
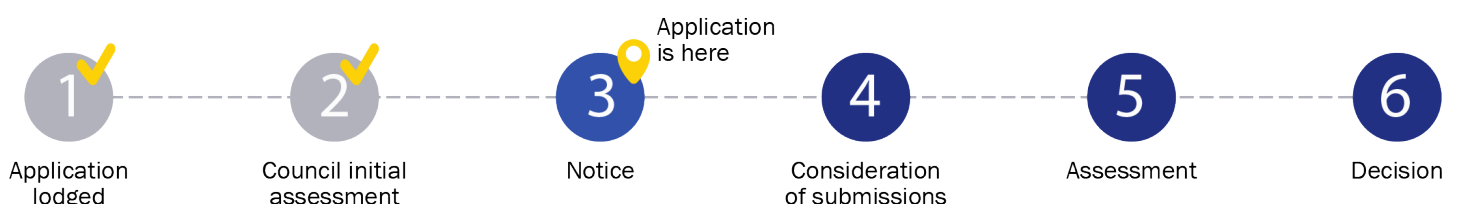


Notice of Application for a Planning Permit

The land affected by the application is located at:	L2 PS848669 V12344 F293 99B National Avenue, Pakenham VIC 3810	
The application is for a permit to:	Use of Land for the Purpose of an Education Centre	
A permit is required under the following clauses of the planning scheme:		
33.01-1	Use of the land for a (Education Centre)	
APPLICATION DETAILS		
The applicant for the permit is:	Canter Town Planning	
Application number:	T250240	
<p>You may look at the application and any documents that support the application at the office of the Responsible Authority:</p> <p>Cardinia Shire Council, 20 Siding Avenue, Officer 3809.</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.</p> 		
HOW CAN I MAKE A SUBMISSION?		
This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:		
04 July 2025		
WHAT ARE MY OPTIONS? <p>Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.</p> <p>If you object, the Responsible Authority will notify you of the decision when it is issued.</p>	<p>An objection must:</p> <ul style="list-style-type: none">• be made to the Responsible Authority in writing;• include the reasons for the objection; and• state how the objector would be affected.	<p>The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.</p>



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Application 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.: 99b	St. Name: National Ave
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.: 2	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input checked="" type="radio"/> Plan of Subdivision	No.: 848669G
OR					
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? *

Use of the land for an education centre

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⚠ 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 \$ 0

⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.

If the application is for land within **metropolitan Melbourne** (as defined in section 3 of the *Planning and Environment Act 1987*) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy **must** be paid to the State Revenue Office and a current levy certificate **must** be submitted with the application. Visit www.sro.vic.gov.au for information.

i Estimated cost of any development for which the permit is required *


Existing Conditions

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.

Warehouse

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 Provide a plan of the existing conditions. Photos are also helpful.

Title Information

Encumbrances on title *

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

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

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

Applicant and Owner Details

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

Applicant *

The person who wants the permit.

Name:

Title:

First Name:

Surname:

Organisation (if applicable): Canter Town Planning PTY LTD

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.: 23

St. Name: Ellis Street

Suburb/Locality: Frankston

State: VIC

Postcode: 3199

Please provide at least one contact phone number *

Contact information for applicant OR contact person below

Business phone: 03 7043 7843

Email: info@cantertownplanning.com.au

Mobile phone:

Fax:

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

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:


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.

Declaration

This form

 Remember the law mislead which heavy of the

Need

General in

Contact C

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

DX: 81006

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

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MORE INFORMATION

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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

▲ 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. 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 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 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 – 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.

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EXAMPLES

Example 1

The Land

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

Street Address *

St. No.: 26

St. Name: Planmore Avenue

Suburb/Locality: HAWTHORN

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

☐ Lodged Plan

☐ Title Plan

☒ Plan of Subdivision

OR

B

Example 2

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

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

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: Mr

First Name: Len

Surname: Browning

Organisation (if applicable): Responsible Developers P/L

Postal Address:

Unit No.: 4

St. No.: 12

St. Name: Ardour Lane

Suburb/Locality: Wucheproof

State: Vic

Postcode: 3527

Business phone: 9123 4567

Email: tcpl@bigpond.net.au

Mobile phone: 0412 345 678

Fax: 9123 4567

Contact person's details*

Same as applicant ☐

Name:

Title: Mr

First Name: Andrew

Surname: Hodge

Organisation (if applicable): Town Planning Consultants

Postal Address:

Unit No.:

St. No.:

St. Name: PO Box 111

Suburb/Locality: Parkdale

State: Vic

Postcode: 3194

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

Owner's Signature (Optional):

Date:

day / month / year

Application for a Planning Permit | Metropolitan Council

Addendum

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

Page 1 of 2

VOLUME 12344 FOLIO 293

Security no : 124124157885F

Produced 05/05/2025 11:55 AM

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LAND DESCRIPTION

Lot 2 on Plan of Subdivision 848669G.
PARENT TITLE Volume 12296 Folio 675
Created by instrument PS848669G 24/11/2021

REGISTERED PROPRIETOR

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT PS827498B 13/04/2021

COVENANT AU350621R 17/05/2021

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

DIAGRAM LOCATION

SEE PS848669G FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 99B NATIONAL AVENUE PAKENHAM VIC 3810

ADMINISTRATIVE NOTICES

NIL

eCT Control REGISTRAR OF TITLES
Effective from 15/11/2024

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS848669G

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

Page 2 of 2

DOCUMENT END

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Document Type	Plan
Document Identification	PS848669G
Number of Pages (excluding this cover sheet)	2
Document Assembled	05/05/2025 11:55

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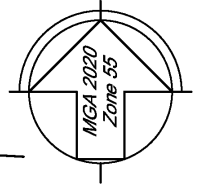
The document is invalid if this cover sheet is removed or altered.

PLAN OF SUBDIVISION				EDITION 1	PS 848669G
<p style="text-align: center;">Location of Land</p> <p>Parish: NAR NAR GOON</p> <p>Township: --</p> <p>Section: --</p> <p>Crown Allotment: 50 (PART)</p> <p>Crown Portion: --</p> <p>Title Reference: VOL 12296 FOL 675</p> <p>Last Plan Reference: LOT 63 on PS827498B</p> <p>Postal Address: 99 NATIONAL AVENUE (at time of subdivision) PAKENHAM 3810</p> <p>MGA 2020 Co-ordinates (of approx. centre of land in plan) E 336 190 Zone: 55 N 5 782 540</p>				<p>Council Name: Cardinia Shire Council</p> <p>Council Reference Number: S21-073 Planning Permit Reference: A2219894 SPEAR Reference Number: S176036V</p> <p>Certification</p> <p>This plan is certified under section 6 of the Subdivision Act 1988</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made</p> <p>Digitally signed by: Lisa Gibson for Cardinia Shire Council on 21/10/2021</p> <p>Statement of Compliance issued: 22/10/2021</p>	
VESTING OF ROADS AND/OR RESERVES				NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON			<p>BOUNDARIES SHOWN BY THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS</p> <p>LOCATION OF BOUNDARIES DEFINED BY BUILDINGS: MEDIAN : BOUNDARIES MARKED 'M' EXTERNAL FACE : ALL OTHER BOUNDARIES</p> <p>///- DENOTES STRUCTURE (NON BOUNDARY)</p> <p>LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS</p> <p>FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES.</p> <p>COMMON PROPERTY No.1 IS ALL THE LAND IN THIS PLAN EXCEPT LOTS 1 TO 2 (BOTH INCLUSIVE)</p>	
NIL	NIL				
NOTATIONS					
DEPTH LIMITATION : DOES NOT APPLY					
<p>SURVEY: This plan is based on survey</p> <p>STAGING: This is not a staged subdivision Planning Permit No. T210387</p> <p>This survey has been connected to permanent marks no(s) PM328 & PM780 In Proclaimed Survey Area No. 71</p>					
EASEMENT INFORMATION					
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					
Easements & Rights implied by Section 12(2) of the Subdivision Act 1988 applies to the whole of the land in this plan.					
Easement Reference	Purpose	Width (metres)	Origin	Land Benefited/In Favour Of	
E-1	Partywall	0.15	This Plan	Lot 62 on PS827498B	
<p style="font-size: small;">P: 03 5975 5921 E: office@stevepalmer surveys.com.au W: stevepalmer surveys.com.au A: 1/26 Carbine Way Mornington 3931</p> <p style="font-size: x-small;">Steve Palmer Surveys Land Surveyors A.B.N. 69 166 818 846</p>		<p>REFERENCE : 21065 DATE : 15/09/2021 DRAWING : 21065-POS-C</p> <p>Digitally signed by: Darren O'Shea, Licensed Surveyor, Surveyor's Plan Version (C), 15/09/2021, SPEAR Ref: S176036V</p>		<p>ORIGINAL SHEET SIZE : A3</p> <p>Sheet 1 of 2 sheets</p>	<p>PLAN REGISTERED TIME: 4:58pm DATE: 24/11/2021 H.T Assistant Registrar of Titles</p>

