



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

**Office Use Only**

Application No.:

Date Lodged: / /

# Application for a Planning Permit

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

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

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

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

**i** Click for further information.

Clear Form

## The Land **i**

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

**Street Address \***

Unit No.:	St. No.: 125	St. Name: Woori Yallock Road
Suburb/Locality: Cockatoo		Postcode: 3781

**Formal Land Description \***

Complete either A or B.

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

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

A   Lodged Plan  Title Plan  Plan of Subdivision

OR

B

## The Proposal

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

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

**Subdivision of land into two lots, and creation of two easements to support the proposed site layout.**

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

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

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

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

## Existing Conditions i

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

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

#### Single dwelling

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

## Title Information i

### Encumbrances on title \*

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

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

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

## Applicant and Owner Details i

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

### Applicant \*

The person who wants the permit.

Name:			
Title: <b>Mr.</b>	First Name: [REDACTED]		
Organisation (if applicable): <b>Human Habitats</b>			
Postal Address:		If it is a P.O. Box, enter the details here:	
Unit No.: <b>424</b>	St. No.: <b>838</b>	St. Name: <b>Collins Street</b>	
Suburb/Locality: <b>Docklands</b>		State: <b>VIC</b>	Postcode: <b>3008</b>

Please provide at least one contact phone number \*

<b>Contact information for applicant OR contact person below</b>	
Business phone: <b>0399092202</b>	Email: <b>karl@humanhabitats.com.au</b>
Mobile phone: [REDACTED]	Fax:

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

<b>Contact person's details*</b>			Same as applicant <input checked="" type="checkbox"/>
Name:			
Title:	First Name:	Surname:	
Organisation (if applicable):			
Postal Address:		If it is a P.O. Box, enter the details here:	
Unit No.:	St. No.:	St. Name:	
Suburb/Locality:		State:	Postcode:

### Owner \*

The person or organisation who owns the land


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

Name:			Same as applicant <input type="checkbox"/>
Title: [REDACTED]			
Organisation (if applicable):			
Postal Address:		If it is a P.O. Box, enter the details here:	
Unit No.:	St. No.: <b>125</b>	St. Name: <b>Woori Yallock Road</b>	
Suburb/Locality: <b>Cockatoo</b>		State: <b>VIC</b>	Postcode: <b>3781</b>
Owner's Signature (Optional):			Date:
			day / month / year



## Declaration

This form must be signed by the applicant \*

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

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Date:

day / month / year

## Need help with the Application?

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

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

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

No  Yes

If 'Yes', with whom?:

Date:


day / month / year


## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

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

 Provided all necessary supporting information and documents?

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

A plan of existing conditions.

Plans showing the layout and details of the proposal.

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

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

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

Completed the relevant council planning permit checklist?

Signed the declaration?

## Lodgement

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

Cardinia Shire Council  
PO Box 7  
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

**Contact information:**

Telephone: 1300 787 624

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

DX: 81006

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

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# i MORE INFORMATION

## The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

### How is land identified?

Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/<sup>township details (as applicable) for the subject site. This information is shown on the title.</sup> This information is set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

See **Example 1**

## The Proposal

### Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

▲ Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

### How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at [planning-schemes.delwp.vic.gov.au](http://planning-schemes.delwp.vic.gov.au)

▲ You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting [www.landata.vic.gov.au](http://www.landata.vic.gov.au) Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.

### Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

▲ Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

▲ Contact the Council to determine the appropriate fee. Go to [planning.vic.gov.au](http://planning.vic.gov.au) to view a summary of fees in the Planning and Environment (Fees) Regulations.

**Metropolitan Planning Levy** refer Division 5A of Part 4 of the *Planning and Environment Act 1987* (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at [www.sro.vic.gov.au](http://www.sro.vic.gov.au) for more information. A leviable application submitted without a levy certificate is void.

## Existing Conditions

### How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

## Title Information

### What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

### What documents should I check to find encumbrances?

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

### What about caveats and notices?

A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

### What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.





You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

▲ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

#### Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

#### What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

▲ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

#### Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

▲ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov.au – go direct to "titles & property certificates".

### Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with Council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

### Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration.

▲ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit.

### Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

### Checklist

#### What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

▲ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

### Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

▲ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

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# EXAMPLES

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Exa

Exa

Exa

Exa

day / month / year

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

Page 1 of 1

VOLUME 09488 FOLIO 220

Security no : 124110475993B  
Produced 14/11/2023 09:51 AM

**LAND DESCRIPTION**

Lot 11 on Plan of Subdivision 007753.  
PARENT TITLE Volume 04666 Folio 119  
Created by instrument K070099 01/09/1982

**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 or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE LP007753 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: 125 WOORI YALLOCK ROAD COCKATOO VIC 3781

See MI307839T for WATER FRONTAGE LICENCE details

**ADMINISTRATIVE NOTICES**

NIL



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DOCUMENT END



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# LP 7753

EDITION 2  
PLAN MAY BE LODGED 27/2/20

## COLOUR CODE

E-1 & E-3 = BLUE  
E-2 = BROWN

ROADS COLOURED BROWN

## ENCUMBRANCES

AS TO THE LAND MARKED E-3  
ANY EASEMENTS AFFECTING  
THE SAME

## APPURTENANCES

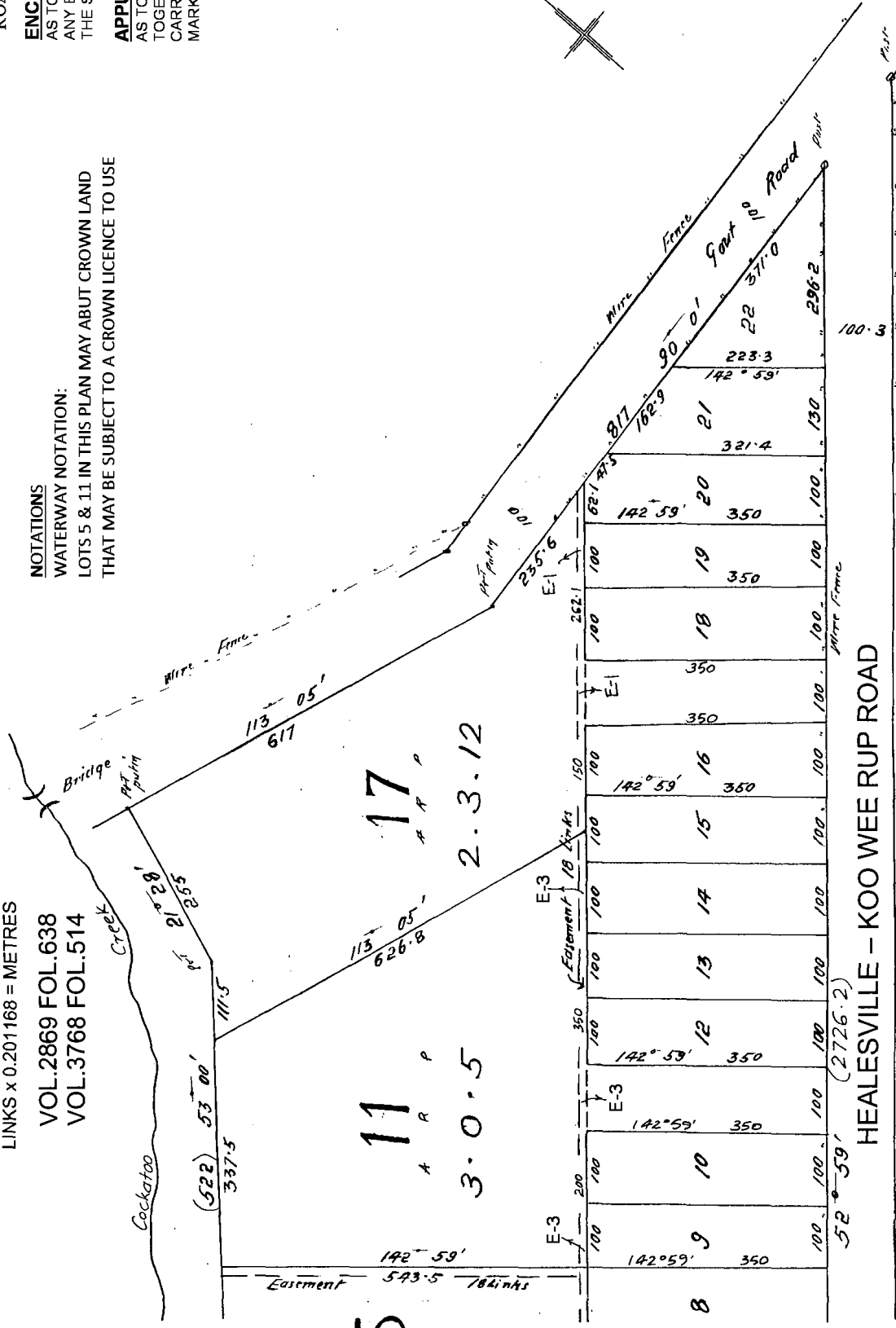
AS TO LOT 11  
TOGETHER WITH A RIGHT OF  
CARRIAGEWAY OVER THE ROADS  
MARKED E-2

**NOTATIONS**  
**WATERWAY NOTATION:**  
LOTS 5 & 11 IN THIS PLAN MAY ABOUT CROWN LAND  
THAT MAY BE SUBJECT TO A CROWN LICENCE TO USE

Measurements are in Links  
Conversion Factor  
LINKS x 0.201168 = METRES

VOL.2869 FOL.638  
VOL.3768 FOL.514

Plan of Subdivision of Part Crown Allot 127 E  
Parish of Gembrook  
County of Evelyn



SEE SHEET 2

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2 SHEETS  
SHEET 1



# MODIFICATION TABLE

## RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

**PLAN NUMBER**  
**LP 7753**

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
		STREET NAME AMENDED FROM GOVT ROAD TO HEALESVILLE-KOO WEE RUP ROAD	73/13424			1	AD
LOTS 23 & 2		EASEMENT REMOVED	PS 343613B			1	AD
		WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.					
LOT 11		APPURTENANCY NOTATION ADDED				2	AD
THIS PLAN	E-3	EASEMENT ENHANCED				2	AD

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Human Habitats  
424 / 838 Collins Street  
Docklands VIC 3008  
www.humanhabitats.com.au  
ABN 48 115 201 356  
03 9909 2202

12 April 2024

[REDACTED]  
Principal Statutory Planner  
Cardinia Shire Council  
PO Box 7  
Pakenham VIC 3810

Dear [REDACTED]

## **RESPONSE TO REQUEST FOR FURTHER INFORMATION**

### **APPLICATION: T230608**

**ADDRESS: LOT 11 LP7758, 125 WOORI YALLOCK ROAD COCKATOO VIC 2781**

#### **1 Introduction**

Human Habitats acts on behalf of the permit applicant in relation to the above mentioned planning permit application for the proposed subdivision at 125 Woori Yallock Road, Cockatoo (the subject site).

As outlined in this letter and our submitted Town Planning Report, we submit that the proposal constitutes a positive response to the relevant provisions of the Cardinia Planning Scheme and should be supported.

Our response to Council's requests and concerns received 05 April 2024 are set out in the below table and is supported by the following documents:

- Updated Town Planning Report prepared by Human Habitats dated 05 April 2024.
- Updated Plan of Subdivision prepared by Human Habitats dated XX
- Updated Stormwater Drainage Concept Plan prepared by NNH dated XX
- Update Bushfire Management Plan prepared by Intrax dated XX

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Human Habitats  
 424 / 838 Collins Street  
 Docklands VIC 3008  
 www.humanhabitats.com.au  
 ABN 48 115 201 356  
 03 9909 2202

## 2 Information Required

All of the information requested by Council in their RFI letter dated the 5 April 2024 has been addressed in the table below:

#	Item	Response
1.	A corrected supporting report noting that 10,868m <sup>2</sup> is not 1.86ha. Also, the site areas referred to in the supporting report do not match those proposed within the 'concept plan of subdivision' or the existing title.	Please find a revised Town Planning Report noting the appropriate site area.
2.	The siting of the proposed carriageway easement dimensioned at appropriate points to enable its location to be determined.	Please find an updated Concept Plan of Subdivision enclosed in this submission with the siting of the proposed carriageway easement dimensioned at appropriate points to enable its location to be determined.
3.	The Bushfire Management Statement to be corrected as follows: <ul style="list-style-type: none"> <li>▪ Page 4, clauses 53.47 and 54.47 do not appear to exist within the Cardinia Planning Scheme.</li> <li>▪ Page 6, the site is not 4.4km north-west of the township of Cockatoo.</li> <li>▪ Page 6, the Cockatoo Creek does not appear to lie to the north-east of the site.</li> <li>▪ Page 6, is this imagery from the source and date referred to?</li> <li>▪ Pages 12-14, clauses 52.47 / 53.47 do not appear to exist within the Cardinia Planning Scheme.</li> <li>▪ The BMP on page 23 is inconsistent with the proposed plan of subdivision, for example the access is straight and along the eastern boundary.</li> </ul>	Please find a revised Bushfire Management Plan prepared by Intrax enclosed in this submission.
4.	Clarification provided as to tree removal and permit triggers noting that the Tree Retention Plan shows a number of trees on Lot B noted as requiring a permit for removal yet all other information suggests there are no permit triggers for tree removal.	All trees (including groups of trees) have been appropriately identified within Section 3.1 of the Town Planning Report.  It is proposed to remove all trees on site however, only trees 1, 2, 12, 13, 17, 18 and the group of 9 trees identified as 11 require permits.
Preliminary Assessment Comments		



