

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	450 and 500 Seven Mile Road, Nar Nar Goon VIC 3812 V3398 F533 CA 34 SEC H Parish of Koo-Wee-Rup
The application is for a permit to:	Buildings and Works (associated with Horse Husbandry) and Removal of Native Vegetation
The applicant for the permit is:	Beveridge Williams
The application reference number is:	T230182
You may look at the application and any documents that support the application at the office of the Responsible Authority:	Cardinia Shire Council 20 Siding Avenue Officer 3809  This can be done during office hours and is free of charge.  Documents can also be viewed on Council's website: <a href="https://www.cardinia.vic.gov.au/advertisedplanningapplications">https://www.cardinia.vic.gov.au/advertisedplanningapplications</a>

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

- An objection must
- \* be sent to the Responsible Authority in writing, at Cardinia Shire Council, PO Box 7, Pakenham, Vic, 3810 or email at [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au).
  - \* include the name and address of the objector/ submitter.
  - \* include the application number and site address.
  - \* include the reasons for the objection, and
  - \* state how the objector would be affected.

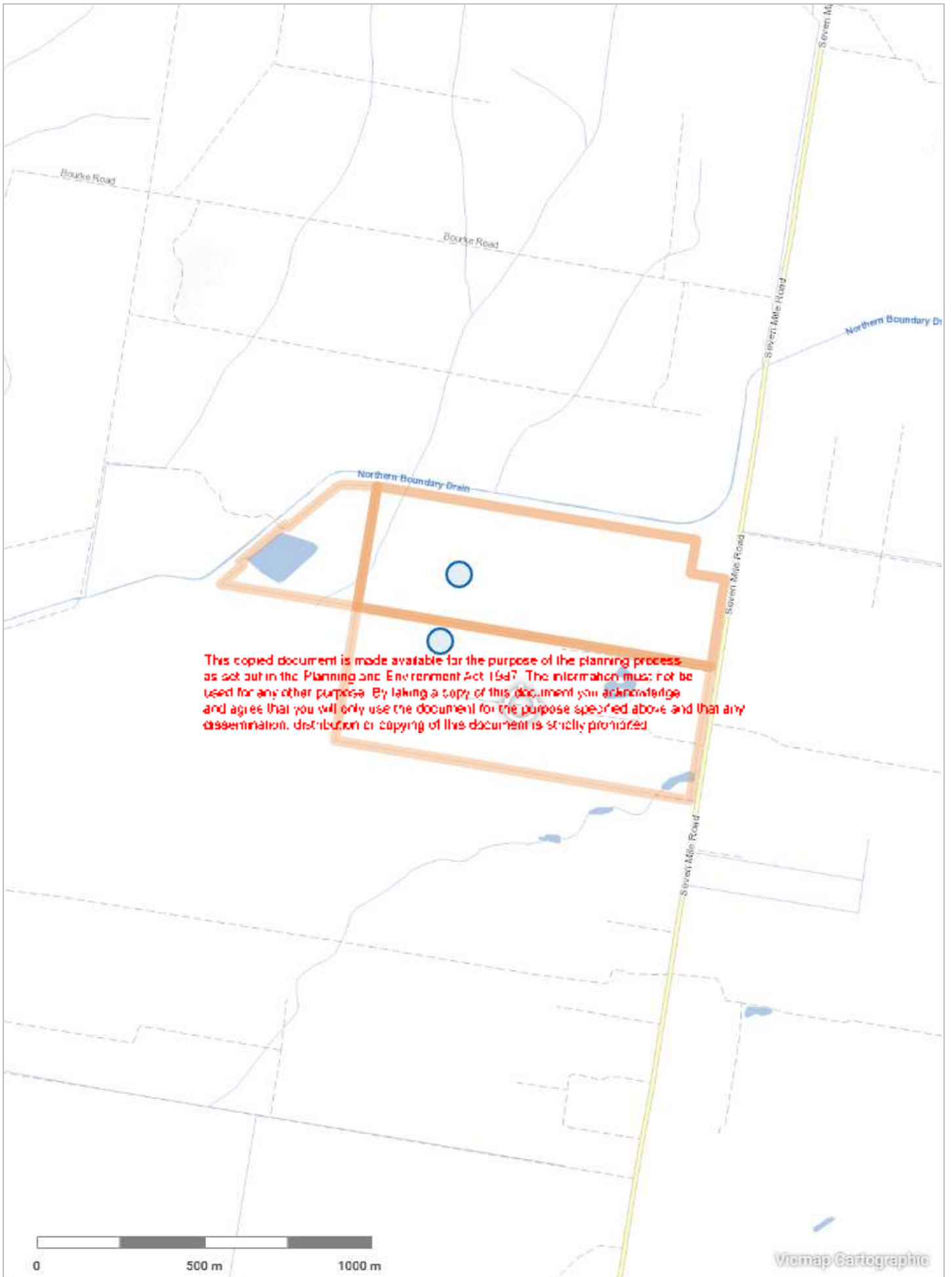
The Responsible Authority will not decide on the application before:	05 April 2024
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If you object, the Responsible Authority will tell you its decision.

Please be aware that copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process.

For additional information or advice contact Cardinia Shire Council, Planning Department on 1300 787 624 or [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au).

Your objection/submission and personal information is collected by Cardinia Shire Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987*. If you do not provide your name and address, Council will not be able to consider your objection/submission. Your objection/submission will be available free of charge at the Council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the *P&E Act*. You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.



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## Application Summary

Portal Reference: A22324KG

## Basic Information

Proposed Use	Under the Cardinia Planning Scheme, a planning permit is required for buildings and works associated with the construction of the horse riding school and horse stables, including earthworks. This trigger is located within Clause 44.04-2 Land Subject to Inundation Overlay, which requires a permit for buildings and works, except for where exemptions apply. Pursuant to Clause 52.17 Native Vegetation, a permit is also required for the removal of native vegetation.
Current Use	Rural living with a single dwelling and several paddocks.
Cost of Works	\$14,000,000
Site Address	450 and 500 Seven Mile Road, Nar Nar Goon

## 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

Type	Name	Address	Contact Details
Applicant	[Redacted] Oakwood Riding School	1 Glenferrie Rd, Malvern VIC 3144	W: 03-9524-8888 E: melbourne@bevwell.com.au
Preferred Contact	[Redacted] Beveridge Williams	1 Glenferrie Rd, Malvern VIC 3144	W: 03-9524-8702 [Redacted]

## Fees

Regulation Fee Condition	Amount	Modifier	Payable
9 - Class 14 More than \$5,000,000 but not more than \$15,000,000	\$8,982.90	100%	\$8,982.90

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**Total \$8,982.90**

## Meetings

Meeting Type	Officer Name	Date of Meeting
Pre Application	Benjamin Jones	04 Oct 2022



Civic Centre  
20 Siding Avenue, Officer, Victoria

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

Postal Icon

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

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

Contact Icon

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

## Documents Uploaded

Date	Type	Filename
24-04-2023	A Copy of Title	Appendix A1 _ 450 title _ Volume_11235_Folio_549_VicPackageSearch_1681874813.pdf
24-04-2023	A Copy of Title	Appendix A2 _ 500 Title Part 1 _ - Volume_3398_Folio_533_VicPackageSearch.pdf
24-04-2023	A Copy of Title	Appendix A3 _ 500 Title Part 2 _ Volume_11235_Folio_684_VicPackageSearch_1681967668.pdf
24-04-2023	Additional Document	Appendix B _ 2112-Oakwood_PLANNING_20230419.pdf
24-04-2023	Additional Document	Appendix C _ 2112_OAKWOOD_LANDSCAPE PACKAGE.pdf
24-04-2023	Additional Document	Appendix D _ Native Vegetation Assessment 450 500 Seven Mile Road Nar Nar Goon - Final V.pdf
24-04-2023	Additional Document	Appendix E _ 1065-01 Rev A - Stormwater Management Strategy.pdf
24-04-2023	Additional Document	Appendix F _ CHMP Requirement Tool_aavProcessList_19Apr2023_120112PM.pdf
24-04-2023	Additional Document	Appendix G1 _ Melbourne Water Response-04 Aug 2022 0146 PM.pdf
24-04-2023	Additional Document	Appendix G2 _ Melbourne Water Response-04 Aug 2022 0149 PM.pdf
24-04-2023	Additional Document	Metropolitan Planning Levy Invoice - MPL23870.pdf
24-04-2023	Additional Document	Planning Report v3 _ 3100198 _ 450 and 500 Seven Mile Road Nar Nar Goon.pdf

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

## Lodged By

Site User	Justin McDowell Beveridge Williams	1 Glenferrie Road, Malvern VIC 3144	W: 03-9524-8888 M: 0475-193-201 E: mcdowell@bevwill.com.au
Submission Date	24 April 2023 - 10:56AM		

## Declaration

By ticking this checkbox, [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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**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:** [msl@cardinia.vic.gov.au](mailto:msl@cardinia.vic.gov.au)



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

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

Page 1 of 1

VOLUME 11235 FOLIO 549

Security no : 124105483779W  
Produced 19/04/2023 01:23 PM

**LAND DESCRIPTION**

Lot 2 on Plan of Subdivision 520637A.  
PARENT TITLE Volume 11224 Folio 531  
Created by instrument AH573452G 22/10/2010

**REGISTERED PROPRIETOR**



**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 PS520637A 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: 450 SEVEN MILE ROAD NAR NAR GOON VIC 3812

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 19436D KING & WOOD MALLESONS  
Effective from 10/09/2021

DOCUMENT END

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<b>PLAN OF SUBDIVISION</b>	LTO use only <b>EDITION 3</b>	Stage No 	Plan Number <b>PS 520637 A</b>
----------------------------	----------------------------------	--------------	-----------------------------------

**LOCATION OF LAND**

**Parish:** KOO-WEE-RUP  
**Township:** —  
**Section:** H  
**Crown Allotment:** 35A & 35 (P1)  
**Crown Portion:** —  
**LTO Base Record:** DCMB  
**Title Reference:** V. 2920 F. 948  
V. 3242 F. 368  
**Last Plan Reference:**  
**Postal Address:** Seven Mile Road  
(or line of subdivision) Nar Nar Goon 3612  
**AMG Co-ordinates:** E 373 200  
(if appropriate to land in plan) N 5 779 500  
Zone: 55

**COUNCIL CERTIFICATION AND ENDORSEMENT**

COUNCIL NAME CARDINIA SHIRE REF: SQ4/116

1. This plan is certified under section 6 of the Subdivision Act 1988.
- ~~2. This plan is certified under section 11(7) of the Subdivision Act 1988.~~  
Date of original certification under section 6 — / — / —
- ~~3. This is a statement of compliance issued under section 24 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 Seat  
Date 13 / 09 / 04

~~Re-certified under section 11(7) of the Subdivision Act 1988—  
Council Delegate—  
Council Seat—  
Date — / — / —~~

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**Vesting of Roads or Reserves**

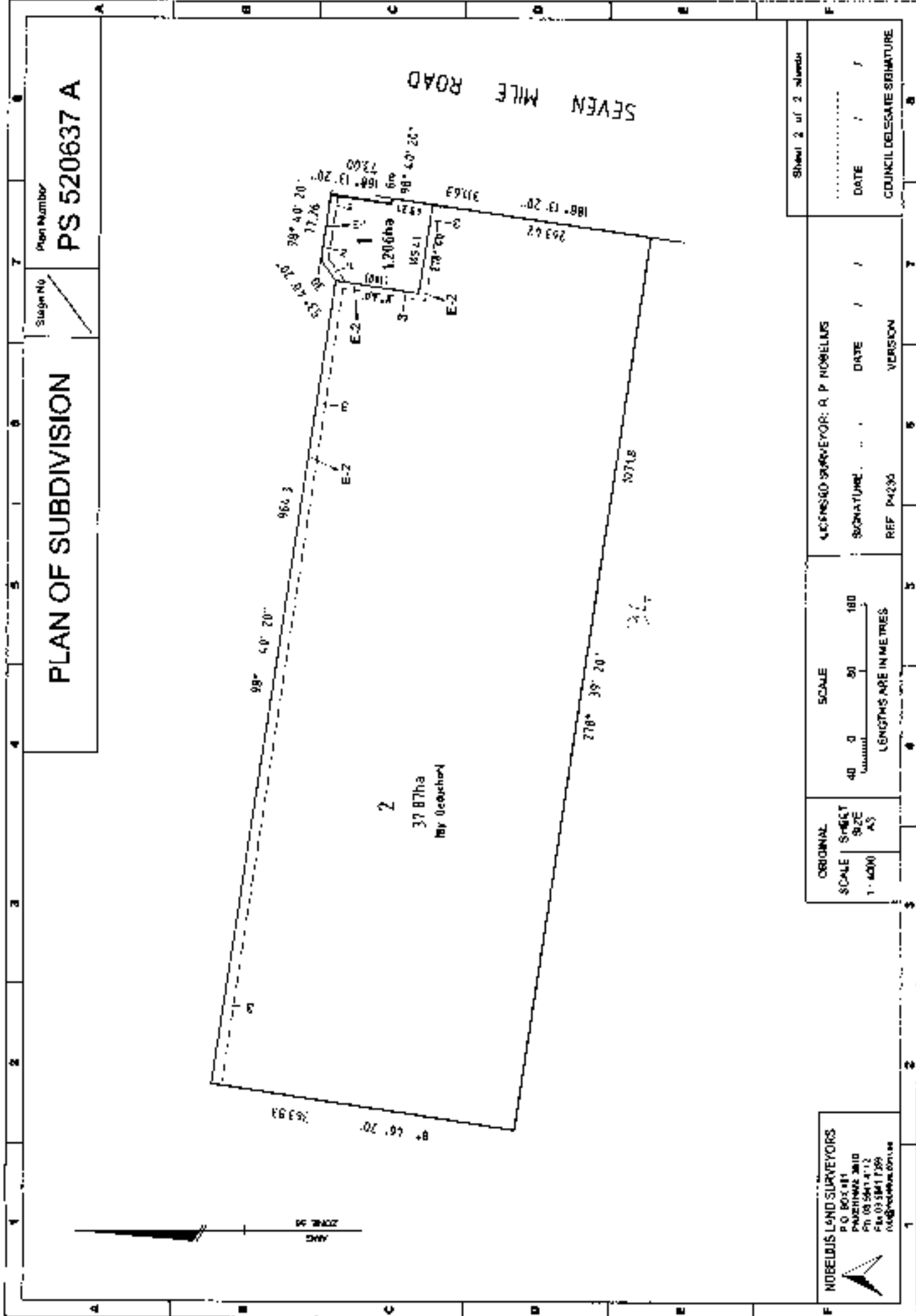
Identifier	Council / Body / Person
NA	NA

**Notations**

Depth Limitation: 15.24m below the surface.	Staging This is not a staged subdivision Planning Permit No. T030936
	<p><u>Survey</u></p> <p>Lot 2 is not the subject of this survey.  This plan is based on Survey  This survey has been connected to permanent marks no(s)  in Proclaimed Survey Area No.</p>

Easement Information					LTO use only
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					Statement of Compliance/ Exemption Statement  Received <input checked="" type="checkbox"/>  DATE 7 / 06 / 05
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
E-1	WATER SUPPLY	2	AE 592092E	VOL.10882 FOL 357 (LOT 2 ON THIS PLAN)	
E-2	WATER SUPPLY	3	AH573452G	VOL.6030 FOL.980	

