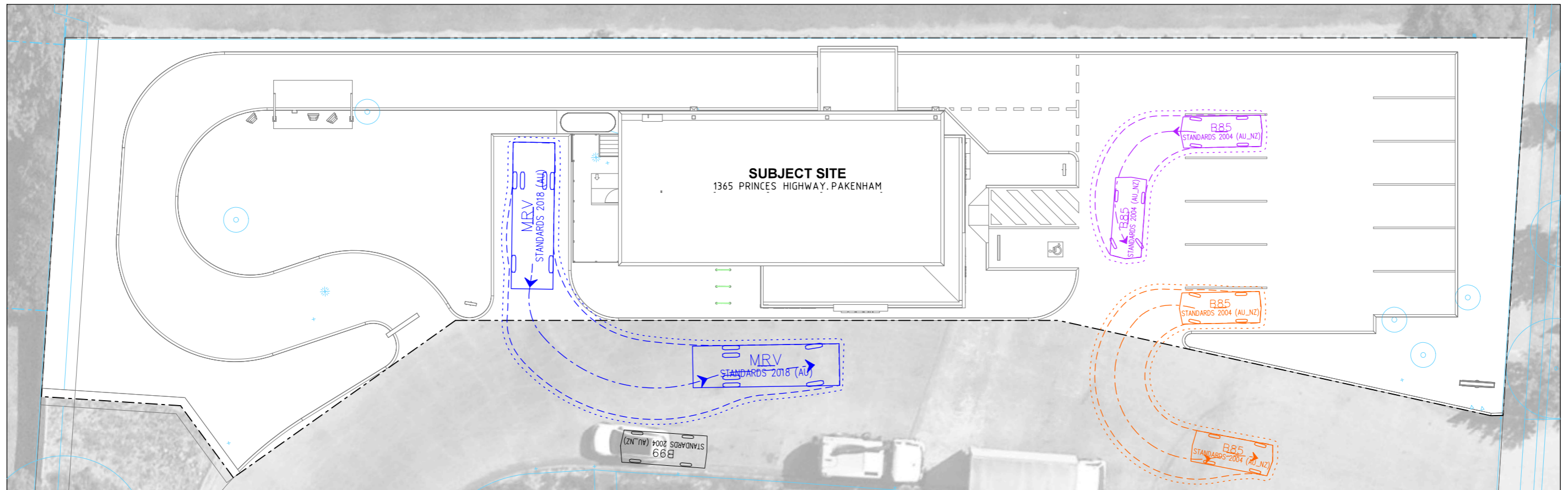
Copyright  
 This document may only be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted without the written authority of onemilegrid. Unauthorised use of this document in any form is prohibited.

onemilegrid operates from Wurundjeri Woiwurrung Country of the Kulin nation.  
 We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land.  
 We pay our respects to leaders and elders past, present and emerging for they hold the memories,  
 the traditions, the culture, and the hopes of all Wurundjeri Peoples.  
 Aerial Photography  
 Aerial photography provided by Nearmap



**ENTRY MANOEUVRES**

- - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED
- ..... 300mm CLEARANCE ENVELOPE SHOWN DOTTED



**EXIT MANOEUVRES**

- - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED
- ..... 300mm CLEARANCE ENVELOPE SHOWN DOTTED

CAD File: \\auv\svr01\Company\Projects\2023\230283\Drawings\230283SPA102.dgn

Date Plotted: 16-08-2023 8:59:39 AM

B85		B99		MRV	
meters		meters		meters	
Width	: 1.87	Width	: 1.94	Width	: 2.50
Track	: 1.77	Track	: 1.84	Track	: 2.50
Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0
Steering Angle	: 34.1	Steering Angle	: 33.9	Steering Angle	: 34.0

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Wurundjeri Woiwurrup Country  
56 Down Street, Collingwood, VIC 3066  
Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
Phone: (03) 9939 8250

Scale: 1:250 @ A3

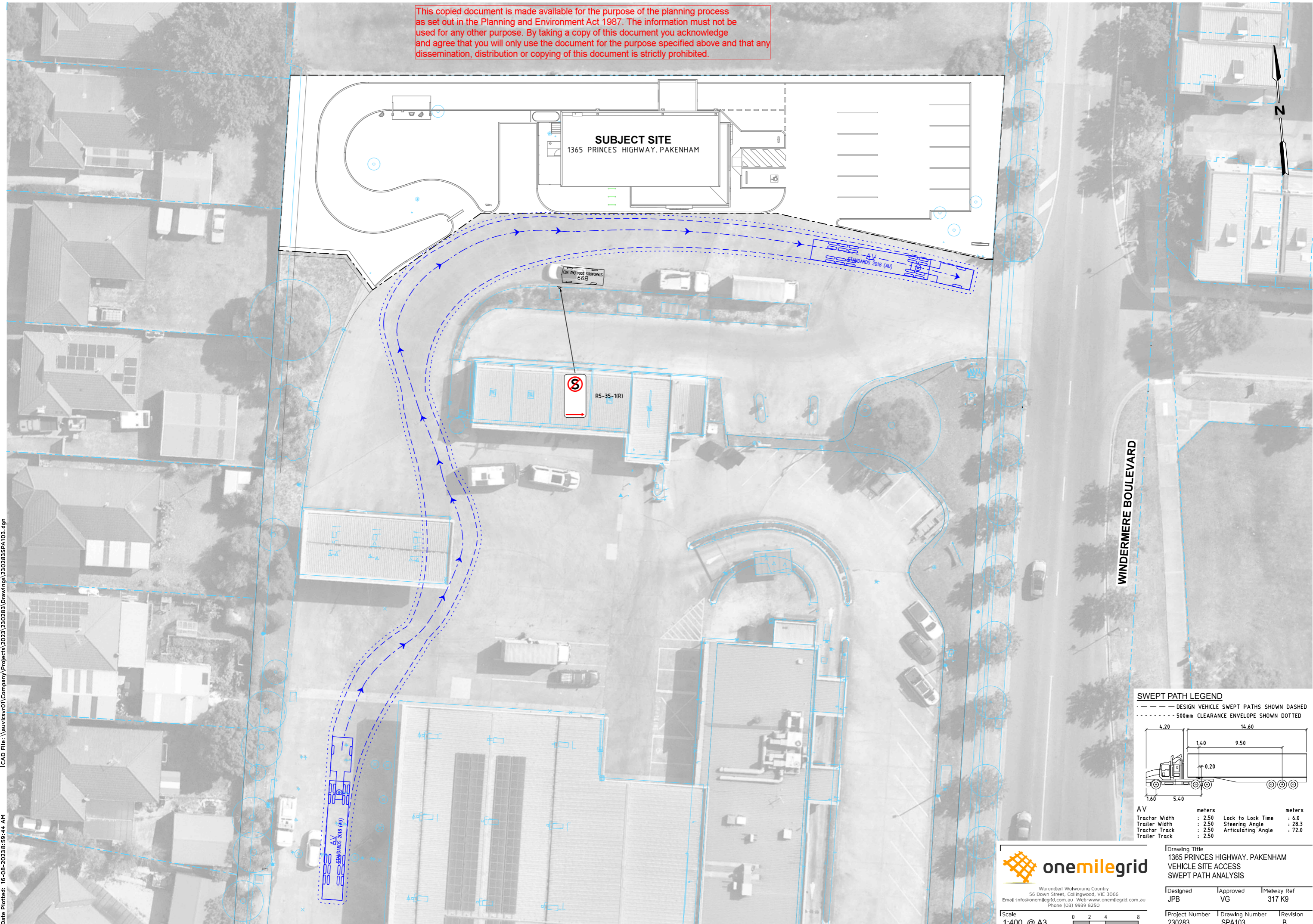
Drawing Title 1365 PRINCES HIGHWAY, PAKENHAM VEHICLE SITE ACCESS SWEEP PATH ANALYSIS		
Designed JPB	Approved VG	Melway Ref 317 K9
Project Number 230283	Drawing Number SPA100	Revision C

Copyright  
This document may only be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted without the written authority of onemilegrid. Unauthorised use of this document in any form is prohibited.

onemilegrid operates from Wurundjeri Woiwurrup Country of the Kulin nation.  
We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land.  
We pay our respects to leaders and elders past, present and emerging for they hold the memories,  
the traditions, the culture, and the hopes of all Wurundjeri Peoples.  
Aerial Photography  
Aerial photography provided by Nearmap



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



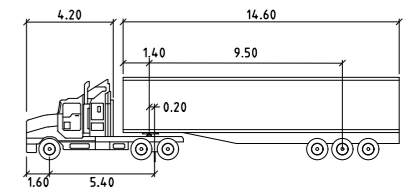
**SUBJECT SITE**  
1365 PRINCES HIGHWAY, PAKENHAM



R5-35-1(R)

WINDERMERE BOULEVARD

**SWEPT PATH LEGEND**  
 - - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ······ 500mm CLEARANCE ENVELOPE SHOWN DOTTED



AV	Tractor Width	Trailer Width	Tractor Track	Trailer Track	Lock to Lock Time	Steering Angle	Articulating Angle
	1.60	2.50	5.40	2.50	6.0	28.3	72.0



Wurundjeri Woiwurrung Country  
 56 Down Street, Collingwood, VIC 3066  
 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone (03) 9939 8250

Scale: 1:400 @ A3

Drawing Title  
 1365 PRINCES HIGHWAY, PAKENHAM  
 VEHICLE SITE ACCESS  
 SWEPT PATH ANALYSIS

Designed	Approved	Melway Ref
JPB	VG	317 K9
Project Number	Drawing Number	Revision
230283	SPA103	B

CAD File: \\auisvrv01\Company\Projects\2023\230283\Drawings\230283SPA103.dgn

Date Plotted: 16-08-2023 8:59:44 AM

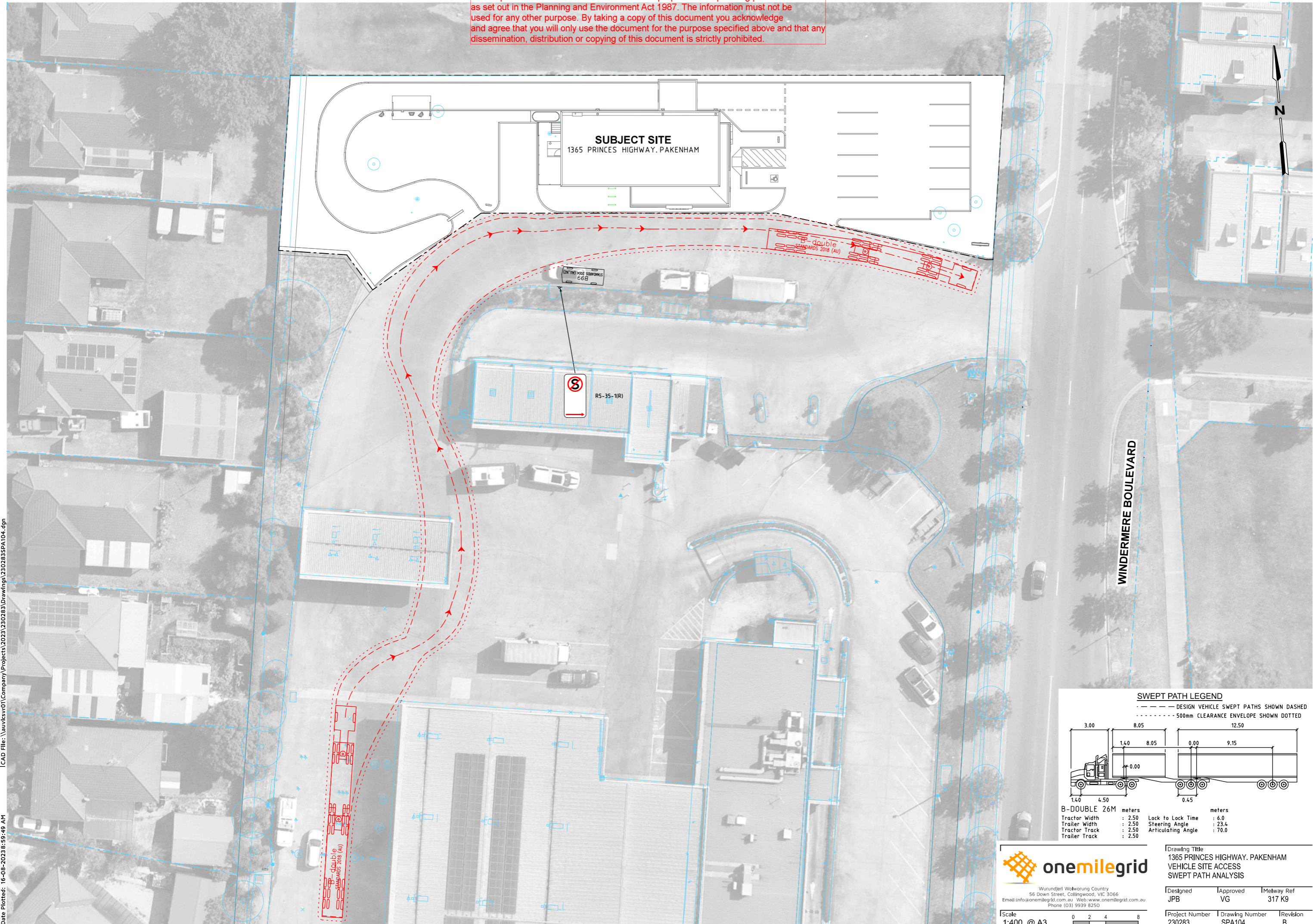
Copyright  
 This document may only be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted without the written authority of onemilegrid. Unauthorised use of this document in any form is prohibited.

onemilegrid operates from Wurundjeri Woiwurrung Country of the Kulin nation. We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land. We pay our respects to leaders and elders past, present and emerging for they hold the memories, the traditions, the culture, and the hopes of all Wurundjeri Peoples.

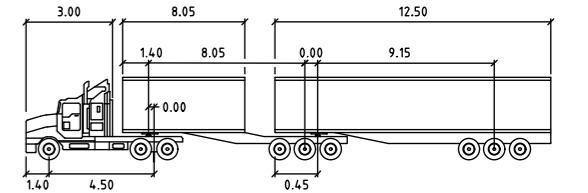
Aerial Photography  
 Aerial photography provided by Nearmap



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



**SWEPT PATH LEGEND**  
 - - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ······ 500mm CLEARANCE ENVELOPE SHOWN DOTTED



B-DOUBLE 26M meters		meters	
Tractor Width	: 2.50	Lock to Lock Time	: 6.0
Trailer Width	: 2.50	Steering Angle	: 23.4
Tractor Track	: 2.50	Articulating Angle	: 70.0
Trailer Track	: 2.50		



Wurundjeri Woiwurrung Country  
 56 Down Street, Collingwood, VIC 3066  
 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone (03) 9939 8250

Scale: 1:400 @ A3

Drawing Title  
 1365 PRINCES HIGHWAY, PAKENHAM  
 VEHICLE SITE ACCESS  
 SWEEP PATH ANALYSIS

Designed	Approved	Melway Ref
JPB	VG	317 K9
Project Number	Drawing Number	Revision
230283	SPA104	B

CAD File: \\auvictsvr01\Company\Projects\2023\230283\Drawings\230283SPA104.dgn

Date Plotted: 16-08-2023 8:59:49 AM

Copyright  
 This document may only be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted without the written authority of onemilegrid. Unauthorised use of this document in any form is prohibited.

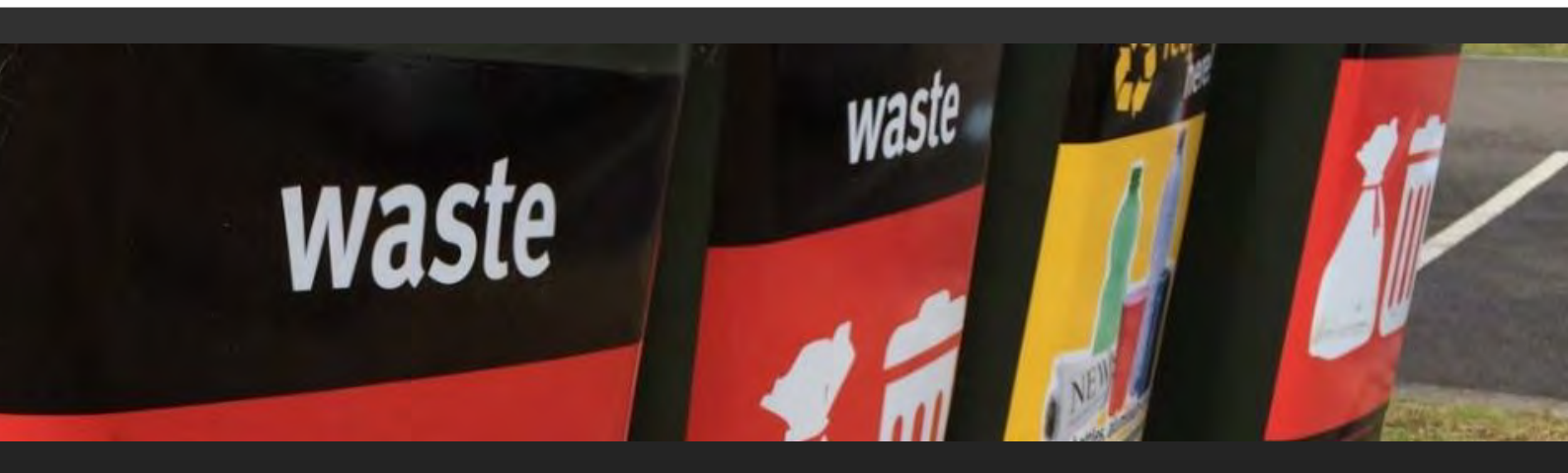
onemilegrid operates from Wurundjeri Woiwurrung Country of the Kulin nation. We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land. We pay our respects to leaders and elders past, present and emerging for they hold the memories, the traditions, the culture, and the hopes of all Wurundjeri Peoples.

