
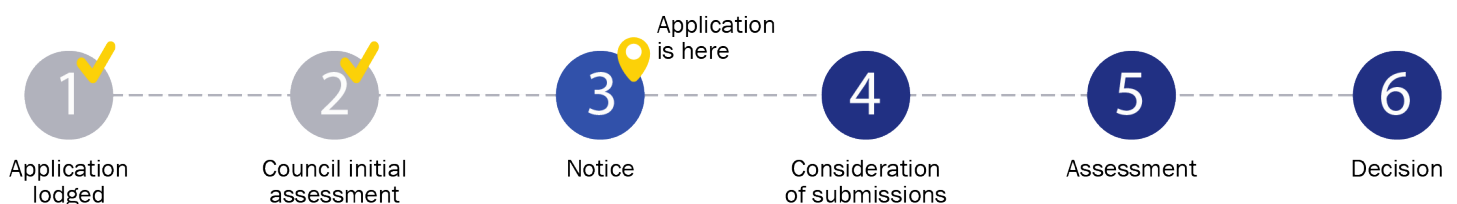


# Notice of Application for a Planning Permit

The land affected by the application is located at:	L7 PS816238 V12238 F285 137 Mulcahy Road, Pakenham VIC 3810
The application is for a permit to:	Use of Land for the Purpose of a Restricted Recreation Facility (Gym)
A permit is required under the following clauses of the planning scheme:	
33.01-1	Use of the land for a Restricted Recreation Facility (Gym)
<b>APPLICATION DETAILS</b>	
The applicant for the permit is:	XWB Consulting
Application number:	T250290
<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 <a href="http://cardinia.vic.gov.au/advertisedplans">cardinia.vic.gov.au/advertisedplans</a> or by scanning the QR code.</p>	
	
<b>HOW CAN I MAKE A SUBMISSION?</b>	
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:	
19 September 2025	
<b>WHAT ARE MY OPTIONS?</b> <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"><li>• be made to the Responsible Authority in writing;</li><li>• include the reasons for the objection; and</li><li>• state how the objector would be affected.</li></ul>
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.	



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## ePlanning

### Application Summary

Portal Reference A225803A

### Basic Information

Proposed Use Use of the premises for a gymnasium  
Current Use Industrial premises  
Site Address 137 Mulcahy Road Pakenham 3810

### Covenant Disclaimer

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope? No such encumbrances are breached

☐ Note: During the application process you may be required to provide more information in relation to any encumbrances.

### Contacts

### Fees

Regulation Fee Condition		Amount	Modifier	Payable
9 - Class 1	Change of use only	\$1,453.40	100%	\$1,453.40
		<b>Total</b>		<b>\$1,453.40</b>



**Civic Centre**  
20 Siding Avenue, Officer, Victoria

**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria

**Postal Address**  
Cardinia Shire Council  
P.O. Box 7, Pakenham VIC, 3810

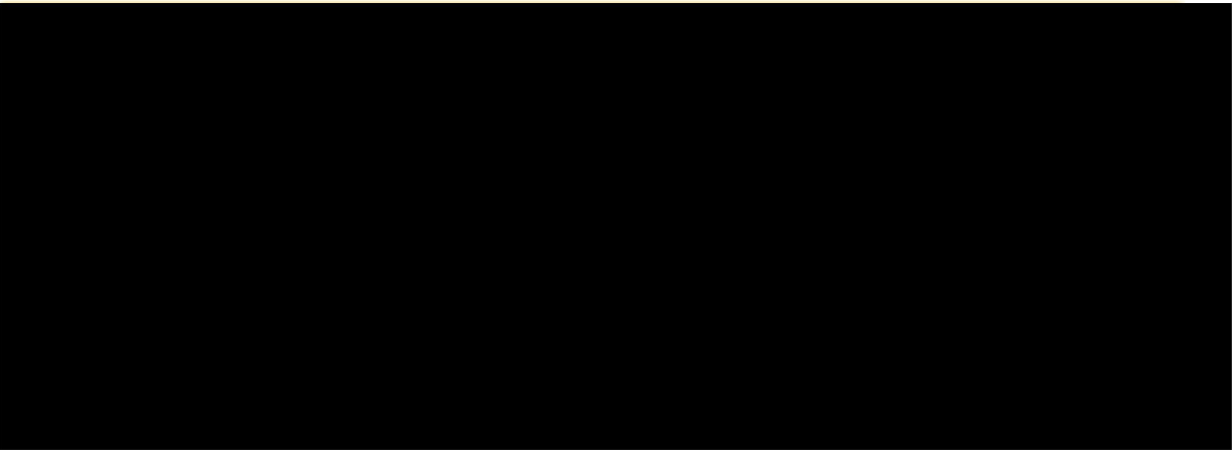
**Email:** mail@cardinia.vic.gov.au

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

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Documents Uploaded

Date	Type	Filename
27-05-2025	A Copy of Title	Title.pdf
27-05-2025	A Copy of Title	Title Plan.pdf
27-05-2025	Encumbrance	Covenant D749484.pdf
27-05-2025	Encumbrance	Covenant PS713920F.pdf
27-05-2025	Encumbrance	Covenant PS806790Y.pdf
27-05-2025	Encumbrance	Title search screenshot.png
27-05-2025	Site plans	Gymnasium Plan 137 Mulcahy Road Pakenham.pdf
27-05-2025	Written Explanation	Supporting report - Gymnasium 137 Mulcahy Road Pakenham.pdf
27-05-2025	Additional Document	Carparking assessment 137 Mulcahy Road Pakenham.pdf



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5pm  
**Phone:** 1300 787 624  
**After Hours:** 1300 787 624  
**Fax:** 03 5941 3784



## ePlanning

### Revision Summary

Portal Reference	R22569ZZ
Reference No	T250290

### Basic Information

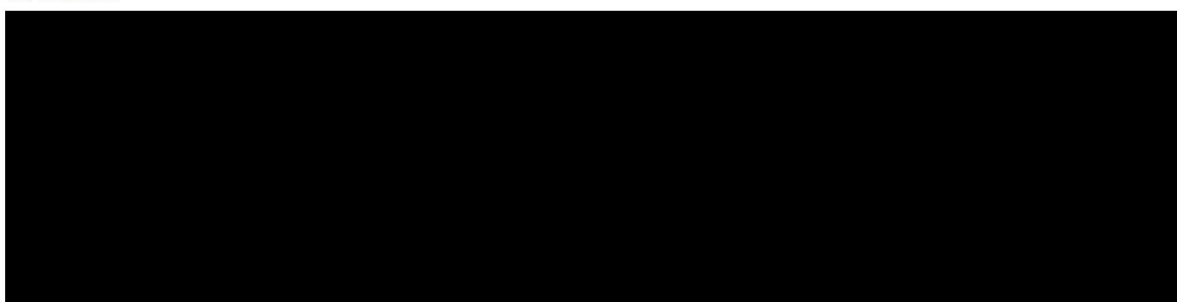
Proposed Use	Use of Land for the Purpose of a Restricted Recreational Facility (Gym)
Current Use	Industrial premises
Cost of Works	\$0
Revised Cost of Works	\$0
Revisions	Plans Changed
Proposed Changes	More detailed floor plan for premises
Site Address	137 Mulcahy Road Pakenham VIC 3810

### Covenant Disclaimer

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope? No such encumbrances are breached

☐ Note: During the application process you may be required to provide more information in relation to any encumbrances.

### Contacts



#### Regulation Fee Condition

Amount	Modifier	Payable
--------	----------	---------

12 -	As advertising has not occurred there is no charge for this revision.
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-	-	-
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Total	\$0.00
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Documents Uploaded

Date	Type	Filename
10-06-2025	Additional Document	Floorplan 137 Mulcahy Road Pakenham.pdf

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

Lodged By



Council's Operations Centre  
(Depot)  
Purton Road, Pakenham, Victoria

P.O. Box 7, Pakenham VIC, 3810  
Email: mail@cardinia.vic.gov.au

Phone: 1300 787 624  
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# Request to amend a current planning permit application

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

## PERMIT APPLICATION DETAILS

Application No.:	T250290PA
Address of the Land:	137 Mulcahy Road Pakenham

## APPLICANT DETAILS

## AMENDMENT TYPE

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

## AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for <input type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input checked="" type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
Amended hours of operation and patron numbers as per submitted schedule.		
Amended site plan showing bicycle parking facilities.		

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[illegible]

Please submit this form, including all amended plans/documents, to [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

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

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

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

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

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

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

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

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

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

Page 1 of 2

VOLUME 12238 FOLIO 285

Security no : 124124764230K

Produced 26/05/2025 12:05 PM

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### LAND DESCRIPTION

Lot 7 on Plan of Subdivision 816238R.  
PARENT TITLE Volume 12155 Folio 838  
Created by instrument PS816238R 05/08/2020

### REGISTERED PROPRIETOR

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AY887257F 18/02/2025  
WESTPAC BANKING CORPORATION

COVENANT D749484

COVENANT PS806790Y 04/04/2019

COVENANT PS713920F 10/10/2019

COVENANT PS816238R 05/08/2020  
Expiry Date 01/12/2025

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 PS816238R FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY887256H (E)	DISCHARGE OF MORTGAGE	Registered	18/02/2025
AY887257F (E)	MORTGAGE	Registered	18/02/2025

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

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

Street Address: 137 MULCAHY ROAD PAKENHAM VIC 3810

### ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 18/02/2025

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

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Page 2 of 2

DOCUMENT END

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Document Type	<b>Plan</b>
Document Identification	<b>PS816238R</b>
Number of Pages (excluding this cover sheet)	<b>5</b>
Document Assembled	<b>26/05/2025 12:05</b>

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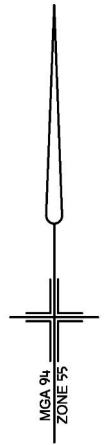
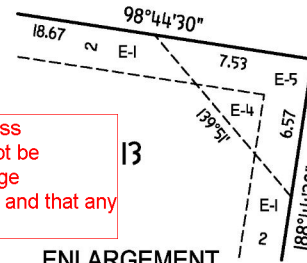
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PLAN OF SUBDIVISION				EDITION 1		PS816238R	
<p style="text-align: center;"><b>LOCATION OF LAND</b></p> <p>PARISH: PAKENHAM</p> <p>TOWNSHIP: PAKENHAM</p> <p>SECTION:</p> <p>CROWN ALLOTMENT: 13 &amp; 20 (PARTS)</p> <p>CROWN PORTION:</p> <p>TITLE REFERENCES: Vol. 12155 Fol. 838</p> <p>LAST PLAN REFERENCES: Lot A on PS713920F</p> <p>POSTAL ADDRESS: MULCAHY ROAD (At time of subdivision) PAKENHAM, 3810</p> <p>MGA Co-ordinates E 365200 ZONE: 55 (of approx centre of land in plan) N 5786620 GDA 94</p>				<p>Council Name: Cardinia Shire Council</p> <p>Council Reference Number: S19-047 Planning Permit Reference: T190030 SPEAR Reference Number: S139184H</p> <p><b>Certification</b></p> <p>This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6: 07/01/2020</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification</p> <p>Digitally signed by: Sonia Higgins for Cardinia Shire Council on 08/07/2020</p> <p><b>Statement of Compliance</b> issued: 27/07/2020</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has been satisfied at Statement of Compliance</p>			
<b>VESTING OF ROADS AND/OR RESERVES</b>							
IDENTIFIER		COUNCIL/BODY/PERSON					
NIL		NIL					
<b>NOTATIONS</b>							
DEPTH LIMITATION DOES NOT APPLY.							
<p>Survey: This plan is based on survey. This survey has been connected to permanent marks no.(s) 84, 85 &amp; 130 in Proclaimed Survey Area no. NIL</p>							
<b>NOTATIONS</b>							
STAGING This is not a staged subdivision.							
<p><u>CREATION OF RESTRICTION.</u></p> <p>FOR RESTRICTION AFFECTING LOTS I TO II (BOTH INCLUSIVE) REFER TO SHEET 5.</p>							
<b>EASEMENT INFORMATION</b>							
<b>LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)</b>							
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of			
E-1, E-5	DRAINAGE	2m	PS806790Y	CARDINIA SHIRE COUNCIL			
E-2, E-3	SEWERAGE DRAINAGE DRAINAGE	SEE DIAG. SEE DIAG. SEE DIAG.	PS713920F PS713920F THIS PLAN	SOUTH EAST WATER CORPORATION LOT I ON PS713920F CARDINIA SHIRE COUNCIL			
E-3	POWERLINE	1m	PS806790Y & SECTION 88 ELECTRICITY INDUSTRY ACT 2000	AUSNET ELECTRICITY SERVICES PTY LTD			
E-4, E-5	DRAINAGE AND WATERWAYS	SEE DIAG.	PS713920F	MELBOURNE WATER CORPORATION (MCP AA2741)			
E-6	PARTYWALL	SEE DIAG.	THIS PLAN	RELEVANT ABUTTING LOT			
<p>Planners Building Designers Surveyors Engineers Suite 1, Building 3 Ordish Rd Dandenong South 31 Telephone 03 9794 16 manager@klms.com.au</p>				KLMS REF: 5925.03		ORIGINAL SHEET SIZE A3 SHEET 1 OF 5 SHEETS	
				<p>PLAN REGISTERED TIME: 12.39pm DATE: 05/08/2020 Assistant Registrar of Titles Denise Satti</p>			

