

Notice of Application for a Planning Permit

The land affected by the application is located at:	L1 LP124721 & L1 TP615370 Parish of Gembrook 11 Aclare Road, COCKATOO VIC 3781
The application is for a permit to:	Resubdivision of land comprising two (2 lots), buildings and works in a road reserve (creation of access), and removal of native vegetation in a road reserve

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

35.04-3	Subdivide land
44.06-2	Subdivide land
42.01-2	Subdivide land
43.02-2	Construct a building or construct or carry out works
42.02-2	Remove, destroy or lop vegetation
52.17-1	Remove, destroy or lop native vegetation

APPLICATION DETAILS

The applicant for the permit is:	Nobelius Land Surveyors
Application number:	T250157

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:

10 April 2026

WHAT ARE MY OPTIONS?

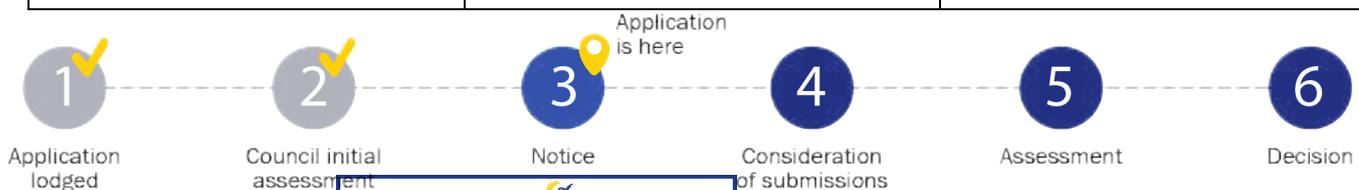
Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

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.





ADVERTISED MATERIAL
 Planning Application: T250157
 Date Prepared: 24 March 2026

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Application to amend a current planning application

Application number:	T250157 PA
Address of subject site	Lot 1 LP124721, Lot 1 TP615370Y (11 Aclare Road, Cockatoo VIC 3781), Roads R1, R2 and R3 on Plan of Subdivision 011341 (Lisheen Road).

Pursuant to which section of the Planning and Environment Act 1987 is this amendment being made?	
Section 50 - Amendment to application at request of applicant before notice:	<input checked="" type="checkbox"/>
Section 50A - Amendment to application at request of responsible authority before notice:	<input type="checkbox"/>
Section 57A - Amendment to application after notice is given:	<input type="checkbox"/>

Applicant:	
Phone:	
Email:	
Postal Address:	

What is the purpose of the amendment? Please list all changes:
<p>The Section 50 formalises the change to lots subject to re-subdivision of land comprising two lots to include Lot 1 TP615370Y and Lot 1 LP124721 (11 Aclare Road, Cockatoo VIC 3781), with works and vegetation removal in the 70 most easterly metres of Lisheen Road formally identified as Roads R1, R2 and R3 on Plan of Subdivision 011341 (Lisheen Road). The proposal now excludes Allotment 126H.</p> <p>The proposal seeks the "Re-Subdivision of land comprising two lots; Works in a Road Reserve and Vegetation Removal".</p> <p>Plans have been revised to reflect this most recent re-subdivision layout including the BMS and BMP, Arborist Assessment, Development Plan, FLP, and Plan of Subdivision.</p>
Date: 14 January 2026
 ADVERTISED MATERIAL Planning Application: T250157 Date Prepared: 24 March 2026
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Declaration	
I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the planning permit application.	
Print name:	
Signature:	

Fees	
Amendment in accordance with Section 50 or 50A	Nil
Amendment pursuant to Section 57A	40% of the fee applicable to the original permit class plus the difference in fees if the amendment changes the class of permit to that with a higher application fee.

Lodgement of application

Your application can then be sent via email, mail or submitted in person at Council's Civic Centre.

Assistance

If any assistance in completing this form is required, we recommend you contact Council's Statutory Planning Unit on **1300 787 624** before lodging an application. Insufficient or unclear information may delay the processing of your application.

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

Cardinia Shire Council
Civic Centre
20 Siding Avenue, Officer

PO Box 7
Pakenham 3810 (DX 81006 Pakenham)

 Cardinia ADVERTISED MATERIAL Planning Application: T250157 Date Prepared: 24 March 2026 <small>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.</small>
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Phone: 1300 787 624
Email: mail@cardinia.vic.gov.au
Web: cardinia.vic.gov.au

National Relay Service (NRS)

TTY: 133 677 (ask for 1300 787 624)

Speak and Listen (speech-to-speech relay): 1300 555 727 (ask for 1300 787 624)

Translator Interpretation Service

131 450 (ask for 1300 787 624)



Application to amend a current planning application



Application number:	T250157 PA
Address of subject site	11 Aclare Road, Cockatoo 3781, formally described as, Lot 1 LP124721 and allotment 126H (TP742251W).

Pursuant to which section of the Planning and Environment Act 1987 is this amendment being made?	
Section 50 - Amendment to application at request of applicant before notice:	<input checked="" type="checkbox"/>
Section 50A - Amendment to application at request of responsible authority before notice:	<input type="checkbox"/>
Section 57A - Amendment to application after notice is given:	<input type="checkbox"/>

Applicant:	[REDACTED]
Phone:	[REDACTED]
Email:	[REDACTED]
Postal Address:	[REDACTED]

What is the purpose of the amendment? Please list all changes:

The augmentation of a section of Lisheen Road introduces buildings and works and vegetation removal to the application preamble.



ADVERTISED MATERIAL
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Declaration	
I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the planning permit application.	
Print name:	[REDACTED]
Signature:	[REDACTED]

Fees	
Amendment in accordance with Section 50 or 50A	Nil
Amendment pursuant to Section 57A	40% of the fee applicable to the original permit class plus the difference in fees if the amendment changes the class of permit to that with a higher application fee.

Lodgement of application

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National Relay Service (NRS)



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Translator Interpretation Service

131 450 (ask for 1300 787 624)



ADVERTISED MATERIAL

Planning Application: T250157

Date Prepared: 24 March 2026

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Application Summary

Portal Reference: A125701

Basic Information

Proposed Use: Two (2) Lot Boundary Re-Alignment (Existing Titles)
 Current Use: Existing Dwelling
 Site Address: 11 Aclare Road Cockatoo 3781

Covenant Disclaimer

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

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

Contacts

Type	Name	Address	Contact Details
Applicant	[Redacted] Nobelius Land Surveyors	PO BOX 451, Pakenham VIC 3810	W: 03-5941-4112 E: terry@nobelius.com.au
Owner	[Redacted]		
Preferred Contact	[Redacted] Nobelius Land Surveyors	PO BOX 451, Pakenham VIC 3810	W: 03-5941-4112 E: terry@nobelius.com.au

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Fees

Regulation Fee Condition	Amount	Modifier	Payable
9 - Class 19 To effect a realignment of a common boundary between lots or to consolidate two or more lots	\$1,453.40	100%	\$1,453.40
Total			\$1,453.40



City 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
17-03-2025	Subdivision Plan	Vol 4166 fol 171.pdf
17-03-2025	Subdivision Plan	Vol 5566 fol 024.pdf
17-03-2025	Subdivision Plan	Vol 5264 fol 903.pdf
17-03-2025	Explanatory Letter	Town Planning report - 11 Aclare - Boundary realignment.pdf
17-03-2025	Additional Document	Re-Submission of boundary realignment at 11 Aclare Rd Cockatoo.pdf
17-03-2025	Additional Document	Aclare Road Development Plan Ver 5.pdf
17-03-2025	Additional Document	Sub_(TW) Cert Ver K.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	[REDACTED] Mabelka Land Surveys Pty.	PO BOX 461, Pakenham VIC 3810	W: 03-5941-4113 E: gerry@mbellka.com.au
Submission Date	17 March 2025 - 03:03PM		

Declaration

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


Civic Centre
20 Siding Avenue, Officer, Victoria

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

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

Page 1 of 1

VOLUME 04166 FOLIO 171

Security no : 124122891443X
Produced 17/03/2025 02:46 PM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 126H Parish of Gembrook.

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP742251W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

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

Street Address: 11 ACLARE ROAD COCKATOO VIC 3781

DOCUMENT END


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Planning Application: T250157
Date Prepared: 24 March 2026

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Document Type	Plan
Document Identification	TP742251W
Number of Pages (excluding this cover sheet)	2
Document Assembled	17/03/2025 14:46

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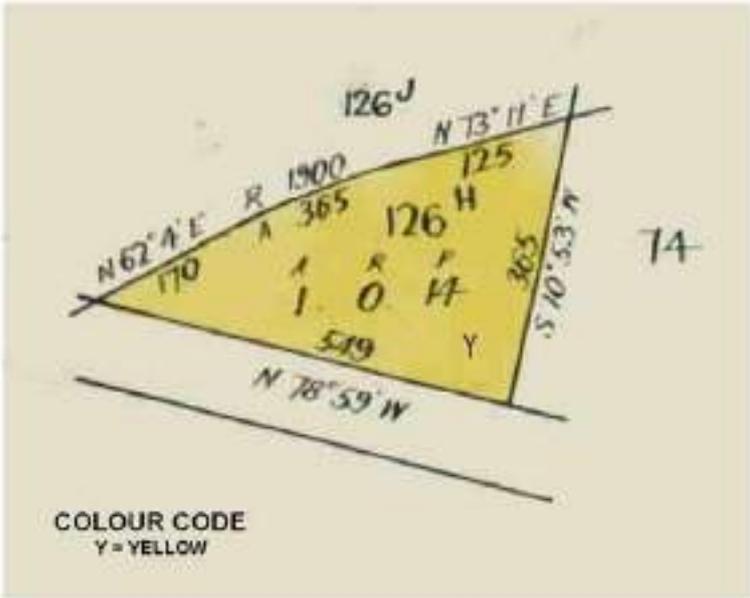
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TITLE PLAN	EDITION 1	TP 742251W
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<p>Location of Land:</p> <p>Parish: GEMBROOK Township: Section: Crown Allotment: 120H Crown Portion:</p> <p>Last Plan Reference:</p> <p>Derived From: VOL 4166 FOL 171 Depth Limitation: 60 FEET</p>	<p style="text-align: center;">Notations</p> <p>SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 4166 FOL. 171 AND NOTED ON SHEET 2 OF THIS PLAN</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
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<p>Description of Land / Easement Information</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 03/05/2002 VERIFIED: DA</p>
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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 05566 FOLIO 024

Security no : 124122891020H
Produced 17/03/2025 02:39 PM

LAND DESCRIPTION

Lot 1 on Title Plan 615370Y (formerly known as part of Lot 54 on Plan of Subdivision 009547).

PARENT TITLE Volume 04586 Folio 129

Created by instrument 1423601 29/07/1929

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP615370Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

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

Street Address: 11 ACLARE ROAD COCKATOO VIC 3781

DOCUMENT END


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Planning Application: T250157
Date Prepared: 24 March 2026

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Document Type	Plan
Document Identification	TP615370Y
Number of Pages (excluding this cover sheet)	1
Document Assembled	17/03/2025 14:39

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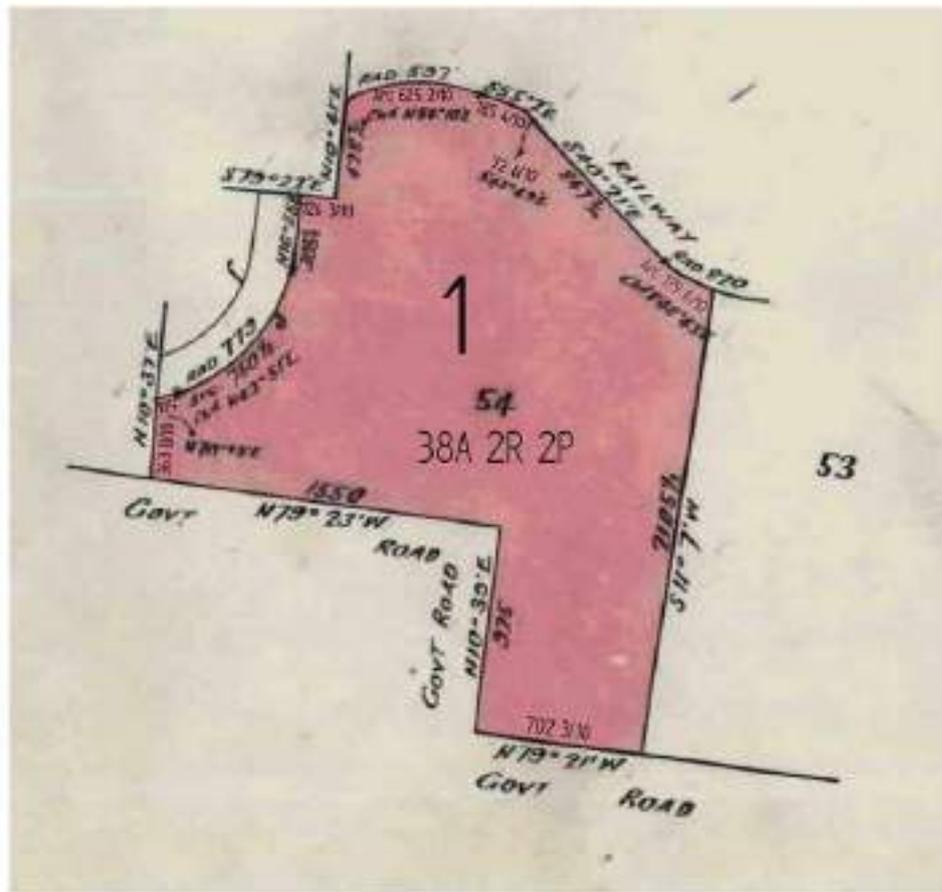
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TITLE PLAN	EDITION 1	TP 615370Y
-------------------	------------------	-------------------

<p>Location of Land</p> <p>Parish: GEMBROOK Township: Section: Crown Allotment: 74 (PT) Crown Portion:</p> <p>Last Plan Reference: LP 9547 Derived From: VOL 5566 FOL 024 Depth Limitation: NIL</p>	<p>Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
--	--

<p>Description of Land / Easement Information</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 30/09/2000 VERIFIED: AK</p>
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Cardinia
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 Planning Application: T250157
 Date Prepared: 24 March 2026

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TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1992
PARCEL 1 = LOT 54 (PT) ON LP 9547

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

VOLUME 09264 FOLIO 903

Security no : 124122890848U
Produced 17/03/2025 02:38 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 124721.

PARENT TITLES :

Volume 05947 Folio 375 Volume 08155 Folio 971

Created by instrument G948026 27/01/1978

REGISTERED PROPRIETOR



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ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE LP124721 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

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

Street Address: 11 ACLARE ROAD COCKATOO VIC 3781

DOCUMENT END



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Document Type	Plan
Document Identification	LP124721
Number of Pages (excluding this cover sheet)	1
Document Assembled	17/03/2025 14:38

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124721

LP124721
EDITION 1
APPROVED 11/11/77

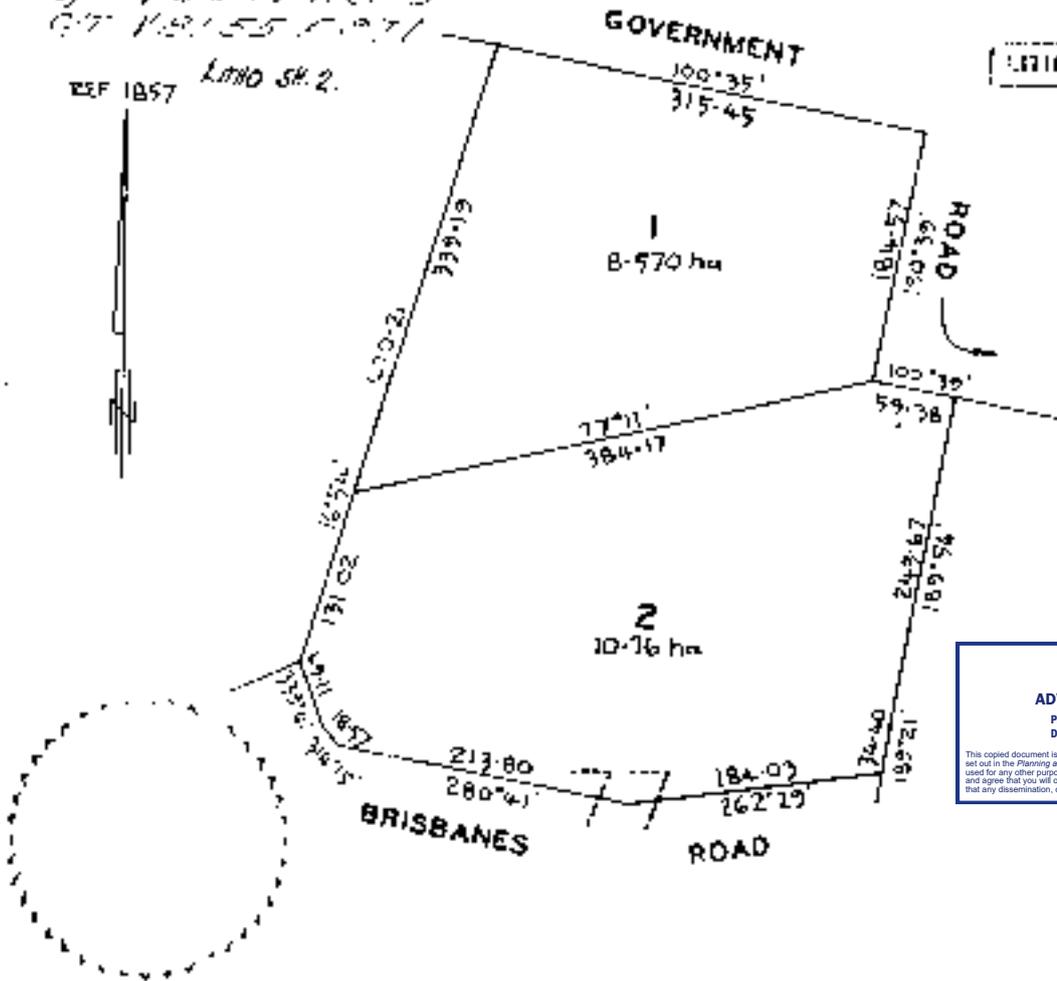
<p>PLAN OF SUBDIVISION PART OF CROWN ALLOTMENT 77 PARISH OF GEMBROOK COUNTY OF EVELYN</p> <p>40 0 50 100 200 300 SCALE : LENGTHS IN METRES</p>	<p>APPROPRIATIONS</p>
--	-----------------------

Q/T V.5047 E.475
Q/T V.8155 C.271

REF 1857

LOT 2 SH. 2.

SECTION 2.



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CONSENT OF COUNCIL	SURVEYORS CERTIFICATION
<p><i>Edward J. Curran</i> <i>Wallis</i> 26 September 7.</p>	<p>I CERTIFY THAT THIS PLAN WAS MADE BY ME OR UNDER MY IMMEDIATE SUPERVISION, ACCORDS WITH TITLE AND IS MATHEMATICALLY CORRECT</p> <p><i>[Signature]</i> LICENSED SURVEYOR 17/11/1976</p>

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

Page 1 of 1

VOLUME 05095 FOLIO 955

Security no : 124127132915B
Produced 14/08/2025 11:57 AM

LAND DESCRIPTION

Roads R1,R2 and R3 on Plan of Subdivision 011341.
PARENT TITLE Volume 04427 Folio 322
Created by instrument 2625223R 28/08/1925

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CARDINIA SHIRE COUNCIL of HENTY WAY PAKENHAM VIC 3810
AR440442R 11/09/2018

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE LP011341 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY498885S	AMEND eCT CONTROL PARTY	Registered	12/06/2025

-----END OF REGISTER SEARCH STATEMENT-----

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

ADMINISTRATIVE NOTICES

NIL

eCT Control REGISTRAR OF TITLES
Effective from 12/06/2025

DOCUMENT END


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PLAN OF SUBDIVISION

EDITION 1

PS 746908 J

LOCATION OF LAND

PARISH: Gembrook

TOWNSHIP: ---

SECTION: ---

CROWN ALLOTMENT: 74 (Part), and 77 (Part)

CROWN PORTION: ---

TITLE REFERENCE: Vol. 9264 Fol. 903 and Vol. 5566 Fol. 024

LAST PLAN REFERENCE: Lot 1 on LP 124721 and Lot 1 on
TP 615370 Y

POSTAL ADDRESS: 11 Aclare Road, COCKATOO 3781
(at time of subdivision)

MGA CO-ORDINATES: E: 369 300 ZONE: 55
(of approx centre of land N: 5 798 800 GDA 94
in plan)

Council Name: Cardinia Shire Council



ADVERTISED MATERIAL
 Planning Application: T250157
 Date Prepared: 24 March 2026

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VESTING OF ROADS AND/OR RESERVES

NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
Nil	Nil

Lot 2 is not the subject of this survey. Dimensions have been derived from Title.
Lot 2 consists of 2 parts.

NOTATIONS

DEPTH LIMITATION: 15.24m for Crown Allotment 126H

SURVEY:
This plan is based on a partial survey.

STAGING:
This is not a staged subdivision.
Planning Permit No. T250157

This survey has been connected to permanent marks No(s).
In Proclaimed Survey Area No. ---

EASEMENT INFORMATION

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

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of

NOBELIUS LAND SURVEYORS



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

SURVEYORS FILE REF: 14160

LICENSED SURVEYOR: T. D. WALKER
VERSION L

ORIGINAL SHEET
SIZE: A3

SHEET 1 OF 2

DEVELOPMENT PLAN

11 Aclare Road
Cockatoo

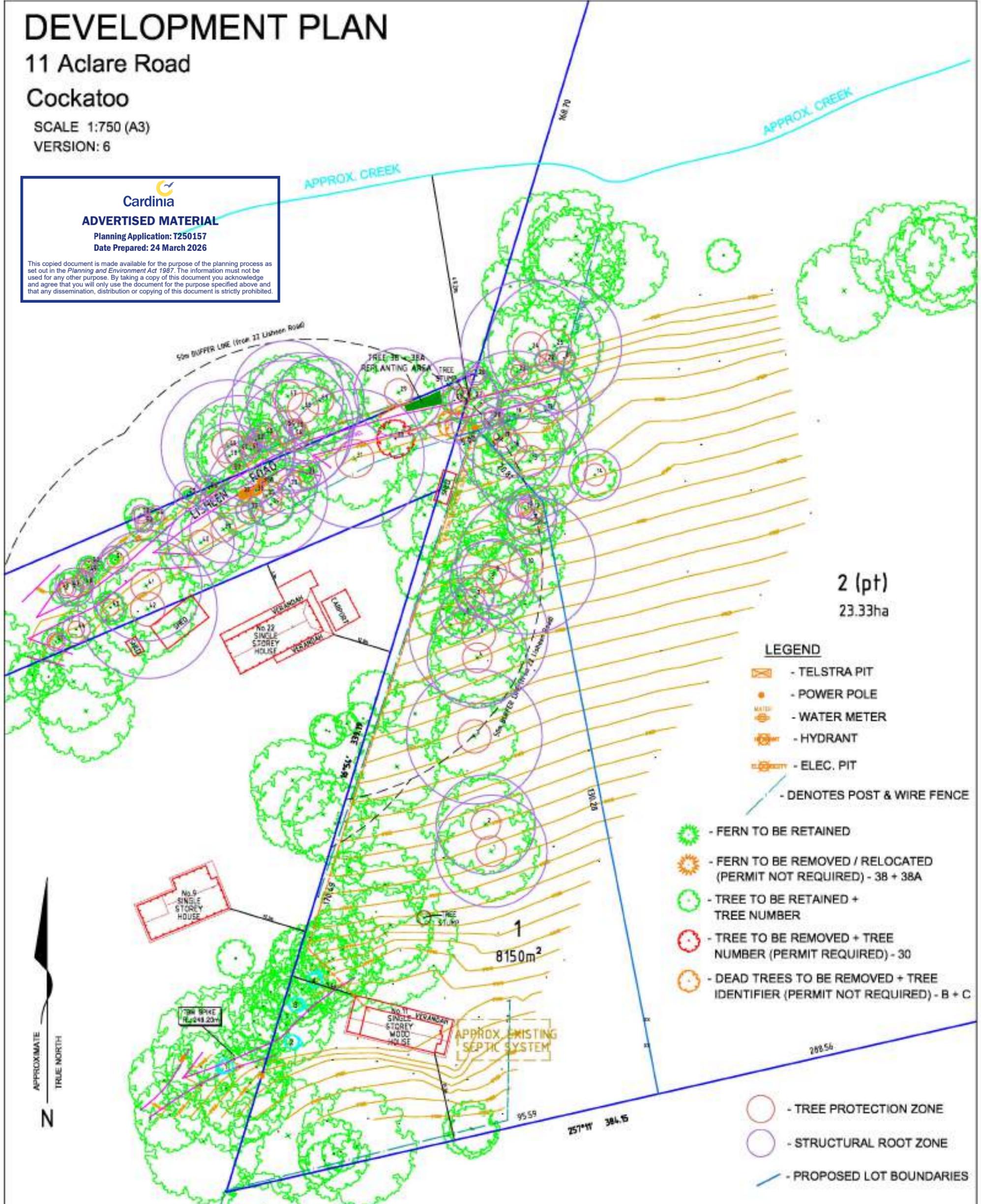
SCALE 1:750 (A3)
VERSION: 6

Cardinia

ADVERTISED MATERIAL

Planning Application: T250157
Date Prepared: 24 March 2026

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LEGEND

- TELSTRA PIT
- POWER POLE
- WATER METER
- HYDRANT
- ELEC. PIT
- DENOTES POST & WIRE FENCE
- FERN TO BE RETAINED
- FERN TO BE REMOVED / RELOCATED (PERMIT NOT REQUIRED) - 38 + 38A
- TREE TO BE RETAINED + TREE NUMBER
- TREE TO BE REMOVED + TREE NUMBER (PERMIT REQUIRED) - 30
- DEAD TREES TO BE REMOVED + TREE IDENTIFIER (PERMIT NOT REQUIRED) - B + C
- TREE PROTECTION ZONE
- STRUCTURAL ROOT ZONE
- PROPOSED LOT BOUNDARIES

NOTE:
- LEVELS SHOWN ON THIS PLAN ARE TO A.H.D BASED ON NAR-NAR-GOON PM 211 (R.L. 144.297)

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.

