

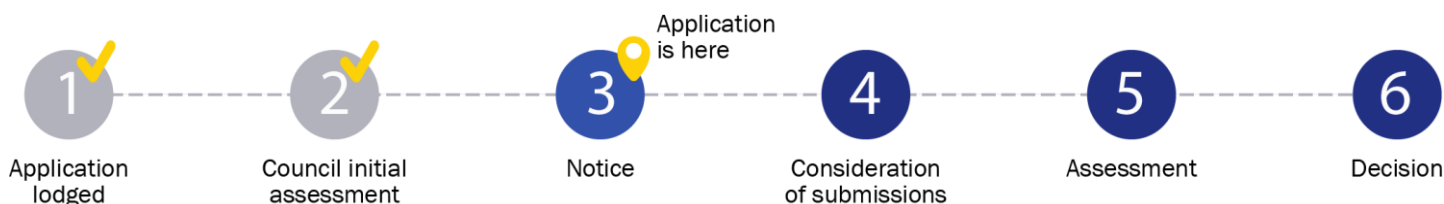


# Notice of Application for a Planning Permit

The land affected by the application is located at:	L124 PS848743 V12580 F414 2 Scenic Rise, Pakenham VIC 3810	
The application is for a permit to:	Buildings and Works (Construction of a Dwelling and a Fence)	
A permit is required under the following clauses of the planning scheme:		
42.01-2	Construct a building or construct or carry out works	 <b>ADVERTISED MATERIAL</b> Planning Application: T250521 Date Prepared: 07 January 2026 <small>This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.</small>
42.01-2	Construct a fence	
<b>APPLICATION DETAILS</b>		
The applicant for the permit is:	Petridis Architects	
Application number:	T250521	
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 <a href="http://cardinia.vic.gov.au/advertisedplans">cardinia.vic.gov.au/advertisedplans</a> or by scanning the QR code.		
<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:		<b>22 January 2026</b>
<b>WHAT ARE MY OPTIONS?</b> 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: <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.



## Application Summary

Portal Reference A3257823



### ADVERTISED MATERIAL

Planning Application: T250521  
Date Prepared: 07 January 2026

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## Basic Information

Proposed Use	Single storey dwelling with double car garage
Current Use	Vacant
Cost of Works	\$320,000
Site Address	2 Scenic Rise 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 4 More than \$100,000 but not more than \$500,000	\$1,462.50	100%	\$1,462.50
Total			\$1,462.50



**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 VC, 3810

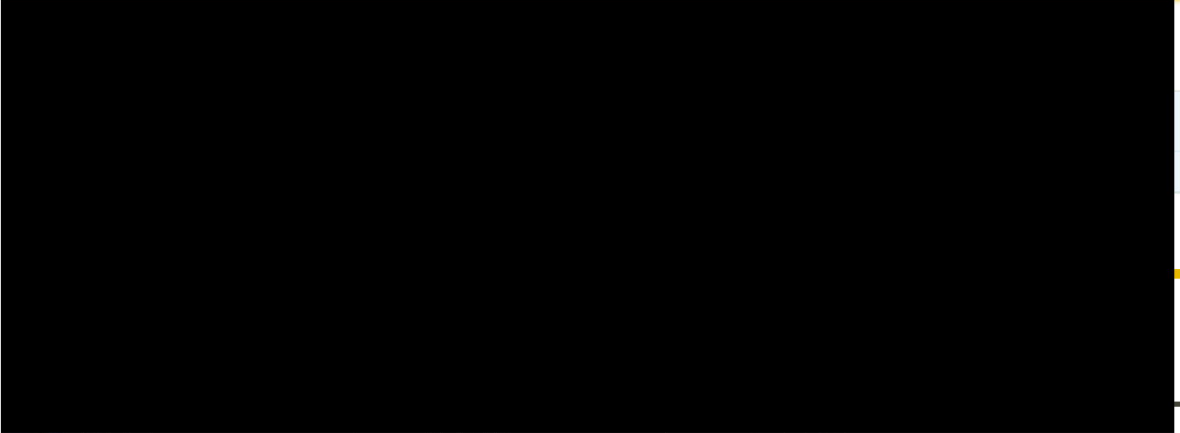
**Email:** mail@cardinia.vic.gov.au

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

Documents Uploaded

Date	Type	Filename
01-09-2025	A Copy of Title	Title.pdf
01-09-2025	A Copy of Title	POS.pdf
01-09-2025	Site plans	2 Scenic Rise, Pakenham - Architectural Town Planning Drawings.pdf
01-09-2025	Overlay Requirements	Planning Property Report.pdf
01-09-2025	Additional Document	2 Scenic Rise, Pakenham - TP Report.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





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



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



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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.:	
Address of the Land:	

## APPLICANT DETAILS

Name:	
Organisation:	
Address:	
Phone:	
Email:	

  
**Cardinia**  
**ADVERTISED MATERIAL**  
 Planning Application: T250521  
 Date Prepared: 07 January 2026  
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## 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:	
Section 50A - Amendment to application at request of responsible authority <b>before</b> notice:	
Section 57A – Amendment to application <b>after</b> notice is given:	

## AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for	Plans / other documents	Applicant / owner details
Land affected	Other	
Describe the changes. If you need more space, please attach a separate page.		



<b>Specify the estimated cost of any development for which the permit is required:</b>		
Not applicable	Unchanged	New amount

## DECLARATION

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.		
<b>Name:</b>		
<b>Signature:</b>		
<b>Date:</b>		



**ADVERTISED MATERIAL**

Planning Application: T250521  
Date Prepared: 07 January 2026

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## LODGEMENT

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.

## IMPORTANT INFORMATION

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*.

24 November 2025

**RE: BUILDINGS AND WORKS (CONSTRUCTION OF A DWELLING AND A FENCE)**  
**APP NO.: T250521 PA**  
**ADDRESS: 2 SCENIC RISE, PAKENHAM**  
**OUR REF: 25-29**



**We are the architects and applicants for this proposal. We are in receipt of Council's letter dated 25.09.2025. In response to this we submit further information, and a detailed point-by-point reply, please refer below.**

### **Petridis Architect's Response (PA) - Preliminary assessment**

#### FURTHER INFORMATION REQUIRED AS PART OF APPLICATION

1. A current and full copy of title (including title plan) and details of any Restrictive Covenants or other restrictions on the title. This title must have been searched within the last three months. (This can be obtained from the Titles Office website at [www.land.vic.gov.au](http://www.land.vic.gov.au))

**P.A.: Council's comments have been followed through.**

2. A written statement outlining the following:
  - a. How the proposal complies with restrictions registered on the title of the subject site.

**P.A.: The covenant does not effect the proposal.**

- b. How the proposal meets the requirements of The Rise (Pakenham) Estate Design Guidelines.

**P.A.: Council's comments have been followed through. A separate document responding to the requirements of The Rise (Pakenham) Estate Design guidelines has been included in this resubmission.**

#### INFORMATION REQUIRED IN RELATION TO PLANS

3. The Floor Plan and Area Analysis amended to show:
  - a. Location of crossovers and setback from any street trees.
  - b. Location and width of driveways.
  - c. Location of proposed site cut and fill shown in two different colours (e.g., highlight areas proposed to be cut in one colour, and areas filled in an alternative colour).
  - d. The landscaping details removed.
  - e. All internal and external dimensions of the proposed building(s). Alternatively, a separate floor plan may be submitted indicating the requested information.
  - f. A plan reference name, reference number, version number, date of version and version update details including date and reason for update.

**P.A.: Council's comments have been followed through. Please refer to TPA01.**

4. The Roof Plan and Landscape Notes amended to show:
  - a. A selection of groundcover, grass, shrub and trees within all open areas of the subject site.
  - b. A schedule of plantings to include common and botanical species names, quantities, pot and mature sizes of each species to be planted.
  - c. The location of all proposed buildings, retaining walls, pathways and driveway, including surface finishes.
  - d. A plan reference name, reference number, version number, date of version and version update details including date and reason for update.

**P.A.: Refer to landscape plan completed by Sun 'N' Shade included in this submission.**

Indigenous and native species should be prioritised in landscaping, or other proven hardy cultivars.

All landscaping must also be consistent with the Building Design Guidelines or as otherwise approved by the estate Design Panel.

**P.A.: Refer to landscape plan completed by Sun 'N' Shade included in this submission**



5. The Elevation Plans amended to show:
  - a. A detailed external colours, materials and finishes schedule for the proposal.
  - b. The depth of any proposed cut and/or fill above or below natural ground level (including retaining walls).
  - c. Existing and proposed works clearly delineated on the plans.
  - d. A plan reference name, reference number, version number, date of version and version update details including date and reason for update.

**P.A.: Council's comments have been followed through. Please refer to TPA03.**

6. Fully dimensioned Fencing Elevation Plans drawn to a stated scale, clearly showing:

- a. Location, materiality and height of all proposed fencing on the subject site.
- b. Any fencing proposed to be constructed on top of the retaining walls on the site, including dimensions measured from NGL and FFL.
- c. A plan reference name, reference number, version number, date of version and version update details including date and reason for update.

**P.A.: Council's comments have been followed through. Please refer to TPA03.**

## PRELIMINARY ASSESSMENT COMMENTS

A preliminary assessment of the application has been undertaken and the following comments are provided for your consideration:

1. Based on a review of the application, the current proposal description shown on the application form is not considered to adequately reflect all planning permissions of the proposal. The proposal description should be updated to include 'Clause 42.01-2 a permit is required to construct a fence'.

Please confirm that you accept the changes to the permit description by completing the attached Section 50 Form.

**P.A.: Council's comments have been followed through. A filled in Section 50 Form has been included in this resubmission.**

2. If any outbuildings are proposed, it is encouraged that the application and documents are amended to include their location and details on all relevant plans. Alternatively, separate planning permission will need to be applied for.

**P.A.: Council's comments have been noted. No outbuildings are proposed.**

3. Please note, this application will be internally referred to relevant departments. If a referral response identifies any concerns with the proposal or that further information is required, you will be advised in due course.

**P.A.: Council's comments have been noted.**

4. Please note, a subsequent review will be conducted once all information is submitted which may raise additional further information items.

**P.A.: Noted.**

It is recommended that the application be revised to address these comments, and/or include a written response to them. Revising the application at this stage is likely to result in the application process being more efficient and may mitigate future concerns from relevant parties.

If the application is not revised accordingly, it will be processed in its current form and may be subject to future changes through conditions of any planning permit, or may be recommended for refusal.

**P.A.: Council's comments have been noted.**

**If Council is satisfied with the information provided, and the responses, we request the proposal proceed to public notification. If any of the information is deemed unsatisfactory, we request an extension of time to provide additional information. We look forward to council's response.**

**Regards,  
Petridis Architects**



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

Page 1 of 1

VOLUME 12580 FOLIO 414

Security no : 124130160020V  
Produced 24/11/2025 11:59 AM

### LAND DESCRIPTION

Lot 124 on Plan of Subdivision 848743W.  
PARENT TITLE Volume 12330 Folio 801  
Created by instrument PS848743W 31/10/2024

### REGISTERED PROPRIETOR

### ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT PS848743W 31/10/2024

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

AGREEMENT Section 173 Planning and Environment Act 1987  
AX385769J 25/10/2023

### DIAGRAM LOCATION

SEE PS848743W 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: 2 SCENIC RISE PAKENHAM VIC 3810

### ADMINISTRATIVE NOTICES

NIL

eCT Control 25205P DY CONVEYANCING PTY LTD  
Effective from 14/11/2024

DOCUMENT END



# Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	<b>Plan</b>
Document Identification	<b>PS848743W</b>
Number of Pages (excluding this cover sheet)	<b>4</b>
Document Assembled	<b>24/11/2025 11:59</b>

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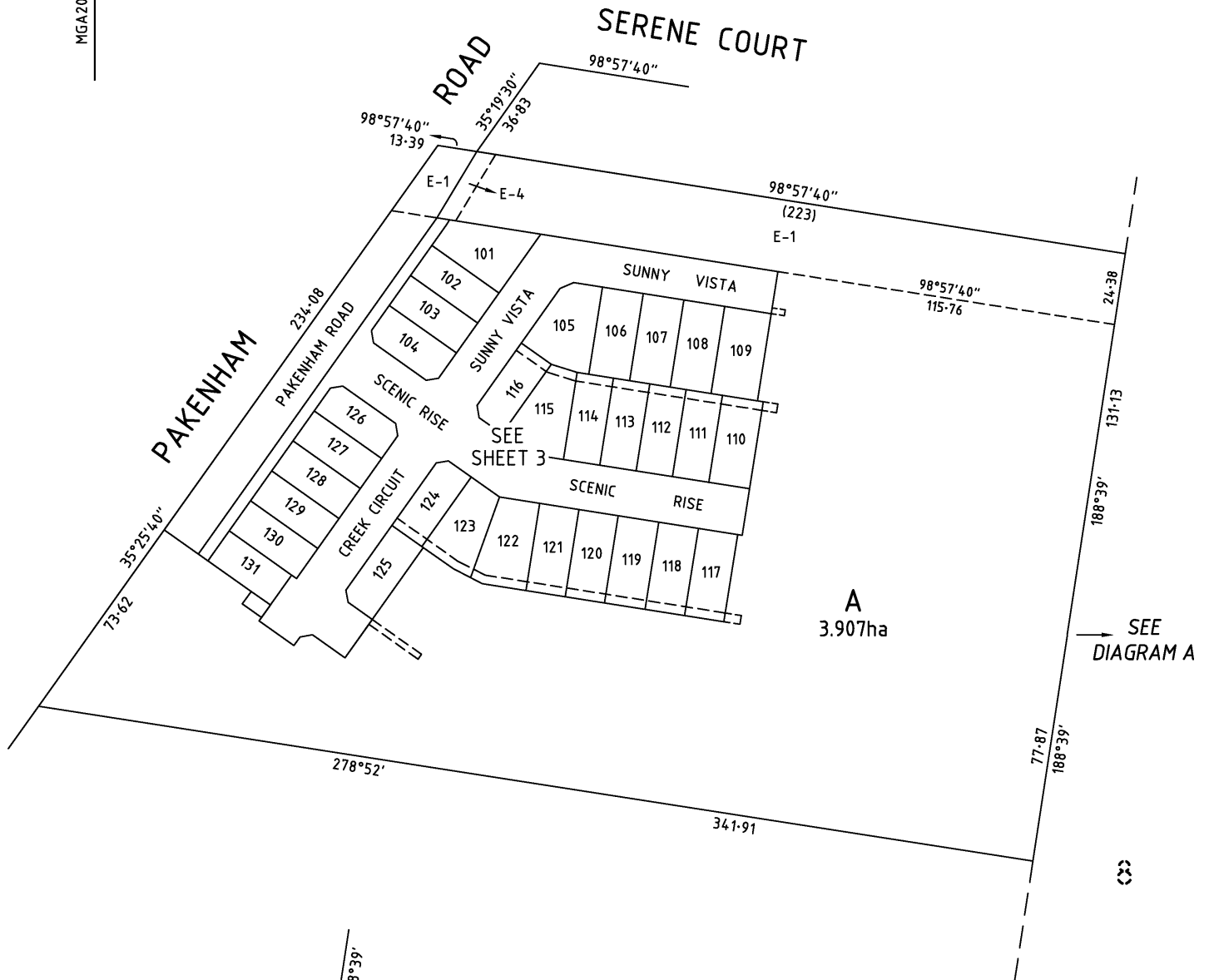
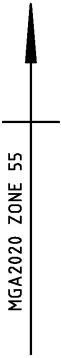
The document is invalid if this cover sheet is removed or altered.



<h1>PLAN OF SUBDIVISION</h1>			<b>EDITION 1</b>	<h1>PS848743W</h1>
<b>LOCATION OF LAND</b>  <b>PARISH:</b> NAR NAR GOON <b>TOWNSHIP:</b> PAKENHAM <b>SECTION:</b> —  <b>CROWN ALLOTMENT:</b> 32(PT) & 33(PT)  <b>TITLE REFERENCE:</b> VOL. 12230 FOL. 801  <b>LAST PLAN REFERENCE:</b> LP6710 (LOT 3)  <b>POSTAL ADDRESS:</b> 110 PAKENHAM ROAD (at time of subdivision) PAKENHAM 3810  <b>MGA CO-ORDINATES:</b> E: 366 250 ZONE: 55 (of approx centre of land in plan) N: 5 786 580 GDA 2020			Council Name: Cardinia Shire Council  Council Reference Number: S21-146 Planning Permit Reference: T160690-2 SPEAR Reference Number: S182115M  <b>Certification</b>  This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6 of the Subdivision Act 1988: 21/04/2023  Public Open Space  A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification  Digitally signed by: Fiona Shadforth for Cardinia Shire Council on 30/05/2024  <b>Statement of Compliance</b> issued: 28/10/2024  Public Open Space  A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has been satisfied at Statement of Compliance	
<b>VESTING OF ROADS AND/OR RESERVES</b>			<b>NOTATIONS</b>	
IDENTIFIER	COUNCIL/BODY/PERSON		LOTS 1 TO 100 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.  LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE RESTRICTIONS. FOR DETAILS OF RESTRICTIONS INCLUDING BURDENED LOTS & BENEFITING LOTS, SEE CREATION OF RESTRICTIONS ON SHEET 4.  <p style="text-align: center;">WARNING: The restrictive covenant(s)/restriction(s) in this plan may have been varied or removed. For current information, please refer to the relevant folio(s) of the Register, noting section 88(3) of the Transfer of Land Act 1958</p>	
ROAD R1 ROAD R2 RESERVE No.1	CARDINIA SHIRE COUNCIL HEAD TRANSPORT FOR VICTORIA AUSNET ELECTRICITY SERVICES PTY LTD			
<b>NOTATIONS</b>			<div style="border: 1px solid black; padding: 10px; text-align: center;"> <b>ADVERTISED MATERIAL</b>  Planning Application: T250521  Date Prepared: 07 January 2026   <small>This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.</small> </div>	
<b>DEPTH LIMITATION: DOES NOT APPLY</b>  This is a SPEAR plan. <b>STAGING:</b> This is not a staged subdivision. Planning Permit No. T160690 <b>SURVEY:</b> This plan is based on survey. This survey has been connected to permanent marks No(s). 89, 199, 213, 285, 286, 287, 295, 319, 320, 354, 355, 363, 674, 675				
Estate: The Rise - Pakenham Phase No.: 01 No. of Lots: 31 + Lot A PHASE AREA: 2.142ha				
<b>EASEMENT INFORMATION</b>				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1, E-4  E-2 E-2, E-3  E-4	PIPELINE  DRAINAGE SEWERAGE  SUPPLY OF WATER (THROUGH UNDERGROUND PIPES)	24.38  3 SEE DIAG.  6	INST. D613929  THIS PLAN THIS PLAN  THIS PLAN	VICTORIA PIPELINES COMMISSION  CARDINIA SHIRE COUNCIL SOUTH EAST WATER CORPORATION  SOUTH EAST WATER CORPORATION
<b>Beveridge Williams</b> development & environment consultants  Melbourne ph : 03 9524 8888  <a href="http://www.beveridgewilliams.com.au">www.beveridgewilliams.com.au</a>		SURVEYORS FILE REF: 2000490/01 2000490-01-PS-V11.DWG  Digitally signed by: ADRIAN JAMES FREEMAN, Licensed Surveyor, Surveyor's Plan Version (11), 24/05/2024, SPEAR Ref: S182115M		ORIGINAL SHEET SIZE: A3  SHEET 1 OF 4  Land Use Victoria Plan Registered 02:18 PM 31/10/2024 Assistant Registrar of Titles



