## Notice of Application for a Planning Permit



The land affected by the application is located at:	L206 PS902144 V12580 F624 13 Monterey Way, Pakenham VIC 3810
The application is for a permit to:	Buildings and Works (Construction of a Dwelling and a Fence)

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

42.01-2	Construct a fence
42.01-2	Construct a building or construct or carry out works

## APPLICATION DETAILS

The applicant for the permit is:	

T240632

You may look at the application and any documents that support the application at the office of the responsible authority:

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

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

Documents can also be viewed on Council's website at <a href="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 April 2025

#### WHAT ARE MY OPTIONS?

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

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

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

The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.



Application Council initial lodged assessment



Application is here







Notice

Consideration of submissions

Assessment

Decision



## **ePlanning**

#### **Application Summary**

Portal Reference A42466ZQ

#### **Basic Information**

Proposed Use To use and build our first home.

Current Use Vacant land

Cost of Works \$399,222

Site Address 13 Monterey Way Pakenham 3810

#### **Covenant Disclaimer**

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

No such encumbrances are breached

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

#### Contacts

Туре	Name	Address	Contact Details
Applicant			
Owner			
Preferred Contact			

#### **Fees**

Regulatio	n Fee Condition	Amount	Modifier	Payable
9 - Class 4	More than \$100,000 but not more than \$500,000	\$1,420.70	100%	\$1,420.70

#### **Documents Uploaded**

Date	Туре	Filename	
26-11-2024	A Copy of Title	COPY OF TITLE (Register Search Statement).pdf	
26-11-2024	Site plans	Lot 206, Monterey Way, Pakenham_Rev F.pdf	
27-11-2024	Overlay Requirements	Lot 206, Monterey Way, Pakenham_Rev F.pdf	



Civic Centre 20 Siding Avenue, Officer, Victoria

Council's Operations Centre (Depot) Purton Road, Pakenham, Victoria Postal Address
Cardinia Shire Council
P.O. Box7, Pakenham VIC, 3810

Total

Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am-

5pm

\$1,420,70

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

Submission Date

27 November 2024 - 08:42:PM

#### Declaration

By ticking this checkbox, 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.



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 VIC, 3810

Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30amã€"5pm Phone: 1300 787 624 After Hours: 1300 787 624 Fax: 03 5941 3784

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Fax: 03 5941 3784



# Request to amend a current planning permit application

This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act 1987*) or after notice is given (section 57A of the Act).

Application No.:	T240632	
Address of the Land:	13 Monterey Way, Pakenham	1 3810 VIC
APPLICANT DETAILS		
Name:		
Organisation:		
Address:		
Phone:		
Email:		
AMENDMENT TYPE		
Under which section of t	the Act is this amendment being made?	(select one)
Section 50 - Amendme	nt to application at request of applicant	before notice:
Section 50A - Amendme	ent to application at request of responsib	ole authority before notice:
Section 57A - Amendm	ent to application after notice is given:	
AMENDMENT DETAILS		
What is being amended?	(select all that apply)	1
What is being applied for	or Plans / other documents	Applicant / owner details
Land affected	Other	
Describe the changes.	If you need more space, please attach a	separate page.
See attached fenci	ng plan's. Owners to seek quote	es on fencing.

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Specify the estimated cost of	of any development for which the p	ermit is required:	
Not applicable	Unchanged	New amount \$	
DECLARATION			

	ne information in this request is true and correct and the owner (if not myself) has been uest to amend the application.	
Name:		
Signature:		
Date:	27/02/2025	1

#### LODGEMENT

Please submit this form, including all amended plans/documents, to mail@cardinia.vic.gov.au

You can also make amendments to your application via the Cardinia ePlanning Portal at <a href="https://eplanning.cardinia.vic.gov.au/">https://eplanning.cardinia.vic.gov.au/</a>

If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.

#### IMPORTANT INFORMATION

It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.

Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.

No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the *Planning and Environment (Fees) Regulations 2016* for more information.

The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.

Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.

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

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Cardinia Shire Council 2



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

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

Page 1 of 2

VOLUME 12580 FOLIO 624

Security no : 124120175639J Produced 26/11/2024 10:02 PM

#### LAND DESCRIPTION

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Lot 206 on Plan of Subdivision 902144W. dissemination, distribution or copying of this document is strictly prohibited.

PARENT TITLES :

Volume 12330 Folio 800 Volume 12580 Folio 422 Created by instrument PS902144W 01/11/2024

#### REGISTERED PROPRIETOR

#### ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT PS902144W 01/11/2024

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

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

#### DIAGRAM LOCATION

SEE PS902144W FOR FURTHER DETAILS AND BOUNDARIES

#### ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
PS902144W (B)	PLAN OF SUBDIVISION	Registered	01/11/2024
AY599001Y (E)	DISCHARGE OF MORTGAGE	Registered	15/11/2024
AY599002W (E)	TRANSFER	Registered	15/11/2024
AY599003U (E)	MORTGAGE	Registered	15/11/2024

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

Street Address: 13 MONTEREY WAY PAKENHAM VIC 3810

#### ADMINISTRATIVE NOTICES

NIL

Title 12580/624 Page 1 of 2



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

Page 2 of 2

DOCUMENT END

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Title 12580/624 Page 2 of 2



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Document Identification	PS902144W
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## PLAN OF SUBDIVISION

#### **EDITION 1**

## PS902144W

#### **LOCATION OF LAND**

**PARISH: NAR NAR GOON TOWNSHIP: PAKENHAM** 

**SECTION:** 

**CROWN ALLOTMENT:** 32(PT), 33(PT) & 34(PT)

**TITLE REFERENCE: VOL.** 12580 **FOL.** 422 VOL. 12330 FOL. 800

LP86652 (LOT 2)

**LAST PLAN REFERENCE:** PS848743W (LOT A)

**POSTAL ADDRESS: 14 SUNNY VISTA** 

(at time of subdivision) **PAKENHAM ROAD PAKENHAM 3810** 

MGA CO-ORDINATES: E: 366 200 (of approx centre of land N: 5 786 450

in plan)

70NF: 55

**GDA 2020** 

Council Name: Cardinia Shire Council

Council Reference Number: S21-147 Planning Permit Reference: T160690-2 SPEAR Reference Number: S182118A

Certification

This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6 of the Subdivision Act 1988: 16/08/2023

Public Open Space

A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification

Digitally signed by: Sonia Higgins for Cardinia Shire Council on 27/06/2024

Statement of Compliance issued: 28/10/2024

Public Open Space

A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has been satisfied at Statement of Compliance

<b>VESTING OF ROADS AND,</b>	OR RESERVES
------------------------------	-------------

#### **IDENTIFIER** COUNCIL/BODY/PERSON ROAD R1 CARDINIA SHIRE COUNCIL

LOTS 1 TO 200 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE RESTRICTIONS. FOR DETAILS OF RESTRICTIONS INCLUDING BURDENED LOTS & BENEFITING LOTS, SEE CREATION OF RESTRICTIONS ON SHEET 5

WARNING: The restrictive covenant(s)/restriction(s) in this plan may have been varied or removed. For current information,

please refer to the relevant folio(s) of the Register,

noting section 88(3) of the Transfer of Land Act 1958

**NOTATIONS** 

#### OTHER PURPOSE OF PLAN:

TO REMOVE THAT PART OF THE SEWERAGE EASEMENT CREATED AS E-3 ON PS848743W CONTAINED WITHIN MONTEREY WAY ON THIS PLAN.

#### **GROUNDS FOR REMOVAL OF EASEMENT:**

AGREEMENT FROM ALL INTERESTED PARTIES (SECTION 6(1)K SUBDIVISION ACT 1988)

### **NOTATIONS**

#### **DEPTH LIMITATION: DOES NOT APPLY**

This is a SPEAR plan.

STAGING:

This is not a staged subdivision. Planning Permit No. T160690

SURVEY:

This plan is based on survey.

This survey has been connected to permanent marks No(s). 89, 199, 213, 285, 286, 287, 295, 319, 320, 354, 355, 363, 674, 675

Estate: The Rise - Pakenham Phase No.: 02 No. of lots: 34 + Lot B PHASE AREA: 1.772ha

## **EASEMENT INFORMATION**

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

SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO LOTS 213 TO 216 (BOTH INCLUSIVE) AND 218 TO 221 (BOTH INCLUSIVE) IN THIS PLAN.