<p><b>NOBELIUS LAND SURVEYORS</b>  P.O. BOX 461  RAVENHILL 5810  PH: 03 5841 4113  FAX: 03 5841 7358  nl@nobelius.com.au</p>	<p style="text-align: center;">LICENSED SURVEYOR: R. P. NOBELIUS</p> <p>SIGNATURE ..... DATE 16 / 07 / 04</p> <p>P4230 <span style="float: right;">VERSION</span></p>	<p style="text-align: right;">Assistant Registrar of Titles</p> <p style="text-align: right;">Sheet 1 of 2 sheets</p> <p>.....  DATE 13 / 09 / 04  COUNCIL DELEGATE SIGNATURE  Original sheet size A3</p>
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PLAN OF SUBDIVISION

Plan Number  
PS 520637 A

Stage No

**NOBELIUS LAND SURVEYORS**  
 P.O. BOX 481  
 PRAIRIEVIEW 3610  
 P.O. BOX 11412  
 ELIZABETH 7209  
 0845990000.com.au

ORIGINAL SCALE 1:4000  
 SUBJECT SIZE AS SHOWN  
 SCALE 40 0 50 100  
 LENGTHS ARE IN METRES

LICENSED SURVEYOR: R. P. NOBELIUS  
 SIGNATURE: \_\_\_\_\_ DATE: / /  
 REF: P4236 VERSION

Sheet 2 of 2 sheets  
 DATE: / /  
 COUNCIL DELEGATE SIGNATURE

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# MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

## PLAN NUMBER

### PS520637A

**WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.  
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.**

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT 1	E-1	CREATION OF EASEMENT	AED92092E	7/8/06	2	N NG
LOT 2	E-2	CREATION OF EASEMENT	AH573452G	22/10/10	3	REN MARASCO

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# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

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

Produced 19/04/2023 01:24:35 PM

Status	Registered	Dealing Number	AU795861L
Date and Time Lodged	10/09/2021 02:17:47 PM		

### Lodger Details

Lodger Code	19436D
Name	KING & WOOD MALLESONS
Address	
Lodger Box	
Phone	
Email	
Reference	

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## TRANSFER

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

### Privacy Collection Statement

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

### Land Title Reference

11235/549  
11235/684

### Transferor(s)

Name	BAVREEN LIFESTYLE DEVELOPMENTS PTY LTD
ACN	647441825

### Estate and/or Interest being transferred

Fee Simple

### Consideration

\$AUD 5150000.00

### Transferee(s)

Tenancy (inc. share)	Sole Proprietor
Name	OAKWOOD RIDING SCHOOL
ACN	004420553
Address	
Street Number	10
Street Name	SMITHS



# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

Street Type	LANE
Locality	CLYDE NORTH
State	VIC
Postcode	3978

**Duty Transaction ID**  
5212279

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

### Execution

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

Executed on behalf of	OAKWOOD RIDING SCHOOL
Signer Name	EMILY CECILIA MASTERS
Signer Organisation	KING & WOOD MALLESONS
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	10 SEPTEMBER 2021

### Execution

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

Executed on behalf of	BAVREEN LIFESTYLE DEVELOPMENTS PTY LTD
Signer Name	[REDACTED]
Signer Organisation	[REDACTED]
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	10 SEPTEMBER 2021

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

Page 1 of 1

VOLUME 11235 FOLIO 684

Security no : 124105528916K  
Produced 20/04/2023 03:11 PM

**LAND DESCRIPTION**

Lot 2 on Title Plan 834278N.  
PARENT TITLE Volume 06030 Folio 980  
Created by instrument AH573453E 22/10/2010

**REGISTERED PROPRIETOR**

**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 TP834278N 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: 500 SEVEN MILE ROAD NAR NAR GOON VIC 3812

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 19436D KING & WOOD MALLESONS  
Effective from 10/09/2021

DOCUMENT END

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TITLE PLAN

EDITION 2

TP834278N

## LOCATION OF LAND

PARISH KOC-WFF-RUP  
TOWNSHIP  
SECTION H  
CROWN ALLOTMENT 3B (PART)  
CROWN PORTION

LID BASE RECORD :DCMR  
LAST PLAN REFERENCE  
TITLE REFERENCE Vol.6030 Fol.98C  
DEPTH LIMITATION 15.2- metres


## NOTATIONS

LOT 1 (2 PIECES) FORMS PART OF  
CROWN ALLOTMENT 3B

## Easement Information

Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / in favour of
E-1	WATER SUPPLY & DRAINAGE	SEE DIAG	TR No 1285525	STATE RIVERS & WATER SUPPLY COMMISSION
E-2	WATER SUPPLY & DRAINAGE	10.05m	C/E E614513	STATE RIVERS & WATER SUPPLY COMMISSION
E-3	GAS SUPPLY	20m	AC505048B	ORIGIN ENERGY RESOURCES LTD & Vol.10705 Fol.444
E-4	WATER SUPPLY & DRAINAGE	SEE DIAG	TR No. 1285525	STATE RIVERS & WATER SUPPLY COMMISSION
	GAS SUPPLY	20m	AC508048B	ORIGIN ENERGY RESOURCES LTD & Vol.10705 Fol.444
E-5	WATER SUPPLY & DRAINAGE	10.05m	C/E E614513	STATE RIVERS & WATER SUPPLY COMMISSION
	GAS SUPPLY	20m	AC508048B	ORIGIN ENERGY RESOURCES LTD & Vol.10705 Fol.444
E-6	LANE/ALLEYWAY	25m	TP No 0414305	LOT 1 HEREON
E-8	WATER SUPPLY	3	#4573153C	LOT 3 ON THIS PLAN

THIS PLAN HAS BEEN PREPARED FOR THE VICTORIAN LAND TITLES OFFICE FOR TITLE DIAGRAM PURPOSES

Checked by   
Date 22/4/2024  
Assistant Registrar of Titles

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

AN APPURTENANT EASEMENT FOR WATER SUPPLY IN FAVOUR OF THE LAND HEREIN HAS BEEN CREATED BY AH573462G.

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SEE SHEET 2 FOR DIAGRAM

Sheet 1 of 2 sheets

LAND VICTORIA

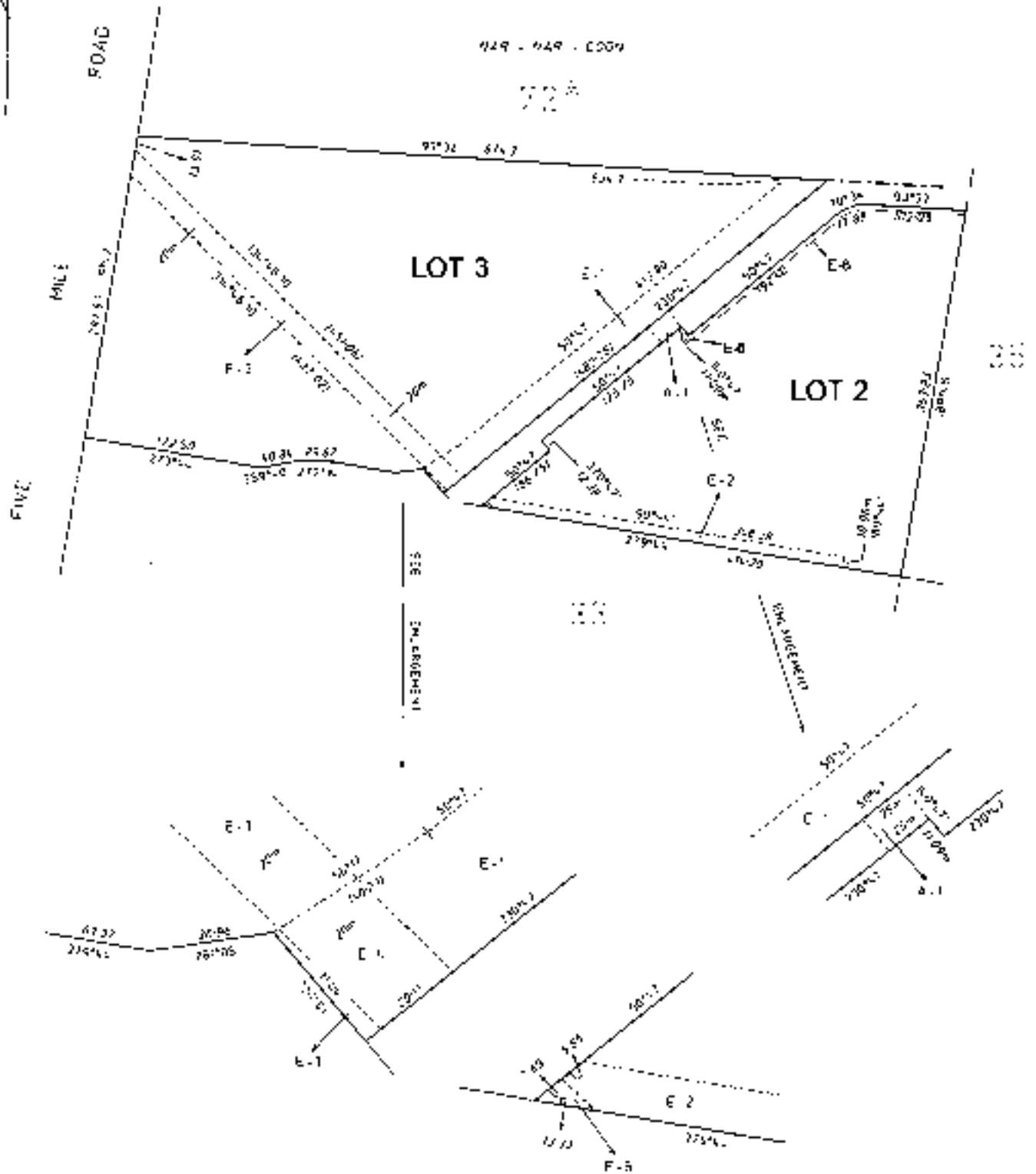
SCALE  
CENTIMETRES ARE IN METRES

SCALE  
SHEET SIZE  
A7

DEALING No AC508048B

DEALING CODE - X45E

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TOTAL AREA BY DEDUCTION - 75.64 ha

Sheet 2 of 2 sheets

LAND VICTORIA

SCALE  
 METRES  
 LENGTHS ARE IN METRES

SCALE

SHEET SIZE  
 A3

# MODIFICATION TABLE

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# TP834278N

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LOT 1		APPURTENANT EASEMENT	AH573452G	22/10/10	2	REN MARASCO
LOT 1	LOTS 2 & 3	RESTRUCTURE	AH573453E	22/10/10	2	REN MARASCO
LOT 2	E-B	CREATION OF EASEMENT	AH573453E	22/10/10	2	REN MARASCO

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# Department of Environment, Land, Water & Planning

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

Produced 20/04/2023 03:12:07 PM

Status	Registered	Dealing Number	AU795861L
Date and Time Lodged	10/09/2021 02:17:47 PM		

### Lodger Details

Lodger Code	19436D
Name	KING & WOOD MALLESONS
Address	
Lodger Box	
Phone	
Email	
Reference	

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11235/684

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ACN	647441825

### Estate and/or Interest being transferred

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### Consideration

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Street Name	SMITHS



# Department of Environment, Land, Water & Planning

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State	VIC
Postcode	3978

**Duty Transaction ID**  
5212279

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3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of	OAKWOOD RIDING SCHOOL
Signer Name	EMILY CECILIA MASTERS
Signer Organisation	KING & WOOD MALLESONS
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	10 SEPTEMBER 2021

### Execution

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

Executed on behalf of	BAVREEN LIFESTYLE DEVELOPMENTS PTY LTD
Signer Name	[REDACTED]
Signer Organisation	[REDACTED]
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	10 SEPTEMBER 2021

**File Notes:**  
NIL

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

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

VOLUME 03398 FOLIO 533

Security no : 124105484394D  
Produced 19/04/2023 01:39 PM

LAND DESCRIPTION

Crown Allotment 34 Section H Parish of Koo-wee-rup.  
PARENT TITLE Volume 03284 Folio 743  
Created by instrument J442795 01/05/1981

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP708450J 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: 500 SEVEN MILE ROAD NAR NAR GOON VIC 3812

ADMINISTRATIVE NOTICES

NIL

eCT Control 19436D KING & WOOD MALLESONS  
Effective from 10/09/2021

DOCUMENT END

Delivered from the LANDATA System by Dye & Durham Terrain Pty Ltd

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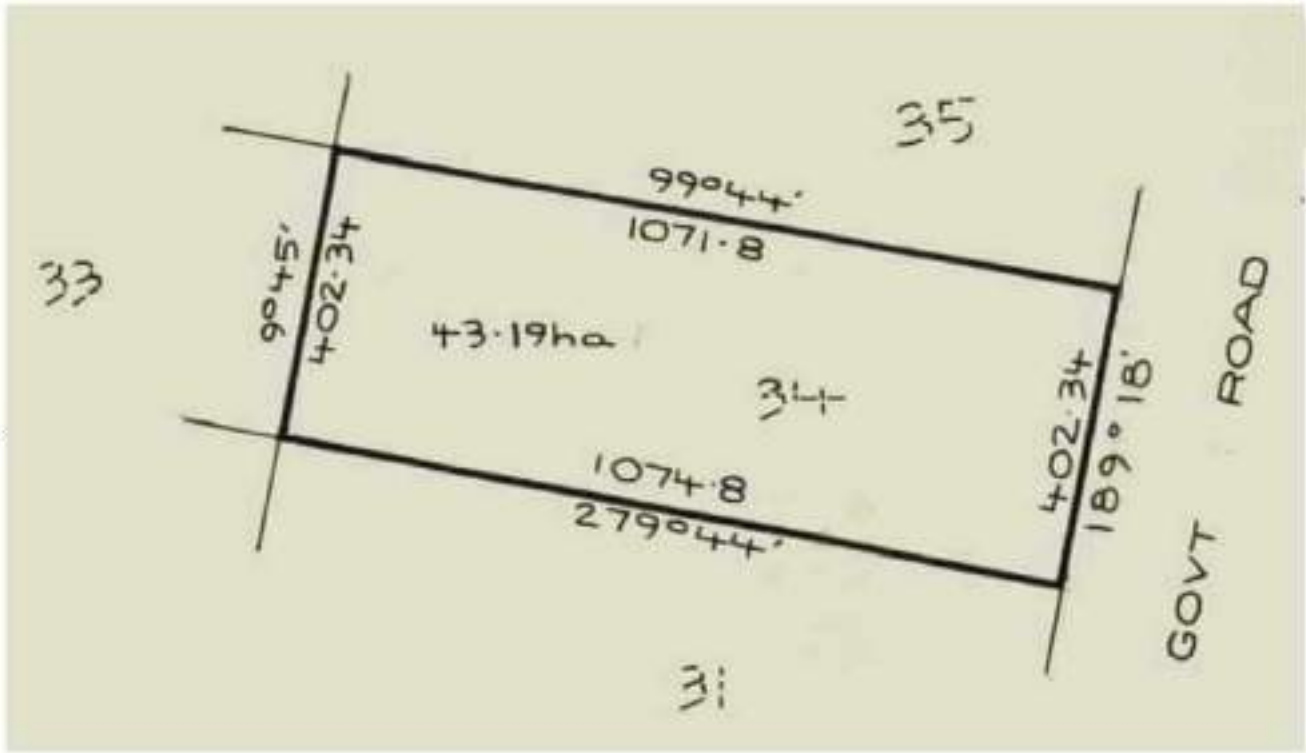
TITLE PLAN	EDITION 1	TP 708450J
------------	-----------	------------

<p><b>Location of Land</b></p> <p>Parish: KOO-WEE-RUP          Township:          Section: H          Crown Allotment: 34          Crown Portion:</p> <p>Last Plan Reference:          Derived From: VOL 3398 FOL 533          Depth Limitation: 15.24 m</p>	<p style="text-align: center;">Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
--	---