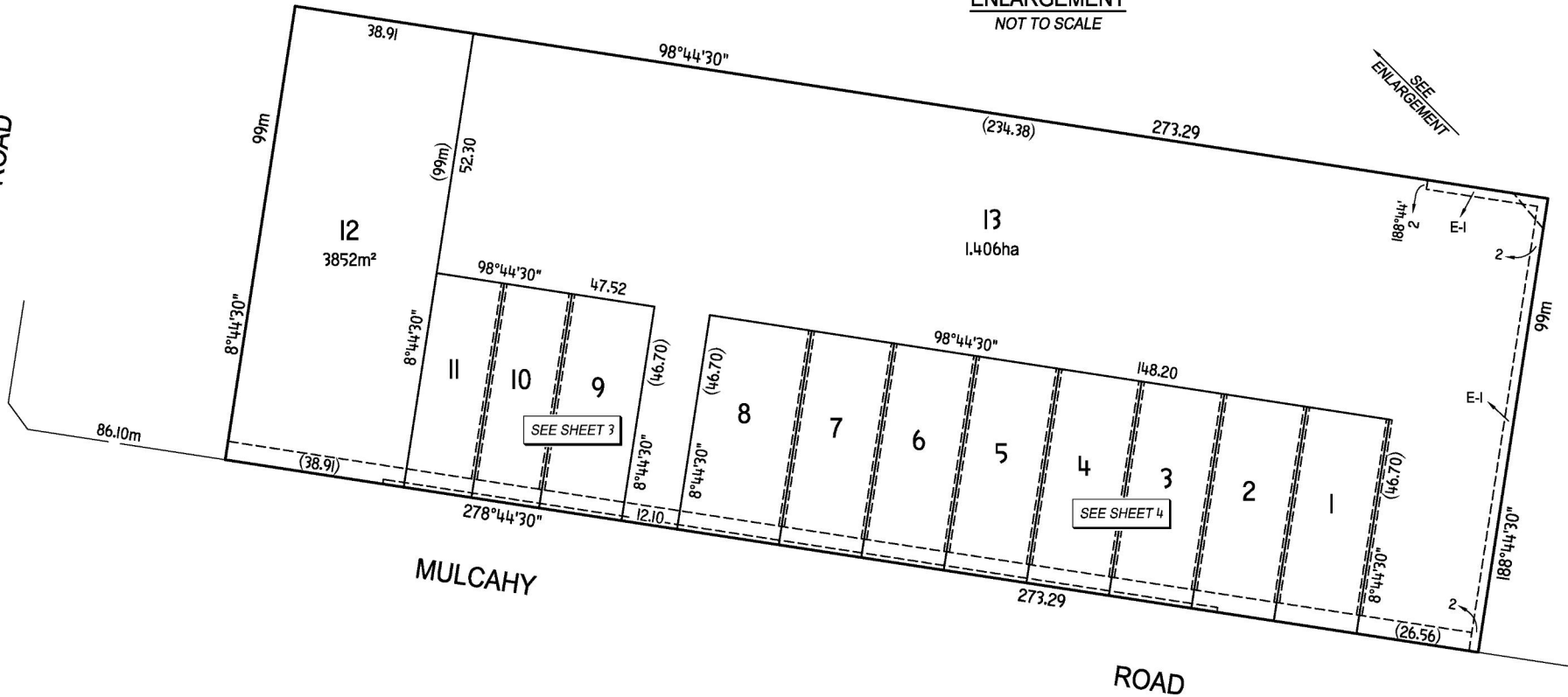


PS8I6238R

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STUDD ROAD



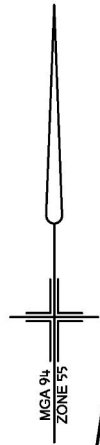
MULCAHY ROAD

PS8I6238R

SEE SHEET 2

13

12



MULCAHY

ROAD

SEE SHEET 4

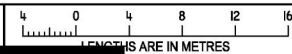
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Planners Building Designers  
Surveyors Engineers  
Suite 1, Building 2  
3 Ordish Road  
Dandenong South 3175  
Telephone 03 9794 1600  
manager@klms.com.au

KLMS REF: 5925.03

SCALE  
1:400



ORIGINAL SHEET  
SIZE A3

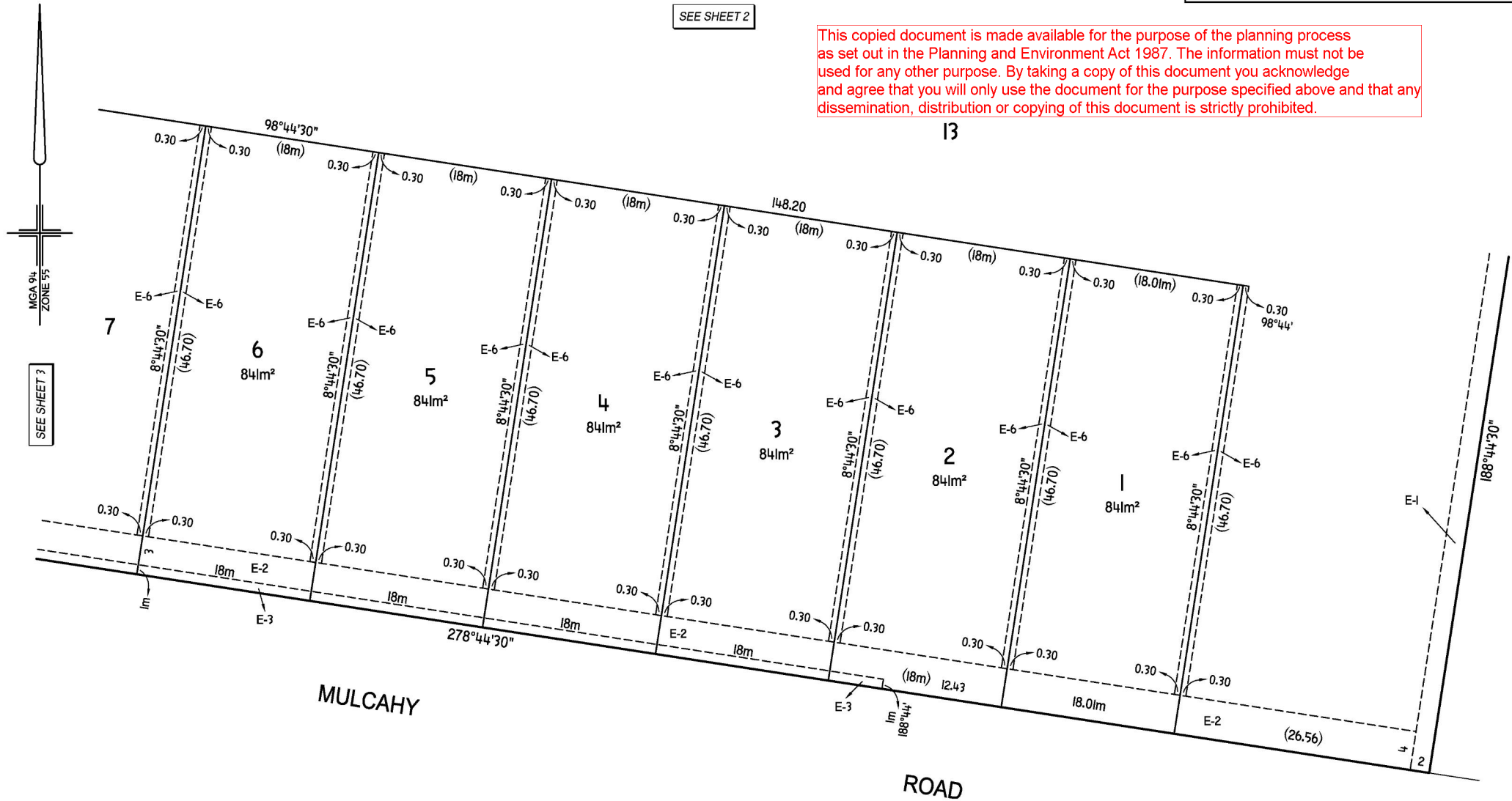
SHEET 3

Digitally signed by:  
Cardinia Shire Council,  
08/07/2020,  
SPEAR Ref: S139184H

SEE SHEET 2

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13



PS8I6238R

**CREATION OF RESTRICTION**

THE REGISTERED PROPRIETORS OF THE BURDENED LAND COVENANT WITH THE REGISTERED PROPRIETORS OF THE BENEFITED LAND AS SET OUT IN THIS RESTRICTION WITH THE INTENT THAT THE BURDEN OF THE RESTRICTION RUNS WITH AND BINDS THE BURDENED LAND AND THE BENEFIT OF THE RESTRICTION IS ANNEXED TO AND RUNS WITH THE BENEFITED LAND.

BURDENED LAND: LOTS I - II (BOTH INCLUSIVE)

BENEFITED LAND: LOTS I - II (BOTH INCLUSIVE)

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**RESTRICTION:**

A REGISTERED PROPRIETOR OF THE BURDENED LAND SHALL NOT;

1. USE OR PERMIT OR SUFFER ANY PART OF THE BURDENED LAND TO BE USED FOR THE PURPOSES OF A BANK, RESTAURANT, MOTOR VEHICLE REPAIRS AND PANEL BEATING AS DEFINED IN THE CARDINIA PLANNING SCHEME, UNLESS WITH THE PRIOR WRITTEN CONSENT OF 125 MULCAHY ROAD PTY LTD (ACN 622 187 268).
2. DIRECT OR PERMIT OR SUFFER ANY GOODS, MATERIALS, CONTAINERS OR OTHER COMMODITIES OR ANY TANK, PLANT AND MACHINERY OR RUBBISH TO BE STORED OR PLACED OUTSIDE ON THE BURDENED LAND UNLESS THEY ARE CONTAINED WITHIN A BUILDING OR SUBSTANTIALLY SCREENED FROM ANY LOT, ROAD OR RIGHT OF WAY FRONTING OR ADJACENT TO THE BURDENED LAND BY A WALL, FENCE OR SCREENING.
3. USE OR PERMIT OR SUFFER ANY PART OF THE BURDENED LAND TO BE USED FOR THE PURPOSE OF A MOTOR VEHICLE WRECKING OR JUNK/SCRAP METAL YARD OR RECYCLING FACILITY
4. CONSTRUCT ANY BUILDING UNLESS WITH PRIOR WRITTEN CONSENT OF 125 MULCAHY ROAD PTY LTD (ACN 622 187 268), WHICH WILL NOT BE UNREASONABLY WITHHELD AFTER A REVIEW OF THE BUILDING DESIGN AGAINST THE FOLLOWING DESIGN GUIDELINES

**DESIGN GUIDELINES**

**1. INTRODUCTION**

- 1.1 THE DESIGN GUIDELINES APPLY TO ALL BURDENED LOTS IN ADDITION TO THE REQUIREMENTS IN THE REGULATIONS, THE PLANNING SCHEME, AND CONDITIONS OF CARDINIA SHIRE COUNCIL PLANNING PERMIT NO. T190030. IN THE EVENT OF CONFLICT OR INCONSISTENCY, THE PROVISIONS OF THE GUIDELINES SHALL PREVAIL, TO THE EXTENT THAT SUCH CONFLICT OR INCONSISTENCY IS LAWFUL.
- 1.2 THE REQUIREMENTS IN PARAGRAPHS 3.1 TO 3.6 OF THESE GUIDELINES MAY ONLY BE WAIVED OR VARIED BY WRITTEN NOTICE ISSUED BY THE DESIGN ASSESSMENT PANEL. ALL BUILDING, SUBDIVISION AND SIGNAGE DESIGNS MUST BE SUBMITTED TO AND APPROVED BY THE DESIGN ASSESSMENT PANEL. DESIGN PLANS WILL NOT BE ASSESSED FOR COMPLIANCE WITH THE GUIDELINES UNLESS THE FOLLOWING INFORMATION IS PROVIDED AT AN APPROPRIATE SCALE:

- SITE PLANS
- FLOOR PLANS
- ELEVATIONS

THREE (3) COPIES OF THE COMPLETE SET OF PLANS SHOULD BE SENT TO:

125 MULCAHY ROAD PTY LTD

PO BOX 132

NARRE WARREN NORTH 3804

AND TITLED:

'125 MULCAHY ROAD COMPLIANCE ASSESSMENT'

APPROVAL OF DESIGN PLANS BY 125 MULCAHY ROAD PTY LTD OR THEIR AGENTS, WILL REFER ONLY TO COMPLIANCE WITH THESE GUIDELINES. IT DOES NOT REFER TO AND SHOULD NOT BE TREATED AS COMPLIANCE WITH THE LAWS OR REGULATIONS OF LOCAL, STATE OR FEDERAL GOVERNMENT, STATUTORY AUTHORITIES OR ANY BUILDING CODES OR STANDARDS IMPOSED OR ADMINISTERED BY THOSE BODIES.

**2. DEFINITIONS AND INTERPRETATIONS**

**2.1 IN THESE DESIGN GUIDELINES:**

- (a) "DESIGN ASSESSMENT PANEL" MEANS: THE PERSON OR PERSONS WHO ARE, FROM TIME TO TIME, NOMINATED IN WRITING BY 125 MULCAHY ROAD PTY LTD TO ACT AS THE DESIGN ASSESSMENT PANEL FOR THE PURPOSES OF THESE DESIGN GUIDELINES.
- (b) "GROUND LEVEL" MEANS THE FINISHED GROUND LEVEL AFTER COMPLETION OF CIVIL ENGINEERING WORKS ASSOCIATED WITH THE DEVELOPMENT
- (c) "PLANNING SCHEME" MEANS THE CARDINIA SHIRE COUNCIL PLANNING SCHEME
- (d) "PLAN OF SUBDIVISION" MEANS PLAN OF SUBDIVISION PS8I6238R
- (e) "PRIMARY FRONTAGE" MEANS, FOR EACH LOT, THE SHORTEST BOUNDARY OF THAT LOT WHICH ABUTS A ROAD.
- (f) "REGULATIONS" MEANS THE BUILDING REGULATIONS 2006.
- (g) "SETBACK" MEANS THE MINIMUM DISTANCE WHICH A WALL FACE IS REQUIRED TO BE FROM A PROPERTY BOUNDARY MEASURED AS THE HORIZONTAL DISTANCE BETWEEN THE PROPOSED WALL AND THE BOUNDARY. ALL STRUCTURES MUST COMPLY WITH THE SETBACK REQUIREMENT UNLESS SPECIALLY EXEMPTED IN THIS MEMORANDUM.
- (h) "SIDE BOUNDARY" MEANS A BOUNDARY OF A LOT THAT RUNS BETWEEN AND CONNECTS THE STREET FRONTAGE OF THE LOT TO THE REAR BOUNDARY OF THE LOT.

**3. PROVISIONS APPLICABLE TO ALL LOTS**

**3.1 SETBACKS**

- (a) THE FRONT OF THE BUILDING MUST BE SETBACK AT LEAST 5.0 METRES FROM THE PRIMARY FRONTAGE TO ANY STREET.
- (b) THE REAR OF THE BUILDING MUST BE SETBACK NO MORE THAN 200MM FROM THE REAR BOUNDARY OF THE LOT

**3.2 BUILDING MATERIALS**

- (c) SAVE FOR THE PROVISION OF DOORS AND WINDOWS, ALL EXTERNAL BUILDING WALLS SHALL BE CONSTRUCTED OF CONCRETE, BRICK OR MASONRY
- (d) WALLS WHICH FACE A PRIMARY FRONTAGE SHALL HAVE A PAINTED FINISH, AGGREGATE FINISH OR OTHER SUCH MATERIALS AND FINISHES APPROVED BY THE DESIGN ASSESSMENT PANEL
- (e) WINDOWS SHALL HAVE ALUMINIUM FRAMES OR OTHER SUCH MATERIALS AS APPROVED BY THE DESIGN ASSESSMENT PANEL.