Easement Reference	Purpose	Width (Metres)	Origin	Land B	enefited/In Favour Of
E-1, E-4 E-2 E-2, E-3 E-7, E-5 E-7, E-6 E-4	PIPELINE DRAINAGE SEWERAGE SEWERAGE DRAINAGE SUPPLY OF WATER (THROUGH UNDERGROUND PIPES)	24.38 SEE DIAG SEE DIAG SEE DIAG SEE DIAG 6	INST. D613929 PS848743W PS848743W THIS PLAN THIS PLAN PS848743W	CARDI SOUTH EAS SOUTH EAS CARDI	PIPELINES COMMISSION NIA SHIRE COUNCIL T WATER CORPORATION T WATER CORPORATION NIA SHIRE COUNCIL T WATER CORPORATION
as set of used for and agree		This copied document is made available as set out in the Planning and Environn used for any other purpose. By taking a and agree that you will only use the doc dissemination, distribution or copying of	nent Act 1987. The i copy of this docum ument for the purpo	information must not be lent you acknowledge lese specified above and that any	
Beveridge Williams		SURVEYORS	FILE REF: 2000490/02 2000490-02-PS-V6.DWG	ORIGINAL SHEET SIZE: A3	SHEET 1 OF 5



Beverlage Williams development & environment consultants

Melbourne ph: 03 9524 8888

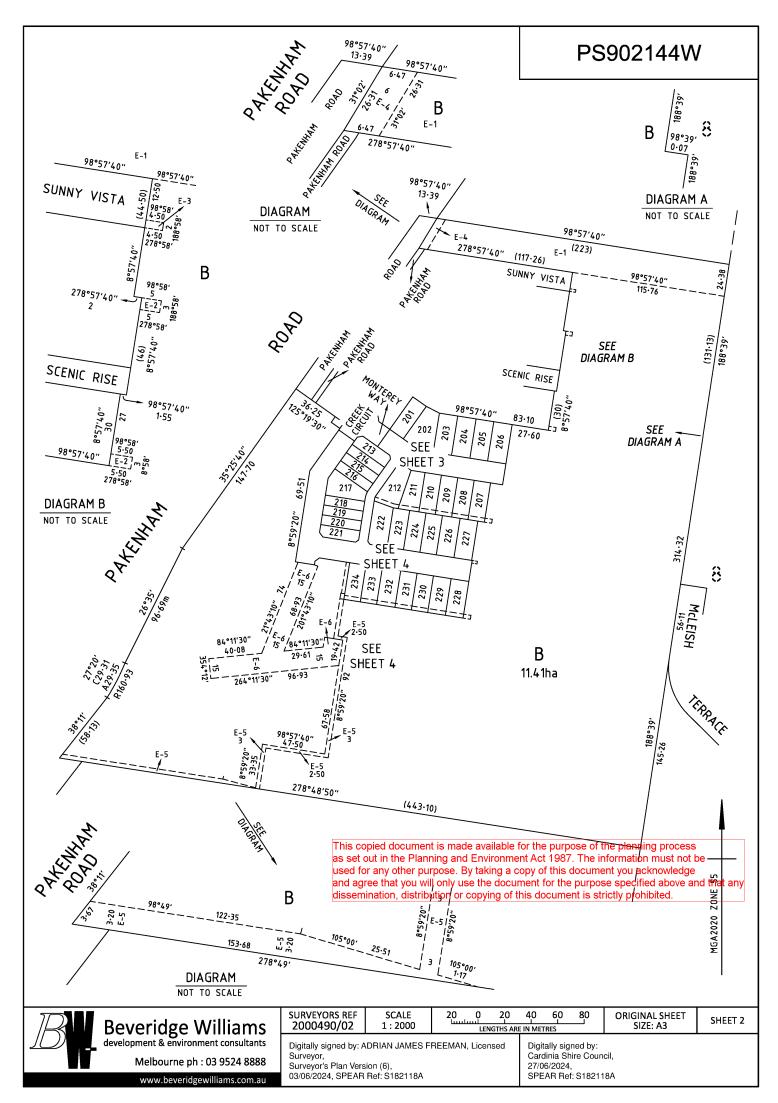
www.beveridgewilliams.com.au

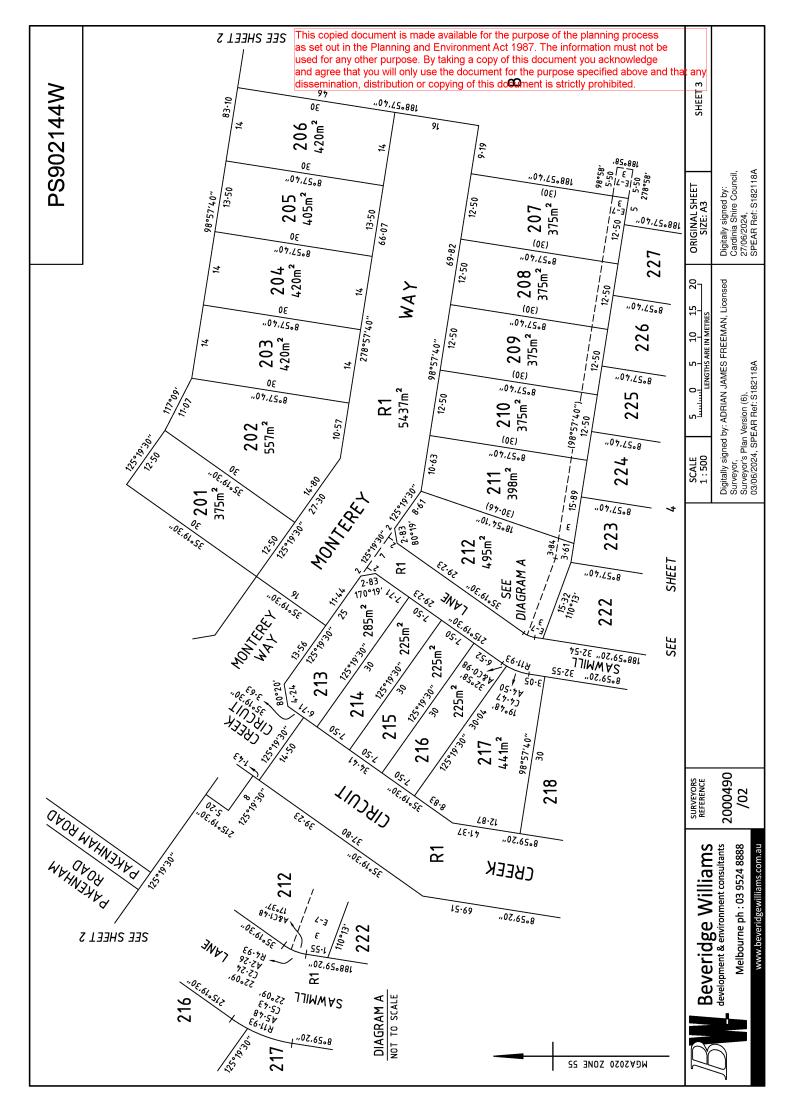
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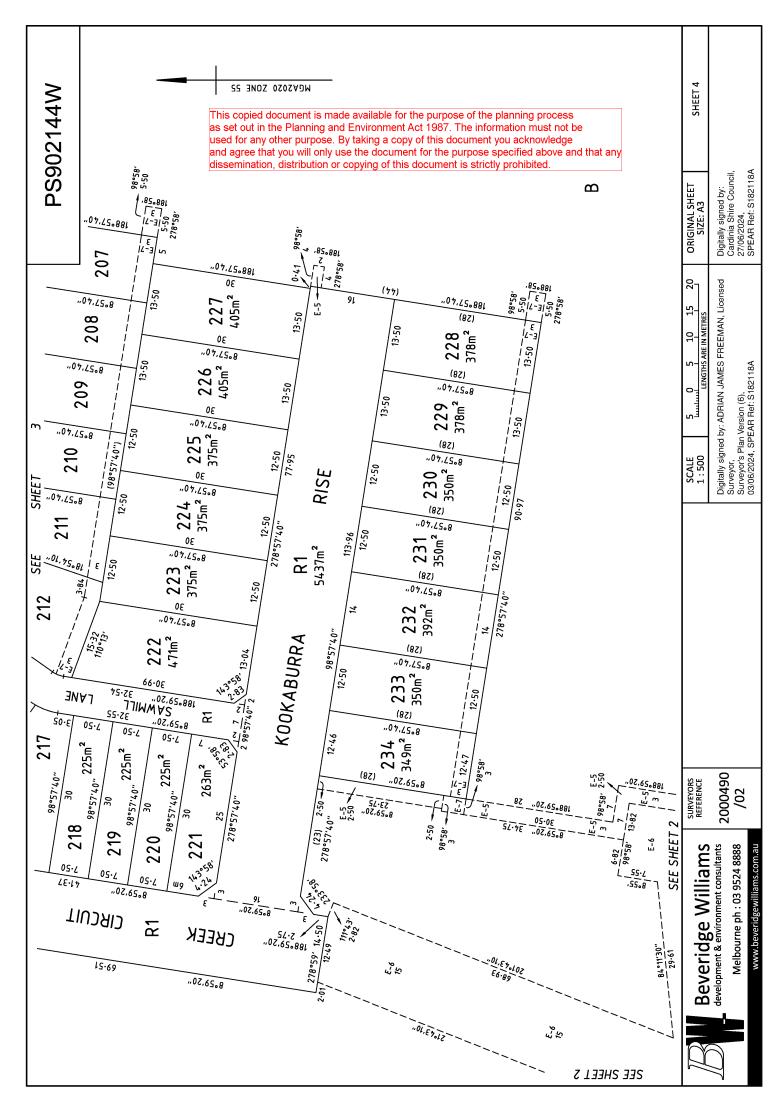
10:25 AM Surveyor's Plan Version (6). 01/11/2024 03/06/2024, SPEAR Ref: \$182118A

Land Use Victoria Plan Registered

Assistant Registrar of Titles







#### SUBDIVISION ACT 1988

#### CREATION OF RESTRICTION 'A'

PS902144W

THE REGISTERED PROPRIETORS OF THE BURDENED LAND COVENANT WITH THE REGISTERED PROPRIETORS OF THE BENEFITED LAND AS SET OUT IN THE RESTRICTION WITH THE INTENT THAT THE BURDEN OF THE RESTRICTION RUNS WITH AND BINDS THE BURDENED LAND AND THE BENEFIT OF THE RESTRICTION IS ANNEXED TO AND RUNS WITH THE BENEFITED LAND.