Description of Land / Easement Information

**ENCUMBRANCES REFERRED TO**  
THE SPECIAL CONDITIONS as to the keeping-open and free from obstruction all canals ditches drains and the like contained in Crown Grant Vol. 3294 Fol. 743 - - - - -  
THE RESERVATION contained in the - - - - - aforesaid Crown Grant of the right to - - - - - grant authority to cut and use a drain - - - - - through the land - - - - -

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT  
 COMPILED: 05/12/2000  
 VERIFIED: AC



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AQ324083B

# Mortgage

Section 74 Transfer of Land Act 1958

## Privacy Collection Statement

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### 1. Land/s

Land Title 1

Volume 03398 Folio 533

### 2. Estate and Interest

FEE SIMPLE

### 3. Memorandum of common provisions

MCP Number AA3188

### 4. Mortgagor/s

Mortgagor 1

Name ASK AGRICULTURE PTY  
LTD

ACN 105 871 243

### 5. Mortgagee/s

Mortgagee

Name RABOBANK AUSTRALIA  
LIMITED

ACN 001 621 129

Australian 234700

Credit Licence

### 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

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### 8. Lodging party

Customer Code 0917R

Reference

### 9. Additional Terms/Covenants

Enter additional information below

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

# Mortgage

Section 74 Transfer of Land Act 1958

### Privacy Collection Statement

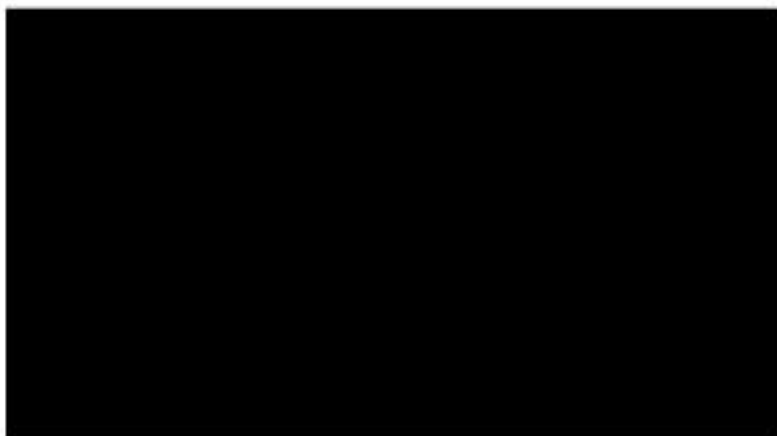
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Enter additional Terms/Covenants below (all relevant parties to sign this page/s):

The mortgagor covenants with the mortgagee as follows:

- 1 To pay the moneys secured to the mortgagee as and when demanded in writing.
- 2 The Mortgagor acknowledges receiving, reading and understanding Memorandum of Common Provisions No. AA3188 prior to execution of this mortgage.

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# Department of Environment, Land, Water & Planning

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Produced 23/06/2021 09:38:58 AM

Status	Registered	Dealing Number	AU047594H
Date and Time Lodged	15/02/2021 01:42:12 PM		

### Lodger Details

Lodger Code	19350P
Name	[REDACTED] SOLICITOR
Address	[REDACTED]
Lodger Box	
Phone	
Email	
Reference	21032

## CAVEAT

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

### Privacy Collection Statement

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### Land Title Reference

3398/533

### Caveator

Name	BAVREEN LIFESTYLE DEVELOPMENTS PTY LTD
ACN	647441825

### Grounds of claim

Purchasers' contract with the following Parties and Date.

#### Parties

The Registered Proprietor(s)

#### Date

03/02/2021

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### Estate or Interest claimed

Freehold Estate

### Prohibition

Absolutely

### Name and Address for Service of Notice

Frank Giunmarra



# Department of Environment, Land, Water & Planning

---

## Electronic Instrument Statement

### Address

Street Number 4  
Street Name MONTROSE  
Street Type WAY  
Locality CRANBOURNE WEST  
State VIC  
Postcode 3977

---

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

### Execution

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier has taken reasonable steps to verify the identity of the caveator or his, her or its administrator or attorney.

Executed on behalf of	BAVREEN LIFESTYLE DEVELOPMENTS PTY LTD
Signer Name	FRANK GIUMMARRA
Signer Organisation	FRANK GIUMMARRA SOLICITOR
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	15 FEBRUARY 2021

---

### File Notes:

NIL

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# TRANSFER OF LAND

Section 45 Transfer of Land Act 1958



Privacy Collecti  
The information  
statutory authorit  
maintaining publ  
indexes in the Vi

**AE660867R**

11/10/2006 11325 45



MADE AVAILABLE/CHANGE CONTROL

Office Use Only

Lodged by:

Name: **NATIONAL AUSTRALIA BANK LIMITED OE**

Phone: .....

Address: .....

Ref: .....

Customer Code: .....

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.

Land: (volume and folio reference)

Certificate of Title Volume 3398 Folio 533

Estate and Interest: (e.g. "all my estate in fee simple")

All its estate in fee simple

Consideration:

~~\$750,000.00~~ **\$770,000.00** *MS* /

Transferor: (full name)

*U* Clearblue Enterprises Pty. Ltd. *10/10/06*

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Transferee: (full name and address including possession)

*H* Ask Agriculture Pty. Ltd. A.C.N. 105 871 243  
*500 Seven Mile Rd Nar Nar Goon 3812*

Directing Party: (full name)

Dated: **31/08/2006**

Execution and attestation:

Executed by Clearblue Enterprises Pty. Ltd. )  
A.C.N. 098 411 306 by being signed by those )  
persons who are authorised to sign for the )  
company: )

**T1**



Please register and issue title to

Signed

Cust. Code:

*712*  
*441,860*

Original Land Transfer  
Stamped with \$41,860.00  
Doc ID 2133938, 10 Oct 2006  
SRO Victoria Duty, J442

# ANNEXURE PAGE

Transfer of Land Act 1958

### Privacy Collection Statement

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This is page 2 of Approved Form T1

dated 31/8/06 between Clearblue Enterprises Pty. Ltd. as Transferor  
and Ask Agriculture Pty. Ltd., as Transferee  
Signatures of the parties A.C.N. 105 871 243

### Panel Heading

Execution and attestation (continued):

Executed by Ask Agriculture Pty. Ltd. A.C.N.)  
105 871 243 by being signed by the person )  
who is authorised to sign for the company: )



Sole Director and Sole Company Secretary  
of MAKHAN SINGH RAI  
500 SEVEN MILE RD, NAR NAR GOON 3812

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Approval No. 18170511L

# A1



1. If there is insufficient space to accommodate the required information in a panel of the *Approved Form* insert the words "See Annexure Page 2" (or as the case may be) and enter all the information on the Annexure Page under the appropriate panel heading. **THE BACK OF THE ANNEXURE PAGE IS NOT TO BE USED.**
2. If multiple copies of a mortgage are lodged, original Anne
3. The Annexure Pages must be properly identified and sig *Form* to which it is annexed.
4. All pages must be attached together by being stapled in the

## AE660867R

11/10/2006 1325 45





# Application for Planning Permit

450 and 500 Seven Mile Road, Nar Nar Goon

## Client

Oakwood Riding School

## Issued

24 April 2023

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## Introduction

Beveridge Williams acts on behalf of Michael Bragge in support of the re-location of the Oakwood Riding School to 450 and 500 Seven Mile Road, Nar Nar Goon.

Under the Cardinia Planning Scheme, a planning permit is required for buildings and works associated with the construction of the horse riding school and horse stables, including earthworks. This trigger is located within **Clause 44.04-2 Land Subject to Inundation Overlay**, which requires a permit for buildings and works, except for where exemptions apply. Pursuant to **Clause 52.17 Native Vegetation**, a permit is also required for the removal of native vegetation.

This report has been prepared by Beveridge Williams to provide an overview of the relevant town planning provisions affecting the site, to outline the proposed buildings and works, and provide a response to key planning considerations.

## Subject Site and Context

450 and 500 Seven Mile Road are located around 4.4 km south of the Nar Nar Goon town centre and are outside the Urban Growth Boundary. The site has an area of approximately 90.19 ha. The Western Port Green Wedge Management Plan (WPGWMP) states that the site is within an agricultural precinct.

One dwelling is located on the site; situated on the eastern part of 500 Seven Mile Road. Four large agricultural sheds associated with a former broiler farm are towards the southeast of the site. Some outbuildings are located towards the southeast. A large dam is in the north west of the land, with an additional two dams located centrally and a fourth dam towards the southeast. Two watercourses are in the northwest and southeast of the site. Some rows of vegetation are visible, particularly towards the southeast of the site. Both properties have access to Seven Mile Road, with a total of four crossover locations. The site is generally flat, with minor variations in topography shown on the existing conditions plan (**Appendix B**).

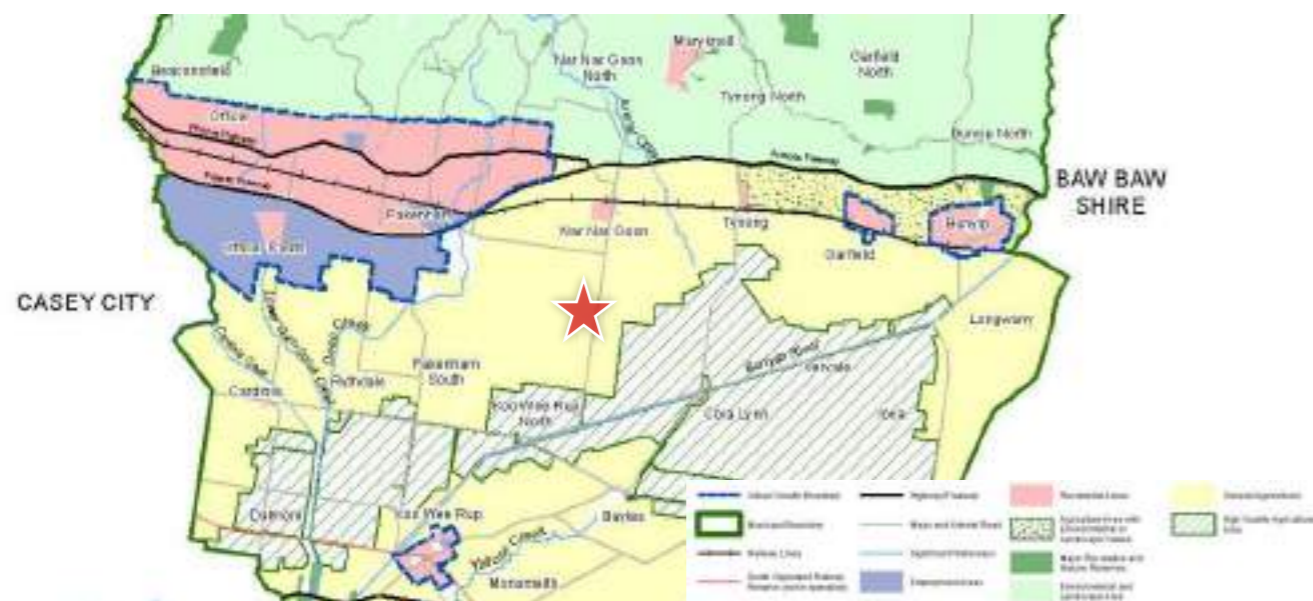
The site is formally described as the following three parcels:

- Lot 2 PS 520637
- Lot 2 TP 834278
- Allot. 34 Sec. H PARISH OF KOO-WEE-RUP (34~H\PP2920)

As shown by the relevant Certificates of Title, the site is subject to a water supply easement along the northern boundary of 450 Seven Mile Road. Lot 2 TP 834278 has a water supply and drainage easement towards the west of the site.

The surrounding land is largely within the Green Wedge Zone and Special Use Zone. The region is utilised for agricultural purposes, particularly animal grazing. A small portion of land near the northern boundary of the site is within the Public Use Zone – Schedule 1, which relates to services and utilities.

### Site Context



Application Summary	
Property	450 and 500 Seven Mile Road, Nar Nar Goon
Title	Lot 2 Plan of Subdivision 520637 Lot 2 Title Plan 834278 Allot. 34 Sec. H PARISH OF KOO-WEE-RUP (34~H\PP2920)
Total Area	90.19 hectares
Current Land Use	Rural living
Zone	Green Wedge Zone - Schedule 1
Overlay	Land Subject to Inundation Overlay
Planning Permit Requirement	Planning permit for buildings and works (including earthworks), and the removal of native vegetation: <ul style="list-style-type: none"> <li>• Buildings and works associated with the construction of the horse riding school and horse stables in accordance with Clause 44.04</li> <li>• Removal of native vegetation pursuant to Clause 52.17</li> </ul>
Assessing Authority	Cardinia Shire Council
Applicant	Michael Bragge
Contact	Hayley Down Beveridge Williams PO Box 61, Malvern VIC 3144 03 9524 8758 <a href="mailto:downh@bevwill.com.au">downh@bevwill.com.au</a>

### Aerial Photograph



## Oakwood Riding School

The Oakwood Riding School is a benevolent organisation dedicated to equestrian excellence and has been operating for over 60 years. The riding school will relocate from its current location in Clyde North to Nar Nar Goon to enable the school to provide a new facility that contributes positively to the equestrian community and which builds upon the reputation and longevity of the organisation.

### Proposed Development and Associated Works

It is proposed to undertake buildings and works associated with the construction of a horse riding school and horse stables. The construction of several buildings and facilities is required, as shown on the provided plans. The existing dwelling will be retained on the land, to be used as a manager's residence.

We note that some agricultural buildings do not require a permit. As outlined later in this report, it will be confirmed with Council that these buildings can be constructed without a planning permit before works commence. Confirming this point with Council will be undertaken separately to the planning permit application associated with this report.

A permit is also required under Clause 52.17 Native Vegetation for the removal of native vegetation necessary to construct the horse riding school.

The uses of Horse-Riding School and Horse Stables do not require a permit under the scheme. We have considered the entire planning scheme before reaching this conclusion, particularly the Green Wedge Zone Schedule 1 and Land Subject to Inundation Overlay.

#### Operation of the Riding School

The operation of the proposed riding school will reflect the activities and scale of the existing facility. Both the proposed plans and existing school dedicate around 24.3 ha to horse paddocks. We note that the decision to shift the facility will result in a positive planning outcome at the current site, which is within an active PSP.

Around 30 to 36 patrons utilise the school over a typical week. Approximately 6 staff conduct around 20 lessons per day, with clients arriving progressively as they are held. Members of the school can ride horses outside of lessons, however only 4 persons do this regularly. The school envisions that there will be a maximum of 100 cars per day, arriving sporadically. The site is largely closed on Mondays and Sundays, with a low number of staff required to attend to the horses. Classes involve various low-level competitions between students, such as dressage or show jumping. Major events are infrequent, with two currently held per year.

#### Layout and Facilities of the Riding School

The layout of the riding school reflects the dual nature of the facility. The school offers riding lessons on school-owned horses (known as schoolies), which are to be kept in larger, shared paddocks towards the south-east of the site. 64 smaller agistment paddocks are to be provided towards the south of the site and will accommodate horses privately owned by members of the riding school. Schoolies and agistment horses have separate stables and can each utilise one of the non-enclosed arenas. A third arena will be shared between both types of members. Unlike the other two arenas, this arena will not include any type of roof.

The riding school will be well equipped to meet the needs of patrons. Adequate parking is provided, as shown on the provided plans (**Appendix B**). This includes dedicated parking for horse trailers, which ensures animals have enough space to safely move to and from horse floats. Appropriate toilets, changing rooms and showers, as well as other amenities, are provided within the stables. A small, separate and covered structure allows a vet or farrier to safely treat horses away from the noise and movement associated with the main stable.