**3.3 WALL HEIGHT**

- (a) WALLS WHICH FACE A PRIMARY FRONTAGE SHALL BE A PARAPET FAÇADE WALL WITH A MINIMUM HEIGHT OF 8 METRES ABOVE GROUND LEVEL
- (b) WALLS WHICH FACE A SIDE BOUNDARY SHALL BE A MINIMUM HEIGHT OF 7 METRES ABOVE GROUND LEVEL

**3.4 SUBDIVISION**

- (a) THE DESIGN OF ANY SUBDIVISION OF A BURDENED LOT OR SUBDIVISION OF A BUILDING SHALL BE PRESENTED FOR REVIEW BY THE DESIGN ASSESSMENT PANEL.

**3.5 SIGNAGE**

- (a) THE DESIGN OF ANY SIGNAGE, HOARDING OR ADVERTISING FOR SALE OF A BURDENED LOT, BEFORE ANY BUILDING IS ERECTED, SHALL BE PRESENTED FOR REVIEW BY THE DESIGN ASSESSMENT PANEL.

**3.6 FENCING**

- (a) FRONT AND SIDE FENCING SHALL BE BLACK POWDER COATED STEEL PICKETS WITH A MINIMUM HEIGHT OF 2.1 METRES AND A MAXIMUM HEIGHT OF 2.5 METRES OR OTHER SUCH MATERIALS AS APPROVED BY THE DESIGN ASSESSMENT PANEL.

EXPIRY DATE : 1/12/2025



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Document Type	<b>Plan</b>
Document Identification	<b>PS713920F</b>
Number of Pages (excluding this cover sheet)	<b>4</b>
Document Assembled	<b>02/05/2023 11:23</b>

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EDITION

CERTIFYING AUTHORITY  
CARDINIA SHIRE COUNCIL

**OTHER PURPOSE OF PLAN**  
Creation of Restriction, for restriction details refer to sheet 3.

## NOTATIONS

**STAGING** This is not a staged subdivision.

**OTHER PURPOSE OF PLAN**  
Creation of Restriction, for restriction details refer to sheet 3.

**OTHER PURPOSE OF PLAN**  
Creation of Restriction, for restriction details refer to sheet 3.

EASEMENT	INFORMATION
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EASEMENT	INFORMATION
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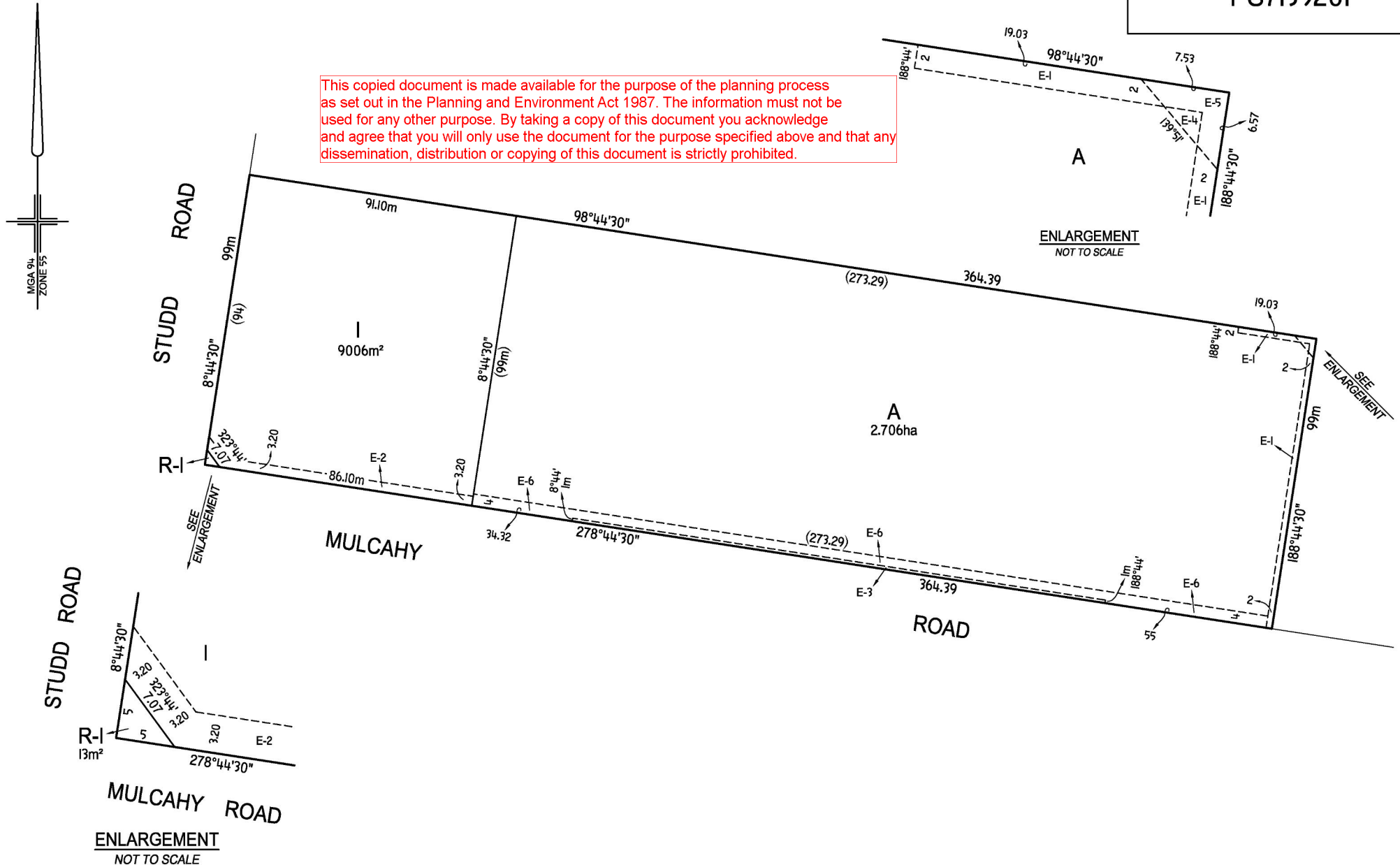
EASEMENT	INFORMATION
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PLAN REGISTERED  
TIME: 12:17 PM DATE: 10/10/2019  
CG26  
Assistant Registrar of Titles

PS713920F

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**KLM SPATIAL**  
LAND DEVELOPMENT INTELLIGENCE

Planners Surveyors Engineers  
Suite 1, Building 2  
3 Ordish Road  
Dandenong South 3175  
Telephone 03 9794 1600  
manager@klms.com.au

KLMS REF: 5925.00

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ORIGINAL SHEET  
SIZE A3

SHEET 2



PS7I3920F


CREATION OF RESTRICTION.

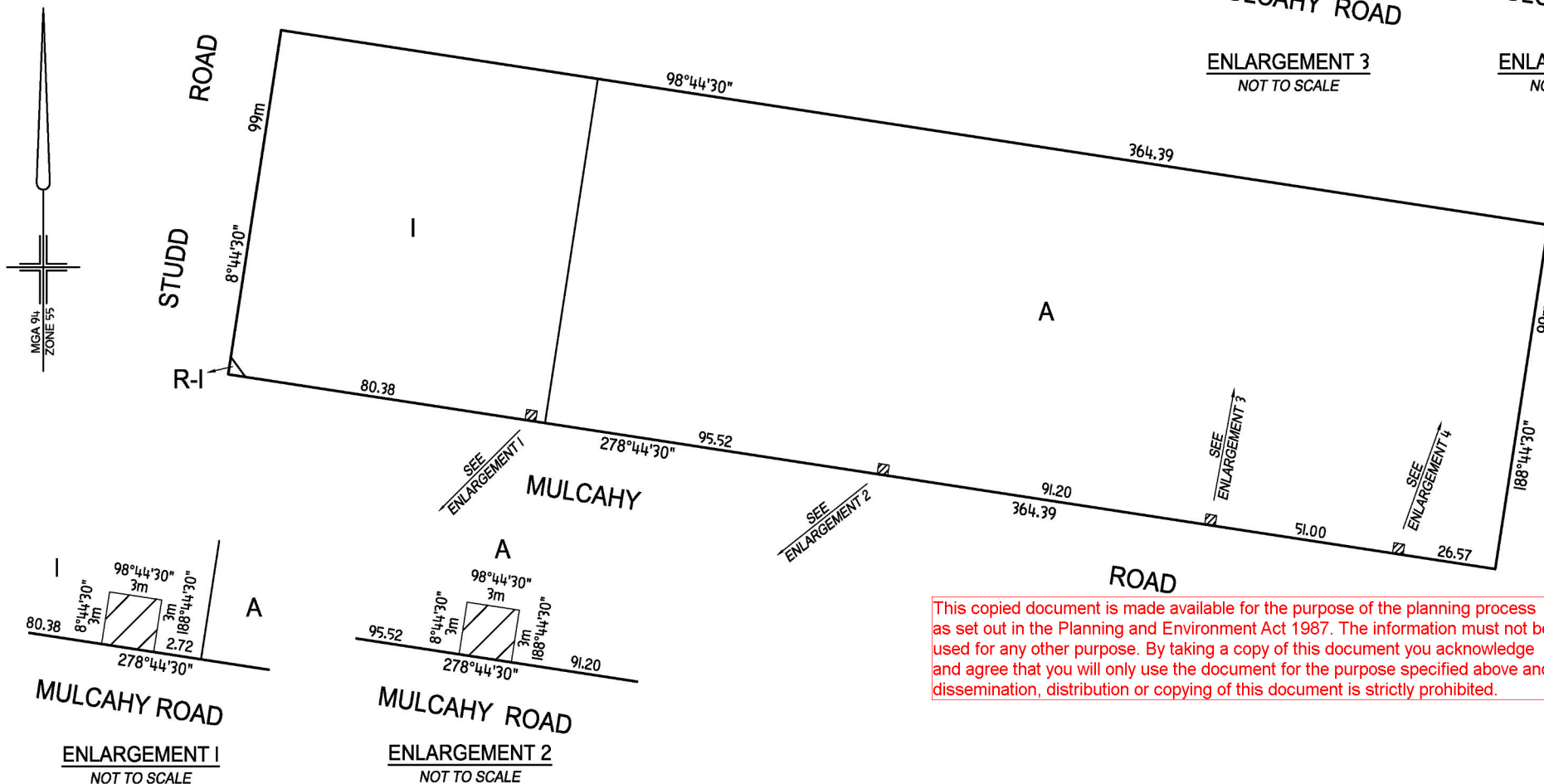
THE FOLLOWING RESTRICTION IS TO BE CREATED UPON REGISTRATION OF THIS PLAN

LAND TO BENEFIT: LOTS I &amp; A

LAND TO BE BURDENED: LOTS I &amp; A

DESCRIPTION OF RESTRICTION

EXCEPT WITH THE WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY, THE REGISTERED PROPRIETOR OR PROPRIETORS OF ANY BURDENED LOT TO WHICH THIS RESTRICTION APPLIES SHALL NOT CONSTRUCT OR PERMIT TO CONSTRUCT ANY BUILDING, VEHICLE PARKING, SIGNAGE, OR FENCING WITHIN THE AREA SHOWN HATCHED  ON THE DIAGRAM.



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## Plan of Subdivision PS713920F

### Certifying a New Version of an Existing Plan concurrently with Statement of Compliance (Form 12)

SUBDIVISION (PROCEDURES) REGULATIONS 2011

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SPEAR Reference Number: S037297S

Plan Number: PS713920F

Responsible Authority Name: Cardinia Shire Council

Responsible Authority Reference Number 1: S13/072

Responsible Authority Reference Number 2: T130320

Surveyor's Plan Version: 10

### Certification

☒ This plan is certified under section 11 (7) of the Subdivision Act 1988

Date of original certification under section 6: 21/06/2019

Date of previous recertifications under Section 11(7): 05/07/2019

### Statement of Compliance

☒ This is a statement of compliance issued under section 21 of the Subdivision Act 1988

### Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

 has been made and the requirement has been satisfied at Certification

Digitally signed by Council Delegate: Sonia Higgins

Organisation: Cardinia Shire Council

Date: 13/09/2019

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Document Type	<b>Instrument</b>
Document Identification	<b>PS806790Y</b>
Number of Pages (excluding this cover sheet)	<b>4</b>
Document Assembled	<b>26/05/2025 12:05</b>

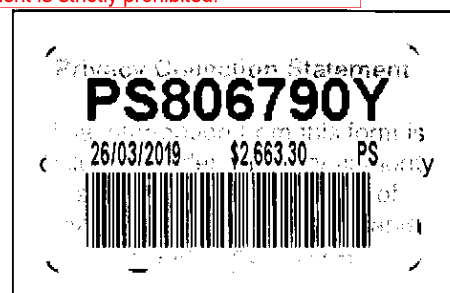
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## Subdivision or consolidation Section 22 Subdivision Act 1988



Lodged by:

Name: MASON LAW PTY LTD  
Phone: 0408 311 313  
Address: Level 5, 225 Lonsdale Street Dandenong VIC 3175  
Reference: PM:CV:18138  
Code: 22134C

The applicant applies for registration of the plan.