#### LAND TO BENEFIT & TO BE BURDENED:

BURDENED LAND: LOTS 201 TO 234 (BOTH INCLUSIVE)
BENEFITING LAND: LOTS 201 TO 234 (BOTH INCLUSIVE)

#### **DESCRIPTION OF RESTRICTION:**

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

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

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

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

#### VARIATION:

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

#### FXPIRY:

THIS RESTRICTION CEASES TO HAVE EFFECT FOLLOWING AFTER EITHER;

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

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#### CREATION OF RESTRICTION 'B'

THE REGISTERED PROPRIETORS OF THE BURDENED LAND COVENANT WITH THE REGISTERED PROPRIETORS OF THE BENEFITED LAND AS SET OUT IN THE RESTRICTION WITH THE INTENT THAT THE BURDEN OF THE RESTRICTION RUNS WITH AND BINDS THE BURDENED LAND AND THE BENEFIT OF THE RESTRICTION IS ANNEXED TO AND RUNS WITH THE BENEFITED LAND.

#### LAND TO BENEFIT & TO BE BURDENED:

BURDENED LAND: LOTS 201 TO 234 (BOTH INCLUSIVE)
BENEFITING LAND: LOTS 201 TO 234 (BOTH INCLUSIVE)

#### **DESCRIPTION OF RESTRICTION:**

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

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

#### **EXPIRY:**

THIS RESTRICTION CEASES TO HAVE EFFECT FOLLOWING AFTER EITHER;

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



SURVEYORS REF 2000490/02

ORIGINAL SHEET SIZE: A3

SHEET 5

Digitally signed by: ADRIAN JAMES FREEMAN, Licensed Surveyor, Surveyor's Plan Version (6), 03/06/2024, SPEAR Ref: S182118A

Cardinia Shire Council, 27/06/2024, SPEAR Ref: S182118A

Digitally signed by:

www.beveridgewilliams.com.au



# Department of Environment, Land, Water & Planning

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Date and Time Lodged 25/10/2023 12:57:26 PM

**Lodger Details** 

Lodger Code 21884L

Name SETTLE CONNECT PTY LTD

Address Lodger Box Phone Email

Reference Cardinia (12330/801

#### APPLICATION TO RECORD AN INSTRUMENT

Jurisdiction VICTORIA

#### **Privacy Collection Statement**

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#### **Estate and/or Interest**

FEE SIMPLE

#### **Land Title Reference**

12330/800

12330/801

#### Instrument and/or legislation

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

Applicant(s)

Name CARDINIA SHIRE COUNCIL

Address

Property Name CARDINIA SHIRE OFFICE

Street Number 20

Street Name SIDING

Street Type AVENUE

Locality OFFICER

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VICTORIA State Government



# Department of Environment, Land, Water & Planning

#### **Electronic Instrument Statement**

Postcode

3809

#### **Additional Details**

Refer Image Instrument

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

#### Execution

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

Executed on behalf of

Signer Name

Signer Organisation

CARDINIA SHIRE COUNCIL

DYE & DURHAM LEGAL PTY

LTC

Signer Role AUSTRALIAN LEGAL

PRACTITIONER

Execution Date 25 OCTOBER 2023

#### File Notes:

NIL

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

Statement End.

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**Deed of Agreement** 

Under s173 of the Planning and Environment Act 1987

Cardinia Shire Council

and

BNG (Pakenham) Pty Ltd (ACN 640125686)

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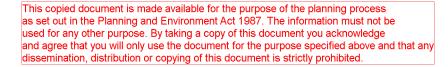
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Telephone +61 3 8644 3500 Facsimile 1300 365 323 Australia) +61 3 9034 3257 (International) hwlebsworth.com.au



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Date 06/10/2023

**Parties** 

**Cardinia Shire Council** 

of 20 Siding Avenue, Officer 3809

(Council)

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

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

(Owner)

#### Recitals

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

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

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



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

- c) A requirement that any fencing within the plantation reserve must be wire or similar material to the satisfaction of the Responsible Authority.
- d) A requirement that each lot affected by the plantation reserve must comply with the relevant Building Design Guidelines registered on title.
- F. The Parties have agreed to enter into this Agreement:
  - (a) to give effect to the requirements of the Amended Planning Permit;
  - (b) that the Building Envelopes referred to in this Agreement relate only to the building envelopes for the lots abutting the plantation reserve on the eastern boundary of the Subject Land; and
  - (c) to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

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

## 1. Definitions and interpretation clauses

#### 1.1 **Definitions**

In this deed the following definitions apply:

Act means the Planning and Environment Act 1987 (Vic).

**Agreement** means this Deed of Agreement and any Agreement executed by the Parties expressed to be supplemental to this Agreement.

Building Designmeans the Building Design Guidelines required by conditions 6Guidelinesand 7 of the Planning Permit.

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Building	means the building envelopes for	or the lots abutting the plantation
Building	means the building envelopes for	or the lots abutting the plantation

**Envelopes** reserve on the eastern boundary of the Subject Land.

Building Envelope m

Plan

means the plan showing the location and dimensions of the

Building Envelopes attached at Schedule 1.

Business Day means a day that is not a Saturday, Sunday or public holiday in

Melbourne.

**Claim** means any claim, action, proceeding or demand made against

the person concerned, however it arises and whether it is present

or future, fixed or unascertained, actual or contingent.

Council means Cardinia Shire Council in its capacity as responsible

authority.

**Development** means the buildings and works authorised under the Planning

Permit.

Endorsed Plans means the plans and/or other documents that are endorsed

pursuant to the Planning Permit from time to time.

**Loss** means any loss, damage, cost, expense or liability incurred by

the person concerned, however it arises and whether it is present

or future, fixed or unascertained, actual or contingent.

**Owner** means the person or persons registered or entitled from time to

time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple in the Subject Land or any

part of it and includes a Mortgagee-in-possession.

Party or Parties means the Owner and Council under this Agreement as

appropriate.

**Planning Permit** means Planning Permit No. T160690 issued by Council on 19

December 2017 referred to in Background C of this Agreement, and as amended from time to time (currently T160690-2 issued

on 9 June 2021) and including any Endorsed Plans.



**Planning Scheme** means the Cardinia Planning Scheme and any other Planning

Scheme which applies to the Subject Land.

**Plantation** means the area marked 'plantation reserve' forming part of the

**Reserve** Subject Land as detailed in the Building Envelope Plan.

Subject Land means Volume 12330 Folio 801 (Lot 3 on Plan of Subdivision

6710) and Volume 12330 Folio 800 (Lot 2 on Plan of Subdivision 86652). Any reference to the Subject Land in this Agreement includes any lot created by the subdivision of the Subject Land or

any part of it.

**VCAT** means the Victorian Civil and Administrative Tribunal.

**Vegetation Plan** means the vegetation plan attached at Schedule 2...

#### 1.2 Interpretation

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



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

## 2. Owner's obligations

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

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

#### 2.2 Maintenance of the Plantation Reserve

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

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

#### 2.3 Fencing within the Plantation Reserve

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

#### 2.4 Building Design Guidelines

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

## 3. Further obligations

#### 3.1 **Notice and registration**

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



#### 3.2 Giving effect to this Agreement

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

#### 3.3 Recording by Registrar of Titles

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

#### 3.4 Council's costs to be paid

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

#### 3.5 Mortgagee to be Bound

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

#### 3.6 Covenants run with the Subject Land

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

## 4. Agreement under Section 173 of the Act

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



#### 5. Owner's warranties

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

### 6. Successors in title

#### 6.1 Successors in title

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

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

#### 7. Notices

#### 7.1 Service

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

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

#### 7.2 Time of service

A notice or other communication is deemed served:

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



#### 8. Miscellaneous

#### 8.1 Commencement of Agreement

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

#### 8.2 **Default**

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

#### 8.3 Ending of Agreement

This Agreement ends:

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

#### 8.4 Application to Registrar

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

#### 8.5 No fettering of Council's powers

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

#### 8.6 No waiver

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



#### 8.7 **Severability**

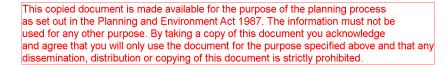
- (a) If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.
- (b) Clause 8.7(a) will not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

#### 8.8 Proper law

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

#### 8.9 Counterparts

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





## Schedule

#### Mortgagee's Consent

Daiwa Capital Markets Australia Ltd as Mortgagee of registered Mortgage No AW944856J consents to the Owner entering into this Agreement and agrees to be bound by the terms and conditions of this Agreement as if it were the Owner of the Subject Land.

Executed by Daiwa Capital Markets Austral ACN 006 461 356 in accordance with s 127 Corporations Act 2001:	
Signature of Director	Signature of Director/Company Secretary
Print full name	Print full name

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## Executed as a deed

(Strike out if inapplicable)

Signed, sealed and delivered as a deed by the parties	
Signed sealed and delivered by	
Manager Planning and Design, on behalf of ) Cardinia Shire Council in the exercise of a ) Power conferred by an Instrument of Delegation) in the presence of:	
Signature of witness The execution of this document has been witnessed by me in accordance with the requirements for witnessing by audio-visual link under section 12 of the Electronic Transactions (Victoria) Act 2000.	

