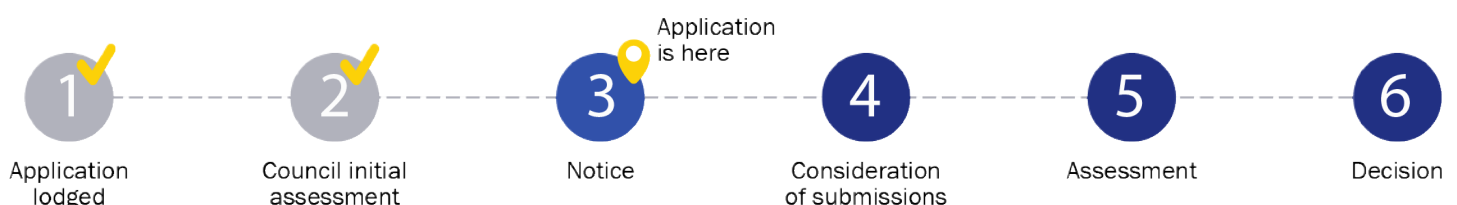


Notice of Application for a Planning Permit

The land affected by the application is located at:	L1 PS842318 V12595 F579 Parish of Gembrook 220 Mt Eirene Road, Gembrook VIC 3783	
The application is for a permit to:	Use of the Land for a Dwelling and Buildings and Works (Construction of a Dwelling, an Outbuilding and Earthworks)	
A permit is required under the following clauses of the planning scheme:		
35.06-1	Use of the land for a dwelling	
35.06-5	Construct a building or construct or carry out works associated with a use in Section 2 (dwelling)	
35.06-5	Construct a building within nominated setbacks	
42.01-2	Construct a building or construct or carry out works	
44.06-2	Construct a building or construct or carry out works associated with accommodation	
APPLICATION DETAILS		
The applicant for the permit is:	Nobelius Land Surveyors	
Application number:	T250278	
You may look at the application and any documents that support the application at the office of the Responsible Authority: Cardinia Shire Council, 20 Siding Avenue, Officer 3809. This can be done during office hours and is free of charge. Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.		
HOW CAN I MAKE A SUBMISSION?		
This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:		08 August 2025
WHAT ARE MY OPTIONS? Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority. If you object, the Responsible Authority will notify you of the decision when it is issued.	An objection must: • be made to the Responsible Authority in writing; • include the reasons for the objection; and • state how the objector would be affected.	The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.



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Application Summary

Portal Reference A22523JY

Basic Information

Proposed Use	Use and development of land for a dwelling and associated outbuilding, and earthworks
Current Use	Vacant.
Cost of Works	\$900,000
Site Address	220 Mt Eirene Road Gembrook 3783

Covenant Disclaimer

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

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

Contacts

Type	Name	Address	Contact Details
Applicant	Nobelius Land Surveyors	20 Henry Street, Pakenham VIC 3810	W: 03-5941-4112 E: renee@nobelius.com.au
Owner			
Preferred Contact	Nobelius Land Surveyors	20 Henry Street, Pakenham VIC 3810	W: 03-5941-4112 E: renee@nobelius.com.au

Fees

Regulation	Fee Condition	Amount	Modifier	Payable
9 - Class 12	More than \$100,000 but not more than \$1,000,000	\$1,706.50	100%	\$1,706.50
9 - Class 1	Change of use only	\$1,453.40	50%	\$726.70
Total				\$2,433.20

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Civic Centre
20 Siding Avenue, Officer, Victoria

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

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

Email: mail@cardinia.vic.gov.au

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

Documents Uploaded

Date	Type	Filename
21-05-2025	A Copy of Title	Copy of title 15.5.25.pdf
21-05-2025	A Copy of Title	Copy of plan 15.5.25.pdf
21-05-2025	Site plans	MT EIRENE RD TP_A (1).pdf
21-05-2025	Additional Document	220 Mt Eirene Rd, Gembrook F+L Plan.pdf
21-05-2025	Additional Document	250302 - LCA.pdf
21-05-2025	Additional Document	Bushfire Assessment 220 Mt Eirene Road Gembrook May 25.pdf
21-05-2025	Additional Document	Bushfire Management Plan 220 Mt Eirene Road Gembrook.pdf
21-05-2025	Additional Document	Cover Letter - 220 Mt Eirene Road, Gembrook.pdf
21-05-2025	Additional Document	Town Planning Report - 220 Mt Eirene Road V1.pdf
21-05-2025	Additional Document	Tree Plan 220 Mt Eirene Road, Gembrook .pdf

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

Lodged By

Site User	Nobelius Land Surveyors	20 Henry Street, Pakenham VIC 3810	W: 03-5941-4112 E: renee@nobelius.com.au
Submission Date	21 May 2025 - 02:46:PM		

Declaration

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



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20 Henry Street
PO Box 461
Pakenham
VIC 3810

ABN: 25 006 181 344
PHONE: 03 5941 4112
EMAIL: mail@nobelius.com.au
WEB: www.nobelius.com.au

02nd July, 2025

[REDACTED]
Nobelius Land Surveyors
20 Henry Street
Pakenham VIC 3810

Attn: [REDACTED]
Statutory Planner
Cardinia Shire Council
PO BOX 7
Pakenham VIC 3810

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Dear [REDACTED]

APPLICATION NO.	T250278PA
PROPERTY NO.	5000035491
ADDRESS	L1 PS842318 V12595 F579 Parish of Gembrook, 220 Mt Eirene Road, Gembrook VIC 3783
PROPOSAL	Use of the Land for a Dwelling and Buildings and Works (Construction of a Dwelling, an Outbuilding and Earthworks)

Thank you for your request for further information under section 54 of the *Planning and Environment Act 1987*, dated 18th June 2025. We wish to respond as follows:

FURTHER INFORMATION REQUIRED

1. Vegetation

Amended site plan to include numbered legend identifying all vegetation within 10 metres of the proposed development site and earthworks (inclusive of neighbouring properties and road reserve), including:

- a) Species
- b) Diameter of tree trunk at chest height (1.3 metres above natural ground level)
- c) Tree Protection Zone
- d) Whether the vegetation is to be retained, pruned or removed
- e) Distance of trees from proposed development

***Note: Should the proposed structure encroach on a Tree Protection Zone, the percentage of encroachment (by area) must be shown on the plan. If encroachment exceeds 10% of any given tree, an arborist report must be prepared. For more information on Tree Protection Zone, see: <https://www.councilarboriculturevictoria.com.au/encroachment-tpz-calculator-1>**

RESPONSE – The TPZ and SRZ of all trees within 10 metres of the proposed development have been added to the development plan. Any TPZ encroachment impacts are minor (less than 10%) and therefore acceptable under **AS4970 Protection of trees on development sites**. All trees are to be retained onsite.

TREE NO	SPECIES/COMMON NAME	TPZ	SRZ	ENCROACHMENT IMPACT	RETAIN/ REMOVE
1	<i>Ilex aquifolium</i> Holly	2m	1.5m	No encroachment	Retain
2	<i>Brachychiton acerifolius</i> Illawarra Flame Tree	6m	1.5m	9.35% Minor	Retain
3	<i>Malus sp.</i> Apple	2.4m	1.5m	2.2% Minor	Retain

Trees 1, 2 & 3 can achieve canopy separation of 5m and do not overhang or touch any elements of the building in accordance with the defendable space management requirements outlined in Table 6 of Clause 53.02. No permit is sought for their removal to provide defendable space.

The TPZ & SRZ of proximate roadside vegetation has been added to the plan, none of which experiences any major encroachment impacts. As, such we kindly request that no arborist report be required and note that this vegetation has been previously assessed by Council as part of the subdivision permit application that created the subject site. We can provide a copy of the tree plan provided to Council under that permit if required.

2. Site Plans

Fully dimensioned plans clearly showing the following:

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- a) *Any existing easements.*
- b) *Location of crossovers and setbacks from any street trees.*
- c) *Width of driveways.*
- d) *Notations or details of any tree protection zones or similar recommended by an appropriately qualified arborist.*

RESPONSE – The site plan has been updated to address Council’s comments above:

- The existing power supply easement (12m wide) has been added to the plan.
- The proposed gravel crossover has been notated on the plan.
- The proposed crossover location does not impact on any street trees.
- The all-weather driveway is to be a minimum of 3.5m wide in accordance with the access requirements outlined in the BMS.
- The TPZs of any trees proximate to the development have been added to the plan.

3. *Elevation Plans*

Fully dimensioned elevation plans clearly showing the following:

- a) *Maximum depth of any proposed cut and/or fill clearly shown.*

RESPONSE – The elevation plans have been updated to clearly show the maximum depth of any proposed cut and/or fill.

PRELIMINARY ASSESSMENT COMMENTS

A preliminary assessment of the application has been undertaken, and the following comments are provided for your consideration:

1. *Potential Vegetation Impacts*

*Council has concerns regarding impact on vegetation within the road reserve.
The requested information within this letter will provide further clarity.*

RESPONSE – As per our response to item 1.

Please find attached the following documents to support this response:

- Revised Development Plans with tree details and cut and fill notations

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We trust that the above satisfies Council's request for further information. Please free to contact me if you have any questions or wish to discuss.

Warm Regards,



Town Planner

Nobelius Land Surveyors

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Warm Regards,



Town Planner

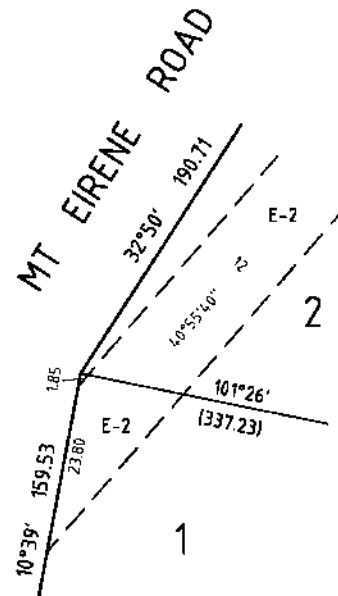
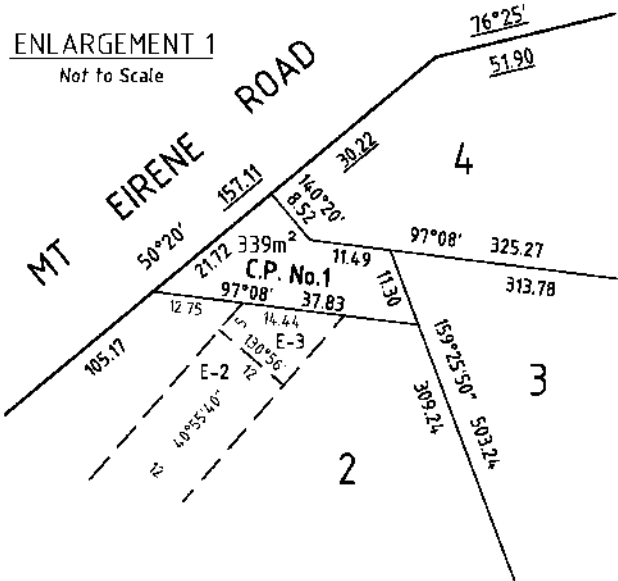
Nobelius Land Surveyors

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PLAN OF SUBDIVISION		EDITION 1	PS 842318 V	
LOCATION OF LAND PARISH: Gembrook TOWNSHIP: --- SECTION: --- CROWN ALLOTMENT: 23A (Part), 106, 109 (Part) and 109C CROWN PORTION: --- TITLE REFERENCE: Vol. 8385 Fol. 855, Vol. 1985 Fol. 936 and Vol. 8636 Fol. 554 LAST PLAN REFERENCE: TP 369868 G, TP 620685 S and TP 386338 R POSTAL ADDRESS: 230 & 260 Mt Eirene Road, GEMBROOK 3783 (at time of subdivision) MGA CO-ORDINATES: E: 373 600 ZONE: 55 (of approx centre of land N: 5 794 400 GDA 2020 in plan)		Council Name: Cardinia Shire Council Council Reference Number: S23-039 Planning Permit Reference: T210263 SPEAR Reference Number: S211438A Certification This plan is certified under section 6 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has not been made Digitally signed by: Fiona Shadforth for Cardinia Shire Council on 06/12/2024 Statement of Compliance issued: 18/12/2024		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	Lot 4 is not the subject of this survey. Underlined dimensions are based on Title only C.P. No.1 denotes Common Property No. 1 Crown Allotment 106 is subject to the reservations, exceptions, conditions and powers contained in Crown Grant Vol. 1985 Fol. 936		
Nil	Nil			
NOTATIONS				
DEPTH LIMITATION: 15.24m Below the Surface for Crown Allotments 109 & 109C				
SURVEY: This plan is based on PARTIAL survey. STAGING: This is not a staged subdivision. Planning Permit No. T210263 This survey has been connected to permanent marks No(s). 93 In Proclaimed Survey Area No. --- This copied document is made available for the purpose of the planning process as 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. LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS. FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, OR ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES.				
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easements and rights implied by Section 12(2) of the Subdivision Act 1988 apply to Lots 2 and 3 on this plan.				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Overhead Powerlines	20	This Plan - Section 88 Electricity Industry Act 2000	AusNet Electricity Services Pty. Ltd.
E-2 & E-3	Overhead Powerlines	12	This Plan - Section 88 Electricity Industry Act 2000	AusNet Electricity Services Pty. Ltd.
E-3	Power Supply (underground)	12	This Plan	AusNet Electricity Services Pty. Ltd.
NOBELIUS LAND SURVEYORS  P.O. BOX 461 PAKENHAM 3810 Ph 03 5941 4112 mail@nobelius.com.au		SURVEYORS FILE REF: 16373 Digitally signed by: Benjamin Stephen Nobelius, Licensed Surveyor, Surveyor's Plan Version (Version E), 15/05/2024. SPEAR Ref: S211438A		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 2 Land Use Victoria Plan Registered 12:22 PM 06/02/2025 Assistant Registrar of Titles

ENLARGEMENT 1

Not to Scale



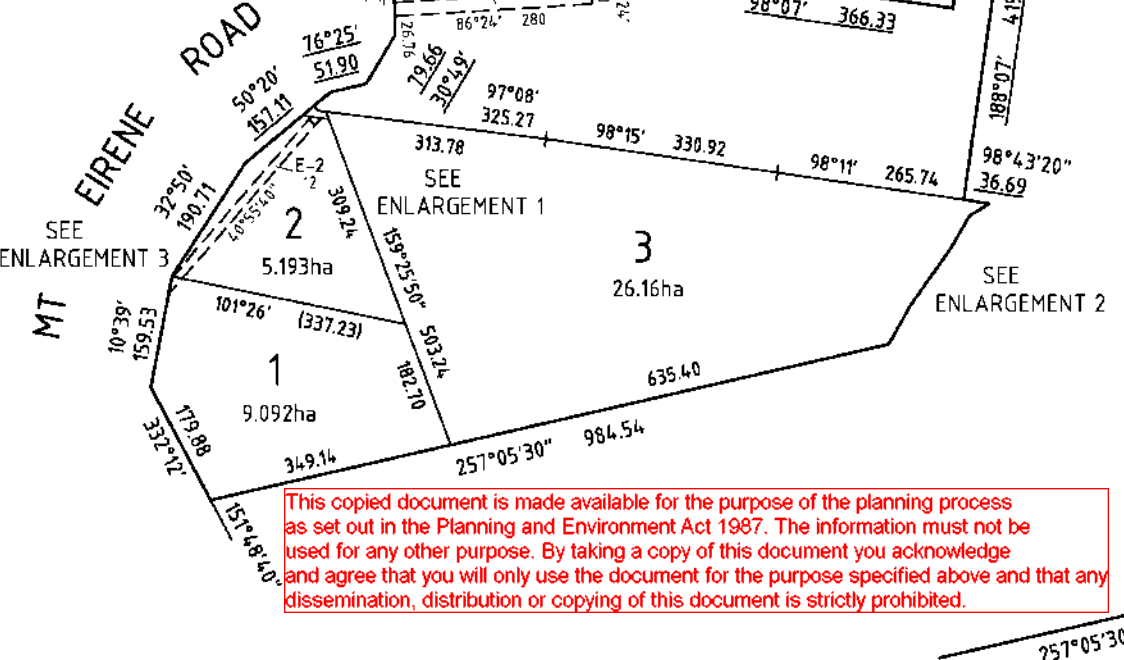
ENLARGEMENT 3

Not to Scale

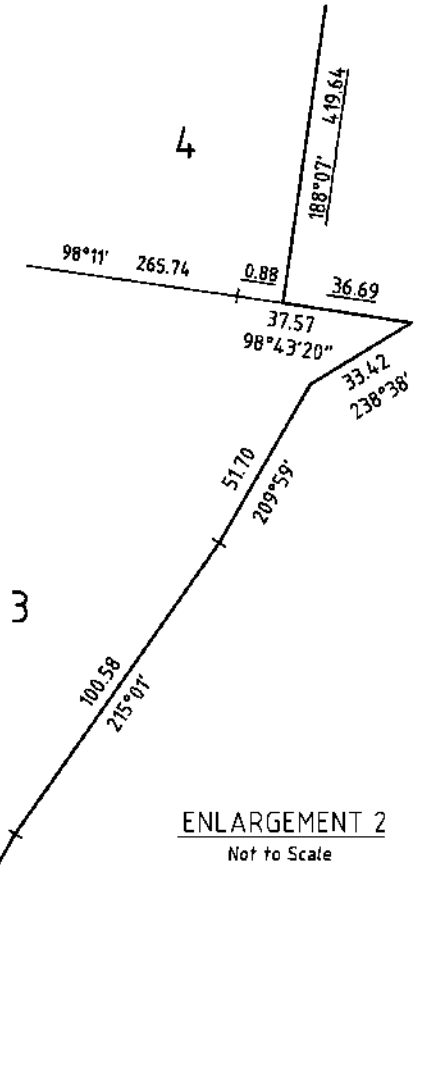
BACKHOUSE

ROAD

MT EIRENE ROAD



PS 842318 V



ENLARGEMENT 2

Not to Scale

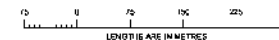
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NOBELIUS LAND SURVEYORS



P.O. BOX 461
PAKENHAM 3810
Ph 03 5941 4112
mail@nobellius.com.au

SCALE
1:7500



Digitally signed by: Benjamin Stephen Nobellius, Licensed Surveyor,
Surveyor's Plan Version (Version E),
15/05/2024, SPEAR Ref: S211438A

ORIGINAL SHEET
SIZE: A3

SHEET 2

Digitally signed by:
Cardinia Shire Council,
06/12/2024,
SPEAR Ref: S211438A



20 Henry Street
PO Box 461
Pakenham
VIC 3810

ABN: 25 006 181 344
PHONE: 03 5941 4112
EMAIL: mail@nobelius.com.au
WEB: www.nobelius.com.au

21st May, 2025

Nobelius Land Surveyors
renee@nobelius.com.au
03 5941 4112

Attn: Statutory Planning Department
Cardinia Shire Council
Siding Ave, Officer VIC 3808

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To Whom It May Concern,

RE: NEW PLANNING PERMIT APPLICATION
ADDRESS: 220 MT EIRENE ROAD, GEMBROOK (LOT 1 PS842318V)
PROPOSAL: USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND ASSOCIATED OUTBUILDING, AND EARTHWORKS

This planning permit application has been prepared by Nobelius Land Surveyors on behalf of the landowners of 220 Mt Eirene Road, Gembrook and is submitted to Cardinia Shire Council in support of an application to use and develop the land with a dwelling and associated outbuilding, and earthworks.

The subject site is contained within the Rural Conservation Zone – Schedule 1 in the Cardinia Planning Scheme. The applicable overlays are the Environmental Significance Overlay – Schedule 1 and the Bushfire Management Overlay.

A permit is required pursuant to:

- **Clause 35.06-1 Table of uses**, a dwelling is a section 2 (permit required) use on the condition that it is the only dwelling on the lot and the requirements of Clause 35.06-2 are met.
- **Clause 35.06-5 Buildings and works**, a permit is required for buildings and works associated with a section 2 use.
- **Clause 44.06-2 Buildings and works**, a permit is required to construct a building or construct or carry out works associated with accommodation.
- **Clause 42.01-2 Buildings and works**, a permit is required for buildings and works as the proposed outbuilding height exceeds 4m and earthworks greater than 1m are required.

The proposal is considered an appropriate planning outcome that helps to give effect to the Municipal Planning Strategy, State and Local Planning Policy Framework and the relevant policies, objectives and strategies of the Cardinia Planning Scheme. Any restrictions/encumbrances have been identified and responded to accordingly.

The following documents are submitted to Council in support of this application:

- Copy of title and plan
- Feature Survey Plan
- Development Plans (Built Studio)
- Bushfire Assessment (XWB Consulting)
- Bushfire Management Plan (XWB Consulting)
- Land Capability Assessment (HardCore Geotech)
- Tree Plan (NLS)

Please do not hesitate to contact me should require any further information or wish to discuss. We look forward to receiving further instructions from Council.

Warm Regards,

[Redacted Signature]

Town Planner
Nobelius Land Surveyors

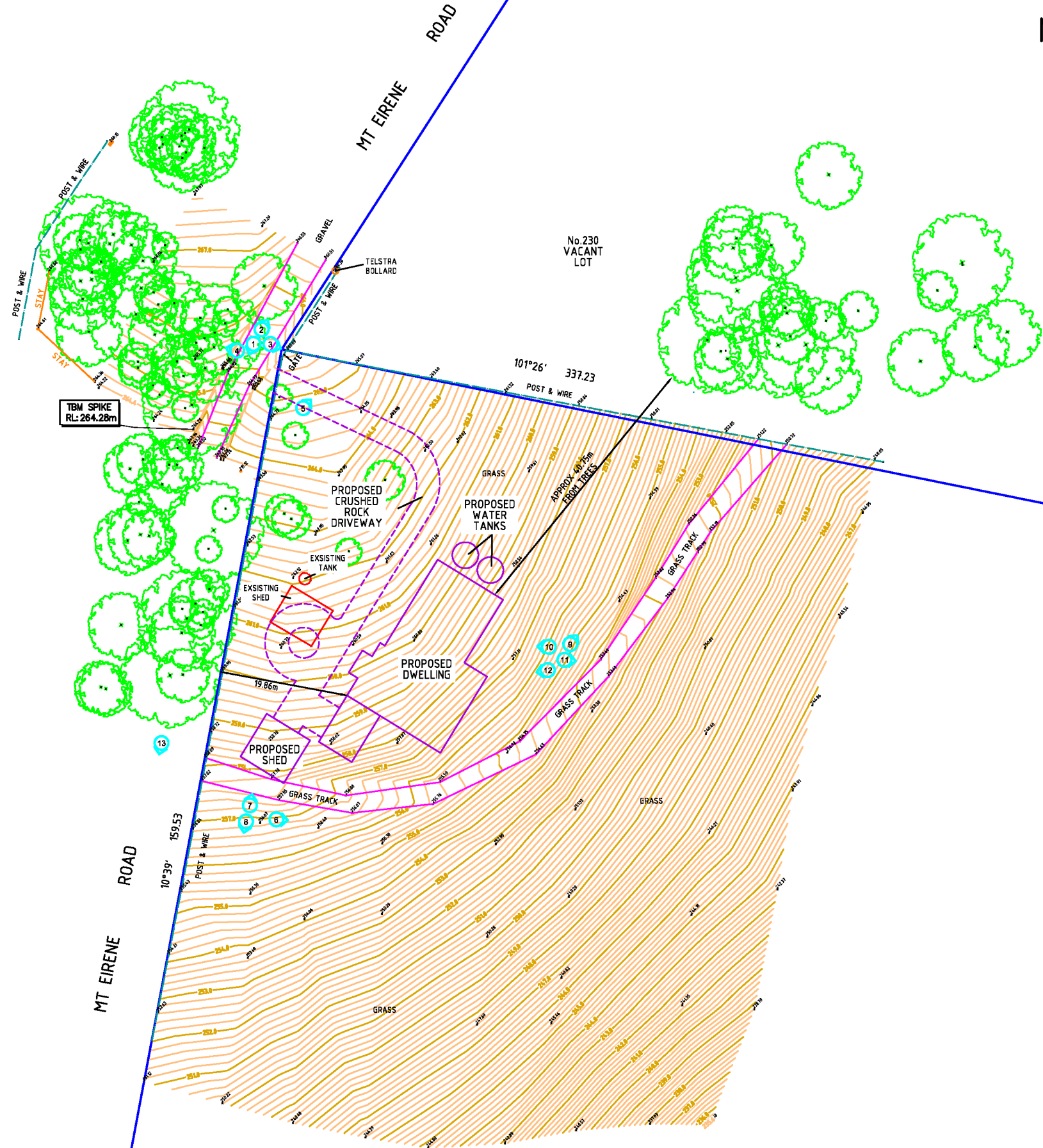
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FEATURE & LEVEL PLAN

220 Mt Eirene Road
Gembrook

SCALE 1:750 (A3)

NOTE:
- LEVELS SHOWN ON THIS PLAN
ARE TO A.H.D BASED ON
NAR-NAR-GOON PM 93 (R.L. 45.359)



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LEGEND

- TELSTRA PIT
- POWER POLE
- PHOTO POSITION & DIRECTION

NOTE:

- THIS PLAN IS TO BE READ IN CONJUNCTION WITH
THE 'RECORD OF HAVING RE-ESTABLISHED A PARCEL'.
INFORMATION REGARDING TITLE BOUNDARIES AND/OR
EASEMENTS SHOULD BE TAKEN FROM
RE-ESTABLISHMENT PLAN.
THIS IS A CADASTRAL PLAN PREPARED UNDER THE
SUPERVISION OF A LICENSED SURVEYOR.