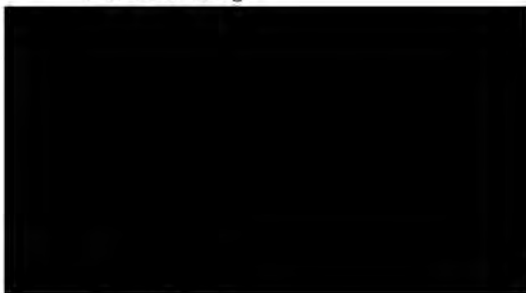
#	Item	Response
	<p><u>Access</u></p> <p>Whilst easement is indicated at 3.5m on the plans, it is noted that the access provisions of the BMO require an additional 0.5m to each side. An easement as indicated would clearly not satisfy this requirement. It is also noted that if approved, a s173 Agreement would likely be required imposing an obligation on the encumbered land to maintain the easement such that it provided, at all times, access which met the relevant provisions (i.e.: load capacity, slopes, vertical clearance, etc..).</p> <p>The 'turning area' proposed whilst unscaled (appears to scale to approximately 11m x 13m) does not appear to provide adequate space for an 8.8m service vehicle. For example, as per standard VicRoads drawings</p>	<p>The easement has been increased to 4.5m wide, facilitating the 3.5m access way and 0.5m clearance either side (in line with AM4.1/Table 5 to CI53.02-5).</p> <p>A turning area is shown as indicative however Lot A retains its existing turning area, while Lot B is capable of providing a turning area as part of its future development.</p> <p>AM4.1/Table 5 to CI53.02-5 does not require a turning area as the proposed access is &lt;100m long.</p>
	<p><u>Water Supply</u></p> <p>The BMP provided on page 23 of the supporting document appears to suggest the provision of just a single water supply point for the two lots.</p>	<p>The singular water point added to proposed envelope as no unit development has been proposed thus far and it would come at a later date.</p>

### 3 Conclusion

We trust that this letter and the enclosed are sufficient for your purposes and respectfully request that Council processes this application expeditiously. Should this information be deemed insufficient, we hereby request a **1-month** extension of time to provide any additional information which may be deemed to be outstanding.

Should Council require anything further or have any questions please do not hesitate to contact the undersigned on 0399092202 or by email to [karl@humanhabitats.com.au](mailto:karl@humanhabitats.com.au).

Yours sincerely



Town Planner

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# TOWN PLANNING REPORT

ADDRESS: 125 WOORI YALLOCK, COCKATOO

PREPARED FOR [REDACTED]

DATE: 12 APRIL 2024



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## Document Information

<b>Issue Date</b>	12 April 2024	<b>Prepared for</b>	[REDACTED]
<b>Prepared by</b>	KS	<b>Reviewed by</b>	[REDACTED]
<b>Project No.</b>	13561	<b>Project Name.</b>	125 Woori Yallock, Cockatoo

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# 1 Introduction

This Planning Report has been prepared by Human Habitats on behalf of [REDACTED] (the permit applicant) to accompany a planning permit application for a two-lot subdivision, creation of two easements and vegetation removal associated with a Bushfire Management Plan at 125 Woori Yallock Road, Cockatoo.

The subject site is located within the Neighbourhood Residential Zone (Schedule 1), the Rural Conservation Zone (Schedule 2 – Conservation Values), the Bushfire Management Overlay (Schedule 1 – Cockatoo Bal-12.5 Areas), the Design and Development Overlay (Schedule 2 – Hills Townships), the Environmental Significance Overlay (Schedule 1 – North Hills), and the Vegetation Protection Overlay (Schedule 2 – Hills Townships).

## 1.1 Permit Requirement

Within the Cardinia Planning Scheme, a permit is required to:

- to subdivide land, as per Clause 32.09-3 (Neighbourhood Residential Zone);
- to subdivide land, as per Clause 35.06-3 (Rural Conservation Zone);
- to subdivide land, as per Clause 42.01-2 (Environmental Significance Overlay);
- to subdivide land, as per Clause 43.02-3 (Design and Development Overlay);
- to subdivide land, as per Clause 44.06-2 (Bushfire Management Overlay);
- to create, vary or remove an easement or restriction, as per Clause 52.02 (Easements, Restrictions and Reserves); and
- Pursuant to Clause 42.02-2, a permit is required for the removal of vegetation on lands affected by the VPO.

It is our assessment that the proposal results in a positive planning outcome, and more broadly a positive outcome to the local area of Cockatoo. In coming to this conclusion, we have considered the following key questions:

- **Planning Policy Framework** - Is the proposal supported by the Planning Policy Framework?
- **Neighbourhood Character** - Is the proposal consistent with the character objectives of the Neighbourhood Residential Zone and the Design and Development Overlay?
- **Rural Conservation Zone** - Is the proposal appropriate within the Rural Conservation Zone?
- **Bushfire Management Overlay** - Does the proposal provide an appropriate response to the Bushfire Management Overlay?
- **Environmental Significance Overlay** - Is the proposed subdivision appropriate to the Environmental Significance Overlay?
- **Vegetation Protection Overlay** - Is the proposed subdivision appropriate to the Vegetation Protection Overlay?
- **Creation of Easements** - Are the proposed easements appropriate to the site and its surrounds?
- **Amenity** - Will the proposed subdivision provide good amenity outcomes?
- **Traffic and Access** - Will the proposed layout provide for efficient and safe vehicular movement?

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## 1.2 Accompanying Documents

This application is supported by the following materials:

Document	Prepared by:
Cover Letter	Human Habitats
Planning Application Form	-
Certificate of Title	-
Concept Plan of Subdivision	Human Habitats
Planning Report	Human Habitats
Stormwater Drainage Concept Plan	NNH
Bushfire Management Plan	Intrax
Arborist Report	DB Horticulture

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## 2 Subject Site and Surrounding Context

### 2.1 Subject Site

The subject site is irregular in shape and has a battle-axe lot structure with an approximate area of 12,274m<sup>2</sup>. The northern portion of the site has an area of approximately 10,858m<sup>2</sup> (or 1.086ha), and the southern portion is approximately 1,416m<sup>2</sup>. The site is located on the northern side of Woori Yallock Road, with a frontage of 20.12 metres and a lot depth of 179.74 metres.

The site is currently used as a rural residential property, comprising one dwelling and three outhouses on a large piece of land. The site comprises scattered mature vegetation (indigenous, native and exotic species) and fronts the Cockatoo Creek (PCRZ) along its northern boundary. The site has a gradual slope and descends 13.8 metres from the southern crossover to the northern border. Vehicular access is via a gravel crossover to Woori Yallock Road.



Figure 1 – Zoning map of the subject site (outlined in red)

The site is within an area of Aboriginal Cultural Heritage Sensitivity due to its proximity to the Cockatoo Creek, located along the northern border.

### 2.2 Interfaces

#### 2.2.1 North

The site interfaces with the Cockatoo Creek along its northern boundary. This is located within the Public Conservation and Recreation Zone.

#### 2.2.2 East

The northern portion of the site interfaces with 17 Bluebird Avenue, a large residential property with a dwelling and greenhouses.

The southern portion of the site interfaces with 127 Woori Yallock Road, a residential property comprising a single storey dwelling that fronts Woori Yallock Road.

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Figure 2 - Streetview image of the shared interface between 125 Woori Yallock Road and the subject site.

### 2.2.3 South

The site directly interfaces with Woori Yallock Road [TRZ2] to its south. Beyond is 100 Woori Yallock Road, a residential property with a single storey dwelling and a dense 4 metre cypress hedge along its northern border to Woori Yallock Road.

### 2.2.4 West

The northern portion of the site interfaces with 113 Woori Yallock Road, a large residential property on a battle-axe lot, comprising a dwelling.

The southern portion of the site interfaces with 123 Woori Yallock Road, a residential property comprising a single storey dwelling that fronts Woori Yallock Road.



Figure 3 - Streetview image of the shared interface between 123 Woori Yallock Road and the subject site.



## 2.3 Surrounding Services and Facilities

The subject site is located:

- 1,300 metres from the town centre of Cockatoo.
- 2,000 metres from Wright.
- 5,000 metres from the Cardinia Reservoir.
- 48 kilometres from the CBD of Melbourne.

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### 3 The Proposal

The proposal seeks to subdivide the land into two lots, separating the lots to align with the existing zoning pattern of the land. This will ensure that the subdivision will create a northern lot (Lot A) within the Rural Conservation Zone (Schedule 2) and a southern lot (Lot B) within the Neighbourhood Residential Zone (Schedule 1), refer to the image of the proposed subdivision and associated zoning below for further details.



Figure 4 – Zoning map of the site (proposed lots outlined in red)

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### 3.1 Tree Removal

The proposal requires the removal of several trees within the subject site to facilitate the defendable space area for the new lot identified as Lot B on the Concept Plan of Subdivision.

Having regard for the Overlays affecting the subject site and the provisions of the Planning Scheme, we have sought to clearly identify all vegetation that is proposed and required to be removed and whether a permit is required for said removal.

Please refer to figure 5 below and the corresponding table which identifies all trees proposed to be removed in addition to collating permit requirements and removal exemptions.

Clause 52.17 only applies to native vegetation. The proposed subdivision would create a permit exemption for the removal of any native vegetation within the proposed Lot B (tree 6 and 20), but these trees are within 4 metres of the side boundary and thus, is already exempt for removal under Clause 52.12-2 which waves any *Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership, which has the effect of prohibiting*. Lot A remains greater than 4,000 sqm and no other exemptions under 52.17 are created and thus, there is no trigger under Clause 52.17.

The Environmental Significance Overlay is only applicable to Lot A. The only tree removal proposed within Lot A is the minimum extent necessary to provide defendable space from the rear boundary of Lot B. As demonstrated in Figure X below, the majority of the trees are within the required 30m defendable space which is exempt under Clause 52.12. The remaining trees are sufficiently separated to allow their retention in accordance with the defendable space requirements.

The Vegetation Protection Overlay only applies to Lot B. Trees 3-10, 13, 14, 16 and 20 are all exempt, but approval is sought for the removal of trees 1-2, 11-12, 15, 17 and 18. DB Horticulture report confirms these are of



Figure 5 – Tree Removal Plan prepared by HH.





#	Species	Native/ Exotic	Retention Status	Permit Trigger (PT)/ Exemptions (E)
<b>Lot B</b>				
1	Cupressus macrocarpa Monterey Cypress	E	Remove	(PT) Clause 42.02-2
2	Cupressus macrocarpa Monterey Cypress	E	Remove	(PT) Clause 42.02-2
3	Cupressus macrocarpa Monterey Cypress	E	Permit not required for removal	(E) Clause 52.12-2
4	Cupressus macrocarpa Monterey Cypress	E	Permit not required for removal	(E) Clause 52.12-2
5	Cupressus macrocarpa Monterey Cypress	E	Permit not required for removal	(E) Clause 52.12-2
6	Acacia melanoxylon Blackwood	N	Permit not required for removal	(E) Clause 52.12-2
7	Betula pendula Silver Birch	E	Permit not required for removal	(E) Clause 52.12-2
8	Betula pendula Silver Birch	E	Permit not required for removal	(E) Clause 52.12-2
9	Betula pendula Silver Birch	E	Permit not required for removal	(E) Clause 52.12-2
10	Betula pendula Silver Birch	E	Permit not required for removal	(E) Clause 52.12-2
11 (Group of 9 trees)	Betula pendula Silver Birch	E	Remove	(PT) Clause 42.02-2
12	Magnolia soulangiana Saucer Magnolia	E	Remove	(PT) Clause 42.02-2
13	Robinia pseudoacacia	E	Permit not required for	(E) Clause 52.12-2



#	Species	Native/ Exotic	Retention Status	Permit Trigger (PT)/ Exemptions (E)
	Black Locust		removal	
14	Robinia pseudoacacia Black Locust	E	Permit not required for removal	(E) Clause 52.12-2
15	Magnolia soulangiana Saucer Magnolia	E	Permit not required for removal	(PT) Clause 42.02-2
16	Robinia pseudoacacia Black Locust	E	Permit not required for removal	(E) Clause 52.12-2
17	Alnus cordata Italian Alder	E	Remove	(PT) Clause 42.02-2
18	Betula pendula Silver Birch	E	Remove	(PT) Clause 42.02-2
20	Acacia Melanoxydon Blackwood	N	Permit not required for removal	(E) Clause 52.12-2
<b>Lot A</b>				
19	Alnus jorulnensis Evergreen Alder	E	Retain	N/A
21	Alnus jorulnensis Evergreen Alder	E		(PT) Clause 42.01-2
22	Prunus cerasifera Cherry Plum	E	Permit not required for removal	(E) Clause 42.01-2
23	Betula pendula Silver Birch	E	Permit not required for removal	(E) Clause 52.12-1
24	Acer palmatum Japanese Maple	E	Permit not required for removal	(E) Clause 52.12-1
25	Magnolia soulangiana Saucer Magnolia	E	Permit not required for removal	(E) Clause 52.12-1
26	Callistemon viminalis Weeping Bottlebrush	N	Permit not required for removal	(E) Clause 52.12-1
27 (Group of 3 trees)	Pittosporum eugenoides	E	Permit not required for	(E) Clause 52.12-1



#	Species	Native/ Exotic	Retention Status	Permit Trigger (PT)/ Exemptions (E)
	'Variegatum' Variegated Pittosporum		removal	
28	Prunus cerasifera Cherry Plum	E	Permit not required for removal	(E) Clause 42.01-2

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### 3.2 Easements

The proposal also seeks to create two easements – one drainage easement to be located from the boundary of Lot A and B through to the Cockatoo Creek, within the western portion of the proposed Lot A; and one accessway easement to be located along the northern boundary of Lot B.

