

Notice of Application for a Planning Permit

The land affected by the application is located at:	L1 PS834966 V12468 F268 33 Alfa Court, Pakenham VIC 3810
The application is for a permit to:	Use of land for a Convenience Restaurant and a waiver of bicycle requirements of Clause 52.34

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

33.01-1	Use of the land for a Convenience Restaurant
52.34-2	Vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6

APPLICATION DETAILS

The applicant for the permit is:	[REDACTED]
Application number:	T250337

You may look at the application and any documents that support the application at the office of the Responsible Authority:

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

This can be done during office hours and is free of charge.

Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.



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:

06 October 2025

WHAT ARE MY OPTIONS?

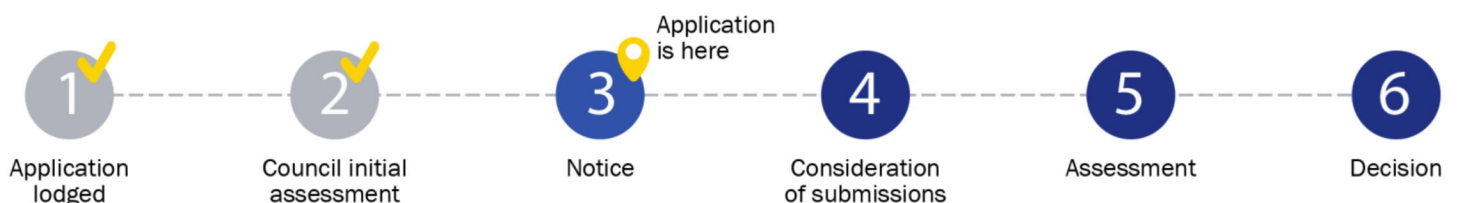
Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

If you object, the Responsible Authority will notify you of the decision when it is issued.

An objection must:

- be made to the Responsible Authority in writing;
- include the reasons for the objection; and
- state how the objector would be affected.

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

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.: 33	St. Name: ALFA COURT
Suburb/Locality: PAKENHAM VIC		Postcode: 3810

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title.

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

A	Lot No.: 1	<input type="radio"/> Lodged Plan <input type="radio"/> Title Plan <input type="radio"/> Plan of Subdivision	No.: 834966D
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 land for a Convenience Restaurant and a waiver of bicycle requirements of Clause 52.34.

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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.

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

<div style="border: 1px solid #ccc; padding: 5px;"> Cost \$ 0.00 </div>	<p>⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.</p> <p style="font-size: small;">If the application is for land within metropolitan Melbourne (as defined in section 3 of the <i>Planning and Environment Act 1987</i>) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy 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.</p>
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Existing Conditions i

Describe how the land is used and developed now *

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

Takeaway food premises

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

Title Information i

Encumbrances on title *

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

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

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

Applicant and Owner Details i

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

Applicant *

The person who wants the permit.