DRAWN BY [REDACTED]
CHECKED : T.F
DATE OF SURVEY : 11/02/2025
SURV. REF. NO. 22103
VERSION: 1 - 02/25

NOBELIUS LAND SURVEYORS
P.O. BOX 461
PAKENHAM 3810
Ph 03 5941 4112
Fax 03 5941 7359
mail@nobelius.com.au





Geotechnical Consultancy, Soil testing, Land Capability Assessments

ABN: 47721649405

P.O. Box 32 Tynong Victoria 3813
Telephone: (03) 5608-0044 Mobile: 0438-344-645
Email: luke@hcgeotech.com.au

LAND CAPABILITY ASSESSMENT

Client:



Project: No. 220 Mt Eirene Road, GEMBROOK.

Date of site visit: 3rd March 2025

Report Number: 250302 – LCA

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Executive Summary

The proposed development at No. 220 Mt Eirene Road, GEMBROOK, is suitable for on-site effluent disposal.

The site is located in the Cardinia Shire.

The existing site is approximately 91075m² and has a moderate to steep slope to the south-east. The site is covered with existing shedding, natural pastures and trees on and adjoining the site. The recommended Land Application Area (LAA) is open with grass cover.

The proposal for the site is for a new four bedroom dwelling with a study that will require a new onsite-wastewater system.

Testing at the site included soil profile logging and sampling and laboratory testing, and water and nutrient balance modeling. This analysis has revealed that on-site effluent is achievable and sustainable.

The effluent at the site will be treated to a minimum 20-30 standard via secondary treatment, a sand filter or AWTS, and distributed via a pressure compensated irrigation system.

The property has a slope that has been measured to be 18% based on the site survey that was supplied in the area where the LAA is proposed to be located.

The site has slope ranging from 15-20%, where the proposed LAA is to be located, so a 20% decrease in the DIR has been used as per Table M2, AS1547-2012. This is shown in Table 1 with the increased LAA that is required due to the change in the DIR.

The proposed development at the site will require a system and irrigation area to handle the following effluent loads, based on a water usage rate of 150 litres/person/day, and dependent on the number of bedrooms the dwelling's final design adopts. Two people have been allowed for one of the bedrooms and the remainder bedrooms have had one person allowed for. This give a total occupancy of six people. The site also has areas where the irrigation system can be increased. These loads take into account the slope and are detailed in Table 1 below.

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Number of bedrooms	Maximum occupancy (persons)	Total effluent load (Litres/day)	Total irrigation area required (m²)	Total irrigation area required (m²) with 20% decrease in DIR
5	6	900	465	550

Table 1: Total effluent loads and irrigation area required, based on the total number of bedrooms and maximum occupancy the final house design adopts.

Potential surface flows can be managed through the design of the irrigation system having a cut-off drain around the high side. This will remove any surface flows before they reach the Land Application Area.

All requirements of the EPA Victoria can be met if the proposed system is used.

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1. Introduction

Hardcore Geotech Pty Ltd has been contracted to perform a Land Capability Assessment for No. 220 Mt Eirene Road, GEMBROOK. The proposed development is on 91073m². The allotment falls within the Cardinia Shire.

This report has been completed in order to show that No. 220 Mt Eirene Road, GEMBROOK can comply with the EPA Victoria requirements regarding an on – site wastewater system. This LCA looks at the size of the lot and the requirements of the wastewater system that will need to be met so that all effluent is contained on the site. This LCA provides a conceptual design with some recommendations on the management and monitoring of the system. The pressure compensating irrigation lines need to be laid in parallel with the contours of the site as shown on the site plan in this report. The spacing between the irrigation lines must be at least 1000mm.

The site is covered with existing shedding with natural pasture grasses and has a moderate to steep to the south-east. There are large trees on and adjoining the site. The site is typical of the landscape throughout the area. The site has no potable water supplies close by that will be affected. Offset distances for the water course on the site and the dams on the adjoining properties have been observed in the locating of the LAA. As the site's elevation is in the upper area of GEMBROOK, there is a low risk of seasonal flooding.

The site has slope ranging from 15-20%, where the proposed LAA is to be located, so a 20% decrease in the DIR has been used as per Table M2, AS1547-2012.

The site is subject to moderate to high rainfall and the site will be supplied with tank water. The area has a mean annual rainfall of 1016mm and a mean annual evaporation of 1205mm. These values were obtained from the stations at Beaconsfield Upper - Station No: 86261 and Scoresby Research Institute – Station No.086104, respectively.

It is recommended that the effluent should be treated to at least a secondary level and be distributed on site by a sub-surface pressure compensated irrigation system.

2. Site Features

2.1 Site overview:

The LCA was undertaken by Luke Tymensen of Hardcore Geotech on the 5th March 2025. The site was analyzed and information was recorded to complete Appendix B, Land Capability Assessment Table. This table is included later in the report. It was noted that the site will have moderate to high seasonal rainfall and a low permeable soil. The slope of the site where the LAA is proposed to be located is approximately 18% based on the site survey that was supplied. Due to the slope being between 10% and 20% the application rate will be reduced by 20%, as per Table M2, AS1547, 2012 to 1.6mm/day.

The irrigation system is to be constructed in an area that is covered in natural grasses. The Water balance calculations have been calculated using a value taken from Table 10.6 Scheme for inferring the hydraulic conductivity range of soil horizons, Soil, Their Properties and Management, Third Edition, Peter E.V CHARMAN and Brian W. MURPHY. This gives a range of 0.1mm/h to 2.5mm/h.

The LCA has been worked out assuming that the new dwelling will have a new wastewater system installed. The new dwelling has five (5) bedrooms or four (4) bedrooms and one (1) study, that will be suitable for a maximum occupancy of six (6) people. The site is supplied with tank water and it is anticipated that sewer will not be available in the near future due to the low development density in the area and the considerable distance from the existing wastewater services.

A design wastewater load of 150L per person per day has been used giving a total daily design load of 900 litres dependent on the final floor plan. This design load was determined using Table 4, EPA Code of Practice 891.4.

2.2 Available land for LAA – The existing Lot is to be 91073m². **Size of site has area that could be extended for increase of LAA if required.** This gives a moderate rating risk for the secondary treatment system that is recommended within this report.

2.3 Aspect and Exposure – The area allocated for the system has a moderate to steep slope and faces the east. This area is located in a relatively open area of Gembrook, with trees surrounding. The surrounding area is covered in pasture grasses and there are large trees on and adjoining the site. This gives the site moderate sun and wind exposure.

2.4 Slope form and gradient – the area recommended as suitable for the LAA has a moderate slope to the south-west of approximately 1:5.4 (approx. 18%) based on the site visit and reviewing the site survey with levels that was supplied. This will be a limiting factor. The pressure compensating subsurface irrigation should also run along the contours as mentioned in Section M9.3 of AS/NZS 1547, 2012.

2.5 Site Drainage – A cutoff drain will be required around the high side of the system. The cutoff drain will prevent overland water flow from entering the system during high rainfall events.

2.6 Landslip – At the time of the investigation no evidence of landslip was seen. The proposed effluent system won't increase the land slip risk in the area proposed for the LAA.

2.7 Erosion Potential – there were no signs of erosion at the site. The cutoff drains recommended will prevent any overland water flow and help prevent any erosion. This is a moderate risk issue.

2.8 Flood Inundation – as the site's elevation is located in the upper areas of Gembrook, there is a low chance of the site being flooded. Cutoff drains around the high side of the LAA have been directed.

2.9 Distance to surface waters – The area on the site where the irrigation system is to be located is over 30m from any influencing water bodies, and over 200m (as water would run) from any potable reservoir supplies. The location of the LAA has taken these into account. There is a water course that runs through the property. The LAA siting is greater than 30m from the water course that runs through the property.

2.10 Distance to groundwater bores – There are no bores located near the site. The LAA needs to be located in an area at least 30m away from any bores and this can be achieved with the chosen LAA location.

2.11 Vegetation – the overall site is covered in pasture grasses and there are large trees on and adjoining the site. The area chosen for the LAA is covered in pasture grasses. There are no trees in the proposed LAA. This can be seen by looking at the photos from the site and the site survey.

2.12 Depth to water table / perched water table – no perched water table was encountered at the time of the investigation. During the wetter months of the year, a transient water table may occur above the clay soils. A cut off drain will be constructed around the high side of the LAA to prevent any surface or subsurface waters entering the LAA.

2.13 Rainfall – the site has a moderate to high annual rainfall of 1016mm (mean). This is a limiting risk at the site that has been managed by using a cut off drain along the high sides of the LAA.

2.14 Pan Evaporation – the site has a high pan evaporation of 1205mm (mean), and this is a low risk. Evaporation will likely exceed rainfall at the site for the warmer months of the year from September through to May.

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2.15 Site History

February 2025 Satellite imagery via Metro Maps shows the subject site covered with existing shedding, natural grasses, dense trees located on and adjoining site (small to large), with a water course.



Figure 1: February 2025 Satellite imagery of the subject site.

Source: <https://web.metromap.com.au/>
(accessed, 2025)

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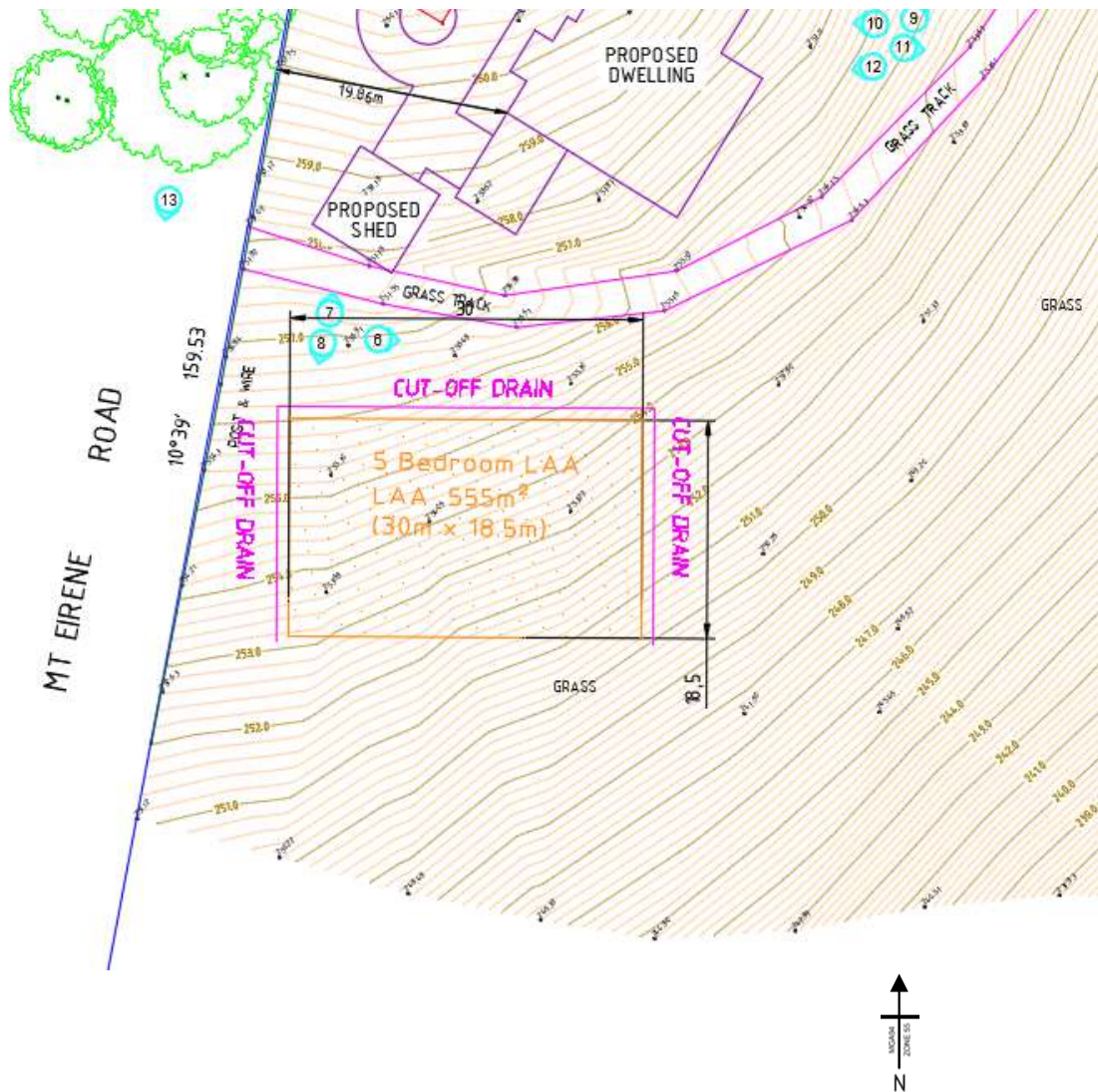
Site Plan



No. 220 Mt Eirene Road, GEMBROOK.

Note: This site plan is not to scale and an indicative guide only.

3.1 Site plan with LAA

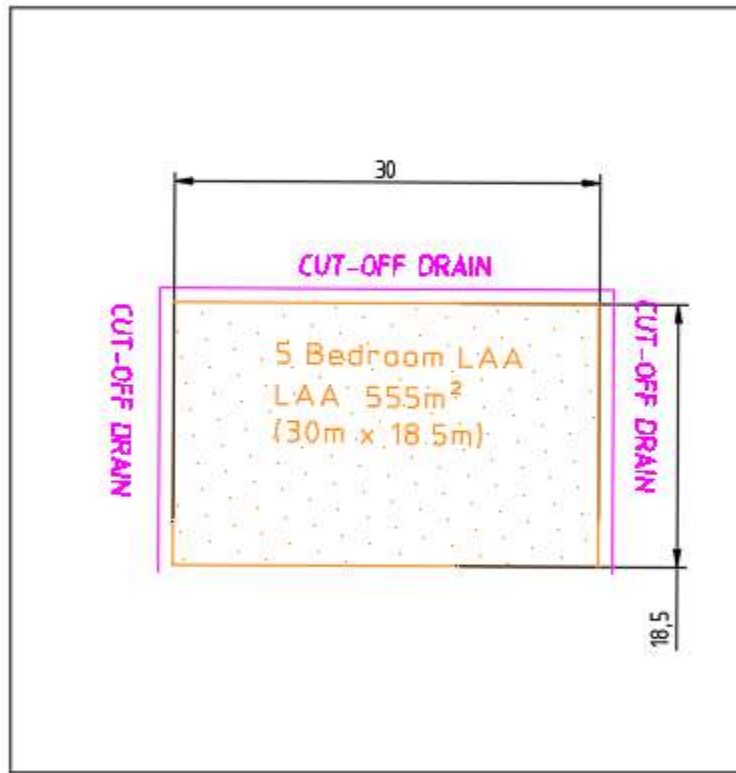


Proposed LAA for No. 220 Mt Eirene Road, GEMBROOK.

Note: This site plan is not to scale and an indicative guide only.

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3.3 Site plan with LAA sizing and cut off drain requirements



Proposed LAA for No. 220 Mt Eirene Road, GEMBROOK.

Note: This site plan is not to scale and an indicative guide only.

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4. Soil Assessment

Two (2) boreholes were completed at the site as shown on the site plan. The bore log of the boreholes in the chosen LAA are provided below.

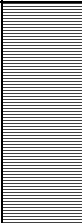
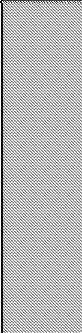
Boreholes indicated that the site consists of a brown / orange clayey SILT overlying a brown / orange / mottled grey silty Gravelly CLAY followed by weathered GRANITE.

Borehole 1 -LCA

Depth (m)		Description	Strength / Density	Moisture
0.700		Clayey SILT Brown / orange Paler with depth Very Clayey / very Gravelly below 600mm	Medium dense	Dry-moist
1.800		Silty Gravelly CLAY Brown / orange / mottled grey Lenses of weathered Granite throughout Paler & friable at depth Auger refusal at 1800mm on weathered GRANITE	Stiff	Moist

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Borehole 2

Depth (m)		Description	Strength / Density	Moisture
0.500		Clayey SILT Brown / orange Paler with depth Very Clayey / very Gravelly below 600mm	Medium dense	Dry-moist
1.000		Silty Gravelly CLAY Brown / orange / mottled grey Lenses of weathered Granite throughout Paler & friable at depth Auger refusal at 1000mm on weathered GRANITE	Stiff	Moist

4.1 Soil Features

Profile Depth – Two (2) boreholes were completed up to 1800mm. The profile for the boreholes including in the LAA are shown in the Borehole log example above.

Depth to water table: no perched water table was encountered at the time of the investigation. A transient perched water table will exist in the wetter months of the year above the natural CLAY soils. A cut off drain will be constructed around the high side of the LAA to prevent any surface or subsurface waters entering the LAA.

Coarse Fragments – in the soil profile encountered there were approximately 0-10% rock fragments.

Soil Permeability – The soil permeability was determined through references to published soil properties as mentioned in Site Features on page 4.

Limiting Soil Layer – the limiting soil layer at this site is the silty CLAY soils. There are Category 5/6 as per AS1547-2012.

Design Irrigation Rate: The design irrigation rate for the pressure compensating subsurface irrigation for the site is based on previous experience and reference to published values is 2.0mm/day. This has been reduced by 20% as per Table M2, AS1547-2012, due to the slope of the site where the LAA is proposed to be located being between 10% and 20% based on the site survey that was supplied for the site. This has been incorporated into the Water Balance that has been completed that is contained later in this report.

pH – the pH of the CLAY soils was measured using a Hanna hand held pH/EC meter. The pH was found to be 4.6. This indicated a slightly acidic soil.

Electrical Conductivity – the EC of the CLAY soils was measured using a Hanna hand held pH/EC meter. The EC(SE) was found to be 0.20 to 0.33. This indicates that the CLAY soils are slightly-saline. This will have an effect on very sensitive crops.

5. Wastewater Management System

After all of the above information has been processed and analyzed it has been determined that a system using secondary treatment, a sand filter or an AWTs, would be appropriate for the site. This choice will achieve a level of effluent quality that can be distributed on site by a pressure compensating subsurface irrigation system. It is recommended that a secondary treatment system is used as it will reduce the risks at the site to negligible levels. By using a secondary treatment system, the effluent will be treated to a high standard before being allowed to pass through into the natural soils on the site.

The size of the irrigation area required has been calculated using a water balance equation and nutrient balance to ensure that the system can handle the anticipated loads. The worksheet for this water balance equation can be shown in Appendix A and the nutrient balance is also included. The size of the irrigation area has been calculated to be 550 square meters due to hydraulic load and the number of bedrooms and maximum occupancy of the proposed dwelling. This is detailed in table 2 below. A cut off drain around the LAA will reduce the risk of a perched water table occurring. However, the LAA shown in site plan proposed size of LAA has been increased to 555 square meters and exceeds LAA requirements.

Number of bedrooms	Maximum occupancy (persons)	Total effluent load (Litres/day)	Total irrigation area required (m²)	Total irrigation area required (m²) with 20% decrease in DIR
5	6	900	465	550

Table 2: Total effluent loads and irrigation area required, based on the total number of bedrooms and maximum occupancy the final house design adopts.

Gypsum should be added to the LAA at a rate of 1kg per square meter and should be spread over the LAA area and then should be worked into the soil by a rotary hoe or some other mechanical means and relevelled prior to the laying of the pressure compensating sub surface irrigation. This will allow the soils to become more permeable.

The area that has been determined to be the most appropriate for the system on the site is shown on the previous site plan. The area that has been selected is towards southern side of the proposed new dwelling. This system also allows for the subsurface irrigation to be set up on the site in an area to ensure that as minimal surface runoff as possible will enter the site by the use of a cutoff drain along the higher sides of the LAA.

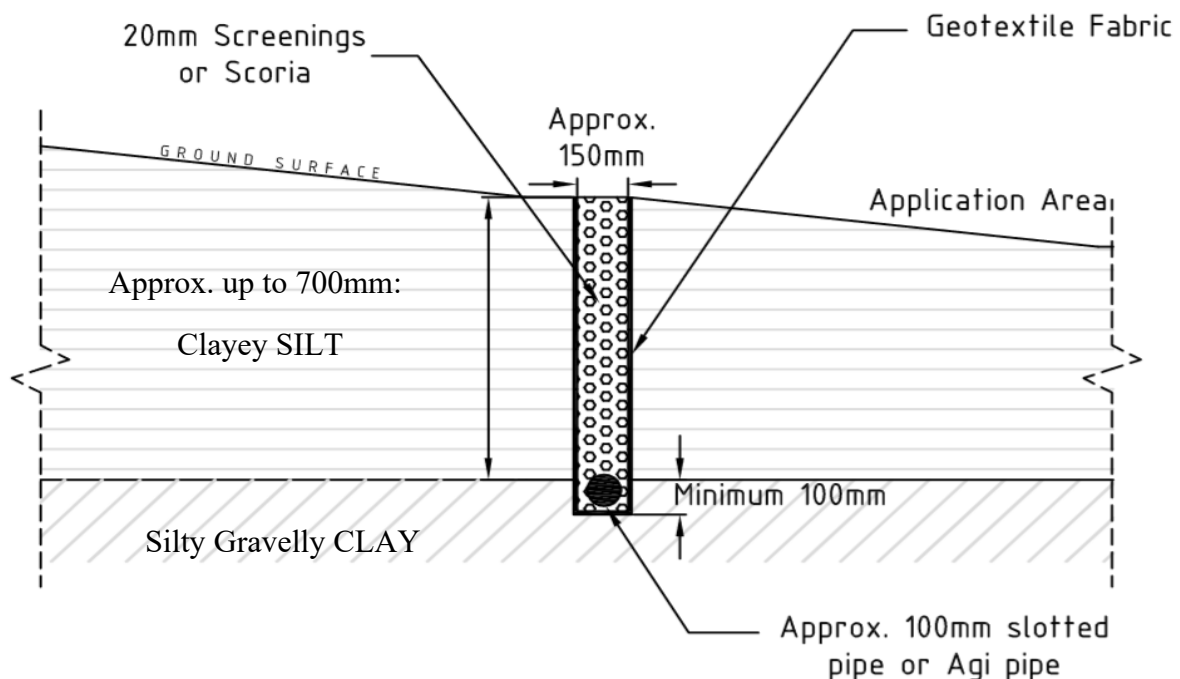
As the site has moderate to high rainfall and a medium-heavy clay soil profile it is recommended that a cutoff drain is installed along the high side of the LAA. This is to ensure that no overland water enters the LAA. This cutoff drain should be located 1m from the edge of the LAA and be approximately 150mm wide and at least up to 700mm deep, to a depth 100mm into the natural CLAY soil. This drain should have a geotextile placed in it and be backfilled with a socked aggie pipe and covered with screenings or scoria. This will ensure that the LAA only has to cope with the hydraulic loads that have been calculated (i.e. irrigation and incident rainfall). This cut off drain should continue for at least two metres past the lower side of the LAA and then be diverted away from the LAA. For this site the cutoff drain will run across the eastern and northern edges of the LAA, as shown on the attached site plan.

Due to the slope on the site a pit with a pump may be required in order to remove the water from the cut-off drain away from the LAA's. A suitable qualified and licensed plumber is required to install the cut off drain and pit with pump if required.

There are a set of minimum setback distances that are contained in the EPA code of practice. These need to be followed along with all local council requirements. Where secondary treatment is used these distances can be reduced by 50%. All of these have been met with the location of the LAA.

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6. Cut – Off Drain Cross Section



NOTE: Drawing is not to scale.

The cut-off drain is to be completed along the high sides of the LAA and completed across the site. This will give the drain somewhere to flow to as shown on the site plan of the site. Due to the perched water table and free flowing soils it is recommended that the cutoff drain is installed in the summer months.

Due to the slope of the site a pit with a pump may be required in order to remove the water from the cut-off drain away from the LAA's. A suitable qualified and licensed plumber is required to install the cut off drain and pit with pump if required.

7. Monitoring, Operation and Maintenance

In order for the system to operate effectively the resident must ensure that the following requirements for the treatment system are followed.

- Water usage at the site should be kept to a minimum. AAA rated water fixtures and appliances are required. This will reduce the effluent load on the system.
- To reduce the amount of fats and oils that enter the system
- Use cleaning products that are suitable for sand filters

- Have the system regularly inspected by a suitable qualified contractor to ensure that the system is treating the effluent to at least 20/30.

In order for the system to operate effectively the resident must ensure that the following requirements for the irrigation system are followed.

- Regularly mow the irrigation area to encourage further growth. This will encourage the uptake of nutrients from the system
- You are required to harvest the grass (i.e. cut and cart)

In order for the system to work effectively and to maintain the reduced risk at the site it is recommended that the mandatory testing and reporting as described in the Code of Practice – Onsite Wastewater Management, EPA Publication 891.4, include an annual (post spring) and post periods of heavy and/or prolonged rainfall, report on the functioning and integrity of the distribution system and on the functioning and integrity of the cut-off drains, outfall areas and soil media. The effluent areas should be regularly inspected for excessively wet areas and vegetation integrity.