Aerial Photography  
 Aerial photography provided by Nearmap



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

# 1365 Princes Highway, Pakenham Waste Management Plan



230283WMP001B-F

13 November 2023



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

onemilegrid

ABN: 79 168 115 679

(03) 9939 8250  
Wurundjeri Woieworong Country  
56 Down Street  
COLLINGWOOD, VIC 3066  
[www.onemilegrid.com.au](http://www.onemilegrid.com.au)

## DOCUMENT INFORMATION

Prepared for	Pentaco		
File Name	230283WMP001B-F	Report Date	13 November 2023
Prepared by	MG	Reviewed by	VPG

onemilegrid operates from Wurundjeri Woieworong Country of the Kulin nation. We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land. We pay our respects to leaders and Elders past, present and emerging for they hold the memories, the traditions, the culture, and the hopes of all Wurundjeri Peoples.

© One Mile Grid Pty Ltd. This document has been prepared by onemilegrid for the client as per the terms of engagement. It may not be modified or altered, copied, reproduced, sold or transferred in whole or in part in any format to any person other than by agreement. onemilegrid does not assume responsibility or liability to any third party arising out of misuse of this document.

## CONTENTS

1	INTRODUCTION.....	5
2	EXISTING SITE CONDITIONS.....	5
3	DEVELOPMENT PROPOSAL.....	6
3.1	General.....	6
3.2	Waste Management.....	6
4	WASTE GENERATION.....	8
4.1	Sustainability Victoria Recommended Rates.....	8
4.2	Expected Waste Generation.....	8
4.2.1	Garbage and Recycling.....	8
4.2.2	Green Waste.....	8
4.2.3	Hard Waste.....	8
4.2.4	Electronic Waste (E-Waste).....	9
4.2.5	Grease Trap.....	9
5	BIN REQUIREMENTS.....	10
5.1	Bin Provision.....	10
5.2	Bin Storage.....	10
5.3	Bin Collection.....	11
5.4	Bin Cleaning.....	11
6	WASTE MANAGEMENT.....	12
6.1	Best Practice Waste Management.....	12
6.2	Food Tenancy Waste Minimisation.....	13
6.3	Bin Usage.....	13
6.4	Common Property Litter and Waste Removal.....	13
6.5	Signage.....	13
6.6	Noise Control.....	14
6.7	Food Standards Code.....	14
6.8	Staff Information.....	15
7	OCCUPATIONAL HEALTH & SAFETY RESPONSIBILITIES.....	15
8	CONTACT INFORMATION.....	16
8.1	Council.....	16
8.2	Contractors.....	16
8.3	Equipment.....	17
8.4	Others.....	17

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## TABLES

Table 1	Sustainability Victoria Recommended Rates – Commercial .....	8
Table 2	Expected Waste Generation .....	8
Table 3	Bin Provision .....	10
Table 4	Bin Specifications .....	10

## FIGURES

Figure 1	Site Location .....	5
Figure 2	Bin Storage Area and Collection Details .....	7
Figure 3	Bin Storage Room Layout .....	11
Figure 4	Resource Flows in a Circular Economy .....	12
Figure 5	Example Waste Signage .....	14

## APPENDICES

### APPENDIX A SWEPT PATH DIAGRAM

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# 1 INTRODUCTION

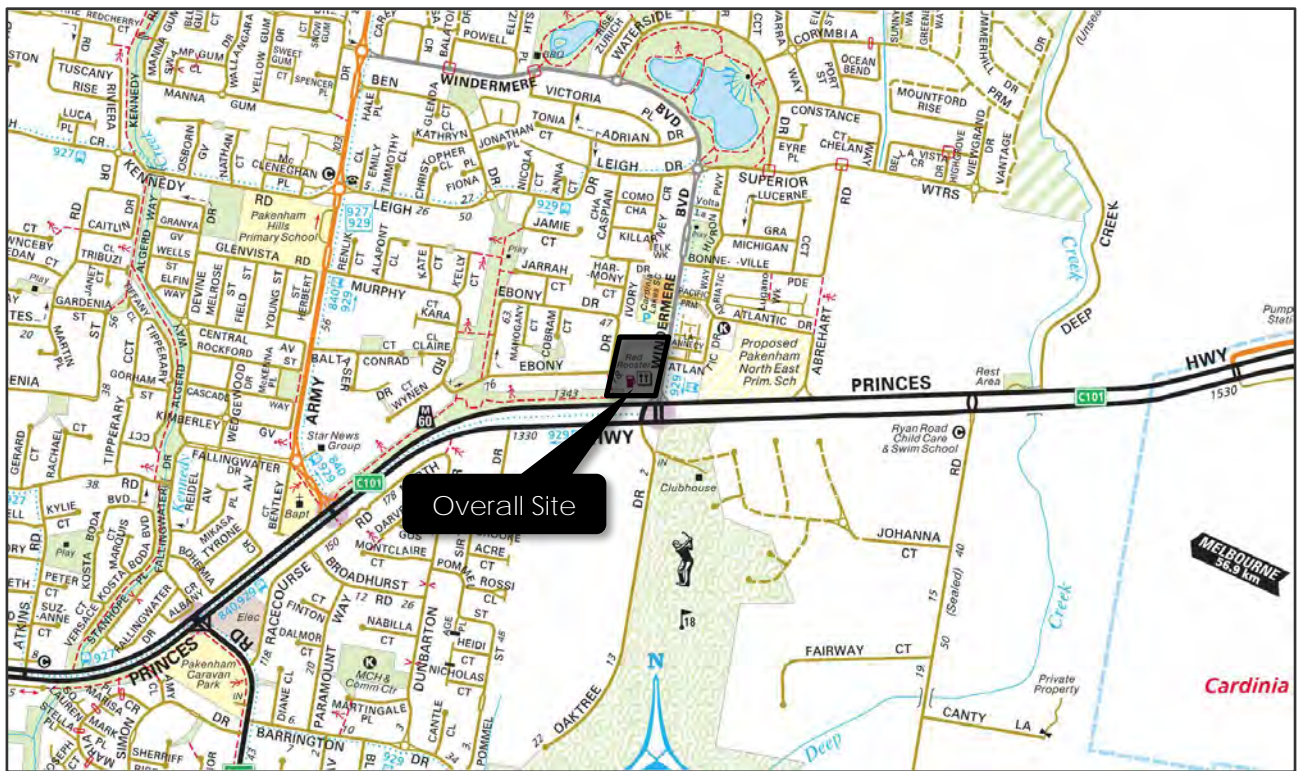
onemilegrid has been requested by Pentaco to prepare a Waste Management Plan for the proposed convenience restaurant at 1365 Princes Highway, Pakenham.

The preparation of this management plan has been undertaken with due consideration of the Sustainability Victoria Better Practice Guide for Waste Management and Recycling in Multi-unit Developments and relevant Council documentation.

# 2 EXISTING SITE CONDITIONS

The [overall site](#) is addressed as 1365 Princes Highway, Pakenham and is located on the north western corner of the Princes Highway and Windermere Boulevard intersection, as shown in Figure 1.

Figure 1 Site Location



Copyright Melway Publishing

The overall site is generally rectangular in shape and has road frontages to Princes Highway and Windermere Boulevard for approximately 90 m and 110 m respectively. The overall site is currently occupied by various commercial tenancies including a service station (including truck refuelling), car wash and a convenience restaurant. The site is operating under an existing Planning Permit T970274B.

A number of vehicle access points are provided to the site, with a separate entry-only and exit-only vehicle crossovers provided via Princes Highway whilst a two-way access point is provided via Windermere Boulevard.

The application area deals with the northern portion of the site.

## 3 DEVELOPMENT PROPOSAL

---

### 3.1 General

It is proposed to develop the northern portion of the overall site for a convenience restaurant (approximately 182 m<sup>2</sup>, 58 m<sup>2</sup> available to the public), operating as an Oporto restaurant with 42 seats and a single drive-through lane, accommodating up to 12 waiting vehicles.

Access to the site will be provided from the common hardstand area via the overall site, with access to the drive-through lane to the west and access to the car park to the west.

A total of 12 car spaces (inclusive of one accessible space), plus an additional one waiting bay at the end of the drive-through, are proposed within an at-grade car park to the east of the building.

A loading area is proposed adjacent the building and drive-through.

### 3.2 Waste Management

It is proposed to utilise a private contractor to manage the collection and disposal of all waste streams associated with the proposed development.

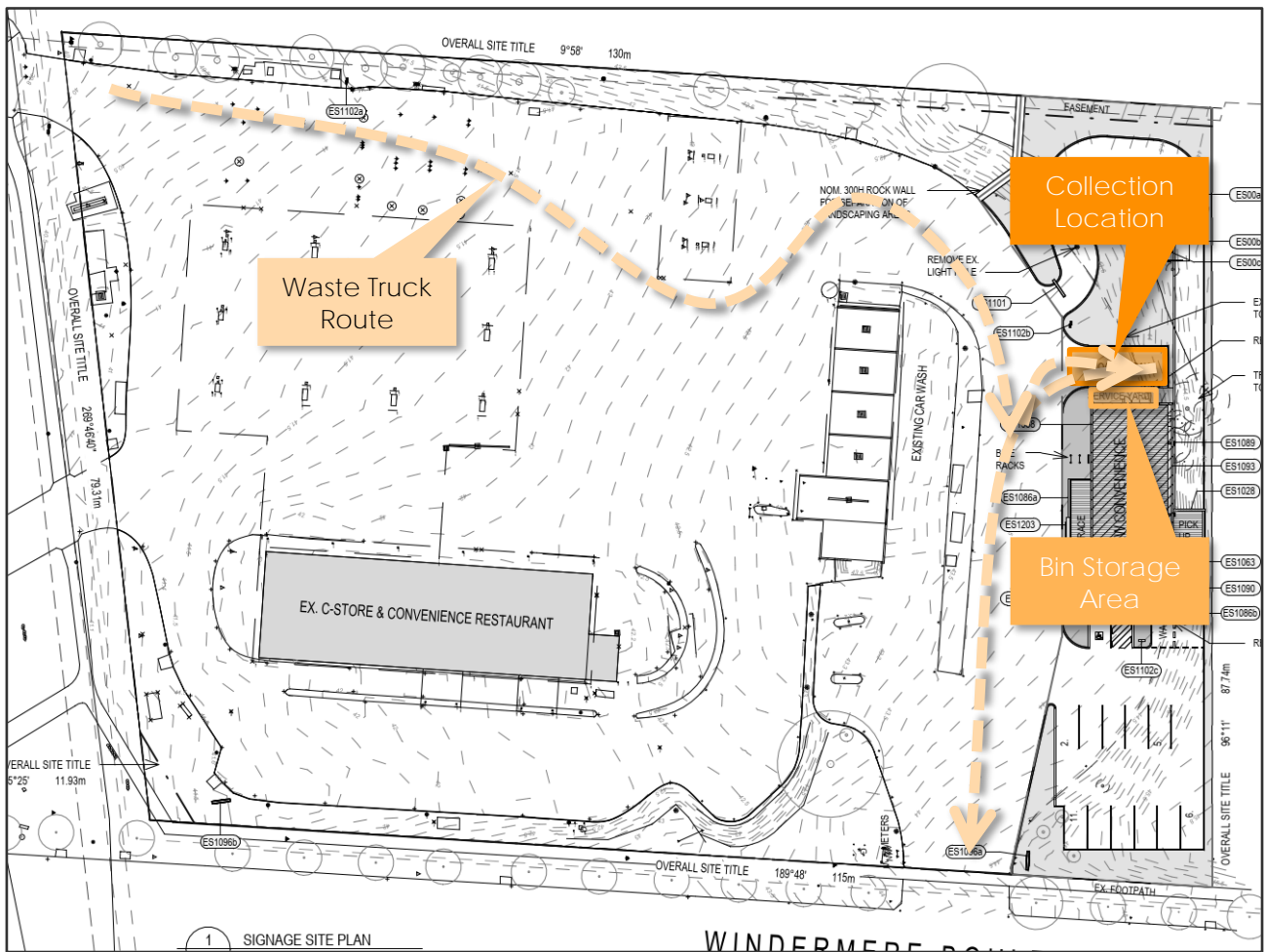
Bins will be stored within a dedicated bin storage room adjacent the loading bay on the western side of the convenience restaurant. The waste collection vehicle will enter the loading bay, from where the bins will be transferred directly to the waste vehicle for emptying. The bins will be returned to the bin storage room immediately following collection.

Swept path diagrams showing the movements of the waste collection vehicle are attached in Appendix A.

The collection location and expected transfer route is shown in Figure 2.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Figure 2 Bin Storage Area and Collection Details



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## 4 WASTE GENERATION

### 4.1 Sustainability Victoria Recommended Rates

Waste generation rates published within Sustainability Victoria's "Better Practice Guide for Waste Management and Recycling in Multi-unit Developments" suggest the following rates for commercial uses, based on the rates published by the City of Melbourne.

Table 1 Sustainability Victoria Recommended Rates – Commercial

Use	Garbage Rate	Recycling Rate
Takeaway/Café (pre-packaged food only)	150 L per 100 m <sup>2</sup> per day	150 L per 100 m <sup>2</sup> per day

It is noted that waste generation for shops is highly dependent on the specific tenant and use for both garbage and recycling generation. The above rates are considered to be an upper limit rate which would accommodate the vast majority of retail uses.

### 4.2 Expected Waste Generation

#### 4.2.1 Garbage and Recycling

Based on the rates identified by Sustainability Victoria, the following weekly waste generation is expected for the convenience restaurant, with an allowance has conservatively been made for 7 day per week operation.

Table 2 Expected Waste Generation

Use	Floor Area	Total Garbage/Week	Total Recycling/Week
Convenience Restaurant	182 m <sup>2</sup>	1,911 L	1,911 L

#### 4.2.2 Green Waste

Given the nature of the proposed development, it is expected that green waste generation will be minimal or negligible, and therefore a green waste collection service is not expected to be required.

It is expected that any maintenance and gardening undertaken on common property will be managed by a contractor appointed by the Owner's Corporation. The appointed contractor will be responsible for the disposal of any green waste accumulated during the course of their duties.

#### 4.2.3 Hard Waste

It is anticipated that hard waste generation will be minimal considering the proposed convenience restaurant. Regardless, hard waste services will be provided by the private contractor on an as-needs basis.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

#### 4.2.4 Electronic Waste (E-Waste)

E-waste includes all manner of electronic waste, such as televisions, computers, cameras, phones, household electronic equipment, batteries and light bulbs. E-waste contains valuable materials that can be recovered and reused such as tin, nickel, zinc, aluminium, copper, silver and gold.

On 1<sup>st</sup> July 2019, the disposal of E-waste to landfill was banned by the Victorian Government.

A large number of e-waste collection points are available in Victoria and private contractors are equipped with the resources to undertake E-waste collections.

E-waste must be taken by staff to the appropriate collection centre, as described below:

- Planet Ark operate a number of e-waste recycling drop-off locations throughout Victoria (<https://recyclingnearyou.com.au/electrical>);
- Officeworks stores accept small amounts of personal E-waste;
- Aldi stores accept batteries; and
- Some Bunnings stores accept batteries.

Additional recycling locations are provided at <https://recyclingnearyou.com.au/>

#### 4.2.5 Grease Trap

Any grease traps associated with the convenience restaurant should be provided with regular maintenance, emptying and cleaning to prevent blockages and keep the system running efficiently.

The frequency of collection is highly dependent on the specific operation of the food and drink premises as well as the size and type of the grease trap provided. Typically, grease traps are emptied between two to six times per year, however it is recommended that an inspection and assessment be undertaken by a grease trap collection service upon construction of the food and drink premises, to determine the recommended frequency of cleaning and collection for the proposed food and drink premises.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 5 BIN REQUIREMENTS

### 5.1 Bin Provision

It is proposed to utilise a private waste contractor for all waste services associated with the proposed development.

Consequently, the following bins will be required for the proposed development.

Table 3 Bin Provision

Stream	Total Waste/Week	Bin Size	Collection Frequency	Bins Required
Garbage	1,911 L	1,100 L	Weekly	2 bins
Recycling	19112 L	1,100 L	Weekly	2 bins
Total				4 bins

Table 4 Bin Specifications

Capacity	Width	Depth	Height	Area
1,100 L	1.25 m	1.10 m	1.35 m	1.38 m <sup>2</sup>

Bin lids will be colour coded to the Australian Standard (AS4123) or to the standard colour specifications of the private contractor.

