# Notice of Application for a Planning Permit



The land affected by the application is located at:	V8549 F587 CA 3 SEC 9 10-12 Purton Road, Pakenham VIC 3810
The application is for a permit to:	Alteration and additions to existing building and Use of land for places of worship

APPLICATION DETAILS		
The applicant for the permit is:	Glory Architecture	
Application number:	T240247	

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

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

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

Documents can also be viewed on Council's website: <a href="mailto:cardinia.vic.gov.au/advertisedplans">cardinia.vic.gov.au/advertisedplans</a> or by scanning the QR code.



#### **HOW CAN I MAKE A SUBMISSION?**

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:

#### 01 October 2024

#### WHAT ARE MY OPTIONS?

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

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

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

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.



lodged











Notice

Consideration of submissions

Assessment

Decision

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# **ePlanning**

#### **Application Summary**

Portal Reference A224721H

#### **Basic Information**

Proposed Use	Change of usae to a Place of Worship, adding a Car porch and Stainwell, some internal modifications,	
Current Use	The existing building is a warehouse with internal double story offices.	
Site Address	10-12 Purton Road Pokenham 3810	

#### Covenant Disclaimer

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

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

#### Contacts

Туре	Name	Address	Contact Details	
Applicant	Story Architecture	5 Solid Dr., Pakerham VIC 3810		
Preferred Contact	Slory Architecture	5 Solid Dr., Pakenham VIC 3810		

#### Fees

	Total	\$1,415.10
- Class 1 Change of use only	\$1,415.10 1	100W 31,415.10
tegulation Fee Condition	Amount	Modifier Payable

#### Meetings

Civic Centre 20 Siding Avenue, Officer, Victoria

Council's Operations Centre (Depot) Purton Road, Pakenham, Victoria Postal Address Cardinia Shire Council P.O. Box 7, Pakenham WC, 3810

Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am-

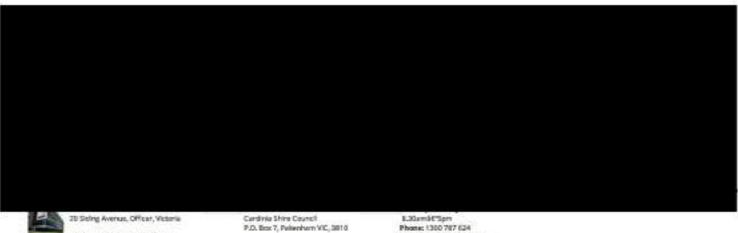
5pm

Phone: 1300 787 624 After Hours: 1300 787 624 Fax: 03 5941 3784

#### **Documents Uploaded**

Date	Туре	Filename	
04-06-2024	A Copy of Title	00728962570152024652004580001,pdf	
04-05-2024	Encumbrance	00728962070042024052004580001 pdf	
04-05-2024	Site plans	2402.1,240803_10-12 Purton Rd_TP_C.pdf	
94-95-2024	Written Explanation	COVERLETTER_10-12 PlatfolipelF	
04-05-2024	Additional Document	10-12 Parton Rd Report, pdf	
04-05-2024	A Copy of Title	00728962070012024052004580001 <sub>4</sub> pdf	

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

Page 1 of 1

VOLUME 08549 FOLIO 587

Security no : 124115118337C Produced 20/05/2024 02:58 PM

#### LAND DESCRIPTION

Crown Allotment 3 Section 9 Township of Pakenham Parish of Pakenham. PARENT TITLE Volume 08189 Folio 411 Created by instrument C133563 22/01/1965

#### REGISTERED PROPRIETOR

#### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX400718Y 30/10/2023 WEIGHTMAN INVESTMENT GROUP PTY LTD

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DECLARATION Section 64 HOUSING ACT 1983 T849683S 01/09/1995

#### DIAGRAM LOCATION

SEE TP325866J FOR FURTHER DETAILS AND BOUNDARIES

#### ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 10-12 PURTON ROAD PAKENHAM VIC 3810

#### ADMINISTRATIVE NOTICES

NIL

eCT Control 16541X MCKENZIE ALLEN LAWYERS Effective from 30/10/2023

DOCUMENT END

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Title 8549/587 Page 1 of 1



# **Imaged Document Cover Sheet**

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Number of Pages	1
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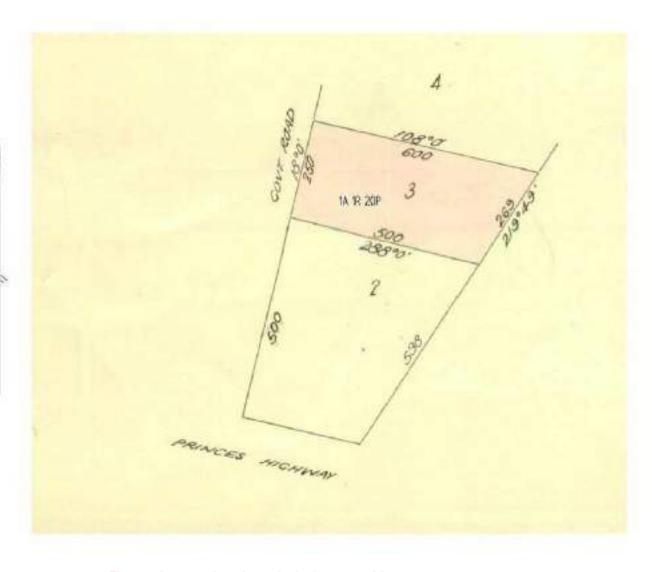
**EDITION 1** TP 325866J TITLE PLAN Notationa Location of Land WATERWAY NOTATION: LAND IN THIS PLAN MAY ABUT CROWN PAKENHAM LAND THAT MAY BE SUBJECT TO A CROWN LICENCE TO USE Parish: Township. PAKENHAM Section: Crown Allotment: . 3 Crown Portion: Last Plan Reference: Derived From: VOL 8549 FOL 587

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED
FOR THE LAND REGISTRY, LAND
VICTORIA, FOR TITLE DIAGRAM
PURPOSES AS PART OF THE LAND
TITLES AUTOMATION PROJECT
COMPILED 21/02/2000

VERIFIED. EWA

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN



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MAGED

010995 1425 55A

:T8496839

# DIRECTOR OF HOUSING HOUSING ACT 1983

Declaration of the Director of Housing Pursuant to Section 64.

The Director of Housing after making due enquiries and obtaining all necessary reports is satisfied that the house situate at and known as

10 - 12 Purton Road, Pakenham

( " The House " )

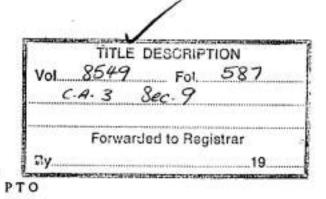
does not comply with the Regulations made under Section 63 of the Housing Act 1983.

STATEMENT OF PARTICULARS IN RESPECT OF WHICH THE HOUSE FAILS TO COMPLY WITH SUCH REGULATIONS.

Particulars of non compliance

Group " A "

Weatherboards holed, split and incomplete Spouting corroded, holed and incomplete Roof sheeting loose and corroded Floors sunken, holed and decayed Down pipes corroded and incomplete Sub floor timbers decayed and defective Kitchen sink defectively installed Window frames and sashes decayed and in disrepair External paintwork perished



DATED THE

29TH

DAY OF

AUGUST 1995

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THE CORPORATE SEAL OF DIRECTOR OF HOUSING

was hereto affixed the day and year hereinbefore written in the presence of:



A Person to whom the Director of Housing has delegated the appropriate power.





# Statement of Particulars in respect of which the house fails to comply with the Regulations continued:

Group " B "

Caps and barges decayed and defective
Food storage cupboards in disrepair
Trisigh flashing incomplete
Fascies decayed
Internal walls stained and discoloured
Ceilings stoined and discoloured
Impervious floor coverings torn and broken, not provided in part
Toilet floor in disrepair



# **ePlanning**

#### **Application Summary**

Portal Reference	D32442Q0
Reference No	T240247

#### **Basic Information**

Cost of Works	\$0
Site Address	10-12 Purton Road Pakenham VIC 3810

#### **Covenant Disclaimer**

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?	No such encumbrances are breached
☐ Note: During the application process you may be required to provide more information in relation to any encumbrances.	

#### **Documents Uploaded**

Date	Туре	Filename
22-08-2024	Additional Document	COVER LETTER.pdf
22-08-2024	Additional Document	2402.1_240822_10-12 Purton Rd Pakenham.pdf
22-08-2024	Additional Document	10-12 Purton Road - Due Diligence Assessment DRAFT 21.08.24.pdf
22-08-2024	Additional Document	GA-10-12 Purton Drive, (Pakenham)-WMP-R1-0 FINAL.pdf
22-08-2024	Additional Document	GA-10-12-Purton Road (Pakenham)_TIA-R2-0 FINAL.pdf
22-08-2024	Additional Document	LCAPE25JULY24.pdf
22-08-2024	Additional Document	10-12 Purton Rd Report.pdf

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**Council's Operations Centre (Depot)** Purton Road, Pakenham, Victoria Postal Address
Cardinia Shire Council

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### PROPOSED CHANGE OF USE - NEW PLACE OF WORSHIP

10-12 Purton Road, Pakenham - VIC 3810

Prepared By:

ARCHIELL - BUCHZH

**GLORY ARCHITECTURE** 



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Car parking	
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#### SUBJECT SITE

The subject site is located on the right side of Purton Road; the address is known as 10-12 Purton Road Pakenham, VIC 3810. This report has been prepared in seeking a planning permit to change the use of the existing building to a Place of Worship.

### THE PROPOSED SITE

Address: 10-12 PURTON ROAD PAKENHAM 3810.

Crown Description: Allot. 3 Sec. 9 TOWNSHIP OF PAKENHAM

Council Property Number: 1703850600

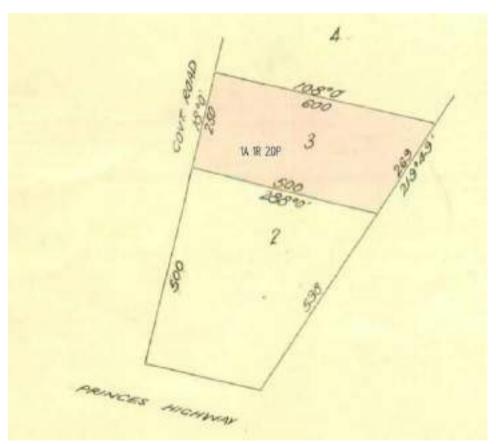


Figure 1: Location of Proposed Site



The subject site is a warehouse with internal double-story offices. The adjoining properties are also warehouse buildings.



Figure 2: Proposed Site and Surroundings

34.01 Industrial 1 Zone (IN1Z)

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The site is located within the Industrial 1 Zone in accordance with Cardinia Planning Scheme.



The proposal has been thoroughly assessed in accordance with the Cardinia planning policy frameworks, local planning policy, and the Industrial 1 Zone (IN1Z). The neighbourhood context has been detailed in the Site Context Plan, identifying the primary use of each neighbouring property as industrial (warehouses), while the opposite side of the creek, and the Toomuc Valley Road involves a mix of residential and educational functions, which supports the proposed use of the site as a Place



of Worship to serve the community with no effect on the abutting uses. To maintain sustainable development with a minimal environmental footprint, most of the work will be completed on the interior of the existing warehouse, with minimal changes to the outdoor for required parking spaces, with ample bicycle spaces introduced to support the council's initiative to encourage cycling.

#### Purpose of the Zone

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

#### PERMIT REQUIREMENT

A permit is required for a Place of Worship.

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### <u>Proposal</u>

#### PERMIT REQUIREMENT

- Approval is sought for a change of use to a Place of Worship.
- The proposed Place of Worship will carry out administrative/cleaning tasks, small group gatherings for prayer, chanting, or special interest group meetings on weekdays. The main prayers will be held on weekends and weekdays.
- The Place of Worship will serve the Chin Baptist Church Pakenham. Ancillary activities include educational classes, community gatherings, and food preparation activities. The kitchen will serve ready snacks and beverages during community events, and the crying room will provide a quiet space for parents with kids during services. No outdoor areas will be used for worship or related activities. Off-site amenity impacts, including noise and lighting, will be managed by conducting all activities indoors and using low-intensity lighting. No external signage is proposed at this stage.
- The operating hours are as follows:

### Weekdays:

•	Monday	No activities.	
•	Tuesday	6:30 pm to 8:30 pm.	a maximum of 20 patrons
•	Wednesday	9:00 am to 2:00 pm.	a maximum of 5 patrons.
•	Thursday	6:30 pm to 8:30 pm.	a maximum of 20 patrons.
•	Friday	6:30 pm to 8:30 pm.	a maximum of 25 patrons.

