


Notice of an Application for an Amendment to a Planning Permit

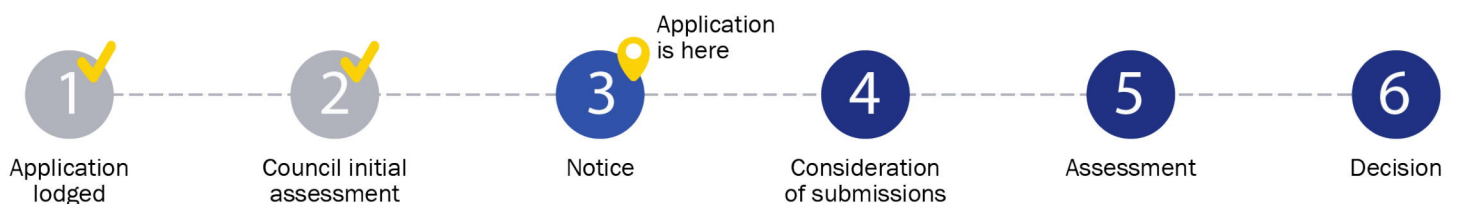
The land affected by the application is located at:	L6 PS645492 V11530 F255 710 Pakenham Road, Pakenham Upper VIC 3810
The application is to:	Section 72 Amendment to Planning Permit T230189 for Buildings and Works (Construction of an Outbuilding)

APPLICATION DETAILS

The applicant for the amendment to the permit is:	[REDACTED]
Application number:	T230189 - 1
You may look at the application and any documents that support the application at the office of the Responsible Authority: Cardinia Shire Council, 20 Siding Avenue, Officer 3809. This can be done during office hours and is free of charge. Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.	

HOW CAN I MAKE A SUBMISSION?

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:	31 January 2025
WHAT ARE MY OPTIONS? Any person who may be affected by the proposed amendment to permit may object or make other submissions to the responsible authority. If you object, the Responsible Authority will notify you of the decision when it is issued.	An objection must: <ul style="list-style-type: none">• be made to the Responsible Authority in writing;• include the reasons for the objection; and• state how the objector would be affected. The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.



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ePlanning

Amendment Summary

Portal Reference	M32419H6
Reference No	T230189

Basic Information

Proposal Type	Single Dwelling, Advertising Has Occurred
Proposed Use	Buildings and Works (Construction of a Shed)
Current Use	The land is 5 acres of open space with a single dwelling in the middle. No trees are currently on this land.
Cost of Works	\$99,000
Amended Cost of Works	\$0
Amendments	Plans Changed
Proposed Changes	To move the original proposed location of the shed to a different location.
Site Address	710 Pakenham Road Pakenham Upper VIC 3810

Contacts

Type	Name	Address	Contact Details
Applicant			
Owner			
Preferred Contact			

Fees

Regulation Fee Condition	Amount	Modifier	Payable
11 - Class 3 Amendment to a class 2, 3, 4, 5 or 6 permit (change in cost of \$10, 000 or less)	\$220.50	100%	\$220.50
	Total		\$220.50

Documents Uploaded

Date	Type	Filename
20-08-2024	Site Plan	Site Plan Update.pdf
20-08-2024	Additional Document	663376 - VIC Cert - Register Search Statement - Volume 11530 Folio 255[161].pdf



Civic Centre
20 Siding Avenue, Officer, Victoria

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

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

Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am–
5pm

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

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

Lodged By

Site User	[REDACTED]
Submission Date	20 August 2024 - 09:17:PM

Declaration

By ticking this checkbox, I, [REDACTED] declare that all the information in this application is true and correct; and the Applicant and/or Owner (if not myself) has been notified of the application.



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

Page 1 of 1

VOLUME 11530 FOLIO 255

Security no : 124119167294L
Produced 19/10/2024 02:18 PM

LAND DESCRIPTION

Lot 6 on Plan of Subdivision 645492C.
PARENT TITLE Volume 08576 Folio 025
Created by instrument PS645492C 30/10/2014

REGISTERED PROPRIETOR

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT PS645492C 30/10/2014
Expiry Date 31/12/2025

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

AGREEMENT Section 173 Planning and Environment Act 1987
AL076324D 13/05/2014

DIAGRAM LOCATION

SEE PS645492C 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: 710 PAKENHAM ROAD PAKENHAM UPPER VIC 3810

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END



Imaged Document Cover Sheet

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

Document Type	Plan
Document Identification	PS645492C
Number of Pages (excluding this cover sheet)	3
Document Assembled	19/10/2024 14:18

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PS645492C

PLAN OF SUBDIVISION	STAGE NO.	LRO use only EDITION 1	PLAN PS	15/10/2014 \$1,802.10 PS
----------------------------	-----------	----------------------------------	-------------------	------------------------------

Location of Land
 Parish : GEMBROOK
 Township : _____
 Section : _____
 Crown Allotment : 19A (PT)
 Crown Portion : _____
 LTO base record : _____
 Title Reference : Vol. 8576 Fol. 025
 Last Plan Reference : LOT 1 TITLE PLAN TP 745750L
 Postal Address : 160 OLD GEMBROOK ROAD
 (at time of subdivision) PAKENHAM UPPER, 3810
 MGA Co-ordinates E 368900 Zone: 55
 (of approx. centre of land in plan) N 5791300

Council Certification and Endorsement

Council Name : Cardinia Shire Council Ref : **SB/012**

1. This plan is certified under section 6 of the Subdivision Act 1988.
- ~~2. This plan is certified under section 11 (F) of the Subdivision Act 1988.~~
- ~~3. This is a statement of compliance under section 21 of the subdivision Act 1988.~~

OPEN SPACE

(i) A requirement for public open space under section 18 of the 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 **13/10/2014**
~~Re-certified under section 11 (F) of the Subdivision Act 1988.~~
~~Council Delegate _____~~
~~Council Seal _____~~
~~Date _____~~

Vesting of Roads and / or Reserves	
Identifier	Council / Body / Person
Nil	Nil

Notations	
Staging	This is not a staged Subdivision Planning Permit No.
Depth of Limitation	Does Not Apply

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Survey This plan is based on survey
~~This Survey has been connected to Permanent marks no(s) _____~~
~~In Proclaimed Survey Area No. _____~~

Easement Information				
Legend E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road)				
Section 12 (2) of the Subdivision Act 1988 Applies to all of the Land.				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
E1, E5 & E-6	Drainage	3.00	THIS PLAN	LOTS ON THIS PLAN
E2	Electricity	3.00	THIS PLAN	SPI ELECTRICITY
E3	Carriogeway	12.00	THIS PLAN	LOT 3 ON THIS PLAN
E4	Electricity	12.00	THIS PLAN	SPI ELECTRICITY
E4	Drainage	12.00	THIS PLAN	LOTS ON THIS PLAN
E5	Carriogeway	3.00	THIS PLAN	LOT 3 ON THIS PLAN
E6	Electricity	3.00	THIS PLAN	SPI ELECTRICITY

LRO use only

Statement of Compliance / Exemption Statement

Received

Date 15 / 10 / 14

LRO use only

PLAN REGISTERED
 TIME 5:24
 DATE 30 / 10 / 2014

S. Bobko
 Assistant Registrar of Titles

SHEET 1 OF 3 SHEETS

Pintech

PINTECH PTY LTD
 ACN 065 339 264
 ABN 12 161 655 030

DIGITAL MAPPING SURVEYING ASSET RECORDING DATA MANAGEMENT & CONVERSION
 1010 Doncaster Road Doncaster East Victoria 3109
 Phone (03) 9842 2266 Fax (03) 9842 9626 Email: pinsurvey@pintech.com.au

LICENSED SURVEYOR (PRINT) **BRYAN WALSH**

SIGNAT _____ DATE **14/10/2014**

REFERENCE : S0386 VERSION : 9

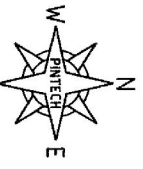
DATE **13/10/2014**

COUNCIL DELEGATE SIGNATURE

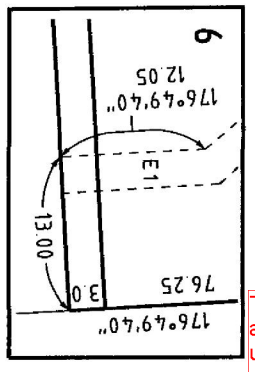
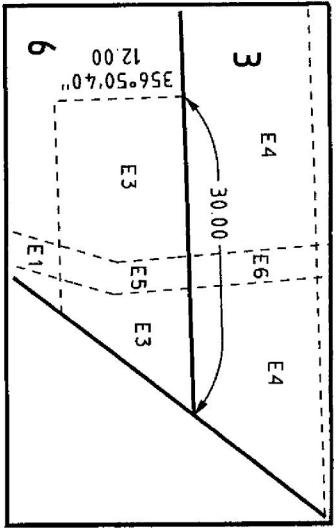
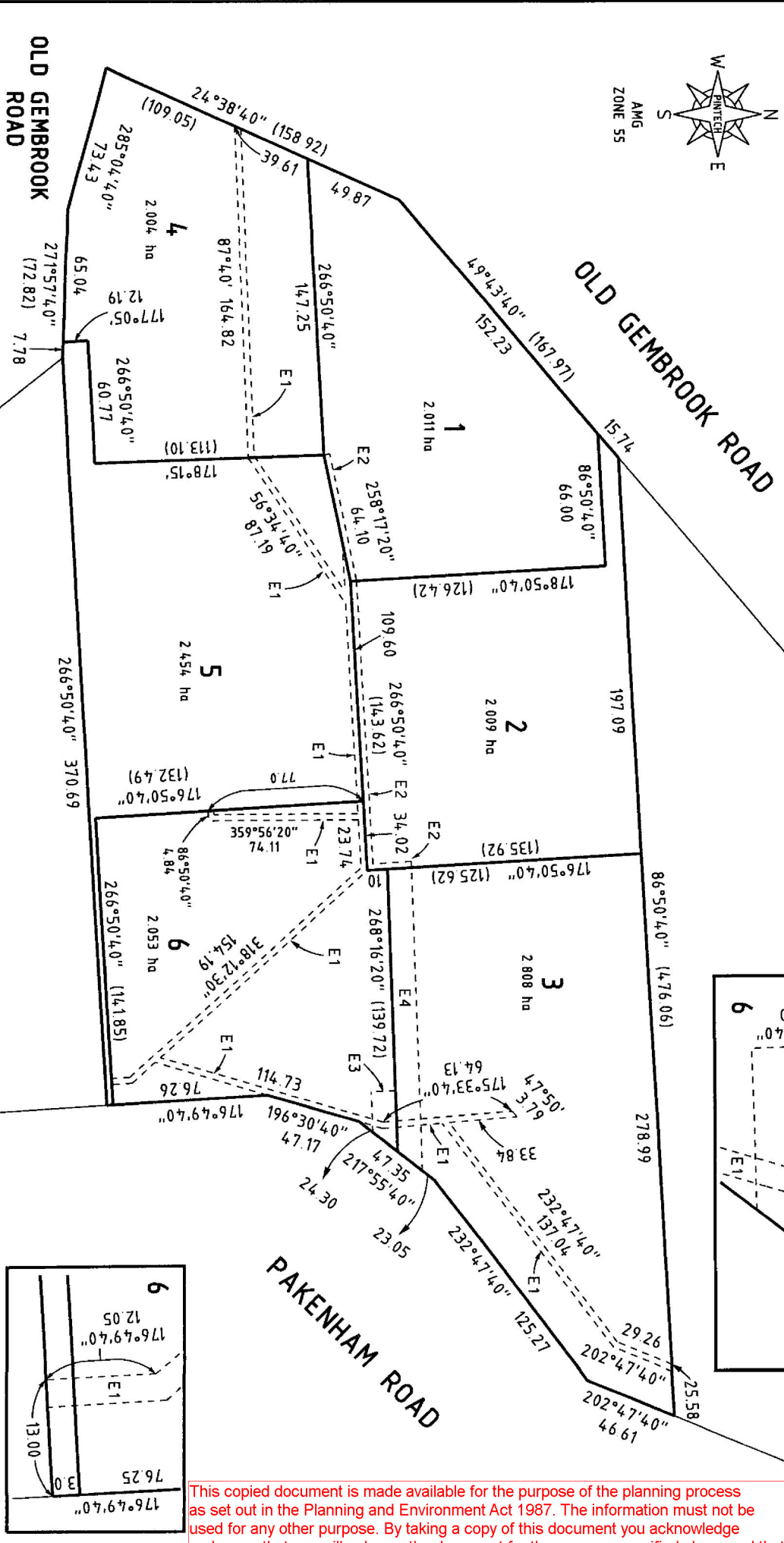
Original Sheet Size A3

PLAN OF SUBDIVISION

PS645492C



AMG
ZONE 55



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ORIGINAL SCALE 1:2000
 SHEET SIZE A3

LICENSED SURVEYOR (PRINT)
 SIGNATURE
 REFERENCE: S0386

BRYAN WALSH
 DATE 14/03/2014

SUBJECT 2 OF 2 SHEETS
 COUNCIL DELEGATE SIGNATURE

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PLAN OF SUBDIVISION

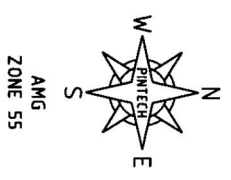
PS645492C



Creation of Restriction
The following restriction is to be created upon registration of this plan of subdivision ("Plan of Subdivision") by way of a restrictive covenant and as a restriction as defined in the Subdivision Act 1988.
Land to benefit: All lots on this plan of subdivision.
Land to be burdened: All lots on this plan of subdivision.