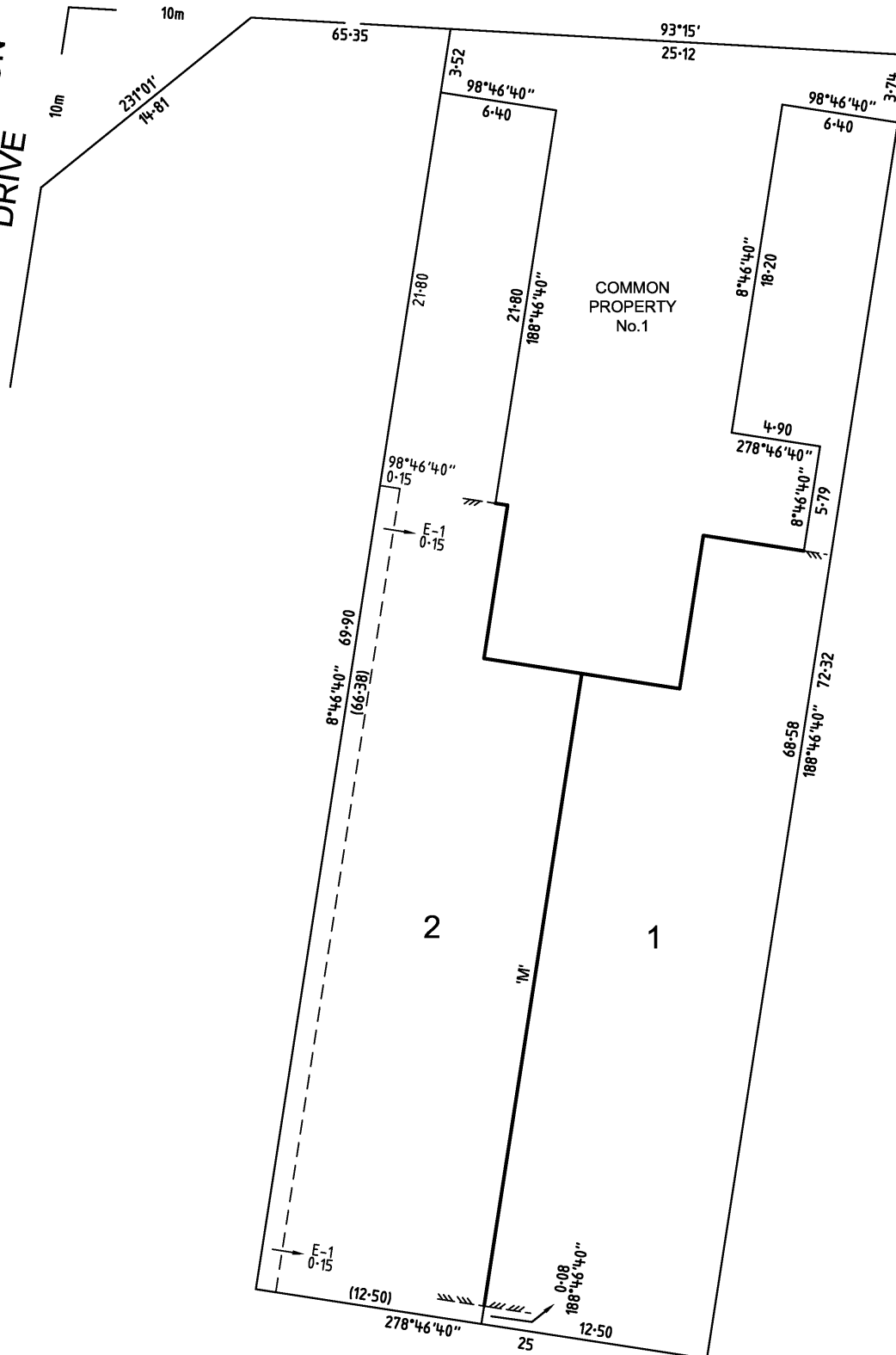
PS 848669G

NATIONAL

AVENUE



ADMINISTRATION
DRIVE



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DRAWING : 21065-POS-C
DATE : 15/09/2021

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SIZE : A3

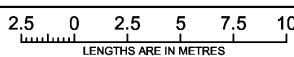
Sheet 2



Steve Palmer Surveys
Land Surveyors

P: 03 5975 5921
E: office@stevepalmersurveys.com.au
W: stevepalmersurveys.com.au
A: 1/26 Carbine Way Mornington 3931
A.B.N. 69 166 818 846

SCALE
1:250



Digitally signed by: Darren O'Shea, Licensed Surveyor,
Surveyor's Plan Version (C),
15/09/2021, SPEAR Ref: S176036V

Digitally signed by:
Cardinia Shire Council,
21/10/2021,
SPEAR Ref: S176036V



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Owners Corporation Search Report

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Produced: 05/05/2025 11:55:21 AM

OWNERS CORPORATION 1
PLAN NO. PS848669G

The land in PS848669G is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 1, 2.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

WAREHOUSE 1 99 NATIONAL AVENUE PAKENHAM VIC 3810

OC054081T 24/11/2021

Owners Corporation Manager:

NIL

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

OC054081T 24/11/2021

Notations:

Nil

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	100	100
Lot 2	100	100
Total	200.00	200.00

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 05/05/2025 11:55:21 AM

OWNERS CORPORATION 1
PLAN NO. PS848669G

Statement End.

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Produced 03/06/2025 10:01:24 AM

Status	Registered	Dealing Number	AU350621R
Date and Time Lodged	17/05/2021 05:06:13 PM		

Lodger Details

Lodger Code	20065F
Name	SHARROCK PITMAN LEGAL PTY. LTD.
Address	
Lodger Box	
Phone	
Email	
Reference	

TRANSFER

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

12296/675

Transferor(s)

Name	SOUTHEAST BUSINESS DEVELOPMENTS PTY LTD
ACN	617834027

Estate and/or Interest being transferred

Fee Simple

Consideration

\$AUD 508508.00

Transferee(s)

Tenancy (inc. share)	Sole Proprietor
Name	TOMMATT PROPERTIES PTY LTD
ACN	648030344
Address	
Street Number	8
Street Name	MEGA



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Electronic Instrument Statement

Street Type	RISE
Locality	PAKENHAM
State	VIC
Postcode	3810

Covenants

The registered proprietors of the burdened land covenant with the registered proprietors of the benefited land as set out in the restrictive covenant with the intent that the burden of the restrictive covenant runs with and binds the burdened land and the benefit of the restrictive covenant is annexed to and runs with the benefited land.

Burdened land	the Land
Benefited land	MCP: AA5482
Restrictive covenant	MCP: AA5482
Expiry Date	

Duty Transaction ID

5103086

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. 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.

Executed on behalf of	SOUTHEAST BUSINESS DEVELOPMENTS PTY LTD
Signer Name	ANDRE ONG
Signer Organisation	SHARROCK PITMAN LEGAL PTY. LTD.
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	17 MAY 2021

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. 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.

Executed on behalf of	TOMMATT PROPERTIES PTY LTD
Signer Name	ANDRE ONG
Signer Organisation	SHARROCK PITMAN LEGAL PTY. LTD.
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	17 MAY 2021

File Notes:

NIL



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

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Document Type	Instrument
Document Identification	AA5482
Number of Pages (excluding this cover sheet)	3
Document Assembled	03/06/2025 10:04

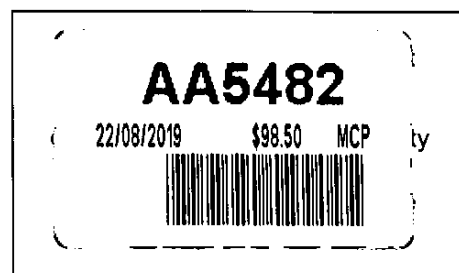
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Memorandum of common provisions

Section 91A Transfer of Land Act 1958



Lodged by	
Name:	Sharrock Pitman Legal
Phone:	(03) 9560 2922
Address:	Suite 2, 40 Montclair Avenue, Glen Waverley 3150
Reference:	AO:25287
Customer code:	373G

This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Provisions:

Any lot (or part thereof) within Plan of Subdivision PS734586W upon transfer on or after the date of registration of this Memorandum of Common Provisions shall be subject to the terms of the restrictions set out in this Memorandum of Common Provisions.

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1. TEXT OF RESTRICTIONS

The Transferee with the intent of binding the owner for the time being of the land in this transfer ("the Land") COVENANTS with the Transferor and each of the owners of the land (or any part thereof) described in or formerly described in Certificate of Title Volume 11901 Folio 109 (apart from the Land) that the Transferee will not:

- a) Erect or permit or suffer any building or buildings to be erected or to remain on the Land hereby transferred unless:
 - i. Erection of the building or buildings are commenced within three (3) years of the date of registration of Plan of Subdivision No. PS734586W and completed within the twelve (12) months following such commencement or such latter date as may be approved in writing by Southeast Business Developments Pty Ltd (ACN 617 834 027);
 - ii. The plans and specifications of the said building or buildings including landscape plans have been approved in writing by Southeast Business Developments Pty Ltd (ACN 617 834 027); and
 - iii. The said building or buildings and landscaping plans are specifications are in conformity with the Southeast Business Park Design Guidelines.
- b) Use or permit or suffer any party of the Land hereby transferred to be used for purposes of a bank, café/take-away food premises, restaurant, motor vehicle repairs and panel-beating as

35271702A

V3

1. The provisions are to be numbered consecutively from number 1.
2. Further pages may be added but each page should be consecutively numbered.
3. To be used for the inclusion of provisions in instruments and plans.

91ATLA

Page 1 of 3

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Memorandum of common provisions

Section 91A Transfer of Land Act 1958

AA5482

22/08/2019

\$98.50

MCP



defined in the Cardinia Planning Scheme without the prior written consent of Southeast Business Developments Pty Ltd (ACN 617 834 027).