PS848743W



A  
3.907ha

SEE  
DIAGRAM A

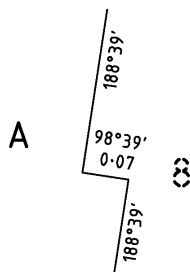


DIAGRAM A  
NOT TO SCALE

**Cardinia**  
**ADVERTISED MATERIAL**

Planning Application: T250521  
Date Prepared: 07 January 2026

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**Beveridge Williams**  
development & environment consultants

Melbourne ph : 03 9524 8888

[www.beveridgewilliams.com.au](http://www.beveridgewilliams.com.au)

SURVEYORS REF  
2000490/01

SCALE  
1 : 1500

15 0 15 30 45 60  
LENGTHS ARE IN METRES

ORIGINAL SHEET  
SIZE: A3

SHEET 2

Digitally signed by: ADRIAN JAMES FREEMAN, Licensed Surveyor,  
Surveyor's Plan Version (11),  
24/05/2024, SPEAR Ref: S182115M

Digitally signed by:  
Cardinia Shire Council,  
30/05/2024,  
SPEAR Ref: S182115M

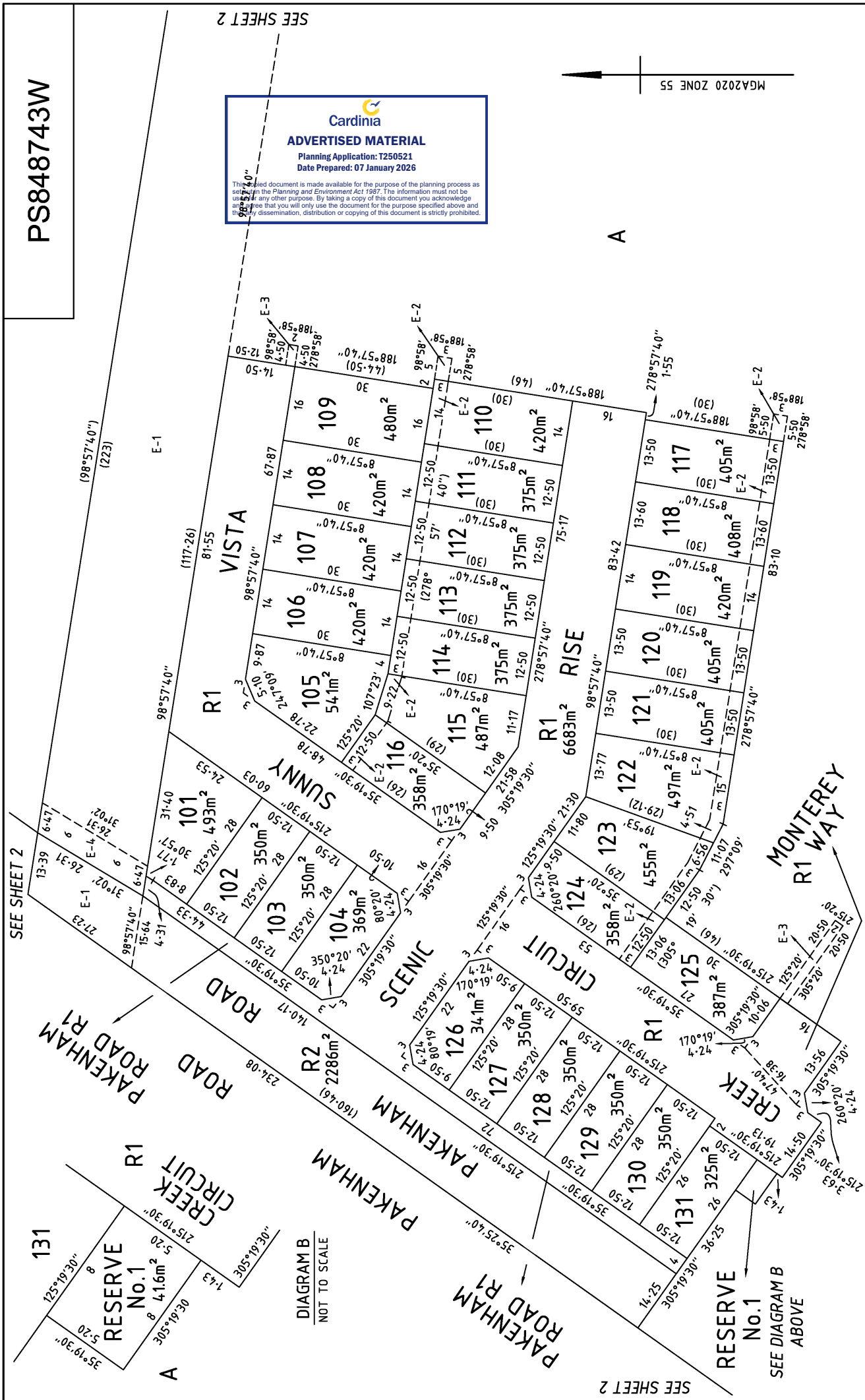
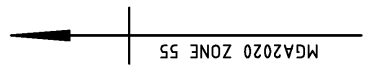
PS848743W



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 <b>Beveridge Williams</b> development & environment consultants Melbourne ph : 03 9524 8888 <a href="http://www.beveridgewilliams.com.au">www.beveridgewilliams.com.au</a>	SURVEYORS REFERENCE <b>2000490</b> <b>/01</b>		Scale 1 : 750		Lengths are in metres 7.5 0 7.5 15 22.5 30		ORIGINAL SHEET SIZE: A3	SHEET 3
	Digitally signed by: Adrian James Freeman, Licensed Surveyor, Surveyor's Plan Version (11). 24/05/2024, SPEAR Ref: S182115M		Digitally signed by: Cardinia Shire Council, 30/05/2024, SPEAR Ref: S182115M					

# SUBDIVISION ACT 1988

## CREATION OF RESTRICTION 'A'

PS848743W

THE REGISTERED PROPRIETORS OF THE BURDENED LAND COVENANT WITH THE REGISTERED PROPRIETORS OF THE BENEFITED LAND AS SET OUT IN THE 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.

### LAND TO BENEFIT & TO BE BURDENED:

BURDENED LAND: LOTS 101 TO 131 (BOTH INCLUSIVE)

BENEFITING LAND: LOTS 101 TO 131 (BOTH INCLUSIVE)

### DESCRIPTION OF RESTRICTION:

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THE PLAN OF SUBDIVISION SHALL NOT:

- (1) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE OTHER THAN A BUILDING OR STRUCTURE THAT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE RISE (PAKENHAM) ESTATE DESIGN GUIDELINES AS AMENDED FROM TIME TO TIME.

A COPY OF THE DESIGN GUIDELINES AND BUILDING ENVELOPE PLAN IS AVAILABLE at <http://www.beveridgewilliams.com.au/design-application/>

- (2) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE ON THE LOT PRIOR TO:

- (A) COPIES OF BUILDING PLANS, ELEVATION, ROOF PLANS, SITE PLANS (INCORPORATING SETBACKS FROM ALL BOUNDARIES, EXISTING CONTOURS, PROPOSED FINISHED FLOOR LEVELS AND SITE LEVELS, ALL PROPOSED DRIVEWAYS AND PATHS, DETAILS OF FENCES AND OUTBUILDINGS AND LANDSCAPING) AND SCHEDULES OF EXTERNAL COLOURS AND MATERIALS HAVE BEEN SUBMITTED VIA THE DESIGN PORTAL AT THE ABOVE ADDRESS OR SUCH OTHER ENTITY AS MAY BE NOMINATED BY THE DESIGN ASSESSMENT PANEL FROM TIME TO TIME;
- (B) THE DESIGN ASSESSMENT PANEL OR SUCH OTHER ENTITY AS MAY BE NOMINATED BY THE DESIGN ASSESSMENT PANEL FROM TIME TO TIME HAVE GIVEN ITS WRITTEN APPROVAL TO THE PLANS PRIOR TO THE COMMENCEMENT OF WORKS.

### VARIATION:

ANY VARIATION TO CONDITIONS 1 AND 2 OF RESTRICTION 'A' WILL REQUIRE THE CONSENT OF THE DESIGN ASSESSMENT PANEL.

### EXPIRY:

THIS RESTRICTION CEASES TO HAVE EFFECT FOLLOWING AFTER EITHER;

- (i) THE ISSUE OF AN OCCUPANCY PERMIT UNDER THE BUILDING ACT 1993 (OR SIMILAR) IN RESPECT OF A BUILDING ON EVERY RESIDENTIAL LOT ON THIS PLAN.
- (ii) 31 DECEMBER 2039.

## CREATION OF RESTRICTION 'B'

THE REGISTERED PROPRIETORS OF THE BURDENED LAND COVENANT WITH THE REGISTERED PROPRIETORS OF THE BENEFITED LAND AS SET OUT IN THE 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.

### LAND TO BENEFIT & TO BE BURDENED:

BURDENED LAND: LOTS 101 TO 131 (BOTH INCLUSIVE)

BENEFITING LAND: LOTS 101 TO 131 (BOTH INCLUSIVE)

### DESCRIPTION OF RESTRICTION:

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THE PLAN OF SUBDIVISION SHALL NOT:

- 1) CONSTRUCT OR ALLOW TO BE CONSTRUCTED ANY BUILDING OR STRUCTURE WITH PARTY WALLS UNLESS THE PARTY WALLS ARE CONSTRUCTED SIMULTANEOUSLY WITH THE ABUTTING LOTS

### EXPIRY:

THIS RESTRICTION CEASES TO HAVE EFFECT FOLLOWING AFTER EITHER;

- (i) THE ISSUE OF AN OCCUPANCY PERMIT UNDER THE BUILDING ACT 1993 (OR SIMILAR) IN RESPECT OF A BUILDING ON EVERY RESIDENTIAL LOT ON THIS PLAN.
- (ii) 31 DECEMBER 2039.



**Beveridge Williams**  
development & environment consultants

Melbourne ph : 03 9524 8888

[www.beveridgewilliams.com.au](http://www.beveridgewilliams.com.au)

SURVEYORS REF  
2000490/01

Digitally signed by: ADRIAN JAMES FREEMAN, Licensed Surveyor,  
Surveyor's Plan Version (11),  
24/05/2024, SPEAR Ref: S182115M

ORIGINAL SHEET  
SIZE: A3

SHEET 4

Digitally signed by:  
Cardinia Shire Council,  
30/05/2024,  
SPEAR Ref: S182115M



# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

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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 24/11/2025 11:59:30 AM

Status	Registered	Dealing Number	AY595277B
Date and Time Lodged	14/11/2024 02:26:02 PM		

### Lodger Details

Lodger Code	25205P
Name	DY CONVEYANCING 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

12580/414

### Transferor(s)

Name	BNG (PAKENHAM) PTY LTD
ACN	640125686

### Estate and/or Interest being transferred

Fee Simple

### Consideration

\$AUD 350000.00

### Transferee(s)

<b>Tenancy (inc. share)</b>	Sole Proprietor
Name	TONFLY INVESTMENT PTY LTD
ACN	654731496
Address	
Street Number	47
Street Name	PEAK
Street Type	CRESCENT



**ADVERTISED MATERIAL**  
Planning Application: T250521  
Date Prepared: 07 January 2026

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# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

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State VIC  
Postcode 3152

  
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**Duty Transaction ID**  
6125566

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 law and any Prescribed Requirement.

Executed on behalf of	BNG (PAKENHAM) PTY LTD
Signer Name	CIN DY WONG
Signer Organisation	HWL EBSWORTH LAWYERS
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	14 NOVEMBER 2024

### 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 law and any Prescribed Requirement.

Executed on behalf of	TONFLY INVESTMENT PTY LTD
Signer Name	YIN DAI
Signer Organisation	DY CONVEYANCING PTY LTD
Signer Role	LICENSED CONVEYANCER
Execution Date	14 NOVEMBER 2024

**File Notes:**  
NIL

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Statement End.



# Department of Environment, Land, Water & Planning

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Status	Registered	Dealing Number	AX385769J
Date and Time Lodged	25/10/2023 12:57:26 PM		

### Lodger Details

Lodger Code	21884L
Name	SETTLE CONNECT PTY LTD
Address	
Lodger Box	
Phone	
Email	
Reference	Cardinia (12330/801



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Planning Application: T250521  
Date Prepared: 07 January 2026

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## APPLICATION TO RECORD AN INSTRUMENT

Jurisdiction	VICTORIA
--------------	----------

### Privacy Collection Statement

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### Estate and/or Interest

FEE SIMPLE

### Land Title Reference

12330/800  
12330/801

### Instrument and/or legislation

RECORD - AGREEMENT - SECTION 173  
Planning & Environment Act - section 173

### Applicant(s)

Name	CARDINIA SHIRE COUNCIL
Address	
Property Name	CARDINIA SHIRE OFFICE
Street Number	20
Street Name	SIDING
Street Type	AVENUE
Locality	OFFICER
State	VIC



# Department of Environment, Land, Water & Planning

---

## Electronic Instrument Statement

Postcode 3809

---

### Additional Details

Refer Image Instrument

---

The applicant requests the recording of this Instrument in the Register.

---

### Execution

1. The Certifier has taken reasonable steps to verify the identity of the applicant 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 law and any Prescribed Requirement.

Executed on behalf of	CARDINIA SHIRE COUNCIL
Signer Name	DAVID PHILIP LITTLEJOHN
Signer Organisation	DYE & DURHAM LEGAL PTY LTD
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	25 OCTOBER 2023

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### File Notes:

NIL

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HWL  
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LAWYERS

## Deed of Agreement

**Under s173 of the  
*Planning and Environment Act 1987***

**Cardinia Shire Council**

and

**BNG (Pakenham) Pty Ltd (ACN 640125686)**



**ADVERTISED MATERIAL**

**Planning Application: T250521**

**Date Prepared: 07 January 2026**

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**Cardinia**

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## Deed of Agreement

Date 06/10/2023

---

### Parties

**Cardinia Shire Council**

of 20 Siding Avenue, Officer 3809

(Council)

---

**BNG (PAKENHAM) PTY LTD (ACN 640125686)**

of Level 5, 991 Whitehorse Road, Box Hill VIC 3128

(Owner)

---

### Recitals

- A. Council is the Responsible Authority pursuant to the Act for the administration and enforcement of the Planning Scheme, which applies to the Subject Land.
- B. The Owner is or is entitled to be the registered proprietor of the Subject Land, which is the land over which this Agreement is intended to be registered.
- C. On 19 December 2017 Council issued Planning Permit No. T160690 (**Planning Permit**), which allows for the subdivision of the Subject Land, associated works, fencing, removal of native vegetation and altering access to a road in a Road Zone Category 1, generally in accordance with the approved plans.
- D. On 9 June 2021 Council amended the Planning Permit (T160690-2) (**Amended Planning Permit**).
- E. Condition 41 of the Amended Planning Permit provides that:

*Prior to the issuing of a Statement of Compliance for each stage, the owner must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 to provide for the following:*

- a) *A plan of subdivision to show the location and dimensions of the plantation reserve as well as the building envelopes.*
- b) *A requirement that each land owner must maintain the*



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*plantation reserve in perpetuity at the owner's cost. A separate maintenance/weed control schedule is required.*

- c) *A requirement that any fencing within the plantation reserve must be wire or similar material to the satisfaction of the Responsible Authority.*
- d) *A requirement that each lot affected by the plantation reserve must comply with the relevant Building Design Guidelines registered on title.*

F. The Parties have agreed to enter into this Agreement:

- (a) to give effect to the requirements of the Amended Planning Permit;
- (b) that the Building Envelopes referred to in this Agreement relate only to the building envelopes for the lots abutting the plantation reserve on the eastern boundary of the Subject Land; and
- (c) to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

This deed witnesses that in consideration of, among other things, the mutual promises contained in this deed the parties agree as follows:

## 1. Definitions and interpretation clauses

### 1.1 Definitions

In this deed the following definitions apply:

<b>Act</b>	means the <i>Planning and Environment Act 1987</i> (Vic).
<b>Agreement</b>	means this Deed of Agreement and any Agreement executed by the Parties expressed to be supplemental to this Agreement.
<b>Building Design Guidelines</b>	means the Building Design Guidelines required by conditions 6 and 7 of the Planning Permit.



<b>Building Envelopes</b>	means the building envelopes for the lots abutting the plantation reserve on the eastern boundary of the Subject Land.
<b>Building Envelope Plan</b>	means the plan showing the location and dimensions of the Building Envelopes attached at Schedule 1.
<b>Business Day</b>	means a day that is not a Saturday, Sunday or public holiday in Melbourne.
<b>Claim</b>	means any claim, action, proceeding or demand made against the person concerned, however it arises and whether it is present or future, fixed or unascertained, actual or contingent.
<b>Council</b>	means Cardinia Shire Council in its capacity as responsible authority.
<b>Development</b>	means the buildings and works authorised under the Planning Permit.
<b>Endorsed Plans</b>	means the plans and/or other documents that are endorsed pursuant to the Planning Permit from time to time.
<b>Loss</b>	means any loss, damage, cost, expense or liability incurred by the person concerned, however it arises and whether it is present or future, fixed or unascertained, actual or contingent.
<b>Owner</b>	means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple in the Subject Land or any part of it and includes a Mortgagee-in-possession.
<b>Party or Parties</b>	means the Owner and Council under this Agreement as appropriate.
<b>Planning Permit</b>	means Planning Permit No. T160690 issued by Council on 19 December 2017 referred to in Background C of this Agreement, and as amended from time to time (currently T160690-2 issued on 9 June 2021) and including any

Cardinia

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Planning Application: T250521  
Date Prepared: 07 January 2026

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<b>Planning Scheme</b>	means the Cardinia Planning Scheme and any other Planning Scheme which applies to the Subject Land.
<b>Plantation Reserve</b>	means the area marked 'plantation reserve' forming part of the Subject Land as detailed in the Building Envelope Plan.
<b>Subject Land</b>	means Volume 12330 Folio 801 (Lot 3 on Plan of Subdivision 6710) and Volume 12330 Folio 800 (Lot 2 on Plan of Subdivision 86652). Any reference to the Subject Land in this Agreement includes any lot created by the subdivision of the Subject Land or any part of it.
<b>VCAT</b>	means the Victorian Civil and Administrative Tribunal.
<b>Vegetation Plan</b>	means the vegetation plan attached at Schedule 2..

## 1.2 Interpretation

- (a) In this document, unless the context otherwise requires:
- (i) The singular includes the plural and vice versa.
  - (ii) A reference to a gender includes a reference to each other gender.
  - (iii) A reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
  - (iv) If a Party consists of more than one person this Agreement binds them jointly and each of them severally.
  - (v) A term used in this Agreement has its ordinary meaning unless that term is defined in this Agreement. If a term is not defined in this Agreement and it is defined in the Act it has the meaning as defined in the Act.
  - (vi) A reference to an Act, Regulation or the Planning Scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or Planning Scheme.
  - (vii) The introductory clauses to this Agreement are and will be deemed to form part of this Agreement.
  - (viii) Headings are for guidance only and do not affect the interpretation of this Agreement.