Land: (volume and folio)

VOLUME 10095 FOLIO 400, VOLUME 11586 FOLIO 296, VOLUME 11586 FOLIO 297 AND VOLUME 11586 FOLIO 298

Applicant: (full name and address, including postcode)

GALILEO MOUNT PLEASANT NOMINEE PTY LTD OF SUITE 407, LEVEL 4, 15 LIME STREET, SYDNEY NSW 2000 ACN 619856978  
JOHN MICHAEL INTERLANDI AND JACQUELINE MARY INTERLANDI OF 125 MULCAHY ROAD, PAKENHAM 3810

Plan no: 806790Y	SPEAR no.: (if applicable) S129513M	Stage no.: (if applicable)
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Council in which land is located: CARDINIA SHIRE COUNCIL

Signing:

35271702A

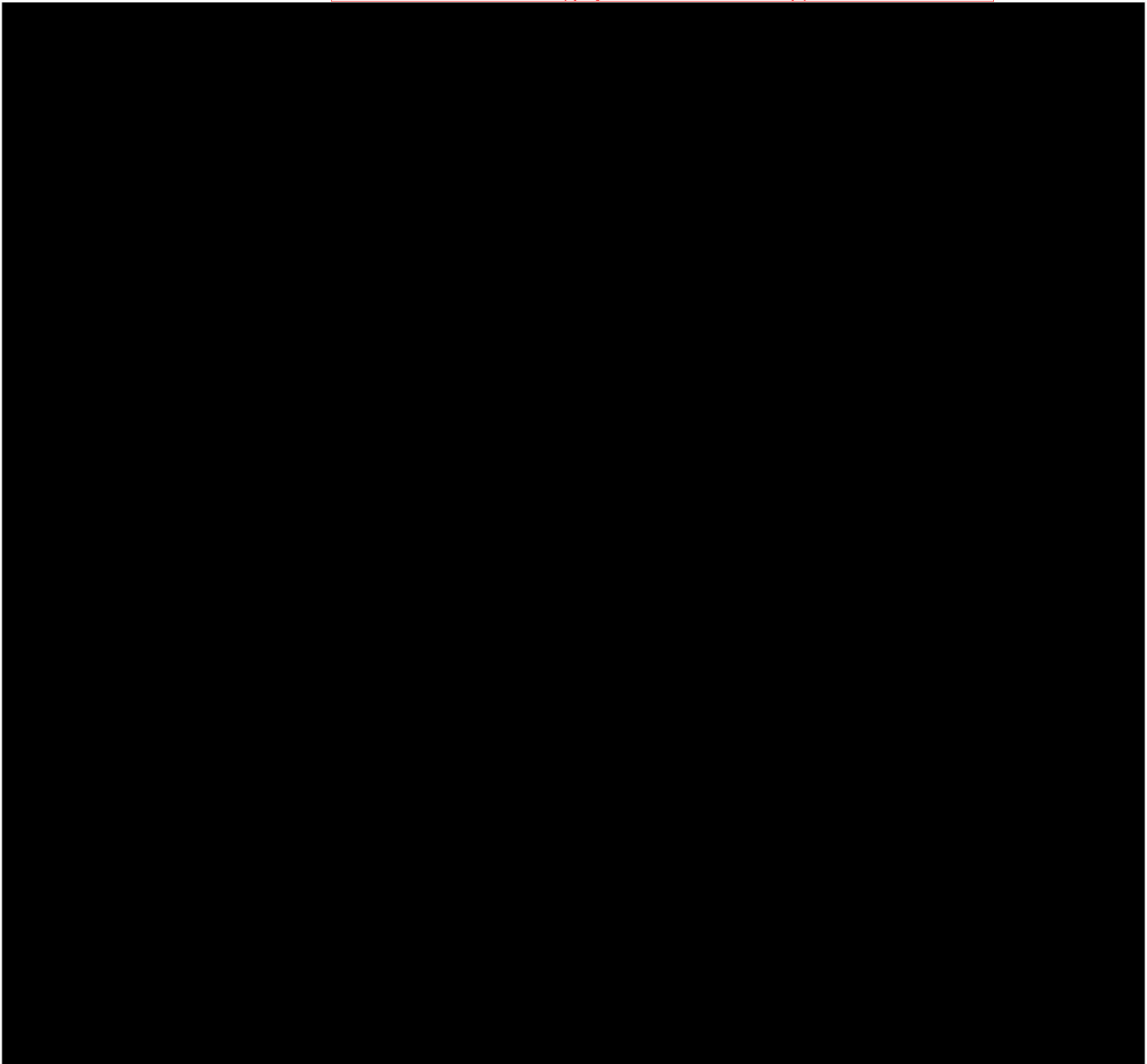
22SA

Page 1 of 4

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Document Type	<b>Instrument</b>
Document Identification	<b>D749484</b>
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Document Assembled	<b>26/05/2025 12:05</b>

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of 'MT. PLEASANT' PAKENHAM.

(hereinafter called "the Owner") being registered or entitled to be registered as the proprietor of an estate in fee simple in the land secondly hereinafter described subject to the encumbrances notified hereunder in consideration of the sum of EIGHT HUNDRED AND SIXTY-SEVEN DOLLARS TWENTY-FIVE CENTS (\$867.25)

paid to us by the VICTORIAN PIPELINES COMMISSION (hereinafter called "the Commission") Do HEREBY TRANSFER AND GRANT unto the Commission and its successors and transferees registered proprietor or proprietors for the time being of ALL THAT piece of land being the Crown Portion 93 Parish of Eumemmerring and being the whole

in Certificate of Title entered in the Register Book Volume 8727

FULL AND FREE RIGHT AND LIBERTY to and for it and them and its and its servants agents and workmen at all times hereafter for the purposes of the Victorian Conveyancing Act 1966 :—

AND RE-ENTER in and upon ALL THAT piece of land delineated and colored red on the plan drawn hereon or annexed hereto and marked "A" and being parts of allotments 7 7A 12 13 and 13A Town and Parish of Pakenham and being part of the land more particularly described in Certificate of Title Volume 5555 Folio 929.

and is hereinafter referred to as "the servient tenement") and to bring on or remove any plant equipment or materials and to construct re-construct or demolish any structure to excavate trenches and for footings or foundations and to lay or erect or place any pipe or pipes over along or across the servient tenement and from time to time to repair remove or replace or re-erect any pipes or systems of pipes for the conveyance of hydrocarbons in a pipeline and any ancillary equipment and works associated with any such pipes or systems of pipes at any place or places and in any position or positions PROVIDED ALWAYS that the upper surface of any such pipes or systems of pipes when laid shall be approximately 1.5 metres below the surface of the servient tenement but any ancillary equipment and works therewith may extend up to or be upon or above the surface.

and maintain any gates upon the servient tenement and any temporary fences during the period of construction or maintenance of works.

and remove any tree or any limb or limbs of any tree and remove any obstructions from the servient tenement and to carry out thereon any works or buildings.



DD749484-1-1

- (d) To go pass and repass for all of the purposes aforesaid either with or without vehicles machines plant and equipment through over and along the servient tenement.
- (e) To use the servient tenement for all purposes of and incidental to the transmission of hydrocarbons in gaseous state.
- (f) To keep the servient tenement free of any buildings whatsoever and free from any obstructions above the surface.
- (g) To maintain inspect alter repair duplicate add to renew use take up remove and replace all works and installations.
- (h) To enter re-enter and pass on foot or on horseback or in any vehicle or machine over and along the servient tenement as often as the Commission or its officers may desire for the purpose of protecting inspecting maintaining altering repairing duplicating adding to, renewing using ~~taking up removing or replacing all works and installations.~~

PROVIDED ALWAYS that nothing herein contained shall be deemed in any way to restrict limit or detract from any right power authority or immunity of the Commission or its successors under or by virtue of the Victorian Pipelines Commission Act 1966 or any amendment thereof or any other statute or regulation which now or hereafter may confer any rights powers authorities or immunities on the Commission.

AND PROVIDED FURTHER that the Commission will at all times fill in any excavations made in the exercise of the powers and rights hereby granted and leave the servient tenement reasonably level and free from rubbish and debris and will pay to the Owner reasonable compensation for disturbance caused by the execution by the Commission of any works on or in the servient tenement which may be carried out after completion of the initial works to be performed and constructed thereon or therein.

AND the Owner for himself his heirs executors and administrators and transferees registered proprietor or proprietors for the time being of the servient tenement HEREBY COVENANTS with the Commission and its successors and transferees registered proprietor or proprietors for the time being of the land firstly hereinbefore described not to erect on any part of the servient tenement any building or other structure or place thereon any obstruction or to cultivate or dig or excavate any part of the surface of the servient tenement to a depth greater than one foot without the previous consent in writing of the Commission first had and obtained.

AND IT IS HEREBY AGREED AND DECLARED that in the interpretation of this Instrument the singular number shall include the plural number and vice versa and the masculine gender shall include the feminine and neuter genders.

# VICTORIAN PIPELINES COMMISSION

Easement required for DUTSON-DANDENONG NATURAL GAS PIPELINE

Owner MARIE JANE PURTON

Address MT. PLEASANT

PAKENHAM

Part of Allotment 7 7A 12 13 13A & 20 TOWN OF PAKENHAM

Parish of PAKENHAM

County of MORNINGTON

Area 3<sup>a.</sup> - 2<sup>r.</sup> - 15<sup>p.</sup><sub>10</sub>

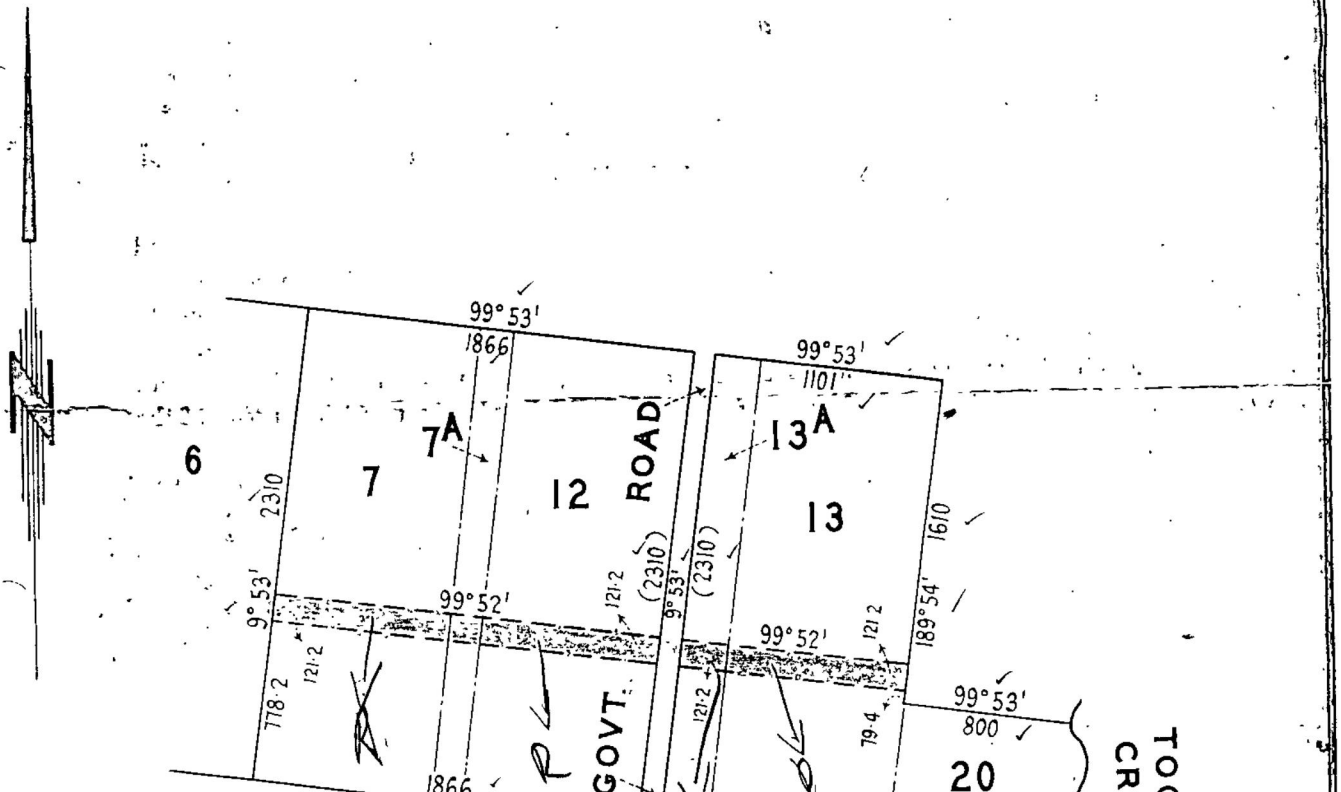
Certificate

Vol. 5555

Fol. 929

Scale:- 8 CHAINS

to an Inch.



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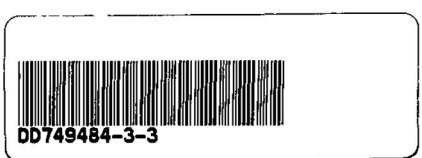
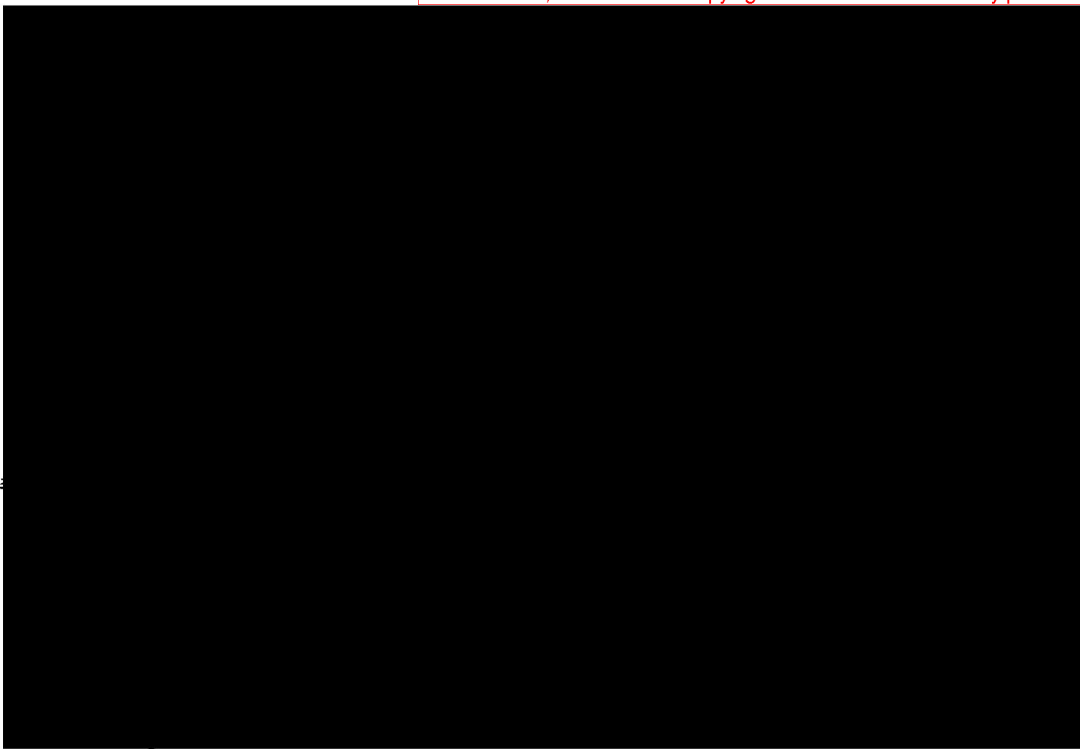
Natural Resources and Environment

AGRICULTURE • RESOURCES • CONSERVATION • LAND MANAGEMENT

**INTENTIONALLY**

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GERALD KENNETH DOWIE PURTON  
CECIL PERCY PURTON

WITH

VICTORIAN PIPELINES COMMISSION

## CREATION OF EASEMENT

WEIGALL & CROWTHER

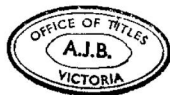
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459 LITTLE COLLINS STREET  
MELBOURNE, 3000  
AREA CODE 03

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D.F.B. M.H.