- c) Cause a plan of subdivision affecting the Land hereby transferred (without prior written approval from Southeast Business Developments Pty Ltd (ACN 617 834 027)) to be lodged with the Registrar of Titles for approval.
- d) Erect or cause to be erected on the Land hereby transferred any building other than a building of which the whole (save for the provision of window and doors) of the front wall and any side wall fronting a road is constructed of brick or block masonry or concrete with the applied paint or aggregate finish or such other materials and finish as may be approved by Southeast Business Developments Pty Ltd (ACN 617 834 027).
- e) Erect or cause to be erected on the Land hereby transferred any building other than a building of which the whole (save for the provision of window and doors) of any wall not facing any street or road is constructed up to a height of 2.1 metres above ground level of brick, masonry or such other materials as may be approved in writing by Southeast Business Developments Pty Ltd (ACN 617 834 027).
- f) Use or permit to be used for the purposes of external walls (including doors) on any building or buildings any cladding materials unless the same is finished with a durable paint or permanent colour surface.
- g) Suffer or store or permit goods, materials, containers or any other commodities or any tank, plant and machinery or rubbish to be stored or placed outside any building erected on the Land hereby transferred unless they are substantially screened from view from the road frontage and from any secondary road by a wall of at least 2.5 metres in height or by other means approved by Southeast Business Developments Pty Ltd (ACN 617 834 027).
- h) (i) Use or permit or suffer that part of the Land hereby transferred situated within any setback area required pursuant to the provisions of the Cardinia Planning Scheme (herein called "the landscape areas") to be used otherwise than for the purpose of a maintained landscaped garden or for the purpose of access to any building on the land hereby transferred; and
(ii) Develop or permit or suffer the landscaped area to be developed as a landscaped garden or for the purpose of access of any building erected on the Land hereby transferred unless and until the plans and specifications for the landscaped area have been approved in writing by Southeast Business Developments Pty Ltd (ACN 617 834 027) which approval is not to be unreasonably withheld.
- i) Use or permit or suffer any part of the Land hereby transferred to be used for the purpose of a motor vehicle wrecking or junk/scrap metal yard or container storage or recycling facility.
- j) Erect or cause to be erected any front or side fence forward of the Landscape Set-back referred to below without the prior written consent of Southeast Business Developments Pty Ltd (ACN 617 834 027).

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Page 2 of 3

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Memorandum of common provisions

Section 91A Transfer of Land Act 1958

AA5482

22/08/2019 \$98.50 MCP



Landscape Set-back

Street Frontage	No Service Road Min distance (m)	Service Road
Koo Wee Rup Road	3	3
SouthEast Boulevard	3	N/A
Greenhills	3	3
McGregor	3	3
All other roads	3	N/A

- k) Erect or cause to be erected any fence constructed of a material other than coated chain or mesh, steel pickets or materials to match the walls of the Building where that fence faces the road frontage or a secondary road, without the prior written consent of Southeast Business Developments Pty Ltd (ACN 617 834 027).
- l) Erect or cause to be erected any side and rear boundary fence not facing a road other than an industrial chain mesh with a minimum height of 2.1m and a maximum height of 2.5m, without the prior written consent of Southeast Business Developments Pty Ltd (ACN 617 834 027).
- m) Erect or cause to be erected on the Land before any building is erected on the Land any sign or hoarding advertising the land for sale other than a sign approval by Southeast Business Developments Pty Ltd (ACN 617 834 027) for a period of four (4) years from the registration of Plan of Subdivision No. PS734586W.
- n) Erect or cause to be erected on the Land any Building unless the Building includes a Rainwater Tank with a minimum storage capacity of not less than 5000 litres, and which is plumbed or connected to the Buildings Toilet facilities.

The Covenants in Clauses (a) (b) and (c) shall cease to operate 10 years after registration of Plan of Subdivision No. PS734586W.

AND IT IS AGREED that the benefit of each of those covenants runs with the land in Plan of Subdivision No. PS734586W (apart from the Land) and that the burden runs with the Land.

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Document Type	Survey Report
Document Identification	PS827498B
Number of Pages (excluding this cover sheet)	9
Document Assembled	04/06/2025 11:50

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Department of Environment, Land, Water & Planning

Examination Report

Page 1 of 1

Dealing Number: PS827498B SPEAR Number: S134485H
Registered by: Rosamond D' Rozario, Assistant Registrar of Titles, 13/04/21 10:05 AM

SUBJECT LAND

Volume 12154 Folio 204 Lot A on Plan PS823245E

RE-ESTABLISHMENT

Subdivision of Super Lot A on PS823245E.

Based on a prior survey PS537513A. Original survey in 20/04/2005 updated on 11/11/2010.

Linking diagram supplied.

Parcel is bounded by other stages to it east for which SAFR's have been provided.

Lot A is covered by reference control marks and can be readily re-established.

Title dimensions and abutments maintained.

This survey is acceptable via Plan Linking Diagram.


RD
13/04/2021

ADDITIONAL INFORMATION

veris

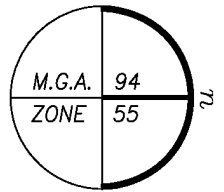
LICENSED SURVEYOR'S REPORT

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PURPOSE OF SURVEY	Subdivision – PS827498B
SITE	Southeast Business Park – Stage 1B
CROWN DESCRIPTION	County of Mornington Parish of Nar Nar Goon Crown Allotment 47, 49 & 50 (Parts)
MUNICIPALITY	Cardinia Shire Council
SUBJECT LAND	Lot A on PS823245E (Vol. 12154 Fol. 204)
RELEVANT ABUTTING SURVEY INFORMATION	PS537513A (Stage 1) & PS823245E (Stage 1A)
ORIGIN SURVEY	PS537513A (Original – 2005, Additional – 2010)
RELATIONSHIP TO ORIGIN SURVEY MARKS	Supplementary Abstract of Field Records for abutting stage (PS823245E) shows connection to reference marks from the surveys lodged in PS537513A.