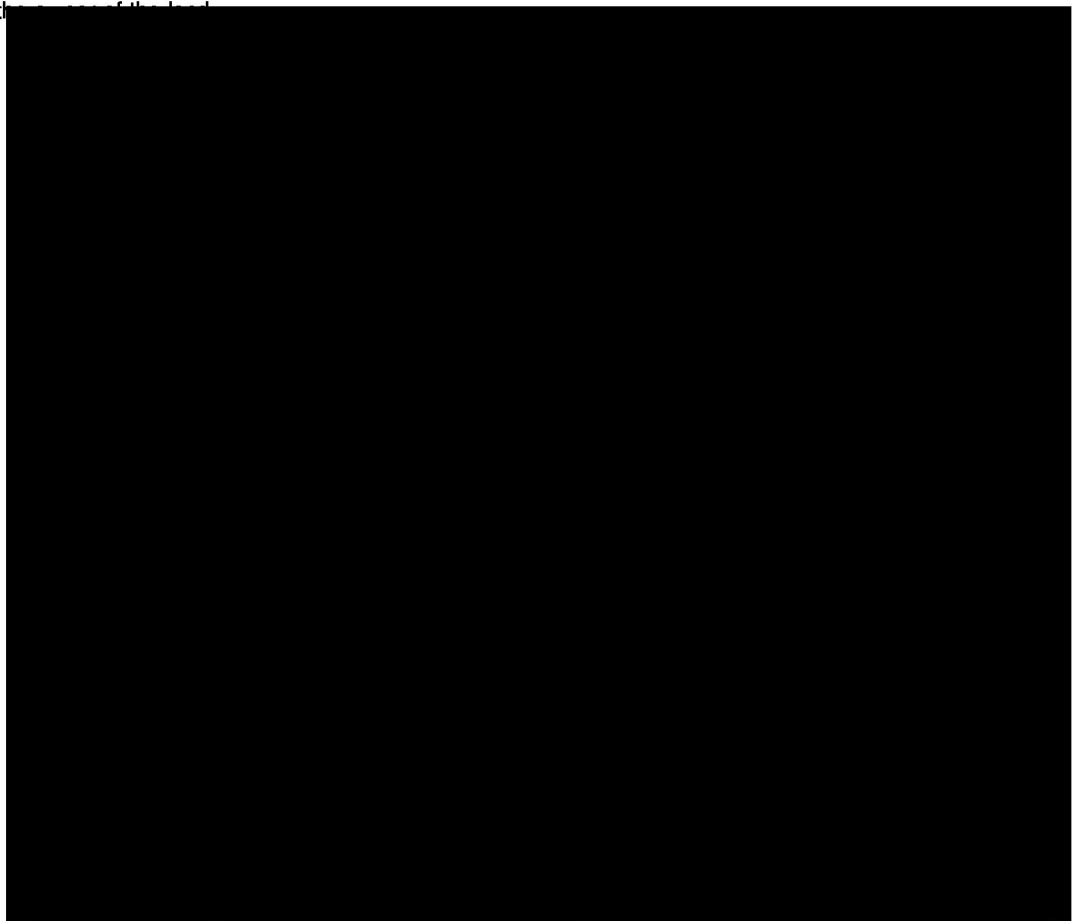
Please provide at least one contact phone number *

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.



Organisation (if applicable):

Postal Address:

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

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:


Owner's Signature (Optional):

Date:

day / month / year

Declaration

This form must be signed by the applicant *

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

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:



Date: 31/07/2025

day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

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

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

No Yes

If 'Yes', with whom?: Sumaia Khan

Date: 21/05/2025


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

VOLUME 12468 FOLIO 268

Security no : 124120887614X
Produced 23/12/2024 07:34 PM

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LAND DESCRIPTION

Lot 1 on Plan of Subdivision 834966D.
PARENT TITLE Volume 12264 Folio 819
Created by instrument PS834966D 24/04/2023

REGISTERED PROPRIETOR



MORTGAGE AX336191U 09/10/2023
NATIONAL AUSTRALIA BANK LTD

COVENANT PS806463Q 25/11/2020

COVENANT AT908465F 23/12/2020

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 PS834966D 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: 33 ALFA COURT PAKENHAM VIC 3810

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 09/10/2023

OWNERS CORPORATIONS

The land in this folio is affected by

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

Page 2 of 2

OWNERS CORPORATION 1 PLAN NO. PS834966D

DOCUMENT END

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Document Type	Instrument
Document Identification	AA6104
Number of Pages (excluding this cover sheet)	1
Document Assembled	23/04/2025 14:25

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Electronic Instrument Statement

Street Type	GROVE
Locality	CANONS CREEK
State	VIC
Postcode	3977

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: AA6104
Restrictive covenant	MCP: AA6104
Expiry Date	

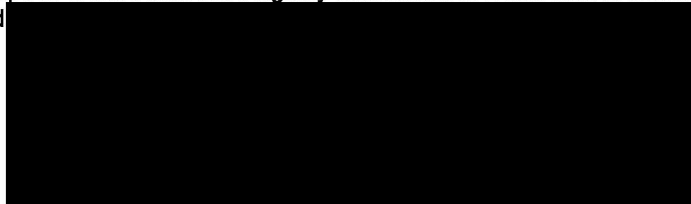
Duty Transaction ID

4988161

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.