Vanessa Neep ..... Name of witness (BLOCK LETTERS) Executed by BNG (PAKENHAM) PTY LTD (ACN 640125686) in accordance with



section 127 of the Corporations Act 2001 (Cth)



Signature of Director

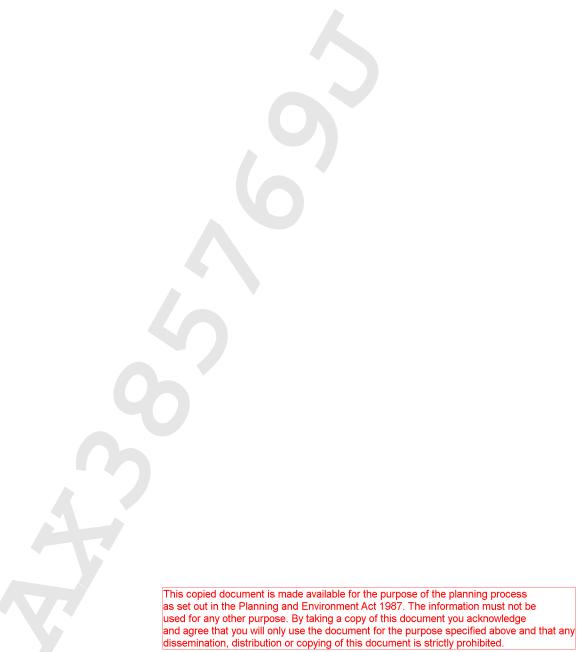
Full name (print)

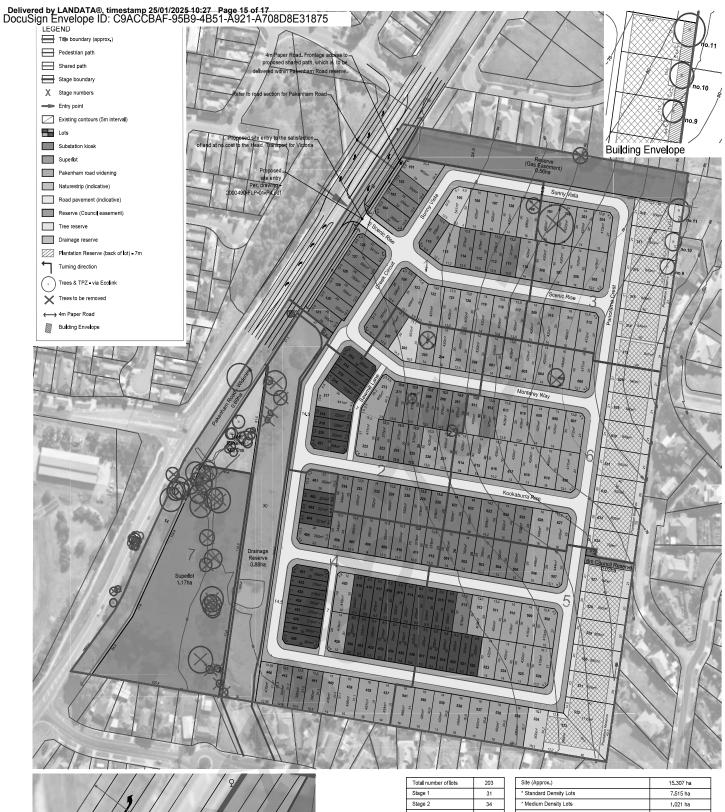
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Schedule 1

**Building Envelope Plan** 







#### Pakenham Road - Cross Section

Total number of lots	203
Stage 1	31
Stage 2	34
Stage 3	18
Stage 4	44
Stage 5	41
Stage 6	34
Stage 7*	1

\* Stage includes 1 Superlot

Lot Schedule by Area				
Lot Size	Number of Lots	%		
0-299m2	42	20.8		
300-399m2	56	27.7		
400-499m2	81	40.1		
500-599m2	3	1.5		
600-699m2	0	0.0		
700m2+	20	9.9		
Total 202 100				

Site (Approx.)	15.307 ha	
* Standard Density Lots	7.515 ha	
* Medium Density Lots	1.021 ha	
* Superlot		1.168 ha
* Kiosk		0.009 ha
* Tree Reserve		0.165 ha
* Non-Arterial Roads	3,274 ha	
Arterial Roads (Pakenham road widening	3)	0.693 ha
Reserve (Council Easement)		0.580 ha
Drainage Reserve	0.884 ha	
Net Developable Area		13.150 ha
Lot Yield (Standard Density)	160 lots 470m² averag	ne lot size

	Lot Yield (Standard Density)	160 lots 470m² averag	ge lot size
	Lot Yield (Medium Density)	42 lots 243m² average lot size	
ĺ	** Lot Yield (Overall)	202 lots @ 16,9 lots per ha 423m² average lot size	
	Superiot	1	
	Total Number of Lots (Inc. 1 superlot)		203

This plan is subject to Council approval.
All dimensions and areas are subject to survey and final computations.
The drainage reserve show has been preliminarly sized for the treatment and detention of stormwater to Council requirements. The layout and area required will be subject to engineering design and Council approval.
All roads are thin Local access level 1 unless noted otherwise
Road pawement is indicative only and subject to detailed engineering design.
Are dimensions shown are length of arc (not chord)

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1 Glenferrie Road, Malvern, Victoria 3144 ph : 03 9524 8888 - www.beveridgewilliams

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BNG Group

CARDINI	A PLANNIN	IG SCHE	ME
PERMIT	No.: T16	60690-2	
SHEET:	10	F 1	
APPROV	ED BY: De	an Haeus	ler
	CAR	DINIA SHI	RE COUNCIL
DATE: M	londay 10	October 2	022

Stric	(d 19/002	ofenibited.	KT	KT	Version No:	
14	07.12.2021	Updated road and staging boundary	KT	KT	16	(
		Updated staging boundary	KT	KT	Job No: 200049	0
16	01,09,2022	Updated lot numbers, building envelope and tables	OX	KT	Scale (A1):	1:1
Version	Date	Description	Drafted	Approved	(A3):	1:2

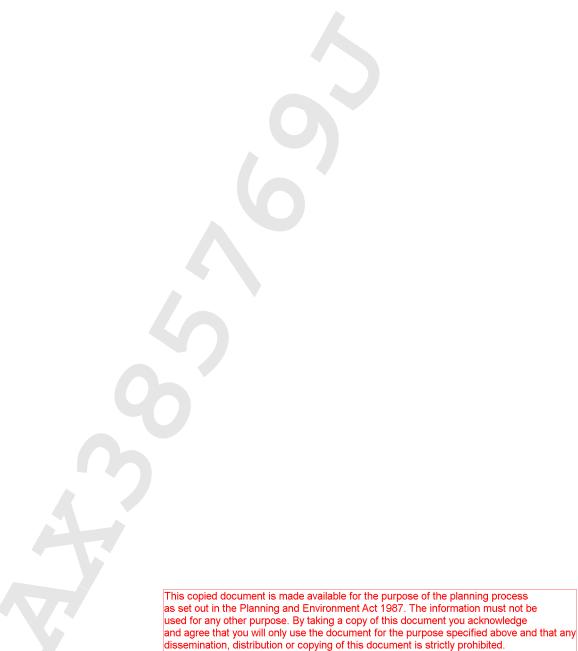
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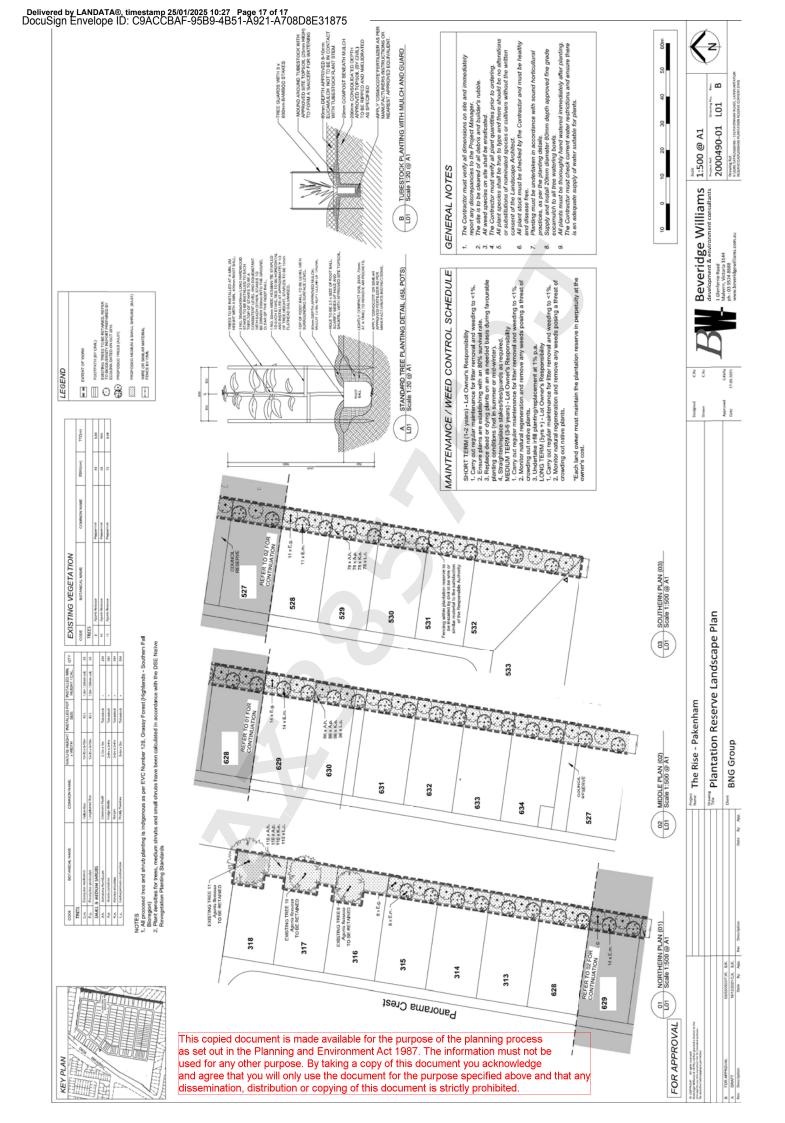
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Schedule 2