Refer to the enclosed Stormwater Drainage Concept Plan prepared by NNH Engineers for further details. These are concept only, for further consideration during the detailed design phase of the development.

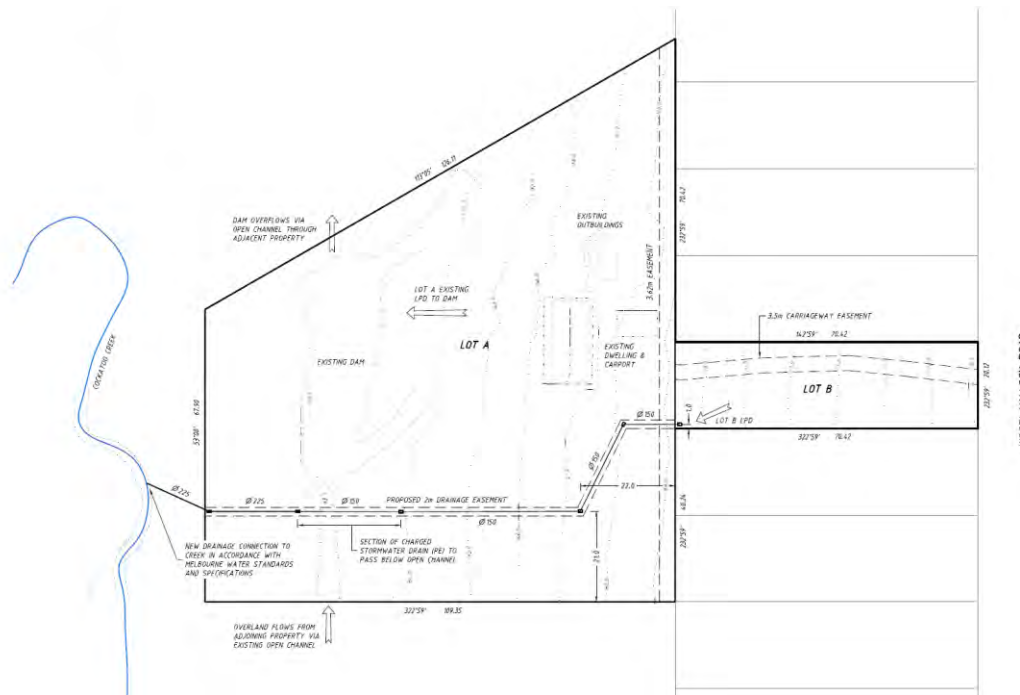


Figure 6 – Excerpt of the subject site from the Stormwater Drainage Concept Plan

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## 4 Planning Policy Framework/Controls

The following planning provisions are applicable to the subject site and the proposed development.

### 4.1 Neighbourhood Residential Zone – Schedule 1

The southern portion of the site is located within the Neighbourhood Residential Zone – Schedule 1 (NRZ1), which has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.



Figure 7 – Zoning map of the subject site (outlined in red)

Pursuant to Clause 32.09-3, a permit is required to subdivide land.

### 4.2 Rural Conservation Zone – Schedule 2

The northern portion of the site is located within the Rural Conservation Zone – Schedule 2 (RCZ2), which has the following purpose:

- To conserve the values specified in a schedule to this zone.
- To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.
- To protect and enhance natural resources and the biodiversity of the area.
- To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
- To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.
- To conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.

Pursuant to Clause 35.06-3, a permit is required to subdivide land.



We note that whilst the RCZ2 has a minimum lot size requirement of 15 hectares, the proposal meets the exemption criteria at Clause 64.03, which allows for one lot smaller than the area specified in the Scheme to be created provided that:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.

### 4.3 Bushfire Management Overlay

The subject site is located within the Bushfire Management Overlay – Schedule 1, which has the following purposes:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

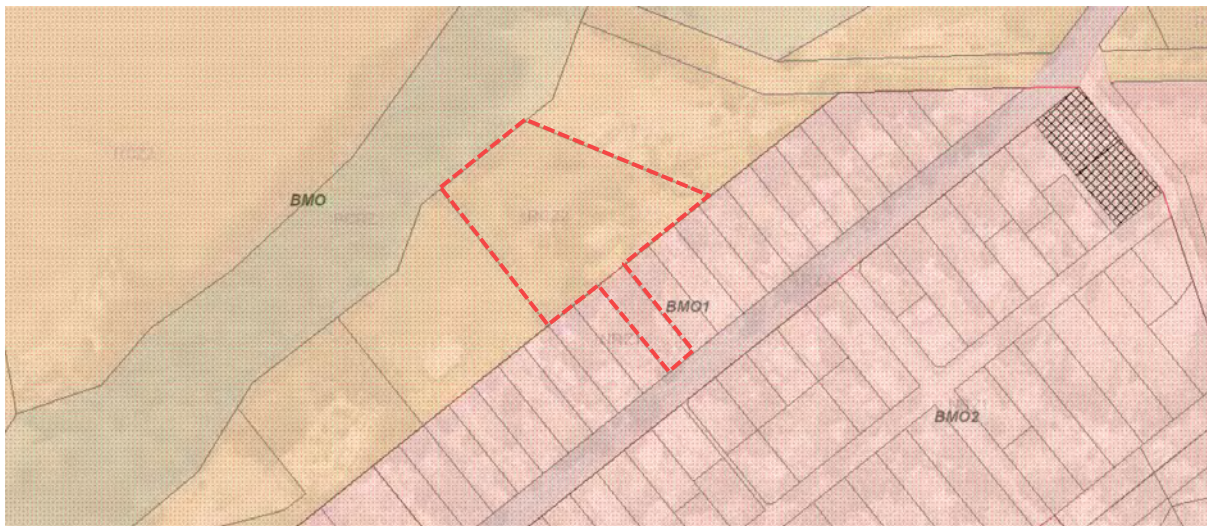


Figure 8 – Zoning map of the subject site (outlined in red)

Pursuant to Clause 44.06-2, a permit is required to subdivide land.

### 4.4 Environmental Significance Overlay

The subject site is located within the Environmental Significance Overlay – Schedule 1, which has the following purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Pursuant to Clause 42.01-2, a permit is required to subdivide land.





Figure 9 – Zoning map of the subject site (outlined in red)

#### 4.5 Design and Development Overlay

The subject site is located within the Design and Development Overlay – Schedule 2, which has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.



Figure 10 – Zoning map of the subject site (outlined in red)

A permit is required to subdivide land as per Clause 43.02-3.

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## 4.6 Vegetation Protection Overlay

The subject site is within the Vegetation Protection Overlay, which has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.
- To encourage the regeneration of native vegetation.



Figure 11 – Zoning map of the subject site (outlined in red)

Pursuant to Clause 42.02-2, a permit is required for the removal of vegetation within the VPO.

## 4.7 Aboriginal Cultural Heritage

The subject site is located within an area of Aboriginal Cultural Heritage Sensitivity, as defined under the *Aboriginal Heritage Regulations 2018* – see below Figure 12.

The proposed subdivision of land into two (2) lots is classified as an activity that is exempt from requiring a Cultural Heritage Management Plan.



Figure 12 – Zoning map of the Area of Aboriginal Cultural Heritage Sensitivity (subject site outlined in red)

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## 4.8 State and Local Planning Policy Framework

- Clause 11: Settlement
- Clause 12: Environmental and Landscape Values
- Clause 13: Environmental Risks and Amenity
- Clause 15: Built Environment and Heritage
- Clause 16: Housing
- Clause 21.02: Environment
- Clause 21.03: Settlement and Housing
- Clause 21.07: Local Areas – Hills Region

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## 4.9 Planning Policy Summary

- Clause 11.01-1S: Settlement – policy seeks to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
- Clause 15.01-5S: Neighbourhood character – policy seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- Clause 16.01-1S: Housing supply – policy seeks to facilitate well-located, integrated and diverse housing that meets community needs.
- Clause 21.02-2: Landscape – policy seeks to recognise and protect the diverse landscape and areas of significant landscape value.
- Clause 21.02-3: Biodiversity – policy seeks to achieve no net loss in the quantity and quality of native vegetation in the municipality.
- Clause 21.02-4: Bushfire management – policy seeks ensure to that the siting and design of subdivisions has fully considered the impact of existing slope, aspect and vegetation in terms of risks of bushfire, particularly with regard to the location of building envelopes.
- Clause 21.03-4: Rural townships – policy seeks to provide for the sustainable development of townships in the municipality having regard to environmental and servicing constraints.
- Clause 21.05-3: Local roads – policy seeks to ensure that consideration of an application for subdivision of land takes into account the classification of the road under the road hierarchy, the existing design, service and alignment of the road, and the likely effects it may have on future services and condition of the road; and that the subdivision of land to create residential or rural residential lots not be allowed unless access to lots is via a sealed road.
- Clause 21.07-2: Cockatoo – policy seeks to ensure that any proposed use or development is generally consistent with the Cockatoo Township Strategy (March 2008).
  - Residential development – maintain and enhance the ‘rural country’ character of Cockatoo through the retention of larger residential lots; and maintain a diverse range of lot sizes within the township.
- Cockatoo Township Strategy – to facilitate the restructuring of old and inappropriate subdivisions.
  - The site is within Precinct 1 – Inner Residential Areas.
  - To strengthen the role of the Cockatoo town Centre.



#### **4.10 Particular and General Provisions**

The following particular provisions are applicable:

- Clause 52.02 – Easements, Restrictions and Reserves
- Clause 52.17 – Native Vegetation
- Clause 56 – Residential Subdivision
- Clause 65 – Decision Guidelines

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## 5 Planning Considerations

The proposed development at 125 Woori Yallock Road, Cockatoo is for the subdivision of land to separate the northern portion that is within the Rural Conservation Zone from the southern portion that is within the Neighbourhood Residential Zone. In addition, the proposal seeks to create two easements, including one drainage easement running through the centre of Lot A and one accessway easement along the north-eastern boundary of proposed Lot B.

It is our assessment that the proposal demonstrates an appropriate outcome, and in coming to this conclusion we have considered the following key planning criteria:

- **Planning Policy Framework** - Is the proposal supported by the Planning Policy Framework?
- **Neighbourhood Character** - Is the proposal consistent with the character objectives of the Neighbourhood Residential Zone and the Design and Development Overlay?
- **Rural Conservation Zone** - Is the proposal appropriate within the Rural Conservation Zone?
- **Bushfire Management Overlay** - Does the proposal provide an appropriate response to the Bushfire Management Overlay?
- **Environmental Significance Overlay** - Is the proposed subdivision appropriate to the Environmental Significance Overlay?
- **Creation of Easements** - Are the proposed easements appropriate to the site and its surrounds?
- **Amenity** - Will the proposed subdivision provide good amenity outcomes?
- **Traffic and Access** - Will the proposed layout provide for efficient and safe vehicular movement?
- **Vegetation Removal** - Is the proposed vegetation removal consistent appropriate within the Vegetation Protection Overlay?

### 5.1 Planning Policy Framework

It is submitted that the proposal responds well to the key policy drivers of the Cardinia Planning Scheme, as the proposed development will reinforce the character of the site whilst protecting the significant landscape of the Cockatoo Creek environs to the north. The proposed subdivision is appropriate for the surrounding residential context and will mimic the precedent subdivision pattern along Woori Yallock Road, contributing one additional residential lot to the township of Cockatoo (Clauses 11.01-1S Settlement, 16.01-1S Housing supply, 16.01-2S Housing affordability, 21.03-1 Housing). The proposed subdivision layout has proven to function well as can be seen along the properties fronting Woori Yallock Road, we also note that the proposal will allow for the development of this new lot that fronts Woori Yallock Road - which will increase the passive surveillance of Woori Yallock Road and contribute to better neighbourhood character outcomes (Clauses 15.01-1S Urban design, 21.06-1 Urban design, 21.06-2 Community safety). The location of the site allows it to be within an area that will sustainably and appropriately develop the township, as the site is within an established residential part of Cockatoo with access to existing services (Clauses 21.03-4 Rural townships, 21.07-2 Cockatoo). The proposed vegetation removal that is required as per the Bushfire Management Strategy is minimal and will not impact the significant environment of the Cockatoo Creek, including Aboriginal Cultural Heritage Sensitivity (Clauses 21.02-2 Landscape, 21.02-7 Aboriginal Cultural Heritage).

#### 5.1.1 Cockatoo Township Strategy

Clause 21.07-2 requires that proposal is consistent with the Cockatoo Township Strategy (March 2008), including the Cockatoo Framework Plan. The Cockatoo Framework Plan identifies that the site is located within Precinct 1 - Inner Residential Areas. The proposed subdivision will apply the same residential pattern that exists along Woori Yallock Road to the site, retaining the larger rural residential lot to the north whilst producing an additional lot that is consistent with the lot pattern along Woori Yallock Road. Therefore, it is not considered to impose upon the desired vision for the Cockatoo Township and supports the Strategic Objectives - as the development is proposed on a site that is within an established residential area of Cockatoo, and will not alter or detract from the rural country character of the township. The proposed works to the crossover will improve the safety and efficiency of Woori Yallock Road.