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- (b) The obligations of the Owner under this Agreement, will take effect as separate and several covenants which are annexed to and run at law and equity with the Subject Land; and
  - (i) bind the Owner, its successors, transferees and permitted assigns, the registered proprietor or proprietors for the time being of the Subject Land; and
  - (ii) if the Subject Land is subdivided further, this Agreement must be read and applied so that each subsequent Owner of a lot is only responsible for those covenants and obligations which relate to that Owner's lot.

## 2. Owner's obligations

---

### 2.1 Plans showing the location of the Plantation Reserve and the Building Envelopes

The Owner covenants and agrees that the Building Envelope Plan shows the location and dimensions of the Plantation Reserve, as well as, the relevant Building Envelopes.

### 2.2 Maintenance of the Plantation Reserve

The Owner covenants and agrees that it will maintain the plantation reserve:

- (a) in perpetuity;
- (b) at the its own cost; and
- (c) in accordance with the Vegetation Plan.

### 2.3 Fencing within the Plantation Reserve

The Owner covenants and agrees to construct all fencing within the Plantation Reserve of wire or similar material to the satisfaction of the Responsible Authority.

### 2.4 Building Design Guidelines

The Owner covenants and agrees that the construction of buildings on each lot affected by the Plantation Reserve must comply with the Building Design Guidelines.

## 3. Further obligations

---

### 3.1 Notice and registration

The Owner will bring this Agreement to the notice of all prospective purchasers, Mortgagees, lessees, charges, transferees and assigns of the Subject Land.



### 3.2 Giving effect to this Agreement

The Owner will do all things necessary to give effect to this Agreement, including executing any further documents and will comply with its obligations under this Agreement.

### 3.3 Recording by Registrar of Titles

The Owner will consent to Council making application to the Registrar of Titles to make a recording of this Agreement in the Register on the Certificate of Title of the Subject Land in accordance with s181 of the Act and do all things necessary to enable Council to do so including signing any further agreement, acknowledgement or document or procuring the consent to this Agreement of any Mortgagee or caveator to enable the recording to be made in the Register under that section.

### 3.4 Council's costs to be paid

- (a) The Owner will immediately pay to Council, Council's reasonable costs and expenses (including legal expenses) of and incidental to the preparation, drafting, finalisation, engrossment, execution, registration and enforcement of this Agreement which are and until paid will remain a debt due to Council by the Owner.
- (b) If in dispute, Council may have the costs assessed by the Law Institute of Victoria Costing Service and the Parties will be bound by any assessment, and the cost of any assessment will be paid equally by the Parties.

### 3.5 Mortgagee to be Bound

The Owner covenants to obtain the consent of any Mortgagee to be bound by the covenants in this Agreement if the Mortgagee becomes Mortgagee in possession of the Subject Land.

### 3.6 Covenants run with the Subject Land

The Owner's obligation in this Agreement are intended to take effect as covenants which shall be annexed to and run at law and in equity with the Subject Land and every part of it, and bind the Owner and its successors, assignees and transferees, the registered proprietor or proprietors for the time being of the Subject Land and every part of the Subject Land.

## 4. Agreement under Section 173 of the Act

Council and the Owner agree without limiting or restricting their respective powers to enter into this Agreement and, insofar as it can be so treated, this Agreement is made pursuant to section 173 of the Act.

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## 5. Owner's warranties

---

Without limiting the operation or effect which this Agreement has, the Owner warrants that apart from the Owner and any other person which has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Subject Land which may be affected by this Agreement.

## 6. Successors in title

---

### 6.1 Successors in title

Without limiting the operation or effect which this Agreement has, the Owner must ensure that until such time as a memorandum of this Agreement is registered on the title to the Subject Land, successors in title shall be required to:

- (a) give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
- (b) execute a deed agreeing to be bound by the terms of this Agreement.

## 7. Notices

---

### 7.1 Service

A notice or other communication required or permitted to be served by a Party on another Party must be in writing and may be served:

- (a) by delivering it personally to that Party;
- (b) by sending it by prepaid post addressed to that Party at the address set out in this Agreement or subsequently notified to each Party from time to time; or
- (c) by sending it by electronic mail to that Party using the email address set out in this Agreement or subsequently notified to each Party from time to time.

### 7.2 Time of service

A notice or other communication is deemed served:

- (a) if delivered, on the following business day;
- (b) if posted, on the expiration of two business days after the date of posting; or
- (c) if emailed, when the electronic communication becomes capable of being retrieved by the addressee at an electronic address designated by the addressee.

  
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Planning Application: T250521  
Date Prepared: 07 January 2026

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## 8. Miscellaneous

---

### 8.1 Commencement of Agreement

Unless otherwise provided in this Agreement, this Agreement commences from the date of this Agreement.

### 8.2 Default

- (a) If the Owner fails to comply with the provisions of this Agreement, Council may serve a notice on the Owner specifying the works, matters and things in respect of which the Owner is in default.
- (b) If the alleged default continues for 30 days after the service of such notice, Council may, by its officers, employees, agents and contractors, enter the Subject Land and ensure that the works, matters and things are carried out.
- (c) The costs incurred by the Council in undertaking the works as a result of the Owner's default will be payable by the Owner.

### 8.3 Ending of Agreement

This Agreement ends:

- (a) on the date that the Council confirms in writing that this Agreement can be ended; or
- (b) otherwise in accordance with the Act.

### 8.4 Application to Registrar

As soon as reasonably practicable after the Agreement has ended, Council will, at the request and at the cost of the Owner make application to the Registrar of Titles under s183(2) of the Act to cancel the recording of this Agreement on the register.

### 8.5 No fettering of Council's powers

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Subject Land or relating to any use or development of the Subject Land.

### 8.6 No waiver

Any time or other indulgence granted by Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of Council in relation to the terms of this Agreement.

## 8.7 Severability

- (a) If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.
- (b) Clause 8.7(a) will not apply if to do so will materially affect the commercial arrangement formed by this Agreement.

## 8.8 Proper law

This Agreement is governed by and the Owner submits to the laws of the State of Victoria.

## 8.9 Counterparts

This Agreement may be executed in counterparts, and is binding on the parties upon the counterparts being exchanged. A copy of the original executed counterpart sent by email is to be treated as an original counterpart for all intents and purposes.

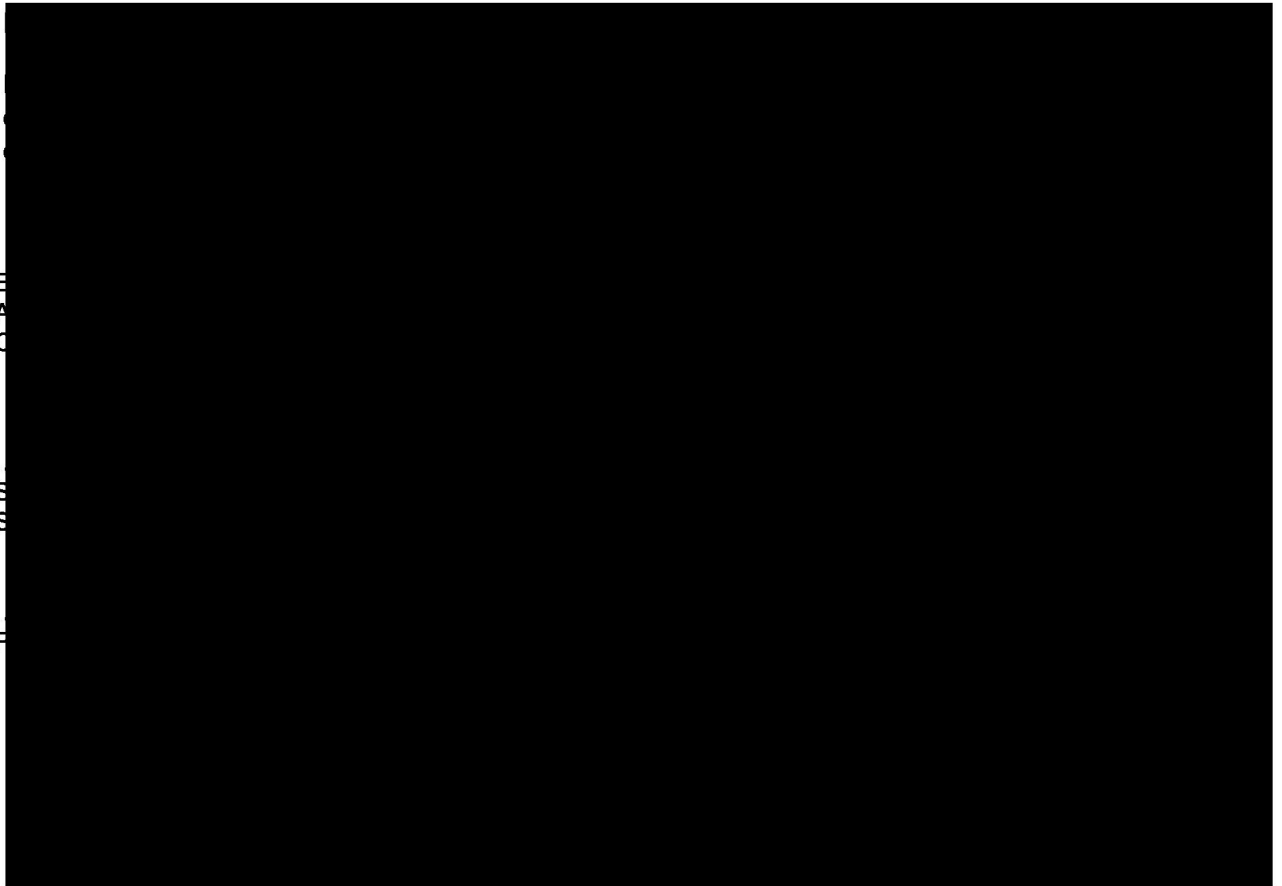


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## Schedule



AX3



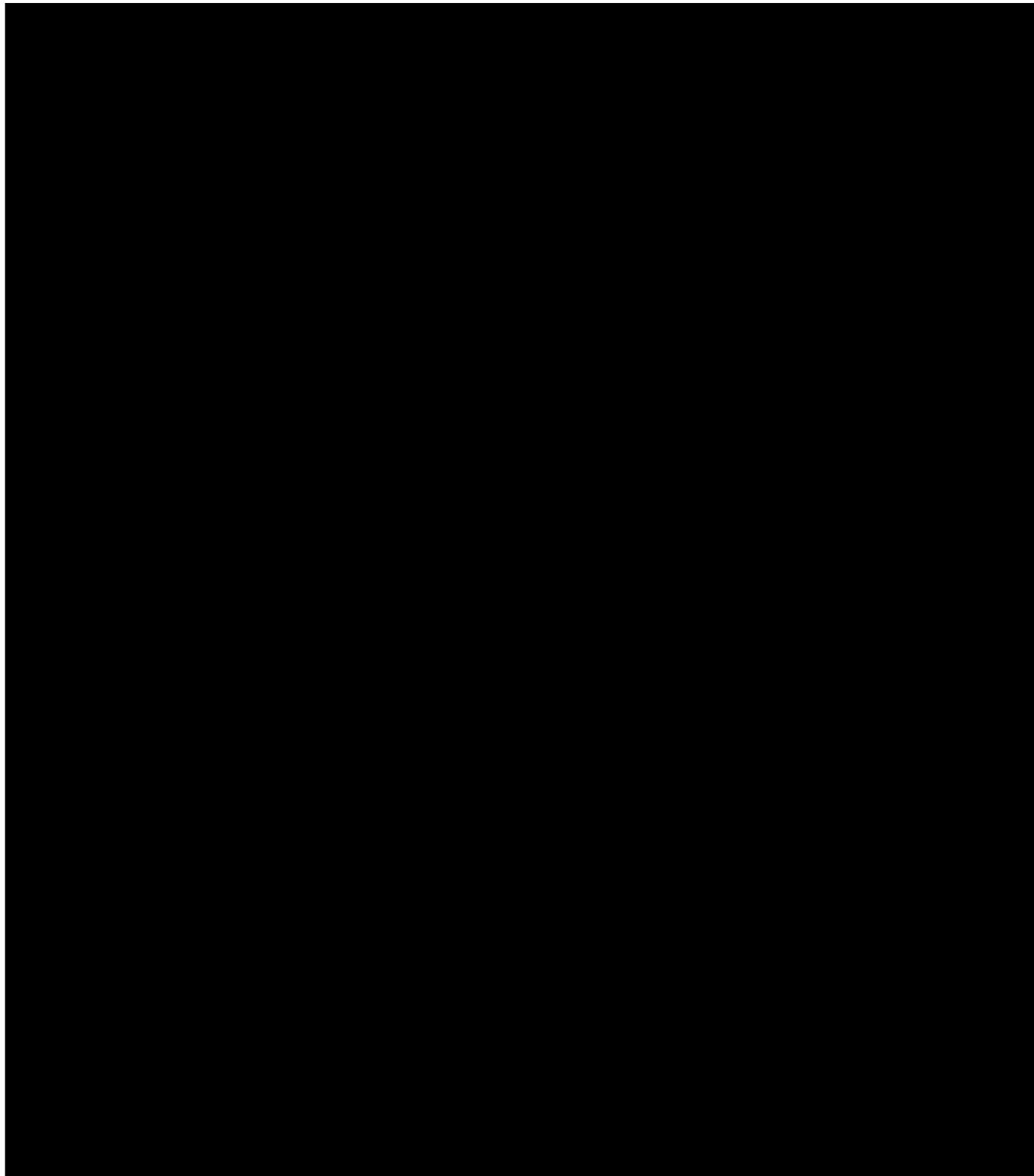
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Executed as a deed



Deed of Agreement

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Page 11

## Schedule 1

### Building Envelope Plan

AX385769J



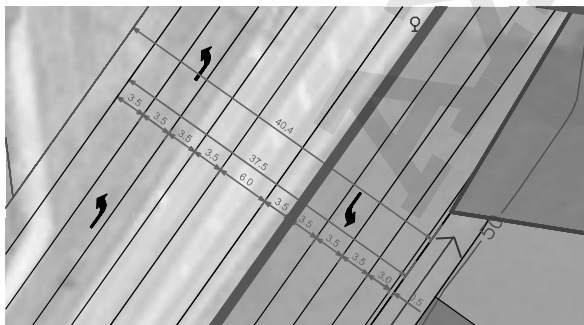
#### ADVERTISED MATERIAL

Planning Application: T250521  
Date Prepared: 07 January 2026

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- Title boundary (approx.)
- Pedestrian path
- Shared path
- Stage boundary
- Stage numbers
- Entry point
- Existing contours (5m interval)
- Lots
- Substation kiosk
- Superlot
- Pakenham road widening
- Naturestrip (indicative)
- Road pavement (indicative)
- Reserve (Council easement)
- Tree reserve
- Drainage reserve
- Plantation Reserve (back of lot)
- Turning direction
- Trees & TPZ - via EcoLink
- Trees to be removed
- 4m Paper Road
- Building Envelope

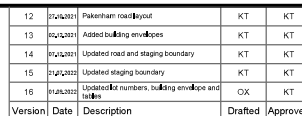


- **This plan is subject to Council approval.**
- All dimensions and areas are subject to survey and final computations.
- The drainage reserve shown has been **preliminarily** sized for the treatment and detention of stormwater to Council requirements. The layout and area required will be subject to engineering design and Council approval.
- All roads are 15m **local** access level 1 **unless** noted otherwise
- Road pavement is **indicative only** and subject to **detailed** engineering design.
- Arc dimensions shown are **length** of arc (not chord)

\* Stage includes 1 Superlot

\* Table does not include superlot

\* Indicates inclusion in NDA



Date: 01.09.2022  
Version No: 16  
Job No: 2000490  
Scale (A1): 1:1000  
(A3): 1:2000

## Schedule 2

### Vegetation Plan

AX385769J



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KEY PLAN



CODE	COMMON NAME	INSTALL HEIGHT	INSTALL WIDTH	INSTALL MIN. HEIGHT	INSTALL MIN. WIDTH	QTY
TREES						
E.1	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
E.2	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
SMALL & MEDIUM SHRUBS						
S.1	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.2	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.3	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.4	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.5	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.6	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.7	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.8	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.9	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.10	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.11	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
S.12	Excelsioria pinnatifida	12.5m x 8.0m	45.1L	1.5m x 20mm d.b.h.	33	
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NOTES

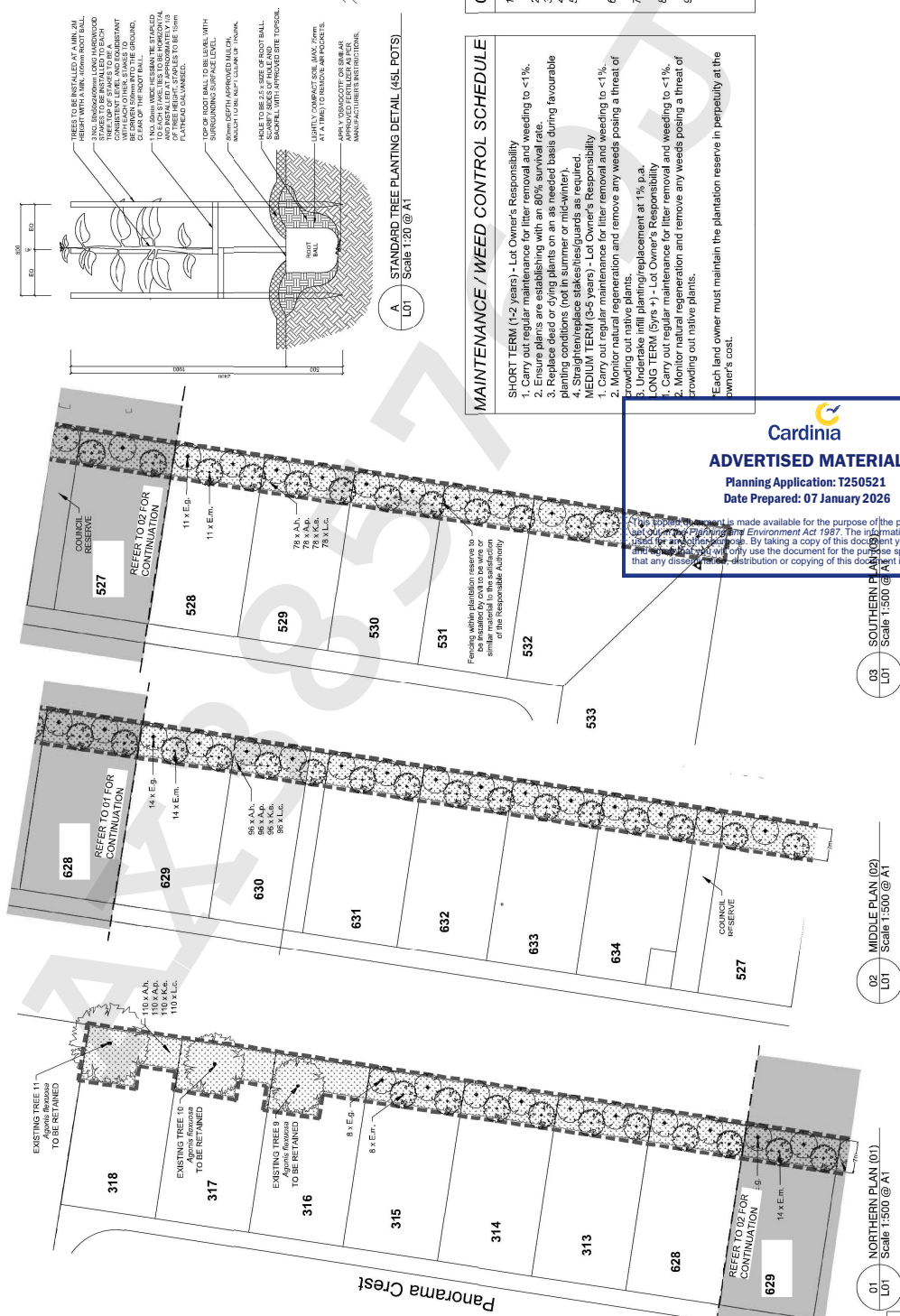
- All proposed trees and shrub planting is indigenous as per EVC Number 128, Grassy Forest (Highlands - Southern Fall Bioregion).
- Planting rates for trees, medium shrubs and small shrubs have been calculated in accordance with the DSE Native Revegetation Planting Standards

EXISTING VEGETATION

CODE	BOTANICAL NAME	COMMON NAME	DBH (cm)	TP2 (m)
TREES				
1	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
2	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
3	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
4	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
5	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
6	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
7	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
8	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
9	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
10	Agavea pinnatifida	Agavea pinnatifida	49	5.0m
11	Agavea pinnatifida	Agavea pinnatifida	49	5.0m

LEGEND

	EXTENT OF WORK
	FOOTPRINT BY OWNER
	AREA TO BE RETAINED
	AREA TO BE REMOVED
	PROPOSED TREES (OCT 2015)
	PROPOSED MEDIUM & SMALL SHRUBS (BULKY)
	WIRE OR SIMILAR MATERIAL
	FENCE OR WALL

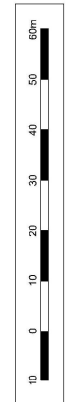


MAINTENANCE / WEED CONTROL SCHEDULE

- SHORT TERM (1-2 years) - Lot Owner's Responsibility**
- Carry out regular maintenance for litter removal and weeding to <1%.
  - Ensure plants are establishing with an 80% survival rate.
  - Replace dead or dying plants on an as needed basis during favourable planting conditions (not in summer or mid-winter).
  - Straighten/replace stakes/fences as required.
- MEDIUM TERM (3-5 years) - Lot Owner's Responsibility**
- Carry out regular maintenance for litter removal and weeding to <1%.
  - Carry out regular maintenance and remove any weeds posing a threat of crowding out native plants.
  - Pruning out native plants.
- LONG TERM (5+ years) - Lot Owner's Responsibility**
- Carry out regular maintenance for litter removal and weeding to <1%.
  - Monitor natural regeneration and remove any weeds posing a threat of crowding out native plants.
- Each land owner must maintain the plantation reserve in perpetuity at the owner's cost.