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

DRAWN BY: [REDACTED]
CHECKED: K.S
DATE OF SURVEY: 30/04/2024
SURV. REF. NO. 14160



ADVERTISED MATERIAL

Planning Application: T250157

Date Prepared: 24 March 2026

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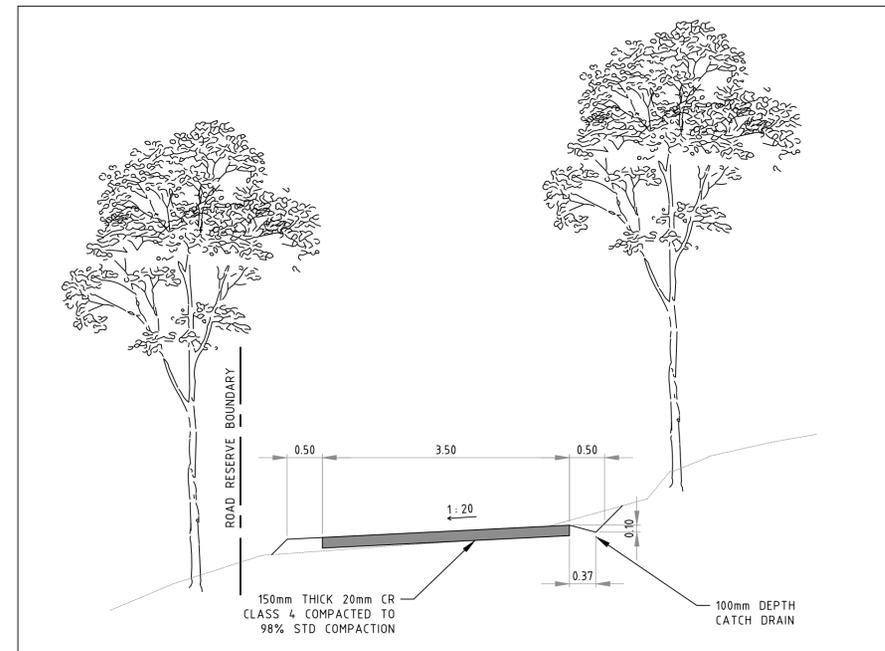
RESIDENTIAL DEVELOPMENT 11 ACLARE ROAD , COCKATOO - VIC 3781

LISHEEN ROAD UPGRADE FUNCTIONAL LAYOUT PLAN



LOCALITY PLAN

N. T. S.



TYPICAL ROAD SECTION

SCALE 1 : 50



WARNING
BEWARE OF UNDERGROUND SERVICES
THE LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION MUST BE PROVEN ON SITE, NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

DRAWING C:\PROJECTS\11 ACLARE RD COCKATOO\DESIGN AND DRAWINGS\11 ACLARE RD COCKATOO-UPG.DWG LAST SAVED ON 12/12/2025 9:10:00 AM PLOTTED ON 12/12/2025 9:12:17 AM BY USER

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PRELIMINARY ISSUE
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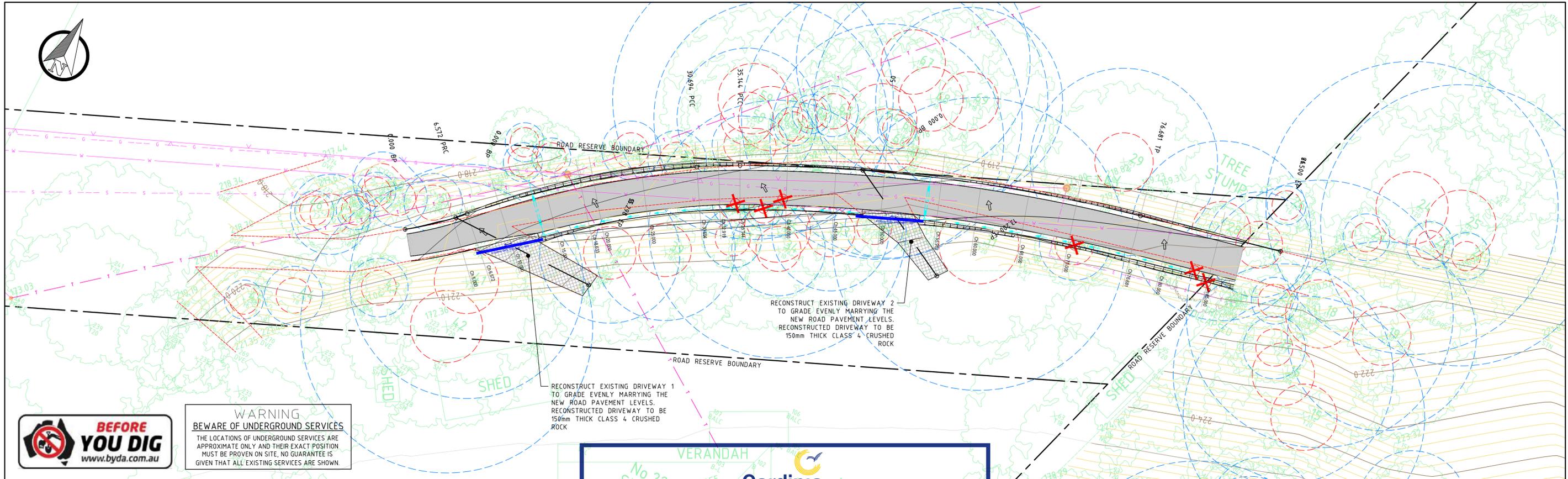
ABN: 87 686 141 679
35 Annette Court,
Endeavour Hills VIC 3802



CLIENT: JOE & VERA FIRRITO
PROJECT TITLE: RESIDENTIAL SUBDIVISION - ACCESS ROAD UPGRADE
SITE ADDRESS: 11 ACLARE ROAD, COCKATOO - VIC 3781

DRAWING TITLE: LISHEEN ROAD UPGRADE - FUNCTIONAL LAYOUT PLAN COVER SHEET

DESIGNED	NK	DRAWN	NK
CHECKED	EA	NO. OF SHEETS	1 OF 3
SCALE	N.T.S.	DATE STARTED	19.06.2025
SITE ID & JOB No.	190121	REV.	
DRAWING No.	FLP-01		D



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RECONSTRUCT EXISTING DRIVEWAY 1 TO GRADE EVENLY MARRYING THE NEW ROAD PAVEMENT LEVELS. RECONSTRUCTED DRIVEWAY TO BE 150mm THICK CLASS 4 CRUSHED ROCK

RECONSTRUCT EXISTING DRIVEWAY 2 TO GRADE EVENLY MARRYING THE NEW ROAD PAVEMENT LEVELS. RECONSTRUCTED DRIVEWAY TO BE 150mm THICK CLASS 4 CRUSHED ROCK

LEGEND

- = OVERHEAD POWER LINE
- = OVERHEAD TELECOMMUNICATION CABLE
- = UNDERGROUND GAS MAIN
- = UNDERGROUND WATER MAIN
- = UNDERGROUND SEWER MAIN
- = EXISTING ROAD FORMATION
- = Ø100mm SMOOTH PIPE SUBSURFACE DRAINAGE
- = 100mm DEEP CATCH DRAIN
- = VICROAD PIT TYPE S1 FOR SUBSURFACE DRAINAGE
- = EXISTING TREE TO BE REMOVED
- = STORMWATER OVERLAND FLOW DIRECTION

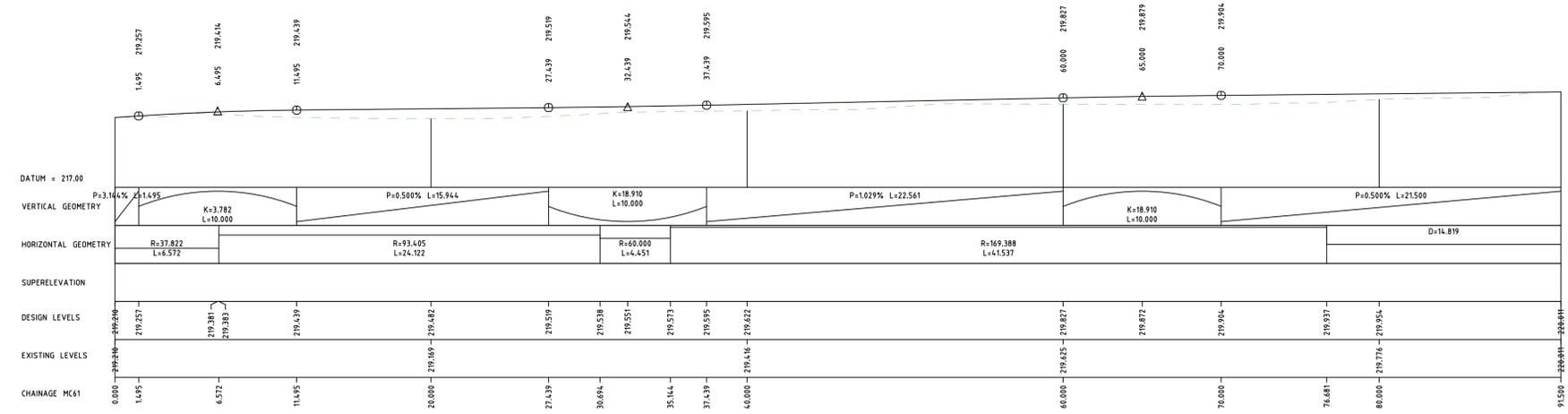
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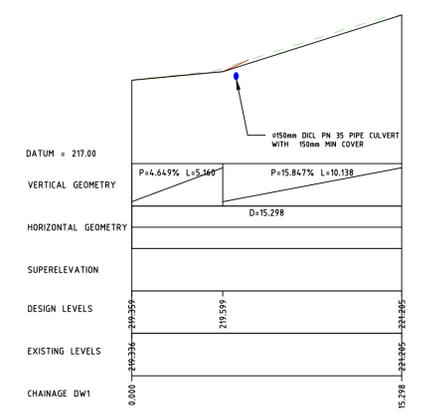
Planning Application: **1250157**
 Date Prepared: **24 March 2026**

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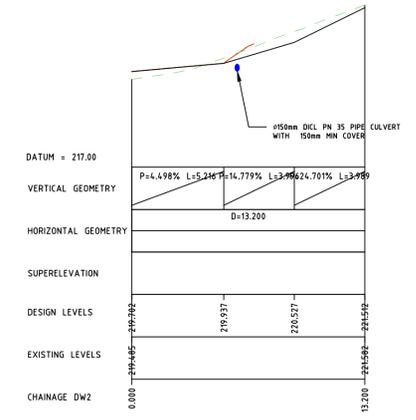
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LISHEEN ROAD CONTROL LINE LONGITUDINAL SECTION
 SCALE: HORIZONTAL 1 : 200
 VERTICAL 1 : 40



DRIVEWAY 1 LONGITUDINAL SECTION
 SCALE: HORIZONTAL 1 : 200
 VERTICAL 1 : 100



DRIVEWAY 2 LONGITUDINAL SECTION
 SCALE: HORIZONTAL 1 : 200
 VERTICAL 1 : 100

REV	DESCRIPTION	DATE	INT	APP
D	DRIVEWAYS LONG SECTION ADDED	12.12.25	NK	EA
C	CATCH DRAIN ADDED IN LIEU OF FRENCH DRAIN	10.10.25	NK	EA
B	REVISED FLP - TYPICAL SECTION & ALIGNMENT FOR APPROVAL	25.07.25	NK	EA
A	FUNCTIONAL LAYOUT PLAN - ISSUED FOR REVIEW	21.07.25	NK	EA

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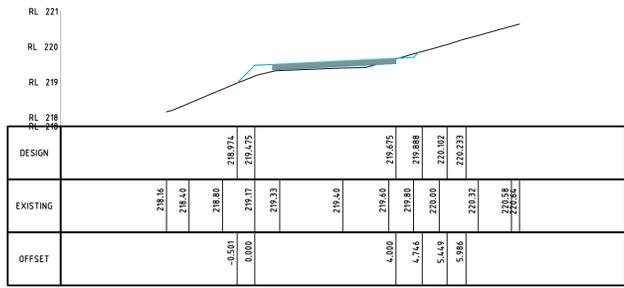
ABN: 87 686 141 679
 35 Annette Court,
 Endeavour Hills VIC 3802



CLIENT: JOE & VERA FIRRITO
 PROJECT TITLE: RESIDENTIAL SUBDIVISION - ACCESS ROAD UPGRADE
 SITE ADDRESS: 11 ACCLARE ROAD, COCKATOO
 DRAWING TITLE: LISHEEN ROAD HORIZONTAL GEOMETRY AND LONGITUDINAL SECTIONS

DESIGNED	DRAWN	NK	NK
EA	NK	2	OF 3
SCALE: 1:200 @ A1 (UNO.)	DATE STARTED: 19.06.2025		
SITE ID & JOB No: 190121	REV:		
DRAWING No:			

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15th December, 2025

Attn: [REDACTED]
Senior Statutory Planner
Cardinia Shire Council



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

Dear Alicia,

APPLICATION NO.	T250157 PA
PROPERTY NO.	2006300600
ADDRESS	Lot 1 LP124721, Lot 1 TP615370Y (11 Aclare Road, Cockatoo VIC 3781), Roads R1, R2 and R3 on Plan of Subdivision 011341 (Lisheen Road).
PROPOSAL	Two (2) lot boundary Re-Alignment (Existing Titles), Buildings and works and vegetation removal.

The following represents our response to the Request for Further Information post Section 50, dated 13 November 2025.

The following documents are provided in support of the RFI response:

- Revised Town Planning Report (V3);
- Revised Bushfire Management Statement (V3) in response to CFA Further Information Required communication dated 17 November 2025;
- Revised Arborist Assessment of vegetation in the Lisheen road reserve by Treed Environs;
- Revised Development Plan (Version 6) by Nobelius Land Surveyors;
- Revised Functional Layout Plan (Rev D) by NFK Civil;
- Opinion of Costs provided by NFK Civil;
- Revised Plan of Subdivision by Nobelius Land Surveyors;
- Completed Section 50 form formalising the revised Titles subject to re-subdivision of land comprising two lots, cites the tiles, costs of development and the date;
- Receipt for payment of additional Council planning fees.

We wish to provide the following responses to the above-mentioned Requests for Further Information (Council and CFA):

FURTHER INFORMATION

1. INFORMATION REQUIRED AS PART OF THE APPLICATION

Outstanding fees

Council's records show an outstanding amount for payment of application fees:

Class	Description	Fee
11	Development applications with estimated cost of \$100,000 or less	*\$1,265.60
20	Other subdivisions	\$1,453.40
Total fees required		\$2,086.20
Fees paid to date		\$1,453.40
Fees outstanding		\$632.80

Response:

The receipt extracted below provided evidence of payment of the above-mentioned Council planning fees.

Tax Invoice 1 Receipt
10-Dec-2025 9:30 am
Receipt Number: 5071180
Council Area Contact: [REDACTED]
Payment Details
\$632.80 - 10 Dec 2025 - 10 Dec 2025
Receipt Details
LP 80000-0-1140-000-022 \$632.80
20 - Planning Permit Fee
(No GST)
T250157
T250157.425563039
Accept total \$632.80
GST amount = \$0.00
This receipt will fade over time if exposed to light.



ADVERTISED MATERIAL

Planning Application: T250157

Date Prepared: 24 March 2026

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2. UPDATED DETAILS ON APPLICATION FORM

Provide an updated Section 50 application form with all sections fully completed. The submitted application form fails to provide adequate information in relation to:

- The formal land description must include Road reservation in Lisheen Road adjacent to Lot 1 LP124721, Lot 1 LP124721, and Crown Allotment 126H Parish of Gembrook (TP742251W) 11 Aclaire Road, Cockatoo.
- The proposal section must be updated to re-subdivision of land compromising two lots.
- Estimated cost of development.
- Date

Response:

- A revised Section 50 form is provided that includes the titles that are now subject to re-subdivision comprising two lots. The re-subdivision will consolidate Lot 1 LP124721 and Lot 1 TP615370Y making them a Lot in two parts on PS746908J and apply the title boundary to Lot 1 PS746908J (around the existing dwelling), with works and tree removal in the 70 most easterly metres of Lisheen road, formally identified as Roads R1, R2 and R3 on Plan of Subdivision 011341.

	<ul style="list-style-type: none"> b. The proposal section of the Section 50 form is updated to read re-subdivision of land comprising two lots. c. The estimated cost of the development is \$61,909, as per the Engineers opinion of costs dated 12 December 2025. Please refer to the document called “190121 11 Aclare Rd Cockatoo – Opinion of Costs”. d. The form is dated 16 December 2025 (There is no section on the form to be dated, so this has been included in the purpose section on the form).
--	---

3. FUNCTIONAL LAYOUT PLAN

Provide an updated Lisheen Road Functional Layout Plans and Longitudinal Section, fully dimensioned and drawn to a stated scale (preferably A3 in size), clearly showing the following:

- a. Driveway culverts under both reconstructed existing driveway entrances to ensure the swale drain on the south side of the road continues to provide adequate drainage.

Response:	A revised Functional Layout Plan is provided by NFK Civil, Rev D. The culverts for the two driveways.
------------------	---

4. ARBORIST REPORT

Provide an updated Arboricultural Report prepared by a qualified experienced Arborist to include the following:

- a. Unique identifying number for all trees proposed to be removed in the Site Plan, and corresponding description of each tree proposed for removal in the tables of tree descriptions and impacts.
- b. Site plan updated to include a 50 metre buffer from any existing dwellings constructed prior to 10 September 2009 to demonstrate where vegetation, except trees, benefits from exemptions pursuant to Clause 52.12-1 Bushfire Protection Exemptions.
- c. Symbols on site plan updated to provide clear demarcation between:
 - i. Trees proposed for retention
 - ii. Trees proposed for removal that are exempt from planning permit requirements
 - iii. Trees proposed for removal that require a planning permit
- d. Update table 1: Tree Assessment data to include the following:
 - i. Action- to describe whether each tree is proposed to be retained, removed or pruned.
 - ii. Planning permit- for all trees proposed for removal, destruction or lopping specify the planning scheme clause that provides an exemption from planning permit requirements including the specific exemption.

Response:	<ul style="list-style-type: none"> a. The Aclare Road Development Plan (Nobelius Land Surveyors) and the revised arborist assessment by <i>Treed Environs</i> show unique tree identification numbers that are employed throughout the arborist report and in the Development Plan to identify and discuss the impacts of the proposal on the trees in Lisheen Road reserve. b. The Development Plan by <i>Nobelius Land Surveyors</i> is updated to include the 50 metre buffer measured from 22 Lisheen Road which was constructed prior to 10 September 2009. This buffer shows that T38, T38A and T36 qualify for the exemption of clause 52.12-1 because there are not regarded as trees (Height of T38 and T38A measure 2 metres and T36 measures 3 metres and they are located in the buffer area).
------------------	--

	<p>c. The Development Plan (Version 6) by <i>Nobelius Land Surveyors</i> is updated to show trees and tree ferns proposed to be retained as green; Trees and tree ferns proposed for removal but qualify for exemptions as orange; trees proposed for removal that require a permit as red. Please refer to the legend of Development Plan (Version 6) for symbols.</p> <p>d. Table 2 has been updated in the <i>Treed Environs</i> arborist assessment to describe whether each tree is proposed to be removed or retained. Recommendations as to how the proposal impacts trees in the Lisheen Road reserve is discussed in Part 11 Conclusions and recommendations, page15.</p>
--	--

5. CLAUSE 52.17 NATIVE VEGETATION

Provide an updated native vegetation removal report in accordance with Clause 52.17 of the Cardinia Planning Scheme and the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2025), to clearly show the following:

- Removal of native vegetation limited to trees and other native vegetation that do not benefit from an exemption from planning permit requirements.
- Extent of vegetation removal mapped in accordance with Section 3.2.1 of the Guidelines for scattered tree/s, and patches of native vegetation as relevant.
- Recent, dated photographs of the native vegetation to be removed, including understorey vegetation. The photos provided in the arborist report are not of sufficient resolution to demonstrate whether a planning permit is or not required to remove understorey native vegetation for the proposed works



Response:	<p>A Native Vegetation removal report has not been provided because the vegetation proposed to be removed does not trigger 52.17 according to the assessing arborist. Please note that the exemptions for the removal of T36, T38 and T38A relies on the terms listed in “Glossary and abbreviations on page 25 of the <i>Treed Environs</i> report. As per below:</p> <p><i>Clause 1.3.18 of AS 4970-2025 defines a tree as a “long-lived woody perennial plant usually greater than 3 m in height with one or relatively few main stems or trunks or as determined by the Responsible Authority”. Where a definition is included in the planning scheme the scheme definition will take precedence over AS 4970-2025.</i></p> <p><i>Clause 52.37 of the planning scheme defines a canopy tree as a tree that has:</i></p> <ul style="list-style-type: none"> • a height of more than 5 metres above ground level; and • a trunk circumference of more than 0.5 metres, measured at 1.4 metres above ground level; and • a canopy diameter of at least 4 metres; <p><i>Clause 72.04 incorporates “The Guidelines for the removal, destruction or lopping of native vegetation Version 1.1 DEECA August 2025” into the planning scheme. The guidelines (note 4 on Page 8) defines a definition of a native canopy tree as a “mature tree (i.e. it is able to flower) that is greater than 3 metres in height and is normally found in the upper layer of the relevant vegetation type”.</i></p> <p><i>Note: Canopy Tree has different meanings between Clause 52.37 and the Guidelines.</i></p>
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6. BUSHFIRE REPORT

Provide an updated Bushfire Report that clearly includes:

- a. A bushfire management statement describing how the proposed development responds to the requirements in Clause 44.06 and Clause 53.02 of the Cardinia Planning Scheme, and specifically: AM 5.2 which applies to applications to subdivide land for rural residential purposes.
 - i. Demonstrate that each proposed lot is capable of meeting the defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.
 - ii. The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.
- b. A bushfire management plan that identifies construction standards, defendable space, water supply and access to the site can be met.

Response:

- a. A full Bushfire Management Statement has been provided that includes the following:
 - i. A response to the requirements of clause 44.06 and clause 53.02 of the Cardinia Planning Scheme and specifically AM5.2 as the proposal contemplates the re-subdivision of land subject to the Green Wedge and used for rural residential purposes. ** Please note that the Council RFI requires a response to AM5.2 and the CFA RFI requires a response be made to AM5.1 – so a response has been provided to both.*
 - ii. The BMS demonstrates that Lot 1 PS46908J is capable of meeting the defendable space in accordance with BAL29. Figure A shows an indicative Building Envelope on Lot 1 PS746908J (proposed) that can achieve a separation from the western boundary of 49metres, which aligns with Column C in Table 2, clause 53.02 (Woodland Downslope 10-15 degrees). A separation of 10 metres is achievable from the grassland to the east (fla slope) and to the south (upslope). Defendable Space can be achieved for a distance on 49 metres to the north (downslope). Lot 2 (pt) has the capacity to accommodate a building envelope in areas of the land that can achieve BAL12.5, as indicated by Figure B. We have also provided Figure C to show that a building envelope with Defendable Space that meets the requirements of Column B (BAL19) Table 2 of Clause 53.02-5 can be achieved on Lot 2(pt) PS746908J. A water supply and access compliant with AM4.3 can be achieved, including a turning area within 100metres of the end of Lisheen Road.
 - iii. Lot 1 has the capacity to meet the requirements of clause 53.02-4.1 and 53.02-4.3. Lot 2 (pt) has the capacity to meet the requirements of clause 53.02-4.1 and 53.02-4.3.
- b. A BMP is provided for Lot 1 has the capacity to meet the requirements of clauses 53.02-4.1 and 53.02-4.3. Please refer to Appendix 4. A BMP is provided for Lot 2 (pt) to illustrate the lot has the capacity to meet the requirements of clauses 53.02-4.1 and 53.02-4.3, as indicated by Appendix 5.

PRELIMINARY ASSESSMENT COMMENTS

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

A. NUMBER OF DWELLINGS LAND COULD BE USED FOR INCREASED

Pursuant to Clause 35.04-3 Subdivision in the Green Wedge Zone, a permit is required to subdivide land, and each lot must be at least the area specified for the land in a schedule to this zone. Schedule 2 specifies the minimum subdivision area for all land is 15 hectares. The proposed lots do not meet this minimum lots size.

Clause 35.04-3 Subdivision also allows a permit to be granted to create smaller lots if the following applies:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.*

Council's Statutory Planning department does not consider the above test to be met, as the number of dwellings that the land could be used for will increase with the current proposal from one dwelling to two dwellings, for the following reasons:

- The current land parcel Crown Allotment 126H Parish of Gembrook (TP742251W) is landlocked with a crown land reserve south of the land, Puffing billy Railway north of the land and private land (L1 TP615370Y) east of the site. As no access is available, use of land for a dwelling on this lot does not meet the use of land requirements pursuant to clause 35.04-2 and a dwelling is prohibited.*
- The proposed re-subdivision of land will create a part lot capable of meeting the use of land requirements for a dwelling pursuant to Clause 35.04-2, with the possibility of a dwelling to be contemplated in a future planning permit application.*

As the proposal will increase the number of dwellings the land could be used for, a permit must not be granted to create lots smaller than the area specified for the land in a schedule to the zone (15 ha).

Council is unlikely to support an application for subdivision that does not meet the minimum subdivision area of the schedule where the number of dwellings the land could be used for increases.

<p>Response:</p>	<p>The response to this preliminary concern reflects the revised proposal to re-subdivide the land comprising two lots, as per the Section 50.</p> <p>The revised proposal contemplates the re-subdivision of land comprising two lots with one lot in two parts; Lot 1 features an existing dwelling that meets the requirements of clause 35.04-2. Lot 2 (pt) has the capacity to meet the requirements of Clause 35.04-2.</p> <p>Lot 1 will measure 8,150m² and Lot 2 (two parts) will measure 23.33 hectares. Part 1.0 of Schedule 2 to clause 35.04 states the minimum lot size is 15 hectares but does not cite a minimum lot area requirement for the development of a dwelling. Clause 35.04-3 states smaller lots can be created in the instance that subdivision is a re-subdivision of land; the number of lots is not increased and the number of dwellings that the land could be used for is not increased. The proposal is consistent with the above-mentioned planning scheme requirements.</p>
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B. ORDERLY PLANNING

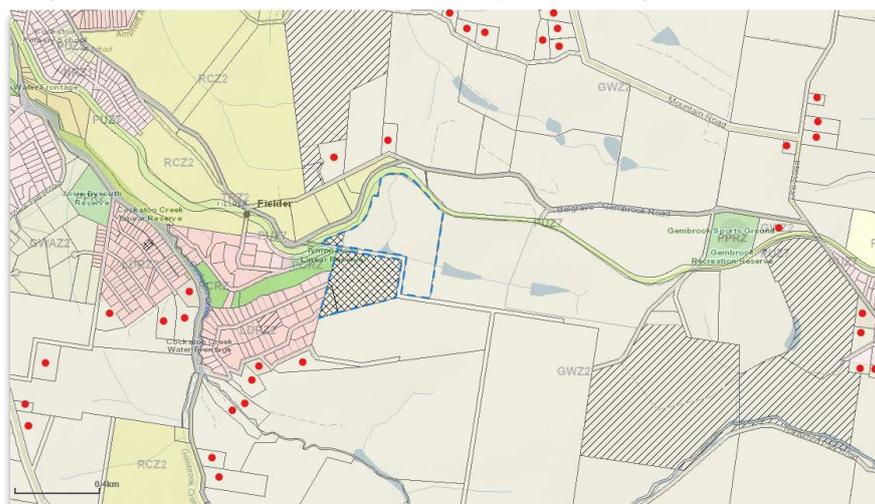
The proposed re-subdivision layout does not achieve orderly planning of the area in accordance with Clause 65.01 Decision Guidelines, for the following reasons:

- Creation of two part lots separated by a paper road
- Retain one of the part lots as a landlocked parcel
- Unbalanced lots, including creation of small rural residential lot in the Green Wedge Zone Council is unlikely to support an application that does not achieve orderly planning.

Response:

The revised proposal contemplates the re-subdivision of land into two lots; Lot 1 and Lot 2 (2 pt). Lot 2 (pt) is employed for agriculture and while there is a *paper road* that dissects the parts, it does not impact the practical operation of the agricultural parcel. The historic *paper road* will not be constructed by Council as it serves no function, is of no benefit and would be cost prohibitive therefore should not burden the reconfiguration of the lots to reflect the practical day to day agricultural operation of the land. Additionally, the paper road does not isolate the northern portion of the Lot 2(pt) because it also benefits from access from i9ts connectivity to co-owned and operated lots to the east. There is however access to Lot 2(pt) from Lisheen road.

