
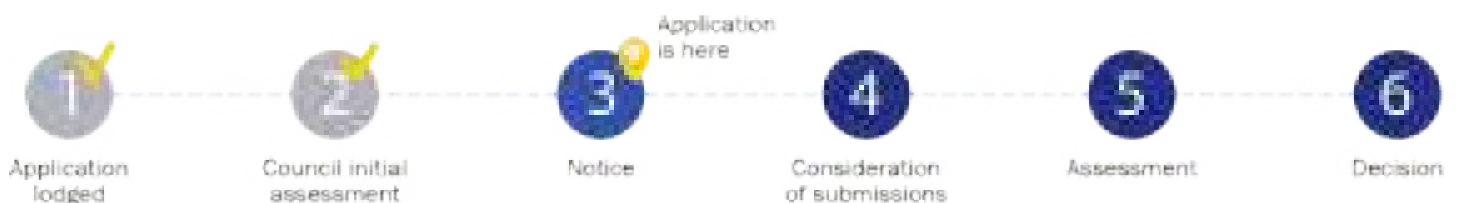


# Notice of Application for a Planning Permit

The land affected by the application is located at:	LA PS811821 V12291 F560 166 Pakenham Road, Pakenham VIC 3810
The application is for a permit to:	Construction of Fifteen (15) Dwellings on a Lot, Removal of Native and Other Vegetation and Removal of Easement

APPLICATION DETAILS	
The applicant for the permit is:	The Bathla Group
Application number:	T220711
<p>You may look at the application and any documents that support the application at the office of the Responsible Authority:</p> <p>Cardinia Shire Council, 20 Siding Avenue, Officer 3809.</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website: <a href="http://cardinia.vic.gov.au/advertisedplans">cardinia.vic.gov.au/advertisedplans</a> or by scanning the QR code.</p>	

HOW CAN I MAKE A SUBMISSION?	
This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:	02 August 2024
<p><b>WHAT ARE MY OPTIONS?</b></p> <p>Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.</p>	<p>An objection must:</p> <ul style="list-style-type: none"> <li>• be made to the Responsible Authority in writing;</li> <li>• include the reasons for the objection; and</li> <li>• state how the objector would be affected.</li> </ul> <p>If you object, the Responsible Authority will notify you of the decision when it is issued.</p>
	<p>The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.</p>



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



Planning Enquiries  
 Phone: 1300 787 624  
 Web: [www.cardinia.vic.gov.au](http://www.cardinia.vic.gov.au)

**Office Use Only**

Application No.:

Date Lodged: / /

# Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

**⚠** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

**⚠** Questions marked with an asterisk (\*) must be completed.

**⚠** If the space provided on the form is insufficient, attach a separate sheet.

**i** Click for further information.

Clear Form

## The Land **i**

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

**Street Address \***

Unit No.:	St. No.: 108	St. Name: Pakenham Road
Suburb/Locality: Pakenham		Postcode: 3810

**Formal Land Description \***

Complete either A or B.

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

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

A  Lot No.:  Lodged Plan  Title Plan  Plan of Subdivision  No.:

OR

B  Crown Allotment No.:  Section No.:

Parish/Township Name:

## The Proposal

**⚠** You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

**i** For what use, development or other matter do you require a permit? \*

- Pursuant to Clause 32.07-5 (General Residential Zone – Schedule 1), a permit is required to construct two or more dwellings on a lot  
 - Pursuant to Clause 42.01 (Environmental Significance Overlay) a permit is required to construct a building or construct or carry out works and to remove vegetation.  
 - Pursuant to Clause 52.06 (Car Parking) a permit is required for a reduction in the number of spaces provided  
 - Pursuant to Clause 52.17 (Native Vegetation) a permit is required for the removal, destruction or lopping of native vegetation

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**Ⓜ** Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Cost \$ 59,022.922 **⚠** You may be required to verify this estimate. Insert '0' if no development is proposed.

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

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

## Existing Conditions 1

### Describe how the land is used and developed now \*

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

#### Vacant Lot

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

## Title Information 1

### Encumbrances on title \*

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

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

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

## Applicant and Owner Details 1

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

### Applicant \*

The person who wants the permit.

Please provide at least one contact phone number \*

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

### Owner \*

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

Contact information for applicant OR contact person below

Contact person's details\*

Same as applicant

Name:

Name:

Same as applicant

Title:

First Name:

Surname:

Organisation (if applicable): UPG 241 PTY LTD

Postal Address:

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

Unit No.:

St. No.: 137

St. Name: GILBA ROAD NSW 2145

Suburb/Locality:

GIRRAWEEEN

State:

NSW

Postcode:

2145


Owner's Signature (Optional):

Date:

day / month / year

## Declaration

This form must be signed by the applicant \*

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

I declare that I am the applicant, and that all the information in this application is true and correct. I am aware of the requirements and conditions of the permit application.

Signature

Date: 20/10/2022

day / month / year

## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

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

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

No  Yes

If 'Yes', with whom?:

Date:


day / month / year


## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.

Completed the relevant council planning permit checklist?

Signed the declaration?

## Lodgement

Lodge the completed and signed form, the fee and all documents with:

Cardinia Shire Council  
PO Box 7  
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

Contact information:

Telephone: 1300 787 624

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

DX: 81006

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

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166 PAKENHAM ROAD, PAKENHAM

## Attachment 1 Section 50 Amendment Form

PREPARED FOR UNIVERSAL PROPERTY GROUP PTY LTD

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SPOT Planning Pty Ltd

ABN: 95 411 217 404

ACN: 636 882 383

E. [info@spotplanning.com.au](mailto:info@spotplanning.com.au)

M. 0409 962 001

**SPOT**  
PLANNING

# Application to amend a current planning application



Application number:	T220711
Address of subject site	166 Pakenham Road, Pakenham

Pursuant to which section of the Planning and Environment Act 1987 is this amendment being made?		
Section 50:	Amendment to application at request of applicant before notice/advertising:	<input checked="" type="checkbox"/>
Section 50A:	Amendment to application at request of responsible authority before notice/advertising:	<input type="checkbox"/>
Section 57A:	Amendment to application after notice/advertising is given:	<input type="checkbox"/>

Applicant:	Universal Property Group Pty Ltd - Contact: SPOT Planning
Phone:	0409 962 001
Email:	sam@spotplanning.com.au
Postal Address:	384 Keilor Road, Niddrie

What is the purpose of the amendment? Please list all changes:
Specifically, the amendment seeks to revise the development proposal in accordance with informal Council feedback and amends the permit triggers and preamble request as follows:
'Construction of Fifteen (15) Dwellings on a Lot, Removal of Native Vegetation and Creation/Removal of Easements'

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# Application to amend a current planning application



Declaration	
I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the planning permit application.	
Print name:	
Signature:	
Fees	
Amendment in accordance with Section 50 or 50A	Nil
Amendment in accordance with Section 57A	40% of the fee applicable to the original permit class plus the difference in fees if the amendment changes the class of permit to that with a higher application fee.

## Lodgement of application

Your application can then be sent via email, mail or submitted in person at Council's Civic Centre.

## Assistance

If any assistance in completing this form is required, we recommend you contact Council's Statutory Planning Team on 1300 787 624 before lodging an application. Insufficient or unclear information may delay the processing of your application.

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

Cardinia Shire Council  
Civic Centre  
20 Siding Avenue, Officer

PO Box 7  
Pakenham 3810 (DX 81006 Pakenham)

Phone: 1300 787 624  
Email: [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)  
Web: [cardinia.vic.gov.au](http://cardinia.vic.gov.au)

National Relay Service (NRS)  
TTY: 133 677 (ask for 1300 787 624)  
Speak and Listen (speech-to-speech relay): 1300 555 727 (ask for 1300 787 624)

Translator Interpretation Service  
131 450 (ask for 1300 787 624)

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166 PAKENHAM ROAD, PAKENHAM

## Attachment 1 Current Certificate of Title

PREPARED FOR UNIVERSAL PROPERTY GROUP PTY LTD

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SPOT Planning Pty Ltd

ABN: 95 411 217 404

ACN: 636 882 383

E. [info@spotplanning.com.au](mailto:info@spotplanning.com.au)

M. 0409 962 001

**SPOT**  
PLANNING



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

Page 1 of 1

VOLUME 12291 FOLIO 560

Security no : 124115509355G  
Produced 03/06/2024 03:45 PM

**LAND DESCRIPTION**

Lot A on Plan of Subdivision 811821L.  
PARENT TITLE Volume 11081 Folio 288  
Created by instrument PS811821L 16/03/2021

**REGISTERED PROPRIETOR**



**ENCUMBRANCES, CAVEATS AND NOTICES**



COVENANT PS611885X 18/07/2008  
VARIATION OF COVENANT AR973357H 01/03/2019

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  
X049709H 20/09/2000

AGREEMENT Section 173 Planning and Environment Act 1987  
AU092536S 28/02/2021

**DIAGRAM LOCATION**

SEE PS811821L FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

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

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

Street Address: 166 PAKENHAM ROAD PAKENHAM VIC 3810

**ADMINISTRATIVE NOTICES**

NIL



DOCUMENT END



# 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 03/06/2024 03:45:37 PM

Status	Registered	Dealing Number	AW091929K
Date and Time Lodged	21/09/2022 05:22:07 PM		

### Lodger Details

Lodger Code	24859T
Name	BLUE ROCK LAW (MELB) 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

12291/560

### Transferor(s)

Name	HORIZON PROPERTY INVESTMENT GROUP PTY LTD
ACN	621002757

### Estate and/or Interest being transferred

Fee Simple

### Consideration

\$AUD 1800000.00

### Transferee(s)

<b>Tenancy (inc. share)</b>	Sole Proprietor
Name	UPG 241 PTY LTD
ACN	649937860
Address	
Street Number	137
Street Name	GILBA
Street Type	ROAD

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# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

Locality                      GIRRAWEEEN  
State                          NSW  
Postcode                    2145

**Duty Transaction ID**  
5517405

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

### Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of  
Signer Name  
Signer Organisation  
Signer Role  
  
Execution Date



### 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  
  
Signer Name  
Signer Organisation  
Signer Role  
  
Execution Date



**File Notes:**  
NIL

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Statement End.

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# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

Mortgage Form version 1.5

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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 03/06/2024 03:45:36 PM

Status	Registered	Dealing Number	AW091930B
Date and Time Lodged	21/09/2022 05:22:07 PM		

### Lodger Details

Lodger Code	24859T
Name	BLUE ROCK LAW (MELB) PTY LTD
Address	
Lodger Box	
Phone	
Email	
Reference	EZ:62715

## MORTGAGE

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.

### Estate and/or Interest being mortgaged

FEE SIMPLE

### Land Title Reference

12291/560

### Mortgagor

Name	UPG 241 PTY LTD
ACN	649937860

### Mortgagee

Name	BOWERY CAPITAL PTY LTD
ACN	620870779

#### Address

Unit Type	SUITE
Unit Number	9
Street Number	431
Street Name	BURKE
Street Type	ROAD
Locality	GLEN IRIS

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# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

Mortgage Form version 1.5

State VIC  
Postcode 3146

The mortgagor mortgages the estate and/or interest in land specified in this mortgage to the mortgagee as security for the debt or liability described in the terms and conditions set out or referred to in this mortgage, and covenants with the mortgagee to comply with those terms and conditions.

### Terms and Conditions of this Mortgage

(a) Document Reference AA3553

(b) Additional terms and conditions

9.1 Advance: means the Facility as defined in the Facility Agreement 9.2 Payment Dates: means the dates upon which interest is payable by the Mortgagor under the Facility Agreement 9.3 Due Date (for repayment of all Secured Money): means the Maturity Date under the Facility Agreement 9.4 Interest Only, Fixed: Yes Lower Rate: 9.00% per annum Higher Rate: 9.00% per annum 9.5 Instalments: Yes, as set out in the Facility Agreement 9.6 Covenantor: No 9.7 Guarantor: Yes, as set out in the Facility Agreement 9.8 Special Conditions: (a) A new definition shall be inserted into clause 11.1 of the Memorandum of Common Provisions AA3553" as follows: "Facility Agreement" means the facility agreement between the Mortgagor as borrower and the Mortgagee as Lender dated on or about the date of this Mortgage." (b) The Mortgagor acknowledges that the Mortgagee has made the Advance to the Mortgagor and is indebted to the Mortgagee for the Advance together with all other Secured Money and agrees that the Mortgagor's obligations pursuant to the Facility Agreement are secured by, and in consideration of, this Mortgage of Land. (c) In the event that there is any inconsistency between the terms of Memorandum of Common Provisions AA3553 and the Facility Agreement, the terms of the Facility Agreement shall prevail to the extent of the inconsistency. 9.9 None of the provisions of the Facility Agreement affect any of the essential terms of this Mortgage of Land. 9.10 None of the provisions of Memorandum of Common Provisions AA3553 or any other off register document or documents affect any of the essential terms of this Mortgage of Land.

### Mortgagee Execution

1. The Certifier has retained the evidence supporting this Registry Instrument or Document.
2. 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.
3. The Certifier, or the Certifier is reasonably satisfied that the mortgagee it represents:
  - (a) has taken reasonable steps to verify the identity of the mortgagor or his, her or its administrator or attorney; and
  - (b) holds a mortgage granted by the mortgagor on the same terms as this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to verify the identity of the mortgagee or his, her or its administrator or attorney.
5. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

Executed on behalf of

Signer Name

Signer Organisation

Signer Role

Execution Date

### File Notes:

NIL

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

Statement End.

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# Imaged Document Cover Sheet

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Document Type	<b>Instrument</b>
Document Identification	<b>X049709H</b>
Number of Pages (excluding this cover sheet)	<b>13</b>
Document Assembled	<b>03/06/2024 15:45</b>

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*Handwritten signature*

Planning and Environment Regulations 1998 No. 8

**X049709H**  
200900 1058 173



Form 13



Section 181

APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MAKING OF A  
RECORDING OF AN AGREEMENT

**Planning and Environment Act 1987**

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Lodged at the Land Titles Office by:

**Name:** Duffy & Simon Lawyers  
**Phone:** (03) 5941 1622  
**Address:** John Street, Pakenham  
**Ref:** dd:GH 00.6.1555    **Customer Code:** 0756P

The Authority having made an agreement referred to in Section 181(1) of the **Planning and Environment Act 1987** requires a recording to be made in the Register for the land.

Land (*Insert Volume and Folio reference*) (*if part only, define the part*)

Certificate of Title Volume 8576 Folio 473

Authority (*name and address*)

Cardinia Shire Council, Municipal Offices, Henty Way, Pakenham 3810

Section and Act under which agreement made:

Section 173 of the Planning and Environment Act 1987

A copy of the Agreement is attached to this Application



Date: 13<sup>th</sup> September 2000



DX049709H-1-1

*Handwritten note:* 10/25/00

X049709H

20/08/2000 \$0 173



This Agreement is made on the 30<sup>th</sup> day of AUGUST, 2000

BETWEEN

CARDINIA SHIRE COUNCIL

of Henty Way, Pakenham in the State of Victoria ("the Council")

AND



**Recitals**

- A. The Owner is the registered proprietor of 162 Pakenham Road, Pakenham ("the Land").
- B. The Council is the Responsible Authority pursuant to the Act for the Scheme.
- C. The Owner has obtained a Planning Permit from the Council to carry out a development of the land.
- D. As a condition of the Planning Permit, the Owner must enter into an agreement pursuant to Section 173 of the Act to be registered on the title which addresses the issues stated in the Planning Permit.

**Operative provisions**

---

**1. Definitions**

---

In this Agreement the terms and words set out in this clause shall have the following meanings unless otherwise indicated by the context:

- 1.1 "the Act" means the *Planning and Environment Act 1987*;
- 1.2 "the Agreement" or "this Agreement" means this agreement and any agreement executed by the parties expressed to be supplemental to this agreement;
- 1.3 "approved" means approved by Council;
- 1.4. "Approved Plan" means Plan of Subdivision No. 441730A which was approved on 21<sup>st</sup> July 2000, a copy of which is contained in Annexure "A" to this Agreement.

1664251000  
T0000009  
973 Ag.  
162 Pak Rd  
PAK.





- 1.5 "development" includes subdivision,
- 1.6 "the Land" means the land known as Lot 3 LP 8840, 162 Pakenham Road, Pakenham which is more particularly described as Certificate of Title Volume 8576 Folio 473;
- 1.7 "Lot" or "Lots" means the lots on the Land as shown in the Approved Plan;
- 1.8 "Owner" means the person or persons 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 Land or any part of it;
- 1.9 "Planning Permit" means Planning Permit No. T000009 issued by the Council on 15th March 2000. A copy of the Planning Permit is contained in Annexure B to this Agreement.
- 1.10 "the Scheme" means the Cardinia Planning Scheme.

---

## 2. Interpretation

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All provisions of this Agreement are to be interpreted in the following manner unless otherwise indicated by the context:

- 2.1 Undefined terms or words shall have the meanings given in the Act or the Scheme.
- 2.2 The singular includes the plural and the plural includes the singular.
- 2.3 A reference to a gender includes a reference to each other gender.
- 2.4 A reference to a person includes a reference to a firm, corporation or other corporate body.
- 2.5 If a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 2.6 A reference to a "planning scheme" or "the Scheme" shall include amendment, consolidation or replacement of such scheme and any document incorporated by reference into such scheme.
- 2.7 A reference to a statute shall include any statutes amending, consolidating or replacing same and any regulations made under such statutes.



- 2.8 Where in this agreement the Council may exercise any power, duty or function, that power may be exercised on behalf of the Council by an authorised or delegated officer.
- 2.9 All headings are for ease of reference only and shall not be taken into account in the construction or interpretation of this Agreement.
- 2.10 The introductory clauses of this Agreement are and will be deemed to form part of this Agreement.

---

### **3. Agreement under Section 173 of the Act**

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

---

### **4. Effect of Agreement**

---

- 4.1 This Agreement shall be deemed to come into force and effect from the date of this Agreement.
- 4.2 The obligations of the Owner under this Agreement, being obligations to be performed by the Owner as conditions subject to which the Land may be used or developed for specified purposes and being intended to achieve or advance the objectives of the Scheme, will take effect as separate and several covenants which shall be annexed to and run at law and in equity with the Land to bind the Owner and each successor, assign or transferee of the Owner.



---

## 5. Covenants of Owner

---

The Owner covenants and agrees that:

- (a) The Owner will allow access to Lot 1 on the Approved Plan from the existing driveway only until such time as access is available from the road proposed to be constructed to the north of the said Lot 1.
- (b) Within three (3) months of access being available to the north the existing driveway must be removed and the boundary between the said Lot 1 and the 'Tree Reserve No. 1' shown on the Approved Plan fenced to the satisfaction of the Responsible Authority.
- (c) The Owner must incur all costs associated in preparing and registering this Agreement on title.
- (d) This Agreement may be ended wholly or in part or as to any part of the land by the Council with the approval of the Minister for Planning or by agreement between the Council and all persons who are bound by any covenant in this Agreement.
- (e) **Notice**  
This Agreement will be brought to the attention of all prospective purchasers, mortgagees, transferees and assigns.
- (f) **Compliance**  
The Owner will carry out and comply with the requirements of all statutory authorities and comply with all statutes, regulations, local laws and planning controls in relation to the Land.
- (g) The Owner will take all necessary steps to comply with the obligations of each and every clause in this Agreement.
- (h) **Registration**  
The Owner will consent to the Council making application to the Registrar of Titles to make a recording of this Agreement in the Register on the folio of the Register which relates to the Land in accordance with Section 181 of the Act and do all things necessary to enable the Council to do so including signing any further agreement, acknowledgment 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.

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-5-

(i) **Mortgage to be Bound**

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

(j) **Council's Costs to be Paid**

The Owner will pay the Council's reasonable costs and expenses (including legal expenses) incidental to enforcement of this Agreement.

(k) **Indemnity**

The Owner will indemnify and keep indemnified the Council, its officers, employees, agents, workmen and contractors from and against all costs, expenses, losses or damages whatsoever which they or any of them may sustain incur or suffer to be or become liable for or in respect of any suit action proceeding judgment or claim brought by any person whatsoever arising from or referable to this Agreement or any non-compliance with this Agreement.

(l) **Non-Compliance**

If the Owner has not complied with this Agreement within 14 days after service of a notice by the Council specifying such non-compliance, the Owner covenants to allow the Council its officers, employees, contractors or agents to enter the Land and rectify such non-compliance.

**Council Access**

5.12 The Owner covenants to allow the Council and/or its officers, employees, contractors or agents (at any reasonable time) to enter the Land to assess compliance with this Agreement.

**6. Notices**

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**6.1 Service of Notice**

---

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

(a) personally to the party; or



-8-

- (b) by sending it by pre-paid post, addressed to that party at the address for service specified in this document or subsequently notified to each party, or
- (c) by facsimile to the person's number for service specified in this document or subsequently notified to each party.

## 6.2 Time of Service

A notice or other communication is deemed served:

- (a) if served personally, upon service;
- (b) if posted within Australia to an Australian address, two business days after posting and in any other case, seven business days after posting; or
- (c) if served by facsimile, at the time indicated on the transmission report produced by the sender's facsimile machine indicating that the facsimile was sent in its entirety to the addressee's facsimile;
- (d) if received after 6.00pm in the place of receipt or on a day which is not a business day, at 9.00am on the next business day.

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## 7. GENERAL

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### 7.1 Further Assurance

Each party must promptly execute and deliver all documents and take all other action necessary or desirable to effect, perfect or complete the transactions contemplated by this Agreement.

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20/05/2000 \$0 173



-7-

## 7.2 No Waiver

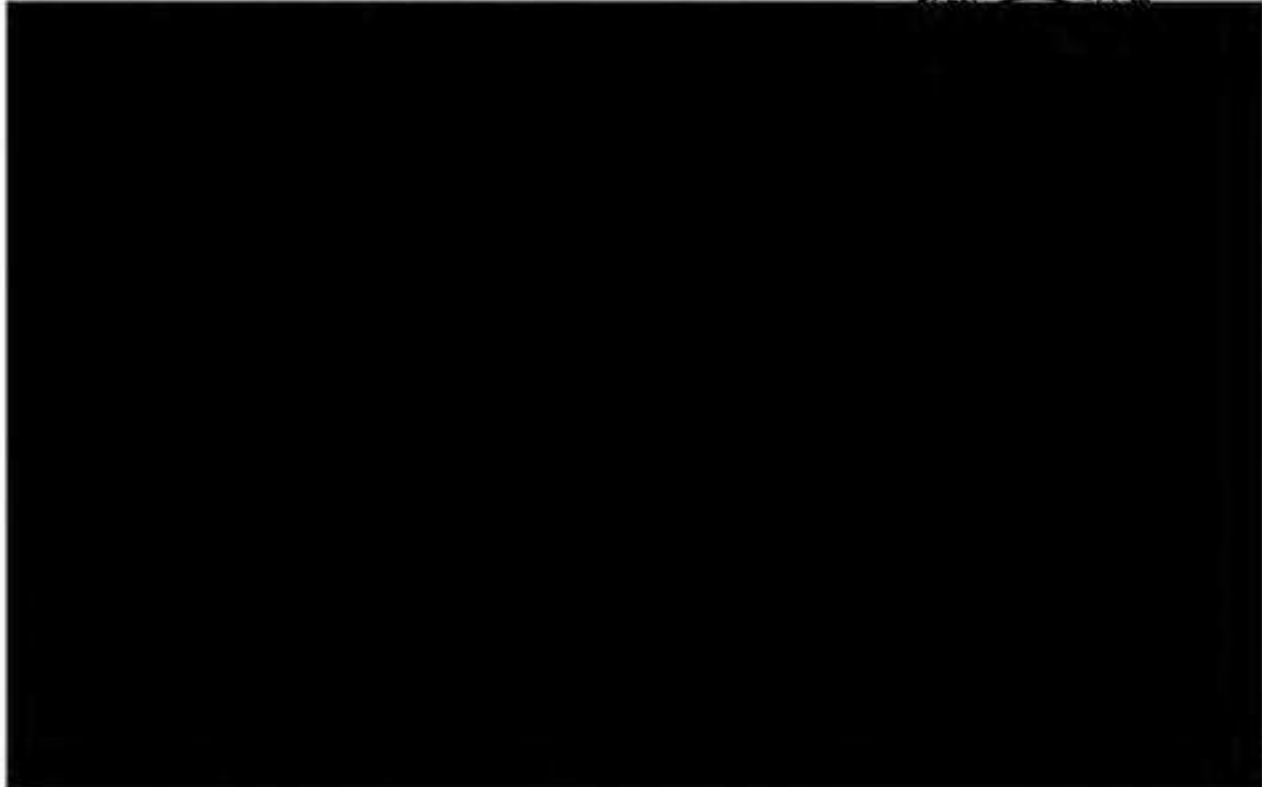
Any time or other indulgence granted by the Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by the Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of the Council in relation to the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

## 7.3 Severability

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 shall be severed and the other provisions of this Agreement shall remain operative.

## 7.4 Costs

The Owner will immediately pay to the Council, the Council's reasonable costs and expenses (including legal expenses) of and incidental to the preparation, drafting, finalisation, engrossment, execution and registration of this Agreement which are and until paid remain a debt due to the Council by the Owner.



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Form 4.4

# PLANNING PERMIT

Permit No. T000009  
 Planning Scheme: Cardinia Planning Scheme  
 Responsible Authority: Cardinia Shire Council

## ADDRESS OF THE LAND:

Address: 162 PAKENHAM RD, PAKENHAM  
 Lot/TP Details: Lot 3, LP 8840

## THE PERMIT ALLOWS:

The subdivision of the land into two (2) lots generally in accordance with the approved plans.

## THE FOLLOWING CONDITIONS NO.1-7 INCLUSIVE APPLY TO THIS PERMIT:

1. Prior to the certification of a plan of subdivision, three (3) copies of amended plans must be submitted to and approved by the responsible authority. The plans must be generally in accordance with the submitted plans but modified to show:
  - (a) A 5.0 metre by 5.0 metre splay at the northern boundary of Lot 1;
  - (b) The land between the splay required by Condition 1(a) and the southern property boundary as 'Tree Reserve' with a width of 5.0 metres;
  - (c) The 'Proposed Road Widening' across the frontage of Lot 2 deleted; and
  - (d) A three (3) metre wide drainage easement along the southern boundary of Lot 1 in favour of Lot 2;

to the satisfaction of the responsible authority.
2. The layout of the subdivision, as shown on the approved plan, must not be altered or modified without the consent in writing of the responsible authority.
3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunications services to each lot shown on the approved plan in accordance with the authority's requirements and relevant legislation at the time.
4. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
5. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Date Issued: 15/3/20

Signature  
 Responsible Authority



X049709H

26/09/2000 \$0 173



Form 4.4

"B"

# PLANNING PERMIT

Permit No. T000009  
 Planning Scheme Cardinia Planning Scheme  
 Responsible Authority: Cardinia Shire Council

## ADDRESS OF THE LAND:

Address: 162 PAKENHAM RD, PAKENHAM  
 Lot/LP Details: Lot 3, LP 8840

## THE PERMIT ALLOWS:

The subdivision of the land into two (2) lots generally in accordance with the approved plans.

## THE FOLLOWING CONDITIONS NO. 1- 7 INCLUSIVE APPLY TO THIS PERMIT:

6. Prior to a Statement of Compliance being issued:
  - (a) it must be demonstrated to the satisfaction of Council's Health Department that the septic system for the existing dwelling will be contained within the boundaries of Lot 1;
  - (b) the permit holder must enter into an agreement under Section 173 of the Planning and Environment Act 1987 to allow access to Lot 1 from the existing driveway only until such time as access is available from the road proposed to be constructed to the north. Within three (3) months of access being available to the north the existing driveway must be removed and the boundary between Lot 1 and the 'Tree Reserve' fenced to the satisfaction of the responsible authority. The permit holder must incur all costs associated in preparing and registering this agreement on title; and
  - (c) a cash contribution must be provided in lieu of the provision of an area or areas for public open space equivalent to eight (8) percent of the site value of Lot 1.
7. This permit will expire if:
  - (a) the subdivision is not commenced within two (2) years of the date of this permit; or
  - (b) the subdivision is not completed within five (5) years of the date of commencement.

The responsible authority may extend the periods referred to, if a request is made in writing before the permit expires or within three (3) months afterwards.

*(Note: The starting of the subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan, and completed is regarded as the registration of the plan).*

Date Issued: 15/2/00

Signature for the Responsible Authority





<b>PLAN OF SUBDIVISION</b>	Stage No. <i>A</i>	LTO use only <b>EDITION</b>	Plan Number <b>PS441730A</b>
----------------------------	-----------------------	--------------------------------	---------------------------------

**Location of Land**  
 Parish: Nar Nar Goon  
 Township: \_\_\_\_\_  
 Section: \_\_\_\_\_  
 Crown Allotment: 7 (Part)  
 Crown Portion: \_\_\_\_\_

LTO base record: DCMB  
 Title References C/T V.8576 F.473

Last Plan Reference: LP8860 (Lot 3)  
 Postal Address: 152 Pakenham Road  
 (AI line of subdivision) Pakenham 3810

AMG Co-ordinates E. 388 650  
 (or approx. centre of plan) N. S 386 908      ZONE SS

**Vesting of Roads or Reserves**

Identifier	Council/Body/Person
Res No 1	Cardinia Shire Council

**Council Certification and Endorsement**

Council Name: Cardinia Shire Council      Ref: **500/089**

1. This Plan is certified under Section 6 of the Subdivision Act 1988.
2. This plan is certified under section 11(7) of the Subdivision Act 1988  
 Date of original certification under section 6: \_\_\_\_\_
3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.

**OPEN SPACE**

(i) A requirement for public open space under Section 18 Subdivision Act 1988 has / has not been made.

(ii) The requirement has been satisfied

(iii) The requirement is to be satisfied in Stage  
 Council delegate \_\_\_\_\_  
 Council seal \_\_\_\_\_  
 Date / / \_\_\_\_\_

Re-certified under section 11(7) of the Subdivision Act 1988.

Council delegate \_\_\_\_\_  
 Council seal \_\_\_\_\_  
 Date / / \_\_\_\_\_

**Notations**

<p><del>Depth Limitation. Does not apply</del></p> <p style="text-align: center;"><b>APPROVED PLAN</b></p> <p style="text-align: center;"><b>PLANNING AND ENVIRONMENT ACT 1987</b>  <b>CARDINIA PLANNING SCHEME</b></p> <p>PERMIT No. <u>1000009</u></p> <p>SHEET. </p> <p>SIGNED </p> <p>DATE <u>31/7/00</u></p>	<p>Staging      This is/is not a staged subdivision                  Planning permit No. <u>T000009</u></p> <p>Let 2 is not the subject of this survey.</p> <p style="text-align: right; font-size: 24px; font-weight: bold;">X049709H</p> <p style="text-align: right;">26/09/2010      \$0      173</p> <p>Survey      This plan is / is not based on survey</p> <p>This survey has been connected to permanent marks nos. _____                  Proclaimed Survey Area no. _____</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Easement Information**

Legend:      A - Appurtenant Easement      E - Encumbering Easement      R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of
E-1	Drainage	3	This plan	Let 2 on this plan and Cardinia Shire Council

LTO use only.

Statement of compliance/  
Exemption Statement

Received     

Date / / \_\_\_\_\_

---

LTO use only.

PLAN REGISTERED

TIME \_\_\_\_\_

DATE / / \_\_\_\_\_

Assistant Registrar of Titles

Sheet 1 of 2 Sheets

<p><b>LITTLE &amp; BROSAN</b> <small>PTY. LTD.</small></p> <p style="font-size: x-small;">ACR 505 434 888</p> <p>LAND SURVEYORS, PLANNERS &amp; DEVELOPMENT CONSULTANTS</p> <p>189 JOHNSTON STREET, FITZROY, 3065.</p> <p>TELEPHONE: (03)9417-7311      FAX: (03)9417-1813</p>	<p>LICENSED SURVEYOR <u>Dominic Leo Slattery</u></p> <p>SIGNATURE </p> <p>REF. 3009-1      DATE <u>11/17/00</u></p> <p style="text-align: center;">VERSION 11-7-00</p>	<p>DATE / / _____</p> <p style="text-align: center;">COUNCIL DELEGATE SIGNATURE</p> <hr/> <p style="text-align: center; font-size: x-small;">Original sheet size A3</p>
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**X049709H**

20/09/2000

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Dated 30<sup>TH</sup> AUGUST 2000

Cardinia Shire Council  
"the Council"



---

**Section 173 Agreement**

**Property - 162 Pakenham Road,  
Pakenham**

---

Duffy & Simon  
Lawyers  
23 John Street  
Pakenham 3810

Tel (03) 59411622  
Ref: dd:gh;00.6.1555

*convey/vendor/coxif/sect173agre.doc*



# Imaged Document Cover Sheet

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Application to register a plan of  
 subdivision not related to  
 acquisition by an acquiring authority  
 Section 22 Subdivision Act 1988

Form 10 Reg 38(1)(b) Subdivision (procedures) Regulations 2000

Lodged by: Angeleri & Co  
 Name: .....  
 Phone: +613 8645 7300 .....  
 Address: P.O.Box 312, South Melbourne .....  
 Ref: 180PRP .....  
 Customer Code: 04511A .....



The applicant applies for registration of the plan described.

Land: (Volume and Folio reference)

CERTIFICATE OF TITLE VOLUME 10561 FOLIO 832

\*RESTRICTION

Municipal district in which land is located: NAR NAR GOON

Office use only

Date: 6/6/2008

Signed:

Applicant

or

Current Practitioner under  
the Legal Practice Act  
for applicant


or

\*Agent

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BY GALILEE

Level 27 00 0000  
 Adelaide SA 5000  
 Ph: 08 8300 8300

Please register  
 issue title to  
 Galilee Soli  


THE BACK OF THIS FORM MUST NOT BE USED

PS

**PS611885X**

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**FISCHER Mc**

**Lawyers**

ABN 90 424 105 861

Contact:  
Direct Line:  
Email:



Our Ref:  
Your Ref:

23 June 2008

The Registrar of Titles  
Land Titles Office  
Bourke Street  
MELBOURNE 3000

Dear Sir

**CERTIFICATE OF TITLE VOLUME 10561 FOLIO 832  
BOSTOR DEVELOPMENTS PTY LTD ACN 122 952 729 - CAVEAT AF242565H**

Bostor Developments Pty Ltd Caveator Number AF242565H hereby consents to application for registration of PS 611 885 X.



Partner  
Current Legal Practitioner for the Caveator

An Abuse  
meaning of the law

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Level 3, 389 Lonsdale Street Melbourne Victoria 3000 Australia  
DX 324 Melbourne  
Tel: 61 3 9642 1200 Facsimile: 61 3 9670 7266

I hereby certify that this is a true and correct copy of the document it purports to be



ADELAIDE BANK LIMITED  
ABN 54 061 461 550  
169 Pirie Street Adelaide SA 5000  
GPO Box 1048 Adelaide SA 5001  
Telephone 08 8300 6000  
Facsimile 08 8300 6968  
AUSDOC DX 169 Adelaide  
adelaidebank.com.au

18<sup>th</sup> October 2007

The Registrar-General  
Victoria

Dear Sir

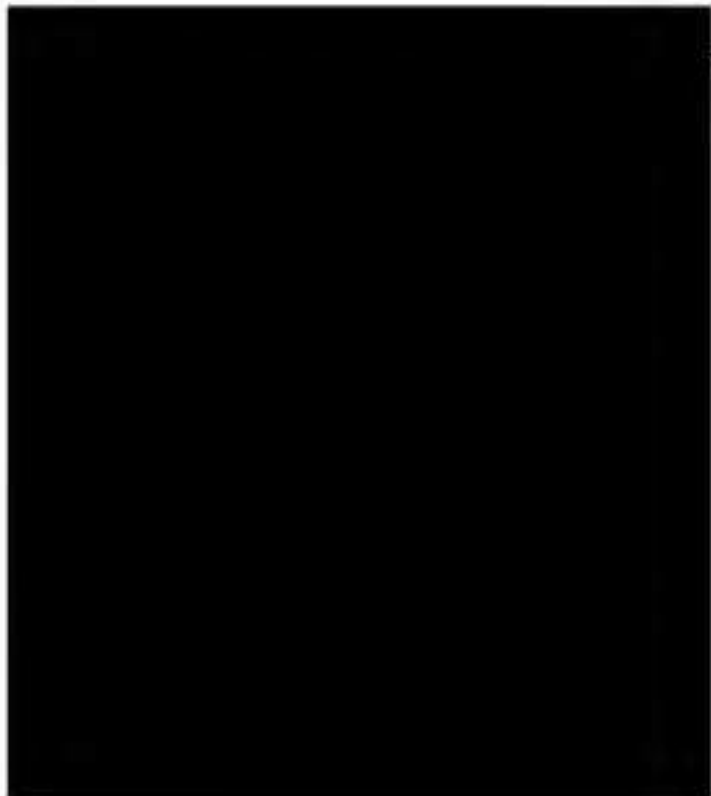


General Counsel of Adelaide Bank Limited (ABN 54 061 461 550) ("the Bank") being a Principal Attorney of the Bank pursuant to Power of Attorney dated 10 February 2006 in accordance with my powers of delegation contained in Clause 29 of the said Power of Attorney HEREBY DELEGATE to each person whose name appears below severally the powers set out hereunder:

To be a General Attorney pursuant to Clause 29 of the said Power of Attorney to exercise the powers set forth in the said Power of Attorney.