GENERAL NOTES

- The Contractor must verify all dimensions on site and immediately report any discrepancies to the Project Manager.
- The site is to be cleared of all debris and builder's rubble.
- All weed species on site shall be eradicated.
- The Contractor must verify all plant quantities prior to ordering.
- All plant species shall be true to type and there should be no alterations or substitutions without the written consent of the Landscape Architect.
- All plant stock must be checked by the Contractor and must be healthy and disease free.
- Planting must be undertaken in accordance with sound horticultural practices, as per the planting details.
- Supply and install 20mm diameter 80mm depth approved fine grade encasement to all tree watering bowls.
- The Contractor must check current water restrictions and ensure there is an adequate supply of water suitable for plants.



**FOR APPROVAL**

01 NORTHERN PLAN (01)  
Scale 1:500 @ A1

02 MIDDLE PLAN (02)  
Scale 1:500 @ A1

03 SOUTHERN PLAN (03)  
Scale 1:500 @ A1

**Cardinia**

**ADVERTISED MATERIAL**

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**Beveridge Williams**  
development & environment consultants

Project Ref: 2000490-01  
Drawing No.: L01  
Rev.: B

Scale: 1:500 @ A1

Project Ref: 2000490-01  
Drawing No.: L01  
Rev.: B

Project Ref: 2000490-01  
Drawing No.: L01  
Rev.: B

**The Rise - Pakenham**

**Plantation Reserve Landscape Plan**

**BNG Group**

03/03/2027 W. S.K.  
W. S.K.  
W. S.K.

03/03/2027 W. S.K.  
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TOWN PLANNING REPORT

## 2 SCENIC RISE, PAKENHAM

PETRIDIS  
ARCHITECTS



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25 - 29

*prepared for*

Cardinia Shire Council

*description*

Proposed Residential  
Development

*prepared by*

Petridis Architects

[planning@petridisarchitects.com.au](mailto:planning@petridisarchitects.com.au)

[www.petridisarchitects.com.au](http://www.petridisarchitects.com.au)

03 9499 8826

# Contents

## 1. | Preamble

Introduction  
Portfolio

## 2. | Site

Locality Plan  
Certificate of Title  
Covenant Declaration  
Zoning Information  
Overlay Information  
Planning Framework  
Survey Information  
Photographic Analysis  
Context Analysis  
Property Services

## 3. | Analysis

Design Response  
Response to Rescode



**Cardinia**

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# Introduction

This report has been prepared in accordance with the provisions of the Cardinia Planning Scheme. It has been based on designs prepared by Petridis Architects, dated 29<sup>th</sup> of July 2025, for the **construction of a single storey dwelling at 2 Scenic Rise, Pakenham.**

The proposal represents a comfortable re-development, closely in line with Council's local character expectations. The application does not seek to challenge Council's broad expectations, but to work in closely with respect to overall scale, front, side and rear setbacks and site coverage.




## ADVERTISED MATERIAL

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# Locality Plan



  
**Cardinia**

**ADVERTISED MATERIAL**  
**Planning Application: T250521**  
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**Subject Site:** 2 Scenic Rise, Pakenham

## ZONING

The subject site is a regular-shaped rectangular plot in the local subdivision area. The generous site area, and the location of the site, presents a unique opportunity for re-development.

## SERVICES & LOCAL AMENITIES

The subject site is located within a well serviced area, with an abundance of local community amenities and transport links. The site is close to public transport, schools and shopping facilities as detailed below.

### LOCAL SCHOOLS:

- Beaconhills College
- St. Patricks Primary School
- Pakenham Secondary College
- Pakenham Hills Primary School
- Kuyim Primary School
- Pakenham Primary School

### PARKLANDS:

- Pakenham Creek
- Andrew Woods Rserve
- Finch Court Reserve
- Toomuc Creek Linear Reserve

### LOCAL SHOPPING CENTRES

- Village Lakeside Shopping Centre
- Cardinia Lakes Shopping Centre
- Pakenham Central Marketplace

### PUBLIC TRANSPORT

Major Roadway: Healesville-Koo Wee Rup Road, Princess Highway  
Bus Route(s): 925, 927  
Train: Pakenham Station

# Covenant Declaration Form

Description Of Land Subject To The Application (Address):

**2 Scenic Rise, Pakenham**

Title Particulars:

**VOL: 12580**

**FOLIO: 414**

Is a restrictive covenant recorded or registered on the certificate(s) of Title? **NO**

Does a restriction on the registered plan of subdivision (if applicable) affect the land? **NO**

- If you answered **no** to both of the above questions, please sign the base of this form and return to council.

- If you answered **yes** to either of the above questions, please go on.

Do you think that the permit you have sought authorises anything that would result in a breach of the covenant: **NO**

- If no please briefly explain your reasons:
- If yes please explain your reasons

The above information is true and correct. I understand that obtaining or attempting to obtain a permit by wilfully making or causing to be made any false representation or declaration either orally or in writing is an offence under the planning and environment act 19867.

Print name: **Petridis Architects**

Date: **01/07/2025**



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**Date Prepared: 07 January 2026**

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# Zoning

## General Residential Zone



# Overlay

## Development Contributions Plan Overlay



### Subject Site : 2 Scenic Rise, Pakenham

The site is located within the General Residential Zone (Schedule 1).

The purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that is responsive to the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

A permit is required to construct or extend one dwelling on a lot less than 300 square metres.

### Subject Site : 2 Scenic Rise, Pakenham

The site is located within the Development Contributions Plan Overlay

(Schedule 1). The purpose of the Development Contributions Plan

Overlay is:

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



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# Overlay

## Environmental Significance Overlay





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**Subject Site : 2 Scenic Rise, Pakenham**

The site is located within the Environmental Significance Overlay (Schedule 4). The purpose of the Environmental Significance Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.



# Planning Framework

## 1. Planning Policy Framework

The following clauses are of most relevance to the proposed development:

Within the Planning Policy Framework (PPF), the following policies are considered most relevant to the proposal:

- **Clause 11: 'Settlement';**
- **Clause 12: Environmental and Landscape Values';**
- **Clause 15: 'Built Environment and Heritage';**
- **Clause 16: 'Housing';**
- **Clause 18: 'Transport'; and**
- **Clause 19: 'Infrastructure'.**

State and Regional planning policies support development that integrates relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. Development should take advantage of existing settlement patterns and respond to neighbourhood character and landscape considerations.

## 2. Local Planning Policy Framework

Within the Local Planning Policy Framework (LPPF), the following policies are considered most relevant to the proposal:

- **Clause 02.01: 'Context';**
- **Clause 02.02: 'Vision';**
- **Clause 02.03: 'Strategic Directions';**
- **Clause 02.04: 'Strategic Framework Plan';**

The local planning policies support developments that retain environmental assets and provide a housing mix that meets the needs of the local community. The policies recognise that open spaces are valuable assets for conservation and recreation, amongst other purposes.



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# Photographic Analysis



The subject site in its immediate context.

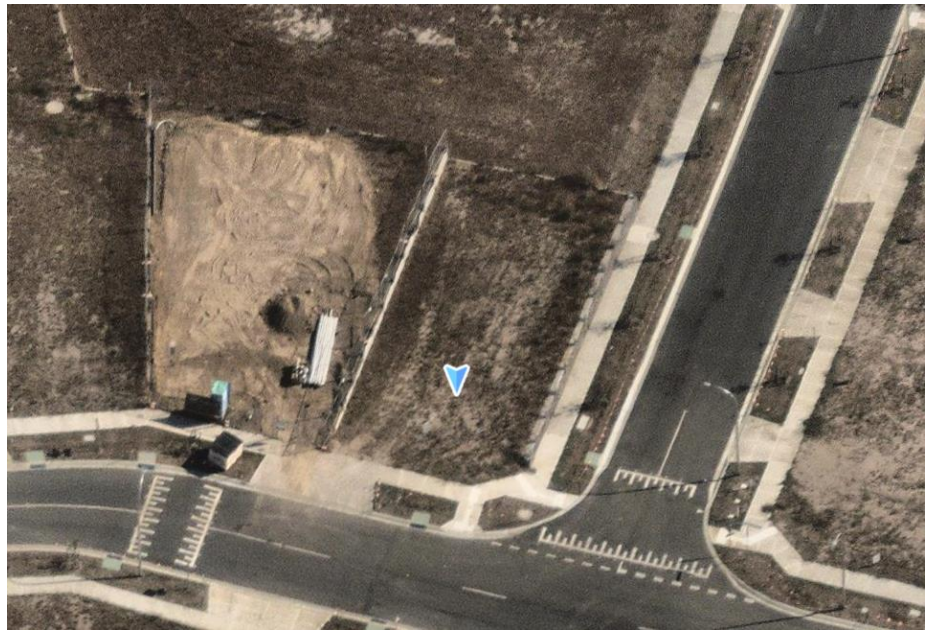


The subject site in its wider context. Note the prevalence of re-development in the surrounding area.

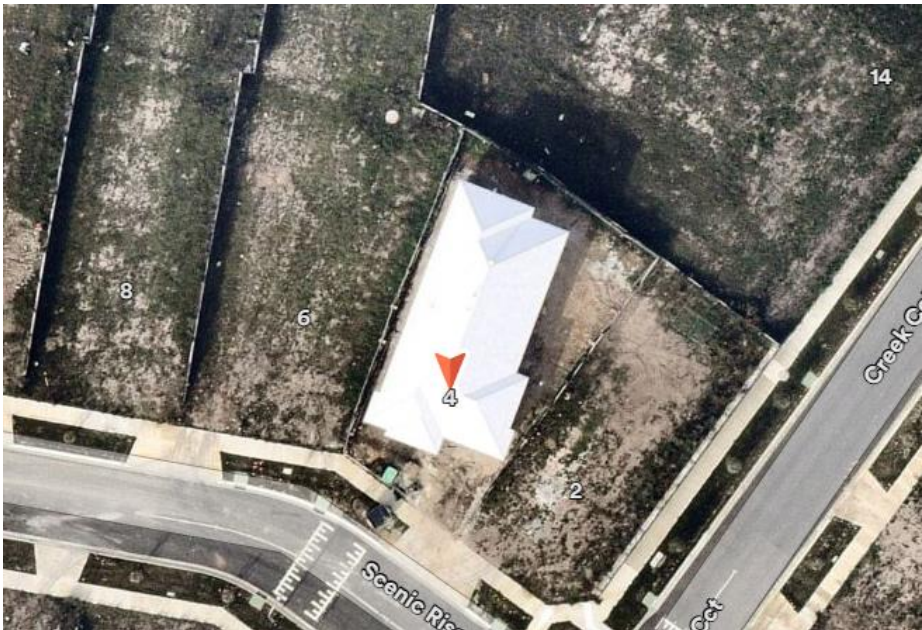
  
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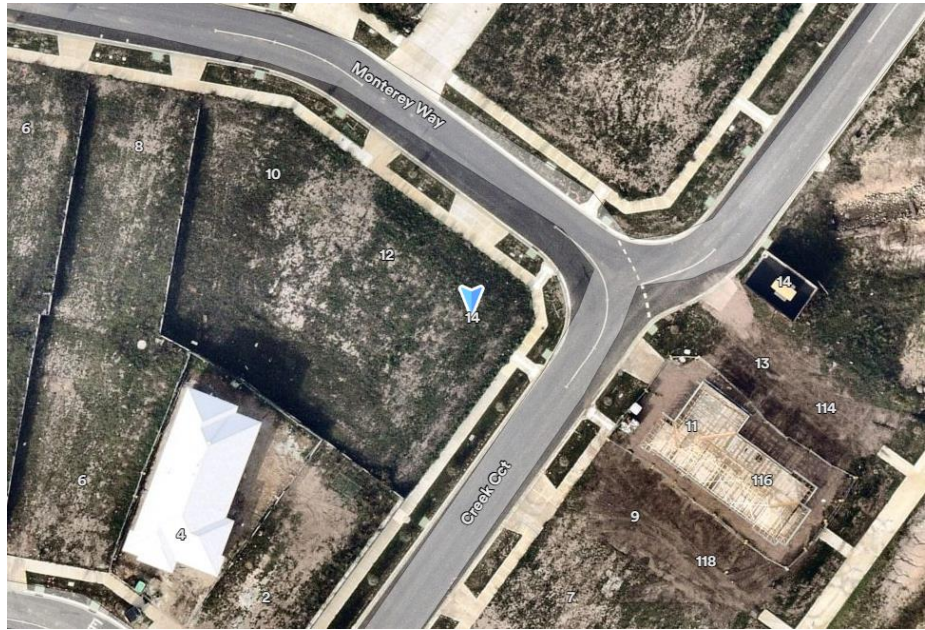
# Context Analysis



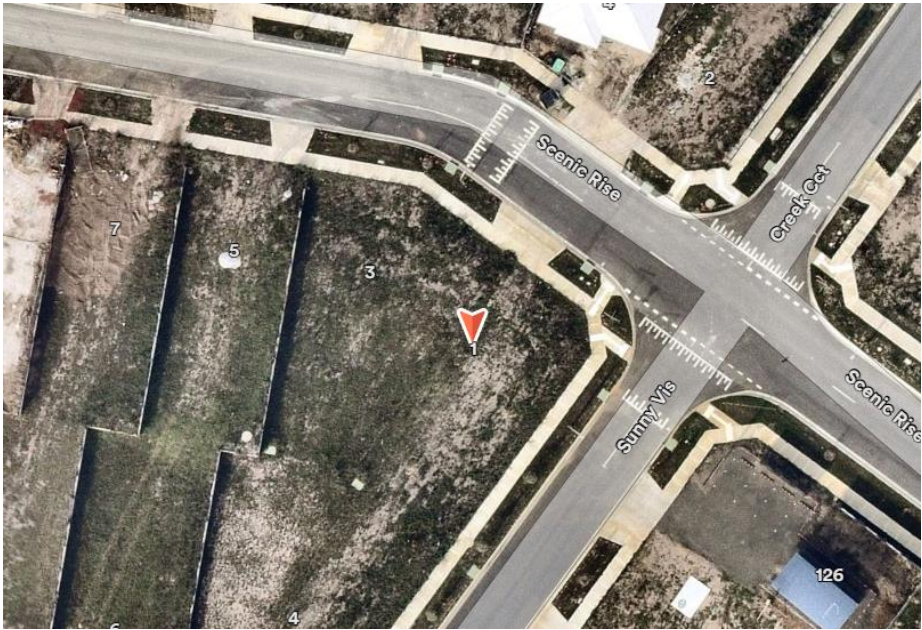
**Subject Site:** 2 Scenic Rise, Pakenham  
Vacant Lot.



**North-West to Subject Site:** 4 Scenic Rise, Pakenham  
Single-storey dwelling.



**North-East to Subject Site:** 14 Monterey, Pakenham  
Vacant Lot.



**Opposite Subject Site:** 1 Scenic Rise, Pakenham  
Vacant Lot.

  
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# Property Services

The property at 2 Scenic Rise, Pakenham is well located and well serviced, and presents a good opportunity for a high-quality medium-density residential development.