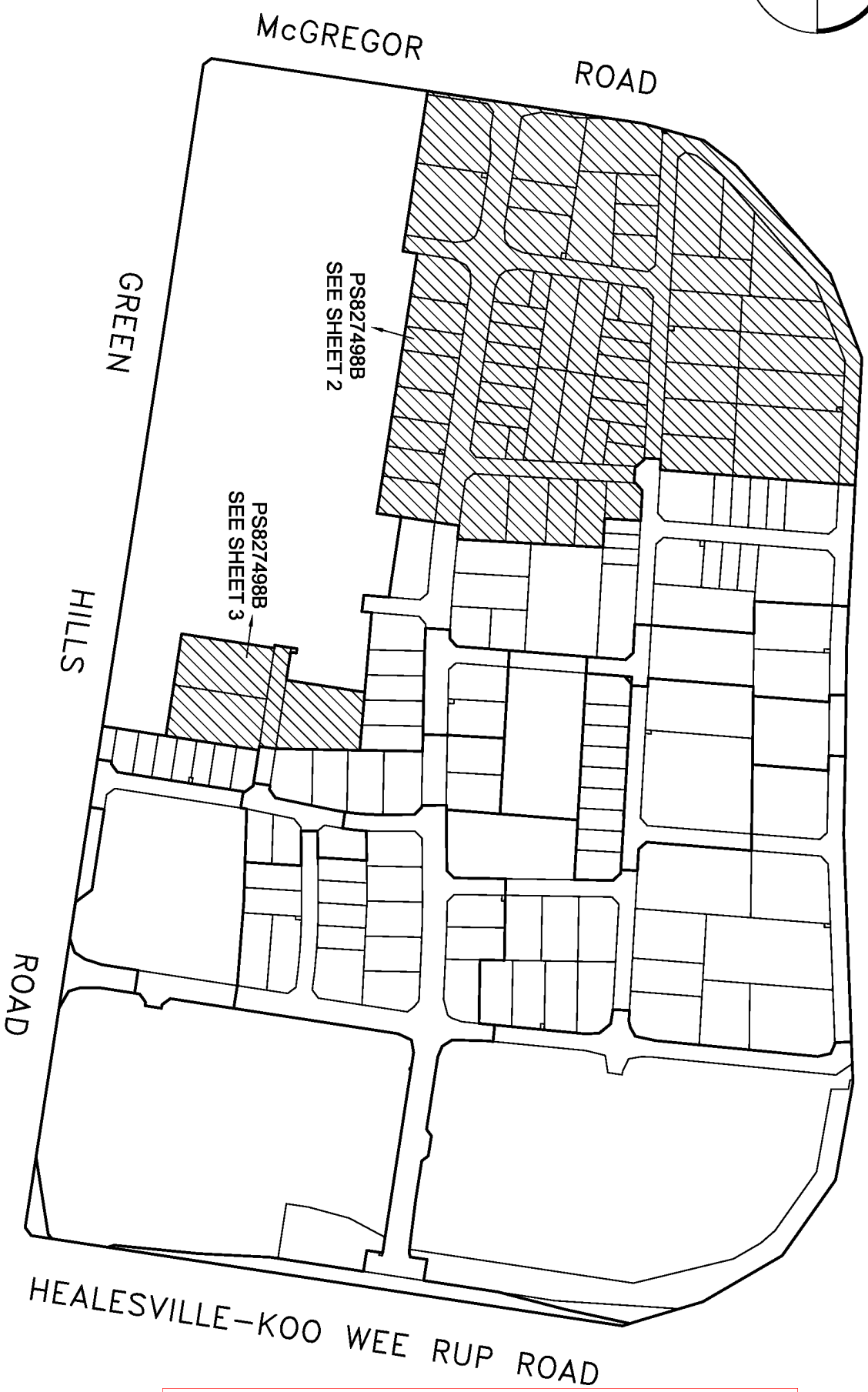
Licensed Surveyor

DIGITALLY SIGNED



**ESTATE LINKING PLAN -
SOUTHEAST BUSINESS PARK,
PAKENHAM**

ORIGINAL FIELD RECORDS
LODGED BY BOSCO JONSON (VERIS)
IN PS537513A

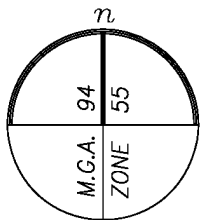


Sheet 1 of 3
Date: 18 December 2020
Dwg: 331900-ST1B-BA
Scale @ A4 1:8000

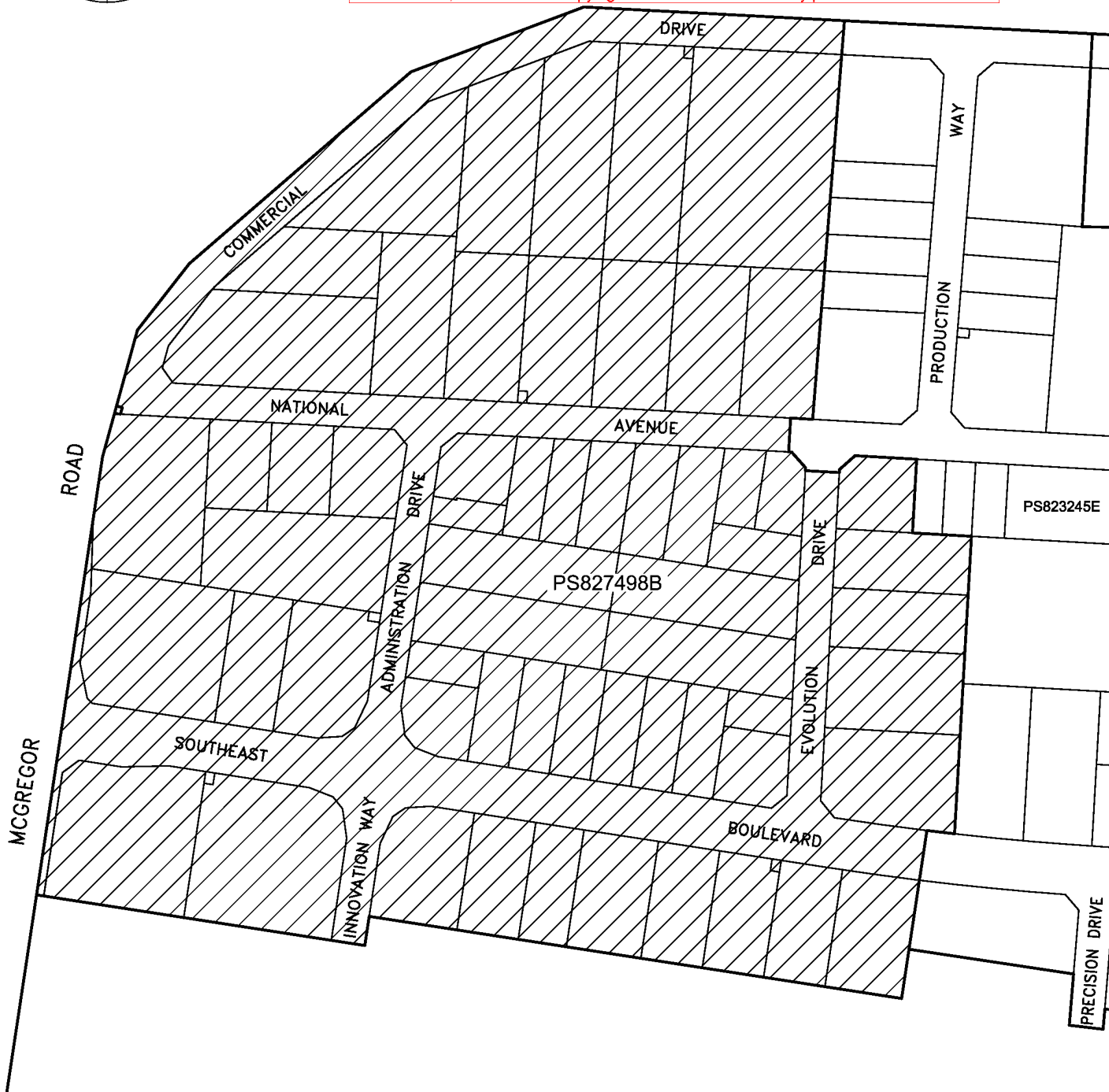
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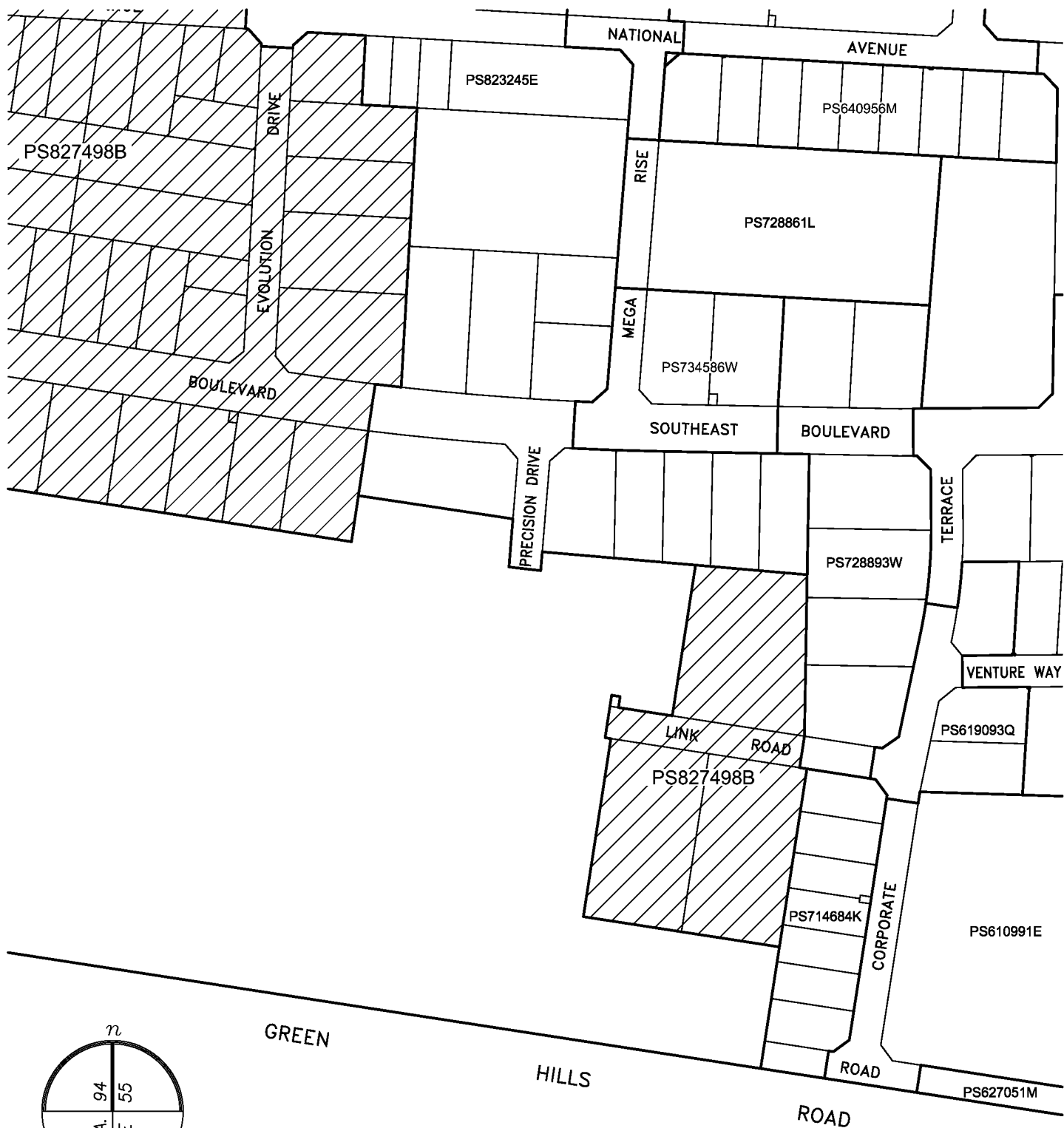
PLAN OF SUBDIVISION	PLAN REGISTRATION DATE	SUPPLEMENTARY FIELD RECORDS SURVEY DATE	CONNECT TO ORIGINAL
PS537513A (Origin survey)	26/03/2008	Origin survey date 20/04/2005 (then 22/08/2007 & 16/06/2008)	Yes (for Supplementaries)
PS537513A (5 year update)	N/A	Update survey date 11/11/2010	Yes
PS823245E	02/10/2019	04/07/2019	Yes

ESTATE LINKING PLAN - **SOUTHEAST BUSINESS PARK,** **PAKENHAM**

Sheet 2 of 3
 Date: 18 December 2020
 Dwg: 331900-ST1B-BA
 Scale @ A4 1:4000

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PLAN OF SUBDIVISION	PLAN REGISTRATION DATE	SUPPLEMENTARY FIELD RECORDS SURVEY DATE	CONNECT TO ORIGINAL
PS537513A (Origin survey)	26/03/2008	Origin survey date 20/04/2005 (then 22/08/2007 & 16/06/2008)	Yes (for Supplementaries)
PS537513A (5 year update)	N/A	Update survey date 11/11/2010	Yes
PS823245E	02/10/2019	04/07/2019	Yes