Lot 1 measures 8,150m² and will contain the existing dwelling. In terms of character and orderly planning, Lot 1 is consistent with similarly zoned and sized lots in the area and creates a transitional allotment from residential zoned land to the west and the Green Wedge land to the east. The plan below (extracted from page 23 of the revised TP report) identifies those similarly zoned and sized lots (red dots) that are clustered between roads and larger GWZ parcels actively employed in agricultural production. These parcels are a very effective transition from smaller residential zoned land to larger GWZ and actively employed in agricultural productivity. The transitional lots take the benefit of the perception of 'space' from the agricultural land and create a buffer to the benefit of both rural and residential-zoned land in terms of such things as noise and dust; effectively buffering the agricultural land from the consequences of residential land use and buffering the residential land from the consequences of agricultural land use.



C. BUSHFIRE MANAGEMENT OVERLAY APPLICATION REQUIREMENTS NOT WAIVED

The application previously requested council waive the application requirements of the Bushfire Management Overlay.

Council confirmed in the letter dated 14 April 2025 that “Council does not consent to waiving the application requirements under the Bushfire Management Overlay. This land is in a location with high bushfire risk and has not yet demonstrated that fire authority vehicle access requirements can be met.”

Despite this confirmation, the response to further information includes correspondence with the CFA requesting their consent to waive the application requirements of Clause 44.06. The CFA clearly respond “CFA would likely support the responsible authority should they waive the requirements of 44.06-3 of the Cardinia Planning Scheme.”

As the responsible authority has not waived the requirements of 44.06-3, all references throughout the Bushfire Report and Town Planning Report to the CFA consenting to the waiving of application requirements is misleading and must be deleted.

The subject site is in an area of high bushfire risk (landscape type 3). The responsible authority must therefore prioritise the protection of human life over all other policy considerations. The bushfire report provided with the application does not yet demonstrate defendable space can be achieved in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5. This is especially important for Lot 1, which contains an existing dwelling with inadequate setback distances from the bushfire hazard (currently located in BAL-FZ with not BAL construction standard met). If Lot 1 does not provide an adequate setback from the bushfire hazard, and an adequate area for defendable space to be contained wholly within title boundaries, this lot would be under developable for a replacement dwelling should this ever be contemplated in the future.

Council is unlikely to support an application that does not demonstrate bushfire protection measures can be met in an area of high bushfire risk (landscape type 3).



Response:

The Town Planning and Bushfire Management Statement have been revised and reference that implies the requirements of Clauses 44.06 and 53.20 are waived have been removed.

The revised BMS shows that Lot 1 can demonstrate defendable space can be achieved in accordance with Table 2 Column C and Table 6 to Clause 53.02-5, which means the lot can be developed with a replacement dwelling that mitigates the risks associated with the Landscape Type 3, should a replacement dwelling ever be contemplated by a future planning application.

It should be noted that Lot 2(pt) can also provide areas associated with low Bushfire Attack Levels, as indicated by Figures B and C in the revised BMS.

D. RE-SUBDIVISION OF LAND

Council has requested in item 2 that the proposal is amended to re-subdivision of land compromising two lots, rather than the current proposal for a boundary re-alignment.

Council considers that a boundary realignment is limited to a minor boundary adjustment of a common boundary between two lots (as described in clause 62.04). The proposal regards a re-subdivision of two separate land titles to create lots with different areas, one parcel compromising

two part lots, and a new boundary separating Lots 1 and 2 which far exceeds a minor adjustment of existing title boundaries.

Response:	A Section 50 has been provided to formalise the revision of the preamble to read "Re-subdivision of land comprising two lots; works in a road reserve and vegetation removal". Revised Plan of Subdivision, Development Plan, arborist assessment and Functional Layout Plan have been provided to ensure consistency between supportive documents.
------------------	--

E. BUSHFIRE PROTECTION EXEMPTIONS

Tree #36 Acacia melanoxylon proposed for removal is a native understorey tree species, not a canopy species in accordance with the definition of a canopy tree in the Guidelines. This tree is located close to the tree ferns proposed for removal, and very likely benefits from the same clause 52.12-1 exemption to remove vegetation, except trees, within 50 metres of a dwelling constructed prior to 10 September 2009 in a Bushfire Management Overlay.

Response:	The exemption of clause 52.12-2 has been applied to the removal of Tree 36.
------------------	---


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F. BUILDING REGULATIONS

Please be advised that the Council is not assessing this application against the building regulations. It is the applicant's responsibility to ensure compliance with all relevant building regulations. Ensuring compliance at this stage may help avoid the need for future amendments or changes to the plans. For more information, please contact Council's Building Department or a Registered Building Surveyor.

Response:	Noted.
------------------	--------

G. REFERRALS

Please be aware that the Council has forwarded the application to the relevant departments and agencies for their comments. At the date of this letter, we have not yet received their feedback. This feedback may result in further clarification on issues or documentation not mentioned in this letter. We will advise you should any such matters arise.

Response:	Noted.
------------------	--------

If any further information is required, or if there are any questions regarding the submitted information, please do not hesitate to contact me at julie@nobelius.com.au or call 5941 4112.

Yours faithfully,



MUrbPlanEnv, BA Geog (Hons), GradCert Bfire Plan, BPAD Level 1 and 2.
Senior Town Planner



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ENGINEER'S OPINION OF COST

Project No : 190121
 Project Name : Lisheen Road Upgrade
 Site Address : ██████████ catoo - VIC 3781
 Client : ██████████
 Engineer name : Erik Andriansyah
 PE Reg (VIC) No : 0008952
 Date : 12-Dec-25

 **NFK CIVIL**
 ENGINEERING AND DESIGN
 ABN: 87 686 141 679
 35 Annette Court, Endeavour Hills VIC 3802
 M: 0401 782 571
 E: erik.andriansyah@nfkcivil.com.au

Item	Description	Qty	Unit	Rate	Amount
1 PRELIMINARY SITEWORKS & EARTHWORKS					
a	Site Preparation works.				
	Site establishment including provision for access, survey setout, site office and compounds, insurances and other works specified	1	Item	\$ 6,800.00	\$ 6,800.00
	ii Site preparation including removal of surface rock, trim, dirt and rut removal over existing gravel pavement	1	Item	\$ 5,200.00	\$ 5,200.00
b	Tree Removal and Demolition				
	i Tree removal	6	Nos	\$ 1,800.00	\$ 10,800.00
c	Earthworks				
	i Cut	15	m3	\$ 45.00	\$ 675.00
	ii Fill	12	m3	\$ 57.00	\$ 684.00
	iii Top soil 100mm over shoulder and verge batter	96	m2	\$ 12.00	\$ 1,152.00
2 PAVEMENT WORKS					
a	Lisheen Rd Gravel Pavement				
	i 150mm thick 20mm CR CL4 compacted to 98% std compaction	295	m2	\$ 48.00	\$ 14,160.00
b	Driveways Reconstruction				
	i Driveway 1 stripping and regrading	32	m2	\$ 27.00	\$ 864.00
	ii Driveway 1 pavement - 150mm thick 20mm CR CL4 compacted to 98% std compaction	32	m2	\$ 48.00	\$ 1,536.00
	iii Driveway 2 stripping and regrading	24	m2	\$ 27.00	\$ 648.00
	iv Driveway 2 pavement - 150mm thick 20mm CR CL4 compacted to 98% std compaction	24	m2	\$ 48.00	\$ 1,152.00
3 DRAINAGE WORKS					
a	Lisheen Rd Drainage				
	i 100mm dia smooth pipe subsurface drainage - class 1000 plastic pipe inc excavation and backfill	10	lm	\$ 112.00	\$ 1,120.00
	ii VicRoad subsurface pit type S1	2	Nos	\$ 550.00	\$ 1,100.00
4 MISCELLANEOUS					
	i Traffic management	1	Item	\$ 5,700.00	\$ 5,700.00
	ii Contingency (20%)	1	Item	\$ 10,318.20	\$ 10,318.20
	TOTAL				\$ 61,909.20



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TOWN PLANNING REPORT

RE-SUBDIVISION OF LAND COMPRISING TWO LOTS; WORKS IN A ROAD RESERVE AND VEGETATION REMOVAL.

LOT 1 LP124721, LOT 1 TP615370Y (11 ACLARE ROAD, COCKATOO VIC 3781), ROADS R1, R2 AND R3 ON PLAN OF SUBDIVISION 011341 (LISHEEN ROAD).

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1. PRELIMINARY

ADDRESS	Lot 1 LP124721, Lot 1 TP615370Y (11 Aclare Road, Cockatoo VIC 3781), Roads R1, R2 and R3 on Plan of Subdivision 011341 (Lisheen Road).			
AREA	The combined sites form an irregular shape measuring approximately 245,919m ² (24.6ha)			
RESPONSIBLE AUTHORITY	Cardinia Shire Council			
ZONE	Green Wedge Zone - Schedule 2			
OVERLAY	Significant Landscape overlay - Schedule 1 Environmental Significance Overlay - Schedule 1 Bushfire Management Overlay (Partial)			
BUSHFIRE PRONE AREA	Yes			
CULTURAL HERITAGE	Aboriginal Cultural Heritage applies			
EASEMENTS, RESTRICTIONS, ENCUMBRANCES	No Easements Restriction on TP742251W has regard to the right to search and mine the land for gold, silver copper and tin, antimony coal and other metals and minerals.			
PROPOSAL	Re-subdivision of land comprising two lots; works in a road reserve and vegetation removal.			
PERMIT TRIGGERS	<ul style="list-style-type: none"> Pursuant to clause 35.04-3 of the Green Wedge Zone, a permit is required to (re)subdivide the land. Pursuant to clause 42.01-2 of the Environmental Significance Overlay a permit is required to (re)subdivide the land. Pursuant to clause 42.02-2 and Part 3.0 of Schedule 1 to the Vegetation Protection Overlay a permit is required to remove, destroy or lop any vegetation (required for works in the Lisheen Road reserve) Pursuant to clause 43.02-2 Design and Development Overlay a permit is required to carry out works (in Lisheen Road reserve) Pursuant to clause 44.06 a permit is required to (re)subdivide the land. Pursuant to clause 52.17 a permit is required to removed or relocate native vegetation. 			
RELEVANT PLANNING CONTROLS AND INCORPORATED DOCUMENTS	Clause 11 Settlement Clause 13 Environmental Risks & Amenity Clause 15 Built Environment & Heritage Clause 52.17 Native vegetation Clause 65.01 Approval of a Planning Application Clause 65.02 Approval of an application to subdivide land			
SUBMITTED DOCUMENTS	<ul style="list-style-type: none"> Current copy of title and plan Town Planning Report, Site analysis and Subdivision Plan (PS746908J) prepared by <i>Nobelius Land Surveyors</i> Bushfire Management Statement - <i>Nobelius Land Surveyors</i> Arboricultural Impact Assessment prepared by <i>Treed Environs</i> Functional Layout Plan by <i>NFK Civil</i> 			
NLS QUALITY SYSTEM	AUTHOR	DATE ISSUED	CHECKED BY	REVISION
	JB	15/12/2025	RO	3

2. INTRODUCTION

This report accompanies a Planning Permit application that contemplates re-subdivision of land comprising two lots to include Lot 1 TP615370Y and Lot 1 LP123721 (11 Aclare Road, Cockatoo VIC 3781), with works and vegetation removal in the 70 most easterly metres of Lisheen Road formally identified as Roads R1, R2 and R3 on Plan of Subdivision O11341 (Lisheen Road).¹

The site is subject to the Bushfire Management Overlay (BMO) and is required to demonstrate that the proposal has regard for the surrounding bushfire hazard. The re-subdivision necessitates Lisheen Road to be upgraded to ensure access via the existing path, which results in the consequential loss of roadside vegetation.

This report provides an assessment of the hazards and presents mitigation measures to improve the protection of life and property from the hazards associated with bushfire for the proposed Boundary Realignment. The site is within the Green Wedge Zone for which the re-subdivision of the land requires a Pathway 3 assessment to meet the objectives and approved measures of Clause 53.02 of the Cardinia Planning Scheme.

This report provides evidence that the proposal:

- Is consistent with Cardinia's vision for Green Wedge areas within the Shire;
- Is consistent with the State and Local Planning Policy Framework;
- Is consistent with the purposes of the Green Wedge Zone;
- Is consistent with the relevant purposes and requirements of Clauses 35.04, 42.01, 42.03, 43.02 and 44.06;
- Minimises impacts on vegetation;
- Avoids the elevation of risks associated with bushfire and
- Responds to the existing neighbourhood character of the wider area and will satisfactorily integrate with the surrounding lot sizes and land uses.

The subject site in Cockatoo is in a rural bush setting and is beyond the boundaries of the Cockatoo established settlement. The combined sites feature one dwelling (located on proposed Lot 1 PS746908J) with the balance of land vacant and employed in agriculture. Access to the proposed lot is via an existing crossover to Aclare Road with additional access to Lisheen Road. The site features grassed pasture and modified vegetation adjacent to onsite waterways.

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

- Copies of titles and plans;
- Site Analysis and Development Plan prepared by *Nobelius Land Surveyors*;
- Arboricultural assessment by *Treed Environs*.
- Functional Layout Plan by *NFK Civil*.

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¹ The proposal excludes Allotment 126H.

3. SUBJECT SITE AND SURROUNDING LOCALITY

SITE ANALYSIS

The subject lots to which the re-subdivision of land refers comprise of two adjacent lots with an unconstructed government (paper) road dissecting the land. The land is predominantly grassed paddocks with modified vegetation on the banks of a waterway that runs east to west. The land to the north of the valley has a south facing slope of between 11° and 14°. The land to the south of the valley has a north facing slope of approximately 13°. There is an existing dwelling in the southwest portion of the land with existing access from Aclare Road.

The site is surrounded by a mix of residential-zoned land to the west with a patchwork of open paddocks and bushland pockets to the northwest. To the north, east and south is similarly zoned Green Wedge land that predominantly features open paddocks employed in agriculture. Land to the north is part of the Puffing Billy Tourist Railway reservation. Land to the west is a residential area with lots varying in size from 0.2 hectares to 0.4 hectares.

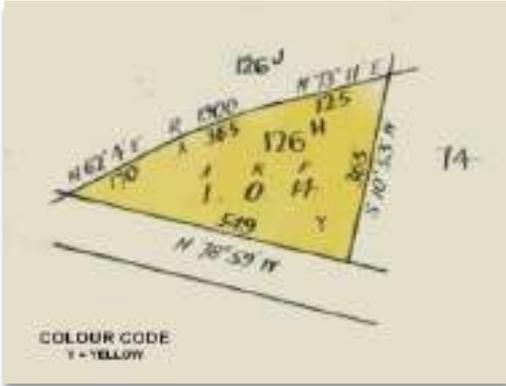


FIGURE 1 (ABOVE) SHOWS THE LOCATION OF THE SUBJECT SITES (BLACK OUTLINE) IN CONTEXT WITH THE SURROUNDING DEVELOPMENT (VICPLAN, DEECA, 2025).

CURRENT LOT CONFIGURATION

The current lot configuration is described below and corresponds with Figure 2, at bottom:



EXISTING LOT DESCRIPTION	CORRESPONDING TITLE PLAN
<p>LOT 1 LP124721 is located in the southwestern portion of the lot configuration and contains the existing dwelling with access from Aclare and Lisheen Roads and is currently used for grazing and residential use (existing dwelling). This lot corresponds with land shown to the right highlighted by the yellow outline (existing Title Plan) and encased by the blue dash line in Figure 2 below.</p>	
<p>LOT 1 TP615370Y is part of the re-subdivision of land. It provides access between Allotment 126H (TP742251W) and contiguous co-owned lots to the east and is used and managed consistently with adjacent lots for grazing purposes. It is an irregular-shaped lot that abuts the undeveloped Government Road, or <i>Paper Road</i> that separates it (only on paper, no physical barrier exists) from Lot 1 LP124721. This lot is predominantly open paddock with a waterway that dissects the land, with steep, vegetation-covered topography either side of the creek. This lot corresponds with land shaded pink (in the existing Title Plan to the right) and is encased by the red dash line in Figure 2 below.</p>	
<p>ALLOTMENT 126H (TP742251W) is a triangular shaped lot to the west of Lot 1 TP615370Y and is open paddock and employed for grazing cattle. This lot corresponds with land shaded yellow to the right (existing Title Plan). This lot is no longer included in the land subject to re-subdivision.</p>	 <p>COLOUR CODE Y = YELLOW</p>

All land described above benefits from existing access from adjoining co-owned land located to the east. Refer to the description and figure relating to this land on page 9 of this report.


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FIGURE 2 (ABOVE) EVIDENCES THE EXISTING LOT CONFIGURATION, AS PER VICPLAN AND LASSIE, 2025.

SITE ACCESS

ACLARE ROAD

Despite the Council Road Register showing direct access to 11 Aclare Road is absent, and that Aclare Road terminates at "Driveway No. 10"² (please refer below), direct access is provided to the existing dwelling, address 11 Aclare Road, via Aclare Road, which has represented access conditions since the current owners purchased the land in 1983 and have benefited from Council waste collection and road maintenance at that address since that time. It is noted that council rates notices' also recognise this

² This information has been extracted from the Register of Public Roads 16042025; [file:///C:/Users/Julie/Downloads/Register of Public Roads 16042025.pdf](file:///C:/Users/Julie/Downloads/Register_of_Public_Roads_16042025.pdf)



SURROUNDING ROADS

It is acknowledged that neither Doonaha nor Tymon Roads provide access to the portion of the land formally identified as Allotment 126H (TP742251 W). Cratloe Road is an undeveloped road known as a 'Paper Road'.


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ONSITE VEGETATION

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The land formally identified as Lot 1 LP124721 is predominately comprised of grazed pasture with tall Eucalypt forming a partially connected canopy. Refer to the onsite photos (below left and middle). The land immediately surrounding the existing dwelling is mown lawn located within the fenced 'house paddock'.



ABOVE LEFT AND MIDDLE - THE CANOPY OF TALL EUCALYPT TREES LOCATED TO THE NORTH OF THE EXISTING DWELLING. THESE TREES HAVE BEEN IMPACTED BY STORM DAMAGE IN 2024. THE VEGETATION LOCATED ON THE BANKS TO THE NORTH OF THE WATERWAY.

The steeper portions of the site adjacent to the centrally located waterway feature remnant tall tree cover with regenerating understorey vegetation to stabilise banks (photo above right). The balance of the land features grazed pasture.

PERMIT HISTORY

- Please refer to extensive permit history for T160597 contained in the lodgement cover letter associated with this application.

SURROUNDING ENVIRONMENTAL CONSIDERATIONS

VEGETATION

The subject site is surrounded by a variety of vegetation types and complex topography. The dominate vegetation is consistent with Group A Forest (AS3959:2018) with remnant wet and dry sclerophyll forests and gullies to the north, which have been subject to significant modification to remove understorey. To the west, is vegetation that has been significantly modified to enable residential development consistent with the zone. The subject sites are employed for cattle grazing and the vegetation is consistent with Group G Grassland (AS3959:2018), which extends to land to the east and south. The vegetation is subject to private and public ownership.

The Yarra Ranges National Park is located to the northwest of the site, with Cardinia Reservoir to the west and Bunyip State Park to the east. These vegetated areas allow for extensive fire runs through the landscape. Please refer to Figure 3 (below) where the subject site is centrally located.

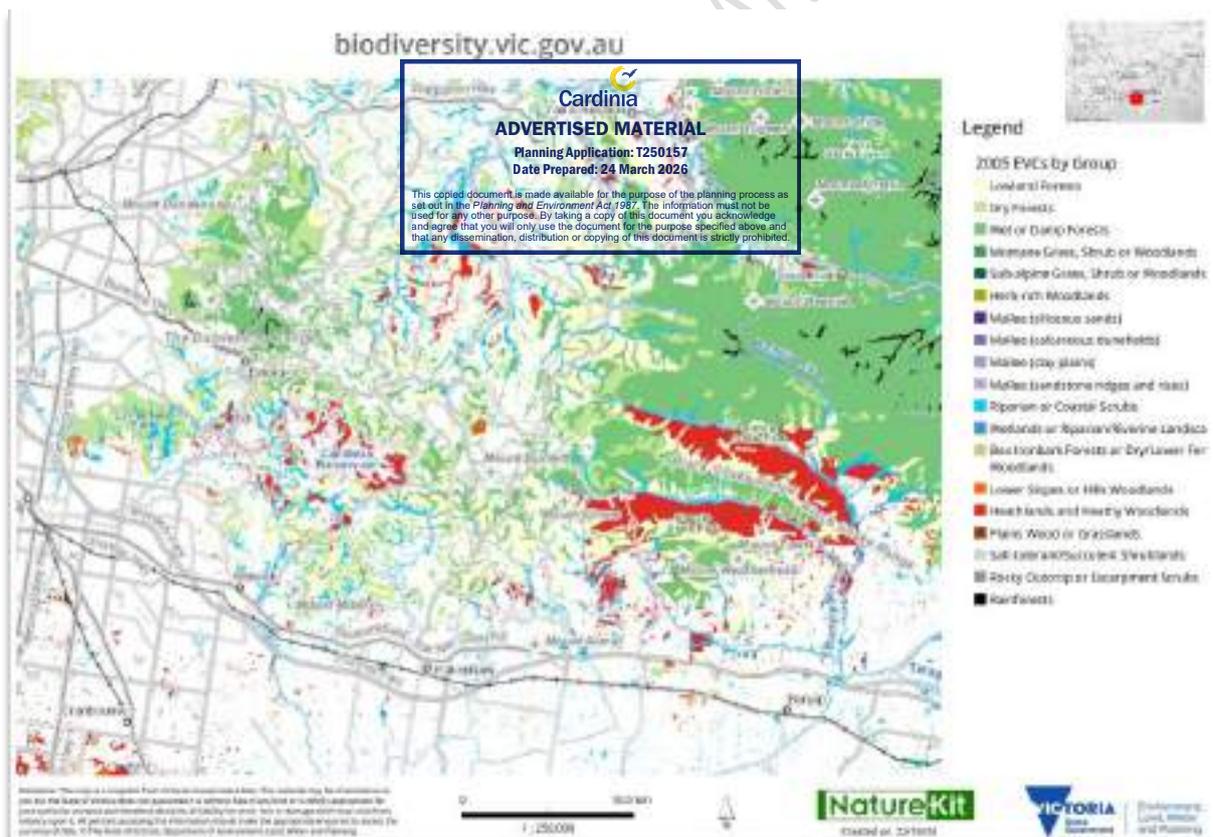


FIGURE 3-VEGETATION SURROUNDING THE SUBJECT SITE (CENTRAL TO THE MAP), NATUREKIT, 2024.

TOPOGRAPHY

The topography of the surrounding landscape is typical of this region. The land features elevated foothills with drainage gullies.



FIGURE 4 - THE TOPOGRAPHY OF THE SURROUNDING AREA IS REPRESENTED BY THE MAP ABOVE. THE SUBJECT SITE IS LOCATED CENTRALLY ON THE MAP AND IS SURROUNDED BY UNDULATING TERRAIN IN ALL DIRECTIONS (VICTORIAN FIRE RISK REGISTER 2024)

SURROUNDING ROAD NETWORK

The combined sites have access via Aclare Road in the south, Lisheen Road and Doonaha Road, none of which are sealed roads. These local roads intersect with Brisbanes Road, which joins Pakenham Road to the west, which is a major access road that provides north to south thoroughfare. To the north is Belgrave-Gembrook Road, which is separated from the subject sites by the Puffing Billy Tourist Railway. These roads are tree lined and windy and offer egress options to and from the north and south, east and west. Please refer below to Figure 5.

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FIGURE 5 (ABOVE) SHOWS THE SUBJECT SITE IN CONTEXT WITH SURROUNDING ROAD NETWORK (LASSI, 2024).

EXISTING SERVICES

The site has reticulated water, electricity and Telstra services available in the area and connected to the site. There is no gas or reticulated sewerage available to the site.

The land immediately adjoining the subject site has been summarised below:

EAST		<p>The land directly to the east is subject to the Green Wedge Zone and features lots with similar and larger areas with several developed with detached residential dwellings.</p> <ul style="list-style-type: none"> • Further east is the Township of Gembrook and the Bunyip State Park.
NORTH		<ul style="list-style-type: none"> • Abutting the northern boundary of the subject lots is land associated with Puffing Billy Railway with Belgrave-Gembrook road further north. • The land further to the north is subject to the Green Wedge Zone and rural Conservation Zone. • Further north is densely vegetated land that is in private ownership. • The area to the north west is the Township of Cockatoo.


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SOUTH		<ul style="list-style-type: none"> • To the south of the subject site is Green Wedge Zoned land predominantly in private ownership.
WEST		<ul style="list-style-type: none"> • Directly west of the subject sites are lots subject to the Low density residential Zone interspersed with land subject to the Green Wedge Zone. • Further west is the Cardinia Reservoir.

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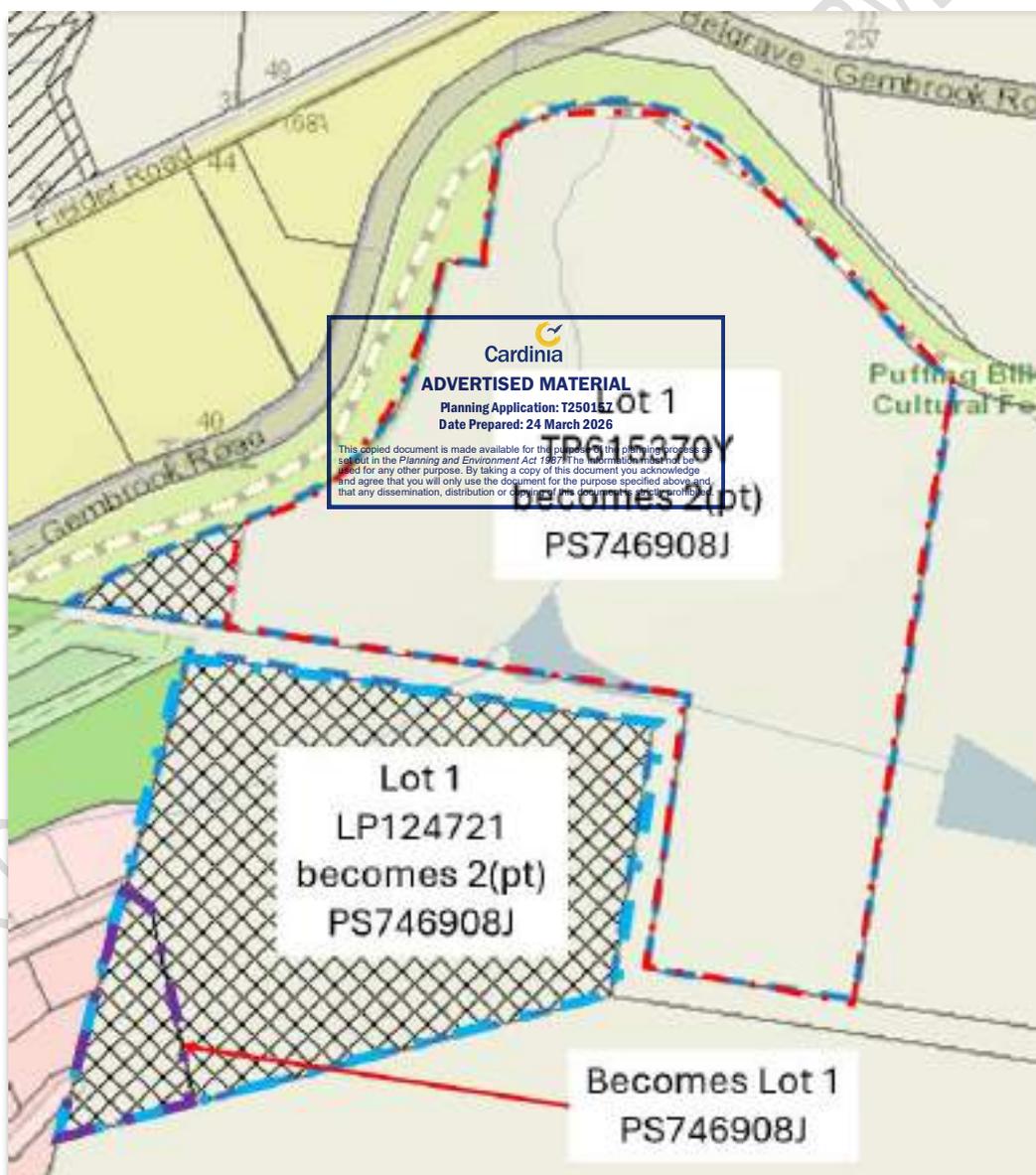
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4. THE PROPOSAL

The proposal contemplates the re-subdivision of land comprising two lots including Lot 1 TP615370Y and Lot 1 LP123721 (11 Aclare Road, Cockatoo VIC 3781), with works and vegetation removal in the 70 most easterly metres of Lisheen Road formally identified as Roads R1, R2 and R3 on Plan of Subdivision 011341 (Lisheen Road), as represented in the figure and descriptions below. The proposal will result in a title lot in two parts [Lot 2 (2 parts) PS746908J and referred to as Lot 2 (pt)] and Lot 1 PS746908J³.