Description of Restriction:

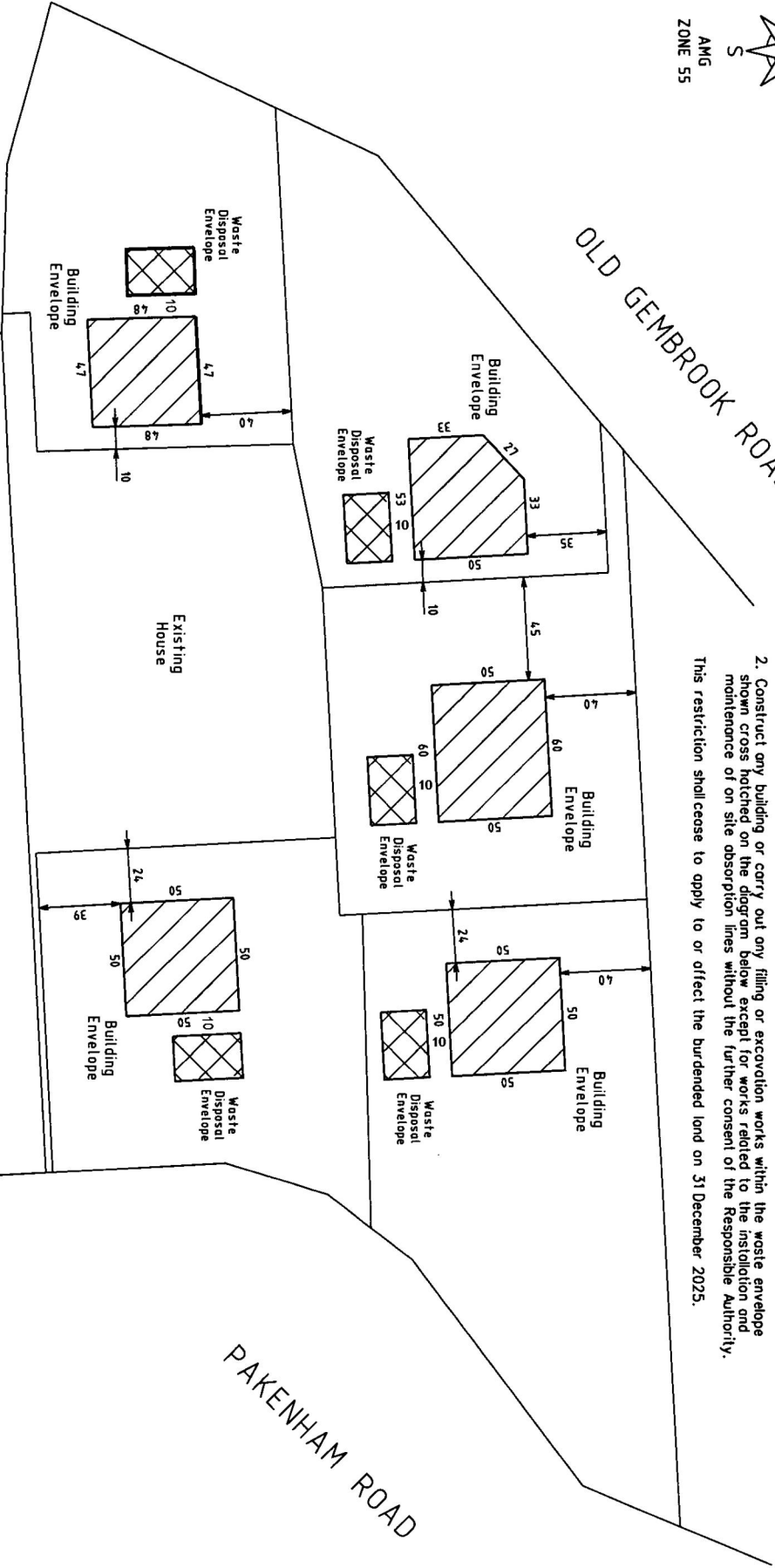
- The registered proprietor or proprietor's for the time being of burdened lots shall not:
- Construct or allow to be constructed any building outside the building envelope shown hatched on the diagram below without further consent of the Responsible Authority.
 - Construct any building or carry out any filling or excavation works within the waste envelope shown cross hatched on the diagram below except for works related to the installation and maintenance of on site absorption lines without the further consent of the Responsible Authority.
- This restriction shall cease to apply to or affect the burdened land on 31 December 2025.



OLD GEMBROOK ROAD

OLD GEMBROOK ROAD

PAKENHAM ROAD



Note:
Waste Disposal Envelopes are 30m x 20m.



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LENGTHS ARE IN METRES

ORIGINAL

SCALE SHEET SIZE
1 : 2000
A3

LICENSED SIGNATURE REFERENCE



DATE / 14 / 03 2014

VERSION: 9
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Application by a Responsible Authority for the making of a Recording of an Agreement

Section 181 Planning and Environment Act 1987



Lodged by:

Name: Duffy & Simon
Phone: (03) 5945 5219
Address: DX 81001 Pakenham
Reference: DD:KC:1361924 [REDACTED]
Customer Code: 0756P

The Responsible 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.

Land: *(volume and folio)*

Volume 8576 Folio 025

Responsible Authority: *(full name and address including postcode)*

Cardinia Shire Council of Henty Way, Pakenham, Victoria, 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: 13/5/2014

Signature for Responsible Authority: [REDACTED]

Name of Officer: [REDACTED]
(full name)

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**PLANNING AND ENVIRONMENT ACT 1987
SECTION 173 AGREEMENT**

AL076324D



PARTIES

Cardinia Shire Council
(Responsible Authority)

AND



(Owner)

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DUFFY & SIMON
Lawyers
13 John Street
Pakenham VIC 3810
PO Box 75
Pakenham VIC 3810
DX 81001 Pakenham
Ph: (03) 5941 1622
Fax: (03) 5941 0977
Ref: DD:KC:1361924

THIS AGREEMENT is made the 2 day of May 2014

BETWEEN
Cardinia Shire Council of Henty Way, Pakenham Victoria
(Responsible authority)

And



RECITALS

- A. The owner is the owner and registered by the Registrar of Titles as the proprietor of an estate in fee simple in the land at 160 Old Gembrook Road, Pakenham Upper being lot 1 on Title Plan 745750L and more particularly described in certificate of title volume 8576 folio 025 (subject land).
- B. The responsible authority is responsible for the administration and enforcement of the Cardinia planning scheme (planning scheme) pursuant to the provisions of the Planning and Environment Act 1987 (the Act).
- C. On 20th January, 2014 the responsible authority issued planning permit number T110250 allowing the subdivision of the land into six (6) lots, creation of access to a Road Zone Category 1, creation of easements and earthworks in accordance with the approved plans.
- D. Conditions 24 & 25 of the planning permit requires the owner to enter into this agreement to provide for the matters set out in those conditions.
- E. The responsible authority and the owner have agreed that, without restricting or limiting their respective powers to enter into this agreement, and insofar as it can be so treated, this agreement is an agreement entered into pursuant to section 173 of the Act.
- F. The responsible authority and the owner have entered into this agreement in order to achieve or advance the objectives of planning in Victoria or the objectives of the planning scheme.

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OPERATIVE PART

1. Interpretation

This agreement is governed by the laws of the state of Victoria, and the parties, submit to the non-exclusive jurisdiction of the courts of that state.

In the interpretation of this agreement:

- (a) References to legislation or provisions of legislation include changes or re-enactments of the legislation and statutory instruments and regulations issued under the legislation;
- (b) Words denoting the singular include the plural and vice versa; words denoting individuals or persons include bodies corporate and vice versa; references to documents or agreements also mean those documents or agreement as changed, novated or replaced, and words denoting one gender include all genders;
- (c) Grammatical forms of defined words or phrases have corresponding meanings;
- (d) Parties must perform their obligations on the dates and times fixed by reference to the capital city of the state of Victoria;
- (e) Reference to an amount of money is a reference to the amount in the lawful currency of the Commonwealth of Australia;
- (f) If the day on or by which anything is to be done is a Saturday, a Sunday or a public holiday in the place in which it is to be done, then it must be done on the next business day;
- (g) References to a party are intended to bind their executors, administrators and permitted transferees; and
- (h) Obligations under this agreement affecting more than one party bind them jointly and each of them severally.

2. Definitions

In this agreement unless inconsistent with the context or subject matter:

- (a) Act means the Planning and Environment Act 1987;
- (b) Agreement means this agreement and any agreement executed by the parties varying or expressed to be supplemental to this agreement;
- (c) Subject land means the land described in recital A;

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- (d) Owner means the owner for the time being of the land and the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor of an estate in fee simple in the land or any part thereof, and includes a mortgagee in possession;
- (e) Planning permit mean the planning permit referred to in recital C, including any plans endorsed under the planning permit;
- (f) Planning scheme means the Cardinia planning scheme and any successor instrument or other planning scheme which applies to the subject land;
- (g) Responsible authority means Cardinia Shire Council or its successor as the authority responsible for administering and enforcing the planning scheme and includes its agents, officers, employees, servants, workers and contractors; and
- (h) Tribunal means the Victorian Civil and Administrative Tribunal or any successor tribunal, court, institution or body.

3. Specific obligations of the owner

The owner covenants with the responsible authority that:

- 3.1 This Agreement has been prepared for the purpose of an exemption from a planning permit under clause 44.06-1 of the planning scheme;
- 3.2 The option to vary the requirements of this agreement through another Planning Permit is explicitly excluded;
- 3.3 The land owner must pay all reasonable costs of the preparation, execution and registration of the Section 173 Agreement;
- 3.4 Defendable Space on the land must at all times be maintained to at least the following standard;
- 3.5 The bushfire protection measures which form part of this Agreement and the Planning Permit and endorsed plans, including those relating to construction standards (BAL), defendable space, water supply and access must be maintained to the satisfaction of the Responsible Authority on a continuing basis.

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Defendable Space - Inner Zone Management

- (3.4.1) Within 10 metres of a building, flammable objects such as plants, mulches and fences must not be located close to vulnerable parts of the building such as windows, decks and eaves;
- (3.4.2) Trees must not overhang the roofline of the building, touch walls or other elements of a building;
- (3.4.3) Grass must be no more than 5 centimetres in height and all leaves and vegetation debris are to be removed at regular intervals;
- (3.4.4) Shrubs must not be planted under trees and separated by at least 1.5 times their mature height;
- (3.4.5) Plants greater than 10 centimetres in height at maturity must not be placed directly in front of a window or other glass feature;
- (3.4.6) Tree canopy separation of 2 metres and the overall canopy of no more than 15 per cent at maturity;
- (3.4.7) Tree branches below 2 metres from ground level must be removed.

Defendable Space - Outer Zone

- (3.4.8) Grass must be no more than 10 centimetres in height and leaf and other debris mowed, slashed or mulched;
- (3.4.9) Shrubs and/or trees must not form a continuous canopy;
- (3.4.10) Tree branches below 2 metres from ground level must be removed;

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(3.4.11) Trees may touch each other with an overall tree canopy of no more than 30 percent at maturity;

(3.4.12) Shrubs must be in clumps of no greater than 10 square metres, which are separated from each other by at least 10 metres;

3.6 All land shown as 'Inner Zone' and 'Outer Zone' on the BUSHFIRE MANAGEMENT PLAN endorsed under the Planning Permit must at all times, and regardless of whether a dwelling is located on the land, be maintained to the defensible space requirements of the Planning Permit;

Initial implementation of Defendable Space

3.7 Before the Statement of Compliance is issued under the Subdivision Act 1988 for any stage in the subdivision, defensible space must be initially implemented to at least the extent shown as 'Inner Zone' and 'Outer Zone' on the BUSHFIRE MANAGEMENT PLAN endorsed under the Planning Permit and to not less than the prescriptions for the management of 'Inner Zone' and 'Outer Zone' specified in the Planning Permit.