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Horton, Partridge & Co. Pty. Ltd., Printers, Melbourne.

A memorandum of the within instrument  
has been entered in the Register Book.



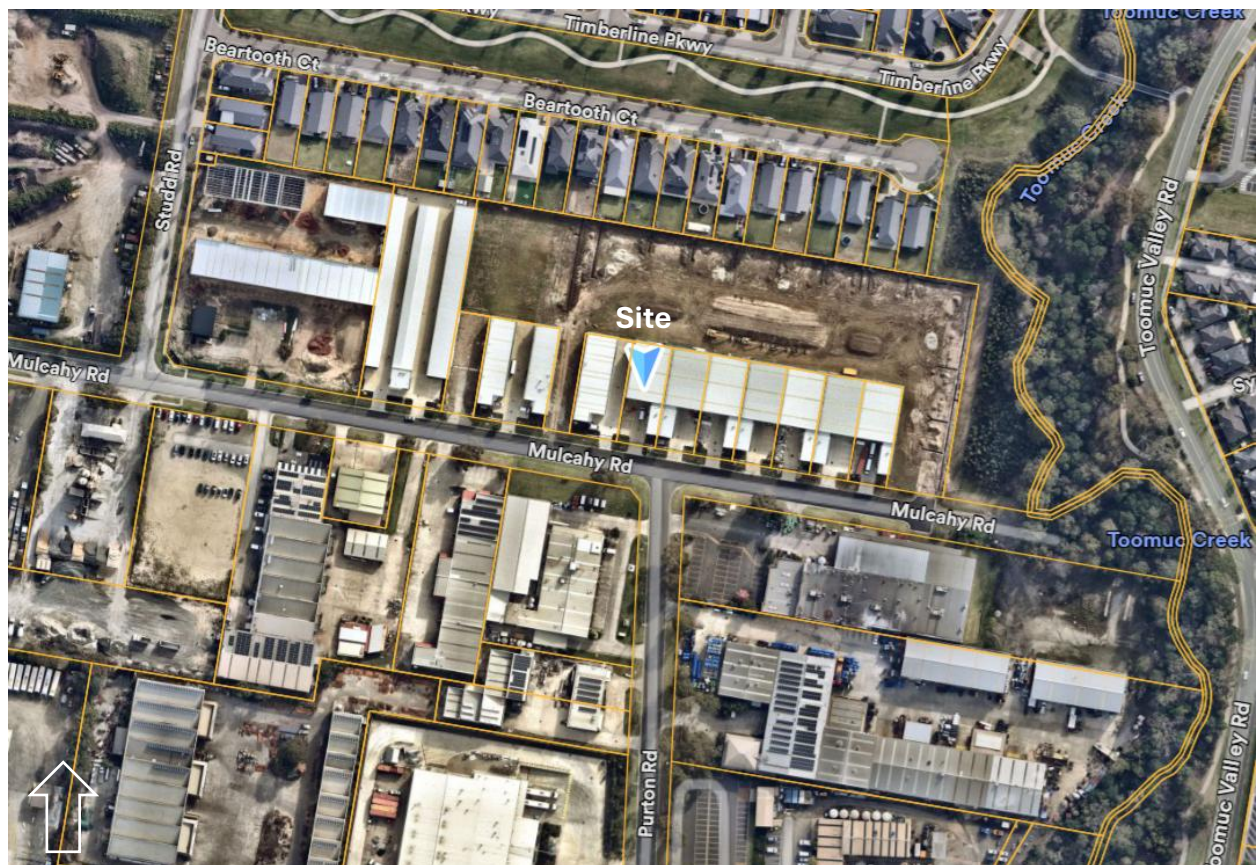


## Supporting submission Planning permit application for a gymnasium 137 Mulcahy Road Pakenham

XWB Consulting has been engaged by C&M Fitness to prepare a planning permit application for a gymnasium at 137 Mulcahy Road Pakenham.

### Site and locality

The site is located on the north side of Mulcahy Road opposite the end of Purton Road. The premises in which the gymnasium is proposed is an existing industrial building with an office and 10 carparking spaces. The location of the site is shown on the aerial photograph below:



The site is located within a small industrial precinct on the north side of the Princes Highway. The precinct contains a mix of industrial, service and restricted retailing activities including a number of premises offering fitness, yoga and similar services.

The land is contained in Certificate of Title Volume 12238 Folio 285 the registered proprietor of which is R & I Invest Pty Ltd. C&M Fitness has entered into a lease agreement for the premises. The title is affected by restrictive covenants including:

- Covenant D749484
- Covenant PS806790Y

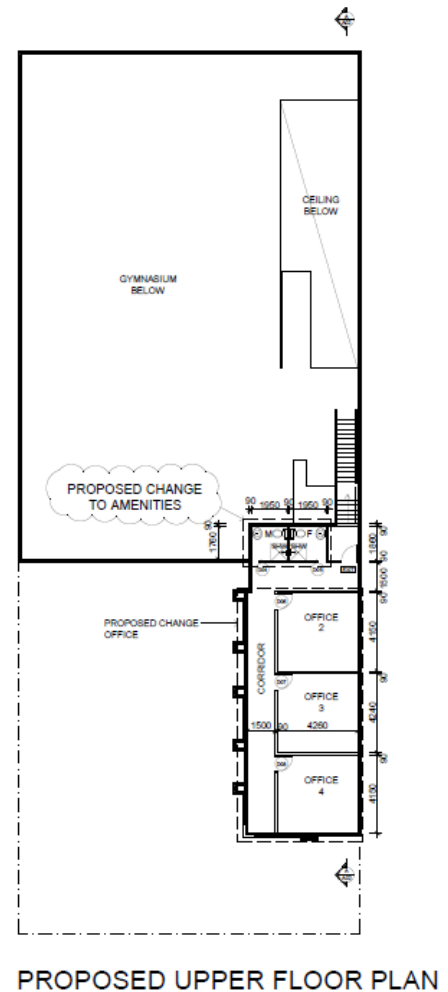
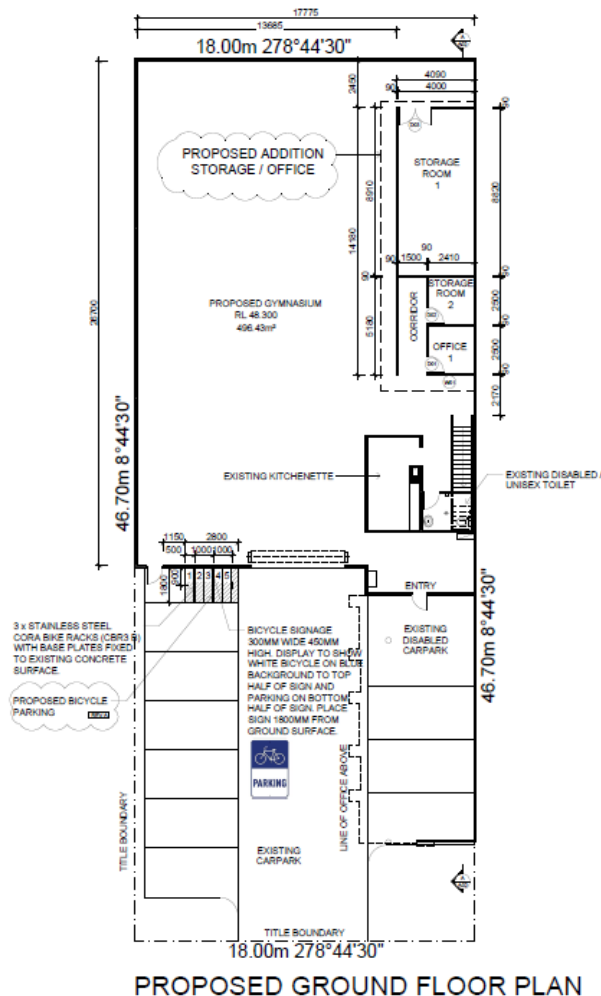
- Covenant PS713920F
- Covenant P816238R (Title Plan)

A copy of the title, time plan and covenants have been submitted with the application. In relation to Covenant PS713920F, a copy is not available from the Landata, see attached screenshot. A previously sourced version of the covenant which is contained in a superseded plan of subdivision is attached. The proposed use of the premises for a gymnasium does not breach the restrictive covenants.

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## Proposal

The application proposes the use of the premises for a group training gymnasium. A group training gymnasium falls within the definition of a restricted recreational facility under the Cardinia Planning Scheme. Group training will occur as part of organised sessions with sessions in the morning between 5.00am and 10.40am and between 5.30pm and 7.30pm Monday to Friday and between 6.00am and 9.30am Saturdays. Sessions will include up to 25 participants. The layout of the premises is shown on the plan below:



## Planning provisions

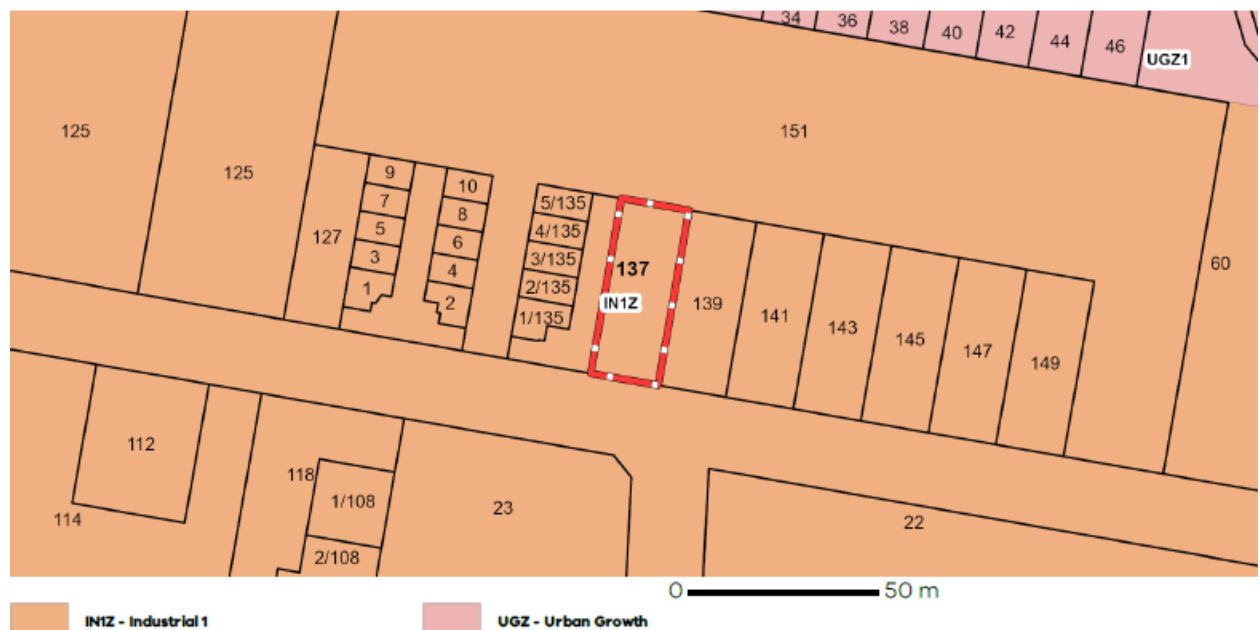
The following State Planning Policy is relevant to the planning permit application:

- 11.03-2S Growth Areas
- 17.01-1S Diversified Economy
- 17.03-2S Sustainable Industry

The following Local Planning Policy is relevant to the planning permit application:

- 21.03-3 Urban Growth Area
- 21.04-1 Employment
- 21.04-4 Industry

The land is in an Industrial 1 Zone under the Cardinia Planning Scheme as shown on the plan below:



The purpose of the Industrial 1 Zone is:

- 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.

A planning permit is required for the use of the premises for leisure and recreation under the Industrial 1 Zone which includes a restricted recreational premises. Any internal works are exempt from a buildings and works permit under Clause 62.02-2 of the Cardinia Planning Scheme.

The land is not affected by any overlays under the Cardinia Planning Scheme.

The car parking provisions in the Cardinia Planning Scheme are set out in Clause 52.06. The purpose of the provisions is to:

- 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.

No car parking rate is specified for a gymnasium, restricted recreational facility or leisure and recreation under the table to Clause 52.06. In such circumstances, the planning scheme specifies car parking spaces must be provided to the satisfaction of the responsible authority. A planning permit is not required under Clause 52.06 for the proposed use.

The bicycle facility provisions in the Cardinia Planning Scheme are set out in Clause 52.34. The purpose of the provisions is:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

The provisions set out bicycle facilities to be provided based on the nature of the use.

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## Consideration of proposal

It is considered that the two key issues in the consideration of the application are the appropriateness of the use in an industrial area and the provision of carparking.

## Appropriate use

A gymnasium requires a large open space to conduct its activities. Such spaces are not typically available, or available at an affordable cost within a commercial area. Such activities have gravitated to industrial areas where space is available at an affordable cost.

A gymnasium (restricted recreation facility) is considered to be an appropriate use in this location as:

- It is permissible under the Industrial 1 Zone.
- It generates employment within the area.
- It provides a health and recreational activity sought by the community.
- Similar existing activities are provided within the industrial precinct.
- The industrial precinct is not a state significant industrial area.
- Given the proximity to the residential precinct to the north, the industrial precinct is suited to low impact industrial uses and other compatible uses which would include a gymnasium.

## Carparking and bicycle facilities

No car parking rate is specified for a gymnasium, restricted recreation facility or leisure and recreation under the table to Clause 52.06. In such circumstances, the planning scheme specifies car parking spaces must be provided to the satisfaction of the responsible authority.

O'Brien Traffic were engaged to prepare a Carparking Assessment for the gymnasium. The carparking assessment which was revised in August 2025 to reduce the number of patrons concludes:

- The Car Parking Demand Assessment indicates a peak car parking demand of less than 20 car spaces before 10:40am and after 5:30pm on weekdays and before 9:20am on Saturdays;
- As 10 car spaces are provided on-site, there is a shortfall of 10 spaces;
- Given the existing availability of unrestricted on-street parking within convenient walking distance of the subject site, up to 10 spaces could be readily accommodated on Mulcahy Road or the surrounding road network;
- The proposal triggers a Planning Scheme bicycle parking requirement for 4 spaces. It is recommended to provide at least 4 bicycle spaces to meet the Planning Scheme bicycle parking requirement.
- We therefore find no parking related grounds to prevent the proposed development proceeding.