#### Weekend:

•	Saturday	9:00am to 8:30pm.	a maximum of 150 patrons.
•	Sunday	10:00am to 1:00pm.	a maximum of 200 patrons.

#### Seasonal Events:

•	Christmas Day	a maximum of 200 patrons.
•	New Year	a maximum of 200 patrons.
•	Easter Sunday	a maximum of 200 patrons.



A car porch (Portico) and a stairwell at the frontage with a maximum Height of 10m are proposed. The existing 2 crossovers will be used as car Entry and Exit.

#### Elements

- 1. Stage (Main Services Place)
- 2. 200 Seats
- 3. Reception and Admin offices
- 4. Rooms for different activities

- 5. Kitchen
- 6. Toilets (3 Male + 4 Female + 1 Disabled Access)
- 7. 83 Car parks + 2 Disabled
- 8. 2 Crossover Existing.

#### Car parking

The proposed building provided 83 car parking spaces (including 2 disabled car parks) which satisfy the Council requirements. Also, 10 bicycle spaces are provided per Clause 53.34.

### Likely Effects

#### Noise Levels

Prayers and assemblies will predominately take place on weekends, where light music with a level that would not go beyond the internal walls. Also, as the site falls under the Industrial Zone, the abutting and surrounding properties are industrial uses and mostly closed on weekends and weekdays after 5 pm.

There are no residential uses located nearby.

#### Air-born emissions

Not applicable.

#### Emissions to land or water

Not applicable.

#### Traffic, including the hours of delivery and dispatch

The proposed usage will not create any parking issues in the vicinity area as 83 Car spaces are provided. Further, the proposed site is well connected to Princes Highway via Purton Road, ensuring easy vehicle movement without creating traffic.

#### Light spill or glare

There will be no changes to the existing outdoor lighting, most of which are small wayfinding lights.

#### About the Proposed Worship

Place of Worship will serve the Chin Baptist Church Pakenham, providing a venue for prayer and various services. It supports devotees in need by providing necessary help. The owner and operator of the Place of Worship will be the Baptist Union of Victoria.



### Areas of Aboriginal Cultural Heritage Sensitivity

Due to the proximity to the Toomuc Creek and the Aboriginal Cultural Heritage Sensitivity overlay, due diligence check has been completed by a qualified Heritage Advisor, and it has been confirmed that the proposed application does not trigger the requirement for a mandatory Cultural Heritage Management Plan (CHMP). A letter from the Heritage Advisor is included in the submission.

#### Clause 52.06 CAR PARKING

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#### **Purpose**

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

### Clause 53.34 regarding Bicycle Facilities

To support the council's initiative to encourage cycling as a mode of transport, we have provided 10 bicycle spaces which is beyond the required 6 spots given the total floor area (approx. 1500 m<sup>2</sup>) in accordance with Clause 53.34 regarding Bicycle Facilities. Table 1 to Clause 52.34-5 Bicycle spaces:

• Place of assembly other than specified in this table – Employees: 1 to each 1500 sq m of net floor area. Visitors: 2 plus 1 to each 1500 sq m of net floor area)

### Landscape Plan

A landscape plan has been prepared by a qualified professional, detailing appropriate trees, shrubs, grass, and groundcover planting around the car parking area to enhance the site's aesthetics and environmental quality.

### Waste Management Plan

A comprehensive waste management plan has been included, outlining expected waste generation from all proposed activities. Waste will be stored in designated areas and collected weekly by a licensed waste management service to ensure proper disposal.

### Traffic Impact Assessment

A traffic impact assessment has been conducted, confirming that the proposed use will not significantly impact traffic on Princess Highway. The site exceeds 600 sqm, and the assessment demonstrates that traffic flow and parking will remain efficient and safe.



### Proposed Use

Use	Times and Days	Inventory
Operating Time	Monday to Friday 9 am to 8:30 pm	Maximum 25 patrons at any one time. On-site parking allocation (83 spaces)
Operating Time	Saturday & Sunday 8 am – 8:30 pm	Maximum 200 patrons at any one time. On-site parking allocation (83 spaces)

# Planning Scheme Parking Requirement

Use Planning Scheme Requirement		Days	Inventory	Planning Scheme Parking Requirement	
Place of Worship	0.3 Car space for each patron.	Weekdays	50	15	
		Weekends	200	60	

The proposal provides 83 Car parks, which satisfy the statutory requirements of Clause 52.06 of the Planning Scheme.



#### CONCLUSION

The proposed use of the existing premises complies with all the relevant planning policies and provisions of the Cardinia Planning Scheme. Therefore, Glory Architecture is seeking council approval for the change of use to a Place of Worship located at 10-12 Purton Road, Pakenham VIC 3810.

#### Glory Architecture



Project 10-12 Purton Road, Pakenham VIC 3810

**Drawing Title** Landscape Drawings Date Completed 25/07/2024

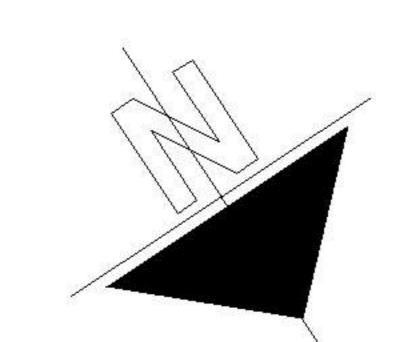
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
Curves Landscape Design Theo Afkoudias Version 1.0 P: 0412 800440 E: curvesld@gmail.com

Designer

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www.curvesld.com.au





	PLANT LIST				
CODE	BOTANICAL NAME	COMMON NAME	MATURE HxW (M)	SOURCE SIZE	QTY
	TREES			Height	
CV	Callistemon viminalis	Weeping Bottlebrush	5 x 4	1.5M HGT	3
ΑI	Acacia implexa	Lightwood	8 x 4	1.5M HGT	3
	SHRUBS			Pot Size	
RC	Rhagodia candolleana	Seaberry Saltbush	2 x 2	15 CM	2
CA	Correa Alba	White Correa	1.5 x 1.5	15 CM	4
WJ	Westringia fruticosa Jervis Gem	Coastal Rosemary	1 x 1	15 CM	31
	GROUND COVER				
BS	Banksia spinulosa	Banksia Candles	0.5 x 1	15 CM	2
MP	Myoporum parvifolium	Myoporum fine leaf	0.1 x 1	15 CM	12

NOTES LANDSCAPE STRATEGY

Provide low maintenance, attractive gardens whilst blending with local streetscape and environment. PREPARING SITE

Weeds - All weeds are to be removed from the site by physical removal or spraying with a glyphosate-based herbicide. Any areas of soil contaminated by paint or building rubble/materials should be removed and replaced with suitable topsoil from the site or imported.

PLANTING Garden Beds Preparation - Existing garden beds can be prepared with added organic material such as well-rotted manure or materials from plant and animal sources sold as improvers or compost and prepared to AS 4454 - 2003. These can just be top-dressed (placed over the top of the soil) and then covered with mulch. If there is no existing topsoil left, then imported topsoil that complies with AS 4419 -

2003 shall be used with mulch on top. All tree stock used must be in accordance with AS2303-2015 Tree Stock for Landscape Use.

Pruning - All plants are to be pruned/shaped to an appropriate size and spread on an ongoing basis.

Topsoil levels at 125mm. Cultivate to improve permeability and break up areas of compaction. Mulch – Sustainably sourced pine mulch with an average particle size of 10mm, maintained at 75 -100 mm on all garden beds, Hard Garden Edging -All garden beds and lawn areas are to be framed by hard garden edging. Recommended garden edging includes; treated pine, plantation sugar gum, recycled plastic sleepers, recycled railway sleepers, local stone, and recycled brick or concrete.

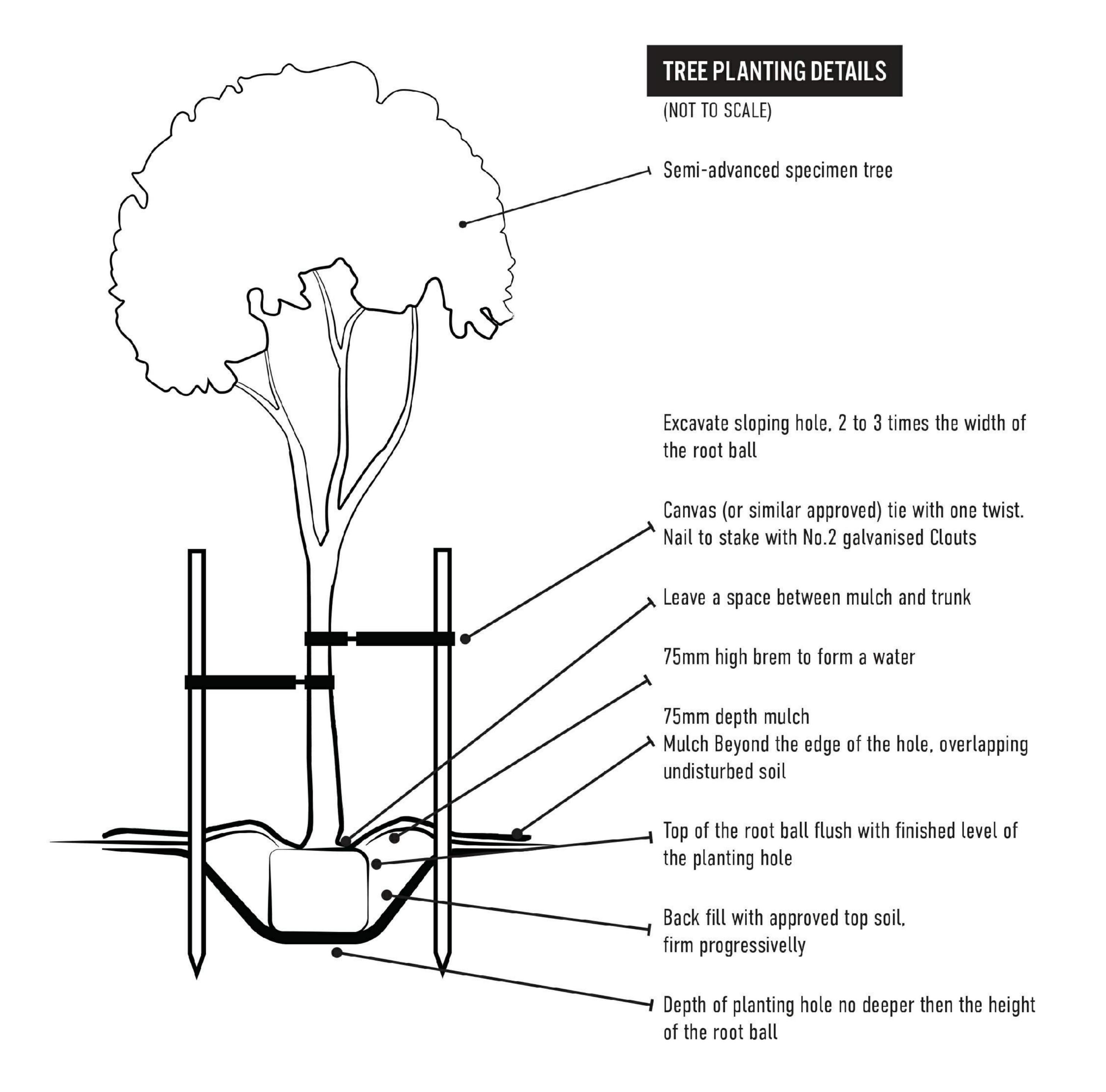
Lawn Areas - Topsoil levels at 75 mm. Lawn areas are to be established with seeds. Nature Strip Lawn Areas - Nature strip lawn to be repaired/reinstated. Tree Planting methods-Refer to image.

MAINTENANCE - 24 Months Tree guards are removed when plants are established

Watering -Water in accordance with current water restrictions using a programmable irrigation system according to weather conditions but generally 10 minutes every second day to garden beds during the establishment period (6 months) and during summer dry periods. At other times and as plants become established watering should gradually be reduced to conserve water and promote deep root

systems. Weeding and trimming every 30 days. Plant replacement - As required particularly during the establishment period (6 months).