3.8 A copy of the BUSHFIRE MANAGEMENT PLAN endorsed under the Planning Permit is attached.

Building Construction

3.9 The construction of any dwelling or dependent persons unit on any lot in the subdivision must comply with the following Bushfire Attack Level (BAL) in accordance with the relevant sections to AS3959-2009;

- i. For lots 1, 2, 3 and 6 – BAL19;
- ii. For lot 4 – BAL 12.5 Static Water Supply



3.10 Prior to the initial occupation of the building a static water supply must be provided and meet the following requirements;

AL076324D



Static Water Supply

- (3.10.1) The minimum of 10,000 litres of water must be provided and maintained solely for fire fighting purposes;
- (3.10.2) The water supply must be within 60 metres of the outer edge of the building (including any obstructions);
- (3.10.3) The water supply must be stored in an above ground water tank constructed of concrete, steel or corrugated iron;
- (3.10.4) The water supply outlet/s must be attached to the water tank and must face away from the building if located less than 20 metres from the building to enable access during emergencies;
- (3.10.5) All pipework between the water supply and the outlet/s must be a minimum of 64mm nominal bore;
- (3.10.6) All fixed above-ground water pipelines and fittings must be of non-corrodible and non-combustive materials;
- (3.10.7) The water supply must;
- i. Be located so that fire brigade vehicles are able to get within 4 metres of the water supply outlet;
 - ii. Incorporate an additional 64mm (minimum) gate or ball valve and 64mm (fixed size), 3 threads per inch, male fitting to suit CFA coupling ; and
 - iii. Incorporate a vortex inhibitor or additional water must be provided to ensure that the volume of water available is not

restricted by a vortex. Refer to Section 5 of AS.241 9 for requirements for vortex inhibitors.

(3.10.8) The water supply outlet must incorporate a ball or gate valve to provide access to the water by the resident of the dwelling;

(3.10.9) All below-ground water pipelines must be installed to at least the following depths;

- i. subject to vehicle traffic – 300mm;
- ii. under houses or concrete slabs – 75mm;
- iii. all other locations – 225mm;

(3.10.10) The water supply must be readily identifiable from the building or appropriate signage must be provided which;

- i. Has an arrow pointing to the location of the water supply;
- ii. Has dimensions of not less than 310mm high and 400mm long;
- iii. Is red in colour with a blue reflective marker attached;
- iiii. Is labelled with a "W" that is not less than 15cm high and 3cm thick.

Static Water Supply for Existing Dwelling

3.11 Before the Statement of Compliance is issued under the Subdivision Act 1988 a static water supply must be provided for the existing dwelling located on Lot 5 which must comply with the static water requirements contained in the Planning Permit;

Emergency Vehicle Access

3.12 Emergency vehicle access to enable fire brigade vehicles to get within 4.0 metres of the static water supply outlet on the lot and to the dwelling must be provided and must comply with the following minimum requirements (including gates, bridges and culverts):

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- (3.12.1) Curves in driveway must have a minimum inner radius of 10 metres. 11.2 The average grade must be no more than 1 in 7 (14.4 percent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 percent) (11.3 degrees) for no more than 50 metres;
- (3.12.2) Dips must have no more than a 1 in 8 (12.5 percent) (7.1 degrees) entry and exit angle;
- (3.12.3) Designed, constructed and maintained for a load limit of at least 15 tonnes and be of all-weather construction;
- (3.12.4) Have a minimum trafficable width of 3.5 metres and be substantially clear of encroachments for at least 0.5 metres on each side;
- (3.12.5) Be clear of encroachments 4 metres vertically;

Emergency Vehicle Access for Existing Dwelling

- 3.13 Before the Statement of Compliance is issued under the Subdivision Act 1988 emergency vehicle access must be provided for the existing dwelling located on Lot 5 which must comply with the emergency vehicle access requirements of the Planning Permit.
- 3.14 The bushfire protection measures which form part of this Agreement, Planning Permit and Endorsed Plans, including those relating to construction standards (BAL), defensible space, water supply and access must be maintained to the satisfaction of the Responsible Authority on a continuing basis.

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3.15 Any dwelling or dependant person's unit constructed on Lots 1,2,3,4 & 6 be located inside the building envelope designated on the BUSHFIRE MANAGEMENT PLAN endorsed under the Planning Permit;

3.16 Any dwelling or dependant person's unit constructed on Lots 1,2,3,4 & 6 be to the Bushfire Attack Level (BAL) specified on the BUSHFIRE MANAGEMENT PLAN endorsed under the Planning Permit in accordance with relevant sections of AS3959-2009.

3.17 Prior to occupation of a dwelling starts on any lot in the subdivision a static water supply dedicated for fire-fighting purposes must be provided on the lot which complies with the requirements of the Planning Permit;

3.18 Prior to occupation of a dwelling starts on any lot in the subdivision, emergency vehicle access to the static water supply dedicated for fire-fighting purposes and dwelling must be provided on the lot which complies with the requirements of the Planning Permit;

4. Further obligations of the owner

AL076324D



The owner further covenants that:

- (a) The owner will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the subject land or any part of it without first disclosing to its successors the existence and nature of this agreement;
- (b) The owner will do all that is necessary to enable the responsible authority to make an application to the Registrar of Titles to make a recording of this agreement on the certificate of title to the subject land in accordance with section 181 of the Act, including the signing of any further agreement, acknowledgment or other document;
- (c) The owner shall immediately on demand pay the reasonable legal costs and fees incurred and incidental to the preparation and execution of this agreement and the registration hereof pursuant to section 181 of the Act,

together with all costs of enforcing this agreement if deemed necessary by the responsible authority. The owner hereby agrees that any such costs are and remain a charge on the subject land until paid, and consents to the responsible authority registering a caveat on the certificate of title to the subject land in respect of any such costs and acknowledges that any such costs shall be capable of being recovered by the responsible authority in any court of competent jurisdiction as a civil debt recoverable;

- (d) That until such time as this agreement is registered on the title to the subject land, the owner shall ensure that successors in title will give effect to this agreement, and do all acts and sign all documents which will require those successors to give effect to this agreement, including executing a deed agreeing to be bound by the terms of this agreement;
- (e) The owner agrees to indemnify and keep indemnified the responsible authority from and against all costs, expenses, losses or damages that it may sustain, incur, suffer or be or become liable for or in respect of any suit, action, proceeding, judgment or claim brought by any person arising from or referable to this agreement and/or any non-compliance with this agreement; and
- (f) The owner agrees to allow the responsible authority to enter the subject land at any reasonable time to assess compliance with this agreement.

5. Owner's warranties and acknowledgements

(a) The owner warrants that:

- (i) It is the registered proprietor, or entitled to be so, of the subject land;
- (ii) There are no mortgages, liens, charges or other encumbrances affecting the subject land which are not disclosed by the usual searches; and
- (iii) If the subject land is affected by a mortgage, the mortgagee of the subject land consents to the owner entering into this agreement and the agreement being registered on the title to the subject land.

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(b) The owner acknowledges that any obligations imposed on the owner under this agreement take effect as separate and several covenants which are annexed to the subject land and run at law and in equity with the land and every part thereof and bind the owner, its successors, assigns and transferees, and the registered proprietor for the time being of the whole or any part of the subject land.

6. Further assurance

The parties to this agreement must do or cause to be done all things that are reasonably necessary to give effect to this agreement.

7. Default

If the owner defaults or fails to perform any of its obligations under this agreement the responsible authority may, without prejudice to any other remedies, rectify and remedy such default and the cost of doing so shall be borne by the owner. The owner hereby consents to the responsible authority registering a caveat on the certificate of title to the subject land in respect of any such costs, and acknowledges that any such costs shall be capable of being recovered by the responsible authority in any court of competent jurisdiction as a civil debt recoverable.

No waiver

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

9. No fettering of powers of responsible authority

The owner expressly acknowledges and agrees that nothing in this agreement nor the performance by the owner of any of its obligations under this agreement does or will restrain, limit or otherwise fetter the exercise by the responsible authority of the powers, duties and discretions that the responsible authority



has or may have, as planning authority, responsible authority or otherwise, under the Act or under the planning scheme to consider, approve, amend or to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification relating to any use or development, or in relation to the commencement or initiation of any enforcement action or proceeding whatsoever.

10. Entire agreement

This agreement constitutes the entire agreement between the parties in connection with its subject matter and supersedes all previous agreements or understandings between the parties in connection with its subject matter.

11. 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 and be of full force and effect.

12. Disputes

- (a) If there is a dispute between the parties concerning the interpretation or implementation of this agreement, that dispute must be referred to the tribunal for resolution to the extent permitted by the Act.
- (b) If there is a dispute concerning any matter which is not referable to the tribunal under the Act, that dispute must be referred for arbitration by an arbitrator agreed upon in writing by the parties, or, in the absence of such agreement the chair of the Victorian Chapter of the Institute of Arbitrators Australia or his or her nominee, for arbitration.
- (c) The parties shall each be entitled to legal representation for the purposes of any proceedings or arbitration referred to clause 12(a) or (b) of this agreement unless the tribunal or arbitrator otherwise directs, and each party must bear its own costs.

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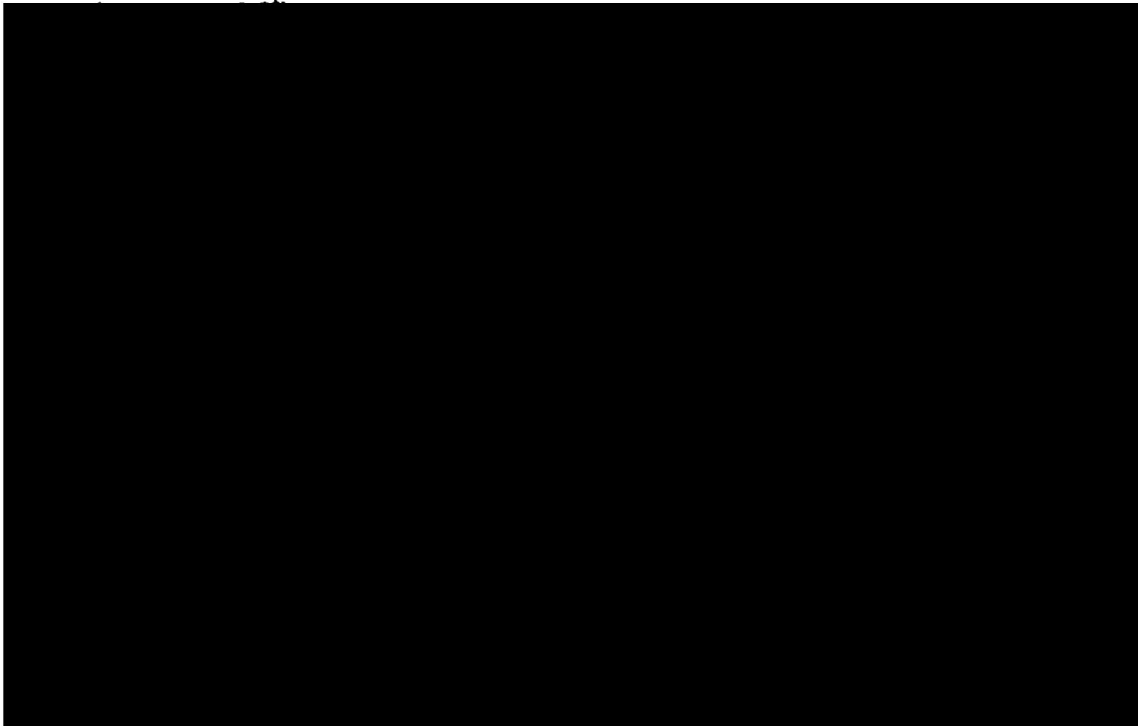


13. Commencement of agreement

Unless otherwise provided in this agreement, this agreement shall commence on the date of this agreement.