8. Conclusions

After the site has been visited and all of the information has been processed, our assessment has shown that at least one sustainable and suitable on-site effluent disposal method is appropriate for the site. It is recommended that a secondary treatment facility can be used at the site to handle the effluent for the site.

It is recommended that subsurface irrigation is used at the site and that the effluent is distributed over an area calculated by the water balance to be square meters based on the number of bedrooms of the house design. Drawn on the previous site plan is a recommended LAA option of 555 square meters. The LAA has been located to the south of the proposed location of the new dwelling. The LAA shown in site plan provided has a proposed size of the LAA of 555 square meters and exceeds LAA requirements which are 550 square meters.

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A cut off drain around the high side of the irrigation area will be required to limit any surface water that may flow on to the area and impede the permeability of the soils and to remove the risk of a perched water table ingress during the wetter months of the year. All water saving appliances are required in the construction of the new residence and that all water saving practices are used by the occupiers. It is recommended that all maintenance requirements for the system as provided by the supplier are met in order that the system runs efficiently and according to design.



BE (Civil) Hons
PE0002775
Hardcore Geotech

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9. Other Information

The following table contains a list of plants, grasses and trees that will help with the transpiration in the effluent site.

Plants and grasses

Botanical Names	Common Names
<i>Lolium / Trifolium</i>	Rye / Clover
<i>Phragmites australis</i>	
<i>Canna x Generalis</i>	Canna Lily
	Calla Lily
	Ginger Lily
<i>Acacia howittii</i>	Sticky Wattle
<i>Callistemon citrinus</i>	Crimson Bottlebrush
<i>Callistemon macropunctatus</i>	Scarlet Bottlebrush
<i>Leptospermum lanigerum</i>	Wooley Tea-Tree
<i>Malaeleuca decussata</i>	Cross Honey Murtle
<i>Malaeleuca ericifolia</i>	Swamp Paperback
<i>Malaeleuca halmaturorum</i>	Salt Paperback
<i>Tamarix juniperina</i>	Flowering Tamarisk
<i>Eleocharis acuta</i>	Cannas
	Common Spike-Rush
	Buffalo / kikuyu
	Geranium
	Hydrangeas
	Tall wheat grass
	Strawberry Clover
	White Clover
	Perennial Rye
	Bougainvillea

Trees

<i>Eucalyptus Camaldulensis</i>	River Red Gum
<i>Eucalyptus Citriodora</i>	Lemon Scented Gum
<i>Fraxinus Raywoodi</i>	Claret Ash
<i>Eucalyptus Cladocalyx</i>	Sugar Gum
<i>Platanus – all species</i>	Plan Tree
<i>Populus nigra etc</i>	Poplar
<i>Salix banylonica</i>	Weeping Willow
<i>Acacia longiflora</i>	Swallow Wattle
<i>Callistemon viminalis</i>	Weeping Bottlebrush
<i>Callistemon lilacinus</i>	Lilac Bottlebrush
<i>Eucalyptus pressiana</i>	Bell-fruit Mallee
<i>Viminaria juncea</i>	Native Broom

10. Sources of Information

The information contained in this report was gathered from a variety of sources as listed below.

- 1) *“Guideline for onsite wastewater management”, Environmental Protection Agency, May 2024.*
- 2) *“Guideline for onsite wastewater effluent dispersal and recycling systems”, Environmental Protection Agency, May 2024.*
- 3) *“Disposal systems for effluent from domestic premises”, Australian Standard AS/NZS 1547 – 2012*
- 4) *Model Land Capability Assessment Report, MAV and DSE, February 2014*

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11. Site Photos

Borehole 1







Borehole 2



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Appendix A - Water/Nitrogen Balance Tables

Hardcore Geotech Pty Ltd

HARDCORE 01

WATER/NITROGEN BALANCE (20/30 irrigation): With no wet month storage.

Rainfall Data: Beaconsfield Upper - 86261 / Evaporation Data: Scoresby Research Institute - 086104

Location: No. 220 Mt Eirene Road, GEMBROOK

Date: 5th March 2025

Client: Byron & Rebecca McLochlan

ITEM		#	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
Days in month:		D	31	28	31	30	31	30	31	31	30	31	30	31	365
Evaporation (Mean)	mm	A	174	154	124	81	53	39	43	59	78	105	132	155	1205
Rainfall (Mean)	mm	B1	65	61	71	81	88	89	87	95	99	100	90	81	1016
Effective rainfall	mm	B2	59	55	64	73	79	80	78	86	89	90	81	73	907
Peak seepage Loss ¹	mm	B3	140	126	140	135	140	135	140	140	135	140	135	140	1643
Evapotranspiration (XA)	mm	C1	69	62	50	32	21	16	17	24	31	42	53	62	479
Waste Loading (C1+B3-B2)	mm	C2	150	133	126	95	82	71	78	77	77	92	106	129	1215
Net evaporation from lagoons (10(0.8A-B1x)lagoon area(ha)))	L	NL	0	0	0	0	0	0	0	0	0	0	0	0	0
Volume of Wastewater	L	E	27900	25200	27900	27000	27900	27000	27900	27900	27000	27900	27000	27900	328500
Total Irrigation Water (E-NL)/G	mm	F	60	54	60	58	60	58	60	60	58	60	58	0	646
Irrigation Area (E/C2) annual.	m ²	G													465
Surcharge	mm	H	-90	-79	-66	-36	-22	-13	-18	-17	-19	-32	-48	-69	0
Actual seepage loss	mm	J	49	47	74	99	118	122	121	122	116	108	87	71	1134
Direct Crop Coefficient:		I	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Rainfall Retained:	90 %	K	1. Seepage loss (peak) equals deep seepage plus lateral flow : 5mm (<12% ksat)												
Lagoon Area:	0 ha	L	CROP FACTOR												
Wastewater (Irrigation):	900 L	M	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:
Seepage Loss (Peak):	4.5 mm	N	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Irrig'n Area (No storage):	465 m ²	P2	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	Buffalo:
Application Rate:	1.9 mm	Q	1	1	1	1	1	1	1	1	1	1	1	1	Woodlot
Nitrogen in Effluent:	30 mg/L	R	NITROGEN UPTAKE:												
Denitrification Rate:	20 %	S													
Plant Uptake:	220 kg/ha/yr	T													
Average daily seepage:	3.1 mm	U													
Annual N load:	7.88 kg/yr	V													
Area for N uptake:	358 m ²	W													
Application Rate:	2.5 mm	X													

Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH
Ryegrass	200	5.6-8.5	Bent grass	170	5.6-6.9	Grapes	200	6.1-7.9
Eucalyptus	90	5.6-6.9	Couch grass	280	6.1-6.9	Lemons	90	6.1-6.9
Lucerne	220	6.1-7.9	Clover	180	6.1-6.9	Ccunn'a	220	6.1-7.9
Tall fescue	150-320	6.1-6.9	Buffalo (soft)	150-320	5.5-7.5	Pradiata	150	5.6-6.9
Rye/clover	220		Sorghum	90	5.6-6.9	Poplars	115	5.6-8.5

Figure 1 (above): Water/Nitrogen Balance for a five (5) bedroom, six (6) person maximum occupancy house design.

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WATER/NITROGEN BALANCE (20/30 irrigation): With no wet month storage.

Rainfall Data: Beaconsfield Upper - 86261 / Evaporation Data: Scoresby Research Institute - 086104

Location: No. 220 Mt Eirene Road, GEMBROOK

Date: 5th March 2025

Client: Byron & Rebecca McLochlan

ITEM		#	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
Days in month:	D		31	28	31	30	31	30	31	31	30	31	30	31	365
Evaporation (Mean)	mm	A	174	154	124	81	53	39	43	59	78	105	132	155	1205
Rainfall (Mean)	mm	B1	65	61	71	81	88	89	87	95	99	100	90	81	1016
Effective rainfall	mm	B2	59	55	64	73	79	80	78	86	89	90	81	73	907
Peak seepage Loss ¹	mm	B3	140	126	140	135	140	135	140	140	135	140	135	140	1643
Evapotranspiration(XA)	mm	C1	69	62	50	32	21	16	17	24	31	42	53	62	479
Waste Loading(C1+B3-B2)	mm	C2	150	133	126	95	82	71	78	77	77	92	106	129	1215
Net evaporation from lagoons (10(0.8A-B1x)lagoon area(ha)))	L	NL	0	0	0	0	0	0	0	0	0	0	0	0	0
Volume of Wastewater	L	E	27900	25200	27900	27000	27900	27000	27900	27000	27000	27900	27000	27900	328500
Total Irrigation Water(E-NL)/G	mm	F	51	46	51	49	51	49	51	51	49	51	49	0	547
Irrigation Area(E/C2)annual.	m ²	G													550
Surcharge	mm	H	-99	-87	-75	-45	-31	-22	-28	-27	-28	-41	-57	-78	0
Actual seepage loss	mm	J	40	39	65	90	108	113	112	113	107	99	78	62	1025
Direct Crop Coefficient:		I	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Rainfall Retained:	90 %	K	1. Seepage loss (peak) equals deep seepage plus lateral flow : 5mm (<12% ksat)												
Lagoon Area:	0 ha	L	CROP FACTOR												
Wastewater(Irrigation):	900 L	M	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:
Seepage Loss (Peak):	4.5 mm	N	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Irrig'n Area(No storage):	550 m ²	P2	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	Buffalo:
Application Rate:	1.6 mm	Q	1	1	1	1	1	1	1	1	1	1	1	1	Woodlot
Nitrogen in Effluent:	30 mg/L	R	NITROGEN UPTAKE:												
Denitrification Rate:	20 %	S													
Plant Uptake:	220 kg/ha/yr	T													
Average daily seepage:	2.8 mm	U													
Annual N load:	7.88 kg/yr	V													
Area for N uptake:	358 m ²	W													
Application Rate:	2.5 mm	X													

Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH
Ryegrass	200	5.6-8.5	Bent grass	170	5.6-6.9	Grapes	200	6.1-7.9
Eucalyptus	90	5.6-6.9	Couch grass	280	6.1-6.9	Lemons	90	6.1-6.9
Lucerne	220	6.1-7.9	Clover	180	6.1-6.9	C cunn'a	220	6.1-7.9
Tall fescue	150-320	6.1-6.9	Buffalo (soft)	150-320	5.5-7.5	Pradiata	150	5.6-6.9
Rye/clover	220		Sorghum	90	5.6-6.9	Poplars	115	5.6-8.5

Figure 2 (above): Water/Nitrogen Balance for a five (5) bedroom, six (6) person maximum occupancy house design with a 20% reduction in the application rate to 1.6mm/day.

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Appendix B - Land Capability Assessment

The following table is a Land Capability Assessment that can be used for assessing a site for onsite domestic wastewater management.

Wastewater Management

APPENDIX B

LAND CAPABILITY ASSESSMENT TABLE					
Site Address: No. 220 Mt Eirene Road, GEMBROOK					
Job No: 250302					
LAND	LAND CAPABILITY RISK RATING				COMMENTS
FEATURE	LOW	MEDIUM	HIGH	LIMITING	
Available land for LAA	Exceeds LAA and duplicate LAA requirements	Meets LAA and duplicate LAA requirements	Meets LAA and partial duplicate LAA requirements	Insufficient LAA area	Sufficient land available for use, and future expansion if required
Aspect	North, north-east and north west	East, west, south-east, south-west	South	South, full shade	West Facing
Exposure	Full sun and/or high wind or minimal shading	Dappled light (partial shade)	Limited light, little wind to heavily shaded all day	perpetual shade	Site has moderate exposure
Site Drainage (runoff/run-on)	Very slow to slow	Moderate	Rapid	Very rapid or depressed	Site has a moderate slope
Slope gradient (%)	0-2	2-15	15-25	25+ or locally depressed	Slope is approximately 18%
Slope form	Convex or divergent side slopes	straight sided slopes	Concave or convergent side slopes	Locally depressed	Slope is fairly uniform
Trenches and beds	<5%	5% to 10%	10% to 15%	>15%	Not suitable for the site conditions
Subsurface irrigation	<10%	10% to 30%	30% to 40%	>40%	Low
Landslip	Potential	Potential	Potential	Existing	No signs of landslip at the site
Erosion potential	Low	Moderate	High	No practical amelioration	Non-dispersive soils
Flood/ Inundation	Never		<1% AEP	>5% AEP	Site is located in the elevated area of Gembrook
Distance to non-potable surface waters (m)	Buffer distance complies with code requirements (>30m)		Buffer distance does not comply with code requirements	Reduced buffer distance not acceptable	LAA meets requirements
Distance to potable surface waters (m)	Buffer distance complies with code requirements (>100m for waterways, >300m for reservoirs)		Buffer distance does not comply with code requirements	Reduced buffer distance not acceptable	LAA meets requirements
Distance to groundwater bores (m)	No bores on site or within significant distance (<50m)	Buffer distance complies with code	Buffer distance does not comply with code requirements	No suitable treatment methods	No bores on the site
Vegetation	Plentiful / healthy vegetation	Moderate vegetation	Sparse or no vegetation	Propagation not possible	Moderate cover of grass pasture
Trafficking	None to low	Moderate	High	Excessive	Provide fencing to stop any live stock access
Depth to water table (potentiometric) (m)	>2	2 to 1.5	<1.5	surface	Cut off drain around the high sides of the LAA will prevent overland flow entering the LAA
Depth to water table (seasonal perched) (m)	>1.5	<0.5	0.5 to 1.5	surface	Cut off drain around the high sides of the LAA will prevent overland flow entering the LAA. Low chance of occurring due to slope
Rainfall (9th Decile)	<500	500-750	750-1000	>1000	Beaconsfield Upper - 86261
Pan Evaporation (mean) (mm)	>1250	1000-1250	750-1000	<750	Scoresby - 86104
SOIL PROFILE CHARACTERISTICS					
Structure	High or moderately structured	Weakly Structured	Structureless, massive or hardpan		
Fill materials	Nil or mapped good quality topsoil	Mapped variable depth and quality materials	Variable quality and/or uncontrolled filling	Uncontrolled poor quality/unsuitable filling	Generally natural soils
Thickness: (m)					
Trenches and beds	>1.4		<1.4	<1.2	Not suitable for the site conditions
Subsurface irrigation	1.5+	1.0 to 1.5	0.75	<0.75	
Permeability (limiting Horizon) (m/day)	0.15-0.30	0.03-0.15, 0.3-0.6	0.01-0.03, 0.6-3.0	>3.0, <0.03	
Permeability (buffer evaluation) (m/day)	<0.3	0.3-3	6 to 5	>5	
Stoniness	<10	10 to 20	>20		Some rock fragments/becoming friable
Emerson number	4, 5, 6, 8	7	2, 3	1.0	Not dispersive
Dispersion Index	0	1 to 8	8 to 15	>15	Not dispersive
Reaction Trend (pH)	5.5-8	4.5-5.5	<4.5, >8		pH measured between 4.5-4.6 - Acid soils
E.C. (dS/m)	<.8	0.8-2	>2	>2	Measured between 0.2-0.33 - soils are moderately saline
Sodicity (ESP) (%)	<6	6 to 8	>8	>14	Not measured however due to the pH will not be a problem
Cation Exchange Capacity (cmol/kg)	>15	5 to 15	<5		Heavy Clay 20-30 as per published values
Free Swell	<30	30 to 80	80 to 120	>120	measured as 20

Bushfire Assessment 220 Mt Eirene Road Gembrook



May 2025

xwb consulting
Town Planning and Bushfire Consultants



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1. Introduction

XWB Consulting has been engaged by [REDACTED] to prepare a bushfire assessment for a dwelling and associated outbuilding at 220 Mt Eirene Road Gembrook.

A bushfire assessment was undertaken by XWB Consulting as part of the subdivision which created the lot on which the dwelling is now proposed to be constructed. The bushfire assessment concluded that the bushfire risk on the proposed lots could be mitigated to an acceptable level to allow the construction of dwellings on the lots.

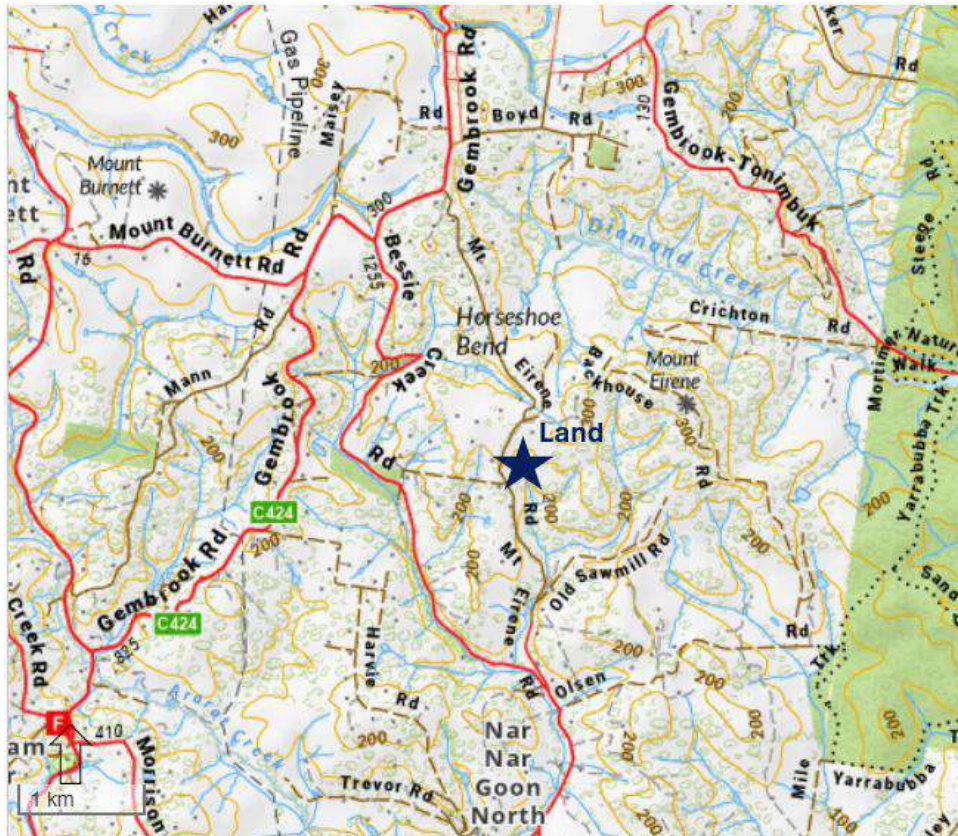
The bushfire assessment has been prepared by:

[REDACTED]
XWB Consulting
PO Box 752
Beaconsfield 3807

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2. Site Description

The land is located on the east side of Mt Eirene Road 4km south of the Gembrook Township. The land has a frontage to Mt Eirene Road of 339.41m and an area of 9.092ha. The location of the land and details of the land are shown on the plan and aerial photograph below:



The land is vacant save for a couple of small farm buildings along Mt Eirene Road. There is a treed gully in the southern section of the land surrounded by open paddocks to the west, north and east. The lot falls with moderate to steep slopes towards the gully.

Mt Eirene Road is rural standard road providing access to Gembrook to the north and NarNarGoon to the south with a gravel pavement approximately 5m in width. The surrounding land comprises a mix of open paddocks and areas of bushland.

The site is contained within a Rural Conservation Zone under the Cardinia Planning Scheme. The site is also in a Bushfire Management Overlay under the Cardinia Planning Scheme.

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Planning Context

4.1 State Planning Policy

State planning policy in relation to bushfire planning is set out in Clause 13.02-1S of the planning scheme. The objective of the state policy is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Strategies to meet this objective are set out below:

Protection of human life

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.

Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the *Building Act 1993* or regulations made under that Act.
- Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard.
- Considering and assessing the bushfire hazard on the basis of:
 - Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site;
 - Local conditions - meaning conditions in the area within approximately 1 kilometre from a site;
 - Neighbourhood conditions - meaning conditions in the area within 400 metres of the site;
 - The site for the development.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.
- Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.

Settlement planning

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018).

- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.
- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.
- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.
- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2018.

Areas of high biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are of high biodiversity conservation value.

Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*, bushfire risk should be considered when assessing planning applications for the following uses and development:

- Subdivisions of more than 10 lots
- Accommodation
- Childcare centre
- Education centre
- Emergency services facility
- Hospital
- Indoor recreation facility
- Major sports and recreation facility
- Place of assembly
- Any application for development that will result in people congregating in large numbers.

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When assessing a planning permit application for the above uses and development:

- Consider the risk of bushfire to people, property and community infrastructure.
- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

Policy guidelines

The policy guidelines under State Planning Policy specify that planning must consider as relevant:

- Any relevant approved state, regional and municipal fire prevention plan.

- AS 3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia,2018).
- Building in bushfire-prone areas - CSIRO & Standards Australia (SAA HB36-1993)

4.2 Municipal Strategic Statement

The overview in the Municipal Strategic Statement in the Cardinia Planning Scheme sets out that:

Bushfire risk is the product of a number of factors including fuel levels, slope, climatic conditions, population, and the degree of preparation of individual property owners to cope with a fire. Other factors such as the accessibility of land to fire fighting vehicles and the availability of water will affect the risk levels for individual properties.

The objective in the Municipal Strategic Statement in relation to bushfire management is to recognise that areas in the municipality are prone to bushfire and to minimise the potential risk to life, property and the environment.

Relevant strategies to meet the objective in relation to bushfire management are set out below:

Siting and design

- Ensure that the siting and design of houses and other accommodation in high risk bushfire areas minimises the potential risk of loss of life or property from bushfire, particularly in terms of the existing slope, aspect and vegetation.
- Ensure all development has appropriately designed access for emergency vehicles.
- Ensure development provides adequate access to water.
- Encourage the use of roads as a buffer between housing and bushland.

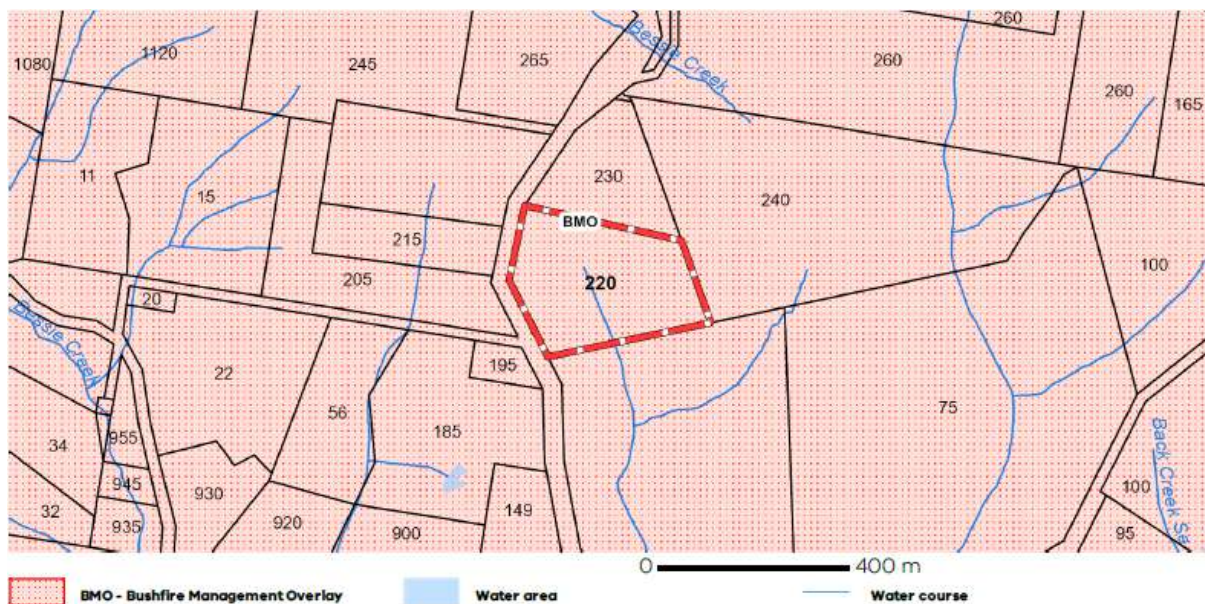
Fuel reduction

- Encourage the use of controlled burning to reduce ground fuel levels and to help maintain healthy and diverse forests and woodlands consistent with the Ecological Vegetation Class (EVC).
- Support the implementation of the Municipal Fire Prevention Plan.

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4.3 Bushfire Management Overlay

The proposed dwelling and outbuilding is contained within a Bushfire Management Overlay under the Cardinia Planning Scheme as shown on the plan below:



The purpose of the overlay is:

- 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.

A planning permit is required under the Bushfire Management Overlay to construct a building or to construct and carry out works associated with accommodation.