LEGEND **Proposed Trees Proposed Shrubs Propsed Tussock Plants Proposed Ground Cover** Garden Bed





Tel: 03 9038 8280 www.auswideconsulting.com.au info@auswideconsulting.com.au ABN 13 143 437 432

# **Traffic Impact Assessment**

10-12 Purton Road, Pakenham, VIC 3810

Proposed Church

Prepared for:	Glory Architecture
Date Prepared:	July 2024
Revision:	1.0



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#### Introduction

AusWide Traffic Engineers was engaged by Glory Architects to prepare a Traffic Impact Assessment for the proposed church at 10-12 Purton Road, Pakenham. The proposed development will comprise a church with a maximum congregation size of 200 worshipers and 83 at-grade parking spaces.

The subject site is currently occupied by a low-density industrial development.

Cardinia Shire Council has reviewed the proposed development and requested:

A traffic impact assessment for the subject site regarding the impact of traffic generated on Princes Highway, given the existing site area exceeds 600 sqm.

This report will assess the implications of the proposed development on existing traffic, parking and transport conditions surrounding and within the site. The following items have been included in the subsequent sections of this report:

- Public and active transport accessibility at the site;
- Expected traffic generation rates and their impact on the surrounding road network;
- Review of parking provisions, design and access;
- Generate conclusions based on the above findings.

During the course of preparing this assessment, the subject site and its environment have been inspected, and all relevant traffic and parking data collected and analysed.



### **Background and Existing Conditions**

#### **Background**

The development site is located at 10-12 Purton Road, Pakenham and is zoned as industrial zone 1 (1N1Z) in accordance with the Cardinia Planning Scheme and is within an industrial/commercial area.

The site is located approximately 50 kilometres to the southeast of the Melbourne CBD. To the south and east of the subject site, the land uses primarily consist of low-density residential dwellings.

Figure 1 shows the site on the local road network from a street map perspective.

**Figure 2** on page 6 provides an aerial view of the immediate area surrounding the subject site, including the adjoining industrial land uses.

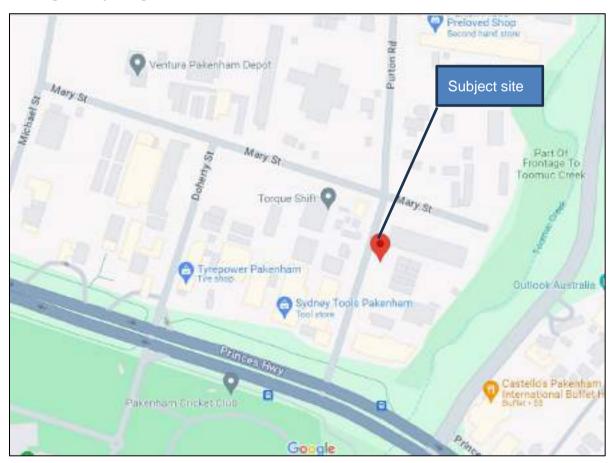


Figure 1: Location of Subject Site on Street Map





Figure 2: Aerial View of Surrounding Area

#### **Purton Road**

Purton Road (refer to **Figure 3** on page 7) is a local road adjacent to the west of the site that is aligned in a north-south direction. Purton Road provides a single parking lane and travel lane in either direction.

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Figure 3: Purton Road looking north towards subject site

To the south of the subject site, Purton Road intersects the Princes Highway (a major arterial road with two lanes in either direction) at a priority-controlled junction with left turn and right turn deceleration lanes (refer to **Figure 4**).



Figure 4: Purton Road and Princes Highway



Vehicles seeking to turn right from Purton Road onto Princes Highway can prop in the space in the median and then merge into westbound traffic.

#### **Public Transport**

As displayed in **Figure 2** (on page 6), bus stops are located on Princes Highway in proximity to its intersection with Purton Road.

The bus stops are served by the:

- 925 bus service, Pakenham Station to Lakeside via The Avenue. The 925 bus service typically operates with (approximately) 60-minute frequencies.
- 926 bus service, Pakenham Station to Fountain Gate Shopping Centre via Lakeside and Beaconsfield. The 926 bus service typically operates with (approximately) 30 - 60 minute frequencies.

#### **Active Transport**

Footpaths are not provided on Purton Road. Grassed verges are provided to support the movement of pedestrians.

Shared paths are provided on both sides of Princes Highway. Signalised pedestrian crossings are provided on Princes Highway, approximately 200 metres to the west of Purton Road.



### **Proposed Development**

It is proposed to refurbish the current industrial development located at 10-12 Purton Road and provide a church. The proposed church will carry out small gatherings on weekdays, with peak activity occurring on weekends and seasonal events such as Christmas and Easter.

The layout of the proposed church is displayed in Figure 4 below.

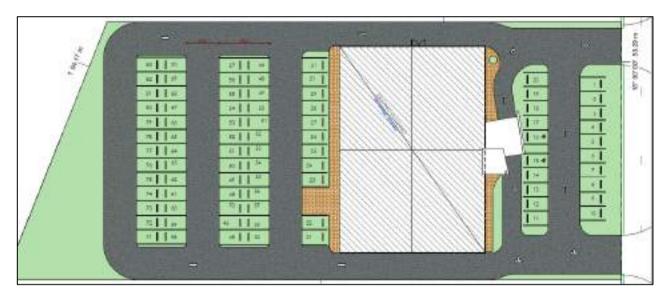


Figure 4: Multi-Dwelling Development Layout

Key components of the proposed church include:

- A stage for the main service
- 200 seats
- Administration offices
- A small kitchen
- 83 parking spaces, including two spaces for the mobility impaired.

In terms of the operation of the church, the following activity is expected:

- Mondays no activity
- Tuesdays, Thursdays and Fridays (6:30 pm 8:30 pm) maximum 20-25 patrons
- Wednesdays (9:00 am 2:00 pm) maximum 5 patrons
- Saturdays (9:00 am 8:30 pm) maximum 150 patrons
- Sundays (10:00 am 1:00 pm) maximum 200 patrons
- Seasonal events (Christmas and Easter Sunday) maximum 200 patrons.

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### **Traffic Impact Assessment**

TfNSW does not provide trip rates for churches, accordingly, trip generation analysis has been undertaken on a first principles basis. It is noted that:

- Weekday activity is typically minor (up to 25 worshippers) and will occur outside of peak periods of road network activity (after 6:30 pm);
- Peak activity will occur on the weekends (up to 200 worshippers), which is also outside of peak periods of road network activity;
- Assuming the peak demand for adjoining industrial land uses occurs during "typical" work hours, i.e., weekdays between 7:00 am and 6:00 pm, peak church activity will also not coincide with the adjoining land uses.

#### Additionally:

- It has been assumed that worshippers will predominantly be drawn from the local residential areas in proximity to the church;
- In accordance with the availability of active and public transport services in proximity to the subject site, it has been assumed that 15 percent of worshippers will walk/cycle or take public transport;
- Worshippers typically attend church as couples/families, with multiple people per car;
- The available data suggest<sup>1</sup> that typically, for people attending church services, there are between 2 and 2.5 people per car;
- For the purposes of analysis, it has been assumed that there will be a vehicle occupancy rate of 2.25 worshippers per car.

Accordingly, based on a peak demand of 200 worshippers, 170 are expected to drive (assuming 15 percent use active/public transport), which will generate approximately 75 vehicle trips (assuming an average of 2.25 worshippers per vehicle).

Assuming that worshippers will arrive at church from 30 minutes prior to a service, this vehicle activity corresponds to approximately a vehicle trip every 30 seconds, which is not expected to coincide with the peak activity from the adjoining road network or industrial land uses.

Accordingly, the proposed church is expected to have a minor impact on the adjoining road network.

#### Additionally:

It is expected that the majority of worshippers will access/egress the church via the Princes
Highway, noting that access to the subject site is also provided from the north via Mary
Street.

 There is a distance of approximately 175 metres on Purton Road between the entrance to the church car park and Princes Highway. Assuming a queued vehicle occupies a length of

-

<sup>&</sup>lt;sup>1</sup> https://www.churchplaza.com/how-many-parking-spaces-do-you-need-for-your-church/



six metres (including the gap between cars), approximately 30 vehicles could occupy this space. It is noted that:

- Thirty vehicles constitute approximately 40 percent of peak demand (based on 75 vehicles);
- o Vehicles are expected to enter the church under free-flow conditions.

Therefore, vehicles accessing the church to/from the south are not expected to queue back to Princes Highway.



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#### **Public Transport**

It is proposed to supply 83 at grade parking spaces at the proposed church. The car park layout provides separated entry and exit points, as displayed in **Figure 4** on page 9.

Neither the TfNSW Guidelines nor the Cardinia Planning Scheme (section 52.06 Cark Parking) provide a parking rate for churches. However, the planning scheme identifies the following purpose:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality;
- To support sustainable transport alternatives to the motor car;
- To ensure that car parking does not adversely affect the amenity of the locality;
- To ensure that the design and location of car parking is of a high standard, create a safe environment for users and enable easy and efficient use.

On a first principles basis the church is expected to generate up to 75 cars at a single church service. Therefore 83 parking spaces are sufficient to accommodate the peak parking demand of the proposed church.

#### **Parking Layout**

The proposed church car park provides separated entry and exit driveways.

The Cardinia Planning Scheme (Section 52.06-9 Design standards for car parks) specifies the following minimum requirements for the layout of ninety-degree parking bays:

- 5.8 metre aisle width minimum car bays of 2.8 metres by 4.9 metres;
- 6.4 metre aisle width minimum car bays of 2.6 metres by 4.9 metres.

#### The proposed church:

- Provides an aisle width of a minimum of 6.2 metres;
- Aisle widths are typically 6.4 metres;
- Parking spaces provide a minimum width of 2.8 metres and a minimum length of 4.9 metres.

The Planning Scheme specifies that the layout of parking spaces should comply with Australian Standards AS 2890.6:2022 Off-street parking facilities for people with disabilities. The Australian Standard specifies that:

- Accessible parking spaces should have minimum dimensions of 2.4 metres by 5.4 metres;
- Provide a shared space on one side of the accessible space with minimum dimensions of 2.4 metres by 5.4 metres.;
- The shared zone should include a bollard to prevent parking in the shared space.

The proposed church car park complies with these specifications.



### **Conclusion**

Based on the assessment presented in this report, it is considered that:

- The proposed development is a church at 10-12 Purton Road, Packenham, with a capacity
  of up to 200 worshippers and 83 parking spaces;
- Based on a peak demand of 200 worshippers, 170 are expected to drive (assuming 15 percent use active/public transport), which will generate approximately 75 vehicle trips (assuming an average of 2.25 worshippers per vehicle);
- Peak demand at the church is typically expected to occur on weekends outside peak periods;
- The church is expected to have a minor impact on the operation of the adjoining road network;
- The provision of 83 parking spaces is expected to accommodate the peak parking demand of the church;
- The layout of the church car park complies with the criteria in the Cardinia Planning Scheme.

As per the above, the subject proposal has been endorsed within a traffic and parking context.



Tel: 03 9038 8280 www.auswideconsulting.com.au info@auswideconsulting.com.au ABN 13 143 437 432

### WASTE MANAGEMENT PLAN

# 10 - 12 Purton Drive, Pakenham VIC 3810

Proposed Place of Public Worship

Prepared for:	Glory Architectur	
Date Prepared:		August 2024
Revision:		1.0
Cardinia Shire Cour	ncil Application #:	ТВА



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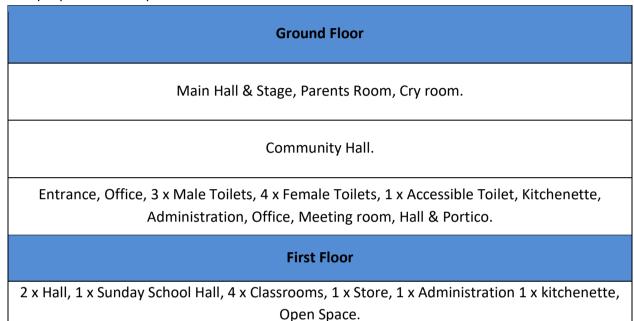
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#### Introduction

AusWide Consulting was commissioned by Glory Architecture to prepare a Waste Management Plan (WMP) for approval of a proposed place of public worship at 10-12 Purton Drive, Pakenham VIC.