### 5.2 Bin Storage

As indicated in Figure 2, it is proposed to provide a bin storage area to the west of the building. The layout of the bin storage area is shown in Figure 3, which demonstrates that the area is capable of accommodating the required bins, as calculated in Table 3.

Some additional area is also provided within the bin storage room to allow for the temporary storage of bulk items and packaging, under the control of the operator.

Furthermore, the bin storage room is located appropriately for access by staff, and is secured from the common areas.

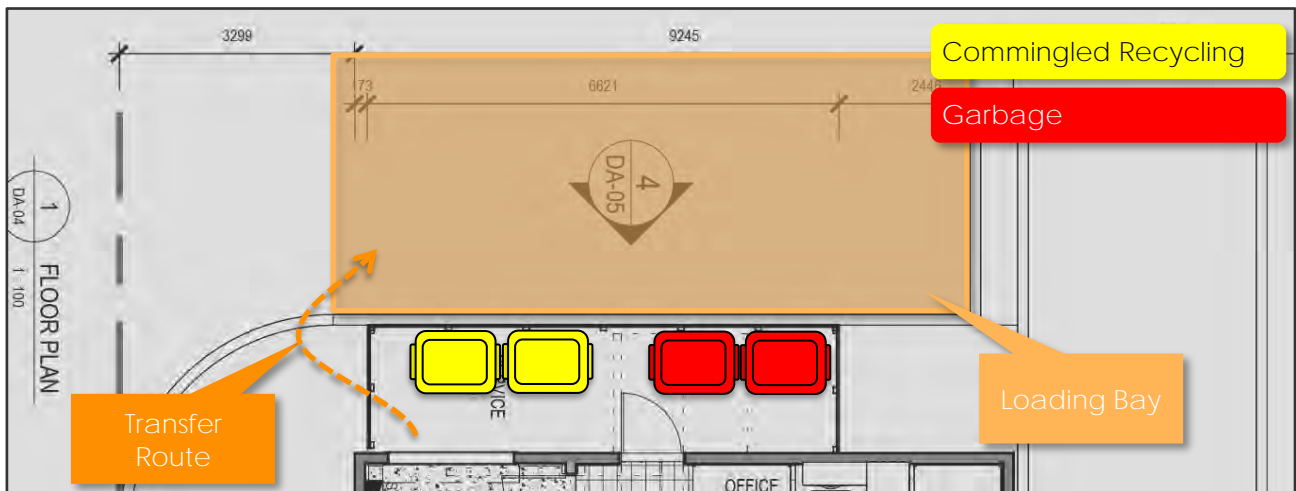
The bin storage room should be vermin proof, and have appropriate ventilation, lighting and drainage.

The bin storage room shall be ventilated, and shall be cleaned regularly by the operator or waste collection contractor, to minimise odour.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



Figure 3 Bin Storage Room Layout



### 5.3 Bin Collection

Bins will be stored within a dedicated bin storage room adjacent the loading bay on the western side of the convenience restaurant. The waste collection vehicle will enter the loading bay, from where the bins will be transferred directly to the waste vehicle for emptying. The bins will be returned to the bin storage room immediately following collection.

Swept path diagrams showing the movements of the waste collection vehicle are attached in Appendix A.

### 5.4 Bin Cleaning

The operator shall ensure that the bins are kept in a clean state, to minimise odours and to discourage vermin. This may include regular cleaning by a third party, cleaning by the waste contractor, bin swapping by the waste contractor, or maintenance by staff.

A bin cleaning area should be provided within the bin storage area, with a drain connected to sewer.

Where cleaning is to be undertaken on-site, it should only occur in a designated bin cleaning area, provided with a drain connected to sewer.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 6 WASTE MANAGEMENT

### 6.1 Best Practice Waste Management

Best Practice Waste Management is an initiative designed to reduce the amount of waste generated through encouraging a change of behaviour and action on waste management and moreover recycling.

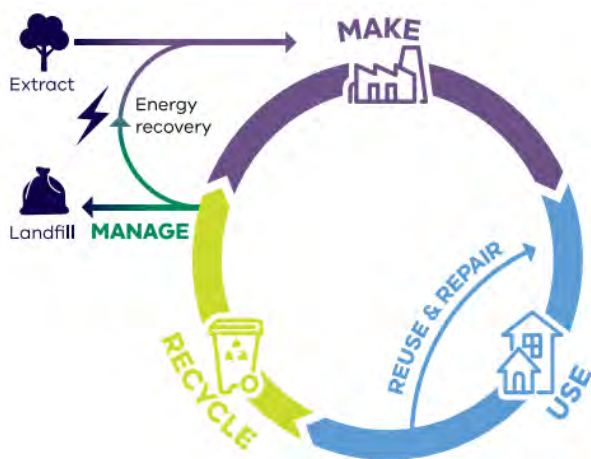
The benefits of reducing waste generation are far reaching and have been identified as significantly important by Council and the Victorian Government.

Recycling Victoria: A New Economy is a policy and 10-year action plan, prepared by the Victoria Government, to “deliver a cleaner, greener Victoria, with less waste and pollution, better recycling, more jobs and a stronger economy”.

Four overarching goals have been identified in order to achieve a circular economy in relation to waste, as below:

1. MAKE – Design to last, repair and recycle;
2. USE – Use products to create more value;
3. RECYCLE – Recycle more resources;
4. MANAGE – Reduce harm from waste and pollution.

Figure 4 Resource Flows in a Circular Economy



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

In relation to the proposed development, recycling is of key importance, and in this regard, the operator shall encourage staff to participate in minimising and reducing solid waste production by:

- Promoting the waste hierarchy, which in order of preference seeks to:
  - ✦ Avoid waste generation in the first place;
  - ✦ Increase the reuse and recycling of waste when it is generated; and
  - ✦ Recover, treat or contain waste preferentially to;
  - ✦ Its disposal in Land Fill (which is least desirable).
- Providing information detailing recyclable materials to ensure that non-recyclable materials do not contaminate recycling collections;
- Providing information regarding safe chemical waste disposal methods and solutions, including correct battery and electronics disposal methods;
- Encouraging composting for staff; and
- Providing tips for recycling and reusing waste, including encouraging the disposal of reusable items in good condition via donations to Opportunity Shops and Charities.

## 6.2 Food Tenancy Waste Minimisation

Restaurants can do a lot to minimize or reduce waste, by incorporating simple recycling and waste reduction programs and procedures that will eliminate much of the waste otherwise disposed of. These can include the following:

- Avoid over-purchasing. Over-purchasing causes spoilage and waste. Take inventory frequently and adjust orders where necessary;
- Store items in the order you purchase them. Use older items first. Place newly purchased items at the back of the shelves and train employees on the order of use;
- Inspect deliveries. Many deliveries include unusable meats and perishable items which may have opened or spilled during shipment;
- To avoid spoilage, store food tightly and appropriately, eliminating air in containers;
- Use storage containers that can be reused and request that food be delivered in reusable and recyclable containers;
- Use up all of a food product by reviewing your menu; and
- Consider the use of composting for all perishable items instead of discarding them as waste.

## 6.3 Bin Usage

Staff will bag and dispose of garbage in the provided bins, located in the bin storage room.

Staff will dispose of recyclables and bagged garbage and in their individual bins, stored within the tenancy. Cardboard boxes should be flattened, and containers rinsed and cleaned prior to disposal in the provided bins.

## 6.4 Common Property Litter and Waste Removal

The proposed development includes a number of common property areas, including foyers, hallways, parking areas and the bin storage area.

The operator shall ensure that all common areas are kept clear of litter, and that all waste is removed from common areas on a regular basis. This includes the bin storage area in particular, to discourage vermin.

## 6.5 Signage

To avoid contamination between garbage streams, bin lids will be colour coded generally in accordance with contractor standards, to ensure the bin type is easily distinguishable. Furthermore, bins should include typical signage (preferably on the bin lid) to reinforce the appropriate materials to be deposited in each bin. Example signage is shown below.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



Figure 5 Example Waste Signage



## 6.6 Noise Control

To minimise the disturbance to the surrounding residential areas during waste collection, the collection should follow the criteria specified by the EPA, as below:

- Collections occurring once a week should be restricted to the hours:
  - ✦ 6:30am to 8:00pm, Monday to Saturday;
  - ✦ 9:00am to 8:00pm, Sunday and Public Holidays;
- Collections occurring more than once a week should be restricted to the hours:
  - ✦ 7:00am to 8:00pm, Monday to Saturday;
  - ✦ 9:00am to 8:00pm, Sunday and Public Holidays;
- Refuse bins should be located at sites that provide minimal annoyance to residential premises;
- Compaction should be carried out while the vehicle is moving;
- Bottles should not be broken up at the collection site;
- Routes which service predominantly residential areas should be altered regularly to reduce early morning disturbances; and
- Noisy verbal communication between operators should be avoided where possible.

## 6.7 Food Standards Code

Division 2 of the Food Standard Code details requirements for the design and construction of food premises. With regard to garbage and recycling, Section 6 of Division 2 details 3 requirements for the storage of garbage and recyclable matter. A review of these requirements with respect to the proposed café and restaurant waste storage area follows:

*(a) adequately contain the volume and type of garbage and recyclable matter on the food premises;*

The proposed bin storage room has been designed to accommodate the required number of bins for the volume of garbage and recycling generated by the restaurant uses.

*(b) enclose the garbage or recyclable matter, if this is necessary to keep pests and animals away from it; and*

The proposed bin storage room is enclosed, secured and will be vermin proof.

*(c) are designed and constructed so that they may be easily and effectively cleaned.*

The proposed bin storage room will be constructed to ensure effective cleaning.

## 6.8 Staff Information

To ensure all staff are aware of their responsibilities with regard to waste and bin management, an information package will be provided by the operator to all staff, including the following information:

- A copy of this Waste Management Plan;
- Methods and techniques for waste reduction and minimisation;
- Information regarding bin collection days and requirements;
- Staff responsibilities with regard to bin usage, storage, and collection; and
- Staff responsibilities with regard to litter and waste removal from the common property.

## 7 OCCUPATIONAL HEALTH & SAFETY RESPONSIBILITIES

---

The Owners Corporation/site operator shall ensure compliance to all relevant OH&S regulations and legislation, including the following:

- Worksafe Victoria Guidelines for Non-Hazardous Waste and Recyclable Materials

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## 8 CONTACT INFORMATION

---

### 8.1 Council

Cardinia Shire Council

Phone: 1300 787 624 (Customer Service)

Web: [www.cardinia.vic.gov.au](http://www.cardinia.vic.gov.au)

Email: [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

### 8.2 Contractors

ASI JD MacDonald

Services: Waste collection and management equipment

Phone: 1800 023 441

Web: [www.jdmacdonald.com.au](http://www.jdmacdonald.com.au)

Email: [enquiry@asjdmacdonald.com.au](mailto:enquiry@asjdmacdonald.com.au)

CSC Waste & recycling

Services: Private contractor

Phone: 1300 499 927

Web: [www.cscwaste.com.au](http://www.cscwaste.com.au)

Email: [info@cscwaste.com.au](mailto:info@cscwaste.com.au)

Urban Waste

Services: Private contractor

Phone: 0429 309 269

Web: [www.urbanwaste.com.au](http://www.urbanwaste.com.au)

Email: [info@urbanwaste.com.au](mailto:info@urbanwaste.com.au)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Cleanaway

Services: Private contractor

Phone: 131 339

Web: [www.cleanaway.com.au/](http://www.cleanaway.com.au/)

JJ Richards & Sons

Services: Private contractor including bin tugs

Phone: (03) 9703 5222

Web: [www.jjrichards.com.au](http://www.jjrichards.com.au)

Email: [operations.melbourne@jjrichards.com.au](mailto:operations.melbourne@jjrichards.com.au)



## WasteWise

Services: Private contractor  
Phone: 1300 550 408  
Web: [www.wastewise.com.au](http://www.wastewise.com.au)

## 8.3 Equipment

### Eco-Safe Technologies (odour control equipment)

Phone: 0411 335 753  
Web: <https://eco-safe.com.au/>  
Email: [info@eco-safe.com.au](mailto:info@eco-safe.com.au)

### Electrodrive (bin tug systems)

Phone: 1800 333 002  
Web: [www.electrodrive.com.au](http://www.electrodrive.com.au)  
Email: [vic@electrodrive.com.au](mailto:vic@electrodrive.com.au)

### Movexx (bin tug systems)

Phone: 1300 188 098  
Web: [www.movexx.com.au](http://www.movexx.com.au)  
Email: [vic@electrodrive.com.au](mailto:vic@electrodrive.com.au)

## 8.4 Others

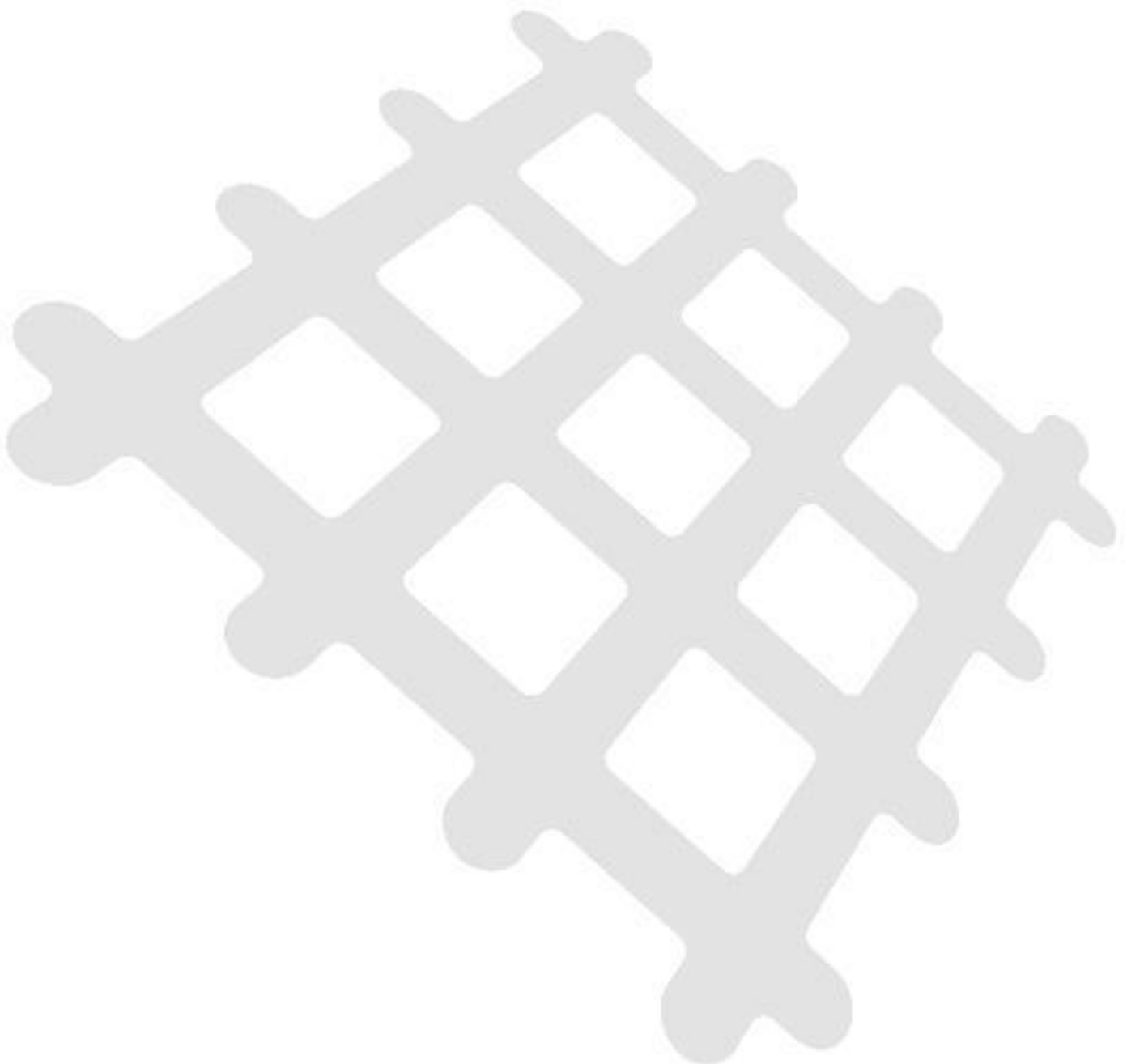
### Sustainability Victoria

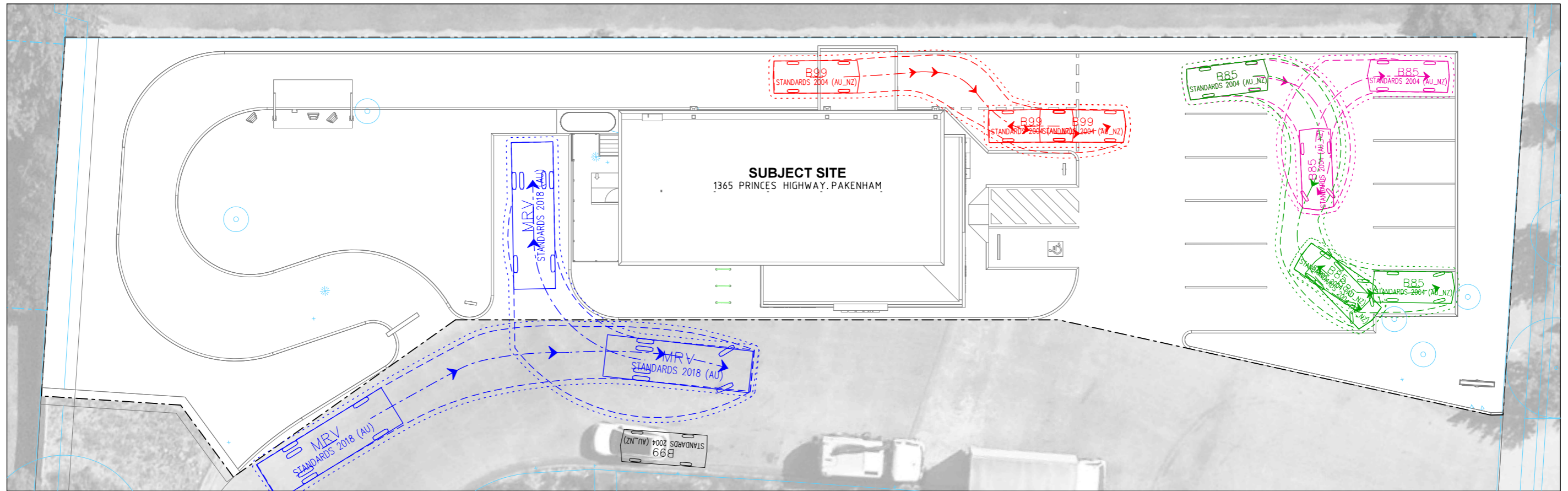
Services: Sustainable Waste Management initiatives and information  
Phone: 1300 363 744 (Energy, Waste and Recycling)  
Web: [www.sustainability.vic.gov.au](http://www.sustainability.vic.gov.au)  
Email: [info@sustainability.vic.gov.au](mailto:info@sustainability.vic.gov.au)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