A tiered viewing area and classroom are also proposed. These features will be elevated, allowing a clear view of the riding arenas and lake. The classroom is envisioned adjacent to the viewing area. The purpose of the viewing area is to provide an indoor room where club members can watch horse riding activities before and after their own sessions. The viewing area can also be described as a club room and will provide a location for parents of younger members to wait for classes to finish. Club members and parents using the viewing area and classroom will have access to a kitchen, allowing food or drinks to be prepared for members. A treed courtyard is also proposed.

A smaller, secondary club room is available to members of the pony club. This building is located north of the outdoor arena and includes a kitchen, bar, clubroom, 6 toilets, 7 showers, administration office and three rooms used as offices and meeting rooms.

The four existing dams will be retained, with rehabilitation as necessary. The lake adjacent to the east of the main development will be reshaped and beautified. No alterations are proposed for the large, north-western dam. The undeveloped balance of the property will be used for an agricultural purpose, such as cattle grazing or hay cutting.

Required Planning Approvals	
Works Proposed	Approvals Required
Land-use of Horse Riding School and Horse Stable	N.A.  Classified as Section 1 Uses under the GWZ1. No permit is required.
Buildings and works associated with the construction of the horse riding school and horse stables. This includes earthworks.	<b>Clause 44.04-2 Land Subject to Inundation Overlay</b> requires a permit for all buildings and works, unless an exemption applies.
Removal of native vegetation. One small tree and nine native vegetation patches will be removed.	Pursuant to <b>Clause 52.17 Native Vegetation</b> a permit is required for the removal of native vegetation.

#### Proposal Indicative Aerial Perspective



## Early Construction of Agricultural Buildings

The Oakwood Riding School will make a separate, formal submission to Council requesting confirmation that several Agricultural buildings can be constructed without a planning permit. The purpose of this process is to allow the early construction of some agricultural buildings. The buildings where this will occur are:

### Northern Section

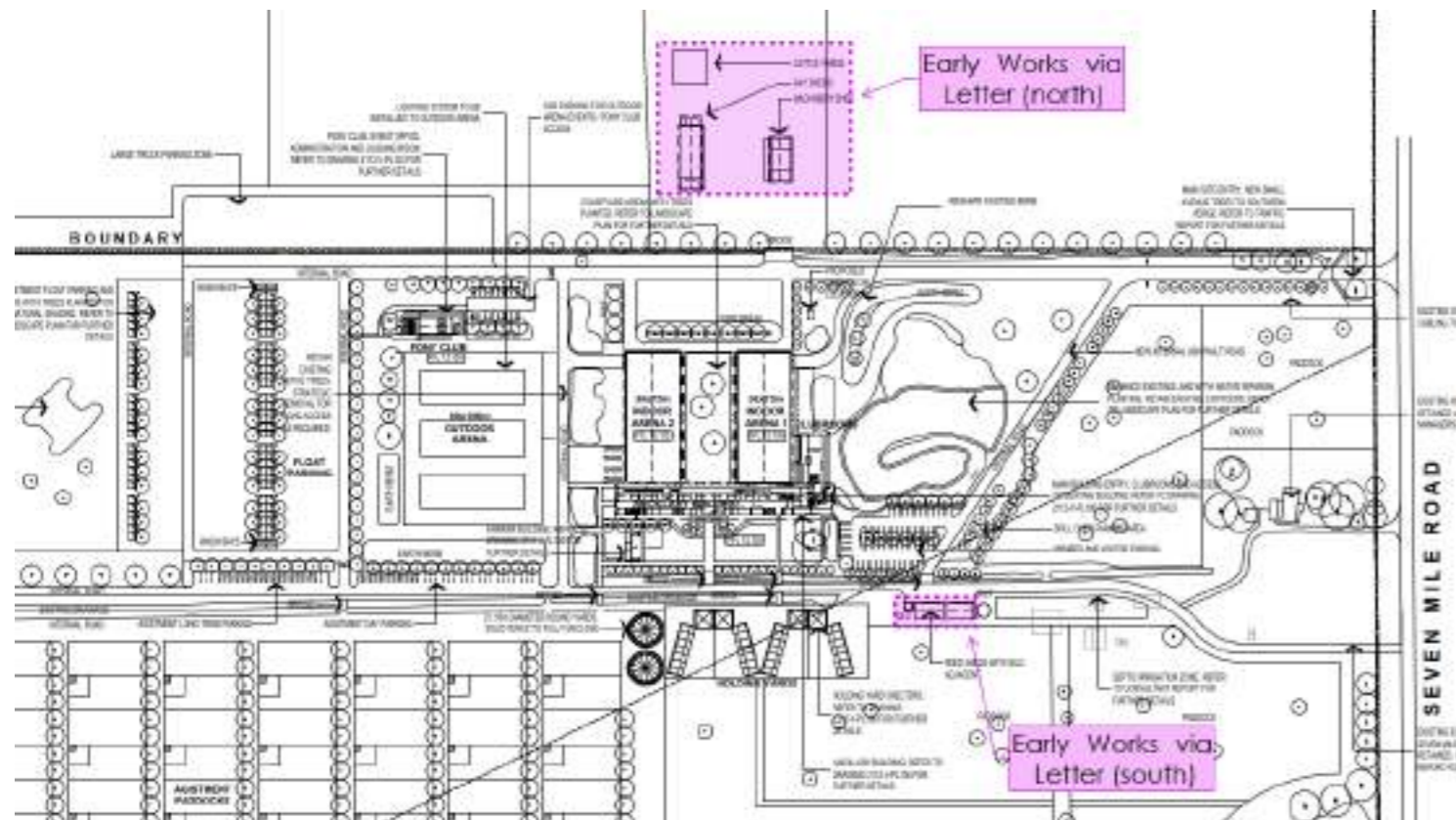
- The machinery shed
- Hay sheds
- Cattle yards

### Southern Section

- Feed sheds & silo (not including rain water tank)

We believe that the above items do not require a permit, and will confirm this point with Council before any works are undertaken. A letter requesting feedback from Council will be provided in a separate inquiry shortly after lodging this application. By undertaking two separate processes we hope to receive feedback from our small inquiry concurrent with the permit required items addressed under this application.

## Buildings to be Constructed Early



## Technical Investigations

A number of technical site assessments have been completed to help inform the design response. A summary of the findings and implications is provided below.

### Aboriginal Cultural Heritage

A portion of the site is subject to Aboriginal Cultural Heritage Sensitivity. However, as confirmed in the pre-application meeting, the proposed use of a horse riding school and horse stables is exempt from this requirement under the Aboriginal Heritage Regulations (2018).

Under the Aboriginal Heritage Regulations (2018) the majority of uses under the Agricultural grouping are not categorised as "high impact" activities, including the uses Horse Riding School and Horse Stables. As these uses are not identified as high impact activities, a Cultural Heritage Management Plan is not required. This includes the construction of buildings for agricultural purposes.

In the pre-application meeting we noted that Section 1b of Regulation 46 lists 'intensive animal husbandry' as a high impact use. This use, now known as intensive animal production, is a separate use under the Agricultural group nesting diagram. Since this use is not connected to a Horse Riding School or Horse Stable it is not applicable to the proposed riding school.

As requested during the pre-application meeting, a PDF of the summary page presented by the Aboriginal Heritage Planning Tool is provided in **Appendix F**.

### Vegetation and Biodiversity

ID Ecological Management has conducted a Native Vegetation Assessment on the subject site (**Appendix D**). They have considered Clause 52.17 in detail, including determining the appropriate offset amount for native vegetation that is not feasible to retain. They performed a desktop analysis and field survey to determine the location and quality of native vegetation on the site.

The field survey was undertaken in March 2023 and found that the region was largely devoid of native vegetation, with exotic pasture grasses making up the majority of the site. Planted trees were generally not indigenous to the area. In total, 40 native patches of vegetation and 5 scattered trees were identified by the study, with the majority to be retained. Five small wetlands were identified.

ID Ecological Management found that the proposal is well designed to avoid the loss of native vegetation, with no design alterations recommended. A total of 0.112 hectares of native vegetation will be lost during the development of the riding school, including one scattered small tree and nine native vegetation patches. A suitable offset for this loss was calculated to be 0.029 General Habitat Units (GHUs) with a minimum strategic biodiversity score of 0.341 and 0 large trees. The offsets must be located within the Port Phillip and Westernport Catchment Management Authority (PPWCMA) boundary or within the Cardinia Shire Council.

### Drainage

The Stormwater Management Plan (**Appendix E**) prepared by Axiom Consulting Engineers demonstrates that the site is well placed to manage stormwater. Axiom found that the site is located downstream of two main drains that intercept overland flows that would otherwise travel overland towards the site. They state that this existing drainage infrastructure will ensure that the site is not impacted by a 1% AEP flood event.

Axiom Consulting Engineers will incorporate a drainage management system to convey stormwater associated with a 20% AEP flood event. This drainage system will include elements to convey flows and the construction of a retarding basin to restrict the rate of flow exiting the site to pre-development levels.

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## Planning Assessment

Applicable Planning Policy Framework	
Framework	Applicable Policies
<b>Planning Policy Framework (PPF)</b>	Clause 11 Settlement Clause 12 Environmental and Landscape Values Clause 13 Environmental Risks and Amenity Clause 14 Natural Resource Management Clause 15 Built Environment and Heritage
<b>Local Planning Policy Framework (LPPF)</b>	Clause 21 Municipal Strategic Statement Clause 21.01 Key Issues and Strategic Vision Clause 21.02 Environment Clause 21.04 Economic Development Clause 21.06 Particular Uses and Development Clause 22.05 Western Port Green Wedge Policy

### Planning Policy Framework

The Planning Policy Framework (PPF) provisions create a consistent approach to the implementation of local planning provisions in accordance with Victorian Government policy.

It is submitted that the proposed subdivision will achieve the following key imperatives of the PPF:

**Clause 11 Settlement** states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for [... purposes including] recreation [...]. It will also recognise the need for diversity of choice, economic viability and to separate incompatible land uses. The proposal enhances recreational opportunities of the surrounding community by providing an appealing leisure facility. The riding school is appropriately situated within a rural region, ensuring it is surrounded by compatible land uses. In accordance with **Clause 11.01-1S**, the business is well equipped for long-term longevity, providing stable employment to the region.

**Clause 11.01-1R** discusses the need to avoid inappropriate development within Green Wedge regions, including Westernport. The proposal is generally in accordance with the Western Port Green Wedge Management Plan, which envisions agricultural activity within the region. The use of a horse-riding school is in keeping with the values of the region. The character of the region is also supported by the proposal's generous setback, with the main buildings around 314 m from the frontage to Seven Mile Road (distance of main clubrooms to frontage). This substantial setback will ensure the riding school does not detract from the landscape of the region. Environmental values have been appropriately considered by the vegetation assessment (**Appendix D**).

**Clause 11.01-1R Green Wedges** also considers the economic and social benefits within the green wedge. The proposed agribusiness will provide some economic benefits to the region in the form of employment opportunities. The horse-riding school will contribute significant social opportunities for rural residents, including youths, by facilitating a popular rural sport. The school will provide for ample social interaction of students and parents, as well as facilitating opportunities for team building, responsibility management and physical activity. Skills related to caring for animals will be transferable to future rural employment.

In accordance with **Clause 12.01-1S Protection of biodiversity** and **12.01-2S Native vegetation management**, biodiversity and vegetation have been appropriately assessed and managed by the proposal. Focusing the proposed buildings on the footprint of the former broiler facility will minimise undeveloped land used and reduce any environmental impacts. Similarly, utilising existing access routes will reduce any disturbance to the land. As discussed in **Appendix D** native vegetation has been appropriately considered and will be suitably offset.

**Clause 12.05-2S Landscapes** envisions that landscapes, including within the green wedge, support character, identity and sustainable objectives. The proposal is in keeping with the rural character of the region, which includes a number of large agricultural sheds, particularly on the nearby Hall Road. The proposed riding school is well setback from Seven Mile Road. A high-quality design and extensive landscaping ensure the riding school is viewed as a typical structure within the landscape rather than the predominant visual feature, as shown within the Masterplan (**Appendix B**) and Landscaping Plan (**Appendix C**).

The site is within a designated bushfire prone area, however **Clause 13.02-1S Bushfire planning** does not apply to agricultural uses. Briefly, we note that the buildings on the site are surrounded by largely bare paddocks with limited bushfire potential.

**Clause 13.03-1S Floodplain management** discusses the need to identify flood hazard, as well as maintain the flood storage ability and environmental significance of floodplains. As demonstrated by the Storm Water Management Strategy (**Appendix E**), the proposal results in a low change to the storage of floodwaters, with a retarding basin to be constructed to restrict the rate of discharge to the pre-development flow rate in the 20% AEP storm event.

**Clause 14.01-1S Protection of agricultural land** and **Clause 14.01-1R Protection of agricultural land - Metropolitan Melbourne** aim to preserve productive farmland. The proposal will establish a horse-riding school and horse stable, which are agricultural uses under Clause 73.04, allowing agricultural activities to continue on the land. Agricultural uses on neighbouring properties are compatible with the horse-riding school. Furthermore, the generous setbacks of the facility will separate the school from surrounding properties, minimising any disturbance to students.

**Clause 14.01-2S Sustainable agricultural land use** discusses the need for sustainable, climate resilient and diverse agriculture. The proposal utilises the land in a sustainable manner, with ample land provided to avoid over-grazing and associated land degradation. Spare paddocks towards the north of the property are currently planned for either cattle grazing or hay cutting, but could be used to supplement existing pastures in the event that climate change or other weather events reduce food available to the horses. The proposal represents investment in a less common agricultural activity, adding to the economic diversity and resilience of the region.

**Clause 15.01-4S Healthy neighbourhoods** aims to promote healthy and active living. The horse-riding school will promote physical exercise in the region, contributing to community health.

**Clause 15.01-6S Design for rural areas** seeks to ensure development respects rural character. The proposal is sited to cover the footprint of the existing sheds, minimising any disturbance to the region. The proposed height and scale of buildings is appropriate for their purpose and reflects surrounding agricultural structures. Other large agricultural buildings are present in the region, including towards the north on Bald Hill Road and McCraws Road, as well as to the south-west on Hall Road. The proposed agricultural buildings utilise a high-quality design and colours that complement the rural character of the region. The generous setback and proposed landscaping will further allow the property to cultivate a well-presented presence that complements the natural landscape character of the region (**Appendix C**). The above measures are also in accordance with **Clause 15.01-2S Building design** and **Clause 15.01-5S Neighbourhood character**. The riding school will be equipped with several water tanks, increasing water efficiency of the proposal.

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Cardinia Shire Council describes the LGA as an interface region, with both urban and rural land within the municipality. Relevant to the proposal, Council discusses the need to protect important landscapes, agricultural land and enhance local employment opportunities. Environmental, economic and particular considerations also apply to the proposal.

Cardinia's strategic vision is: "Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire". The proposed horse riding school will become an important asset to the surrounding community, respecting the rural character of surrounding land.

**Clause 21.01-5 Strategic framework plan** shows that the proposal is within a region of 'general agriculture'. This is an appropriate location for a horse-riding school, which requires a region for animal pastures as well as separation from urban and industrial areas.

In accordance with **Clause 21.02-1 Catchment and coastal management**, the proposal involves a typical agricultural development, and will have a negligible impact on catchment water quality. The septic system will suitably meet the required demand, with a high quality septic irrigation system proposed. Appropriate landscaping will be implemented, filtering water quality and mitigating potential for ground salinity. Native riparian planting will surround the dam to the east of the riding school, ensuring surface water is filtered. A number of rainwater tanks are proposed, allowing the proposal to utilise recycled water. Flooding has been appropriately considered by the proposal, with suitable floor heights utilized, as discussed in the LSIO section of this report.