The proposed development consists of:



In the course of preparing this WMP, the subject site and its environs have been inspected, plans of the development examined, and all relevant council requirements and documentation collected and analysed.

This WMP has been prepared based on the following information:

- Architectural Plans provided by Glory Architecture, See Appendix A;
- Waste and Recycling for Commercial and Industrial Land Use and Development, Sustainability Victoria 2023;
- Waste Management and Recycling in Multi-unit Developments Better Practice Guide, Sustainability Victoria, 2019.



## **Background and Existing Conditions**

The subject site is located at 10-12 Purton Drive, Pakenham VIC, on the north-eastern side of Purton Drive, and the nearby land uses are prominently commercial with Princes Highway to the south.

**Figure 1** provides an overview of the area and its surrounding land uses, whilst **Figure 2** provides an aerial view of the immediate area surrounding the subject site.

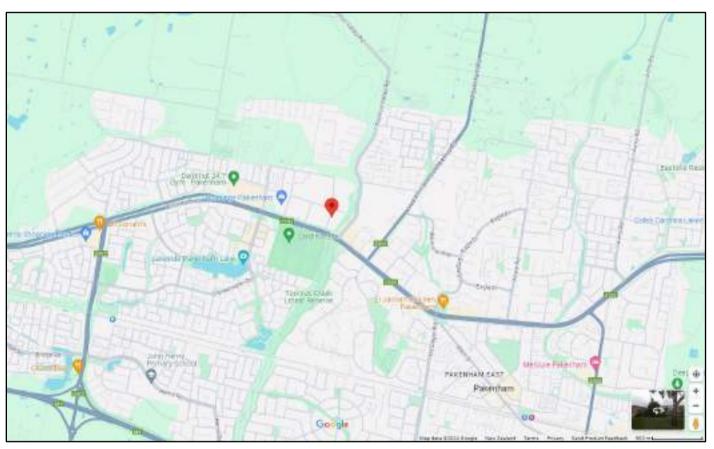


Figure 1: Location of the Subject Site



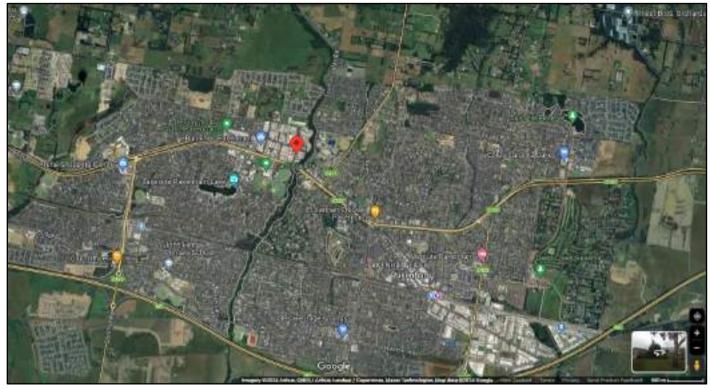


Figure 2: Aerial View of the Subject Site



#### **Proposed Development**

The proposed development consists of a Place of Public Worship. The access to the proposed development will be provided via Purton Drive. The waste storage area is accessible along the northern boundary (Refer Appendix A).

#### **Anticipated Waste Generation, Storage and Collection**

#### **Waste Generation**

As per the *Waste Management and Recycling in Multi-unit Developments Better Practice Guide, Sustainability Victoria, 2019*, Appendix 2, the applicable waste generation rates for this development are:

- Religious / Social centre is 50L/100m<sup>2</sup> floor area/day of general waste and 10L/100m<sup>2</sup> floor area/day of recycling waste;
- Office is 10L/100m² floor area/day of general waste and 10L/100m² floor area/day of recycling waste.

The following table illustrates these garbage, recycling, and organic generation rates.

Table 1: Typical Garbage & Recycling Generation Rates for Commercial Developments

Type of Premises	General Landfill Waste	Commingled Recycling Waste
Religious / Social	50L/100m² floor area/day	10L/100m² floor area/day
Office	10L/100m² floor area/day	10L/100m² floor area/day

Actual usage can vary and may be generated at a reduced rate. Management will monitor all waste requirements and handling due to the on-going operations of business and accessing any needs for waste management plan revisions.

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#### **Waste within Overall Development**

Using the garbage and recycling generation rates above, the following can be calculated:

#### **Commercial Waste:**

#### Place of Public Worship & Community Centre (1,575m<sup>2</sup>). (2-Day Week)

- 50L/100m<sup>2</sup> of floor area per day general waste = 1,575L per week (uncompacted);
- 10L/100m<sup>2</sup> of floor area per day recycling waste = 315L per week (uncompacted).

#### Office Space (81m<sup>2</sup>). (7-Day Week).

- 10L/100m<sup>2</sup> of floor area per day general waste = 57L per week (uncompacted);
- 10L/100m<sup>2</sup> of floor area per day recycling waste = 57L per week (uncompacted).

#### **TOTAL** (Per Week).

- 1632L per week (uncompacted) = 7 x 240L bins;
- 372L per week (uncompacted) = 2 x 240L bins.

#### **Waste Storage Areas**

This waste storage area consists of bins located to the northern boundary of the car parking area accessed off Purton Drive. Currently, the Council waste contractor reverses into the car park to collect the bins, but the amount of waste generated at this site is significantly reduced and a Council kerbside collection is proposed.

- 7 x 240L General Waste MGBs collected and once a week (uncompacted);
- 2 x 240L Recycling Waste MGBs collected and once a week (uncompacted).

The waste area should have sealed floors and impervious walls, passive ventilation of at least 5% of wall area, have drain to stormwater and preferably be roofed (see **Figure 3**).



Figure 3: Typical Bin Enclosure



## Recycling

- ✓ All recycling.
- ✓ Steel, tin, aluminium cans, empty aerosols
- Clear, brown, green glass bottles / jars (rinsed, no lids).
- Plastic bottles, soft drink bottles, containers (rinsed, no lids).
- ✓ Carboard boxes, milk, juice cartons.
- ✓ Newspapers, magazines, office paper, junk mail, window envelopes.
- Council provided compostable caddy liner.
- Plastic bags, light bulbs, mirrors, drinking glasses, general and food, waste, ceramics, crockery, foam, ovenware, polystyrene, waxed cardboard boxes.

## Garbage

- ✓ General waste.
- ✓ Plastic bags.
- Packets, wrappers, cling wrap, bubble wrap.
- ✓ Nappies, sanitary waste, (wrapped tightly and stored in a well-sealed bag).
- ✓ Animal faeces, bedding, and kitty litter.
- ✓ Foam, polystyrene, and polystyrene.
- ✓ Light bulbs, mirrors, ceramics, cookware, and drinking glasses.
- Contents of your vacuum cleaner, cotton wool, buds and cigarette ends.
- ✓ All food waste, scraps and garden waste.
- Building materials, syringes, oil or paint, gas bottles, hazardous or chemical waste.
- Medical waste: (speak to your doctor / pharmacy).

Figure 4: Waste Disposal Guidelines for Commercial General & Recycling Waste MGBs

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The following **Figure 5** illustrates the scaled diagrams of the MGBs within the waste storage areas.

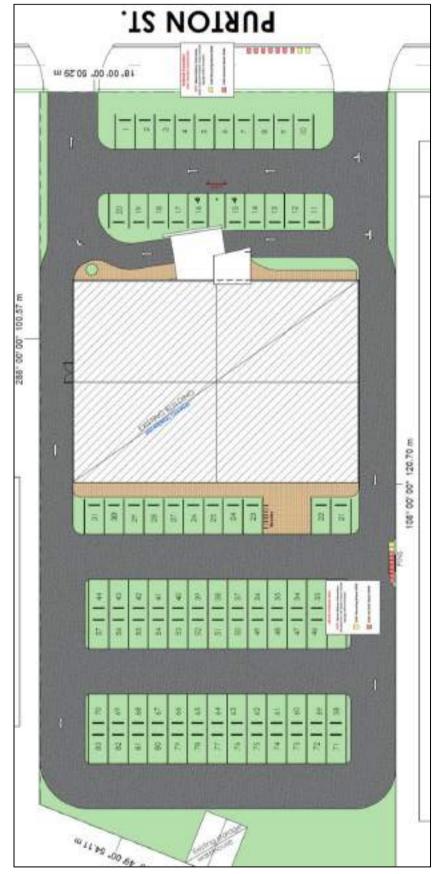


Figure 5: Scaled Diagram of the Waste Storage Area



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#### **Waste Collection**

This waste storage area consists of bins located to the northern boundary of the car parking area accessed off Purton Drive. Currently, the Council waste contractor reverses into the car park to collect the bins, but the amount of waste generated at this site is significantly reduced and a Council kerbside collection with a side arm waste truck is proposed.

#### **Amenity**

#### **Noise**

The only noise generated from the waste management at the property will be that of the waste management truck, wheeling the MGBs to/from the waste vehicle and emptying the MGBs. Any other noise related to the waste management will be kept to a minimum.

Collection times must not occur before 6:00am or after 9:00pm due to residential housing in the area.

#### Ventilation

The waste bin enclosure will need to be ventilated. Natural ventilation can be achieved with 5% of wall areas being open.

#### **Security/Communication Strategy**

All residents, management & staff will receive detailed documentation detailing all necessary requirements for safe waste management and handling including all relevant contact information.

#### **Cleaning Facilities**

Management is responsible for keeping the MGBs clean.

NOTE: Waste enclosures are recommended with the enclosures consisting of; (1) Impervious coated/treated walls and ground surface, ensuring the ground is graded to the sewer (100 mm diameter) floor drain outlet within the enclosure/room. (2) With a tap and hose (hose cock must be protected from the waste containers) for use of cleaning the MGBs and waste area. (3) The enclosure/room should also be wet sealed to the ground surface (with a grated drain spanning the width of the entry) preventing any water leakage beyond the waste enclosure/room. (4) Self closing lockable double doors/electric roller door allowing easy removal of the MGBs.



#### **Prevention of Vermin**

The occupiers will be advised to not overfill the bins so that the lids are closed at all times. It is suggested to place rat traps in the corners of the waste storage areas.

#### Miscellaneous

#### **Interim Internal Waste Storage**

It is suggested that sufficient space within the kitchen, and each office for interim storage of at least one- or two-days' worth of garbage and recyclables. Space should allow for separate storage of recyclables from the garbage stream.

#### **Green Waste**

All green waste within the property will be handled by the gardening contractor.

#### **Bulky Hard Waste**

If hard waste collection is required, management should call a private contractor or Council directly.

#### E-Waste

Recyclable electronic goods include batteries, equipment containing printed circuit boards, computers, televisions, fluorescent tubes and smoke detectors. E-Waste will be placed in impermeable surface containers and collected by a registered E-Waste Re-Processor as required.

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## Appendix A - Site Plans









21 August 2024

Architect Glory Architecture Pakenham, VIC

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## 10-12 Purton Road, Pakenham – Aboriginal Cultural Heritage Due Diligence Assessment

Latitude Heritage has been engaged to prepare an Aboriginal heritage due diligence assessment relating to the proposed re-development of 10-12 Purton Road, Pakenham (hereafter referred to as 'the site' or 'activity area'). We understand that this redevelopment will involve conversion of the extant warehouse building into a church as well as alterations and additions to structures on site (hereafter the 'activity' or 'development'). The location of the study area is shown on Figure 1 and is within the Bunurong Land Council Aboriginal Corporation Registered Aboriginal Party (RAP) area, although no consultation was undertaken.

The purpose of this Due Diligence Assessment is to determine whether or not a Cultural Heritage Management Plan (CHMP) is required in accordance with the requirements of the Aboriginal Heritage Act 2006 (Vic.) and the Aboriginal Heritage Regulations 2018 (Vic.) (hereafter referred to as 'the Act' and 'the Regulations').

This Due Diligence Assessment consists of:

- a review of the Act and the Regulations to identify relevant statutory obligations;
- a search of the Victorian Aboriginal Heritage Register (VAHR) to identify whether any Aboriginal places or sites have been recorded on or near the study area;
- a review of historical and current aerial photographs to determine the level of prior ground disturbance and landscape modification that has occurred within the study area
- The results of a site visit to visually inspect the activity area, ground-truth the desktop review and assess the degree in which modification and Significant Ground Disturbance has occurred.