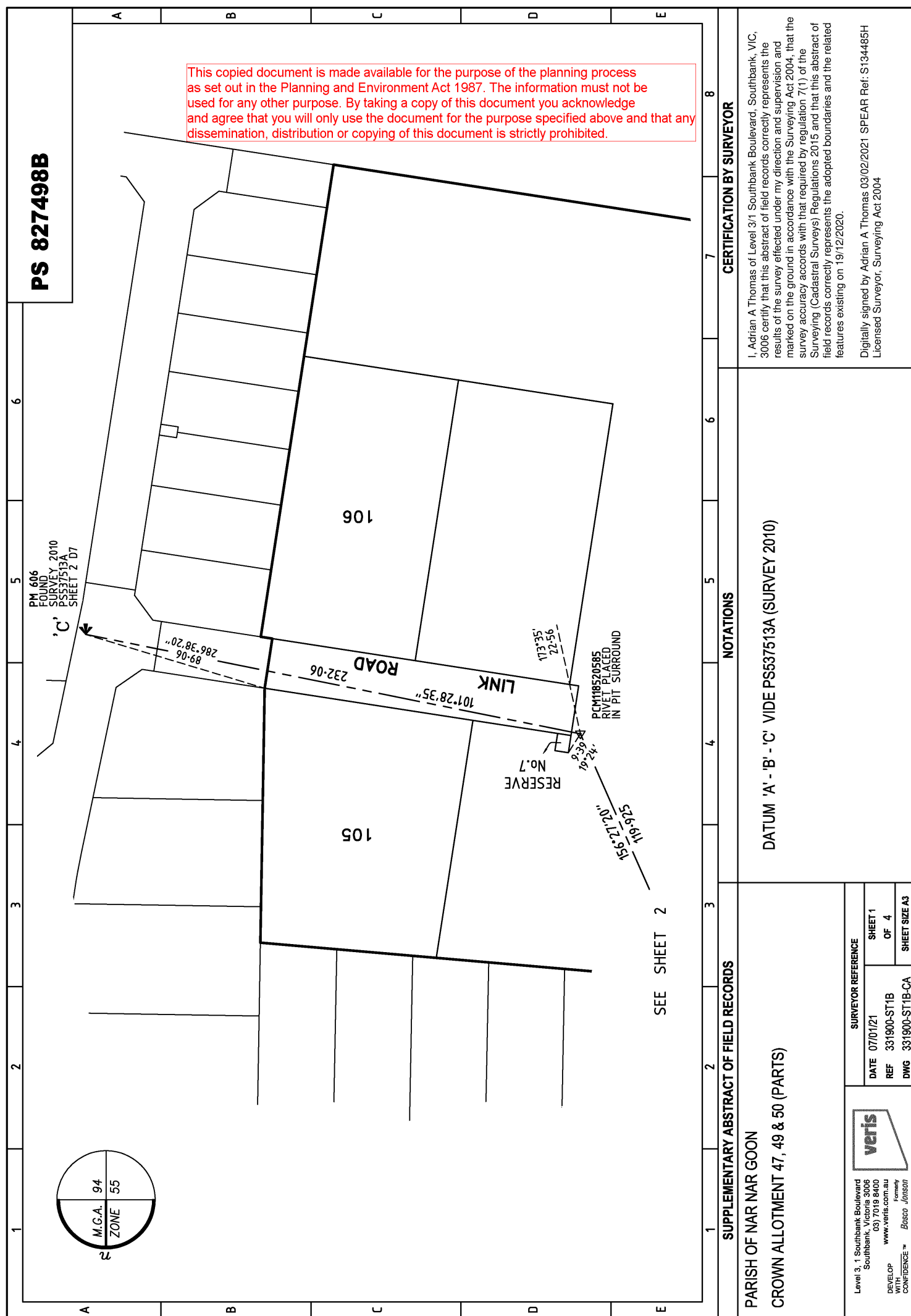
ESTATE LINKING PLAN - **SOUTHEAST BUSINESS PARK,** **PAKENHAM**

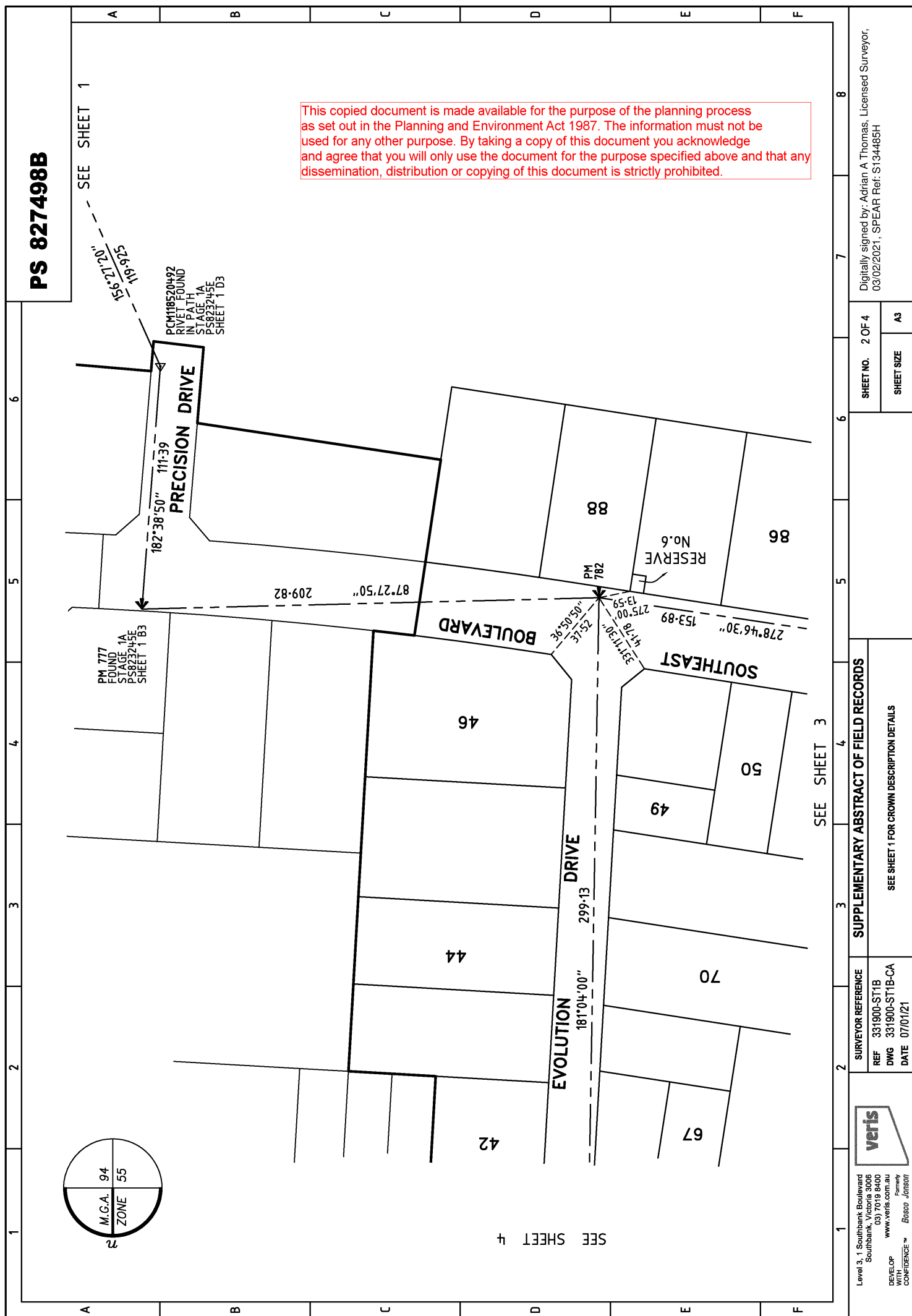
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 Date: 18 December 2020
 Dwg: 331900-ST1B-BA
 Scale @ A4 1:4000

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 Southbank, Victoria 3006
 03) 7019 8400
 www.veris.com.au
 Formerly
 DEVELOP WITH CONFIDENCE™ **Bosco Jonson**



Digitally signed by: Adrian A Thomas, Licensed Surveyor, SPEAR Ref: S134485H 18/12/2020





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June, 2025
*Prepared for
Registered
Proprietor*

TOWN PLANNING REPORT

99b National Avenue, Pakenham Vic 3810

Table of Contents

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Introduction	2
Subject Site and Surrounds	2
Title Details	4
Proposal Overview	5
Zoning and Overlays.....	8
PPF Assessment	9
Particular Provisions	15
Conclusion.....	16

1.0 Introduction & Overview

Canter Town Planning Pty Ltd have been engaged by Registered Proprietor to prepare a Town Planning Assessment for the change of use of the land for the purpose of an education centre at 99b National Avenue, Pakenham Vic 3810.

The applied planning permit triggers are:

Clause 33.01-1	A Permit is required to use the land for the purpose of an education centre.
-----------------------	--

2.0 Subject Site and Surrounds

The subject site is located on the northern side of National Avenue, within the Southeast Business Park in Pakenham, approximately 53 kilometres southeast of Melbourne's Central Business District. The property, known as 99B National Avenue, comprises a regular-shaped allotment with an overall site area of approximately 650 square metres.

The site is developed with a warehouse facility currently occupied by Pupkus Australia, a pet warehouse retail operation. The building is constructed with concrete tilt-up panels and features a container-height roller shutter door, providing access to the warehouse area. The site is devoid of significant vegetation and is primarily covered by the building footprint and hardstand areas.

Access to the site is provided via a single crossover on National Avenue, facilitating vehicular ingress and egress. The property is zoned Industrial 1 (IN1Z) under the Cardinia Planning Scheme, supporting a range of industrial and commercial uses.

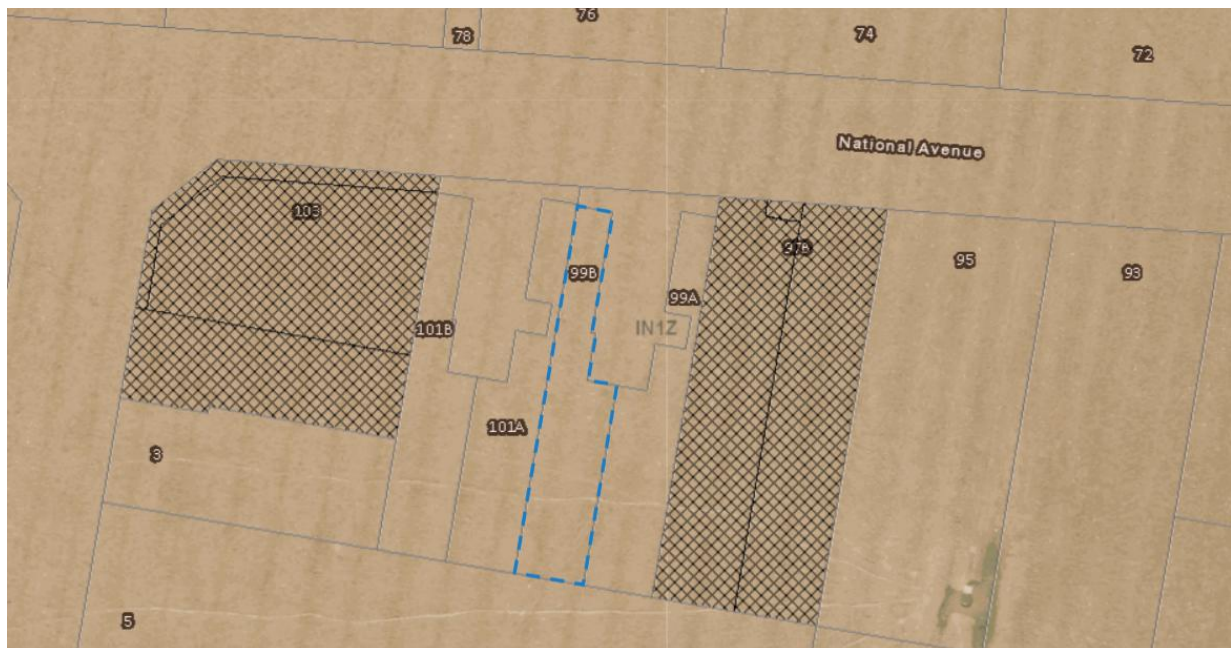


Figure 1: Aerial View of Subject Site (Source: VicPlan)

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Figure 2: National Avenue Frontage (Source: Google Maps)

The surrounding area is characterised by a mix of industrial and commercial land uses, consistent with the broader Southeast Business Park precinct. Immediately adjoining the subject site are Units 1 and 2 at 99 National Avenue, each comprising modern office and warehouse facilities with floor areas of approximately 506 square metres and 589 square metres, respectively. Further along National Avenue, at No. 80, is MN Spraybooths, a manufacturer specialising in spray booth systems and related equipment. Nearby, 107 National Avenue comprises a 2,527 square metre industrial allotment that was recently transacted, reflecting continued investment and development activity within the area.