This delegation commences on the 18<sup>th</sup> October 2007



Certified by a Legal Practitioner

at 169 Pirie Street Adelaide SA 5000

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POWER OF ATTORNEY

This General Power of Attorney is made under the Instruments Act 1986, section 107 on the 10<sup>th</sup> day of FEBRUARY 2006 by ADELAIDE BANK LIMITED (ABN 54 061 461 550) hereinafter with its successors referred to as ("the Bank") of 169 Pirie Street, Adelaide, South Australia

The Bank HEREBY NOMINATES CONSTITUTES AND APPOINTS each of the following persons:



SEVERALLY (each of them acting under this deed being hereinafter referred to as an "Attorney") to be the true and lawful attorney and attorneys of the Bank wherever the Bank carries on business or may hereafter carry on business or be represented in the name and on behalf of the Bank and authorise any one of them to act on the Bank's behalf for all or any of the following purposes and with all the powers and authorities hereinafter mentioned in clauses 1 to 31 inclusive:

1. To open accounts and to operate upon any such accounts with any bank or other financial institution.
2. To take or grant on lease or tenancy all such lands, houses, offices, buildings, hereditaments, chattels or effects as the Attorney may think necessary or expedient for the purposes of or in connection with the Bank or of the business of the Bank.
3. To effect the insurance of and keep insured against fire and such other risks as the Attorney may consider necessary all or any property in which the Bank has an insurable interest (and to cancel any such insurance) for such sums and in all respects as the Attorney shall think fit.
4. To negotiate, enter into, vary or terminate any financial risk management contracts including but not limited to interest and currency exchange contracts, swap contracts, financial rate agreements, option contracts and futures contracts.
5. To engage, employ and dismiss agents, employees or contractors in or about the business of the Bank.
6. To sign, seal, execute, accept, endorse and deliver any contracts, agreements, loan agreements, letters of offer, mortgages, charges, debentures, securities, cheques, bills of exchange, promissory notes, bonds, guarantees and any other deeds or instruments as in the opinion of the Attorney may be necessary or expedient in connection with the lending business of the Bank or which may be required by any Act, Ordinance or Regulation for the time being in force relating to crown land or land under the provisions of the Property Law Act 1958 as amended or the Land Act 1958 as amended or other like statutes or otherwise.
7. To attend and vote at any meeting of creditors or debenture stockholders or shareholders or members or directors of companies or societies where the Bank as lender is entitled to attend and

Certified by a Legal Practitioner at 169 Pirie Street Adelaide SA 5000



28/4/06



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the Bank thereat and to appoint any person as proxy or representative to attend and vote for and represent the Bank at any such meeting.

- 8. To collect ask demand sue for enforce payment of or recover all monies securities for money debts deed papers writings and other documents of or to which the Bank may become possessed or entitled or which may become due owing payable or transferable to the Bank from any person and take and accept any security for any monies payable or to become payable to the Bank.
- 9. To demand and receive all rent due or to become due to the Bank from any person AND upon payment thereof to give and execute all such proper receipts releases and discharges for the same as the Attorney shall think fit AND upon non-payment thereof to proceed to enforce payment thereof and to proceed thereon according to law when and as the Attorney shall think proper.
- 10. To purchase any chose in action and any securities relating to such chose in action.
- 11. To sign all notices to quit and appoint such bailiff as the Attorney shall think proper and to give all notices of entry in and upon any buildings lands and hereditaments of any tenure belonging to or which the Bank is or may hereafter be entitled or interested and which are or may be demised leased or sub-let and to enter into and upon all such buildings lands and hereditaments and examine the state or repair or condition thereof and to give all requisite notices to repair and reinstate the same when and as the Attorney shall think fit including any improvements buildings and other property in which the Bank may be interested as owner, mortgagee, lessee or otherwise.
- 12. To take all necessary proceedings to compel the sequestration, liquidation or winding up of the estate of any person against whom or which the Bank has or may hereafter have any claim or demand when and as the Attorney shall think fit.
- 13. To petition for and procure any person to be adjudicated bankrupt and to assent to and execute any deed of composition, arrangement or assignment ("Deed") for the benefit of creditors whether executed or to take effect under the provisions of any law relating to insolvency or otherwise to accept the trusts of and Deed and to act as trustee thereunder to prove debts or claims in bankruptcy of in the matter of any Deed.  
  
To oppose the proof of debts and claims by any other person or persons to take proceedings for expunging the whole or in part or the proof by any other person of any debt or claim and to accept any offer of composition made in the matter of any bankruptcy.  
  
To consent to or oppose the annulling, dismissing or superseding of any adjudication of bankruptcy, to give notice of opposition and to oppose the discharge of any bankrupt, to receive dividends in bankruptcy or in the matter of any Deed and for all purposes to represent the Bank in all proceedings in bankruptcy or in relation to any Deed.
- 16. To appoint any controller (as such expression is defined in the Corporations Act) under any mortgage, charge, debenture or security held by the Bank and delegate thereto all or any powers or discretions which the Bank itself might have delegated to such controller and upon such terms and conditions as the Attorney thinks fit and also to revoke any appointment of a controller.
- 17. Generally to act fully and effectually in all matters relating to the liquidations or winding up of any

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Certified by a Legal Practitioner  
at 169 Pirie Street Adelaide



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I hereby certify that this is a true and correct copy of the document it purports to be

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- 18. To commence an action in any court of competent jurisdiction for a charging order against any debtor of the Bank by whatever means and to apply to the Registrar-General to register such charging order over the land and hereditament of any tenure of such debtor over which such charging order might be registered.
- 19. To effect or consent to any land division or alterations of boundaries of any land in which the Bank may be interested as owner, mortgagee, lessee or otherwise.
- 20. To execute and register caveats in respect of any estate or interest of the Bank capable of sustaining a caveat, to withdraw wholly or partially any such caveat and to consent to any dealing prohibited by any such caveat.
- 21. To apply for the removal of any caveat lodged against any estate or interest of the Bank.
- 22. In respect of any agreement or arrangement for the payment of moneys to the Bank and in respect of any land or hereditament of any tenure or other property real or personal mortgaged charged or in any manner whatsoever encumbered in favour of the Bank or in which the Bank has an interest as lender, mortgagee, chargee or in any other circumstances in which a debt or liability actual or contingent exists in favour of the Bank to:
  - 22.1 consent to and to the registration of any mortgage, charge, lease or sublease, extension of lease, surrender of lease, transfer of lease, creation or extinguishment of an easement or right of way, licence, application or dealing by any mortgagor or any other person;
  - 22.2 vary, transfer or postpone the priority ranking of any mortgage, debenture, bill of sale or other charge or grant any extension of time for the payment or satisfaction of all or any part of the monies due or to become due under any loan agreement, mortgage or other security which has been or may hereafter be given to the Bank or owing to the Bank in any manner whatsoever upon such terms as the Attorney may think fit either with or without taking security for the same;
  - 22.3 adjust settle compromise or submit to arbitration any agreement or arrangement relating to any loan made by the Bank.
- 23. To consent to any application for new certificates of title (which expression "certificates of title" shall include crown leases of any type), plan of divisions, strata title application, amendment, amalgamation, alteration or adjustment of boundaries thereof or in relation thereto.
- 24. To give good and proper receipts and to execute full or partial discharges upon repayment of all or any part of monies owing to the Bank.
- 25. To give a full or partial discharge or release of the personal liability of any person.
- 26. To give a full or partial discharge or release of any land or hereditament of any tenure or other property real or personal.
- 27. To exercise or enforce any of the rights, powers or remedies of the Bank pursuant to any mortgage, charge, lien, debenture, security or contract whatsoever of any kind held by the Bank and in particular to sell and dispose of or transfer any property or any interest therein at such time or times and upon such terms and conditions as the Attorney thinks fit in like manner as the Bank could do under or by virtue of any mortgage, charge, lien, debenture, security or contract.

Certified by a Legal Practitioner  
at 169 Pirie Street Adelaide SA 5000



109

PS611885X  
PS  
01/07/2008 18:54:50



I hereby certify that this is a true and correct copy of the document it purports to be

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- 28. To exercise the power of sale or foreclosure conferred on the Bank pursuant to any statute or regulation and to execute contracts for the sale of land or hereditament of any tenure or other property real or personal including the estate and interest in such land or other property of the mortgagor, charger, debtor, lienor, encumbrancer or any person indebted to the Bank.
- 29. To delegate in writing to any employee of the Bank (hereinafter collectively referred to as a "General Attorney") all or any of the powers granted hereby except this power of delegation and any delegation pursuant hereto is revocable at will at the discretion of an Attorney in writing and such revocation pursuant to this clause shall be effective upon receipt of notification of such revocation by a General Attorney and notwithstanding that the delegation by an Attorney to a General Attorney is revocable at will such condition shall not derogate from the powers of a General Attorney.
- 30. To ratify and confirm, on behalf of the Bank (but only to the extent that the Attorney himself or herself could have done or caused to be done pursuant to this Power of Attorney) anything which may have been done or purported to be done on behalf of the Bank by any person and whether the same was or was not authorised.
- 31. To do all acts and execute all deeds and other instruments relating to any of the aforesaid matters.

**AND IT IS HEREBY DECLARED THAT:-**

- A. From the time of any such Attorney ceasing to be an employee of the Bank the rights, powers and authorities hereby conferred on or vested in such Attorney shall be deemed to be revoked and determined without prejudice nevertheless to the rights, powers and authorities by this Power of Attorney conferred on or vested in any other Attorney who shall continue in the service of the Bank.
- B. The Bank hereby ratifies and confirms and agrees at all times hereafter to ratify and confirm all and whatsoever may be lawfully done by an Attorney under and by virtue of this Power of Attorney including in such ratification whatever is done between the revocation by any means of this Power of Attorney and the fact of such revocation becoming known to the Attorney AND that notwithstanding paragraph A of this Power of Attorney a certificate under the hand of the Attorney that the Attorney has not received notice of any such revocation shall in favour of any person dealing with the Attorney in good faith be conclusive evidence of the fact.
- C. The Bank hereby declares that in favour of any person dealing with an Attorney appointed hereunder the fact that the Attorney declares that he or she has been so appointed and purports to act as such by virtue of being an employee of the Bank shall be conclusive evidence of such employment.
- D. The Registrar General of Victoria or any other person dealing with an Attorney appointed hereunder is hereby authorised and directed to accept the signature or execution of any document or other instrument by any Attorney pursuant to this Power of Attorney (including without limitation any delegation pursuant to clause 29 of this Power of Attorney) as sufficient evidence that the content of such document or other instrument is known to and has been approved by the Bank.
- E. Each of the powers hereby conferred shall be read and construed as separate powers not in any way limited or restricted by reference to or inference from the other powers hereby conferred.
- F. This Power of Attorney shall continue in force until notice of the revocation thereof shall be received by the Attorney for the time being acting hereunder.

Certified by a Legal Practitioner  
at 169 Pirie Street Adelaide SA 5000



28/4/02

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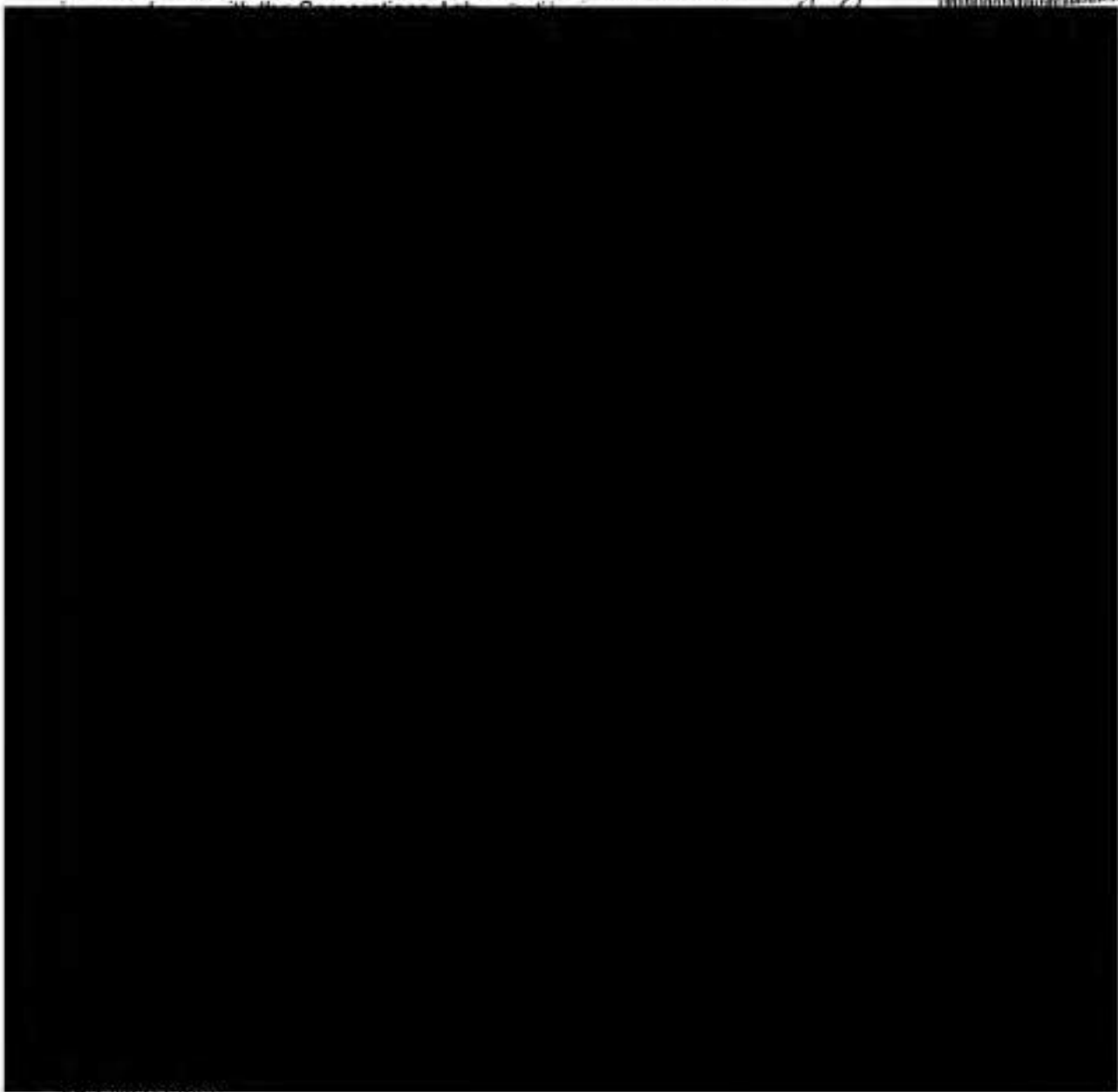
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- G. The powers, rights and authorities hereby conferred and all acts, deeds, matters and things to be executed, done or performed in pursuance hereof shall be so executed, done and performed by the Attorney without the common seal of the Bank.
- H. This power shall in all respects be interpreted in accordance with the law of Victoria.
- I. Except to the extent that such interpretation shall be excluded by or be repugnant to the context when herein used:
  - (a) words importing the singular number or plural number shall include the plural number or singular number respectively;
  - (b) words denoting any gender shall include all genders; and
  - (c) reference to a person includes a corporation, a firm and any other entity.

Executed as a deed

EXECUTED by ADELAIDE BANK LIMITED ABN 54 061 461 550

**PS611885X**  
 01/07/2008 \$854.60 PS  

28/4/08



# 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 03/06/2024 03:45:37 PM

Status	Registered	Dealing Number	AU092536S
Date and Time Lodged	28/02/2021 11:22:06 AM		

### Lodger Details

Lodger Code	20747C
Name	HOLDING REDLICH
Address	
Lodger Box	
Phone	
Email	
Reference	JBM 19040373

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## APPLICATION TO RECORD AN INSTRUMENT

Jurisdiction	VICTORIA
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### Privacy Collection Statement

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### Estate and/or Interest

FEE SIMPLE

### Land Title Reference

11081/288

### 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
Postcode	3809



# Department of Environment, Land, Water & Planning

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## Electronic Instrument Statement

### Additional Details

Refer Image Instrument

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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 legislation and any Prescribed Requirement.

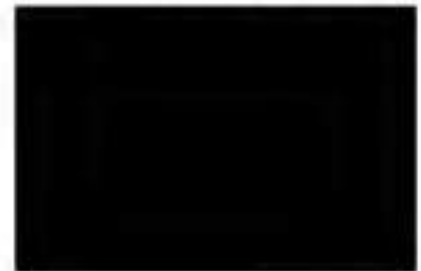
Executed on behalf of

Signer Name

Signer Organisation

Signer Role

Execution Date



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### File Notes:

NIL

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

Statement End.

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Document Identification	<b>AU092536S</b>
Number of Pages (excluding this cover sheet)	<b>9</b>
Document Assembled	<b>03/06/2024 15:45</b>

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**HOLDING REDLICH**

**Dated**

**Agreement made pursuant to Section 173 of the Planning and Environment Act 1987**

**Cardinia Shire Council**

**and**

**Horizon Property Investment Group (ACN 621 002 757)**

**Subject Land: 180 Pakenham Road, Pakenham Victoria 3810**

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**This Agreement is dated**

## **Parties**

**Council:** Cardinia Shire Council of 20 Siding Avenue, Officer Victoria 3809

**Owner:** Horizon Property Investment Group (ACN 621 002 757) of 17 Bryson Street, Canterbury Victoria 3126

## **Introduction**

- A** Council is the responsible authority for the administration and enforcement of the Scheme pursuant to the Act.
- B** The Owner is the registered proprietor of the Land.
- C** The Land is encumbered by mortgage number A5494994L in favour of the Mortgagee. The Mortgagee has consented to the Owner entering into this Agreement. A copy of this consent is attached at Annexure B.
- D** On 15 May 2019, Council issued the Permit, which allows the subdivision of land, removal of native vegetation, removal of an easement, creation of an easement, removal of restriction on title (building and waste envelope) and associated earthworks, generally in accordance with approved plans.
- E** Condition 6 of the Permit relevantly provides:
- 6. Section 173 Agreement**
- Prior to the Statement of Compliance being issued;
- a) the owner must enter into an agreement with the Responsible Authority made pursuant to section 173 of the Planning and Environment Act 1987, and make the application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act, which provides;
- i. that on Lot 27 to 33 a 10m fire buffer and Lot 18 and 27 a 4m buffer on the eastern boundary side is to be incorporated into each allotment and be managed and maintained to a minimum fuel conditions during the declared Fire Danger Period to the satisfaction of the CFA and the Responsible Authority. There are to be no buildings or structures including clothes lines, sheds, cubby houses or tree planting within the fire buffer as shown on the endorsed plans of this permit.
- ii. the keeping of cats is prohibited within any of the lots within the approved subdivision.
- The owner must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.
- F** This Agreement is made under Division 2 of Part 9 of the Act.
- G** This Agreement has been entered into in order to:
- (a) prohibit, restrict or regulate the use or development of the Land, and

{b) achieve and advance the objectives of planning in Victoria or the objectives of the Scheme in relation to the Land.

It is agreed:

## 2. Definitions and interpretation

### 2.1 Definitions

In this Agreement, unless the context clearly indicates otherwise

**Act** means the *Planning and Environment Act 1987*;

**Agreement** means this Agreement, including the recitals and any annexures to this Agreement;

**CFA** means the Country Fire Authority established under the *Country Fire Authority Act 1958* or any successor authority;

**Council** means the Cardinia Shire Council or any other municipal council which may, from time to time, be the responsible authority in relation to the Land pursuant to the Act;

**Fire Buffer** means the fire buffer zone required to be established and maintained on the Land, in accordance with clause 5 of this Agreement and as shown on the endorsed plan name known as Proposed Development Plan (or as amended);

**Fire Danger Period** has the same meaning as under the *Country Fire Authority Act 1958*;

**Land** means all the land contained in certificate of title volume 11081 folio 288 and more particularly described as Lot A on Plan of Subdivision 611885X,

**Lot** means a lot resulting from the subdivision of the Land allowed by the Permit and a reference to a lot number is a reference to the corresponding Lot, as shown on the Plan;

**Minimum Fuel Conditions** means the state of having insufficient fuel available to significantly increase the severity of a bushfire, including a maximum grass height of 100mm;

**Mortgagee** means National Australia Bank Ltd or the person registered or entitled, from time to time, to be registered by the Registrar of Titles as mortgagee of the Land or any part of it;

**Owner** means the person or persons registered or entitled to be registered as proprietor of an estate in fee simple of the Land and includes a mortgagee-in-possession;

**Permit** means Planning Permit No. T130505-3 issued on 20 November 2014 and as amended on 15 May 2019;

**Plan** means the plan prepared by SJE Consulting with the reference 200524 version 1 and as endorsed by the Council on 15 May 2019, or as amended from time to time with the consent of Council, but generally in accordance with the plan attached as Annexure A to this Agreement;

**Register** means the register maintained by the Registrar of Titles under the *Transfer of Land Act 1958*, and

**Scheme** means the Cardinia Planning Scheme or any other planning scheme which applies to the Land from time to time

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## 2.2 Interpretation

- (a) a reference to legislation or a legislative provision includes any statutory modification or substitution of that legislation or legislative provision and any subordinate legislation issued under that legislation or legislative provision;
- (b) a reference to a body or authority which ceases to exist is a reference to either a body or authority that the parties agree to substitute for the named body or authority or, failing agreement, to a body or authority having substantially the same objects as the named body or authority;
- (c) a requirement to do any thing includes a requirement to cause that thing to be done and a requirement not to do any thing includes a requirement to prevent that thing being done;
- (d) the singular includes the plural and vice-versa.

## 3. Commencement

This Agreement commences on the date it is made as set out above.

## 4. Termination of Agreement

### 4.1 Termination

- (a) This Agreement ends when the Owner has complied with its obligations under this Agreement.
- (b) This Agreement may be ended by agreement between the parties in accordance with the Act, or as otherwise provided for in this Agreement.

### 4.2 Cancellation of Agreement

As soon as reasonably practicable after this Agreement has ended wholly, in part, or as to the whole or part of the Land, Council must, at the cost of the Owner, notify the Registrar of Titles of such under section 183(1) of the Act to enable the Registrar to cancel or alter the recording of this Agreement on the Register as may be applicable.

## 5. Owner's Covenants

### 5.1 Fire Buffer

The Owner covenants and agrees that:

- (a) a 10m Fire Buffer on Lots 27 to 33 (inclusive) must be maintained on the northern boundary side of those Lots;
- (b) a 4m Fire Buffer on Lots 18 and 27 must be maintained on the eastern boundary side of those Lots;
- (c) the Fire Buffers required under clause 5.1(a) and (b) must be managed and maintained to Minimum Fuel Conditions during the declared Fire Danger Period to the satisfaction of the CFA and Council; and
- (d) no tree planting, buildings or structures, including clotheslines, sheds, and cubby houses, are permitted within the Fire Buffer.

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## 5.2 Keeping of cats prohibited

The Owner covenants and agrees that cats must not be kept or allowed to be kept on the Land.

## 6. Successors in title

Until this Agreement is recorded in the Register in accordance with section 181 of the Act, the Owner must ensure that the Owner's successors in title give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement, including requiring the successors in title to execute a deed agreeing to be bound by the terms of this Agreement. Until that deed is executed, the Owner remains liable to perform all of the Owner's obligations contained in this Agreement.

## 7. Recording of agreement

The Owner must do all things necessary to give effect to this Agreement and to enable Council to record this Agreement on the folio of the Register which relates to the Land, including signing any further agreement, acknowledgment, or document.

## 8. Payment of Council's costs

- (a) The Owner agrees to, upon demand, pay to Council the costs and expenses of and incidental to the preparation, execution, recording and enforcement of this Agreement incurred by Council.
- (b) The Owner agrees to pay interest to Council in accordance with section 227A of the *Local Government Act 1989* on any amount payable under this Agreement that is not paid by the due date.

## 9. Covenants run with the Land

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

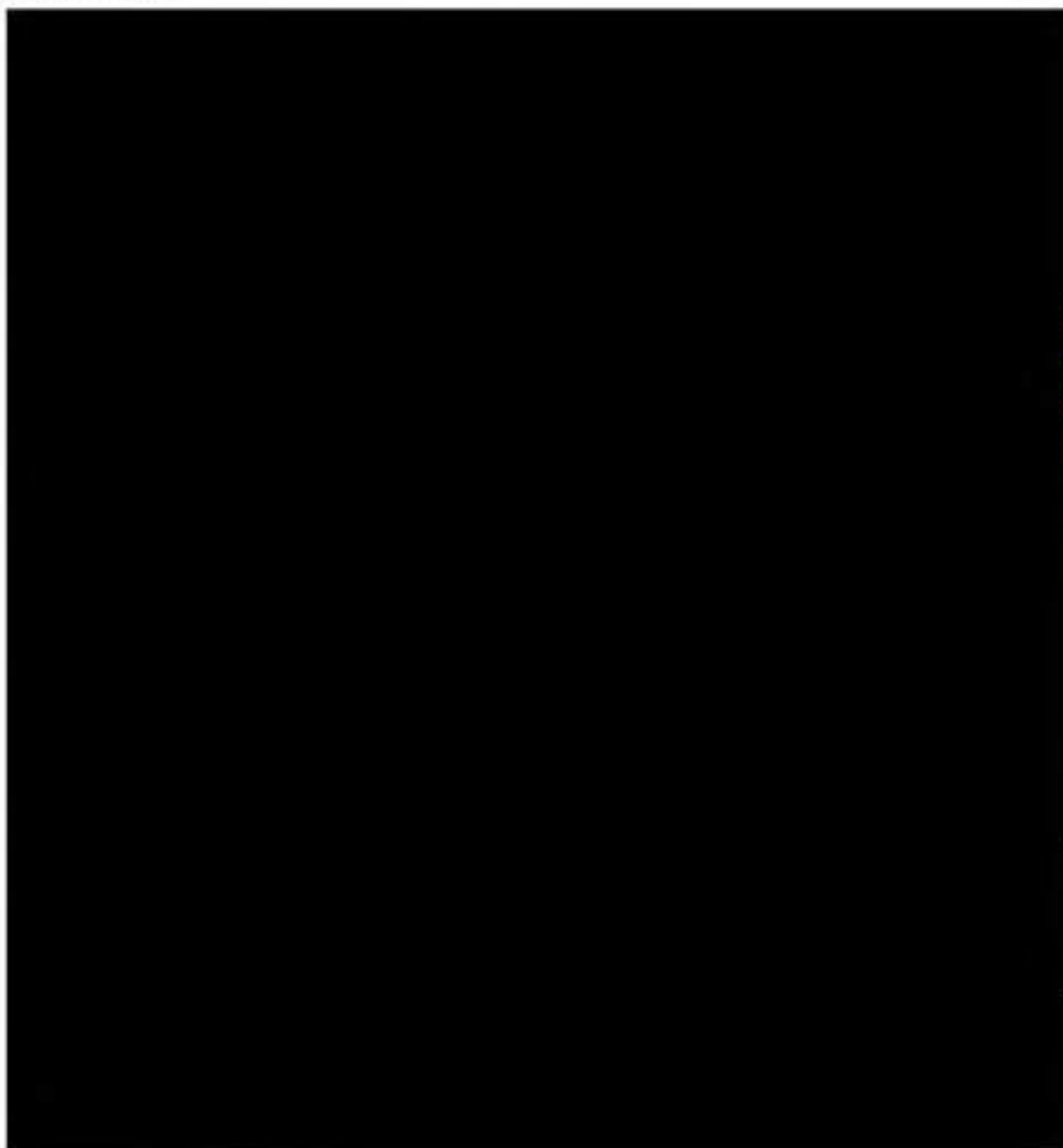
## 10. No fettering of Council's powers

- (a) This Agreement does not fetter or restrict Council's power or discretion in respect of any of Council's decision making powers, including but not limited to, to make decisions under the *Local Government Act 1989* and the Act, to make or impose requirements or conditions in connection with any use or development of the Land, the granting of any planning permit, the approval or certification of any plans of subdivision or consolidation relating to the Land, or the issue of a statement of compliance in connection with any such plans.
- (b) The Owner acknowledges that Council's entry into this Agreement does not place any obligations upon Council with respect to the grant of a permit for the subdivision or use and development of the Land.

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Execution page

SIGNED, SEALED AND DELIVERED as a deed by the parties on the date set out at the commencement of this Agreement.



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**Annexure B - Mortgagee Consent**

National Australia Bank Ltd, as Mortgagee under mortgage no. A5494994L which encumbers the Land, consents to the Owner entering into this Agreement.

.....  
Signature

.....  
Print Name

.....  
Title

AU092536S

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Registrar of Titles  
Land Titles Office  
2 Lonsdale Street  
MELBOURNE

**APPLICATION TO REGISTER AN AGREEMENT UNDER SECTION 173 OF THE  
PLANNING AND ENVIRONMENT ACT 1987**

**Certificate of Title Volume 11081 Folio 288**

**Registered Proprietor/s:** Horizon Property Investment Group Pty Ltd

National Australia Bank Limited A.B.N. 12 004 044 937 as Mortgagee pursuant to Registered Mortgage number AS494994L hereby consents to the within Agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20

**EXECUTED** by **NATIONAL AUSTRALIA BANK LIMITED** by being signed sealed and delivered in Victoria by its Attorney )

who holds the position of Level 3 Attorney under Power of Attorney dated 1/3/2007 (a certified copy of which is filed in Permanent Order Book No 277 Page No 025 Item 35) in the presence of: )

[Redacted signature area]

[Redacted signature area]

Attorney )  
[Redacted signature area]

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Number of Pages (excluding this cover sheet)	<b>4</b>
Document Assembled	<b>03/06/2024 15:45</b>

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# PLAN OF SUBDIVISION

LV USE ONLY  
EDITION 1

## PS811821L

### Location of Land

Parish: NAR-NAR GOON  
Township: -----  
Section: -----  
Grown Allotment: 7 (PART)

Title References: Vol. 11081 Fol. 289

Legal Plan Reference: LOT A on PS611885X  
Postal Address: PAKENHAM ROAD,  
PAKENHAM 3610

MG84 Co-ordinates: E 366 710 Zone 55  
(Of approx. centre of plan) N 5 787 050

County Name: Gardina Shire Council

Council Reference Number: S13-030  
Planning Permit Reference: T1305052  
SPEAR Reference Number: S1175-03

### Certification

This plan is certified under section 117 of the Subdivisions Act 1958  
Depth Limitation Certificate Number: 00160309

### Statement of Compliance

This is a statement of compliance issued under section 21 of the Subdivisions Act 1958

### Public Open Space

A requirement for public open space under section 115 of the Subdivisions Act 1958  
has been made and the requirement has been satisfied

Digitally signed by: Sora Higgins for Gardina Shire Council on 05/03/2021

### Vesting of Rights or Reserves

Identifier	Council/Body/Person
R1 RESERVE No 1 RESERVE No 2	GARDINIA SHIRE COUNCIL CARDINIA SHIRE COUNCIL AUSNET ELECTRICITY SERVICES PTY LTD

### Notations

Depth Limitation	Does not apply
------------------	----------------

### Notations

Staging: This is not a staged subdivision  
Planning Permit No. T130505

Survey: This plan is based on survey.

To be completed where applicable

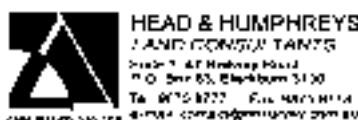
This survey has been connected to permanent mark no(s)  
Nar Nar Goon PM89, 295 & 670  
In proclaimed Survey Area No. ---

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### Easement Information

Legend: A - Appurtenant Easement; E - Encumbering Easement; R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Beneficially Affected
E-1	ELECTRICITY SUPPLY	2	PS611885X	LOT 1 ON PS611885X
E-2	SEWERAGE DRAINAGE	SEE DIAG.	THIS PLAN	SOUTH EAST WATER CORPORATION CARDINIA SHIRE COUNCIL
E-3	SEWERAGE	2.50	THIS PLAN	SOUTH EAST WATER CORPORATION
E-4	POWERLINE	SEE DIAG.	THIS PLAN (S.88 ELECTRICITY INDUSTRY ACT 2008)	AUSNET ELECTRICITY SERVICES PTY LTD
E-5	SUPPLY OF WATER (THROUGH UNDERGROUND PIPES)	SEE DIAG.	THIS PLAN	SOUTH EAST WATER CORPORATION
E-6	DRAINAGE	SEE DIAG.	THIS PLAN	CARDINIA SHIRE COUNCIL



RCF 7678 05/03/2021 09:05:2024 13:45 11

Digitally signed by Jason Higgins for Gardina Shire Council on 05/03/2021 09:05:2024 13:45

ORIGINAL SHEET SIZE A3 SHEET 1 OF 4 SHEETS

PLAN REGISTERED  
TIME 12:10 PM DATE 16/03/2021  
YL  
Assistant Registrar of Titles



# PLAN OF SUBDIVISION

LV USE ONLY  
EDITION

# PS811821L

## CREATION OF RESTRICTION

The following restrictions are to be created upon registration of this plan of subdivision.

The registered proprietor for the time being of the burdened land shall comply with the restrictions.

### RESTRICTION A (Building Controls)

Land to be benefited - Lots 1 to 33 (both inclusive) on this plan.

Land to be burdened - Lots 1 to 33 (both inclusive) and Easement No 1 on this plan.

#### Description of Restriction

Except with the written consent of Cardinia Shire Council the registered proprietors or proprietor for the time being of any burdened lot on the Plan shall not at any time erect, construct, build or cause or permit to be erected, constructed or built -

- a any building or structure other than a building or structure in accordance with the Pakonham Rise Residential Design Guidelines.

Restriction A does not apply.

### RESTRICTION B (Development Controls)

Land to be benefited - Lots 1 to 33 (both inclusive) on this plan.

Land to be burdened - Lots 1 to 3 (both inclusive), 9, 11, 12, 14 to 16 (both inclusive), 20, 21 and 27 to 33 (both inclusive) on this plan.

#### Description of Restriction

Except with the written consent of Cardinia Shire Council the registered proprietors or proprietor for the time being of any burdened lot on the Plan shall not -

- a park or store vehicles, machinery, plant or equipment outside of the building envelopes shown on sheet 4 of this plan;
- b construct a building or part of a building outside of the building envelopes shown on sheet 4 of this plan;

Restriction B does not apply.

### RESTRICTION C

Land to be benefited - Lots 1 to 33 (both inclusive) on this plan.

Land to be burdened - Lots 14 to 19 (both inclusive) and 27 on this plan.

#### Description of Restriction

Except with the written consent of Cardinia Shire Council the registered proprietors or proprietor for the time being of any burdened lot on the Plan shall not -

- a permit the felling, topping or removal of any vegetation within the burdened land.

Restriction C does not apply.