Figure 1: The Study Area



## Statutory requirements

For the purposes of determining whether or not a CHMP is required, a review of the proposed development in relation to the Act and Regulations is necessary.

Under the Regulations, a Cultural Heritage Management Plan is required if the development is considered to be a **high impact activity** and is located within an area of **cultural heritage sensitivity**.

#### High impact activity

Regulation 58(1) states:

The use of land for a purpose specified in Regulation 46(1)(b) is a high impact activity if a statutory authorisation is required to change the use of the land for that purpose.

Regulation 46(1) classifies both a warehouse (xxix) and place of assembly (xviii) as *high impact* activities.

Therefore, the proposed change of use from a warehouse to a church (place of assembly) would be considered high impact under Regulation 58(1) as it would require statutory authorisation (i.e. planning permit).

#### **Cultural Heritage Sensitivity**

Regulation 26(1) states:

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Subject to subregulation (2), a waterway or land within 200 metres of a waterway is an area of cultural heritage sensitivity.

The study area is wholly contained within an area of cultural heritage sensitivity associated with Tomuc Creek. Toomuc Creek is approximately 30m east of the study area.

However, Regulation 26(2) states:

If part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.

#### Significant Ground Disturbance

While the proposed activity satisfies the two CHMP triggers described above, under regulation 26 (2), the proposed activity would not require a CHMP if the area of cultural sensitivity has been subject to prior Significant Ground Disturbance.

Significant Ground Disturbance is defined in the Regulations as follows:

Disturbance of—

- A. the topsoil or surface rock layer of the ground; or
- B. a waterway—

by machinery in the course of grading, excavating, digging, dredging, or deep ripping, but does not include ploughing other than deep ripping.



An assessment of Significant Ground Disturbance has been undertaken for this Due Diligence Assessment and is discussed below.

## VAHR database search

A search of the VAHR undertaken on 16 August 2024 which identified that **no registered Aboriginal Places are within the study area.** More broadly, there are a total of 16 registered Aboriginal places within 1km of the study area. These are primarily comprised of Low Density Artefact Distributions (n=52) and secondarily artefact scatters (n=11). Most of these places are registered in proximity to Toomuc Creek, and were likely identified during the preparation of CHMP's which may have been required for developments in the area.

There is one Aboriginal place (VAHR 7921-0202) located approximately 310m south-west of the study area. The site was originally recorded by L Smith in 1989 during the Berwick to Pakenham Corridor Archaeological Survey. The assemblage includes a single quartz artefact located in a surface context. The site condition was not recorded, and the site was ascribed as being of low scientific significance. Subsequent archaeological investigations for CHMP 15789 (Murphy, Skelly & Stammers 2018) did not identify any additional stone artefacts during the standard and complex assessments.

Another registered Aboriginal place in proximity to the study area is the Mulcahy Road Artefact Scatter (VAHR 7921-1517), located approximately 380m North-east of the study area. VAHR7921-1517 is a low-density artefact distribution in a sub-surface context. Thirty-two stone artefacts were recovered during the complex assessment over an area of  $3658m^2$  (which equates to approximately one artefact per  $114m^2$ ). The assemblage comprised twenty-eight silcrete artefacts, three quartz artefacts and one crystal quartz artefact, and included eighteen flakes or flake pieces, ten angular fragments, and one core. One formal tool was identified in the assemblage, comprising a silcrete backed geometric microlith.

While this review demonstrates that there is potential for Aboriginal cultural heritage within the area, they have all been recorded during the preparation of CHMPs, which were undertaken as part of development projects occurring within the Pakenham area. There is a general absence of registered Aboriginal places in properties within the locality which have been more historically developed, likely because these developments occurred prior to the ratification of the *Aboriginal Heritage Act* in 2006 (and therefore, there was no requirement to prepare a CHMP for these developments). It's likely that this is also the case for the current study area, as a review of aerial imagery from 2001 shows the site already developed, containing the buildings and carparks extant on the site today (see Figure 2).

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## **Assessing Significant Ground Disturbance**

To assess whether or not the study area has been subject to Significant Ground Disturbance, a review of historical and recent aerial photographs was undertaken to identify evidence of landscape modification that indicates disturbance of topsoil, rock layer or waterway by machinery in the course of grading, excavating, digging, dredging or deep ripping.

These investigations comprise Level 2 and 4 of the staged investigation approach recommended by VCAT and FP-SR (methodology is described in Appendix A).

#### Review of aerial photography (Level 2)

Review of aerial images below demonstrate that the study area has been used as a warehouse for at least 23 years (Figure 2, Figure 3 and Figure 4). While little change has occurred during this period, the aerial images demonstrate that the development has existed for some time, the scale of which would have required extensive ground disturbance and land clearance. Given the modern nature of the development, its highly likely that this disturbance, excavation and construction would have been undertaken using machinery.

The sealed, concrete carpark at the Purton Road frontage of the study area would have likely required mechanical grading prior to its establishment to ensure that it was a level surface. Moreover, the aerial images show signs of subsurface drainage and stormwater management which, again, would have required excavation for installation. It's likely that the garden beds in this part of the site are not natural, instead being deliberately installed during the carpark as landscape features. All of these factors suggest that Significant Ground Disturbance has occurred within this of the study area.

The construction of the warehouse building would have also required excavation. It can be confidently assumed that the warehouse would have connection to subsurface utilities, which likely extend out and connect to main lines on Purton Road. Moreover, the foundations of the structure would require a level surface, likely requiring mechanical grading, excavation and filling of the property. All of these factors suggest that Significant Ground Disturbance has occurred.

The eastern half of the property would have also required mechanical excavation and grading to ensure a level surface, as this part of the property is used for the movement and storage of large vehicles and machinery. At the eastern edge of the property, sheds and other industrial equipment is present, all of which would have required significant ground preparation (and therefore, disturbance) prior to their construction. This area is mostly covered in an introduced gravel surface, with some areas sealed. All of these factors, combined with the lack of visible vegetation, strongly suggest that extensive clearance and grading would have been undertaken during this part of the study area's development, resulting in Significant Ground Disturbance as defined by the Regulations.

Overall, the aerial images of the study area below demonstrate that the study area has been occupied and used as a warehouse and office space for at least 23 years. While little modification to the study are has occurred since 2001, the images show that its highly likely that construction of the warehouse and associated carpark, utilities, infrastructure, roads, garages, and other auxiliary structures would have resulted in extensive disturbance, likely in the form of extensive filling, excavation and grading. Given its relatively recent construction (2001), its likely this disturbance would have occurred using mechanical excavators. Therefore, it is considered that the aerial images strongly suggest that Significant Ground Disturbance (as defined by the Regulations) has occurred across the study area.





Figure 2: Aerial imagery of the study area dating to 2001 (note due to age, georeferencing of image is approximate).



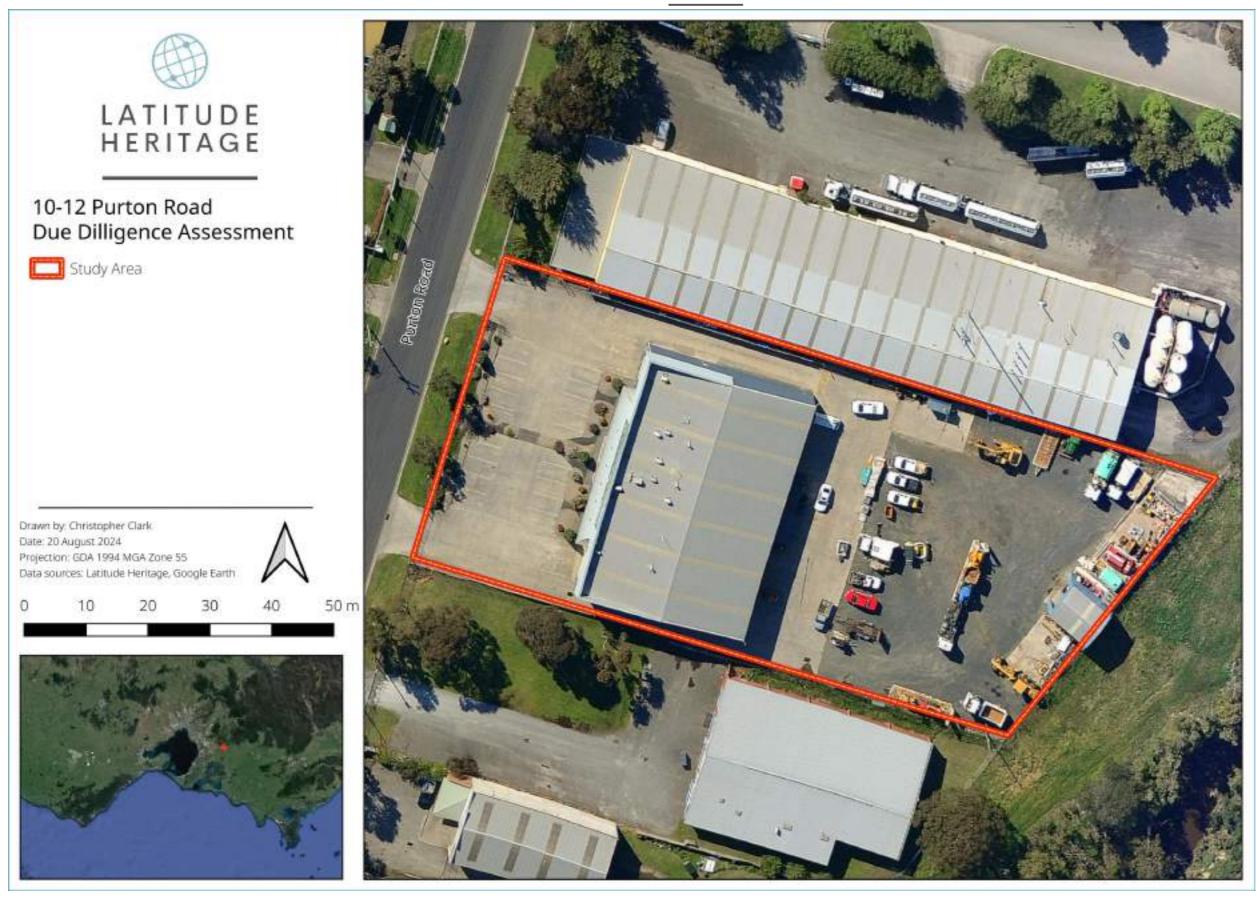


Figure 3: Aerial Imagery of the study area from 2013





Figure 4: Aerial Imagery of the study area from 2017



## Site Inspection (Level 4)

Inspection of the study area was undertaken by Alistair Hobbs (Principal Heritage Advisor – Latitude Heritage) on the 16<sup>th</sup> of August 2024. The aim of the site inspection was to assess whether Significant Ground Disturbance has occurred within all parts of the site.

Alistair is a Heritage Advisor as per the *Aboriginal Heritage Act 2006*. Therefore, this inspection qualifies as a Level 4 assessment, as per Appendix A.

No Aboriginal cultural heritage was identified during the inspection.

The site inspection confirmed the conclusions of the review of aerial photography, being that the study area has been subject to extensive modification associated with the construction and use of the existing warehouse complex.

The construction approach for the existing warehouse appears to be total land clearance and grading of the site, with introduction of fill material to elevate parts of the site to allow for water runoff in both east and west directions. At its highest point, the middle of the site sits around a metre higher than the adjacent property to the south, with the height elevation of this southern property being more accurate to the original ground height. This is most evident in Figure 5 and Figure 6 which show the east-west gradient across the site.

No natural ground surfaces were recorded during the site inspection, with the entire site appearing to be subject to modification to allow for efficient and easy vehicle access, parking or storage associated with the warehouses previous occupier and use (City Waste) (Figure 5, Figure 7 and Figure 9). Additionally, its highly likely that the garden beds shown in the aerial imagery are artificial and made from introduced soils and materials rather than natural remnant soils, as utilities (water tap), pipes and wooden structures were noted throughout the introduced bark planting base. Evidence suggests that all areas outside of the warehouse structure have been subject to Significant Ground Disturbance.