The Southeast Business Park is a prominent industrial precinct within Pakenham, offering proximity to major transport routes, including the Princes Freeway, enhancing connectivity to Melbourne and the broader Gippsland region. The precinct is experiencing significant growth, with ongoing developments contributing to its status as a key industrial hub in the southeast corridor.

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Planning Zones

[INDUSTRIAL 1 ZONE \(IN1Z\)](#)

[SCHEDULE TO THE INDUSTRIAL 1 ZONE \(IN1Z\)](#)



Figure 3: Surrounding Zoning (source: VicPlan)

3.0 Title Details

A current Certificate of Title for 99B National Avenue, Pakenham (Lot 5 on PS827498B) has been reviewed and is included as part of this application. The Title confirms that the land is affected by a registered Restriction created under Covenant PS827498B and Instrument AU350621R.

This covenant applies to multiple lots within the Southeast Business Park and is designed to uphold a high standard of built form, amenity, and functionality across the precinct. The restrictions contained in the covenant generally relate to:

- Prohibiting sensitive land uses such as residential uses, places of worship, or child care centres;
- Mandating minimum development standards including setbacks, landscaping, building appearance, car parking, and general site presentation;
- Ensuring that land use and development remain consistent with the industrial-commercial character of the estate.

In Response:

The proposed use of the premises as an education centre operated by CTG is fully compliant with the requirements and intent of the covenant. The activities to be conducted on site involve industry-relevant vocational training, including courses in Construction Induction (White Card), Forklift Licensing, Traffic Control, First Aid/CPR, and Elevated Work Platform (EWP) operation. These services are directly aligned with the functional needs of nearby industrial and trade-based businesses, and the site has been selected for its location within a commercial-industrial context.

Importantly, the proposed use:

- Does not involve sensitive uses prohibited under the covenant (e.g. residential or religious);
- Involves no buildings and works, ensuring all existing building design and site layout—such as car parking and built form—remain unchanged and in accordance with covenant standards;
- Maintains the site's commercial character, operating during business hours with limited staff and students on site, producing minimal waste and noise;
- Makes efficient, reversible use of the existing premises without disrupting the long-term availability of the land for industrial purposes.

Given the nature, scale, and low-impact characteristics of the proposal, the education centre is considered compatible with the covenant and the ongoing intent of the Southeast Business Park as a high-quality industrial estate. No element of the proposal breaches the registered Restriction, and the use is lawfully permitted under the Title.

4.0 Proposal Overview

This application seeks formal approval for the change of use of the existing premises located at 99B National Avenue, Pakenham, for the purpose of establishing an education centre. It is important to note that no buildings and works are proposed as part of this application, and the gross floor area of the premises will remain unchanged, with all training activities to be conducted within the confines of the existing built form. The proposed use involves utilising the existing building for vocational and compliance-based training services, and the site has been selected due to its suitability for educational use within a commercial context. Further details of the proposed use are outlined below:

Use of the Land

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- The land is proposed to be used for the operation of an education centre by CTG, a registered training organisation that delivers industry-relevant compliance and safety training courses tailored to both individual learners and commercial clients.
- The specific training courses offered on-site will include Construction Induction (commonly known as the White Card), First Aid and CPR certification, Traffic Control training, Forklift Licensing, and Elevated Work Platform (EWP) operation, in addition to other general safety-related programs.
- The nature and scope of the training activities to be conducted at the site are consistent with those provided by other established training organisations in the region, such as COVE Training and STAR Training, which further supports the appropriateness of the proposed land use.
- The proposed hours of operation will generally be from 7:30am to 4:30pm, Monday through Friday, to accommodate the standard scheduling of most short-course vocational training.

- In response to participant demand and specific training requirements, CTG may occasionally operate on weekends, particularly on Saturdays and Sundays, when such flexibility is necessary.
- On an as-needed basis, the organisation may offer evening courses, including marine licence training, which may extend into the evening and conclude at approximately 10:00pm.
- The number of staff members present on-site at any given time will be limited to a maximum of two to three individuals, who will be responsible for course facilitation, administration, and general oversight.
- The number of enrolled students will be capped at 22 at any one time, which is consistent with the maximum capacity of the training room located within the existing premises and ensures compliance with relevant planning controls and health and safety standards.
- Waste generated as part of the day-to-day operation of the centre will be responsibly managed, with general waste being collected and stored in an on-site trailer before being transported daily to CTG's main campus in Rowville by the business owner.
- This waste disposal method has been in place for several years and reflects a reliable and sustainable approach to off-site waste management, ensuring that no refuse is accumulated or left unattended on the property.
- A single business identification sign is proposed to be affixed above the main entrance of the building, which will display the CTG business name and contact number in a clear and professional manner that is visually appropriate for the site's context.
- A temporary freestanding banner stating "Now Open" will be positioned along the site's front fence for short-term visibility during the initial operational period, and this will be removed once the permanent signage is installed.
- All signage will be designed to remain discreet and in keeping with the commercial character of the surrounding area, avoiding visual clutter or conflict with neighbouring uses.
- The subject site currently provides a total of 16 on-site car parking spaces, including one accessible space, in accordance with accessibility requirements.
- CTG will utilise eight of these parking spaces exclusively, while the remaining spaces will be available to the adjacent tenant under an existing mutual agreement between both parties regarding the allocation and use of car parking on the site.
- With the proposed maximum of 22 students, the calculated statutory car parking requirement under Clause 52.06 of the Cardinia Planning Scheme is 8.8 spaces, which rounds down to 8 spaces; therefore, the proposal meets the required car parking provisions in full.
- The nature of the proposed use is considered to be low-impact in terms of noise and environmental implications, as all training activities are to be conducted indoors within a classroom setting, supplemented by light, simulated practical demonstrations as required.

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- The operations are not expected to produce any excessive noise or emissions, and the overall use of the land will be respectful of the surrounding area's amenity, consistent with other education-based and commercial land uses.

This application reflects CTG's commitment to delivering high-quality, accessible, and practical education within a professionally managed environment that is entirely compatible with the surrounding land uses. The proposed change of use makes efficient use of an existing building without necessitating any structural modifications and will contribute positively to the availability of accredited vocational training services within the municipality.

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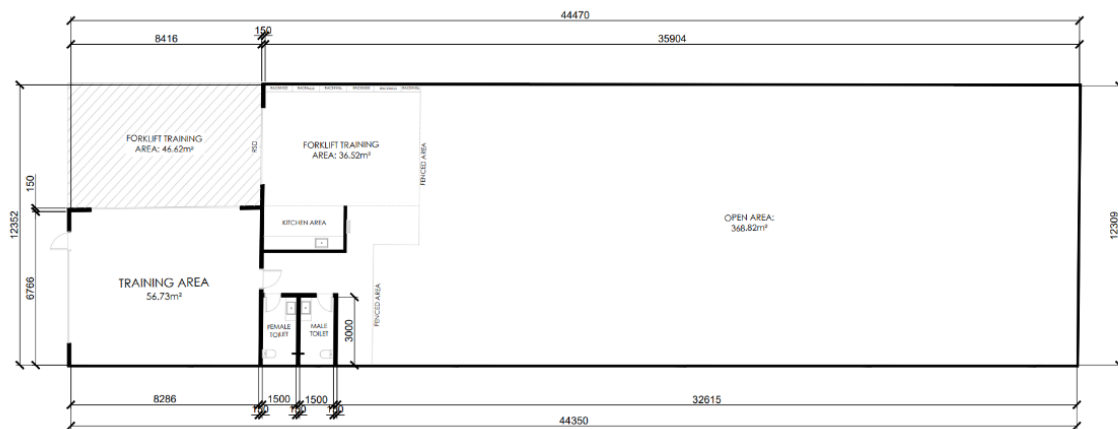


Figure 5: Ground Floor Plan

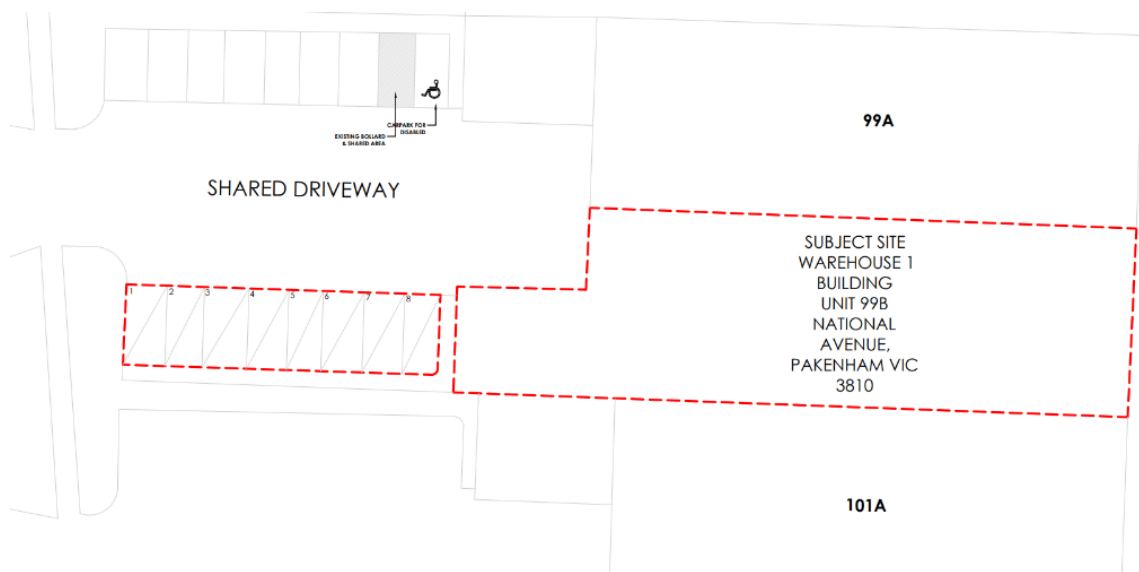


Figure 6: Site layout

5.0 Zoning & Overlays

5.1 Zoning

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Industrial 1 Zone (Clause 33.01)

The subject site is located within the Industrial 1 Zone. Pursuant to Clause 33.01-1, a planning permit is required to use the land for the purpose of an education centre.