**Clause 21.02-2 Landscape** aims to protect landscapes, including agricultural regions south of the Princess Highway. The proposal utilises colours and materials appropriate for a rural region, including neutral colours and timber. The outdoor arenas vary the roof colour from the shorter buildings, adding subtle visual interest that breaks up the appearance of the structures without detracting from the surrounding landscape. The proposal overlaps with the footprint of the previous agricultural building on the site, ensuring the buildings occupy the least agriculturally valuable land on the site and reducing the loss of any remnant vegetation.

**Clause 21.02-3 Biodiversity** discusses the need to achieve no net loss of native vegetation. As noted above, the proposed structures utilise the existing building footprint of the site to reduce the disturbance and removal of vegetation on the site. Where native vegetation loss cannot be avoided or minimised, an appropriate offset will be secured.

**Clause 21.02-4 Bushfire management** notes that many parts of Cardinia Shire are subject to bushfire risk. The subject site is almost entirely flat, reducing typical siting constraints. The proposal provides suitable access paths, which will be able to accommodate emergency services. The four dams on the site will provide access to water.

In accordance with **Clause 21.02-8 Resource conservation**, the proposal will utilise water tanks to reduce water consumption on the site.

**Clause 21.04-2 Agriculture** highlights the value of agricultural activities within the Port Phillip and Western Port regions. The proposal maintains appropriate lot sizes for an agricultural region, ensuring the right to farm is maintained. The proposal is a genuine agricultural use of the property, relying on the land for horse paddocks. This recognises the quality of the soil as suitable for grazing, in accordance with the provided map within the Clause. This map shows that the land has 'good' capability to support agricultural uses.

Additionally, appropriate access arrangements are provided on the site, and supported by the road network. The proposal utilises generous buffer distances in all directions, ensuring neighbouring properties are not impacted by the riding school.

**Clause 21.06-1 Urban design** considers the character, identity, sense of place and landscaping of a development. The proposal utilises a range of colours and materials that create a visually appealing appearance whilst also being muted and blending in with the rural landscape. The proposed landscaping will support the greenery of the surrounding region, whilst helping to create a sense of place.

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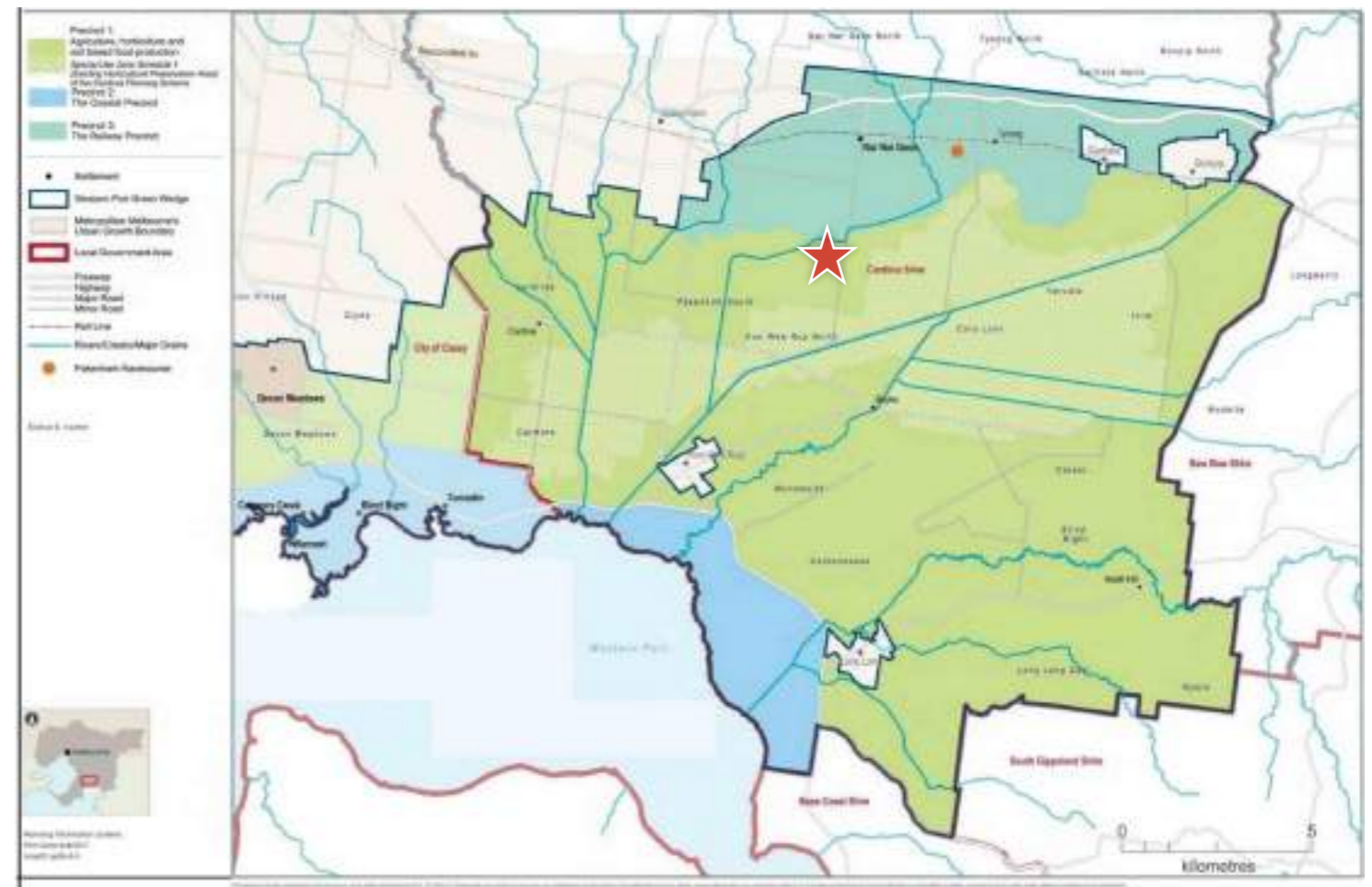
**Clause 22.05 Western Port Green Wedge Policy** aims to implement the **Cardinia Western Port Green Wedge Management Plan (2017)** (CWPGWMP). Both the Clause and Plan state that green wedge regions have significant agricultural, natural resource and biodiversity values. In accordance with policy, the proposal will implement an agricultural use on the land. Vegetation values of the proposal have been appropriately considered by ID Ecological Management's report (**Appendix D**). The site is not within an extractive industry interest area (see Map 2 of the Clause) and there are no extractive industries within 6 km of the site (see Tenement No. WA1356 6.2 km east of the site).

Clause 22.05 envisions that all applicable land will minimise the risk of flooding. Flood risk is minimised by consideration of the LSIO, including guidance from Melbourne Water regarding estimated flood levels. The proposal provides an adequate response to this issue, which is outlined by the discussion of LSIO requirements within this report.

The above policy classifies the site as within Precinct 1: Agriculture, horticulture and soil based food production. Precinct 1 of the WPGWMP is identified for 'Agricultural, Horticultural and soil-based food production'. In particular, the region has a strong focus on the beef and dairy industry, as well as vegetable production including asparagus cultivation.

Within the Precinct, soil-based food production should be focussed with the Special Use Zone 1, with other uses, such as a Riding School, envisioned outside of this zone. The site is within the Green Wedge Zone 1 rather than the SUZ1, ensuring it is located to avoid particularly high quality soil that should be used for crop production.

Cardinia Green Wedge Precincts



## Green Wedge Zone – Schedule 1

The properties are subject to the Green Wedge Zone – Schedule 1 (GWZ1), which is applied to land that is to be protected for *agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources*.

The proposed uses of a horse riding school and horse stable are Section 1 Uses and do not require a permit under the zone. This point was confirmed in the pre-application meeting with Council.

No other permit trigger applies under the GWZ1. Firstly, as stated in the Stormwater Management Plan (**Appendix E**), the rate of flow of stormwater across the property boundary will not be altered during a 20% AEP event. Therefore, the proposal will not *change the rate of flow or the discharge point of water across a property boundary*. Secondly, we note that there is no indication that the proposal is within a designated flood plain. It is not the purpose of the LSIO to designate flood plain locations.

The proposed buildings associated with the use will be located in the approximate centre of the large property, meeting the generous setback requirements of the GWZ1. Therefore, a permit is not required based on the setback of structures.

Fixed feeding infrastructure will be provided in appropriate locations, meeting the relevant setback requirements. A permit will not be required for this purpose.

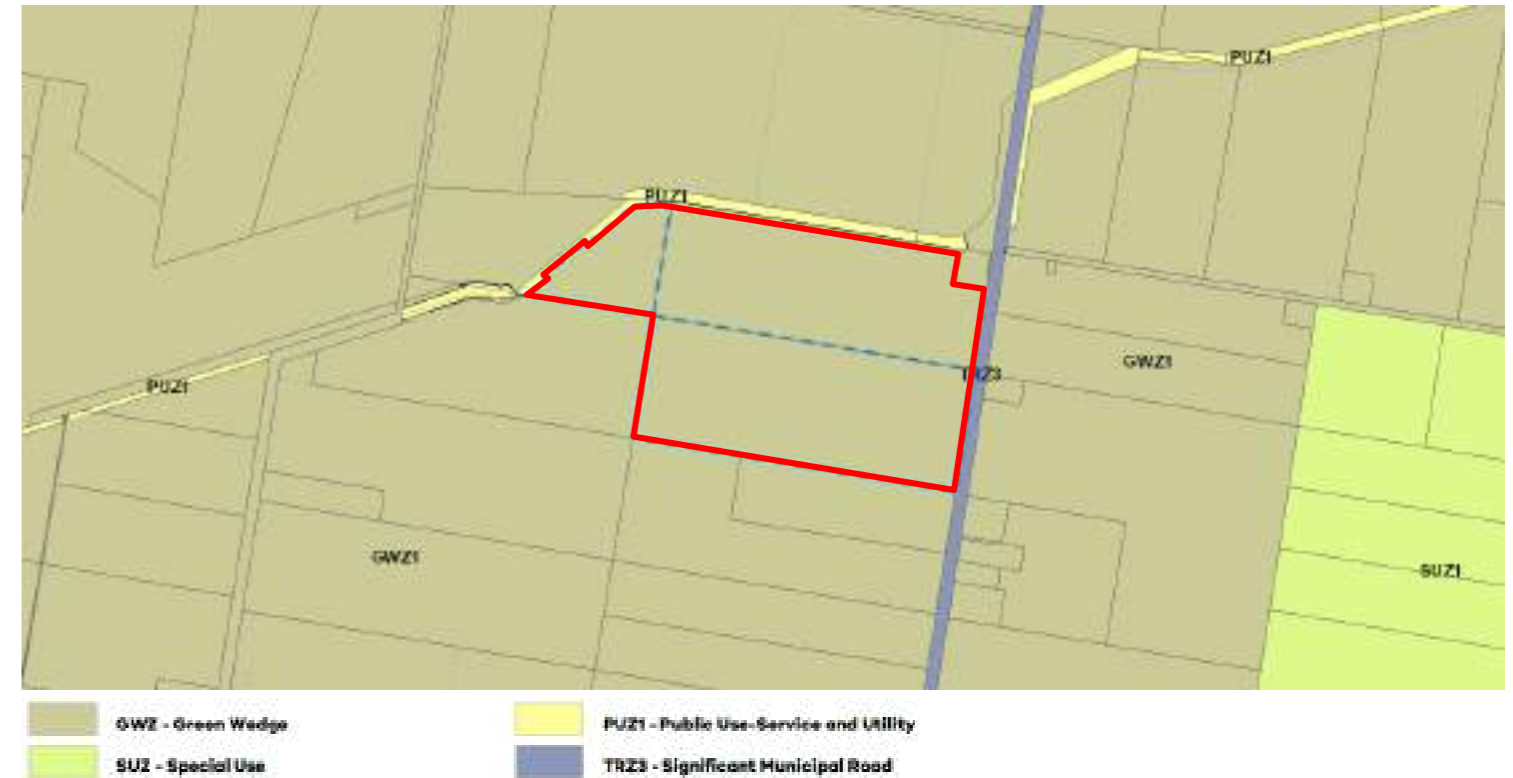
The proposal is in accordance with the decision guidelines of the GWZ1. The site is capable of accommodating the proposed development, with ample land to site the horse riding school's infrastructure and provide adequate grazing land for the horses. The proposal involves a rural land use which is within the agricultural category of Clause 73.03. Generous setbacks will ensure that the horse riding school does not interfere with surrounding agricultural activities. The proposal respects the character and appearance of the region, utilising an appropriate building design with muted colours and significant landscaping.

The proposal will support the rural economy by acting as a productive business which provides employment opportunities to the community. The soil is of appropriate quality to support animal grazing associated with the horse-riding school. The proposal will have a reasonable impact on surrounding infrastructure, with services, including the road network, able to support the proposal. Whilst there is some potential for expansion of the riding school in the event of significant demand, the impact on the adjoining landowners would be minimal. The proposal is a sustainable form of agriculture, with adequate land area available to avoid overgrazing. An integrated land management plan is not considered necessary as the proposed use is agricultural in nature, reflecting the current and intended uses of the site.

The proposal will have a low impact on flora and fauna within the region. The proposal is constructed on the footprint of the existing structure, minimising vegetation removal. The septic irrigation zone has been appropriately sited to avoid environmental impacts on waterways and native vegetation.

The proposal represents a high-quality design. It is sited to provide generous setbacks that respect the character and visual amenity of the region, as well as to reduce the loss of agriculturally or ecologically valuable land by utilising the footprint of the existing building. Buildings have been carefully designed to be visually appealing but modest within the green, rural landscape. The design breaks up the bulk of the school through varied height, design, materials, and colours whilst maintaining a cohesive overall appearance. Materials and colours are appropriate for the rural context of the site. Overall, the proposal will create an appealing visual that responds to and supports the rural character of the region.

## Green Wedge Zone – Schedule 1



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## Land Subject to Inundation Overlay

The Land Subject to Inundation Overlay (LSIO) applies to the entire site. The purpose of the LSIO is to identify land affected by the 1 in 100 year flood event and to minimise damage caused by flooding.

Under the LSIO, a permit is required for buildings and works, except where an exemption applies. Since the proposal involves an agricultural land use, LSIO exemptions apply to several, but not all, buildings and works proposed.

Clause 44.04-2 requires a permit for buildings and works associated with:

- A fence. (excluding post and wire and rail fencing)
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah [...].
- A deck, [...].

Exemptions relevant to the proposal include:

1. An open building with no walls.
2. A non-habitable building or extension to a non-habitable building, with concrete floors, provided the floor levels are at least 300 mm above the flood level.
3. A non-habitable building or extension to a non-habitable building, with dirt floors, provided the floor levels are at least 150 mm above the flood level.
4. An agricultural or farm building with permanent openings on all sides such as a hay shed, stockyards or covered horse stables.
5. An open-style fence.
6. A replacement fence of the same material as the existing fence.
7. Earthworks associated with the construction of a dam, provided no fill is imported to the site and no embankment is above ground level.

### Main Clubroom

The second exemption of the above list applies to most of the main clubroom and office. As shown on the provided plans, the foyer, reception, office, office storage, clubrooms, class room, viewing platform and kitchen have a floor level 1060 mm above the natural ground level. This well exceeds the 300 mm flood level determined by Melbourne Water (**Appendix G**), and will ensure that internal items, documents and internal finishes are not damaged during a flood.

We note that towards the southern portion of the main clubroom building, the meeting room and store room are not above the flood level. These rooms will not house valuable goods and are considered to have lower need of protection and consideration. Furthermore, reducing the height of the southern portion of the clubrooms will improve the architectural quality and cost-effectiveness of the proposed design by allowing the southern elevation to maintain a consistent roof, window and floor height with the adjacent horse stables.