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Level 2, 47 Railway Road  
Mt. No. 75, Pakonham VIC 3106  
Tel: 9475 3777 Fax: 9475 0150  
www.headandhumphreys.com.au

REF **7678**

PS811821L LV Use Only 11

ORIGINAL SHEET  
SIZE A3

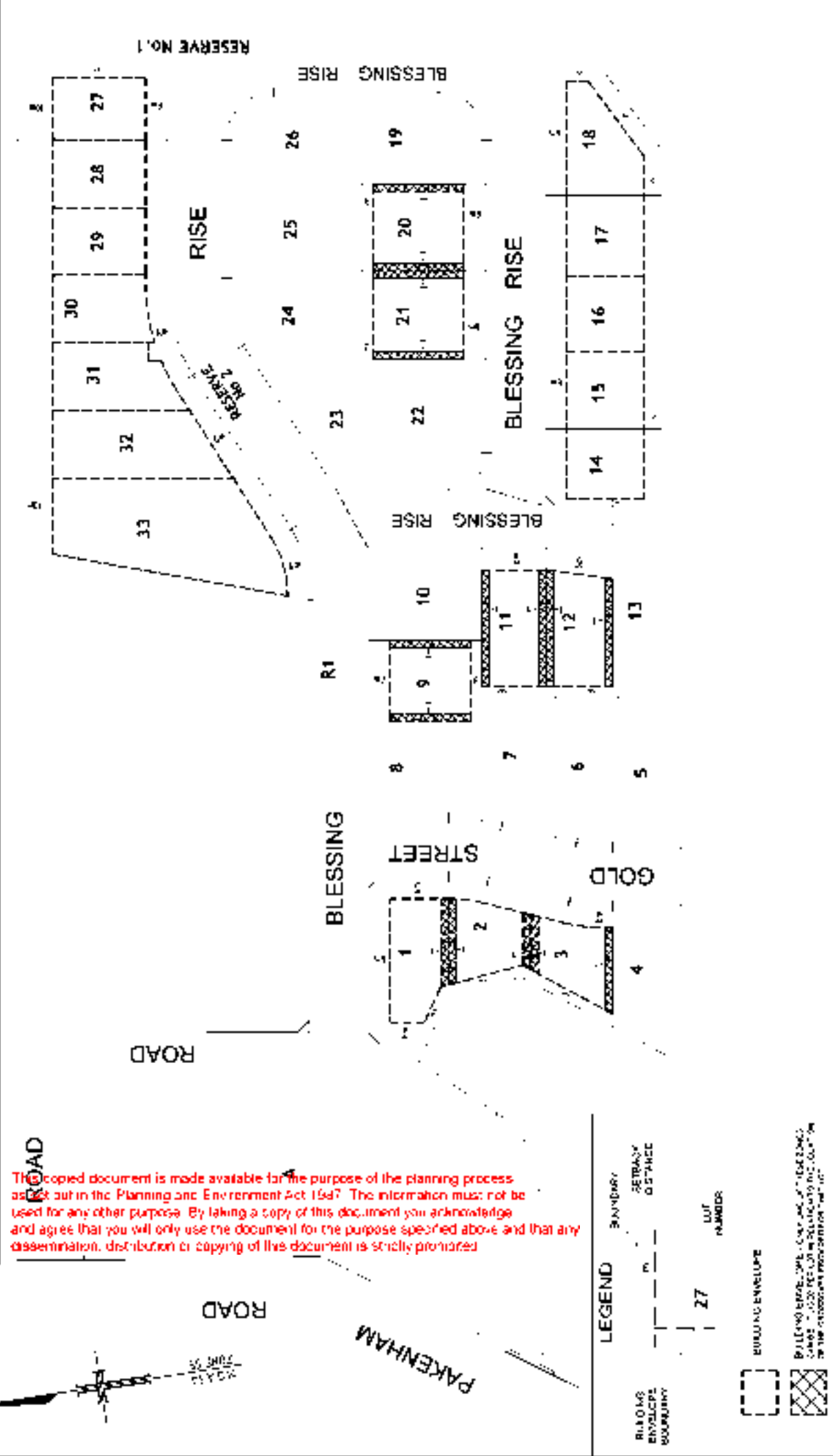
SHEET 3

Digitally signed by Jason O'Brien, Licensed Surveyor,  
Licensing's Third Street 11  
05/01/2021 09:46:43 AEST

Digitally signed by  
Jason O'Brien  
05/01/2021  
09:46:43 AEST

**BUILDING ENVELOPES  
DIAGRAM**  
(SEE RESTRICTIONS A & B)

LV USE ONLY  
EDITION



PS811821L

<p>ORIGINAL SHEET SIZE A3</p>	<p>SHEET 4</p>
<p>REF 7678</p> <p>16/01/2021</p> <p>11</p> <p>Prepared by Jason Humphreys, Land Use Surveyor Surveyor's Plan No. 11 25/03/2021 SPEAF Pt. 5117513B</p>	<p>SCALE: 1:1000</p> <p>0 10 20 30 40 METERS</p>
<p>HEAD &amp; HUMPHREYS LAND CONSULTANTS Suite 2, 47 Parkside Road P.O. Box 101, Mandurah 9015 Tel: 081 987 8888 Fax: 081 987 8772 www.headandhumphreys.com.au</p>	<p>Approved by Jason Humphreys, Licensed Surveyor 16032021</p>



166 PAKENHAM ROAD, PAKENHAM

## Attachment 2 Proposed Plan of Subdivision (Removal of Easement Plan)

PREPARED FOR UNIVERSAL PROPERTY GROUP PTY LTD

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M. 0409 962 001

**SPOT**  
PLANNING

# PLAN OF REMOVAL OF EASEMENT

EDITION I

## Location of Land

Parish: NAR NAR GOON  
Crown Allotment: 7 (PART)

Council Name: Cardinia Shire Council

Title Reference: Vol.12291 Fol.560

Last Plan Reference: LOT A, PS811821L

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Postal Address: 166 PAKENHAM ROAD, PAKENHAM, 3810  
(at time of subdivision)

MGA Co-ordinates: E: 366600 Zone:55  
(of approx centre of land in plan) N: 5787100

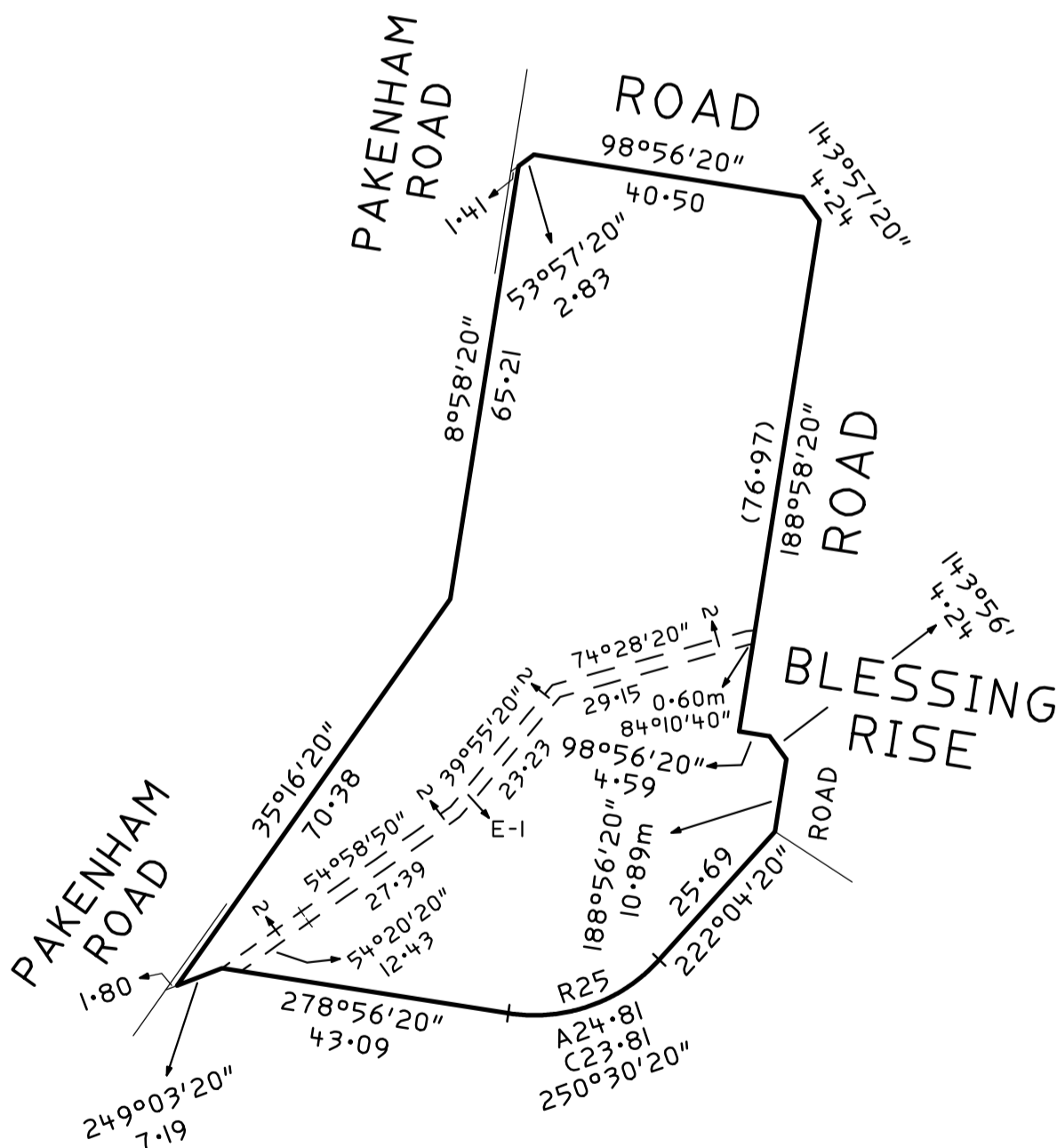
### EXPLANATORY NOTE

Warning: This plan is unregistered.  
This plan was prepared to be certified by Council and to be registered by the Registrar of Titles. As alterations may be required by Council and the Registrar of Titles prior to registration, Peyton Waite Pty. Ltd. accepts no responsibility whatsoever for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan for any other reason.  
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a) From the original held by Peyton Waite Pty. Ltd. and  
b) Unless the reproduction includes this note.

## NOTATIONS

Purpose of plan: To remove the electricity supply easement E-1 encumbered on C/T Vol 12291 Fol 560 and created in PS611885X.

Grounds for removal: As allowed in Planning Permit No. issued by Cardinia Shire Council.



MGA94 ZONE 55

SURVEYORS NAME: MALCOLM JOHN PERRIAM  
SURVEYORS FILE REF: 11909/02  
Version No: 1 DATE 1/5/2024 1190902vl.lcd

**PEYTON WAITE**

CONSULTING LAND SURVEYORS & TOWN PLANNERS  
LEVEL 1 240 LOWER HEIDELBERG ROAD EAST IVANHOE 3079  
PHONE 94784933 A.C.N. 004 963 884

SCALE  
1:1000

10 0 10 20 30 40  
LENGTHS ARE IN METRES

ORIGINAL SHEET  
SIZE: A3

SHEET 1 OF 1



166 PAKENHAM ROAD, PAKENHAM

## Attachment 3 Planning Submission

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PLANNING





PREPARED FOR UNIVERSAL PROPERTY GROUP PTY LTD

# Planning Report

166 Pakenham Road,  
Pakenham

Construction of 15 residential dwellings, removal of native vegetation and creation/removal of easements

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23-0226-003-PS-CF

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PLANNING



# Document Control Register

Document Summary					
Issue	Date	Details	Author	Checked	Approved
A	03/06/2024	Planning Submission	CF	BL	SS
B	03/06/2024	Final Planning Submission V1	CF	BL	SS

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This report incorporates information and events up to that date outlined in the Document Control Register and excludes any information arising, or event occurring, after that date which may affect the validity of this report. SPOT Planning prepared this report on the instructions, and for the benefit only, of UNIVERSAL PROPERTY GROUP PTY LTD (Instructing Party) for the purpose of obtaining planning approval from Cardinia Shire Council.

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

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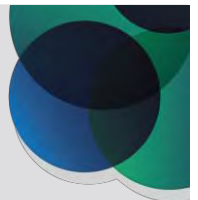


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Appendix A Certificate of Title

Appendix B Architectural Plan Package

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Appendix E Traffic Impact Assessment

Appendix F Waste Management Plan

Appendix G Sustainability Management Plan

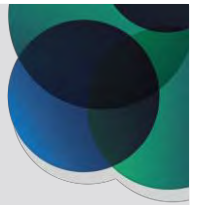
Appendix H Arborist Report

Appendix I Biodiversity Assessment and Native Vegetation Removal Report

Appendix J Bushfire Management Plan

Appendix K AusNet Correspondence

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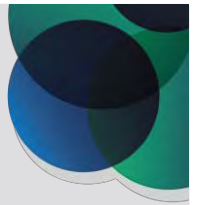


# 1 Snapshot

Table 1.1 Application Details

Application Details	
Applicant	UNIVERSAL PROPERTY GROUP PTY LTD / C - SPOT PLANNING PTY LTD
Subject Land	Lot A on Plan of Subdivision 811821L
Subject Address	166 Pakenham Road, Pakenham
Municipality	Cardinia Shire
Proposal	Construction of 15 residential dwellings, removal of native vegetation and creation/removal of easements
Zone	General Residential Zone – Schedule 1
Overlay	Development Contributions Plan Overlay – Schedule 1 Environmental Significance Overlay – Schedule 4
Permit Triggers	A planning permit requirement has been triggered as per Clause 32.08-7, Clause 42.01-2, Clause 52.02 and Clause 52.17
Site Area	Approx. 6,612m <sup>2</sup>

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## 2 Introduction

This submission is made of behalf of UNIVERSAL PROPERTY GROUP PTY LTD for the purpose of obtaining a Planning Permit for the 'Construction of 15 residential dwellings, removal of native vegetation and creation/removal of easements' at 166 Pakenham Road, Pakenham.

The proposal requires a planning permit pursuant to Clause 32.08-7, Clause 42.01-2, Clause 52.02 and Clause 52.17 of the Cardinia Shire Planning Scheme.

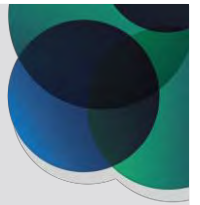
This submission has been prepared to:

- Provide a description of the site and surrounding area.
- Outline the nature of the proposal.
- Demonstrate compliance with the relevant Planning and Local Policy Frameworks and Zoning and Overlay provisions.
- Demonstrate the compliance with the supporting information lodged with the planning submission.

The following is also provided in support of the application:

- A current Certificate of Title at **Appendix A**;
- Architectural Plan Package at **Appendix B**;
- Clause 55 Assessment at **Appendix C**;
- Landscape Concept Plan at **Appendix D**;
- Traffic Report at **Appendix E**;
- Waste Management Plan at **Appendix F**;
- Sustainability Management Plan at **Appendix G**;
- Arborist Report at **Appendix H**;
- Biodiversity Report and Native Vegetation Removal Report at **Appendix I**;
- Bushfire Management Plan at **Appendix J**; and
- AusNet Correspondence at **Appendix K**.

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## 3 Site and Surrounds

### 3.1 Subject Sites

The subject site is formally known as Lot A on Plan of Subdivision 811821L. The current street address is 166 Pakenham Road, Pakenham. The land was created as part of the subdivision approved under Planning Permit T130505-1 (approved November 2014).

The land has an approximate fall of 14m from the south-western corner to the north-eastern corner. The land is currently vacant and contains some existing vegetation. The property has approximately 136 metre frontage to Pakenham Road adjoining the western boundary, with vehicular access available via Blessing Rise. Overall, the subject site has a site area of approximately 6,612m<sup>2</sup>.

More broadly, the subject site is located approximately 2.6km north of the Pakenham town centre and is located on the periphery of the rural-urban fringe. The past twenty years have seen suburban growth in the area, with surrounding lots to the south, east and west also having experienced recent subdivision for residential purposes.



Figure 3.1 Current Aerial of Subject Site

### 3.2 Surrounds

The site is largely surrounded by vacant land that is subject to staged subdivision approvals. The land to the south and the east are both currently under development to allow for multi-lot subdivisions and development.

The site's immediate interfaces are described below.

**North** – The subject site is located directly adjacent to rural residential 'Green Wedge' zoned properties generally between five hectares and ten hectares in size. The northern interface defines the boundary to Pakenham's residential land and provides a stark contrast to the pattern of subdivision, lot sizes and built form to the south, east and west of the subject site.



The lot is immediately separated by the unmade Blessing Rise Road reserve, serving as a quasi-buffer between properties. The adjacent 190 Pakenham Road has high voltage transmission power lines running through the site, approximately 75 metres from the subject site.

**East** - The subject site is located within close proximity to residential lots to the east, that were part of the subject site's larger parent lot prior to subdivision. These General Residential lots differ in size between approximately 650m<sup>2</sup> to approximately 2,000m<sup>2</sup>.

**South** - The subject site's immediate interface to the south is 162 Pakenham Road. This lot sees one dwelling set to the southern boundary and outbuildings in proximity to the eastern boundary. This lot has a substantial gradient with the dwelling set at the highest point on the lot.

Further south are residential lots that have been created as part of previous subdivisions but have not yet been constructed on. Lots immediately to the south are generally of ranges between 600m<sup>2</sup> and 1,000m<sup>2</sup>.

**West** - The subject site's direct interface to the west is Pakenham Road, which is a regional road with a 20-metre road reserve. Further west are general residential dwellings of similar sizes to those proposed in this application (200-300 square metres). These dwellings are generally detached single storey dwellings with some vegetation in the front and rear setbacks.

A wide range of services and facilities are easily accessible in proximity to where the subject site is located. These include:

- Little Beacons Learning Centre (0.5 kilometres approx.)
- Beaconhills Valley College (0.8 kilometres approx.)
- Pakenham Hills Early Learning Centre (0.9 kilometres approx.)
- Toomuc Reserve (1 kilometres approx.)
- Pakenham Secondary College (1.2 kilometres approx.)
- Lakeside Park (1.6 kilometres approx.)
- Pakenham Shopping/ Activity Centre (3.1 kilometres approx.)
- Pakenham Police and Emergency Services (2.5 kilometres approx.)
- Lilypond House Community Centre (2.5 kilometres approx.)

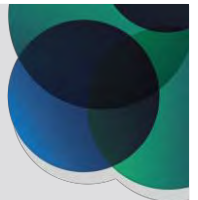
The City of Cardinia is one of Melbourne's fastest developing municipalities and is currently experiencing rapid population growth. One of Cardinia's key challenges is managing its population growth and the impacts this has on surrounding landscapes.

The development of the adjoining land at Blessing Rise and the proposed development Lot A (Development Site) seeks to assist in mitigating these issues, by providing housing and infrastructure, without compromising the surrounding landscape. The proposal is on the periphery of the General Residential Zone and is one of the remaining lots sought to be developed within the wider Blessing Rise precinct. The proposal seeks to serve as a positive infill development, providing housing in a municipality which is commonly known for its greenfield development.

The subject site is within proximate distance to the Pakenham Principal Town Centre, which offers employment, social and recreational facilities, and public open space. Public transportation is also closely available, with Pakenham Station in proximate distance.

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3.3 Title

The land subject to this application is formally known as Lot A on Plan of Subdivision 811821L. The certificate of Title is provided as **Appendix A** to this submission.

There are two easements currently nominated on the Plan of Subdivision. E-1 is noted as electricity supply and is favour of Lot 1 of Plan of Subdivision PS611885X. E-3 is for the purposes of sewerage and is in favour of South-East Water.

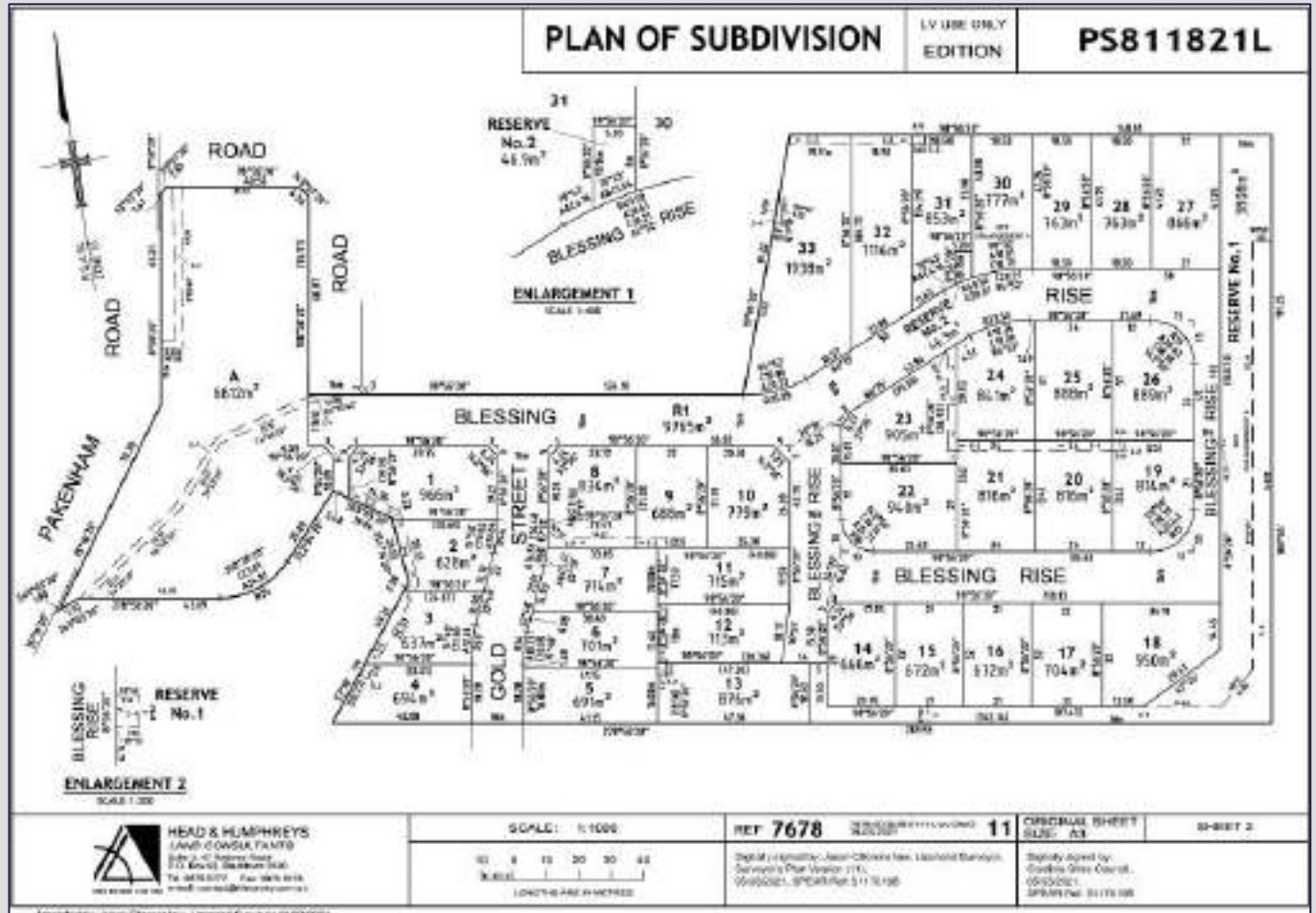


Figure 3.2 Lot A PS 811821L (Existing Plan of Subdivision)

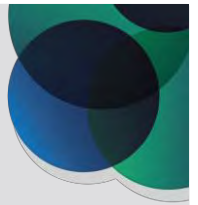
The following encumbrances and caveats are on title:

**Section 173 Agreement X049709H (20/09/2000)**

This agreement relates to the approval of planning permit T000009 on 15 March 2000. The permit allowed the subdivision of the land known as 162 Pakenham Road in accordance with Plan of Subdivision 441730A. The subject site is within lot 2 of this Plan of Subdivision and lot 1 continues to be known as 162 Pakenham Road.

**Covenant PS611885X 18/07/2008 (Variation of covenant AR973357H 01/03/2019)**

The covenant relates to the acquisition of the land and the registration of the subdivision of the land in accordance with PS611885X. The covenant does not provide restrictions on the development of the land.



### Section 173 Agreement AU092536S (28/02/2021)

The agreement relates to Planning Permit T130505-1. Planning Permit T130505-1 relates to the subdivision and development of Blessing Rise and was issued by the City of Cardinia on 22 November 2014. The plan of subdivision did not seek the further subdivision of the subject site and it was labelled as Lot A. The land is informally known as 'Pakenham Rise'.

Planning Permit T130505-1 allowed for the following:

- *Staged Subdivision of Land*
- *Removal of native vegetation*
- *Removal of an easement*
- *Creation of an easement*
- *Removal of restriction on title and associated earthworks.*

An application to amend Planning Permit T130505-1 was approved by the City of Casey on 6 June 2016. The amendment sought to partially reword the preamble and some of the permit conditions. Plans were endorsed by the City of Cardinia on 26 August 2016. Building and works have since commenced on site.

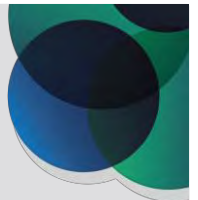
The permit and endorsed plans primarily relate to the development of lots 1 to 33 and Lot A is not subject to the prescribed Building Design Guidelines (Condition 5).

However, the 173 agreement specifies some restrictions for Lot A (subject site), as relevant:

- Access must be provided via Blessing Rise
- Future development to have positive interface with all adjoining roads including Pakenham Road.

It is noted that E-1 is proposed to be removed by this application with the relevant Authority's consent. E-3 will remain with the design to accommodate this easement. There are no covenants, restrictions or easements that prevent the proposed development from being approved as proposed.

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## 4 Proposal

The planning application proposes the ‘Construction of 15 residential dwellings, removal of native vegetation and creation/removal of easements’ at 166 Pakenham Road, Pakenham (Lot A on Plan of Subdivision 811821L).

### Design

It is noted that the design response has been progressively refined with collaborative input from Council. The overall yield and density have been reduced to more appropriately reflect the locational context and surrounding residential character from the original application.

The application specifically proposes a combination of three and four-bedroom dwellings and are designed to comply with the relevant objectives of Clause 55 (ResCode). The designs integrate with the landform with garages and basement levels forming part of the design.

The proposed development seeks an internal common accessway connecting to Blessing Rise through the centre of the development. The internal private road will provide access to all the proposed dwellings and provide a safe and convenient vehicle and pedestrian movements throughout the site.

A detailed architectural plan package including site plans, elevations, shadow diagrams and individual dwelling plans prepared by Bathla have been provided as part of **Appendix B** to this submission.

A Clause 55 Assessment prepared by SPOT Planning is provided as **Appendix C** to this submission.

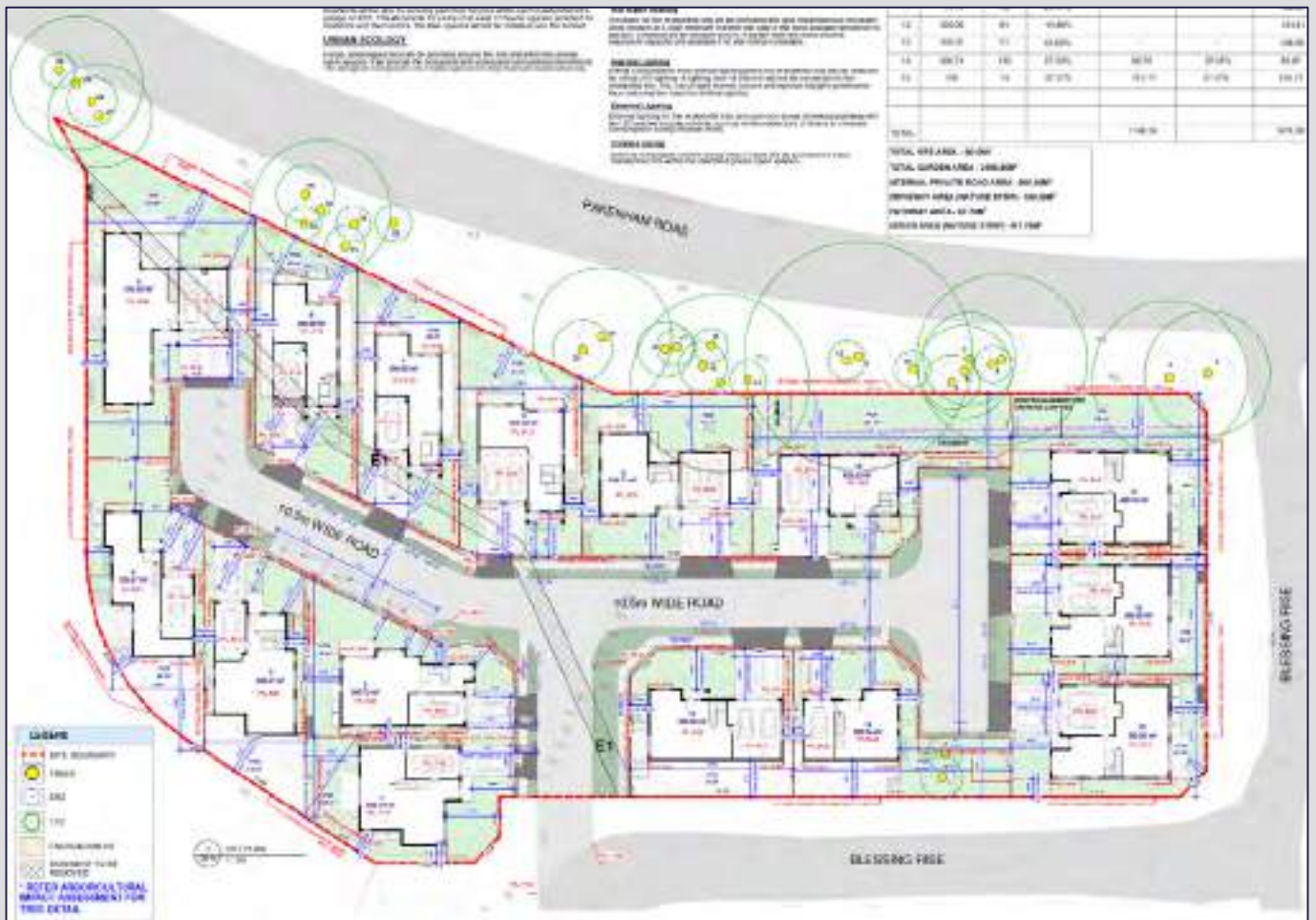
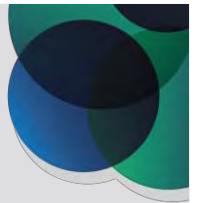


Figure 4.1 Site Plans



**Landscaping**

Landscaping will be provided as part of the development to enhance the amenity and environment to complement the surroundings. Canopy tree planting opportunities have been provided within the front setbacks of dwellings as demonstrated by the Landscape Plans provided as **Appendix D**.



Figure 4.2 Landscape Plans

**Traffic Access and Waste Management**

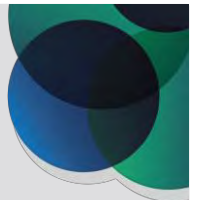
The development provides for on-site car parking consistent with the statutory requirements, with provision for two car parking spaces within each dwelling and three visitor parking spaces integrated within the common accessway. The on-site car parking is provided via double garage or single car garage with tandem spaces.

A Traffic Impact Assessment and Waste Management Plan prepared by One Mile Grid have been provided as **Appendix E** and **Appendix F** respectively.

The Traffic Impact Assessment and Waste Management Plan notes the common accessway is compliant with the Australian Standards and Clause 52.06 of the Planning Scheme. Furthermore, swept paths are provided to demonstrate adequate space for turning movements for private vehicles and private waste collection.

**Sustainability**

A Sustainability Management Plan has been prepared by Frater Consulting in support of the development to demonstrate the design commitments of the proposal. The Sustainability Management Plan is provided as **Appendix G** to this submission.



It is noted that the development achieves a BESS score of 55%, which is equivalent to an industry ‘Best Practice’ sustainability outcome. The required notations and outcomes referenced within the BESS Assessment have been integrated within the Architectural Plans and conditions of the permit will require the implementation of the BESS commitments.

**Vegetation Impact**



An Arboricultural Impact Assessment was completed by Ryder Arboriculture and Environment and provided as **Appendix H** to this submission. The findings demonstrate that the proposal appropriately integrates all existing trees within the subject site and adjoining the subject site into the design response. Trees 1 and 2 within the subject site are incorporated into the rear landscaping of a dwelling, whilst the remaining vegetation within the adjoining road reservation is protected and retained. The Tree Protection Zone encroachment is considered minimal given the adjusted dwelling designs and thus the report notes the trees will remain viable as part of the development.

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Figure 4.3 Arborist Report

A Biodiversity Assessment was also completed by Ecolink Consulting and is provided as **Appendix I** to this submission. The assessment confirmed the vegetation on site is of relatively low quality and generally exotic weed species, with no trees scattered trees within the subject site. However, there are some patches of native vegetation and scattered trees within the adjoining road reserve to the west that encroach into the subject site. Subsequently, there is a small amount of native vegetation proposed to be removed as part of this application (0.008 hectares).

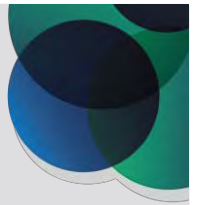
Conditions of the planning permit will require these offsets to be secured prior to the removal of native vegetation.

**Bushfire**

It is noted that whilst a Bushfire Management Overlay is not applied to the land, the northern portion of the site is within a designated Bushfire Prone Area, requiring the development to have regard to Clause 13.02-1S (Bushfire Planning) and Clause 53.02-4 (Bushfire Planning).

A Bushfire Management Statement has been prepared by Ecolink Consulting in support of this application and provided as **Appendix J**. The report outlines the defendable space and construction requirements of any development and also shows how the application meets the relevant objectives, standards, mandatory standards, and decision guidelines of Clause 53.02-4. The report also includes a ‘bushfire hazard site assessment’ and ‘bushfire hazard landscape assessment’.

The report concludes that the proposed development will meet the standards for a BAL 12.5 rating. The property is located within a Landscape Type 1 scenario where bushfire attack is extremely unlikely and with surrounding infrastructure that mitigates the likely impacts of bushfire.



## 5 Planning Context

Areas of policy considered of most relevance to this application identified in the table below and detailed in the following sections:

Table 5.1 Planning Provisions, Policies and Controls

Relevant Planning Controls	
Planning and Local Policy Framework	Clause 11.01-1S – Settlement Clause 11.02-1S – Supply of Urban Land Clause 12.05-1S – Environmentally Sensitive Areas Clause 13.02-1S – Bushfire Planning Clause 15 – Built Environment and Heritage Clause 15.01-1S – Urban Design Clause 15.01-2S – Building Design Clause 15.03-2S – Aboriginal Cultural Heritage Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision Clause 21.02 – Environment Clause 21.03 – Settlement and Housing
Zone	Clause 32.08 – General Residential Zone – Schedule 1
Overlays	Clause 42.01 - Environmental Significance Overlay – Schedule 4 Clause 45.06 - Development Contributions Plan Overlay – Schedule 1
Particular Provisions	Clause 52.02 –Easements, Restrictions and Reserves Clause 52.17 – Native Vegetation Clause 53.02 – Bushfire Planning
General Provisions	Clause 65 - Decision Guidelines

### 5.1 Planning and Local Policy Framework (PPF & LPPF)

The following are the relevant planning policies with regards to this application:

#### Clause 11.01-1S – Settlement

The main objective of this Clause is to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

#### Clause 11.02-1S – Supply of Urban Land

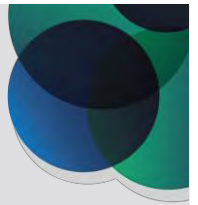
The main objective of this Clause is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional, and other community uses.

#### Clause 12.05-1S – Environmentally Sensitive Areas

The main objective of this Clause is it seeks to protect and conserve environmentally sensitive areas, including the Merri Creek, from development that would diminish their environmental conservation or recreational values.

#### Clause 13.02-1S – Bushfire Planning

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The main objective of this Clause applies to all land within a designated bushfire prone area. This Clause seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

### **Clause 15 – Built Environment and Heritage**

The main objective of this Clause is it recognises the role of planning in delivering liveable and sustainable cities, towns, and neighbourhoods through good urban design, building design, energy, and resource efficiency.

#### **Clause 15.01-1S – Urban Design**

The main objective of this Clause is it aims to ensure urban design responds to its site context and needs, and promote good design through facilitating accessibility, safety, and high standard design outcomes.

#### **Clause 15.01-2S – Building Design**

The main objective of this Clause is it seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm. It aims to ensure development responds and contributes to the strategic and cultural context of its location with safe access and appropriate landscaping and minimises any detrimental impacts to the public realm and the natural environment.

#### **Clause 15.03-2S – Aboriginal Cultural Heritage**

The main objective of this Clause is it aims to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

### **Clause 21.01 - Cardinia Shire Key Issues and Strategic Vision**

Cardinia Shire Key Issues and Strategic Vision notes several key issues for the Shire surrounding environment; settlement and housing; economic development; infrastructure; and particular use and development. The strategic vision of the area notes the need to develop the Shire's economic base, while also maintaining the area's environmental and cultural heritage values and maintain a cohesive community.

#### **Clause 21.02 – Environment**

Environment identifies the locality's strong landscape and biodiversity values and aims to retain and enhance these features through the implementation of appropriate environmental overlays for protective means. Additionally, the Clause states that appropriate management techniques should be put in place for dwellings that are bushfire prone.

#### **Clause 21.03 - Settlement and Housing**

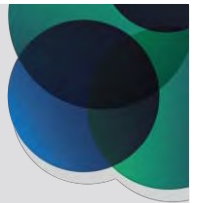
Settlement and Housing notes the importance of providing a diversity of housing types and densities within the locality, as well as recognising the need for affordability and availability of housing choice within the area.

### **Response**

The development is located at the fringe of the existing Pakenham residential boundary and is proximate to the Pakenham Principal Town Centre offering employment, social and recreational facilities, and public open space. The design response suitably addresses the topography of the land and the site context. The proposal has been refined progressively in collaboration with Council to ensure the overall yield and density is reflective of the surrounding character and interface to the Green Wedge Zone.

A BESS Assessment was completed as part of the design phase to determine the proposal meets 'best practice' sustainability standards.

The development will provide a modest contribution to Cardinia Shires housing supply and provide a diversity of dwelling typologies for purchasers.



## 5.2 Zone

The subject site is within the General Residential Zone - Schedule 1 as shown below.



Figure 5.1 Zones

### Clause 32.08 – General Residential Zone – Schedule 1

The purpose of the GRZ1 is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects 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.

Pursuant to Clause 32.08-7, a permit is required to construct or extend two or more dwellings on a lot.

### Response

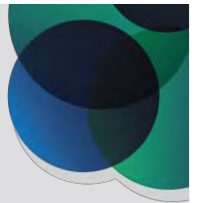
The subject site is located within the General Residential Zone – Schedule 1. It is noted that Schedule 1 applies to ‘General Residential Areas’ and there are no ResCode variations applied within the Schedule.

The construction of fifteen residential dwellings on the subject site is considered to be a suitable design response and is consistent with surrounding neighbourhood character.

The development will contribute to the supply of housing within Cardinia Shire and the diversity of stock available to the market.

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### 5.3 Overlays

The subject site is impacted by the Environmental Significance Overlay – Schedule 4 and the Development Contributions Plan Overlay – Schedule 1.

#### Clause 42.01 – Environmental Significance Overlay – Schedule 4

The purpose of the Environmental Significance Overlay is as follows:

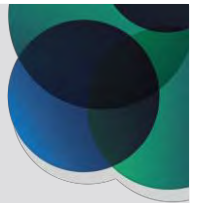
- *To protect and enhance the significant environmental and landscape values of the Pakenham North ridge.*
- *To ensure that the siting and design of buildings and works does not adversely impact on environmental and landscape values including the ridge landform, the diverse and interesting landscape, the natural skyline of ridge areas, areas of remnant vegetation, and habitat of botanical and zoological significance.*
- *To ensure that the siting and design of buildings and works responds to environmental and landscape values, and addresses environmental hazards of erosion, salinity, and fire.*
- *To maintain, manage and promote replanting of native vegetation as an important element of the Pakenham North ridge landscape and natural systems.*
- *To ensure long term protection of areas of high conservation value and promote the protection and enhancement of wildlife habitat and corridors.*

Pursuant to Clause 42.01-2, a permit is required to construct a building or carry out works and remove vegetation within the overlay.



Figure 5.2 Environmental Significance Overlay – Schedule 4

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**Response**

The site is impacted by an Environmental Significance Overlay – Schedule 4 relating to the Pakenham North Ridge area. Pursuant to Clause 42.01-2 a permit is required for buildings and works and the removal of vegetation.

The Pakenham North Ridge Statement of Significance highlights that the environmentally significant landscapes include the Grassy Forest (an ecosystem that is vulnerable in the area), the Cobra Greenhood Orchid (*Pterostylis grandiflora*) which is of state significance, and the Green Scentbark (*Eucalyptus fulgens*) which is of state/national significance.

The Environment Significance Overlay – Schedule 4 relates to the protection and enhancement of the significant environmental and landscape values associated with the Pakenham North ridge. It also relates to the protection of the visual amenity of the skyline and ridge by ensuring that buildings and development do not adversely impact these values. It does this by protecting areas that support significant biodiversity values and natural systems.

It is considered that the proposed buildings and works are suitable for the site context and topography and the design response suitably incorporates existing vegetation for protection.

**Clause 45.06 – Development Contributions Plan Overlay – Schedule 1**

The purpose of the Development Contributions Plan Overlay is as follows:

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

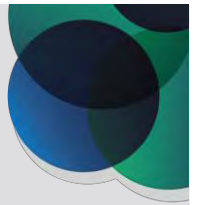


Figure 5.3 Development Contributions Plan Overlay – Schedule 1

**Response**

The subject site is impacted by a Development Contributions Plan Overlay – Schedule 1 which is associated with the Pakenham Township Development Contributions Plan.