The formalisation of access from Lisheen Road necessitates works in a road reserve and the removal of vegetation to ensure the road is generally consistent with the Gravel Road Partial Construction standard (CSC-006) (with modifications) and can provide access consistent with the requirements of Table 5, clause 53.02-5. These works are discussed in detail below.



³ Allotment 126H TP742251W is not part of this re-subdivision and is only included in the figure above to illustrate proximate land, compatible uses of lots subject to this application.

EXISTING LOT CONFIGURATION, ACCESS AND USE	PROPOSED LOT CONFIGURATION, ACCESS AND USE	NECESSARY WORKS	PERMIT TRIGGERS
Lot 1 TP615370Y benefits from existing access from Lisheen Road (historically used to collect and transport cattle from the existing cattle yard) and via adjoining co-owned lots to the east. The use of this lot is for grazing.	Becomes Lot 2(pt) PS746908J. Lot in two parts to measure 23.33 hectares. Access via Lisheen Road remains viable.	No works	<ul style="list-style-type: none"> The re-subdivision of land triggers clause 35.04-3 (GWZ), clause 42.01-2 (ESO), clause 44.06 (BMO).
Lot 1 LP124721 currently measures 8.570 hectares and has existing access from Aclare Road and Lisheen Road. The use of this site has been for grazing and residential use (existing dwelling).	Becomes Lot 2(pt) PS746908J. Lot in two parts to measure 23.33 hectares. Access from Lisheen Road remains available for Lot 2 (pt) PS746908J and the use remains agricultural in nature.	No works	<ul style="list-style-type: none"> The re-subdivision of land triggers clause 35.04-3 (GWZ), clause 42.01-2 (ESO), clause 44.06 (BMO).
	Title boundary applied to Lot 1 PS746908J which includes the existing dwelling with access from Aclare and Lisheen Roads.	No works	<ul style="list-style-type: none"> The re-subdivision of land triggers clause 35.04-3 (GWZ), clause 42.01-2 (ESO), clause 44.06 (BMO).
	<p>Cardinal ADVERTISED MATERIAL Planning Application 250157 Date Prepared: 24 March 2025</p> <p>This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act. It 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 prohibited.</p>	<p>Works are required in the Lisheen Road reserve to meet standards (modified) associated with Gravel Road Partial Construction (CSC-006). Works will encroach into the TPZs of a cluster of tree ferns (referred to as T38 and T38A), which will be re-located within the road reserve, and trees 30 and 36 require removal though only T30 triggers a planning permit.</p>	<ul style="list-style-type: none"> Building and works triggers clause 35.04-3 (GWZ), clause 2.01-2 (ESO). Vegetation removal in the Lisheen Road reserve triggers under clause 52.17 to removed or relocate native vegetation. Exemptions apply to the removal of trees T38 and T38A (do not qualify as trees due to size), T36 (within 50 metres of existing dwelling 22 Lisheen Road - cl 53.02-12), B and C (Dead trees with a DBH under 40cm).

No new lots are being created.

The proposal is to re-subdivide the land to result in Lot 1 PS746908J and Lot 2 (pt) PS746908J. The purpose of a lot in two parts is to apply the same title to land that is separated by the Government (paper) Road for which there is no plan to ever construct. This land is used and accessed, for all intent and purpose, as one lot⁴. This is a standard process under the *Subdivisions Act* and notated on the Plan of Subdivision, as per below.

⁴ It is beneficial to think about a title lot in two or more parts as an apartment in a high rise apartment building that has a car parking space in the basement and perhaps a storage area – all of which would be parts of the same title lot.



The proposal does not contemplate any additional lots. The proposal has regard for two lots and results in two lots with one of the lots in two parts.

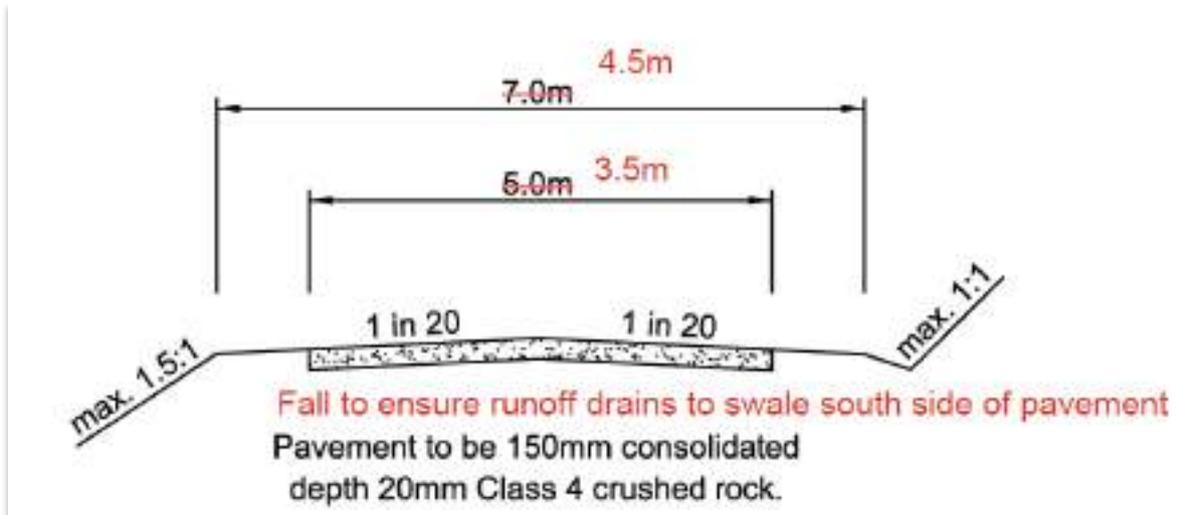
The proposal does not contemplate the development of either lot.

The existing dwelling and access arrangements will remain unchanged.

WORKS IN THE ROAD RESERVE AND VEGETATION REMOVAL

Advice received from the Council (dated 18th August 2025), revised following a site visit on Wednesday 23rd July to Lisheen Road requires vehicle access to be created as an extended driveway from the end of Lisheen Road to the property boundary of 11 Aclare Road, formally Lot 1 LP124721, which is generally in accordance with the Gravel Road Partial Construction Standard (CSC-006) with the following modifications (illustrated by the figure at bottom, which is extracted from the attachment received from Council 18/8/2025);

- Clearing outside batter lines to measure 0.5 metres, modified in parts to ensure the retention of large trees;
- The centreline of the proposed road should coincide with the centre line of the existing road reserve. The fall should direct run off to the swale drain located on the south side of the pavement;
- All debris from construction works to be removed from the area and the road reserve left in a neat and tidy conditions.
- Councils' representative to be notified three (3) days prior to work commencing on the site.
- Planning permit is required for any tree removal.

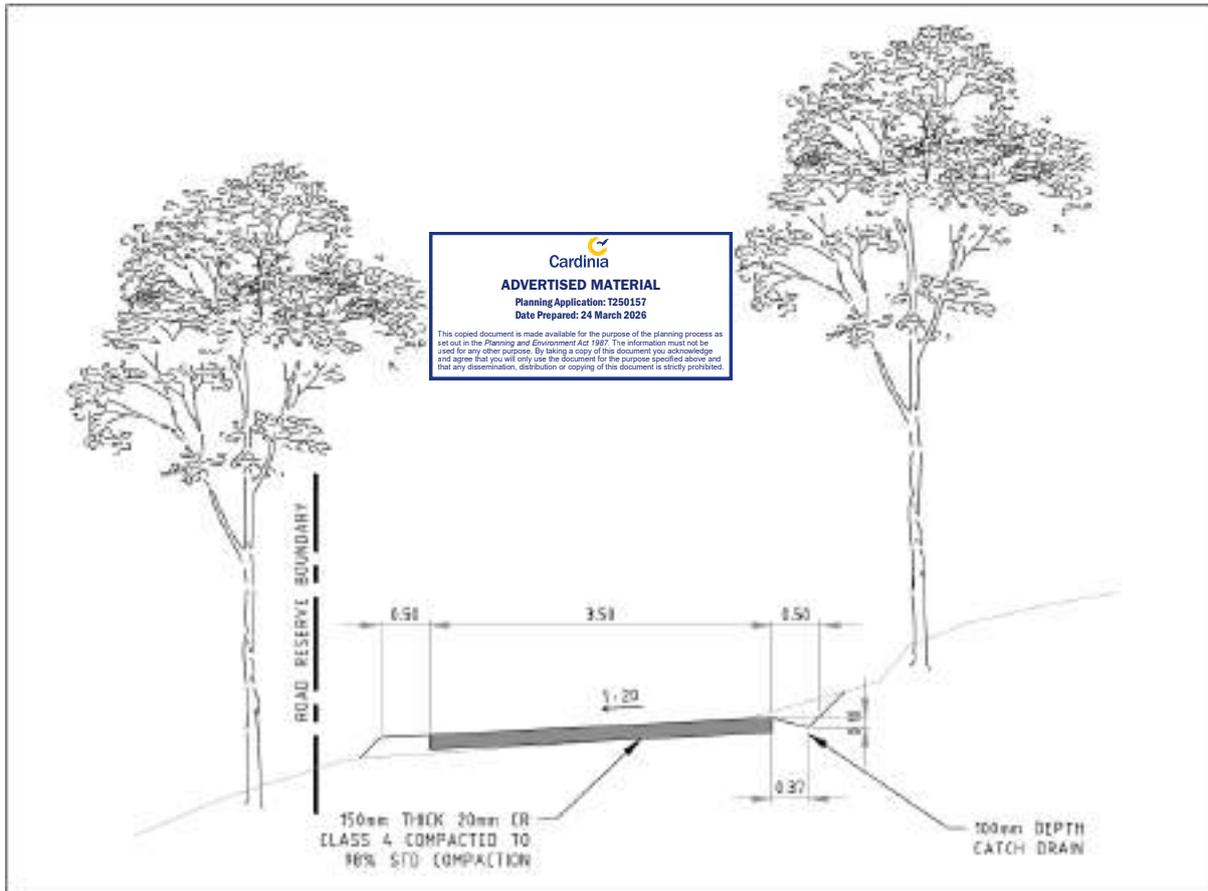


The design of the extension of Lisheen Road has the purpose of augmenting existing features (in terms of camber, swale drainage, batter) to ensure compliance with Gravel Road Partial Construction Standard (CSC-006) as amended, and to minimise detrimental impacts to roadside vegetation. These design features are discussed below and reference the cross section of the proposed road, at bottom;

- The spoon drain (measuring 100mm deep) adjacent to the southern side of the road is maintained to harvest runoff from the southern (high side) of the road. This will protect from scouring and potential compromise to the pavement foundation (gravel) by higher velocity water ingress.
- The current camber of the road surface is to the north, not to the south as the Council have suggested. This is evidenced by the survey of the site (conducted by a Licensed Surveyor) and confirmed by observation during the site visit. Given the road surface will consist of gravel and not alter the existing permeability of the road surface, it is proposed by our consulting engineer that the camber remain as per existing conditions with the existing road cross section falling to the north. The site inspection did not reveal any evidence of drainage or water shed from the road surface to the north (low side of the road) and this is due to the permeability of the road, which we will maintain. Essentially, we are maintaining the status quo regarding the surface permeability and the camber. A change to these features may imply detriment to adjacent vegetation, which we intend to avoid and minimise. We request Council recognise the zero net benefit of altering the camber of the road surface; recognise the potential detrimental impacts and consider revising their recommendation regarding the camber of the road to maintain the current northward camber.
- A shallow gravel surface (150mm) will be applied to the road surface to consolidate the existing road base.
- The batter on the south side of the road has been revised and, in parts, removed to ensure detrimental impacts to existing vegetation are avoided. This was discussed during the site meeting with consensus provided for Trees 31 and 41.

The cross section of the road (extension) is provided by *NFK Civil*, below.

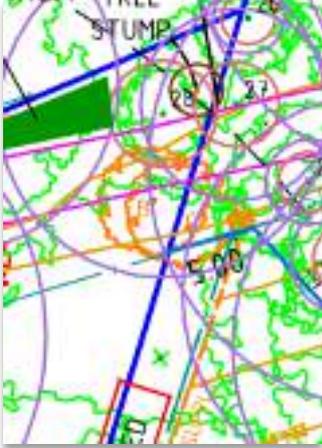
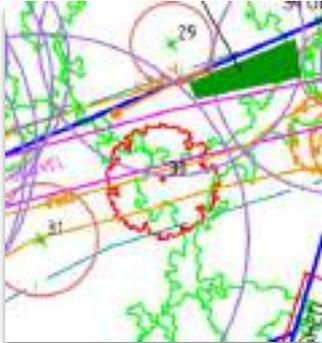




The site plan design regarding the eastward extension of Lisheen Road is represented below (extracted from the Functional Layout Plan provided by *NFK Civil*, dated 13/10/2025, Rev D):



The vegetation in the Lisheen Road reserve has been assessed by *Treed Environs*. The assessment has regard to 39 trees and a cluster of small Tree Ferns. Of these trees and Tree Ferns, the proposal contemplates the removal of two living trees, two dead and collapsed trees, and the relocation of a cluster of small Tree Ferns to within 70 metres of their current location. Please refer below to the table that details the impacts to trees within the road reserve as a result of road works (as extracted from the Impact Assessment provided by *Treed Environs*, October 2025, as amended).

TREE IDENTIFICATION	TREE DETAILS	DETAILED IMPACT	PLANNING TRIGGER
<p>Two trees identified as B + C (dead and collapsed)</p> 	<p>BDH at 1.3m above NGL measures less than 40cm (200-250mm) therefore are not protected.</p>	<p>These trees are dead and do not feature a size that allows the development of hollows. These trees should be felled and left to remain on the ground to contribute to soil processes associated with decomposition.</p>	<p>No trigger</p>
<p>Tree 30</p> 	<p><i>Eucalyptus cypellocarpa</i>; Height of 12 metres and a Canopy Spread of 6 metres; BDH of 300mm (in accordance with AS4970:2025)</p>	<p>Development (batter and swale) is within the root area and may be beyond acceptable limits for maintaining tree stability or health and vigour. The recommendation is to remove and offset this tree.</p>	<p>The removal of the tree triggers a planning assessment under clauses 42.02 and 52.17.</p>
<p>Tree 36</p> 	<p><i>Acacia melanoxylon</i>: Height of 3 metres and canopy spread of 3 metres; Standard Diameter of 100mm (in accordance with AS4970:2025)</p>	<p>Development (batter and swale) is within the root area and may be beyond acceptable limits for maintaining tree stability or health and vigour. The recommendation is to remove and offset this tree.</p>	<p>The removal of this tree is exempt under clause 52.12-1 because it is not considered a tree⁵ and located within the buffer of 22 Lisheen Road.</p>

⁵ A Tree is defined by Clause 1.3.18 of AS4970-2025 as a “long-lived woody perennial plant usually greater than 3 m in height with one or relatively few main stems or trunks or as determined by the Responsible Authority”; and in Clause 52.37 of the Planning scheme a tree has “a height of more than 5 metres above ground level, and a trunk circumference of more than 0.5 metres, measured at 1.4 metres above ground level; and a canopy diameter of at least 4 metres”; and The Guidelines for the removal, destruction or lopping of native vegetation (2017) defines a native canopy tree as a “mature tree (i.e. it is able to flower) that is greater than 3 metres in height and is normally found in the upper layer of the relevant vegetation type”.

<p>Tree ferns 38 and 38A Cluster of Tree Ferns</p> 	<p><i>Cyathea australis</i> Height of 2 metres and canopy spread of 1 metre; Standard Diameter of 200mm (in accordance with AS4970:2025)</p>	<p>Development (batter and swale) is within the root area and may be beyond acceptable limits for maintaining tree fern stability or health and vigour. The recommendation is to relocate within the road reserve area (under the canopies and between trees 29 and 28).</p>	<p>The relocation of the Tree Ferns minimises removals but still triggers a planning assessment under clause 52.17. The translocation of these Tree Ferns (2m in Ht) is exempt under clause 52.12-1 because they are located within 30 metres of the existing dwelling at 22 Lisheen Road, which was built prior to September 2009.</p>
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ADVERTISED MATERIAL
 Planning Application: T250157
 Date Prepared: 24 March 2026

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5. RELEVANT PLANNING CONTROLS

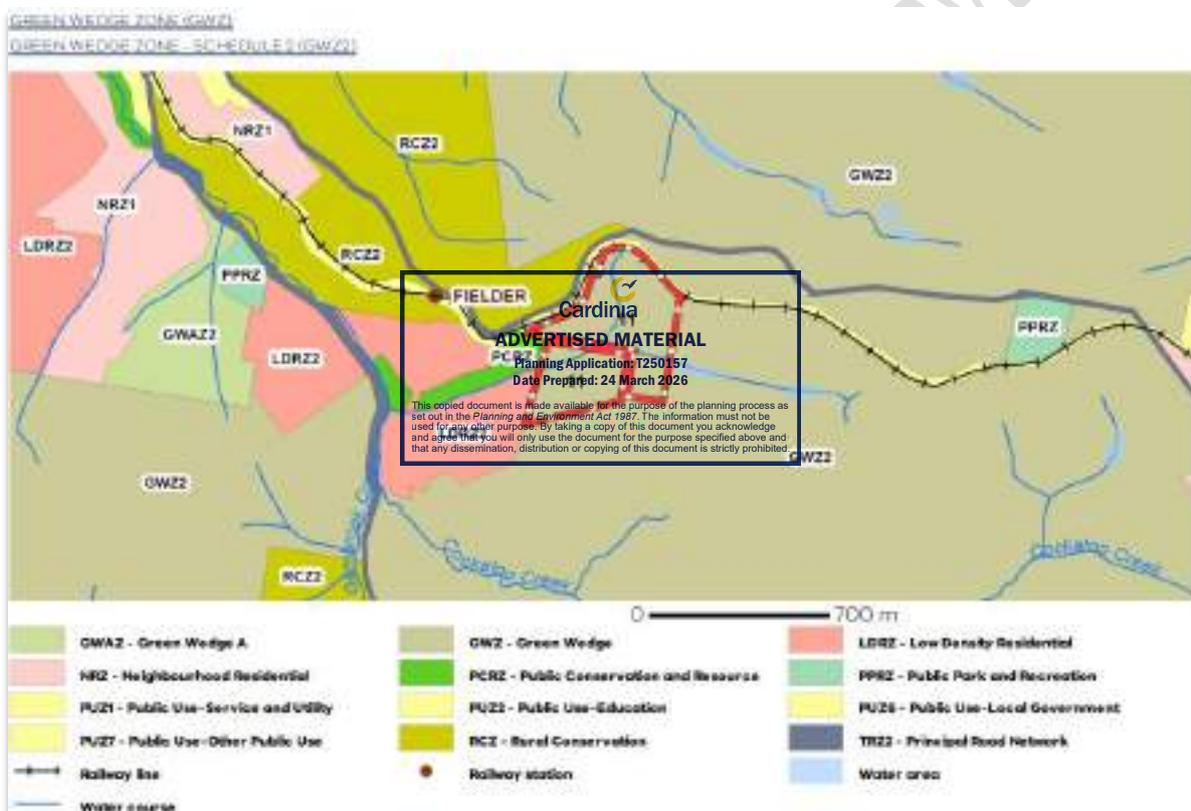
The following section addresses the objectives and requirements of the zoning and overlay controls relevant to the subject site identifying how these planning controls relate to the proposal, trigger an assessment and how we have addressed the requirements of planning provisions.

ZONING CONTROLS

The following provides a brief summary of the planning controls relevant to the subject site identifying how these planning controls relate to the proposal.

GREEN WEDGE ZONE

The subject site is mapped within the Green Wedge Zone (GWZ) in the Cardinia Planning Scheme, as per the *VicPlan*, 2025 map below.



The Green Wedge Zone has the following purposes relevant to this proposal:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
- To encourage use and development that is consistent with sustainable land management practices.
- To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
- To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

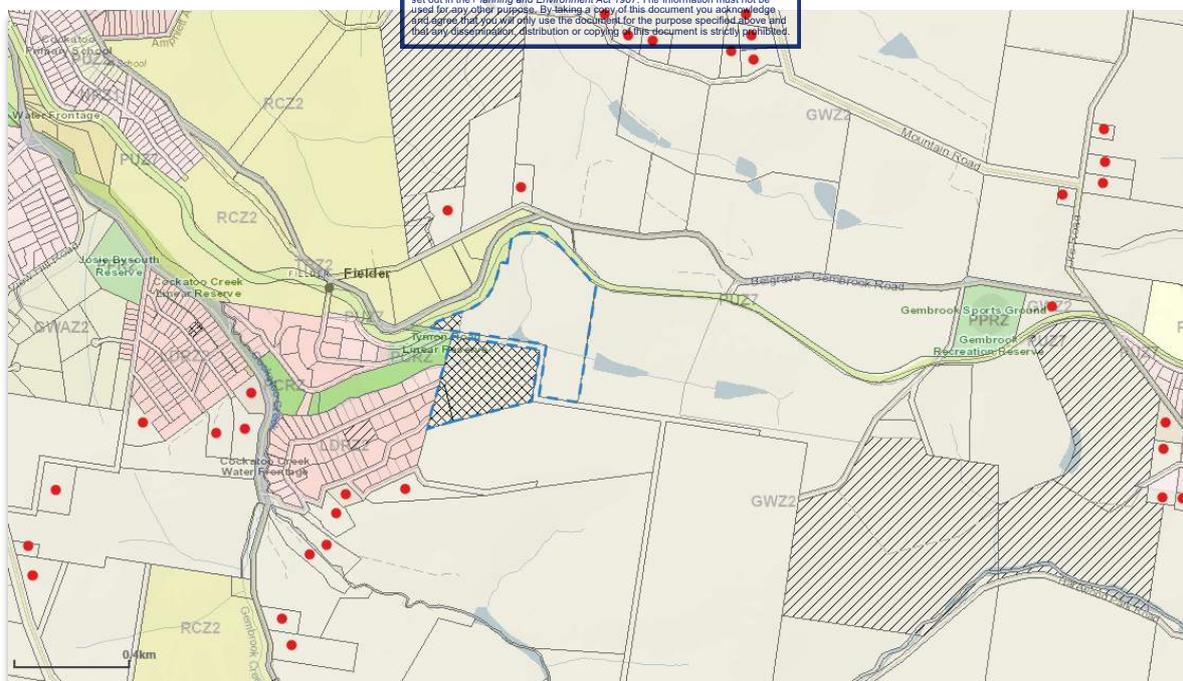
- To protect and enhance the biodiversity of the area. To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Pursuant to **clause 35.04-3 Subdivision** a permit is required to re-subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares. A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased and the number of dwellings that the land can be used for is not increased
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The revised proposal contemplates the re-subdivision of land into two lots; Lot 1 and Lot 2 (2 pt). Lot 2 is currently employed for agriculture and while there is a *paper road* that dissects the portions, it does not impact the practical operation of the agricultural parcel. The historic *paper road* will not be constructed by Council as it serves no function, is of no benefit and would be cost prohibitive therefore should not burden the reconfiguration of the lots to reflect the practical day to day agricultural operation of the land. Lot 1 measures 8,150m² and will contain the existing dwelling. In terms of character and orderly planning, Lot 1 is consistent with similarly zoned and sized lots in the area and creates a transition allotment from residential zoned land to the west and the Green Wedge land to the east. The plan below illustrates this by identifying those similarly zoned and sized lots (red dots) that tend to cluster between roads and larger parcels actively employed in agricultural production.



DECISION GUIDELINES

The decision guidelines contained in **Clause 35.04-6** have been considered in the proposed design. An assessment of the proposal against the relevant guidelines is provided below:

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 relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.*
- *Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.*
- *Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.*
- *The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.*
- *The potential for accommodation to be adversely affected by 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.*

RURAL ISSUES

- *The maintenance of agricultural production and the impact on the rural economy.*
- *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.*
- *The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.*
- *The protection and retention of land for future sustainable agricultural activities.*

ENVIRONMENTAL ISSUES

- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.*
- *The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.*

DESIGN AND SITING ISSUES

- *The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.*
- *The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.*
- *The need to minimise 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 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 proposal is considered to be consistent with the Municipal Planning Strategy and the relevant state and local policies. Please refer to Sections 6 and 7 of this report (below) where the proposal has been assessed against the Municipal Planning Strategy and the relevant state and local policies.

The proposal is consistent with the purpose of the zone. The re-subdivision of the land has been designed to;

- ensure consistency with the existing use of the land, which will not change;
- the use and development of adjacent land, which will not be adversely impacted in any way;
- the preservation of onsite vegetation, which will not be impacted;
- the capacity of the land to continue to function as an agricultural enterprise, which it will be able to.

The impacts to the vegetation within the road reserve have largely been avoided through a revision of construction requirements and minimised to result in the translocation of the Tree Ferns to an adjacent area within the road reserve. The road works will benefit adjacent landowners (No. 22 Lisheen Road) by upgrading road surface and ensuring camber and swale drains harvest any runoff and suitable direct rainwater to existing drainage infrastructure.

This is essentially an exercise in paperwork as the re-subdivision of land will have no bearing on the agricultural capacity of the site, nor that of adjacent or surrounding sites. The proposal will have no bearing on the agricultural qualities of the land, such as soil quality, access to water or access to rural infrastructure. Additionally, the re-subdivision of the land will not increase the capacity of the land to be developed for a dwelling as there is no minimum lot area required for a dwelling and any proposal for the development of land for a dwelling on Lot 2 (pt) PS746908J will be assessed on its planning merit.⁶

For the reasons outlined above, it is submitted that the proposal is consistent with the relevant requirements of the Green Wedge Zone.



⁶ It must be noted that there is no intent for any future

OVERLAYS

ENVIRONMENTAL SIGNIFICANCE OVERLAY – SCHEDULE 1

The subject site and all surrounding lots are subject to the requirements of clause 42.01 Environmental Significance Overlay, as indicated by *VicPlan*, 2025 below.



The Environmental Significance Overlay has the following purposes relevant to this proposal;

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

Pursuant to **Clause 42.01-2** a permit is required to carry out works, (re) subdivide land. The proposal to removal vegetation is within the road reserve of Lisheen Road, which is not subject to the Environmental Significance Overlay.

Schedule 1 to the ESO identifies the land as part of the Northern Hills with the statement of significance highlighting the Devonian granitic and Sulrian Sediment the basis of the moderate to steep topography and soil strata that supports remnant vegetation. The land has botanic and zoological significance with the vegetation and topography contributing to environmental risks such as erosion and bushfire. Schedule 1 has the objective to protect and enhance the significant environmental and landscape values through the retention of vegetation and ensuring the siting and design of buildings and works address environmental hazards and avoids detriment to the natural features of the land that contribute to biotopes and ecological processes.