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## Conclusion

It considered a permit should be issued for the gymnasium subject to appropriate conditions.

**Planning permit T250290PA**

**137 Mulcahy Road Pakenham – Proposed Gymnasium**

**Schedule of sessions (22 Aug 25)**

**Weekdays**

- 5:00am – 5:50am: Up to 25 patrons with 2 staff
- 6:00am – 6:50am: Up to 25 patrons with 2 staff
- 7:00am – 7:50am: Up to 25 patrons with 2 staff
- 9:30am – 10:20am: Up to 25 patrons with 2 staff
- 5:30pm – 6:20pm: Up to 25 patrons with 2 staff
- 6:30pm – 7:20pm: Up to 25 patrons with 2 staff

**Saturday sessions:**

- 6:00am – 6.50am: Up to 25 patrons with 2 staff
- 7:15am – 8.05am: Up to 25 patrons with 2 staff
- 8:30am – 9.20am: Up to 25 patrons with 2 staff

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Address	Premises	Comments
121 -123 Mulcahy Road	Disused land sales office	
125 Mulcahy Road	Storage units	Very low level of activity
127 Mulcahy Road	Warehouse under construction	
129-131 Mulcahy Road (Advance Place)	Storage units?	Mostly vacant. Cozy Campers – Van and caravan fitouts
133 Mulcahy Road	Driveway under construction to rear subdivision	
135 Mulcahy Road	Techsavy Solutions	Provides IT and security systems in premises. (No hours specified)
137 Mulcahy Road	Proposed Gymnasium	
139 Mulcahy Road	Axis Industries / Grange Surfacing	Rubber matting supplier. Paving finishes contractor. (No hours specified)
141 Mulcahy Road	Vacant warehouse	
143 Mulcahy Road	Total Horse Floats	Horse float manufacture / repair.
145 Mulcahy Road	Vacant warehouse	
147 Mulcahy Road	Kangaroo Courts	Basketball / playing court installation contractor
149 Mulcahy Road	Vacant warehouse	
22 Purton Road	Dollar Sweets	Food manufacture. On site car parking.
23 Purton Road	Gippsland Dairy	Dairy food producer / distributor. Café operates 8:00am – 4:00pm weekdays, 8:00am – 2:00pm Saturdays
108 Mulcahy Road	Unit 1 – Collectors Space Unit 2 – Vacant Unit 3 – Dance on Academy Unit 4 – Pro Plumb	Hobby retailer Mon 11am to 5pm, Wed to Fri 11am to 5.30pm, Sat 10am to 4pm, Sun 11am to 4pm. Dance school Mon to Fri 4pm to 9.15pm, Wed, Thu and Sat 9.45am to 12.30pm. Plumbing contractor. Permit issued for place of worship.
112 Mulcahy Road	Vacant industrial premises	
114 Mulcahy Road	Robert Gordon Pottery (manufacture, sales, café)	9am to 5pm every day
118 Mulcahy Road	Carpark for Robert Gordon Pottery	



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# CAR PARKING DEMAND ASSESSMENT

PROPOSED INDOOR RECREATION FACILITY (GYM) DEVELOPMENT

137 MULCAHY ROAD, PAKENHAM

22 AUGUST 2025

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137 MULCAHY ROAD, PAKENHAM

CLIENT: C & M Fitness

**OBT JOB NUMBER: 27703**



Suite 2.03, 789 Toorak Road  
Hawthorn East, Victoria 3123

**T:** 61 3 9804 3610  
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VERSION	DATE	ISSUE	PREPARED BY	REVIEWED BY
27703 CPDA	23 May 2025	Draft	Urmila Karki	Matt Harridge
27703 CPDA - 01	22 August 2025	Final	Urmila Karki	Matt Harridge

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# 1 INTRODUCTION

O'Brien Traffic has been engaged by C & M Fitness to undertake a traffic impact assessment of a proposed gym development at 137 Mulcahy Road, Pakenham.

In the course of preparing this report:

- Plans and relevant documentation have been examined;
- The subject site and surrounding area have been inspected;
- Parking surveys have been undertaken and the results analysed; and
- Parking implications of the proposal have been assessed.

## 2 EXISTING CONDITIONS

### 2.1 LOCATION AND LAND USE

The subject site is located on the northern side of Mulcahy Road. The location of the subject site and surrounding area is shown in **Figure 1**. A recent aerial photograph is shown in **Figure 2**.

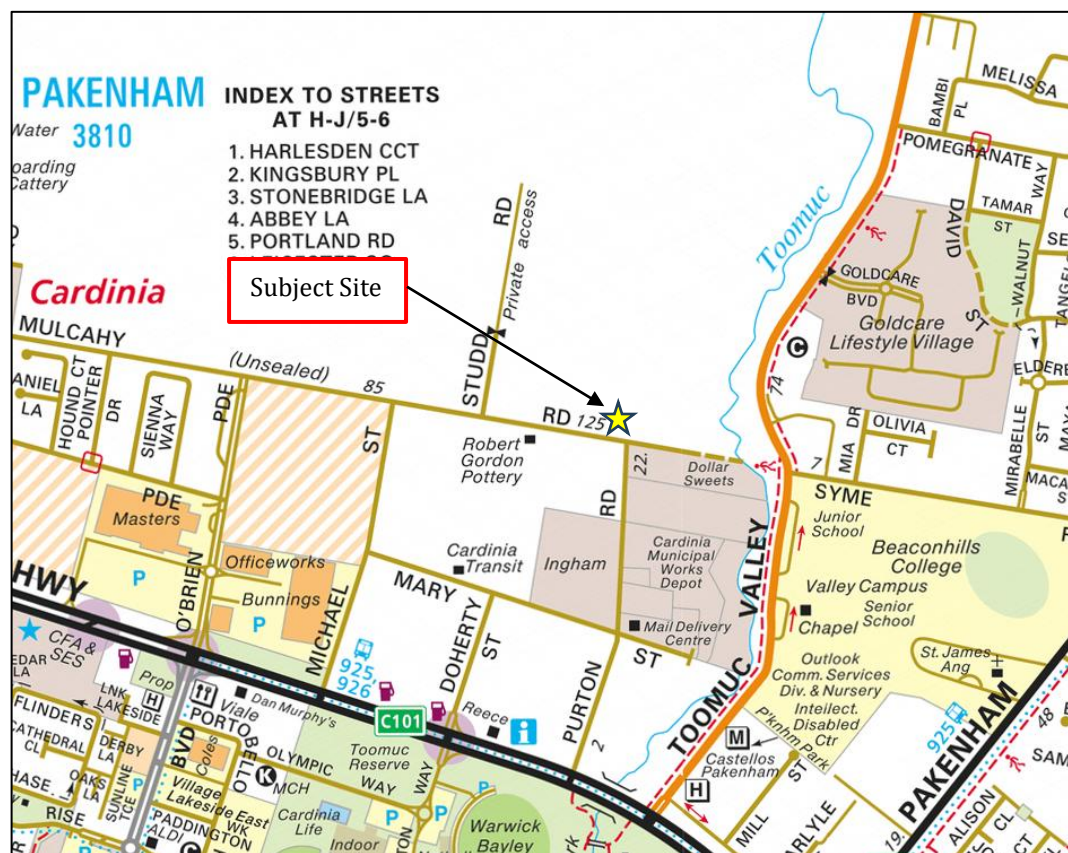
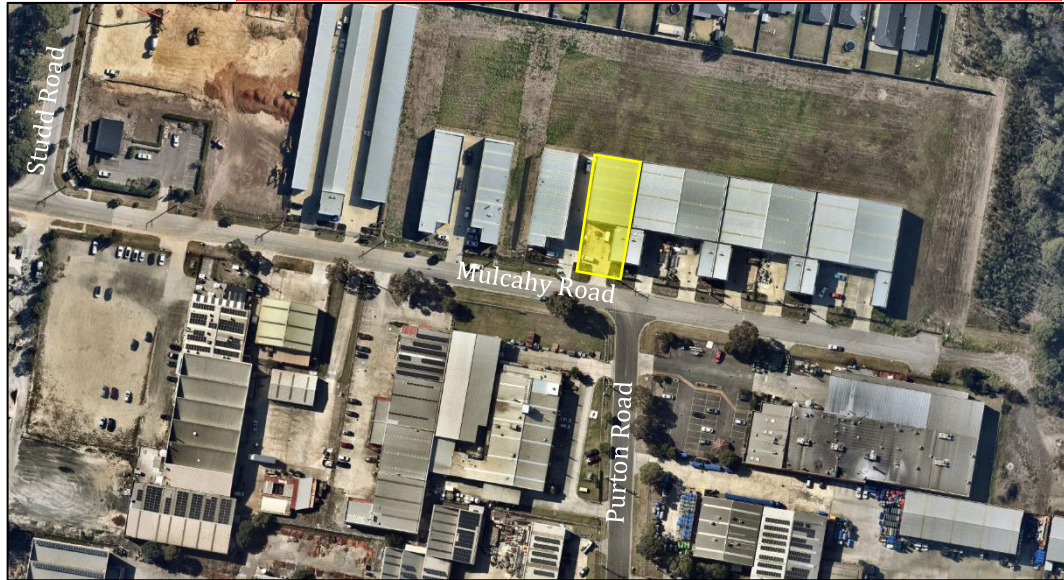


FIGURE 1: LOCATION OF SUBJECT SITE





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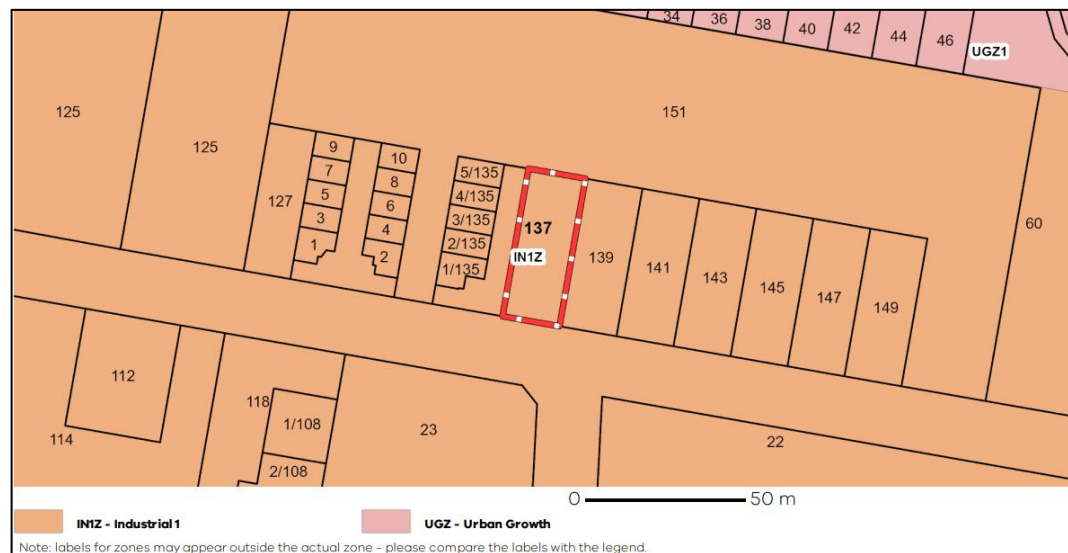
FIGURE 2: AERIAL PHOTO OF SUBJECT SITE

The site, which is zoned Industrial 1 Zone (IN1Z), is rectangular in shape with a frontage of 18 metres to Mulcahy Road comprising an area of approximately 841 square metres. The site is currently occupied by Filo Cabinetry which has a floor area of approximately 559m<sup>2</sup>.

## 2.2 SURROUNDING LAND USE

Surrounding land use is primarily industrial in nature.

A zoning map of the subject site and the surrounding area is provided in **Figure 3**.



SOURCE: VICPLAN

FIGURE 3: ZONING MAP

## 2.3 ROAD NETWORK

Mulcahy Road from Michael Street to Purton Road is classified as a “Local Minor-Collector Road” and Mulcahy Road from Purton Road to Toomuc Creek is classified as “Local Access Road” under the care and management of Cardinia Shire Council. It runs

in west-east orientation in the vicinity of the subject site and provides a carriageway width of 10m allowing for two-way traffic movement. Unrestricted kerbside parking is provided on both sides of the road. The default urban speed limit of 50km/hr applies.

Views of Mulcahy Road are shown in **Figure 4** and **Figure 5**.



FIGURE 4: MULCAHY ROAD, FACING WEST



FIGURE 5: MULCAHY ROAD, FACING EAST

**Purton Road** from Princes Highway to Mulcahy Road is classified as “Local Access Road” under the care and management of Cardinia Shire Council. It runs in north-south orientation in the vicinity of the subject site and provides a carriageway width of 9.8m



allowing for two-way traffic movement.

Unrestricted kerbside parking is provided on the west sides of the road and parking is prohibited on the east side of the road. The default urban speed limit of 50km/hr applies.

Views of Purton Road are shown in **Figure 6** and **Figure 7**.