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The DCPO notes infrastructure costs which are payable at a rate per lot for all residential development. A condition of the planning permit will require the payment of development contributions in accordance with the Pakenham Township Development Contributions Plan

#### 5.4 Particular Provisions

##### **Clause 52.02 – Easements, Restrictions and Reserves**

The purpose of this clause is to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the Planning Scheme after the interests of affected people are considered.

##### **Response**

As part of this application, it is proposed to remove easement E-1 on Lot A on Plan of Subdivision PS811821L. This easement is for the purpose of electricity supply and is 2m wide easement in favour of Lot 1 on PS611885X.

A referral response from the relevant Authorities will be provided as part of the statutory planning process, However, prior acceptance has been provided by AusNet in **Appendix K** supporting the request to remove easement E-1 on Plan of Subdivision PS811821L, as it is no longer required by AusNet for its original purpose.

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##### **Clause 52.17 – Native Vegetation**

The purpose of this clause is to:

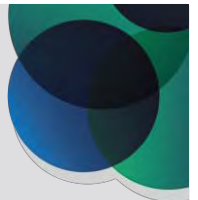
- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
  1. Avoid the removal, destruction or lopping of native vegetation.
  2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
  3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
- To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Pursuant to Clause 52.17-1, a planning permit is generally required for the removal of native vegetation.

##### **Response**

As identified in the Biodiversity Report prepared by Ecolink Consulting, the vegetation on site is of relatively low quality and generally exotic weed species, with no trees scattered trees within the subject site. However, there are some patches of native vegetation and scattered trees within the adjoining road reserve to the west that encroach into the subject site. Subsequently, the proposal triggers a permit pursuant to Clause 52.17 to remove native vegetation.

The offset requirements for impacted native vegetation within the study area shown below:



Offset Parameter	Result
Location Category	Location 1
Assessment Pathway	Basic
Total Extent Removed	0.008 hectares
General Offset Requirements	0.020 General Habitat Units
Minimum Strategic Biodiversity Score	0.528
Offset Location	Port Philip and Westernport CMA or within the Cardinia Shire Council municipality
Tree Offset	Nil

Figure 5.4 Offset Parameters



Figure 5.5 Native Vegetation

There is a small amount of native vegetation proposed to be removed as part of this application (0.008 hectares). It is noted that the scattered trees are not proposed to be removed as part of this application and will be incorporated into the design response as part of the mitigation strategy.

It is expected that offsets would be achieved through a third-party offset, through a vegetation broker, as securing the offsets on site is not practicable

Conditions of the planning permit will require these offsets to be secured prior to the removal of native vegetation.



## Clause 55 – Two or More Dwellings on a Lot

The purpose of this clause is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that is responsive to the site and the neighbourhood.

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

A development:

- Must meet all of the objectives of this clause that apply to the application.
- Should meet all of the standards of this clause that apply to the application.

### Response

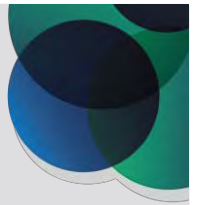
The requirements of Clause 55 have been considered during the preparation of the development proposal and have been addressed as part of the comprehensive assessment provided.

## 5.5 General Provisions

### Clause 65 - Decision Guidelines

The decision guidelines for the approval of an application or plan are contained in general provision Clause 65.01. The decision guidelines include:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

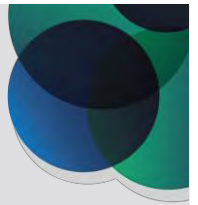


- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development, or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

### **Response**

Clause 65 sets out general decision guidelines for all development applications and plan approvals. The application is generally in accordance with the guidelines in this clause and is considered suitable for approval.

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## 6 Conclusion

This proposal has been assessed against the Planning and Local Planning Policy Framework, the purpose of the zone, overlays and the particular provisions of the Cardinia Shire Planning Scheme.

The proposed 'Construction of 15 residential dwellings, removal of native vegetation and creation/removal of easements' is considered to provide a positive planning outcome for the following reasons:

- The proposal accords with the objectives of the PPF, LPPF and Zone and Overlay provisions;
- The location of the site presents a rare opportunity to provide for appropriate housing opportunities within the Cardinia municipality;
- The proposal generally accords with the requirements of ResCode and will provide a high level of internal amenity to future residents;
- Proposed landscaping will be provided throughout the site to limit any impact to the streetscape or adjoining properties and to also reflect the landscaped character of the area;
- The proposal meets best practice sustainability initiatives; and
- The proposal provides appropriate vehicular access, movement, and provision of car parking.

It is therefore considered that the proposal is an acceptable outcome having regard to the provisions of the Cardinia Shire Planning Scheme and thus a planning permit for the 'Construction of 15 residential dwellings, removal of native vegetation and creation/removal of easements' should be issued.

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166 PAKENHAM ROAD, PAKENHAM

## Attachment 3 Clause 55 Assessment

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Neighbourhood Character

Clause 55.02

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B1 (55.02-1)</b> <b>Neighbourhood Character</b></p> <p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	<p>1. The design response must be appropriate to the neighbourhood and the site.</p> <p>2. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>The neighbourhood and site description.</li> <li>The design response.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>Please refer to the Planning Submission and Architectural Plan Package for an assessment of how the proposed development respects and integrates with the existing neighbourhood character.</p> <p>The proposal is considered to be in accordance with the surrounding pattern of subdivision and development.</p>
<p><b>B2 (55.02-2)</b> <b>Residential Policy</b></p> <p>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	<p>1. An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>The Municipal Planning Strategy and the Planning Policy Framework.</li> <li>The design response.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>Please refer the Planning Submission and Architectural Plan Package for an assessment of how the proposed development complies with the policy contained within the PPF and LPPF.</p> <p>The proposal is considered to be in accordance with the objectives within the MSS, PPF and the LPPF.</p>



## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B3 (55.02-3)</b> <b>Dwelling Diversity</b></p> <p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>1. Developments of ten or more dwellings to provide for:</p> <ul style="list-style-type: none"> <li>■ Dwellings with a different number of bedrooms.</li> <li>■ At least one dwelling containing a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>		<p><input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments: The proposal seeks to deliver 15 double storey dwellings, providing a diversity of 3-4 bedroom product.</p> <p>Due to the slope of the land, multiple dwellings have been designed with a lower ground levels that act as reverse living and kitchen/dining/bathroom on this level.</p> <p>Other dwellings are provided a more traditional design with kitchen, living and dining on the ground floor.</p>
<p><b>B4 (55.02-4)</b> <b>Infrastructure</b></p> <p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p>1. Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The capacity of the existing infrastructure.</li> <li>• In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.</li> <li>• If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments: The dwellings will be provided with appropriate utility services and infrastructure (gas, water, electricity, power).</p>
	<p>2. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments: The proposed development will result in the construction of 15 dwellings on the subject site. It is not expected that this will unreasonably exceed the capacity of utility services and infrastructure.</p>

## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	3. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.		<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The development will not exceed the utility infrastructure capacity.
<b>B5 (55.02-5)</b> <b>Integration with the Street</b>  To integrate the layout of development with the street.	1. Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>The design response.</li> </ul>	<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The proposed development allows for appropriate vehicle and pedestrian access via the internal common accessway connecting to Blessing Rise.
	2. Development should be oriented to front existing and proposed streets.		<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The dwellings are designed to provide an active interface to the common accessway and the adjoining public road via articulation measures of the built form.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	3. High fencing in front of dwellings should be avoided if practicable.		<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  High front fences will be avoided and limited to a maximum of 1.5m where proposed.
	4. Development next to existing public open space should be laid out to complement the open space.		<input type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input checked="" type="checkbox"/> Not Applicable Comments:  The land does not adjoin existing public open space.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Site Layout and Building Massing

Clause 55.03

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B6 (55.03-1)</b> <b>Street Setback</b></p> <p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> <li>at least the distance specified in the schedule to the zone, or</li> <li>If no distance is specified in the schedule to the zone setbacks should be as set out below.</li> </ul> <p>Porches, pergolas and verandahs less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard.</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>The design response.</li> <li>Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.</li> <li>The visual impact of the building when viewed from the street and from adjoining properties.</li> <li>The value of retaining vegetation within the front setback.</li> </ul>	<p><b>Please see relevant development context and setback requirement below.</b></p>
	<p>Development Context:</p> <p>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</p> <p>Minimum Setback from Front Street:</p> <p>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.</p> <p>Minimum Setback from a Side Street:</p> <p>Not applicable.</p>		

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	<p>Development Context: 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.</p> <p>Minimum Setback from 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.</p> <p>Minimum Setback from a Side Street: Not applicable.</p>		<p><input type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>Comments:</p>
	<p>Development Context: There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</p> <p>Minimum Setback from Front Street: 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p> <p>Minimum Setback from a Side Street: Not applicable.</p>		<p><input checked="" type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments: All internal front setbacks are within the internal common accessway and are predominately 4.5m. The proposed front, side and rear setbacks are considered appropriate and responsive to the development context and surrounds.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	<p>Development Context: The site is on a corner.</p> <p>Minimum Setback from Front Street: 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. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p> <p>Minimum Setback from a Side Street: Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback 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.</p>		<p><input type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>Comments:</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<b>B7 (55.03-2) Building Height</b>  To ensure that the height of buildings respects the existing or preferred neighbourhood character.	1. The maximum building height should not exceed that specified in the zone, schedule to the zone or any overlay that applies to the land.	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</li> <li>The design response.</li> <li>The effect of the slope of the site on the height of the building.</li> <li>The relationship between the proposed building height and the height of existing adjacent buildings.</li> <li>The visual impact of the building when viewed from the street and from adjoining properties.</li> </ul>	<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  There is no Schedule variation to the applied General Residential Zone in this circumstance. Therefore, the maximum building height any dwelling as allowed General Residential Zone is 11 metres or 3 storeys at any point.  Each dwelling is proposed to be double storey and does not exceed the maximum height specified.
	2. 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.		<input type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input checked="" type="checkbox"/> <b>Not Applicable</b> Comments: Building height is specified from within the General Residential Zone.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	3. Changes of building height between existing buildings and new buildings should be graduated.		<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  Due to the topography of the land, transitions to building height has been graduated as best as possible.
<b>B8 (55.03-3)</b> <b>Site Coverage</b>  To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	The site area covered by buildings should not exceed: <ul style="list-style-type: none"> <li>The maximum site coverage specified in a schedule to the zone, or</li> <li>If no maximum site coverage is specified in a schedule to the zone, 60 per cent</li> </ul>	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>The design response.</li> <li>The existing site coverage and any constraints imposed by existing development or the features of the site.</li> <li>The site coverage of adjacent properties.</li> <li>The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</li> </ul>	<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The total site area is 6,612m <sup>2</sup> , of which 1,687.86m <sup>2</sup> is impacted by the proposed development. The development provides an overall site coverage of 25.53% of the land, well below the maximum 60%.
<b>B9 (55.03-4)</b> <b>Permeability and stormwater management</b>  To reduce the impact of increased stormwater run-off on the drainage system.	1. The site area covered by the pervious surfaces should be at least: <ul style="list-style-type: none"> <li>The minimum area specified in a schedule to the zone, or</li> <li>If no minimum is specified in a schedule to the zone, 20 percent of the site.</li> </ul>	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>The design response.</li> <li>The capacity of the site to incorporate stormwater retention and reuse.</li> <li>The existing site coverage and any constraints imposed by existing development.</li> </ul>	<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The development achieves an overall pervious surface percentage of 38.49%.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p>To facilitate on-site stormwater infiltration.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p>	<p>2. The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> <li>Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</li> <li>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul>	<ul style="list-style-type: none"> <li>The capacity of the drainage network to accommodate additional stormwater.</li> <li>The capacity of the site to absorb run-off.</li> <li>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</li> <li>Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>Stormwater management will meet best practice objectives as demonstrated by the Sustainability Management Plan and address the requirements of the local drainage authority.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B10 (55.03-5)</b> <b>Energy Efficiency</b></p> <p>To achieve and protect energy efficient dwellings and residential buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p>1. Buildings should be:</p> <ul style="list-style-type: none"> <li>Oriented to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> <li>Sited and designed to ensure that the performance of existing rooftop solar energy facilities on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.</li> </ul>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>The design response.</li> <li>The size, orientation and slope of the lot.</li> <li>The existing amount of solar access to abutting properties.</li> <li>The availability of solar access to north-facing windows on the site.</li> <li>The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.</li> <li>Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.</li> <li>The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>The development will not compromise the solar efficiency of adjoining residential buildings.</p>
	<p>3. Living areas and private open space should be located on the north side of the development, if practicable.</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>Where practical, living areas and private open space have been provided a northern aspect, however noting the constraints of the site and the topography this is not entirely achievable for each dwelling.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	4. Developments should be designed so that solar access to north-facing windows is maximised.		<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  Considering the constraints of the site, dwellings have been designed to maximise north-facing windows where achievable.
<b>B11 (55.03-6)</b> <b>Open Space</b>  To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> <li>• Be substantially fronted by dwellings, where appropriate.</li> <li>• Provide outlook for as many dwellings as practicable.</li> <li>• Be designed to protect any natural features on the site.</li> <li>• Be accessible and useable.</li> </ul>	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>• Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>• The design response.</li> </ul>	<input type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input checked="" type="checkbox"/> Not Applicable Comments:  There is no public open space provided by the proposed development.
<b>B12 (55.03-7)</b> <b>Safety</b>  To ensure the layout of development provides for the safety and security of residents and property	1. Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.	Before deciding on an application, the responsible authority must consider the design response.	<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The main entrance to each individual dwelling is clearly visible from the common accessway and is not obscured from view.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	2. Planting which creates unsafe spaces along streets and accessways should be avoided.		<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  Appropriate planting and lighting will be utilised in order to avoid creating unsafe or hidden spaces within the development. A landscape plan has been provided as part of the submission.
	3. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.		<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The development has been designed to ensure appropriate lighting and visibility of car parking spaces via the common accessway.
	4. Private spaces within developments should be protected from inappropriate use as public thoroughfares.		<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  Landscaping and fencing is utilised to clearly distinguish between public and private space.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B13 (55.03-8)</b> <b>Landscaping</b></p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p>1. The landscape layout and design should:</p> <ul style="list-style-type: none"> <li>Protect any predominant landscape features of the neighbourhood.</li> <li>Take into account the soil type and drainage patterns of the site.</li> <li>Allow for intended vegetation growth and structural protection of buildings.</li> <li>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>Provide a safe, attractive and functional environment for residents.</li> </ul>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework</li> <li>The design response.</li> <li>The location and size of gardens and the predominant plant types in the neighbourhood.</li> <li>The health of any trees to be removed.</li> <li>Whether a tree was removed to gain a development advantage.</li> </ul>	<p><input checked="" type="checkbox"/> Complies with Objectives and Standard</p> <p><input type="checkbox"/> Complies with Objectives with a variation required to the Standard</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>A Landscape Plan has been submitted as part of the supporting information and will be finalised as a condition of any planning permit that may be issued.</p>
	<p>2. Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p>		<p><input checked="" type="checkbox"/> Complies with Objectives and Standard</p> <p><input type="checkbox"/> Complies with Objectives with a variation required to the Standard</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>The development proposal has incorporated two large native trees overhanging the subject site into the design response and suitably allowed for the viable retention of this vegetation.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	3. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.		<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  A review of the Nearmap imagery identifies there was no significant trees on the subject site on the imagery dating back one year.
	4. The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.		<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The landscape theme is consistent with the existing Neighbourhood Character and surrounding subdivision.  A Landscape Plan has been submitted as part of the supporting information and may be finalised as a condition of any permit that may be issued.
	5. Development should meet any additional landscape requirements specified in a schedule to the zone.		<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  There are no additional requirements specified in the General Residential Zone.

## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<b>B14 (55.03-9)</b> <b>Access</b>  To ensure the number and design of vehicle crossovers respects the neighbourhood character.	1. The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> <li>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul>	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The impact on the neighbourhood character.</li> <li>• The reduction of on-street car parking spaces.</li> <li>• The effect on any significant vegetation on the site and footpath.</li> </ul>	<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  The dwelling driveways are provided to the internal common property and Blessing Rise and are less than 33% of each dwelling frontage.
	2. No more than one single-width crossover should be provided for each dwelling fronting a street.		<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  A single crossover is provided for each dwelling.
	3. The location of crossovers should maximise the retention of on-street car parking spaces.		<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  There is no impact on existing on-street car parking spaces.
	4. The number of access points to a road in a Road Zone should be minimised.		<input type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input checked="" type="checkbox"/> <b>Not Applicable</b> Comments:



## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	5. Developments must provide for access for service, emergency and delivery vehicles.		<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  Emergency, service and delivery vehicles will be provided access via the common accessway.
<b>B15 (55.03-10) Parking Location</b>  To provide convenient parking for resident and visitor vehicles.  To protect residents from vehicular noise within developments.	1. Car parking facilities should: <ul style="list-style-type: none"> <li>• Be reasonably close and convenient to dwellings and residential buildings.</li> <li>• Be secure.</li> <li>• Be well ventilated if enclosed.</li> </ul>	Before deciding on an application, the responsible authority must consider the design response.	<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  Each dwelling is provided a single or double car garage and space within the driveway for a additional vehicles.  Visitor car parking spaces are provided within the common accessway.
	2. Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.		<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments: There are no shared accessways or car parks within 1.5m of a window to a habitable room of a dwelling.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Amenity Impacts

Clause 55.04

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<b>B17 (55.04-1) Side and Rear Setbacks</b>  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.	1. A new building not on or within 200mm of a boundary should be set back from side or rear boundaries: <ul style="list-style-type: none"> <li>At least the distance specified in a schedule to the zone, or</li> <li>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.</li> </ul>	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>The design response.</li> <li>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</li> <li>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</li> <li>Whether the wall abuts a side or rear lane.</li> </ul>	<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  All dwellings are provided a minimum 1m side setback and further setback on the upper floor to comply with the envelopes.
	2. 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.		<input type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input checked="" type="checkbox"/> <b>Not Applicable</b> Comments:
	3. 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.		<input type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input checked="" type="checkbox"/> <b>Not Applicable</b> Comments:

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B18 (55.04-2)</b> <b>Walls on Boundaries</b></p> <p>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.</p>	<p>1. 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 lot should not abut the boundary:</p> <ul style="list-style-type: none"> <li>For a length of more than the distance specified in a schedule to the zone; or</li> <li>If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> <li>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</li> </ul> </li> </ul>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>The design response.</li> <li>The extent to which walls on boundaries are part of the neighbourhood character.</li> <li>The impact on the amenity of existing dwellings.</li> <li>The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.</li> <li>The orientation of the boundary that the wall is being built on.</li> <li>The width of the lot.</li> <li>The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</li> <li>Whether the wall abuts a side or rear lane.</li> <li>The need to increase the wall height to screen a box gutter.</li> </ul>	<p><input type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>No dwellings have been designed with a wall on the boundary.</p>
	<p>2. 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.</p>		

## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	3. A building on a boundary includes a building set back up to 200mm from a boundary.		<input type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input checked="" type="checkbox"/> Not Applicable Comments:
	4. 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 should 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.		<input type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input checked="" type="checkbox"/> Not Applicable Comments:
<b>B19 (55.04-3)</b> <b>Daylight to Existing Windows</b>  To allow adequate daylight into existing habitable room windows.	1. 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.	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</li> </ul>	<input type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input checked="" type="checkbox"/> Not Applicable Comments:  There are no existing adjoining dwellings proximate to the proposed development.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	<p>2. 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.</p>	<ul style="list-style-type: none"> <li>The impact on the amenity of existing dwellings.</li> </ul>	<input type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input checked="" type="checkbox"/> Not Applicable Comments:  There are no existing residential dwellings immediately adjacent to the subject site and therefore the proposed development complies with this standard.
	<p>3. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>		<input type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input checked="" type="checkbox"/> Not Applicable Comments:  There are no existing residential dwellings immediately adjacent to the subject site and therefore the proposed development complies with this standard.
<p><b>B20 (55.04-4)</b> <b>North Facing Windows</b></p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p>If a north-facing habitable room window of an existing 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 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, 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.</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>The design response.</li> <li>Existing sunlight to the north-facing habitable room window of the existing dwelling.</li> <li>The impact on the amenity of existing dwellings.</li> </ul>	<input checked="" type="checkbox"/> Complies with Objective and Standard <input type="checkbox"/> Complies with Objective with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  There are no north facing habitable room windows to existing dwellings within 3m of the subject site.

## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B21 (55.04-5)</b> <b>Overshadowing Open Space</b></p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>The design response.</li> <li>The impact on the amenity of existing dwellings.</li> <li>Existing sunlight penetration to the secluded private open space of the existing dwelling.</li> <li>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</li> <li>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>There are no existing residential buildings directly adjacent to the subject site, other than to the southern boundary and therefore the proposed development complies with this standard. There is minimal impact to the existing dwelling to the south.</p>
<p><b>B22 (55.04-6)</b> <b>Overlooking</b></p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	<p>1. A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be 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.</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>The design response.</li> <li>The impact on the amenity of the secluded private open space or habitable room window.</li> <li>The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.</li> <li>The internal daylight to and amenity of the proposed dwelling or residential building.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>There are no existing residential buildings directly adjacent to the subject site, other than to the southern boundary and therefore the proposed development complies with this standard. There is minimal impact to the existing dwelling to the south.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	<p>2. A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>• Have sill heights of at least 1.7 metres above floor level.</li> <li>• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul>		<p><input type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>There are no existing residential dwellings immediately adjacent to the subject site and therefore the proposed development complies with this standard.</p>
	<p>3. 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.</p>		<p><input type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>There are no existing residential dwellings immediately adjacent to the subject site and therefore the proposed development complies with this standard.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	<p>4. Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>• Permanent, fixed and durable.</li> <li>• Designed and coloured to blend in with the development.</li> </ul> <p>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.</p>		<p><input type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>There are no existing residential dwellings immediately adjacent to the subject site and therefore the proposed development complies with this standard.</p>
<p><b>B23 (55.04-7)</b> <b>Internal Views</b></p> <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development</p>	<p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development</p>	<p>Before deciding on an application, the responsible authority must consider the design response.</p>	<p><input checked="" type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>Internal views into the secluded private open space and habitable room windows within the development are avoided by the positioning of secluded private open spaces and the design of the dwellings.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B24 (55.04-8)</b> <b>Noise Impacts</b></p> <p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	<p>1. Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</p>	<p>Before deciding on an application, the responsible authority must consider the design response.</p>	<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>There are no significant noise sources, such as hot water systems and air-conditioning units, that will be located near habitable rooms of existing dwellings on adjoining lots.</p>
	<p>2. Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>The location of habitable rooms within the proposed development have also taken into consideration noise sources on immediately adjacent properties.</p>
	<p>3. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>There are no significant noise sources in proximity to the development therefore no impact on the proposed habitable rooms.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

### On-Site Amenity and Facilities

### Clause 55.05

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B25 (55.05-1)</b> <b>Accessibility</b></p> <p>To encourage the consideration of the needs of people with limited mobility in the design of developments.</p>	<p>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>		<p><input checked="" type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>Each dwelling has a prominent ground floor entry which is easily identifiable and accessible.</p>
<p><b>B26 (55.05-2)</b> <b>Dwelling Entry</b></p> <p>To provide each dwelling or residential building with its own sense of identity.</p>	<p>1. Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> <li>• be visible and easily identifiable from streets and other public areas.</li> <li>• Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>		<p><input checked="" type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>The dwellings each have their own sense of identity and address to the street and common accessway through the utilisation of articulation features such as balconies, porches and/or upper floor recession features.</p>
<p><b>B27 (55.05-3)</b> <b>Daylight to New Windows</b></p> <p>To allow adequate daylight into new habitable room windows.</p>	<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• A verandah provided it is open for at least one third of its perimeter, or</li> <li>• A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• Whether there are other windows in the habitable room which have access to daylight.</li> </ul>	<p><input checked="" type="checkbox"/> Complies with Objective and Standard</p> <p><input type="checkbox"/> Complies with Objective with a variation required to the Standard</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments:</p> <p>Each window into a habitable room is provided with an outdoor space clear to the sky with a minimum area of 3 square metres and minimum dimension of 1 metre.</p>

## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B28 (55.05-4)</b> <b>Private Open Space</b></p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> <li>• An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>• A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>• A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The useability of the private open space, including its size and accessibility.</li> <li>• The availability of and access to public or communal open space.</li> <li>• The orientation of the lot to the street and the sun.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>Each dwelling is provided with adequate private open space and secluded private open space as per the provisions detailed within the architectural plans.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<b>B29 (55.05-5)</b> <b>Solar Access to Open Space</b>  To allow solar access into the secluded private open space of new dwellings and residential buildings.	1. The private open space should be located on the north side of the dwelling or residential building, if appropriate.	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>The design response.</li> <li>The useability and amenity of the secluded private open space based on the sunlight it will receive.</li> </ul>	<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  Private open space has been located on where most appropriate, predominately to the rear of the dwellings.
	2. The southern boundary of secluded private open space should be 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.		<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  The southern boundary of secluded private open space dwellings 1 and 2 have been suitably set back from the rear of the dwelling.
<b>B30 (55.05-6)</b> <b>Storage</b>  To provide adequate storage facilities for each dwelling.	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.		<input type="checkbox"/> <b>Complies with Objective and Standard</b> <input checked="" type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  Sufficient storage is provided within each dwelling.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Detailed Design

Clause 55.06

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<b>B31 (55.06-1)</b> <b>Design Detail</b>  To encourage design detail that respects the existing or preferred neighbourhood character.	1. The design of buildings, including: <ul style="list-style-type: none"> <li>• Facade articulation and detailing,</li> <li>• Window and door proportions,</li> <li>• Roof form, and</li> <li>• Verandahs, eaves and parapets,</li> </ul> should respect the existing or preferred neighbourhood character.	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.</li> <li>• Whether the design is innovative and of a high architectural standard.</li> </ul>	<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  The dwellings have been designed consistent with the character of the surrounding development.
	2. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.		<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  A single or double car garage and driveway space is provided for each dwelling, consistent with what is provided for the surrounding subdivision and required by the statutory planning controls.
<b>B32 (55.06-2)</b> <b>Front Fences</b>  To encourage front fence design that respects the existing or preferred neighbourhood character.	1. The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The setback, height and appearance of front fences on adjacent properties.</li> </ul>	<input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b> <input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b> <input type="checkbox"/> <b>Not Applicable</b> Comments:  Colourbond front fencing is proposed with a maximum height of 1.5m.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	<p>2. A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> <li>The maximum height specified in a schedule to the zone, or</li> <li>If no maximum height is specified in a schedule to the zone, the maximum height is: <ul style="list-style-type: none"> <li>- 2 metres if abutting a Road Zone, Category 1.</li> <li>- 1.5 metres in any other street.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The extent to which slope and retaining walls reduce the effective height of the front fence.</li> <li>Whether the fence is needed to minimise noise intrusion.</li> </ul>	<p><input checked="" type="checkbox"/> <b>Complies with Objective and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objective with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>2m high Colourbond fencing with brick pillars is proposed adjoining Pakenham Road.</p> <p>All other front fencing is limited to 1.5m in height.</p>
<p><b>B33 (55.06-3)</b> <b>Common Property</b></p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p>1. Developments should clearly delineate public, communal and private areas.</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>The common property accessway will be clearly distinguished from the private property as the dwellings and landscaping will largely define the proposed property boundaries internally.</p>
	<p>2. Common property, where provided, should be functional and capable of efficient management.</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>The common accessway will serve as a functional and efficient access for the proposed dwellings.</p>

## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
<p><b>B34 (55.06-4)</b> <b>Site Services</b></p> <p>To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p>	<p>1. The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</p>	<p>Before deciding on an application, the responsible authority must consider the design response.</p>	<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>The development will ensure site services and facilities can be installed, are accessible and easily maintained.</p>
	<p>2. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>The design of mailboxes and on-site facilities will integrate with the development and neighbourhood character.</p>
	<p>3. Bin and recycling enclosures should be located for convenient access by residents.</p>		<p><input checked="" type="checkbox"/> <b>Complies with Objectives and Standard</b></p> <p><input type="checkbox"/> <b>Complies with Objectives with a variation required to the Standard</b></p> <p><input type="checkbox"/> <b>Not Applicable</b></p> <p>Comments:</p> <p>Dedicated bin collection areas have been nominated on the plans. There is adequate provision for storage within the front yard of each dwelling.</p>

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Title & Objective	Standard	Decision Guidelines	Complies / Complies with a Variation / Not Applicable
	4. Mailboxes should be provided and located for convenient access as required by Australia Post.		<input checked="" type="checkbox"/> Complies with Objectives and Standard <input type="checkbox"/> Complies with Objectives with a variation required to the Standard <input type="checkbox"/> Not Applicable Comments:  The design of mailboxes and on-site facilities will integrate with the development and neighbourhood character.

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## CLAUSE 55 ASSESSMENT – 166 PAKENHAM ROAD, PAKENHAM

Apartment Developments

Clause 55.07

The proposal does not consist of an apartment complex, thus Clause 55.07 does not apply.

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166 PAKENHAM ROAD, PAKENHAM

## Attachment 4 Sustainability Management Plan

PREPARED FOR UNIVERSAL PROPERTY GROUP PTY LTD

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**SPOT**  
PLANNING

# Sustainability Management Plan 166 Pakenham Road, Pakenham VIC

24/01/2024

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a part of  
Sustainability  
Tech Partners Pty Ltd

The logo for Sustainability Tech Partners Pty Ltd is a white line-art graphic on a dark teal background. It features a central vertical line with several horizontal lines branching out from it, resembling a stylized tree or a starburst pattern.



# Sustainability Management Plan (SMP)

## Proposed Residential Development

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### DOCUMENT VERSION

Version	Date	Changelog	Author	Review
0	26/07/23	Issued for Client Review (FCS 53435)	PS	LA
1	24/01/24	Updated as per latest drawings (FCS 56761)	PS	



## INITIATIVES TO BE MARKED ON DRAWINGS

### **Water & Stormwater Management**

- Mark-up showing roof catchment area to be diverted to the Rainwater tank for each dwelling – If required, the use of charged pipe system will be explicitly acknowledged on the drawings and charged pipes will not be running underneath the building footprint
- Location and size of each Rainwater tank proposed
- Note showing connection to the toilets and laundry
- Location of the proposed 17m<sup>2</sup> of raingarden treating the driveway/road- The raingarden can be separated, and location should be chosen in accordance with the civil/drainage engineer and landscape consultant (minimum 300mm away from boundary or structural footings and LPOD location consideration)
- Mark-up showing the 850m<sup>2</sup> of driveway/road areas to divert to the proposed raingardens
- Note showing the use of native or drought-tolerant species for landscaped areas. Watering will not be required after an initial period when plants are getting established. If irrigation is required, it will be connected to rainwater tanks
- Note showing WELS rating for water fittings/fixtures (refer to report) – Fixtures (e.g., dishwasher) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase

### **Energy Efficiency**

- Note showing commitment to 4W/m<sup>2</sup> lighting density in the dwellings
- Retractable external clothes drying line
- Lighting sensors for external lighting (motion detectors, timers etc.)
- Commitment to 6.5 Star average energy rating for the development (on planning and construction drawings)

### **Indoor Environment Quality**

- Note showing double glazing on all habitable rooms (floor plans and elevations)

### **Transport**

- 1 bike space location for each dwelling provided in the garage or POS – not installed over the bonnet

### **Waste**

- Three bins system including rubbish, recycling, and organic/garden waste as well as future glass waste provision.

### **Urban Ecology**

- Show the extent of vegetated areas around the site (including lawn)

## INTRODUCTION

Frater Consulting Services has been engaged to undertake a Sustainability Management Plan for the proposed residential development located at 166 Pakenham Road, Pakenham. This has been prepared to address the Cardinia Shire's sustainability requirements.

Cardinia Shire as part of the CASBE (Council Alliance for a Sustainable Built Environment) has identified the following key categories to be addressed:

- Energy Performance;
- Water Resources;
- Stormwater Management;
- Indoor Environment Quality;
- Construction, Building & Waste Management;
- Building Materials;
- Transport; and
- Urban Ecology.

The site has been assessed using the BESS tool. BESS was developed by an association of councils led by the Merri-bek City Council. This tool assesses the energy and water efficiency, thermal comfort and overall environmental sustainability performance of new buildings or alterations. It was created to demonstrate how new development can meet sustainability requirements as part of a planning permit application for the participating council.

Each target area within the BESS tool generally receives a score of between 1% and 100%. A minimum score of 50% is required for the energy, water, stormwater and IEQ areas. An overall score of 50% represents 'Best Practice' while a score over 70% represents 'Excellence'. The result of the BESS assessment is included in Appendix D.

The Stormwater Treatment Objective – Relative Measure (STORM) calculator which addresses stormwater quality considerations has been used for the development to ensure that stormwater management best practice requirements have been achieved. The result of the STORM assessment is included in Appendix A.



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## SITE DESCRIPTION

The proposed site is located at 166 Pakenham Road, Pakenham. The 6,612m<sup>2</sup> site is currently vacant. It is located approximately 59kms southeast of the Melbourne CBD.

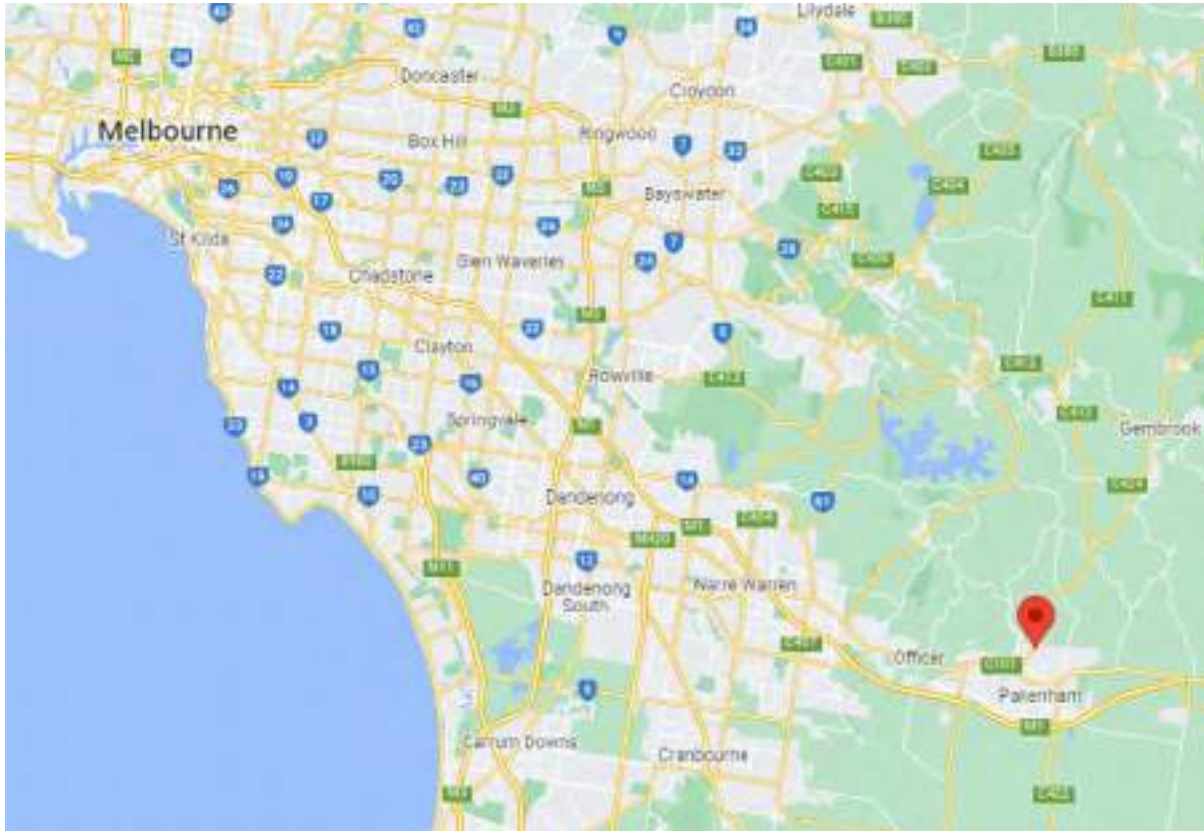


Figure 1: Location of the proposed development in Pakenham in relation to Melbourne CBD (Source: Google Maps)

## PROPOSED DEVELOPMENT

The proposal consists of the development of the site into fifteen (15) double-storey townhouses (4 x 5-bedroom, 9 x 4-bedroom, and 2 x 3-bedroom). The area of the site is 6,612m<sup>2</sup>. Each townhouse will be provided with an undercover garage and individual driveways opening on the proposed access road and Blessing Rise.

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## ENERGY EFFICIENCY

Energy and its key elements should be integrated into the design of the proposed development. These elements contribute to reducing greenhouse gas emissions by utilising energy-efficient appliances, energy conservation measures and renewable energy.

### Thermal Performance

Energy ratings will be completed at the building approval stage. A commitment is made that the development will meet the energy efficiency requirements of a minimum 6.5-Star average energy rating with no individual dwellings scoring less than 6.0-Stars (10% improvement above BCA requirements). This will be achieved using appropriate insulation levels in all external walls, roofs and floors as well as the use of **double-glazing windows** throughout habitable rooms. For the purpose of the BESS assessment, 6.5-star average results have been assumed.

### Heating and Cooling Systems

Heating and cooling systems can account for up to 40% of a household's energy use. Therefore, to reduce energy consumption heating and cooling will be provided by energy-efficient air conditioners chosen **with 3-Star rating minimum (cooling and heating) or within one star of the best available product in the range at the time of purchase whichever is greater.**

COP/EER 85% or better than the most efficient equivalent capacity unit available if no star rating is available.

Please note that 3 Star energy rating has been entered in BESS as an average however actual star rating will depend on the product range.

### Hot Water Heating

Hot water for the townhouses will be provided with gas instantaneous hot water units chosen as 6 Star minimum or within one star of the best available whichever is greater. Efficiency will be chosen at 85% or better than the most efficient equivalent capacity unit available if no star rating is available.