## 5.2 Neighbourhood Character

The site is zoned within the Neighbourhood Residential Zone and the Design and Development Overlay, of which have sensitive objectives relating to neighbourhood character outcomes.

It is submitted that the proposed subdivision aligns with the neighbourhood character of the surrounding area and will help to separate the rural character of the Rural Conservation Zone from the residential character of the Neighbourhood Residential Zone and the Design and Development Overlay.

The Neighbourhood Residential Zone aims to ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics. The proposed subdivision will apply the same residential pattern that exists along Woori Yallock Road to the site, retaining the larger rural residential lot to the rear (north) whilst producing an additional residential lot that is consistent with the zoning and cadastral pattern along Woori Yallock Road. As the proposed subdivision is consistent with the existing pattern of subdivision along Woori Yallock Road, the proposed subdivision will not impact the spacing of buildings. The proposed accessway easement along the north-eastern boundary of Lot B will respect the neighbourhood context as it will be located along the existing accessway of the site. The proposed Stormwater Drainage Easement will not result in any impact to the surrounding neighbourhood character.

The Design and Development Overlay aims to ensure that development respects the character of the Hills Township of Cockatoo. As mentioned, the proposed subdivision will allow for the cadastral pattern to align with the zoning of the land – ensuring that the subdivisional outcome will be consistent with the existing subdivisional characteristics of the area. The creation of the easements ensure that the development appropriately responds to the environmental features and constraints of the land, allowing for the future southern residential lot to effectively drain into the Cockatoo Creek and maintain existing vehicular access. The drainage easement is a measure to ensure that the drainage of the proposed southern residential lot does not erode the northern rural lot as it runs down the slope.

In light of the above, we submit that the proposed will provide an outcome for the area that will reinforce the neighbourhood character and support the environmental features of the environs.

Refer to Appendix A for a detailed assessment of the proposed subdivision against Clause 56 (Residential subdivision).

## 5.3 Subdivision of Land in More than One Zone

Pursuant to Clause 35.06-3 (RCZ), a subdivision must ensure that each lot must be at least the area specified for the land in a schedule to this zone. Schedule 2 identifies that the minimum subdivision area is 15 hectares. We note that the existing site is approximately 1,413.3m<sup>2</sup>, which is already less than the minimum subdivision area as identified. In addition to this, the proposal to subdivide the land to create two lots that are in a single zone activates Clause 64.03.

Clause 64.03 (Subdivision of land in more than one zone) will allow for the proposed subdivision permit to be granted despite the abovementioned minimum lot size requirement of Schedule 2 to the Rural Conservation Zone, as the proposal meets the following conditions of Clause 64.03:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme;
- The proposed subdivision does not create lots where any lot extends into more than one zone.

The proposed subdivision will separate the land within the Rural Conservation Zone from land within the Neighbourhood Residential Zone, which will contribute to isolating the Rural Conservation Zone – ensuring that the identified environmental & landscape values of the land are protected and enhanced (including the riparian buffer along the Cockatoo Creek).

The subdivision will not preclude an active agricultural use from occurring on the Rural Conservation Zone land, as the only land removed from this lot is NRZ that is not appropriate for agriculture. The proposed subdivision will not impact surrounding land uses, and the proposed easements will allow for the drainage of Lot B into the Cockatoo Creek – protecting the landscape of Lot A from runoff and erosion. The accessway easement will be located where the existing accessway is, ensuring that visual impact on the landscape from proposed infrastructure will be minimised. The accessway easement will allow for both proposed lots to have vehicular





access via the exiting point and will be located along the existing driveway – ensuring that there will be no impacts to the environmental, agricultural and landscape qualities of the site and its surrounds.

An assessment against the requirements of Clause 64.03 is provided in the table below:

Requirement	Response
<i>The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.</i>	The subject site is affected by two land use zones, Neighbourhood Residential Zone and the Rural Conservation Zone and has an overall area of approximately 1,413.3m <sup>2</sup> . This is below the minimum 15 Ha lot requirement denoted Section 1 of Schedule 2 of the Rural Conservation Zone.
<i>The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots create for the following purpose:</i> <ul style="list-style-type: none"> <li>▪ To comply with the requirements of the Urban Floodway Zone.</li> <li>▪ To provide access to a road.</li> </ul>	Proposed Lot A and Lot B are both wholly contained within a single land use zone.
<i>The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.</i>	The remaining lots (within the Neighbourhood Residential Zone) will be in accordance with the Lot Size requirements.

## 5.4 Bushfire Management Overlay

The Bushfire Management Statement and Plan establish strategies to manage the bushfire vulnerabilities of the site, including defensible space, construction standard, water supply and access. The Documentation concludes that if these measures are implemented, the proposed subdivision will be equipped to effectively manage through bushfire threats.

The Bushfire Management Plan ensures that the following bushfire protection measures are implemented:

- The dwelling must be constructed to BAL-12.5
- Defensible space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply with a capacity of 10,000 litres will be located to the west of the existing dwelling.
- Vehicle access must be provided in accordance with Clause 53.02.

See the enclosed Bushfire Management Plan and Statement prepared by Intrax for further details.

## 5.5 Environmental Significance Overlay

The proposed subdivision and two easement creations will protect and conserve the environment within the site.. The Land Capability Study for the Cardinia Shire (February 1997) assess the agricultural quality of land, and describes in detail information relevant to land use planning and assessment. The Study identifies the area of Cockatoo as being under pressure to losing good agricultural land to population growth. We submit, that in response to the Study, the site is not located on land that is used for agriculture, and therefore will not impact the good agricultural land supply of Cockatoo. The proposed subdivision will separate the land that is not within the ESO from land within the ESO, contributing to the conservation and enhancement of this landscape. The drainageway easement will protect the natural environment from runoff and erosion, accessway easement will maintain the existing position of the accessway and not alter the character of the site.



## 5.6 Vegetation Protection Overlay

The proposed subdivision, two easement and removal of vegetation is a consequence of bushfire protection measures applied to the site. Lot B is wholly contained within the Vegetation Protection Overlay and contains 2 native tree and 17 exotic trees across the lands affected by this Overlay. The majority of the trees on Lot B are already able to be removed as-of-right pursuant to Clause 52.12-2 of the Planning Scheme. A total of 7 trees proposed to be removed required a permit under Clause 42.02-2. Please refer to Section 3.1 of this report for a breakdown of the permit triggers.

An assessment against the Decision Guidelines of Clause 42.02-5 is detailed in the table below:

Requirement	Response
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	Please refer to Section 5 of this report for an assessment against the Municipal Planning Strategy and the Planning Policy Framework.
<i>The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.</i>	The proposal provides for the removal of a vegetation that has been assessed by a suitably qualified arborist which concluded all vegetation to be removed have a low retention value.
<i>The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.</i>	The proposed subdivision does not directly negatively impact any vegetation proposed to be removed or retained. Vegetation is proposed to be removed to improve the bushfire safety measures of the site in addition to contributing to the future developability of the land in line with the existing development patterns and neighbourhood character of the area.
<i>The role of native vegetation in conserving flora and fauna.</i>	The area affected by the VPO contains 2 native species of tree. However, it is not proposed to remove these as part of this application. The removal of these native trees is exempt under Clause 52.12-2.
<i>The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.</i>	Vegetation on site is not rare and is not known to support rare species of flora and fauna or form part of a wildlife corridor.
<i>The need to retain vegetation which prevents or limits adverse effects on ground water recharge.</i>	The existing vegetation is not required to limit adverse effects on ground water recharge.
<p><i>The need to retain vegetation:</i></p> <ul style="list-style-type: none"> <li>▪ Where ground slopes exceed 20 percent.</li> <li>▪ Within 30 metres of a waterway or wetland.</li> <li>▪ On land where the soil or subsoil may become unstable if cleared.</li> <li>▪ On land subject to or which may contribute to soil erosion, slippage or salinisation.</li> <li>▪ In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.</li> <li>▪ Which is of heritage or cultural significance.</li> </ul>	The subject site does not contain slopes exceeding 20% where land is affected by the VPO. Additionally, the land affected by the Overlay is not within 30 metres of a waterway and the removal of vegetation will not adversely affect the integrity or long term preservation of an identified site of scientific nature conservation or cultural significance.
<i>The need to remove, destroy or lop vegetation to</i>	The site is not affected by the Bushfire Management



Requirement	Response
<i>create a defensible space to reduce the risk of bushfire to life and property.</i>	Overlay.
<i>Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.</i>	No land management plan or works program apply to the subject site.
<i>Whether the application includes a land management plan or works program.</i>	The application does not include a land management plan or works program.
<i>Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.</i>	The proposal has sought, where possible and appropriate, to retain vegetation elsewhere on the land.
<i>Any other matters specified in a schedule to this overlay.</i>	None Specified.

## 5.7 Creation of Easements

The creation of the proposed drainage easement and the proposed accessway easement will affect the landowners of the proposed lots and the neighbours to the north-east (located at 127 Woori Yallock Road) as the accessway will run along the boundary of 127 Woori Yallock Road. Additionally, the landowners who will live in the existing residence will be minorly impacted by the drainage easement as it will run through the western portion of the northern rural lot.

The landowners are the permit applicants for the easements, and they understand the impacts that the drainage easement will have on their land. As there is an existing accessway located where the proposed accessway easement is to be located, the existing conditions of the neighbours at 127 Woori Yallock Road will not be impacted.

We therefore submit that the proposed easements will result in a good planning outcome, as they will enhance the efficiency of the site, protect the environmental features of the site, and the interests of the people affected by the proposed easements will not be negatively impacted by the proposed easements.

## 5.8 Amenity

The proposed subdivision will achieve a functional subdivision layout that appropriately responds to the site and its surrounds, and its regional context.

Refer to Appendix A for a detailed assessment of the proposed subdivision against the Standards of Clause 56 – Residential Subdivision.

## 5.9 Traffic and Access

The subject site comprises a functional accessway along the north-western boundary, accessed via a gravel crossover to Woori Yallock Road. The proposed accessway easement will ensure that vehicular access is maintained via the existing infrastructure.

## 5.10 Removal of Native Vegetation

As outlined in Section 3 of this report, the proposal seeks to subdivide the land into two lots, separating the lots to align with the existing zoning pattern of the land. The proposed subdivision is required to align with the existing zoning pattern of the land to facilitate the creation of a lot smaller than 15 Ha within the Rural Conservation Zone in accordance with Clause 64.03.

A mandatory requirement of Clause 64.03 states that the proposed subdivision cannot create lots where any lot extends into more than one zone; as such, the area of Lot B (1,416 sqm) is determined by the existing zoning boundaries.



However, as the proposed lot is less than 4,000 sqm, the provisions of Clause 52.17 do not apply to the subject site. Moreover, as the site is located within the BMO1, the removal of Tree 6 is exempt under Clause 52.12-2. The Arboricultural assessment undertaken by DBHorticulture confirms the retention value of this tree is Low.

Two native trees have been identified within the proposed Lot B however, the proposal is below 4,000sqm and as such, the provisions of Clause 52.17 are not applicable to this application.

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## 6 Conclusion

The proposed development to subdivide the subject site into two lots and the creation of a drainage and accessway easements will deliver a positive planning outcome for the following reasons:

- The proposed lot layout is supported by the Cardinia Planning Scheme, in particular this is demonstrated through the existing zone boundaries, and relevant planning policy framework;
- The proposed subdivision will separate the site so that each lot will comprise only one planning zone, which will align with the existing subdivision pattern of Woori Yallock Road;
- The proposed development will upkeep and enhance rural township character of the existing site and its surrounds – consistent with the neighbourhood character of the area;
- The proposed subdivision provides for appropriate bushfire mitigation measures;
- The proposed easements will ensure that the existing conditions of the site are maintained, considering the impacts of the proposed subdivision;
- The proposed development consolidates urban land within an established urban residential area and preserves land within a significant landscape; and
- The proposed development will contribute to conserving the significant landscape of the densely vegetated Cockatoo Creek Environs within the Rural Conservation Zone within the proposed northern lot.

For the reasons outlined above we believe the proposal is worthy of Council support, subject to standard conditions.

**Human Habitats Pty Ltd**

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## APPENDIX A – Clause 56 Assessment

### CLAUSE 56.03 – LIVABLE AND SUSTAINABLE COMMUNITIES

#### OBJECTIVE AND STANDARD

##### CLAUSE 56.03-5

##### NEIGHBOURHOOD CHARACTER OBJECTIVE

To design subdivisions that respond to neighbourhood character.

##### Standard C6

Subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

#### ASSESSMENT

✓ **COMPLIES**

The proposed subdivision will further consolidate/contribute to the emerging residential character of the relevant area.

### CLAUSE 56.04 – LOT DESIGN

#### OBJECTIVE AND STANDARD

##### CLAUSE 56.04-2

##### LOT AREA AND BUILDING ENVELOPES OBJECTIVE

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

##### Standard C8

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

#### ASSESSMENT

✓ **COMPLIES**

Lot A (10,858m<sup>2</sup>) and Lot B (1,416m<sup>2</sup>) allow for a variety of dwelling types, styles and sizes, which respond to the diverse needs and desires of the future residents of the area.