DECISION GUIDELINES

The decision guidelines contained in **Clause 41.01-5** have been considered in the proposed design. An assessment of the proposal against the relevant guidelines is provided below:

- *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.*

Additional Decision Guidelines are contained in Part 5.0 of schedule 1 to the ESO and those relevant to this proposal are replicated below and addressed at bottom:

- *Whether the removal of any vegetation has been avoided and/or minimised.*
- *The Land Capability Study for the Cardinia Shire (February 1997).*
- *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 the landscape character of the area, including prominent ridgelines and significant views.*
- *Whether the siting, height, scale, materials, colours and form of the proposed buildings and works have been designed to have the least visual impact on the environment and landscape.*
- *The availability of other alternative sites, alternative building designs or alternative construction practices for the proposed buildings and works that minimise cut and fill and would better meet the environmental objectives of this schedule, having regard to the size and topography of the land, retention of vegetation and the form and nature of the proposed buildings and works.*
- *Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity and fire.*
- *The protection of waterways and water quality through the appropriate management of effluent disposal, erosion and sediment pollution.*



The proposal is considered to be consistent with the Municipal Planning Strategy and the relevant state and local policies. Please refer to Sections 6 and 7 of this report (below) where the proposal has been assessed against the Municipal Planning Strategy and the relevant state and local policies.

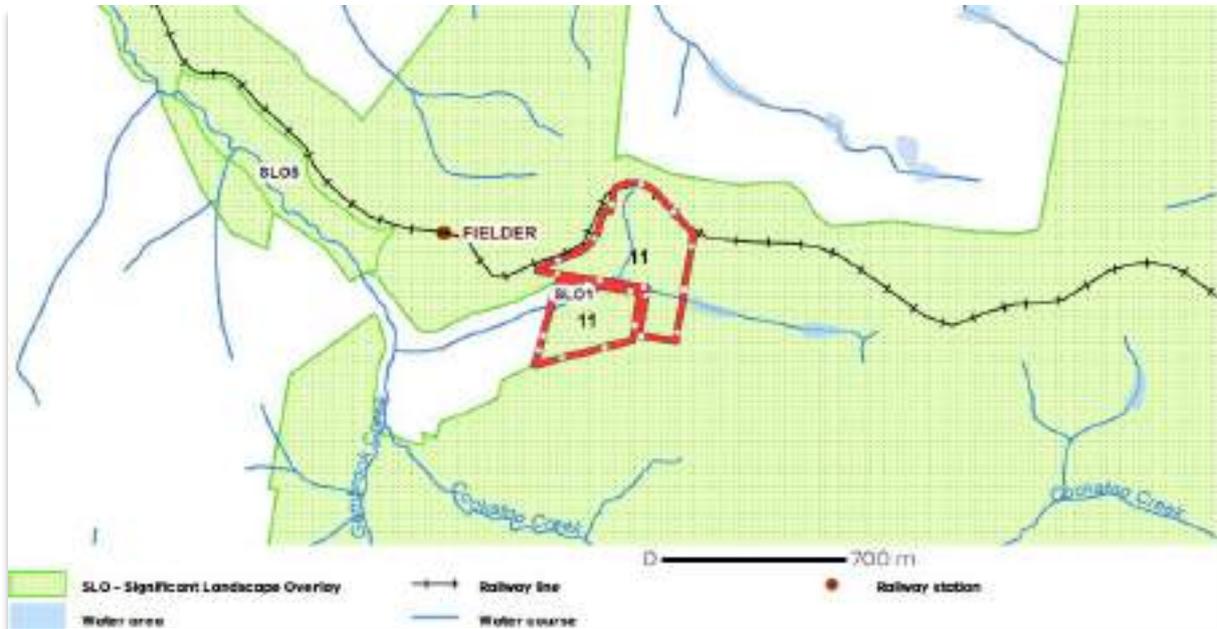
As previously stated, the proposal is consistent with the purpose of the overlay and schedule. The re-subdivision of the combined sites has been designed to ensure consistency with the existing development of the land, which will not change; the preservation of onsite and adjacent vegetation, which will not be impacted; the waterways to the north of the site, which will not be impacted in any way. The proposed works in the road reserve will however result in the removal of vegetation however the Road Reserve is not subject to the Environmental Significance Overlay.

The (re)subdivision is essentially an exercise in paperwork and will have no bearing on the development or use of the site, the onsite vegetation and waterway, nor the character of the landscape. The proposal will have no bearing on the agricultural qualities of the land, such as soil and water quality, access to water and access to rural infrastructure, nor will it require the removal of onsite vegetation.

For the reasons outlined above, it is submitted that the proposal is consistent with the relevant requirements of the Environmental Significance overlay.

SIGNIFICANT LANDSCAPE OVERLAY – SCHEDULE 1

The subject site and all surrounding lots are subject to the requirements associated with clause 42.03 Significant Landscape Overlay – Schedule 1, as indicated by *VicPlan*, 2025 below.



This overlay has the following purposes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify significant landscapes.
- To conserve and enhance the character of significant landscapes.



Schedule 1 to the SLO identifies the Puffing Billy Tourist Railway as a significant part of Victoria's cultural heritage with scenic views and natural landscapes that are protected with any development sited and designed to ensure integration with the landscape. The scenic railway also provides a link between Dandenong Ranges National Park, Wright Forest, Bunyip State Park.

Pursuant to **clause 42.03-2** a permit is required to carry out works, and remove, destroy or lop any vegetation. The subdivision on the subject sites does not trigger a permit under the SLO and the works and vegetation removal is within the Road reserve, which is not subject to the SLO.

DECISION GUIDELINES

The decision guidelines contained in **Clause 42.03-5** have been considered in the proposed design. An assessment of the proposal against the relevant guidelines is provided below:

- *The Municipal Planning Strategy and Planning Policy Framework.*
- *The statement of nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.*
- *The conservation and enhancement of the landscape values of the area.*
- *The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.*
- *The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.*

- *The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.*
- *The impact of buildings and works on significant views.*
- *Any other matters specified in a schedule to this overlay.*

Additional Decision Guidelines are contained in **Part 5.0** of schedule 1 to the SLO and those relevant to this proposal are replicated below and addressed at bottom:

- *The advice of the Emerald Tourist Railway Board.*
- *The recommendations in the Puffing Billy Corridor Landscape Evaluation Study (Scenic Spectrums, May 1992).*
- *Any revegetation proposed as part of the application.*
- *Consideration of appropriate environmental management practices, including replanting of native vegetation and ongoing protection and management of vegetation and habitat areas.*
- *Maintenance and enhancement of the rural landscape.*
- *Impacts on view lines and the scenic corridor along the Puffing Billy railway line.*

The proposal is considered to be consistent with the Municipal Planning Strategy and the relevant state and local policies. Please refer to Sections 6 and 7 of this report (below) where the proposal has been assessed against the Municipal Planning Strategy and the relevant state and local policies.

As previously stated, the proposal is consistent with the purpose of the overlay and schedule. The re-subdivision of the combined sites has been designed to ensure consistency with the existing development of the land, which will not change; the preservation of onsite and adjacent vegetation, which will not be impacted; the waterways to the north of the site, which will not be impacted in any way. The proposed works in the road reserve will however result in the removal of vegetation however this land is not subject to the SLO.

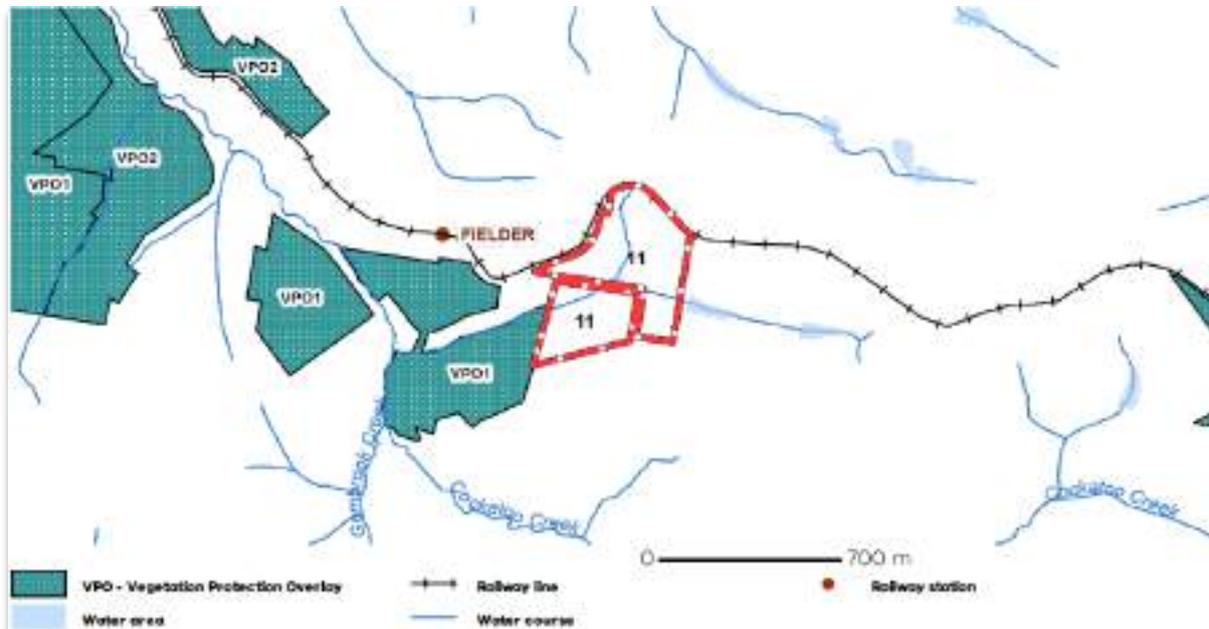
This is essentially an exercise in paperwork as the re subdivision will have no bearing on the development potential or use of the site, the onsite vegetation and waterway, nor the character of the landscape. The proposal will have no bearing on the agricultural qualities of the land, such as soil and water quality, access to water and access to rural infrastructure, nor will it require the removal of onsite vegetation.

For the reasons outlined above, it is submitted that the proposal is consistent with the relevant requirements of the Significant Landscape Overlay and not result in foreseeable detriment to the Puffing Billy Tourist Railway.



VEGETATION PROTECTION OVERLAY

The subject site and all surrounding lots are subject to the requirements associated with clause 42.02 Vegetation Protection Overlay – Schedule 1, as indicated by VicPlan, 2025 below.



This overlay has the following purposes:

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

Schedule 1 to the VPO identifies the land as a Low Density Residential area that supports substantial areas of remnant indigenous vegetation and mature exotic species, the maintenance and enhancement of these flora habitats is vital for the long term protection of these areas and the native fauna they support. Additionally, the vegetation protects waterways from siltation, soil stability, reducing stormwater runoff and limiting erosion.

Pursuant to **clause 42.02-2** and Part 3.0 of Schedule 1 to the VPO a permit is required to remove, destroy or lop any vegetation.

DECISION GUIDELINES

The decision guidelines contained in **Clause 42.02-5** have been considered in the proposed design. An assessment of the proposal against the relevant guidelines is provided below:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.

- *The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.*
- *The role of native vegetation in conserving flora and fauna.*
- *The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.*
- *The need to retain vegetation which prevents or limits adverse effects on ground water recharge.*
- *The need to retain vegetation:*
 - *Where ground slopes exceed 20 percent.*
 - *Within 30 metres of a waterway or wetland.*
 - *On land where the soil or subsoil may become unstable if cleared.*
 - *On land subject to or which may contribute to soil erosion, slippage or salinisation.*
 - *In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.*
 - *Which is of heritage or cultural significance.*
- *The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.*
- *Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.*
- *Whether the application includes a land management plan or works program.*
- *Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.*
- *Any other matters specified in a schedule to this overlay.*



There are no additional Decision Guidelines contained in schedule 1 to the VPO.

The proposal is considered to be consistent with the Municipal Planning Strategy and the relevant state and local policies. Please refer to Sections 6 and 7 of this report (below) where the proposal has been assessed against the Municipal Planning Strategy and the relevant state and local policies.

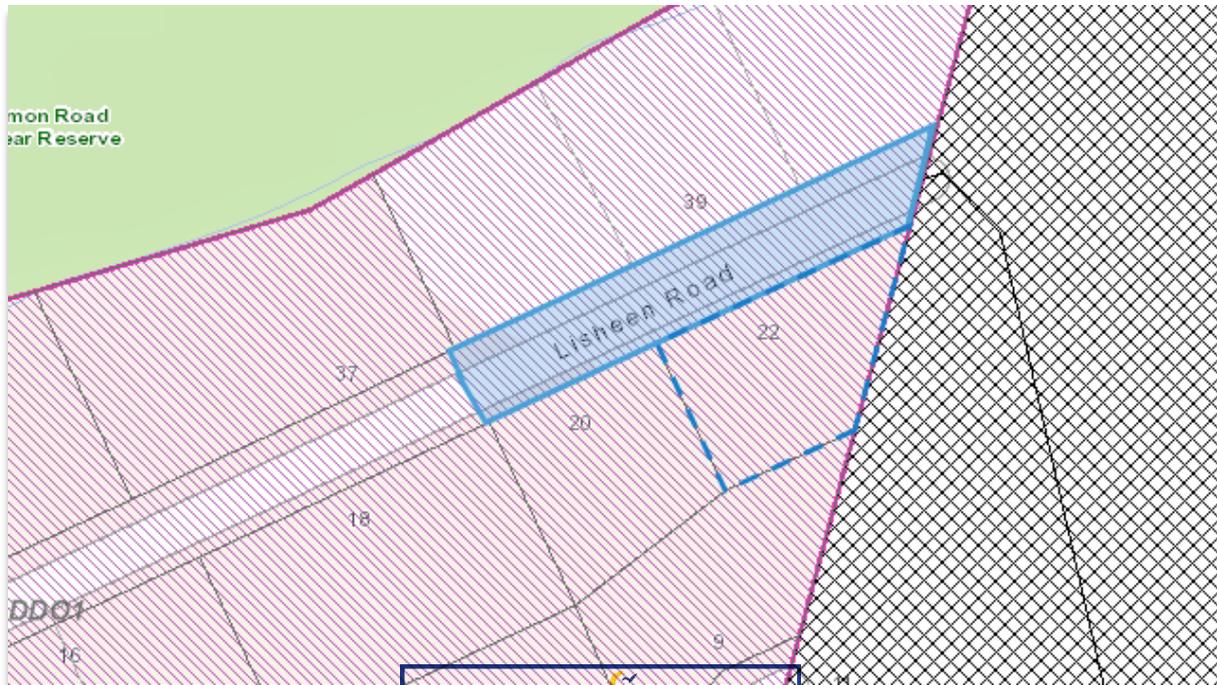
The re-subdivision proposal is essentially an exercise in paperwork and will have no bearing on the physical landscape including the development potential or use of the site, the onsite vegetation and waterway, nor the character of the landscape. The proposal will have no bearing on the agricultural qualities of the land, such as soil and water quality, access to water and access to rural infrastructure, nor will it require the removal of onsite vegetation. The re-subdivision proposal has regard to land that is not subject to the Vegetation Protection Overlay.

The proposed works in the road reserve will however, result in the removal of vegetation including Trees 30, 36 and 38 (cluster). The works in the road reserve have undergone a focused design process to minimise works and the associated impacts to vegetation and soil disturbance.

For the reasons outlined above, it is submitted that the proposal is consistent with the relevant requirements of the Vegetation Protection Overlay and will not result in foreseeable detriment to the site, adjoining land or the road reserve.

DESIGN AND DEVELOPMENT OVERLAY

Lisheen Road is subject to the requirements of clause 43.02 Design and Development Overlay, as indicated by VicPlan, 2025 below.



The Design and Development Overlay has the following purposes:

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

Pursuant to **clause 43.02-2** a permit is required to carry out works.

Schedule 1 to the Design and Development Overlay identifies land associated with the Low Density Residential Zone. Part 1.0 provide the following additional objectives:

- To ensure that the location and design of buildings creates an attractive low density residential environment.
- To ensure that any development has regard to the environmental features and constraints of the land.
- To ensure that the subdivision of land has regard to the existing pattern of subdivision in the area.

Part 2.0 states a permit is require to carry out works if they result in the removal of native vegetation within an area of botanical or zoological significance.

DECISION GUIDELINES

The decision guidelines contained in **Clause 43.02-6** and **Part 6.0 of Schedule 1** have been considered in the proposed design. An assessment of the proposal against the relevant guidelines is provided below:

- *The Land Capability Study for the Cardinia Shire (February 1997).*

- *The protection and enhancement of the natural environment and character of the area including the retention 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.*
- *The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.*
- *Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity and fire.*
- *The protection of waterways and water quality through the appropriate management of effluent disposal, erosion and sediment pollution.*
- *The Land Capability Study for the Cardinia Shire (February 1997).*
- *The protection and enhancement of the natural environment and character of the area including the retention 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.*
- *The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.*
- *Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity and fire.*
- *The protection of waterways and water quality through the appropriate management of effluent disposal, erosion and sediment pollution.*

The re-subdivision proposal is essentially an exercise in paperwork and will have no bearing on the physical landscape including the development potential or use of the site, the onsite vegetation and waterway, nor the character of the landscape. The proposal will have no bearing on the agricultural qualities of the land, such as soil and water quality, access to water and access to rural infrastructure, nor will it require the removal of onsite vegetation. The re-subdivision proposal has regard to land that is not subject to the Design and Development Overlay.

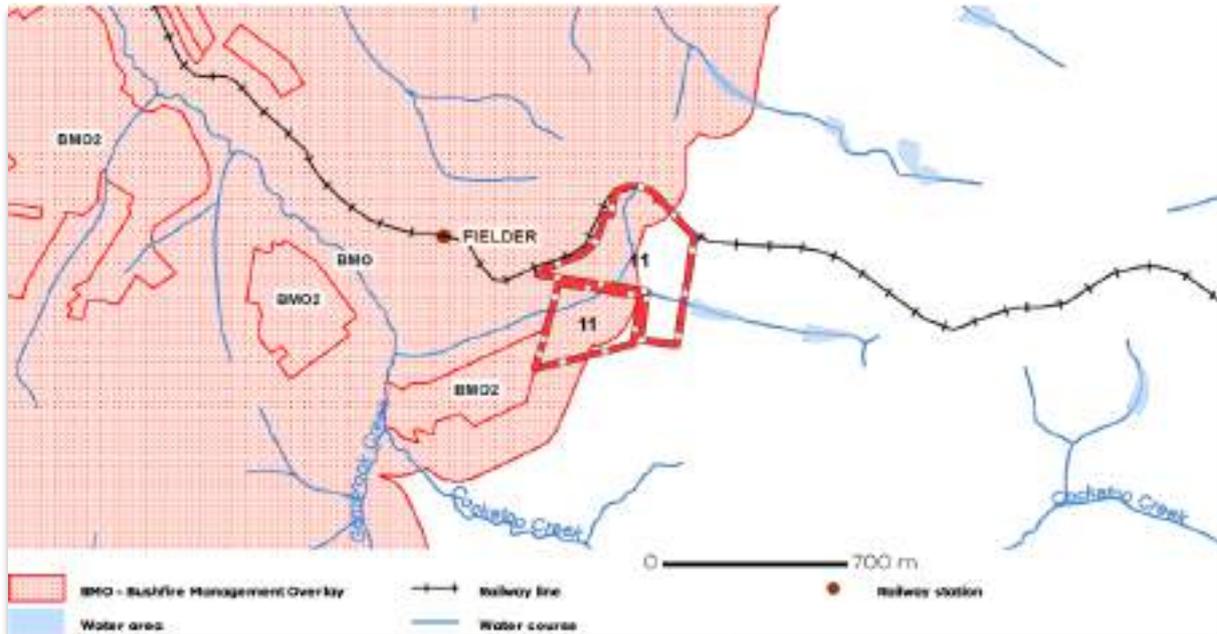
The proposed works in the road reserve will however, result in the removal of vegetation including Trees 30, 36 and 38 (cluster). The works in the road reserve has undergone a focused design process to minimise works and the associated impacts to vegetation and soil disturbance. Drainage of the road reserve has necessitated the augmentation of the existing spoon drain located adjacent to the southern alignment of the road, which will address gouging, erosion and essentially minimise rate of flow and the delivery of suspended sediment to the creek to the north of the road. The permeability of the road will be maintained to reduce works and impacts to the environment.

For the reasons outlined above, it is submitted that the proposal is consistent with the relevant requirements of the Design and Development Overlay and will not result in foreseeable detriment to the site, adjoining land or the road reserve, and minimise affects to the vegetation and environment, and warrants support from the responsible authorities.



BUSHFIRE MANAGEMENT OVERLAY

The combined sites and surrounding lots to the west are subject to the requirements of clause 44.06 Bushfire Management Overlay, as indicated by VicPlan, 2025 below.



The Bushfire Management Overlay has the following purposes:

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

Pursuant to **clause 44.06-2** a permit is required to subdivide land.

As per the application requirements of clause 44.06-3, and unless a schedule to this overlay specifies different requirements, 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.
- 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. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A bushfire management statement describing how the proposed development responds to the requirements in this clause 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.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement. The resubdivision of the land will not create an additional title lot, nor will it alter the current bushfire risk to the land.

The works proposed to the 70metre most easterly length of Lisheen Road will augment the existing access conditions (as formalised by the provision of a signed and witnessed Statutory Declaration that evidences access by agricultural trucks to the existing cattle stock yards on the subject site adjacent to the Lisheen Road since 1983) to ensure they comply with Table 5, clause 53.02-5.

We have provided a revised BMS to address the requirements of clauses 13.02, 44.06 and 53.02-4.4. The BMS provides evidence that the bushfire risk will not be elevated as a result of this proposal to re-subdivide the land, and the augmentation of access via Lisheen Road to the agricultural land will improve risk mitigation for the subject sites and provide ingress for emergency service vehicles to the Green Wedge land in the event of a bushfire.

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6. MUNICIPAL PLANNING STRATEGY

CLAUSE 21.01-2 KEY INFLUENCES AND CLAUSE 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 with sustainable and sensitive development, population and economic growth. The proposal is sensitive to the key issues facing Cardinia that have regard to preserving environmental heritage, significant areas, mitigating risks associated with flooding and bushfire, providing housing and services for a growing community, and facilitating economic development. The subject site is located in the strategic Agricultural Area with Environmental or Landscape Values and is consistent with the Cardinia Shire Strategic framework plan at clause 21.01-5 as it will not erode the existing agricultural productivity of the land, nor locate residential land use in a location that unreasonably elevates environmental risk.

CLAUSES 21.02 ENVIRONMENT, 21.02-2 LANDSCAPE AND 21.02-3 BIODIVERSITY

Clause 21.02-1 Catchment and coastal management, has the objective, among others, to manage development to mitigate impacts on the operation and health of waterway systems via the provision of retention and treatment of domestic wastewater and the sustainable management of water resources. The existing built form is located a sufficient distance (223m) from the watercourse to the north, which will ensure waterway protection. Additionally, the onsite vegetation will not be impacted to accommodate the existing dwelling or access so avoiding the risks associate with erosion as a result of vegetation removal.

Clause 21.02-2 Landscape and Clause 21.02-3 Biodiversity seek to avoid eroding the existing biodiversity of the Shire and its significant contribution to the landscape. The vegetation contained within the site will not be impacted by the proposal that seeks a boundary realignment between two lots in common ownership.

Clause 21.02-4 Bushfire management acknowledges the high risk associated with some of the areas within the shire. The topography of Cockatoo features undulating slopes with vegetation coverage akin to Forest and Woodland, with adjacent grazed paddocks (AS3959-2018) with more steeply sloped and densely vegetated areas associated with the Bunyip State Reserve to the east of the Gembrook township, which has experienced fire damage as a result of the 2009 and 2019 fires (refer below to the fire history mapping with the grey areas representing fire history since 2014). Residential land use in an area to the west and north west is surrounded by grazed paddocks, with several egress options providing a modicum of the risk mitigation.





FIGURE 6 - COCKATOO HAS TOPOGRAPHIC AND VEGETATION CHARACTERISTICS THAT GIVE IT A MODERATE TO HIGH RISK AREA, AS EVIDENCED BY THE VICTORIAN FIRE RISK MAPPING ABOVE, 2024.

CLAUSES 21.03 SETTLEMENT AND HOUSING, 21.03-4 RURAL TOWNSHIPS

Clause 21.03 Settlement and Housing and more specifically Clause 21.03-4 Rural Townships identifies Cockatoo as a large rural township, and highlights the key issues facing rural townships that are relevant to our submission as:

- *Retaining and enhancing the existing rural township character.*
- *Acknowledging that the capacity for growth varies depending on the environmental and infrastructure capacities of each of the towns.*
- *Designing with regard to the surrounding unique characteristics of the townships.*

The proposed re-subdivision will not result in detrimental consequences to the existing rural township character, nor the environmental or infrastructure capacities of the town. The proposed re-subdivision is consistent with these key issues and ensures the development is respectful and consistent with the rural character, lifestyle and amenity values of the surrounding neighbourhood. The existing dwelling will not be altered. The vegetation is preserved through design of the boundaries which are suitably setback from the existing septic field ensuring the land employed for agricultural use will be unimpacted.

Clause 21.07-2 Cockatoo ensures use and development proposals are consistent with the requirements of the Cockatoo Township Strategy, March 2008. As previously stated, the subject site is located to the east of the area identified as the Cockatoo Township boundary though the proposal avoids any conflict with the general requirements associated with farmland contained within the Structure Plan; vegetation is retained, suitable setbacks respected, and a high standard of construction is existing. The existing residential land use remains subservient to the existing agricultural use of the land.

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 12, 13, 14 and 15.

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

CLAUSE 12 ENVIRONMENTAL AND LANDSCAPE VALUES

Clause 12 seeks the protection of Victoria's biodiversity. The proposal has been carefully designed to avoid impacts to biodiversity and a net loss of biodiversity consistent with the strategies of **clauses 12.01-1S Protection of biodiversity** and **12.01-2S Native vegetation Management**. The re-subdivision proposes the realigned boundary to locate a fence line in grassland (pasture), avoiding any impacts to vegetation or significant changes to the land. The road augmentation works in the Lisheen Road reserve are to the minimum extent necessary to achieve access requirements, with the Functional Layout Plan providing evidence that the existing features in terms of road alignment, drainage, camber, batters that also avoid, minimise and offset impacts to vegetation, as is appropriate. This also avoids any impacts to the waterway to the north, which is consistent with the objective of **clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs**. This serves the objective associated with **clause 12.05-1S Environmentally sensitive areas** and **clause 12.05-2S Landscapes**.