### Internal Lighting

Energy consumption from artificial lighting within the townhouses will be reduced by using LED lighting. A lighting level of 4W/m<sup>2</sup> will not be exceeded in the townhouses. The use of light internal colours will improve daylight penetration thus reducing the need for artificial lighting.

### External Lighting

External lighting for the townhouses and common areas (driveway/pathway) will be LED and will include controls such as motion detectors or timers to minimise consumption during off-peak times.

### Clothes Drying

External retractable clothes drying lines or racks will be provided for each townhouse within the identified private open spaces.





## WATER EFFICIENCY & STORMWATER MANAGEMENT

Water saving use and reuse and its key elements should be integrated into the design of the proposed development. These principles contribute to reducing the water demand in addition to promoting water reuse. Stormwater management and its key elements should be integrated into the design of the proposed development. These principles contribute to ensuring natural systems are protected and enhanced whilst promoting on-site retention and aim to reduce runoff or peak flows.

### Water Efficient Fittings

The development will include efficient fittings and fixtures to reduce the volume of mains water used in the development. The following WELS star ratings will be specified;

- Toilets – 4 Star;
- Taps (bathroom and kitchen) – 5 Star;
- Showerhead – 4 Star with aeration device (6.0-7.5L/min); and
- Dishwasher – 5 Star.

### Rainwater Collection & Use

Rainwater runoff from part of the roof area of each townhouse will be collected and stored in rainwater tanks<sup>1</sup>. Each dwelling will be provided with a 4,000L tank (60,000L for the entire development).

If required, a charged pipe system or multiple tanks will be installed to collect water from part of the roof of each dwelling.

**In the case of a charged pipe system, the charged pipes will not be running underneath the building footprint (slab) and the stakeholders (builder/developer/architect) will be required to explicitly acknowledge this solution and have the capacity to install it.**

Rainwater collected will be used for toilet flushing and laundry in each townhouse. These initiatives will reduce significantly the stormwater impacts of the development and help achieve compliance with the STORM calculator (See Appendix A).

### Stormwater Treatment - Raingardens

Part of the driveway/road runoff will be diverted towards a minimum of 17m<sup>2</sup> of raingarden before being released at the legal point of discharge.

This will treat the stormwater runoff from part of the roof areas by filtering coarse pollutants before releasing the outflows to the legal point of discharge on site (See Appendix A for details).

The raingardens could be implemented within the landscaped areas adjacent to the treated driveways/road and will be installed at least 300mm away from the boundary or structural footings. The exact location should be confirmed with the civil/ drainage

<sup>1</sup> Please note that any stormwater detention volume requirement for the site will be in addition to the proposed rainwater retention and that the proposed tank will not be directly topped up by mains water.

engineer and landscape consultant. The raingardens treating the driveways/roof areas can be installed in-ground.

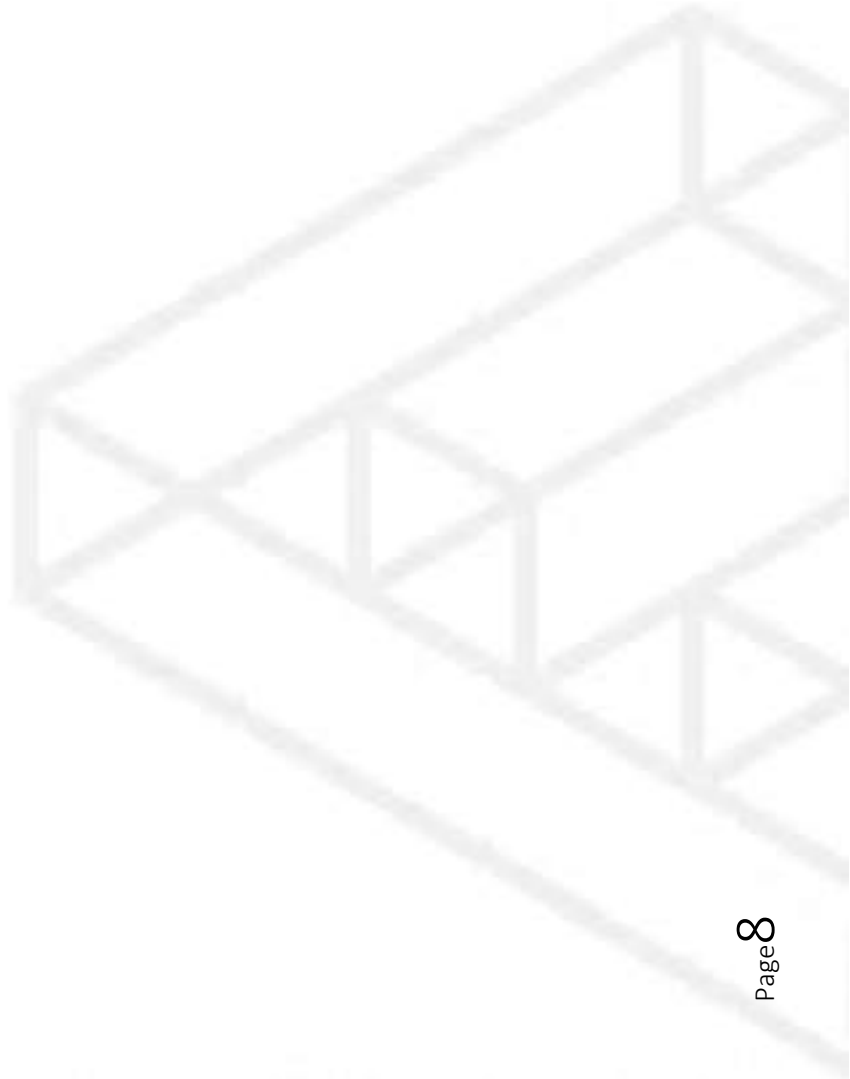
### **Water Efficient Appliances**

All appliances if provided in the development as part of the base building work (e.g. dishwasher) will be chosen within one WELS star of the best available.

### **Water Efficient Landscaping**

Native or drought-tolerant plants will be implemented for the landscaped areas on site. Use of water or irrigation will not be required after an initial period when plants are getting established. If irrigation is required, it will be connected to rainwater tanks.

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## INDOOR ENVIRONMENT QUALITY

Indoor Environment Quality and its key elements should be integrated into the design of the proposed development. These elements play a significant role in the health, well-being and satisfaction of the development occupants. Facilitating a good (IEQ) design provides a naturally comfortable indoor environment and less dependence on building services such as artificial lighting, mechanical ventilation and heating and cooling device.

### **Volatile Organic Compounds**

All paints, adhesives and sealants and flooring will have low VOC content. Alternatively, products will be selected with no VOCs. Paints such as eColour, or equivalent should be considered. Please refer to Appendix C for VOC limits.

### **Formaldehyde Minimisation**

All engineered wood products will have 'low' formaldehyde emissions, certified as E0 or better. Alternatively, products will be specified with no Formaldehyde. Products such as ecological panels – 100% post-consumer recycled wood (or similar) will be considered for use within the development. Please refer to Appendix C for formaldehyde limits.

### **Daylight Levels**

Daylight penetration will be enhanced with the use of light internal colours to improve daylight reflection. All bedrooms and living rooms will be provided with windows to allow for natural sunlight and ventilation. There are no bedrooms that rely on borrowed daylight. Installation of mirrored wardrobe doors could improve even further the daylight spread within the bedrooms.

### **Double Glazing**

Glazing will be chosen in accordance with the energy rating requirements at the building approval stage. However, as a minimum, double glazing will be provided to all living areas and bedrooms. This will provide better thermal performance and reduce condensation which helps prevent the formation of mould within the dwellings.

### **Task Lighting**

A higher illuminance level (300Lux) will be provided for all task areas (e.g., kitchen bench, bathroom basin) to ensure appropriate light is provided to do any tasks in these areas.

### **Ventilation**

All kitchens will have a separate dedicated exhaust fan (range-hood) which will be directly exhausted out of the building.

All townhouses will have access to effective crossflow ventilation. It will provide fresh air to the occupants and reduce the need for mechanical cooling. Window locks and door catches will be included to encourage and improve natural ventilation in the dwellings.

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## CONSTRUCTION, BUILDING & WASTE MANAGEMENT

Building Management and its key elements should be integrated into the design of the proposed development. These principles contribute to ensuring efficient and effective ongoing building performance. Waste management and its key elements should be integrated into the design of the proposed development. These principles contribute to ensuring minimal waste is transported to landfill through disposal, recycling and on-site waste storage and/or collection methods.

### Metering and Monitoring

Separate utility meters (water, gas, and electricity) will be provided for each townhouse. This will allow residents to monitor and reduce their consumption.

### Construction Waste Management

A waste management plan will be introduced to all on-site staff at a site orientation session to ensure that the waste generated on-site is minimised and disposed of correctly. A minimum of 80% of all construction waste generated on-site will be reused or recycled.

### Construction Environmental Management

The builder will identify environmental risks related to construction and include management strategies such as maintaining effective erosion and sediment control measures during construction and operation and ensure that appropriate staging of earthworks (e.g. avoid bare earthworks in high-risk areas of the site during dominant rainfall period).

### Operational Waste

Each townhouse will be provided with bins for general, recycling waste and garden/organic waste and provision for future glass waste bins.



Figure 2: bins for each stream including future glass bin

Recycling bins will be provided next to general waste bins in the kitchen.

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Figure 3: Examples of kitchen receptacles for general waste and recycling.

## TRANSPORT

### **Bicycle Parking – Residents and Visitors**

Residents will be able to securely park their bicycles within each townhouse's garage or POS. This will provide for a total of at least 15 bicycle spaces provided for residents and their visitors. The bike spaces will not be installed over the bonnet.

## BUILDING MATERIALS

Materials selection should be integrated into the design of the proposed development. The criteria for appropriate materials used are based on economic and environmental costs.

### **Timber**

All timber used in the development will be Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified, or recycled/reused.

### **Flooring**

The use of timber flooring will be preferred for all living areas and bedrooms. Wherever possible, flooring will be selected from products/materials certified under any of the following:

- Carpet Institute of Australia Limited, Environmental Certification Scheme (ECS);
- Global GreenTag - <https://www.globalgreentag.com/>; and/or
- Good Environmental Choice (GECA).

Alternatively, flooring must be durable, include some eco-preferred content, be modular and/or come from a manufacturer with a product stewardship program and ISO14001 certification.

### **Joinery**

Wherever possible, joinery will be manufactured from materials/products certified under any of the following:

- Global GreenTag - <https://www.globalgreentag.com/>; and/or
- Good Environmental Choice (GECA).

## Steel

Wherever possible, steel for the development will be sourced from a Responsible Steel Maker<sup>2</sup>. Reinforcing steel for the project will be manufactured using energy-reducing processes commonly used by large manufacturers such as Bluescope or OneSteel.



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<sup>2</sup> A Responsible Steel Maker must have facilities with a currently valid and certified ISO 14001 Environmental Management System (EMS) in place, and be a member of the World Steel Association's (WSA) Climate Action Program (CAP).

## URBAN ECOLOGY

In highly urbanised environments, such as metropolitan Melbourne, it is important to recognise the importance of maintaining and increasing the health of our urban ecosystems to improve living conditions not only for the fauna but also ourselves. We can improve our urban ecosystem through the incorporation of vegetation through landscaping for both new and existing developments.

### Vegetation

A large, landscaped area will be provided around the site and within the private open spaces. It will provide the occupants with a pleasant surrounding environment. The design will incorporate a mix of native species to help maintain local biodiversity.

### Insulant ODP

All thermal insulation used in the development will not contain any ozone-depleting substances and will not use any in its manufacturing.

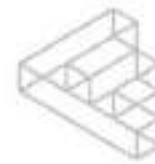
## IMPLEMENTATION & MONITORING

The proposed development will meet the best practice requirement of the Cardinia Shire through the different initiatives described in this report such as a thermally efficient building envelope, efficient air conditioning and hot water system and sustainable materials. An appropriate implementation and monitoring of the initiatives outlined within this report will be required.

Implementation of the ESD initiatives outlined in this report requires the following processes:

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

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## APPENDIX A – WSUD REPORT / STORM ASSESSMENT

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

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

The STORM tool, an industry-accepted tool, was used to assess the development and ensure that the best practice targets described above are met. A minimum compliance score of 100% is required to achieve for the development.

### **Site Delineation**

For the purpose of the assessment, the development has been delineated into the following surface types:

- Site area of 6,612m<sup>2</sup>;
- Part of the roof area runoff of dwelling 1 of 136.8m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 2 of 120m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 3 of 131.2m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 4 of 115.7m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 5 of 221.5m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 6 of 119.4m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 7 of 120.7m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 8 of 133m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 9 of 129.4m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 10 of 98.7m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 11 of 147.7m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 12 of 149.8m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 13 of 153.2m<sup>2</sup> which will be diverted into rainwater tank(s);



- Part of the roof area runoff of dwelling 14 of 102.6m<sup>2</sup> which will be diverted into rainwater tank(s);
- Part of the roof area runoff of dwelling 15 of 126.5m<sup>2</sup> which will be diverted into rainwater tank(s);
- Permeable area of 2,689.7m<sup>2</sup> comprised of landscaped area and other pervious surfaces in the backyards;
- Part of the driveways/road runoff of 850m<sup>2</sup> which will be diverted into raingarden(s);
- Remainder of impervious areas of 1,066.1m<sup>2</sup> comprised of unconnected roof areas and other impervious areas around the site.



Figure 4: Roof to RWT (blue), driveway/road to raingarden (purple), and permeable landscape (green)

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## **Stormwater initiatives**

### **Rainwater Tank**

#### ***(Rainwater tank for toilet flushing and laundry for each dwelling)***

The roof catchment area of each townhouse (as described above) will be diverted to 4,000L rainwater tanks for each townhouse (60,000L for the development). The rainwater collected will be used for toilet flushing and laundry in all townhouses.

If required, a charged pipe system or multiple tanks will be installed to collect water from part of the roof of each dwelling.

**In the case of a charged pipe system, the charged pipes will not be running underneath the slab and the stakeholders (builder/developer/architect) will be required to explicitly acknowledge this solution and have the capacity to install it.**

### **Raingarden**

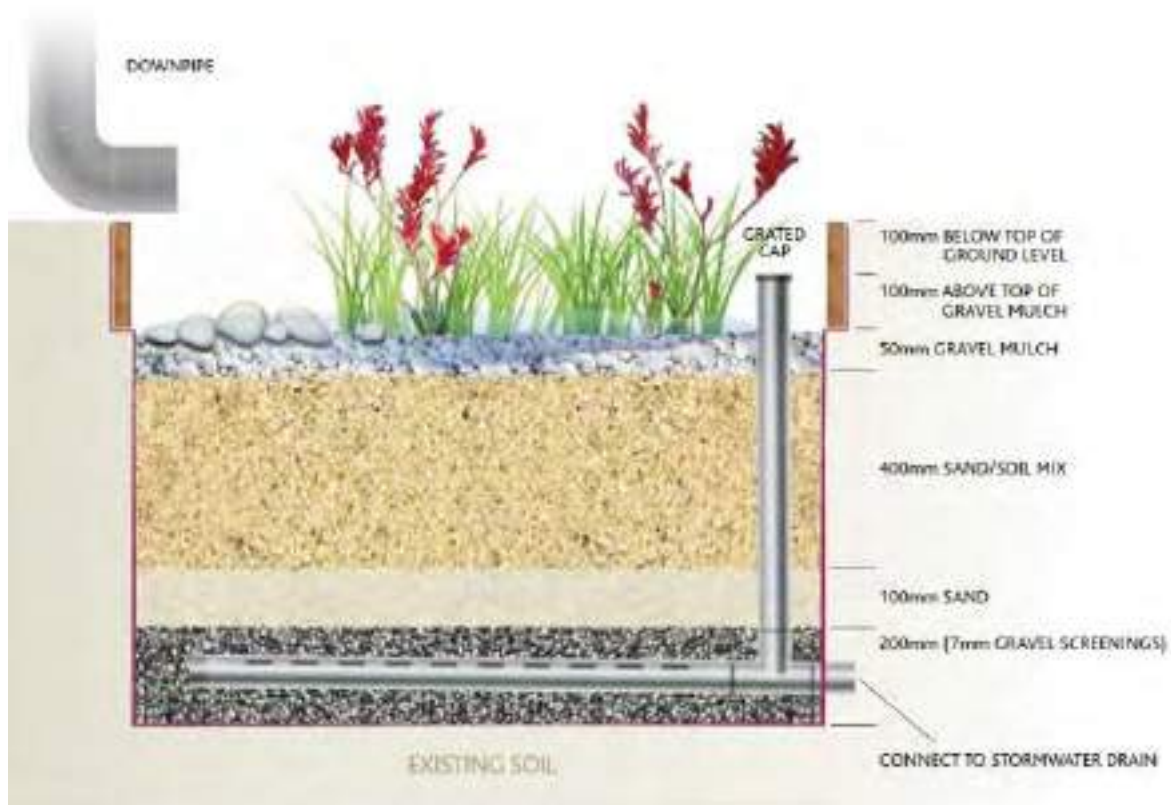
Part of the driveways/road area runoff of minimum of 850m<sup>2</sup> will be diverted towards a minimum of 17m<sup>2</sup> of raingarden before being released at the legal point of discharge.

The raingardens will be implemented within the landscaped areas adjacent to the treated driveways/road and will be installed at least 300mm away from the boundary or structural footings. The raingardens treating the roof areas can be installed in-ground.

Outflows from the raingardens will be released at the legal point of discharge on site. The raingarden will help reduce the coarse and fine sediment levels in the outflows. For more information on how to build raingarden, please visit

<https://www.melbournewater.com.au/sites/default/files/INGROUND.pdf>

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The remainder of impervious areas will directly be released at the legal point of discharge on site.

Permeable areas are excluded from the STORM assessment.

**It should be noted that permeable areas have been maximised in the development which will reduce the overall stormwater outflows from the site. Vegetated areas are provided in the proposed development reducing the heat island effect and improving the local habitat.**

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## Stormwater Results

The initiatives and areas described above have been applied to the STORM calculator and the proposed development has achieved a score of 100%.



## STORM Rating Report

TransactionID: 0  
 Municipality: CARDINIA  
 Rainfall Station: CARDINIA  
 Address: 166 Pakenham Road  
 Pakenham  
 VIC 3810  
 Assessor: Frater Consulting Services  
 Development Type: Residential - Subdivision  
 Allotment Site (m2): 6,612.00  
 STORM Rating %: 100

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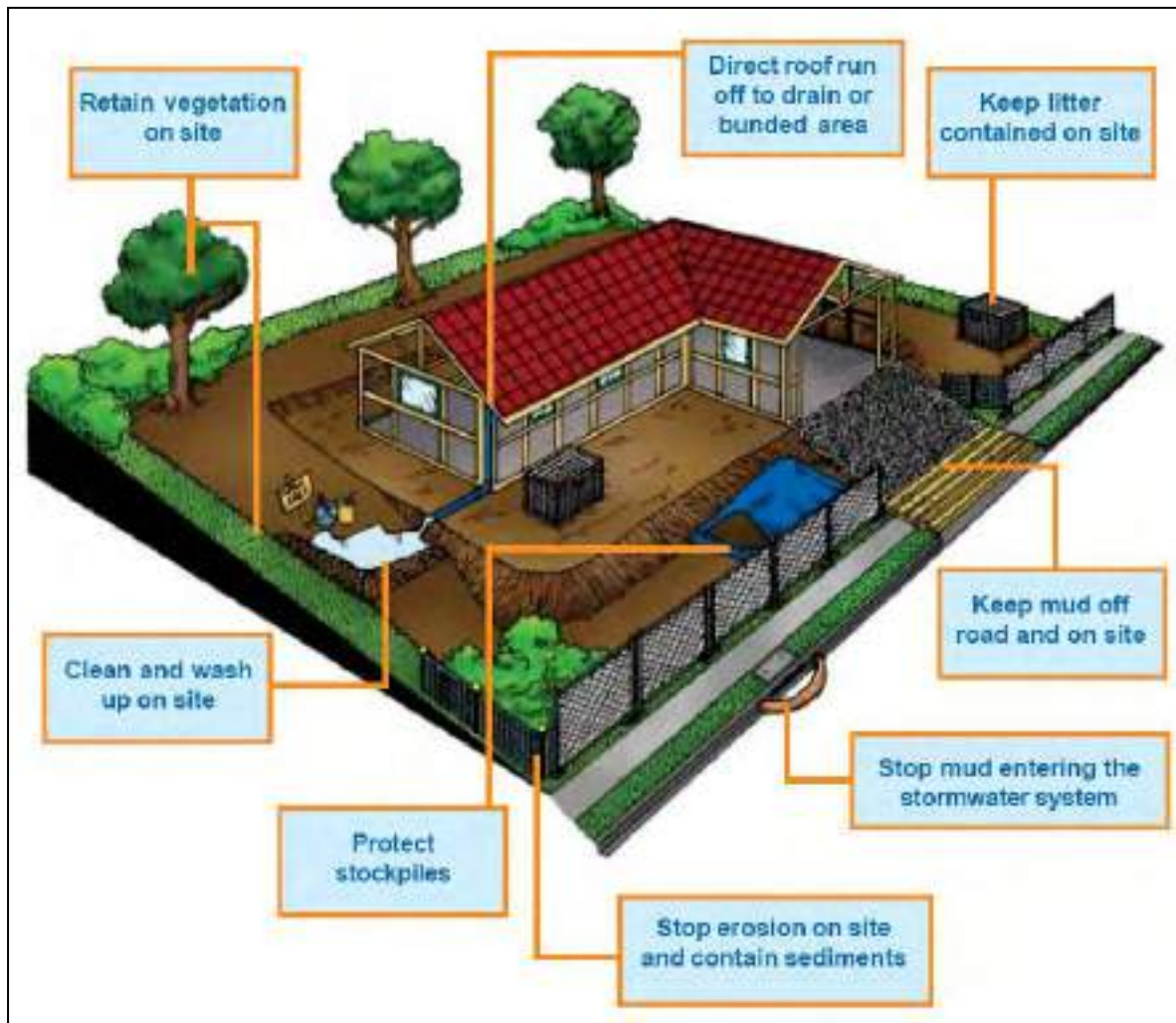
Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
U1 - U15 Roof to RWT	2,006.20	Rainwater Tank	80,000.00	80	140.40	86.00
Road/driveway to raingarden	850.00	Raingarden 300mm	17.00	0	130.20	0.00
Other impervious areas	1,058.10	None	0.00	0	0.00	0.00

Please note that an additional occupant has been input in STORM for each dwelling to account for the laundry connection.

We have assumed that on average a household will have a 3 WELS star washing machine and will run two loads per week. Based on data from WELS, 3-Star washing machines have an average consumption per load of 102 L. With two loads per week, this would represent 204 L/week for laundry or 29L/day. STORM input assumes that one bedroom/occupant represents a daily consumption of 20L/day therefore connection to laundry (29L/day) has been input as an additional occupant.

## Stormwater Management at Construction Site

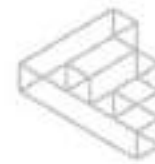
To manage stormwater management in the construction stage, measures will be put in place to minimise the likelihood of contaminating stormwater. This will mean ensuring buffer strips are in place, sediment traps are installed, and the site will be kept clean from any loose rubbish. The builder will follow the process outlined in “Keeping Our Stormwater Clean – A Builder’s Guide” by Melbourne Water.



Copies of “Keeping Our Stormwater Clean – A Builder’s Guide” booklet can be obtained from Melbourne Water by ringing 131 722 or can be downloaded from the following website.

<https://www.clearwatervic.com.au/resource-library/guidelines-and-strategy/keeping-our-stormwater-clean-a-builders-guide.php>

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## APPENDIX B – WSUD MAINTENANCE & INSTALLATION

### **Installation**

#### **Rainwater Tank(s)**

The rainwater tank(s) will be installed above ground. Its manufacturer or material has not been nominated. It will be installed with a mesh insect cover over the inlet pipe to ensure the tank does not become a breeding ground for pests. Mesh needs to be installed over overflow pipes and if a manhole is present it needs to be properly sealed.

Please refer to the architectural drawings for the location of the rainwater tank.

#### **Pumps**

The pumps required either to divert the stormwater runoff to the rainwater tank or to distribute the collected water to the end use (toilets and laundry) will be required to be installed as per the chosen manufacturer specifications.

#### **Raingarden**

The building of a raingarden should be designed by the landscape architect and in accordance with the Melbourne Water “Building an inground raingarden”, “Building an infiltration raingarden”, or “Building a planter box raingarden” document/s <https://www.melbournewater.com.au/sites/default/files/INGROUND.pdf>.

All layers should be installed as specified and commissioning (drainage tests, running water through the raingarden) should occur prior to building sign-off.

### **Inspection Requirements**

#### **Rainwater Tanks**

Inspections of roof areas and gutters leading to the tank should take place every 6 months. Rainwater in the tanks should be checked every 6 months for mosquito infestation.

The rainwater tank should be examined every 2 years for sludge buildup.

Ensure the monitoring system (be it digital or a simple float system) is functioning properly by checking the water level in the rainwater tanks.

#### **Pumps**

The pumps required will be required to be routinely inspected by listening for the day-to-day operation of the pumps. Unusual noise or no noise should be investigated. Inspection should occur as per the chosen manufacturer’s specifications.

#### **Raingarden**

Raingardens should be inspected for damage after large storm events (48.2mm in one hour is considered a large storm event in Melbourne – 1 in a 100-year storm) and should be inspected when garden maintenance occurs onsite (e.g. 3-monthly).

A full inspection of the raingarden should occur annually for a flow test, to identify any plant replacement requirements and whether silt build-up has occurred.

Inspection of roof areas and gutters leading to the raingarden should take place every 6 months.

## Clean Out / Maintenance Procedure

### Rainwater Tank, Roof and Gutters

Rainwater tanks will require the roof and gutters onsite to be maintained; gutters should be checked, maintained and cleaned every six months to avoid blockages from occurring. If a leaf-blocking system is installed this can be completed annually.

Any trees onsite should be maintained every 6 months with branches overhanging the roof removed.

Water ponding in gutters should be avoided as this provides a breeding ground for mosquitos; tanks should also not become breeding grounds for mosquitoes. If mosquitoes are detected in the tank remedial steps need to occur to prevent breeding. If mosquitoes or other insects are found in rainwater tanks, the point of entry should be located and repaired. As well as preventing further access, this will prevent the escape of emerging adults. Gutters should be inspected to ensure they do not contain ponded water and be cleaned if necessary.

Please refer to <https://www.health.vic.gov.au/sites/default/files/2022-11/Keeping-your-rainwater-tank-safe-from-mosquitos.pdf> for more information on mosquito control.

Rainwater tanks should be checked by a regular maintenance person every 3-6 months to ensure that connection to the building is maintained and there are no blockages.

A simple way to ensure the tank is operating as intended would be through the installation of a smart monitoring device (e.g. OneBox®). These systems allow users to operate tanks remotely from the internet or smartphone, monitor and control the tanks in real time, allow the automatic release of stored water before storm events, alert users if there is any blockage and view tank history and usage patterns.

Alternatively, onsite tank gauges can help those familiar with the tank know if the tank is not working correctly.

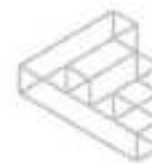
### Pumps

Maintenance should occur as per the chosen manufacturer's specifications. All strainers and filters should be cleaned every 6 months. Good quality pumps should provide trouble-free service for up to 10 years.

### Raingarden

The following maintenance schedule for raingarden has been sourced from *WSUD Maintenance Guidelines* by Melbourne Water.

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Item	What to check for	Action	Frequency
<b>Civil components – Raingarden</b>			
Inlet	No evidence of erosion, blockage, damage or standing water.	Clear inlet of accumulated sediment or debris.	Storm events
		Eroded areas should be locally re-profiled or reinforced, and re-planted if necessary.	3 months
		Refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets if the erosion is either recurring or severe.	
Outlet	No evidence of erosion, blockage, damage or standing water Outlet freely draining.	Clear outlet of accumulated sediment or debris.	Storm events
		Refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets if standing (backwatering into the raingarden) is present.	3 months
Other structures	No evidence of erosion and damage to other structures, e.g. pits, pipes, access ramps, walls and rock protection.	Repair minor damage to structures. Eroded areas should be repaired (reinforced). This may involve minor re-profiling or re-planting works. For severe damage, i.e. where flows have scoured down the side of a structure refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets.	3 months
Batters and bunds	No evidence of erosion.	Eroded areas should be locally re-profiled or reinforced, and re-planted if necessary.	Annually
Hydraulic conductivity	Filter media is draining freely. No water ponded on the surface of the raingarden for more than 12 hours after rainfall.	If water is ponded on the surface of the raingarden for more than 12 hours after rainfall, refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets. Note: the disposal of raingarden filter material must comply with EPA Victoria guidelines for the disposal of contaminated soil (Appendix C).	Storm events
Vegetation cover – filter media	Greater than 90% vegetation cover. Plants healthy, free from disease and vigorously growing.	Remove any dead or diseased vegetation. Replant individual bare patches (greater than 5% of the area) using either new plants or by dividing and translocating existing plants.	3 months
Vegetation cover – batters	Continuous vegetation cover along the lower batter. Greater than 90% vegetation cover. Plants healthy, free from disease and vigorously growing.	If bare areas represent greater than 30% of the raingarden area, refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets.	Annually
Weeds – filter media – batters	Less than 10% of the filter media surface area and batters covered in weeds.	Physically remove weeds from filter media surface and batters. Do not use herbicides as these may harm the desirable raingarden vegetation and contaminate the filter media. Refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets if weed ingress is a persistent problem (i.e. weed coverage is persistently greater than 30%).	3 months
Litter	Filter media surface and batters free of litter (i.e. less than 1 piece litter per 4m <sup>2</sup> ).	Remove all litter and excessive debris	3 months
Pests	No damage by pest animals and insects.	Seek specialist advice if persistent insect damage is observed. Refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets if there is evidence of pest animal damage.	3 months

Please note that the Water by Design documents “*Maintaining Vegetated Stormwater Assets*” and “*Rectifying Vegetated Stormwater Assets*” can be accessed online at <http://waterbydesign.com.au/>.

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## Commissioning

### Rainwater Tank

All rainwater tanks should be washed or flushed out before use. All inlets and outlets should be correctly sealed to prevent insects from entering. Connection to all toilets and laundry in the development should be tested (dye test or equivalent).

Please note if new roof coating or paint is to be installed then the first few run-offs after installation need to be discarded.

### Pumps

Commissioning should occur as per the chosen manufacturer's specifications.

### Raingarden

A flow test which equates to running water through the raingarden needs to occur to ensure underdrainage works correctly and the raingarden drains within 24 hours. A maintenance manual for the raingarden must be provided by the designer of the rain garden if any requirements differ from those outlined above. A full inspection including a flow test must be undertaken annually.



## Summary

The following needs to occur onsite to ensure compliance with WSUD requirements and maintain the operation of the rainwater tank and connections onsite.

Task	When?	Requirement
Inspect Rainwater tanks	Every 6 months	<ul style="list-style-type: none"> <li>Check for any damage/compression</li> <li>Mosquitoes infestation</li> </ul>
	Every 2 years	<ul style="list-style-type: none"> <li>Sludge Build up – if sludge build-up occurs a vacuum tank needs to be called out to the site.</li> </ul>
Inspect roofs & gutters	Every 6 months	<ul style="list-style-type: none"> <li>Clean out of leaves/debris.</li> <li>Remove any overhanging branches onsite.</li> </ul>
Inspection of Raingardens	3-Monthly	<ul style="list-style-type: none"> <li>Check slit levels</li> <li>Check pollutants</li> <li>Check for blockages</li> <li>Check plant health</li> <li>Overflow? Flooding?</li> </ul>
	Following a large storm event	
	Annually	<ul style="list-style-type: none"> <li>Flow test needs to be undertaken to ensure underdrainage works properly</li> <li>Silt and sediment build-up</li> <li>Plant replacement requirement</li> </ul>

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## APPENDIX C – VOC & FORMALDEHYDE EMISSION LIMITS

The following table is an extract of the Green Star Design and as-built submission guidelines:

**Table 13.1.1: Maximum TVOC Limits for Paints, Adhesives and Sealants**

Product Category	Max TVOC content in grams per litre (g/L) of ready to use product.
General purpose adhesives and sealants	50
Interior wall and ceiling paint, all sheen levels	16
Trim, varnishes and wood stains	75
Primers, sealers and prep coats	65
One and two pack performance coatings for floors	140
Acoustic sealants, architectural sealant, waterproofing membranes and sealant, fire retardant sealants and adhesives	250
Structural glazing adhesive, wood flooring and laminate adhesives and sealants	100

The product complies with the Total VOC (TVOC) limits specified in the Table below.

### Carpet Test Standards and TVOC Emissions Limits

Test protocol	Limit
ASTM D5116 - Total VOC limit	0.5mg/m <sup>2</sup> per hour
ASTM D5116 - 4-PC (4-Phenylcyclohexene)	0.05mg/m <sup>2</sup> per hour
ISO 16000 / EN 13419 - TVOC at three days	0.5 mg/m <sup>2</sup> per hour
ISO 10580 / ISO/TC 219 (Document N238) - TVOC at 24 hours	0.5mg/m <sup>2</sup> per hour

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**Table 13.2: Formaldehyde Emission Limit Values for Engineered Wood Products**

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

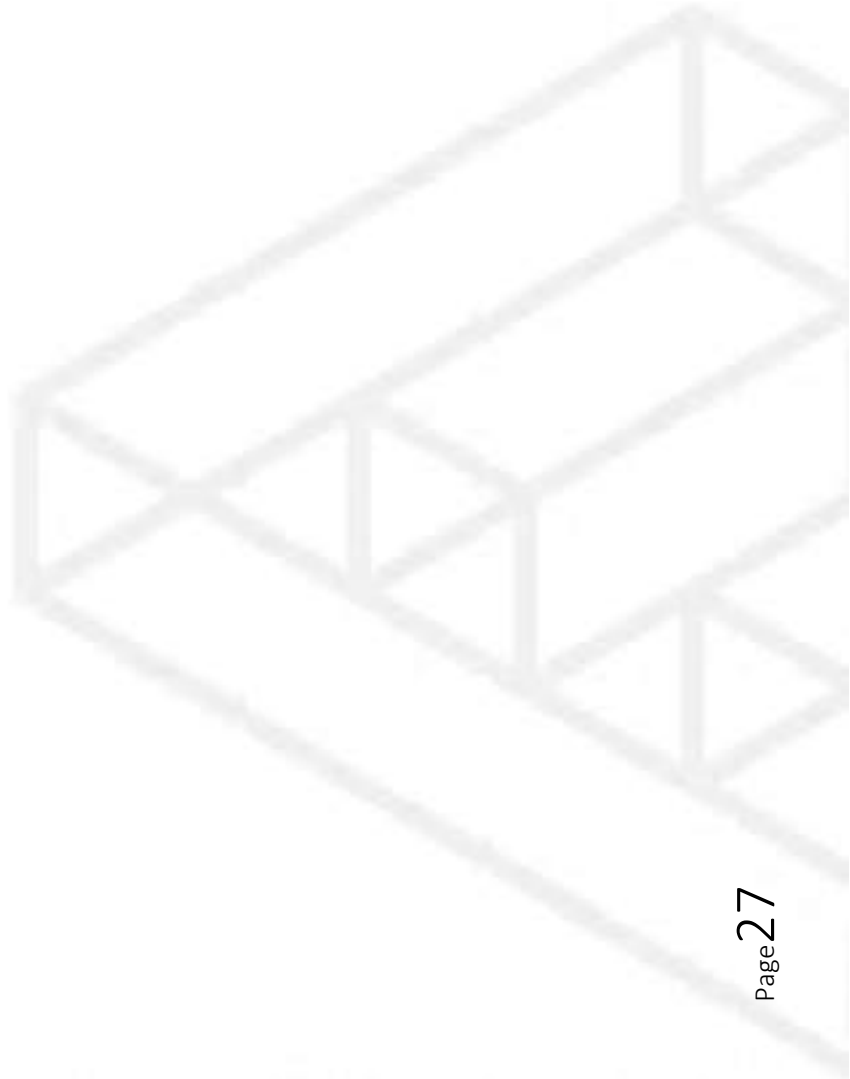
\*mg/m<sup>2</sup>hr may also be represented as mg/m<sup>3</sup>hr.

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## APPENDIX D – BESS ASSESSMENT



# BESS Report

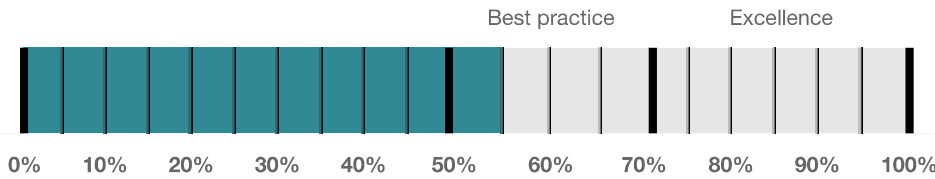
Built Environment Sustainability Scorecard



This BESS report outlines the sustainable design commitments of the proposed development at 166 Pakenham Rd Pakenham Victoria 3810. The BESS report and accompanying documents and evidence are submitted in response to the requirement for a Sustainable Design Assessment or Sustainability Management Plan at Cardinia Shire Council.