FIGURE 6: PURTON ROAD, FACING NORTH



FIGURE 7: PURTON ROAD, FACING SOUTH



## 2.4 SUSTAINABLE TRANSPORT

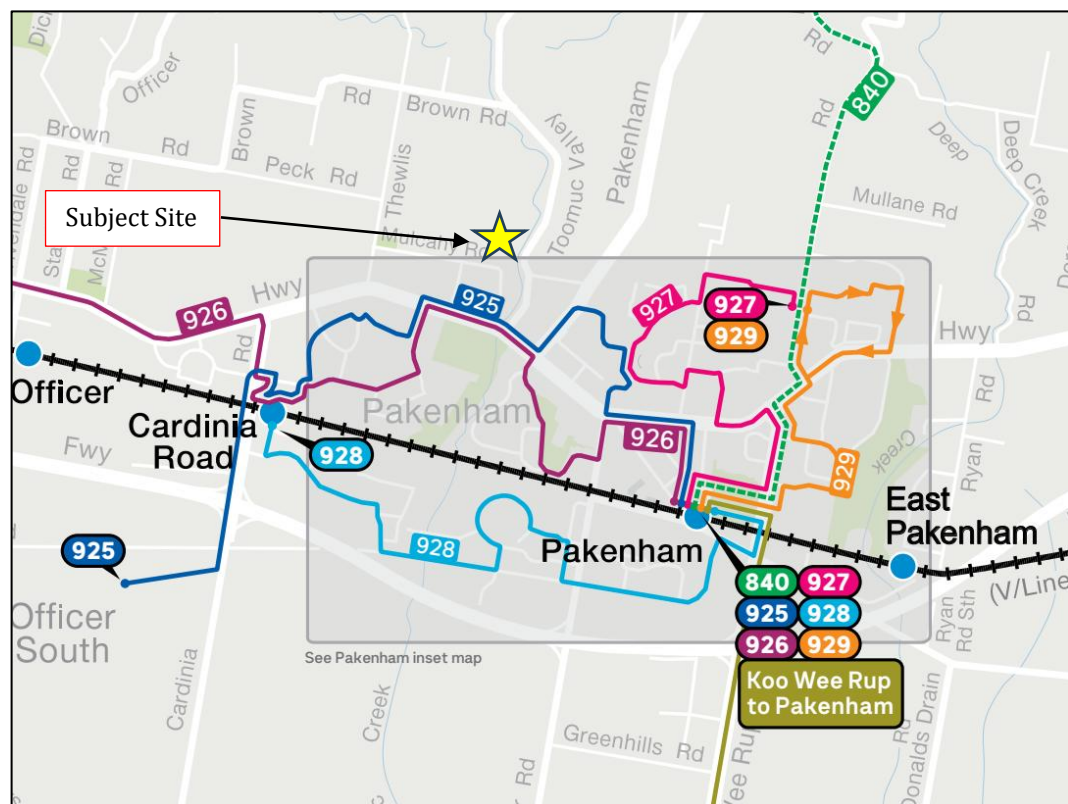
### 2.4.1 Public Transport

The nearest bus stop is within 650m walking distance to the south of the subject site.

**Bus Route 925** (Pakenham Station – Officer South via Cardinia Road Station) and **Route 926** (Pakenham Station via Beaconsfield, Lakeside) utilise this bus stop.

The nearest train station is Cardinia Station, which is 3.6km to the southwest and Pakenham Station is 3.9km to the southeast of the subject site.

The public transport services in the vicinity of the subject site are shown in **Figure 8**.



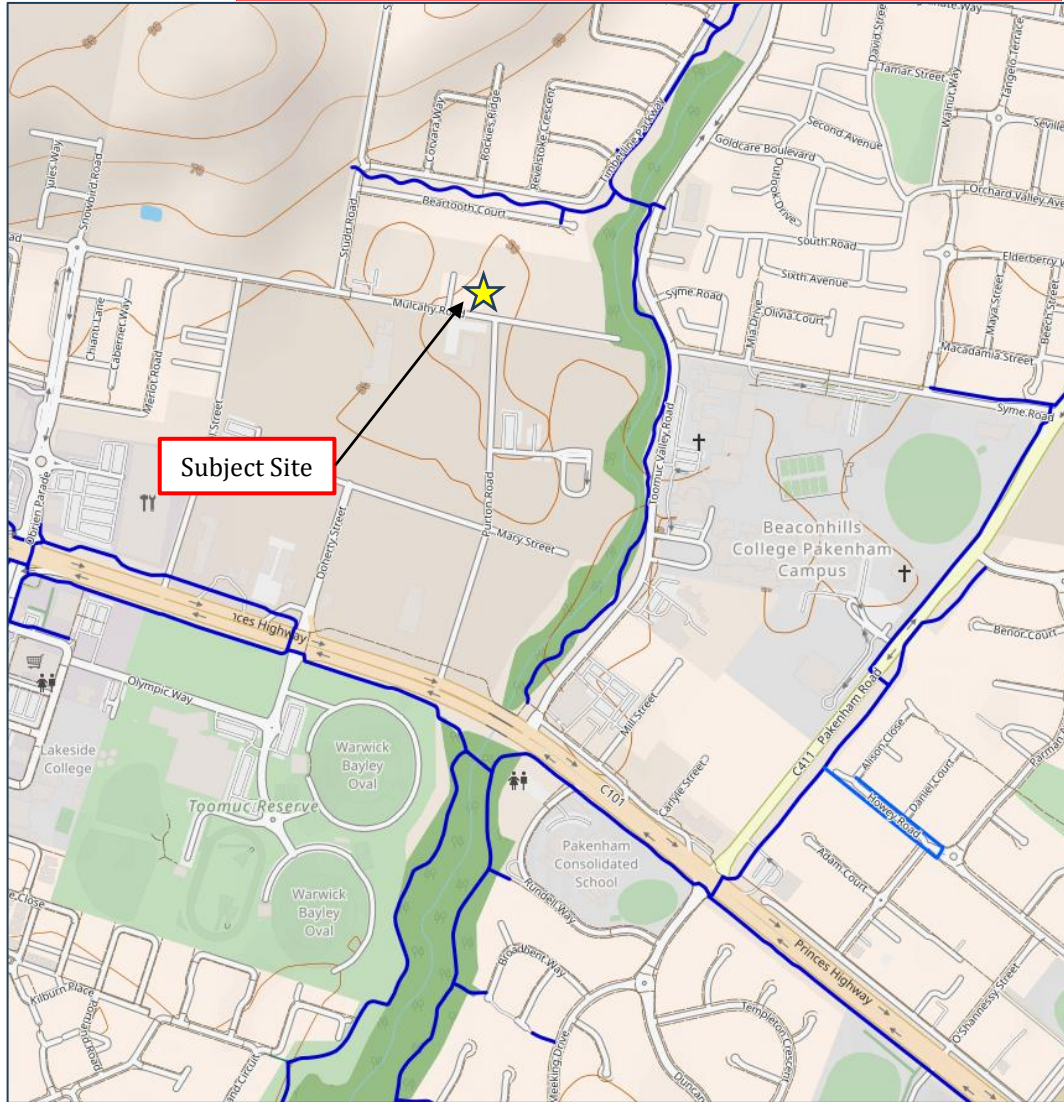
SOURCE: PUBLIC TRANSPORT VICTORIA (PTV) WEBSITE

FIGURE 8: PUBLIC TRANSPORT SERVICES

### 2.4.2 Bicycle Network

A separate cycleway is provided along Toomuc Valley Road and Princes Highway.

The bicycle network in the vicinity of the subject site is shown in **Figure 9**.



SOURCE: CYCLOSM.ORG

FIGURE 9: BICYCLE NETWORK

## 2.5 AVAILABILITY OF PARKING IN THE LOCALITY

O'Brien Traffic prepared an inventory of on-street parking in Mulcahy Road and Purton Road, revealing a total of 81 unrestricted kerbside parking spaces within 200m walking distance from the subject site. Surveys of these spaces were undertaken on two occasions, Tuesday 13<sup>th</sup> May 2025 between 5am and 10:30am and Saturday 10<sup>th</sup> May 2025 between 6am and 9:30am. These times correspond to the expected peak parking conditions in the area when the gym is in operation (i.e. mornings).

During an on-spot survey, on 14 May 2025 around 2:40pm, there were only 8 cars recorded within 200m walking distance (5 cars in Mulcahy Road and 3 cars in Purton Road), resulting in 73 vacant spaces.

The parking inventory map is as shown in **Figure 10** and survey results are shown in **Figure 11** and **Figure 12**.





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FIGURE 10: PARKING INVENTORY MAP

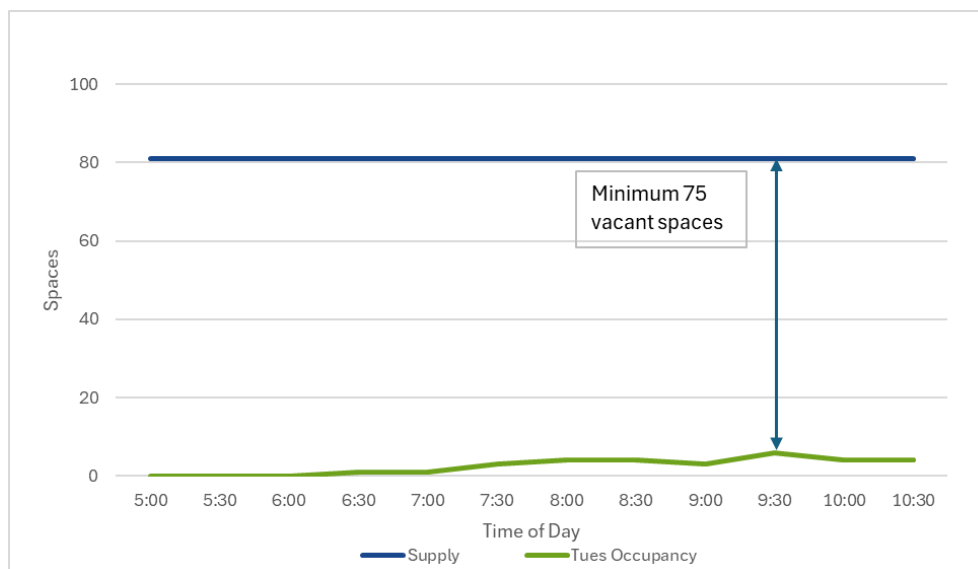


FIGURE 11: GRAPHICAL REPRESENTATION OF PARKING SURVEY ON TUESDAY (13<sup>TH</sup> MAY 2025)

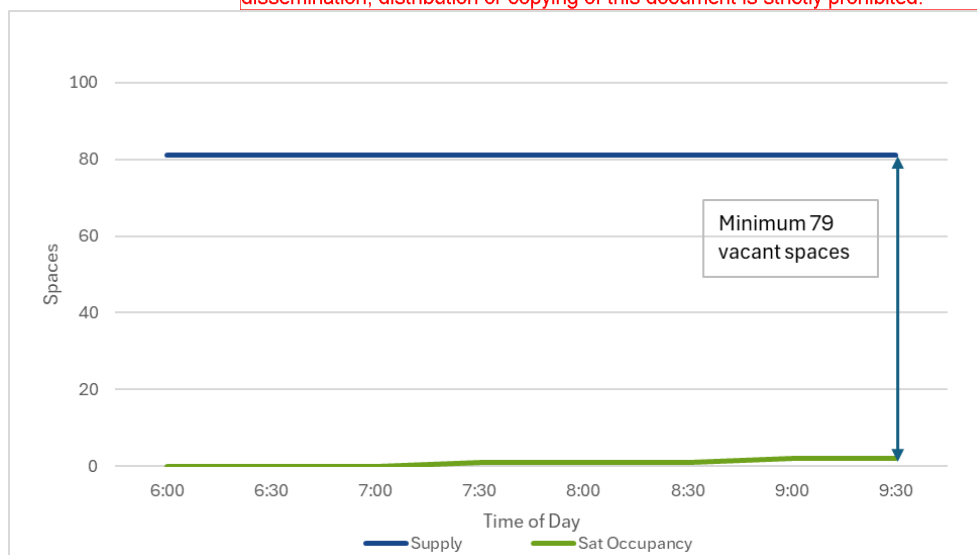


FIGURE 12: GRAPHICAL REPRESENTATION OF PARKING SURVEY ON SATURDAY (10TH MAY 2025)

The peak parking demand occurred on Tuesday 13<sup>th</sup> May 2025 and on Saturday 10<sup>th</sup> May 2025 at around 9:30 AM with a minimum of 75 and 79 vacant spaces respectively.

### 3 THE PROPOSAL

It is proposed to develop the subject site into an indoor recreation facility to be used for gym purposes. Up to 25 patrons and 2 staff members would be accommodated on-site at any one time.

Sessions would take place between (5am – 10:30am) and (5:30pm – 7:30pm) on Monday – Friday and 6am – 9:30am on Saturday.

A total of 10 car spaces (including an accessible space) are provided on-site. Vehicle access to the subject site is provided via an existing crossover to Mulcahy Road.

## 4 CAR PARKING

### 4.1 PLANNING SCHEME CAR PARKING REQUIREMENT

Parking policy and requirements applicable to the proposed development are specified in Clause 52.06 of the Planning Scheme.

The purpose of Clause 52.06 is:

- 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.

The proposed use as a gym can best be defined as an 'indoor recreation facility'. Clause 52.06 of the Planning Scheme has no specific parking requirement for "indoor recreation facility" and therefore an appropriate number of parking spaces should be provided to the satisfaction of the responsible authority.

## 4.2 CAR PARKING DEMAND ASSESSMENT

Before a requirement for car parking is reduced, Clause 52.06-7 of the Planning Scheme requires a Car Parking Demand Assessment, which must assess the parking demand likely to be generated by the proposed use.

The Car Parking Demand Assessment must address a number of specified matters to the satisfaction of the responsible authority. These are discussed as follows.

CRITERIA	RESPONSE
<i>The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use</i>	Given the location of the subject site, multipurpose trips to the site are unlikely.
<i>The variation of car parking demand likely to be generated by the proposed use over time</i>	<p>Peak parking demand will be generated at the start of session times.</p> <p>It is expected that a gap between classes will be provided to allow for session participants from earlier classes to depart prior to the arrival of the next class.</p> <p>Outside of class times, there will be parking demand associated with up to 2 staff present on the site.</p> <p>Parking demand will only be generated before 10:20am and after 5:30pm on weekdays and before 9:20am on Saturdays.</p>
<i>The short-stay and long-stay car parking demand likely to be generated by the proposed use</i>	Staff parking will be medium to long term, while gym attendees parking will typically be short to medium term (i.e., reflecting the duration of classes).
<i>The availability of public transport in the locality of the land</i>	The nearest bus stop is within 650m walking distance to the south of the subject site.
<i>The convenience of pedestrian and cyclist access to the land</i>	Cyclists would use the local road network to gain access to the off-road bicycle network mentioned in Section 2.4.2.

CRITERIA	RESPONSE
<i>The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land</i>	There are no public bicycle parking or end of trip facilities located in the vicinity of the subject site. It is recommended that bicycle parking be provided on-site (See Section 6).
<i>The anticipated car ownership rates of likely or proposed visitors to or occupants of the land</i>	It is anticipated that most patrons and staff will own a car, however, this does not mean that they will use it to access the site. For example, some patrons may use bicycle or ride share.
<i>Any empirical assessment or case study</i>	<p>Surveys of gymnasiums undertaken by a range of traffic engineering consultants have shown a parking rate at peak times in the order of up to 0.8 spaces per patron (due to some staff and patrons arriving as car passengers or via public transport or walking / riding). This rate includes an allowance for staff. This rate is typically adopted for gymnasiums catering for individuals.</p> <p>We are advised that the applicant operates BFT Clyde North. This site has a focus on group training, and it is common for members to carpool, arrive as couples or small groups, walk, run, or ride to the gym resulting in even lower parking demands.</p> <p>The operation of the proposal is expected to be similar to the Clyde North site and therefore the parking rate of 0.8 spaces / patron is a conservative estimate.</p> <p>Assuming a conservative rate of 0.8 spaces / patron for 25 patrons would result in a peak car parking demand of less than 20 spaces.</p>

TABLE 1: CAR PARKING DEMAND ASSESSMENT

The Car Parking Demand Assessment indicates a peak car parking demand of less than 20 spaces before 10:20am and after 5:30pm on weekdays and before 9:20am on Saturdays.