Where possible the proposal has sought to maximise the northern aspect of lots to enhance solar efficiencies.





CLAUSE 56.04 – LOT DESIGN	
OBJECTIVE AND STANDARD	ASSESSMENT
<p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> <li>▪ Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.</li> <li>▪ Existing or proposed easements on lots.</li> <li>▪ Significant vegetation and site features.</li> </ul>	
<p><b>CLAUSE 56.04-3</b> <b>SOLAR ORIENTATION OF LOTS OBJECTIVE</b></p> <p>To provide good solar orientation of lots and solar access for future dwellings.</p> <p><b>Standard C9</b></p> <p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> <li>▪ The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</li> <li>▪ Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</li> </ul>	<p>✓ <b>COMPLIES</b></p> <p>The proposed layout response seeks to maximise the number of lots that have lengthy north facing property boundaries which allow for appropriate solar access to dwellings.</p> <p>The design meets the overarching objective to allow for good solar orientation of lots and solar access for a future dwelling.</p> <p>Appropriate lot widths can allow for sufficient site setbacks to ensure minimal overshadowing of private open space areas or north facing windows.</p>
<p><b>CLAUSE 56.04-5</b> <b>COMMON AREA OBJECTIVES</b></p> <p>To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p> <p><b>Standard C11</b></p> <p>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> <li>▪ The common area to be owned by the body corporate, including any streets and open space.</li> <li>▪ The reasons why the area should be commonly held.</li> <li>▪ Lots participating in the body corporate.</li> <li>▪ The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</li> </ul>	<p><b>N/A</b></p> <p>No common property is proposed.</p>

**CLAUSE 56.06 – ACCESS AND MOBILITY MANAGEMENT**



OBJECTIVE AND STANDARD	ASSESSMENT
<p><b>CLAUSE 56.06-8 LOT ACCESS OBJECTIVE</b></p> <p>To provide for safe vehicle access between roads and lots.</p> <p><b>Standard C21</b></p> <p>Subdivision should:</p> <ul style="list-style-type: none"> <li>▪ Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</li> <li>▪ Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.</li> <li>▪ The design and construction of a crossover should meet the requirements of the relevant road authority.</li> </ul>	<p>✓ <b>COMPLIES</b></p> <p>The proposal will utilise the existing crossover and accessway for vehicular access to the site. We request that Council includes any further requirements as Conditions on the Planning Permit.</p>
<b>CLAUSE 56.09 – UTILITIES</b>	
OBJECTIVE AND STANDARD	ASSESSMENT
<p><b>CLAUSE 56.09-2 ELECTRICITY, TELECOMMUNICATIONS AND GAS</b></p> <p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p> <p><b>Standard C28</b></p> <p>Subdivision should:</p> <ul style="list-style-type: none"> <li>▪ The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</li> <li>▪ Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</li> <li>▪ The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</li> <li>▪ Where proposed to be connected, a reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency.</li> </ul>	<p>✓ <b>COMPLIES</b></p> <p>Each lot will utilise the existing connection to public utilities that the existing residence has been running off. We request that Council includes any further requirements as Conditions on the Planning Permit.</p>

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**LEGEND**

- Rural Conservation Zone
- Neighbourhood Residential Zone
- Existing Vegetation on Subject Site
- Existing Vegetation Adjacent to Site
- Scattered Vegetation on Site
- Contours, Shown at 0.5m Intervals

New drainage connection/easement\* to creek in accordance with Melbourne Water Standards and Specifications.

\*Lot B is the beneficiary of the proposed drainage connection/easement

Min 4.5m wide access easement\* utilising the existing driveway.

\*Lot A is the beneficiary of the proposed carriage way easement.

3.5m accessway

125 Woori Yallock Road, Cockatoo  
 Concept Plan of Subdivision  
 1:1000  
 09/08/24  
 MA



125 Woori Yallock Road, Cockatoo  
 Concept Plan of Subdivision

1 : 1000

**PROJECT INFORMATION**  
 PROJECT NO: 13561  
 DRAWING NO: 001  
 VERSION NO: 04  
 DATE: 09.08.24  
 DRAFT: MA  
 CHECKED: TK

**NOTES**

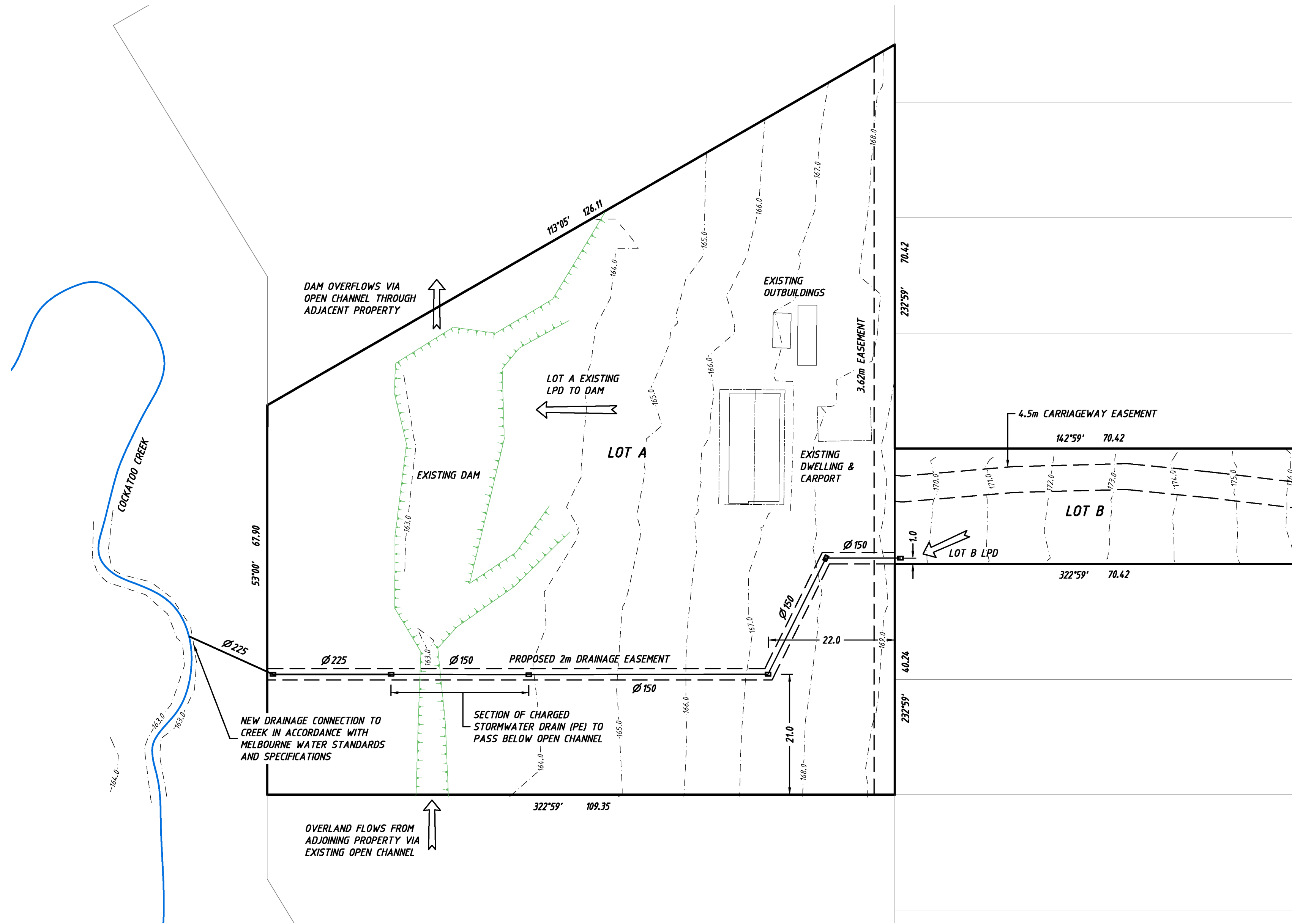
- This Plan adopts boundary data based on Modarc Architectural drawings - Project No. 20010 - Date: July 22.
- Contour data is sourced from Modarc Architectural drawings and are 0.5m intervals.
- This Concept layout is preliminary only and has not yet had Council Authority feedback or approval. The Concept is subject to change following further investigation.
- This Concept has not had detailed input from: Drainage Engineers, Civil Engineers, Traffic Engineers, Arsitek, Cultural Heritage Specialists, Bushfire Assessment Specialists, Council, Referral Authorities and any other potential consultants e.g. electrical engineers.
- This document was commissioned by the client and prepared by Human Habitats for the exclusive use of the client. We make no warranty, express or implied, or assume any legal liability or responsibility for the accuracy, validity or completeness of this document, or the misapplication or misinterpretation by third parties of its contents.

**REVISIONS**

REV	DESCRIPTION	CHK	DATE
03	RFI-VEGETATION RETENTION	TK	19.03.24
02	RFI-VEGETATION RETENTION	TK	05.02.24
01	CONCEPT LAYOUT	TK	29.06.23

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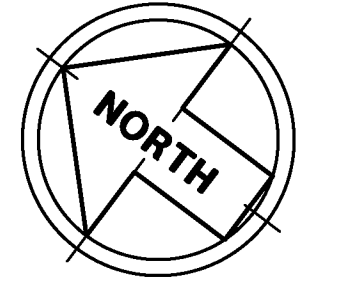




PIPE DETAILS	Ø 225 PVC	Ø 225 PVC	Ø 150 PE	Ø 150 PVC	Ø 150 PVC	Ø 150 PVC
SLOPE/GRADE	1:200.0	1:200.0		1:12.8	1:29.8	1:10.9
DATUM RL 158.7						
DEPTH TO INVERT	0.000	1.017	0.515	0.817	0.910	1.134
INVERT LEVEL	162.662	162.742	162.895	163.120	166.434	167.212
FINISHED SURFACE	162.662	163.759	163.410	163.937	167.334	168.425
EXISTING SURFACE	162.662	163.759	163.410	163.937	167.334	168.425
CHAINAGE	0.000	15.982	36.572	60.572	102.328	137.904

**DRAINAGE LONGITUDINAL SECTION**  
 SCALES: HOR 1:500, VER 1:100

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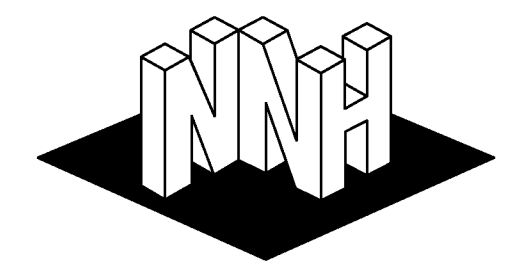
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 SCALE 1:500

**PRELIMINARY**  
 FOR TOWN PLANNING  
 PURPOSES ONLY

REFERENCE SURVEY PLAN:  
 NILSSON, NOEL & HOLMES (SURVEYORS)  
 REF: 21562FL, REV 02  
 PLAN DATE: 10/08/2023

DESIGNER	SCALE	AS SHOWN	A1
CHECKER	DATUM	AHD	
AUTHOR	DATE	23rd OCTOBER 2023	
	NNH FILE No:	23028	
	DISK No.	-	
	MELWAY REF.	M311 H3	

**NNH Engineers**  
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STORMWATER DRAINAGE CONCEPT PLAN

DRAWING No.  
**23028cP01**

SHEET 1 OF 1

REV. B



# Bushfire Management Statement

No. 125 WORRI YALLOCK Road, Cockatoo, VIC 3781



**Submitted To**

**Human Habitats**

**Site Number**

S#203287

**Date**

7/02/2024

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### Document Revision History

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30-Jun-23	0			First Edition
20-Sep-23	1			Amendments
07-Feb-24	2			RFI Amendments
08-Apr-24	3			RFI Amendments

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## List of Appendices

**APPENDIX A:** Site Photography

**APPENDIX B:** Bushfire Management Plan

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### REFERENCED STANDARDS:

Standard Australia (2018) AS 3959-2018 construction of buildings in bushfire prone areas.

CFA (2011), FSG LUP 003 assessing vegetation in a bushfire management overlay (BMO) country fire authority, Burwood East Victoria

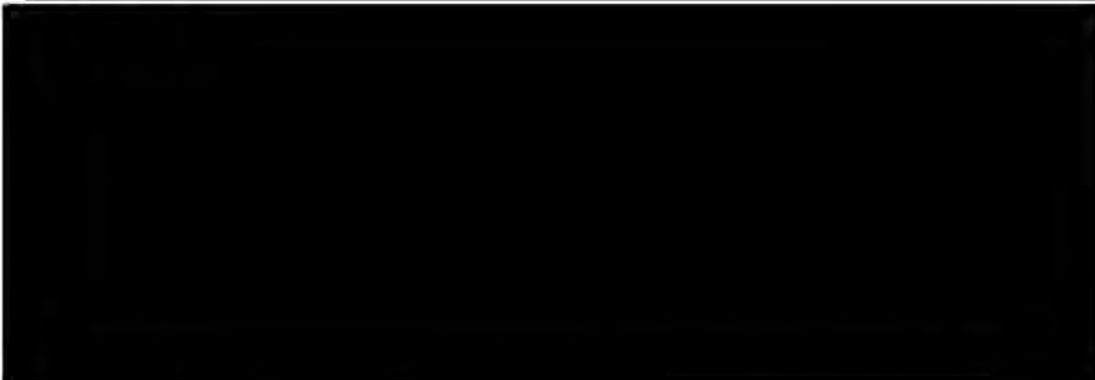
CFA (2012) FSG LUP 0002 requirements for water supply and access in the Bushfire Management Overlay (MBO).