4.4 Bushfire Planning

The bushfire planning provisions under Clause 53.02 of the Cardinia Planning Scheme apply where a planning permit is required under a Bushfire Management Overlay. The purpose of the provisions is to:

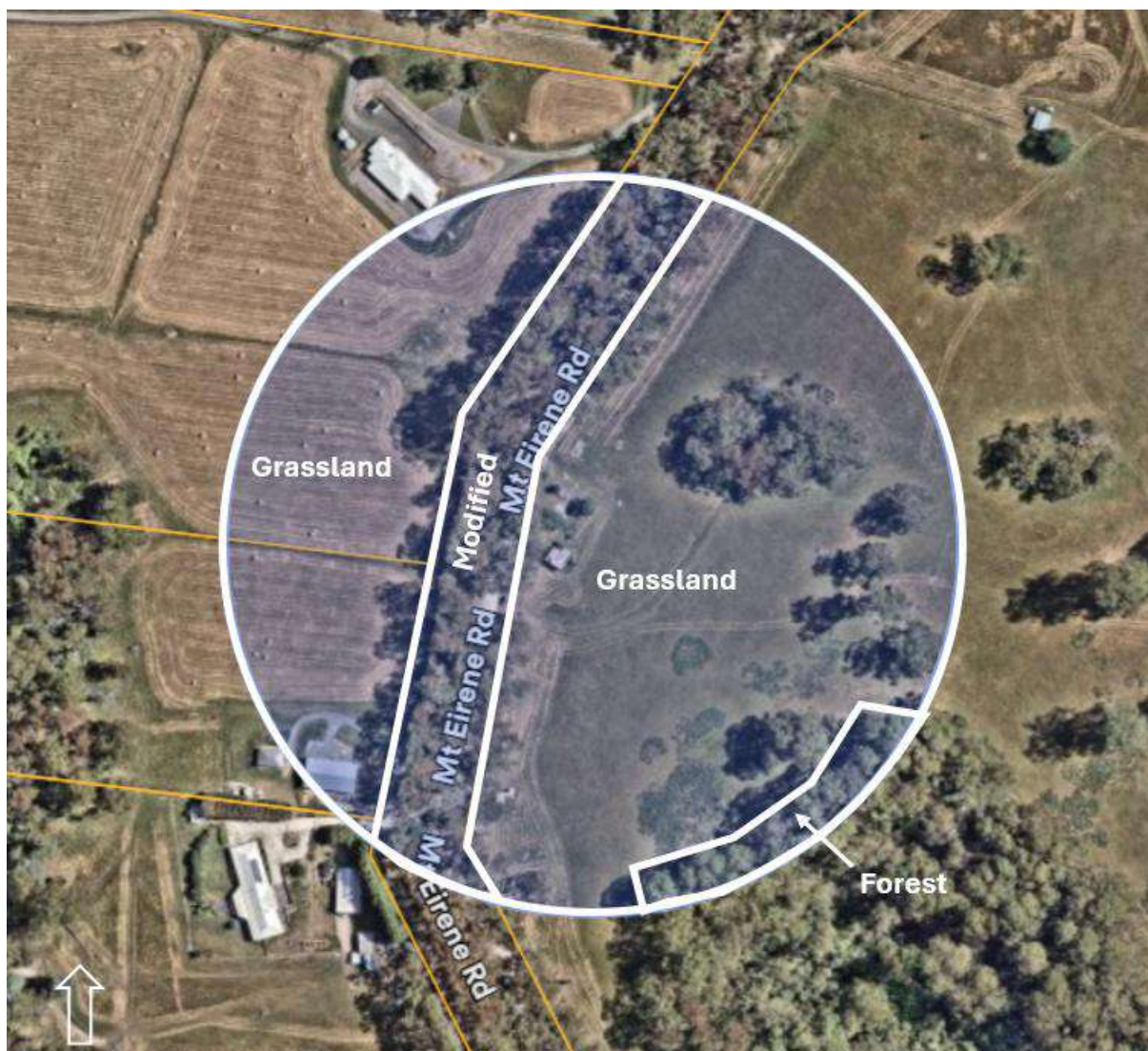
- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
- To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

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5. Bushfire Hazard Assessment

Under the provisions of the Bushfire Management Overlay, an application must be accompanied by a bushfire hazard site assessment including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.

The plan below shows the bushfire hazard within 150m of the proposed dwelling and outbuilding:



The land to the north comprises open paddocks on the land and nearby properties. The open paddocks would be classified as grassland under AS3959 and the slope of the grassland is upslope from the dwelling. The roadside vegetation along Mt Eirene Road is a relatively narrow strip with varying levels of management. Whilst it is a narrow strip, it cannot be

classified as exempt vegetation under AS3959 given the continuity with other patches of vegetation. Given the narrow strip and the separation of the road pavement, the vegetation has been classified as modified vegetation under the planning scheme. There is a small pocket of trees to the north east of the dwelling. Given the small size, it has not been separately classified from the grassland to the north.

To the west are open paddocks on the west side of Mt Eirene Road. The open paddocks would be classified as grassland under AS3959 and the slope of the grassland is downslope from the dwelling with a slope of 9°. As indicted above, the roadside vegetation along Mt Eirene Road would be classified as modified vegetation.

The land to the south comprises open paddocks on the land and the property to the west of Mt Eirene Road. The open paddocks would be classified as grassland under AS3959 and the slope of the grassland is downslope from the dwelling with a slope of 18°. As indicted above, the roadside vegetation along Mt Eirene Road would be classified as modified vegetation. To the south east is a treed area associated with the gully. The treed area would be classified as forest under AS3959 and is downslope from the dwelling with a slope of 11°.

The land to the east comprises open paddocks on the land and the adjoining property to the north. The open paddocks would be classified as grassland under AS3959 and the slope of the grassland is downslope from the dwelling with a slope of 18. To the south east is a treed area associated with the gully. The treed area would be classified as forest under AS3959 and is downslope from the dwelling with a slope of 11°.

The vegetation is shown in the photographs below:



View to the north

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Open paddocks west of Mt Eirene Road



Mt Eirene Road vegetation

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View to the south



Treed area in gully to the south east

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View to the east

The bushfire site hazard assessment is summarised in the following table:

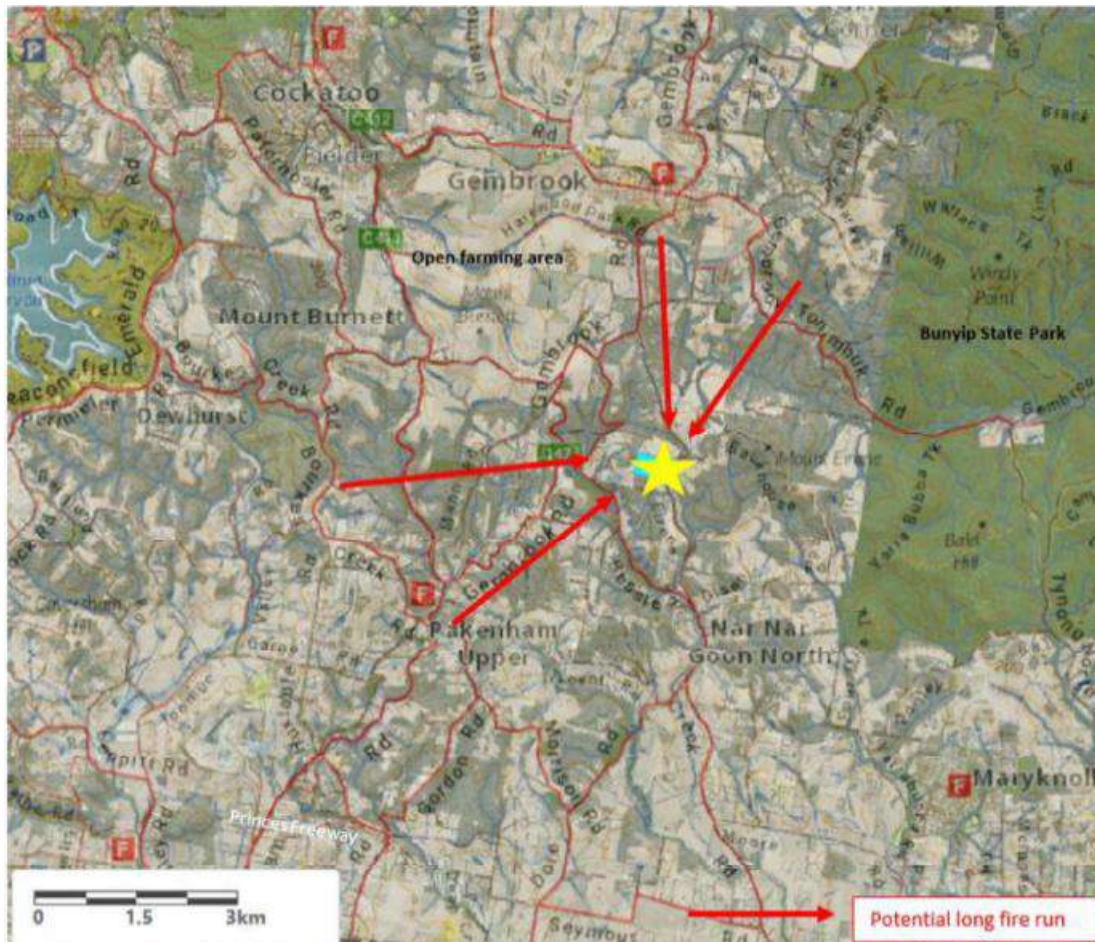
	North	West	South	East
Vegetation type	Grassland Modified	Grassland Modified	Grassland Modified Forest	Grassland Forest
Slope under classified vegetation	Flat / upslope n/a	Downslope 9° n/a	Downslope 18° n/a Downslope 11°	Downslope 18° Downslope 11°
Distance to classified vegetation (from proposed dwelling)	0m n/a	0m n/a	0m n/a 125m	0m 125m

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6 Bushfire Hazard Landscape Assessment

Under the provisions of the Bushfire Management Overlay, an application must be accompanied by a bushfire hazard landscape assessment including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard.

The site and surrounding landscape context are shown on the plan below:

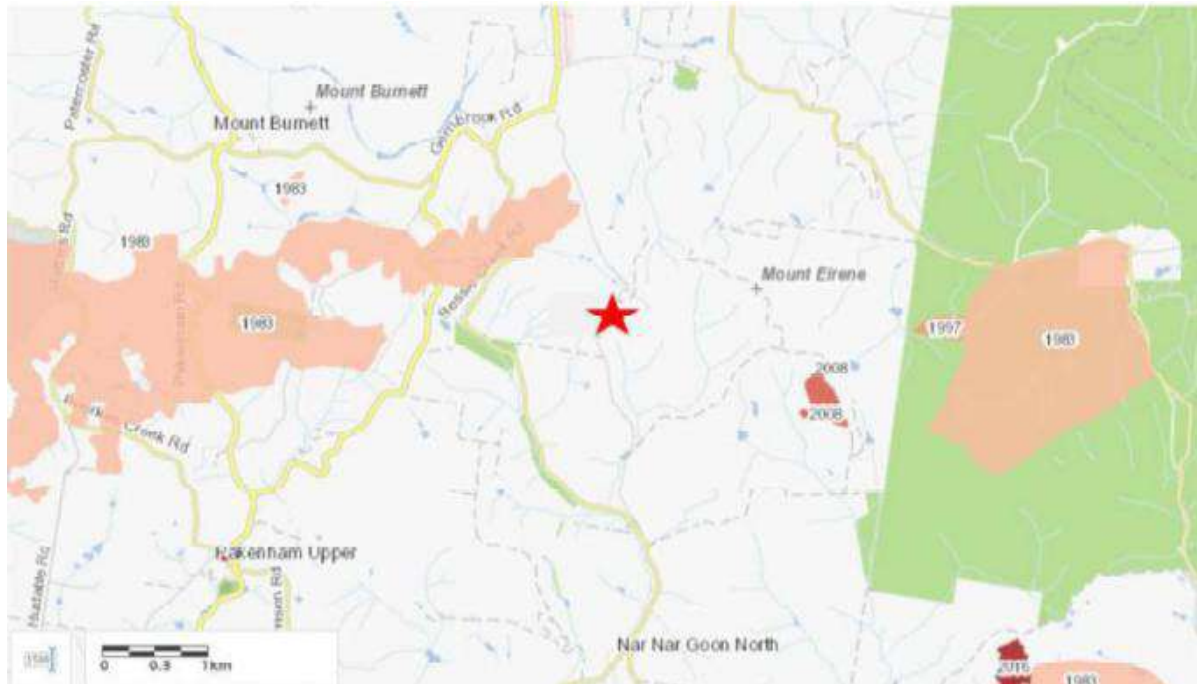


The site is located in a moderate to steeply undulating area characterised by a mixture of open paddocks and bushland. To the north west is the open farming area associated with Gembrook and historical potato crop production. To the east is the Bunyip State Park.

In south eastern Australia, the greatest bushfire threat occurs when there is a strong dry north westerly wind followed by a south westerly wind change. Under these conditions there is the potential for a fire from the north west in grassland running into bushland closer to the site. There is also the potential for long fire runs through bushland areas to the north and south west.

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The history of bushfires in the area is shown on the plan below:



Most notable is the Ash Wednesday fire in 1983. The finger of fire shown on the plan shows the run of the fire after a strong south westerly wind change. There are also a number of smaller fires to the south east within and in close proximity to the Bunyip State Park.

The site would be classified as a Broader Landscape Type 3 under the Technical Guide Planning Permit Applications in a Bushfire Management Overlay. (DELWP 2017) as:

- The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood scale destruction as it interacts with bushfire hazard on and close to the site.
- Bushfire can approach from more than one aspect.
- The site is located in an area that is not managed in a minimum fuel condition.
- Access to an appropriate place which provides shelter from a bushfire is not certain.

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7 Bushfire Management Statement

Under the provisions of the Bushfire Management Overlay, an application must be accompanied by a bushfire management statement describing how the proposed development responds to the requirements in the overlay and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

7.1 Landscape, siting and design

Objectives
• Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape. • Development is sited to minimise the risk from bushfire. • Development is sited to provide safe access for vehicles, including emergency vehicles. • Building design minimises vulnerability to bushfire attack.
Applicable approved / alternative measures
AM 2.1 The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level. AM 2.2 A building is sited to ensure the site best achieves the following: • The maximum separation distance between the building and the bushfire hazard. • The building is in close proximity to a public road. • Access can be provided to the building for emergency service vehicles. AM 2.3 A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.
Bushfire management statement response
There is the potential for bushfires in the surrounding landscape to impact the site. The bushfire risk from beyond the site can be mitigated to an acceptable level given the dwelling and associated outbuilding are proposed to be sited with an area of open paddocks with good setbacks from areas vegetation with heavier fuel loads. The separation from the bushfire hazard associated with the forest in the gully to the south east has been maximised. The design of the dwelling is relatively simple in form to assist in reducing the impact of ember attack. The dwelling and associated outbuilding are sited in close proximity to Mt Eirene Road and appropriate access can be provided for emergency vehicles.

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7.2 Defendable space and construction

Objective
Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.
Applicable approved / alternative measures
AM 3.1 A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with defendable space in accordance with: • Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or • If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5. The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.
Bushfire management statement response
Having regard to the location of the land and the nature of the surrounding landscape it is considered that the proposed dwelling should be constructed to a minimum bushfire attack level of BAL29. Defendable space should be provided for a distance of 49m around the proposed dwelling to the south and east, and to the property boundary to the north and west. The 49m is based on the forest vegetation in the gully to the south east. The setback of the dwelling from the property boundary to the north and west exceeds the defendable space required for the grassland. The defendable space for the dwelling would include the defendable space for the outbuilding. Table 6 of Clause 53.02 requires defendable space to be managed in accordance with the following requirements: • Grass must be short cropped and maintained during the declared fire danger period. • All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period. • Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building. • Plants greater than 10 centimetres in height must not be placed within 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 5 metres. • There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

As the outbuilding is sited less than 10m from the dwelling, the proposed outbuilding should be separated from the dwelling by a wall that extends to the underside of a non-combustible roof covering and:

- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.

Any openings in the wall shall be protected in accordance with the following:

- Doorways – by FLR -/60/30 self-closing fire doors
- Windows – by FRL -/60/- fire windows permanently fixed in the closed position
- Other openings – by construction with a FRL of not less than -/60/-

7.3 Water supply and access

Objectives

- A static water supply is provided to assist in protecting property.
- Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Applicable approved / alternative measures

- AM 4.1** A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with:
- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.
 - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.
- 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.

Bushfire management statement response

A 10,000 static water supply for fire fighting purposes is proposed adjoining the outbuilding which is suitable for firefighting purposes. The static water supply should meet the following requirements:

- The tank is in an above ground water tank constructed of concrete or metal with a minimum capacity of 10,000 litres.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.
- The tank must incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting) for firefighting purposes.
- A separate outlet must be provided for the occupants use.
- The tank must be located within 60 metres of the outer edge of the dwelling.
- The outlets of the water tank must be within 4m of a driveway accessible at all times by a fire truck.
- The water tank must be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

A new driveway is proposed to access the dwelling and associated outbuilding. The length of the driveway to the apron adjoining the dwelling and outbuilding is approximately 45m. The driveway can be constructed to provide access by emergency vehicles which includes the following requirements:

- 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.

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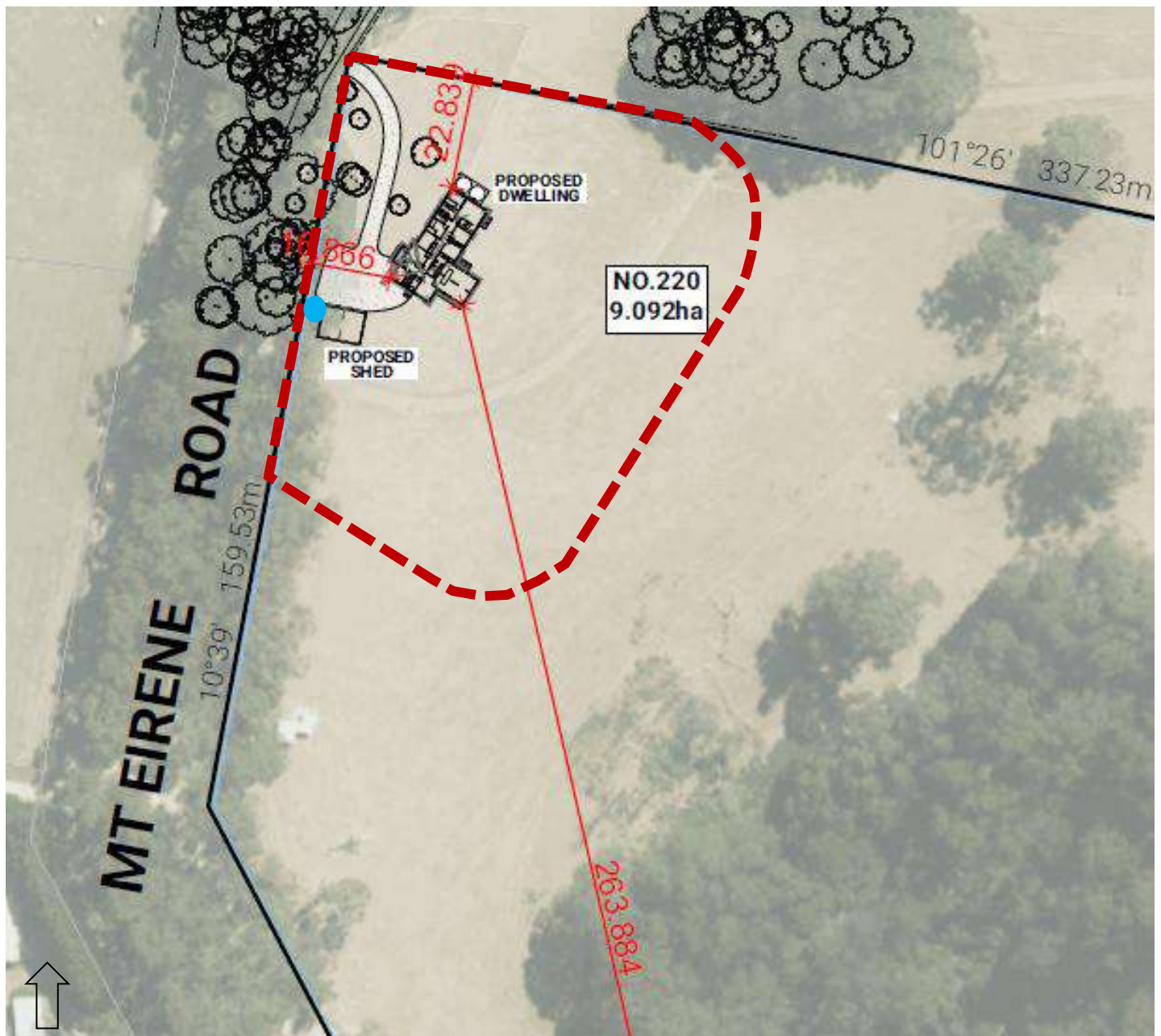
8 Conclusion

The application proposes a new dwelling and associated outbuilding at 220 Mt Eirene Road Gembrook.

Based on the assessment undertaken, the bushfire risk can be mitigated to an acceptable level. The proposed dwelling should be constructed to a bushfire attack level of BAL29. Defendable space should be provided for a distance of 49m to the south and east, and to the property boundary to the north and west.

A static water supply tank with a capacity of 10,000 litres should be provided for firefighting purposes. Access to the dwelling should be provided via a new driveway designed to accommodate emergency vehicles.

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Defendable space



Water tank location

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Defendable Space

Defendable space shall be provided from the outer face of the proposed dwelling for a distance of 49m to the south and east, and to the property boundary to the north and west as shown on the plan.

The defendable space must be managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of the building, flammable objects must not be located close to the vulnerable parts of the building such as windows.
- 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 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Construction Standard

The proposed dwelling must be designed and constructed to a minimum Bushfire Attack Level of BAL29.

The outbuilding must be separated from the dwelling by a wall that extends to the underside of a non-combustible roof covering and:

- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.

Any openings in the wall shall be protected in accordance with the following:

- Doorways – by FLR -/60/30 self-closing fire doors
- Windows – by FRL -/60/- fire windows permanently fixed in the closed position
- Other openings – by construction with a FRL of not less than -/60/-

Water Supply

A static water supply with a minimum capacity of 10,000 litres must be provided for firefighting purposes at the time the dwelling is constructed. The static water supply must meet the following requirements:

- 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.
- Be readily identifiable from the dwelling or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the dwelling.
- 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).

Access

The driveway to the dwelling and outbuilding must be designed and constructed to meet the following requirements:

- 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.