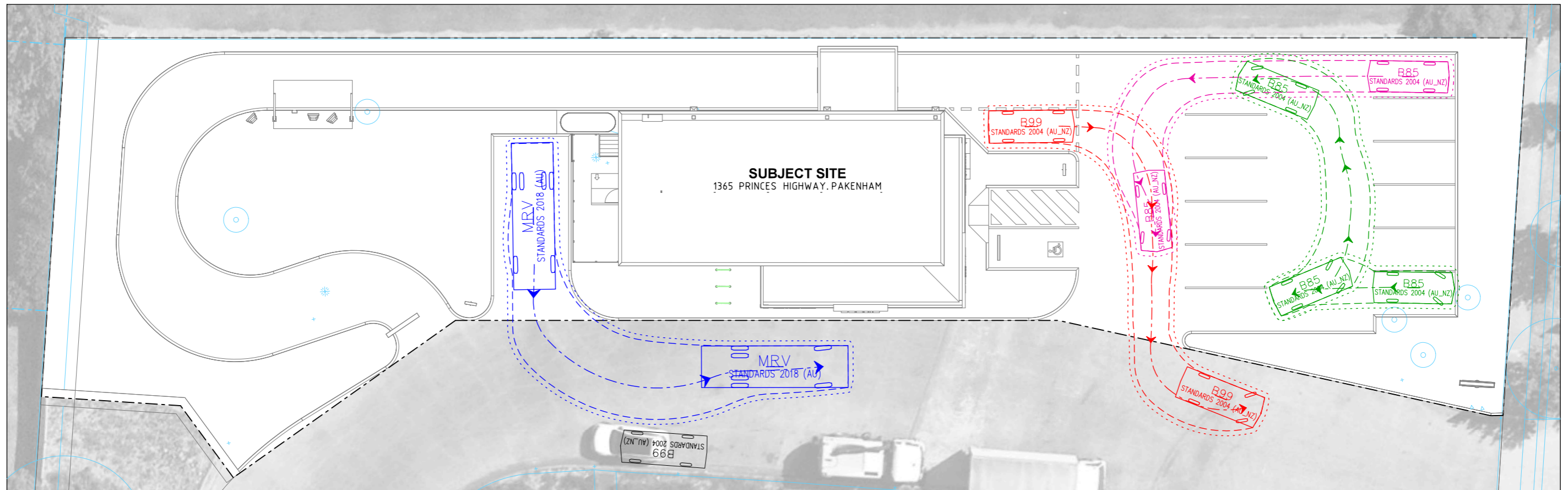
# Appendix A Swept Path Diagram

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.





**ENTRY MANOEUVRES**  
 - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ····· 300mm CLEARANCE ENVELOPE SHOWN DOTTED



**EXIT MANOEUVRES**  
 - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ····· 300mm CLEARANCE ENVELOPE SHOWN DOTTED

CAD File: \\auv\svr01\Company\Projects\2023\230283\Drawings\230283SPA101.dgn

Date Plotted: 16-08-2023 8:59:35 AM

B85		B99		MRV	
meters		meters		meters	
Width	: 1.87	Width	: 1.94	Width	: 2.50
Track	: 1.77	Track	: 1.84	Track	: 2.50
Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0
Steering Angle	: 34.1	Steering Angle	: 33.9	Steering Angle	: 34.0

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Wurundjeri Woiworing Country  
 56 Down Street, Collingwood, VIC 3066  
 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone: (03) 9939 8250

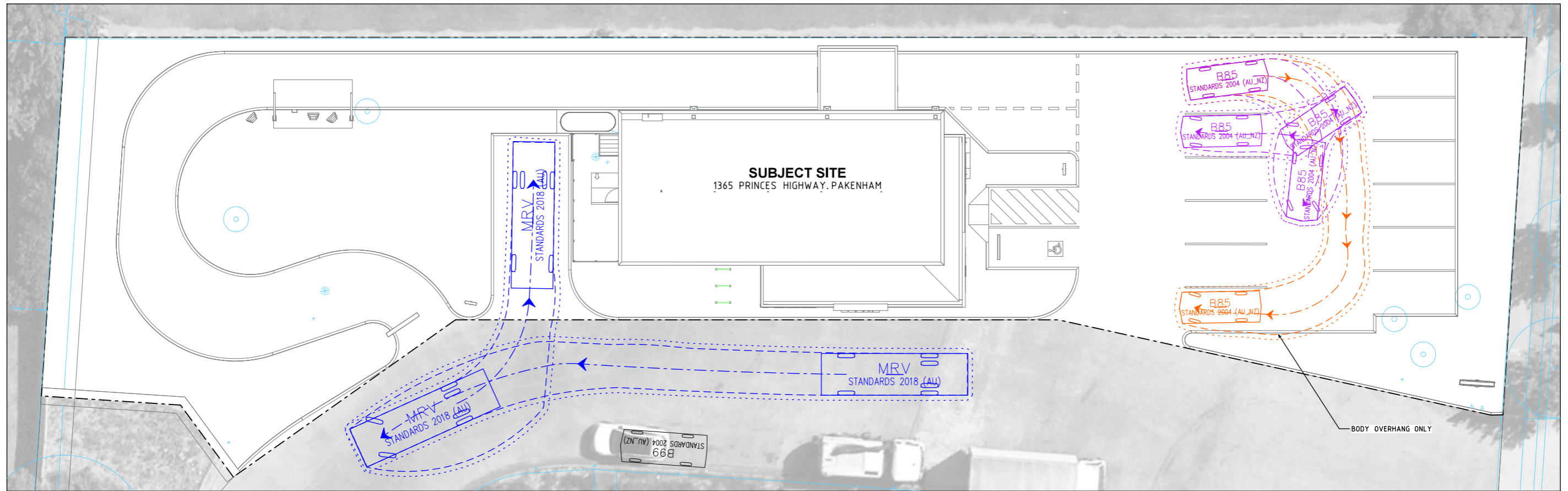
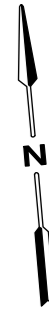
Scale: 1:250 @ A3

Drawing Title 1365 PRINCES HIGHWAY, PAKENHAM VEHICLE SITE ACCESS SWEEP PATH ANALYSIS		
Designed JPB	Approved VG	Melway Ref 317 K9
Project Number 230283	Drawing Number SPA100	Revision C

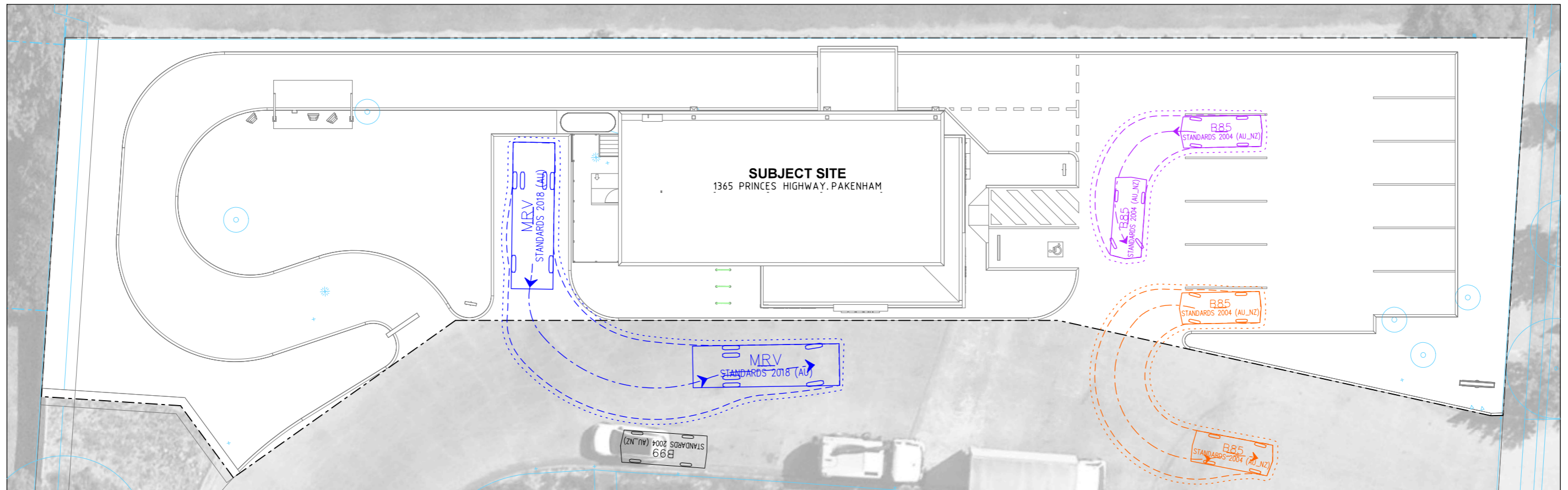
Copyright  
 This document may only be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted without the written authority of onemilegrid. Unauthorised use of this document in any form is prohibited.

onemilegrid operates from Wurundjeri Woiworing Country of the Kulin nation.  
 We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land.  
 We pay our respects to leaders and elders past, present and emerging for they hold the memories,  
 the traditions, the culture, and the hopes of all Wurundjeri Peoples.  
 Aerial Photography  
 Aerial photography provided by Nearmap





**ENTRY MANOEUVRES**  
 - - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ······ 300mm CLEARANCE ENVELOPE SHOWN DOTTED



**EXIT MANOEUVRES**  
 - - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ······ 300mm CLEARANCE ENVELOPE SHOWN DOTTED

CAD File: \\auv\svr01\Company\Projects\2023\230283\Drawings\230283SPA102.dgn

Date Plotted: 16-08-2023 8:59:39 AM

B85		B99		MRV	
meters		meters		meters	
Width	: 1.87	Width	: 1.94	Width	: 2.50
Track	: 1.77	Track	: 1.84	Track	: 2.50
Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0	Lock to Lock Time	: 6.0
Steering Angle	: 34.1	Steering Angle	: 33.9	Steering Angle	: 34.0

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Wurundjeri Woiwurrup Country  
 56 Down Street, Collingwood, VIC 3066  
 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone: (03) 9939 8250

Scale: 1:250 @ A3

Drawing Title 1365 PRINCES HIGHWAY, PAKENHAM VEHICLE SITE ACCESS SWEEP PATH ANALYSIS		
Designed JPB	Approved VG	Melway Ref 317 K9
Project Number 230283	Drawing Number SPA100	Revision C

Copyright  
 This document may only be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted without the written authority of onemilegrid. Unauthorised use of this document in any form is prohibited.

onemilegrid operates from Wurundjeri Woiwurrup Country of the Kulin nation.  
 We acknowledge and extend our appreciation to the Wurundjeri People, the Traditional Owners of the land.  
 We pay our respects to leaders and elders past, present and emerging for they hold the memories,  
 the traditions, the culture, and the hopes of all Wurundjeri Peoples.  
 Aerial Photography  
 Aerial photography provided by Nearmap

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 10380 FOLIO 763

Security no : 124110305269W  
Produced 06/11/2023 01:02 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 406181G.  
PARENT TITLE Volume 08926 Folio 218  
Created by instrument PS406181G 01/05/1998

REGISTERED PROPRIETOR

ENCUMBRANCES, CAVEATS AND NOTICES

CAVEAT AS264257H 17/06/2019

Caveator  
LIBERTY OIL AUSTRALIA PTY LTD ACN: 114544437  
Grounds of Claim  
MORTGAGE OF LEASE WITH THE FOLLOWING PARTIES AND DATE.  
Parties  
EAGLE H. Y GROUP PTY LTD ACN: 630455444  
Date  
01/06/2019  
Estate or Interest  
INTEREST AS MORTGAGEE  
Prohibition  
ABSOLUTELY  
Lodged by  
KCL LAW  
Notices to  
ALEX GARFINKEL of LEVEL 4 555 LONSDALE STREET MELBOURNE VIC 3000

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

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.

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987  
T355077D 12/10/1994

DIAGRAM LOCATION

SEE PS406181G 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

Effective from 23/10/2016

DOCUMENT END

Delivered from the LANDATA® System by GlobalX Pty Ltd

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.





# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

Produced 06/11/2023 01:03:06 PM

Status	Registered	Dealing Number	AS264257H
Date and Time Lodged	17/06/2019 03:34:43 PM		

### Lodger Details

Lodger Code	20876Q
Name	KCL LAW
Address	
Lodger Box	
Phone	
Email	
Reference	IK ADG 190887

## CAVEAT

Jurisdiction	VICTORIA
--------------	----------

### Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

### Land Title Reference

3268/528  
6532/284  
6635/832  
8064/890  
8652/575  
9007/958  
9437/365  
10380/763  
10550/427

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### Caveator

Name	LIBERTY OIL AUSTRALIA PTY LTD
ACN	114544437

### Grounds of claim

Mortgage of lease with the following Parties and Date.

#### Parties

Name	EAGLE H. Y GROUP PTY LTD
ACN	630455444



# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

**Date**

01/06/2019

**Estate or Interest claimed**

Interest as Mortgagee

**Prohibition**

Absolutely

**Name and Address for Service of Notice**

Alex Garfinkel

**Address**

Floor Type	LEVEL
Floor Number	4
Street Number	555
Street Name	LONSDALE
Street Type	STREET
Locality	MELBOURNE
State	VIC
Postcode	3000

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

**Execution**

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier has taken reasonable steps to verify the identity of the caveator.

Executed on behalf of LIBERTY OIL AUSTRALIA PTY LTD

Signer Name

Signer Organisation KCL LAW

Signer Role AUSTRALIAN LEGAL PRACTITIONER

Execution Date 17 JUNE 2019

**File Notes:**

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Lodged by

Holding Redlich  
980J



121094 1253 173

T355077D

T355077D

VICTORIA

**APPLICATION BY A RESPONSIBLE AUTHORITY under Section 181 Planning and Environment Act 1987 for ENTRY OF A MEMORANDUM OF AGREEMENT under Section 173 of the Act.**

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a memorandum of the Agreement be entered on the Certificate(s) of Title to the land referred to.

**LAND** Certificate of Title Volume 8926 Folio 218

**ADDRESS OF THE LAND** Lot 2, LP83975 Princes Highway, Pakenham

**RESPONSIBLE AUTHORITY** Shire of Pakenham

**PLANNING SCHEME** Pakenham Planning Scheme

**AGREEMENT DATE:** 22 August 1994

**AGREEMENT BETWEEN**  
The Shire President, Councillors and Rate Payers of the Shire of Pakenham of Henty Way, Pakenham, Victoria and Roubos Nominees Pty. Ltd. (ACN 005 294 959) of 109 Cochrane Street, Gardenvale, Victoria

A copy of the Agreement is attached to this Application

Signature for the Responsible Authority.....