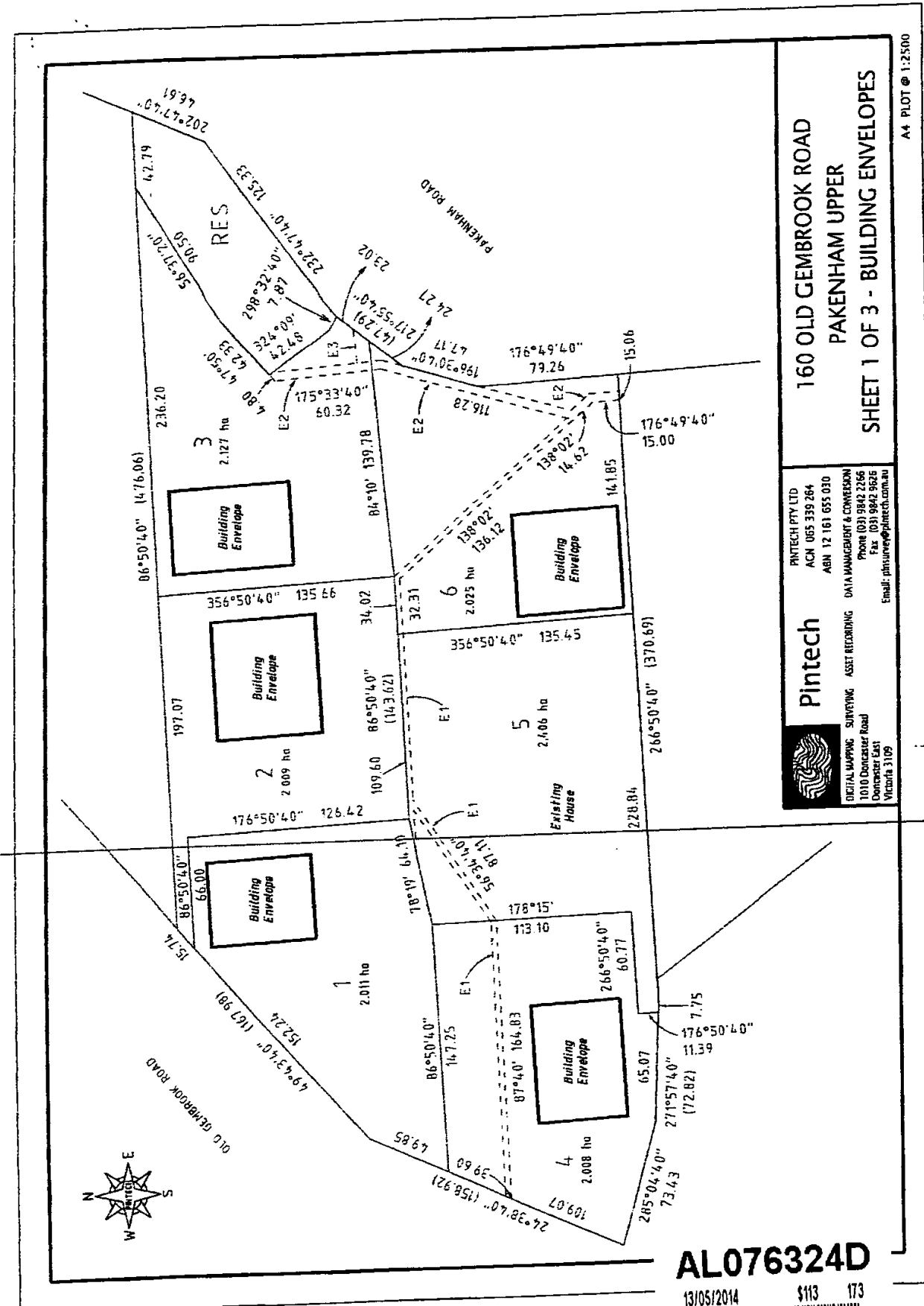
SIGNED AS AN AGREEMENT

SIGNED by and on behalf, and with the authority of the Cardinia Shire Council by [REDACTED] Manager Development Services in the exercise of power conferred by an Instrument of Delegation dated 24 January, 2011 in



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AL076324D
13/05/2014 \$113 173

**160 OLD GEMBROOK ROAD
PAKENHAM UPPER
SHEET 1 OF 3 - BUILDING ENVELOPES**

Pintech
DIGITAL MAPPING - SURVEYING - ASSET RECORDING - DATA MANAGEMENT & CONVERSION
1010 Doncaster Road
Doncaster East
Victoria 3109
Phone (03) 9842 2266
Fax (03) 9842 9626
Email: pin:survey@pintech.com.au

PINTECH PTY LTD
ACN 065 339 264
ABN 12 161 655 030

A4 PLOT @ 1:2500

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VIC LANDATA Certificate - Register Search Statement Volume 8576 Folio 025_1.nrm

2014

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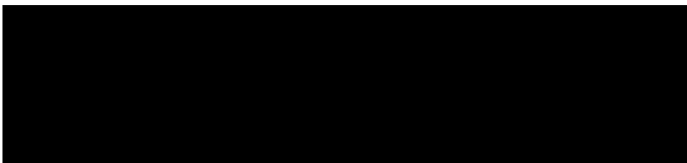
REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08576 FOLIO 025

Security no : 124046109995T
Produced 06/06/2013 12:30 pm

AND DESCRIPTION

Lot 1 on Title Plan 745750L (formerly known as part of Crown Allotment 19A Parish of Gembrook).
CURRENT TITLE Volume 08165 Folio 171
Created by instrument C240669 16/06/1965



ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP745750L 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: 160 OLD GEMBROOK ROAD PAKENHAM UPPER VIC 3210

DOCUMENT END

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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

AL076324D



PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

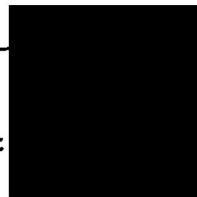
THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the certification of a plan of subdivision, three (3) copies of 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) Building Envelopes for all lots consistent with the "Bushfire Management Plan, Plan K00566, Version 3, Dated 28/11/2013 by Bill Klemmer & Associates" with notation of setbacks from boundaries and dimensions of the envelopes.
 - b) Notation of the location of Road reserve on the south side of the subdivision
 - c) Adequate waste disposal envelopes for each lot.
 - d) The addition of a description of restriction detailed on the Title to read:
"The registered proprietor or proprietor's for the time being of burdened lots shall not:
 - i. Construct or allow to be constructed any building outside the building envelope shown hatched on the diagram below without the further consent of the Responsible Authority.
 - ii. Construct any building or carry out any filling or excavation works within the waste envelope shown cross-hatched on the diagram below except for works related to the installation and maintenance of on site absorption lines without the further consent of the Responsible Authority."
2. The layout of the subdivision, as shown on the approved plan/ s, must not be altered or modified without the consent in writing of the Responsible Authority.
3. Building and waste envelopes must be created as a restriction on the Plan of Subdivision submitted to the Responsible Authority for certification and lodged with the Titles Office for registration.
4. The owner of the land must enter into an agreement with:
 - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

Date Issued: 20 January 2014

Signature for the
Responsible Authority:



of 12

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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 5. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 6. Prior to the issue of a Statement of Compliance being issued for the subdivision the permit holder must:
 - a) Construct underground drainage within the road reserves and easements as required to drain the road reserves and lots, discharging to an approved outlet to the satisfaction of the Responsible Authority.
 - b) Demonstrate to Council that the location of all services, including drainage and sewerage servicing the existing dwelling on Lot 1 have been relocated (if required) to the satisfaction of the Responsible Authority to ensure that they do not cross the boundaries.
 - c) Provide appropriate vehicle crossing to service the proposed lots to the satisfaction of the Responsible Authority.
 - d) Removal any existing structures from Lots 1,2,3,4 and 6.

To the satisfaction of the Responsible Authority.

Date Issued: 20 January 2014

Signature for the
Responsible Authority



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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council

FORM 4

CARDINIA

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

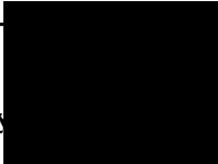
THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

7. 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 telecommunication services to each lot shown on the approved plan in accordance with the authority's requirements and relevant legislation at the time.
8. 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.
9. 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.
10. Storm water must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
11. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
12. Erosion must be controlled during construction in accordance with the Environment Protection Authority Guideline TG208/90.
13. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and un-established must be minimised to the satisfaction of the Responsible Authority.
14. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossings.
15. Before a statement of compliance is issued under the *Subdivision Act 1988*, a sum equivalent to 8 per cent of the site value of all the subject land in the subdivision must be paid to the Responsible Authority.

Date Issued: 20 January 2014

Signature for the
Responsible Authority

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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

VicRoads Conditions

- 16. Prior to the issue of Statement of Compliance, a single 6.5m wide sealed bell mouth vehicle access with 10m radius must be constructed between the property boundaries of the existing road pavement to serve two lots (Lots 3 and 6) on Healesville-Koo Wee Rup Road, to the satisfaction of the Responsible Authority.
- 17. Prior to the issue of Statement of Compliance, a minimum 375mm diameter culvert must be installed under the access, in line with the existing open-earth drain within the road reserve, to the satisfaction of the Responsible Authority. Drivable end walls must be installed at the culvert ends, to the satisfaction of the Responsible Authority.
- 18. Trees on Healesville-Koo Wee Rup Road must be trimmed to minimise the sight distance to the north, to the satisfaction of the Responsible Authority.

Melbourne Water Conditions

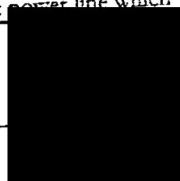
- 19. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- 20. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the *Subdivision Act 1988*.

SP AusNet Conditions

- 21. The applicant must-
 - a) Enter into an agreement with SPI Electricity Pty Ltd for supply of electricity to each lot on the endorsed plan.
 - b) Enter into an agreement with SPI Electricity Pty Ltd for the rearrangement of the existing electricity supply system.
 - c) Enter into an agreement with SPI Electricity Pty Ltd for the rearrangement of the points of supply to any existing installations affected by any private electric power line which

Date Issued: 20 January 2014

Signature for the
Responsible Authority: _____



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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council

FORM 4

CARDINIA

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

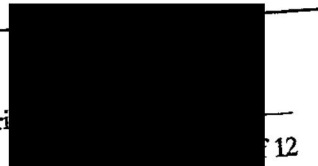
THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- would cross a boundary created by the subdivision, or by such means as may be agreed by SPI Electricity Pty Ltd.
- d) Provide easements satisfactory to SPI Electricity Pty Ltd for the purpose of "Power Line" in favour of "SPI Electricity Pty Ltd" pursuant to Section 88 of the *Electricity Industry Act 2000*, where easements have not been otherwise provided, for all existing SPI Electricity Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/ or abutting land.
 - e) Obtain for the use of SPI Electricity Pty Ltd any other easement required to service the lots.
 - f) Adjust the position of any existing SPI Electricity Pty Ltd easement to accord with the position of the electricity lines as determined by survey.
 - g) Set aside on the plan of subdivision Reserves for the use of SPI Electricity Pty Ltd for electric substations.
 - h) Provide survey plans for an electric substations required by SPI Electricity Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. SPI Electricity Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
 - i) Provide to SPI Electricity Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
 - j) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by SPI Electricity Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the *Electricity Safety Act 1998*.