**Vegetation Plan** 





### GENERAL NOTES (NCC 2019 BCA Vol 2)

- ALL MATERIALS AND WORK PRACTICES SHALL COMPLY WITH, BUT NOT LIMITED TO THE BUILDING REGULATIONS 2018, NATIONAL CONSTRUCTION CODE SERIES 2019, THE BUILDING CODE OF AUSTRALIA VOL 2 AND ALL RELEVANT CURRENT AUSTRALIAN STANDARDS (AS AMENDED) REFERRED TO
- UNLESS OTHERWISE SPECIFIED THE TERM BCA SHALL REFER TO NATIONAL CONSTRUCTION CODE SERIES 2019 BUILDING CODE OF AUSTRALIA VOLUME 2 - ALL MATERIALS AND CONSTRUCTION PRACTICE SHALL MEET THE PERFORMANCE REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA. WHERE AN ALTERNATIVE SOLUTION IS PROPOSED THEN, PRIOR TO IMPLEMENTATION OR INSTALLATION, IT FIRST MUST BE ASSESSED AND APPROVED BY THE RELEVANT BUILDING SURVEYOR AS MEETING THE PERFORMANCE REQUIREMENTS OF THE BCA.
- GLAZING INCLUDING SAFETY GLAZING SHALL BE INSTALLED TO A SIZE, TYPE & THICKNESS SO AS TO COMPLY WITH;
  - BCA PART 3.6 FOR CLASS 1 AND 10 BUILDINGS WITHIN A DESIGN WIND SPEED OF NOT MORE THAN N3, AND
- BCA VOL 1 PART B1.4 FOR CLASS 2 TO 9 BUILDINGS - WATERPROOFING OF WET AREAS, BEING BATHROOMS, SHOWERS, SHOWER ROOMS, LAUNDRIES, SANITARY COMPARTMENTS AND THE LIKE SHALL BE PROVIDED IN ACCORDANCE WITH AS 3740-2010: WATERPROOFING OF DOMESTIC WET AREAS.

#### SUSTAINABILITY MEASURES FOR NEW CLASS 1 BUILDINGS.

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ANY HOUSE ENERGY RATING (HERS) REPORT AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STAMPED PLANS ENDORSED BY THE ACCREDITED ENERGY RATER.

#### SITE BUSHFIRE ATTACK ASSESSMENT.

REFERENCE DOCUMENT AS 3959-2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS.

- THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT STRUCTURAL AND ALL OTHER CONSULTANTS DRAWINGS/ DETAILS AND WITH ANY OTHER WRITTEN INSTRUCTIONS ISSUED IN THE COURSE OF THE
- SITE PLAN MEASUREMENTS IN MILLIMETRES ALL OTHER MEASUREMENTS IN MILLIMETRES U.N.O.
- FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. - THE BUILDER SHALL TAKE ALL STEPS NECESSARY TO ENSURE THE STABILITY AND GENERAL WATER TIGHTNESS OF ALL NEW AND/OR EXISTING STRUCTURES
- THE BUILDER AND SUBCONTRACTORS SHALL CHECK AND VERIFY ALL DIMENSIONS, SETBACKS, LEVELS AND SPECIFICATIONS AND ALL OTHER RELEVANT DOCUMENTATION PRIOR TO THE COMMENCEMENT OF ANY WORKS. REPORT ALL DISCREPANCIES TO THIS OFFICE FOR CLARIFICATION

#### SITE CLASSIFICATION

SITE CLASSIFICATION AS CLASS:	P
REFER TO SOIL REPORT NO:	17142BA
BY:	STRUCTERRE

#### STORMWATER

90mmØ (UPTO 250m2) OR 100mmØ (OVER 250m2) CLASS 6 UPVC STORMWATER LINE LAID TO A MINIMUM GRADE OF 1:100 AND CONNECTED TO THE LEGAL POINT OF STORMWATER DISCHARGE, PROVIDE INSPECTION OPENINGS AT 9000MM C/C AND AT EACH CHANGE OF DIRECTION. THE COVER TO UNDERGROUND STORMWATER DRAINS SHALL BE NOT LESS THAN

- 100MM UNDER SOIL
- 50MM UNDER PAVED OR CONCRETE AREAS
- 100MM UNDER UNREINFORCED CONCRETE OR PAVED DRIVEWAYS
- 75MM UNDER REINFORCED CONCRETE DRIVEWAYS

#### **AUTHORITIES / CONSULTANTS**

MUNICIPALITY NAME:	CARDINIA SHIRE
SEWERAGE AUTHORITY:	SOUTH EAST WATER
CONSULTING STRUCTURAL ENGINEER:	STRUCTERRE
GEOTECHNICAL ENGINEER:	STRUCTERRE
THERMAL PERFORMANCE ASSESSOR:	PASSIVENERGY

#### STEP AND LANDINGS

- STEP SIZES (OTHER THAN FOR SPIRAL STAIRS) TO BE:
- RISERS (R) 190MM MAXIMUM AND 115MM MINIMUM
- GOING (G) 355MM MAXIMUM AND 240MM MINIMUM
- 2R + 1G = 700MM MAXIMUM AND 550MM MINIMUM - WITH LESS THAN 125MM MAXIMUM GAP BETWEEN OPEN TREADS
- ALL TREADS, LANDINGS AND THE LIKE TO HAVE A SLIP-RESISTANCE CLASSIFICATIONOF P3 OR R10 FOR DRY SURFACE CONDITIONS AND P4 OR R11 FOR WET SURFACE CONDITIONS, OR A NOSING STRIP WITH A SLIPRESISTANCE CLASSIFIATION OF P3 FOR DRY SURFACE CONDITIONS AND P4 FOR WET SURFACE CONDITIONS.
- PROVIDE BARRIERS WHERE CHANGE IN LEVEL EXCEEDS 1000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS, BARRIERS (OTHER THAN TENSIONED WIRE BALUSTRADES) TO BE:
- 1000MM MIN. ABOVE FINISHED SURFACE LEVEL OF BALCONIES, LANDINGS OR THE LIKE, AND
- 865MM MIN. ABOVE FINISHED SURFACE LEVEL OF STAIR NOSING OR RAMP, AND
- VERTICAL WITH LESS THAN 125MM GAP BETWEEN, AND
- ANY HORIZONTAL ELEMENT WITHIN THE BALUSTRADE BETWEEN 150MM AND 760MM ABOVE THE FLOOR MUST NOT FACILITATE CLIMBING WHERE CHANGES IN LEVEL EXCEEDS 4000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS.
- -WIRE BARRIER CONSTRUCTION TO COMPLY WITH BCA PART 3.9.2.3 FOR CLASS 1 AND 10 BUILDINGS AND NCC 2019 BCA VOLUME 1 PART D2.16 FOR OTHER CLASSES OF BUILDINGS.
- TOP OF HAND RAILS TO BE 865MM MINIMUM ABOVE STAIR NOSING AND FLOOR SURFACE OF RAMPS.
- WINDOW SIZES NOMINATED ARE NOMINAL ONLY, ACTUAL SIZE MAY VARY ACCORDING TO MANUFACTURER, WINDOWS TO BE FLASHED ALL AROUND. - WHERE THE BUILDING (EXCLUDES A DETACHED CLASS 10) IS LOCATED IN A TERMITE PRONE AREA THE AREA TO UNDERSIDE OF BUILDING AND PERIMETER IS TO BE PROVIDED WITH A TERMITE MANAGEMENT SYSTEM.
- CONCRETE STUMPS: UP TO 1400MM LONG TO BE 100MM X 100MM (1 NO. H.D. WIRE) 1401MM TO 1800MM LONG TO BE 100MM X 100MM (2 NO. H.D. WIRES) 1801MM TO 3000MM LONG TO BE 125MM X 125MM (2 NO. H.D. WIRES)

100MM X 100MM STUMPS EXCEEDING 1200MM ABOVE GROUND LEVEL TO BE BRACED WHERE NO PERIMETER BASE BRICKWORK PROVIDED.

- BUILDINGS IN MARINE OR OTHER EXPOSURE ENVIRONMENTS SHALL HAVE MASONRY UNITS, MORTAR AND ALL BUILT IN COMPONENTS AND THE LIKE COMPLYING WITH THE DURABILITY REQUIREMENTS OF TABLE 4.1 OF AS4773.1-2010 MASONRY IN SMALL BUILDINGS PART 1:DESIGN
- RELEVANT AUTHORITIES APPROVAL.
- INSTALLATION OF ALL SERVICES SHALL COMPLY WITH THE RESPECTIVE SUPPLY AUTHORITY REQUIREMENTS.
- THE BUILDER AND SUBCONTRACTOR SHALL ENSURE THAT ALL STORMWATER DRAINS, SEWER PIPES AND THE LIKE ARE LOCATED AT A SUFFICIENT DISTANCE FROM ANY BUILDINGS FOOTING AND/OR SLAB EDGE BEAMS SO AS TO PREVENT GENERAL MOISTURE PENETRATION, DAMPNESS, WEAKENING AND UNDERMINING OF ANY BUILDING AND ITS FOOTING SYSTEM.
- THESE PLANS HAVE BEEN PREPARED FOR THE EXCLUSIVE USE BY THE CLIENT OF SJD HOMES ('THE DESIGNER') FOR THE PURPOSE EXPRESSLY NOTIFIED TO THE DESIGNER. ANY OTHER PERSON WHO USES OR RELIES ON THESE PLANS WITHOUT THE DESIGNER'S WRITTEN CONSENT DOES SO AT THEIR OWN RISK AND NO RESPONSIBILITY IS ACCEPTED BY THE DESIGNER FOR SUCH USE AND/ OR RELIANCE.
- A BUILDING PERMIT IS REQUIRED PRIOR TO THE COMMENCEMENT OF THESE WORKS. THE RELEASE OF THESE DOCUMENTS IS CONDITIONAL TO THE OWNER OBTAINING THE REQUIRED BUILDING PERMIT.
- THE CLIENT AND/OR THE CLIENT'S BUILDER SHALL NOT MODIFY OR AMEND THE PLANS WITHOUT THE KNOWLEDGE AND CONSENT OF SJD HOMES EXCEPT WHERE A REGISTERED BUILDING SURVEYOR MAKES MINOR NECESSARY CHANGES TO FACILITATE THE BUILDING PERMIT APPLICATION AND THAT SUCH CHANGES ARE PROMPTLY REPORTED BACK TO SJD HOMES.
- THE APPROVAL BY THIS OFFICE OF A SUBSTITUTE MATERIAL, WORK PRACTICE, VARIATION OR THE LIKE IS NOT AN AUTHORISATION FOR ITS USE OR A CONTRACT VARIATION, ANY SAID VARIATIONS MUST BE ACCEPTED BY ALL PARTIES TO THE AGREEMENT AND WHERE APPLICABLE THE RELEVANT. BUILDING SURVEYOR PRIOR TO IMPLEMENTING THE SAID VARIATION.