**ACTING CHIEF EXECUTIVE OFFICER**

Date..... 10-10-94

Handwritten initials and date: R 29/10/94

TDK410.105

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



**THIS AGREEMENT** is made on the 22<sup>nd</sup> day of August 1994 **PURSUANT TO** Section 173 of the *Planning and Environment Act 1987* ("the Act").

**BETWEEN:** **THE SHIRE PRESIDENT, COUNCILLORS AND RATEPAYERS**  
**OF THE SHIRE OF PAKENHAM** of Henty Way, Pakenham,  
Victoria of the first part ✓  
(the "Council")

**AND** **ROUBOS NOMINEES PTY. LTD. (ACN 005 294 959)** the  
registered office of which is situate at 109 Cochrane Street,  
Gardenvale, Victoria of the second part  
(**"the Owner"**)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

**WHEREAS:-**

- A. The Owner is the owner (as that term is defined in Section 3 of the Act) of the land situate at Princes Highway, Pakenham, more particularly described as Lot 2, LP 83975 ("the Land").
- B. The Council is the Responsible Authority for the administration and enforcement of the Pakenham Planning Scheme ("the Scheme") and is the Planning Authority pursuant to the Act for the local section of the Scheme.
- C. The Land is zoned "Country Residential 1" under the Scheme.
- D. The Owner has made a request to the Council pursuant to the provisions of the Act for the preparation of an amendment to the Scheme ("the proposed amendment") to rezone, *inter alia*, the Land from a Country Residential 1 Zone to part Neighbourhood Centre Zone and part Residential 2 Zone in accordance with the plan which is annexed hereto as Appendix A ("the Zoning Plan") to allow the development of, *inter alia*, the Land generally in accordance with the plan which accompanied the request and which is annexed hereto as Appendix B ("the Concept Plan").
- E. The Council has agreed to prepare and place the proposed amendment on public exhibition subject to the execution of this Agreement.
- F. The development of that part of the Land to be zoned Neighbourhood Centre is to be in accordance with a master plan approved by the Council pursuant to the Scheme ("the Master Plan").
- G. The Owner and the Council desire to enter into this Agreement to provide for the orderly rezoning and future development of the Land and to provide conditions subject to which the Land may be rezoned and developed.

**IT IS HEREBY AGREED** by the parties and the parties **COVENANT** as follows:-

1. **RECITALS, DEFINITIONS, INTERPRETATION AND TIME**

1.1 **RECITALS**

- (a) The Recitals to this Agreement set out the true account of the circumstances in which the Owner and the Council have entered into this Agreement.
- (b) The Recitals to this Agreement are and will be deemed to form part of this Agreement.

1.2 **DEFINITIONS**

- (a) Words and expressions defined in the Recitals to this Agreement and used in the body of this Agreement have the same meaning as that given to them in the Recitals.
- (b) In this Agreement, unless the context clearly indicates or requires to the contrary, the following words and expressions have the following meanings:-

"**the Act**" means the *Planning and Environment Act 1987*.

"**the Agreement**" or "**this Agreement**" means this Agreement and any agreement executed by the Parties and expressed to be supplemental to this Agreement.

"**the Owner**" means the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor or proprietors of an estate in fee simple of the Land or any part thereof.

"**the Concept Plan**" means the plan which is annexed hereto as Appendix B.

"**the Council**" means the Shire President, Councillors and Ratepayers of the Shire of Pakenham.

"**the Land**" means that area of land described as Lot 2, LP 83975.

"**the Master Plan**" means the plan or plans for the land proposed to be zoned Neighbourhood Centre prepared by the Owner and submitted to Council for its consideration and endorsement under Clause 6.17C.3 of the Scheme.

"**the Parties**" means the Owner and the Council and "**Party**" means either of the Owner or the Council.

"**the Scheme**" means the Pakenham Planning Scheme as it may be amended from time to time at any time.

"the Zoning Plan" means the plan which is annexed hereto as Appendix A.

1.3 **INTERPRETATION**

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

In this Agreement:-

- (a) words importing the singular include the plural;
- (b) references to clauses by number or by number and letter are references to clauses of this Agreement;
- (c) clause headings are inserted for convenience only and are not to be used in the interpretation or construction of this Agreement;
- (d) a reference to any statutory enactment or to any regulations or other form of subsidiary legislation includes a reference to that enactment, those regulations or that other subsidiary legislation as amended, modified or re-enacted from time to time and includes references to any enactment, regulations or subsidiary legislation which by its or their provisions replaces the enactment, regulations or subsidiary legislation so referred to.

1.4 **TIME**

If the time for performing any act or thing required to be performed or done under or pursuant to this Agreement expires on a Saturday or a Sunday or on a day gazetted as a public holiday in the State of Victoria, the time for the performance or doing of that act or thing will be extended to the following day which is not itself a Saturday, a Sunday or a gazetted public holiday in the State of Victoria.

2. **REZONING**

- 2.1 Subject always to the terms and conditions of this Agreement, the Council shall within one (1) month of this Agreement prepare and place on public exhibition the proposed amendment to rezone the Land in accordance with the Zoning Plan.

3. **DEVELOPMENT TIMING**

- 3.1 Use and development on the portion of the Land to be included in the Neighbourhood Centre Zone as shown on the Zoning Plan will not proceed until the Master Plan has been submitted to and approved by the Council. The Master Plan will include, but not be limited to, all matters included in Clause 6.17C.3 of the Scheme.
- 3.2 The Master Plan may at any time be amended by the Owner to the satisfaction of the Council.
- 3.3 The Council must approve the Master Plan or any amendment thereto within two (2) months after receipt of the Master Plan or any amendment thereto.



- 3.4 No further planning approvals or permits will be required by the Owner for any proposed use and/or development on the Land provided they are in substantial accordance with the Master Plan.

4. **COMMUNITY FACILITIES SITE**

- 4.1 Upon the Land being rezoned in accordance with the Zoning Plan, the Owner will transfer to the Council the portion of the Land indicated as the "Community Facilities Site" ("the CFS land") on the Concept Plan. The consideration for such transfer will be one dollar (\$1.00).
- 4.2 Upon the transfer of the CFS land and prior to its development by Council for community facilities, the CFS land may be used as a public park, or other public use. The Council shall maintain the CFS land at its own cost from the date of transfer.
- 4.3 All conveyancing costs and costs connected with the transfer to the Council of the CFS land will be borne by the Council.
- 4.4 Subject to available funds, the Council shall complete construction of buildings and works on the CFS land within two (2) years of completion of the construction of a commercial centre on the Land.
- 4.5 The Owner will not be required to provide reticulated services to the CFS land but may, at the cost and expense of the Council and if so requested by the Council, provide such services as part of the development on the balance of the area of the Land to be brought to the common boundary of the CFS land.
- 4.6 ~~The payment of relevant servicing authorities, charges, levies and the like which will be due and payable upon the subdivision of the Land will be apportioned respectively between the Council and the Owner on the basis of the respective portion which each party's land bears upon the total area of the Land.~~

5. **BY-PASS ROAD**

- 5.1 Upon the Land being rezoned in accordance with the Zoning Plan, the Owner will transfer to the Council the portion of the Land indicated as the "proposed road" on the Concept Plan ("the by-pass road"). The consideration for such transfer will be one dollar (\$1.00).
- 5.2 (a) Following the transfer to the Council of the by-pass road and the approval of the subdivision of the portion of the Land indicated as "residential" on the Concept Plan, and prior to the development of the residential land the Council will at its own cost and expense forthwith construct sufficient of the by-pass road generally shown on the Concept Plan to enable vehicular access from the Land to the Princes Highway.
- (b) The timing of the development of the residential land referred to in sub-clause (a) will be at the sole discretion of the Owner.

- 5.3 The Council shall acquire at its sole cost and expense and without any contribution from the Owner land abutting to the east of the Land to enable the orderly development of the eastern portion (southbound carriageway) of the by-pass road in accordance with the Concept Plan. Prior to the acquisition of this land and its development for road purposes, the by-pass road shall provide for two-way vehicular movement within that portion of the reservation provided within this agreement.
- 5.4 The Council shall consult with the Owner, Vic Roads and any other relevant authority concerning access to the Land from the Princes Highway. Agreement is to be reached between all relevant parties as to the form and standard of traffic management devices for the intersection of the by-pass road and the Princes Highway within twelve (12) months from the date of this Agreement or such other later date as may be agreed upon by the parties in writing.

6. **LEVIES**

- 6.1 The payment of relevant servicing authorities, charges, levies and the like which will be due and payable upon the subdivision of the Land will be borne by the Owner.
- 6.2 The Owner shall prior to certification of any plan by Council which creates residential allotment pay a development infrastructure levy in respect to each lot at the rate prescribed by Council.
- 6.3 The method and timing of the payment of the development infrastructure levy referred to in clause 6.2 shall be paid by instalments or as otherwise agreed between the Owner and Council including any discount for construction by the Owner of the by-pass road.

7. **FURTHER AGREEMENT**

The parties shall respectively and expeditiously sign and execute all further documents and deeds and do all acts and things as are reasonably required to give effect to this Agreement.

8. **DISPUTES**

- 8.1 If any dispute arises between the Parties in respect of any thing to be ascertained, done or agreed under or pursuant to this Agreement (a "dispute") and that dispute is not resolved by agreement between the Parties within 14 days of it arising, either the Owner or the Council may refer that dispute for determination by the Administrative Appeals Tribunal of Victoria pursuant to Section 149A of the Act.

9. **GENERAL WARRANTIES**

- 9.1 The obligations imposed upon and assumed by the Owner shall be binding upon and the rights of the Owner shall enure for the benefit of the Owner's successors, transferees, purchasers, mortgagees, assignees and any other person obtaining possession of the whole or

part of the Land as if each of such successors had separately executed this Agreement.

- 9.2 The Owner shall not sell, transfer, dispense or in any way part with possession of the Land (in accordance with normal practice for a development of the type proposed) without first disclosing to its successors the existence and nature of this Agreement.

10. **REGISTRATION OF AGREEMENT**

- 10.1 The Owner and Council must do all such acts, matters and things including but not only complete and execute all documents as may be necessary or expedient to register this Agreement pursuant to the provisions of Section 181 of the Act.
- 10.2 All fees, costs and charges relating to or connected with the registration of a Memorandum on the Certificate of Title to the Land will be borne solely by the Owner.
- 10.3 Subject to the Owner completing all of the obligations imposed on it by this Agreement, the Council must, upon completion of those obligations and at the Owner's request and expense, complete and execute all documents necessary to remove this Agreement as an encumbrance upon and affecting the Land and all parts of the Land.

11. **OPEN SPACE CONTRIBUTION**

- 11.1 The Council will not require any contribution from the Owner (either financial or in the form of land provision) for open space purposes for the portion of the Land proposed to be zoned Neighbourhood Centre, the CFS land or for the by-pass road whether under section 18 of the Subdivision Act or otherwise.
- 11.2 Clause 11.1 has no reference to or effect upon that part of the Land proposed to be zoned Residential 2.
- 11.3 The Council agrees that it will not require the Owner to contribute greater than five per cent (5%) (either financially or in the form of land provision, such choice being at the sole option in all respects of the Owner) of that part of the Land proposed to be zoned Residential 2.

12. **NON-COMPLETION**

- 12.1 In the event that a party is unable or unwilling to fulfil any obligation under this Agreement by a given date or by such later date as the other party may in writing allow ("the defaulting party"), the other party may give to the defaulting party a written notice giving to the defaulting party a period of thirty (30) days to fulfil such obligation ("the default notice").
- 12.2 In the event that the defaulting party does not comply with the default notice by the due date, then this Agreement may at the option of the other party be avoided.

- 12.3 In the event that an obligation is due to be fulfilled by a party not including the parties ("the third party") then a period of thirty (30) days grace or such other period as may be agreed upon shall be granted to the third party to permit compliance.
- 12.4 In the event that a third party does not comply with its obligation by the due or any extended date, then either party to this Agreement shall be entitled to serve a notice on the other party to the effect that should compliance by the third party not be effected by the expiry of thirty (30) days from the date of service of such notice, this Agreement shall be void and upon expiry, this Agreement shall be at an end.
- 12.5 In the event that this Agreement is terminated or avoided then all rights, duties and obligations of either party to this Agreement shall likewise be at an end. Neither party shall have a right of action, claim or demand against the other and each party will stand in the same position as if this Agreement had not been entered into.

13. **GENERAL**

13.1 **Notices**

Any notice, consent or other communication that either of the Parties may be required or wish to give to the other Party pursuant to the provisions of this Agreement must be in writing and may be given by:

- (a) delivering such notice by hand to a Party at its address appearing hereon or to such other address as that Party may from time to time by notice in writing to the other Parties nominate as its new or alternative address for the giving of notices ("address for service");
- (b) being sent by facsimile to the facsimile number of the recipient Party; or
- (c) being sent by pre-paid mail to the address for service of the recipient Party

and such notice will be deemed to have been given:

- (i) if delivered personally, on the date on which the notice was personally delivered;
- (ii) if sent by facsimile, on the date on which the sending Party's facsimile machine records that the facsimile has been despatched; and
- (iii) if sent by pre-paid mail, on the date being two days after the date of posting.



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

13.2 No Waiver

No waiver of any right under this Agreement or forbearance or delay in the enforcement thereof or any other indulgence including but not only an indulgence of time granted by either Party to the other Party will affect the strict rights of that Party under this Agreement and all the rights and powers of that Party will remain in full force and effect notwithstanding any such waiver, forbearance, delay or other indulgence on the part of that Party.

13.3 Status of Agreement

- (a) This Agreement constitutes the whole and entire agreement between the Parties in respect of all the matters contained in this Agreement and supersedes any representation, understanding or arrangement given or made orally or in writing by either Party to the other Party prior to this Agreement.
- (b) Save as expressly provided herein, this Agreement may not be altered or modified save by subsequent agreement in writing executed by the Parties.

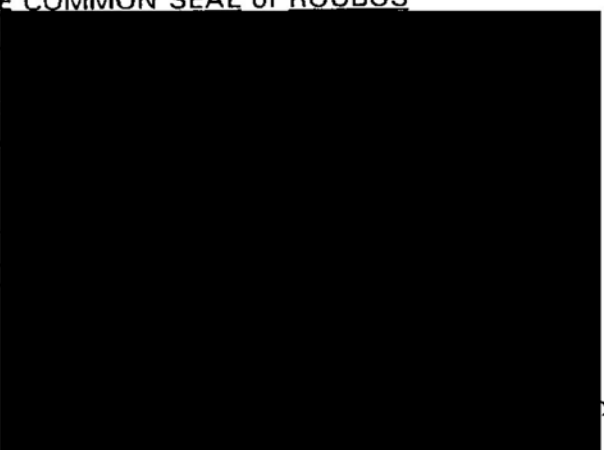
13.4 Legal Costs

- (a) The Parties must pay their own legal costs incurred in the negotiation, preparation, completion and execution of this Agreement and all matters necessary and incidental thereto.
- (b) The Owner must pay the stamp duty assessed on this Agreement.
- (c) The Owner must pay any registration fees payable on the registration of this Agreement pursuant to Section 181 of the Act.

**IN WITNESS WHEREOF** the parties have executed this Agreement on the date appearing on page 1.

THE COMMON SEAL of ROUBOS

NO  
wa  
wit  
of

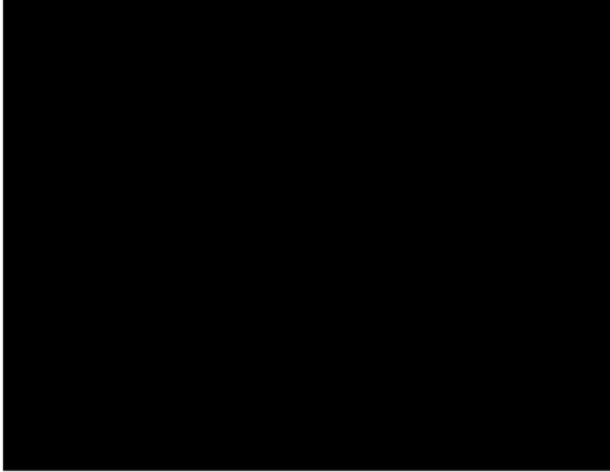


)  
)  
)  
)  
)



Secretary

THE COMMON SEAL of THE PRESIDENT,  
COUNCILLORS AND RATEPAYERS OF THE SHIRE )  
OF PAKENHAM was hereunto affixed in )  
the presence of: )



President

Secretary

TKrou101.74



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Reg

V585270F  
140898 0906 45 580



# TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

SETT ONLY

Lodged by:  
Name: ANZ  
Phone:  
Address:  
Ref.:  
Customer Code: 193

MADE AVAILABLE / CHANGE CONTROL  
Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: (volume and folio reference)

CAVEAT

Lot 1 on Plan of Subdivision 406181G being the land contained in Certificate of Title Volume 10380 Folio 763

Estate and Interest: (e.g. "all my estate in fee simple")

All the estate in fee simple

Consideration:

\$580,000.00

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Transferor: (full name)

Roubos Nominees Pty Ltd (ACN 005 294 959)

Transferee: (full name and address including postcode)

Yarraside Service Station Pty Ltd (ACN 005 947 688) of 645 Bridge Road, Richmond, 3121

Directing Party: (full name)

Dated: 18/5/98

Exec  
The  
(ACN  
acco  
in th

The  
Stati  
was  
Artic  
Appr

T



25 AUG 1998

THE BACK OF THIS FORM MUST NOT BE USED

# ANNEXURE PAGE

Transfer of Land Act 1958

Approved Form A1  
Victorian Land Titles Office

This is page 1 of *Approved Form T1* dated 18/5/98 between  
Roubos Nominees Pty. Ltd. and Yarraside Service Station Pty. Ltd.