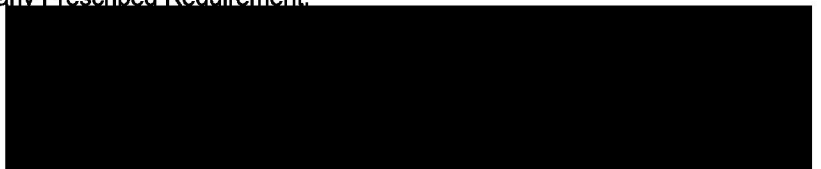
Execution

1. The Certifier has taken reasonable steps to verify the identity of the 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



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.



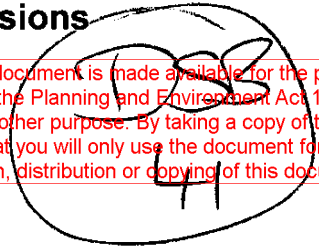
File Notes:

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

**Memorandum of common provisions
Section 91A Transfer of Land Act 1958**

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AA 11011

Pr
Til
24/03/2020
\$98.50 MCP
Registers and indexed.

AA6104

Lodged by	
Name:	DUFFY & SIMON
Phone:	03 5941 1622
Address:	81001 PAKENHAM
Reference:	DD:TP 180918
Customer code:	0756P

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

Provisions:

"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 in Plan of Subdivision No. 806463Q/S2 (apart from the land) that the Transferee will not:

- a. Erect or cause to be erected on the land hereby transferred any buildings of which the front wall and any side wall facing a road, (save for the provision of windows and doors) unless constructed, to a minimum height of 3 metres, of brick or block masonry or concrete with an applied paint or aggregate finish.
- b. Use or permit to be used for the purpose of external walls (including doors) on any building or buildings erected on the land hereby transferred any cladding material unless the same is finished with a durable paint or permanent colour surface.
- c. Suffer or store or permit goods, materials, containers, motor vehicle wreck, junk/scrap metal, recycling material 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 or planted hedge of at least 2.5 metres in height.
- d. 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 area") 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. The landscape area is the area within 3 metres of the front title boundary of the land.
- e.
 - i. Erect or cause to be erected any fence facing any road frontage, constructed of a material other than coated chain or mesh or coated steel pickets.
 - ii. Erect or cause to be erected any side and rear boundary fence not facing a road, other than in industrial chain mesh with a minimum height of 2.1metres and with a maximum height of 2.5 metres.

"AND IT IS AGREED that the benefit each of these covenants runs with the land in Plan of Subdivision No 806463Q/S2 (apart from the Land) and that the burden runs with the Land."

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 1

THE BACK OF THIS FORM MUST NOT BE USED

Land Use Victoria contact details: see www.delwp.vic.gov.au/property>Contact us



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

Produced 10/03/2025 05:03:14 PM

Status	Registered	Dealing Number	AT908465F
Date and Time Lodged	23/12/2020 02:47:37 PM		

Lodger Details

Lodger Code	19498E
Name	CORNWALLS
Address	
Lodger Box	
Phone	
Email	
Reference	

TRANSFER

Jurisdiction	VICTORIA
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Privacy Collection Statement

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Land Title Reference

12264/819

Transferor(s)

Name	R & C MCGILL PTY LTD
ACN	159065040

Estate and/or Interest being transferred

Fee Simple

Consideration

\$AUD 670107.00

Transferee(s)

Tenancy (inc. share)	Sole Proprietor
Name	BAROUK HOLDINGS PTY LTD
ACN	635053020
Address	
Street Number	4
Street Name	CURRAWONG



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Lodger Details

Lodger Code
Name
Address
Lodger Box
Phone
Email
Reference



TRANSFER

Jurisdiction VICTORIA

Privacy Collection Statement

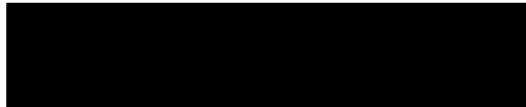
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12264/819