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PROPOSED NEW RESIDENCE

BEC AND BYRON
NO.220 MT EIRENE RD
GEMBROOK 3783

TOWN PLANNING DRAWINGS - B

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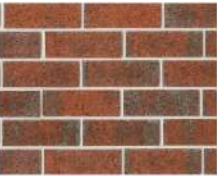
PROJECT: PROPOSED NEW RESIDENCE		AT: NO.220 MT EIRENE RD GEMBROOK 3783
A	17/05/25	TOWN PLANNING APPLICATION
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COLOUR SCHEDULE:



BRICK VENEER WALLS
COLOUR: DOMAIN RETREAT



RENDERED WALLS, SUBFLOOR
COLORBOND, VERTICAL CLADDING
AND PAINTED FC SHEET TO REAR
GABLE END WALLS
COLOUR: WOODLAND GREY



ROOF CLADDING/ GUTTERS/ FASCIA
WINDOW FRAMES AND BALUSTRADES
COLORBOND MONUMENT



DECKING
COLOUR: CHOCOLATE BROWN



SHED
COLOUR: WOODLAND GREY

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3D VIEW 1

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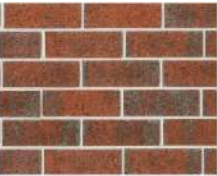
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COLOUR: DOMAIN RETREAT



RENDERED WALLS, SUBFLOOR
COLORBOND, VERTICAL CLADDING
AND PAINTED FC SHEET TO REAR
GABLE END WALLS
COLOUR: WOODLAND GREY



ROOF CLADDING/ GUTTERS/ FASCIA
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3D VIEW 2

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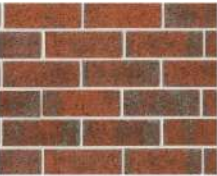
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BRICK VENEER WALLS
COLOUR: DOMAIN RETREAT



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COLORBOND, VERTICAL CLADDING
AND PAINTED FC SHEET TO REAR
GABLE END WALLS
COLOUR: WOODLAND GREY



ROOF CLADDING/ GUTTERS/ FASCIA
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3D VIEW 3

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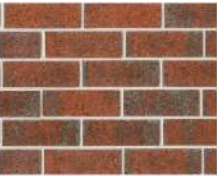
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BRICK VENEER WALLS
COLOUR: DOMAIN RETREAT



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COLORBOND, VERTICAL CLADDING
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GABLE END WALLS
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3D VIEW 4

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AERIAL VIEW/ CUT STUDY 1

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A	17/05/25	TOWN PLANNING APPLICATION			
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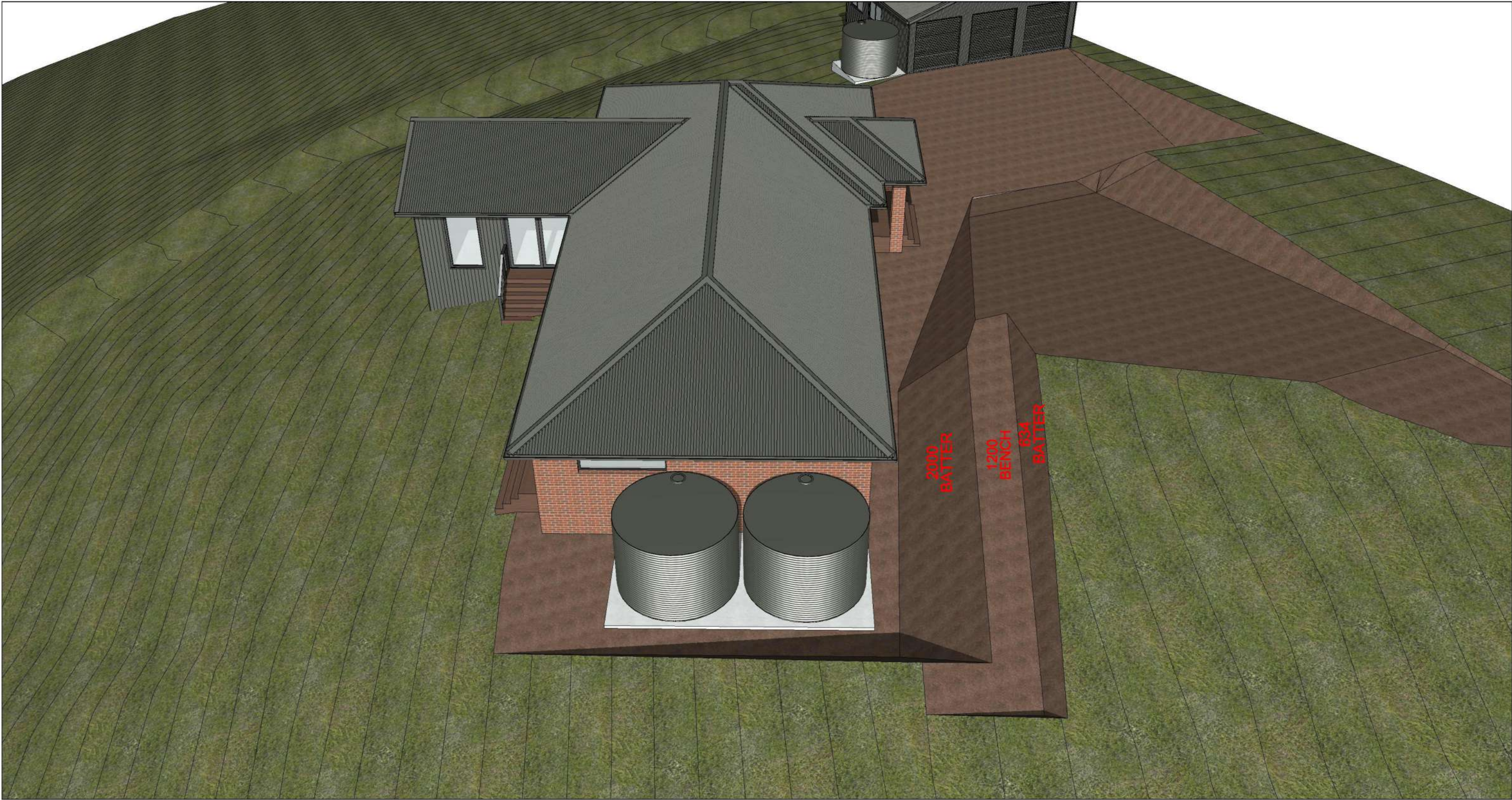
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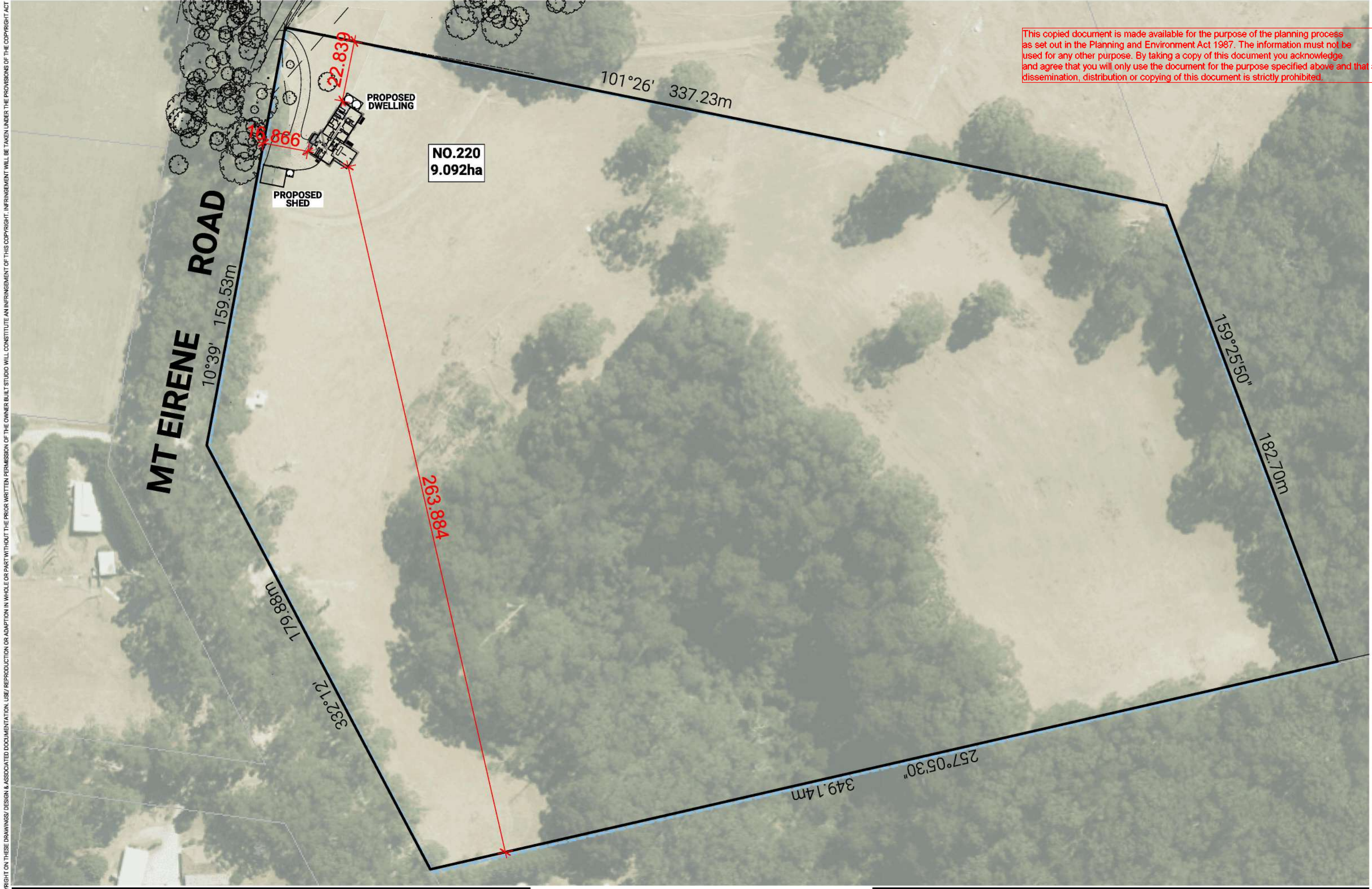
AERIAL VIEW/ CUT STUDY 2

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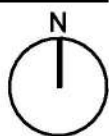
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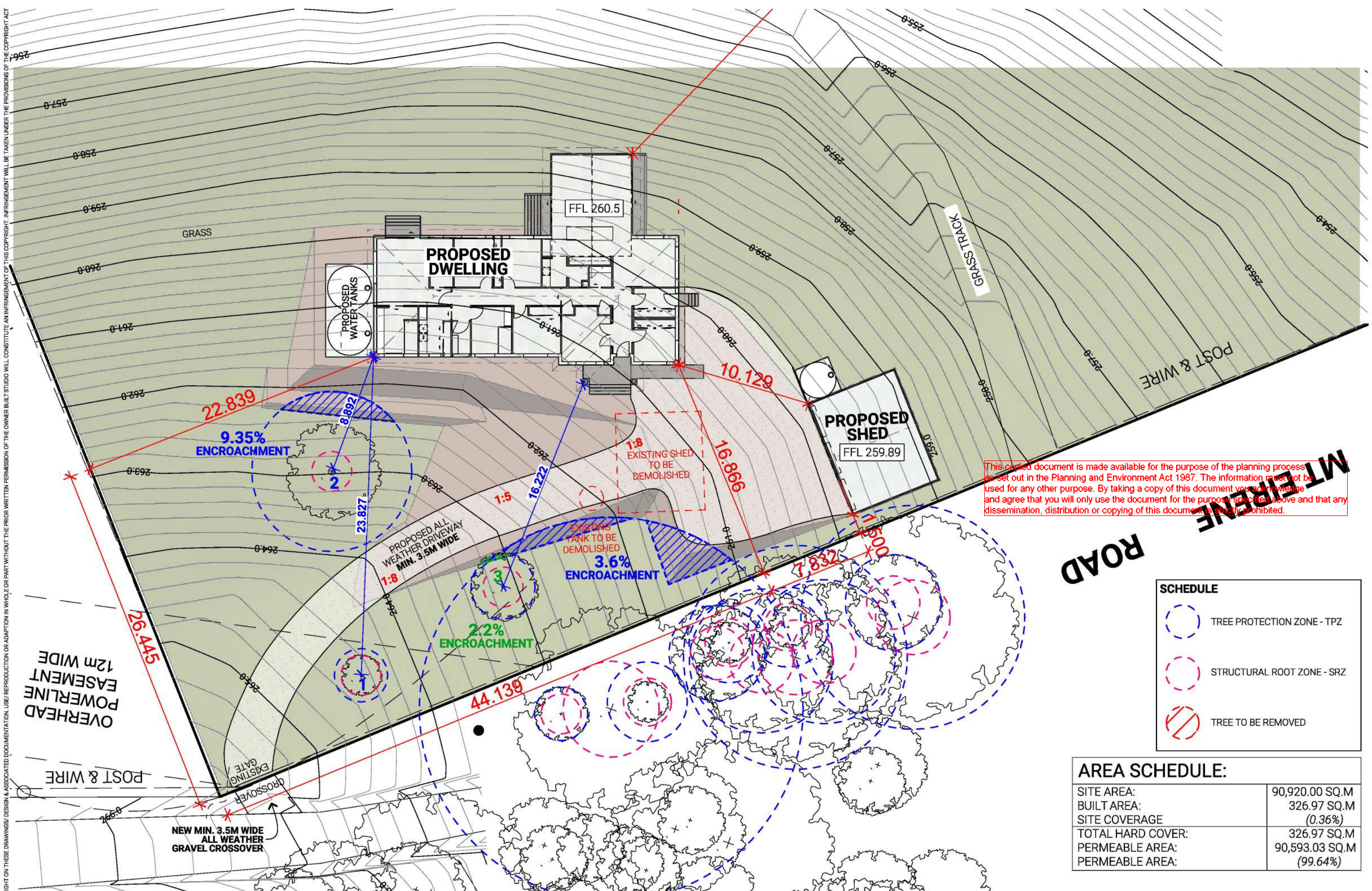
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SCHEDULE	
	TREE PROTECTION ZONE - TPZ
	STRUCTURAL ROOT ZONE - SRZ
	TREE TO BE REMOVED

AREA SCHEDULE:	
SITE AREA:	90,920.00 SQ.M
BUILT AREA:	326.97 SQ.M
SITE COVERAGE	(0.36%)
TOTAL HARD COVER:	326.97 SQ.M
PERMEABLE AREA:	90,593.03 SQ.M
PERMEABLE AREA:	(99.64%)

PROJECT:		AT:
PROPOSED NEW RESIDENCE		NO.220 MT EIRENE RD GEMBROOK 3783
A	17/05/25	TOWN PLANNING APPLICATION
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Design Matters
National Member

BUILT STUDIO
WARRAGUL VIC 3820

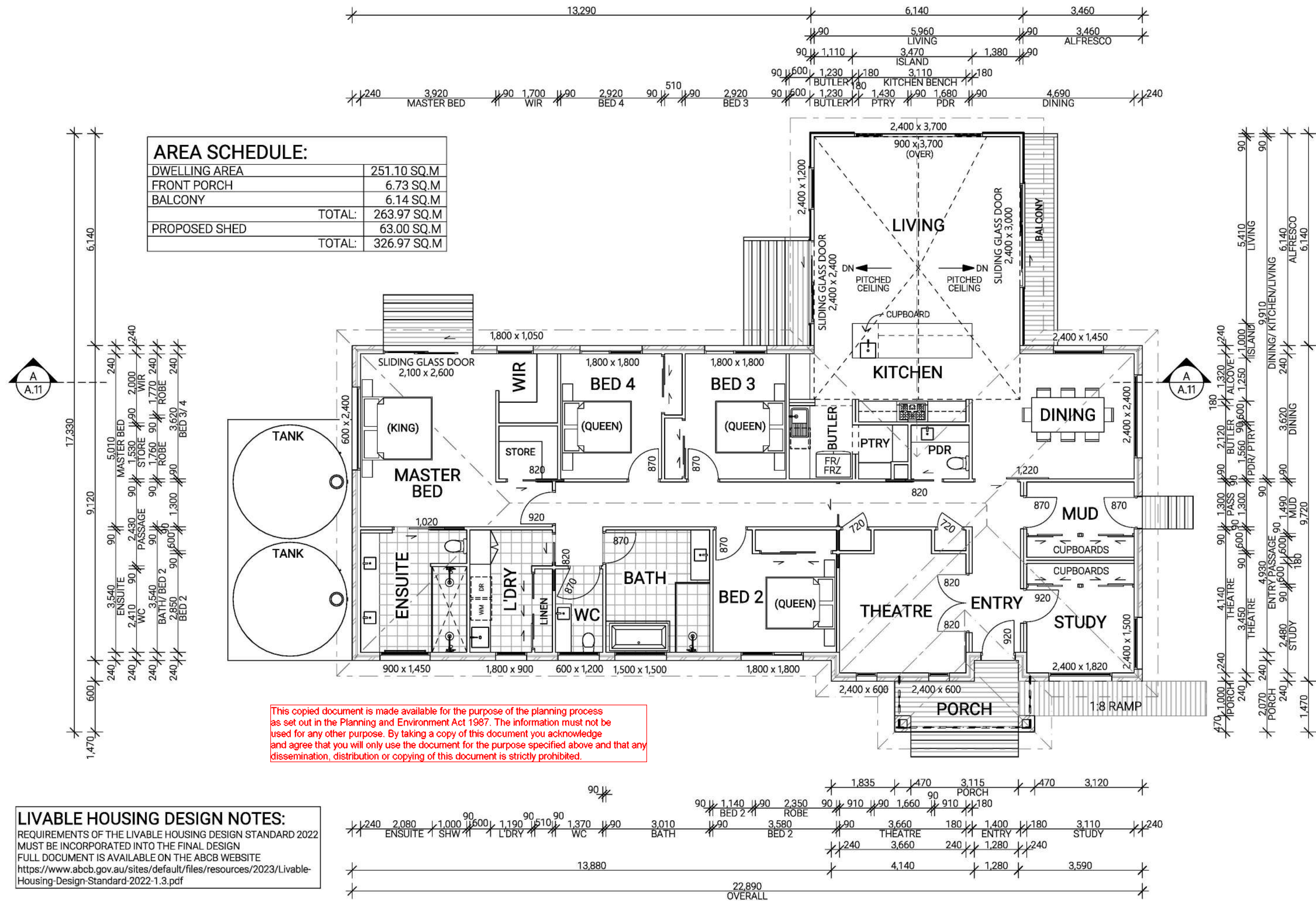
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SITE PLAN 1:250

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PHONE: 0474 727 648

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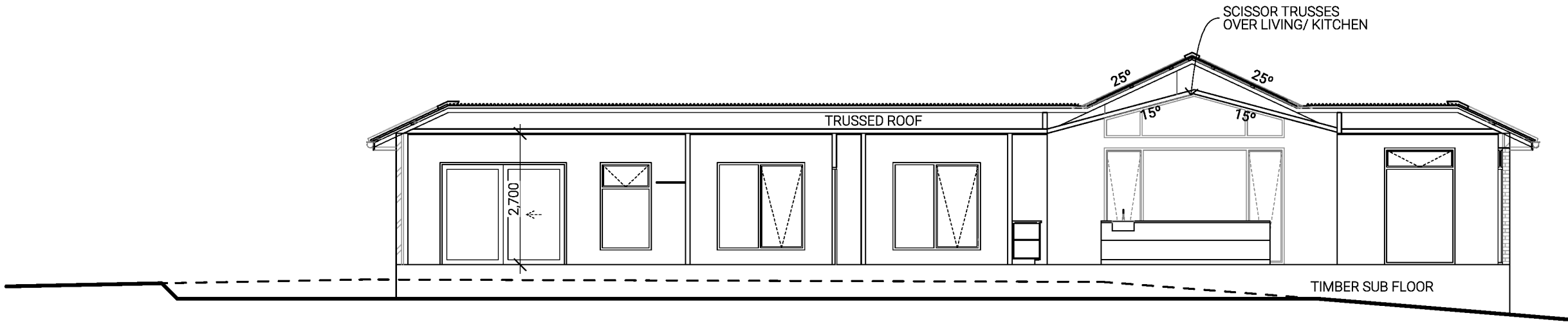
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LAYOUT ID:
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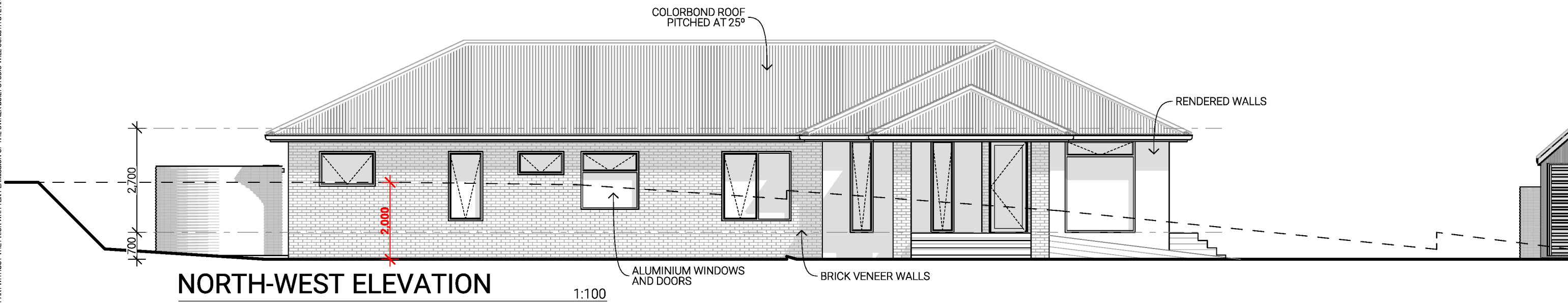
PROJECT:		CLIENT:	AT:
PROPOSED NEW RESIDENCE			NO.220 MT EIRENE RD GEMBROOK 3783
A	17/05/25	TOWN PLANNING APPLICATION	
B	02/07/25	TOWN PLANNING RFI	



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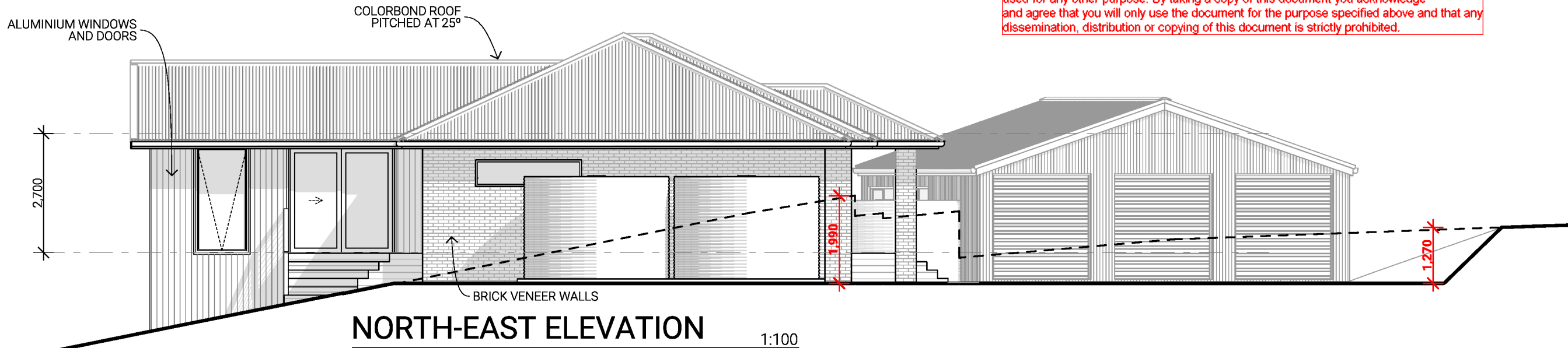


SECTION A - A 1:100



NORTH-WEST ELEVATION 1:100

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NORTH-EAST ELEVATION 1:100

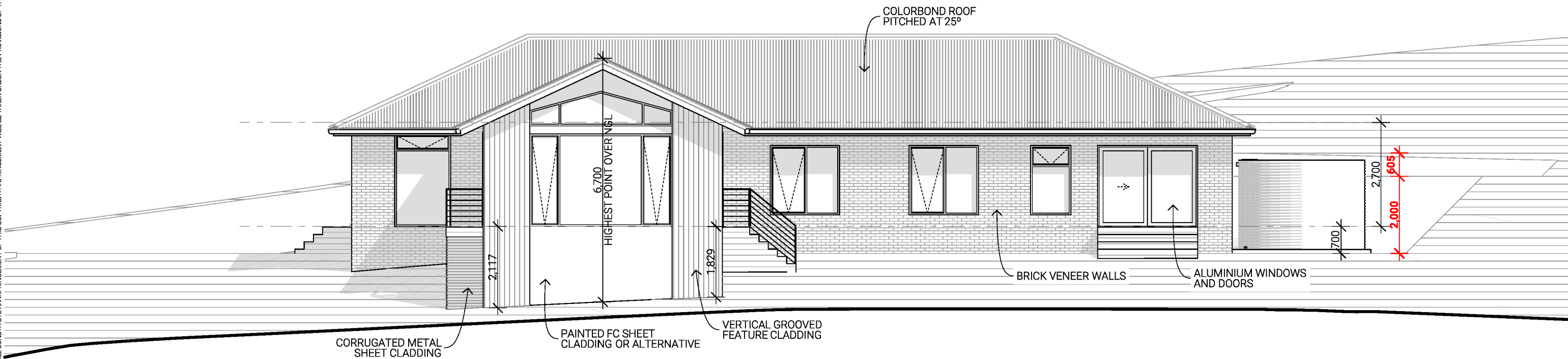
PROJECT:			AT:		
PROPOSED NEW RESIDENCE			NO.220 MT EIRENE RD GEMBROOK 3783		
A	17/05/25	TOWN PLANNING APPLICATION			
B	02/07/25	TOWN PLANNING RF1			

Design Matters
National Member

BUILT STUDIO
WARRAGUL VIC 3820

DRAWING NAME:		PROJECT NO.	
SECTION A-A/BUILDING ELEVATIONS 1		24-065	
WEBSITE: builtstudio.au		LAYOUT ID:	
EMAIL: studio@builtstudio.au		A.11	
PHONE: 0474 727 648			
PLOTTED ON: 02/07/2025			
DRAWN: AW			
SCALE: 1:100 @ A3			
REV: TP_B			
SHEET: 11 OF 13			

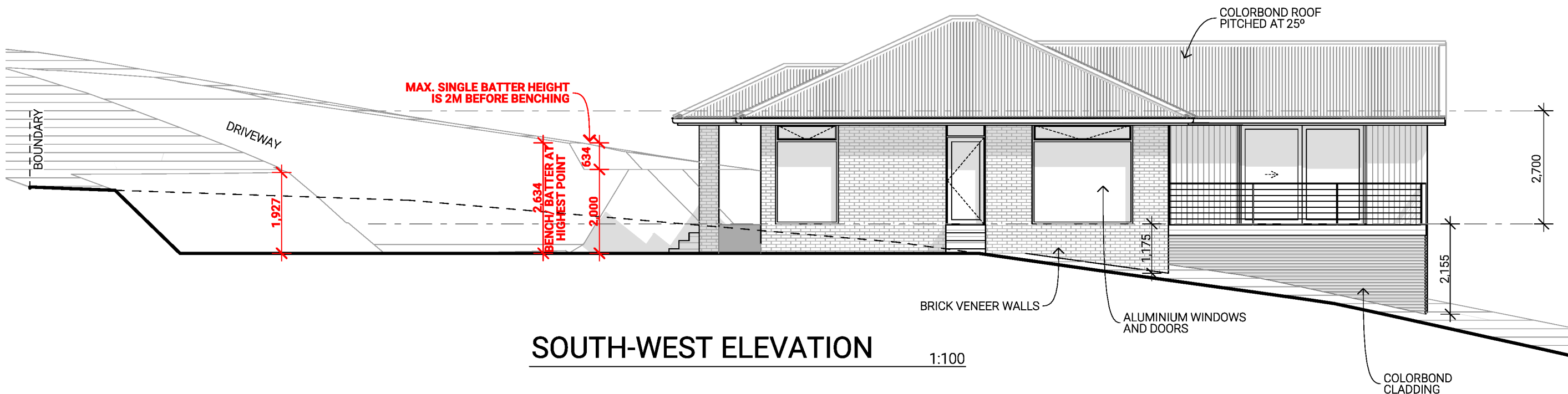
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SOUTH-EAST ELEVATION