CFA Planning for Bushfire Victoria: Version 2. Published November 2012

Preparing and assessing a planning application under bushfire provisions in planning schemes, Planning Practice note 65, September 2014

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# 1 Introduction

This Bushfire Management Statement (BMS) has been prepared to assist Human Habitats in respond to the requirements of Clause 44.06-2 Application for subdivision within BMO, BMO schedule 1, and associated Clause 52.12 Bushfire Protection: Exemptions.

The Bushfire Management statement contains two components:

- **Part1 - locality and site description** that is used to identify the existing conditions of the site and surrounds, in accordance with the application requirements of Clause 44.06-2.
- **Part 2- bushfire management statement**, that is used to calculate the defensible space and construction requirements and show how the application meets the relevant objectives, standards, mandatory standards and decision guidelines of Clause 44.06-2 – Application for Subdivision and Clause 53.02.

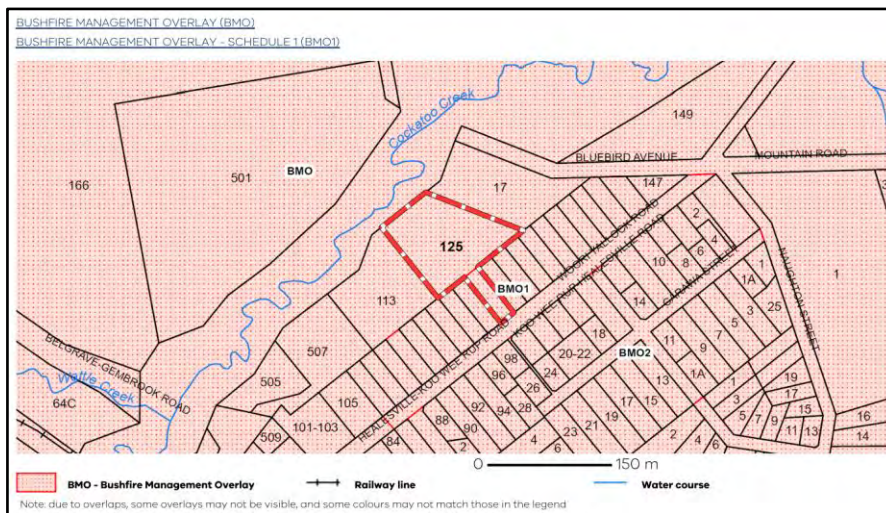


Figure 1: Bushfire Management Overlay

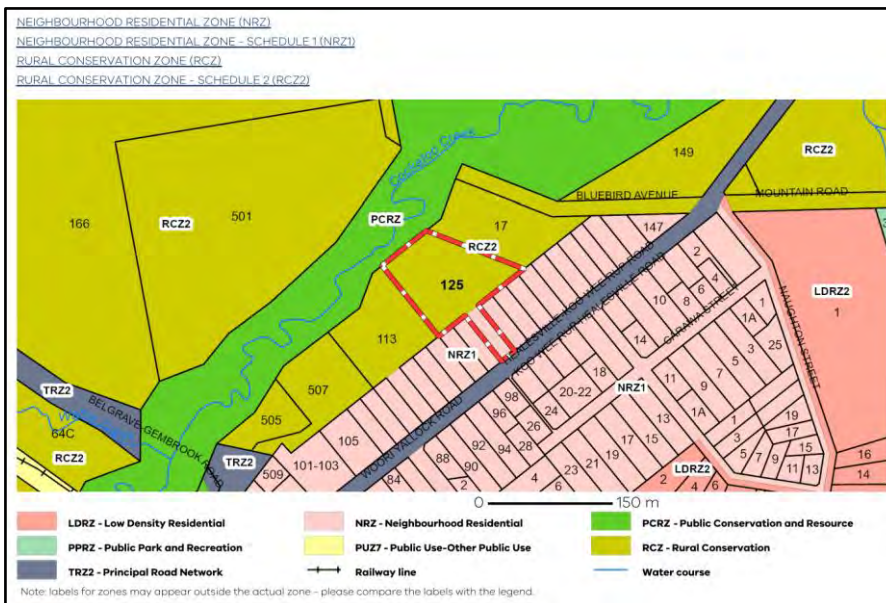


Figure 2: Planning Zone

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## 2 Site Description and Locality

### 2.1 Site Description

Table 1: Site description and locality

Site Shape, Dimensions, Size and Planning Overlays	
Shape of site:	Irregular
Dimensions of site:	Existing remaining parcel (Lot A) approx.– 120m x 110m Proposed subdivision (Lot B) – approx. 70m x 20m
Total area of the site:	Total allotment size pre subdivision approximately 1.2ha 10,841.46m <sup>2</sup> - Existing remaining parcel (Lot A) 1,416.86m <sup>2</sup> – Proposed subdivision (Lot B)
Zoning of the site:	Existing Remaining Parcel (Lot A) - Rural conservation Zone (RCZ) Proposed subdivision (Lot B) - Neighbourhood Residential (NRZ)
Site topography:	Slight Hilly Formation
Existing and Proposed Developments	
Description of existing buildings:	The site at the time of the investigation has an existing dwelling, one double car garage and sundry shedding.
Location description of proposed dwelling:	Based on the architectural drawings provided to this office by the client it is understood that the proposed development is a subdivision where the portion of the lot under NRZ will be split from the greater land parcel.
Current Access Arrangement	
Main Vehicle access to the site from:	Access to site is from Woori Yallock Road. Through proposed shared access driveway.
Roads within the site constructed and connected to main road:	Existing gravel driveway.
Existing Vegetation	
Existing vegetation within the lots:	The site has established trees consistent with the area and are a mix of deciduous, semi deciduous and native species.

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## 2.2 Site Locality and Surrounding Lands

The site is located approximately 1.5km north-west of the township of Cockatoo and its centre. To the North-West runs Cockatoo creek with a North West-South East direction of flow. Beyond Cockatoo creek with its banks lined by native vegetation sits large allotments of pasture and some rural settlements held within.

The Eastern direction has existing housing developments with a main arterial in Woori Yallock Road passing their centre. Further and beyond that road sits the Mountain Road Recreation Reserve housing a sporting oval and native vegetation maintained by local council.

The Western direction is in order of occurrence rural allotment of similar size, Woori Yallock Creek, Rural settlements of large lot size and maintained pasture, main thoroughfare in Belgrave-Gembrook Road and further unsettled pasture allotments with native forest beyond it.

The Southern direction is existing dense residential development for the area with average lot size approximately 2000m2. Following Belgrave-Gembrook Road will lead you into the heart of Cockatoo township.



Figure 3: Site Locality (Nearmap image dated 27<sup>th</sup> December 2022)

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### 3 Bushfire Hazard Landscape Assessment

The subject site is located to North of Woori Yallock Rd. Existing settlements to the south, immediate east and west boundaries are well managed and namely manicured gardens and maintained paddock. The surrounding landscape corresponds to Broader Landscape Type 2 as assessed in accordance with Technical Guide, Planning Permit Application Bushfire Management Overlay, September 2017.

The terrain is generally down slope to the North West with Cockatoo creek to the same direction. The banks of the creek is assessed to have native forest an average width of 58m for its length, accounting for both the North and Southern banks. Beyond the Creek is rural allotment and pastured paddocks.

The Southern direction is largely developed as described in the section 2.2.

Any threat of bushfire is expected to come from the South – West, West or North Western direction. The Western direction some 670m from our allotments closest boundary sees Wrights Reserve, an area of Native Forest approximately 1.4 sq km in size.

The South-western direction sees the same forest, however the alignment of Cockatoo Creek is the border between reserve and residential development, with the addition of Belgrave-Gembrook Road further south. Should a true South-Westerly wind take hold causing long runs of fire from that direction it is likely the rural allotments in that path would take to grassfire.

The North-western direction is large rural allotments with paddocked sections containing pasture and livestock. Grassfire is the most likely scenario if long runs of fire is experienced from this direction.

On a broad landscape scale the fire risk to the site where high fire danger days are considered is likely to be moderate to high. The predominant wind direction is from the south-west and while the reserve lies in that direction the lot itself is shielded by Cockatoo Creek, Belgrave-Gembrook Road and residential allotments with maintained defendable space for the large part. It should be noted that some sections of the Wright Reserve is earmarked for non burn mechanical treatment over the next few years as depicted in the mapping below.



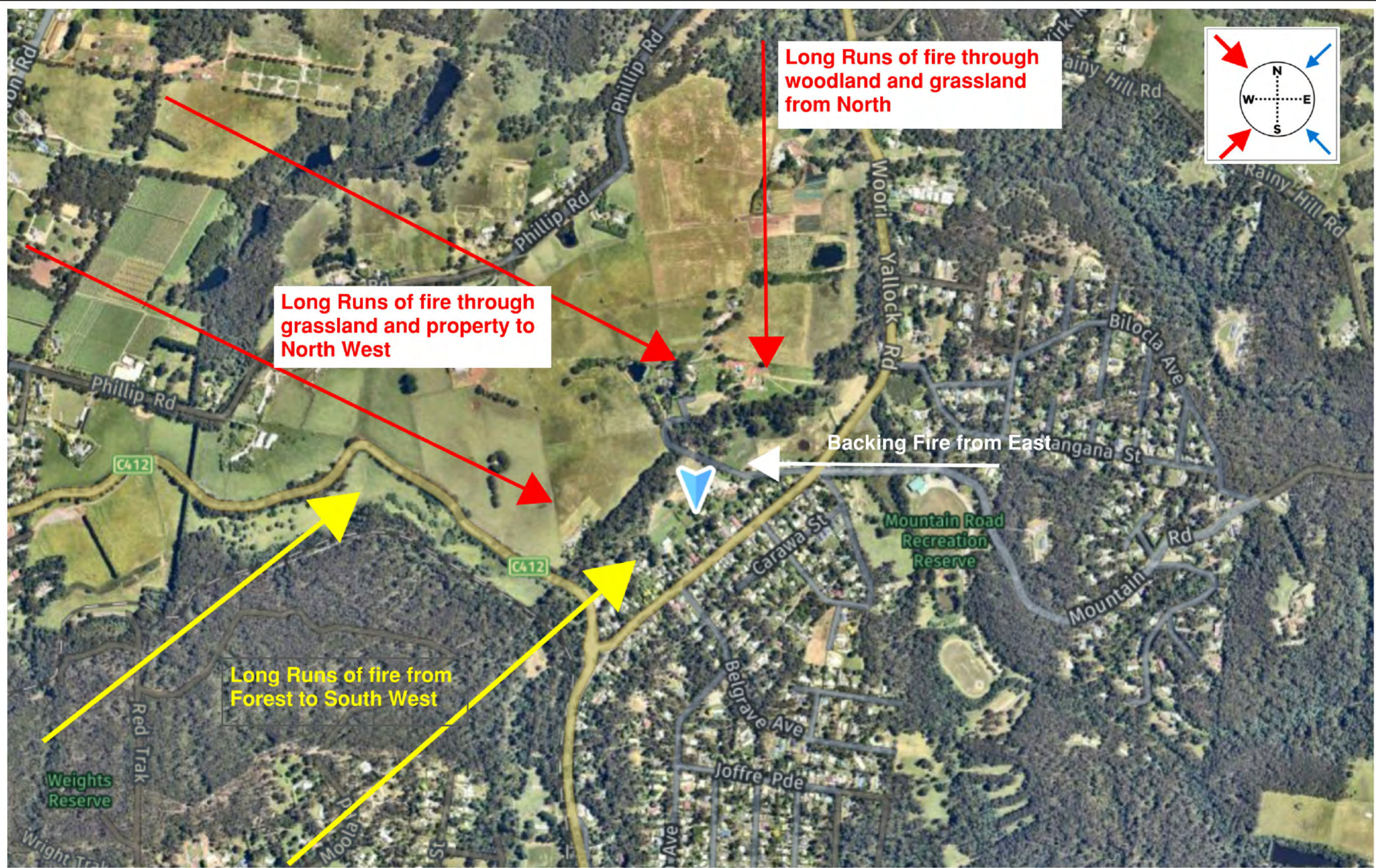
Strong North-west winds which are less frequently encountered are likely to cause danger to the site. Mapping obtained from DELWP has indicated no bushfire activity having occurred in the area since the Ash Wednesday fires of 1983.

No long runs of fire are likely to be expected for this site.

In summary, there has been no bushfires within this area over last three decades and the likely hood of long runs for fire is possible but unlikely. The immediate vegetation from the site boundaries is either maintained or developed and on the broader scale have been scheduled for fuel reduction by mechanical means to reduce fire risk.

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Client:  
Human Habitats

Project:  
No. 125A Woori Yallock Rd, Cockatoo VIC

Drawing:  
Bushfire Hazard Context Plan

Scale (A3): Not to Scale

Date: 01.08.2023

Sheets: 1 of 1

Drawing No.