Transferor(s)

Name
ACN



Estate and/or Interest being transferred

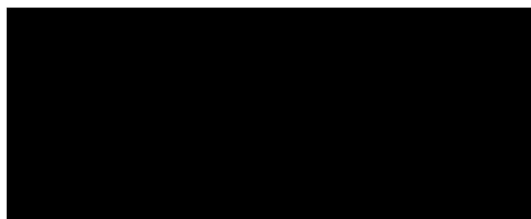
Fee Simple

Consideration

\$AUD 670107.00

Transferee(s)

Tenancy (inc. share)
Name
ACN
Address
Street Number
Street Name





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1. Introduction

██████████ have been engaged to assist the owner of Kohali
██████████ which is located in Pakenham.

They wish to lodge a new planning permit which allows the use of the property as a Convenience Restaurant.

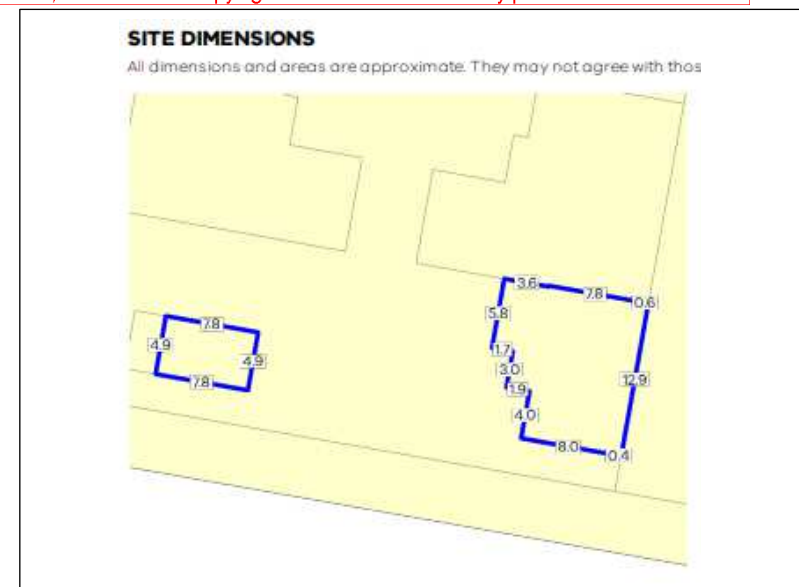
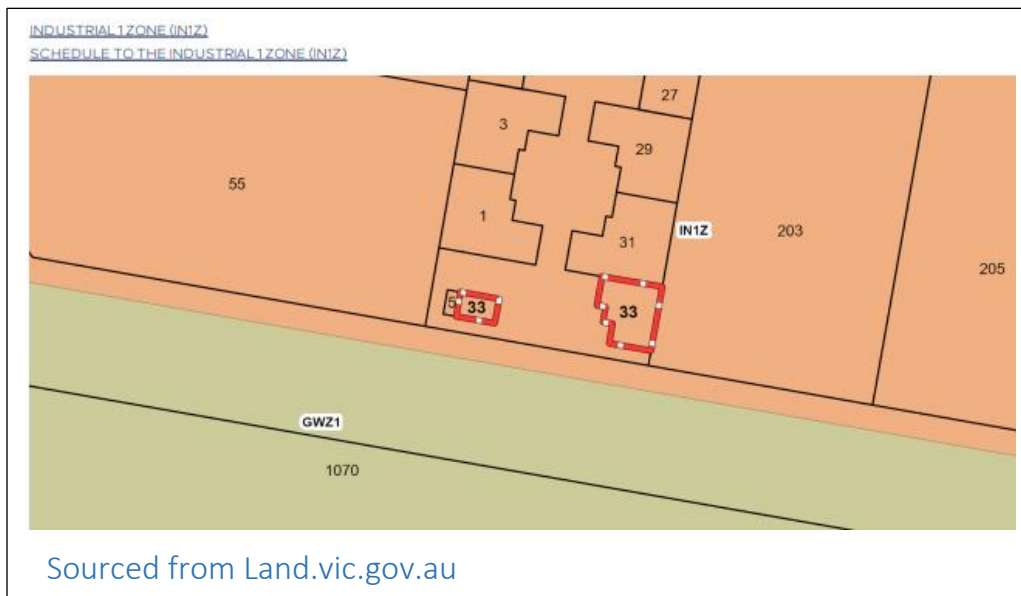
This report will provide Cardinia Shire Council (CSC) with the necessary information for an informed decision.