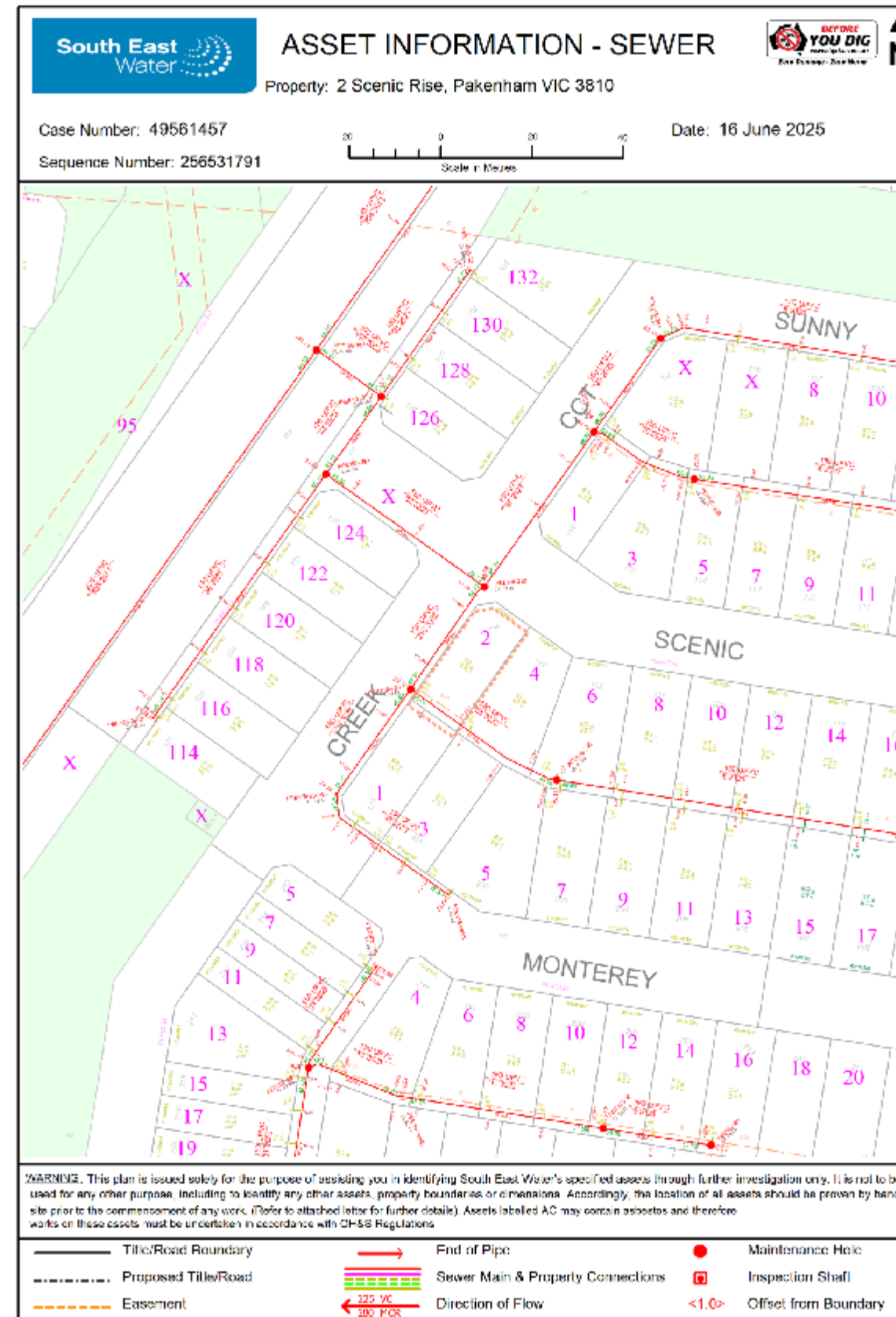
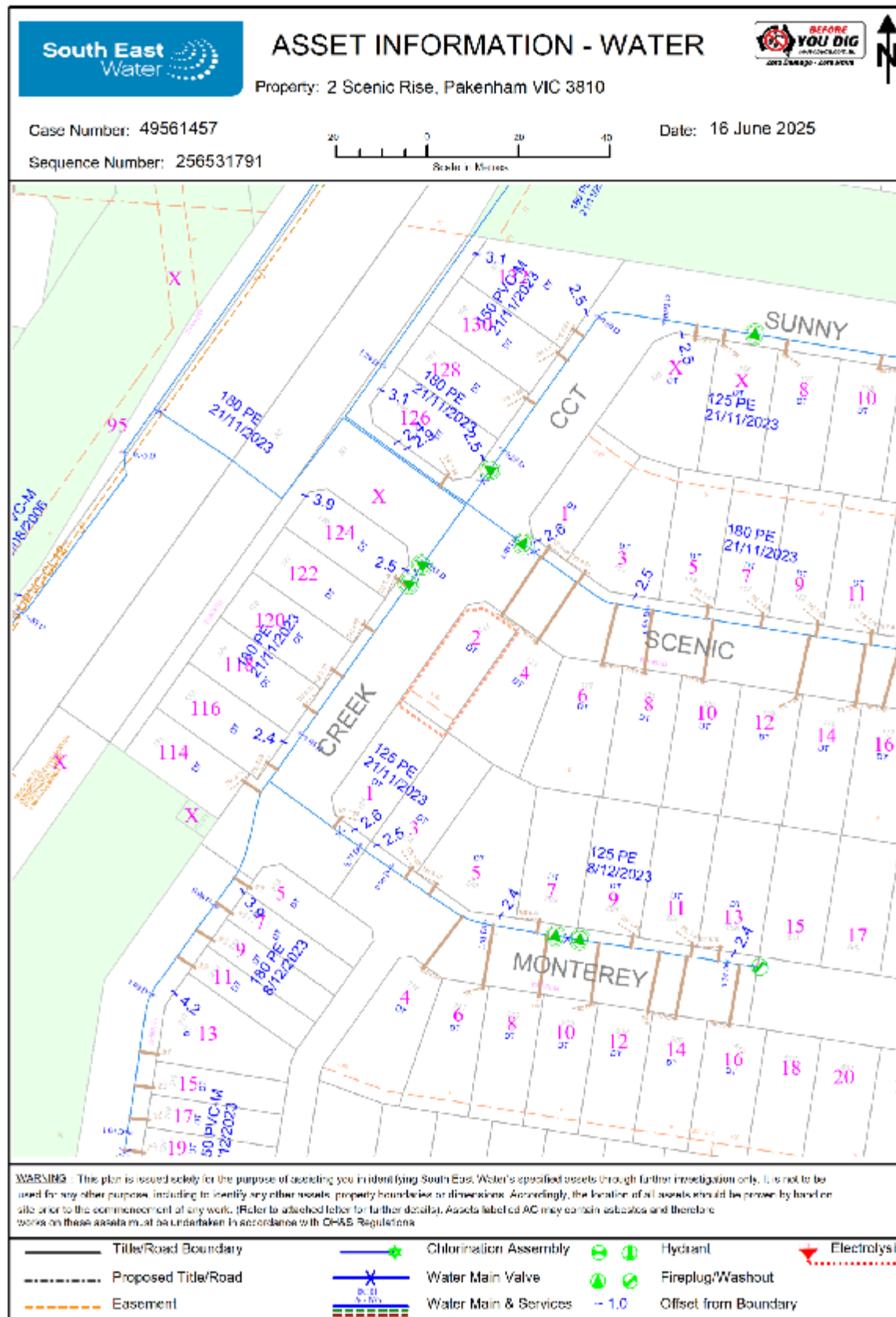


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## Water Plan

The responsible authority for water is South East Water. South East Water asset maps shows that a reticulated water main runs along the front of the site on the opposite side of Scenic Rise.

## Sewer Plan

The responsible authority for water is South East Water. South East Water asset maps shows that a reticulated water main runs along the side of the site on Creek Circuit and along the back of the property.

# Response to RESCODE

## 01 Introduction

This written supplement forms part of the site analysis documentation supporting the re-application for a planning permit for the development and use of land at **2 Scenic Rise, Pakenham**, for the purpose of a residential development, comprising of a new residence.

The site analysis consists of:

- A neighbourhood and site description;
- A design response plan, and
- Supporting text and photographs and diagrams included within this report.

## 02 The Subject land and Site Context

The following text should be read in conjunction with and supplements the neighbourhood and site description, which has been submitted.

### 2.1 The Subject land

Dimensions

The land, known as 2 Scenic Rise, Pakenham, is a corner block with 2 no. street frontages of 9.5 metres plus splay of 4.24 metres, and 26 metres, and an overall site area of 358 m2.

Current land use

The site is currently a vacant lot.

Location

The land is located within a newly establishing residential area.

Orientation & Slope

The land slopes gently down from the front north-east to the rear south-west.

Vegetation

The lot is vacant and has no vegetation.

Building

The subject site is vacant.

Access points

Pedestrian access to the land is available from both Scenic Rise and Creek Circuit.

Drainage point & services

The land has access to all infrastructure services including sewerage, drainage, electricity, water, gas and telephone.

Fences, boundaries and easements

The land contains paling fencing along part-eastern, and all of the northern, boundaries. The substantial street frontage has no fencing over it. There is a 2.44 metre-wide easement running along the rear boundary.

  
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### 2.2 Site Context

Surrounding land use and building

The land is located within an established residential area.

Changes in level

The land slopes gently from the rear to the front. Changes in levels from the subject land to adjoining properties generally follow the topography of the area.



Secluded open  
space and win-  
dows on adjacent  
properties

The secluded private open space (rear garden area) and the habitable room windows of the residential property to the east should be of some consideration.

Major and  
significant trees  
on surrounding  
properties

There is are no existing trees on the subject site, or to the adjoining properties. There are 3no. Street trees in the nature strip facing Creek Circuit. The proposal allows for canopy tree planting within the front setback, rear setback and adjacent to the western side boundary.

Walls on common  
boundaries

Previously, there were no structures along any boundaries. There is now a garage wall along the eastern side boundary measuring 6470mm in length.

Surrounding  
Character

The land is located in a new estate, many of the properties are vacant. There are several properties in the estate which are currently under construction. There are only a hand full of houses recently completed including the adjoining property at 4 Scenic Rise. The existing dwellings are a mix of housing forms: majority are single storey standalone dwellings.



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## 03 Neighbourhood & Site Description

### Proposal

The application seeks permission for the construction of a single storey dwelling over the property. The dwelling will have 4 bedrooms, double garage, and ancillary (and dense) new landscaping.

### Design Response

The design utilises the site's attributes and derives from the site analysis as follows;

- The proposed use and density responds to (i) the site's location, in which recent single storey dwellings are becoming the prevailing trend, (ii) proximity to services and facilities including shops, public transport (buses) and open space, as well as (iii) the comfortable site dimensions, significant northern exposure, overall area, and generous street frontage widths.
- Providing dwellings with plentiful open space
- Locating secluded open spaces to achieve good access to north sun
- Providing sufficient setbacks to allow good daylight access to habitable room windows
- Providing appropriate landscaping opportunities internally within the development
- Providing dwelling entry points which are visible, independent and provide good sense of address
- Providing adequate on-site car parking, 2 no. total, all of them being covered and secure.

The design minimises the impact on the adjoining residential properties by:

- Limiting potential for overlooking to the adjoining residential properties through comfortable setbacks from the common side boundaries.
- Maintaining daylight access to habitable room windows of adjoining dwellings through appropriate setbacks.

The design avoids future management difficulties by:

- Eliminating common areas.

---

The proposed development respects, acknowledges and improves neighbourhood character by:

- Improved landscaping of the front, middle and rear setback areas.
- Consistent frontage setbacks, in relation to the abutting neighbouring structures.
- Proposing a street presentation that ties in with a previously developed vernacular streetscape aesthetic

Refer Design Response Plan

  
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## 04 Rescode Assessment

The following assessment is provided: The purposes of ~~Clause 55~~ are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that responds to the site and the surrounding area.

### Clause 54

#### 54.01 Neighbourhood and Site Description and Design Response

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

##### 54.01 - 1 Neighbourhood and Site Description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.
- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.

- Any contaminated soils and filled areas, where known.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

**Response: Neighbourhood Site Description and Design Response has been included with this Town Planning Application.**

##### 54.01 - 1 Design Response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

**Response: Design Response has been included with this Town Planning Application.**

#### 54.02 Neighbourhood Character

##### 54.02 - 1 Neighbourhood Character Objective

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that the design responds to the features of the site and the surrounding area.

**Standard A1:** The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.





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**Response:** The site is located within a new housing development in Pakenham, currently characterised by vacant lots. The proposed design responds thoughtfully to the area’s emerging built character.

54.02 - 2 Integration with the Street Objective

To integrate the layout of development with the street.

**Standard A2:** Dwellings should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

**Response:** The dwelling is oriented to face Scenic Rise.  
  
There is no front fence proposed along Scenic Rise frontage. There is a proposed 1800mm high paling fence to sit above existing retaining wall along the Creek Circuit frontage.

54.03 Site Layout and Building Massing

54.03 - 1 Street Setback Objective

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

**Standard A3:** Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback		
Development context	Minimum setback from front street (Metres)	Minimum setback from a side street (Metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	<div>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</div> <div>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</div>	The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

**Response:** The proposed dwelling will have a 5840mm setback from the street, exceeding the front setback of the neighbouring property to the west.

## 55.04 - 2 Building Height objective

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

**Standard A4:** The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

**Response: The maximum proposed building height does not exceed the 9.0 meter maximum height control for the zone. The proposal is for a single-storey dwelling.**

## 54.03 - 3 Site Coverage Objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

**Standard A5:** A The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

**Response: The proposed building/ site coverage comes in less than 60% (44.9% proposed).**

## 54.03 - 4 Permeability Objective

**Standard A6** To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

**Response: The proposed permeable site coverage is 45.1% exceeding 20% minimum requirement.**

## 54.03 - 5 Energy Efficiency Protection Objective

To achieve and protect energy efficient dwellings and small second dwellings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

**Response: The proposed dwelling is well orientated and designed to achieve a 7-star energy rating.**

**The proposed dwelling has provision for 7no. solar panels (3KW) System.**

## 54.03 - 6 Significant Trees Objective

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

**Response: There are no existing trees on the subject site. The proposed dwelling is significantly setback from the 3no. Trees in the nature strip facing Creek Circuit.**

55.04 - 1 Side and Rear Setback Objective

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

**Standard A10:** A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

At least the distance specified in a schedule to the zone, or

If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

**Response: The side setbacks comply with side and rear setback requirements.**

54.04 - 4 Walls on boundaries objectives

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

**Standard A11:** A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Response: The proposed dwelling includes one wall which is offset 200mm from the eastern boundary line. It measures 60mm in length and has a maximum wall height of 3100mm.**



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54.04 - 3 Daylight to existing windows objective

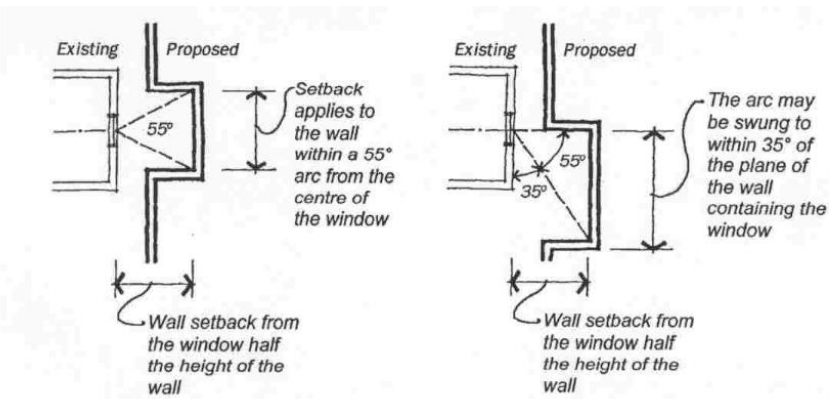
To allow adequate daylight into existing habitable room windows.

**Standard A12:**  
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows



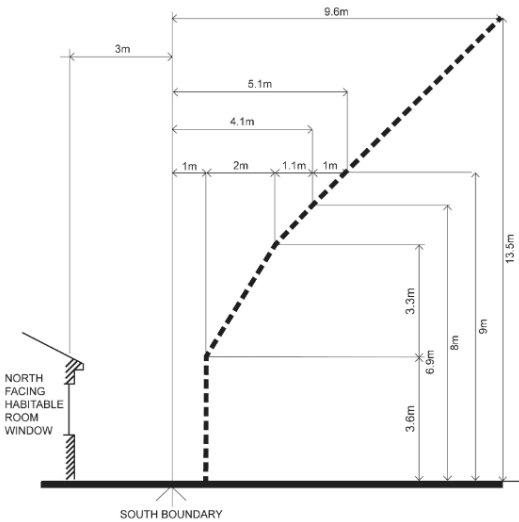
Response: The adjoining properties habitable room windows are setback 4700mm from the subject site exceeding 3000mm.

55.04 - 4 North-facing Windows Objective

To allow adequate solar access to existing north-facing habitable room windows.

- Standard A13:**
- If a north-facing habitable room window of an existing dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram A3 North-facing windows



Response: not applicable, the adjoining site to the south is vacant.

  
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54.04 - 5 Overshadowing open space objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard A-14:

The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

**Response: The proposed development will not unreasonably overshadow the secluded private open space of the adjoining dwellings to the east. Please refer the detailed shadow analysis drawings provided with this application.**

54.04 - 6 Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

Standard A15:

A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.



**Cardinia**

**ADVERTISED MATERIAL**

Planning Application: T250521

Date Prepared: 07 January 2026

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A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

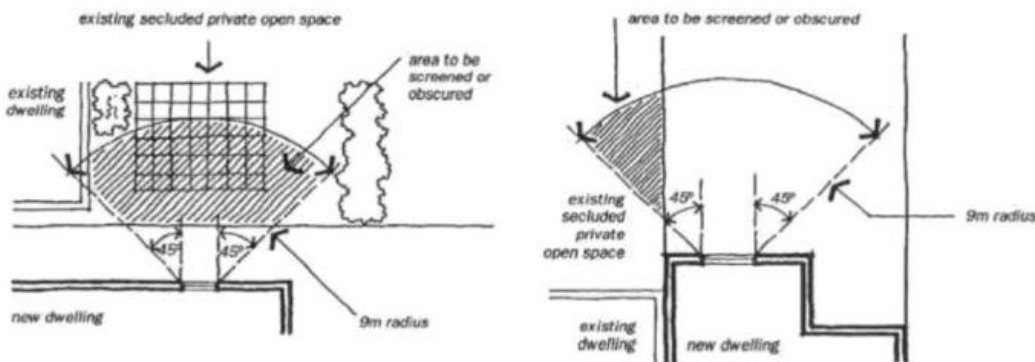
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view are:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4-4 Overlooking



**Response: Overlooking of adjoining properties will be prevented by the use of large setbacks, exact positioning of windows and proposed trellis above existing fence along eastern boundary line above east facing paling fence**

54.05 - 1 Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard A-16:

A window in a habitable room should be located to face:

An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or

A verandah provided it is open for at least one third of its perimeter, or

A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Response: all new habitable windows have adequate access to daylight

54.05 - 2 Private open space objectives

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17: A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres.

At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

A dwelling with a small second dwelling on the same lot should have private open space of an area and dimensions specified in a schedule to the zone.  
If no area or dimensions is specified in a schedule to the zone, a dwelling with a small second dwelling on the same lot should have secluded private open space consisting of an area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

A small second dwelling should have a secluded private open space consisting of an area of 8 square metres with a minimum dimension of 1.6 metres and convenient access from a living room.

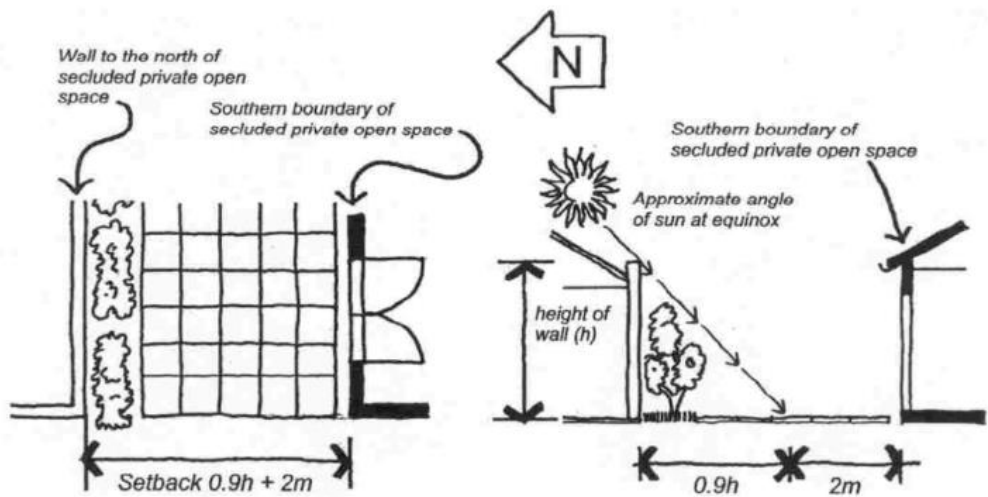
Response: the dwelling has 81.8m2 rear yard (secluded private open space) of and 124.0 total private open space well exceeding the minimum requirement

54.05 - 3 Solar access to open space objective

To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard A18: The southern boundary of secluded private open space is set back from any wall on the north of the space at least  $(2 + 0.9h)$  metres, where 'h' is the height of the wall.