The elevated clubroom deck to the east of the class room and club room requires a permit for buildings and works. Exemption 2 does not apply because the deck does not include a concrete base. The proposed deck has a low susceptibility to flood damage and will have an insignificant impact on floodwater flows.

### Pony Club Building

The majority of the pony club building is raised approximately 900 mm above the surrounding ground level to protect the structure and its contents from flooding. This is an appropriate height, as Melbourne Water estimate the flood level to be 300 mm above natural ground level (**Appendix G**). Accordingly, the second exemption applies. Non-exempt structures include the viewing deck, adjacent shower and toilet block, as well as rainwater tanks over 10,000 L. Rainwater tanks will be further considered under the 'Other Structures' heading.

The pony club viewing deck is located south of the clubroom. Clause 44.04-2 requires a permit for buildings and works associated with decking, and no exemption is relevant. The deck is level with the main pony clubroom; around 900 mm above natural ground level. Considering that the estimated 1 in 100 year flood level is 300 mm, the decking is well above of this level, mitigating the risk of damage. Further, this structure is considered of relatively low value relative to the pony clubroom and will not be used to store valuable contents.

A shower and toilet block is located within the western section of the pony club building. This toilet block has a finished floor level just above natural ground level (approx. 75 mm), and therefore will flood in a 1 in 100 year flood event. Due to the toilet block's low value, siting it within the flood level is considered an appropriate and cost-effective outcome. Furthermore, the toilets and showers are designed to be wet areas, and therefore have a high level of resilience in the event of a flood. Similarly, the corrugated galvanized iron external cladding has a high resistance to water damage, and can be replaced if necessary.

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### Horse Stables

The two adjacent horse stables are located south of the indoor arenas and about the main clubrooms. The finished floor level of the horse stables is just above natural ground level, so the structure will be subject to flooding in a 1 in 100 year event. A permit is not required for the horse stables, as Exemption 4 specifically mentions horse stables. Each of the two horse stables has three large permanent openings. These six entrances are generously sized to allow horses to safely enter and exit the stables. In the event of a flood, the openings are sufficient to allow the flow of floodwaters.

An undercover verandah is located north of the stables and a pergola structure to the south. Both structures require a permit for buildings and works but are considered of low value. Further, the structures will be able to sufficiently withstand the movement of any floodwater on the site.

### Horse Riding Arenas

The two indoor arenas are located immediately north of the horse stables. They each include three large openings to allow the entry and exit of horses from the east, south and west. Since these entrances are sizeable, the structures can be classified as open. Therefore, a permit is not required based on the first or fourth exemption listed. Furthermore, we suggest that the structure will largely include empty space and a permeable floor, resulting in the level of property damage in the event of a flood being low to none.

The open arena and courtyard are open structures with no walls. The works associated with the construction of these items will have a negligible impact on flood flows. In the event of a flood, resurfacing may be required to restore the facilities, which can be undertaken at low cost.

### Holding Yards & Farrier Building

The holding yards and farrier building are situated towards the south of the proposal. The holding yards are open on all sides, allowing exemption 4 to apply. Similarly, the farrier building is predominately open, so exemption 4 applies.

### Car Parking

The horse riding school will offer several car parking locations for patrons. These facilities are considered to have a low susceptibility to flood damage. Considering the size of the subject site, parking facilities will have a negligible impact on flood storage and flows. This is confirmed by the general findings of the Stormwater Management Strategy (**Appendix E**), which found that pre-development flows will be maintained in a 20% AEP flood event.

## Land Subject to Inundation Overlay





### Earthen Berms

Several earthen berms are proposed throughout the site, requiring a permit. The proposed berms will be landscaped to ensure low susceptibility to erosion and are appropriately placed to allow the passage of floodwater around them. The Stormwater Management Strategy (**Appendix E**) has considered the design of the proposal, including earthen berms, and has not found any issues with the passage of floodwater.

### Other Structures

Rainwater tanks over 10,000L are located throughout the site to store rainwater from the roofs of several buildings. The rainwater tanks require a permit under Clause 44.04-2. The establishment of rainwater tanks is considered appropriate as they will assist in the operation of the riding school and limit water consumption from other sources. The tanks will be appropriately constructed to typical standards, ensuring risk during flooding is minimised. The tanks can be replaced at relatively low cost after a flood, if necessary.

The horse riding school includes several small ancillary structures. They include:

- A feed silo
- The septic irrigation zone
- Water channel bridges
- Wash Bays
- Fencing

The above items are generally considered to have a low risk of flooding or are able to be replaced at a relatively low cost.

As shown in the provided table, the proposal is generally in accordance with the decision guidelines of the LSIO, and therefore responds appropriately to the 1 in 100 year flood risk.

Land Subject to Inundation Overlay Decision Guidelines	
The Municipal Planning Strategy and the Planning Policy Framework.	The Municipal Planning Strategy and Planning Policy Framework have been appropriately considered under the relevant sections of this planning report.
Any local floodplain development plan.	N.A.
Any comments from the relevant floodplain management authority.	The application is to be referred. We note that Melbourne Water has confirmed that the flood level is 300mm above the natural surface level of the property ( <b>Appendix G</b> ).
The existing use and development of the land.	The land is currently developed for agriculture and rural living. Shifting the agricultural use to a horse riding school and horse stables will not significantly impact the flood risk of the site.  The proposal takes into account the location of existing drainage channels and dams. The proposed horse riding school will incorporate these features, ensuring that alterations to the drainage system are minimised.
Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.	Agricultural uses, including horse riding schools, are appropriate in a region where flooding could occur. The use of flood prone land for agricultural purposes ensures that the land remains in productive use whilst minimising property damage or safety risk in the event of a flood.  A large portion of the surrounding region is also subject to the LSIO, reducing opportunities for an alternative location to be used.

### Land Subject to Inundation Overlay Decision Guidelines (continued)

Alternative design or flood proofing responses.	N.A.
The susceptibility of the development to flooding and flood damage.	We consider the proposal to have a low susceptibility to flood damage. As shown on the architectural plans ( <b>Appendix B</b> ), the floor level of a number of buildings are raised above the flood level. Structures that remain below the flood level are of lower importance, and some of which include permeable dirt floors.  The structures of the horse-riding school are generally situated within the centre of the site. Ample distance between structures will provide for the passage of floodwater, ensuring flows are not significantly obstructed ( <b>Appendix E</b> ).
The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include: <ul style="list-style-type: none"> <li>• The frequency, duration, extent, depth and velocity of flooding of the site and accessway.</li> <li>• The flood warning time available.</li> <li>• Tidal patterns.</li> <li>• Coastal inundation and erosion.</li> <li>• The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.</li> </ul>	The proposed horse riding school is considered to have a low safety risk. The proposal is not for a residential use, so no additional occupation of the land is proposed.  Seven Mile Road can be accessed from two separate points of the property, providing safe exit from the facility if one access point was to become obstructed.
The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.	The proposed buildings will be situated on a large, open and flat site. A minor redirection or obstruction of flood waters will have a negligible impact on surrounding properties and have an insignificant impact on flood levels and flow velocities.
The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.	The proposal does not significantly alter the permeability of the site due to its low coverage. Environmental flows are unlikely to be disturbed. The proposal will be appropriately landscaped, ensuring erosion is mitigated.
Any other matters specified in a schedule to this overlay.	N.A.

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## Particular Provisions

### Clause 51.02 Metropolitan Green Wedge Land

Clause 51.02 applies to the site. The purpose of this Clause is to preserve agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values associated with green wedges. The proposal meets this goal, allowing the land to continue to be used for an agricultural purpose. The table within Clause 51.02-2 lists incompatible uses. The proposed use is not listed within this table, and therefore can proceed in accordance with the policy.

### Clause 52.17 Native Vegetation

The above Clause seeks to reduce the loss of native vegetation. The proposal avoids and minimises the loss of native vegetation where possible, including by placing the new structure over the footprint of the four existing agricultural sheds. ID Ecological Management has addressed this Clause in detail (**Appendix D**), finding that an offset of 0.029 General Habitat Units (GHUs) with a minimum strategic biodiversity score of 0.341 is required.

## Conclusion

The proposed construction of a horse riding school and associated works at 450 & 500 Seven Mile Road, Nar Nar Goon forms a high-quality design proposal which respects the character and landscape values of the region.

The design provides horse riding students with a range of facilities and amenities to assist with the development of a wide range of skills transferrable to rural employment. Facilities include two abutting horse stables, two clubrooms, two covered arenas and an outdoor arena. Other structures and amenities generally include holding yards, feed sheds and car parking facilities.

The proposal includes excellent architectural design, utilising a variety of materials and forms to create a pleasant and cohesive visual appearance. The proposal includes generous setbacks from Seven Mile Road, ensuring the character of the region is maintained and enhanced. Landscaping will complement the overall design and broader surrounds.

Flood risk has been carefully considered by the proposal in order to ensure the longevity of the facility. Key facilities utilise a raised floor to ensure valuable structures and their contents are well above the flood level. More resilient or less expensive buildings or structures are located below the flood level when appropriate.

Vegetation removal has been minimised through utilising the existing footprint of past agricultural buildings. Vegetation that cannot be retained will be appropriately offset in accordance with ID Ecological Management's analysis.

The planning assessment completed in this report has confirmed that the proposal is consistent with the following key planning provisions:

- State Planning Policy Framework - particularly Clause 14 relating to the protection of agricultural land, given that the proposal will allow for the continued productive use of the site for an agricultural purpose.
- Local Planning Policy Framework – by utilising the land for an agricultural purpose, in accordance with the Strategic Framework Plan, and providing a high-quality design that respects the landscape values of the region.
- Land Subject to Inundation Overlay – by carefully considering the risk of flooding on the site as well as responding to Melbourne Water's estimated flood level and the LSO schedule.
- Cardinia Western Port Green Wedge Management Plan (2017) – particularly by placing the proposed use outside of the Special Use Zone 1, which should be used for soil-based food production.

For the reasons outlined above and throughout this report it is requested that a planning permit be issued as soon as possible to enable this project to commence and deliver social and recreational opportunities to the broader community.

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## Report for Oakwood Riding School

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Native Vegetation Assessment for

450 & 500 Seven Mile Road, Nar Nar Goon

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April 2023



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## Citation

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## Version Control

Status	Date	Revision type	Reviewed by	Amended by
<b>Draft 1.1</b>	03/04/2023	First draft, first review	Antares Fuhrmann	Tim Bowler
<b>Draft 1.2</b>	11/04/2023	First draft, second review	Tania Brooker	Tim Bowler
<b>Final v 1.1</b>	12/04/2023	Final released to client		
<b>Final v 1.2</b>	18/04/2023	Final released to client (minor amendments)		

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# 1 Introduction

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## 1.1 Project Background

ID Ecological Management has been commissioned by Oakwood Riding School to address Clause 52.17 of the Cardinia Shire Planning Scheme in relation to the proposed removal of native vegetation relating to the redevelopment of the site for a horse-riding school.

This application follows the information requirements for a basic assessment pathway under the Department of Energy, Environment and Climate Action (DEECA) *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).

This report does not seek to satisfy or address any planning matters outside of native vegetation information requirements under Clause 52.17 of the Cardinia Planning Scheme nor any other ecological aspects associated with this proposal.

## 1.2 Information Included

The following information is included within this report:

- 1) The assessment pathway and its determination. This includes the location category of the native vegetation to be removed.
  - A description of the native vegetation to be removed including:
    - Whether it is a patch or a scattered tree (or both);
    - The extent in hectares;
    - The number and circumference of any large tree within a patch;
    - The number and circumference of any scattered tree and whether each tree is a small or large;
    - The strategic biodiversity value score;
    - If the Ecological Vegetation Classes is endangered; and
    - If the site is a sensitive wetland or coastal area.
  - Maps showing the native vegetation and property context including:
    - Scale, north point and property boundaries;
    - Location of any patches of native vegetation and the number of large trees within the patch proposed to be removed; and
    - Location of scattered trees proposed to be removed, including their size.
- 2) Topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetland and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas and areas of existing erosion, as appropriate. This may be represented in a map or plan.
- 3) Recent dated photographs of the native vegetation to be removed.

- 4) Details of any other native vegetation approved to be removed or that was removed without the required approvals, on the same property or on a continuous land in the same ownership as the applicant, in the 5 year period before the application for a permit is lodged.
- 5) Avoid and minimise statement. This statement describes any efforts to avoid the removal of and minimise the impacts on the biodiversity and other values of native vegetation and how these efforts focussed on areas of native vegetation that have the most value.
- 6) An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- 7) Design drawings of the proposed subdivision (*Appendix 1*).

### 1.3 Site Details

The study area (*Figure 1*) is contained within the Cardinia Shire Council and Port Phillip and Westernport Catchment Management Authority. The sites details are provided below and a planning property report for the three parcels is provided in *Appendix 2*.

**Address:** 450 Seven Mile Road, Nar Nar Goon, Victoria 3812

**Local Government (Council):** Cardinia

**Standard Parcel Identifier (SPI)** 2\PS520637

**Address:** 500 Seven Mile Road, Nar Nar Goon, Victoria 3812

**Local Government (Council):** Cardinia

**Standard Parcel Identifier (SPI)** 34~H\PP2920

**Address:** 500 Seven Mile Road, Nar Nar Goon, Victoria 3812

**Local Government (Council):** Cardinia

**Standard Parcel Identifier (SPI)** 2\TP834278

Planning Zones

Green Wedge Zone (GWZ) – Schedule 1 (GWZ1)

Planning Overlays

Land Subject to Inundation Overlay – Schedule 1 (LSIO)

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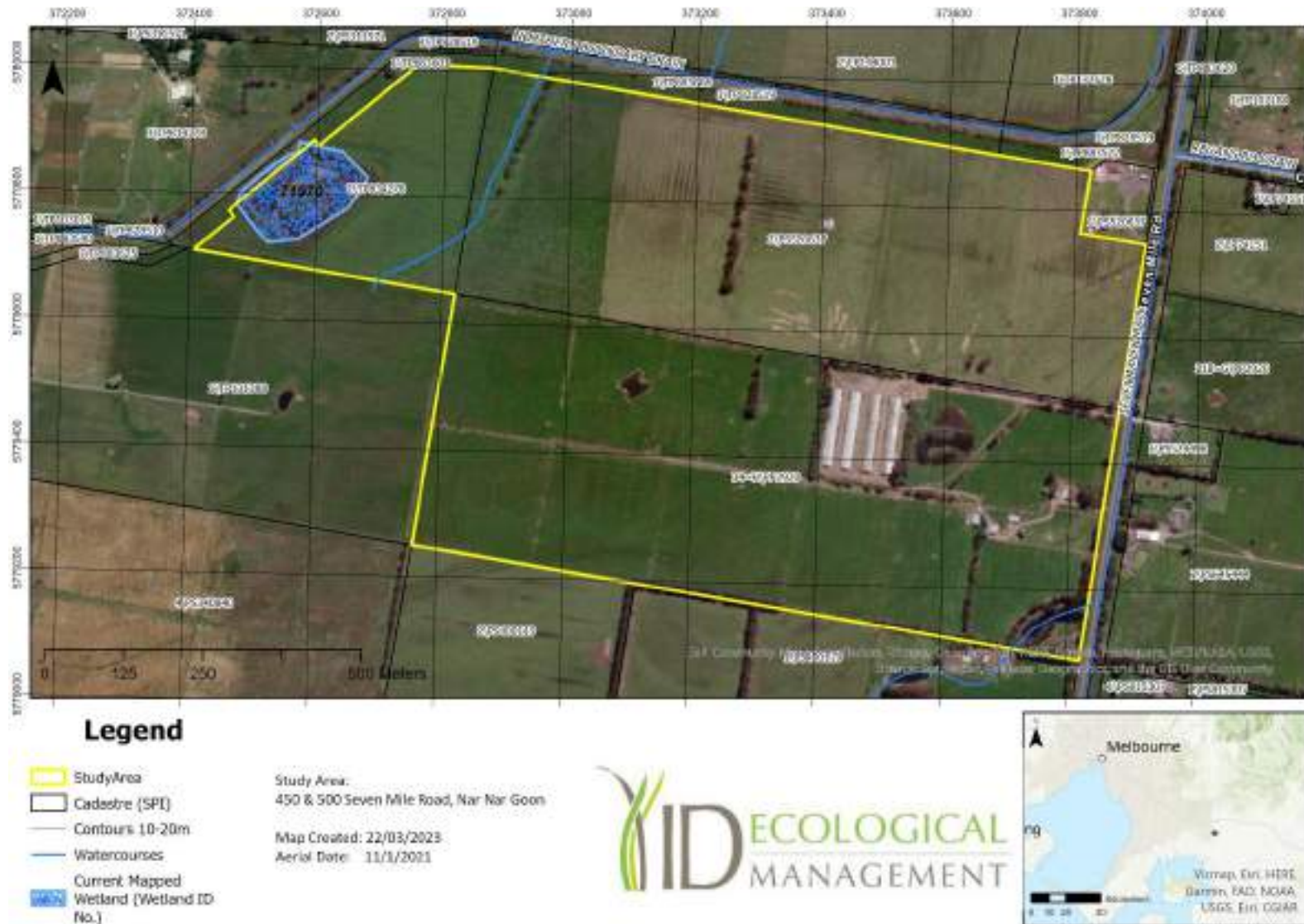


Figure 1: Study area

## 2 Methodology

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### 2.1 Data and Literature Review

The DEECA's online interactive map, *NatureKit* (DELWP, 2023b) was used to gain an insight into the overall distribution of native vegetation on the site and the Ecological Vegetation Class (EVC) to which any remnant vegetation may belong.