Subsurface utilities were noted throughout, many of which were subsurface in nature including large stormwater grates and a truck cleaning area, all of which are present at ~1.2m below the ground surface (Figure 10 - Figure 11). Two main stormwater services run east-west along the northern and southern sides of the warehouse and the truck cleaning dirt/oil trap is also situated along the northern edge of the site (Figure 12 and Figure 13). Installation of these would have required excavation likely extending across the site to connect to outfalls and water mains (likely at Purton Road). Other similar sub surface utilities were also noted, such as sewerage, water and electricity all of which extend across the site, connecting the warehouse structure with main service line.

Overall, the site inspection demonstrates that the entirety of the study area has been subject to Significant Ground Disturbance as defined by the Regulations. The study area has been completely modified, with no former topsoil or natural ground surface identified anywhere throughout. The construction of the warehouse, carparks, driveways and associated landscaping would have involved mechanical excavation, grading and filling which has removed all former topsoil from the study area.





Figure 5: Eastern part of the study area, showing graded gravel surface used for vehicle movement. Photograph facing north-west.



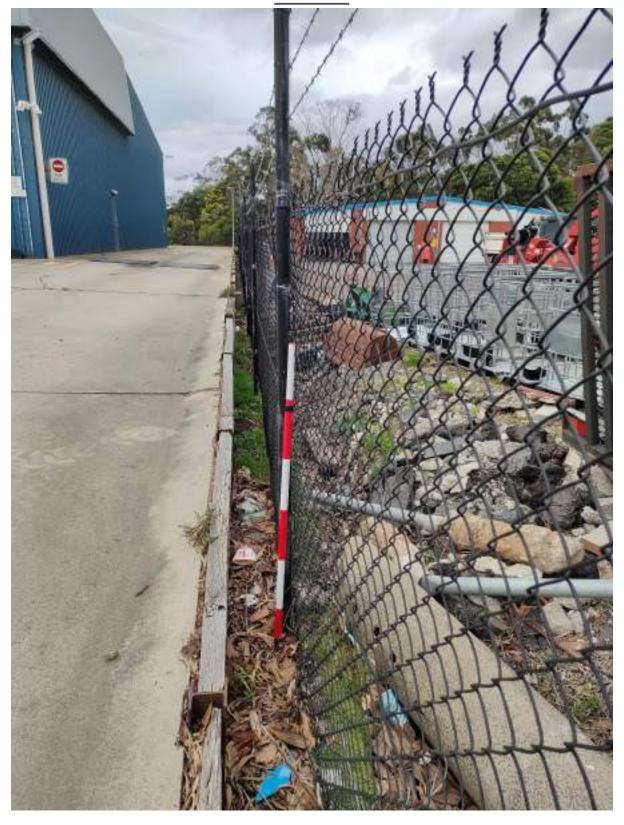


Figure 6: Photograph showing elevation of the study area and modified slope angle to allow for water and rain runoff. Photograph facing east.



Figure 7: Photograph showing Purton Road carpark (western part of the study area). It's likely that this entire area was graded prior to construction and laying of concrete. Photograph facing east.



Figure 8: Example photograph of the garden beds within the Purton Road carpark. The presence of the utilities (water tap), pipes and wooden platform strongly suggest that this area is man-made, likely as a landscaping feature. Photograph facing west.





Figure 9: Northern driveway, facing west toward Purton Road.



Figure 10: Stormwater drain running east-west align the southern side of the warehouse. Photographs facing east.

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Figure 11. Depth of storm water drain (scale increments = 20cm) running along the northern side of the warehouse. Several storm water grates of similar design and depth are present across the activity area.



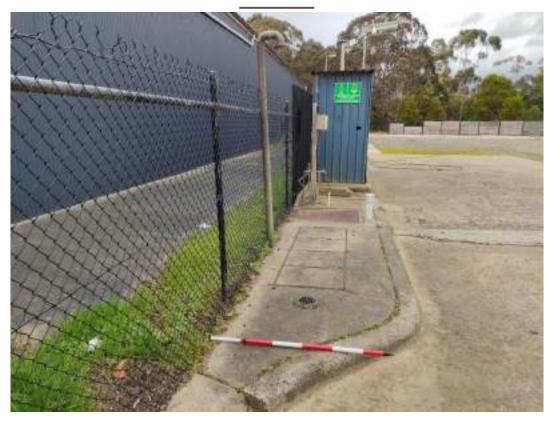


Figure 12: Truck cleaning area with subsurface utilities for collecting dirt and oil. Photograph facing east.



Figure 13: Truck cleaning area for collecting dirt and oil, constructed in the northern part of the site.



## Conclusions

A review of the proposed activity and study area in regard to the Act and the Regulations has concluded that **a mandatory CHMP** is not required due to Significant Ground Disturbance occurring across the entire study area.

While proposed activity is considered a high impact activity under Regulation 46(1) and is within an area of cultural heritage sensitivity as defined by Regulation 26(1), the construction, landscaping, modification and ongoing use of the extant warehouse has removed all former topsoil within the study area. This is demonstrated through the analysis of aerial photography dating from 2001, which shows that the entire study area has been occupied by a warehouse and associated infrastructure, carparks, auxiliary structures, utilities and vehicle access for at least 23 years.

This conclusion is reinforced by the results of the site inspection, which demonstrated that the entire site has been subject to previous land clearance with cut and fill activities from mechanical excavators to allow for construction of the existing warehouse and vehicle parking and cleaning areas (situated at both the front and back of the warehouse). The site inspection noted an overall absence of natural ground surface, likely caused by the construction of graded carparks, installation of utilities, landscaping and general built-up nature of the study area. The site inspection also examined the garden beds at the front of the property, showing that they were representative of man-made features of introduced soils and plants with various utilities, services and other structures noted throughout this area. The scale and modern nature of these modifications indicate they were undertaken mechanically, strongly suggesting that all former topsoils have been removed from the study area.

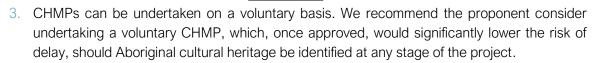
Taking the above conclusions into consideration, it is our opinion that the entire study area has been subject to Significant Ground Disturbance (as defined by the Regulations). As per Regulation 26(2), the area of cultural heritage sensitivity is no longer applicable and therefore, a mandatory CHMP is not required for the proposed activity.

However, it should be noted that if any Aboriginal artefacts or places are found during the proposed activity or at any other time, work must cease immediately, and FP-SR must be contacted immediately. It is likely at this point that a mandatory CHMP would be required. Sponsors have the option to commence a CHMP voluntarily which, once approved, would include endorsed management conditions and contingencies should Aboriginal cultural heritage be identified during the works. Having an approved CHMP in place for the works would significantly lower the risk of any delay, should Aboriginal cultural heritage be identified at any stage of the project.

#### Recommendations

- 1. It is our opinion that there is clear evidence that Significant Ground Disturbance has occurred throughout the study area and therefore, there is no requirement to prepare a CHMP.
- Aboriginal cultural heritage is provided with blanket protection in Victoria under the Act. If any
  Aboriginal artefacts or sites are found during development works or at any other time,
  excavation must cease immediately, and FP-SR should be notified for advice before work can
  re-commence.







# Appendix A: Assessing Significant Ground Disturbance

The methodology for assessing whether or not Significant Ground Disturbance has occurred within a study area has been an issue that has been considered by the Victorian Civil and Administrative Tribunal (VCAT) in a number of matters. In particular, two VCAT determinations, Mainstay Australia vs Mornington Peninsula SC and Colquhouns and Ors vs Yarra SC, provide a guide to how Significant Ground Disturbance should be assessed and determined. These determinations also formed the basis for a Significant Ground Disturbance Practice Note published by Aboriginal Victoria (AV) which is available on their website (Aboriginal Victoria 2010).

VCAT has determined that 'topsoil or surface rock layer' refers to the former topsoil or rock layer that naturally occurred on a site, however VCAT also determined that these terms do not refer to a current topsoil or rock layer established by filling the land (Aboriginal Victoria 2010).

VCAT has determined that a staged approach to assessing whether or not Significant Ground Disturbance has occurred could be used by development proponents. The staged approach, as published in the AV Practice Note, is set out below (Aboriginal Victoria 2010).

#### Level 1—common knowledge

The fact that land has been subject to significant ground disturbance may be common knowledge. Very little or no additional information should be required from the responsible authority. For example, common knowledge about the redevelopment of a petrol station with extensive underground storage tanks.

## Level 2—publicly available records

If the existence of significant ground disturbance is not common knowledge, a responsible authority may be able to provide assistance from its own records about prior development and use of land, or advise the applicant about other publicly available records, including aerial photographs.

These documents may allow a reasonable inference to be made that the land has been subject to significant ground disturbance. In such event, no further inquiries or information would be needed by the responsible authority. The particular records and facts relied upon should be noted by the responsible authority as a matter of record. For example, a former quarry site subsequently filled, but where the public records show the area of past excavation.

#### Level 3—further information

If 'common knowledge' or 'publicly available records' do not provide sufficient information about the occurrence of significant ground disturbance, the applicant may need to present further evidence either voluntarily or following a formal request from the responsible authority. Further evidence could consist of land use history documents, old maps or photographs of the land or statements by former landowners or occupiers. Statements should be provided by statutory declaration or similar means, for example, the construction of a former dam on a farm.



### Level 4—expert advice or opinion

If these levels of inquiry do not provide sufficient evidence of significant ground disturbance (or as an alternative to level 3), the applicant may submit or be asked to submit a professional report with expert advice or opinion from a person with appropriate skills and experience. Depending on the circumstances, this may involve a site inspection and/or a review of primary documents. If there is sufficient uncertainty some preliminary sub-surface excavation or geotechnical investigation may be warranted.

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## **PROJECT DETAILS:**

PROJECT: Redesign existing building to a new

church

CLIENT : Chin Church

ADDRESS: 10-12 Purton Road Pakenham

JOB No. : 2402.1

STATUS: Planning Permit

DATE : 22/08/2024

## Proposed Chuch @ 10-12 Purton Rd Pakenham





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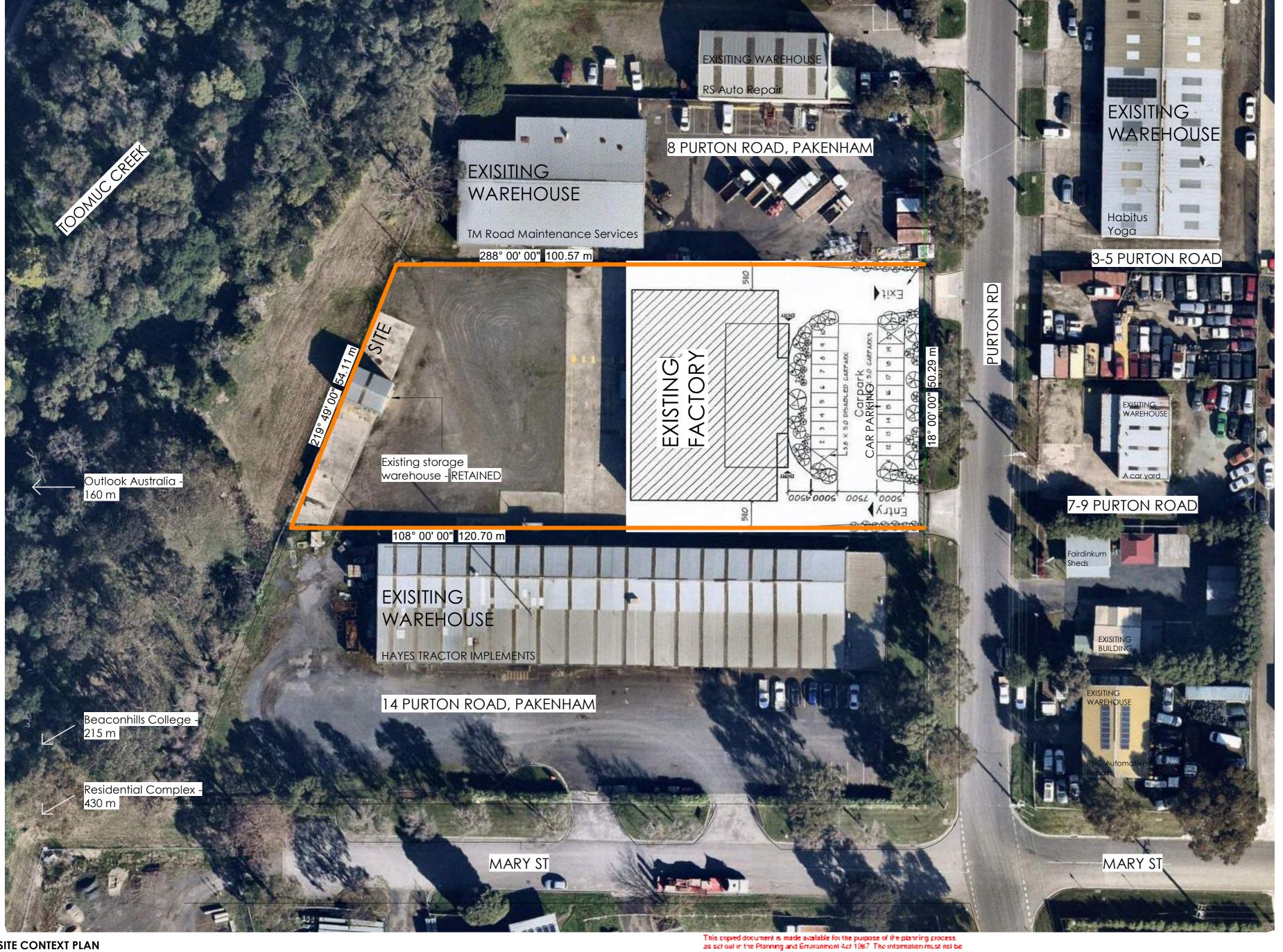
Redesign existing building to a new church