Date Issued: 20 January 2014

Signature for the
Responsible Authority



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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- k) Ensure that all necessary auditing is completed to the satisfaction of SPI Electricity Pty Ltd to allow the new network assets to be safely connected to the distribution network
Country Fire Authority (CFA) Conditions
- 22. The plan labelled "Bushfire Management Plan, Plan K00566, Version 3, Dated 28/11/2013 by Bill Klemmer & Associates" must be endorsed and form part of the permit.
- 23. The endorsed Bushfire Management Plan must not be altered unless with the written consent of the CFA and the Responsible Authority
- 24. Before the statement of compliance is issued under the *Subdivision Act 1986* the owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1967* and make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act. The agreement must set out the following matters:
 - a) That it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-1 of this Planning Scheme.
 - b) The building envelope and defendable space envelope to achieve the Bushfire Attack Level approved under this permit.
 - c) Any vegetation management requirements to implement the defendable space approved under this permit.
 - d) The access and water supply requirements approved under this permit.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 agreement.
- 25. To give effect to the requirements of clause 44.06-4 of the Cardinia Shire Council Planning Scheme, and the above condition, the section 173 Agreement prepared in accordance with clause 44.06-4 must:

Date Issued: 20 January 2014

Signature for the
Responsible Authority



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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- a) Explicitly exclude the option to vary the requirements of the agreement through another planning permit.
- b) Specify that any dwelling or dependent person's unit constructed:
 - i. On lots 1, 2, 3, 4 & 6 be located inside the building envelope designated on the BUSHFIRE MANAGEMENT PLAN endorsed under this permit.
 - ii. To the Bushfire Attack Level (BAL) specified on the BUSHFIRE MANAGEMENT PLAN endorsed under this permit and in accordance with the relevant sections of AS3959-2009.
- c) Specify that all land shown as 'Inner Zone' and 'Outer Zone' on the BUSHEIRE MANAGEMENT PLAN endorsed under this permit must at all times, and regardless of whether a dwelling is located on the land, be maintained to the defendable space requirements of this permit.
- d) Specify that before the occupation of a dwelling starts on each lot in the subdivision a static water supply dedicated for fire-fighting purposes must be provided on the lot which complies with the requirements of this permit.
- e) Specify that before the occupation of a dwelling starts on any lot, emergency vehicle access to the static water supply dedicated for fire-fighting purposes and dwelling, must be provided on the lot which complies with the requirements of this permit.
- f) Include the detailed requirements of this permit relating to defendable space, building construction, static water supply and emergency vehicle access within the covenants of the agreement.
- g) Specify that the bushfire protection measures which form part of the section 173 agreement and the planning permit and endorsed plans, including those relating to construction standards (BAL), defendable space, water supply and access must be maintained to the satisfaction of the Responsible Authority on a continuing basis.
- h) Include the BUSHFIRE MANAGEMENT PLAN endorsed under this permit as an annexure to the agreement.

Date Issued: 20 January 2014

Signature for the
Responsible Authority:



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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council

FORM 4

CARDINIA

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Defendable space - Inner Zone management

26. The management of land designated as 'Inner Zone' on the BUSHFIRE MANAGEMENT PLAN endorsed under this permit must comply with the following minimum requirements:

- a) Within 10 metres of the dwelling, flammable objects such as plants, mulches and fences must not be located close to vulnerable parts of the building such as windows, decks and eaves.
- b) Plants greater than 10 centimetres in height at maturity must not be placed directly in front of a window or other glass feature.
- c) Trees must not overhang the roofline of the dwelling or touch the walls or other elements of the dwelling.
- d) Grass must be no more than 5 centimetres in height and all leaves and vegetation debris must be removed at regular intervals.
- e) Shrubs must not be planted under trees and must be separated from each other by at least 1.5 times their mature height.
- f) Tree canopies must be separated by at least 2 metres with an overall tree canopy cover of no more than 15 per cent at maturity.
- g) There must be no tree branches below 2 metres from ground level.

Defendable space - Outer Zone management

27. The management of land designated as 'Outer Zone' on the BUSHFIRE MANAGEMENT PLAN endorsed under this permit must comply with the following minimum requirements:

- a) Grass must be no more than 10 centimetres in height and all leaves and other debris must be mowed, slashed or mulched.
- b) Shrubs must be in clumps of no greater than 10 square metres, which are separated from each other by at least 10 metres.

Date Issued: 20 January 2014

Signature for the
Responsible Authority



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AL076324D

13/05/2014

\$113 173



PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- c) Shrubs and/or trees must not form a continuous canopy with unmanaged fuels.
- d) Trees may touch each other with an overall tree canopy cover of no more than 30 percent at maturity.
- e) There must be no tree branches within 2 metres of ground level.

Initial implementation of defensible space

28. Before the Statement of Compliance is issued under the *Subdivision Act 1988* for any stage in the subdivision, defensible space must be initially implemented:

- a) To at least the extent shown as 'Inner Zone' and 'Outer Zone' on the BUSHFIRE MANAGEMENT PLAN endorsed under this permit.
- b) To not less than the prescriptions for the management of 'Inner Zone' and 'Outer Zone' specified in this permit.

Building construction

29. The construction of any dwelling or dependent person's unit on each lot in the subdivision must comply with the following Bushfire Attack Level (BAL) in accordance with the relevant sections to AS3959-2009:

- a) For Lots 1, 2, 3 and 6— BAL-19
- b) For Lot 4— BAL-12.5 Static water supply

AL076324D



Static Water Supply

30. A static water supply must be provided on each lot which must comply with the following minimum requirements:

- a) The water supply must have a minimum capacity of 10,000 litres that is maintained solely for firefighting purposes.

Date Issued: 20 January 2014

Signature for the
Responsible Authority:



of 12

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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

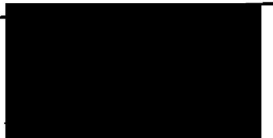
THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- b) The water supply must be stored in an above ground water tank constructed of concrete, steel or corrugated iron.
- c) The water supply must be located within 60 metres of the outer edge of the building (including any obstructions).
- d) The water supply outlet/s must be attached to the water tank and must face away from the building if located less than 20 metres from the building to enable access during emergencies.
- e) All pipework between the water supply and the outlet/s must be a minimum of 64 mm nominal bore.
- f) All fixed above-ground water pipelines and fittings must be of non-corrodible and non-combustible materials.
- g) The water supply must:
 - i. Be located so that fire brigade vehicles are able to get to within 4 metres of the water supply outlet.
 - ii. Incorporate an additional 64 mm (minimum) gate or ball valve and 64 mm (fixed size), 3 threads per inch, male fitting to suit a CFA coupling.
 - iii. Incorporate a vortex inhibitor or additional water must be provided to ensure that the volume of water available is not restricted by a vortex. Refer to Section 5 of AS.241 9 for requirements for vortex inhibitors.
- h) The water supply outlet must incorporate a ball or gate valve to provide access to the water by the resident of the dwelling.
- i) All below-ground water pipelines must be installed to at least the following depths:
 - i. Subject to vehicle traffic: 300 mm
 - ii. Under dwellings or concrete slabs: 75 mm
 - iii. All other locations: 225 mm

Date Issued: 20 January 2014

Signature for the
Responsible Authority:



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13/05/2014 \$113 173



PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gembrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

31. The water supply must be readily identifiable from the building or appropriate signage must be provided which:

- a) Has an arrow pointing to the location of the water supply.
- b) Has dimensions of not less than 310 mm high and 400 mm long.
- c) Is red in colour, with a blue reflective marker attached.
- d) Is labelled with a "W" that is not less than 15 cm high and 3 cm thick.



Static water for existing dwelling

32. Before the Statement of Compliance is issued under the *Subdivision Act 1988* a static water supply must be provided for the existing dwelling located on Lot 5 which must comply with the static water requirements of this permit.

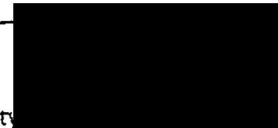
Emergency vehicle access

33. Emergency vehicle access to enable fire brigade vehicles to get to within 4.0 metres of the static water supply outlet on the lot and to the dwelling must be provided and must comply with the following minimum requirements (including gates, bridges and culverts):

- a) Curves in driveway must have a minimum inner radius of 10 metres. 11.2 The average grade must be no more than 1 in 7 (14.4 percent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 percent) (11.3 degrees) for no more than 50 metres.
- b) Dips must have no more than a 1 in 8 (12.5 percent) (7.1 degrees) entry and exit angle.
- c) Designed, constructed and maintained for a load limit of at least 15 tonnes and be of all-weather construction.
- d) Have a minimum trafficable width of 3.5 metres and be substantially clear of encroachments for at least 0.5 metres on each side.
- e) Be clear of encroachments 4 metres vertically.

Date Issued: 20 January 2014

Signature for the
Responsible Authority



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PLANNING PERMIT

Planning Scheme:
Cardinia Planning Scheme
Responsible Authority: Cardinia
Shire Council



FORM 4

PLANNING PERMIT NUMBER: T110250

ADDRESS OF THE LAND: Lot 1 TP745750L, 160 Old Gernbrook Rd,
Pakenham Upper

THIS PERMIT ALLOWS: Subdivision of the land into six (6) lots, creation of
access to a Road Zone Category 1, creation of
easements and earthworks

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Emergency vehicle access for existing dwelling

- 34. Before the Statement of Compliance is issued under the *Subdivision Act 1988* emergency vehicle access must be provided for the existing dwelling located on Lot 5 which must comply with the emergency vehicle access requirements of this permit.

Expiry of permit:

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 in accordance with Section 69 of the *Planning and Environment Act 1987*.

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 completion is regarded as the registration of the plan.

Permit Notes

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water reference 217965.

AL076324D



Date Issued: 20 January 2014

Signature for the
Responsible Authority:

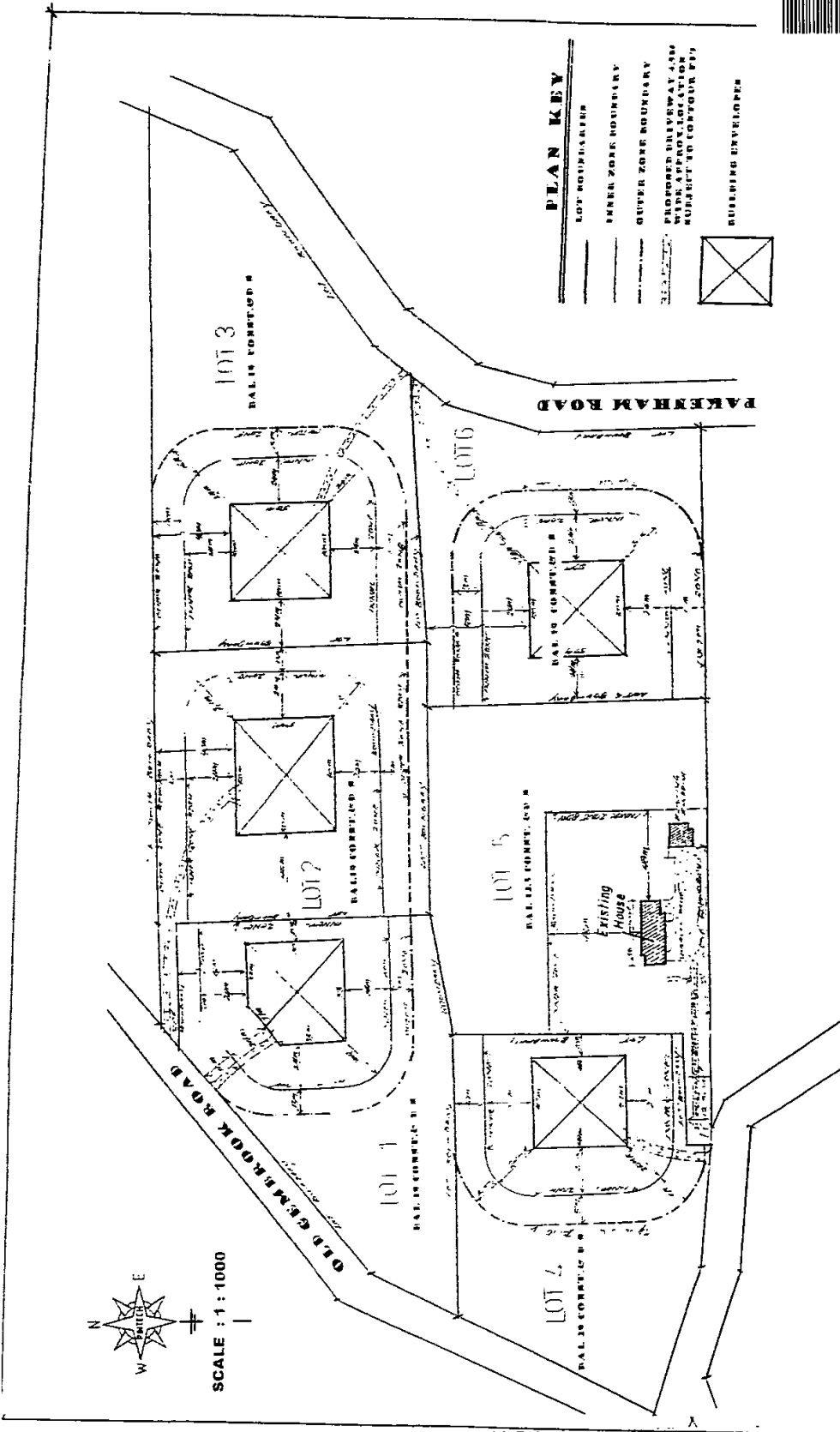


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13/05/2014 \$113 173



160 OLD GEMBROOK ROAD UPPER PAKENHAM BUSHFIRE MANAGEMENT PLAN

Pintech
 PINTECH PTY LTD
 ACN 063 339 264
 ABN 12 161 655 030
 DIGITAL MAPPING SURVEYING ASSET RECORDING DATA MANAGEMENT & CONVERSION
 1010 Dorcas Hill Road
 Dorcas Hill
 Victoria 3109
 Phone (03) 9842 2266
 Fax (03) 9842 3626
 Email: pinu@pintech.com.au