1:100

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SOUTH-WEST ELEVATION

1:100

PROJECT: PROPOSED NEW RESIDENCE CLIENT: [REDACTED] AT: NO.220 MT EIRENE RD GEMBROOK 3783

A	17/05/25	TOWN PLANNING APPLICATION
B	02/07/25	TOWN PLANNING RFI

Design Matters
National Member

BUILT STUDIO
WARRAGUL VIC 3820

DRAWING NAME: **BUILDING ELEVATIONS 2**
WEBSITE: builtstudio.au
EMAIL: studio@builtstudio.au
PHONE: 0474 727 648
PLOTTED ON: 02/07/2025
DRAWN: AW
SCALE: 1:100 @ A3

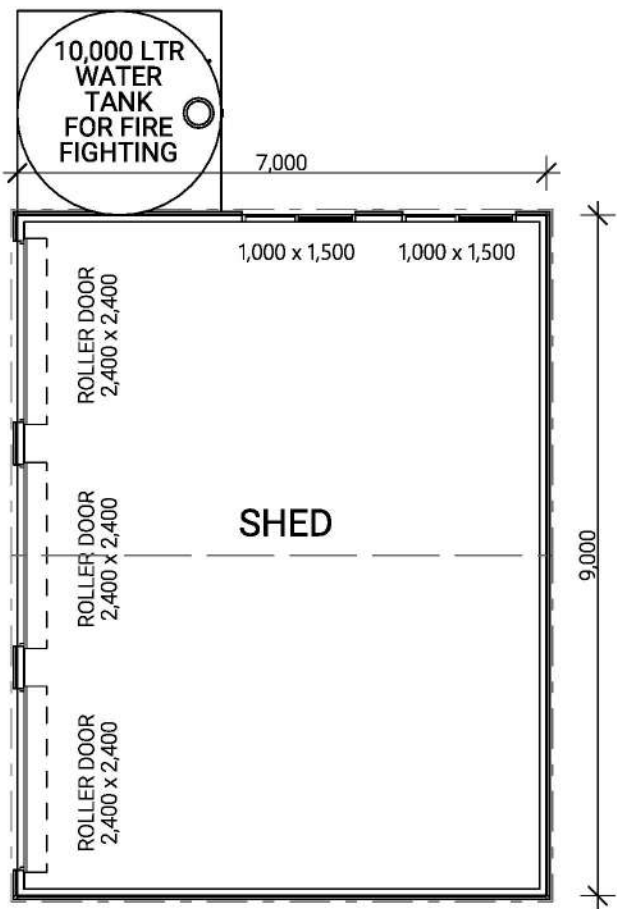
REV: TP_B
SHEET: 12 OF 13

PROJECT NO. 24-065
LAYOUT ID:

A.12

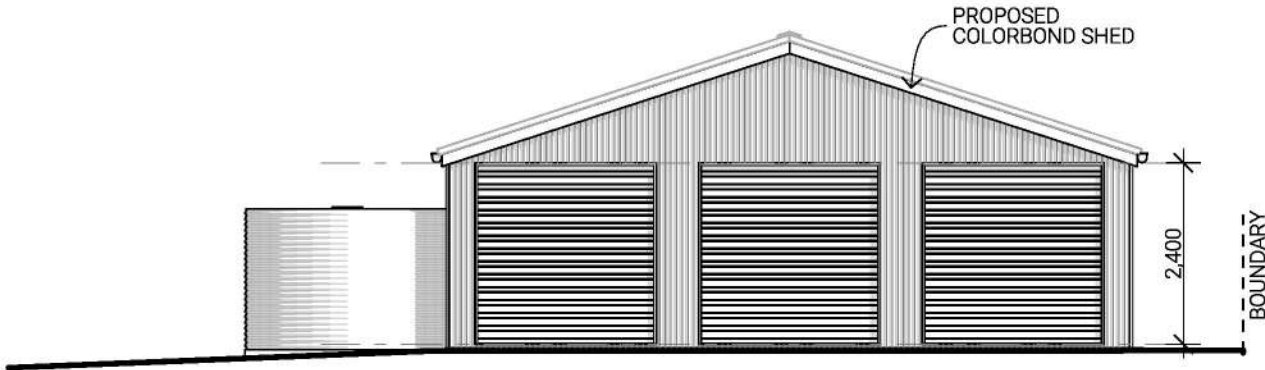
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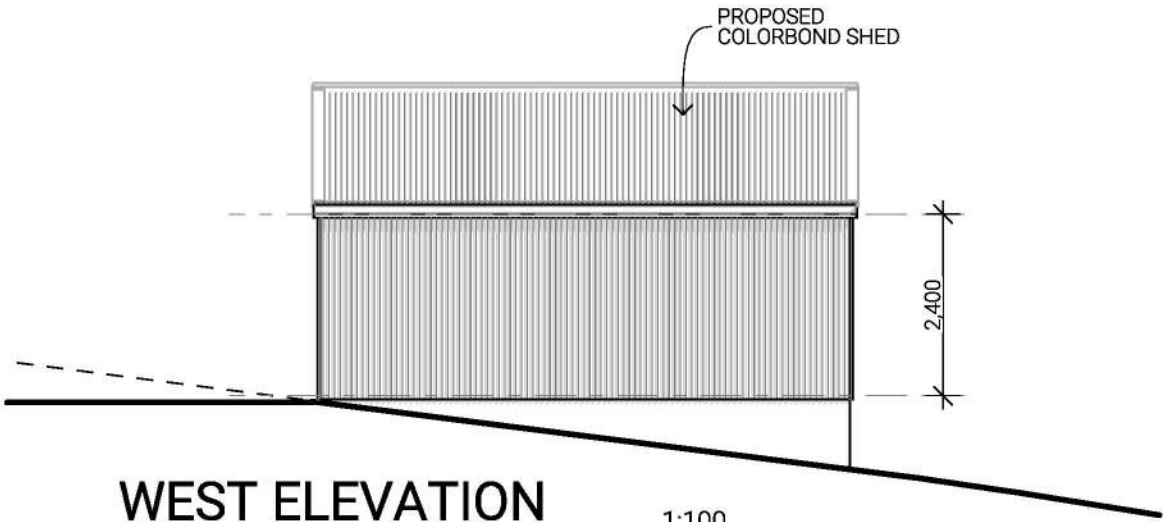


GROUND FLOOR SHED 1:100

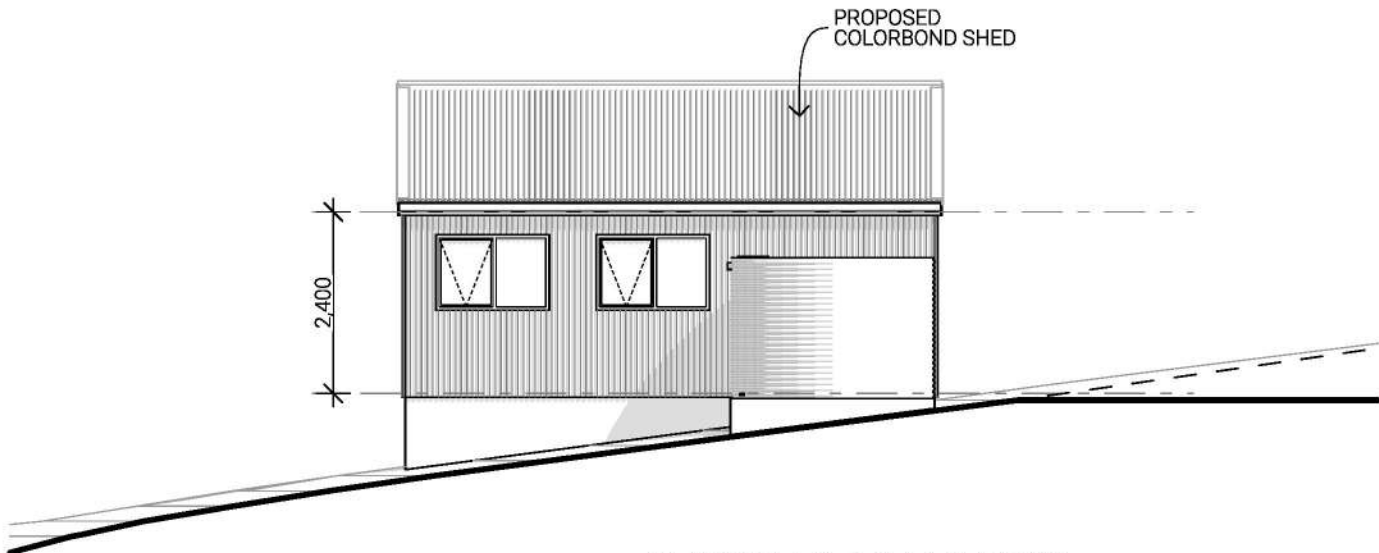
NOTE
WINDOW AND DOOR SIZES
SUBJECT TO CONFIRMATION
AT TIME OF MANUFACTURE



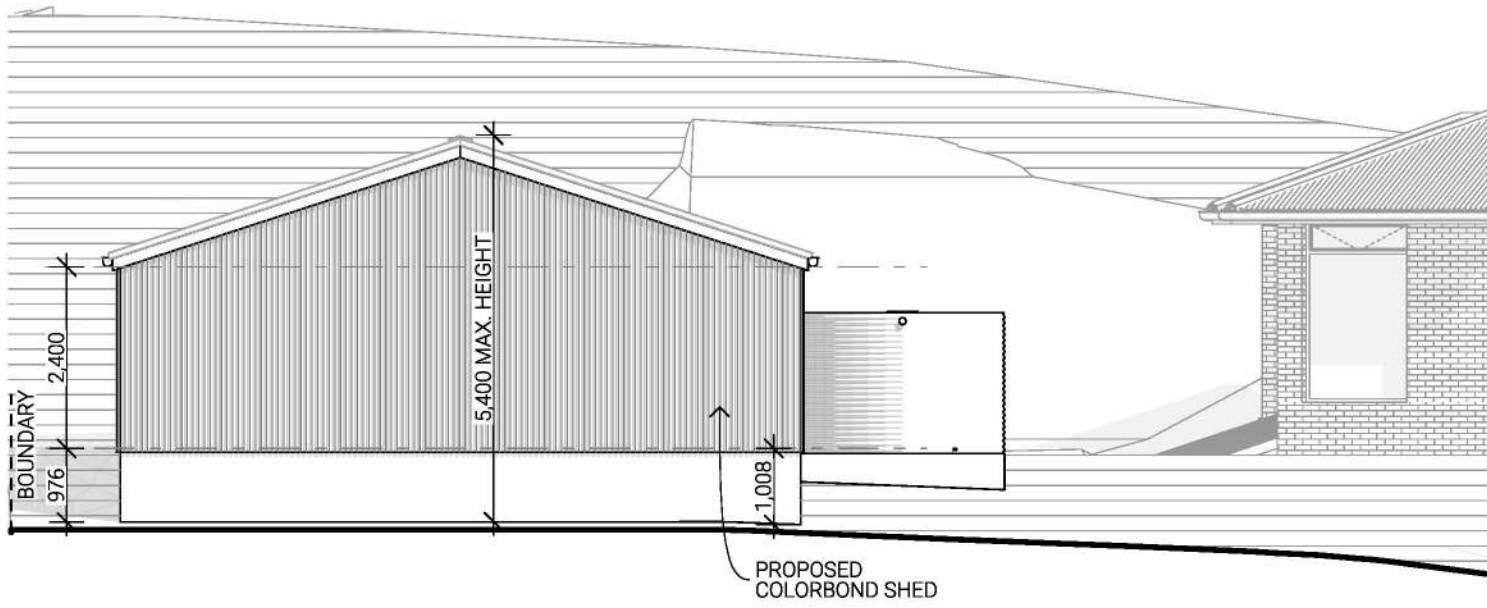
NORTH ELEVATION 1:100



WEST ELEVATION 1:100



EAST ELEVATION 1:100



SOUTH ELEVATION 1:100

PROJECT:		CLIENT:	AT:
PROPOSED NEW RESIDENCE			NO.220 MT EIRENE RD GEMBROOK 3783
A	17/05/25	TOWN PLANNING APPLICATION	
B	02/07/25	TOWN PLANNING RFI	



Design Matters
National Member

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SHED
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EMAIL: studio@builtstudio.au
PHONE: 0474 727 648

PLOTTED ON: 02/07/2025
DRAWN: SCALE:
AW 1:100 @ A3

REV: SHEET:
TP_B 13 OF 13

PROJECT NO.
24-065
LAYOUT ID:
A.13

TOWN PLANNING REPORT

Use and development of the land for a dwelling and associated outbuilding, and earthworks

at 220 Mt Eirene Road, Gembrook

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PROPOSED BY:
NOBELIUS LAND SURVEYORS
20 Henry Street, Pakenham, VIC 3810

(03) 5941 4112
www.nobelius.com.au



NOBELIUS

LAND SURVEYORS

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1. PRELIMINARY

ADDRESS	220 Mt Eirene Road, Gembrook Lot 1 PS842318V			
AREA	9.092ha			
RESPONSIBLE AUTHORITY	Cardinia			
ZONE	Rural Conservation Zone - Schedule 1			
OVERLAY	Environmental Significance Overlay - Schedule 1 Bushfire Management Overlay			
BUSHFIRE PRONE AREA	Yes			
RESTRICTIONS REGISTERED ON TITLE	☒ None	☐ Yes, list below:		
ENCUMBERING EASEMENTS	☐ None	☒ Yes, list below: E-2 Overhead Powerlines in favour of Ausnet		
RETICULATED SEWER	☒ None	☐ Yes		
PROPOSAL	Use and development of land for a dwelling and associated outbuilding, and earthworks.			
PERMIT TRIGGERS	• Clause 35.06-1 Table of uses, a dwelling is a section 2 (permit required) use on the condition that it is the only dwelling on the lot and the requirements of Clause 35.06-2 are met. • Clause 35.06-5 Buildings and works, a permit is required for buildings and works associated with a section 2 use. • Clause 44.06-2 Buildings and works, a permit is required to construct a building or construct or carry out works associated with accommodation. • Clause 42.01-2 Buildings and works, a permit is required for buildings and works as the proposed outbuilding height exceeds 4m and earthworks greater than 1m are required.			
CULTURAL HERITAGE	☒ No	☐ In potential area of cultural heritage significance ☐ CHMP not Required ☐ Required		
NATIVE VEGETATION	Clause 52.17 applies			
SUBMITTED DOCUMENTS	• Current copy of title and plan • Feature Survey Plan (NLS) • Development Plans (Built Studio) • Bushfire Assessment and Bushfire Management Plan (XWB Consulting) • Land Capability Assessment (HardCore Geotech) • Tree Plan (NLS)			
NLS QUALITY SYSTEM	AUTHOR	DATE ISSUED	CHECKED BY	REVISION
	RO	21/05/2025	JB	1

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2. INTRODUCTION

This town planning report has been prepared by Nobelius Land Surveyors on behalf of the landowners of 220 Mt Eirene Road, Gembrook to support an application to use and develop the land with a dwelling and associated outbuilding, and earthworks.

The subject land is zoned Rural Conservation Zone – Schedule 1 in the Cardinia Planning Scheme, and subject to the Environmental Significance Overlay -Schedule 1 and Bushfire Management Overlay.

A permit is required pursuant to:

- **Clause 35.06-1 Table of uses**, a dwelling is a section 2 (permit required) use on the condition that it is the only dwelling on the lot and the requirements of Clause 35.06-2 are met.
- **Clause 35.06-5 Buildings and works**, a permit is required for buildings and works associated with a section 2 use.
- **Clause 44.06-2 Buildings and works**, a permit is required to construct a building or construct or carry out works associated with accommodation.
- **Clause 42.01-2 Buildings and works**, a permit is required for buildings and works as the proposed outbuilding height exceeds 4m and earthworks greater than 1m are required.

This town planning report aims to demonstrate that the proposal is an appropriate planning outcome that helps to give effect to the Municipal Planning Strategy, State and Local Planning Policy Framework and the relevant policies, objectives and strategies of the Cardinia Planning Scheme, and warrants Council's full support.

This report should be read in conjunction with the following supporting documents:

- Copy of title and plan
- Feature Survey Plan
- Development Plans (Built Studio)
- Bushfire Assessment (XWB Consulting)
- Bushfire Management Plan (XWB Consulting)
- Land Capability Assessment (HardCore Geotech)
- Tree Plan (NLS)

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3. SUBJECT SITE AND SURROUNDING LOCALITY

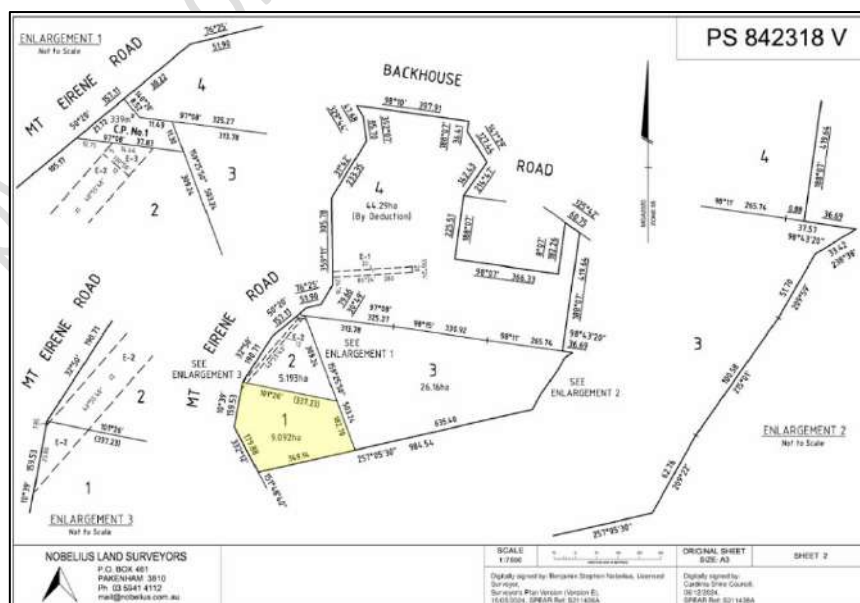
The subject site is formally described as Lot 1 PS842318V in Vol 12595 Fol 579, 220 Mt Eirene Road, Gembrook. The lot is irregular in shape with an area of 9.092ha, and frontage of 159.53m to Mt Eirene Road to the north-west and 179.88m to the south-west. The land falls from the north-west to the gully to the south. The land is vacant asides from two small sheds in the north-west corner. Access is via Mt Eirene Road with an existing gate in the north-west corner.

A recent aerial image identifying the subject site is provided below:



LOT 1 PS842318, 220 MT EIRENE ROAD (SUBJECT SITE) (LASSI, 2025)

No restrictions, covenants or caveats are recorded on the title. The north-west corner of the site is encumbered by a 12m wide Overhead Powerlines Easement (E-2) in favour of AusNet. An extract of PS842318 identifying the subject site is provided below:



EXTRACT PS842318V IDENTIFYING SUBJECT SITE (LOT 1)

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Recent photographs describing the site are provided below:



MT EIRENE ROAD IS A GRAVEL ROAD WITH OPEN CULVERT DRAINS AND NATIVE VEGETATION ON BOTH SIDES. THE ACCESSWAY TO SUBJECT SITE IS PICTURED TO THE RIGHT (NLS, 2025)



EXISTING ACCESS TO SUBJECT SITE (NLS, 2025)



EXISTING SHEDS AND APPLE TREE— LOOKING SOUTH FROM NORTH-WEST CORNER (NLS, 2025)

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LOOKING SOUTH-EAST TOWARDS GULLY FROM NORTH-WEST OF SITE (NLS, 2025)

PERMIT HISTORY

The subject site in its current form was created by Planning Permit T210263PA issued 16 May 2023, which allowed for the re-subdivision of the land (four (4) lot boundary re-subdivision), generally in accordance with the approved plans.

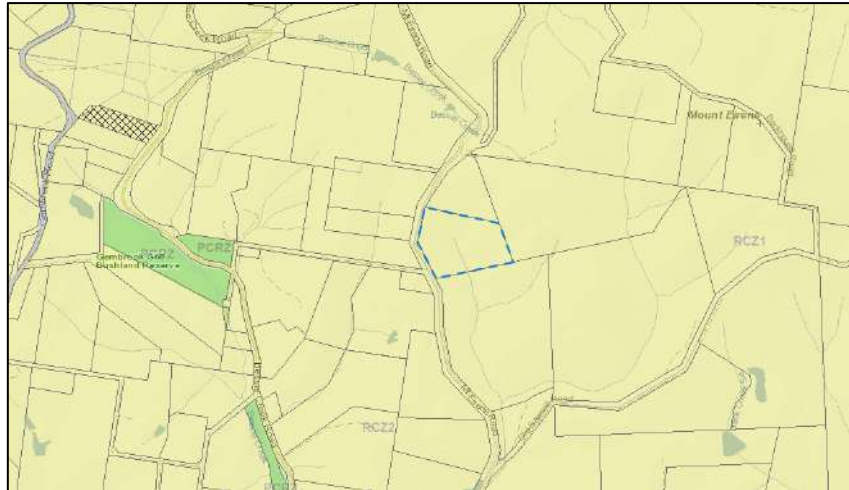
SURROUNDS

The subject site is contained within a Rural Conservation zoned area characterised by large rural lots with areas of dense vegetation. Mt Eirene Road is an unmade local access road which features open culverts and native vegetation on both sides. Services are overhead. Land use and development reflects the rural zoning, with ranch style dwellings and agricultural buildings common features within the area. Built form features a mix of a weatherboard and brick claddings. Roofs are typically gabled, pitched, and colourbond in material. Sheds are generally clad with sheet iron/colourbond materials.



AERIAL MAP IDENTIFYING SUBJECT SITE & IMMEDIATE SURROUNDS (LASSI, 2025)

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ZONE MAP (VICPLAN)

The land immediately adjoining the subject site is summarised in the table below:

NORTH	230 Mt Eirene Road (Lot 2 PS842318) RCZ1, BMO, ESO1. Vacant. Scattered vegetation along southern boundary.
EAST	240 Mt Eirene Road (Lot 2 PS842318) RCZ1, BMO, ESO1. Vacant. Dense vegetation to the south of the site.
SOUTH	Mt Eirene Road (Lot 1 PS332613) RCZ1, BMO, ESO1. Developed with dwelling and associated outbuildings. Dense vegetation to east of site.
WEST	Mt Eirene Road frontage.

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4. THE PROPOSAL

Council approval is sought to use and develop the land at 220 Mt Eirene Road, Gembrook with a dwelling and associated outbuilding, and earthworks.

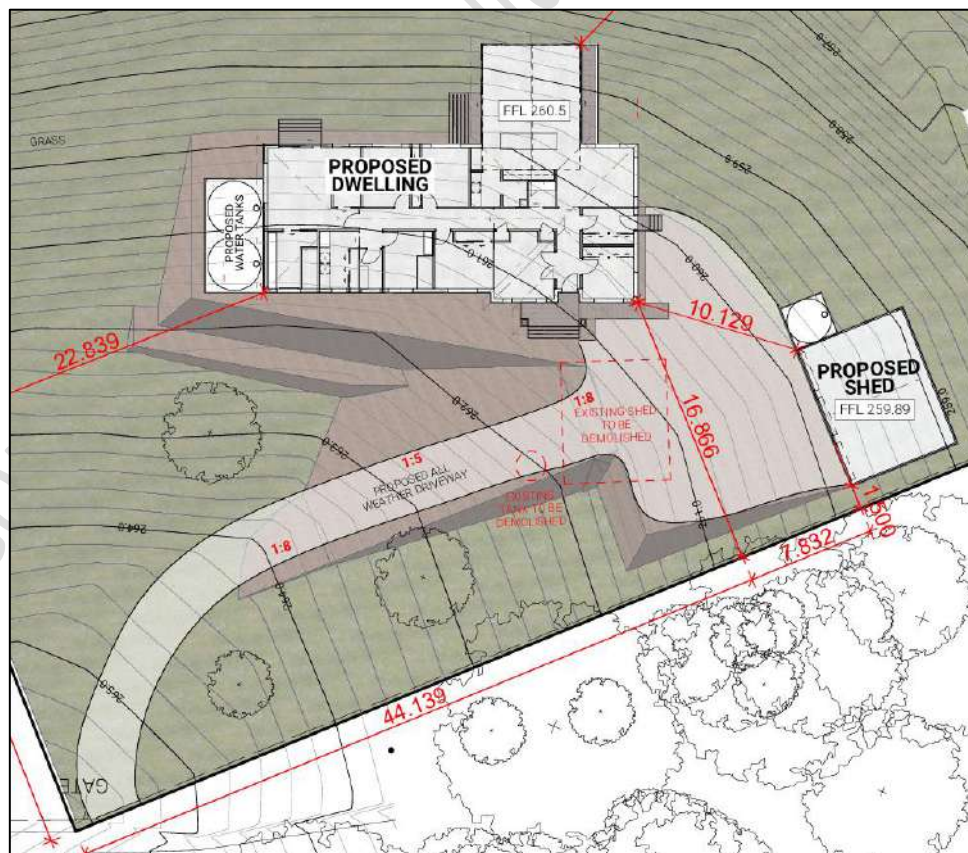
PERMIT REQUIREMENT

A permit is required pursuant to:

- **Clause 35.06-1 Table of uses**, a dwelling is a section 2 use on the condition that it is the only dwelling on the lot and the requirements of Clause 35.06-2 are met.
- **Clause 35.06-5 Buildings and works**, a permit is required for buildings and works associated with a section 2 use.
- **Clause 44.06-2 Buildings and works**, a permit is required to construct a building or construct or carry out works associated with accommodation.
- **Clause 42.01-2 Buildings and works**, a permit is required for buildings and works as the proposed outbuilding height exceeds 4m and earthworks greater than 1m are required. The dwelling and outbuilding are also proposed to be sited within 20m of Mt Eirene Road.