2. ZONING AND APPLICABLE OVERLAYS

SUBJECT SITE PROFILE

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SEEKING THE FOLLOWING APPROVALS

1. Use of the land as a Convenience Restaurant 13 Seats.

The proprietor wants to keep the take away food component of this business. Therefore “Convenience Restaurant” would be most appropriate as it encapsulates both sit down and take away for customers making the business more viable.

AMENDMENTS TO PLANS – As Required by Council



4.

RESTAURANT OPERATIONS SNAPSHOT

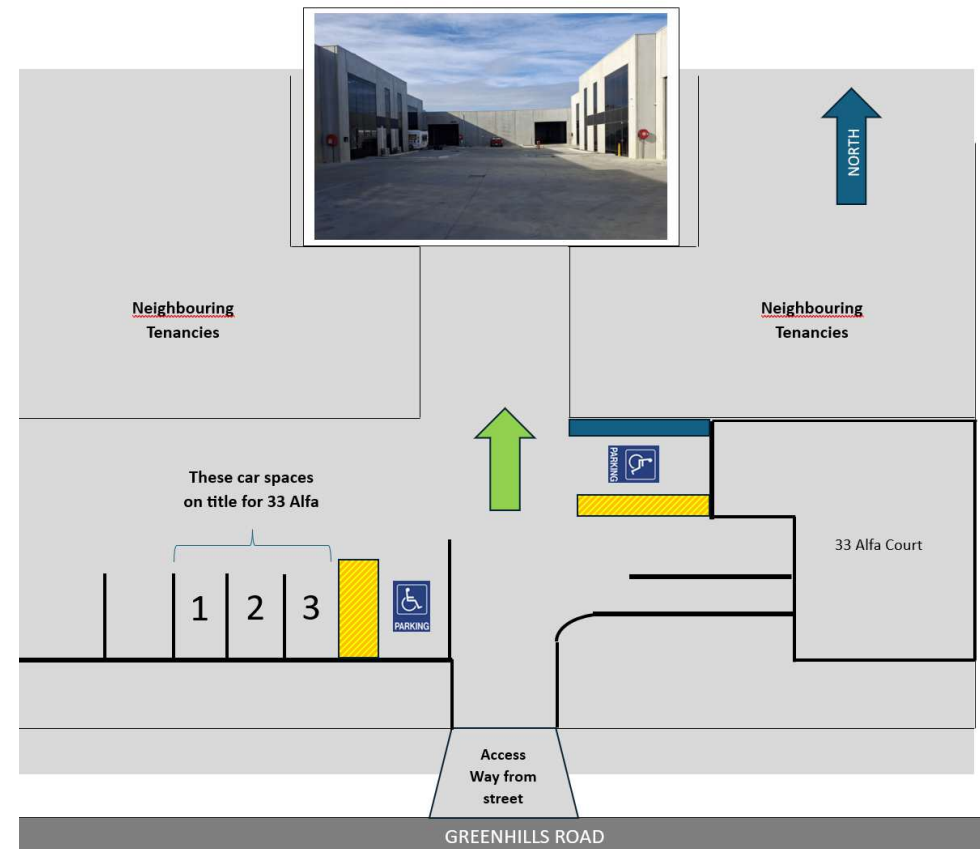
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1	SEATING	13
2	OPERATING HOURS	7am to 3pm and 5pm to 9pm
3	OPERATING DAYS	Monday to Sunday
4	STAFF MEMBERS	3
5	CAR PARKING ASSIGNED TO TENANCY	3 SPACES

1. Currently this premises provides takeaway meals.
2. This proposal is to change the profile by adding a sit down aspect.