The following resources were used to determine if any taxa listed or protected under the Victorian *Flora and Fauna Guarantee Act 2019* (FFG Act), or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) have been, or potentially could be, located at the site:

- DELWP's *NatureKit Victoria* (DELWP, 2023b);
- DELWP's *Victorian Biodiversity Atlas* (VBA) (DELWP, 2023a);
- The DELWP's Native Vegetation Information Management System (NVIM) (DELWP, 2023d).

### 2.2 Field Survey

Field surveys of the site were undertaken in March 2023. During these surveys, all flora present on the site was recorded and vegetation quality assessments were carried out using the methods described below.

The survey was completed by Tim Bowler- B.A.Sc. (Env. Sc.), DELWP accredited native vegetation assessor, 8 years' experience in environmental consultancy and flora and fauna assessments.

The survey included:

- Recording all flora present. Flora species were recorded following the species nomenclature requirements of the VBA;
- Completion of a Vegetation Quality Assessment (VQA) for all native patches. These areas were Digital GPS (DGPS) mapped and assessed using the habitat hectare method described by DSE (2004) in the *Vegetation Quality Assessment Manual – Guidelines for applying the habitat hectares scoring method - Version 1.3*;
- Recording all scattered and large old trees including collecting data on species, DBH and any habitat features (i.e. nests or hollows);
- Identification and recording of any flora and fauna communities including any threatened, protected species / communities or habitat; and
- Completing a fauna assessment that included the opportunistic observation of scats, footprints, diggings, burrows, tracks, incidental bird and other fauna observations and listening for frog and bird calls; and
- Identifying and recording notes on any habitat features including vegetation type and structure, proximity to water, the presence of hollow bearing trees and stags, logs and other ground debris. The surrounding landscape was also observed, and notes taken regarding its habitat provision, intactness of native vegetation and connectivity with the study site; and

GPS mapping was completed using the ArcCollector application paired with a handheld Android device. An average recording accuracy of approximately +/- 2m was achieved.

## 2.3 Native Vegetation

Native vegetation is defined in the Victoria Planning Provisions (Definitions – Clause 72) as *'plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'*. DELWP's *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) (the Guidelines) further defines native vegetation into two categories: 'patches' and 'scattered trees' outlined below.

A patch of native vegetation is defined as:

- an area of vegetation where at least 25 percent of the total perennial understorey plant cover is native, or
- any area with three or more native canopy trees where the drip line of each touches the drip line of at least one other tree, forming a continuous canopy, or
- any mapped wetland included in the *Current wetlands map*, available in the DELWPs systems and tool. (DELWP, 2017)

A scattered tree is:

- a native canopy tree that does not form part of a patch. (DELWP, 2017)

Following these definitions all native vegetation on site was categorised as either 'patches' or 'scattered trees'.

The following methodology is applied when determining the extent of the impacts to native vegetation under the proposal:

- The full extent of a remnant patch, canopy tree or scattered tree that is contained within the construction footprint is assessed as lost and the outer extent of the canopy of any tree deemed lost is incorporated within the clearing extent.
- Any scattered trees on site are identified to species level, GPS mapped and had their DBH recorded to determine if they were small or large (DELWP, 2017) and to identify the location of the Tree Retention Zone (TRZ) in relation to the planned works. In line with DELWP's standards the TRZ of scattered trees "is a specific area above and below the ground, with a radius 12 x the Diameter at Breast Height" (DSE, 2011). Any works affecting more than 10% of this area are considered to equate to a loss of the tree unless a qualified arborist can confirm that no significant damage will be caused.
- Under the Guidelines (DELWP, 2017) scattered trees are assigned a default area and condition score dependent on whether they are large (greater than or equal to the large tree DBH benchmark for the relevant EVC benchmark), or small (all other remaining scattered trees).



- Where the construction footprint impacts on greater than 10% of an estimated TPZ of a tree located outside but adjacent to the construction footprint it is assessed as lost and:
  - A 10 meter buffer is applied to small size class trees; and
  - A 15 meter buffer is applied to large size class trees.

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## 3 Results

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### 3.1 Data & Literature Review

#### 3.1.1 Flora Species

Interrogation of the DEECA's *Victorian Biodiversity Atlas* (VBA) (DELWP, 2023a) identified ten flora species within a 5 km radius of the study area that are listed as threatened under Victoria's FFG Act or the EPBC Act. Of these, all were deemed unlikely to occur within the study area, following the thorough site inspection, apart from planted *Melaleuca armillaris* subsp. *armillaris* (Giant Honey-myrtle) and *Corymbia maculata* (Spotted Gum), both of which are non-indigenous to the area.

#### 3.1.2 Fauna Species

Interrogation of the DELWP's *Victorian Biodiversity Atlas* (VBA) (DELWP, 2023a) identified 22 species within a 5 km radius of the study area that are listed as threatened under Victoria's FFG Act or the EPBC Act, with findings including:

- *Galaxiella pusilla* (Dwarf Galaxias), listed as Endangered on the FFG Act Threatened list and Vulnerable under the EPBC Act, has been recorded seven times within five kilometres of the study area, most recently in 2005;
- *Litoria raniformis* (Growling Grass Frog), listed as Vulnerable on the FFG Act Threatened list and under the EPBC Act, has been recorded on site, in 2003, as well as having 64 records within five kilometres of the study area.
- *Prototroctes maraena* (Australian Grayling), listed as Endangered on the FFG Act Threatened list and Vulnerable under the EPBC Act, has been recorded 30 times within five kilometres of the study area, most recently in 2010.

### 3.2 Field Survey

A site visit undertaken in March 2023, found the study area to be largely devoid of native vegetation, with patches of remnant vegetation present within and surrounding wetlands and along drains, along with planted native and non-indigenous vegetation as windrows.

The vegetation is dominated by exotic pasture grasses, including *Anthoxanthum odoratum* (Sweet Vernal-grass), *Dactylis glomerata* (Cocksfoot), *Holcus lanatus* (Yorkshire Fog), *Agrostis capillaris* (Brown-top Bent) and *Cenchrus clandestinus* (Kikuyu). Native vegetation present on site is limited to aquatic and semi-aquatic species, including *Eleocharis acuta* (Common Spike-rush), *Eleocharis sphacelata* (Tall Spike-rush), *Juncus australis* (Austral Rush) and *Lythrum hyssopifolia* (Lesser Loosestrife), along with sparse, scattered *Acacia melanoxylon* (Blackwood) amongst planted rows and *Melaleuca ericifolia* (Swamp Paperbark) along drains and planted rows.

The majority of planted tree species are not indigenous to the area, including *Corymbia* sp. (Bloodwoods), *Eucalyptus botryoides* (Southern Mahogany), *E. saligna* (Sydney Blue-gum), *E. kitsoniana* (Bog Gum), *E. conspicua* (Silver Stringybark) and *Melaleuca armillaris* (Giant Honey-myrtle),

along with *Allocasuarina* sp. (Sheoaks), *E. obliqua* (Messmate Stringybark) and *E. radiata* (Narrow-leaved Peppermint).

A full list of all flora and fauna species recorded during the site assessment can be found in *Appendix 3* and *Appendix 4* respectively.

### 3.2.1 EVC Determination

Ecological Vegetation Classes (EVC) are a type of vegetation classification which aims to group plant communities according to common flora species, vegetation structure and common environmental factors such as elevation, soils and average rainfall.

The study area is located within the Gippsland Plains Bioregion. The DEECA’s *NatureKit 2.0* (DELWP, 2023b) displays the study area and its adjacent surrounds as having one pre-1750s EVC; EVC 53: *Swamp Scrub* (Figure 2).

Extant EVC mapping (DELWP, 2023b) shows the coverage of EVC 53: *Swamp Scrub* is now predominantly non-existent, only being found in and around the wetlands. Field assessments confirmed the presence of these sparse, isolated patches of EVC 53: *Swamp Scrub*, with planted isolated canopy trees within the study area.

Table 1: Bioregional conservation status of assigned Ecological Vegetation Class

Ecological Vegetation Class	Bioregional Conservation Significance
EVC 53: <i>Swamp Scrub</i>	Endangered

The DELWP Benchmark for *Swamp Scrub* describes the EVC as:

*‘Closed scrub to 8 m tall at low elevations on alluvial deposits along streams or on poorly drained sites with higher nutrient availability. The EVC is dominated by Swamp Paperbark Melaleuca ericifolia (or sometimes Woolly Tea-tree Leptospermum lanigerum) which often forms a dense thicket, out-competing other species. Occasional emergent eucalypts may be present. Where light penetrates to ground level, a moss/lichen/liverwort or herbaceous ground cover is often present. Dry variants have a grassy/herbaceous ground layer.’* (DELWP, 2023c).

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Figure 2: Mapped Ecological Vegetation Classes for the study area and its wider surrounds (450 & 500 Seven Mile Road, Nar Nar Goon)

### 3.2.2 Native Patches

Assessment of native vegetation within the site identified 40 native patches of vegetation and five scattered trees. All native vegetation is shown in *Map 1*.

*Appendix 3* list all flora species identified within native patches on the site.

The majority of native vegetation patches are retained, including wetlands and surrounding vegetation, along with drains that will remain unmodified. This includes very small, isolated patches of *Melaleuca ericifolia* (Swamp Paperbark) and scattered *Eleocharis acuta* (Common Spike-sedge), *Phragmites australis* (Common Reed) and *Juncus australis* (Austral Rush).

#### Swamp Scrub – Habitat Zone 1A

A small patch of Common Reed along the roadside drain, along with two mature *Eucalyptus ovata* (Swamp Gum) located on the eastern boundary of the site and a ground cover of *Lythrum hyssopifolia* (Lesser Loosestrife) and low weed cover.

*Figure 3* provides an example of *Swamp Scrub – Habitat Zone 1A* and its location is provided in *Map 1*.

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Figure 3: Habitat Zone 1A

Swamp Scrub – Habitat Zone 1AA, B, C, CC, DD, EE, FF, GG, HH, KK, LL, M, MM, NN, T, U, V, W and X

These native vegetation patches comprise isolated immature Swamp Paperbark, with degraded ground cover dominated by exotic pasture grasses including *Anthoxanthum odoratum* (Sweet Vernal-grass), *Holcus lanatus* (Yorkshire Fog) and *Dactylis glomerata* (Cocksfoot).

Figures 4-6 provide some examples of these habitat zones and their location is provided in Map 1.



Figure 4: Habitat Zone 1B on eastern boundary



Figure 5: Habitat Zone 1X on edge of drainage line



Figure 6: Habitat Zone 1KK on edge of drainage line

#### Swamp Scrub – Habitat Zone 1L, P, Q, OO and PP

These native vegetation patches are comprised predominantly of *Acacia melanoxylon* (Blackwood), all within planted areas of indigenous and non-indigenous trees, with a degraded ground cover dominated by pasture grasses.

Figures 7-8 provides some examples of these habitat zones, and their location is provided in *Map 1*.



Figure 7: Habitat Zone 1P surrounded by planted indigenous and non-indigenous canopy trees



Figure 8: Habitat Zone 1L, a single immature Blackwood beneath White Poplar trees

#### Swamp Scrub – Habitat Zone 1D, E, F, G, H and S

These native vegetation patches are dominated by Common Spike-sedge, Austral Rush and Lesser Loosestrife in slight depressions within paddocks in the southern area of the site, with relatively low weed cover of pasture grasses.

Figures 9-10 provides some examples of these habitat zones, and their location is provided in *Map 1*.



*Figure 9: Habitat Zone 1D in slight depression in paddock*



*Figure 10: Habitat Zone 1G in slight depression in paddock*

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## Wetlands

The study area includes five wetlands of varying sizes, with all wetlands containing some native vegetation, although wetlands 2, 3 and 5 are dominated by indigenous flora and represent good examples of remnant wetlands. All wetlands are to be retained, with revegetation with indigenous flora species to be undertaken.

### *Wetland 1*

Located on the western side of the study area, is an unfenced farm dam with a small amount of native vegetation present, with Common Spike-sedge along the edge, and a Tall Spike-sedge cluster within the dam. See *Figure 11*.



*Figure 11: Wetland 1, a paddock dam with some native vegetation*

### *Wetland 2 (Habitat Zone 1JJ)*

Located on the eastern side of the study area, wetland 2 is an unfenced wetland comprising dense vegetation, dominated by indigenous species including Common Spike-sedge and Tall Spike-sedge throughout and little open water observed. See *Figure 12*.

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Figure 12: Wetland 2, with dense remnant native vegetation

#### Wetland 3 (Habitat Zone 1II)

Located on the eastern side of the study area, adjacent to wetland 2, this wetland is larger, with areas of dense native aquatic vegetation including Common Spike sedge and Tall Spike Sedge, along with open water where Australasian Swamphen and Pacific Black Duck were observed. See Figure 13.



Figure 13: Wetland 3, with dense remnant native vegetation

#### Wetland 4

Located in the south-east of the study area, this is a large open wetland with minimal native vegetation, restricted to Common Spike Sedge along the edges and some herbaceous species within the wetland. Black-tailed Native-hen, Australasian Grebe, Australasian Swamphen, Eurasian Coot and Pacific Black Duck were observed within the wetland. See *Figure 14*.



*Figure 14: Wetland 4, a large, deep wetland with minimal native aquatic vegetation*

#### Wetland 5 (Wetland 1BB)

Located in the western edge of the study area, this is a large wetland with dense native vegetation, including Common Spike Sedge, Austral Rush and Tall Spike Sedge, along with areas of open water. It is rimmed by a tall berm that is vegetated with exotic *Calicotome spinosa* (Spiny Broom), a declared noxious weed. The wetland was teeming with tadpoles during the site inspection. A record of Growling Grass Frog from 2005 is located within this wetland, which is mapped on DEECA's Mapped Wetlands Database. See *Figure 15*.