Zone Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Relevant Decision Guidelines:

Pursuant to Clause 33.01-2, an application to use the land must be assessed against the guidelines listed below, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

In response:

The proposal is considered consistent with the purpose and decision guidelines of the Industrial Zone Schedule 1. The proposal is compliant with the Planning Policy Framework and Municipal Planning Strategy, with a full assessment provided later in the report.

The Zone purpose outlines that non-residential uses are to be allowed where the use will serve a community need and in appropriate locations. It is considered that the proposal will serve the community as it provides for an education centre to service the area.

The proposed use is not expected to detrimentally affect the surrounding properties' amenities. No reduction is sought to the statutory car parking requirements as there are ample spaces provided on site. No buildings and works are proposed so the property can be used for industrial purposes once the proposed use has vacated the land.

5.2 Overlays

The subject site is not affected by any planning scheme overlays. Accordingly, no assessment is required under the overlay provisions of the applicable planning scheme.

6.0 PPF Assessment

Clause 11.02-1S: Supply of Urban Land

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Objective

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Relevant Strategies

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur.
- Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.
- Monitor development trends and land supply and demand for housing and industry.
- Maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.

Clause 13.05-1S: Noise Abatement

Objective

To assist the control of noise effects on sensitive land uses.

Strategy

- Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Clause 13.06-1S: Air Quality Management

Objective

To assist protection and improvement of air quality.

Strategy

- Ensure that land use planning and transport infrastructure provision contribute to improved air quality by:
 - Integrating transport and land use planning to improve transport accessibility and connections.

- Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.
- Providing infrastructure for public transport, walking and cycling.
- Ensure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses.

Clause 13.07-1S: Land Use Compatibility

Objective

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Relevant Strategies

- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

Clause 15.02-1S: Energy and Resource Efficiency

Objective

To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Relevant Strategies

- Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.
- Promote consolidation of urban development and integration of land use and transport.
- Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.
- Support low energy forms of transport such as walking and cycling.
- Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.
- Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.

Clause 17.01-1S Diversified Economy

Objective

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To strengthen and diversify the economy.

Relevant Strategies

- Protect and strengthen existing and planned employment areas and plan for new employment areas.
- Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.
- Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
- Improve access to jobs closer to where people live.

Clause 17.02-1S: Business

Objective

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Relevant Strategies

- Plan for an adequate supply of commercial land in appropriate locations.
- Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
- Locate commercial facilities in existing or planned activity centres.
- Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.
- Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.
- Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Clause 17.03-1S: Industrial Land Supply

Objective

To ensure availability of land for industry.

Relevant Strategies

- Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.
- Identify land for industrial development in urban growth areas where:
 - Good access for employees, freight and road transport is available.
 - Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.
- Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.
- Avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

Clause 18.01-1S: Land Use and Transport Planning

Objective

To create a safe and sustainable transport system by integrating land use and transport

Relevant Strategies

- Develop integrated and accessible transport networks to connect people to jobs and services and goods to market.
- Plan urban development to make jobs and services more accessible by:
 - Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
 - Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
 - Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
 - Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.
- Integrate public transport services and infrastructure into new development.
- Improve transport links that strengthen the connections to Melbourne and adjoining regions.

Clause 18.02-4S: Car Parking

Objective

To ensure an adequate supply of car parking that is appropriately designed and located.

Relevant Strategies

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- Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
- Encourage the efficient provision of car parking by consolidating car parking facilities.
- Design and locate local car parking to:
 - Protect the role and function of nearby roads.
 - Enable easy and efficient use.
 - Enable the movement and delivery of goods.
 - Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
 - Create a safe environment, particularly at night.
 - Facilitate the use of public transport.
- Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

Clause 19.02-1S: Community infrastructure

Objective

To assist the integration of health facilities with local and regional communities.

Relevant Strategies

Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car

- Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.
- Plan public and private developments together, where possible, including some degree of flexibility in use.
- Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.
- Provide adequate car parking for staff and visitors of health facilities.

In Response:

The proposed Education Centre land use responds in a satisfactory sense to the Planning Policy Framework. The proposal provides for local employment opportunities and facilitates for the use of the land for a new business that is highly compatible and appropriate for the area and the applicable zoning, overlays, particular provisions and policies. There is an ample number of car spaces to support the proposal. It is considered that the proposed use of the land will have no detrimental impact upon the viability of the site and surrounding area as an Industrial zone.

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Clause 17.03-1S – Industrial Land Supply (SPPF)

Clause 17.03-1S seeks to ensure an adequate and well-distributed supply of industrial land across Victoria to support economic activity. Key strategies include protecting existing industrial areas for future development, ensuring industrial land has good access to transport networks, and discouraging incompatible uses that may restrict industrial functionality.

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In Response:

The proposed education centre is directly aligned with the objectives of this clause. It provides vocational and compliance-based training that is highly relevant to the industrial sector, including courses on traffic control, forklift operation, and construction safety. These services build capacity within the local labour market and complement surrounding industrial operations. Importantly, the use is non-disruptive, reversible, and confined to the internal layout, ensuring the site's long-term availability for traditional industrial uses is not compromised. This use model makes efficient, flexible use of existing infrastructure without impacting surrounding industry.

Clause 17.03-3S – State-Significant Industrial Land (SPPF)

This clause seeks to protect state-significant industrial land from encroachment by incompatible uses. Although the Southeast Business Park is not explicitly identified as state-significant, it is a strategically important industrial precinct in Cardinia Shire. The clause encourages uses that support, rather than conflict with, industrial functions.

In Response:

The proposed use is consistent with this intent. It does not involve manufacturing but instead supports industrial workforce development, making it a complementary activity within the precinct. Unlike sensitive uses such as dwellings or child care centers, an education center does not introduce conflicts with noise, traffic, or emissions typical of surrounding businesses. The temporary nature of training courses and the ability to revert the site back to industrial use further ensures the area's long-term strategic function remains intact.

Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision (LPPF)

Clause 21.01 outlines Cardinia's overarching land use vision, identifying a need to diversify local employment, support population growth, and ensure the efficient use of infrastructure. One of the key objectives is to enhance self-sufficiency in employment, reducing the need for commuting outside the municipality.

In Response:

The proposed education center is well-aligned with this strategy. It provides local access to training and certification that would otherwise require residents or businesses to engage providers outside the area. This supports local job readiness, reduces travel dependency, and encourages sustainable growth patterns. Additionally, the use makes efficient use of existing built form and transport access within a key employment precinct, contributing to the precinct's economic vitality.

Clause 21.04 – Economic Development (LPPF)

Clause 21.04 supports the expansion of economic activity in key precincts, particularly within designated business and industrial areas. The clause encourages land uses that create employment opportunities and support existing industrial operations.

In Response:

This proposal responds directly to this policy by offering employment in the education and training sector while also improving the skillset of the local workforce. Its strategic location within the Southeast Business Park ensures it is accessible to local businesses that rely on vocational credentials for staff. Moreover, the proposal fosters a symbiotic relationship between training providers and industrial employers, supporting long-term precinct productivity.

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8.0 Particular Provisions

Clause 52.05 – Signage

Pursuant to Clause 33.01-5, properties within the Industrial Zone are subject to Category 2 signage requirements under Clause 52.05.

Pursuant to Clause 52.05-12, Category 2 signage provisions are of low limitation and apply to office and industrial areas. Category 2 allows for the display of up to 8 square meters of business identification signage without a permit, provided it is not illuminated.

The proposed signage includes one non-illuminated business identification sign measuring 7.2 square metres, located above the main building entrance. A temporary "Now Open" banner will be placed on the front fence during the initial launch period but will be removed once the permanent signage is installed.

In Response:

The proposed signage is below the 8 square metre threshold and complies with the Category 2 provisions. No planning permit is required for the proposed signs. A full assessment under Clause 52.05 is therefore not warranted.

Clause 52.06 – Car Parking

Clause 52.06 applies before a new use is to commence. The purpose of this clause is as follows:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Number of car spaces required:

Clause 52.06-5 specifies that education centres require 0.4 car spaces per student. With a proposed maximum of 22 students, the total parking requirement is 8.8 spaces, which rounds down to 8 spaces.

In Response:

The site currently provides 16 on-site car spaces, including one accessible space. Of these, 8 spaces are allocated to CTG, while the remainder are available to adjacent tenants under an agreement. The proposal meets the statutory car parking requirement, and no reduction is sought. A planning permit is therefore not required under Clause 52.06.