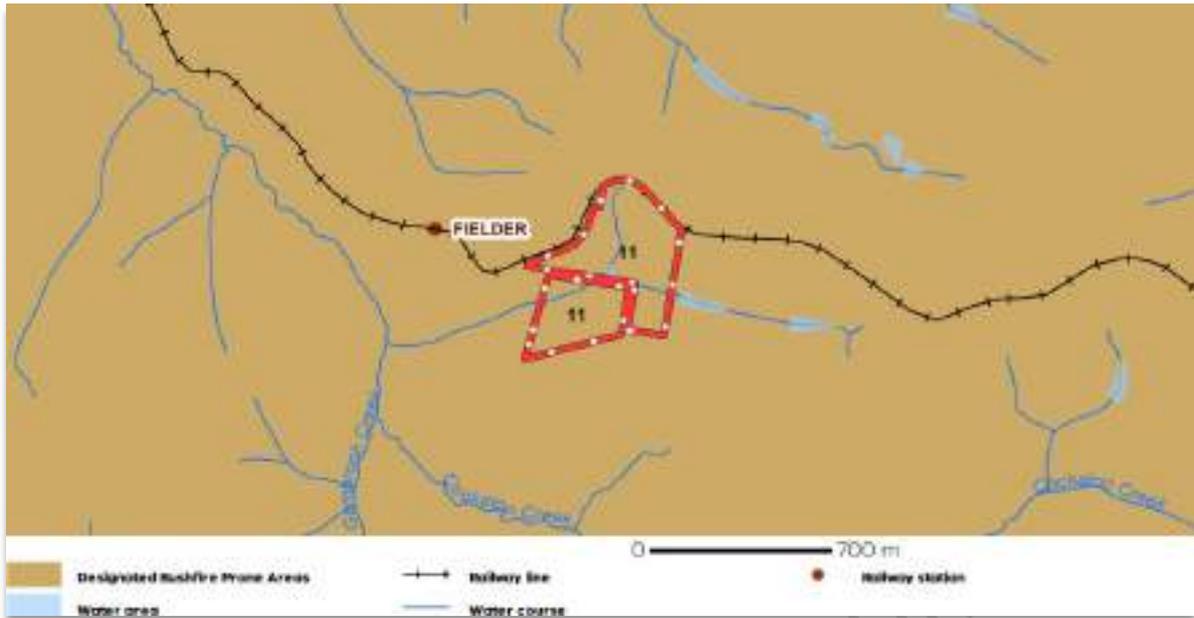
Additionally, the generous sized lots ensure landscape character is preserved in keeping with the objective of **clause 12.05-2S Landscapes**.

CLAUSE 13 ENVIRONMENTAL RISK AND AMENITY

Clause 13 has regard to the environmental risks and amenity associated with landscapes. Of salience here are **clauses 13.01 Climate change impacts** and **13.02 Bushfire Planning**. Recently amended **clause 13.01-1S Natural hazards and climate change** seeks to minimise the impacts of natural hazards and pursue risk-based planning to mitigate risks such as bushfire and flooding. The proposal contemplates re-subdivision (boundary realignment) on land that is subject to the BPA and the elevated risks associated with bushfire, as per the BMO.

Clause 13.02-1S Bushfire Planning has the objective *to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life* and is required to be addressed for proposals on land that is within a designated Bushfire Prone Area, as per the *VicPlan* mapping below, and subject to the Bushfire Management Overlay. It should be noted however that the proposal does not contemplate use or development that may create a bushfire hazard, nor subdivision of more than 10 lots and it will not elevate the risk of bushfire to the site or surrounding area.





Clause 13.02-1S (Bushfire) of the Planning Scheme applies to all decision making relating to land that is within a BPA; subject to the BMO; or proposed to be used or developed in a way that may create a bushfire hazard and seeks:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies employed to achieve the above-mentioned objective include:

- *prioritising the protection of human life*
- *requiring a robust assessment of the bushfire hazard and risk assessment before any strategic or statutory decision is made; and*
- *directing population growth and new settlements to low risk locations.*

Clause 13.02-1S provides strategies that seek to mitigate risk associated with bushfire. The following table provides a response to the strategies of clause 13.02-1S.

PROTECTION OF HUMAN LIFE

GIVE PRIORITY TO THE PROTECTION OF HUMAN LIFE BY:	RESPONSE
<p><i>Prioritising the protection of human life over all other policy considerations.</i></p>	<ul style="list-style-type: none"> • This proposal provides for a re-subdivision of land whereby the existing dwelling is contained in a parcel that has a north to south orientation and access from 11 Aclare and Lisheen Roads. The report demonstrates that this meets the requirements of Clause 13.02-1S including the long term use and development controls through siting and construction to the required BAL. • Defendable Space within this realigned parcel will improve the safety of residential lots to the west, in the event a fire approaches from the east.

<p><i>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.</i></p> <div data-bbox="312 512 625 667" style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p style="text-align: center;"> ADVERTISED MATERIAL Planning Application: T250157 Date Prepared: 24 March 2026</p> <p style="font-size: 8px; text-align: center;">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.</p> </div>	<ul style="list-style-type: none"> • The existing dwelling on 11 Aclare will not be burdened by the proposed boundary realignment; indeed the long term land management associated with the defendable space will mitigate the risk to the subject site and surrounding land. • Dwellings exist adjacent to subject sites associated with the re- subdivision and the existing dwelling is sited in an area of the lots that is cleared of undergrowth with canopy separation achievable for onsite trees. • The existing road network facilitates vehicle access to areas in Cockatoo township identified as NSP-PLR. • Access and egress are facilitated from Aclare Road and Lisheen Road with east to west egress routes available.
<p><i>Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.</i></p>	<ul style="list-style-type: none"> • The re-subdivision has considered fire brigade access to all lots with works in Lisheen Road that will ensure all-weather access to the property boundary of a minimum 4.5metre width.

BUSHFIRE HAZARD IDENTIFICATION AND ASSESSMENT

IDENTIFY BUSHFIRE HAZARD AND UNDERTAKE APPROPRIATE RISK ASSESSMENT BY:	RESPONSE
<p><i>Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.</i></p>	<ul style="list-style-type: none"> • The Cardinia Planning Scheme relies on the planning proposal to respond to bushfire based on current assessment methods. • Clauses 13.02-15 and 44.06 have been considered and addressed by the proposal. • Clause 71.02-3 Integrated Decision Making strengthens the importance of bushfire planning as an appropriate tool to reconcile potential conflicts in design and vision. • The assessment method aligns with AS3959:2018.
<p><i>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.</i></p>	<ul style="list-style-type: none"> • The planning proposal responds to the Bushfire Prone Area and the Bushfire Management Overlay. • This report evidences that the boundary realignment will not change the conditions on the site; will not elevate the risks associated with the existing dwelling, nor elevate risk conditions on adjacent land.
<p><i>Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard</i></p>	<ul style="list-style-type: none"> • The BMO applies to the land recognising that the land is in an area of high bushfire hazard.
<p><i>Considering and assessing the bushfire hazard on the basis of:</i></p>	<ul style="list-style-type: none"> • The re- subdivision of land in the BMO requires all four scales to be considered.

<ul style="list-style-type: none"> • <i>Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site;</i> • <i>Local conditions - meaning conditions in the area within approximately 1 kilometre from a site;</i> • <i>Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and,</i> • <i>The site for the development</i> 	<ul style="list-style-type: none"> • The Landscape conditions conditions are provided below, FIGURE 7. • The Neighbourhood and Local conditions are provided below as Figures 8 and 9. • The Site conditions are below as Figure 10.
<p><i>Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.</i></p>	<p>It is expected that Council would confer with the CFA for consideration and advice regarding the waiver of BMO requirements given this proposal contemplates a boundary realignment, or re-subdivision that will not change existing conditions or elevate bushfire risk to the existing dwelling. The waiver is denied by Council. The Bushfire Management Statement is expected to be referred to the CFA, who are a recommending authority.</p>
<p><i>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.</i></p>	<ul style="list-style-type: none"> • This report provides evidence that informs the re-subdivision and provides a basis for approval of the planning proposal, with regard to bushfire risk. • Assessing the site-based bushfire risk and including appropriate bushfire protection measures (e.g. managed vegetation, separation from the hazard) enables the achievement of the direction of the Planning Scheme.
<p><i>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.</i></p>	<ul style="list-style-type: none"> • Perhaps the most salient element of clause 13.02 as it empowers the Responsible Authority to refuse a permit application until it is satisfied that the bushfire protection measures are being implemented. • This report demonstrates that the risk of bushfire should not be a reason for refusal.



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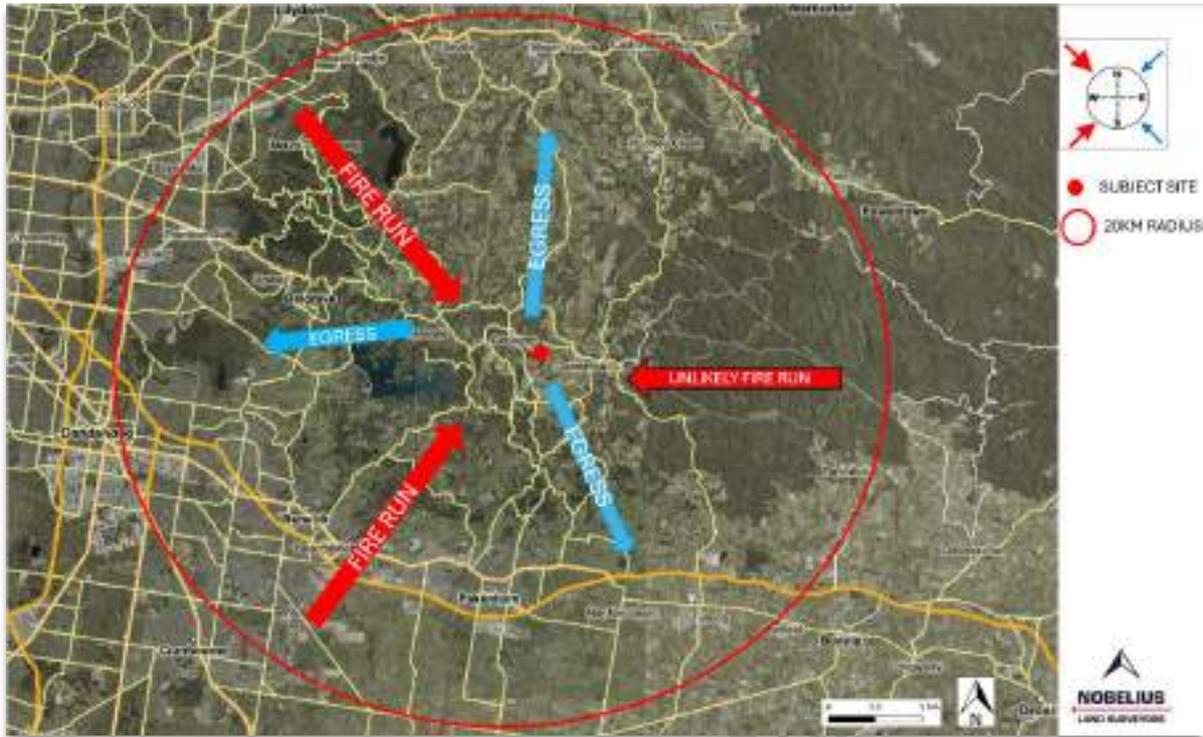


FIGURE 7 – LANDSCAPE CONDITIONS WITHIN 20 KMS OF THE SUBJECT LOTS.



FIGURE 8 (ABOVE) – LOCAL CONDITIONS WITHIN 1KM OF THE SUBJECT SITE.


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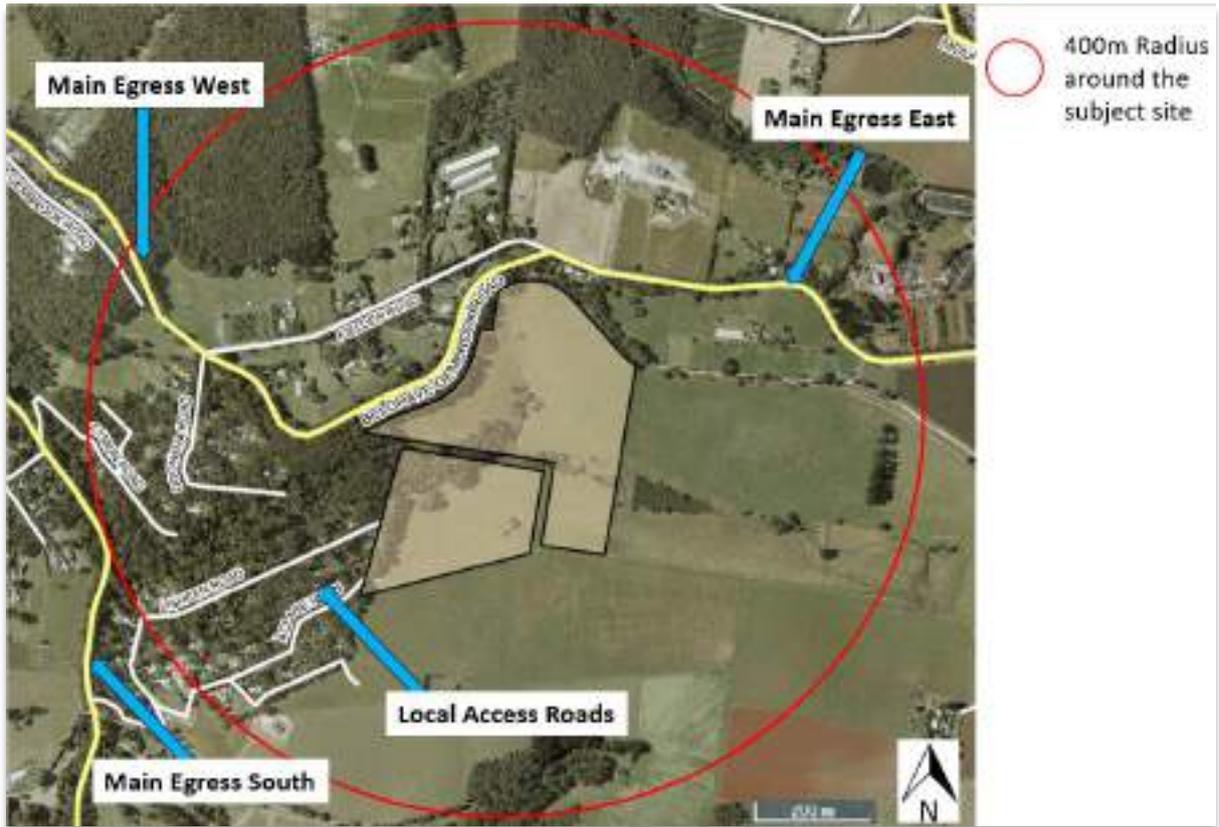


FIGURE 9 (ABOVE) – NEIGHBOURHOOD CONDITIONS WITHIN 400M OF THE SUBJECT SITE.

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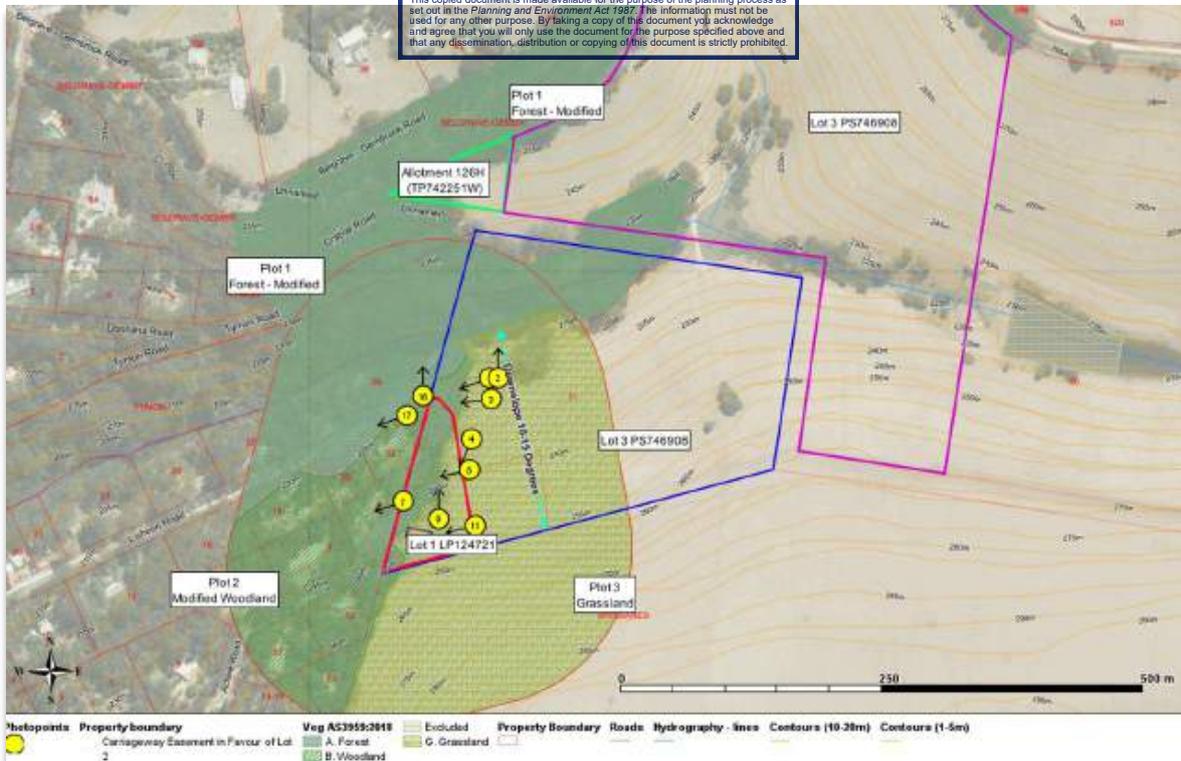


FIGURE 10 – THE SITE CONDITIONS WITHIN 150M OF THE RESUBDIVIDED LAND.

SETTLEMENT PLANNING

PLAN TO STRENGTHEN THE RESILIENCE OF SETTLEMENTS AND COMMUNITIES AND PRIORITISE PROTECTION OF HUMAN LIFE BY:	RESPONSE
<i>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 AS3959:2018 Construction of Buildings in Bushfire Prone Areas (Standards Australia, 2018).</i>	<ul style="list-style-type: none"> • The land is adjacent to established residential lots in an area that is recognised as a high risk from bushfire. • Development of the land should only proceed where all elements of the BMO are achieved • The re-subdivision will not have any physical impact to the existing site conditions, only improve the access via Lisheen Road to the site for emergency service vehicles.
<i>Ensuring the availability of and access to areas assessed as BAL-LOW rating under AS3959-2018 Construction of Buildings in Bushfire Prone Areas (Standards Australia, 2018) where human life can be better protected from the effects of bushfire.</i>	<ul style="list-style-type: none"> • Areas of the land can achieve BAL 12.5, as per the BAL Contours plan in Figure 11 (below).
<i>Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of the future land use and development.</i>	<ul style="list-style-type: none"> • The establishment and maintenance of Defendable Space should accompany the boundary re-alignment to ensure the proposed lot with the existing dwelling is subject to ongoing vegetation maintenance that will reduce bushfire risk to the existing residence. The increased level of vegetation management will reduce the risk of bushfire to existing dwellings and residents to the west of the subject lots, should a fire approach from the east.
<i>Achieving no net increase risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce the bushfire risk overall.</i>	The BMO applies (partially) to the land recognising that the land is in an area of high bushfire hazard. The existing dwelling should implement the current regulations pertaining to bushfire mitigation. No new lots are created and no development is proposed.
<i>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.</i>	Please refer to the Landscape Assessment Plan above in Figure 7; the Local and Neighbourhood conditions are considered in Figures 8 and 9 (above); and the Site conditions are considered in the Bushfire Hazard Site Assessment in Figure 10 above. While the landscape provides hazardous conditions, the site can provide two access/egress options.
<i>Assessing alternative Low Risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.</i>	<ul style="list-style-type: none"> • The proposal contemplates a re-subdivision adjacent to an established residential area of Cockatoo. • The proposal increases resilience by applying a prescribed management to the



	<p>defendable space across the land, which benefits the existing residential lots to the west.</p> <ul style="list-style-type: none"> It is expected that this re-subdivision would be referred to CFA for consideration as it is in the Bushfire Management Overlay.
<p><i>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 BAL-12.5 rating under AS3959:2009.</i></p>	<ul style="list-style-type: none"> Perhaps the most important element of clause 13.02 as it empowers the Responsible Authority to refuse a permit application until it is satisfied with the bushfire protection measures being implemented. The proposal contemplates a statutory application only and is not a strategic proposal. This report demonstrates that the risk of bushfire should not be a reason for refusal.

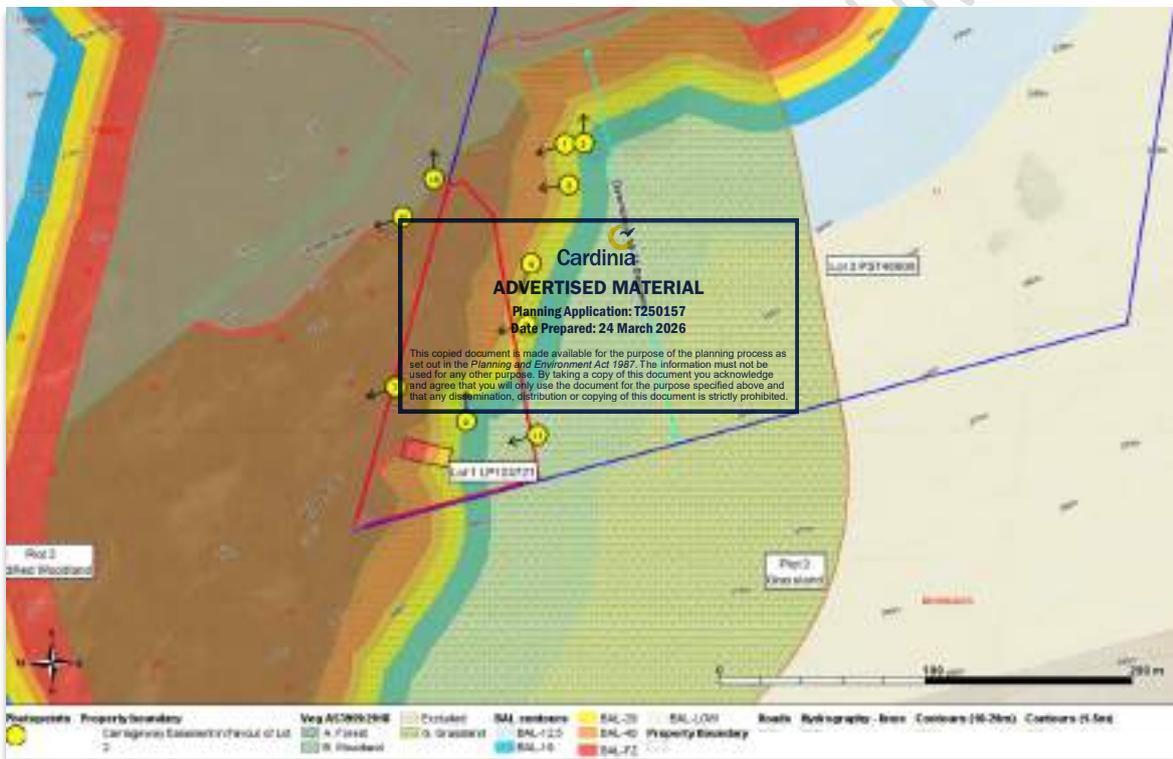


FIGURE 11 (ABOVE) – BAL CONTOUR PLAN SHOWING AREAS OF THE PROPOSED LOT CAN ACHIEVE BAL 12.5 AS PER THE REQUIREMENTS ASSOCIATED WITH SETTLEMENT PLANNING.

AREAS OF HIGH BIODIVERSITY CONSERVATION VALUE

The objective here is to 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.

The land is adjacent to established residential lots where understorey vegetation has been significantly modified to provide areas for dwelling development.

There is an existing dwelling on Lot 1 LP124721 and will be subject to planning requirements however, this proposal provides evidence that lot 1 has the capacity to mitigate the bushfire risk posed by the surrounding land, particularly with regard to access and vegetation management.

USE AND DEVELOPMENT CONTROL IN A BUSHFIRE PRONE AREA

REQUIREMENTS	RESPONSE
<p><i>Use and development control 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 use and development:</i></p> <ul style="list-style-type: none"> • Subdivision of more than 10 lots • Accommodation <p><i>When assessing a planning permit application for the above uses and development:</i></p> <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Use and development controls do not apply as the proposal contemplates a re-subdivision and there are <u>no new lots being created</u>. • In the context of strategic planning decisions, these strategies need to consider the 'net increase in risk to existing and future residents'. As it relates to the objectives at Clause 13.02-1S of the Planning Scheme, it is necessary to ensure that the protection of human life is prioritised when decisions are made. However, the strategies listed at Clause 13.02-1S in the Planning Scheme are not 'mandatory requirements' and it is not necessary to 'tick every box'. It is more important to ensure that decisions are consistent with the State policy objectives and build resilient communities.

PLANNING POLICY DOCUMENTS TO BE CONSIDERED	RESPONSE
Any relevant approved state, regional and municipal fire prevention plan.	Fire prevention measures included in the Cardinia Shire Municipal Fire Prevention Plan ensure roadsides and public space to the north of the land are managed.
AS3959:2018 Construction of Buildings in Bushfire Prone Areas (Standards Australia, 2018).	Bushfire Attack Levels employ this standard to determine the BAL for the site. The existing dwelling is subject to BALFZ however these are existing BAL conditions and the proposal will not alter these conditions, rather provides a mechanism to apply mitigation requirements such as retrofitting the dwelling and vegetation management.
Living in bushfire-prone areas – CSIRO & Standards Australia (SAA HB 330-2009, December, 2009)	This is the handbook to AS3959, which does not need to be considered in the planning proposal.
Any Bushfire Prone Area map prepared under the Building Act 1993 or regulations made under the Act.	The updated Bushfire Prone Area mapping has been considered in this report.

CLAUSE 14 NATURAL RESOURCE MANAGEMENT

Clause 14 has regard to the conservation and wise use of natural resources of which water and land for agricultural are relevant here. **Clause 14.01-1S Protection of agricultural land** seeks to protect productive farmland. The subject lots and all contiguous, co-owned with land to the east, and are employed for small-scale cattle grazing. The proposal for the re-subdivision of land will not impact this existing land use as there will be no change to land use, development or onsite vegetation. The proposal is responsive to this objective as it does not contemplate re-subdivision for the purpose of development or changing the land use. The proposal gives priority to the re-subdivision of productive agricultural land so it may continue in the service of agriculture, which is consistent with clause 14.01-1S.

This is relevant to the protection of waterways, catchments and waterbodies in Cardinia as per **clause 14.02-1S Catchment planning and management** given the proximity of the subject lots to the waterway that dissects them. As has been discussed, the proposal is essentially an exercise in paperwork as it will not have any bearing on the physical landscape, including the waterway. The road augmentation works in Lisheen Road have been reduced to the minimum extent necessary to achieve road access as per requirements, in an attempt to balance the provision of access with the preservation of vegetation in the road reserve and soil disturbance in order to protect the creek to the north from any suspended sediment during construction.

CLAUSE 15 BUILT ENVIRONMENT AND HERITAGE

Of salience here is the objective of **clause 15.01-3S subdivision design** which seeks to design subdivisions to achieve attractive, safe, accessible, diverse and sustainable neighbourhoods. It must be noted however, that the proposal contemplates a re-subdivision of existing titles. No new title lots will be created. The purpose of the re-subdivision is that it will define land associated with the existing onsite dwelling, provide multiple access and egress options to this site, improve access via Lisheen Road for ingress for emergency service vehicles and define a lot that provides a suitable transition from the residentially zoned land to agricultural zoned land. The dwelling parcel is consistent with the existing neighbourhood character associated with the Low Density Residential land to the west and reinforces the existing sense of place, as required by **Clauses 15.01-5S Neighbourhood character** and **15.01-6S Design for rural areas**.



8. PARTICULAR PROVISIONS

The particular provisions addressed here have regard to:

- Clause 52.12 Bushfire Protection Exemptions
- Clause 52.17 Native vegetation
- Clause 53.02 Bushfire Planning

CLAUSE 52.12 BUSHFIRE PROTECTION EXEMPTIONS

Bushfire protection exemptions have the purpose of facilitating the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire, that is of relevance here.