Signatures of the parties

Panel Heading

THE COMMON SEAL of ROUBOS NOMINEES )  
PTY. LTD. (ACN 005 294 959) was hereto )  
affixed in accordance with its Articles of )  
Association in the presence of: )



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Approval No. 571967L

# A1



1. If there is insufficient space to accommodate the required information in a panel of the *Approved Form* insert the words "See Annexure Page 2" (or as the case may be) and enter all the information on the Annexure Page under the appropriate panel heading. **PAGE IS NOT TO BE USED.**
2. If multiple copies of a mortgage are lodged, original Annexure Page must be attached to each copy of the *Approved Form* to which it is annexed.
3. The Annexure Pages must be properly identified and signed on the *Approved Form* to which it is annexed.
4. All pages must be attached together by being stapled in the order in which they are to be presented.

**V585270F**  
140898 0906 45 580



<b>PLAN OF SUBDIVISION</b>		STAGE No.	LTO USE ONLY <b>EDITION 5</b>	PLAN NUMBER <b>PS 406181G</b>
<b>LOCATION OF LAND</b>  PARISH: <u>Nar Nar Goon</u>  TOWNSHIP: <u>—</u>  SECTION: <u>—</u>  CROWN ALLOTMENT: <u>13 (Part)</u>  CROWN PORTION: <u>—</u>  LTO BASE RECORD: <u>Litho Sheet 1</u> TITLE REFERENCES: <u>Vol. 8926 Fol. 218</u>  LAST PLAN REFERENCES/S: <u>PS 415568 E Lot 1</u> POSTAL ADDRESS: <u>1365 Princes Highway</u> (At time of subdivision) <u>Pakenham 3810</u>  AMG Co-ordinates <u>E 368 900</u> (of approx centre of land <u>N 5 786 200</u> ZONE: <u>55</u> in plan)		<b>COUNCIL CERTIFICATION AND ENDORSEMENT</b>  COUNCIL NAME: <u>CARDINIA SHIRE COUNCIL</u> REF: <u>S 96/126</u> 1. <del>This plan is certified under Section 6 of the Subdivision Act 1988.</del> 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6. <u>21 / 12 / 97</u> 3. <del>This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.</del>  OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/ <del>has not</del> been made. (ii) <del>The requirement has been satisfied.</del> (iii) The requirement is to be satisfied Stage <u>2</u> ..... <del>Council Delegate</del> <del>Council Seal</del> <del>Date</del> <u>/ /</u>  Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate <del>Council Seal</del> Date <u>20 / 3 / 98</u>		
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>NOTATIONS</b>		
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is/ <del>is not</del> a staged subdivision. Planning permit No. <u>T960276</u>  DEPTH LIMITATION <u>Does not apply</u> The "Road" abuttal shown as Road R1 on P.S. 415568 will be justified when the appropriate transfer is registered and recorded on that plan.		
R1	Roads Corporation.			
This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.				
SURVEY THIS PLAN IS/ <del>IS NOT</del> BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) <u>112</u> IN PROCLAIMED SURVEY AREA No. <u>—</u>				
<b>EASEMENT INFORMATION</b>				<b>LTO USE ONLY</b>
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Gas Pipeline Gas Supply	24.38 24.38	Inst. D59191B LP 83975	V. 8727 F 144 Lots on LP 83975
E-4 R1	Sewerage Way, drainage, & supply of gas, water, telephone, sewerage & electricity.	2 See Plan	This Plan This Plan	South East Water Limited Lots on this Plan.
				RECEIVED <input checked="" type="checkbox"/>  DATE: <u>27 / 4 / 98</u>  THIS IS AN L.T.O. COMPILED PLAN  CHECKED <u>19 / 4 / 02</u> <u>G. Newman</u> Assistant Registrar of Titles
NOBELIUS LAND SURVEYORS PIL P.O. Box 461 PAKENHAM 3810 PHONE 03 5941 4112 FAX 03 5941 4330				SHEET 1 OF 2 SHEETS  LICENSED SURVEYOR (PRINT) <u>R.P. NOBELIUS</u> SIGNATURE ..... DATE / / REF <u>P1551</u> VERSION <u>E</u> DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE <u>A3</u>

**PLAN OF SUBDIVISION**

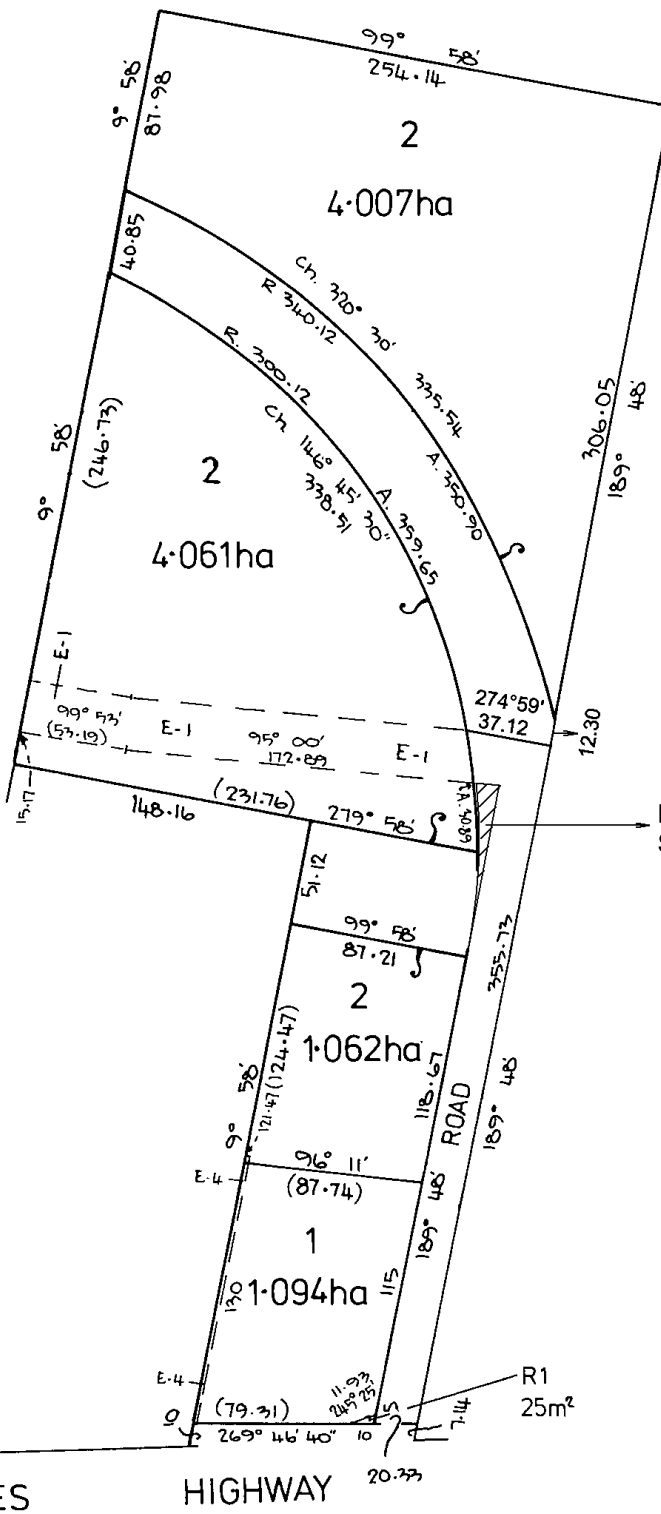
STAGE No.

PLAN NUMBER

**PS 406181G**

APPROX. TRUE NORTH.

GOVT. ROAD



ROAD CLOSURE  
SEE TP894861R

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

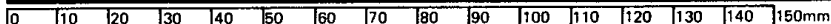
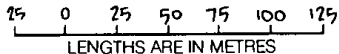
NOBELIUS LAND SURVEYORS P/L  
P.O. BOX 461  
PAKENHAM 3810  
PHONE 03 5941 4112  
FAX 03 5941 4330

ORIGINAL SCALE  
1:2500  
SHEET SIZE  
A3

LICENSED SURVEYOR (PRINT) ...R.P. NOBELIUS...  
SIGNATURE ..... DATE / /  
REF P 1551 VERSION E

SHEET 2 OF 2 SHEETS

DATE / /  
COUNCIL DELEGATE SIGNATURE



# MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN  
 MASTER PLAN (STAGE 1) REGISTERED DATE 1/5/98 TIME

PLAN NUMBER

**PS 406181G**

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT S2	LOT 2	STAGE 2	PS406181G/S2	17/04/02	12.55PM	2	<i>GO</i>
EASEMENT E-2 & E-3		REMOVAL OF EASEMENT	PS527029M	13/04/06		3	N.L.H.
ROAD		ROAD CLOSURE	AE361500G	18/05/06		4	R.W.G.
ROAD		ROAD CLOSURE	AH995469J	23 / 6 / 11		5	HJR

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



**LEVEL 10  
477 COLLINS STREET  
MELBOURNE VIC 3000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

Dear Sir/Madam ,

## **PLANNING PERMIT APPLICATION 176-178 NEPEAN HIGHWAY, SEAFORD**

Urbis Pty Ltd act on behalf of Yarraside Service Station Pty Ltd and their land at 1365 Princes Highway, Pakenham.

We have been instructed to lodge a planning permit application on their behalf for the development of the site in accordance with the Cardinia Planning Scheme.

In support of this application, please find enclosed the following documentation.

- Current Certificate of Title;
- MPL Certificate No. MP24988 dated 9 November 2023;
- Completed Planning Application Form dated 14 November 2023;
- Town Planning Report prepared by Urbis;
- Architectural Plans prepared by BDAI Architecture;
- Environmentally Sustainable Design Report prepared by Sustainable Development Consultants;
- Landscape Plans prepared by Etched;
- Arborist Report prepared by Baxter Ecology;
- Transport Impact Assessment prepared by OneMile Grid;
- Waste Management Plan prepared by OneMile Grid.

We trust that the enclosed is sufficient for your purposes however, should you have any queries or require anything further, please do not hesitate to contact me on the detailed listed below.

We look forward to working with Council for the delivery of this proposal.

Yours faithfully,



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.





[REDACTED]  
Senior Consultant  
8663 4989  
slynch@urbis.com.au

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



Planning Enquiries  
 Phone: 1300 787 624  
 Web: [www.cardinia.vic.gov.au](http://www.cardinia.vic.gov.au)

**Office Use Only**

Application No.:

Date Lodged: / /

# Application for 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.

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

**⚠** If the space provided on the form is insufficient, attach a separate sheet.

**i** Click for further information.

Clear Form

## The Land **i**

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

**Street Address \***

Unit No.:	St. No.: 1365	St. Name: Princes Highway
Suburb/Locality: Pakenham		Postcode: 3810

**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 type="radio"/> Title Plan	<input checked="" type="radio"/> Plan of Subdivision	No.: 406181G
<b>OR</b>					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

## The Proposal

**⚠** You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

**i** For what use, development or other matter do you require a permit? \*

To construct and carry out works in the C1Z  
 To display signage (business identification and illuminated)  
 To alter access to a TRZ2

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

**📎** Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Cost \$ 2,000,000	<b>⚠</b> You may be required to verify this estimate. Insert '0' if no development is proposed.
<p>If the application is for land within <b>metropolitan Melbourne</b> (as defined in section 3 of the <i>Planning and Environment Act 1987</i>) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy <b>must</b> be paid to the State Revenue Office and a current levy certificate <b>must</b> be submitted with the application. Visit <a href="http://www.sro.vic.gov.au">www.sro.vic.gov.au</a> for information.</p>	

**i** Estimated cost of any development for which the permit is required \*

## 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.

### Existing service station

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Provide a plan of the existing conditions. 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 i

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

### Applicant \*

The person who wants the permit.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable): Yarraside Service Station Pty Ltd C/- Urbis Ltd		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:

Please provide at least one contact phone number \*

<b>Contact information for applicant OR contact person below</b>	
Business phone: 0386634989	Email: slynch@urbis.com.au
Mobile phone:	Fax:

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

[Redacted contact details]	
----------------------------	--

### 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: <span style="float: right;">Same as applicant <input checked="" type="checkbox"/></span>		
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

*On behalf of the applicant*

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; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature: 

Date: 14/11/123

day / month / year

## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

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

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

No  Yes

If 'Yes', with whom?:

Date:


day / month / year


## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

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

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.

Completed the relevant council planning permit checklist?

Signed the declaration?

## Lodgement

Lodge the completed and signed form, the fee 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

Email: [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

DX: 81006

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

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



## MORE INFORMATION

### The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

#### How is land identified?


Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

### The Proposal

#### Why is it important to describe the proposal correctly?


The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

#### How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at [planning-schemes.delwp.vic.gov.au](http://planning-schemes.delwp.vic.gov.au)

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting [www.landata.vic.gov.au](http://www.landata.vic.gov.au) Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.


#### Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

 Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

 Contact the Council to determine the appropriate fee. Go to [planning.vic.gov.au](http://planning.vic.gov.au) to view a summary of fees in the Planning and Environment (Fees) Regulations.

**Metropolitan Planning Levy** refer Division 5A of Part 4 of the *Planning and Environment Act 1987* (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at [www.sro.vic.gov.au](http://www.sro.vic.gov.au) for more information. A leviable application submitted without a levy certificate is void.

### Existing Conditions

#### How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

### Title Information

#### What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

#### What documents should I check to find encumbrances?

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

#### What about caveats and notices?

A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

#### What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.



You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

▲ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

#### Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

#### What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

▲ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

#### Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

▲ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; [www.landata.vic.gov.au](http://www.landata.vic.gov.au) – go direct to "titles & property certificates".

## Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with Council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

## Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration.

▲ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit.

## Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

## Checklist

### What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

▲ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

## Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

▲ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

# EXAMPLES

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

## Example 1

**The Land** i

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

**Street Address \***

St. No.:  St. Name:

Suburb/Locality:

**Formal Land Description \***  
Complete either A or B.

**A**  Lodged Plan  Title Plan  Plan of Subdivision

**OR**

**B**

**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.

## Example 2

**i** **For what use, development or other matter do you require a permit? \***

*Construction of two, double-storey dwellings and construction of two new crossovers.*

**⚠** Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

## Example 3

**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.

*Single dwelling.*

**⚠** Provide a plan of the existing conditions. Photos are also helpful.

## Example 4

**Applicant and Owner Details** i

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):

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

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

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:





## PART 5 – EXPLANATORY NOTES

### General

- The Metropolitan Planning Levy (MPL) is imposed for the privilege of making a leviable planning permit application.
- A leviable planning permit application is an application made to a responsible authority or planning authority under sections 47 and 96A of the *Planning and Environment Act 1987* (PEA) for a permit required for the development of land in metropolitan Melbourne, where the estimated cost of the development for which the permit is required exceeds the threshold amount (see MPL threshold amount).
- As a statutory requirement of making a leviable planning permit application, the applicant must give the responsible authority or planning authority a current MPL Certificate. The estimated cost of development stated in the MPL Certificate must be equal to or greater than the estimated cost of the development stated in the leviable planning permit application. If an applicant fails to comply with this requirement, the application for the leviable planning permit is void.
- The applicant for the leviable planning permit application is liable for the MPL.
- The Commissioner of State Revenue (Commissioner) has the general administration of the MPL.

### MPL threshold amount

- The threshold amount is \$1 million for the 2015-2016 financial year.
- For the financial year beginning on 1 July 2016 and each subsequent financial year, the Consumer Price Indexed (CPI) adjusted threshold amount will be calculated in accordance with section 96R of the PEA.
- On or before 31 May each year, the Commissioner must publish the CPI adjusted threshold amount for the following financial year on the SRO website.

### How MPL is calculated

- The amount of MPL is \$1.30 for every \$1000 of the estimated cost of the development for which the leviable planning permit is required.
- If the estimated cost of the development for which the leviable planning permit is required is not a multiple of \$1000, the estimated cost is to be rounded up or down to the nearest \$1000 (and, if the amount by which it is to be rounded is \$500, it is to be rounded up).

### Notification and Payment of MPL to the Commissioner

- Before making a leviable planning permit application, the applicant must submit a completed Application for Metropolitan Planning Levy (MPL) Certificate and pay the whole MPL amount to the Commissioner. This Application must state the estimated cost of the development and any other information required by the Commissioner.
- If, after the Commissioner has issued a MPL Certificate which has not expired (see MPL Certificate), and the estimated cost of the development increases before the leviable planning permit application is made, the applicant must submit an Application for Metropolitan Planning Levy (MPL) Certificate (*Revised*) and pay the whole additional MPL amount to the Commissioner. This revised Application must state the increased estimated cost of the development and any other information required by the Commissioner.