DWELLING

The proposed dwelling is to be sited to the north west corner of the land and setback 16.9m from Mt Eirene Road and 22.8m from the northern boundary. An extract of the site plan and a photo of the proposed house site are provided below:



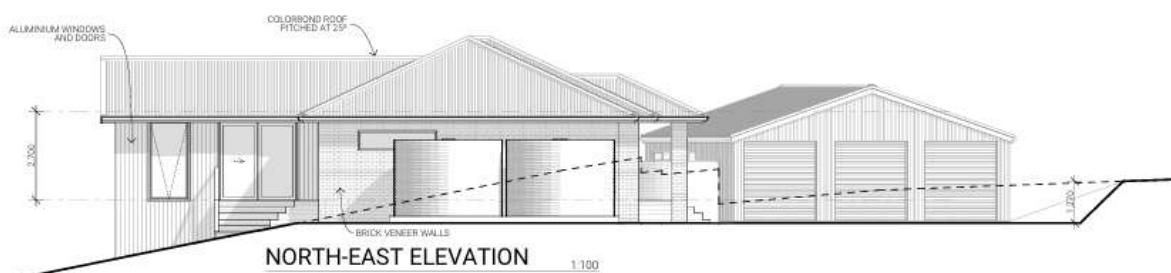
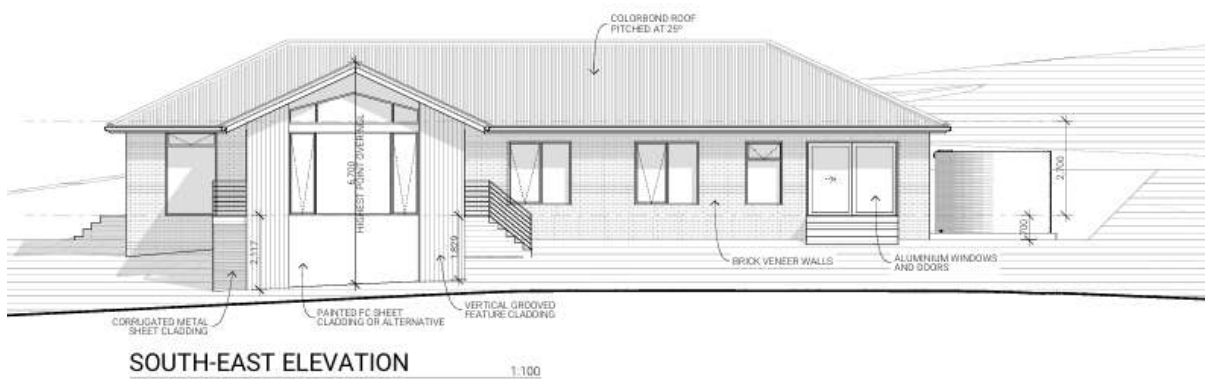
EXTRACT OF SITE PLAN 1:250 (BUILT STUDIO, 2025)

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LOOKING NORTH TOWARDS NORTH-WEST CORNER OF SITE (PROPOSED HOUSE AND SHED SITE).
EXISTING SHED AND WATER TANK TO BE REMOVED. (NLS, 2025)

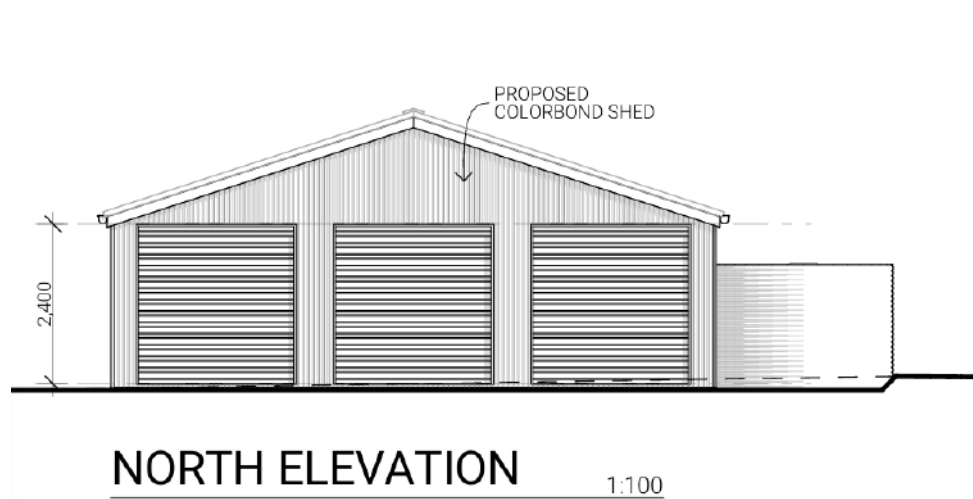
The dwelling will contain four bedrooms, two living spaces, a study, and two bathrooms. The total floor area (including porch and balcony) is 263.97m². The dwelling features a contemporary design and will be clad in a mix of brick veneer, render and vertical cladding, with a hip and gable colourbond roof. The proposed materials and colours are subdued and will not detract from the environmental and landscape qualities of the site. Extracts of the south-east elevation and north-east elevation are provided below:



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OUTBUILDING

The proposed shed is to be sited to the south-west of the dwelling and setback 4.3m from Mt Eirene Road. The shed will have dimensions of 9.0m L x 7.0m W x 2.4m H (to eaves) with an area of 63m². The walls and roof of the shed will be clad in colourbond in 'Woodland Grey' and feature three roller doors 2.4m wide each and a 10,000 litre water tank for fire fighting purposes. The maximum height of the outbuilding is 5.4m. An extract of the north elevation showing the front the outbuilding is provided below:



EXTRACT OF ELEVATION PLAN (BUILT STUDIO, 2025)

Extracts of the 3D artist impressions of the dwelling and outbuilding are provided below:



EXTRACT OF 3D VIEW 2 (BUILT STUDIO, 2025)

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EXTRACT OF 3D VIEW 4 (BUILT STUDIO, 2025)

ACCESS

Both the dwelling and outbuilding will be accessed via an all-weather driveway with a minimum dimension of 3.5m with 0.5m clear either side.

EARTHWORKS

The proposed earthworks and design and siting of the buildings and works has sought to follow the natural contours of the land where possible. All cut and fill has been notated in the development plans. Please refer to the elevation plans for further clarification.

SITE COVERAGE

The proposal will result in a site coverage of 0.36%. The balance of the land will be retained for rural conservation purposes in keeping with the zone.

DEMOLITION

The existing shed and water tank are to be demolished, as per notations on site plan.

VEGETATION

The proposal does not require the removal of any vegetation. Three trees are proximate to the dwelling and can be retained with canopy separation in accordance with the defensible space requirements of the BMP. The trees have been identified on the image below:

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TREE PLAN (NLS, 2025)

A separate copy of the tree plan above has been provided as part of this submission for Council's review.

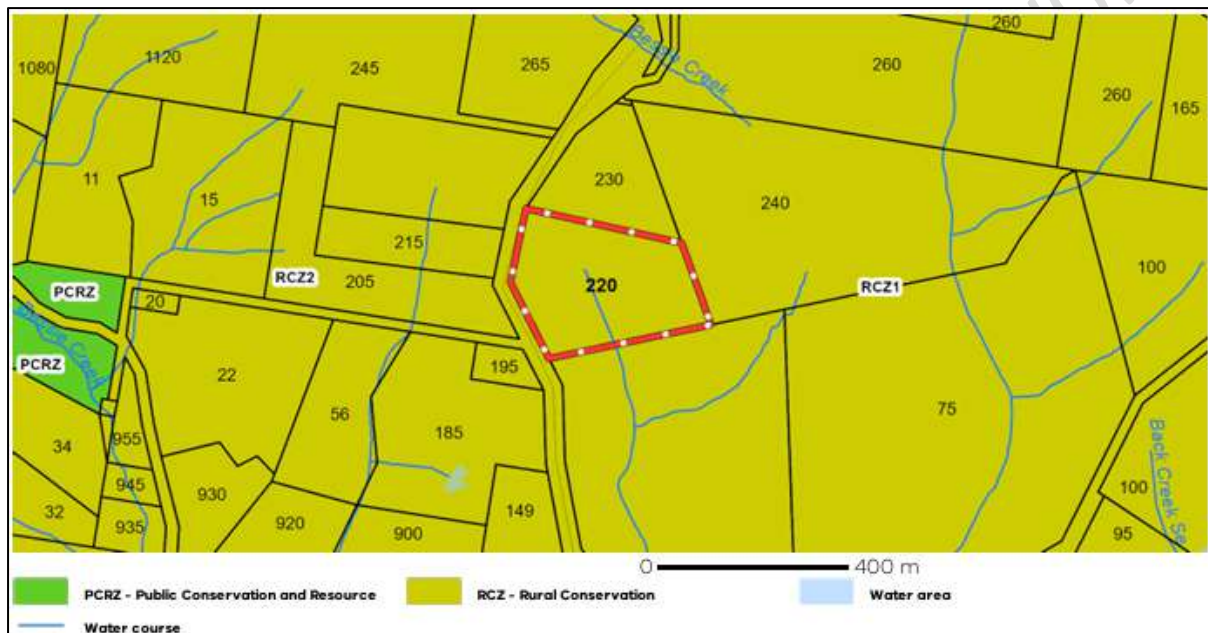
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5. RELEVANT PLANNING CONTROLS

The following section addresses the objectives and requirements of the zoning and overlay controls relevant to the subject site identifying how these planning controls relate to the proposal, trigger an assessment and how we have addressed the requirements of planning provisions.

CLAUSE 35.06 RURAL CONSERVATION ZONE

The site is mapped within the Rural Conservation Zone – Schedule 1:



ZONING MAP (VICPLAN)

PURPOSE

Clause 35.06 Rural Conservation Zone seeks:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- 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.

SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Schedule 1 to Clause 35.06 Rural Conservation Zone applies Conservation Values to areas of the Shire and seeks the *protection and conservation of the environmental value and landscape qualities of the land, including habitat of botanical and zoological significance, and the conservation of natural resources, including native vegetation, waterways and soils.*

No specific requirements relevant to this proposal are contained within the schedule.

PERMIT REQUIREMENT

Pursuant to:

- **Clause 35.06-1 Table of uses**, a permit is required to use the land for a dwelling. A dwelling (other than Bed and breakfast) is a Section 2 Use (permit required) on the condition that:
 - *Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.*
 - *Must meet the requirements of Clause 35.06-2.*

The proposed dwelling will be the only dwelling on the lot, and the land is currently vacant. The requirements of **Clause 35.06-2** have been addressed below.

- **Clause 35.06-5 Buildings and works**, a permit is required for buildings and works associated with a Section 2 use (dwelling) and outbuilding, including earthworks.

The proposed dwelling and associated outbuilding are proposed to be sited within 20m of the Mt Eirene Road reserve.

USE OF LAND FOR A DWELLING OR SMALL SECOND DWELLING

Clause 35.06-2 Use of land for a dwelling or small second dwelling outlines the following requirements:

- *Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.*
- *The dwelling or small second dwelling must be connected to reticulated sewerage if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.*
- *The dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.*
- *The dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

The proposal satisfies the requirements of **Clause 35.06-2**:

- Access to the proposed dwelling will be via an all-weather road with a minimum width of 3.5m and 0.5 clearance on either side.
- Reticulated sewer is not available. A Land Capability Assessment has been prepared in support of this application and has found that domestic wastewater can be treated and retained onsite. A waste envelope has been notated on the site plan.
- The dwelling will be provided with potable water in the form of rainwater tanks.
- The dwelling will be connected to reticulated electricity supply.

DECISION GUIDELINES

For this application to use and develop the land with a dwelling and outbuilding, and associated earthworks, the following decision guidelines are relevant:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development.*
- *How the use or development conserves the values identified for the land in a schedule.*
- *Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.*
- *Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.*

The proposal does not contravene the Municipal Planning Strategy or the State and Local PPF, nor will it adversely impact on the existing use of the land, surrounding land uses, or the amenity of existing residents.

A Land Capability Assessment has been prepared in support of this application.

The proposed dwelling and outbuilding are to be sited within a cleared area of the site towards the road which is beneficial in terms of minimising earthworks for a driveway and vegetation removal associated with the provision of defensible space. The design and siting of the buildings and works has considered and responds to the topography of the site. These measures help to mitigate the potential for adverse impacts to the environmental, agricultural and landscape qualities of the site and surrounds.

Rural Issues

- *The environmental capacity of the site to sustain the rural enterprise.*
- *The need to prepare an integrated land management plan.*
- *The impact on the existing and proposed rural infrastructure.*
- *Whether the use or development will have an adverse impact on surrounding land uses.*

The proposal is not foreseen to adversely impact on any surrounding land uses. Dwellings and associated outbuildings are common features on nearby rural lots. The proposed buildings are setback sufficiently to minimise any potential for conflict with nearby land uses.

Environmental Issues

- *An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.*
- *The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.*
- *How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.*
- *The location of onsite effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

The proposed buildings and works have been sensitively sited to avoid impacts to native vegetation and will not result in any loss of biodiversity.

Design and siting issues

- *The need to minimise adverse impacts of the siting, design, height, bulk, colours and materials to be used on major roads, landscape features or vistas.*
- *The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.*
- *The need to minimize adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of roads and existing and proposed infrastructure services to minimize the visual impact on the landscape.*
- *The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

The proposed buildings and works have been sited and designed to avoid adverse impacts on surrounding land and the prevailing character and landscape features of the area. The proposed siting close to the Mt Eirene Road frontage will minimise the extent of works required for the provision of services, driveway construction, etc.

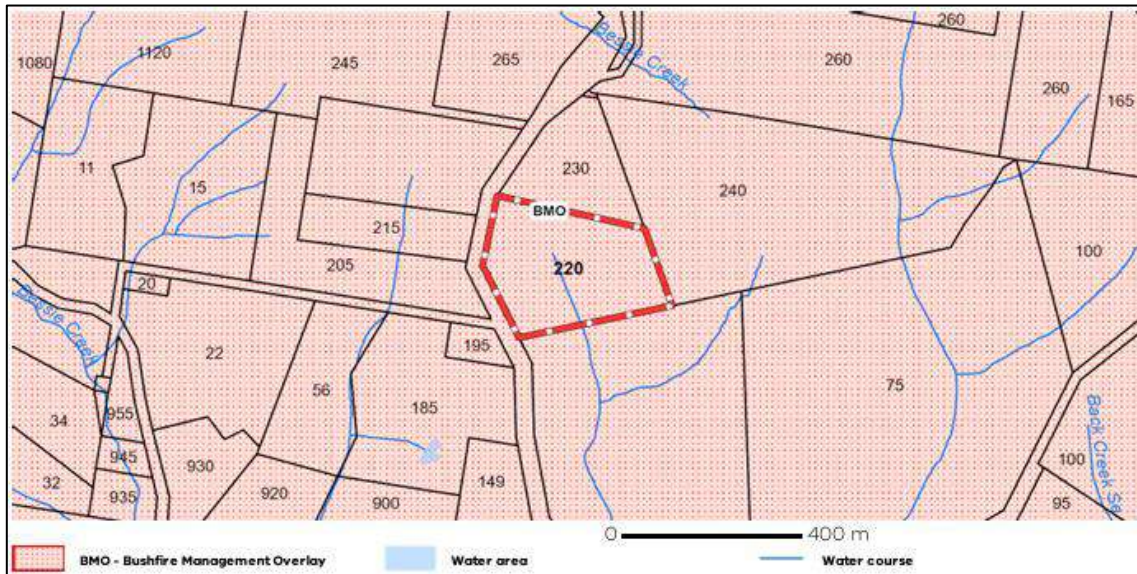
The buildings have taken design cues from built form in the wider area in terms of height, scale, colours and materials to ensure they are complementary to existing rural character and will not visually detract from the landscape.

It is submitted that the proposal has adequately addressed the relevant considerations and requirements of the Rural Conservation Zone – Schedule 1.

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CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

The land is subject to **Clause 44.06 Bushfire Management Overlay**:



BUSHFIRE MANAGEMENT OVERLAY (VICPLAN)

PURPOSE

Clause 44.06 Bushfire Management Overlay seeks:

- 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.

PERMIT REQUIREMENT

- **Clause 44.06-2 (BMO) Buildings and works**, a permit is required to construct a building or construct or carry out works associated with accommodation.

APPLICATION REQUIREMENTS

Applications under the BMO are required to provide a Bushfire Hazard Site Assessment, Bushfire Hazard Landscape Assessment and Bushfire Management Statement (BMS).

Pursuant to Clause 44.06-4, an application must also meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay. In this instance, no schedule applies.

MANDATORY CONDITION FOR BUILDINGS AND WORKS

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The mandatory condition for buildings and works is anticipated to be required as part of any permit granted.

DECISION GUIDELINES

The relevant decision guidelines for applications in the BMO include:

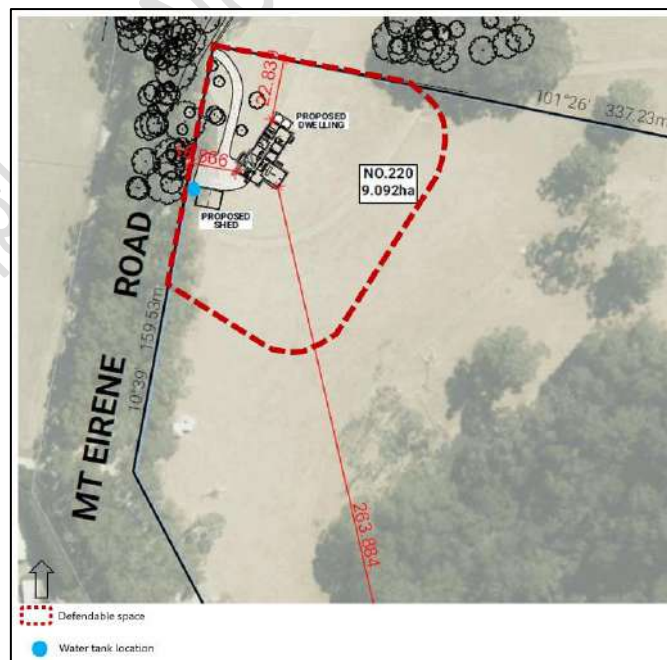
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any other matters specified in a schedule to this overlay.*

The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework, noting that the MSS speaks to the siting and design of houses and accommodation in high risk bushfire areas. No schedule to the overlay applies.

A Bushfire Management Plan (BMP) and Bushfire Assessment have been prepared in support of this application by XWB Consulting. The Bushfire Assessment has determined that:

- *The bushfire risk can be mitigated to an acceptable level.*
- *The proposed dwelling should be constructed to a bushfire attack level of BAL29.*
- *Defendable space should be provided for a distance of 49m to the south and east, and to the property boundary to the north and west.*
- *A static water supply tank with a capacity of 10,000 litres should be provided for firefighting purposes.*
- *Access to the dwelling should be provided via a new driveway designed to accommodate emergency vehicle.*

Please refer to these reports for a detailed response to the requirements of the BMO.

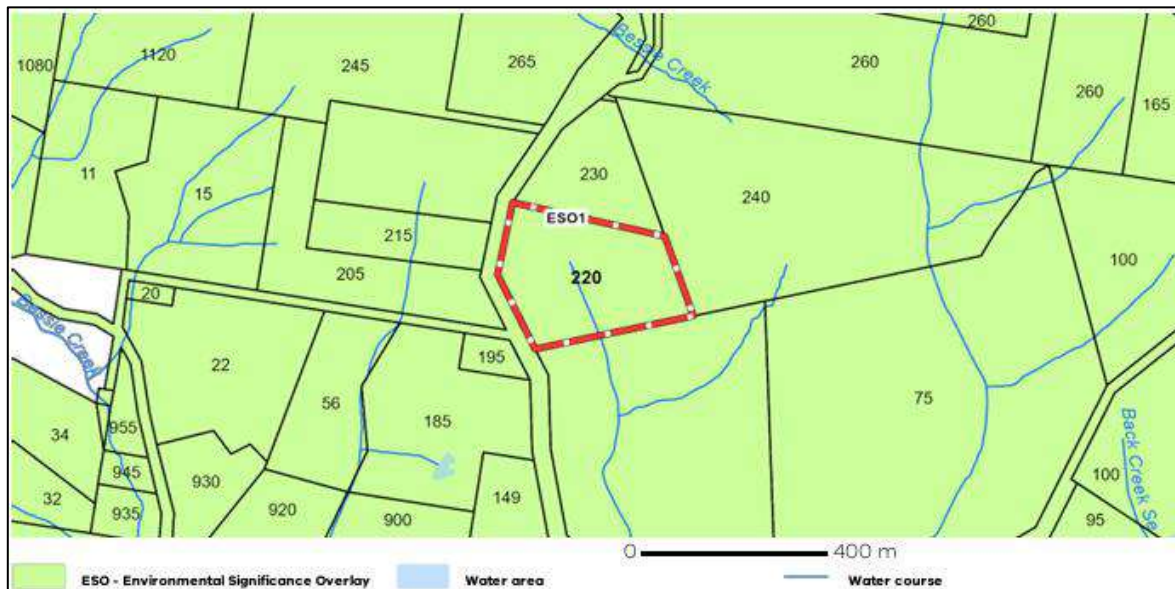


EXTRACT OF BMP (WXB CONSULTING, 2025)

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CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1

The land is subject to Clause 42.01 Environmental Significance Overlay – Schedule 1:



ENVIRONMENTAL SIGNIFICANCE OVERLAY – SCHEDULE 1 (VICPLAN)

PURPOSE

Clause 42.01 Environmental Significance Overlay seeks:

- 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.

ENVIRONMENTAL SIGNIFICANCE AND OBJECTIVES

Schedule 1 to Clause 42.01 applies to the Northern Hills and contains the following:

STATEMENT OF ENVIRONMENTAL SIGNIFICANCE

The hills to the northern part of the municipality (generally to the north of the Princes Highway) is an area with significant landscape and environmental values. The area is characterised by a geology of Devonian Granitic and Sulrian Sediment origin, moderate to steep slopes, and areas of remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor in terms of environmental hazards including erosion and fire risk.

The vegetation supports the ecological processes and biodiversity of this area by forming core habitat areas within a complex network of biolink wildlife corridors. Sites containing threatened flora and fauna are defined as being of botanical and zoological significance. Development within and around these sites need to be appropriately managed to ensure the long term protection, enhancement and sustainability of these ecological processes and the maintenance of biodiversity.

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ENVIRONMENTAL OBJECTIVES TO BE ACHIEVED

- *To protect and enhance the significant environmental and landscape values in the northern hills area including the retention and enhancement of indigenous vegetation.*
- *To ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.*
- *To ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.*
- *To protect and enhance biolinks across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.*

PERMIT REQUIREMENT

Pursuant to **Clause 42.01-2**, a permit is required to construct a building or carry out works. Schedule 1 to Clause 42.01 varies this requirement, outlining that *a permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:*

- - *Building materials must be non-reflective or subdued colours which complement the environment to the satisfaction of the responsible authority.*
 - *The height of any dwelling must not exceed 7 metres above natural ground level and the height of all other buildings must not exceed 4 metres above natural ground level.*
 - *The works must not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre and any disturbed area must be stabilised by engineering works or revegetation to prevent erosion.*
 - *The slope of the land on which the buildings or works are undertaken must not exceed 20%.*
 - *The buildings and works must not result in the removal or destruction of native vegetation (including trees, shrubs, herbs, sedges and grasses) within an area of botanical or zoological significance as shown on the mapped information provided by the Department of Sustainability and Environment, with the exception of Sweet Pittosporum (*Pittosporum undulatum*).*
 - *If the building is an extension to an existing dwelling that is less than 50 percent of the floor area of the existing building.*
 - *If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land must not exceed 120 square metres.*
 - *If the building is in a Green Wedge or Rural Conservation Zone and is associated with the existing use of the land for the purposes of agriculture, the gross floor area of the building must not exceed 160 square metres.*
 - *If a building envelope is registered on the plan of subdivision, any building must be located within the building envelope.*

A permit is required under the ESO1 for buildings and works as the height of the shed exceeds the 4m; and earthworks are proposed which require the excavation of land exceeding 1 metre.

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APPLICATION REQUIREMENTS

The application requirements for buildings and works in the ESO are listed under subsection 4.0 of Schedule 1 to Clause 42.01, and include:

- *The location of any existing buildings and works.*
- *Details of elevations, including external colours, materials and finishes.*
- *The location of any existing vegetation and any vegetation proposed to be removed.*
- *Details of the location and extent of any earthworks.*

Development plans have been prepared in support of this application which satisfy the above. No vegetation is proposed for removal under the current design.