5. CARPARKING LAYOUT –



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CARPARKING IMPACTS – None

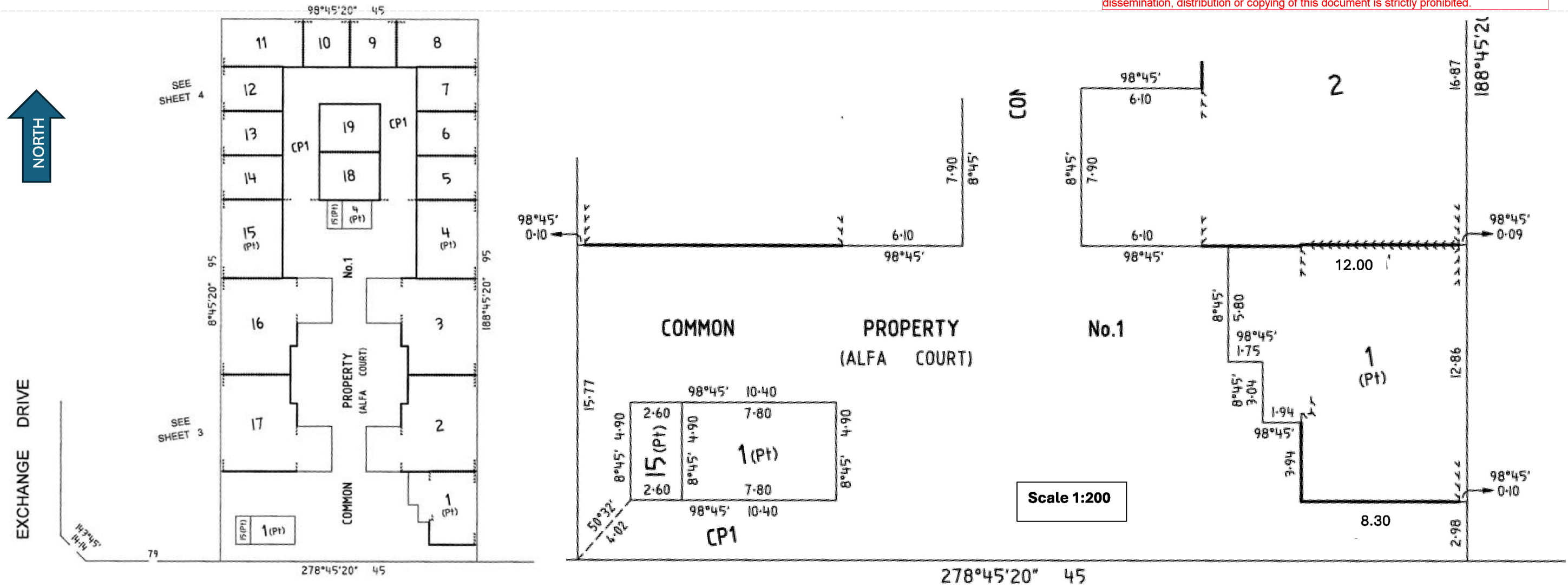
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This area will not be affected by car parking from restaurant patrons as the location is isolated from other business districts throughout Pakenham.



Images are the latest from Google Street View.