Pintech
 DIGITAL MAPPING SURVEYING ASSET RECORDING DATA MANAGEMENT & CONVERSION
 1010 Dorcas Hill Road
 Dorcas Hill
 Victoria 3109

BALIS CORNERUM CORRELATION PLAN
 PREPARED BY: [Name]
 DATE: [Date]
 PLAN NO: [Number]
 PROJECT: [Project Name]
 SHEET: [Sheet Number] OF [Total Sheets]

AM754342N

Transfer of Land

Section 45 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

1. Land/s

Land Title

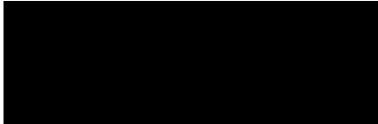
Volume 11530 Folio 255

2. Estate and Interest

FEE SIMPLE

3. Transferor/s

Transferor

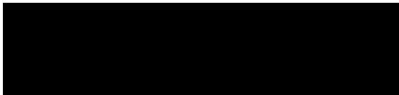


4. Transferee/s

Transferee 1



Transferee 2



5. Manner of Holding

JOINT PROPRIETORS

6. Address/es of Transferee/s

Address of Transferee 1

Unit Street No 7

Street Name MORNINGTON

Street Type GROVE

Locality BERWICK

State VIC Postcode 3806

Address of Transferee 2

Same as Transferee 1

7. Directing Party

None

8. Consideration

\$490,000

9. Signing

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

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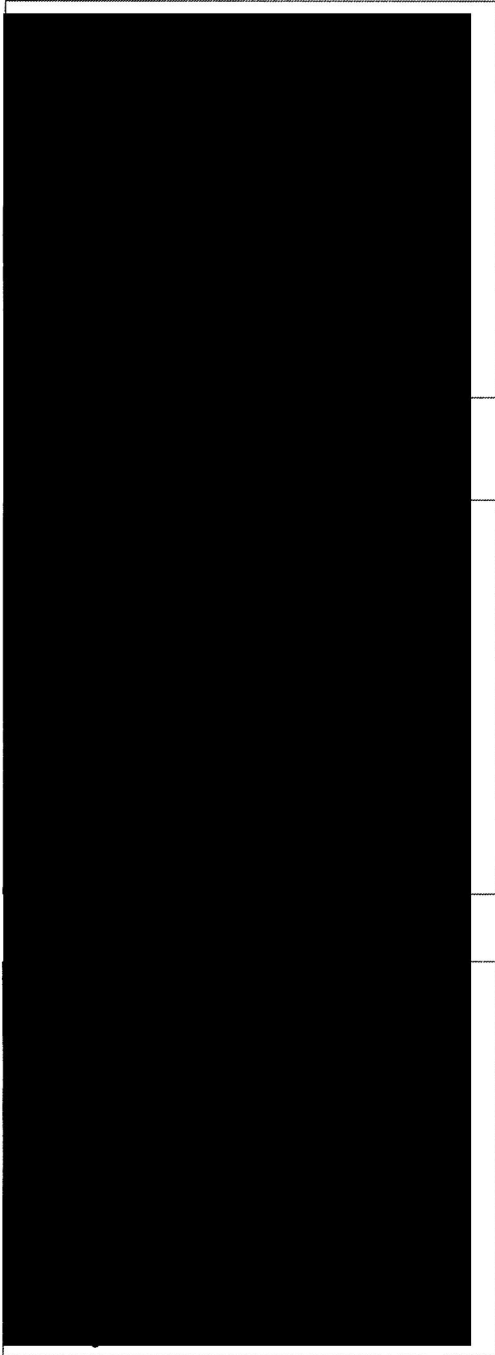
AM754342N

Transfer of Land

Section 45 Transfer of Land Act 1958

Privacy Collection Statement

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10. Date

Date: (DD/MM/YYYY)

29/4/16

11. Lodging Party

Customer Code

Reference

**ANZ Retail
15314 Q**

**ANZ Retail
15314 Q**

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Transfer of Land

Section 45 Transfer of Land Act 1958

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You may lodge this form in two ways:

1. In person

Land Registration Services
Land Victoria
Level 9, 570 Bourke Street
Melbourne Vic 3000

2. By mail (*extra fee applies*)

Land Registration Services
Land Victoria
PO Box 500
East Melbourne Vic 8002
Or DX 250639 Melbourne

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Duty Use Only

AM754343L

Mortgage

Section 74 Transfer of Land Act 1958

Privacy Collection Statement

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1. Land/s

Land Title

Volume 11530 Folio 255

2. Estate and Interest

FEE SIMPLE

3. Memorandum of common provisions

MCP Number AA816

4. Mortgagor/s

Mortgagor 1

Given Name/s

Family Name

Mortgagor 2

Given Name/s

Family Name

5. Mortgagee/s

Mortgagee

Name AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED

ABN 11005357522

Australian Credit Licence 234527

6. Signing

The mortgagor mortgages to the mortgagee the estate and interest specified in the land described subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this mortgage. The mortgagor covenants with the mortgagee that the provisions of the Memorandum of Common Provisions (MCP) referred to in this mortgage and retained by the Registrar of Titles form part of this mortgage.



7. Date

Date: 13.4.16

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AM754343L

Mortgage

Section 74 Transfer of Land Act 1958

Privacy Collection Statement

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8. Lodging Party

Customer Code 15314Q
Reference ANZ RETAIL

You may lodge this form in two ways

1. In person

Land Registration Services
Land Victoria
Level 9, 570 Bourke Street
Melbourne Vic 3000

2. By mail (*extra fee applies*)

Land Registration Services
Land Victoria
PO Box 500
East Melbourne Vic 8002
Or DX 250639 Melbourne

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SITE INFORMATION

SITE AREA: 20527 m²
 EXISTING BUILDING AREA: 431.7 m²
 PROPOSED STRUCTURE: 240 m²
 TOTAL BUILDING FOOTPRINT: 671.7 m²

PROPOSED SITE COVERAGE: 3.3 %
 PERMEABLE AREA: 93.7 %
 GARDEN AREA: 93.7 %

ZONING: Green Wedge A (GWAZ)
 OVERLAY: Bushfire Management (BMO)
 Environmental Significance (ESO)

THIS PROPERTY IS IN A BUSHFIRE PRONE AREA:
 All works are to be built in accordance with AS3959

LEGAL POINT OF DISCHARGE
 LPOD TO BE CONFIRMED ON SITE PRIOR TO WORKS COMMENCING. PLUMBER & BUILDER TO CONFIRM EXISTING RUNS & CONNECT NEW DOWNPIPE INTO EXISTING STORM WATER SYSTEM TO AUSTRALIAN STANDARDS

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MANUFACTURED PRODUCTS & MATERIALS

INSTALLATIONS TO BE STRICTLY IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS & RECOMMENDATIONS.

THE OWNER, INSTALLER OR BUILDER IS TO MAKE THEMSELVES FULLY AWARE OF THE MANUFACTURERS FOUNDATION, CONNECTION & INSTALLATION REQUIREMENTS THAT MAY BE ENCOUNTERED UNDER THESE PROPOSED WORKS.

ONLY EXPERIENCED AND COMPETENT INSTALLERS ARE TO BE ENGAGED FOR THESE PROPOSED INSTALLATIONS. CORRECT INSTALLATION IS CRITICAL TO PRODUCT PERFORMANCE.

THE EXPERTISE OF PRIME DRAFTING Pty Ltd DOES NOT EXTEND TO KNOWLEDGE OF FOUNDATION, CONNECTION & INSTALL REQUIREMENTS OF MANUFACTURED PRODUCTS.



ADJACENT S/STOREY DWELLING No.160
 SETBACK FROM BOUNDARY APP. 83m

PROJECT DETAILS:
PROPOSED SHED

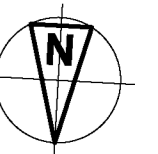
710 PAKENHAM ROAD, PAKENHAM UPPER

CLIENT NAME:
 [REDACTED]

ISSUED BY:
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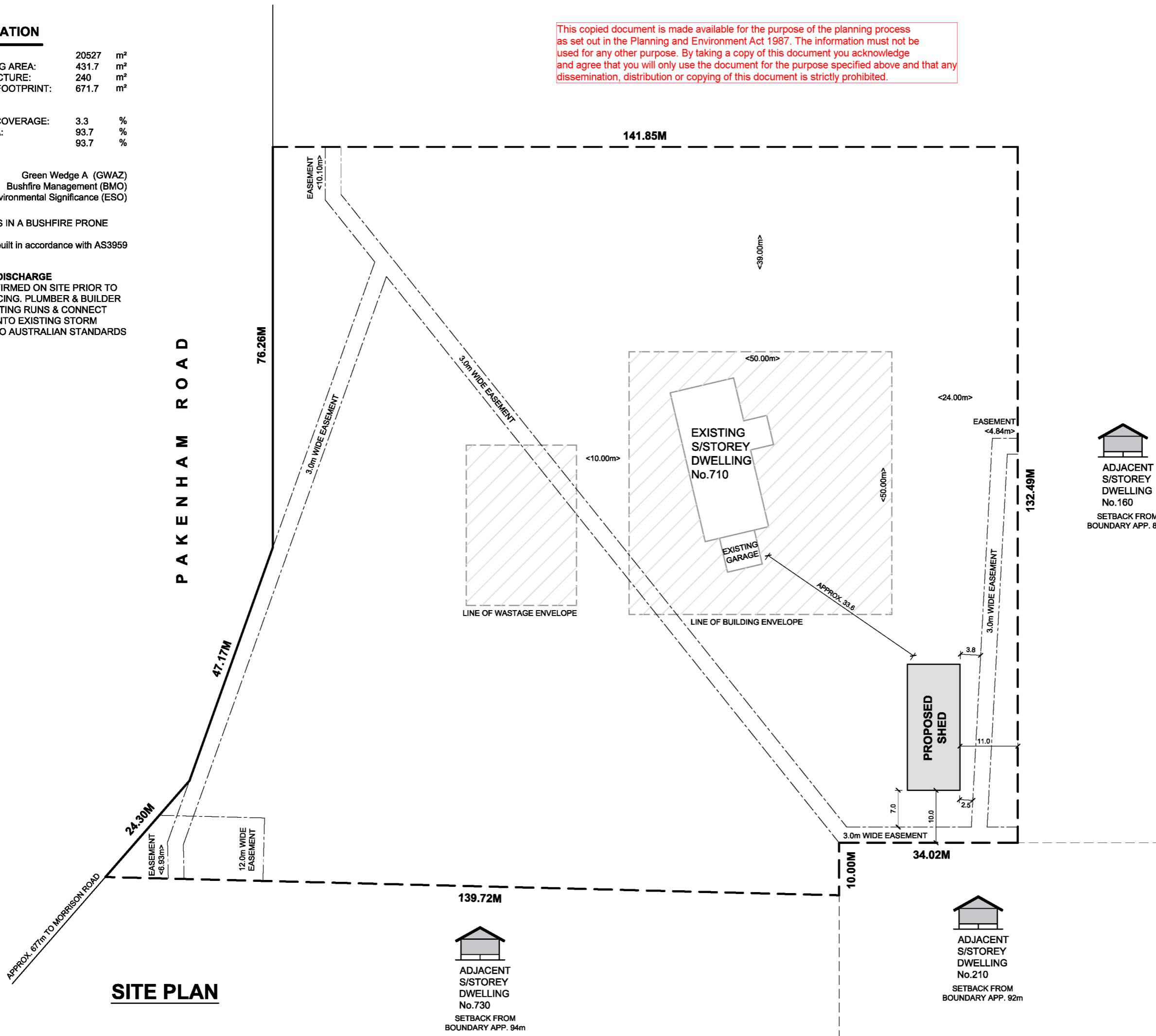
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 J.H

CHECKED:
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PAGE N°: 02/04 SCALE: 1:700 (A3)

REV	ISSUE DESCRIPTION	DATE
0	PLANS ISSUED FOR BUILDING PERMIT	15/10/2024
1	RELOCATE SHED	09/12/2024



SITE PLAN

ADJACENT S/STOREY DWELLING No.730
 SETBACK FROM BOUNDARY APP. 94m

ADJACENT S/STOREY DWELLING No.210
 SETBACK FROM BOUNDARY APP. 92m



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CONSTRUCTION NOTES:

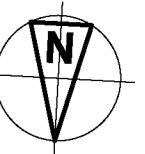
- ALL TIMBER STRUCTURAL MEMBERS SHALL COMPLY WITH AS1684.4-2010 RESIDENTIAL TIMBER-FRAMED CONSTRUCTION MANUAL AND SUPPLEMENTARY TABLES OR AS SHOWN ON ENGINEER'S DRAWINGS.
- ALL STEEL FRAMING MEMBERS AS PER MANUFACTURERS SPAN TABLE OR ENGINEERS DESIGN AND INSTALLED STRICTLY TO MANUFACTURERS INSTRUCTIONS.
- ALL MATERIALS AND WORK PRACTICES SHALL COMPLY WITH, BUT NOT LIMITED TO THE BUILDING REGULATIONS, THE BUILDING CODE OF AUSTRALIA 2022 AND ALL RELEVANT CURRENT AUSTRALIAN STANDARDS (AS AMENDED) REFERRED TO THEREIN.
- BUILDER SHALL CONFIRM THE LOCATION OF ANY UNDERGROUND SERVICES, CABLES & VENT PIPES & RELOCATE SAME IF PROHIBITED TO BE UNDER THE PROPOSED WORKS.
- BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK.
- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.