Please refer to the Tree Plan for information relating to trees proximate to the proposed dwelling and outbuilding retained under the current design.

DECISION GUIDELINES

The relevant decision guidelines under the ESO include:

- *The Municipal Planning Strategy and Planning Policy Framework.*
- *The statement of environmental significance and the environmental objective contained in a schedule to this overlay.*
- *The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.*
- *Any other matters specified in a schedule to this overlay.*

Schedule 1 to Clause 42.01 contains the following decision guidelines:

- *Whether the removal of any vegetation has been avoided and/or minimised.*
- *The Land Capability Study for the Cardinia Shire (February 2017).*
- *The protection and enhancement of the natural environment and character of the area.*
- *The retention, protection and enhancement of remnant vegetation and habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.*
- *The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance and threatened species.*
- *The impact of proposed buildings and works on landscape*

The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework.

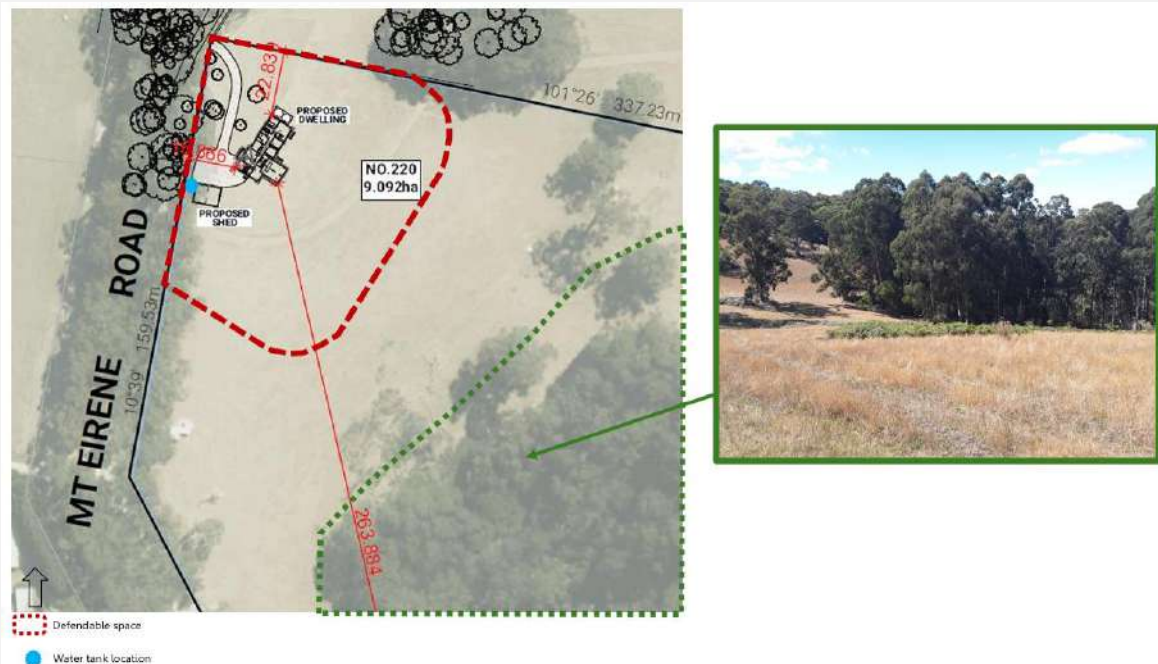
The proposal aligns with the statement of environmental significance and the environmental objective contained in the schedule to the overlay:

- The proposal will not adversely impact on the significant environmental and landscape values of the northern hills area or indigenous vegetation.
- The proposed dwelling and outbuilding have been sited in a cleared area of the site proximate to the road frontage to minimise any potential for impacts to the environmental values of the site.
- The slope of the land has been addressed by siting the buildings and works away from steep sloping areas of the site. Site cuts will be battered and will help to nestle the dwelling into

the slope of the land, which further helps to reduce the visual impact of the dwelling on the landscape. Please refer to the development plans for details as to the extent of cut and fill required.

- The land is not within an area of increased erosion risk, and it is anticipated that the dwelling and associated improvements around the dwelling (driveway, gardens etc) will help to stabilise soil in this area of the site.

The siting of the proposed dwelling enables defensible space to be achieved without requiring the removal of any vegetation. The proposed does not detract from the significance of the patch of native vegetation towards the centre of the site (below):



THE PROVISION OF DEFENDABLE SPACE CAN BE ACHIEVED WITHOUT ADVERSE IMPACTS TO VEGETATION. VEGETATION IDENTIFIED ON THE BMP WITH CORRESPONDING PHOTO LOOKING SOUTH-EAST TOWARDS LARGE PATCH OF VEGETATION RETAINED ONSITE (NLS, 2025)

The subject site is partially within two areas of zoological significance (ZL16 Locally Significant & ZS6 Gembrook). The proposal does not adversely impact on any habitat qualities of the site.

A Land Capability Assessment has demonstrated that the subject site can treat and retain all domestic wastewater onsite.

No building envelope is registered on the title.

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6. MUNICIPAL PLANNING STRATEGY

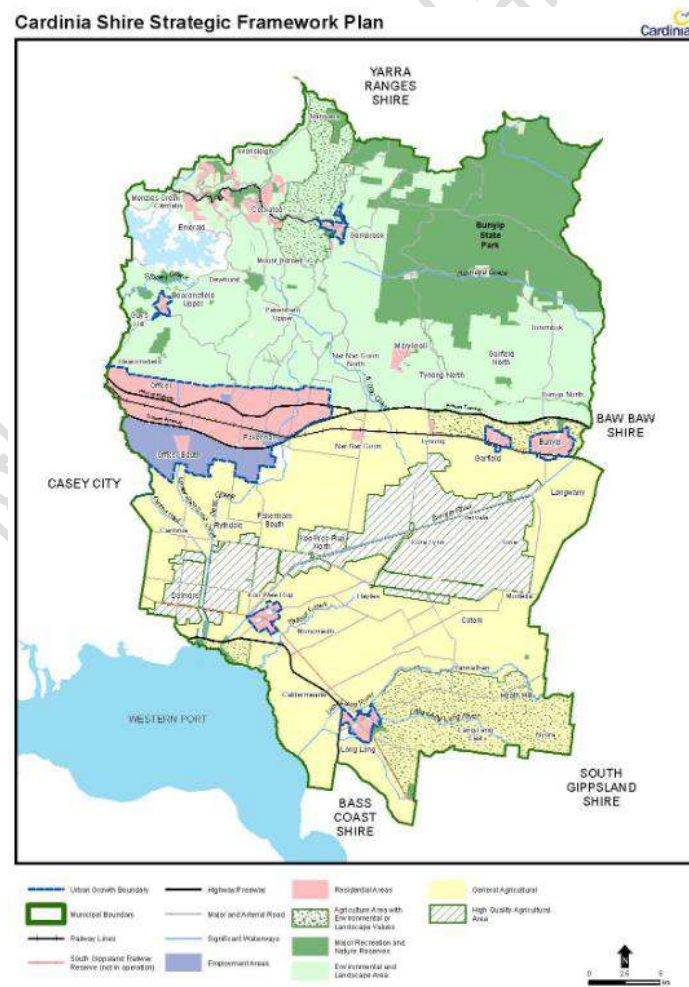
CLAUSE 21.01-2 KEY INFLUENCES AND 21.01-3 KEY ISSUES

The Cardinia Shire seeks to be recognised as a unique place of environmental significance where our quality of life and sense of community is balanced by sustainable and sensitive development, population and economic growth. The proposal is sensitive to the key issues facing Cardinia as listed at **Clause 21.01-3**, particularly those that have regard for the environment, settlement and housing.

The proposal does not contravene the strategic vision for Cardinia, as per **Clause 21.01-4**:

‘Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire.’

The subject land is located within a strategic environmental and landscape area in the Cardinia Shire Strategic Framework Plan implemented under **Clause 21.01-5**:



CARDINIA STRATEGIC FRAMEWORK PLAN CL 21.01-5

The proposal is consistent with this strategic land use and development vision and will complement the environmental and landscape values of the site and surrounds.

CLAUSE 21.02 ENVIRONMENT

Clause 21.02 Environment describes planning's role in protecting, improving and managing the Shire's environment, natural resources and biodiversity, as well as ensuring risks to life, property and the environment are minimised.

The proposal is consistent with **Clause 21.02-2 Landscape** and **Clause 21.02-3 Biodiversity** which both seek to avoid the erosion of the existing biodiversity of the Shire and its significant contribution to the landscape. **Clause 21.02-2 Landscape** has regard for the diverse landscapes within the Cardinia Shire and seeks to *recognise and protect the diverse landscapes and areas of significant landscape value*.

The following strategies have been addressed in the design and siting of the proposal:

Landscape values

- *Minimise the fragmentation of land and removal of vegetation in areas of high landscape value.*

Design and built form

- *Require the use of building materials and colours which are in context with the surrounding environment in areas of landscape significance and in rural residential and rural living areas.*
- *Ensure the sensitive siting of buildings and other structures having regard to the protection of prominent ridgelines, significant views and areas of remnant vegetation.*

The subject site features patches of remnant vegetation and is within a designated area of zoological significance. The proposed buildings and works have been designed and sited to avoid impacts to vegetation and the environmental and landscape qualities of the site and surrounds.

Clause 21.02-3 Biodiversity has regard for the Shire's diverse environment which contains a wide range of native flora and fauna habitats. The design and siting of the buildings and works responds appropriately to the key issues and aligns with the biodiversity objectives.

Clause 21.02-3 Bushfire Management acknowledges the high risk associated with some of the areas within the shire and seeks to *recognise that areas in the municipality are prone to bushfire and to minimise the potential risk to life, property and the environment*. The site is subject to the Bushfire Management Overlay and a Bushfire Management Plan with defendable space is provided in support of this application. The proposed buildings have been sited within a cleared area of the land where the risk of loss of life or property from wildfire can be mitigated to an acceptable level and the provision of defendable space can be achieved without vegetation removal. Access is to be provided via an all-weather driveway. Water tanks will be provided onsite for fire fighting purposes as per the requirements of the BMP.

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CLAUSE 21.03 SETTLEMENT AND HOUSING

Gembrook is a large rural township in the settlement hierarchy listed under **Clause 21.03-4 Rural townships**. Objective 1 seeks to *provide for the sustainable development of townships in the municipality having regard to environmental and servicing constraints*. Reticulated sewer is not a feature of rural areas outside of the immediate township and a Land Capability Assessment has been prepared in support of the proposal to demonstrate that the land can treat and retain all domestic wastewater onsite.

Objective 2 seeks to *maintain and enhance the distinct character and environmental qualities of each of the townships*. The proposal aligns with the following strategies to achieve this objective:

- *Ensure that the siting and design of new buildings and works complement the rural character of the township and does not dominate the landscape or surrounding built form character.*
- *Protect the natural environment and character of the area, particularly in areas of remnant vegetation in the hills townships.*
- *Maintain and promote the overall historic character within each township.*
- *Encourage new development to include works that enhance the environment including the protection of waterways and remnant vegetation, weed control and revegetation.*

The buildings and works have been designed and sited to limit impacts to the landscape and environmental qualities of the site and surrounds. The proposed dwelling and outbuilding are complementary to existing built form evidenced in the wider area and rural character of Gembrook.

Objective 3 seeks to *create sustainable and functional townships that support a range of commercial, retail, community and recreational facilities and services*. The following strategy has been considered:

- *Limit residential development, including rural residential subdivision, in the hills towns (Emerald, Gembrook, Cockatoo, Upper Beaconsfield, Clematis, Avonsleigh, and Maryknoll) unless provided for by the township strategies or the development results in significant environmental or community benefits.*

Clause 21.07 Local Areas – Hills Region and **Clause 21.07-1 Gembrook** apply to applications to use and develop land within the Gembrook township. The subject site is outside of the Gembrook Township Strategy area. The proposal is an appropriate outcome for the subject site, will not result in any environmental impacts and will provide social and economic benefits to the Gembrook township associated with population growth.

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7. STATE AND LOCAL PLANNING POLICY FRAMEWORK

This part of the report assesses and responds to the legislative and policy requirements for the project outlined in the Cardinia Planning Scheme and in accordance with the Planning and Environment Act 1897. The relevant clauses of the State & Local Planning Policy Framework for subdivisions of the type presented in this report are largely contained in Clauses 11, 12, 13, 15 & 16.

An assessment against the relevant clauses of the Cardinia Planning Scheme has been provided below:

CLAUSE 11 SETTLEMENT

Clause 11.01-1S Settlement, and **11.01-1R Settlement – Metropolitan Melbourne** have regard for the sustainable growth and development of Victoria and the maintenance of a permanent urban growth boundary around Melbourne. Of relevance is the settlement objective and strategies of **Clause 11.01-1R Green Wedges – Metropolitan Melbourne** which seeks to *protect the green wedges of Metropolitan Melbourne from inappropriate development*. The proposal is considered an appropriate planning outcome for the site given the risks associated with bushfire can be mitigated to an acceptable level and the proposed siting and design of buildings and works have minimised impacts to the landscape and environment. The proposal complements and enhances the existing rural character of Gembrook, which is consistent with the objective and strategies of **Clause 11.03-3S Peri-urban areas**.

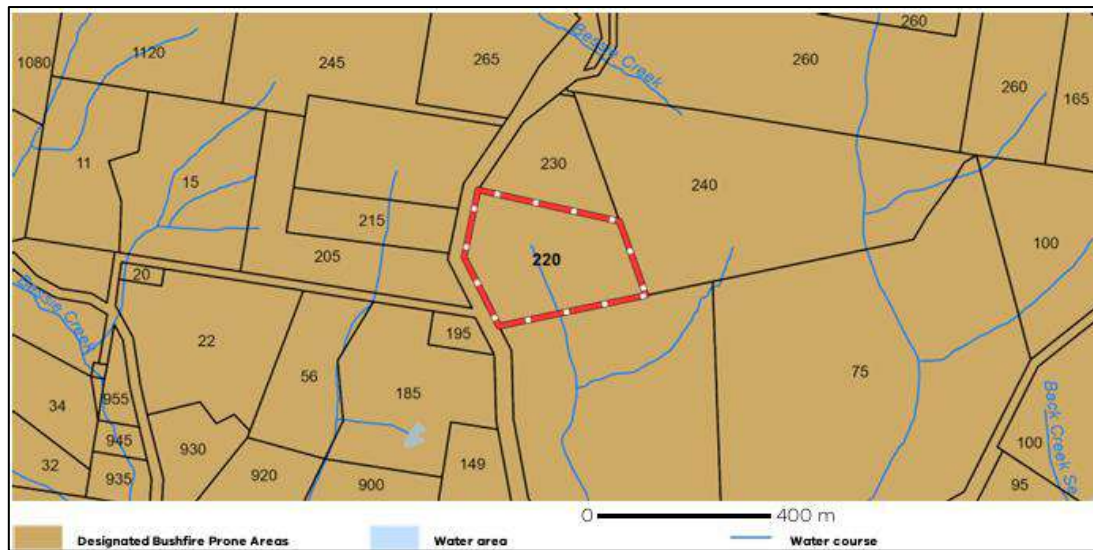
CLAUSE 12 ENVIRONMENTAL AND LANDSCAPE VALUES

Clause 12.01 Biodiversity, and **Clause 12.01-1S Protection of biodiversity** both seek to protect and enhance the biodiversity in Victoria. No vegetation removal is proposed, and the design and siting of buildings and works will not result in any fragmentation or cumulative impacts to important areas of biodiversity. This is consistent with **Clause 12.01-2S Native vegetation management** and the objective to *ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation*. **Clause 12.05-2S Landscapes** seeks to *protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments*. The proposal aligns with the strategies contained within this clause, particularly the need to *ensure development does not detract from the natural qualities of significant landscape areas and ensure important natural features are protected and enhanced*.

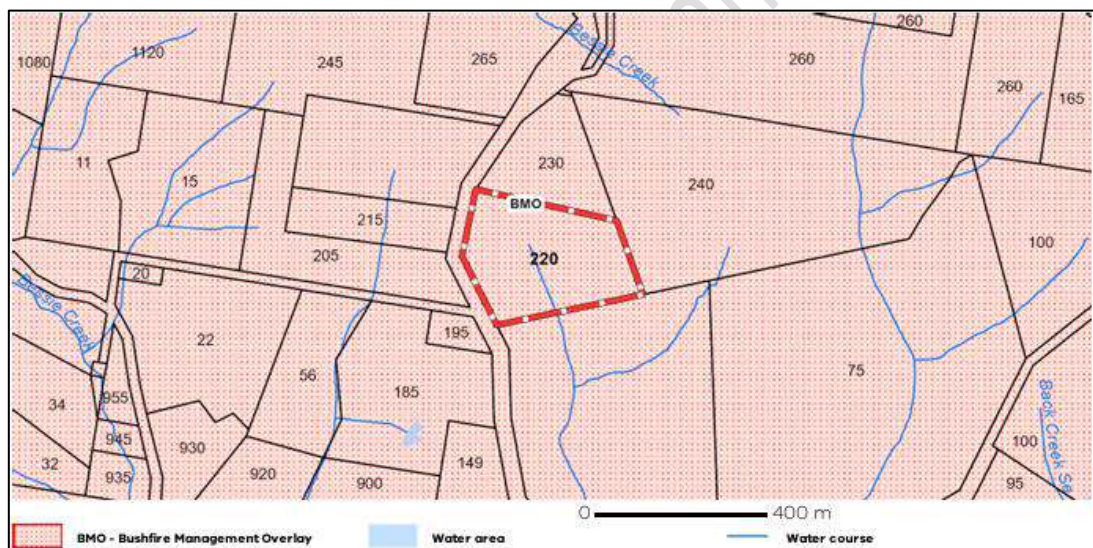
CLAUSE 13 ENVIRONMENTAL RISKS AND AMENITY

Clause 13.01-1S Natural hazards and climate change seeks to prioritise risk-based planning to minimise the potential for impacts and natural hazards associated with climate change. The strategy to focus growth and development to low-risk locations is relevant to this proposal which seeks to develop the land with a building used for accommodation and associated outbuilding in the Bushfire Management Overlay. **Clause 13.02-1S Bushfire Planning** relates to land within a designated bushfire

prone area, subject to the Bushfire Management Overlay; and/or proposed to be used or developed in a way that may create a bushfire hazard. The subject land is contained entirely within a designated bushfire prone area and is subject to the Bushfire Management Overlay:



DESIGNATED BUSHFIRE PRONE AREA (VICPLAN, 2025)



BUSHFIRE MANAGEMENT OVERLAY (VICPLAN, 2025)

The objective of **Clause 13.02-15** is to strengthen the resilience of settlements and communities to bushfire through risk based planning that prioritises the protection of human life and is achieved through strategies that prioritise the protection of human life over all other policy considerations; directing population growth and development to low risk locations; and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.

A Bushfire Assessment prepared by WXB Consulting is provided in support of this application which has addressed the requirements of all relevant bushfire policy. The Bushfire Assessment has found that the bushfire risk associated with the proposal can be mitigated to an acceptable level, and that the proposed dwelling should be constructed to a bushfire attack level of BAL29. Defendable space is to be provided for a distance of 49m to the south and east, and to the property boundary to the north

and west. A static water supply tank with a capacity of 10,000 litres is proposed for firefighting purposes in accordance with the Bushfire Assessment recommendations.

Access for emergency services to the site, and egress options from the site are consistent with the standards of **Clause 53.02** and the strategies of **Clause 21.02-4 Bushfire management**.

CLAUSE 15 BUILT ENVIRONMENT AND HERITAGE

Clause 15 Built Environment and Heritage has the objective to ensure planning delivers high quality built form that is efficient, responds to surrounding character and the environment and associated risks, protects heritage, and provides the functionality required by the community.

Clause 15.01-2S Building design seeks to *achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development*. A comprehensive site analysis has formed the basis for the proposed design, and the proposed built form is responsive to the key constraints and considerations of the site and not foreseen to result in any adverse impacts to surrounding land uses and development. All new residential buildings are required to achieve a minimum of 7 stars under the new home energy efficiency standards. Rainwater tanks will provide potable water in the absence of reticulated water. Stormwater will be discharged to the satisfaction of the responsible authority.

Clause 15.01-5S Neighbourhood character has the objective to *recognise, support and protect neighbourhood character, cultural identity, and sense of place*. The proposal responds to the site's context and enhances the features and characteristics of the local environment. This is consistent with the objective of **Clause 15.01-6S Design for rural areas** (*to ensure development respects valued areas of rural character*).

CLAUSE 16 HOUSING

Clause 16 Housing relates to the provision of housing in Victoria. **Clause 16.01-3S Rural residential development** seeks to *identify land suitable for rural residential development* and contains the strategy to *manage development in rural areas to protect agriculture and avoid inappropriate rural residential development*. The proposal does not detract from the agricultural, environmental or landscape qualities of the land and site coverage under the current design is less than 0.4% of the total site area.

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8. PARTICULAR PROVISIONS

The relevant particular provisions/documents that will be addressed are identified below:

- **Clause 52.17 Native Vegetation**

CLAUSE 52.17 NATIVE VEGETATION

Clause 52.17 Native vegetation seeks:

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017 (The Guidelines)):*
 1. *Avoid the removal, destruction or lopping of native vegetation.*
 2. *Minimise the impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
- *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

Clause 52.17 Native vegetation applies to land with an area of and greater than 0.4ha and prescribes the requirement for a permit to remove, destroy or lop native vegetation, including dead native vegetation (where native vegetation is defined as vegetation indigenous to Victoria).

Pursuant to **Clause 52.17**:

- A permit is required to remove, destroy or lop native vegetation unless the removal is in accordance with an incorporated Native Vegetation Precinct Plan (NVPP) under **Clause 52.16** or an exemption tabled at **Clause 52.17-7** applies.
- A permit may also be required if the responsible authority considers that a proposed use or development is considered likely to involve or result in the consequential loss of native vegetation as a result of issuing a permit or approving a plan.

No native vegetation is lost under the current design either directly or consequentially by exemptions enabled by the proposal and **no permit is required under Clause 52.17.**

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9. GENERAL PROVISIONS

The relevant general provisions that will be addressed in this section are identified below:

- Clause 65 Decision Guidelines
- Clause 65.01 Approval of an Application or Plan

CLAUSE 65 DECISION GUIDELINES

Clause 65 states that the Responsible Authority must decide whether the proposal will provide acceptable outcomes in terms of the decision guidelines of this Clause. The decision guidelines of **Clause 65.01** relate to the approval of an application or plan and have been addressed below to demonstrate that the proposal is an acceptable planning outcome:

CLAUSE 65.01 APPROVAL OF AN APPLICATION OR PLAN	
DECISION GUIDELINES	RESPONSE
<i>The matters set out in Section 60 of the Act.</i>	The land is not identified as being contaminated. The site constraints and considerations of the land have been responded to throughout the design process.
<i>Any significant effects the environment, including the contamination of the land, may have on the use or development.</i>	
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	
<i>The purpose of the zone, overlay or other provision.</i>	
<i>Any matter required to be considered in the zone, overlay or other provision.</i>	
<i>The orderly planning of the area.</i>	The planning considerations have been adequately addressed within this report in sections 4-6.
<i>The effect on the environment, human health and amenity of the area.</i>	
<i>The proximity of the land to any public land.</i>	The proposed development does not pose any foreseeable adverse impacts to the environment, human health or the amenity of the area. No native vegetation removal is required and there are no impacts to biodiversity.
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i>	The proposed development does not adversely impact any public land within the vicinity of the site.
	No foreseeable factors that may cause or contribute to land degradation, salinity or

	reduced water quality have been identified during the design process.
<i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i>	Stormwater will be directed to the LPOD to the satisfaction of the Responsible Authority.
<i>The extent and character of native vegetation and the likelihood of it's destruction.</i>	No native vegetation is proposed to be removed under the current design.
<i>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</i>	
<i>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.</i>	The subject site is not prone to inundation. A Bushfire Management Plan has been prepared which demonstrates that defensible space can be achieved and maintained on the subject site.
<i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</i>	Loading and unloading facilities are not relevant to this proposal.
<i>The impact the use or development will have on the current and future development and operation of the transport system.</i>	The proposal does not adversely impact on the current and future development and operation of the transport system.

10. CONCLUSION

This town planning report has sought to demonstrate that the proposal is an appropriate planning outcome that helps to give effect to the Municipal Planning Strategy, State and Local Planning Policy Framework and the relevant policies, objectives and strategies of the Cardinia Planning Scheme.

The proposal is appropriate when having regard to the purpose and decision guidelines of the zone and applicable overlays. The proposed dwelling and outbuilding have taken design cues from existing built form in the area in terms of height, colour, materials, form, size and scale and will not adversely impact on nearby land use and development. Bushfire risk and land capability have been appropriately responded to throughout the design process. The proposal provides an excellent opportunity for Council to support population growth in the Gembrook locality without adverse impacts to the environment or landscape qualities of the area.

As such, we ask that Council look favourably upon this application.

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Ilex aquifolium
Holly
Exotic
Environmental
weed under
ESO1



*Brachychiton
acerifolius*
F. Muell
Illawarra Flame
Tree
Aus Native



Malus spp
Apple
Exotic
Environmental
weed under
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