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

## Your BESS Score



# 55%

## Project details

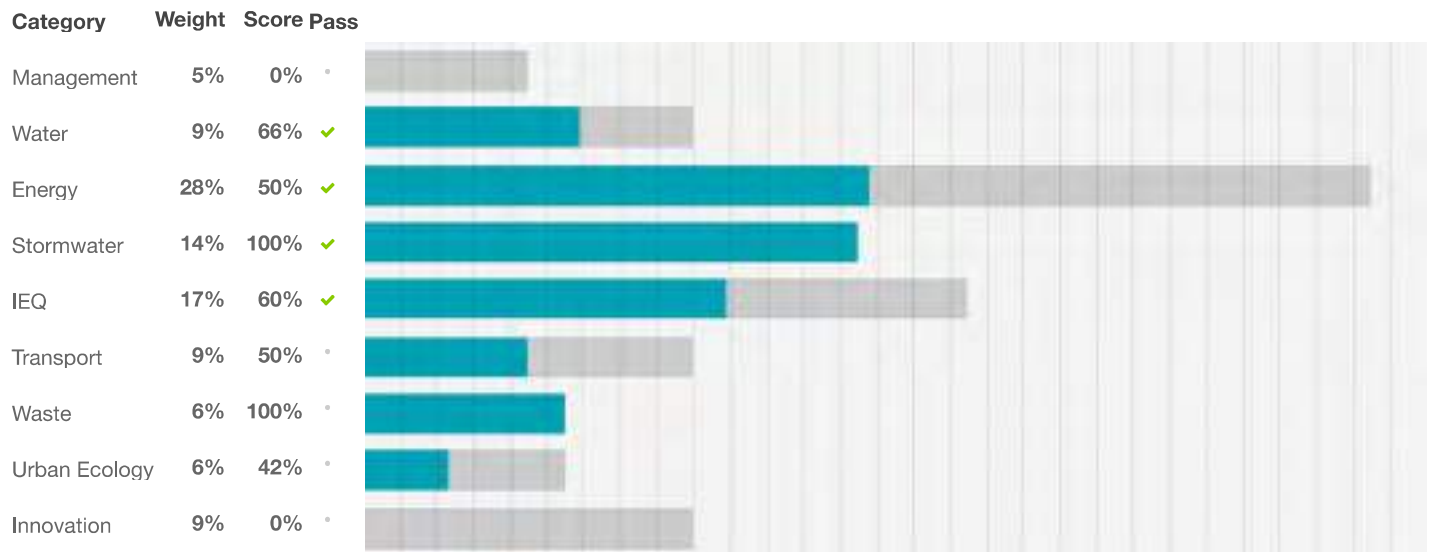
**Address** 166 Pakenham Rd Pakenham Victoria 3810  
**Project no** 9BE9713C-R2  
**BESS Version** BESS-7

**Site type** Multi dwelling (dual occupancy, townhouse, villa unit etc)  
**Account** phillip@fraterconsultingservices.com.au  
**Application no.**  
**Site area** 6,612.00 m<sup>2</sup>  
**Building floor area** 3,289.22 m<sup>2</sup>  
**Date** 24 January 2024  
**Software version** 1.8.1-B.407



## Performance by category

● Your development ● Maximum available



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## Dwellings & Non Res Spaces

### Dwellings

Name	Quantity	Area	% of total area
<b>Detached dwelling</b>			
5	1	345 m <sup>2</sup>	10%
13	1	243 m <sup>2</sup>	7%
12	1	243 m <sup>2</sup>	7%
11	1	243 m <sup>2</sup>	7%
8	1	246 m <sup>2</sup>	7%
15	1	212 m <sup>2</sup>	6%
9	1	224 m <sup>2</sup>	6%
7	1	216 m <sup>2</sup>	6%
6	1	206 m <sup>2</sup>	6%
4	1	202 m <sup>2</sup>	6%
1	1	216 m <sup>2</sup>	6%
10	1	184 m <sup>2</sup>	5%
3	1	167 m <sup>2</sup>	5%
2	1	181 m <sup>2</sup>	5%
14	1	161 m <sup>2</sup>	4%
<b>Total</b>	<b>15</b>	<b>3,289 m<sup>2</sup></b>	<b>100%</b>

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### Supporting information

#### Floorplans & elevation notes

Credit	Requirement	Response	Status
Water 3.1	Annotation: Water efficient garden details		-
Energy 3.3	Annotation: External lighting controlled by motion sensors		-
Energy 3.4	Location of clothes line (if proposed)		-
Stormwater 1.1	Location of any stormwater management systems (rainwater tanks, raingardens, buffer strips)		-
IEQ 2.2	Annotation: Dwellings designed for 'natural cross flow ventilation' (If not all dwellings, include a list of compliant dwellings)		-
IEQ 3.1	Annotation: Glazing specification (U-value, SHGC)		-
Transport 1.1	Location of residential bicycle parking spaces		-
Waste 2.1	Location of food and garden waste facilities		-
Urban Ecology 2.1	Location and size of vegetated areas		-

#### Supporting evidence

Credit	Requirement	Response	Status
Energy 3.5	Average lighting power density and lighting type(s) to be used		-
Stormwater 1.1	STORM report or MUSIC model		-
IEQ 2.2	A list of dwellings with natural cross flow ventilation		-
IEQ 3.1	Reference to floor plans or energy modelling showing the glazing specification (U-value and Solar Heat Gain Coefficient, SHGC)		-

## Credit summary

### Management Overall contribution 4.5%

		0%
1.1 Pre-Application Meeting		0%
2.1 Thermal Performance Modelling - Single Dwelling		0%

### Water Overall contribution 9.0%

	Minimum required 50%	66%	✓ Pass
1.1 Potable Water Use Reduction		60%	
3.1 Water Efficient Landscaping		100%	

### Energy Overall contribution 27.5%

	Minimum required 50%	50%	✓ Pass
1.2 Thermal Performance Rating - Residential		16%	
2.1 Greenhouse Gas Emissions		100%	
2.2 Peak Demand		0%	
2.3 Electricity Consumption		100%	
2.4 Gas Consumption		100%	
2.5 Wood Consumption		N/A	✦ Scoped Out
			No wood heating system present
2.6 Electrification		0%	⊘ Disabled
			Credit is available when project is declared to have no gas connection.
3.2 Hot Water		100%	
3.3 External Lighting		100%	
3.4 Clothes Drying		100%	
3.5 Internal Lighting - Houses and Townhouses		100%	
4.4 Renewable Energy Systems - Other		0%	⊘ Disabled
			No other (non-solar PV) renewable energy is in use.
4.5 Solar PV - Houses and Townhouses		0%	⊘ Disabled
			No solar PV renewable energy is in use.

### Stormwater Overall contribution 13.5%

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

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**IEQ Overall contribution 16.5%**

		<b>Minimum required 50%</b>	<b>60%</b>	<b>✓ Pass</b>
2.2	Cross Flow Ventilation		100%	
3.1	Thermal comfort - Double Glazing		100%	
3.2	Thermal Comfort - External Shading		0%	
3.3	Thermal Comfort - Orientation		0%	

**Transport Overall contribution 9.0%**

		<b>50%</b>	
1.1	Bicycle Parking - Residential		100%
2.1	Electric Vehicle Infrastructure		0%

**Waste Overall contribution 5.5%**

		<b>100%</b>		
1.1	Construction Waste - Building Re-Use		N/A	✦ Scoped Out
non-developed land				
2.1	Operational Waste - Food & Garden Waste		100%	

**Urban Ecology Overall contribution 5.5%**

		<b>42%</b>	
2.1	Vegetation		75%
2.2	Green Roofs		0%
2.3	Green Walls and Facades		0%
3.1	Food Production - Residential		0%

**Innovation Overall contribution 9.0%**

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

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## Credit breakdown

### Management Overall contribution 0%

<b>1.1 Pre-Application Meeting</b>		0%
Score Contribution	This credit contributes 60.0% towards the category score.	
Criteria	Has an ESD professional been engaged to provide sustainability advice from schematic design to construction? AND Has the ESD professional been involved in a pre-application meeting with Council?	
Question	Criteria Achieved ?	
Project	No	
<b>2.1 Thermal Performance Modelling - Single Dwelling</b>		0%
Score Contribution	This credit contributes 40.0% towards the category score.	
Criteria	Has a preliminary NatHERS rating been undertaken?	
Question	Criteria Achieved ?	
Detached dwelling	No	

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**Water** Overall contribution 6% Minimum required 50%

<b>Water Approach</b>	
What approach do you want to use for Water?:	Use the built in calculation tools
<b>Project Water Profile Question</b>	
Do you have a reticulated third pipe or an on-site water recycling system?:	No
Are you installing a swimming pool?:	No
Are you installing a rainwater tank?:	Yes
<b>Water fixtures, fittings and connections</b>	
Showerhead: All	4 Star WELS (>= 6.0 but <= 7.5)
Bath: All	Medium Sized Contemporary Bath
Kitchen Taps: All	>= 5 Star WELS rating
Bathroom Taps: All	>= 5 Star WELS rating
Dishwashers: All	>= 5 Star WELS rating
WC: All	>= 4 Star WELS rating
Urinals: All	Scope out
Washing Machine Water Efficiency: All	Occupant to Install
Which non-potable water source is the dwelling/space connected to?: All	Development RWT
Non-potable water source connected to Toilets: All	Yes
Non-potable water source connected to Laundry (washing machine): All	Yes
Non-potable water source connected to Hot Water System: All	No
<b>Rainwater Tank</b>	
What is the total roof area connected to the rainwater tank?: Development RWT	2,006 m <sup>2</sup>
Tank Size: Development RWT	60,000 Litres
Irrigation area connected to tank: Development RWT	-
Is connected irrigation area a water efficient garden?: Development RWT	-
Other external water demand connected to tank?: Development RWT	-

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<b>1.1 Potable Water Use Reduction</b>		60%
Score Contribution	This credit contributes 83.3% towards the category score.	
Criteria	What is the reduction in total potable water use due to efficient fixtures, appliances, rainwater use and recycled water use? To achieve points in this credit there must be >25% potable water reduction.	
Output	Reference	
Project	3598 kL	
Output	Proposed (excluding rainwater and recycled water use)	
Project	2963 kL	
Output	Proposed (including rainwater and recycled water use)	
Project	2076 kL	
Output	% Reduction in Potable Water Consumption	
Project	42 %	
Output	% of connected demand met by rainwater	
Project	100 %	
Output	How often does the tank overflow?	
Project	Very Often	
Output	Opportunity for additional rainwater connection	
Project	764 kL	
<b>3.1 Water Efficient Landscaping</b>		100%
Score Contribution	This credit contributes 16.7% towards the category score.	
Criteria	Will water efficient landscaping be installed?	
Question	Criteria Achieved ?	
Project	Yes	

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

<b>Dwellings Energy Approach</b>	
What approach do you want to use for Energy?:	Use the built in calculation tools
<b>Project Energy Profile Question</b>	
Are you installing any solar photovoltaic (PV) system(s)?:	No
Are you installing any other renewable energy system(s)?:	No
Energy Supply:	Electricity & Natural Gas
<b>Dwelling Energy Profiles</b>	
Below the floor is: All	Ground or Carpark
Above the ceiling is: All	Outside
Exposed sides: All	4
NatHERS Annual Energy Loads - Heat: All	88.0 MJ/sqm
NatHERS Annual Energy Loads - Cool: All	20.0 MJ/sqm
NatHERS star rating: All	6.5
Type of Heating System: All	Reverse cycle space
Heating System Efficiency: All	3 Star
Type of Cooling System: All	Refrigerative space
Cooling System Efficiency: All	3 Stars
Type of Hot Water System: All	Gas Instantaneous 6 star
Clothes Line: All	Private outdoor clothesline
Clothes Dryer: All	Occupant to Install
<b>1.2 Thermal Performance Rating - Residential</b>	<b>16%</b>
Score Contribution	This credit contributes 27.3% towards the category score.
Criteria	What is the average NatHERS rating?
Output	Average NATHERS Rating (Weighted)
Detached dwelling	6.5 Stars
<b>2.1 Greenhouse Gas Emissions</b>	<b>100%</b>
Score Contribution	This credit contributes 9.1% towards the category score.
Criteria	What is the % reduction in annual greenhouse gas emissions against the benchmark?
Output	Reference Building with Reference Services (BCA only)
Detached dwelling	129,137 kg CO2
Output	Proposed Building with Proposed Services (Actual Building)
Detached dwelling	47,966 kg CO2
Output	% Reduction in GHG Emissions
Detached dwelling	62 %

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<b>2.2 Peak Demand</b>		0%	
Score Contribution	This credit contributes 4.5% towards the category score.		
Criteria	What is the % reduction in the instantaneous (peak-hour) demand against the benchmark?		
Output	Peak Thermal Cooling Load - Baseline		
Detached dwelling	334 kW		
Output	Peak Thermal Cooling Load - Proposed		
Detached dwelling	323 kW		
Output	Peak Thermal Cooling Load - % Reduction		
Detached dwelling	3 %		
<b>2.3 Electricity Consumption</b>		100%	
Score Contribution	This credit contributes 9.1% towards the category score.		
Criteria	What is the % reduction in annual electricity consumption against the benchmark?		
Output	Reference		
Detached dwelling	110,753 kWh		
Output	Proposed		
Detached dwelling	34,945 kWh		
Output	Improvement		
Detached dwelling	68 %		
<b>2.4 Gas Consumption</b>		100%	
Score Contribution	This credit contributes 9.1% towards the category score.		
Criteria	What is the % reduction in annual gas consumption against the benchmark?		
Output	Reference		
Detached dwelling	314,566 MJ		
Output	Proposed		
Detached dwelling	239,734 MJ		
Output	Improvement		
Detached dwelling	23 %		
<b>2.5 Wood Consumption</b>		N/A	 Scoped Out
This credit was scoped out	No wood heating system present		
<b>2.6 Electrification</b>		0%	 Disabled
This credit is disabled	Credit is available when project is declared to have no gas connection.		

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<b>3.2 Hot Water</b>		100%
Score Contribution	This credit contributes 4.5% towards the category score.	
Criteria	What is the % reduction in annual energy consumption (gas and electricity) of the hot water system against the benchmark?	
Output	Reference	
Detached dwelling	314,566 MJ	
Output	Proposed	
Detached dwelling	242,372 MJ	
Output	Improvement	
Detached dwelling	22 %	
<b>3.3 External Lighting</b>		100%
Score Contribution	This credit contributes 4.5% towards the category score.	
Criteria	Is the external lighting controlled by a motion detector?	
Question	Criteria Achieved ?	
Detached dwelling	Yes	
<b>3.4 Clothes Drying</b>		100%
Score Contribution	This credit contributes 4.5% towards the category score.	
Criteria	What is the % reduction in annual energy consumption (gas and electricity) from a combination of clothes lines and efficient driers against the benchmark?	
Output	Reference	
Detached dwelling	11,686 kWh	
Output	Proposed	
Detached dwelling	2,337 kWh	
Output	Improvement	
Detached dwelling	80 %	
<b>3.5 Internal Lighting - Houses and Townhouses</b>		100%
Score Contribution	This credit contributes 4.5% towards the category score.	
Criteria	Does the development achieve a maximum illumination power density of 4W/sqm or less?	
Question	Criteria Achieved?	
Detached dwelling	Yes	
<b>4.4 Renewable Energy Systems - Other</b>	0%	 Disabled
This credit is disabled	No other (non-solar PV) renewable energy is in use.	
<b>4.5 Solar PV - Houses and Townhouses</b>	0%	 Disabled
This credit is disabled	No solar PV renewable energy is in use.	

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

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

**IEQ** Overall contribution 10% Minimum required 50%

<b>2.2 Cross Flow Ventilation</b>		100%
Score Contribution	This credit contributes 20.0% towards the category score.	
Criteria	Are all habitable rooms designed to achieve natural cross flow ventilation?	
Question	Criteria Achieved ?	
Detached dwelling	Yes	
<b>3.1 Thermal comfort - Double Glazing</b>		100%
Score Contribution	This credit contributes 40.0% towards the category score.	
Criteria	Is double glazing (or better) used to all habitable areas?	
Question	Criteria Achieved ?	
Detached dwelling	Yes	
<b>3.2 Thermal Comfort - External Shading</b>		0%
Score Contribution	This credit contributes 20.0% towards the category score.	
Criteria	Is appropriate external shading provided to east, west and north facing glazing?	
Question	Criteria Achieved ?	
Detached dwelling	No	
<b>3.3 Thermal Comfort - Orientation</b>		0%
Score Contribution	This credit contributes 20.0% towards the category score.	
Criteria	Are at least 50% of living areas orientated to the north?	
Question	Criteria Achieved ?	
Detached dwelling	No	


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## Transport Overall contribution 4%

<b>1.1 Bicycle Parking - Residential</b>	100%
Score Contribution	This credit contributes 50.0% towards the category score.
Criteria	How many secure and undercover bicycle spaces are there per dwelling for residents?
Question	Bicycle Spaces Provided ?
Detached dwelling	15
Output	Min Bicycle Spaces Required
Detached dwelling	15
<b>2.1 Electric Vehicle Infrastructure</b>	0%
Score Contribution	This credit contributes 50.0% towards the category score.
Criteria	Are facilities provided for the charging of electric vehicles?
Question	Criteria Achieved ?
Project	No

## Waste Overall contribution 6%

<b>1.1 - Construction Waste - Building Re-Use</b>	N/A	 Scoped Out
This credit was scoped out	non-developed land	
<b>2.1 - Operational Waste - Food &amp; Garden Waste</b>	100%	
Score Contribution	This credit contributes 100.0% towards the category score.	
Criteria	Are facilities provided for on-site management of food and garden waste?	
Question	Criteria Achieved ?	
Project	Yes	

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**Urban Ecology** Overall contribution 2%

<b>2.1 Vegetation</b>	75%
Score Contribution	This credit contributes 57.1% towards the category score.
Criteria	How much of the site is covered with vegetation, expressed as a percentage of the total site area?
Question	Percentage Achieved ?
Project	20 %
<b>2.2 Green Roofs</b>	0%
Score Contribution	This credit contributes 14.3% towards the category score.
Criteria	Does the development incorporate a green roof?
Question	Criteria Achieved ?
Project	No
<b>2.3 Green Walls and Facades</b>	0%
Score Contribution	This credit contributes 14.3% towards the category score.
Criteria	Does the development incorporate a green wall or green façade?
Question	Criteria Achieved ?
Project	No
<b>3.1 Food Production - Residential</b>	0%
Score Contribution	This credit contributes 14.3% towards the category score.
Criteria	What area of space per resident is dedicated to food production?
Question	Food Production Area
Detached dwelling	-
Output	Min Food Production Area
Detached dwelling	14 m <sup>2</sup>

**Innovation** Overall contribution 0%

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

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166 PAKENHAM ROAD, PAKENHAM

## Attachment 6 Traffic Impact Assessment

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## *166 Pakenham Road, Pakenham* Transport Impact Assessment



220247TIA002B-F.docx

21 December 2023

onemilegrid

ABN: 79 168 115 679

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

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## APPENDICES

### APPENDIX A SWEPT PATH DIAGRAMS

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# 1 INTRODUCTION

onemilegrid has been requested by Bathla Group to undertake a Transport Impact Assessment of the proposed residential development at 166 Pakenham Road, Pakenham.

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

## 2 EXISTING CONDITIONS

### 2.1 Site Location

The subject site is addressed as 166 Pakenham Road, Pakenham, and is located on the eastern side of Pakenham Road approximately 1.6 kilometres north-east of the intersection with the Princes Highway, as shown in Figure 1.

Figure 1 Site Location



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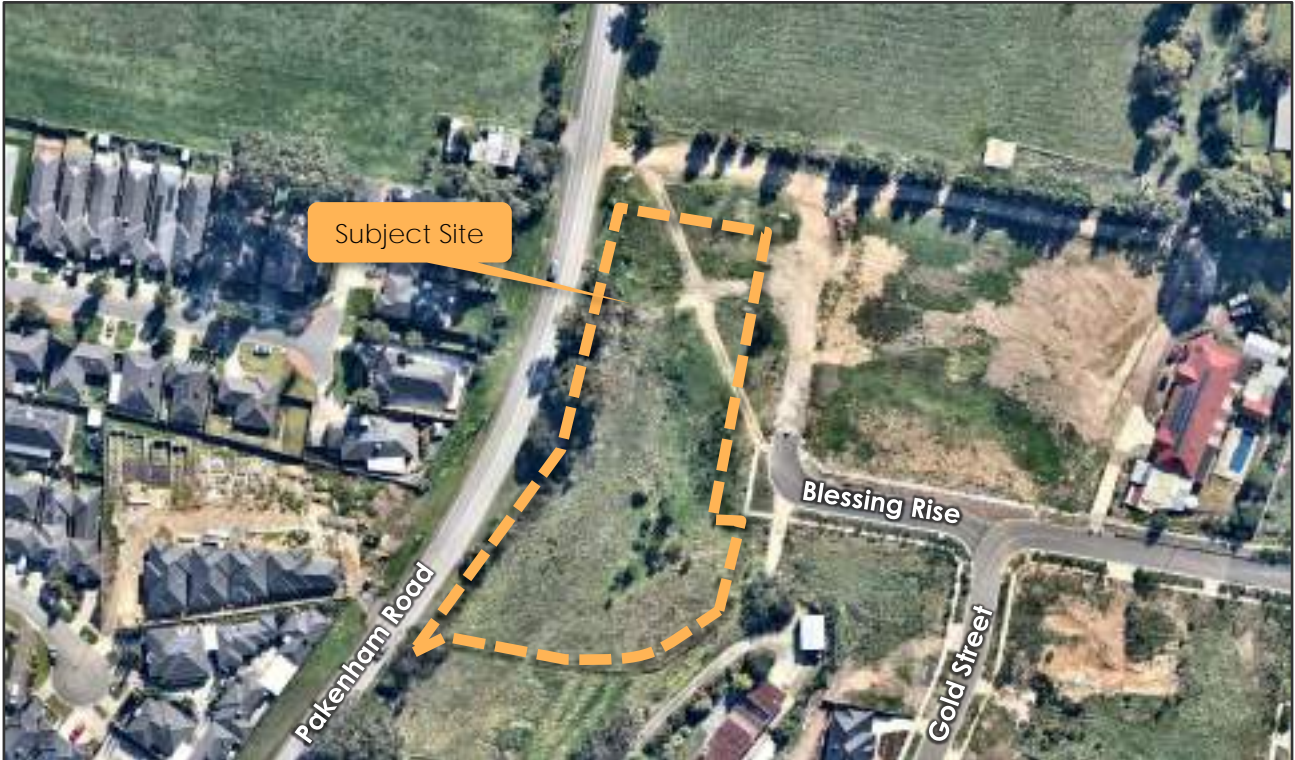
The site is part of a larger subdivision and has been identified as Stage 3 for development as a Superlot. The site is irregular in shape and has a partial abuttal along its eastern boundary and a full abuttal along its northern boundary to Blessing Rise. Due to the nature of construction and development in the area, Blessing Drive is along partially constructed.



Currently the site is vacant with no formal vehicle access provided, and land use in the immediate vicinity is predominantly residential or farming in nature.

An aerial view of the subject site is provided in Figure 2, whilst a view of the site in the context of the overall subdivision is provided in Figure 3.

Figure 2 Site Context (26/04/2023)



Copyright Nearmap

Figure 3 Site Location within Subdivision



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## 2.2 Planning Zones and Overlays

It is shown in Figure 4 that the site is located within a General Residential Zone (GRZ1). Additionally, the site is subject to Development Contribution Plan Overlay – Schedule 1 (DCPO1).

Figure 4 Planning Scheme Zones



Furthermore, the site abuts Pakenham Road, which is within a Transport Zone (TZ2), and falls outside of the Principal Public Transport Network Area (PPTN).

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## 2.3 Road Network

### 2.3.1 Pakenham Road

Pakenham Road (Healesville – Koo Wee Rup Road) is an arterial road generally aligned north-south, running between the Princes Highway in the south, and Belgrave-Gembrook Road in the north. Pakenham Road currently operates with a single traffic lane in each direction and has a posted speed limit of 80km/h adjacent to the site.

At key intersections, turn lanes are provided for left and right turning vehicles. Once such treatment is provided to the south of the site at Galway Rise.

The cross-section of Pakenham Road at the frontage of the site is shown in Figure 5.

Figure 5 Pakenham Road, looking south towards the subject site



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### 2.3.2 Blessing Rise

Blessing Rise is a partially constructed local road arranged with a 'dog leg' alignment in the vicinity of the site travelling east from Pakenham Road before turning 90 degrees to be aligned north – south, before turning 90 degrees again to be aligned east – west. Further east past the Gold Street intersection, Blessing Rise loops around to provide access to residential lots.

Blessing Rise is constructed from the sites eastern boundary where it terminates with a dead end past Gold Street to the east where it loops. It operates with a standard local access street cross section. At the intersection with Gold Street, the eastern section of Blessing Rise and Gold Street have priority with the western end giving way.

At the intersection with Pakenham Road, a simple gravel crossover is provided. As part of future development of the area, the construction of Blessing Drive will be completed and an intersection treatment with Pakenham Road provided.

An aerial view of the surrounding road network is provided in Figure 6.

Figure 6 Blessing Rise and surrounding Network



### 2.3.3 Road Network Connectivity

Until such time as a connection to Pakenham Road is provided via Blessing Rise, all traffic will be distributed to / from Galway Rise via the local road network of Gold Street and Solid Drive.

The intersection of Galway Rise and Pakenham Road includes left and right turn lanes to allow for all movements to occur away from the through lane.

## 2.4 Sustainable Transport

### 2.4.1 Public Transport

The full public transport provision in the vicinity of the site is shown in Figure 7 and detailed in Table 1.

Figure 7 Public Transport Provision

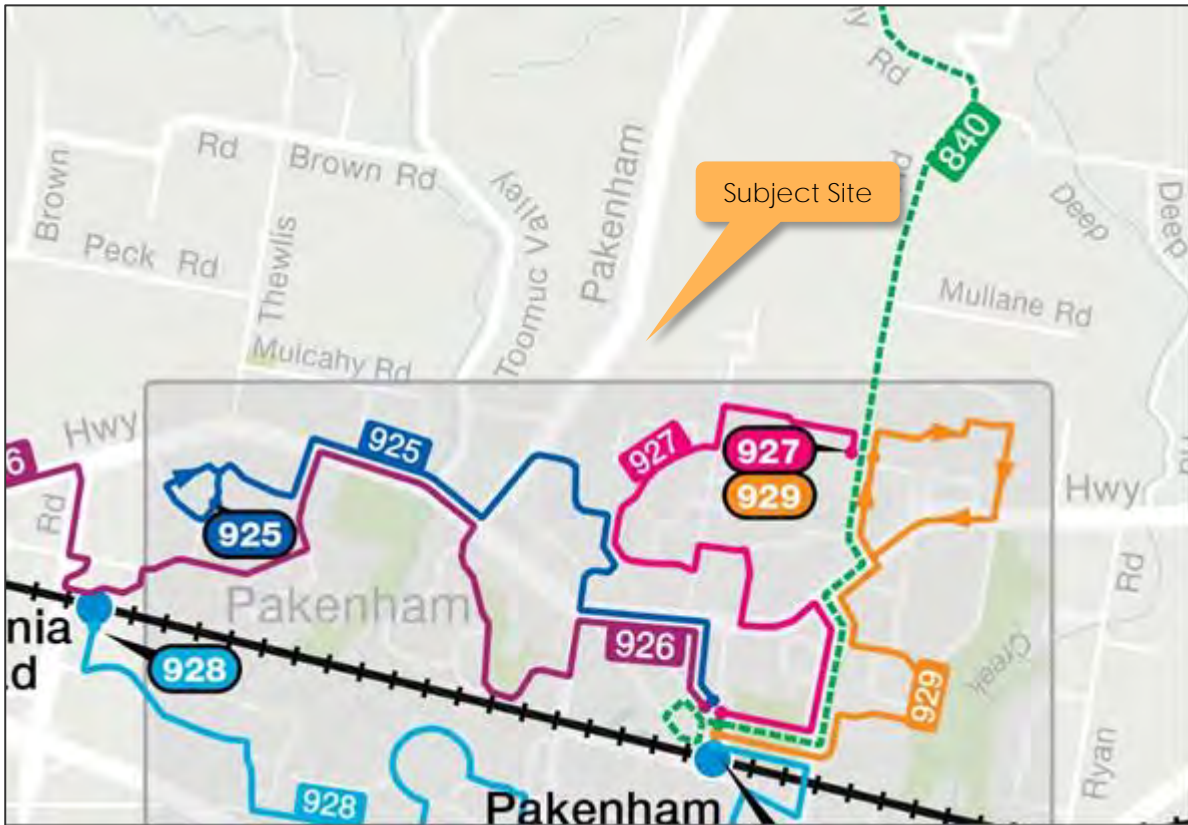


Table 1 Public Transport Provision

Mode	Route No.	Route Description	Nearest Stop/Station
Bus	927	Pakenham Station - Pakenham North via Meadowvale	Eagle Drive
	925	Pakenham Station - Lakeside via The Avenue	Balmoral Way

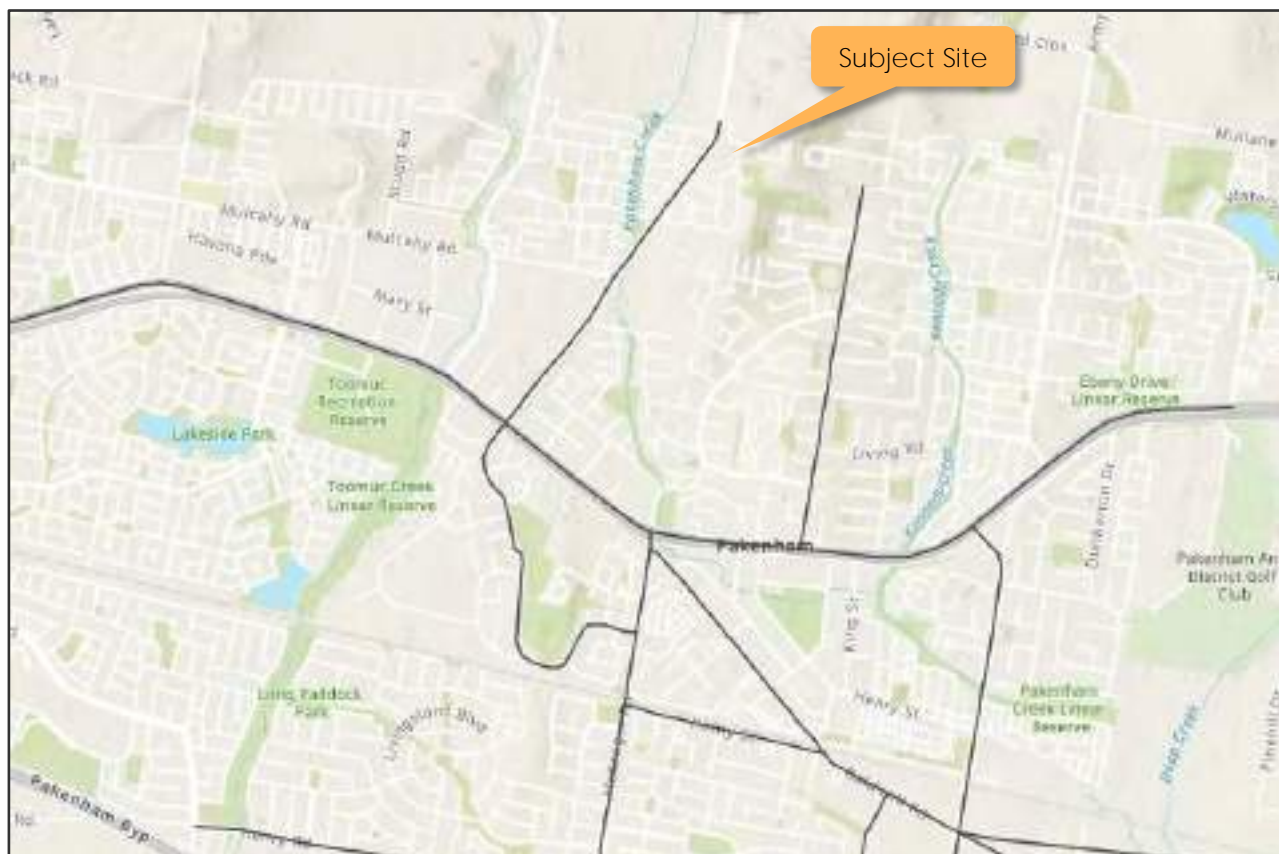
It is shown that public transport in the area is limited to two bus services.

### 2.4.2 Bicycle Facilities

The Principal Bike Network (PBN) in the vicinity of the site is shown in Figure 8, which indicates that Pakenham Road, to the south of the site, is identified a cycle route.

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Figure 8 Principal Bicycle Network



## 2.5 Pakenham Township Development Contributions Plan (DCP)

The subject site is located within the area covered by the Pakenham Township Development Contributions Plan which has been prepared by the Victorian Planning Authority (VPA) in partnership with the City of Cardinia. The DCP has been prepared to outline the projects, framework and financial contribution required to deliver the infrastructure projects necessary for future residents. It includes the land and cost to fund road network upgrades, intersection construction and community facilities.

## 2.6 Previous Application

A Transport Impact Assessment was previously prepared by onemilegrid to accompany the previous town planning application, which proposed to develop the subject site for the purposes of a residential development, comprising of 36 dwellings.

The development included a private internal road which connected to Blessing Rise along the northern boundary, which provided access to the majority of the proposed dwellings, with four dwellings proposed direct access to Blessing Rise.

The proposal sought a reduction of three visitor car parking spaces, and it was demonstrated that these spaces could be accommodated on Blessing Rise along the eastern boundary of the site. The Transport Impact Assessment also estimated that the development would generate 288 vehicle movements per day, including 29 vehicle movements during the morning and evening peak hours.

An RFI was subsequently received from Council, which resulted in a redesign of the proposal.

## 3 DEVELOPMENT PROPOSAL

---

### 3.1 General

It is proposed to develop the subject site purposes of providing a residential development, comprising a total of 15 dwellings. Each of the dwellings are proposed to be two storeys in height and will provide 3-4 bedrooms across a variety of dwelling typologies.

### 3.2 Car Parking and Vehicular Access

As part of the development, it is proposed to construct a common internal road which will connect to Blessing Rise along the eastern boundary. The common internal road is provided in a T-configuration and will have a minimum carriageway width of 5.5 metres with turning bays provided at both the northern and southern ends. The internal road will provide access to all 15 of the proposed dwellings.

Single or double crossovers are proposed to each dwelling, which lead to single or double car garages respectively, that are setback no less than 5.5 metres to allow for a second vehicle to park within the driveway. As such, each dwelling is provided with at least two car spaces.

In addition, provision for three indented parallel car parking spaces is made along the private internal road for visitors.

### 3.3 Pedestrian Facilities

A footpath is proposed from the site's frontage with Blessing Rise, along both sides of the internal road, providing access to each dwelling accessed from the internal road.

Internally, a portion of the internal road will also operate as a shared space allowing for pedestrian permeability throughout the site.

The construction of the footpath on Blessing Rise, along the site frontage, will be performed as part of the extension of Blessing Rise.

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## 4 DESIGN ASSESSMENT

### 4.1 Cardinia Planning Scheme – Clause 52.06

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

#### 4.1.1 Design Standard 1: Accessways

A summary of the assessment for Design Standard 1 is provided in Table 2.

Table 2 Clause 52.06-9 Design Assessment – Design Standard 1

Requirement	Comments
Be at least 3 metres wide.	Satisfied – All accessways minimum 3.2m wide (driveways).
Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.	Satisfied – changes of direction are between accessways of more than 4.2m wide
Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	N/a – private car park
Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.	Satisfied – a minimum height clearance greater than 2.1m is achieved within garages
If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.	Satisfied – All vehicles able to enter and exit the site via the private internal road in a forward direction.
Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.	Satisfied – The common internal road is 6.3 metres wide at the entrance to the site.
Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	Satisfied – No visual obstructions are proposed along the frontage of the site, adjacent to any vehicle access points.
If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.	N/a – does not connect to a Transport Zone

The proposed private internal road has a minimum width of 5.5 metres, allowing opposing vehicle movement to occur, and the driveways for each townhouse are a minimum 3.2 metres wide, therefore satisfying the Planning Scheme requirements.



## 4.1.2 Design Standard 2: Car Parking Spaces

A summary of the assessment for Design Standard 2 is provided in Table 3.

Table 3 Clause 52.06-9 Design Assessment – Design Standard 2

Requirement	Comments
Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2 of Design Standard 2.	Satisfied – The tandem resident parking spaces, and parallel visitor parking spaces have dimensioned in accordance with the Table 2 requirements.
A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1 of Design Standard 2, other than: - A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. - A structure, which may project into the space if it is at least 2.1m above the space.	Satisfied - Car parking spaces are designed in accordance with Diagram 1. A minimum height clearance greater 2.1m is provided.
Car spaces in garages or carports must be at least 6m long and 3.5m wide for a single space and 5.5m wide for a double space measured inside the garage or carport.	Satisfied – Garages are in accordance with the minimum dimensions.
Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.	Satisfied – Tandem spaces are provided with appropriate clearance to garage door.
Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.	Satisfied – Spaces located in garages are under cover.
Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 of Design Standard 2 by 500mm.	N/A – No accessible spaces are provided or required.

Resident car parking is provided within single car garages connected to each townhouse, with a tandem parking space located in front of the garage door. Each garage has a minimum internal width of 3.5 metres and length of 6.0 metres, whilst the tandem spaces have a minimum width of 2.6 metres and length of 5.4 metres, including the additional 500mm clearance provided between the tandem spaces and the garage doors.

Parallel visitor car parking spaces have been provided along the common internal road and have been dimensioned in accordance with the Planning Scheme.

## 4.1.3 Design Standard 3: Gradients

The floor levels and proposed road grades for the proposed development are yet to be determined at this stage.

It is understood that the design of the proposed layout will continue to occur during the application process, and once the levels and grades have been determined, an assessment of the gradients in accordance with the Planning Scheme requirements will be provided.

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## 4.2 Waste Collection

Bins are to be stored within the private outdoor space (POS) of each dwelling commensurate with typical residential dwellings. Waste will be collected by a private contractor from within the site using a typical waste collection vehicle.

On collection days, bins will be transferred by residents to the edge of the common internal road for collection.

Swept path diagrams have been prepared to demonstrate that a typical waste collection vehicle is able to service the site and in particular turnaround at the T-intersections of the private internal road. The swept paths are included in Appendix A.

Refer to the Waste Management Plan (220247WMP002A-F) for further information.