10-12 Purton Road Pakenham

COVER

TP01

ISSUE DATE \ 28/04/2004 DRAWN AANN AEV



SITE AREA GROUND FLOOR FIRST FLOOR COVER AREA 5564 m2 1200.34 m2 454.98 m2 1260.6m2 22.65%

1 SITE CONTEXT PLAN

1:500 GLORYARCHITECTURE MINA MOSAAD ARCHITECT - 800929 0452 424 045 mina@gloryarchitecture.com.au

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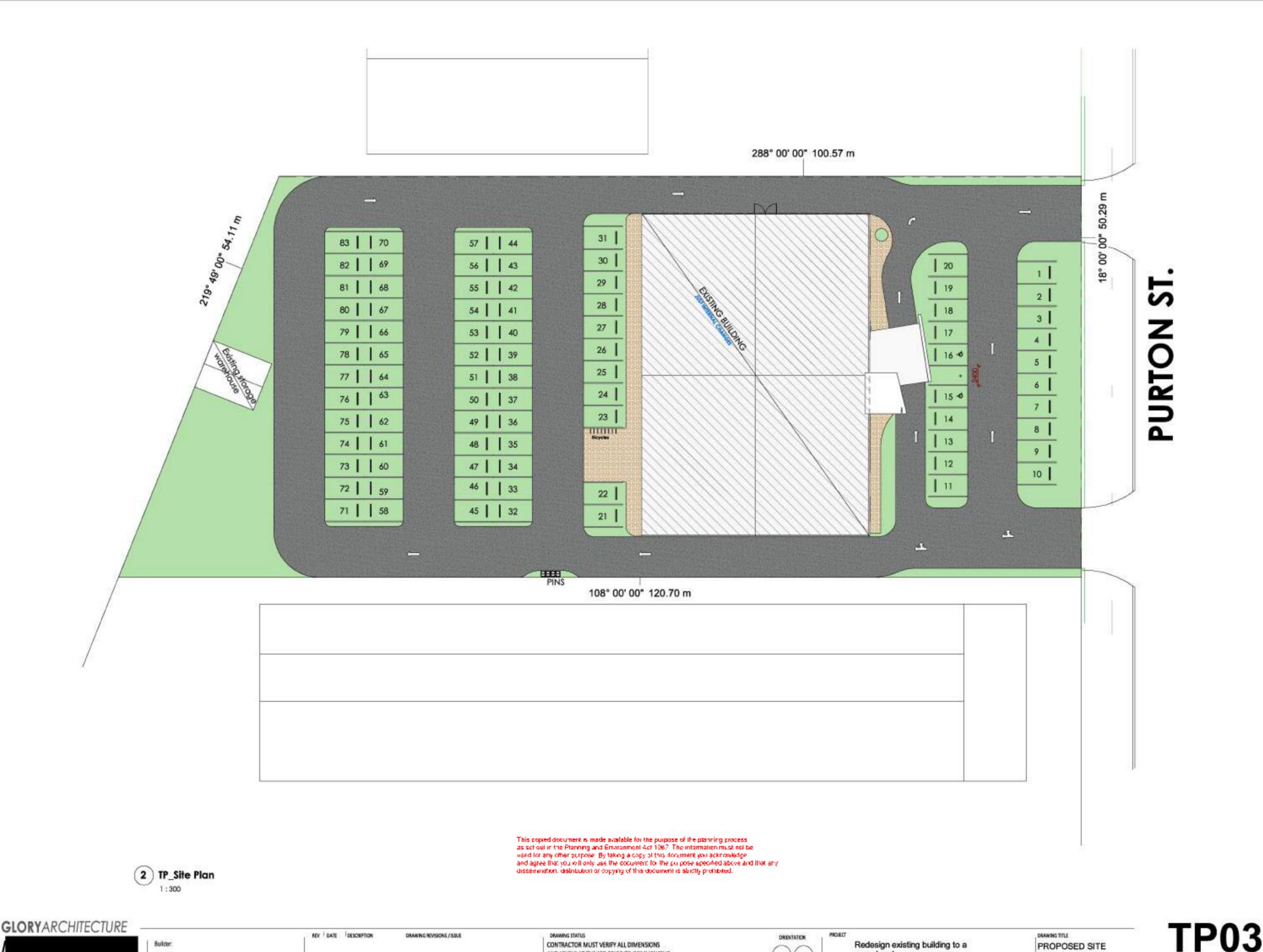
Redesign existing building to a new church

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**TP02** 

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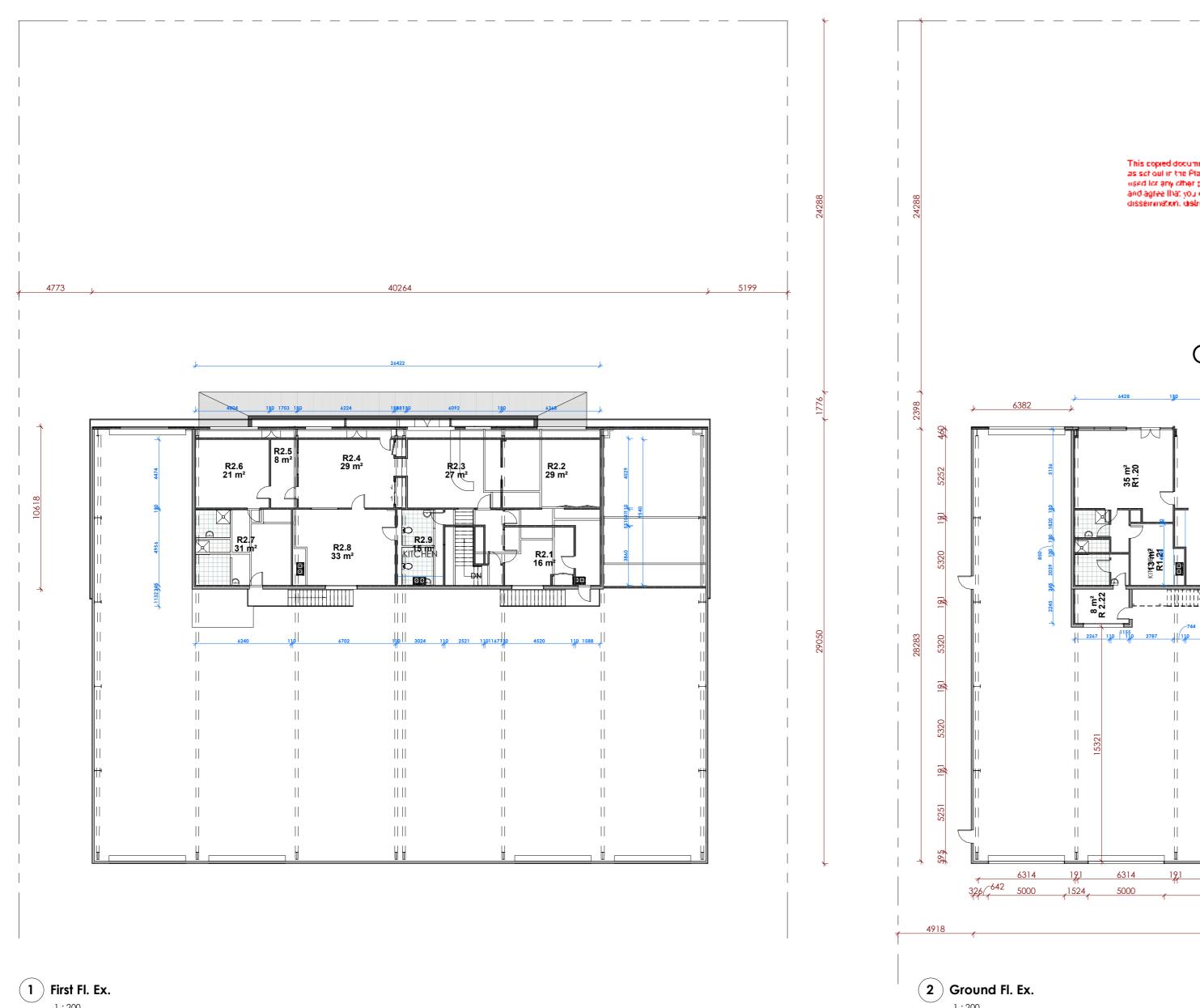
new church

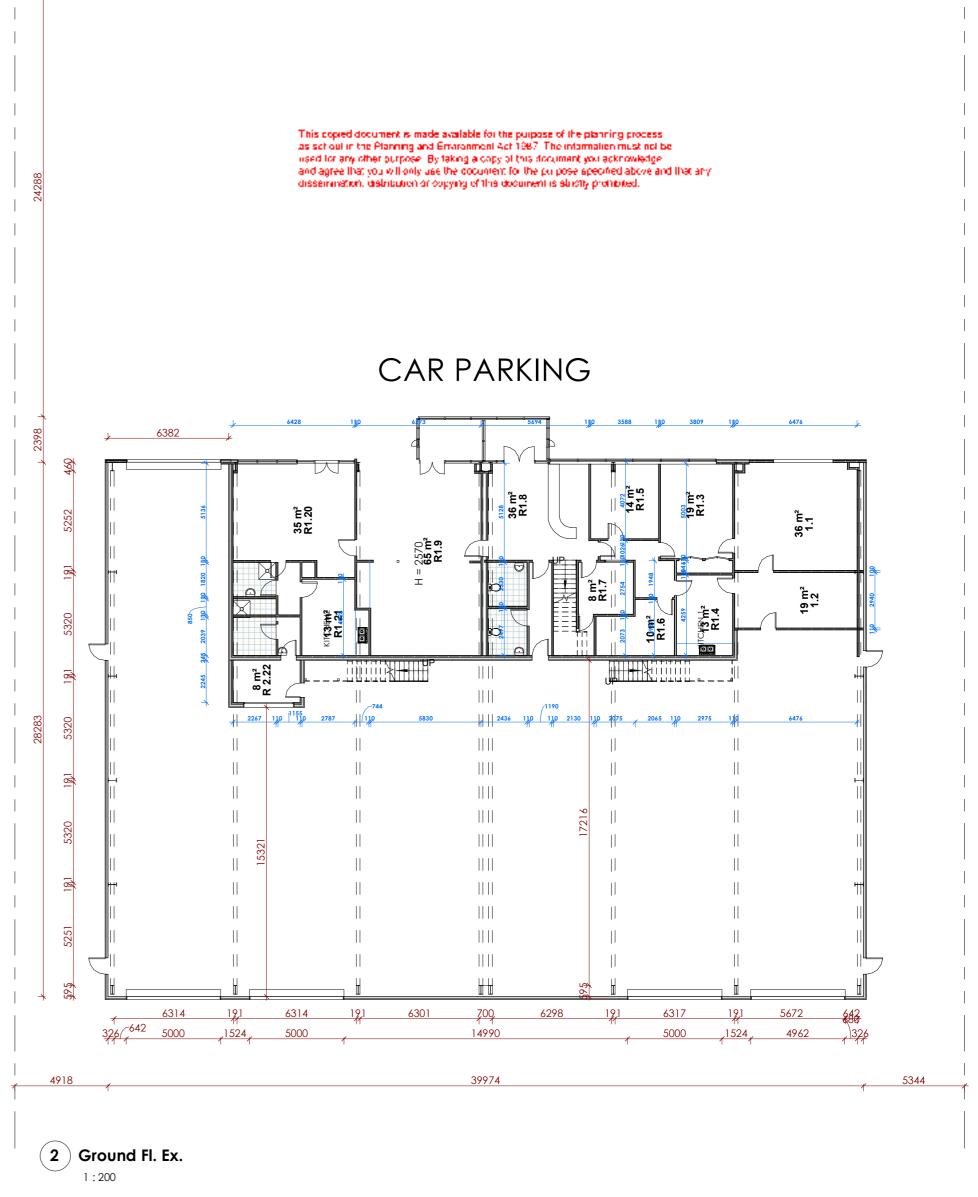
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Redesign existing building to a new church