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Lot 1 is the subject site

GREENHILLS ROAD

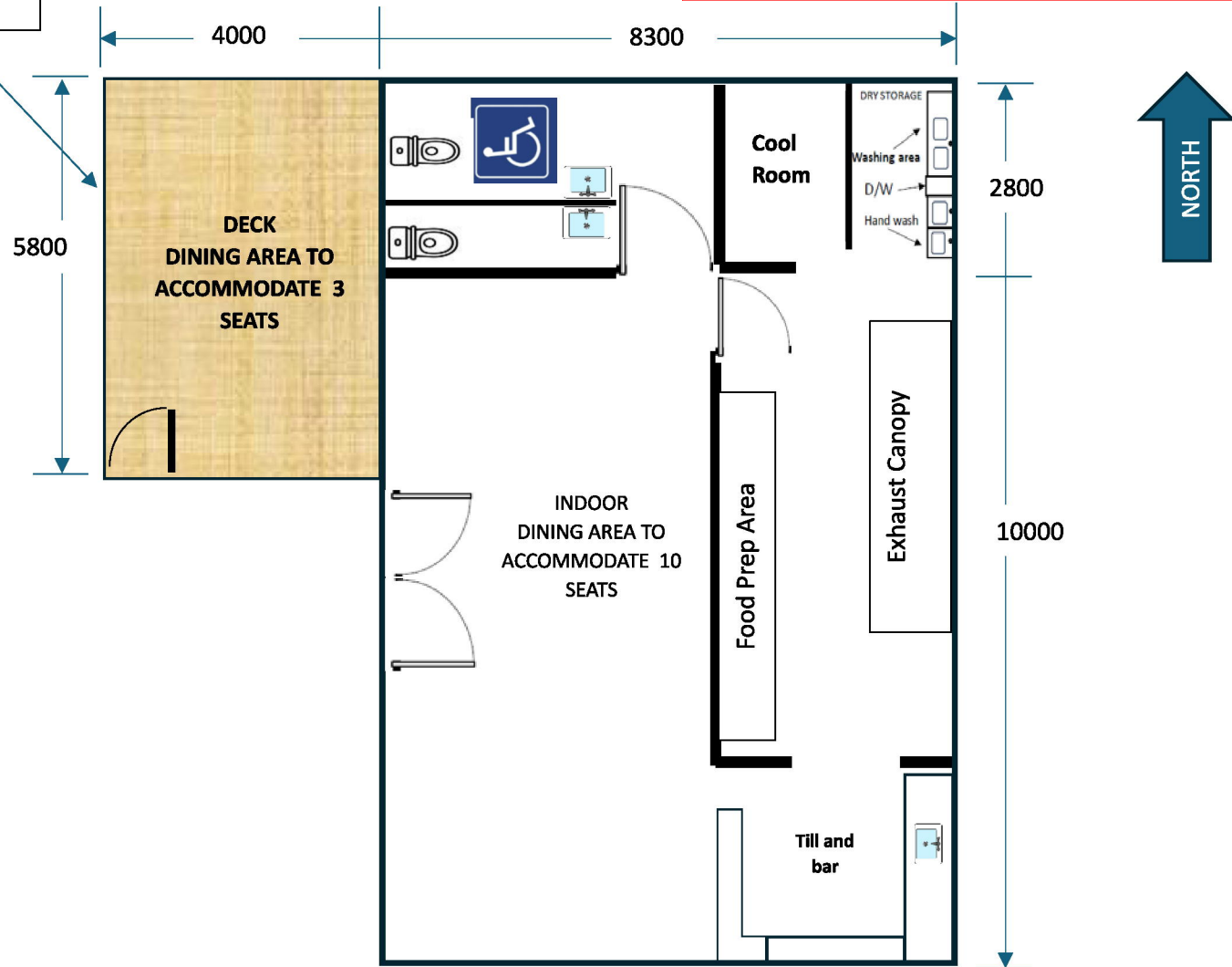
GREENHILLS ROAD

PROJECT:	33 Alfa Court, Pakenham 3810	SCALE:	As Indicated
DATE:	December 2024	REVISION:	0
PREPARED BY:	[REDACTED]	PROPOSAL:	Use of land for the sale and consumption of liquor (on premises)
		DETAIL:	Site Context Plan



This deck area surrounded by permanently mounted fencing with a gate.

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PROJECT:	33 Alfa Court, Pakenham 3810	SCALE:	1:100
PREPARED BY:	[REDACTED]	PROPOSAL:	Use of land for a Convenience Restaurant and a waiver of bicycle requirements of Clause 52.34
	T250337 PA	DETAIL:	FLOOR PLAN