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

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

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

The proposed development does not propose any vehicle access to Pakenham Road, with all access provided from Blessing Rise. The development will generate traffic at the future intersection of Blessing Rise with Pakenham Road, however, these volumes will have already been accounted for in the design, therefore it is anticipated to have no impact on the operation of Pakenham Road along the site frontage. As such, the proposed development will satisfy the requirements of Clause 52.29.

## 5 BICYCLE PARKING

---

Clause 52.34 of the Cardinia Planning Scheme does not specify bicycle parking provision requirements for dwellings or townhouse style developments, generally assuming that bicycles can be stored in the garage required for each dwelling.

The garage dimensions proposed each meet or exceed the dimension requirements specified under the Planning Scheme and are therefore considered sufficient for bicycle parking, if required.

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## 6 CAR PARKING

### 6.1 Statutory Car Parking Requirements

#### 6.1.1 Car Parking Requirements – Clause 52.06

The car parking requirements for the subject site are identified in Clause 52.06 of the Cardinia Planning Scheme, which specifies the following requirements for the proposed development.

Table 4 Clause 52.06 – Car Parking Requirements

Use	No/Area	Rate	Car Parking Measure	Total
Dwelling	15 no.	2	to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as bedrooms), plus	30 no.
	15 no.	1	for visitors to every 5 dwellings for developments of 5 or more dwellings	3 no.
<b>Total</b>				<b>33 no.</b>

Based on the above calculations, a total of 33 parking spaces are required for the proposed development comprising 30 resident spaces and 3 visitor spaces.

#### 6.1.2 Proposed Car Parking Provision

It is proposed to provide each dwelling with at least two car spaces which therefore satisfies the resident requirement. With regard to visitors, a total of three spaces are provided along the private internal road, therefore meet the Planning Scheme requirements.

Furthermore, it is noted that the site has an extensive frontage to Blessing Rise along the eastern and northern boundaries with no crossovers proposed to interrupt the opportunities for on-street car parking. Clear of the bends in the road, there is a distance of at least 60 metres and 35 metres respectively, which could comfortably accommodate 9 – 10 vehicles along the eastern boundary and 5 vehicles along the northern boundary.

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

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## 7 TRAFFIC

---

### 7.1 Traffic Generation

Surveys undertaken by other traffic engineering firms at residential dwellings have shown that the daily traffic generation rates vary depending on the size, location and type of the dwelling, the parking provision and proximity to local facilities and public transport.

It is generally accepted that single dwellings on a lot in outer suburban areas may generate traffic at up to 10 vehicle trips per day, whilst in areas with good public transport, and for higher density dwellings, lower traffic generation rates are often recorded.

Considering the nature of the proposed development comprising of medium density townhouse style dwellings, it is anticipated that the proposed development will generate traffic at around 6 – 8 vehicle movements per day. For the purposes of this assessment, it will be assumed that each townhouse generates 8 vehicle trips per day per lot and 0.8 trips during the peak hours.

Based on the above rates, the proposed development is expected to initially generate up to approximately 120 vehicle trips per day and 12 trips during peak periods.

### 7.2 Traffic Impact

Ultimately, when the formal connection of Blessing Rise to Pakenham Road occurs, the majority of traffic generated by the proposed development will be distributed to the west. Noting that only 12 vehicle movements are expected to be generated by the proposed development per hour, this equates to only 1 movement every 4 minutes during peak periods which is expected to be suitably accommodated by the road network. Of note, the site has been earmarked for development having been nominated as a Superlot as part of the overall planning for the area. Therefore, the ultimate traffic impacts are considered to be limited and able to be accommodate.

Prior to the connection of Blessing Rise, all traffic will be distributed to the south via Gold Street, Solid Drive and Galway Rise. Similar to the ultimate configuration 1 movement every 4 minutes is low and not expected to have an impact on the road network during peak periods.

Across the day, a total of 120 movements are projected. Estimating an approximate yield across the subdivision area of 120 lots, this equates to a total of 1,200 vehicle movements per day even when adopting the higher rate of 10 vehicle movements per lot per day. Combining these movements with the 120 movements generated yields under 1,500 vehicles per day which is well within the environmental capacity of the local access street network (even when concentrated to one point). Of note, once the Blessing Rise connection is made, traffic will be distributed across the network and accordingly the impact will be far reduced.

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## 8 CONCLUSIONS

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It is proposed to develop the subject site for the purposes of townhouse development.

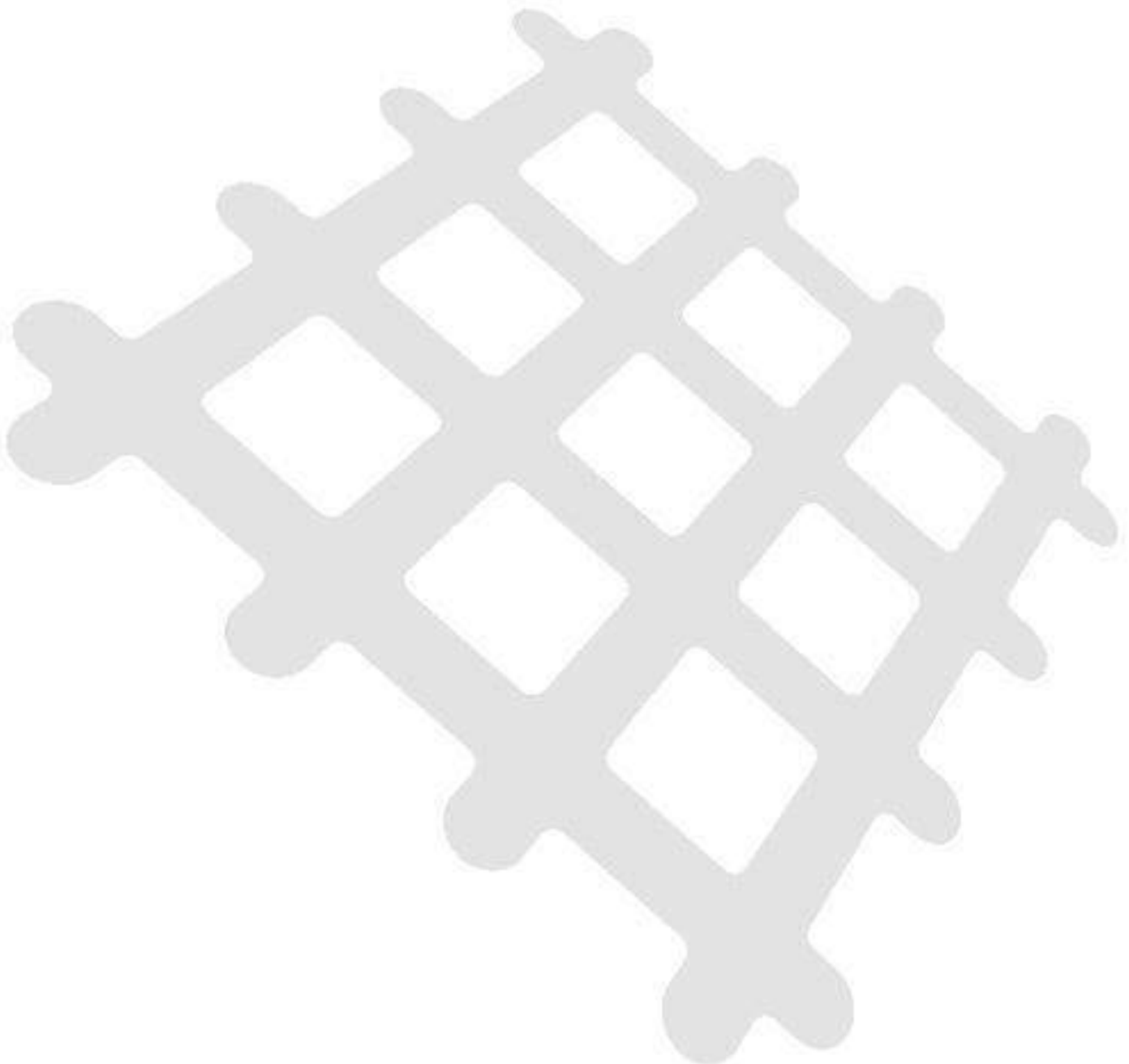
Considering the analysis presented above, it is concluded that:

- The proposed design of the common internal road is considered appropriate;
- An assessment of the gradients for the private internal road and driveways will be provided once determined.
- The proposed shared nature of the north-south sections of the private internal road is appropriate noting the low traffic speeds and volumes;
- The proposed garage and parking design is considered appropriate and in line with the requirements of the Planning Scheme;
- The proposed provision of parking meets the statutory requirements for resident and visitor car parking and is considered acceptable; and
- The anticipated traffic volumes generated by the development is not expected to have an impact on the operation of the surrounding road network in the interim or ultimate.

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# Appendix A Swept Path Diagrams

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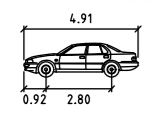
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PAKENHAM ROAD

BLESSING RISE

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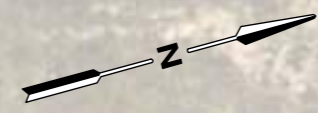
B85 meters  
 Width : 1.87  
 Track : 1.77  
 Lock to Lock Time : 6.0  
 Steering Angle : 34.1

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

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Scale: 1:400 @ A3

Drawing Title 166 PAKENHAM ROAD, PAKENHAM VEHICLE SITE ACCESS - GARAGE EGRESS SWEPT PATH ANALYSIS		
Designed JPB	Approved VG	Metway Ref 317 B2
Project Number 220247	Drawing Number SPA103	Revision C



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 Aerial Photography  
 Aerial photography provided by Nearmap

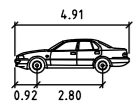
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PAKENHAM ROAD

BLESSING RISE

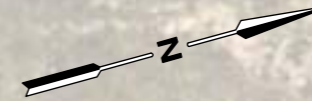
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B85 meters  
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 Track : 1.77  
 Lock to Lock Time : 6.0  
 Steering Angle : 34.1

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



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Scale: 1:400 @ A3

Drawing Title 166 PAKENHAM ROAD, PAKENHAM VEHICLE SITE ACCESS - GARAGE INGRESS SWEPT PATH ANALYSIS		
Designed JPB	Approved VG	Metway Ref 317 B2
Project Number 220247	Drawing Number SPA102	Revision C

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 Aerial Photography provided by Nearmap



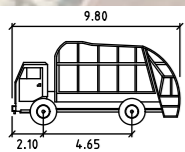
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PAKENHAM ROAD

BLESSING RISE

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BCC GARBAGE 9.8m meters  
 Width : 2.10  
 Height : 2.50  
 Length : 4.65  
 Lock to Lock Time : 4.0  
 Steering Angle : 35.8

**SWEPT PATH LEGEND**

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

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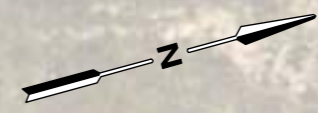


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Scale: 1:400 @ A3

Drawing Title  
 166 PAKENHAM ROAD, PAKENHAM  
 VEHICLE SITE ACCESS - MINILOADER  
 SWEPT PATH ANALYSIS

Designed JPB	Approved VG	Metway Ref 317 B2
Project Number 220247	Drawing Number SPA104	Revision D





166 PAKENHAM ROAD, PAKENHAM

## Attachment 7 Waste Management Plan

PREPARED FOR UNIVERSAL PROPERTY GROUP PTY LTD

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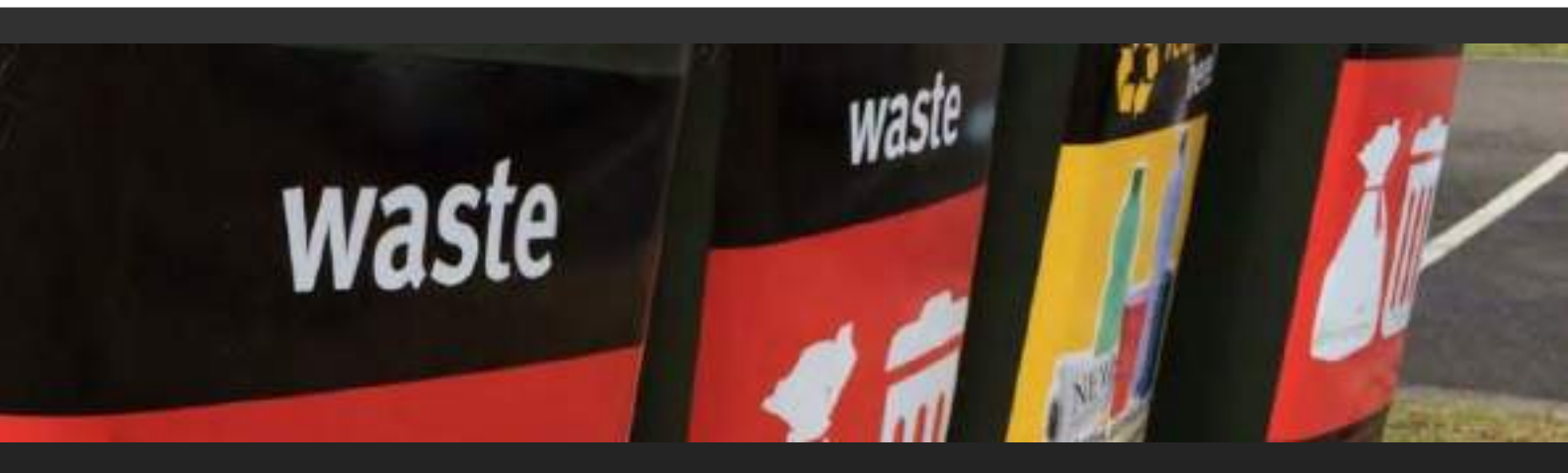
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## 166 Pakenham Road, Pakenham Waste Management Plan



220247WMP002B-F.docx

21 December 2023

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## DOCUMENT INFORMATION

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Prepared by	JJB	Reviewed by	VPG

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## APPENDICES

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# 1 INTRODUCTION

onemilegrid has been requested by Bathla Group to prepare a Waste Management Plan for the proposed residential development at 166 Pakenham Road, Pakenham.

The preparation of this management plan has been undertaken with due consideration of the Sustainability Victoria Better Practice Guide for Waste Management and Recycling in Multi-unit Developments and Council's waste guidelines for new developments.

# 2 EXISTING SITE CONDITIONS

The subject site is located at 166 Pakenham Road, Pakenham, on the eastern side of Pakenham Road approximately 1.6 kilometres north-east of the intersection with the Princes Highway, as shown in Figure 1.

Figure 1 Site Location



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The site has a frontage of approximately 135m to Pakenham Road, and of approximately 120m to Blessing Rise.

The site is currently vacant.

### 3 DEVELOPMENT PROPOSAL

#### 3.1 General

It is proposed to develop the subject site for the purposes of a residential development, comprising of 15 dwellings (mixture of three and four bedrooms).

Vehicular access to all of the dwellings will be provided from an internal private road accessed from Blessing Rise along the eastern side of the site. The private road is proposed in a T-shape formation, with minimum carriageway widths of 5.5 metres, and turnaround areas provided at both the northern and southern ends of the private road.

#### 3.2 Waste Management

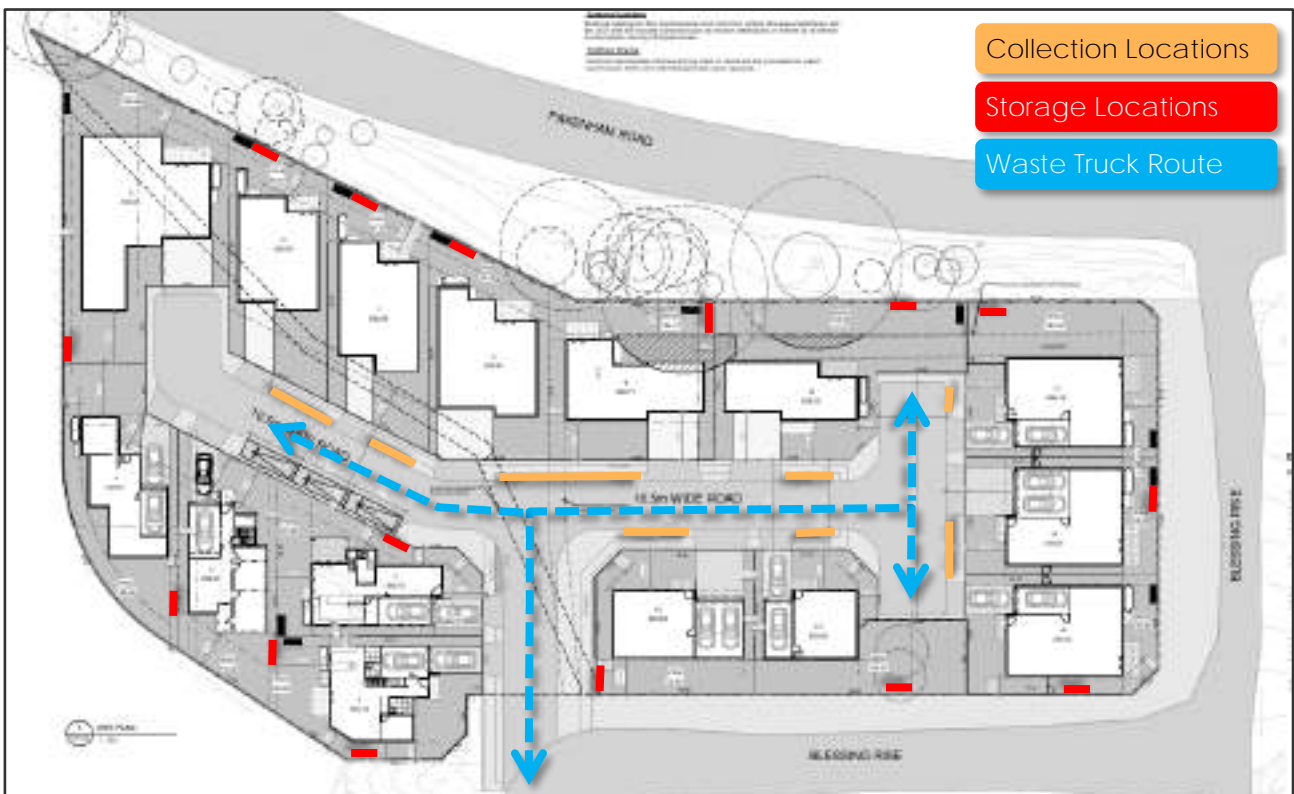
It is proposed to utilise a private contractor to manage the collection and disposal of all waste streams associated with the development.

Bins for each waste stream will be stored within the private outdoor space (POS) of each dwelling. Bins will be transferred by resident from the storage area and placed adjacent to the kerbside on the private internal road for collection on the specified collection days.

The waste collection vehicle will either enter the site and bins will be collected from the verge. Following collection, bins will be returned to the bin storage area by the residents.

The collection locations and waste truck route are shown in Figure 2, whilst swept path diagrams showing the movements of the waste collection vehicle are attached in Appendix A.

Figure 2 Bin Storage Room and Collection Details



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## 4 WASTE GENERATION

### 4.1 Sustainability Victoria Recommended Rates

Waste generation rates published within Sustainability Victoria's "Better Practice Guide for Waste Management and Recycling in Multi-unit Developments" suggest the following rates for multi-unit developments:

Table 1 Sustainability Victoria Recommended Rates – Residential

Dwelling Size	Garbage	Recycling
Individual dwelling	120L	120L or 240 L
3-bedroom apartment or greater	120L	120L
2-bedroom apartment	100L	100L
1 bedroom or studio apartment	80L	80L

Furthermore, Sustainability Victoria indicates that approximately 35% of garbage is made of food waste, therefore, the provision of organics waste collection can result in a reduction in garbage generation by 35%.

### 4.2 Expected Waste Generation

#### 4.2.1 Garbage, Organics and Recycling

Based on the Sustainability Victoria waste generation rates, the following weekly waste generation is expected for the proposed development.

Table 2 Expected Waste Generation

Stream	Type of Dwelling	No. of Dwellings	Rate/Dwelling	Total Waste/Week
Garbage	3-Bedroom or Greater	15	78 litres	1,170 litres
Organics	3-Bedroom or Greater	15	42 litres	630 litres
Recycling	3-Bedroom or Greater	15	120 litres	1,800 litres

#### 4.2.2 Glass Recycling

It is understood that Cardinia City Council will transition to separate glass recycling before 2027, in line with the Recycling Victoria strategy, and at that time, it is recommended that this Waste Management Plan, and the private waste collection, be updated to include separate glass recycling. Based on the allocation for LGA's currently providing glass recycling collection, an additional 120 litre bin may be required for each dwelling.

#### 4.2.3 Green Waste

Given the nature of the proposed development and dwellings (with relatively small private outdoor spaces), it is expected that green waste generation will be minimal or negligible, however, if required, residents can dispose of green waste using the green/organic waste bin.

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

#### 4.2.4 Container Deposit Scheme (CDS)

On 1 November 2023, Victoria's Container Deposit Scheme (CDS) commenced, which marked a significant milestone towards Victoria achieving its Circular Economy goal.

The CDS rewards Victorians with a 10c refund for all eligible cans, cartons and bottles that are returned. Most aluminium, glass, plastic, and liquid paperboard (carton) drink containers, between 150mL and 3 litres are eligible, with a 10c mark provided on the drink container label, often located near the barcode. Container lids are able to be kept on, as they can also be recycled.

There are multiple ways to receive the 10c refund, including vouchers, which can be spent at participating shops, cash, electronic payment, and the option to donate the refund to charities and community groups.

The eligible containers can be returned to several different types of container refund points, in many locations across Victoria, with the number of locations expected to continue to grow. Typical refund points include the following:

- Reverse Vending Machines (RVMs) – Typically located in shopping centre and supermarket car parks, eligible containers are inserted into the machine, where the containers are scanned and verified;
- Depots – Larger refund points which typically offer a walk-in or drive-through services to get containers counted and refunded on the spot. Best suited for larger loads;
- Over the counter (OTC) – Some small businesses or organisations provide over-the-counter services, which essentially work like a miniature depot; and
- Pop-ups – Zone operators may offer pop-up services or events, that will have set times and locations that drinks containers can be returned.

The locations of the CDS refund points are provided at <https://cdsvic.org.au/locations>.

#### 4.2.5 Electronic Waste (E-Waste)

E-waste includes all manner of electronic waste, such as televisions, computers, cameras, phones, household electronic equipment, batteries and light bulbs. On 1<sup>st</sup> July 2019, the disposal of E-waste to landfill was banned by the Victorian Government.

E-waste contains valuable materials that can be recovered and reused such as tin, nickel, zinc, aluminium, copper, silver and gold.

Council does not provide a residential kerbside pick-up service for E-waste, therefore E-waste must be taken by residents to the appropriate collection centre, as described below:

- Planet Ark operate a number of e-waste recycling drop-off locations throughout Victoria;
- Officeworks stores accept small amounts of personal E-waste;
- Aldi stores accept batteries; and
- Some Bunnings Warehouse stores accept batteries.

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

#### 4.2.6 Re-Useable Items

Residents should be encouraged to offer items which are still in good usable condition to be offered to local charity organisations or for free pickup on social media, before being sent for disposal.

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#### 4.2.7 Hard Waste

Hard waste services will also be provided by the private contractor, under the management of the Owners Corporation. Hard waste will be stored within the individual dwellings between collections, with collection to occur within the site via the internal private road.

Hard waste will not be moved to the kerbside collection location until the evening before the hard waste collection and will be collected from kerbside in accordance with Council standard requirements.

Additional to the above, hard waste may be disposed of independently by residents, at Council's Recycling Centre/Transfer Station.

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## 5 BIN REQUIREMENTS

### 5.1 Bin Provision and Specifications

#### 5.1.1 In-Dwelling

Separate small waste bins will be provided in-dwelling for each of the three waste streams (organics, recycling and garbage), with the approximate bin capacity as follows:

- A small food waste kitchen caddy: 7 – 10 litres;
- A small garbage bin: 10+ litres; and
- A larger recycling bin: 15+ litres.

Appropriate bin storage locations shall be provided within the kitchen for each dwelling as required.

#### 5.1.2 Bulk Waste Bins

It is proposed to utilise a private waste contractor, providing weekly garbage, recycling and green/organic collections.

Based on the expected waste generation per dwelling, and with the proposal to provide individual bins for each dwelling, it is proposed to provide one x 80 litre garbage, one x 80 litre green/organics bin and one x 120 litre recycling bin per dwelling, as per the following specifications listed in Table 3 and Table 4 below.

Table 3 Bin Provision

Stream	Total Waste/Week	Bin Size	Collection Frequency	Bins Required
Garbage	1,170 litres	80 litres	Weekly	15 bins
Green/Organics	630 litres	120 litres	Weekly	15 bins
Recycling	1,800 litres	120 litres	Weekly	15 bins
Glass (future)		120 litres	Weekly	15 bins
<b>Total</b>				<b>60 bins</b>

Table 4 Bin Specifications

Stream	Capacity	Width	Depth	Height	Area	Colour
Garbage	80 litres	0.45m	0.50m	0.85m	0.23m <sup>2</sup>	Dark green or black body and red lid
Green/Organics	120 litres	0.50m	0.55m	0.95m	0.28m <sup>2</sup>	Dark green or black body and lime green lid
Recycling	120 litres	0.50m	0.55m	0.95m	0.28m <sup>2</sup>	Dark green or black body and yellow lid
Glass	120 litres	0.50m	0.55m	0.95m	0.28m <sup>2</sup>	Dark green or black body and purple lid

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

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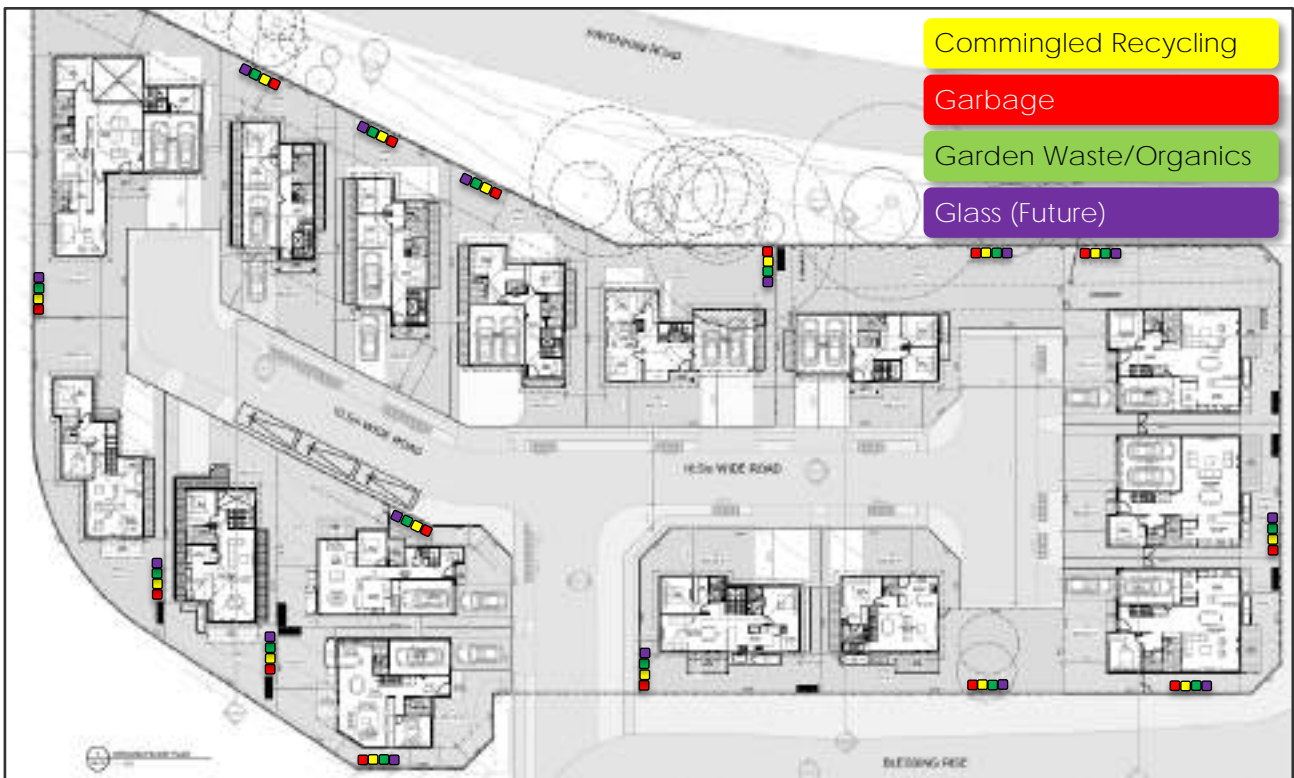
## 5.2 Bin Storage

It is proposed to provide a bin storage area within the private outdoor space of each townhouse.

The locations of the bin storage areas are shown in Error! Reference source not found., which demonstrates that they are capable of accommodating the required bins, as calculated in Table 3, plus a future glass bin.

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

Figure 3 Typical Bin Storage Area Layouts



## 5.3 Bin Cleaning

Residents are responsible for the maintenance and cleaning of their own bins.

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

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## 6 WASTE MANAGEMENT

### 6.1 Best Practice Waste Management

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

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

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

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

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

Figure 4 Resource Flows in a Circular Economy



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

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

## 6.2 Bin Usage

Residents will bag and dispose of garbage in the provided bins, located in their bin storage area.

Residents will transport and dispose of green/organic in the provided bins, located in their bin storage area. Green/organic waste should be disposed of un-bagged, however may be wrapped in newspaper, paper towel or in a compostable bin liners, compliant with AS4736.

Residents will transport and dispose of recyclables (non-bagged) in the provided bins, located in their bin storage area. Cardboard boxes should be flattened, and containers rinsed and cleaned prior to disposal in the provided bins.

## 6.3 Common Property Litter and Waste Removal

The proposed development includes common property areas, specifically the internal private road.

Given the number of dwellings, it is considered appropriate that the removal of litter and waste from common areas is undertaken by residents, under the management of the Owners Corporation.

## 6.4 Signage

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

Example signage available from [Sustainability Victoria](https://www.sustainability.vic.gov.au/) is shown below.

Figure 5 Example Waste Signage



## 6.5 Collection

Bins for each waste stream will be stored within bin storage areas located within the POS of each dwelling. To allow for collection, bins will be transported to the private internal street positioned kerbside.

As some lots have limited frontage to the private internal road, it is recommended that a communal collection point be provided adjacent to the T-intersection of the private internal road. Collection of green/food waste and future glass recycling is also recommended to occur on a separate day to garbage and recycling, to ensure sufficient room is provided to accommodate the bins.

The waste collection vehicle will enter the site via Blessing Drive and utilise the T-Intersection of the internal private road, to turnaround. Following collection, the bins will be returned to the bin storage areas by the residents.

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

## 6.6 Noise Control

It is noted that with the bin storage and collection area being situated within the basement car park, disturbance to residents during waste collection will be minimal. Regardless, to minimise the disturbance to residents during waste collection, the collection should follow the criteria specified by the EPA, as below:

- Collections occurring once a week should be restricted to the hours 6:00am to 6:00pm, Monday to Saturday;
- Collections occurring more than once a week should be restricted to the hours 7:00am to 6:00pm, Monday to Saturday;
- Compaction should only be carried out while on the move;
- Bottles should not be broken up at the point of collection;
- Routes that service entirely residential areas should be altered regularly to reduce early morning disturbance; and
- Noisy verbal communication between operators should be avoided where possible.

## 6.7 Resident Information

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

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

## 6.8 Municipal Charges

It is noted that every rateable tenement within the proposed development may be liable for municipal waste charges, irrespective of the services provided by Council.

# 7 OCCUPATIONAL HEALTH & SAFETY RESPONSIBILITIES

---

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

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



## 8 CONTACT INFORMATION

---

### 8.1 Council

Cardinia Shire Council

Phone: 1300 787 624 (Customer Service)

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

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

### 8.2 Contractors

ASI JD MacDonald

Services: Waste collection and management equipment

Phone: 1800 023 441

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

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

Urban Waste

Services: Private contractor

Phone: 0429 309 269

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

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

iDump

Services: Private contractor

Phone: 1300 443 867

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

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

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Cleanaway

Services: Private contractor

Phone: 131 339

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

JJ Richards & Sons

Services: Private contractor including bin tugs

Phone: (03) 9703 5222

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

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

## WasteWise

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

## BioPak (Organic Waste Compost Service)

Services: Private contractor  
Phone: 1300 246 725  
Web: [www.biopak.com.au/compost-service](http://www.biopak.com.au/compost-service)

## 8.3 Others

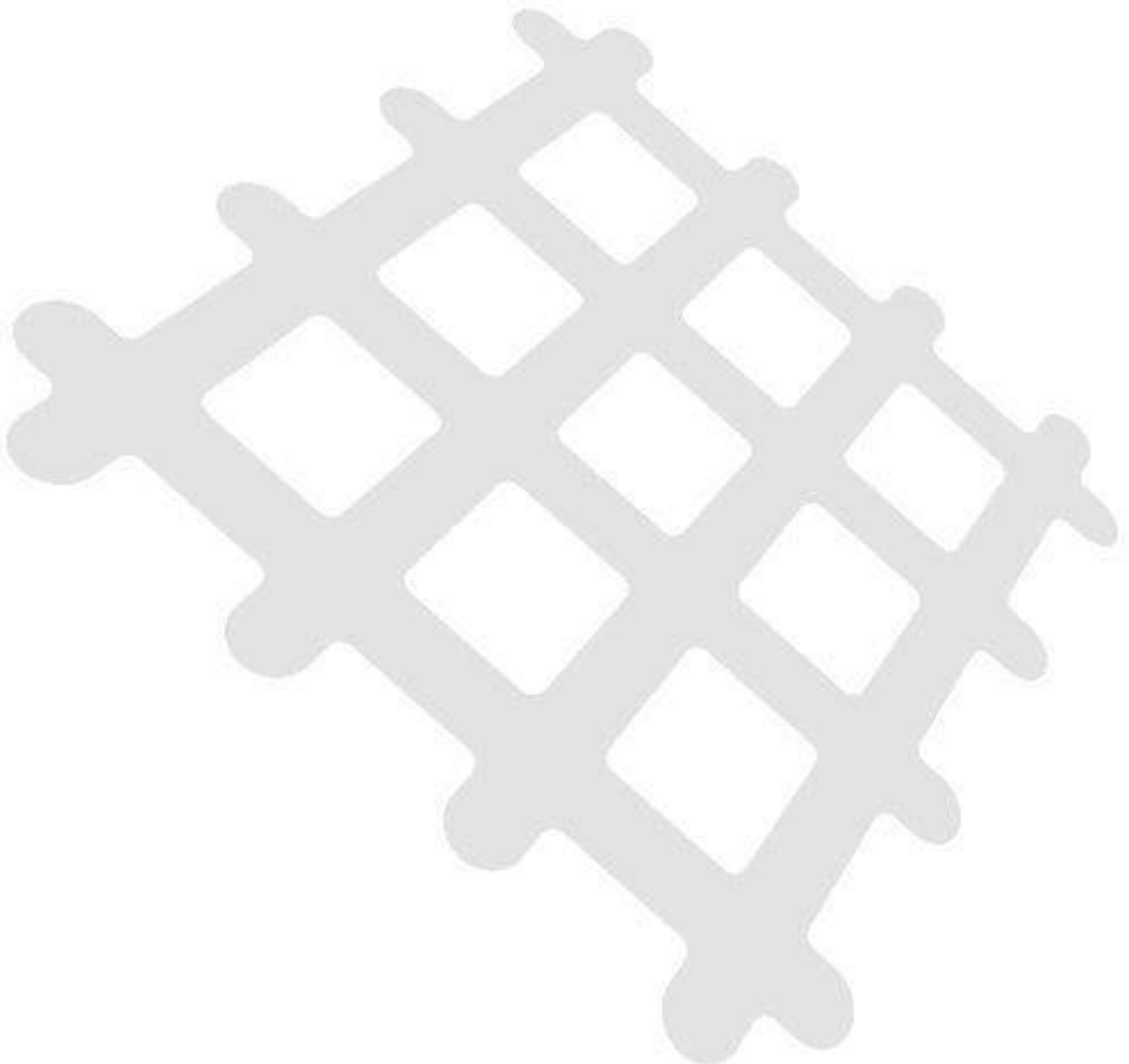
### Sustainability Victoria

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

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# Appendix A Swept Path Diagram

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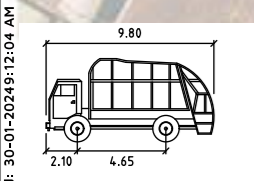


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PAKENHAM ROAD

BLESSING RISE

CAD File: N:\Projects\2022\220247\Drawings\220247SPA 104.dgn



BCC GARBAGE 9.8m meters  
 Width : 2.50  
 Track : 2.50  
 Lock to Lock Time : 4.0  
 Steering Angle : 35.8

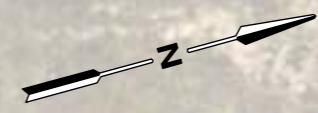
**SWEPT PATH LEGEND**  
 - - - - - DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
 ······ 300mm CLEARANCE ENVELOPE SHOWN DOTTED

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

Wurundjeri Woiwurrung Country  
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 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone: (03) 9939 8250

Scale: 1:400 @ A3

Drawing Title 166 PAKENHAM ROAD, PAKENHAM VEHICLE SITE ACCESS - MINILOADER SWEPT PATH ANALYSIS		
Designed JPB	Approved VG	Metway Ref 317 B2
Project Number 220247	Drawing Number SPA104	Revision D





166 PAKENHAM ROAD, PAKENHAM

## Attachment 4 Arborist Report

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**SPOT**  
PLANNING



Assessment of Trees at 166  
Pakenham Road, Pakenham

## **Arboricultural Impact Assessment**

Prepared For:



Prepared By:



17 May 2024

C&R Ryder Consulting P/L  
12/8 Sigma Drive  
Croydon South Vic 3136  
ABN: 47 376 684 521

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---

## 1. Introduction

---

It is proposed to develop the land at 166 Pakenham Road, Pakenham and construct 15 detached dwellings, comprising a mixture of single and double storey dwellings.