Clause 52.12-1 provides exemptions for the removal of vegetation to create defendable space around buildings used for accommodation. The two trees within the Lisheen Road reserve that are to be removed, Trees 30 and 36 are within 30 metres of the dwelling at 22 Lisheen Road, which pre-dates 10 September 2009. The exemptions of clause 52.12-1 apply.

CLAUSE 52.17 NATIVE VEGETATION

Clause 52.17 has the following purposes:

- 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.

Pursuant to Clause 52.17 Native Vegetation, locally indigenous, non-planted vegetation requires a permit (and offset) to remove, destroy or lop. *Treed Environs* have prepared a *Native Vegetation Removal Report* for vegetation in the Lisheen Road reserve adjacent to the subject site and have found that Clause 52.17 will apply to several trees.

As per the Native Vegetation Report by *Treed Environs* dated 15 October 2025 (NVR ID: 311_20251015_NLK) Tree 30 and 36 are indigenous trees and require offsetting.

AVOID, MINIMISE AND OFFSET

As per the NVR, tree removal can be avoided on the subject site adjacent to the existing dwelling site. Trees do not require pruning or removal to achieve canopy separation because several large trees have fallen as a result of recent storms creating separation between the tree canopy.



The removal of vegetation as a consequence of the works in the Lisheen Road reserve has been minimised to two trees; Trees 30 and 36. Refer to the graphic below.

The vegetation to be removed and offset is described below:

Information provided by or on behalf of the applicant			Information calculated by NVR Map							
Zone	Type	DBH (cm)	EVC code (modelled)	Bioregional conservation status	Large Tree(s)	Condition score (modelled)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
1	Patch	-	HSF_0030	Least Concern	-	0.350	0.001	0.001	0.530	0.000
2	Patch	-	HSF_0030	Least Concern	-	0.350	0.003	0.003	0.530	0.001

Offsets, if approved, must meet the following requirements:

General Offset amount ¹	0.002 General Habitat Units
Minimum strategic biodiversity value score ²	0.424
Large Trees	0
Vicinity	Melbourne Water CMA or CARDINIA SHIRE LGA

CLAUSE 53.02 BUSHFIRE PLANNING

Clause 53.02 has the purpose:

- 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.

A bushfire hazard site assessment, a bushfire hazard landscape assessment and a bushfire management statement has been provided as a separate document to satisfy the requirements of clause 44.06. A re-subdivision of the land is considered a Pathway 3 assessment and must respond to the requirements associated with clause 53.02-4.4.



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 65.02 Approval of an application to subdivide land
- Clause 71.02-1 Purpose of the Planning Policy Framework
- Clause 71.02-3 Integrated decision making

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 and 65.02 relating to the approval of an application or plan and an application to subdivide the land respectfully are relevant to this application.

CLAUSE 65.01 APPROVAL OF AN APPLICATION OR PLAN

The decision guidelines outlined in Clause 65.01 are applicable to this proposal, in particular:

- *The matters set out in Section 60 of the Act*
- *Any significant effects the environment, including the contamination of the land, may have on the use or development.*

The land is not identified as being contaminated. The site constraints and considerations of the land including native vegetation, topography and any overland flows have been responded to throughout the design process.

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*

The planning considerations have been adequately addressed within this report in sections 5-8. The revised proposal results in two lots; Lot 1 and Lot 2 (pt). Lot 2 (pt) is currently employed for agriculture and while there is a paper road that dissects the portions, that does not impact the practical operation of the agricultural parcel. The historic paper road will not be constructed by Council as it serves no function, is of no benefit and would be cost prohibitive therefore should not burden the reconfiguration of the lots to reflect the day to day operation of the land. Lot 1 measures 8,150m² and will contain the existing dwelling. In terms of character and orderly planning, Lot 1 is consistent with similarly zoned and sized lots in the area and creates a transition allotment from residential zoned land to the Green wedge.

- *The effect on the environment, human health and amenity of the area.*

The proposed re-subdivision does not pose any foreseeable adverse impacts to the environment, human health or the amenity of the area. The road augmentation of Lisheen Road will require two trees to be removed and a cluster of Tree Ferns to be translocated to within 70 metres of the current



location. Road works have been reduced to the minimum extent necessary to reduce impacts to vegetation and the risk of erosion during construction.

- *The proximity of the land to any public land.*

The proposed re-subdivision does not adversely impact any public land within the vicinity of the site. The augmentation of Lisheen Road is within the road reserve and considered public land. These works will improve access and drainage conditions for the benefit of adjacent land holders.

- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*

No foreseeable factors that may cause or contribute to land degradation, salinity or reduced water quality have been identified during the design process.

- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*

A Functional Layout Plan by NFK Civil has been provided that facilitates augmented stormwater and drainage in the road reserve. It is shown that there will be no elevated or altered stormwater conditions as a result of the proposed re-subdivision (boundary realignment), and stormwater and drainage in Lisheen Road will be facilitated by the spoon drain adjacent to the southern edge of the access.

- *The extent and character of native vegetation and the likelihood of it's destruction.*

The proposal avoids impacts on onsite native and non-native vegetation as a result of the re-subdivision. The road augmentation will result in the removal of two trees and translocation of a cluster of young Tern Ferns. The subject sites in their existing state are highly modified landscapes, with the majority of the subject site cleared for agriculture. All third-party vegetation beyond the site boundaries has been assessed with impacts consistent with the hierarchy of avoid, minimise and offset.

- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

The proposed re-subdivision locates the new boundary on cleared land. Landscaping buffers are not required as both sides of the boundary are cleared. The road augmentation will minimise works to reduce impacts to roadside vegetation, which will be able to regenerate.

- *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.*

The subject site is not identified as prone to flood or erosion through the application of overlays. The site is mapped as a designated bushfire prone area and within the Bushfire Management Overlay. The risk has been assessed in accordance with the requirements of Clauses 13.02 and 52.03. The re-subdivision proposal is essentially an exercise in paperwork and will not elevate or alter the physical landscape. The works in the road reserve will improve access from Lisheen Road to the agricultural land.

- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

Loading and unloading facilities are not relevant to this proposal.

- *The impact the use or development will have on the current and future development and operation of the transport system.*

The proposed resubdivision does not adversely impact on the current and future development and operation of the transport system.

CLAUSE 65.02 APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

The decision guidelines outlined in Clause 65.02 have been considered in the proposed design. A response has been provided where applicable to demonstrate how the proposal meets the decision guidelines outlined below:

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality and the need for the creation of further lots.*

The land is zoned as green wedge and the proposal does not seek to alter the land use or propose development. The proposal contemplates the re-subdivision of existing lots and is essentially a paperwork exercise as no features of the onsite physical landscape will be altered. The land to the north, east and west is either not suitably zoned to further subdivide or is at maximum subdivision capacity given the bushfire risk associated with the surrounding landscape.

- *The effect of development on the use or development of other land which has a common means of drainage.*

As stated, the proposal to re-subdivide the land will have no bearing on the physical landscape and avoids affects on the use and development of other land that has a common means of drainage. The road augmentation will improve drainage for the 70 metres of track between the current end of Lisheen Road and the subject boundary, with the road surface remaining permeable to reduce additional drainage 'load' on the 900m drain.

- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*

The re-subdivision is responsive to the constraints and considerations posed by the site, including native vegetation and topography.

- *The density of the proposed development.*

The proposed re-subdivision will have no bearing on the density of lots or development on the subject sites or surrounding land.

- *The area and dimensions of each lot in the subdivision.*

The proposed re-subdivision proposes lot dimensions that are smaller than that required by the Zone however, the re-subdivision will not create additional lots, nor is development proposed.

- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*

Not Applicable.

- *The provision and location of reserves for public open space and other community facilities.*

The proposal does not include reserves for public open space or other community facilities.



- *The staging of the subdivision.*

The re-subdivision is not proposed to be undertaken in stages.

- *The design and siting of buildings have regard to safety and the risk of spread of fire.*

The risk of fire to the lots proposed for re-subdivision will not be elevated, or altered by the proposal. The lot layout and setbacks of the dwelling have been pre-determined and will not be altered as a result of this proposal. Works in the Lisheen Road reserve will improve access and egress for emergency service vehicles.

- *The provision of off-street parking.*

Not Applicable.

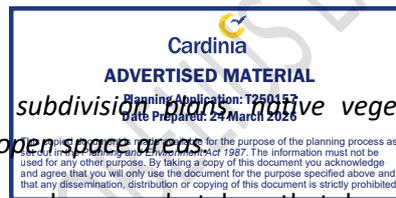
- *The provision and location of common property.*
- *The functions of any body corporate.*

Not Applicable.

- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.*
- *If the land is not seweraged and no provision has been made for the land to be seweraged, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.*

Not Applicable.

- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*



An Arboricultural Assessment has been undertaken that has identified the location of native vegetation, which has been considered in the re-subdivision design process. All onsite vegetation will be retained given the re-subdivision will locate the boundary away from existing vegetation. No vegetation is required or proposed to be removed to facilitate the re-subdivision. Two native trees will incur major encroachment by works associated with the augmentation of Lisheen Road and be removed and offset. A cluster of three Tree Ferns will be relocated to within 70metres of the current location and be offset. Two trees that are dead and collapsed will be felled to make them safe.

- *The impact the development will have on the current and future development and operation of the transport system.*

The proposed re-subdivision does not adversely impact on the current and future development and operation of the transport system.

CLAUSE 71.02-3 INTEGRATED DECISION MAKING

Clause 71.02-3 Integrated decision making seeks to balance the needs and expectations of the community in terms of the provision of built form to accommodate a growing population, protection of the environment, economic wellbeing, various social needs, management of resources and infrastructure.

Clause 71.02-3 has been recently updated (February, 2022) and aims to balance these needs and expectations through the employment of the Planning Scheme to ensure conflicting objectives are balanced in favour of net community benefit and sustainable development for the benefit present and future generations. It states that in bushfire affected areas, planning must prioritise the protection of human life over all other policy considerations.

Our proposal contemplates the re-subdivision of land in an area where the risk associated with bushfire is high however, the proposal will have no bearing on the physical environment, nor does it elevate, mitigate or alter the bushfire risk. The re-subdivision of the subject sites has the purpose of providing a lot around the existing dwelling that provides a suitable transition from the agricultural land to the east to the residential land to the west. It will have no impact on the physical environment, economic wellbeing, various social needs, management of resources or infrastructure

10. CONCLUSION

It is submitted that the proposal is consistent with the relevant policies and provisions of the Cardinia Planning Scheme and should receive Council's support for the following reasons:

- The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework.
- The re-subdivision proposal is consistent with the purpose of the Green Wedge Zone and will result in the separation of the existing dwelling from the agricultural land, ensuring the land owners can focus on agricultural activity and not being landlords..
- As stated in this report, the matters for consideration under the *Planning and Environment Act, 1987* and associated *Planning and Environment Regulations 2015* has been satisfactorily addressed through compliance with the Cardinia Planning Scheme, demonstrating the re-subdivision is compatible with the existing subdivision pattern on similarly zoned land in the surrounding area.
- Onsite and third-party vegetation has been assessed. All onsite native and non-native vegetation will be preserved. Impacts to Native vegetation within the Lisheen Road reserve have been largely avoided through work exclusions in the SRZ of existing large trees. The removal of one (1) trees and the re-location of a cluster of Tree Ferns represent minimised impacts. These trees are to be offset.
- The re-subdivision will have no bearing on the bushfire risk associated with the sites other than the improvement of access and egress to the site via Lisheen Road for Emergency Service Vehicles. The proposal does not contemplate a change of use or development that will elevate risk to the residents or community.

The constraints and considerations of the subject site have been appropriately responded to in the design process and the proposal to re-subdivide the land warrants Councils support. The proposal to augment the 70 metres of track between the end of Lisheen Road and the site boundary will facilitate improved access and drainage in accordance with Council requirements, and for the benefit of adjacent landowners. Vegetation impacts have been avoided and minimised through design and offset where appropriate. The road augmentation works warrant the support from the responsible authority.

Our Ref: 14160
17 March 2025

Cardinia Shire Council
PO Box 7
Pakenham VIC 3810
Attn: Planning Department

Dear Sir / Madam,

ADDRESS:	11 Aclare Road, Cockatoo VIC 3781
PROPOSAL:	Two (2) Lot Subdivision (re-subdivision of existing titles)

The landowners have engaged Nobelius Land Surveyors Pty Ltd to lodge a formal application with Cardinia Shire Council for a two (2) lot re-subdivision of land at 11 Aclare Road, Cockatoo (Lot 1 on LP124721 and Lot 1 on TP742251W). The re-subdivision will create two lots of approximately 8150m² containing the existing single storey wood dwelling (proposed Lot 1) and another lot of approximately 8.198 hectares (proposed Lot 2).

The land is located within Green Wedge Zone – Schedule 2 and allows the realignment of existing titles providing it does not increase the potential for further subdivision, or for additional dwellings.

No services will be affected by the realignment, including septic.

In support of the application, we wish to provide the following information for Council's review:

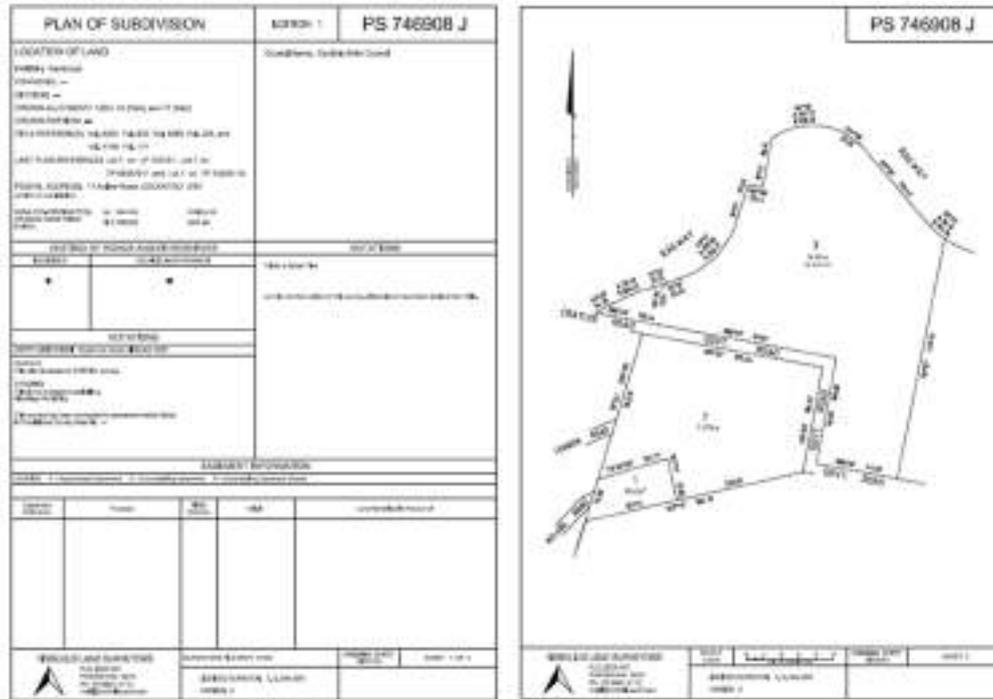
- A copy of Titles;
- A copy of the Plan of Subdivision (Ver K) prepared by *Nobelius Land Surveyors*;
- A copy of the Development Plan (Ver 5) prepared by *Nobelius Land Surveyors*;
- A Town Planning Report prepared by *Nobelius Land Surveyors*;
- Fees.

The planning history associated with this site is relevant & we provide the following information for the consideration in addition to the above:



Three (3) Lot Re-Subdivision of Existing Titles – T160597:

- In 2016 Nobelius Land Surveyors Pty Ltd lodged an application with Council for a Three Lot Boundary Realignment at the subject site which was allocated to Hugh Pierce.
- Request for further information to be provided in support of our application received on the 16th March 2016.
- Request for further information to be provided in support of our application received on the 13th October 2016.
- Advertising correspondence received 24th March 2017.
- Correspondence from the CFA received (31st May 2017) consenting to the granting of a permit
- 20th November 2017 Mary Rush asked that the issue for access to proposed Lot 3 be resolved.
- Letter sent to Debbie Tyson (Council) on behalf of owners from Solicitor Jim Pipey on 26th February 2018 following discussions with Debbie, Mary Rush and Samantha Zimberley to discuss the application around imposing a 30m creek protection area.
- A Planning Permit was granted by Council on the 10th December 2018.





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Planning Application: T250157
Date Prepared: 24 March 2026

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Extension of Time Application (1) – T160597

- Application lodged with Cardinia Shire Council for an Extension of Time on the 3rd December 2020.
- Extension of Time Granted by Cardinia Shire Council on the 21st January 2021.



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Extension of Time Application (2) – T160597

- Application lodged with Cardinia Shire Council for an Extension of Time on the 26th September 2022.
- Extension of Time Granted by Cardinia Shire Council on the 7th February 2023.

Planning Permit Amendment (T160597):

- On the 18th January 2023 Nobelius Land Surveyors Pty Ltd lodged an application to amend Planning Permit T160597.
- This application was to remove Condition 1 of the Planning Permit which required a revised Plan of Subdivision to be submitted, modified to show:
 - *The nomination of the body in whom Reserve No. 1 will be vested (Department of Land, Water and Planning) (DELWP) and including written consent from DELWP to the vesting of the Reserve No. 1 in their body.*
- Falcone & Adams Lawyers had been in discussion with both DELWP and Council in relation to this matter, in particular the nomination of Reserve No 1.
- On the 10th February 2023 this was allocated to Evie McGauley-Kennedy - Senior Statutory Planner.
- On the 3rd May 2023 a request for additional information to be provided was issued by Council to Nobelius Land Surveyors Pty Ltd.
- Discussions in response to this correspondence was had with a Civil Engineer and Ben Nobelius, Licensed Surveyor on site with the owners & Joe Falcone, Falcone & Adams Lawyers.
- On the 14th August 2023 this application to remove Condition 1 from the existing Planning Permit was formally withdrawn with Council as Nobelius Land Surveyors Pty Ltd alongside the owners were still working out how to satisfy Council’s requests.



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Extension of Time Application (3) – T160597

- Application lodged with Cardinia Shire Council for an Extension of Time on the 23rd December 2024.
- Lori advised that she would commence report writing on this application (Tuesday, 10th December 2024).
- Follow up request sent to Lori on the 4th February for an update, as we were in a position to lodge an amendment to the current planning permit.
- Ben phoned Council on the 6th February and spoke with Lori who advised that Council were looking to refuse the extension of time request due to lack of evidence.
- Ben and Tarryn met with Lori and Evie on the 19th February to discuss the new options, and way forward.
- Application formally withdrawn 7th March 2025.

Please do not hesitate to contact us directly on 03 5941 4112 to discuss further or via email (details below)

Kind Regards,




Cardinia
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BUSHFIRE ASSESSMENT AND MANAGEMENT STATEMENT

RE-SUBDIVISION OF LAND (PATHWAY 3) COMPRISING
TWO LOTS
(NO NEW LOTS CREATED)



AT 11 ACLARE ROAD, COCKATOO 3781, FORMALLY DESCRIBED AS LOT 1
LP124721, LOT 1 TP615370Y AND THE LISHEEN ROAD RESERVE IDENTIFIED
FORMALLY AS ROAD R1, R2 AND R3 ON PS011341 (VOLUME 05095 FOLIO 955).



DISCLAIMER

This town planning report has been prepared with careful consideration of plans, designs and assessments associated with the proposal and made available to Nobelius Land Surveyors at the time of writing. Before relying on the information contained in this report, it is recommended that users evaluate the accuracy, completeness and relevance of the information provided for their purposes. Nobelius Land Surveyors does not guarantee that it is not without flaw or omission of any kind and therefore disclaim all liability for any errors, loss or other consequence that may arise from you relying on any information in this report.

Requirements contained in this report does not guarantee survival of the buildings of the occupants from a bushfire event. The client is strongly encouraged to envelope and practice a Bushfire Survival Plan. A template for the development of a Bushfire Survival Plan is available as part of the Fire Ready Kit available on the CFA website at www.cfa.vic.gov.au or through your local CFA Regional Office.

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EXECUTIVE SUMMARY

This report accompanies a Planning Permit application that contemplates the re-subdivision of land comprising two lots and works in the Lisheen Road reserve. The land involved in the proposal includes 11 Aclare Road, Cockatoo 3781, formally described as Lot 1 LP124721, Lot 1 TP615370Y and the Lisheen Road reserve identified formally as Road R1, R2 and R3 on PS011341 (Volume 05095 Folio 955). The sites are partially subject to the Bushfire Management Overlay (BMO) in the western portion of the combined parcels and are required to demonstrate that the proposal has regard for the surrounding bushfire hazard.

This report provides an assessment of the hazards and presents mitigation measures to improve the protection of life and property for the proposed re-subdivision of land and works in the road reserve. Lot 1 LP124721 and Lot 1 TP615370Y are within the Green Wedge Zone for which the re-subdivision of the land requires a Pathway 3 assessment to meet the objectives and approved measures of Clause 53.02 of the Cardinia Planning Scheme.

This report includes the following components:

- An assessment against **Clause 13.02-1S** of the Cardinia Planning Scheme.
- A **Bushfire Hazard Landscape Assessment** that considers the landscape risk and whether the Clause 53.02 modelled fire assumptions are adequate.
- A **Bushfire Hazard Site Assessment** that considers localised hazards, defensible space and the bushfire attack level (BAL).
- A **Bushfire Management Statement** that outlines the design response to the relevant approval measures in Clause 53.02 from the Cardinia Planning Scheme.
- A Bushfire Management Plan.
- A Method 1 BAL Assessment.

The subject site in Cockatoo is in a rural residential setting that abuts residentially zoned land to the west and agricultural land to the north, east and south, and is beyond the boundaries of the Cockatoo established settlement. The combined sites feature one dwelling (located on Lot 1 LP124721) with Lot 1 TP615370Y vacant and employed in agricultural activity. Lot 1 LP124721 has access via an existing crossover to Aclare Road and has benefited from historic access for agricultural trucks from Lisheen Road. Lot 1 TP615370Y has access via an existing crossover to Lisheen Road, which is contiguous and in the same ownership as to the east. The sites feature grassed pasture and modified vegetation adjacent to onsite waterways.

The Bushfire Management Statement demonstrates that the re-subdivision of the land comprising of two lots will not elevate or affect the existing bushfire risk to the existing dwelling on Lot 1 LP124721 (proposed Lot 1 PS746908J). Advice from the CFA/FRV requires any future proposal that sought the replacement of the existing dwelling would need to show a capacity to increase the separation of any future replacement dwelling from the existing hazard, and to show Lot 2 (pt) PS746908J could accommodate a dwelling that met minimum BAL 29 standards.



1. INTRODUCTION

This Bushfire Management Statement has been prepared to demonstrate that the proposed re-subdivision of land comprising two lots can meet the requirements of Clause 44.06 Bushfire Management Overlay (BMO) and is in accordance with the application requirements of Clause 53.02 Bushfire Planning (hereafter Clause 53.02).

The statement contains the following components, as required by the planning scheme:

- An assessment against **Clause 13.02-1S** of the Cardinia Planning Scheme.
- A **Bushfire Hazard Landscape Assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site.
- A **Bushfire Hazards Site Assessment** including a plan that described the bushfire hazard within 150 metres of the proposed development. The description of the hazard has been prepared in accordance with Section 2.2.3 to 2.2.5 of AS3959:2018 *Construction of buildings in bushfire prone areas* (Standards Australia) and is supported by photographs to assist in describing the bushfire hazard.
- A **Bushfire Management Statement** describing how the proposed development responds to the requirements of Clause 44.06 and 53.02, specifically AM5.2.
- A **Bushfire Management Plan** for endorsement with the permit.

1.1 APPLICATION DETAILS

ADDRESS	11 Aclare Road, Cockatoo 3781, formally described as Lot 1 LP124721, Lot 1 TP6615370Y and Lisheen Road formally described as Roads R1, R2 and R3 on Plan of Subdivision 011341.
RESPONSIBLE AUTHORITY	Cardinia Shire Council
ZONE	Green Wedge Zone - Schedule 2
OVERLAY/S	Significant Landscape overlay - Schedule 1 Environmental Significance Overlay - Schedule 1 Vegetation Protection Overlay - Schedule 1 (Lisheen Road and land to the east) Bushfire Management Overlay (Partial)
BUSHFIRE PRONE AREA	Yes
BUSHFIRE ASSESSMENT	Pathway 3
EASEMENTS, RESTRICTIONS, ENCUMBRANCES	No Easements Restriction on TP742251W has regard to the right to search and mine the land for gold, silver copper and tin, antimony coal and other metals and minerals.
PROPOSAL	Re-Subdivision of two (2) lots in common ownership, buildings and works to create access and removal of vegetation.
PERMIT TRIGGERS	<ul style="list-style-type: none"> • Pursuant to clause 35.04-3 of the Green Wedge Zone, a permit is required to (re)subdivide the land. • Pursuant to clause 42.01-2 of the Environmental Significance Overlay a permit is required to (re)subdivide the land. • Pursuant to clause 42.02-2 and Part 3.0 of Schedule 1 to the Vegetation Protection Overlay a permit is required to remove, destroy or lop any vegetation (required for works in the Lisheen Road reserve)

	<ul style="list-style-type: none"> • Pursuant to clause 44.06 of the Bushfire Management overlay a permit is required to (re)subdivide the land. • Pursuant to clause 52.17 Native Vegetation a permit is required to removed or relocate native vegetation.
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1.2 SITE DESCRIPTION

SITE DESCRIPTION	The combined sites are irregular shaped lots that are separated by an unconstructed Government (paper) road.
SITE DIMENSIONS	Lot 1 LP124721 has a maximum depth of 339m ² and a maximum width of 315m ² with an overall area of 8.57 hectares. Lot 1 TP615370Y has a maximum depth of 453m and a variable height and an area of 23.33 hectares.
EXISTING ONSITE CONDITIONS	Lot 1 LP124721 features a detached dwelling. The balance of land is employed for cattle grazing
EXISTING ACCESS	Access to Lot 1 is via an existing crossover to Aclare Road. Access to proposed Lot 2 (pt) is via Lisheen Road. This access is to be augmented to ensure a 4.5m clear width is provided with surface that can accommodate a 15 tonnes emergency service vehicle.
NEAREST FIRE HYDRANT	Pakenham Road, Cockatoo

1.3 SITE LOCATION AND SURROUNDING CONTEXT

The site comprises two lots with an unconstructed government (paper) road dissecting the land. The land is predominantly grassed paddocks with modified vegetation on the banks of a valley (waterway) that runs east to west. The land to the north of the valley has a south facing slope of between 11 and 14 degrees. The land to the south of the valley has a north facing slope of approximately 13 degrees. There is a dwelling in the southwest portion of the land with access from Aclare road.

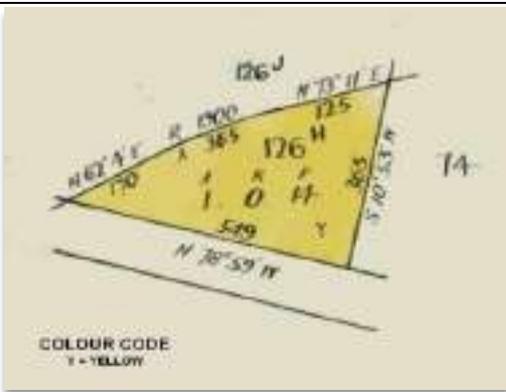
The site is surrounded by a mix of residential-zoned land to the west with a patchwork of open paddocks and bushland pockets to the northwest. To the north, east and south is similarly zoned Green Wedge land that predominantly features open paddocks employed in agriculture. Land to the north is part of the Puffing Billy Tourist Railway reservation. Land to the west is a residential area with lots varying in size from 0.2 hectares to 0.4 hectares. Access is provided via Aclare Road and Lisheen Road from the west and through continuous, co-owned land to the east. The area features tall tree cover with the understorey vegetation removed or significantly modified to accommodate residential development.