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*Figure 15: Wetland 5, a large wetland mapped on DEECA's Mapped Wetlands Database, dominated by native aquatic vegetation.*

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Table 2: Vegetation Quality Assessment Scores

			Habitat Zone 1A	Habitat Zone 1B	Habitat Zone 1C	Habitat Zone 1D	Habitat Zone 1E	Habitat Zone 1F	Habitat Zone 1G	Habitat Zone 1H
Bioregion – Gippsland Plain			Swamp Scrub	Swamp Scrub	Swamp Scrub	Swamp Scrub	Swamp Scrub	Swamp Scrub	Swamp Scrub	Swamp Scrub
EVC Name (initials)			SS	SS	SS	SS	SS	SS	SS	SS
EVC Number			53	53	53	53	53	53	53	53
Bioregional Conservation Status			Endangered	Endangered	Endangered	Endangered	Endangered	Endangered	Endangered	Endangered
Max Score			100	100	100	100	100	100	100	100
Site Condition	Large Old Trees	10	-	-	-	-	-	-	-	-
	Canopy Cover	5	5	0	0	0	0	0	0	0
	Understorey	25	5	5	5	5	5	5	5	5
	Lack of Weeds	15	9	7	4	9	9	9	9	9
	Recruitment	10	0	0	0	0	0	0	0	0
	Organic Matter	5	3	3	3	3	3	3	3	3
	Logs	5	-	-	-	-	-	-	-	-
	<b>Total Site Score</b>	75	<b>22</b>	<b>15</b>	<b>12</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>17</b>
	Site score out of? eg 55		60	60	60	60	60	60	60	60
<b>Adjusted Site Score</b>		<b>28</b>	<b>19</b>	<b>15</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	
Landscape	Patch Size	10	1	1	1	1	1	1	1	1
	Neighbourhood	10	0	0	0	0	0	0	0	0
	Distance to Core	5	0	0	0	0	0	0	0	0
Habitat points out of 100	100	29	20	16	22	22	22	22	22	
Habitat Score (hab points/100)		0.29	0.20	0.16	0.22	0.22	0.22	0.22	0.22	
Total area of the Zone (ha)		0.0585	0.0037	0.0018	0.0051	0.0005	0.0027	0.0037	0.0052	
Total HHA in the zone		0.0167	0.0007	0.0003	0.0011	0.0001	0.0006	0.0008	0.0011	
Catchment	Port Phillip and Westernport Catchment Management Authority (CMA)									

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Table 3: Vegetation Quality Assessment Scores - Wetlands

			Wetland 2	Wetland 3	Wetland 5
Bioregion -Gippsland Plain			Swamp Scrub	Swamp Scrub	Swamp Scrub
EVC Name (initials)			SS	SS	SS
EVC Number			53	53	53
Bioregional Conservation Status			Endangered	Endangered	Endangered
			Max Score	100	100
Site Condition	Large Old Trees	10	-	-	-
	Canopy Cover	5	0	0	0
	Understorey	25	5	5	5
	Lack of Weeds	15	9	11	11
	Recruitment	10	0	0	0
	Organic Matter	5	3	3	3
	Logs	5	-	-	-
	<b>Total Site Score</b>	75	<b>17</b>	<b>19</b>	<b>19</b>
	Site score out of?	eg 55	60	60	60
	<b>Adjusted Site Score</b>		<b>21</b>	<b>24</b>	<b>24</b>
Landscape value	Patch Size	10	1	1	1
	Neighbourhood	10	0	0	0
	Distance to Core	5	0	0	0
<b>Habitat points out of 100</b>		<b>100</b>	<b>22</b>	<b>25</b>	<b>25</b>
<b>Habitat Score (hab points/100)</b>			<b>0.22</b>	<b>0.25</b>	<b>0.25</b>
<b>Total area of the Zone (ha)</b>			0.9336	0.1710	0.3499
<b>Total HHA in the zone</b>			<b>0.2077</b>	<b>0.0423</b>	<b>0.0866</b>

### 3.2.3 Scattered / Canopy Trees

Table 4 lists the assessed scattered / canopy trees on site within the study area, with the ID No. corresponding with those depicted in Maps 1 - 4.

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Table 4: Scattered / Canopy trees information for 450 & 500 Seven Mile Road, Nar Nar Goon

Tree ID No	Botanical Name	Common Name	Diameter at Breast Height (DBH)	Size Category	Type	Status
1	<i>Eucalyptus ovata</i>	Swamp Gum	56	Small	In Patch	Lost
2	<i>Eucalyptus ovata</i>	Swamp Gum	42	Small	In Patch	Lost
3	<i>Eucalyptus ovata</i>	Swamp Gum	40	Small	Scattered	Retained
4	<i>Eucalyptus ovata</i>	Swamp Gum	35	Small	Scattered	Retained
5	<i>Eucalyptus ovata</i>	Swamp Gum	30	Small	Scattered	Retained
6	<i>Eucalyptus ovata</i>	Swamp Gum	33	Small	Scattered	Retained
7	<i>Eucalyptus ovata</i>	Swamp Gum	40	Small	Scattered	Retained
8	<i>Eucalyptus ovata</i>	Swamp Gum	63	Small	Scattered	Retained
9	<i>Eucalyptus ovata</i>	Swamp Gum	50	Small	Scattered	Lost

### 3.2.4 Revegetation – Windrows and Plantings

These areas comprise a mixture of canopy species, including those indigenous to Victoria, such as *Eucalyptus obliqua* (Messmate Stringybark), *E. conspicua* (Silver-leaf Stringybark), *E. radiata* (Narrow-leaved Peppermint), *Allocasuarina* sp. (She-oaks), *E. kitsoniana* (Bog Gum), *E. viminalis* (Manna Gum) and *Melaleuca armillaris* (Giant Honey-myrtle), along with non-indigenous species including *Corymbia maculata* (Spotted Gum), *Eucalyptus globulus* (Blue Gum), *E. botryoides* (Southern Mahogany) and *E. cladocalyx* (Sugar Gum). Due to the nature of the mixed plantings, and that the ecological vegetation class for the study area is EVC 53: Swamp Scrub, these areas were not assessed as native vegetation patches.

It was determined, based on the Manna Gum planted along the driveway being of similar age to other non-indigenous species, that they were planted and not included in native vegetation losses.

Figures 16-19 provide an example of Windrows and Plantings, and their location is provided in Map 1.

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Figure 16: Planted Messmate, Narrow-leaved Peppermint and Silver-leaf Stringybark beside wetland.



Figure 17: Planted Blue Gums along eastern boundary of the study area

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Figure 18: Planted *Corymbia* sp, and Southern Mahogany in the north of the study area



Figure 19: Planted *Eucalyptus* species along driveway, including *Eucalyptus viminalis* (Manna Gum).

## 4 Policy & Legislative Implications

### 4.1 Commonwealth – Environment Protection and Biodiversity Conservation Act 1999

The EPBC Act establishes a Commonwealth process for assessment of proposed actions that are likely to have a significant impact on Matters of National Environmental Significance (MNES) or on Commonwealth land. An action (i.e. project, development, undertaking, activity, or series of activities), unless otherwise exempt, requires approval from the Commonwealth Environment Minister if they are considered likely to have an impact on any MNES. A referral under the EPBC Act is required if a proposed action is likely to have a 'significant impact' on any of the following MNES:

- World Heritage properties;
- National heritage places;
- Ramsar wetlands of international significance;
- Threatened species and ecological communities;
- Migratory and marine species;
- Commonwealth marine area;
- Nuclear actions (including uranium mining);
- Great Barrier Reef Marine Park; and
- A water resource, in relation to coal seam gas development and large coal mining development.

#### 4.1.1 Implications (Significant Impact Criteria)

Survey of the study area did not identify any threatened fauna species on site, however the data and literature review found numerous records of three fauna species listed under the EPBC Act which have been recorded on or in close proximity to the site:

- *Galaxiella pusilla* (Dwarf Galaxias);
- *Litoria raniformis* (Growling Grass Frog); and
- *Prototroctes maraena* (Australian Grayling).

The site includes five wetlands that are dominated by aquatic native vegetation and numerous drainage channels. Aquatic birds were observed in all wetlands and tadpoles in Wetland 5, where the Growling Grass Frog record is located from 2003. This habitat is unlikely to be suitable for Australian Grayling, as it is a river specialist, however the site could be utilised by both Growling Grass Frog and Dwarf Galaxias.

Whilst an ecological assessment or likelihood of occurrence of the proposed development on threatened species is outside of the scope of this report, due to the number of nearby recent records, additional investigations are recommended be undertaken and any potential impact on both Growling Grass Frog and Dwarf Galaxias (if any) determined.

## 5 Vegetation Removal and Offsets

Victoria's *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (the Guidelines) set out and describe the application of Victoria's statewide policy in relation to assessing and compensating for the removal of native vegetation. The Guidelines implement Clause 12.01-2S (Biodiversity) of the Planning Provisions objective 'To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.' (DELWP, 2017)

The Guidelines also detail the three step approach of Avoid, Minimise and Offset as a key component of the policy. This approach aims to ensure that the removal of native vegetation is restricted to only what is reasonably necessary, and that biodiversity is appropriately compensated for any removal approved.

A combination of site-based and landscape information is used to calculate the biodiversity value (being a general or species habitat score) of native vegetation to be removed. This is calculated by the extent and condition score, combined to determine the site-based measure of biodiversity value.

The assessment pathway for an application to remove native vegetation reflects its potential impact on biodiversity and is determined by combining the location and extent of the native vegetation proposed to be removed, in accordance with Table 3 of the Guidelines. The pathways are:

**Basic** - limited impacts on biodiversity.

**Intermediate** - could impact on large trees, endangered EVC's, and sensitive wetlands and coastal areas.

**Detailed** - could impact on large trees, endangered EVC's, sensitive wetlands and coastal area and could significantly impact on habitat for rare or threatened species.

(DELWP, 2017)

Based on the criteria set out in Table 3 of the Guidelines this project has been assessed as a 'Basic' assessment pathway project which has been confirmed by the NVR Report provided in *Appendix 3*.

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### 5.1 Avoid Minimise Statement

#### 5.1.1 Design

Avoiding the removal of native vegetation can be achieved by locating or designing a development so that native vegetation is not removed. Minimising of losses to native vegetation can be achieved by siting to minimise total losses, restrict to areas of native vegetation that have the least biodiversity or other values or managing the use or development to minimise impacts on surrounding vegetation (DELWP, 2017).

*Appendix 1* provides the Proposed Master Plan for the horse-riding development, which will predominantly involve the redevelopment of currently degraded farmland, with the majority of vegetation removal involving non-indigenous species planted in windrows.

No feasible opportunities exist to further avoid and minimise impacts on native vegetation to be removed that will not undermine the objectives of the proposed use or development.

The assessed losses to native vegetation will be appropriately offset by the proponent in line with the Guidelines (DELWP, 2017). The purchase of a registered credit extract will ensure that the overarching native vegetation policy of 'no net loss' is achieved.

### 5.1.2 Construction

The following recommendations should be adhered to during construction to avoid damage to retained vegetation:

- Trees or native patches to be retained outside of the construction footprint are to be clearly marked and their Tree Protection Zone (TPZ) fenced or clearly delineated;
- No excavation, trenching or soil removal should be undertaken within the TPZ or retained patches;
- No materials are to be stored within the TPZ or retained patches;
- No vehicles are to drive within the TPZ or retained patches;
- Excess soil produced by construction shall not be deposited onto native vegetation, rather stockpiled outside of the TPZ or retained patches; and
- If any further vegetation to that indicated on the plans is lost whilst works are being completed, then appropriate measures must be undertaken to apply the *Guidelines* and calculate appropriate offsets.
- No alterations to the hydrology of the site should be undertaken, to preserve the quality of the wetlands and limit impacts on threatened species that may rely on them.
- Any revegetation works to be undertaken within and surrounding any of the wetlands and dams must ensure that appropriate plant species are chosen in relation to Growling Grass Frog and Dwarf Galaxias, along with native aquatic bird species observed on site.

## 5.1 Topographic & Land Information

The following provides topography and land information specific to the native vegetation proposed to be removed (DELWP, 2017).

1. Role of native vegetation in protecting water quality, waterways and riparian ecosystems particularly within 30m of a wetland, waterway or special catchment
  - There are 5 wetlands within the study area, all of which will be retained;
  - Artificial drainage lines are located throughout the study area, bordering paddocks, which will be retained;
  - A major artificial drain, the Northern Boundary Drain, runs along the northern boundary of the study area.
2. Preventing land degradation including soil erosion and instability, particularly where slopes are greater than 20%, land subject to slippage or soil erosion, harsh environments - alpine, coastal.
  - The site is very flat with a land slope less than 5%.
3. Preventing adverse effects on groundwater quality, saline discharge, recharge area.
  - Not applicable.
4. Need to preserve identified landscape values.

- Only a small amount of native vegetation remains on site, is predominantly retained, including within and surrounding wetlands.
5. Is native vegetation protected under Aboriginal Heritage Act 2006?
- No.

## 5.2 Previous Clearing

There is no known permitted or unpermitted removal of native vegetation on the same property or on any continuous land in the same ownership as the applicant within the past 5 years.

## 5.3 Native Vegetation Losses

One scattered and two canopy trees and 0.112 hectares of native vegetation are required to be removed for this proposal. This was determined by:

- Overlaying the development plan on areas of native vegetation and where intensive utilisation for stables or paddocks was proposed, this vegetation was deemed lost;
- If native vegetation occurred where access roads were proposed to be widened or in areas of construction for fencelines or other infrastructure, then this vegetation was deemed lost; and
- Correspondence from the client in regard to retaining native vegetation in and around wetlands and drainage lines.

Table 3 summarises the individual tree loss determinations and Maps 2-4 shows the location of each of these trees.

Table 3– Summary of Tree Loss Determinations

Tree ID No	Botanical Name	Common Name	Diameter at Breast Height (DBH)	Size Category	Status
1	<i>Eucalyptus ovata</i>	Swamp Gum	56	Small	Lost
2	<i>Eucalyptus ovata</i>	Swamp Gum	42	Small	Lost
9	<i>Eucalyptus ovata</i>	Swamp Gum	50	Small	Lost

Under the *Guidelines* (DELWP, 2017) scattered trees are assigned a default area and condition score of 0.2.

In total 0.112 hectares of native vegetation comprising one scattered small tree and nine native vegetation patches are deemed lost.

## 5.4 Offset Requirements and Offset Statement

Spatial data outlining the extent of native vegetation clearing was submitted to DELWP who processed and provided a Native Vegetation Removal (NVR) report (*Appendix 6*). The NVR identified that the following offset requirements apply to the proposal:

- The proposal falls under the Basic Assessment Pathway;
- Offset requirements equate to 0.029 General Habitat Units (GHUs) with a minimum strategic biodiversity score of 0.341 and 0 large trees;
- Offsets must be located within the Port Phillip and Westernport Catchment Management Authority (PPWCMA) boundary or within the Cardinia Shire Council; and
- No specific offsets apply.

Offset Statement

The offset requirement of 0.029 'general' habitat units (*Table 4*) will be purchased through a third-party offset via an allocated credit register extract from a credit provider. *Appendix 6* provides evidence of the intended purchase of the necessary native vegetation credits by the applicant and confirms that offsets are available that meet all the requirements outlined on page 2 of *Appendix 5* and summarised in *Table 4*.

*Table 4 – Summary of offset targets for clearing of native vegetation.*

Target #	Offset attributes					
	Vicinity	Offset type	Habitat for species	Minimum strategic biodiversity value score	Large trees	Offset target summary
1	Port Phillip and Westernport CMA <b>OR</b> Cardinia Shire Council	General	N/A	0.341	0	0.029 GHUs

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