C&R Ryder Consulting has been engaged to assess trees at the site and along the road reserve which may be impacted by the proposed works and prepare an arboricultural impact assessment. This report will provide:

- the findings of the assessment
- the impact of the proposed works to the trees
- any protection measures for trees to ensure their longevity.

## 2. Tree Assessment Method

---

Liam Ainsworth inspected the trees and site on Monday, 29 August 2022. The following data were collected for the trees:

- Unique ID
- Image of tree
- Botanic and common name
- Tree dimensions (Height x Width)
- Diameter at breast height (DBH)
- Diameter at base (DAB)
- Health
- Structure
- Useful life expectancy (ULE)
- Tree significance
- Retention value
- Comments

Trees have been aligned to match the supplied feature survey. Tree protection detail has been prepared and mapped in accordance with AS4970-2009 *Protection of Trees on Development Sites*.

The trees were visually assessed from ground level, heights and widths were estimated and trunks measured with a diameter tape. No invasive tests were conducted or samples taken and any assessments of decay are qualitative only.

For all tree assessment descriptors, see Appendix 1.

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### 3. Site Map



Figure 1: Aerial image of all trees (Nearmap image dated 29/03/2024).



## 4. Tree Details

Table 1: Tree assessment summary.

ID	Botanical Name	Common Name	Origin	Height	Width	DBH	DAB	Health	Structure	ULE (years)	Retention Value	TPZr (m)	SRZr (m)
1	<i>Acacia mearnsii</i>	Black Wattle	Indigenous	6	5	19	26	Good	Fair	6-10	Low	2.28	1.88
2	<i>Acacia mearnsii</i>	Black Wattle	Indigenous	5	3	9.7	14.12	Dead	Poor	0	None	2	1.61
3	<i>Eucalyptus obliqua</i>	Messmate Stringybark	Indigenous	5	3	59	68	Dead	Fair	0	Third Party Tree	7.08	2.81
4	<i>Eucalyptus obliqua</i>	Messmate Stringybark	Indigenous	5	3	73	75	Dead	Fair	0	Third Party Tree	8.76	2.93
5	<i>Eucalyptus obliqua</i>	Messmate Stringybark	Indigenous	5	3	56.46.35	85	Dead	Fair	0	Third Party Tree	9.72	3.09
6	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	3	4	8.4.4.4.4	17	Fair	Fair	6-10	Third Party Tree	2	1.57
7	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	4	2	33.29	33.31	Dead	Fair	0	Third Party Tree	5.28	2.37
8	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	7	4	44	53	Dead	Fair	0	Third Party Tree	5.28	2.53
9	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	5	5	26	34	Good	Fair	11-20	Third Party Tree	3.12	2.10
10	<i>Prunus cerasifera</i>	Cherry Plum	Exotic	3	3	3.3.3.3.3 3.3.3	18	Good	Fair	6-10	Third Party Tree	2	1.61
11	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	12	10	107	123	Good	Fair	20+	Third Party Tree	12.84	3.61
12	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	5	7	13.11	24	Good	Fair	11-20	Third Party Tree	2.04	1.82
13	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	17	14	84	92	Good	Fair	20+	Third Party Tree	10.08	3.20
14	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	4	2	3.4	12	Good	Poor	20+	Third Party Tree	2	1.50
15	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	4	5	18.14	26	Fair	Poor	1-5	Third Party Tree	2.76	1.88
16	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	3	4	8.7.7	19	Fair	Fair	6-10	Third Party Tree	2	1.65
17	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	6	5	18	24	Fair	Fair	6-10	Third Party Tree	2.16	1.82
18	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	6	5	12.12.11 11	25	Fair	Fair	6-10	Third Party Tree	2.76	1.85
19	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	7	9	43.31.31 23	55	Fair	Fair	20+	Third Party Tree	7.92	2.57
20	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	6	5	22.18	28	Fair	Fair	6-10	Third Party Tree	3.36	1.94
21	<i>Prunus cerasifera</i>	Cherry Plum	Exotic	5	2	17.5.5.5	24	Fair	Fair	6-10	Third Party Tree	2.4	1.82

ID	Botanical Name	Common Name	Origin	Height	Width	DBH	DAB	Health	Structure	ULE (years)	Retention Value	TPZr (m)	SRZr (m)
22	<i>Prunus cerasifera</i>	Cherry Plum	Exotic	3	2	2 2 2 2 2 2 2	15	Fair	Fair	6-10	Third Party Tree	2	1.50
23	<i>Quercus robur</i>	English Oak	Exotic	3	2	4	13	Good	Fair	20+	Third Party Tree	2	1.50
24	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	6	3	16	22	Good	Fair	20+	Third Party Tree	2	1.75
25	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	4	3	55 25 25	78	Dead	Fair	0	Third Party Tree	7.8	2.98
26	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	4	5	20 13 13	37	Good	Fair	6-10	Third Party Tree	3.24	2.18
27	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	8	10	49	56	Fair	Fair	6-10	Third Party Tree	5.88	2.59
28	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	7	6	17 15	37	Good	Fair	11-20	Third Party Tree	2.76	2.18
29	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	11	13	62	78	Fair	Fair	11-20	Third Party Tree	7.44	2.98
30	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	3	3	13	20	Fair	Poor	0	Third Party Tree	2	1.68

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## 5. Discussion

### 5.1 The Site

The subject site is a large, vacant block of 6,682m<sup>2</sup>. It has no existing infrastructure except for a road leading to the location (Figure 2).

Small vegetation is scattered across the site with many of the trees located within the road reserve to the west. The vegetation is predominantly indigenous with some Australian native and exotic specimens.



Figure 2: Subject site is vacant with trees along the roadside.

### Permit Triggers

The site is located on a parcel of land over 4,000m<sup>2</sup> and is covered by an Environmental Significant Landscape Overlay Schedule 4 (ESO4). Under ESO4, a permit is required to remove, destroy or lop any vegetation.

Exemptions exist to this clause, however, the only relevant exemption to the site is to the removal of environmental weed species. Accordingly, the following trees are exempt from permit requirements:

- Sweet Pittosporum *Pittosporum undulatum* (ID 6, 12, 15-18, 20, 26 & 28)
- Cherry Plum *Prunus cerasifera* (ID 20, 21 & 22)
- English Oak *Quercus robur* (ID 23).

Given the size of the site (>4,000m<sup>2</sup>), Clause 52.17 Native Vegetation also applies. Removal of any alive, native vegetation or dead eucalypts (>40cm DBH) are likely to require a permit and offsets.

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## 5.2 The Trees

30 trees were assessed at the site and comprised a mixture of indigenous, Australian native and exotic specimens. 6 individual species were assessed and are detailed in (Table 2).

Table 2: Tree species summary.

Botanical Name	Common Name	Origin	Count
<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	Indigenous	12
<i>Pittosporum undulatum</i>	Sweet Pittosporum	Australian Native	9
<i>Prunus cerasifera</i>	Cherry Plum	Exotic	3
<i>Eucalyptus obliqua</i>	Messmate Stringybark	Indigenous	3
<i>Acacia mearnsii</i>	Black Wattle	Indigenous	2
<i>Quercus robur</i>	English Oak	Exotic	1
Total			30

Full tree details with images are provided in Appendix 4.

The most prolific tree species at the site are Narrow-leaved Peppermint *Eucalyptus radiata* and Sweet Pittosporum *Pittosporum undulatum*.

Narrow-leaved Peppermint is generally a medium sized forest tree with a wide distribution in the cool and moist areas of Victoria and New South Wales. The bark is finely fibrous and tightly held to the trunk. In good conditions the tree can reach up to 45m in height (Costermans 2008, Nicolle 2006).

Sweet Pittosporum is a medium sized evergreen tree growing to 10m in height. It is native to Queensland, New South Wales and eastern Victoria, although it has significantly expanded its natural range and is considered a weed in some areas of Victoria (Blood 2001).

## 5.3 Tree Retention

### 5.3.1 Trees Assessed as Low Retention Value

Tree 1 was assessed as Low retention value, it is small with limited landscape value. Whilst this could be retained, it is not considered worthy of design alterations and could be compensated with post construction landscape plantings.

### 5.3.2 Trees Assessed as No Retention Value

Tree 2 was assessed as having No retention value. The tree is dead, has no ULE or landscape value and should be removed.

### 5.3.3 Trees Assessed as Third Party Ownership

28 trees (ID 3-30) were assessed as Third-Party Owned and are located within the road reserve of Pakenham Road. These trees have been placed in this category irrespective of health and structure assessments. They will require protection as part of the design and construction process unless approval is sought and provided for their removal by the responsible authority.

6 of the trees (ID 3-5, 7, 8 & 25) are dead, indigenous eucalypts. The trees are located within the road reserve and have been dead for some time. The trees have been lopped to 7m or less in height and have no habitat or hollows present.

### 5.3.4 Tree Retention Summary

The trees were assessed for their health, structure and ULE and placed in a retention category:

- 1 tree has a Low retention value
- 1 tree has No retention value
- 28 trees are Third Party Owned

The retention value should be used as a guide to aid in decision-making regarding tree retention and removal at a site. Any trees to be retained throughout the build will require protection during construction. The easiest way of achieving this is with the installation of Tree Protection Zones.

## 5.4 Design Proposal

The proposal will comprise the following elements:

- sub-division of the site
- installation of infrastructure (i.e. road/driveway, crossovers, footpaths, drainage, lighting etc)
- construction of dwellings and associated hardscaping and landscaping
- construction of perimeter fences.



Figure 3: Proposed plans and site orientation.

See section 5.5 TPZ & Proposed Map.

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### 5.5 TPZ & Proposed Map



## 5.6 Construction Impact

The impact of the proposal on the trees' TPZs and SRZs have been assessed (Table 3). Trees with an assessment of 100% encroachment include those where the trunk is located within the development. Trees not encroached are not shown.

TPZ encroachments have considered impacts such as dwellings, roads and other significant features. Installation of paling or colorbond fencing and rear yards have not been considered in the encroachment calculations. Utilities and drainage were also not indicated in designs and subsequently, have not been assessed within this report.

The percentage encroachments were calculated and the levels of impact were determined in accordance with AS 4970-2009, *Protection of Trees on Development Sites* as follows:

- **Major** - Encroachment >10% and/or SRZ intrusion
- **Minor** - Encroachment <10% and no SRZ intrusion
- **None** - No TPZ encroachment.

Table 3: Construction Impact

ID	Retention	TPZr (m)	SRZr (m)	Encroachment %	SRZ Intrusion	Impact	Outcome
2	None	2	1.61	6	Yes	Minor	Retained
4	None	8.76	2.93	1	No	Minor	Retained
11	High	12.84	3.61	2	No	Minor	Retained
13	High	10.08	3.2	6	No	Minor	Retained
19	High	7.92	2.57	1	No	Minor	Retained
25	None	7.8	2.98	2	No	Minor	Retained

### 5.6.1 TPZ Impact Summary

- Trees 2, 4, 11, 13, 19 & 25 have minor TPZ encroachments of 6%, 1%, 2%, 6%, 1% & 2% respectively, and are expected to remain viable under the proposed design.
  - The trees will have encroachments from the construction of dwellings, except for Tree 2 which will only have encroachment from the construction of kerb and channel.
- 24 trees (ID 1, 3, 5-10, 12, 14-18, 20-24 & 26-30) have no TPZ encroachment from the proposed design and are expected to remain viable throughout the works with standard tree protection measures.
- Trees 3-5, 7 & 8 are dead and are unlikely to be impacted by the proposed works.

Fences, clotheslines, and bin storage areas have not been calculated as encroachment. Encroachment from these items are considered minor as they are generally located on posts resulting in damage to tree roots being limited and isolated. This level of encroachment is not expected to significantly increase any encroachments or cause undesirable damage.

## 5.7 Tree Protection Management Plan

Following completion of a design and approval of trees to be retained and removed, a Tree Protection Management Plan (TPMP) is to be developed. It is to contain:

- The engagement of a project arborist with a minimum qualification of Diploma in Arboriculture (AQF level 5 or equivalent)
- Detail regarding how the trees will be retained:
  - Prior to and during construction
  - Post construction



- A tree protection plan to scale that is to show:
  - all tree protection zones and structural root zones,
  - all tree protection fenced off areas and areas where ground protection systems will be used
  - All services to be located within the tree protection zone and a notation to state that all services will either be located outside of the tree protection zone or bored under the tree protection zone
  - A notation to refer to the tree management plan for specific detail on what actions are required within the tree protection zone.
- Location of tree protection measures and ground protection
- Certification, milestones, inspection times and hold points.

The TPMP is to be developed in accordance with AS4970-2009 *Protection of Trees on Development Sites*.

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## 6. Conclusion

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C&R Ryder Consulting was engaged to prepare an arboricultural impact assessment for trees located at 66 Pakenham Road, Pakenham, in relation to proposed development of the site and construction of 36 town houses.

### Tree Summary

30 trees were assessed, 7 of which were dead. Generally, the remaining trees have good to fair health with minor issues observed including deadwood, canopy dieback and pest and disease.

The majority of trees have fair structure due to individual issues such as, codominant trunks and canopies, extended limbs, included bark within codominant stems and leaning trunks.

The trees were assessed for health, structure and ULE and placed in a retention category:

- Tree 1 has a Low retention value
- Tree 2 has No retention value
- Trees 3-30 are third party owned and must be retained unless approval is obtained from the tree owner.

The retention value should be used as a guide to aid in decision-making regarding tree retention and removal at a site.

### Project Proposal

The proposal will comprise development of the site for subdivision, installation of services (i.e. electrical, plumbing, drainage), construction of dwellings, concrete block fences and associated hardscaping and landscaping.

### Arboricultural Impact

- Trees 2, 4, 11, 13, 19 & 25 have minor TPZ encroachment of 6%, 1%, 2%, 6%, 1% & 2%, respectively, and are expected to remain viable under the proposed design.
  - The trees will have encroachments from the construction of dwellings, except for tree 2 which will only have encroachment from the construction of kerb and channel adjacent the tree.
- 24 trees (ID 1, 3, 5-10, 12, 14-18, 20-24 & 26-30) have no encroachment from the proposed design and are expected to remain viable throughout the works with standard tree protection measures.
- Trees 3-5, 7 & 8 are dead and are unlikely to be impacted by the proposed works.

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## 7. References

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## Appendix 1. Tree Assessment Descriptors

### 1.1 Image of tree

Digital image captured on the day of assessments.

### 1.2 Botanic Name/Common Name

The tree identified to genus and species level as well as the generally accepted common name for the tree.

### 1.3 Tree Dimensions

The height and width of the tree as estimated by the arborist in whole metres.

### 1.4 Diameter at Breast Height

The trunk diameter of the tree measured with a diameter tape at 1.4m above ground level.

### 1.5 Diameter at Base

The trunk diameter of the tree measured with a diameter tape above the root flare.

### 1.6 Health

<b>Very Good</b>	The tree is demonstrating exceptional growth for the species, has a full, dense canopy and there is no sign of any pest or disease.
<b>Good</b>	The tree is demonstrating good growth for the species with respect to its location and broader context. The canopy is full and complete and there are no signs of pest or disease.
<b>Fair</b>	The tree may have shown a reduction in optimal growth and/or there may be some twiggy deadwood within the canopy. There may be the presence of some pests or diseases that are not causing a significant decline in the tree
<b>Poor</b>	The tree is in decline with little growth. There may be sections of the canopy missing and pests or diseases may be prevalent
<b>Very Poor</b>	The tree is in significant decline, with large sections of the canopy dead. This tree is very unlikely to recover.
<b>Dead</b>	The tree is dead

### 1.7 Structure

<b>Good</b>	The tree's structure is typical of the species with no significant hazards such as included bark, trunk decay, splits or tears. In general there will be a single trunk with scaffold and/or subordinate branches that display good attachments
<b>Fair</b>	There may be minor defects in the canopy, but the overall tree is still relatively free of significant issues. The tree may need minor pruning to fix minor defects. The canopy will be mostly symmetrical and typical of the species.
<b>Poor</b>	The tree will have 1 or more significant defect that may be able to be remedied with pruning. This tree is likely to have an atypical canopy and may contain defects such as included bark or codominant stems.
<b>Very Poor</b>	The tree has substantial defects associated with its primary trunk and scaffold structure that cannot be remedied with pruning or other measures. It is likely that this tree will require removal in the short term.
<b>Hazardous</b>	The tree has major defects and is likely to fail. It should be removed as soon as possible.

## 1.8 Useful Life Expectancy

<b>20+</b>	The tree is a healthy specimen in good condition. It is expected to provide a contribution to the landscape for at least another 20 years with an appropriate level of management.
<b>10-20 years</b>	The tree is a reasonably healthy specimen in good or fair condition. It is expected to provide a contribution to the landscape for 10-20 years with an appropriate level of management.
<b>5-10 years</b>	The tree is in fair condition or a short lived species. It is likely to provide contribution to the landscape for 5-10 years with an appropriate level of management at which point removal may need to be considered.
<b>1-5 years</b>	The tree is a poor specimen in decline and is likely to require removal within 1-5 years.
<b>0 years</b>	The tree is either dead or has substantial defects requiring its removal in the short term.

## 1.9 Tree Significance

<b>Highly Significant</b>	The tree is a large, mature example of the species, generally in fair to good condition. It may be a remnant specimen or have substantial habitat value. The tree may have specific landscape context or be very prominent in the broader environment. This tree may be suitable for inclusion on a significant tree register at local or state government level. Significant efforts should be made to retain this tree.
<b>Significant</b>	The tree is a mature example of the species in good condition and/or have particular prominence in the landscape. There may be evidence of the tree being used as a habitat tree by local fauna and/or it may be a remnant specimen. It has a long ULE and should be considered for retention. The loss of the tree may have a significant impact on the surrounding landscape.
<b>Moderately Significant</b>	The tree is a semi mature to mature example of the species in good condition, may be well sited in the landscape and/or may have habitat value. The removal of this tree would be noticed in the landscape.
<b>Low</b>	The tree is generally a smaller specimen or may be in decline. It is not located in a prominent position and its removal would have little impact on the broader landscape.
<b>None</b>	The tree is considered insignificant and its loss would go unnoticed.

## 1.10 Tree Retention

<b>Very High</b>	The tree is an outstanding example of the species and it should be retained at all costs.
<b>High</b>	The tree is a mature specimen in fair to good condition with a ULE of at least 10 years, is suitable to the site and should be retained in a new development.
<b>Moderate</b>	The tree is a semi-mature or mature specimen, in fair to good condition that is suitable for retention; however, is located such that its loss would not have a significant impact on the landscape.
<b>Low</b>	The tree is likely to be juvenile or in decline and could be retained; however design changes are not considered worthwhile to retain a tree in this category.
<b>None</b>	The tree should be removed irrespective of a design as it is in severe decline, hazardous or dead.
<b>Third Party Tree</b>	This tree is located off the subject property and is owned by a third party. The assessment of health and structure is considered irrelevant as the tree must be retained.

## Appendix 2. Tree Protection

### 2.1 Tree Protection Zones

It is important when considering development or construction that assets to be retained are properly protected. In this case the trees are the assets and require protection if they are to be retained in the landscape long-term. Damage to the trees can come in 1 of 2 ways. The first is immediate damage directly to the tree in the form of root severance, breaking of branches and wounding of the trunk. The second is more insidious and can take some time to manifest. This is a more indirect form of damage and usually relates to modification of soil structure or grade, drainage patterns or hydrology (Coder 1995).

Trees can be easily protected from development by the installation of Tree Protection Zones (TPZ). TPZs have been calculated according to AS4970-2009 *Protection of Trees on Development Sites* for all trees to be retained. This calculates the TPZ radius by multiplying the trunk DBH by 12 to a maximum of 15m radius. These figures have been supplied in section 4 Tree Details.

A tree protection fence should be designed to be robust and withstand easy movement or ingress. Chain mesh fencing, temporary fencing panels or solid hoarding are all good examples (Figure 4).

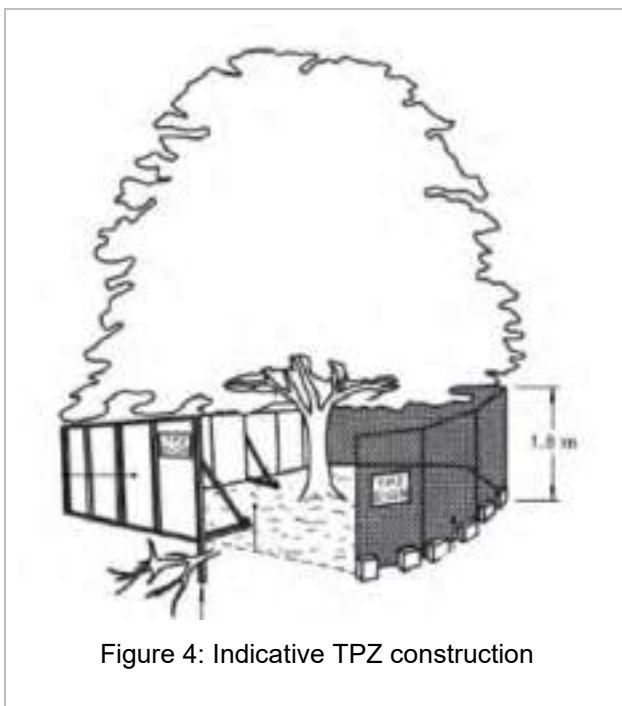


Figure 4: Indicative TPZ construction



Figure 5: Suitable TPZ signage to be displayed on TPZ fences

The following should be prohibited within a TPZ (adapted from AS 4970-2009):

- built structures or hard landscape features (i.e. paving, retaining walls)
- materials storage (i.e. equipment, fuel, building waste or rubble)
- soil disturbance (i.e. stripping or grade changes)
- excavation works including soil cultivation (specifically surface-dug trenches for underground utilities)
- placement of fill
- lighting of fires
- preparation of chemicals, including preparation of cement products

- pedestrian or vehicular access (i.e. pathways).

Include the following procedures in setting up and maintaining any TPZ (adapted from AS 4970-2009):

- erect warning signs at regular intervals along the entire length of any protective TPZ fencing (Figure 5)
- construct TPZ fencing to prevent pedestrian access into the protected area.
- mulch the TPZ area to a depth of 100mm with woodchips (if available, use woodchips generated from on site tree clearing).
- irrigate TPZs periodically, as determined by the consulting arborist.

## 2.2 Structural Root Zones (SRZs)

The structural root zone is a formula to define the theoretical volume of soil and tree roots required to keep a tree stable in the ground. It is in no way related to tree health and significant excavation at or near the SRZ for many trees will cause severe decline and/or death.

Excavation within SRZs can lead to whole tree failure often with devastating results. SRZs have been calculated in accordance with AS 4970-2009 *Protection of Trees on Development Sites* using the equation:

$$R_{srz} = (D \times 50)^{0.42} \times 0.64$$

Where D=trunk diameter at base in metres.

These figures have been supplied in section 4 Tree Details.

## 2.3 Encroachment

Encroachment of less than 10% of the TPZ and outside the SRZ is deemed to be minor encroachment according to AS 4970-2009. See Figure 6. Variations must be made by the project arborist considering other relevant factors including tree health, vigour, stability, species sensitivity and soil characteristics.

Encroachment of more than 10% of the TPZ or into the SRZ is major encroachment. The project arborist must demonstrate that the tree(s) would remain viable. This may require root investigation by non-destructive methods and consideration of relevant factors tree health, vigour, stability, species sensitivity and soil characteristics.

In any case, the lost TPZ should be compensated and be contiguous with the existing TPZ.

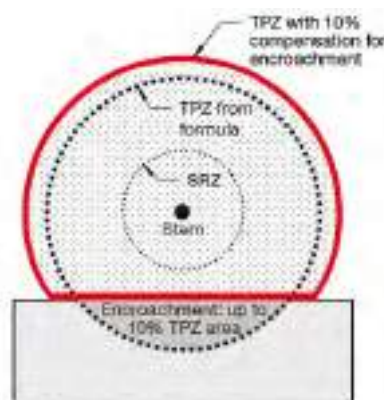


Figure 6: Example of TPZ encroachment and compensatory offset (image from AS 4970-2009)

## Appendix 3. Enlarged TPZ Map

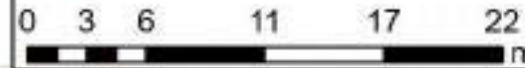
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**Legend**

-  Trees
-  TPZ
-  SRZ
-  Encroachment
-  Cadastre



External lighting for the residential lots and common areas (driveways/pathways) will be LED and will include motion sensors to reduce electricity consumption during off-peak times.

**External Irrigation**  
External irrigation systems (drip) will be provided to each residential lot with the standard pressure system.

TOTAL	1148.18
TOTAL SITE AREA - 5510M <sup>2</sup>	
TOTAL GARDEN AREA - 2495.86M <sup>2</sup>	
INTERNAL PRIVATE ROAD AREA - 366.55M <sup>2</sup>	
DRIVEWAY AREA (NATURE STRIP)- 183.29M <sup>2</sup>	
PATHWAY AREA - 97.78M <sup>2</sup>	
GREEN AREA (NATURE STRIP)- 411.72M <sup>2</sup>	



1 SITE PLAN  
1:200

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## Appendix 4. Photographic Tree Reports

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**Tree ID 1**

**Botanical Name:** *Acacia mearnsii*

**Common Name** Black Wattle **Origin:** Indigenous

**Height (m):** 6 **Health:** Good

**Width (m):** 5 **Structure:** Fair

**DBH (cm):** 19 **ULE:** 6-10

**Dia. @ base (cm):** 26

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2.28 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.9 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:** Minor decay and borers at base



**Tree ID 2**

**Botanical Name:** *Acacia mearnsii*

**Common Name** Black Wattle **Origin:** Indigenous

**Height (m):** 5 **Health:** Dead

**Width (m):** 3 **Structure:** Poor

**DBH (cm):** 9.7 **ULE:** 0

**Dia. @ base (cm):** 14.12

**Tree Significance** None

**Retention Value:** None

**TPZ Radius (m):** 2 **TPZ encroachment %:**6

**SRZ Radius (m):** 1.6 **SRZ intrusion:** Yes

**Encroachment Level:** Minor **Outcome:** Retained

**Comments:** Dead and decaying



**Tree ID 3**

**Botanical Name:** *Eucalyptus obliqua*

**Common Name** Messmate Stringybark **Origin:** Indigenous

**Height (m):** 5 **Health:** Dead

**Width (m):** 3 **Structure:** Fair

**DBH (cm):** 59 **ULE:** 0

**Dia. @ base (cm):** 68

**Tree Significance** None

**Retention Value:** None

**TPZ Radius (m):** 7.08 **TPZ encroachment %:**0

**SRZ Radius (m):** 2.8 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 4**

**Botanical Name:** *Eucalyptus obliqua*

**Common Name** Messmate Stringybark **Origin:** Indigenous

**Height (m):** 5 **Health:** Dead

**Width (m):** 3 **Structure:** Fair

**DBH (cm):** 73 **ULE:** 0

**Dia. @ base (cm):** 75

**Tree Significance** None

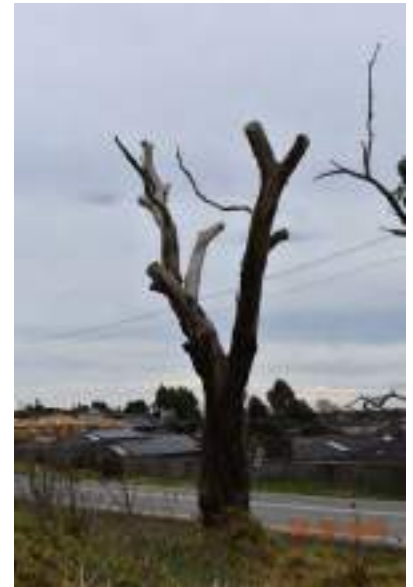
**Retention Value:** None

**TPZ Radius (m):** 8.76 **TPZ encroachment %:** 1

**SRZ Radius (m):** 2.9 **SRZ intrusion:** No

**Encroachment Level:** Minor **Outcome:** Retained

**Comments:**



**Tree ID 5**

**Botanical Name:** *Eucalyptus obliqua*

**Common Name** Messmate Stringybark **Origin:** Indigenous

**Height (m):** 5 **Health:** Dead

**Width (m):** 3 **Structure:** Fair

**DBH (cm):** 56 46 **ULE:** 0

**Dia. @ base (cm):** 85

**Tree Significance** None

**Retention Value:** None

**TPZ Radius (m):** 9.72 **TPZ encroachment %:** 0

**SRZ Radius (m):** 3.1 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 6**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 3 **Health:** Fair

**Width (m):** 4 **Structure:** Fair

**DBH (cm):** 8 4 4 **ULE:** 6-10

**Dia. @ base (cm):** 17

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2 **TPZ encroachment %:** 0

**SRZ Radius (m):** 1.6 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 7**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 4 **Health:** Dead

**Width (m):** 2 **Structure:** Fair

**DBH (cm):** 33 29 **ULE:** 0

**Dia. @ base (cm):** 33 31

**Tree Significance** None

**Retention Value:** None

**TPZ Radius (m):** 5.28 **TPZ encroachment %:** 0

**SRZ Radius (m):** 2.4 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 8**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 7 **Health:** Dead

**Width (m):** 4 **Structure:** Fair

**DBH (cm):** 44 **ULE:** 0

**Dia. @ base (cm):** 53

**Tree Significance** None

**Retention Value:** None

**TPZ Radius (m):** 5.28 **TPZ encroachment %:** 0

**SRZ Radius (m):** 2.5 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



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**Tree ID 9**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint      **Origin:** Indigenous

**Height (m):** 5      **Health:** Good  
**Width (m):** 5      **Structure:** Fair  
**DBH (cm):** 26      **ULE:** 11-20  
**Dia. @ base (cm):** 34

**Tree Significance** Low

**Retention Value:** Moderate

**TPZ Radius (m):** 3.12      **TPZ encroachment %:**0

**SRZ Radius (m):** 2.1      **SRZ intrusion:** No

**Encroachment Level:** None      **Outcome:** Retained

**Comments:** Kink and lean in trunk



**Tree ID 10**

**Botanical Name:** *Prunus cerasifera*

**Common Name** Cherry Plum      **Origin:** Exotic

**Height (m):** 3      **Health:** Good  
**Width (m):** 3      **Structure:** Fair  
**DBH (cm):** 3 3 3      **ULE:** 6-10  
**Dia. @ base (cm):** 18

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2      **TPZ encroachment %:**0

**SRZ Radius (m):** 1.6      **SRZ intrusion:** No

**Encroachment Level:** None      **Outcome:** Retained

**Comments:** Declining health with several dead limbs



**Tree ID 11**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint      **Origin:** Indigenous

**Height (m):** 12      **Health:** Good  
**Width (m):** 10      **Structure:** Fair  
**DBH (cm):** 107      **ULE:** 20+  
**Dia. @ base (cm):** 123

**Tree Significance** Significant

**Retention Value:** High

**TPZ Radius (m):** 12.84      **TPZ encroachment %:**2

**SRZ Radius (m):** 3.6      **SRZ intrusion:** No

**Encroachment Level:** Minor      **Outcome:** Retained

**Comments:** Minor deadwood throughout.



**Tree ID 12**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum      **Origin:** Australian Native

**Height (m):** 5      **Health:** Good

**Width (m):** 7      **Structure:** Fair

**DBH (cm):** 13 11      **ULE:** 11-20

**Dia. @ base (cm):** 24

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2.04      **TPZ encroachment %:**0

**SRZ Radius (m):** 1.8      **SRZ intrusion:** No

**Encroachment Level:** None      **Outcome:** Retained

**Comments:**



**Tree ID 13**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint      **Origin:** Indigenous

**Height (m):** 17      **Health:** Good

**Width (m):** 14      **Structure:** Fair

**DBH (cm):** 84      **ULE:** 20+

**Dia. @ base (cm):** 92

**Tree Significance** Significant

**Retention Value:** High

**TPZ Radius (m):** 10.08      **TPZ encroachment %:**6

**SRZ Radius (m):** 3.2      **SRZ intrusion:** No

**Encroachment Level:** Minor      **Outcome:** Retained

**Comments:** Minor deadwood throughout.



**Tree ID 14**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint      **Origin:** Indigenous

**Height (m):** 4      **Health:** Good

**Width (m):** 2      **Structure:** Poor

**DBH (cm):** 3 4      **ULE:** 20+

**Dia. @ base (cm):** 12

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2      **TPZ encroachment %:**0

**SRZ Radius (m):** 1.5      **SRZ intrusion:** No

**Encroachment Level:** None      **Outcome:** Retained

**Comments:** Multi-stemmed at base. Regrowth from stump/self sewn



**Tree ID 15**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 4 **Health:** Fair

**Width (m):** 5 **Structure:** Poor

**DBH (cm):** 18 14 **ULE:** 1-5

**Dia. @ base (cm):** 26

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2.76 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.9 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:** co-dominant at base with decay in stems



**Tree ID 16**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 3 **Health:** Fair

**Width (m):** 4 **Structure:** Fair

**DBH (cm):** 8 7 7 **ULE:** 6-10

**Dia. @ base (cm):** 19

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.7 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 17**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 6 **Health:** Fair

**Width (m):** 5 **Structure:** Fair

**DBH (cm):** 18 **ULE:** 6-10

**Dia. @ base (cm):** 24

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2.16 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.8 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**





**Tree ID 18**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 6 **Health:** Fair  
**Width (m):** 5 **Structure:** Fair  
**DBH (cm):** 12 12 **ULE:** 6-10  
**Dia. @ base (cm):** 25

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 3.12 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.9 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 19**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 7 **Health:** Fair  
**Width (m):** 9 **Structure:** Fair  
**DBH (cm):** 43 31 **ULE:** 20+  
**Dia. @ base (cm):** 55

**Tree Significance** Moderately Significant

**Retention Value:** High

**TPZ Radius (m):** 7.92 **TPZ encroachment %:**1

**SRZ Radius (m):** 2.6 **SRZ intrusion:** No

**Encroachment Level:** Minor **Outcome:** Retained

**Comments:** Some deadwood throughout



**Tree ID 20**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 6 **Health:** Fair  
**Width (m):** 5 **Structure:** Fair  
**DBH (cm):** 22 18 **ULE:** 6-10  
**Dia. @ base (cm):** 28

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 3.36 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.9 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 21**

**Botanical Name:** *Prunus cerasifera*

**Common Name** Cherry Plum **Origin:** Exotic

**Height (m):** 5 **Health:** Fair

**Width (m):** 2 **Structure:** Fair

**DBH (cm):** 17 5 5 **ULE:** 6-10

**Dia. @ base (cm):** 24

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2.28 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.8 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 22**

**Botanical Name:** *Prunus cerasifera*

**Common Name** Cherry Plum **Origin:** Exotic

**Height (m):** 3 **Health:** Fair

**Width (m):** 2 **Structure:** Fair

**DBH (cm):** 2 2 2 **ULE:** 6-10

**Dia. @ base (cm):** 15

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.5 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 23**

**Botanical Name:** *Quercus robur*

**Common Name** English Oak **Origin:** Exotic

**Height (m):** 3 **Health:** Good

**Width (m):** 2 **Structure:** Fair

**DBH (cm):** 4 **ULE:** 20+

**Dia. @ base (cm):** 13

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.5 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 24**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 6 **Health:** Good

**Width (m):** 3 **Structure:** Fair

**DBH (cm):** 16 **ULE:** 20+

**Dia. @ base (cm):** 22

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2 **TPZ encroachment %:**0

**SRZ Radius (m):** 1.8 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 25**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 4 **Health:** Dead

**Width (m):** 3 **Structure:** Fair

**DBH (cm):** 55 25 **ULE:** 0

**Dia. @ base (cm):** 78

**Tree Significance** None

**Retention Value:** None

**TPZ Radius (m):** 7.8 **TPZ encroachment %:**2

**SRZ Radius (m):** 3.0 **SRZ intrusion:** No

**Encroachment Level:** Minor **Outcome:** Retained

**Comments:**



**Tree ID 26**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 4 **Health:** Good

**Width (m):** 5 **Structure:** Fair

**DBH (cm):** 20 13 **ULE:** 6-10

**Dia. @ base (cm):** 37

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 3.24 **TPZ encroachment %:**0

**SRZ Radius (m):** 2.2 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 27**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 8 **Health:** Poor

**Width (m):** 10 **Structure:** Fair

**DBH (cm):** 49 **ULE:** 6-10

**Dia. @ base (cm):** 56

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 5.88 **TPZ encroachment %:**0

**SRZ Radius (m):** 2.6 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:** Heavy possum grazing and dieback. Trunk on lean



**Tree ID 28**

**Botanical Name:** *Pittosporum undulatum*

**Common Name** Sweet Pittosporum **Origin:** Australian Native

**Height (m):** 7 **Health:** Good

**Width (m):** 6 **Structure:** Fair

**DBH (cm):** 17 15 **ULE:** 11-20

**Dia. @ base (cm):** 37

**Tree Significance** Low

**Retention Value:** Low

**TPZ Radius (m):** 2.76 **TPZ encroachment %:**0

**SRZ Radius (m):** 2.2 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:**



**Tree ID 29**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 11 **Health:** Fair

**Width (m):** 13 **Structure:** Fair

**DBH (cm):** 62 **ULE:** 11-20

**Dia. @ base (cm):** 78

**Tree Significance** Moderately Significant

**Retention Value:** Moderate

**TPZ Radius (m):** 7.44 **TPZ encroachment %:**0

**SRZ Radius (m):** 3.0 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:** Directly on edge of embankment. Deadwood, dieback and possum grazing



**Tree ID 30**

**Botanical Name:** *Eucalyptus radiata*

**Common Name** Narrow-leaved Peppermint **Origin:** Indigenous

**Height (m):** 3 **Health:** Fair

**Width (m):** 3 **Structure:** Poor

**DBH (cm):** 13 **ULE:** 0

**Dia. @ base (cm):** 20

**Tree Significance** None

**Retention Value:** None

**TPZ Radius (m):** 2 **TPZ encroachment %:** 0

**SRZ Radius (m):** 1.7 **SRZ intrusion:** No

**Encroachment Level:** None **Outcome:** Retained

**Comments:** Previous major canopy failure. Remaining trunk on heavy lean



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