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9.0 Conclusion

This revised Town Planning Report has been prepared in direct response to Council's Request for Further Information (RFI) dated 30 May 2025, specifically addressing the requirements to:

- Provide a detailed assessment against the State Planning Policy Framework, particularly Clauses 17.03-1S (Industrial Land Supply) and 17.03-3S (State-Significant Industrial Land);
- Demonstrate alignment with the Local Planning Policy Framework, including Clauses 21.01 (Cardinia Key Issues and Vision) and 21.04 (Economic Development);
- Assess the proposal in accordance with Clause 52.34 (Bicycle Facilities); and
- Confirm compliance with any registered Title restrictions.

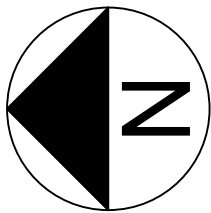
The proposed change of use of the land at 99B National Avenue, Pakenham to an education center is considered appropriate and justified, having regard to the subject site's location

within the Industrial 1 Zone, its proximity to existing industrial employers, and the compatibility of the proposed training use with the surrounding land uses.

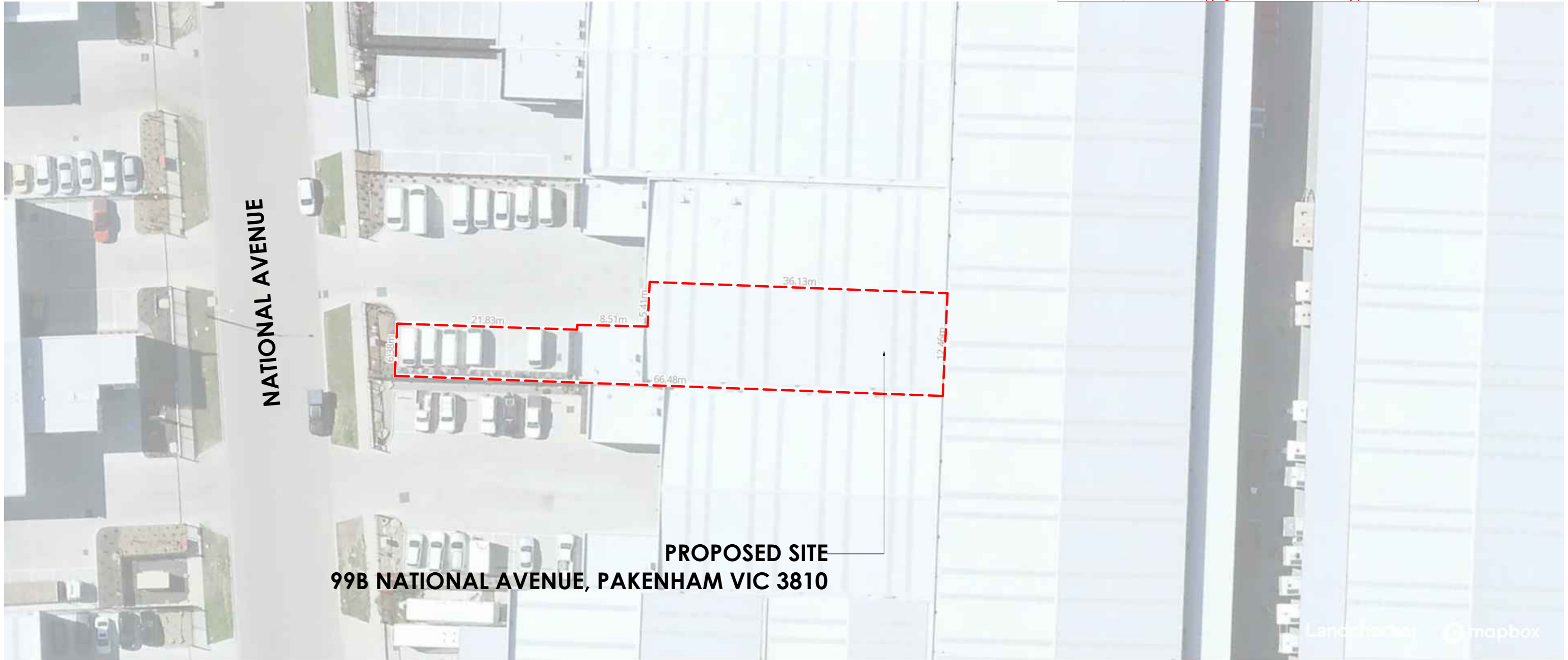
The education center directly supports workforce training in industrial sectors such as logistics, construction, and manufacturing. The use is low-impact, reversible, and enhances the economic function of the Southeast Business Park by improving access to industry-relevant qualifications. The proposal does not compromise the strategic intent of the land, satisfies car parking and bicycle facility requirements, and complies with title conditions.

We respectfully submit that the application now contains all information necessary to support Council's assessment and satisfies the relevant planning controls. As such, we request that Council issue a planning permit for the proposed use. Should any further clarification be required, the applicant welcomes the opportunity to respond and engage with Council officers.

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info@cantertownplanning.com.au
TURNING PLANS INTO PLACES, DREAMS INTO SPACES

PROJECT ADDRESS:
**99b NATIONAL AVENUE,
PAKENHAM VIC 3810**

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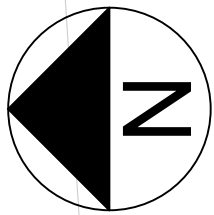
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THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ENGINEERS DRAWINGS & SPECIFICATIONS

DRAWING TITLE:
LOCATION PLAN

STATUS:
PRELIMINARY DRAWINGS

SCALE	DRAWN	COORDINATED	CHECKED	DATE
NDTS	K.M	D.C	D.C	01/05/2025
REFERENCE		DRAWING NO.		ISSUE
		A01		P2



NATIONAL AVENUE

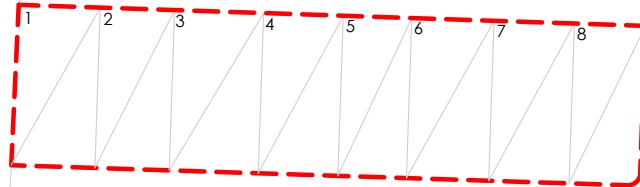
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EXISTING BOLLARD
& SHARED AREA

CARPARK FOR
DISABLED

SHARED DRIVEWAY



99A

SUBJECT SITE
WAREHOUSE 1
BUILDING
UNIT 99B
NATIONAL
AVENUE,
PAKENHAM VIC
3810

101A

101B



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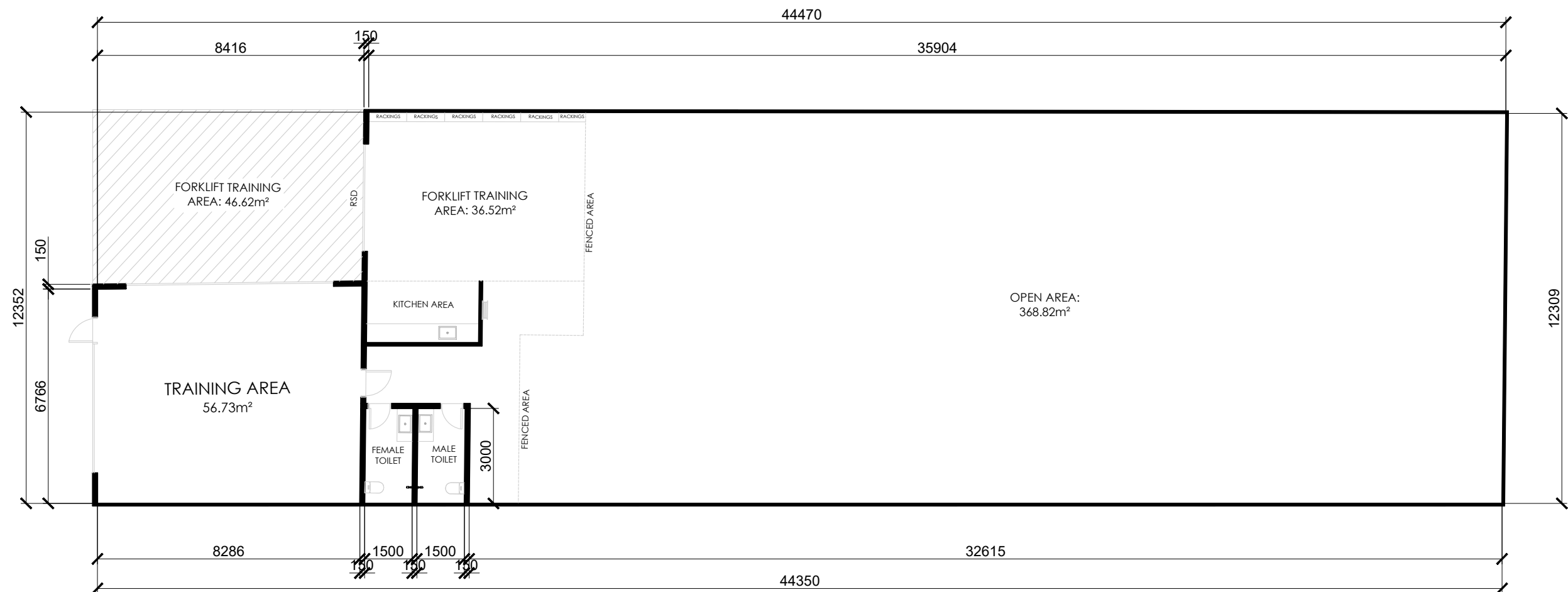
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DRAWING TITLE:
SITE LAYOUT

STATUS:
PRELIMINARY DRAWINGS

SCALE	DRAWN	COORDINATED	CHECKED	DATE
1:250 @ A3	K.M	D.C	D.C	01/05/2025
REFERENCE		DRAWING NO.		ISSUE
		A02		P2

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TURNING PLANS INTO PLACES, DREAMS INTO SPACES

PROJECT ADDRESS:

99b NATIONAL AVENUE,
PAKENHAM VIC 3810

DRAWING TITLE:

PROPOSED GROUND FLOOR PLAN

STATUS:

PRELIMINARY DRAWINGS

SCALE	DRAWN	COORDINATED	CHECKED	DATE
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