Diagram B3-6 Solar access to open space



Response: the proposed rear yard is west and south facing. The west facing yard exceeds 41.0m2.



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54.06 - 1 Design detail objective

To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A-19:

The design of buildings, including:

Facade articulation and detailing,

Window and door proportions,

Roof form, and

Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Response:** The proposed new dwelling will have individual entry with feature porches, providing shelter, a sense of identity and a transitional space.

54.06 - 2 Front fences objective

To encourage front fence design that responds to the existing or preferred neighbourhood character.

Standard A20: A front fence within 3 metres of a street is:

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.

**Response:** There is no front fence proposed along Scenic Rise frontage. There is a proposed 1800mm high paling fence to sit above existing retaining wall along the Creek Circuit frontage.

  
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**Planning Application: T250521**  
**Date Prepared: 07 January 2026**

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DRAWING SCHEDULE

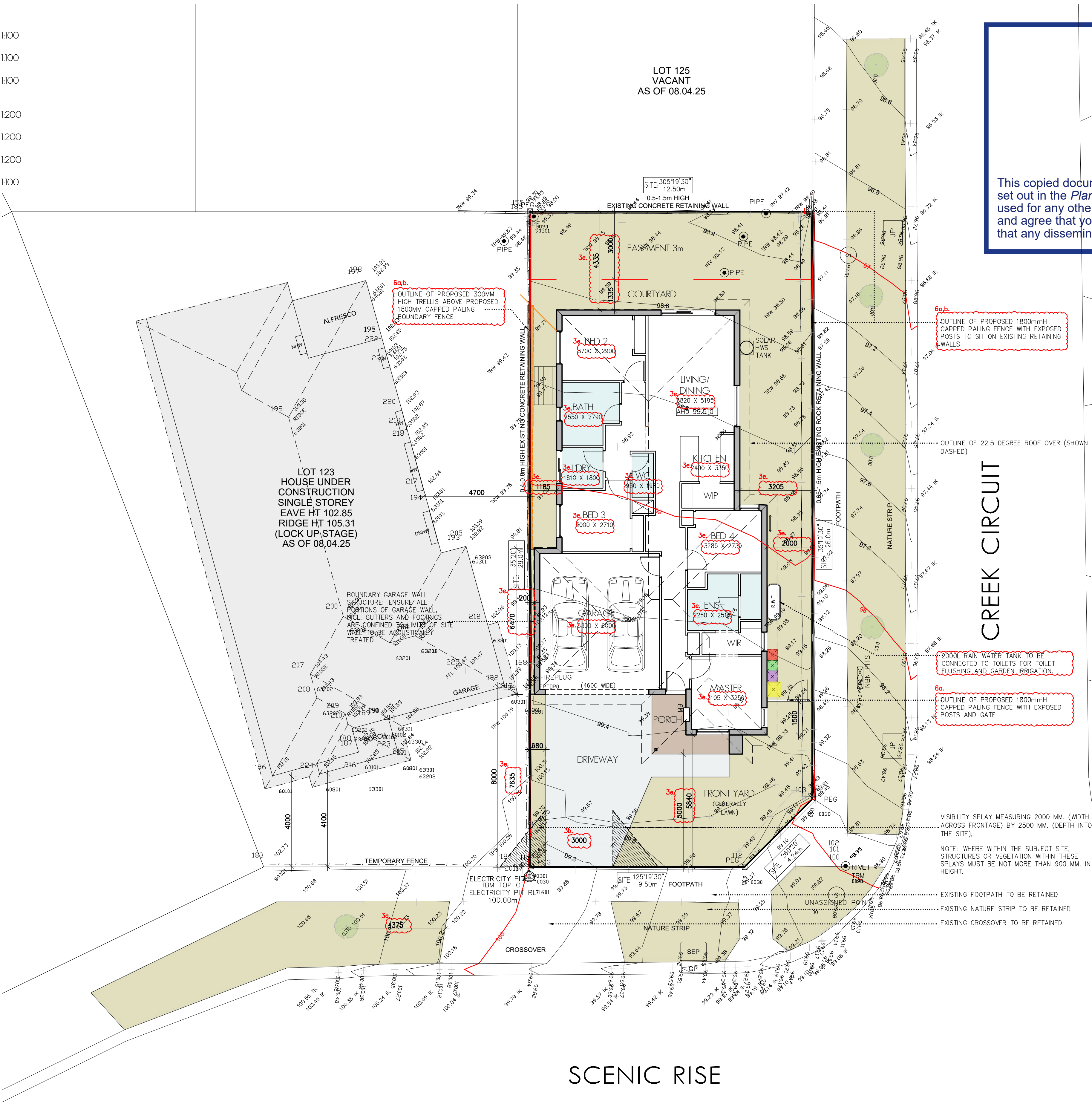
TPA01	FLOOR PLAN AND AREA ANALYSIS	1:100
TPA02	ROOF PLAN AND LANDSCAPE NOTES	1:100
TPA03	ELEVATIONS, MATERIALS AND FINISHES SCHEDULE	1:100
TPA04	DETAILED SITE ANALYSIS - NEIGHBOURHOOD AND SITE DESCRIPTION	1:200
TPA05	DETAILED SITE ANALYSIS - DESIGN RESPONSE	1:200
TPA06	DETAILED SHADOW ANALYSIS - SEPTEMBER 22	1:200
TPA07	GARDEN AREA ANALYSIS	1:100


AREA ANALYSIS

SITE AREA	358.0M <sup>2</sup>
GROUND FLOOR GARAGE	126.1M <sup>2</sup> 34.8M <sup>2</sup>
OVERALL	160.9M <sup>2</sup> (17.35Q)
COURTYARD	81.8M <sup>2</sup>
FRONTYARD (INCL. PORCH)	42.5M <sup>2</sup>
OVERALL	124.0M <sup>2</sup>
OVERALL BUILDING AREA	160.9M <sup>2</sup>
BUILDING/SITE COVERAGE	44.9%
IMPERVIOUS PAVING AREA	36.0M <sup>2</sup>
IMPERVIOUS PAVING/SITE COVERAGE	10.0%
PERMEABLE SITE COVERAGE (I.E. PERMEABLE TO RAIN)	45.1%
GARDEN AREA ANALYSIS	151.9M <sup>2</sup> 42.4%

LEGEND

- RETRACTABLE CLOTHESLINE
- GRASSCOVER GENERALLY (ALSO INCL. ALL PERMEABLE SURFACES)
- R.CONC PAVING
- PROPOSED CANOPY TREE
- EXISTING MATURE CANOPY TREE
- EXISTING TREES TO BE REMOVED
- RUBBISH BINS





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SCENIC RISE

2 SCENIC RISE, PAKENHAM

3F

DRAWING TITLE:  
FLOOR PLAN AND AREA ANALYSIS

TPA01 - 1 OF 7  
JOB No: 25-29  
ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

DATE: 23RD OCTOBER 2025  
SCALE: 1:100  
TP RFI SUBMISSION

DRAWN BY: A.R  
VERISON No: B

NOTE: ALL HOMES MUST INSTALL OR MAKE ALLOWANCE FOR OPTIC-FIBRE CABLEING. TO ACCESS THIS HIGH-SPEED BROADBAND AND TELEPHONE SERVICE, HOMES NEED TO COMPLY WITH THE NBN CO IN HOME WIRING GUIDELINES.

PETRIDIS

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LOT 125  
VACANT  
AS OF 08.04.25

SITE: 305°19'30"  
12.50m

EXISTING CONCRETE RETAINING WALL

EASEMENT 3m

LOT 123  
HOUSE UNDER  
CONSTRUCTION  
SINGLE STOREY  
EAVE HT 102.85  
RIDGE HT 105.31  
(LOOK UP STAGE)  
AS OF 08.04.25

4700

SITE: 35°20'  
23.0m

GARAGE

8000

TEMPORARY FENCE

ELECTRICITY PILE

TRM TOP OF

ELECTRICITY PILE

RL71601

100.00m

CROSSOVER

NATURE STRIP

SEP

UNASSIGNED POINT

100.00m

100.00m

100.00m

100.00m

100.00m

100.00m

100.00m

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CREEK CIRCUIT

SCENIC RISE

2 SCENIC RISE,  
PAKENHAM

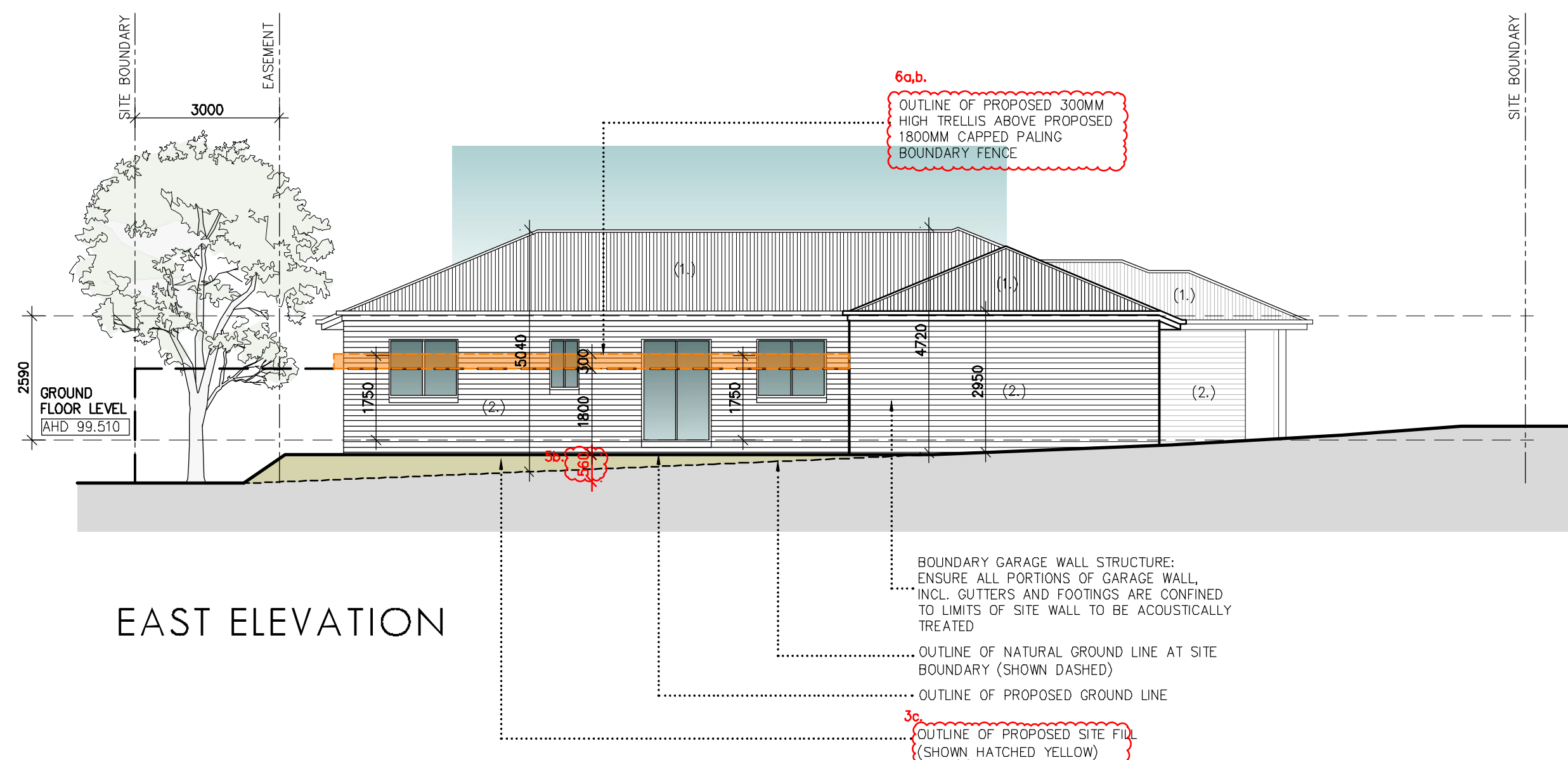
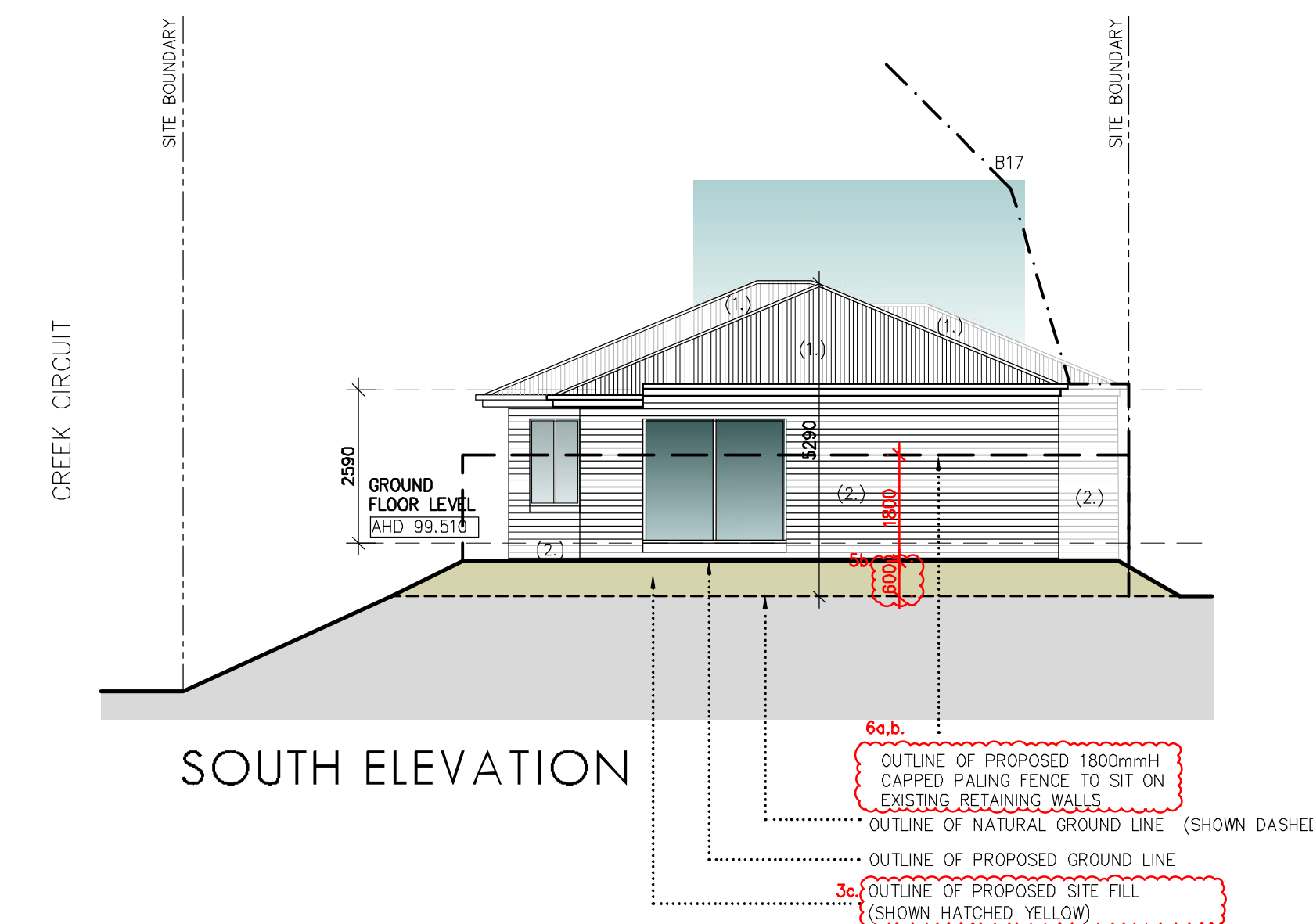
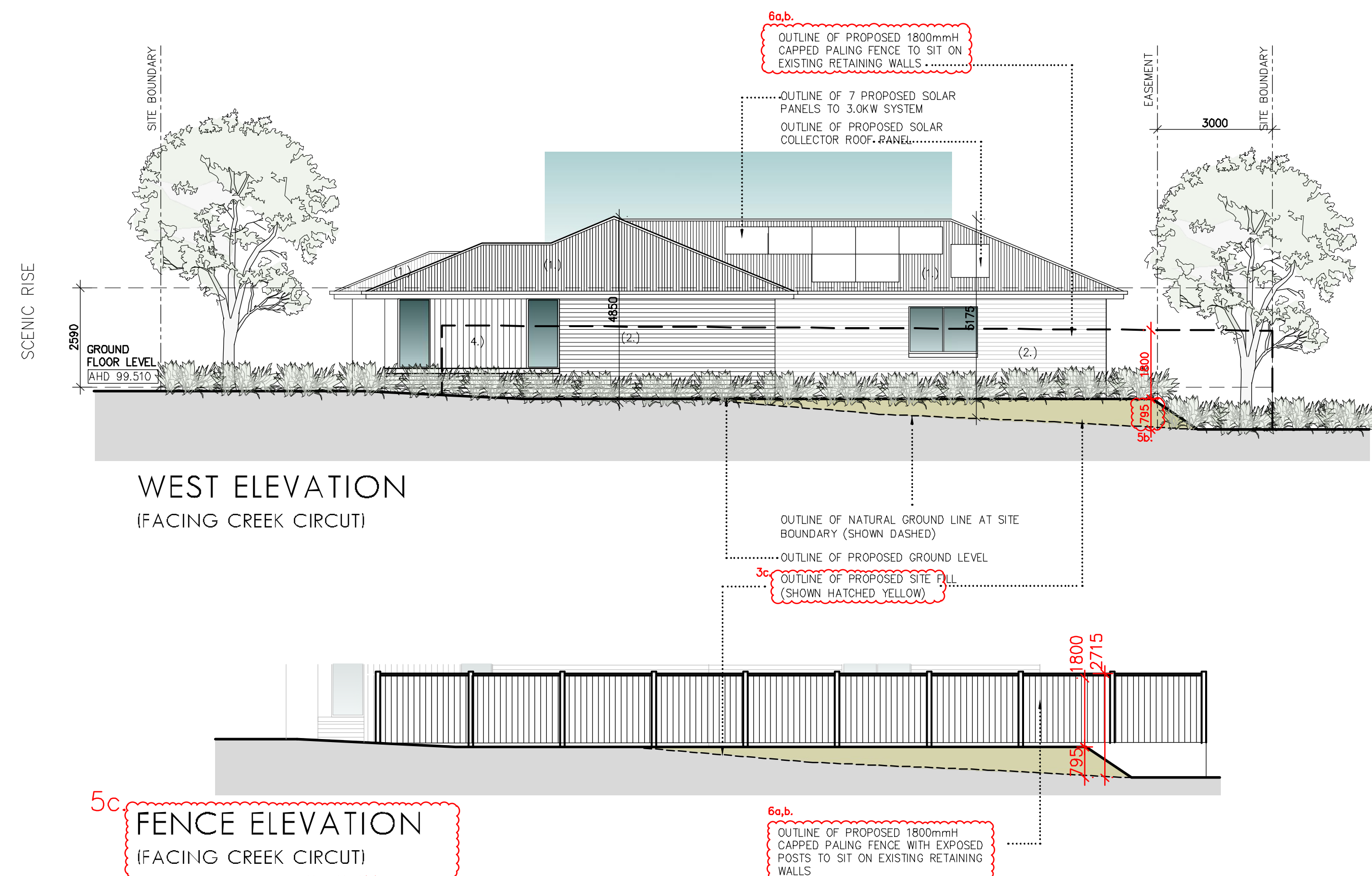
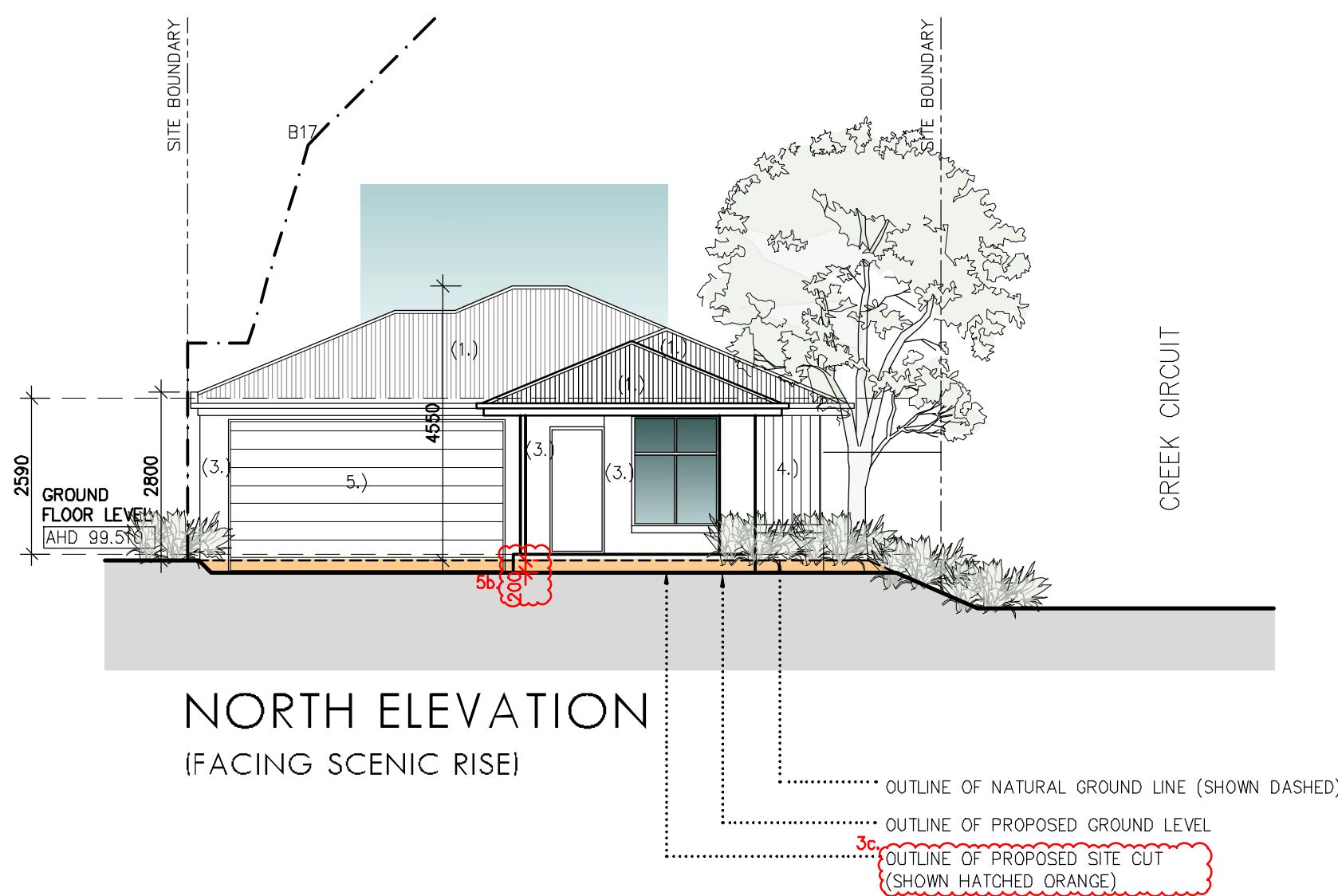
3f DRAWING TITLE:  
ROOF PLAN AND LANDSCAPE NOTES  
TPA02 - 2 OF 7 DATE: 23RD OCTOBER 2025 DRAWN BY: A.R. VERISON No:  
JOB No: 25-29 SCALE: 1:100 TP RFI SUBMISSION B  
ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