2

Rev.

0



## 4 Bushfire Hazard Assessment

Below table illustrates classifiable vegetation within 150m of the proposed development in accordance with AS 3959: 2018 construction of building in bushfire prone areas.

Table 2: Bushfire Hazard Assessment – Existing Remaining Allotment A

	Direction (Aspects)							
	Northern		Southern		Eastern		Western	
<b>Vegetation</b> (within 150m of proposed building/work)	Excludable/low threat	<input type="checkbox"/>	Excludable/low threat	<input checked="" type="checkbox"/>	Excludable/low threat	<input type="checkbox"/>	Excludable/low threat	<input checked="" type="checkbox"/>
	Modified	<input type="checkbox"/>	Modified	<input type="checkbox"/>	Modified	<input checked="" type="checkbox"/>	Modified	<input checked="" type="checkbox"/>
	Forest	<input checked="" type="checkbox"/>	Forest	<input type="checkbox"/>	Forest	<input type="checkbox"/>	Forest	<input type="checkbox"/>
	Woodland	<input type="checkbox"/>	Woodland	<input type="checkbox"/>	Woodland	<input type="checkbox"/>	Woodland	<input type="checkbox"/>
	Scrub (tall)	<input type="checkbox"/>	Scrub (tall)	<input type="checkbox"/>	Scrub (tall)	<input type="checkbox"/>	Scrub (tall)	<input type="checkbox"/>
	Shrubland (short)	<input type="checkbox"/>	Shrubland (short)	<input type="checkbox"/>	Shrubland (short)	<input type="checkbox"/>	Shrubland (short)	<input type="checkbox"/>
	Malle	<input type="checkbox"/>	Malle	<input type="checkbox"/>	Malle	<input type="checkbox"/>	Malle	<input type="checkbox"/>
	Rainforest	<input type="checkbox"/>	Rainforest	<input type="checkbox"/>	Rainforest	<input type="checkbox"/>	Rainforest	<input type="checkbox"/>
	Grassland	<input type="checkbox"/>	Grassland	<input type="checkbox"/>	Grassland	<input type="checkbox"/>	Grassland	<input type="checkbox"/>
	<b>Effective Slope</b> (under the classifiable vegetation within 150m)	Upslope/flat	<input type="checkbox"/>	Upslope/flat	<input type="checkbox"/>	Upslope/flat	<input type="checkbox"/>	Upslope/flat
Downslope								
>0 to 5 <sup>0</sup>		<input checked="" type="checkbox"/>	>0 to 5 <sup>0</sup>	<input type="checkbox"/>	>0 to 5 <sup>0</sup>	<input type="checkbox"/>	>0 to 5 <sup>0</sup>	<input type="checkbox"/>
>5 <sup>0</sup> to 10 <sup>0</sup>		<input type="checkbox"/>	>5 <sup>0</sup> to 10 <sup>0</sup>	<input type="checkbox"/>	>5 <sup>0</sup> to 10 <sup>0</sup>	<input type="checkbox"/>	>5 <sup>0</sup> to 10 <sup>0</sup>	<input type="checkbox"/>
>10 <sup>0</sup> to 15 <sup>0</sup>		<input type="checkbox"/>	>10 <sup>0</sup> to 15 <sup>0</sup>	<input type="checkbox"/>	>10 <sup>0</sup> to 15 <sup>0</sup>	<input type="checkbox"/>	>10 <sup>0</sup> to 15 <sup>0</sup>	<input type="checkbox"/>
>15 <sup>0</sup> to 20 <sup>0</sup>		<input type="checkbox"/>	>15 <sup>0</sup> to 20 <sup>0</sup>	<input type="checkbox"/>	>15 <sup>0</sup> to 20 <sup>0</sup>	<input type="checkbox"/>	>15 <sup>0</sup> to 20 <sup>0</sup>	<input type="checkbox"/>
<b>Distance (m)</b> to classifiable vegetation	<b>78m</b>		<b>&gt;150m</b>		<b>130m</b>		<b>145m</b>	

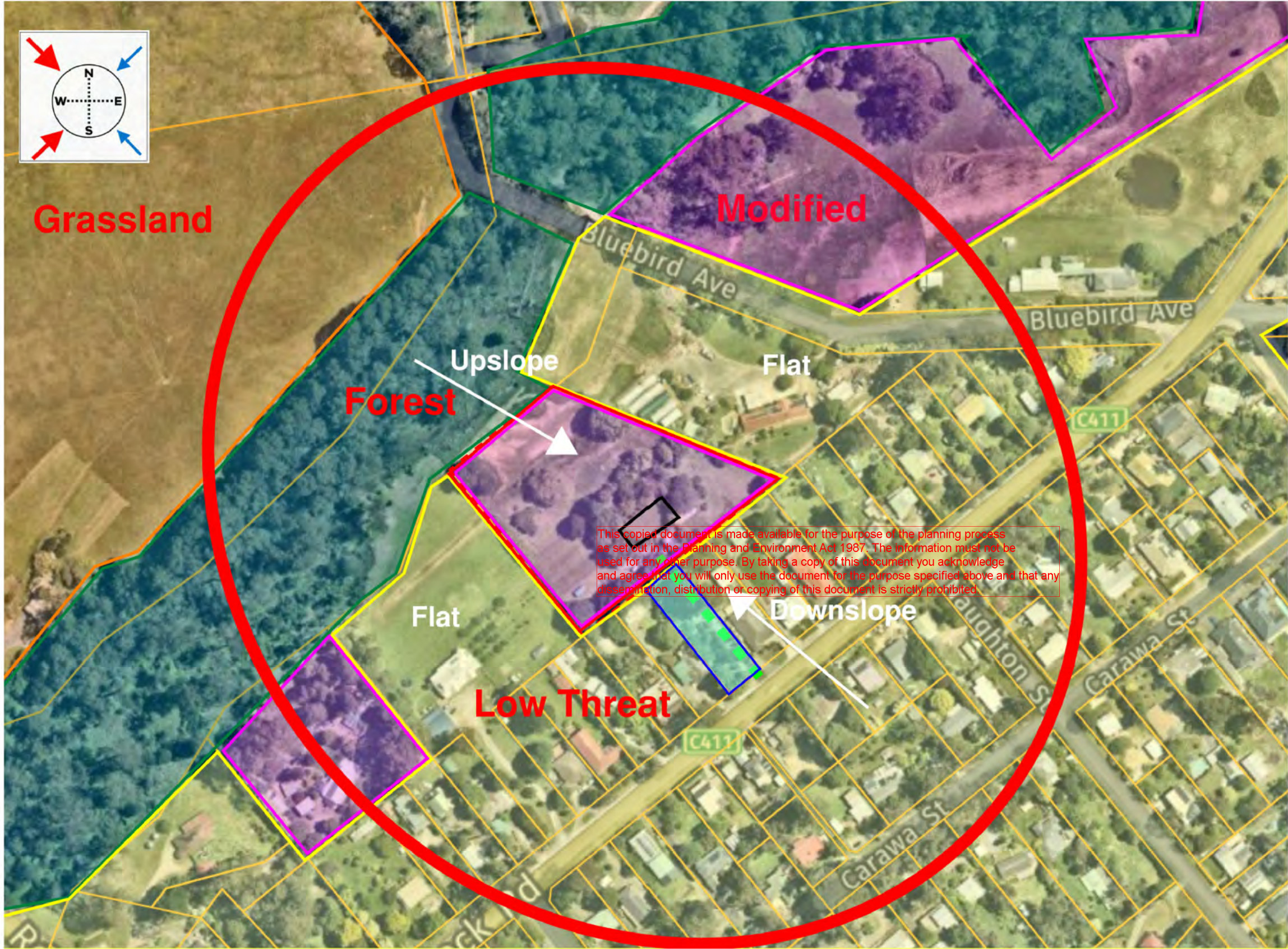
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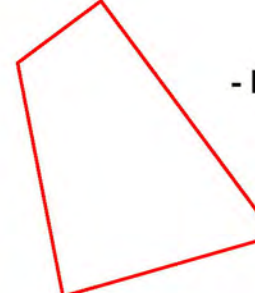
Table 3: Bushfire Hazard Assessment – Proposed Subdivision Allotment B

	Direction (Aspects)							
	Northern		Southern		Eastern		Western	
<b>Vegetation</b> (within 150m of proposed building/work)	Excludable/low threat	<input type="checkbox"/>	Excludable/low threat	<input checked="" type="checkbox"/>	Excludable/low threat	<input checked="" type="checkbox"/>	Excludable/low threat	<input checked="" type="checkbox"/>
	Modified	<input checked="" type="checkbox"/>	Modified	<input type="checkbox"/>	Modified	<input type="checkbox"/>	Modified	<input type="checkbox"/>
	Forest	<input type="checkbox"/>	Forest	<input type="checkbox"/>	Forest	<input type="checkbox"/>	Forest	<input type="checkbox"/>
	Woodland	<input type="checkbox"/>	Woodland	<input type="checkbox"/>	Woodland	<input type="checkbox"/>	Woodland	<input type="checkbox"/>
	Scrub (tall)	<input type="checkbox"/>	Scrub (tall)	<input type="checkbox"/>	Scrub (tall)	<input type="checkbox"/>	Scrub (tall)	<input type="checkbox"/>
	Shrubland (short)	<input type="checkbox"/>	Shrubland (short)	<input type="checkbox"/>	Shrubland (short)	<input type="checkbox"/>	Shrubland (short)	<input type="checkbox"/>
	Malle	<input type="checkbox"/>	Malle	<input type="checkbox"/>	Malle	<input type="checkbox"/>	Malle	<input type="checkbox"/>
	Rainforest	<input type="checkbox"/>	Rainforest	<input type="checkbox"/>	Rainforest	<input type="checkbox"/>	Rainforest	<input type="checkbox"/>
	Grassland	<input type="checkbox"/>	Grassland	<input type="checkbox"/>	Grassland	<input type="checkbox"/>	Grassland	<input type="checkbox"/>
<b>Effective Slope</b> (under the classifiable vegetation within 150m)	Upslope/flat	<input type="checkbox"/>	Upslope/flat	<input checked="" type="checkbox"/>	Upslope/flat	<input checked="" type="checkbox"/>	Upslope/flat	<input checked="" type="checkbox"/>
	Downslope							
	>0 to 5 <sup>0</sup>	<input checked="" type="checkbox"/>	>0 to 5 <sup>0</sup>	<input type="checkbox"/>	>0 to 5 <sup>0</sup>	<input type="checkbox"/>	>0 to 5 <sup>0</sup>	<input type="checkbox"/>
	>5 <sup>0</sup> to 10 <sup>0</sup>	<input type="checkbox"/>	>5 <sup>0</sup> to 10 <sup>0</sup>	<input type="checkbox"/>	>5 <sup>0</sup> to 10 <sup>0</sup>	<input type="checkbox"/>	>5 <sup>0</sup> to 10 <sup>0</sup>	<input type="checkbox"/>
	>10 <sup>0</sup> to 15 <sup>0</sup>	<input type="checkbox"/>	>10 <sup>0</sup> to 15 <sup>0</sup>	<input type="checkbox"/>	>10 <sup>0</sup> to 15 <sup>0</sup>	<input type="checkbox"/>	>10 <sup>0</sup> to 15 <sup>0</sup>	<input type="checkbox"/>
	>15 <sup>0</sup> to 20 <sup>0</sup>	<input type="checkbox"/>	>15 <sup>0</sup> to 20 <sup>0</sup>	<input type="checkbox"/>	>15 <sup>0</sup> to 20 <sup>0</sup>	<input type="checkbox"/>	>15 <sup>0</sup> to 20 <sup>0</sup>	<input type="checkbox"/>
>20 <sup>0</sup>	<input type="checkbox"/>	>20 <sup>0</sup>	<input type="checkbox"/>	>20 <sup>0</sup>	<input type="checkbox"/>	>20 <sup>0</sup>	<input type="checkbox"/>	
<b>Distance (m)</b> to classifiable vegetation	<b>8.5m</b>		<b>&gt;150m</b>		<b>&gt;150m</b>		<b>&gt;150m</b>	

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-  -Site Access
-  -Existing Dwelling
-  - Proposed Subdivide Lot B
-  - 150m Radius
-  - Remaining Existing Lot A




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**Human Habitats**  
 Project:  
**No. 125 Woori Yallock Rd, Cockatoo VIC**  
 Drawing:  
**Bushfire Hazard Site Assessment**

	Scale (A3):	Not to Scale
	Date:	07.02.2023
	Sheets:	1 of 1
Project No.	Drawing No.	Rev.
PRJ929448 S#203287	1	A



## 5 Bushfire Management Assessment

This site is being located within Special Use Zone (SUZ) there by application **pathway 1** is applied and the assessment is compiled in accordance with Clause 53.02 and the Cardinia Shire Planning Scheme.

The application meets the required approval measures and they are listed in the below tables.

Table 3: Approval measures as per 53.02-4.4.