PROJECT DETAILS:
PROPOSED SHED

710 PAKENHAM ROAD, PAKENHAM UPPER

CLIENT NAME:

ISSUED BY:
PRIME DRAFTING Pty Ltd

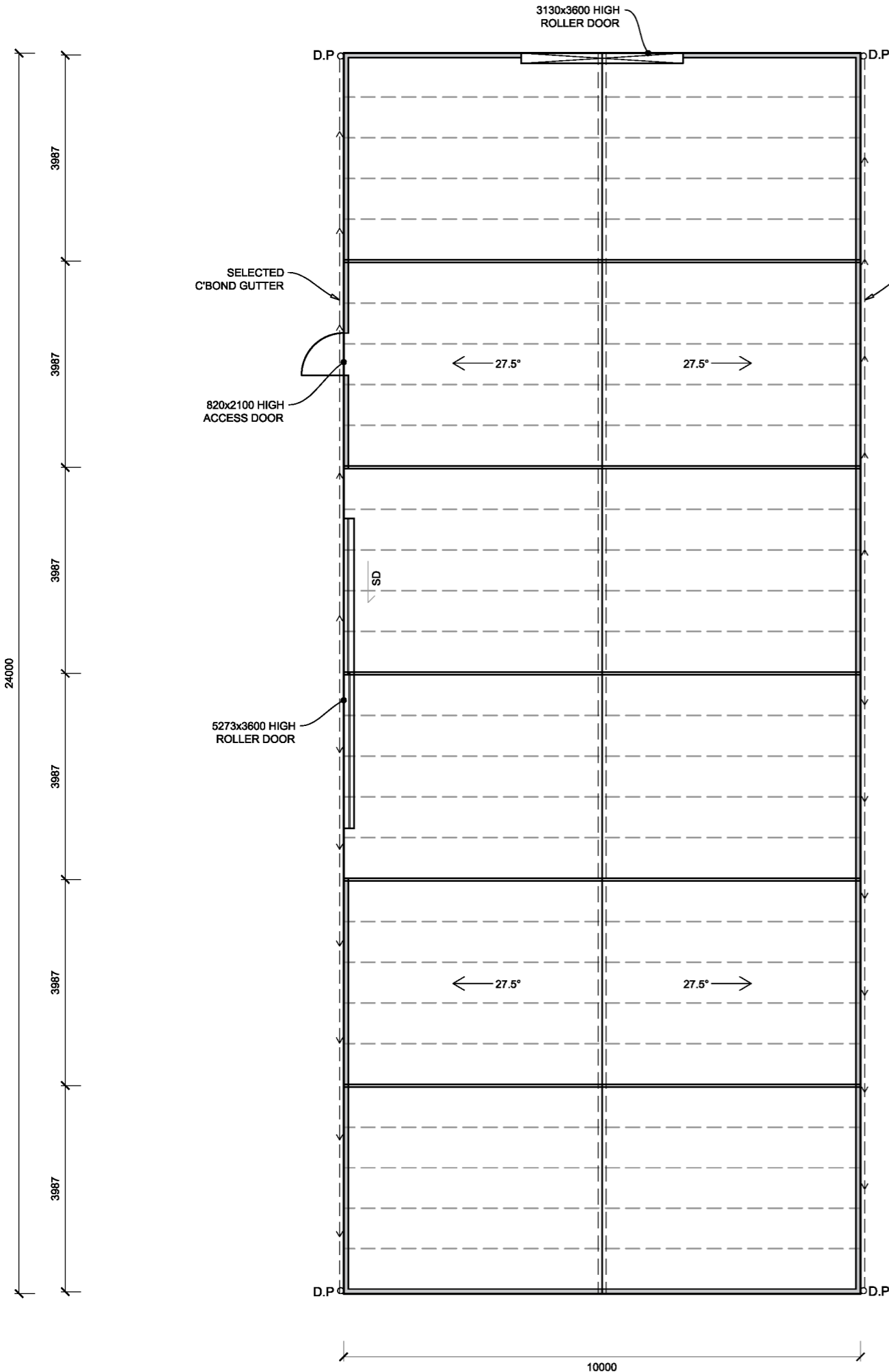


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PAGE N°: 03/04 SCALE: 1:100 (A3)

REV	ISSUE DESCRIPTION	DATE
0	PLANS ISSUED FOR BUILDING PERMIT	15/10/2024
1	RELOCATE SHED	09/12/2024



STRUCTURAL INFORMATION

PROPOSED FRAME MEMBERS	ALL STEEL FRAMING MEMBERS AS PER MANUFACTURERS SPAN TABLE OR ENGINEERS DESIGN AND INSTALLED STRICTLY TO MANUFACTURERS INSTRUCTION MANUAL. REFER SEPARATE SPECIFICATION. STEEL SHALL COMPLY WITH AS.4100.	
ROOFING & WALLS	SELECTED STRATCO C'BOND STEEL @ 27.5-DEGREES	INSTALLED TO MANUFACTURERS INSTRUCTIONS
STORMWATER	SELECTED C'BOND GUTTER, 90mm DIA. PVC OR 100x50mm C'BOND DOWNPIPES TO NCC 3.5.2.	DOWNPIPES TO BE CONNECTED TO NEAREST EXISTING STORMWATER DRAINAGE SYSTEM (L.P.D.) WITH MIN. 90mm PVC PIPE IN A GRADE OF 1:100 AS PER AS.3500
GENERAL	<ul style="list-style-type: none"> • NEW STRUCTURE TO BE CONNECTED TO EXISTING DWELLING VIA MANUFACTURERS RECOMMENDED METHOD. • BUILDER TO ENSURE STEEL FRAME INSTALLATION AS PER MANUFACTURERS SPECIFICATION MANUAL AT ALL TIMES. • FLASH BETWEEN PROPOSED & EXISTING AS REQUIRED 	

SHED LAYOUT



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CONSTRUCTION NOTES:

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- ALL STEEL FRAMING MEMBERS AS PER MANUFACTURERS SPAN TABLE OR ENGINEERS DESIGN AND INSTALLED STRICTLY TO MANUFACTURERS INSTRUCTIONS.
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- BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK.
- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.

**PROJECT DETAILS:
 PROPOSED SHED**

710 PAKENHAM ROAD, PAKENHAM UPPER

CLIENT NAME:
 [REDACTED]

ISSUED BY:
 PRIME DRAFTING Pty Ltd

DRAWN BY:
 J.H

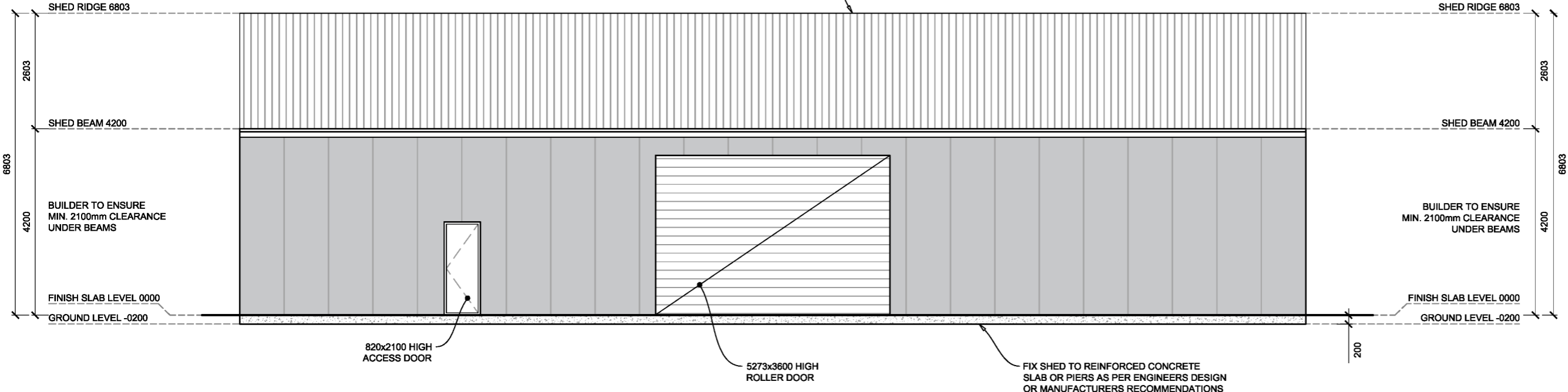
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PAGE N°: 04/04 SCALE: 1:100 (A3)

REV	ISSUE DESCRIPTION	DATE
0	PLANS ISSUED FOR BUILDING PERMIT	15/10/2024
1	RELOCATE SHED	09/12/2024

HEIGHTS ARE INDICATIVE ONLY & SHOULD BE CHECKED BY THE BUILDER ON SITE. MAX. AVERAGE HEIGHT WITHIN 1.0m OF BOUNDARY IS 3.2m.

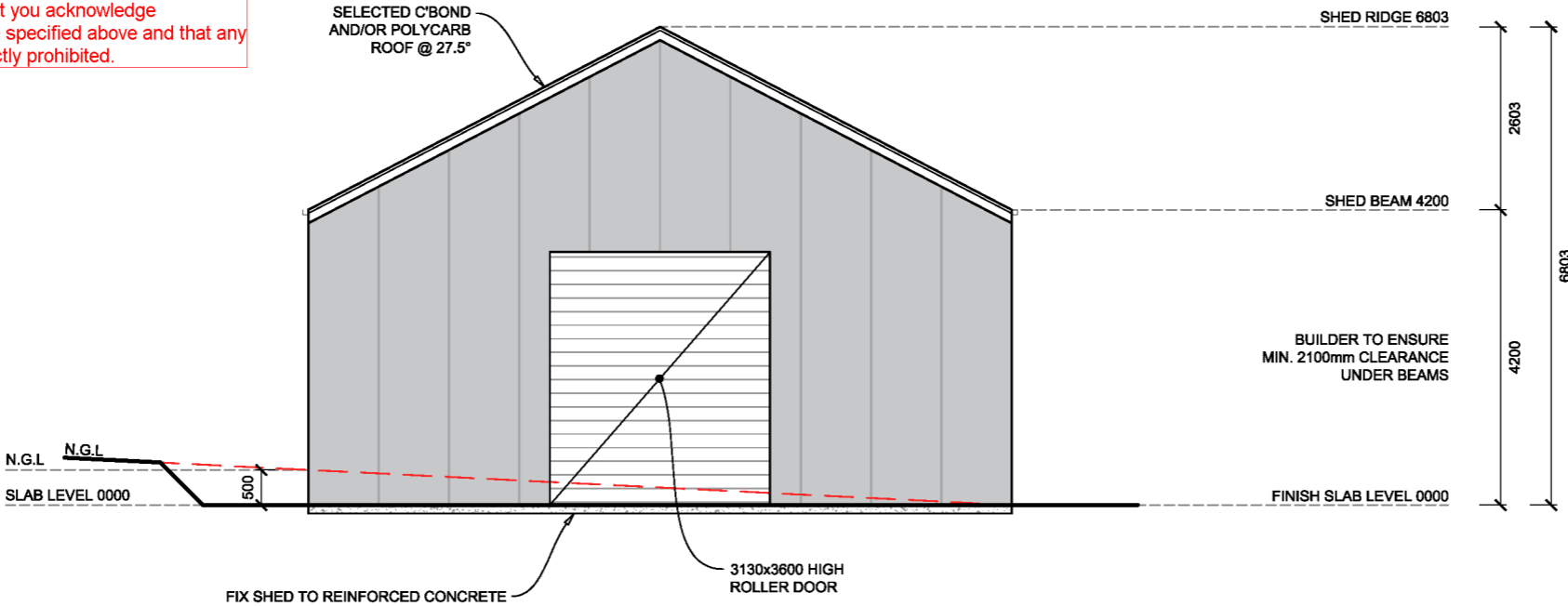
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EAST ELEVATION