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Planning Application: T250521  
Date Prepared: 07 January 2026

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5a

MATERIALS AND FINISHES SCHEDULE	
ROOF:	(1) SELECT COLORBOND STEEL ROOFING, 'MONUMENT' OR SIMILAR
WALLS:	(2) SELECT AUSTRAL BRICK, 'CHESTNUT' OR SIMILAR
	(3) SELECT RENDER, 'DUNE', OR SIMILAR
	(4) SELECT CLADDING, 'KOALA GREY' OR SIMILAR
GARAGE DOOR:	(5) SECTIONAL, SLIMLINE TEXTURED FIXED, 'MONUMENT' OR SIMILAR
FRONT DOOR:	(6) SELECT HAYMES, ULTRA PREMIUM GLOSS 'KOALA GREY' OR SIMILAR
WINDOWS:	(7) ALUMINIUM FRAMED, 'MONUMENT' FINISH OR SIMILAR
FASCIAS/GUTTERS:	(8) SHEET COLOURBOND, 'MONUMENT' OR SIMILAR
DRIVEWAY:	(9) COLOURED CONCRETE, 'SLATE' OR SIMILAR



**Cardinia**

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2 SCENIC RISE,  
PAKENHAM

DRAWING TITLE:  
ELEVATIONS, MATERIALS AND FINISHES SCHEDULE

TPA03 - 3 OF 7    DATE: 23RD OCTOBER 2025    DRAWN BY: A.R.    VERSION No: 1  
JOB No: 25-29    SCALE: 1:100    TP RFI SUBMISSION    B

ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM



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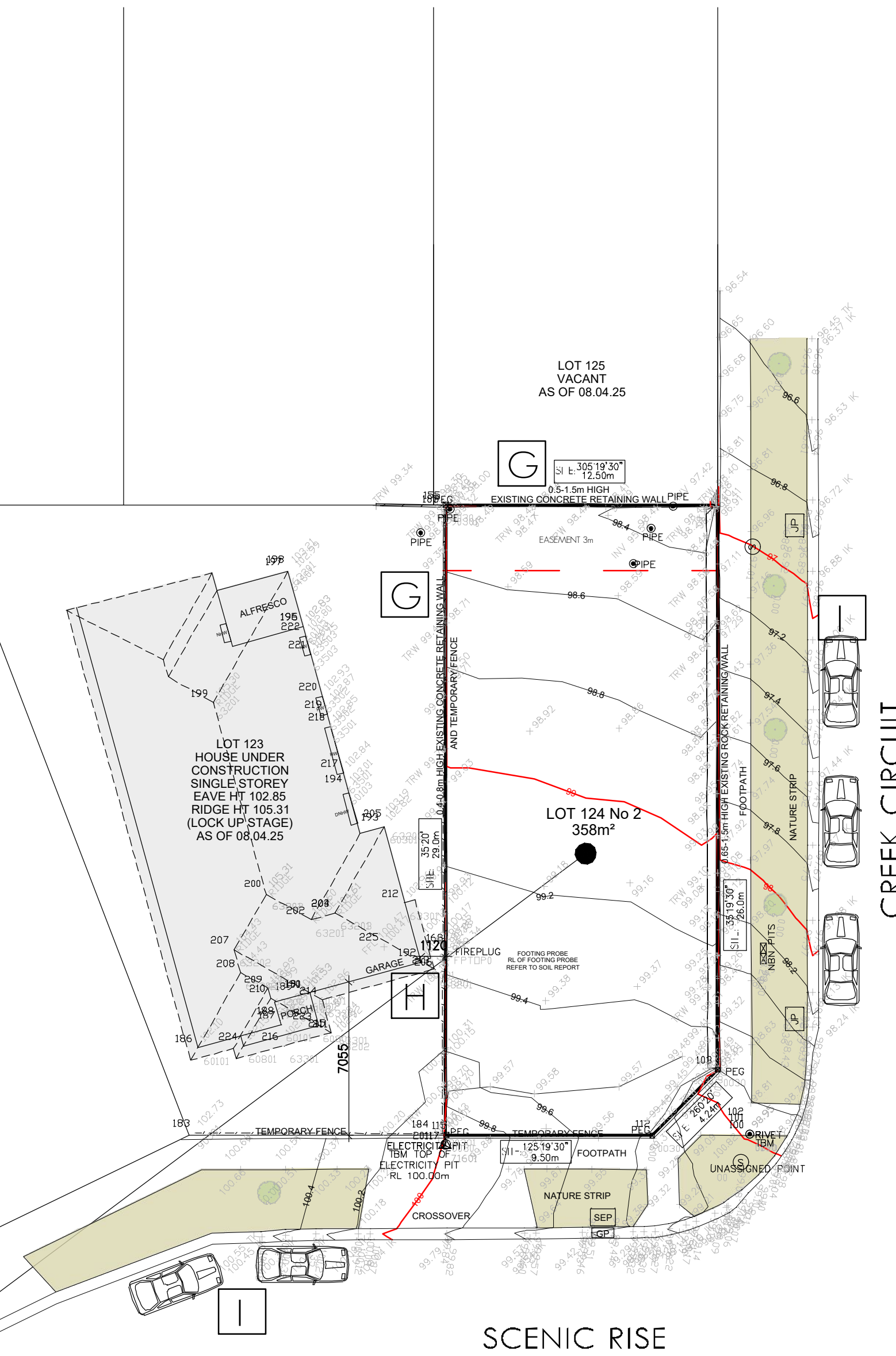
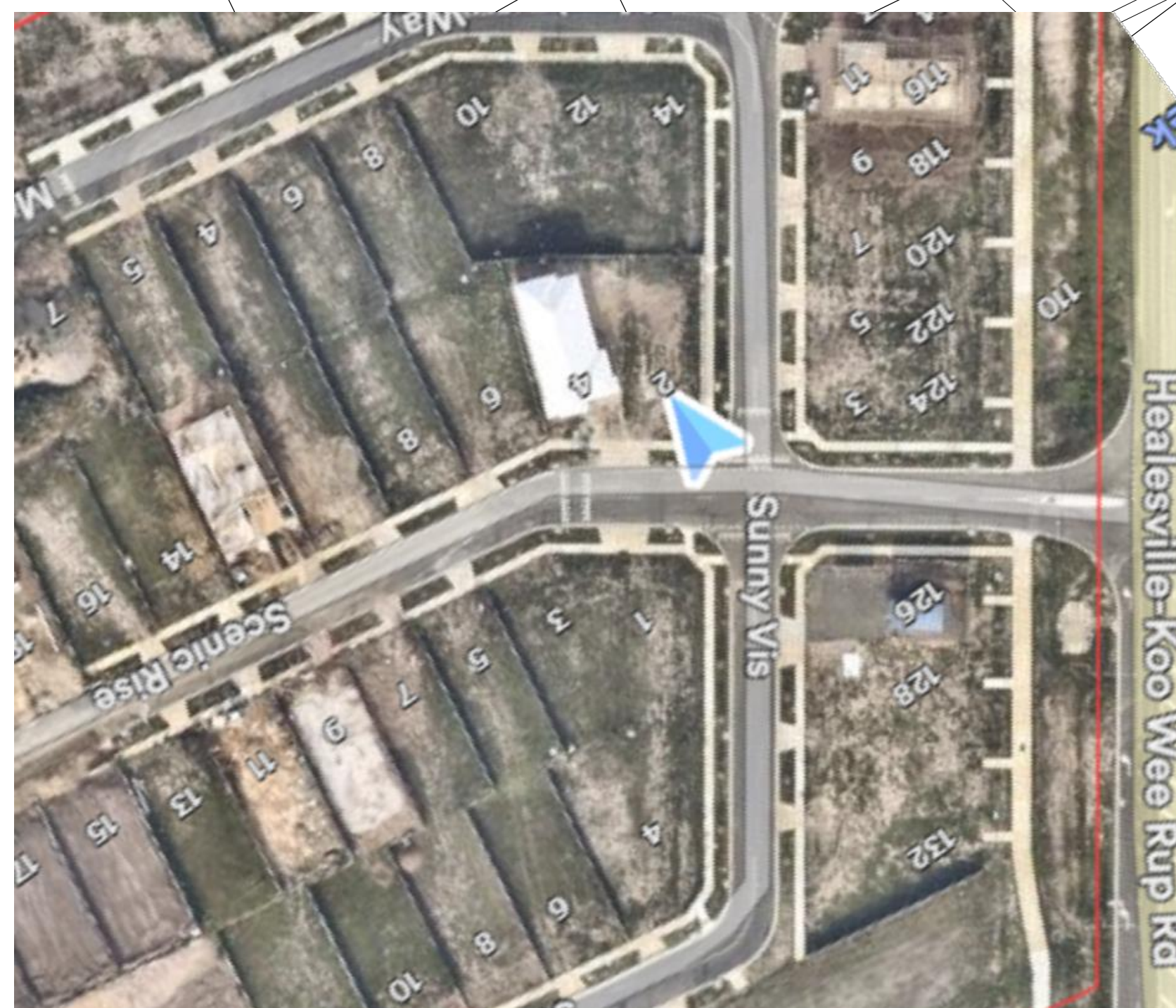


- \* SITE AREA – 358.0m<sup>2</sup>
- \* COMFORTABLE SITE FALLS, FROM SOUTH TO NORTH (1600MM SLOPE OVER 26m APPROX. LENGTH)
- \* WIDE STREET FRONTAGE – APPROX 39.75m OVERALL LENGTH
- \* SIGNIFICANT NORTHERN EXPOSURE – 38.50m ALONG SIDE AND FRONT
- \* SUPERIOR LOCATION IN RISING MIDDLE SUBURBAN PRECINCT
- \* SUBJECT SITE IS “RIPE” FOR RE-DEVELOPMENT



EXISTING MEDIUM  
DENSITY RESIDENTIAL DEVELOPMENTS

HOUSE UNDER  
CONSTRUCTION  
SINGLE STOREY



**Planning Application: T250521**  
**Date Prepared: 07 January 2026**

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PREVAILING WINDS/  
BAD WEATHER

9.00AM ) -

12.00  
NOON

NORTHERN EXPOSURE  
ALONG SIDE AND FRONT  
OF SITE

3.00PM

SUNNY VIS

## 2 SCENIC RISE, PAKENHAM

DRAWING TITLE:  
DETAILED SITE ANALYSIS - NEIGHBOURHOOD AND  
SITE DESCRIPTION  
TPA04 - 4 OF 7 DATE: 23RD OCTOBER 2025 DRAWN BY: A.R VERISON No:  
JOB No: 25-29 SCALE: 1: 200 TP RFI SUBMISSION B  
ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

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ARCHITECTS

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SUBJECT SITE

A-- PROPOSED TREES, ALSO INCLUDING EXISTING STREET AND SITE TREES, TO PROVIDE SCALE AND FOREGROUND TO DEVELOPMENT

B--EXISTING ON-STREET CARPARKING NUMBERS TO BE GENERALLY RETAINED AS IS

C--COMFORTABLE REAR YARD PROVIDED: GOOD PROPORTIONS, GREAT ALL ROUND EXPOSURE. (INCL.SUBSTANTIAL MIDDAY SUN)

D--MAIN FAMILY AREAS ARE LOCATED TO THE REAR OF THE FLOOR PLANS. THEY TAKE ADVANTAGE OF THE RELATIVELY LARGE REAR GARDENS AND THE SIGNIFICANT SOLAR EXPOSURE AVAILABLE TO THESE YARDS.

E--GOOD SURVEILLANCE OF SCENIC RISE AND CREEK CIRCUIT STREET AVAILABLE FROM FRONT AND SIDE ROOMS OF THE DWELLING.

F--DESIGN OF INTERIORS OF NEW DWELLING INFLUENCED BY REAR PRIVATE OPEN SPACES; MAIN SITTING AREAS HAVE DIRECT PHYSICAL AND VISUAL ACCESS TO THESE YARDS.

G--DESIGN OF INTERIOR OF NEW DWELLING UNDERTAKEN IN MODERN CONTEMPORARY MANNER; PLENTY OF LIGHT AND OPEN SPACE, FEW WALLS AND FEW VISIBLE DOORS, (ESPECIALLY ON GROUND LEVEL).

H--2 No. CARSPACES TO BE MADE AVAILABLE ON SITE: 2No. CARS TO BE STORED BEHIND SECURE GARAGE WALLS/ DOORS

I--CLOTHES LINES CONCEALED IN REAR YARD, AWAY FROM PUBLIC VIEW.

J--OVERLOOKING OF ADJOINING PROPERTIES MINIMISED THROUGH USE OF PRIVACY SCREENS, FROSTED GLASS, HIGHLIGHT GLAZING, AND SINGLE STOREY NATURE OF DWELLING.

K--1 No. EXISTING CROSSOVER TO BE RETAINED AS IS;



DESIGN RESPONSE

HOW PROPOSAL RESPECTS, ACKNOWLEDGES AND IMPROVES THE EXISTING NEIGHBOURHOOD CHARACTER:

--DWELLING HAVE DISTINCT STYLE AND "FEEL" FROM FRONT; AN ARTICULATED MODERN APPEARANCE NOT TOTALLY OUT OF CHARACTER WITH THE PREVAILING ECLECTIC STREETScape AND VERY MUCH IN KEEPING WITH A NEWLY EMERGING MANNIGHAM TOWNHOUSE AESTHETIC.

--DWELLING ARE PHYSICALLY DETACHED AND HAVE INDIVIDUAL CHARACTER AND IDENTITY: DIFFERENT PLANS AND FACDE TREATMENTS, DIFFERENT STREET FRONTAGES, DIFFERENT ENTRIES, DIFFERENT ADDRESSES.