Approved Measures	Requirements	Site Response
AM 5.2	<p>An application to subdivide land zoned for residential or rural-residential purposes must be accompanied by a plan that shows:</p> <ul style="list-style-type: none"> <li>• A building envelope for a single dwelling on each lot that complies with AM 2.2 and provides defendable space in accordance with:</li> <li>• Columns A, B or C of Table 2 for a subdivision that creates less than 10 lots.</li> <li>• Defendable space wholly contained within the boundaries of the proposed subdivision.</li> <li>• Defendable space may be shared between lots within the subdivision.</li> <li>• Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</li> <li>• Vegetation management requirements in Table 6 to implement and maintain the defendable space required under this approved measure.</li> <li>• Water supply and vehicle access that complies with AM 4.1.</li> </ul>	<p>Refer Site Hazard Assessment Plan Existing and proposed Lot A.</p> <p>The proposed building envelope for Lot A (existing dwelling) will be provided with a minimum defendable spacing of 30m around the dwelling in all directions as per BMO Schedule 1 for Cardinia Shire Council. Consideration for the existing dwelling to be renovated and upgraded to meet BAL12.5 construction requirements where required whilst maintaining the relevant defendable space prescribed in Section 6 of this report.</p> <p>The overall proposed building envelope for Lot B will be provided with a minimum defendable spacing to the property boundary in all directions as per table 2 of clause 52.47-3 to satisfy a BAL 12.5 rating for low threat vegetation and the given slope. The building will be constructed to BAL 12.5 Due to the potential fire risk to the northwest of the site, the dwellings will be constructed to meet BAL12.5 construction requirements whilst maintaining the relevant defendable space.</p> <p>Allotment B sees defendable space not contained wholly within it's Northern property boundary. It would be suitable to overlap into and share allotment A's defendable space.</p> <p>Refer Section 6 for Water Supply Requirements for both lots.</p> <p>Refer Section 7 for Vehicle Access Requirements for both lots.</p>
Has approve measures AM 5.2 has been fully met?		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>

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AM 5.4	A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and <ul style="list-style-type: none"> <li>communal areas.</li> </ul>	The bushfire hazard site assessment and the bushfire hazard landscape assessment provide the information to respond to these approved measures.			
<b>Has approve measures AM 5.4 has been fully met?</b>		<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>

Table 4: Approval measures as per 53.02-4.1.

Approved Measures	Requirements	Site Response			
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.	Refer Landscape Hazard Assessment.			
<b>Has approve measures AM 2.1 has been fully met?</b>		<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>
AM 2.2	A building is sited to ensure the site best achieves the following: <ul style="list-style-type: none"> <li>The maximum separation distance between the building and the bushfire hazard.</li> <li>The building is in close proximity to a public road.</li> <li>Access can be provided to the building for emergency service vehicles.</li> </ul>	<p>The existing house siting will be located 21m away from closet classifiable vegetation in north, east and west directions. Shrubbery, undergrowth, and dead trees will be removed to maintain a modified landscape and in close proximity to the existing dwelling vegetation management under Section 6 will be adhered too .</p> <p>The vehicle access to site will be constructed to be allow clear access (4.0m minimum height, and width, and will be shared access through the proposed subdivision.</p> <p>The proposed Lot A will see the proposed building envelope on the West of the site allowing for shared vehicle access to both lots along the Eastern boundary. Vegetation in all direction is excludable/low threat.</p>			
<b>Has approve measures AM 2.2 has been fully met?</b>		<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>

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Table 4: Approval measures as per 53.02-4.3

Approved Measures	Requirements	Site Response				
AM 4.1	<p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent persons unit, industry, office or retail premises is provided with:</p> <ul style="list-style-type: none"> <li>• A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 52.47-3.</li> <li>• Vehicle access that is designed and constructed as specified in Table 5 to Clause 52.47-3.</li> <li>• The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</li> </ul>	<p>Currently this site has an existing dwelling with tank water supply, an additional 10,000-litre domestic fire-resistant static water supply will be installed within the site with remote outlets fitted.</p> <p>Fire authority fittings and access are to be provided per section 7 of this report.</p>				
Has approve measures AM 2.1 has been fully met?		<table border="1"> <tr> <td data-bbox="1034 1064 1129 1108">Yes</td> <td data-bbox="1129 1064 1201 1108"><input checked="" type="checkbox"/></td> <td data-bbox="1201 1064 1297 1108">No</td> <td data-bbox="1297 1064 1385 1108"><input type="checkbox"/></td> </tr> </table>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>			

## 6 Defendable Space Management Requirements

The area of the defendable space, shown in the bushfire management plan (appendix C), is where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirement;

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

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## 7 Water Supply Requirement

A dedicated static water supply of 10,000 litres on the lot to the existing structure will be installed for domestic firefighting purposes which meets the following requirements:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all above ground water pipes and fittings required for firefighting purposed made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64-millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling)
- The static water supply must also include an outlet which incorporates a ball or gate valve separate to the CFA outlet for use by the owner/occupier of the land.
- The CFA outlet must be:
  - Easily accessible by a firefighter in the event of a bushfire.
  - Clear of all vegetation for a distance of 1.5 metres.
  - Setback from flammable objects (including timber fences and timber retaining walls) for a minimum distance of 1.5 metres.
  - Located a minimum distance of 10 metres and no more than 60 metres from the dwelling.
  - Orientated horizontally.
- The internal diameter for the fitting connecting the tank to the pipeline must be equivalent or greater than the internal diameter of the pipeline between the tank and the fire authority outlet.
- The centreline of the CFA outlet must be:
  - A minimum of 300mm and a maximum of 600mm in height above the finished ground level.
  - Located below the level of the outlet of the tank.
- The riser for the CFA outlet must be supported by a galvanised steel post at least 50mm x 50mm or equivalent which is concreted in the ground to a depth of 450mm.
- A 65mm British Standard Pipe (BSP) ball or gate valve must be provided at the CFA outlet to control the flow of water to the CFA coupling. Any other valves between the CFA outlet and the tank must be locked in the open position.
- The CFA outlet must be easily identifiable from the entrance to the property or signage must be provided so that it meets the following requirements:
  - Has an arrow pointing to the location of the fire authority outlet.
  - Has dimensions of not less than 310mm high and 400mm long.
  - Is red in colour, with a blue reflective marker attached.
  - Is labelled with a 'W' that is not less than 15cm high and 3cm thick.
- The CFA coulet must include a fade-resistant or engraved sign that:
  - Is fixed to the post supporting the fire authority outlet riser.
  - Has a minimum height of at least 1.5m from the ground surface level.
  - Includes the words 'FIRE WATER TANK OUTLET' in lettering that is a minimum of 50mm in height and white on the red background.
- A blue reflective disc at least 50mm in diameter must be attached to the post holding the sign. The blue reflective disc must be located immediately below the sign.
- All below-ground water pipes must be installed to provide at least the flowing cover below the finished surface:
  - 300mm for pipes subject to vehicle traffic.
  - 75mm for pipes under dwellings or concrete slabs.
  - 225mm for all other applications.

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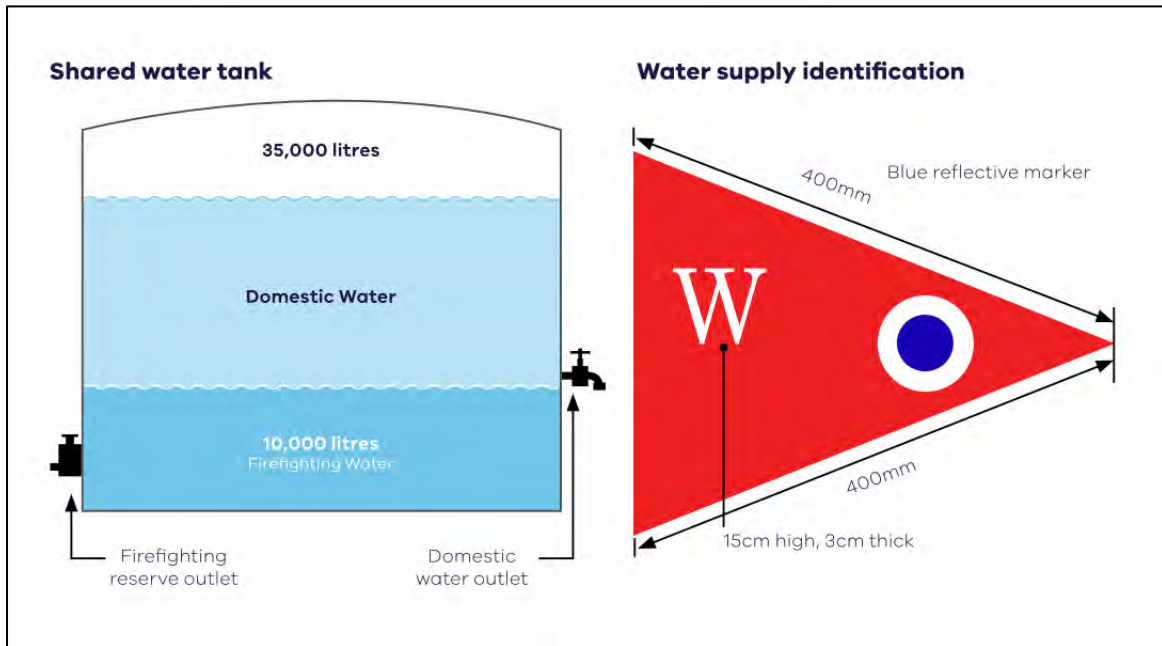


Figure 5: Water supply requirement

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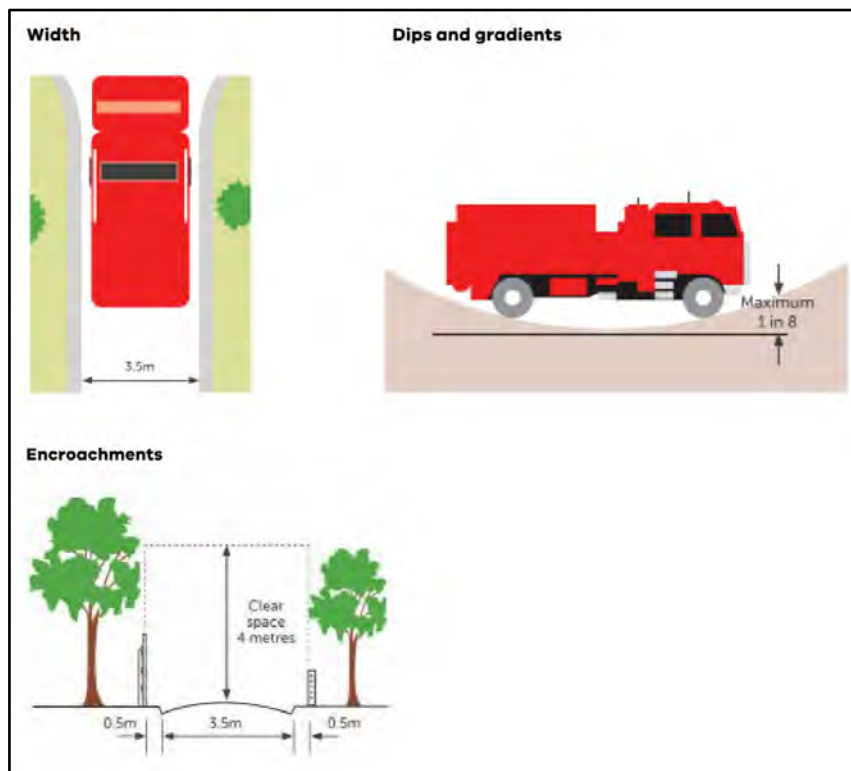
## 8 Access Requirements

Access to the water supply tanks provided for by the shared access driveway must meet the following requirements:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 4.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%)(8.1°) with a maximum grade of no more than 1 in 5 (20%)(11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5%)(7.1°) entry and exit angle.

A turning area for fire fighting vehicles must be provided close to the building within Lot A by one of the following:

- A turning circle with a minimum radius of 8 metres.
- A driveway encircling the dwelling.
- The provision of other vehicle turning heads, such as a T or Y head, which meet the specification of the Austroad Design for an 8.8 metre Service Vehicle.



**Figure 6: Road construction requirement**

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## Appendix A

### Site Photography





Figure 7: Existing Site Access through Lot B (from Woori Yallock Rd)



Figure 8: Maintained Lot A & Classifiable Vegetation (Forest to North)

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Figure 9: Maintained Lot A & Classifiable Vegetation (Forest to North East)



Figure 10: Vegetation to adhere to vegetation management (Lot A)





Figure 11: Vegetation to adhere to vegetation management (Lot A) Northern aspect



Figure 12: Vegetation to adhere to vegetation management (Lot A) Eastern aspect

## Appendix B

### Bushfire management Plan

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# Bushfire Management Plan



- Site Access
- Lot Boundary
- Existing
- 10000lt Tanks
- 30m Defendable Space
- Remote Outlet
- turnaround

Prepared by: [Redacted]

Version No.: A

Date: 08/04/2024

## Mandatory Condition

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

## Bushfire Protection Measures

### a) Defendable Space

Defendable space is provided for a distance of 30m around the dwelling or to the property boundary whichever is the lesser and managed in accordance with the following:

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

### b) Construction Standard

- Dwelling designed and constructed to a minimum Bushfire Attack Level of BAL –12.5.

### c) Water Supply

The following requirements apply:

- An effective capacity of 5,000 litres.
- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, the following fire authority fittings and access must be provided:

- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

### d) Access

Access Required: No

Yes

The following design and construction requirements apply:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
- Incorporate a turning area for fire fighting vehicles close to the building.