10-12 Purton Road Pakenham

Existing Floor Plans

**TP04** 

ISSUE DATE \ 22/08/2024 DRAWN JOB NO. \ 2402.1 SCALE \ 1:200 @ A2

FRONT CAR PARKING PORTICO PORTICO Classroom 33 m² Admin 14 m² Cry room 33 m<sup>2</sup> Classroom 33 m<sup>2</sup> Meeting 36 m<sup>2</sup> Classroom 25 m<sup>2</sup> Classroom 41 m<sup>2</sup> Hall 66 m² ENTRANCE 145 m<sup>2</sup> Parents waiting 32 m<sup>2</sup> kitchenette 16 m² ( Hall 29 m² Sunday school Hall 70 m<sup>2</sup> 40264 1111 50235 MAIN HALL COMMUNITY HALL 235 m<sup>2</sup> Ш 26343 13171 This copied document is made available for the purpose of the planning process as sof out in the Planning and Erraranment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge. dissemination, distribution or copying of this document is shiptly prohibited. STAGE 40264 50235 (1) Proposed Ground Fl. 2 Proposed First Fl. 1:200 1:200

**TP05** 

ISSUE DATE \ 22/08/2024 DRAWN

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Plans.

Proposed Floor

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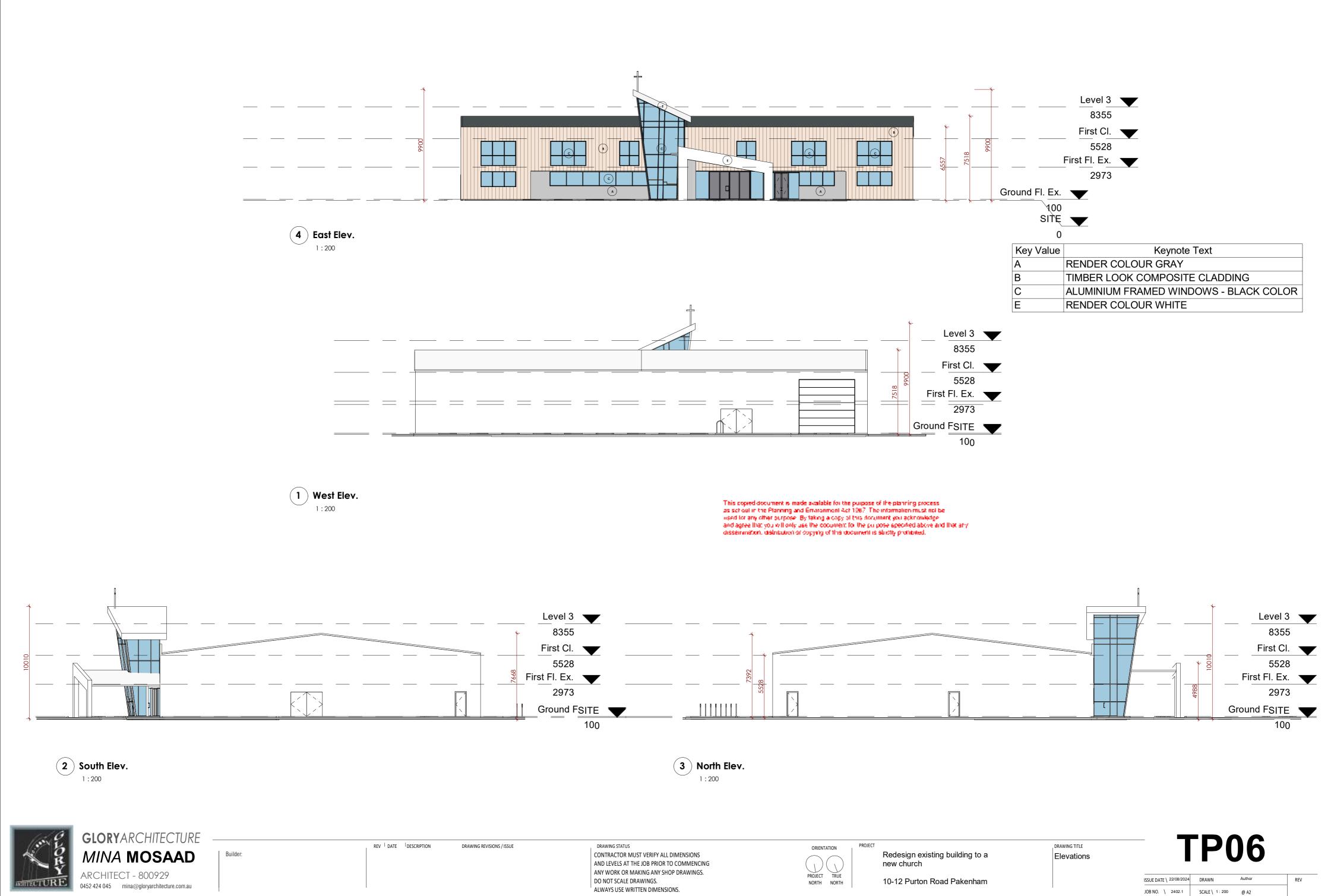
10-12 Purton Road Pakenham

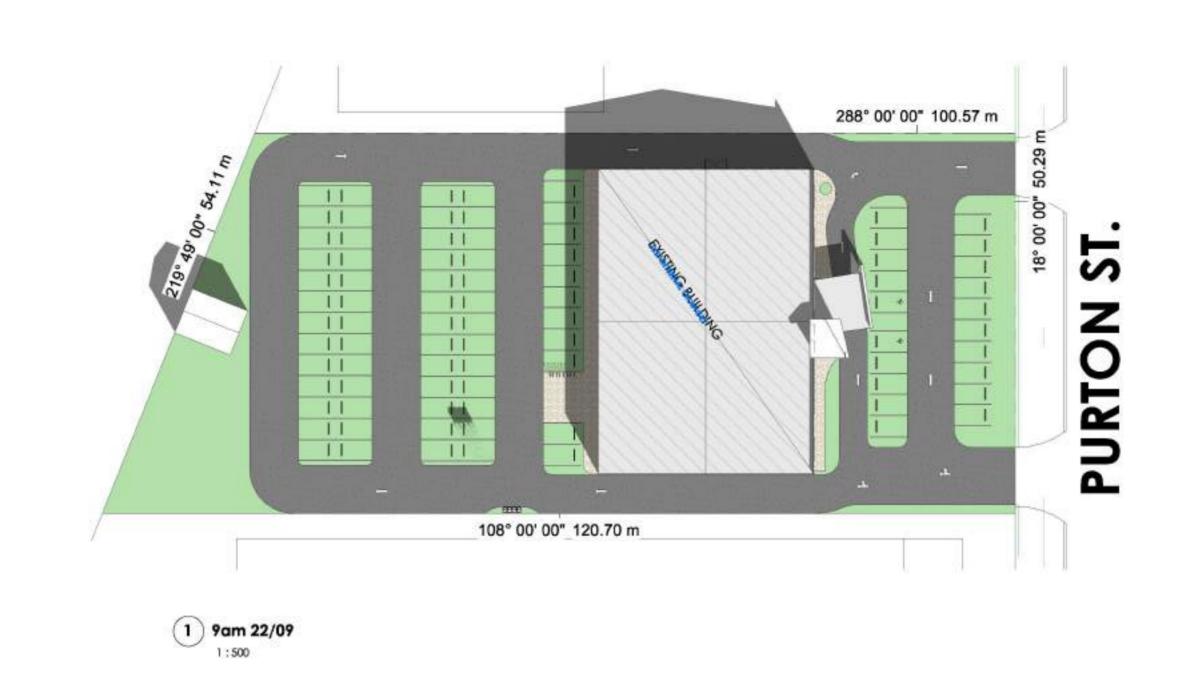
new church

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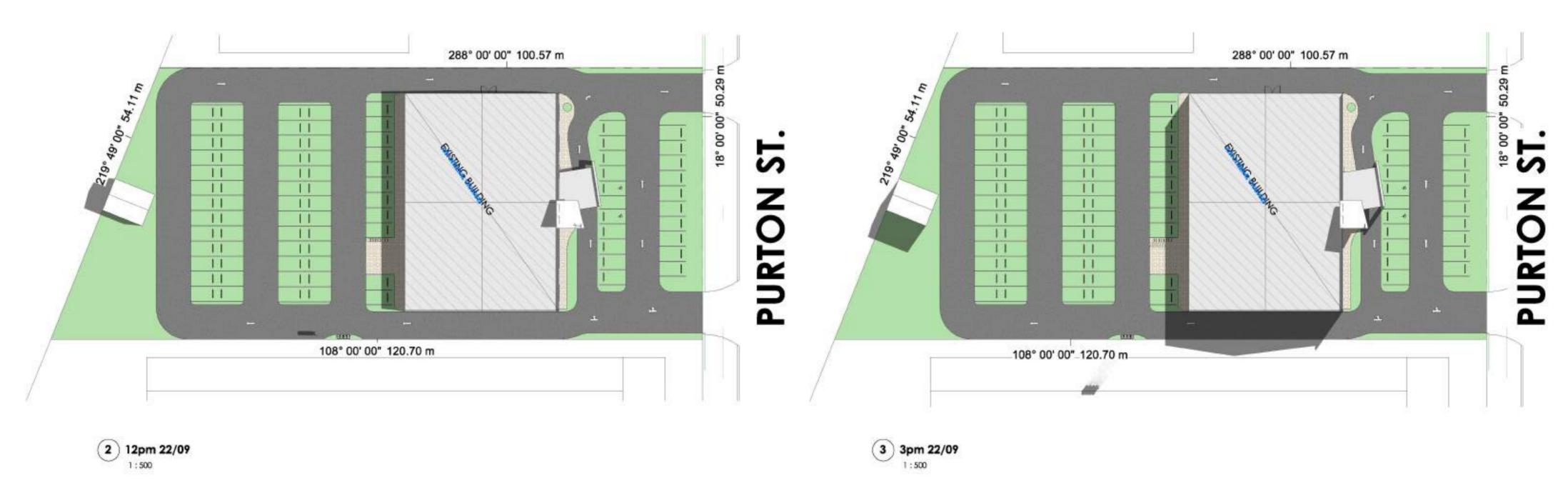
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**TP07** 

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Redesign existing building to a

10-12 Purton Road Pakenham

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ORIENTATION PROJECT TRUE NORTH NORTH

Redesign existing building to a new church

10-12 Purton Road Pakenham

DRAWING TITLE 3D shots **TP08** 

ISSUE DATE \ 22/08/2024 DRAWN JOB NO. \ 2402.1 | SCALE \ 1:1 | @ A2



Application No.: T240247 PA Property No.: 1703850600

Address: V8549 F587 CA 3 SEC 9, 10-12 Purton Road, Pakenham VIC 3810 Proposal: Alteration and additions to existing building and Use of land for places of

worship

We are pleased to inform you that we have addressed all the required Requests for Further Information (RFI) outlined in your letter dated 2 July 2024, for Planning Permit Application T240247 PA at 10-12 Purton Road, Pakenham.

Please find attached all the necessary documents, including the updated Town Planning Report, amended plans, landscape plan, Waste Management Plan, Traffic Impact Assessment, and the letter confirming that a Cultural Heritage Management Plan (CHMP) is not required. We believe these documents fulfill all the requirements specified by the council.

If there are any further clarifications or additional information needed, please do not hesitate to contact us.

Thank you for your assistance in processing our application. We look forward to your confirmation of receipt and further guidance on the next steps.

Kind regards,

Glory Architecture