# **SJD**homes



## **FLYNN 252 - LH**

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## **BUSHFIRE ATTACK LEVEL:- (BAL)** BAL NIL ALL HOMES TO COMPLY WITH AS 3959-2009 (BAL)

#### WIND SPEED ASSESSMENT:

MAXIMUM DESIGN GUST WIND SPEED FOR THIS SITE IS:

N2 - 26 m/s

IMPORTANT NOTE:

THE WIND SPEED CALCULATION IS TAKEN FROM THE JOB SPECIFIC SOIL REPORT (FRONT PAGE)

STANDARD HOMES ARE DESIGNED TO SUIT A MINIMUM WIND GUST SPEED OF 33 m/s

ISSUE	AMENDMENT DETAILS
A	INITIAL WORKING DRAWINGS ISSUED TLG (04.04.24)
В	SOIL/SURVEY ADDED, PLAN CHANGES TLG (27.06,24)
С	ENGINEERING ADDED TO PLANS JG (12.08.24)
D	DEVELOPER & PLAN CHANGES JM (21.10.24)
E	PLAN CHANGES FOR CONTRACTS TLG (13.11.24)
F	MINOR CHANGES FOR CONTRACTS JG (26.11.24)
G	CONTRACT & RFI CHANGES JG (17.02.25)
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433 Princes Hwy Officer VIC 3809 Ph: 9095 8000 Fax: 9095 8010 info@sjdhomes.com.au

BL No. DBU 28104 @ ALL RIGHTS RESERVED **HOUSE & GARAGE** 

HOUSE TYPE:

FLYNN 252 - LH

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SIGNED BUILDER:	
SIGNED OWNER:	SITE ADDRESS:
	LOT 206, MONTEREY WA
DATE:	PAKENHAM, 3810

	GENERAL	NOTES			
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	SCALE:	MASTER DATE: 04.10.22			
	DRAWN: TLG	CHECKED: TLG			
1	SHEET NO: 01	OF: 12			

#### **DRAINAGE NOTES:**

- SITE DRAINAGE SHALL COMPLY WITH NCC 3,1,2 'DRAINAGE' AND A\$3500 NATIONAL PLUMBING DRAINAGE CODE.
- BASE OF CUT GRADED TO SILT TRAP AT 1:100 MIN, DRAINS SHALL BE PROTECTED BY GRAVEL FILTERS,
- TEMPORARY DOWNPIPES CONNECTED TO THE STORM WATE SYSTEM TO BE INSTALLED AS SOON AS ROOF COVER IS COMPLETED.
- STORMWATER DRAINS ARE INDICATIVE ONLY, DRAINER TO CONNECT TO LEGAL POINT OF DISCHARGE AT THEIR

GRADE SURFACE AWAY FROM HOUSE FOOTINGS (MINIMUM FALL 1:20).

GRATED INLET PIT CONNECTED TO STORMWATER SYSTEM DIRECTED TO LEGAL POINT OF DISCHARGE.

SILT PIT CONNECTED TO AG DRAIN & DIRECTED TO LEGAL POINT OF DISCHARGE VIA STORMWATER

PROVIDE AG DRAIN AT BASE OF CUT GRADED TO

#### **BUSHFIRE REQUIREMENTS - BAL 12.5**

- ALL JOINTS IN THE EXTERNAL WALL MATERIAL ARE TO BE SEALED COVERED OR OVERLAPPED TO PREVENT GAPS GREATER THAN
- GAPS BETWEEN DOORS AND DOOR JAMBS, HEADS AND SILLS (THRESHOLDS ARE TO BE MAX 3mm. ALTERNATIVELY INSTALL DRAFT EXCLUDERS
- DRAFI EXCLUDERS.
  PROVIDE INTERNAL OR EXTERNAL SCREENS TO ALL OPENABLE
  PORTIONS OF WINDOWS, SCREENS SHALL HAVE MESH WITH A
  MAX, APERTURE OF 2mm, MADE OF CORROSION RESITSANT STEEL, BRONZE OR ALUMNIUM.
- ENTRANCE & ALL EXTERNAL DOORS TO COMPLU WITH ONE OF THE FOLLOWING:
  - JAVING:

    A. PROVIDE EXTERNAL SCREENS TO THE DOORS, SCREENS SHALL HAVE MESH WITH MAX, 2mm APERTURED AND MADE OF CORROSION RESISTANT STEEL BRONZE OR

  - B. DOORS MUST BE:

    a. 35mm THICK SOUD TIMBER FOR THE FIRST 400mm
    ABOVE THRESHOLD, OR:
    b. BE PROVIDED WITH A NON-COMBUSTIBLE KICK
  - PLATE ON THE OUTSIDE FOR THE FIRST 400mm
    ABOVE THE THRESHOLD
    C. MUST BE TIGHT FITTING TO THE DOOR FRAME
    D. PROVIDE BUSHFIRE RESISTANT TIMBER TO PART OF THE
- DOOR FRAME WHICH IS LESS THAN 400mm FROM THE GROUND. INSTALL WEATHER STRIPS, DRAUGHT EXCLUDERS/SEALS TO THE BASE OF THE DOORS. PROVIDE EXTERNAL GLASS SUDING DOORS WITH ONE OF THE
- A PROVIDE EXTERNAL SCREENS WITH A MAX. APERTURE
  - A. PROVIDE EXTERNAL SCREENS WITH A MAX. APERTURE OF 2mm MADE OF CORROSION RESISTANT STEELS, BRONZE OR ALUMINIUM
    B. GLAZING TO BE MIN 5mm SAFETY GLASS, DOOR FRAME SHALL BE METAL OR BUSHRER RESISTANT TIMBER AND SLIDING DOORS MUST BE TIGHT HITTING IN THE FRAMES.
- GARAGE ROLLER/PANEL LET DOOR TO BE PROTECTED WITHIN 400mm OF GROUND WITH ONE OF THE FOLLOWING MEASURES:

  A. NON-COMBUSTIBLE MATERIAL OR;

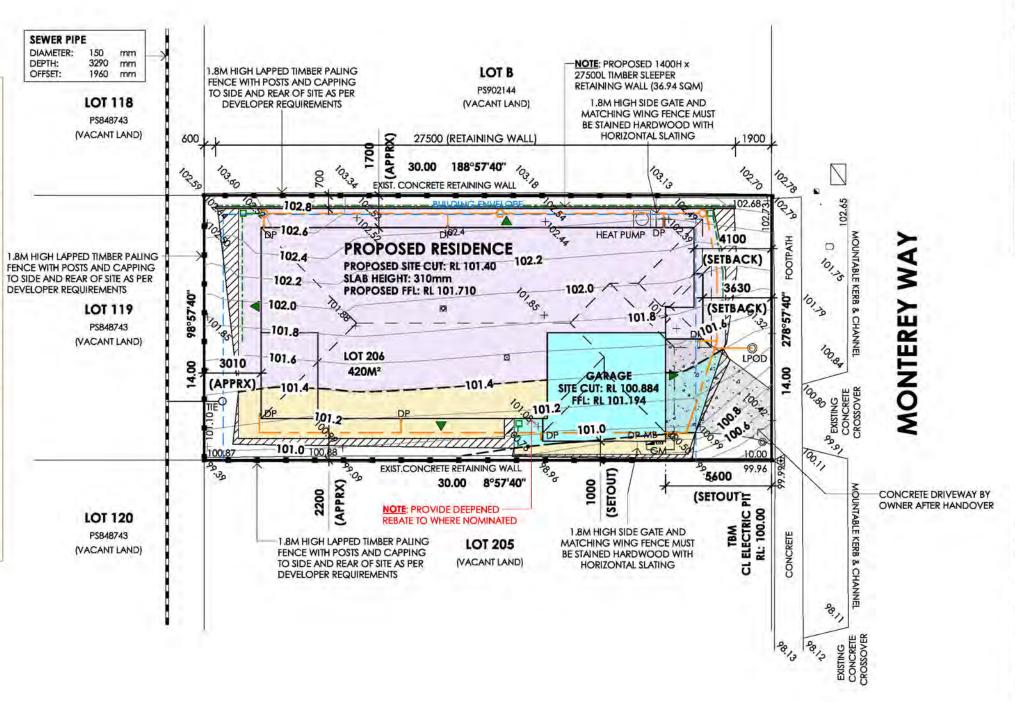
  B. BUSHFIRE RESISTANT TIMBER OR:
- G. MIN 6/mm THICK PC SHEET
  GARAGE DOOR TO BE FITTED WITH WEATHER STRIPS, DRAUGHT
  EXCLUDERS/SEALS OR GUIDE TRACKS WITH MAX. 3mm GAP.
  ROLLER DOOR SHALL HAVE A NYLON BRUSH WHICH IS IN CONTACT WITH THE DOOR
- ROOF SHALL BE FULLY SARKED, INCLUDING RIDGE AND EXTENDED TO FASCIAS AND GUTTERS.
  ROOF PENETRATIONS TO BE SEALED WITH NON-COMBUSTIBLE
- MATERIAL TO PREVENT GAPS CREATER THAN SIMM.