### MPL Certificate

- The Commissioner must issue a MPL Certificate if he is satisfied that the whole amount of the MPL has been paid in respect of the estimated cost of the development.
- Subject to section 96U(3) of the PEA, a MPL Certificate expires 90 days after the day on which it is issued.

### Revised MPL Certificate

- The Commissioner must issue a revised MPL Certificate if:
  - the Commissioner has issued a MPL Certificate, which has not expired;
  - the estimated cost of the development increases before the application for a leviable planning permit is made; and
  - he is satisfied that the whole amount of the MPL has been paid in respect of the increased estimated cost of the development.
- The Commissioner may also issue a revised MPL Certificate to:
  - Correct any error in the information listed in the MPL Certificate (except the estimated cost of development as explained below), or
  - the estimated cost of the development stated in the MPL Certificate is different from the estimated cost of the development stated in the Application for Metropolitan Planning Levy (MPL) Certificate lodged by the applicant.
- A revised MPL Certificate expires 90 days after the day on which it is issued.

### Refund of MPL

- The only circumstance under which a person who has paid a MPL is entitled to a refund is where there has been a mathematical error in calculating the amount of the MPL by reference to the estimated cost of the development stated in the original or revised Application for Metropolitan Planning Levy (MPL) Certificate. Other than that, a person who has paid a MPL is not entitled to a refund of the whole or any part of the MPL.

### Certificate number

- The Certificate number is on the top right corner on the front of this Certificate.
- Quoting this Certificate number will give you access to information about this Certificate and enable you to enquire about your application by phone.
- You should quote this number in any correspondence.

For more Metropolitan Planning Levy information please contact the State Revenue Office:

<b>Mail</b> State Revenue Office, GPO Box 4376, MELBOURNE VIC 3001 or DX260090 Melbourne	<b>Internet</b> <a href="http://www.sro.vic.gov.au">www.sro.vic.gov.au</a> <b>Email</b> <a href="mailto:mpl@sro.vic.gov.au">mpl@sro.vic.gov.au</a> <b>Phone</b> 13 21 61 (local call cost) <b>Fax</b> 03 9628 6856
---	---



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 10380 FOLIO 763

Security no : 124110305269W  
Produced 06/11/2023 01:02 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 406181G.  
PARENT TITLE Volume 08926 Folio 218  
Created by instrument PS406181G 01/05/1998

CAVEAT AS264257H 17/06/2019

Caveator

LIBERTY OIL AUSTRALIA PTY LTD ACN: 114544437

Grounds of Claim

MORTGAGE OF LEASE WITH THE FOLLOWING PARTIES AND DATE.

Parties

EAGLE H. Y GROUP PTY LTD ACN: 630455444

Date

01/06/2019

Estate or Interest

INTEREST AS MORTGAGEE

Prohibition

ABSOLUTELY

Lodged by

KCL LAW

Notices to

ALEX GARFINKEL of LEVEL 4 555 LONSDALE STREET MELBOURNE VIC 3000

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

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.

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987  
T355077D 12/10/1994

DIAGRAM LOCATION

SEE PS406181G 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

Effective from 23/10/2016

DOCUMENT END

Delivered from the LANDATA® System by GlobalX Pty Ltd

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

Produced 06/11/2023 01:03:06 PM

Status	Registered	Dealing Number	AS264257H
Date and Time Lodged	17/06/2019 03:34:43 PM		

### Lodger Details

Lodger Code	20876Q
Name	KCL LAW
Address	
Lodger Box	
Phone	
Email	
Reference	IK ADG 190887

## CAVEAT

Jurisdiction	VICTORIA
--------------	----------

### Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

### Land Title Reference

3268/528  
6532/284  
6635/832  
8064/890  
8652/575  
9007/958  
9437/365  
10380/763  
10550/427

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

### Caveator

Name	LIBERTY OIL AUSTRALIA PTY LTD
ACN	114544437

### Grounds of claim

Mortgage of lease with the following Parties and Date.

#### Parties

Name	EAGLE H. Y GROUP PTY LTD
ACN	630455444





# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

**Date**

01/06/2019

**Estate or Interest claimed**

Interest as Mortgagee

**Prohibition**

Absolutely

**Name and Address for Service of Notice**

Alex Garfinkel

**Address**

Floor Type	LEVEL
Floor Number	4
Street Number	555
Street Name	LONSDALE
Street Type	STREET
Locality	MELBOURNE
State	VIC
Postcode	3000

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

**Execution**

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier has taken reasonable steps to verify the identity of the caveator.

Executed on behalf of	LIBERTY OIL AUSTRALIA PTY LTD
Signer Name	[REDACTED]
Signer Organisation	KCL LAW
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	17 JUNE 2019

**File Notes:**

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Lodged by

1  
Holding Redlich  
980J.....



121034 1253 173

T355077D

T355077D

VICTORIA

**APPLICATION BY A RESPONSIBLE  
AUTHORITY under Section 181 Planning  
and Environment Act 1987 for ENTRY OF  
A MEMORANDUM OF AGREEMENT  
under Section 173 of the Act.**

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a memorandum of the Agreement be entered on the Certificate(s) of Title to the land referred to.

**LAND** Certificate of Title Volume 8926 Folio 218

**ADDRESS OF THE LAND** Lot 2, LP83975 Princes Highway, Pakenham


**RESPONSIBLE AUTHORITY** Shire of Pakenham

**PLANNING SCHEME** Pakenham Planning Scheme

**AGREEMENT DATE:** 22 August 1994

**AGREEMENT BETWEEN**  
The Shire President, Councillors and Rate  
Payers of the Shire of Pakenham of Henty  
Way, Pakenham, Victoria and Roubos  
Nominees Pty. Ltd. (ACN 005 294 959) of  
109 Cochrane Street, Gardenvale, Victoria

A copy of the Agreement is attached to this Application

Signature for the Responsible Authority.....  


**ACTING CHIEF EXECUTIVE OFFICER**

Date..... 10-10-94

TDK410.105

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Handwritten notes and signatures at the bottom left corner.

**THIS AGREEMENT** is made on the 22<sup>nd</sup> day of August 1994 **PURSUANT TO** Section 173 of the *Planning and Environment Act 1987* ("the Act").

**BETWEEN:** **THE SHIRE PRESIDENT, COUNCILLORS AND RATEPAYERS**  
**OF THE SHIRE OF PAKENHAM** of Henty Way, Pakenham,  
Victoria of the first part ✓  
(the "Council")

**AND** **ROUBOS NOMINEES PTY. LTD. (ACN 005 294 959)** the  
registered office of which is situate at 109 Cochrane Street,  
Gardenvale, Victoria of the second part  
(**"the Owner"**)

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

**WHEREAS:-**

- A. The Owner is the owner (as that term is defined in Section 3 of the Act) of the land situate at Princes Highway, Pakenham, more particularly described as Lot 2, LP 83975 ("the Land").
- B. The Council is the Responsible Authority for the administration and enforcement of the Pakenham Planning Scheme ("the Scheme") and is the Planning Authority pursuant to the Act for the local section of the Scheme.
- C. The Land is zoned "Country Residential 1" under the Scheme.
- D. The Owner has made a request to the Council pursuant to the provisions of the Act for the preparation of an amendment to the Scheme ("the proposed amendment") to rezone, *inter alia*, the Land from a Country Residential 1 Zone to part Neighbourhood Centre Zone and part Residential 2 Zone in accordance with the plan which is annexed hereto as Appendix A ("the Zoning Plan") to allow the development of, *inter alia*, the Land generally in accordance with the plan which accompanied the request and which is annexed hereto as Appendix B ("the Concept Plan").
- E. The Council has agreed to prepare and place the proposed amendment on public exhibition subject to the execution of this Agreement.
- F. The development of that part of the Land to be zoned Neighbourhood Centre is to be in accordance with a master plan approved by the Council pursuant to the Scheme ("the Master Plan").
- G. The Owner and the Council desire to enter into this Agreement to provide for the orderly rezoning and future development of the Land and to provide conditions subject to which the Land may be rezoned and developed.

**IT IS HEREBY AGREED** by the parties and the parties **COVENANT** as follows:-

1. **RECITALS, DEFINITIONS, INTERPRETATION AND TIME**

1.1 **RECITALS**

- (a) The Recitals to this Agreement set out the true account of the circumstances in which the Owner and the Council have entered into this Agreement.
- (b) The Recitals to this Agreement are and will be deemed to form part of this Agreement.

1.2 **DEFINITIONS**

- (a) Words and expressions defined in the Recitals to this Agreement and used in the body of this Agreement have the same meaning as that given to them in the Recitals.
- (b) In this Agreement, unless the context clearly indicates or requires to the contrary, the following words and expressions have the following meanings:-

"**the Act**" means the *Planning and Environment Act 1987*.

"**the Agreement**" or "**this Agreement**" means this Agreement and any agreement executed by the Parties and expressed to be supplemental to this Agreement.

"**the Owner**" means the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor or proprietors of an estate in fee simple of the Land or any part thereof.

"**the Concept Plan**" means the plan which is annexed hereto as Appendix B.

"**the Council**" means the Shire President, Councillors and Ratepayers of the Shire of Pakenham.

"**the Land**" means that area of land described as Lot 2, LP 83975.

"**the Master Plan**" means the plan or plans for the land proposed to be zoned Neighbourhood Centre prepared by the Owner and submitted to Council for its consideration and endorsement under Clause 6.17C.3 of the Scheme.

"**the Parties**" means the Owner and the Council and "**Party**" means either of the Owner or the Council.

"**the Scheme**" means the Pakenham Planning Scheme as it may be amended from time to time at any time.



"the Zoning Plan" means the plan which is annexed hereto as Appendix A.

1.3 **INTERPRETATION**

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

In this Agreement:-

- (a) words importing the singular include the plural;
- (b) references to clauses by number or by number and letter are references to clauses of this Agreement;
- (c) clause headings are inserted for convenience only and are not to be used in the interpretation or construction of this Agreement;
- (d) a reference to any statutory enactment or to any regulations or other form of subsidiary legislation includes a reference to that enactment, those regulations or that other subsidiary legislation as amended, modified or re-enacted from time to time and includes references to any enactment, regulations or subsidiary legislation which by its or their provisions replaces the enactment, regulations or subsidiary legislation so referred to.

1.4 **TIME**

If the time for performing any act or thing required to be performed or done under or pursuant to this Agreement expires on a Saturday or a Sunday or on a day gazetted as a public holiday in the State of Victoria, the time for the performance or doing of that act or thing will be extended to the following day which is not itself a Saturday, a Sunday or a gazetted public holiday in the State of Victoria.

2. **REZONING**

- 2.1 Subject always to the terms and conditions of this Agreement, the Council shall within one (1) month of this Agreement prepare and place on public exhibition the proposed amendment to rezone the Land in accordance with the Zoning Plan.

3. **DEVELOPMENT TIMING**

- 3.1 Use and development on the portion of the Land to be included in the Neighbourhood Centre Zone as shown on the Zoning Plan will not proceed until the Master Plan has been submitted to and approved by the Council. The Master Plan will include, but not be limited to, all matters included in Clause 6.17C.3 of the Scheme.
- 3.2 The Master Plan may at any time be amended by the Owner to the satisfaction of the Council.
- 3.3 The Council must approve the Master Plan or any amendment thereto within two (2) months after receipt of the Master Plan or any amendment thereto.

- 3.4 No further planning approvals or permits will be required by the Owner for any proposed use and/or development on the Land provided they are in substantial accordance with the Master Plan.

4. **COMMUNITY FACILITIES SITE**

- 4.1 Upon the Land being rezoned in accordance with the Zoning Plan, the Owner will transfer to the Council the portion of the Land indicated as the "Community Facilities Site" ("the CFS land") on the Concept Plan. The consideration for such transfer will be one dollar (\$1.00).
- 4.2 Upon the transfer of the CFS land and prior to its development by Council for community facilities, the CFS land may be used as a public park, or other public use. The Council shall maintain the CFS land at its own cost from the date of transfer.
- 4.3 All conveyancing costs and costs connected with the transfer to the Council of the CFS land will be borne by the Council.
- 4.4 Subject to available funds, the Council shall complete construction of buildings and works on the CFS land within two (2) years of completion of the construction of a commercial centre on the Land.
- 4.5 The Owner will not be required to provide reticulated services to the CFS land but may, at the cost and expense of the Council and if so requested by the Council, provide such services as part of the development on the balance of the area of the Land to be brought to the common boundary of the CFS land.
- 4.6 ~~The payment of relevant servicing authorities, charges, levies and the like which will be due and payable upon the subdivision of the Land will be apportioned respectively between the Council and the Owner on the basis of the respective portion which each party's land bears upon the total area of the Land.~~ PC

5. **BY-PASS ROAD**

- 5.1 Upon the Land being rezoned in accordance with the Zoning Plan, the Owner will transfer to the Council the portion of the Land indicated as the "proposed road" on the Concept Plan ("the by-pass road"). The consideration for such transfer will be one dollar (\$1.00).
- 5.2 (a) Following the transfer to the Council of the by-pass road and the approval of the subdivision of the portion of the Land indicated as "residential" on the Concept Plan, and prior to the development of the residential land the Council will at its own cost and expense forthwith construct sufficient of the by-pass road generally shown on the Concept Plan to enable vehicular access from the Land to the Princes Highway.
- (b) The timing of the development of the residential land referred to in sub-clause (a) will be at the sole discretion of the Owner.

- 5.3 The Council shall acquire at its sole cost and expense and without any contribution from the Owner land abutting to the east of the Land to enable the orderly development of the eastern portion (southbound carriageway) of the by-pass road in accordance with the Concept Plan. Prior to the acquisition of this land and its development for road purposes, the by-pass road shall provide for two-way vehicular movement within that portion of the reservation provided within this agreement.
- 5.4 The Council shall consult with the Owner, Vic Roads and any other relevant authority concerning access to the Land from the Princes Highway. Agreement is to be reached between all relevant parties as to the form and standard of traffic management devices for the intersection of the by-pass road and the Princes Highway within twelve (12) months from the date of this Agreement or such other later date as may be agreed upon by the parties in writing.

6. **LEVIES**

- 6.1 The payment of relevant servicing authorities, charges, levies and the like which will be due and payable upon the subdivision of the Land will be borne by the Owner.
- 6.2 The Owner shall prior to certification of any plan by Council which creates residential allotment pay a development infrastructure levy in respect to each lot at the rate prescribed by Council.
- 6.3 The method and timing of the payment of the development infrastructure levy referred to in clause 6.2 shall be paid by instalments or as otherwise agreed between the Owner and Council including any discount for construction by the Owner of the by-pass road.

7. **FURTHER AGREEMENT**

The parties shall respectively and expeditiously sign and execute all further documents and deeds and do all acts and things as are reasonably required to give effect to this Agreement.

8. **DISPUTES**

- 8.1 If any dispute arises between the Parties in respect of any thing to be ascertained, done or agreed under or pursuant to this Agreement (a "dispute") and that dispute is not resolved by agreement between the Parties within 14 days of it arising, either the Owner or the Council may refer that dispute for determination by the Administrative Appeals Tribunal of Victoria pursuant to Section 149A of the Act.

9. **GENERAL WARRANTIES**

- 9.1 The obligations imposed upon and assumed by the Owner shall be binding upon and the rights of the Owner shall enure for the benefit of the Owner's successors, transferees, purchasers, mortgagees, assignees and any other person obtaining possession of the whole or

part of the Land as if each of such successors had separately executed this Agreement.

- 9.2 The Owner shall not sell, transfer, dispense or in any way part with possession of the Land (in accordance with normal practice for a development of the type proposed) without first disclosing to its successors the existence and nature of this Agreement.

10. **REGISTRATION OF AGREEMENT**

- 10.1 The Owner and Council must do all such acts, matters and things including but not only complete and execute all documents as may be necessary or expedient to register this Agreement pursuant to the provisions of Section 181 of the Act.
- 10.2 All fees, costs and charges relating to or connected with the registration of a Memorandum on the Certificate of Title to the Land will be borne solely by the Owner.
- 10.3 Subject to the Owner completing all of the obligations imposed on it by this Agreement, the Council must, upon completion of those obligations and at the Owner's request and expense, complete and execute all documents necessary to remove this Agreement as an encumbrance upon and affecting the Land and all parts of the Land.

11. **OPEN SPACE CONTRIBUTION**

- 11.1 The Council will not require any contribution from the Owner (either financial or in the form of land provision) for open space purposes for the portion of the Land proposed to be zoned Neighbourhood Centre, the CFS land or for the by-pass road whether under section 18 of the Subdivision Act or otherwise.
- 11.2 Clause 11.1 has no reference to or effect upon that part of the Land proposed to be zoned Residential 2.
- 11.3 The Council agrees that it will not require the Owner to contribute greater than five per cent (5%) (either financially or in the form of land provision, such choice being at the sole option in all respects of the Owner) of that part of the Land proposed to be zoned Residential 2.