### 4.3 ADEQUACY OF PARKING SUPPLY

Clause 52.06-7 of the Planning Scheme states that before granting a permit to reduce the number of spaces, the responsible authority must consider a number of issues which include:

CRITERIA	RESPONSE
<i>The Car Parking Demand Assessment</i>	<p>The Car Parking Demand Assessment indicates a peak car parking demand of less than <b>20 spaces</b>.</p> <p>As 10 car spaces are provided on-site, there is a shortfall of 10 spaces before 10:20am and after 5:30pm on weekdays and before 9:20am on Saturdays.</p>
<i>The availability of alternative car parking in the locality of the land, including:</i>	The parking occupancy surveys show that within 200 metres of the site, there are at least 75 available on-street parking spaces on a typical

CRITERIA	RESPONSE
<ul style="list-style-type: none"> <li>• Efficiencies gained from the consolidation of shared car parking spaces</li> <li>• Public car parks intended to serve the land.</li> <li>• On street parking in non-residential zones.</li> <li>• Streets in residential zones specifically managed for non-residential parking</li> </ul>	weekday morning, 73 available spaces on a typical weekday afternoon, and 79 available spaces on a weekend morning.

TABLE 2: ADEQUACY OF CAR PARKING SUPPLY

Given the sufficient availability of unrestricted kerbside parking in the area, 10 spaces can be easily accommodated by the surrounding road network.

## 5 CAR PARK ACCESS AND LAYOUT

There are no changes on the existing car parking spaces and access.

## 6 BICYCLE FACILITIES

Bicycle parking requirements applicable to the proposed development are specified in Clause 52.34 of the Planning Scheme.

Table 3 shows the relevant bicycle parking requirements for the proposal:

USE	SIZE	PLANNING SCHEME BICYCLE PARKING RATE		BICYCLE PARKING REQUIREMENT	
		EMPLOYEE	CUSTOMER	EMPLOYEE	CUSTOMER
Minor sports and recreation facility	559 m <sup>2</sup> leasable floor area	1 per 4 employees	1 to each 200 sq m of net floor area	1 space (assuming 2 employees at any one time)	3 spaces
TOTAL				1 SPACE	3 SPACES

TABLE 3: PLANNING SCHEME BICYCLE PARKING REQUIREMENT

The proposed gym has a Planning Scheme bicycle parking requirement of 4 spaces, comprising 1 space for staff and 3 spaces for patrons.

It is recommended to provide at least 4 bicycle spaces within the site. This would encourage people to ride to the site to reduce the dependence on private vehicles.



## 7 CONCLUSION

Based on the considerations outlined above, it is concluded that:

- The Car Parking Demand Assessment indicates a peak car parking demand of less than 20 car spaces before 10:40am and after 5:30pm on weekdays and before 9:20am on Saturdays;
- As 10 car spaces are provided on-site, there is a shortfall of 10 spaces;
- Given the existing availability of unrestricted on-street parking within convenient walking distance of the subject site, up to 10 spaces could be readily accommodated on Mulcahy Road or the surrounding road network;
- The proposal triggers a Planning Scheme bicycle parking requirement for 4 spaces. It is recommended to provide at least 4 bicycle spaces to meet the Planning Scheme bicycle parking requirement.

We therefore find no parking related grounds to prevent the proposed development proceeding.

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# APPENDIX A

## PARKING SURVEY RESULTS


Area	Location	Side	Restriction	Space	Check	Parking Occupancy - Tuesday (13/05/2025)											
						5:00	5:30	6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30
Mulcahy Road																	
A1	Studd Road to Purton Road	North	Unrestricted Kerbside Parking	18	18	0	0	0	0	0	0	1	1	0	0	0	0
A2	Purton Road to Road End	North	Unrestricted Kerbside Parking	10	10	0	0	0	0	0	1	2	2	2	2	2	2
A3	Studd Road to Purton Road	South	Unrestricted Kerbside Parking	20	20	0	0	0	0	0	0	0	0	0	0	0	0
A4	Purton Road to Road End	South	Unrestricted Kerbside Parking	13	13	0	0	0	1	1	1	1	1	1	1	1	1
Purton Road																	
B1	Mulcahy Road to Mary Street	West	Unrestricted Kerbside Parking	20	20	0	0	0	0	0	1	0	0	0	3	1	1
			Total	81	81	0	0	0	1	1	3	4	4	3	6	4	4

FIGURE A1: PARKING SURVEY DATA – TUESDAY (13/05/2025)

Area	Location	Side	Restriction	Space	Check	Parking Occupancy - Saturday (10/05/2025)								
						6:00	6:30	7:00	7:30	8:00	8:30	9:00	9:30	
Mulcahy Road														
A1	Studd Road to Purton Road	North	Unrestricted Kerbside Parking	18	18	0	0	0	0	0	0	0	0	0
A2	Purton Road to Road End	North	Unrestricted Kerbside Parking	10	10	0	0	0	1	1	1	2	2	
A3	Studd Road to Purton Road	South	Unrestricted Kerbside Parking	20	20	0	0	0	0	0	0	0	0	0
A4	Purton Road to Road End	South	Unrestricted Kerbside Parking	13	13	0	0	0	0	0	0	0	0	0
Purton Road														
B1	Mulcahy Road to Mary Street	West	Unrestricted Kerbside Parking	20	20	0	0	0	0	0	0	0	0	0
			Total	81	81	0	0	0	1	1	1	2	2	

FIGURE A2: PARKING SURVEY DATA - SATURDAY (10/05/2025)

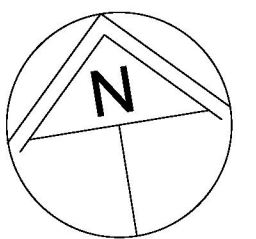
## LEGEND:

	LED EMERGENCY EXIT LIGHT
SHW	SHOWER
W00	WINDOW TYPE
D00	DOOR TYPE

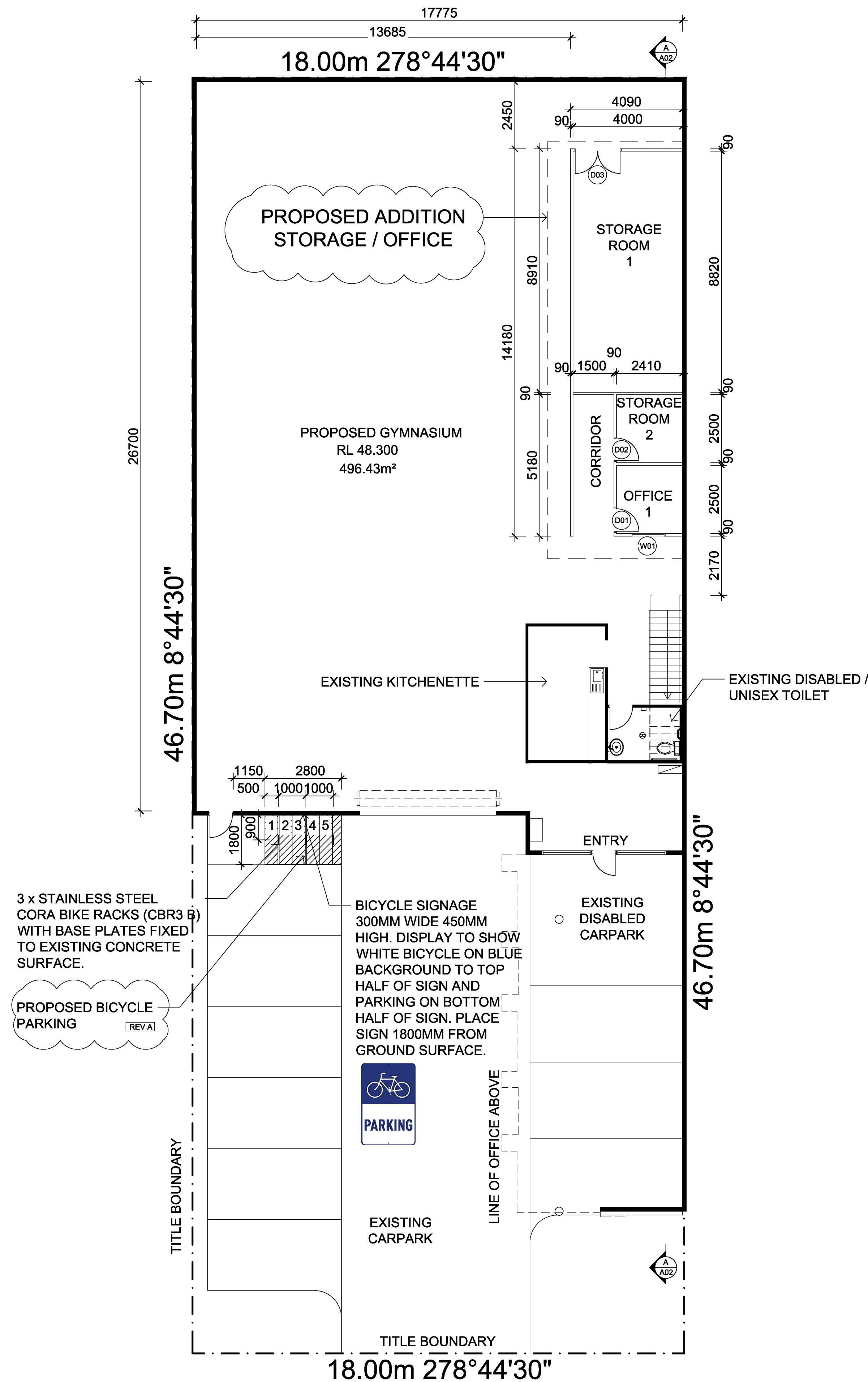


29/07/2025	A	AMENDED BICYCLE PARKING
DATE	REV	DESCRIPTION
		BY

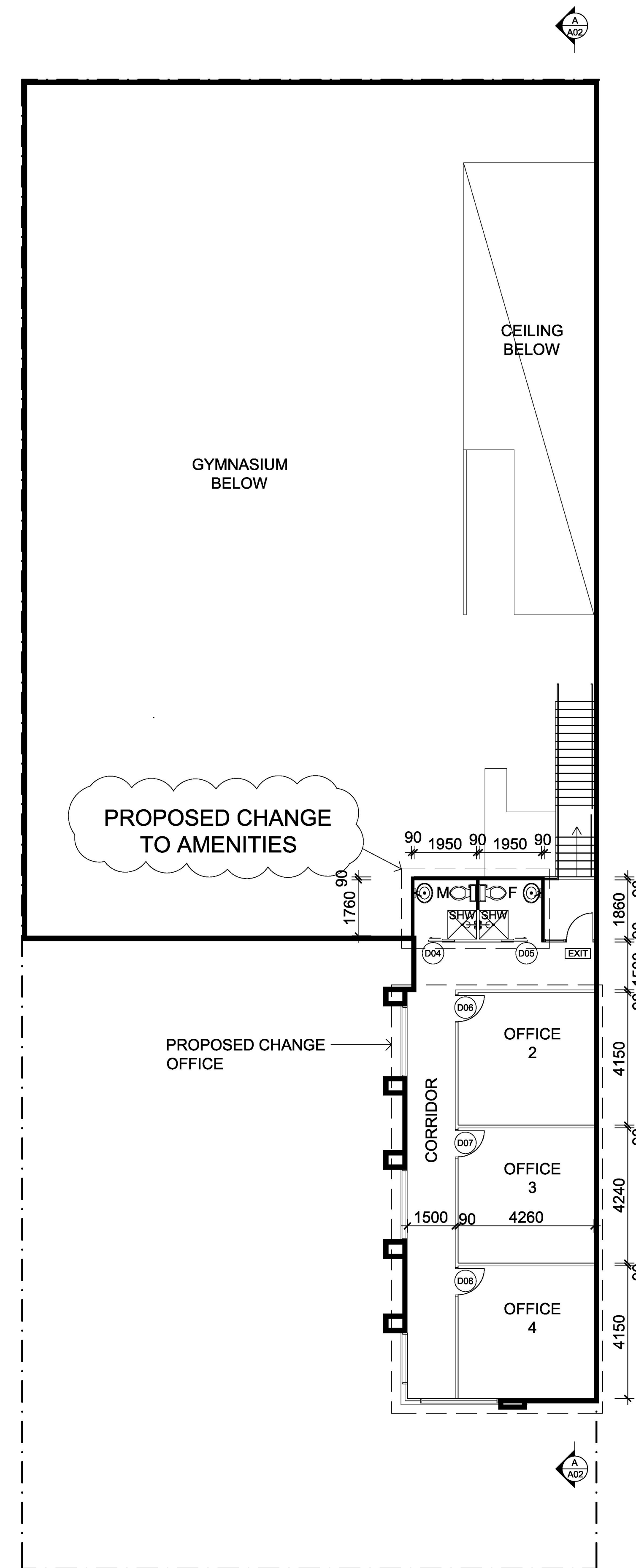
SHEET SIZE A1



-	-	-	10 JUNE 2025	1.100
-	-	JOBNO	SHEET	REV
-	-	A01		A



## PROPOSED GROUND FLOOR PLAN



## PROPOSED UPPER FLOOR PLAN



# Cardinia

## Invoice

Applicant C & M Fitness C/- XWB Consulting  
Applicant Address P.O. Box 752, Beaconsfield VIC 3807

Owner R&I Invest Pty Ltd  
Owner Address 1/17 Discovery Drive, Pakenham VIC 3810

Preferred Contact C & M Fitness C/- XWB Consulting  
Preferred Contact P.O. Box 752, Beaconsfield VIC 3807  
Address  
Site Address 137 Mulcahy Road Pakenham 3810

Portal Reference A225803A  
ReferenceNumber T250290

InvoiceNumber 497476  
InvoiceDate 27-May-2025  
InvoicePayByDate 26-Jun-2025

Amount \$1,453.40

Regulation	Description	Amount	Modifier	Modified Amount
9 - Class 1	Change of use only	\$1,453.40	100%	\$1,453.40