  10. ANY ROOF OPENINGS, VENT PIPES ECT. ARE TO BE FITTED WITH EMBER GUARDS WITH MAX. 2mm APERTURE AND MADE OF CORROSION RESISTANT STEEL, BRONZE OR ALUMINIUM.

  11. ANY ABOVE GROUND, EXPOSED WATER & GAS SUPPLY LINES TO RESISTANT STEEL.

WHERE APPLICABLE, THE PROPOSED DEVELOPMENT MUST COMPLY WITH ANY BUSHFIRE MANAGEMENT PLAN REQUIREMENT.

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PROPOSED SITE CUT/FILL LEGEND & NOTES

DENOTES AREA OF SITE CUT

**DENOTES AREA OF SITE FILL** 

BUILDERS TO ALLOW FOR NBN

CONNECTION (FIBRE OPTIC)

PENETRATIONS THROUGH THE SISALATION PAPER ARE TO BE TAPED AROUND CAREFULLY TO ENSURE ANY GAPS ARE SEALED.

BUILDER RESERVES THE RIGHT TO ALTER THE SITE CUT HEIGHT TO THEIR DISCRESSION, PENDING CONDITIONS ON SITE

#### PROPOSED SITE CUT & FILL NOTE

PROVIDE SITE CUT OF 1400 mm & FILL 400 mm OVER BUILDING AREA & PROVIDE AN ADDITIONAL SCRAPE TO GARAGE AREA TO ACCOMODATE 516 mm NOTE: 45 ° BATTER ANGLE

#### STORMWATER LAYOUT

STORMWATER DRAIN LAYOUT IS FOR INDICITIVE PURPOSES ONLY & WILL BE INSTALLED AS PER THE DRAINAGE SUB-CONTRACTORS DISCRETION.

#### **TERMITE TREATMENT REQUIRED**

PROVIDE TERMITE TREATMENT IN ACCORDANCE WITH

#### **EXTERNAL STEPS**

PROVIDE STEPS OR BUILD UP SOIL AROUND EXTERNAL DOORS WHERE THRESHOLD OF THE DOOR EXCEEDS 190MM

## SITE COVERAGE ANALYSIS

BUILDING AREA	234.30 m <sup>2</sup>	55.79%
PERMEABLE AREA	185.70 m <sup>2</sup>	44.21%
TOTAL SITE AREA	419.99 m²	100%

## **GARDEN AREA ANALYSIS**

DRIVEWAY AREA	25.3	m2	
GARDEN AREA	160.4	m2	38.19 %

400 - 500 SQM: MIN. GARDEN AREA REQUIRED IS 25%

NOTE: GARDEN AREA DOES NOT INCLUDE A DRIVEWAY, ANY AREA SET ASIDE FOR CAR PARKING, ANY BUILDING OR ROOFED AREA AND ANY AREA THAT HAS A DIMENSION OF LESS THAN 1M



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FLYNN 252 - LH

SIGNED BUILDER:

SIGNED OWNER:

DATE:

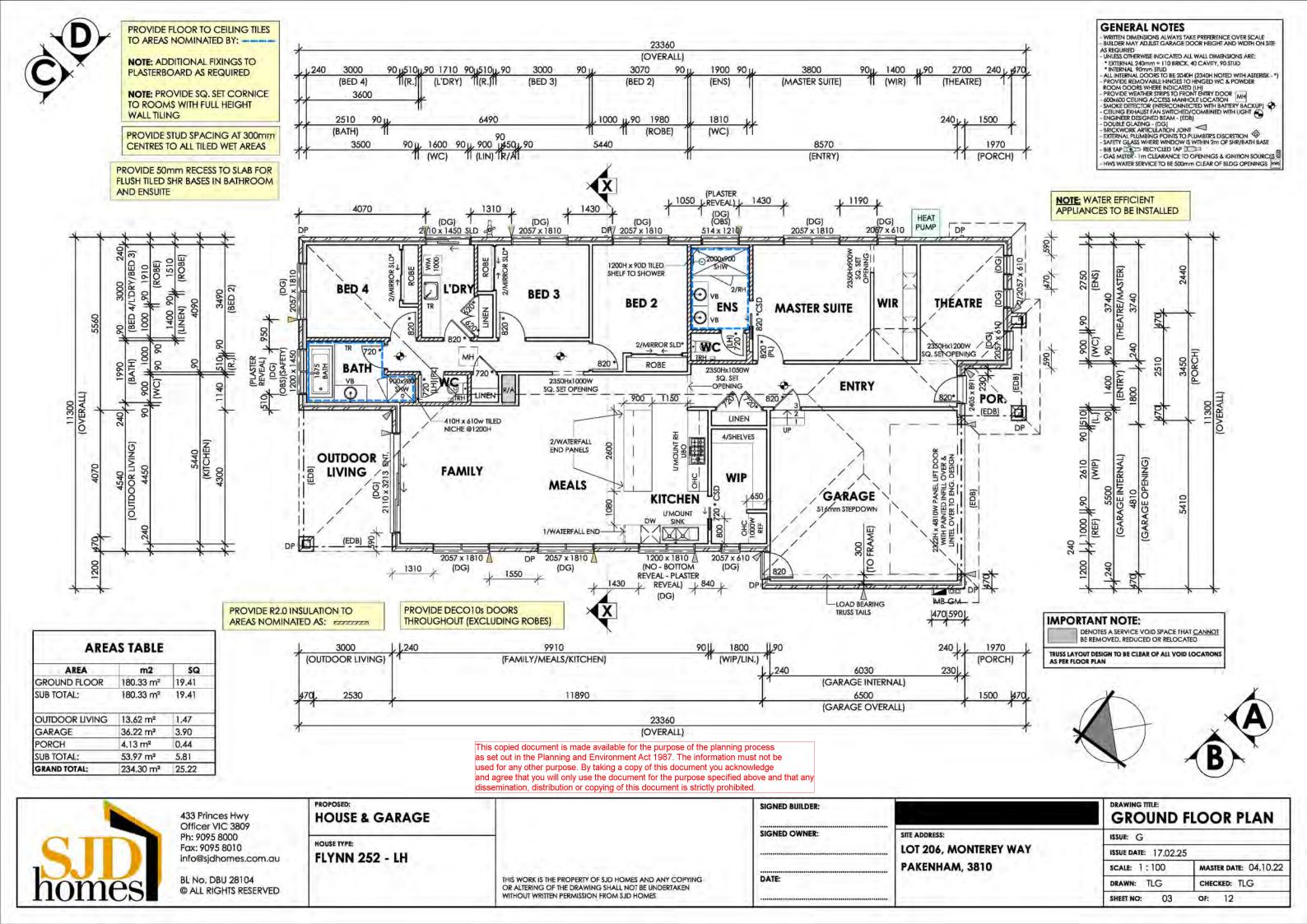
SITE ADDRESS: LOT 206, MONTEREY WAY

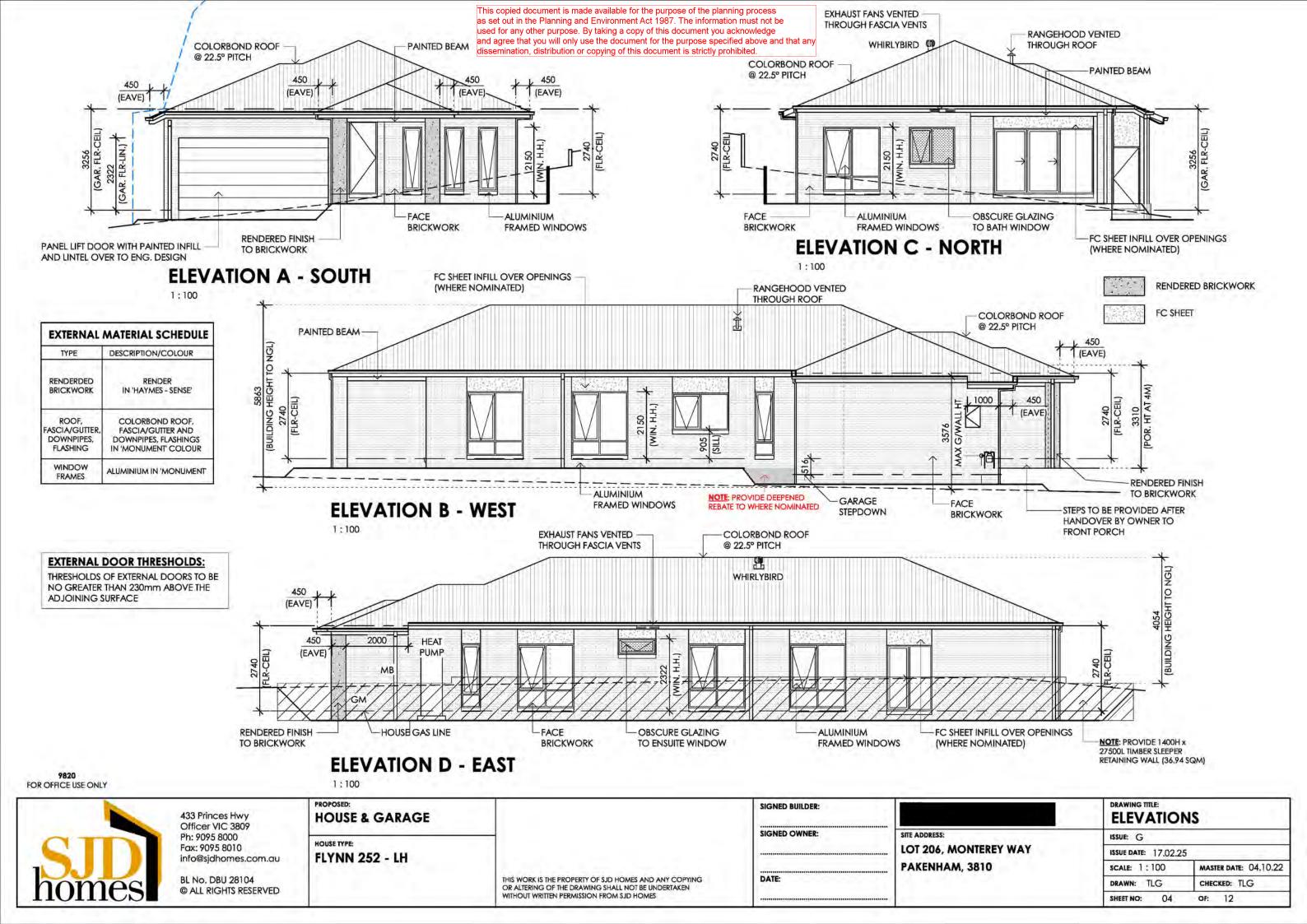
PAKENHAM, 3810

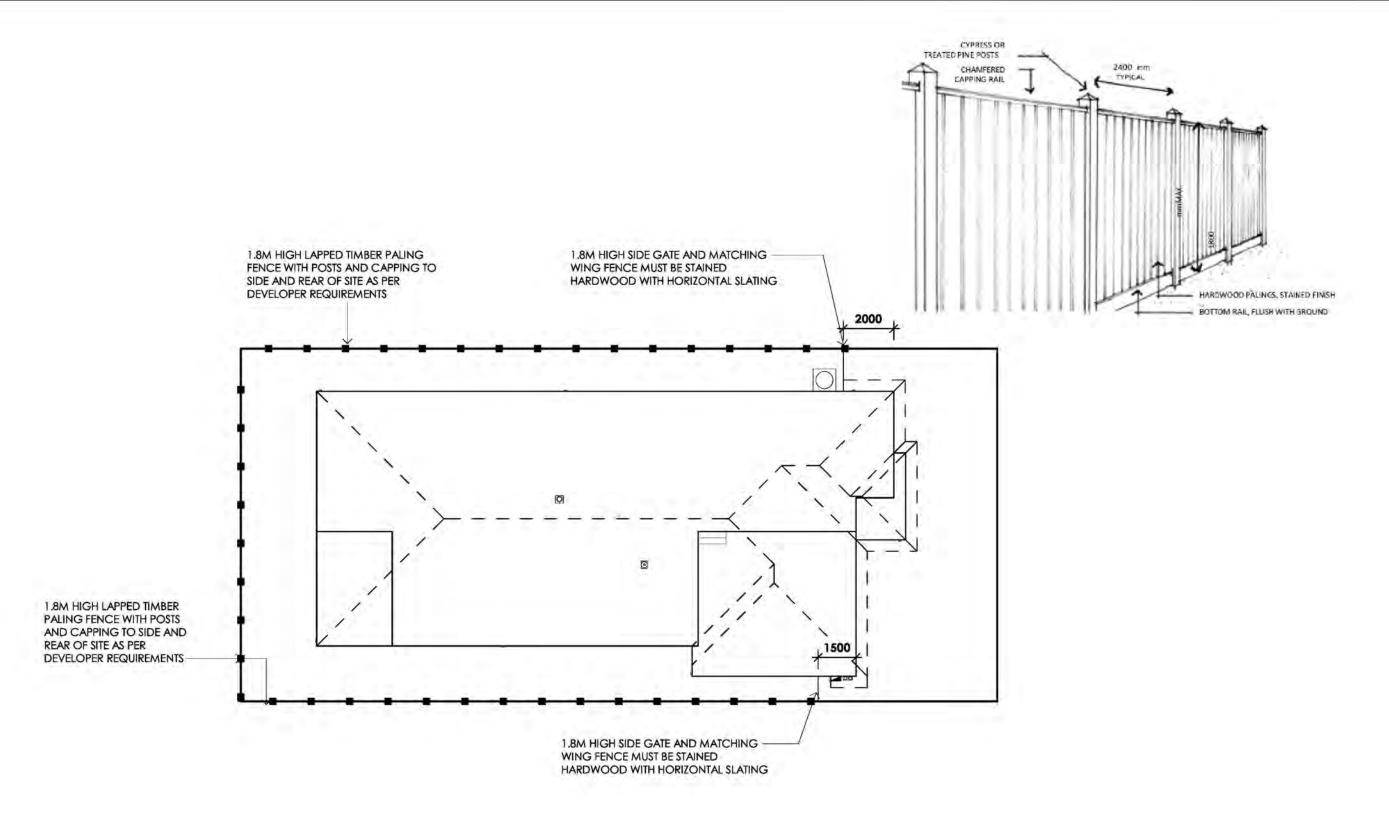
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ISSUE: G ISSUE DATE: 17.02.25

SCALE: 1:200 MASTER DATE: 04.10.22 DRAWN: TLG CHECKED: TLG 02 12 SHEET NO: OF:









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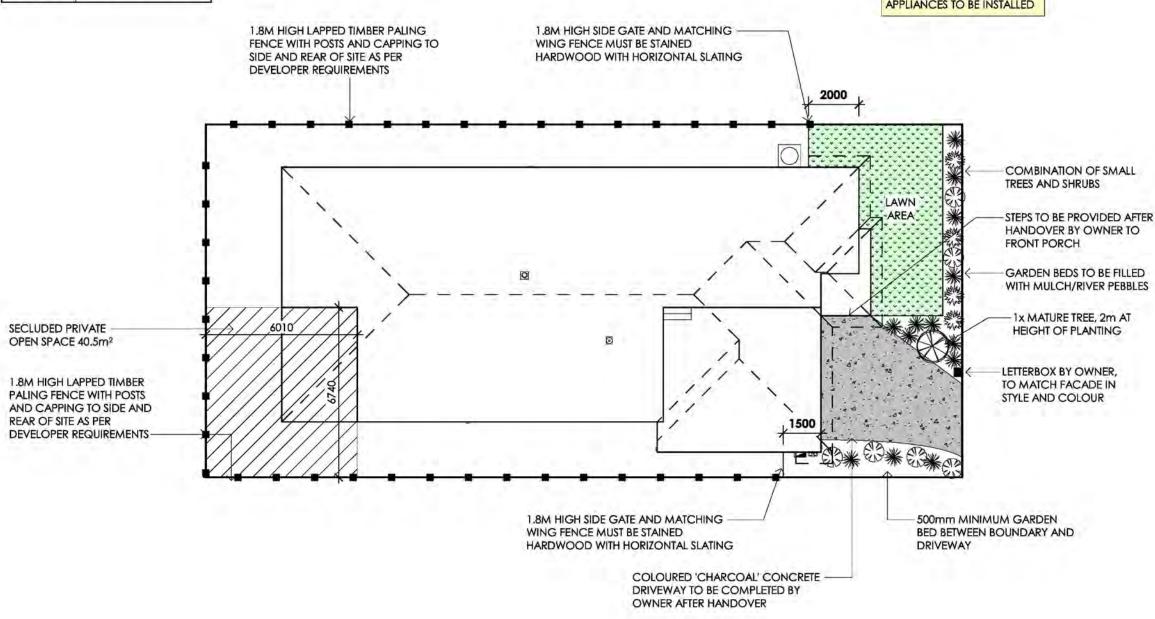
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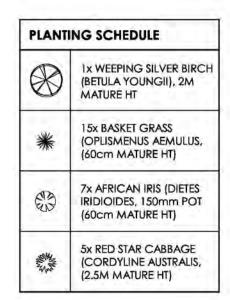
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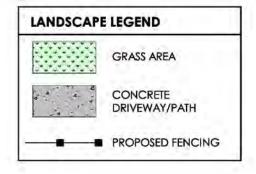
EXTERNAL MATERIAL SCHEDULE		
TYPE	DESCRIPTION/COLOUR	
RENDERDED BRICKWORK	RENDER IN 'HAYMES - SENSE'	
ROOF, FASCIA/GUTTER, DOWNPIPES, FLASHING	COLORBOND ROOF, FASCIA/GUITER AND DOWNPIPES, FLASHINGS IN 'MONUMENT' COLOUR	
WINDOW FRAMES	ALUMINIUM IN 'MONUMENT'	

NOTE: LANDSCAPE PLAN IS INDICATIVE ONLY AND IS SUBJECT TO DEVELOPER APPROVAL NOTE: ALL LANDSCAPING IS TO BE COMPLETED BY CLIENT AFTER HANDOVER

NOTE: WATER EFFICIENT
APPLIANCES TO BE INSTALLED









LETTERBOX DESIGN AS PER DEVELOPER REQUIREMENTS



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LOT 206, MONTEREY WAY
PAKENHAM, 3810

DRAWING TITLE:

LANDSCAPE PLAN

ISSUE: G

ISSUE DATE: 17.02.25

SCALE: 1:150 MASSER DATE: 04.10

SCALE: 1:150 MASTER DATE: 04.10.22

DRAWN: TLG CHECKED: TLG

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