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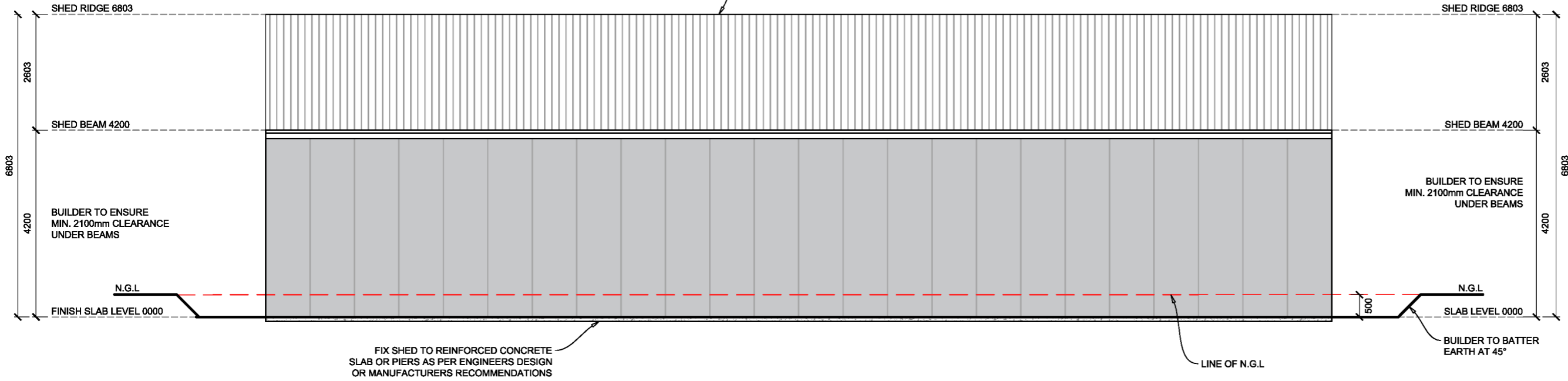
SOUTH ELEVATION



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WEST ELEVATION

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THE BUILDER SHALL CHECK AND VERIFY ALL BOUNDARIES, LEVELS, DATUM & DIMENSIONS ON SITE AND SHALL REPORT ANY DISCREPANCIES OR OMISSIONS TO THIS OFFICE PRIOR TO START OF WORK & DURING THE CONSTRUCTION PHASE. THIS DRAWING IS TO BE READ AND UNDERSTOOD IN CONJUNCTION WITH ANY STRUCTURAL, MECHANICAL, ELECTRICAL AND OR ANY OTHER CONSULTANTS' DOCUMENTATION AS MAY BE APPLICABLE TO THE PROJECT PRIOR TO START OF WORK & ITS DURATION.

CONSTRUCTION NOTES:

- ALL TIMBER STRUCTURAL MEMBERS SHALL COMPLY WITH AS1684.4-2010 RESIDENTIAL TIMBER-FRAMED CONSTRUCTION MANUAL AND SUPPLEMENTARY TABLES OR AS SHOWN ON ENGINEER'S DRAWINGS.
- ALL STEEL FRAMING MEMBERS AS PER MANUFACTURERS SPAN TABLE OR ENGINEERS DESIGN AND INSTALLED STRICTLY TO MANUFACTURERS INSTRUCTIONS.
- ALL MATERIALS AND WORK PRACTICES SHALL COMPLY WITH, BUT NOT LIMITED TO THE BUILDING REGULATIONS, THE BUILDING CODE OF AUSTRALIA 2022 AND ALL RELEVANT CURRENT AUSTRALIAN STANDARDS (AS AMENDED) REFERRED TO THEREIN.
- BUILDER SHALL CONFIRM THE LOCATION OF ANY UNDERGROUND SERVICES, CABLES & VENT PIPES & RELOCATE SAME IF PROHIBITED TO BE UNDER THE PROPOSED WORKS.
- BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK.
- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.

PROJECT DETAILS:
PROPOSED SHED

710 PAKENHAM ROAD, PAKENHAM UPPER

CLIENT NAME:

ISSUED BY:
PRIME DRAFTING Pty Ltd

DRAWN BY:
 J.H

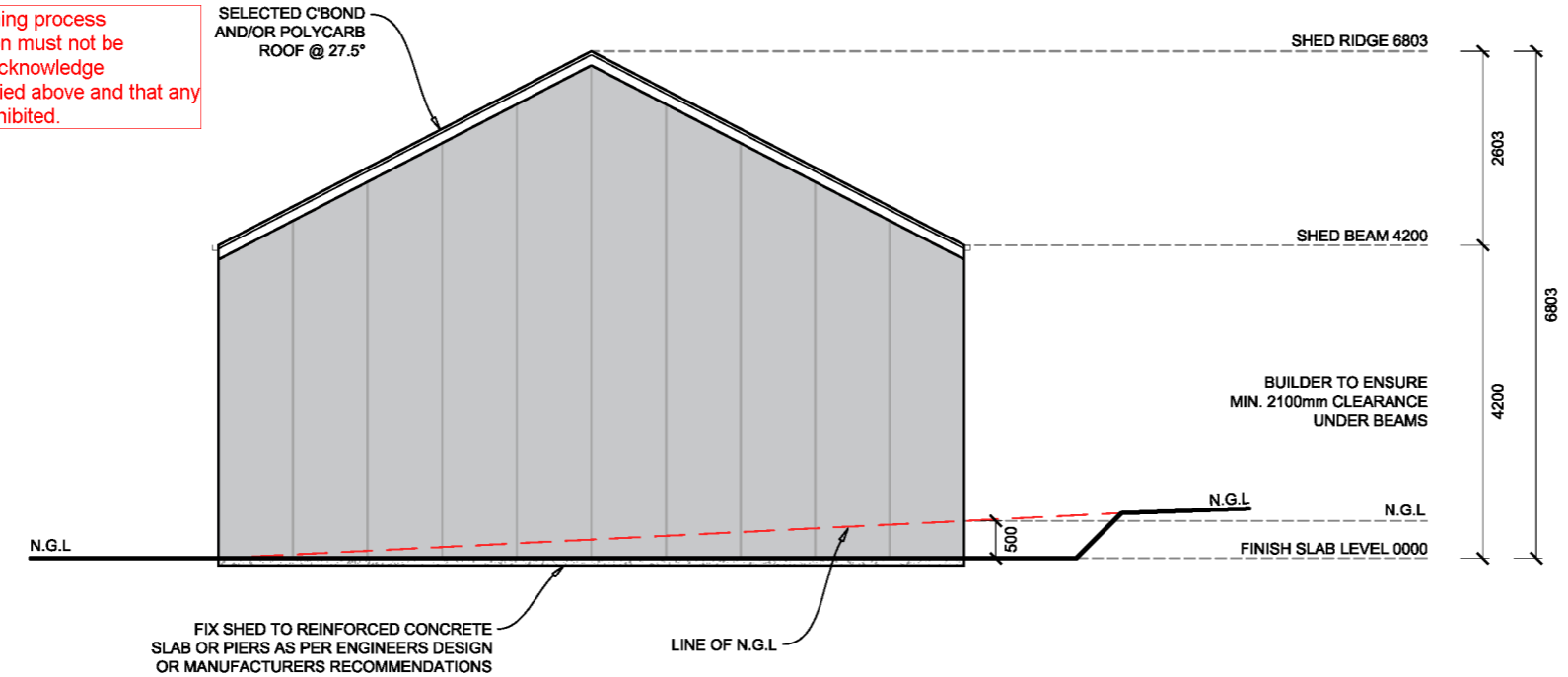
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 RICCARDO ROMANO (DP-AD23101)

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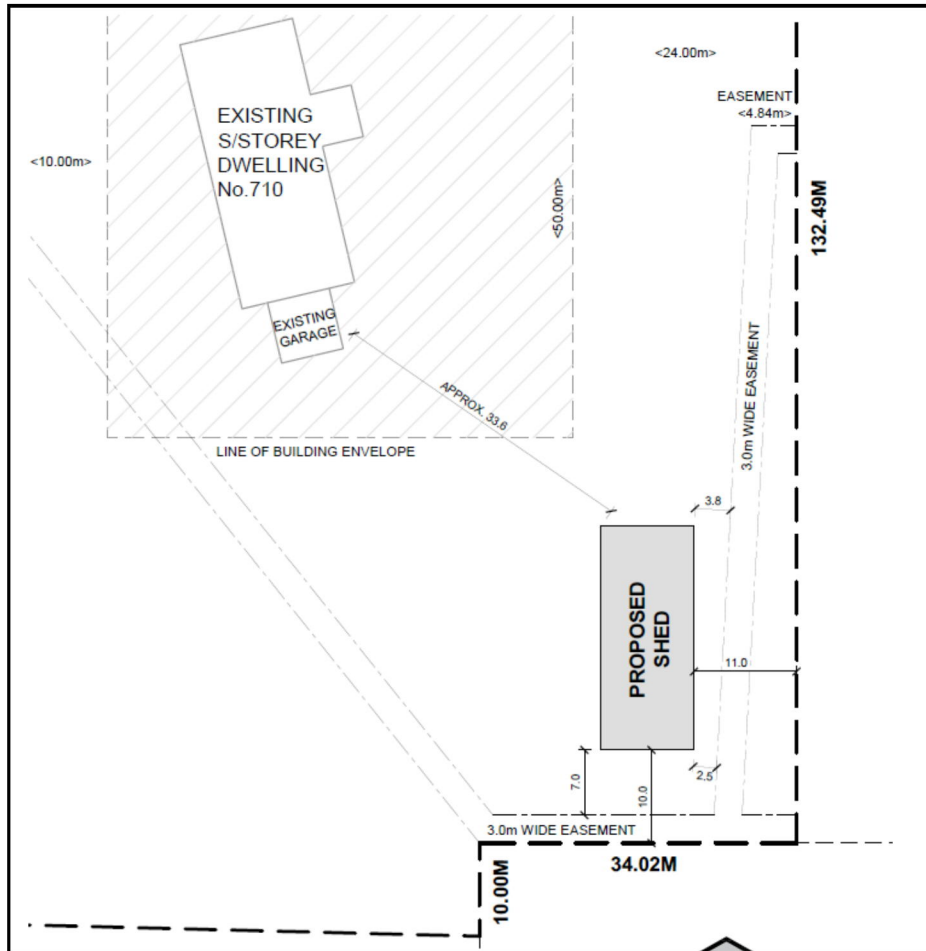
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NORTH ELEVATION

Outbuildings Bushfire Management Plan – Shed (710 PAKENHAM ROAD PAKENHAM UPPER 3810)



Prepared By: [REDACTED]

Version: 2

Date: 17-Dec-2024

Mandatory Condition

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed

Bushfire Protection Measures

a) Defendable Space

Defendable space for a distance of 10 metres around the proposed building or to the property boundary, whichever is the lesser is provided and is managed in accordance to the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 2 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

b) Construction Requirement

- Non habitable outbuilding ancillary to a dwelling is more than 10 metres from a dwelling has no construction requirements.
- Non habitable outbuilding ancillary to a dwelling is less than 10 metres from a dwelling must meet the construction requirements of Table 7 to Clause 53.02-5.

Table 7 Outbuilding construction requirement

Building construction condition
<p>The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:</p> <ul style="list-style-type: none"> ▪ has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or ▪ is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness. <p>Any openings in the wall shall be protected in accordance with the following:</p> <ol style="list-style-type: none"> Doorways – by FRL -/60/30 self-closing fire doors Windows – by FRL -/60/- fire windows permanently fixed in the closed position Other openings – by construction with a FRL of not less than -/60/- <p>Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.</p>

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