12. **NON-COMPLETION**

- 12.1 In the event that a party is unable or unwilling to fulfil any obligation under this Agreement by a given date or by such later date as the other party may in writing allow ("the defaulting party"), the other party may give to the defaulting party a written notice giving to the defaulting party a period of thirty (30) days to fulfil such obligation ("the default notice").
- 12.2 In the event that the defaulting party does not comply with the default notice by the due date, then this Agreement may at the option of the other party be avoided.



- 12.3 In the event that an obligation is due to be fulfilled by a party not including the parties ("the third party") then a period of thirty (30) days grace or such other period as may be agreed upon shall be granted to the third party to permit compliance.
- 12.4 In the event that a third party does not comply with its obligation by the due or any extended date, then either party to this Agreement shall be entitled to serve a notice on the other party to the effect that should compliance by the third party not be effected by the expiry of thirty (30) days from the date of service of such notice, this Agreement shall be void and upon expiry, this Agreement shall be at an end.
- 12.5 In the event that this Agreement is terminated or avoided then all rights, duties and obligations of either party to this Agreement shall likewise be at an end. Neither party shall have a right of action, claim or demand against the other and each party will stand in the same position as if this Agreement had not been entered into.

13. **GENERAL**

13.1 **Notices**

Any notice, consent or other communication that either of the Parties may be required or wish to give to the other Party pursuant to the provisions of this Agreement must be in writing and may be given by:

- (a) delivering such notice by hand to a Party at its address appearing hereon or to such other address as that Party may from time to time by notice in writing to the other Parties nominate as its new or alternative address for the giving of notices ("address for service");
- (b) being sent by facsimile to the facsimile number of the recipient Party; or
- (c) being sent by pre-paid mail to the address for service of the recipient Party

and such notice will be deemed to have been given:

- (i) if delivered personally, on the date on which the notice was personally delivered;
- (ii) if sent by facsimile, on the date on which the sending Party's facsimile machine records that the facsimile has been despatched; and
- (iii) if sent by pre-paid mail, on the date being two days after the date of posting.

13.2 No Waiver

No waiver of any right under this Agreement or forbearance or delay in the enforcement thereof or any other indulgence including but not only an indulgence of time granted by either Party to the other Party will affect the strict rights of that Party under this Agreement and all the rights and powers of that Party will remain in full force and effect notwithstanding any such waiver, forbearance, delay or other indulgence on the part of that Party.

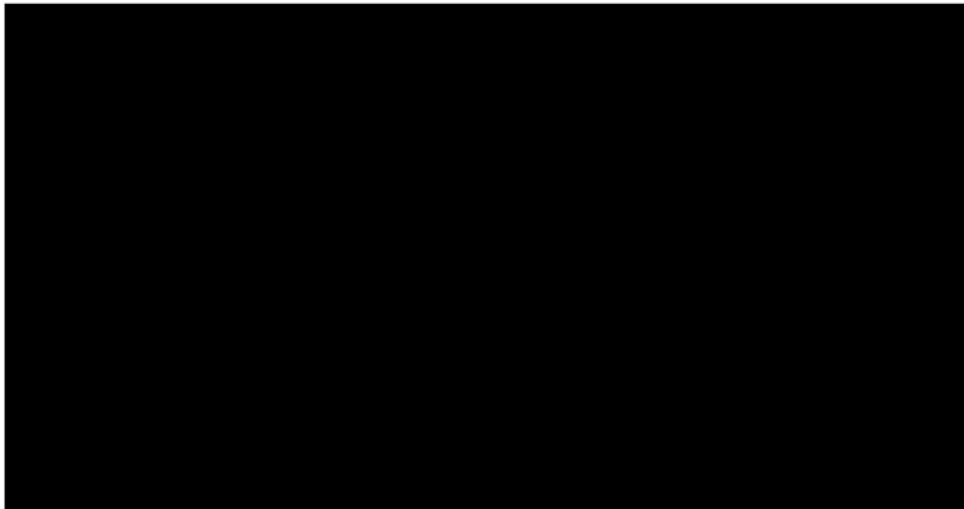
13.3 Status of Agreement

- (a) This Agreement constitutes the whole and entire agreement between the Parties in respect of all the matters contained in this Agreement and supersedes any representation, understanding or arrangement given or made orally or in writing by either Party to the other Party prior to this Agreement.
- (b) Save as expressly provided herein, this Agreement may not be altered or modified save by subsequent agreement in writing executed by the Parties.

13.4 Legal Costs

- (a) The Parties must pay their own legal costs incurred in the negotiation, preparation, completion and execution of this Agreement and all matters necessary and incidental thereto.
- (b) The Owner must pay the stamp duty assessed on this Agreement.
- (c) The Owner must pay any registration fees payable on the registration of this Agreement pursuant to Section 181 of the Act.

**IN WITNESS WHEREOF** the parties have executed this Agreement on the date appearing on page 1.





)  
)  
)  
)

t

y

TKrou101.74



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Reg

V585270F  
140898 0906 45 580



MADE AVAILABLE / CHANGE CONTROL  
Land Titles Office Use Only

# TRANSFER OF LAND

## Section 45 Transfer of Land Act 1958

SETT ONLY

Lodged by:  
Name: ANZ  
Phone:  
Address:  
Ref.:  
Customer Code: 193

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: (volume and folio reference)  
Lot 1 on Plan of Subdivision 406181G being the land contained in Certificate of Title Volume 10380 Folio 763

Estate and Interest: (e.g. "all my estate in fee simple")  
All the estate in fee simple

Consideration:  
\$580,000.00

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited:

Transferor: (full name)  
Roubos Nominees Pty Ltd (ACN 005 294 959)

Transferee: (full name and address including postcode)  
Yarraside Service Station Pty Ltd (ACN 005 947 688) of 645 Bridge Road, Richmond, 3121

Directing Party: (full name)

Dated:  
Executi  
The Cor  
(ACN 0  
accordan  
in the p  
  
The Cor  
Station  
was here  
Articles  
Approval  
  
T  
  
OFFICE OF  
VICTORIA  
25 AUG 1958



# ANNEXURE PAGE

## Transfer of Land Act 1958

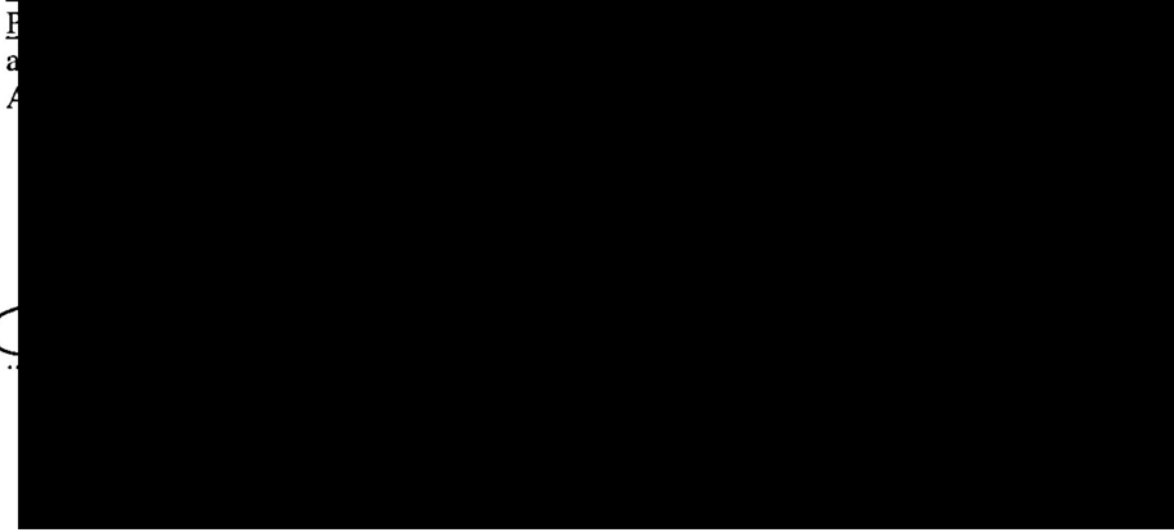
Approved Form A1  
Victorian Land Titles Office

This is page 1 of *Approved Form T1* dated 18/5/98 between  
Roubos Nominees Pty. Ltd. and Yarraside Service Station Pty. Ltd.

Signatures of the parties

Panel Heading

THE COMMON SEAL of ROUBOS NOMINEES )



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Approval No. 571967L

# A1



1. If there is insufficient space to accommodate the required information in a panel of the *Approved Form* insert the words "See Annexure Page 2" (or as the case may be) and enter all the information on the Annexure Page under the appropriate panel heading. **PAGE IS NOT TO BE USED.**
2. If multiple copies of a mortgage are lodged, original Annexure Page must be attached to each copy of the *Approved Form* to which it is annexed.
3. The Annexure Pages must be properly identified and signed by the parties to the *Approved Form* to which it is annexed.
4. All pages must be attached together by being stapled in the order in which they are to be presented.

**V585270F**  
140898 0906 45 580

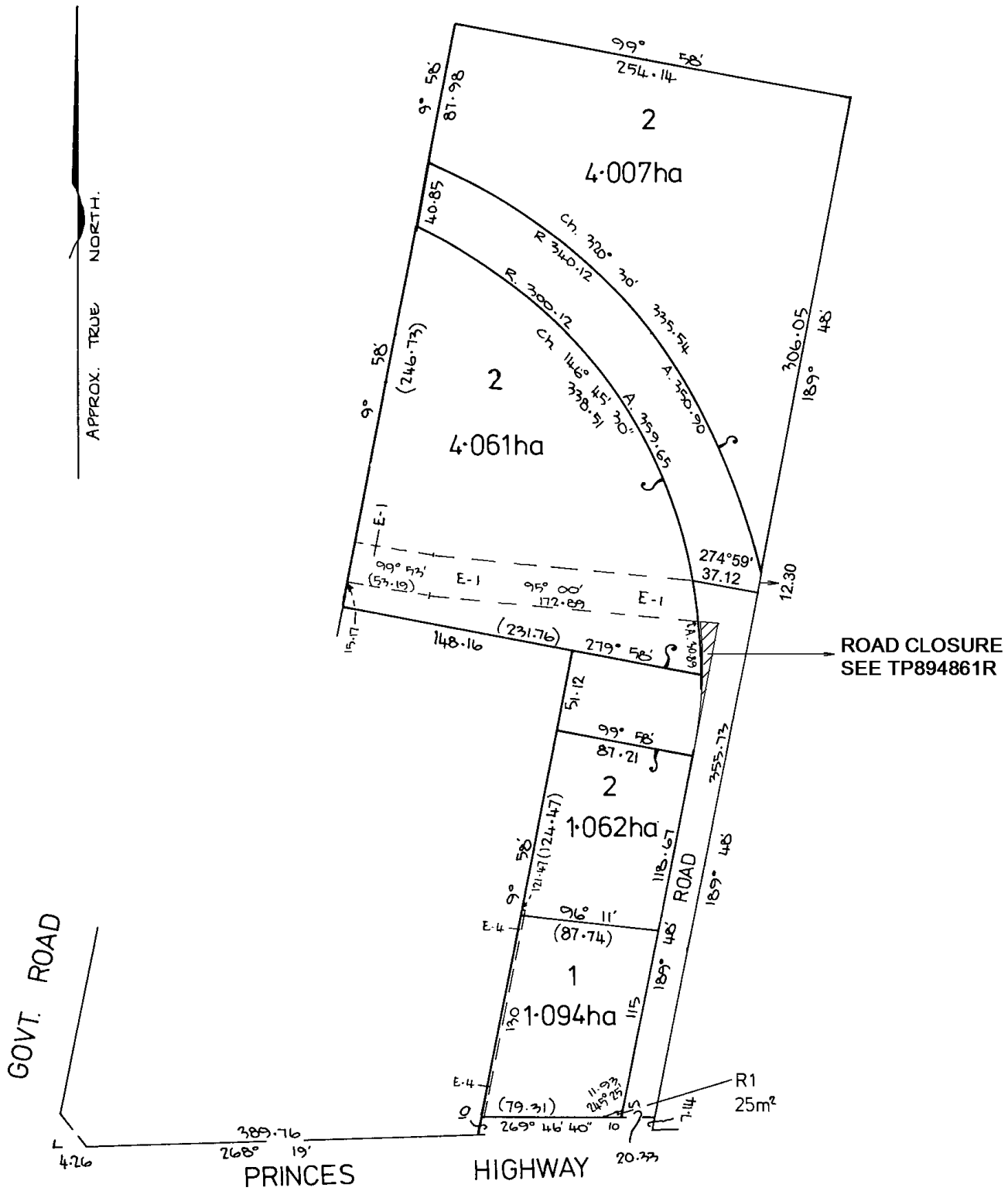
<b>PLAN OF SUBDIVISION</b>		STAGE No.	LTO USE ONLY <b>EDITION 5</b>	PLAN NUMBER <b>PS 406181G</b>
<b>LOCATION OF LAND</b>  PARISH: <u>Nar Nar Goon</u>  TOWNSHIP: <u>—</u>  SECTION: <u>—</u>  CROWN ALLOTMENT: <u>13 (Part)</u>  CROWN PORTION: <u>—</u>  LTO BASE RECORD: <u>Litho Sheet 1</u> TITLE REFERENCES: <u>Vol. 8926 Fol. 218</u>  LAST PLAN REFERENCE/S: <u>PS 415568 E Lot 1</u> POSTAL ADDRESS: <u>1365 Princes Highway</u> (At time of subdivision) <u>Pakenham 3810</u>  AMG Co-ordinates <u>E 368 900</u> (of approx centre of land <u>N 5 786 200</u> ZONE: <u>55</u> in plan)		<b>COUNCIL CERTIFICATION AND ENDORSEMENT</b>  COUNCIL NAME: <u>CARDINIA SHIRE COUNCIL</u> REF: <u>S 96/126</u> 1. <del>This plan is certified under Section 6 of the Subdivision Act 1988.</del> 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6. <u>21 / 12 / 97</u> 3. <del>This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.</del>  OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/ <del>has not</del> been made. (ii) <del>The requirement has been satisfied.</del> (iii) The requirement is to be satisfied Stage <u>2</u> ..... Council Delegate Council Seal Date <u>1 / 1 /</u>  Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date <u>27 / 3 / 98</u>		
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>NOTATIONS</b>		
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is/ <del>is not</del> a staged subdivision. Planning permit No. <u>T960276</u>  DEPTH LIMITATION <u>Does not apply</u> The "Road" abuttal shown as Road R1 on P.S. 415568 will be justified when the appropriate transfer is registered and recorded on that plan.		
R1	Roads Corporation.			
This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.				
SURVEY THIS PLAN IS/ <del>IS NOT</del> BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) <u>112</u> IN PROCLAIMED SURVEY AREA No. <u>—</u>				
<b>EASEMENT INFORMATION</b>				<b>LTO USE ONLY</b>
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Gas Pipeline Gas Supply	24.38 24.38	Inst. D591918 LP 83975	V. 8727 F 144 Lots on LP 83975
E-4 R1	Sewerage Way, drainage, & supply of gas, water, telephone, sewerage & electricity.	2 See Plan	This Plan This Plan	South East Water Limited Lots on this Plan.
				RECEIVED <input checked="" type="checkbox"/>  DATE: <u>27 / 4 / 98</u>  THIS IS AN L.T.O. COMPILED PLAN  CHECKED <u>19 / 4 / 02</u> <u>G. Newman</u> Assistant Registrar of Titles
NOBELIUS LAND SURVEYORS PIL P.O. Box 461 PAKENHAM 3810 PHONE 03 5941 4112 FAX 03 5941 4330				SHEET 1 OF 2 SHEETS  LICENSED SURVEYOR (PRINT) <u>R.P. NOBELIUS</u> SIGNATURE ..... DATE / / REF <u>P1551</u> VERSION <u>E</u> DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE <u>A3</u>

**PLAN OF SUBDIVISION**

STAGE No.

PLAN NUMBER

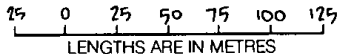
**PS 406181G**



This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

NOBELIUS LAND SURVEYORS P/L  
 P.O. BOX 461  
 PAKENHAM 3810  
 PHONE 03 5941 4112  
 FAX 03 5941 4330

SHEET 2 OF 2 SHEETS



ORIGINAL SCALE 1:2500 SHEET SIZE A3

LICENSED SURVEYOR (PRINT) ...R.P. NOBELIUS...  
 SIGNATURE ..... DATE / /  
 REF P 1551 VERSION E

DATE / /  
 COUNCIL DELEGATE SIGNATURE

# MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN  
 MASTER PLAN (STAGE 1) REGISTERED DATE 1/5/98 TIME

PLAN NUMBER

**PS 406181G**

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT S2	LOT 2	STAGE 2	PS406181G/S2	17/04/02	12.55PM	2	
EASEMENT E-2 & E-3		REMOVAL OF EASEMENT	PS527029M	13/04/06		3	N.L.H.
ROAD		ROAD CLOSURE	AE361500G	18/05/06		4	R.W.G.
ROAD		ROAD CLOSURE	AH995469J	23 / 6 / 11		5	HJR

This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.