GENERAL NOTES

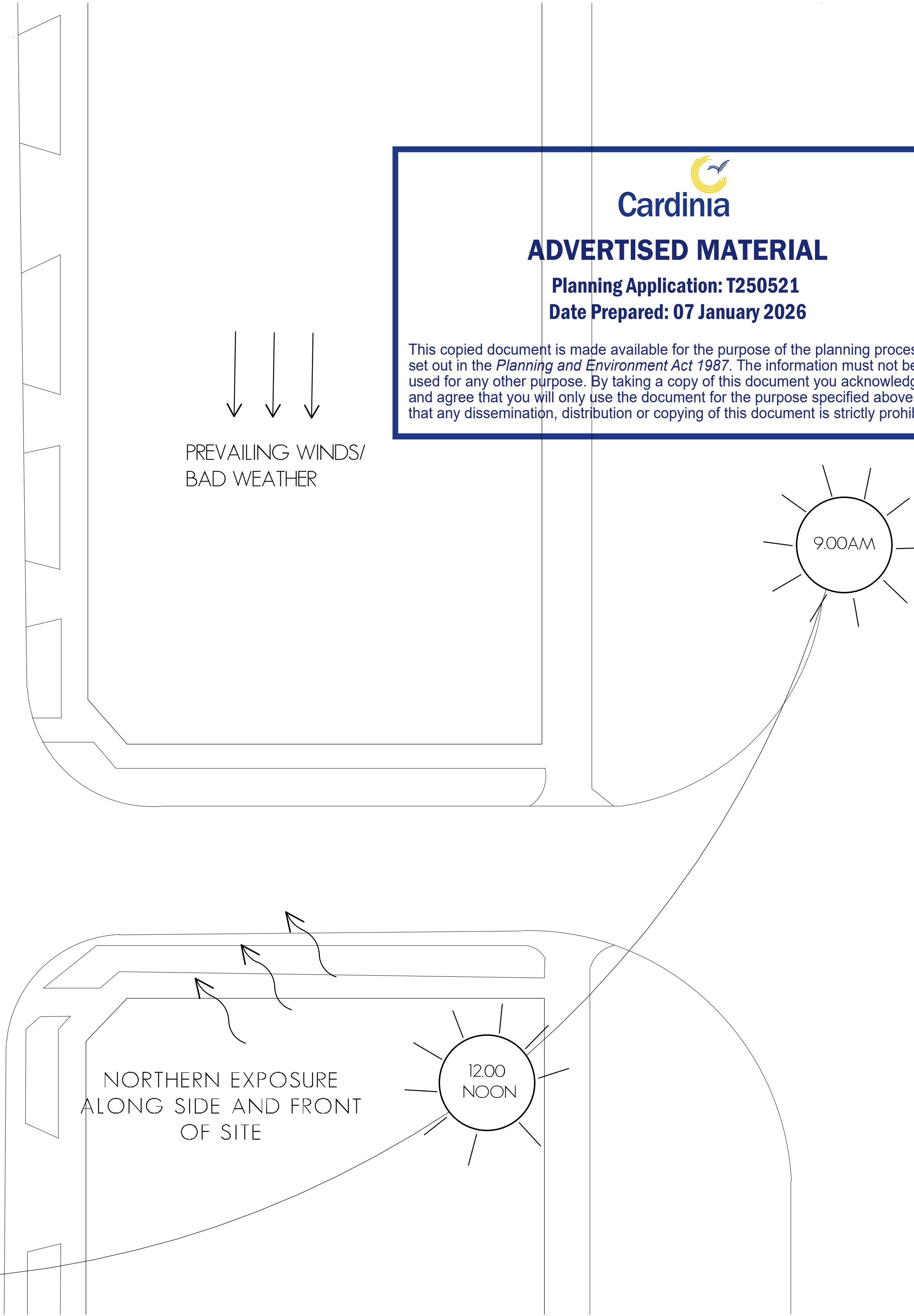
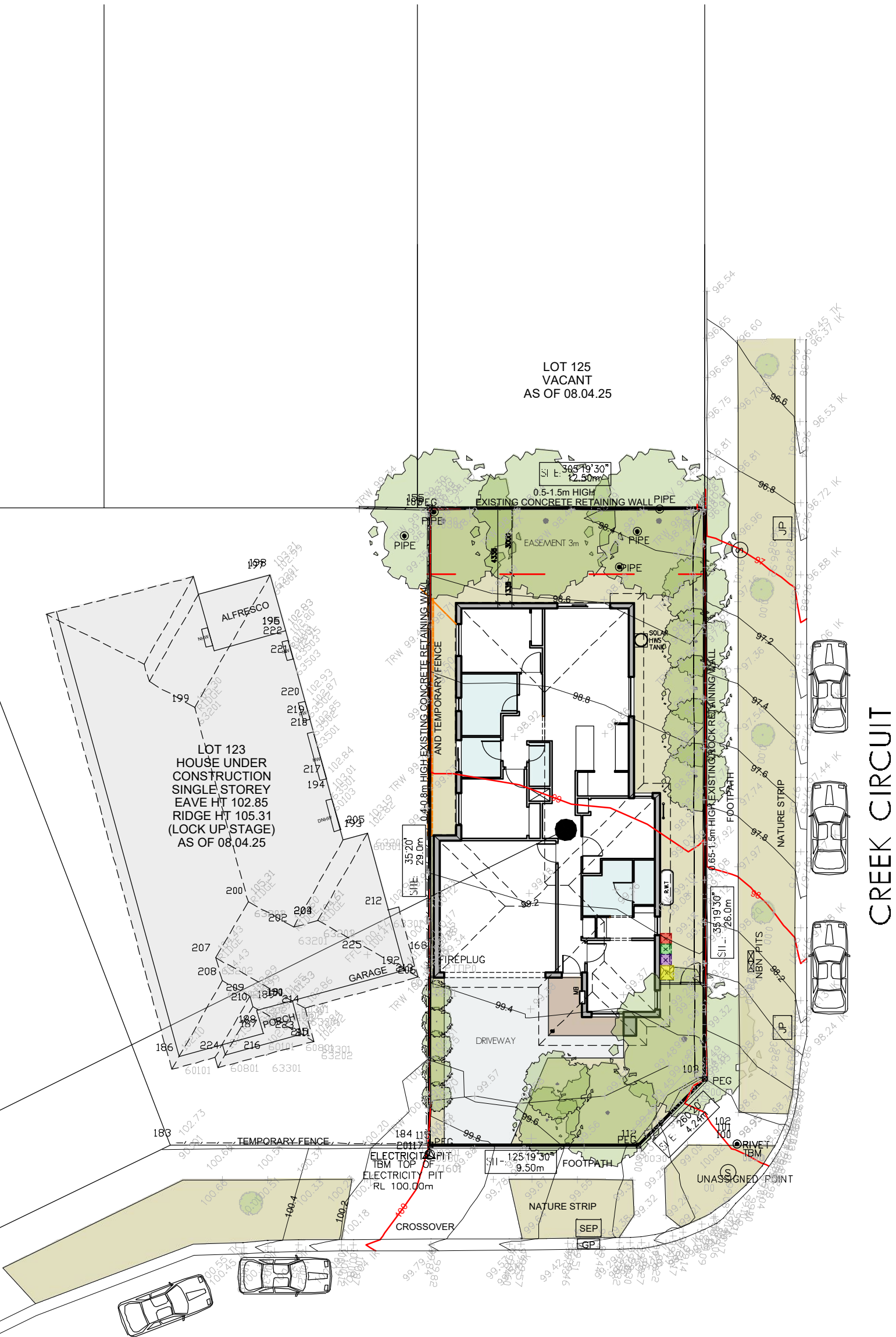
DENSITY IS APPROPRIATE AND RESPONDS TO SITE LOCATION IN AN RESIDENTIAL PRECINCT: ALL INFRASTRUCTURE AVAILABLE; PROXIMITY TO PUBLIC TRANSPORT, PARKS, SCHOOLS, SHOPS ETC

EXISTING AND PROPOSED ESTABLISHED LANDSCAPING WILL INTEGRATE DEVELOPMENT FURTHER INTO NEIGHBOURHOOD.

MATERIALS AND EXTERNAL FINISHES

- (1)CEMENT RENDER FINISH;
- (2)ALUMINUM WINDOWS
- (3)FACE BRICKWORK
- (4) FEATURE CLADDING
- (5)PITCHED, COLORBOND STEEL ROOFING, ALL RESPONDING TO MATERIALS COMMONLY FOUND IN THE CARDINA LOCALITY

BUILDING FORM IS ARTICULATED, DWELLING IS AN IDENTIFIABLE, INDEPENDENT, STAND--ALONE FORM.





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2 SCENIC RISE, PAKENHAM

DRAWING TITLE:  
DETAILED SITE ANALYSIS - DESIGN RESPONSE

TPA05 - 5 OF 7      DATE: 23RD OCTOBER 2025      DRAWN BY: A.R      VERISON No: B  
JOB No: 25-29      SCALE: 1: 200      TP RFI SUBMISSION  
ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

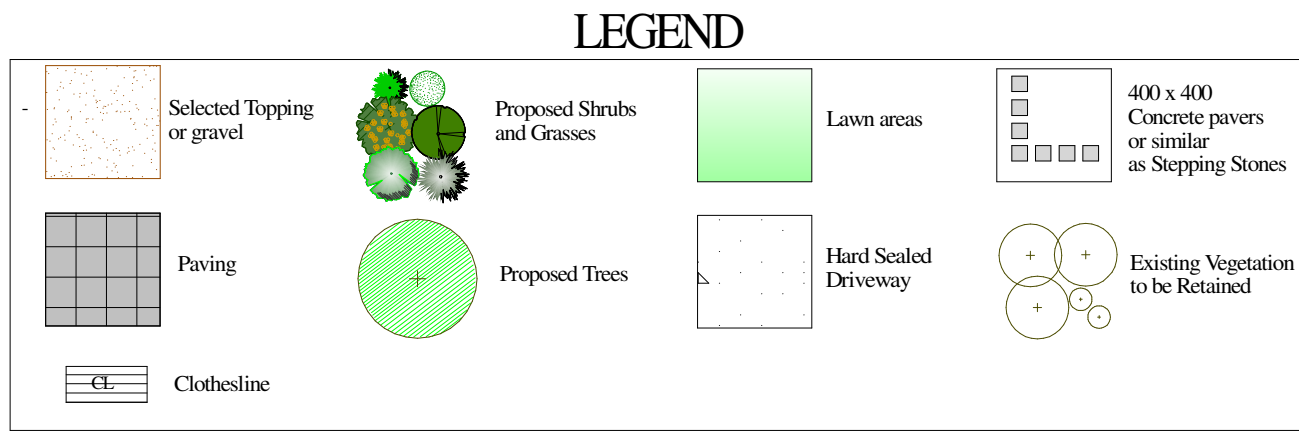


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PLANTING SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	QUANTITY	POT SIZE	MATURE SIZE
Shrubs					Height x Width
Cr	Correa reflexa	Common correa	5	14cm	80cm x 1.2m
Ca	Correa alba	White Correa	2	20cm	1.5m x 1.5m
Cv	Callistemon viminalis 'Green John'	Callistemon Dwarf 'Green John'	14	14cm	80cm x 60cm
Go	Goodenia ovata	Hop Goodenia	5	20cm	1.5m x 1.5m
Or	Olearia ramulosa var. ramulosa	Twiggy Daisy-bush	9	20cm	2.5m x 1m
Sp	Syzygium paniculata	Dwarf Lilly Pilly 'Backyard Bliss'	9	20cm	3m x 1m
Grasses / Groundcovers					
Dr	Dianella Revoluta	Black Anther Flax Lily	6	14cm	70cm x 70cm
LIT	Lomandra longifolia 'Tanika'	Spiny-headed Mat-rush	13	14cm	60cm x 60cm
Pm	Poa morrisii	Soft Tussock Grass	7	14cm	30cm x 60cm
Trees					
Am	Acacia melanoxylon	Blackwood Wattle	1	Min 1.5m Tall	10m x 8m
Li	Leptospermum laevigatum	Coast Tea-tree	2	Min 1.5m Tall	5m x 4m



MATERIALS SCHEDULE

Paved areas	400 x 400 x 40mm pavers on compacted crushed rock and sand base with pavelock swept between the pavers and concrete mound on edges
Stepping Stones	Concrete pavers 400 x 400 or similar
Garden Beds	10mm Pine bark mulch to a depth of 75mm
Garden Edging	75mm x 25mm Treated Pine screwed onto hardwood timber stakes or similar flexible timber edging
Driveway	All weather hard sealed driveway
Clothesline	Hills wall mounted or similar
Gravel areas	Tuscan Toppings / Lylidale Tollings or similar
Lawn areas	Drought Tolerant Instant turf 'Sir Walter' Buffalo, Premium Kikuyu or similar



Landscape Plan:

2 Scenic Rise Pakenham

Landscape Design by: S.F.

Sun'N'Shade Pty Ltd



ABN

12 263 341 652

ACN

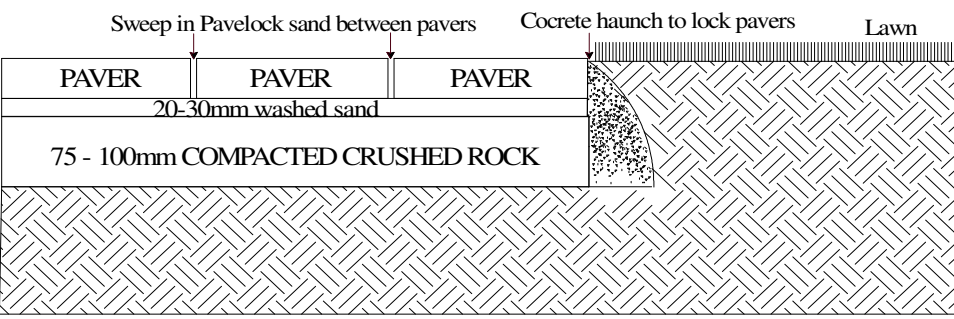
139 557 912

03 9893 3043

info@snslandscapedesigns.com.au 0412 372 011

**CULTIVATION NOTES**  
**Site Preparation:** Prior to planting of garden beds remove all weeds either by hand or use Glyphosate in accordance with manufacturer's instructions.  
**Once weeds have died back,** dig over area, wait 7 days and remove any emerging weeds.  
**Soil Improvement:** Incorporate well-rotted organic matter or compost into existing soil at a rate of approx. 30 litres per sq metre to a min depth of 250mm.  
**An application of a wetting agent such as Saturaid granules or similar to soils will minimise water runoff and reduce wastage.**  
**Planting out:** Water plants thoroughly before planting. Dig a hole 2-4 times wider than the root ball and as deep as pot, roughen surface of hole to encourage the roots to penetrate the soil. Water the hole and allow to drain. Carefully remove the plant by covering the soil with one hand and inverting the pot. Tease out roots if pot bound and trim off any that have been damaged. Position the plant vertically in the hole so that soil level is the same as it was in the pot. Mix 2 double handfuls of compost plus 1 teaspoon slow release granules per shrub into the backfill and firm in by hand making sure that the roots are in contact with the soil. Ensure compost is not dug down too deeply. Water in well using a solution of Plant Starter at a rate of 2.4ml/litre.  
**Watering:** Water regularly until plants are well established and show signs of growth. Drought tolerant plants will also need regular watering during their establishment phase.  
**Irrigation:** An irrigation system is to be installed, a drip irrigation to all garden beds connected to an automated timer, pressure regulator and filter. Watering times to be more frequent during establishment phase and less frequent with longer running time once plants are established. Irrigation for lawn areas if required to have pop up irrigation installed as per manufacturers instructions.  
**Mulching:** Apply 75-100mm layer of organic mulch (composted bark chips) to all garden beds after planting. Keep the stems clear of mulch. Re apply mulch annually.  
**Fertilizing:** Feed in spring with slow release granules. Use only low phosphorus fertilizer or 'food for natives' on Australian plants.  
**Ongoing Maintenance:** Keep garden beds weed free, clip all hedges and prune shrubs after flowering to keep compact. Gardens to be maintained by the owner/resident or a qualified landscape contractor.  
**Plant Selection:** At the of installation all plants should be healthy, well structured with adequately developed root systems not pot bound. Plants and trees should be free from pests, pathogens, disease and any physical damage.

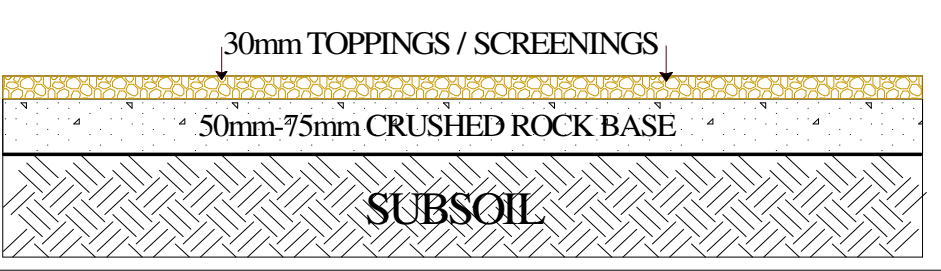
Paving Detail



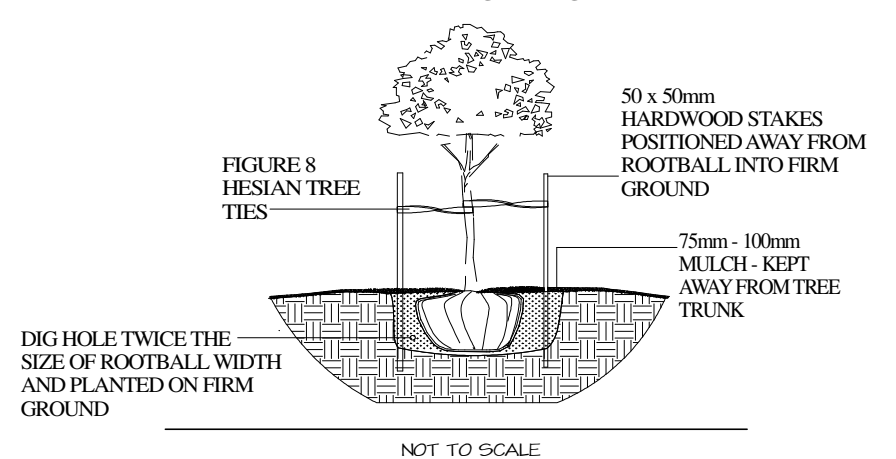
NOT TO SCALE

COMPACTED TOPPINGS / SCREENINGS DETAIL

Topping surfaces within TPFZ area to be constructed above existing grade

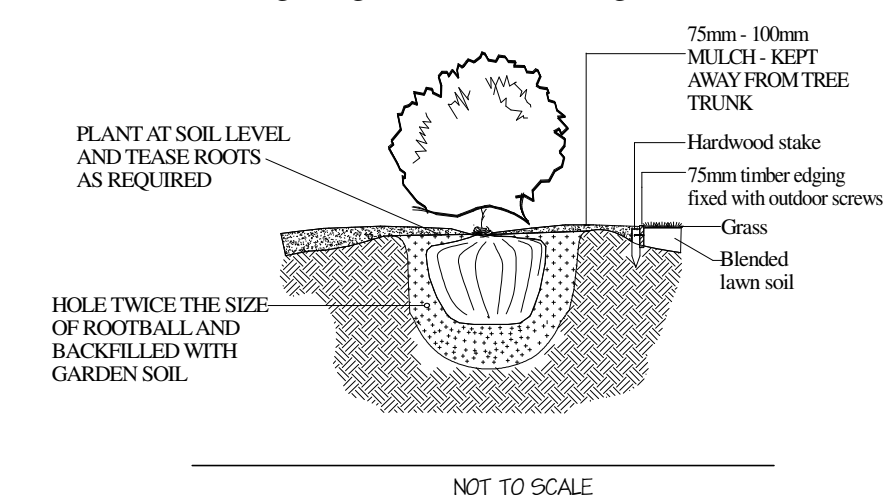


Tree Planting Diagram



NOT TO SCALE

Planting Diagram & Timber Edge Detail



NOT TO SCALE

**Cardinia**  
**ADVERTISED MATERIAL**  
**Planning Application: T250521**  
**Date Prepared: 07 January 2026**

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