FIGURE 1 (ABOVE) SHOWS THE LOCATION OF THE SUBJECT SITES (BLACK OUTLINE) IN CONTEXT WITH THE SURROUNDING DEVELOPMENT (VICPLAN, DEECA, 2025).

1.4 EXISTING AND PROPOSED LOT LAYOUT

The proposal has regard to two irregular shaped lots being 11 Aclare Road, Cockatoo 3781, formally described as Lot 1 LP124721 and Lot 1 TP615370Y. Please note - Allotment 126H TP742251W is no longer included in the revised re-subdivision of the land and has only been included in the table below to show adjacent lot configuration.

EXISTING LOT DESCRIPTION	CORRESPONDING TITLE PLAN
<p>LOT 1 LP124721 is located in the southwestern portion of the lot configuration and contains the existing dwelling with access from Aclare and Lisheen Roads and is currently used for grazing and residential use (existing dwelling). This lot corresponds with land shown to the right highlighted by the yellow outline (existing Title Plan) and encased by the blue dash line in Figure 2 below.</p>	
<p>LOT 1 TP615370Y is part of the re-subdivision of land. It provides access between Allotment 126H (TP742251W) and contiguous co-owned lots to the east and is used and managed consistently with adjacent lots for grazing purposes. It is an irregular-shaped lot that abuts the undeveloped Government Road on paper, no physical barrier exists) from Lot 1 LP124721. This lot is predominantly open paddock with a waterway that dissects the land, with steep, vegetation-covered topography either side of the creek. This lot corresponds with land shaded pink (in the existing Title Plan to the right) and is encased by the red dash line in Figure 2 below.</p>	 <div data-bbox="598 1025 992 1214" style="border: 1px solid blue; padding: 5px;"> <p style="text-align: center;">ADVERTISED MATERIAL Planning Application: T250157 Date of Issue: 24 March 2026</p> <p style="font-size: small;">This copied document is made available for the purpose of the planning process as of 14/03/2026. The information may not be accurate for the purpose of obtaining 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.</p> </div>
<p>ALLOTMENT 126H (TP742251W) is a triangular shaped lot to the west of Lot 1 TP615370Y and is open paddock and employed for grazing cattle. This lot corresponds with land shaded yellow to the right (existing Title Plan). This lot is no longer included in the land subject to re-subdivision.</p>	

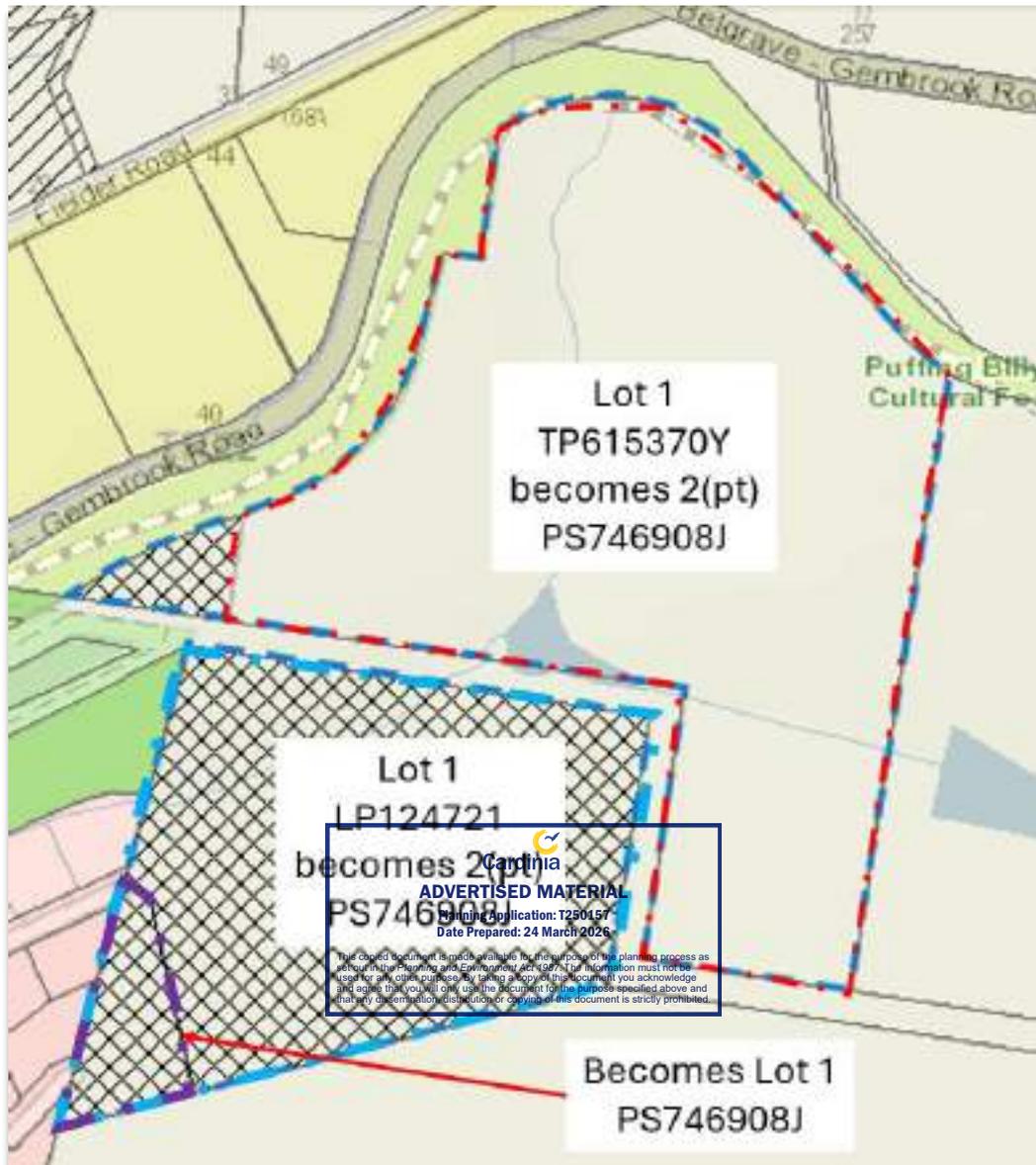


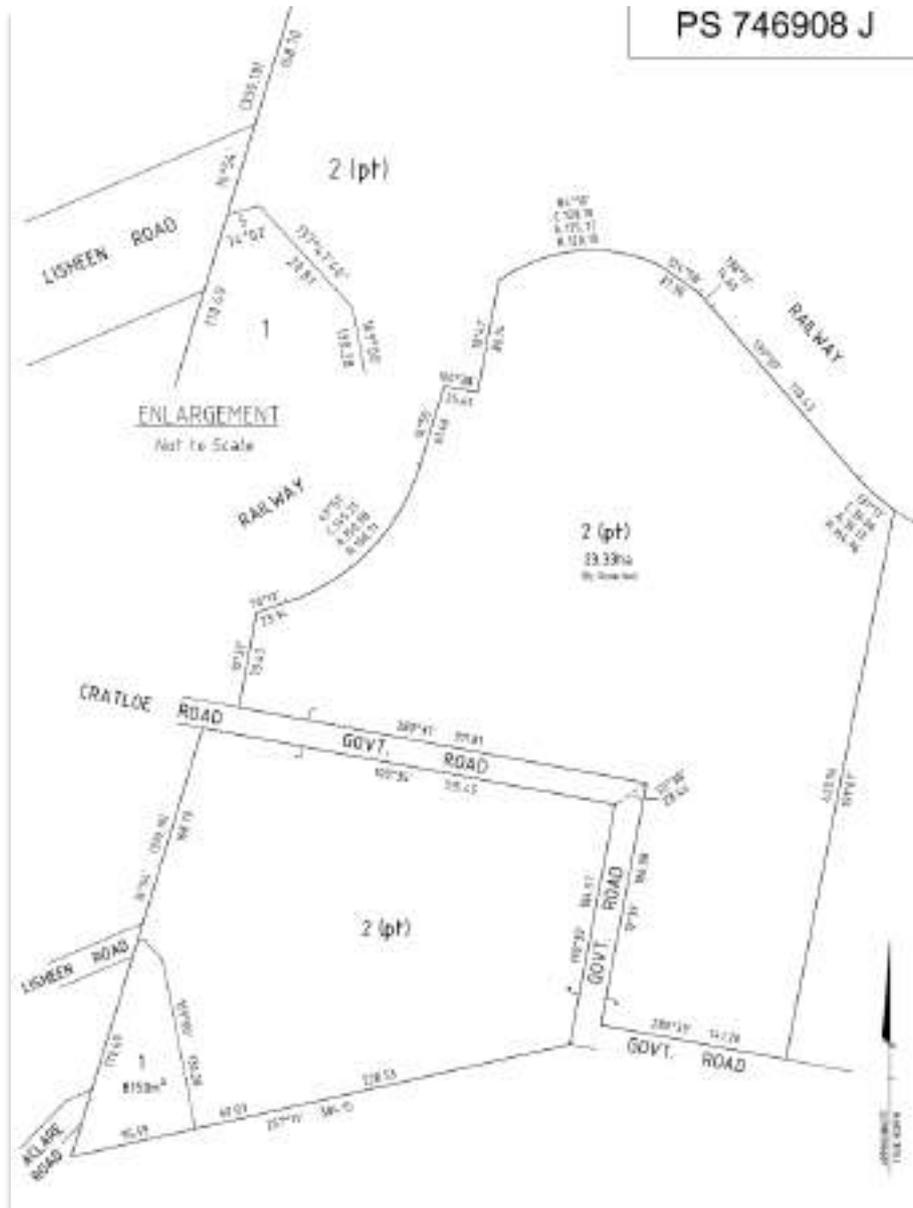
FIGURE 2 SHOWS THE LOTS SUBJECT TO THE RE-SUBDIVISION AND ADJACENT LOTS THAT ARE IN CONTIGUOUS OWNERSHIP AND EMPLOYED IN AGRICULTURAL ACTIVITY.

No new lots are being created. The proposal will result in a title lot in two parts [Lot 2 (2 parts) PS746908J and referred to as Lot 2 (pt)] and Lot 1 PS746908J.

The proposal contemplates the re-subdivision of land comprising two lots including Lot 1 TP615370Y and Lot 1 LP123721 (11 Aclare Road, Cockatoo VIC 3781), with works and vegetation removal in the 70 most easterly metres of Lisheen Road formally identified as Roads R1, R2 and R3 on Plan of Subdivision O11341 (Lisheen Road), as represented in the figure and descriptions below. The proposal will result in a title lot in two parts [Lot 2 (2 parts) PS746908J and referred to as Lot 2 (pt)] and Lot 1 PS746908J¹.

¹ Allotment 126H TP742251W is not part of this re-subdivision and is only included in the figure above to illustrate proximate land, compatible uses of lots subject to this application.

The proposed Plan of Subdivision provided by *Nobelius Land Surveyors*, below shows the title lot in two parts (Lot 2 (pt) PS7469081 J) and Lot 1 PS7469081 J. Please refer below and to Appendix 3.



WORKS IN THE ROAD RESERVE AND VEGETATION REMOVAL

Advice received from the Council (dated 18th August 20925), revised following a site visit on Wednesday 23rd July to Lisheen Road requires vehicle access to be created as an extended driveway from the end of Lisheen Road to the property boundary of 11 Aclare Road, formally Lot 1 LP124721, which is generally in accordance with the Gravel Road Partial Construction Standard (CSC-006) with modifications. These works will ensure the road that extends from the end of Lisheen Road to the Title boundary of Lot 1 PS746908 J (proposed) will meet access requirements of Table 5 of clause 53.02-5, effectively improving access and egress for emergency service vehicles. Please read in conjunction with the Town Planning report, Section 4-The Proposal, pages 14 to 20.

2. BUSHFIRE PLANNING POLICY

2.1 PLANNING POLICY FRAMEWORK

Clause 13.02-1S (Bushfire) of the Planning Scheme applies to all decision making relating to land that is within a BPA; subject to the BMO; or proposed to be used or developed in a way that may create a bushfire hazard and seeks:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies employed to achieve the above-mentioned objective include:

- *prioritising the protection of human life;*
- *requiring a robust assessment of the bushfire hazard and risk assessment before any strategic or statutory decision is made; and*
- *directing population growth and new settlements to low risk locations.*

Clause 13.02-1S provides strategies that seek to mitigate risk associated with bushfire. The following table provides a response to the strategies of clause 13.02-1S.

PROTECTION OF HUMAN LIFE

GIVE PRIORITY TO THE PROTECTION OF HUMAN LIFE BY:	Cardinia ADVERTISED MATERIAL Planning Application: T250157 Date Prepared: 24 March 2026	RESPONSE
<i>Prioritising the protection of human life over all other policy considerations.</i>	<p><small>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 any views or comments on this document, you acknowledge and agree that you will only use the document for the specific purpose above and that any dissemination, distribution or copying of this document is strictly prohibited.</small></p>	<ul style="list-style-type: none"> • This proposal provides for a re-subdivision of land whereby the existing dwelling is contained in a parcel that has a north to south orientation and access from 11 Aclare and Lisheen Roads. The report demonstrates that this meets the requirements of Clause 13.02-1S including the long term use and development controls through siting and construction to the required BAL. • Defendable Space within this realigned parcel will improve the safety of residential lots to the west, in the event a fire approaches from the east.
<i>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.</i>		<ul style="list-style-type: none"> • The existing dwelling on 11 Aclare will not be burdened by the proposed boundary realignment; indeed the long-term land management associated with the defendable space will mitigate the risk to the subject site and surrounding land. • Dwellings exist adjacent to subject sites associated with the re- subdivision and the existing dwelling is sited in an area of the lots that is cleared of undergrowth with canopy separation achievable for onsite trees. • The existing road network facilitates vehicle access to areas in Cockatoo township identified as NSP-PLR.

	<ul style="list-style-type: none"> • Access and egress are facilitated from Aclare Road for the existing dwelling and Lisheen Road for the with east to west egress routes available.
<p><i>Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.</i></p>	<ul style="list-style-type: none"> • The re-subdivision has considered fire brigade access to all lots with works in Lisheen Road that will ensure all-weather access to the property boundary of a minimum 4.5metre width.

BUSHFIRE HAZARD IDENTIFICATION AND ASSESSMENT

IDENTIFY BUSHFIRE HAZARD AND UNDERTAKE APPROPRIATE ASSESSMENT BY:	RESPONSE
<p><i>Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.</i></p>	<ul style="list-style-type: none"> • The Cardinia Planning Scheme relies on the planning proposal to respond to bushfire based on current assessment methods. • Clauses 13.02-1S and 44.06 have been considered and addressed by the proposal. • Clause 71.02-3 Integrated Decision Making strengthens the importance of bushfire planning as an appropriate tool to reconcile potential conflicts in design and vision. • The assessment method aligns with AS3959:2018.
<p><i>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.</i></p>	<p>Cardinia Planning Application: T250157 This report evidences that the boundary realignment will not change the conditions on the site will not elevate the risks associated with the existing dwelling, nor elevate risk conditions on adjacent land.</p>
<p><i>Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard</i></p>	<ul style="list-style-type: none"> • The BMO applies to the land recognising that the land is in an area of high bushfire hazard.
<p><i>Considering and assessing the bushfire hazard on the basis of:</i></p> <ul style="list-style-type: none"> • 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 a site; and, • The site for the development 	<ul style="list-style-type: none"> • The re- subdivision of land in the BMO requires all four scales to be considered. • The Landscape conditions are provided below, Figure 3. • The Local and Neighbourhood conditions are provided below as Figures 4 and 5. • The Site conditions are included below as Figure 11.
<p><i>Consulting with emergency management agencies and the relevant fire authority</i></p>	<p>It is expected that Council would confer with the CFA for consideration and advice regarding the Bushfire</p>

<p><i>early in the process to receive their recommendations and implement appropriate bushfire protection measures.</i></p>	<p>Management Statement as the CFA are a recommending authority.</p>
<p><i>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.</i></p>	<ul style="list-style-type: none"> • This report provides evidence that informs the re-subdivision and provides a basis for approval of the planning proposal, with regard to bushfire risk. • Assessing the site-based bushfire risk and including appropriate bushfire protection measures (e.g. managed vegetation, separation from the hazard) enables the achievement of the direction of the Planning Scheme.
<p><i>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.</i></p>	<ul style="list-style-type: none"> • Perhaps the most salient element of clause 13.02 as it empowers the Responsible Authority to refuse a permit application until it is satisfied that the bushfire protection measures are being implemented. • This report demonstrates that the risk of bushfire should not be a reason for refusal.

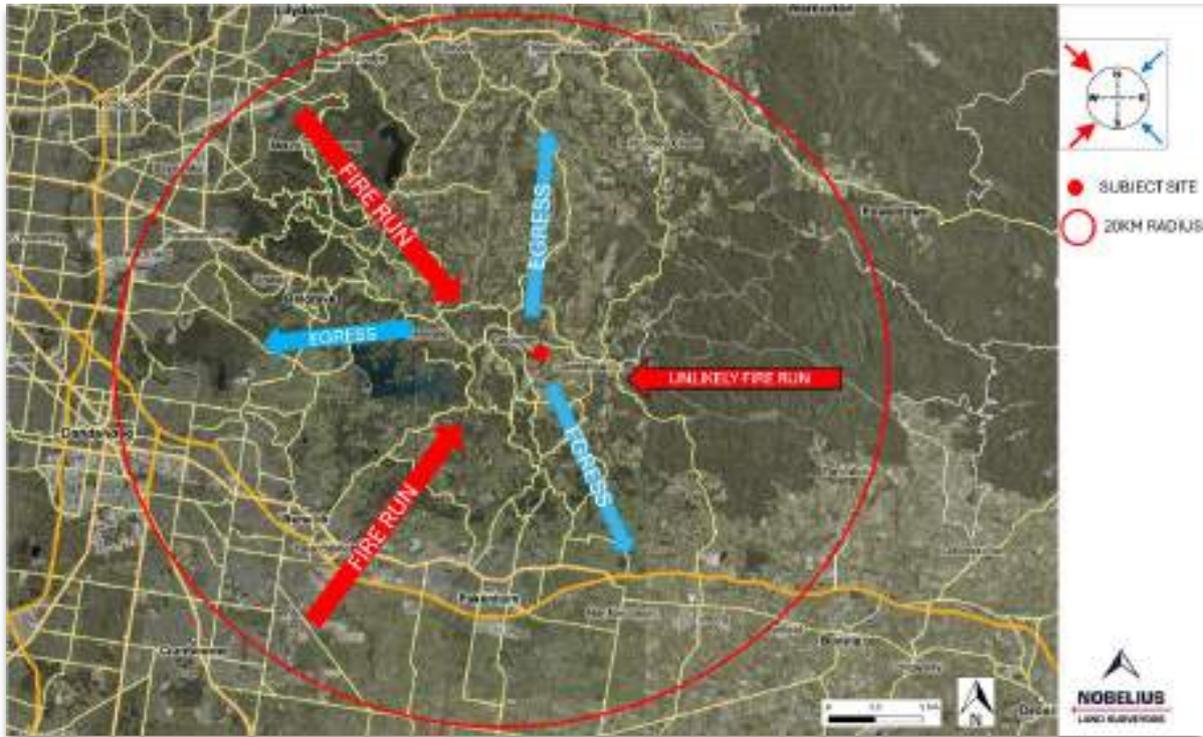


FIGURE 3 – LANDSCAPE CONDITIONS WITHIN 20 KMS OF THE SUBJECT LOTS.


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 Date Prepared: 24 March 2026

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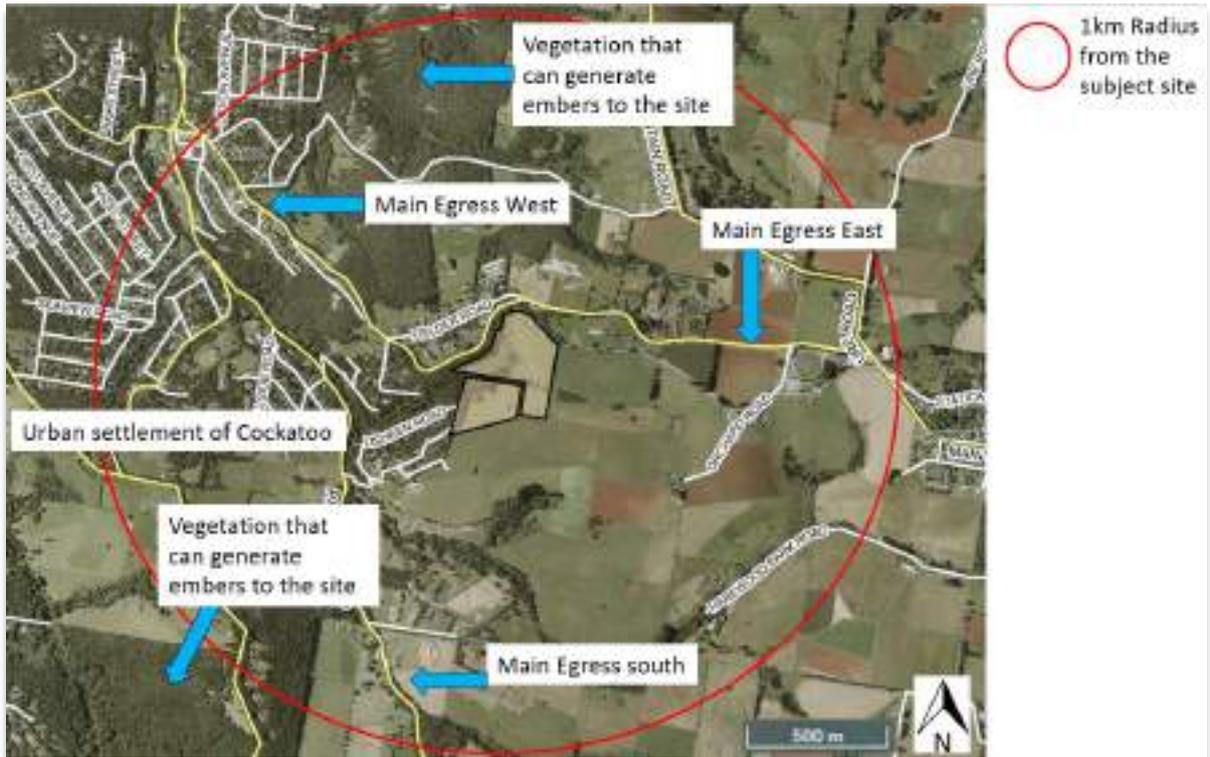


FIGURE 4 (ABOVE) – LOCAL CONDITIONS WITHIN 1KM OF THE SUBJECT SITE.

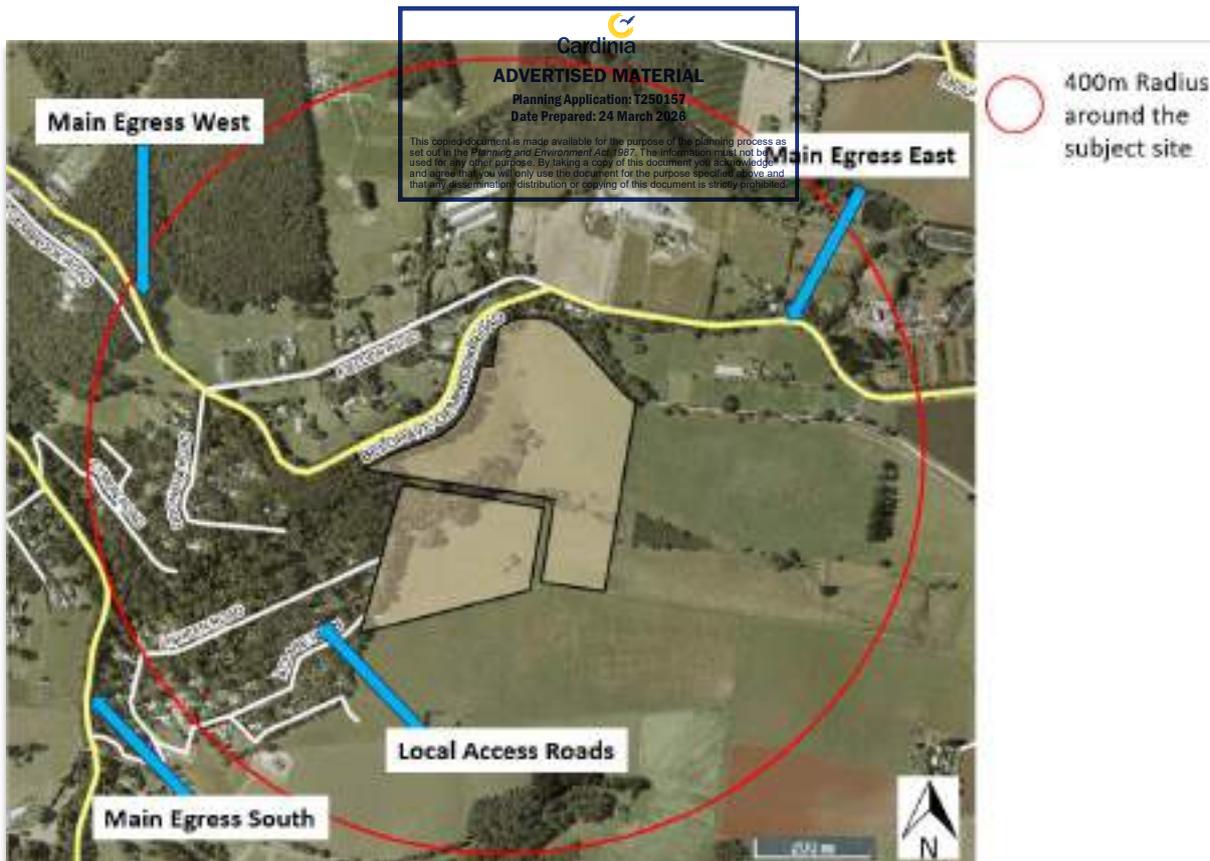


FIGURE 5 (ABOVE) – NEIGHBOURHOOD CONDITIONS WITHIN 400M OF THE SUBJECT SITE.

SETTLEMENT PLANNING

PLAN TO STRENGTHEN THE RESILIENCE OF SETTLEMENTS AND COMMUNITIES AND PRIORITISE PROTECTION OF HUMAN LIFE BY:	RESPONSE
<i>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 AS3959:2018 Construction of Buildings in Bushfire Prone Areas (Standards Australia, 2018).</i>	<ul style="list-style-type: none"> • The land is adjacent to established residential lots in an area that is recognised as a high risk from bushfire. • Development of the land should only proceed where all elements of the BMO are achieved • The re-subdivision will not have any physical impact to the existing site conditions, only improve the access via Lisheen Road to the site for emergency service vehicles.
<i>Ensuring the availability of and access to areas assessed as BAL-LOW rating under AS3959-2018 Construction of Buildings in Bushfire Prone Areas (Standards Australia, 2018) where human life can be better protected from the effects of bushfire.</i>	<ul style="list-style-type: none"> • Areas of the land can achieve BAL 12.5, as per the BAL Contours plan in Figure 6 (below).
<i>Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of the future land use and development.</i>	<ul style="list-style-type: none"> • The establishment and maintenance of Defendable Space should accompany the boundary re-alignment to ensure the proposed lot with the existing dwelling is subject to ongoing vegetation maintenance that will reduce bushfire risk to the existing residence. The increased level of vegetation management will reduce the risk of bushfire to existing dwellings and residents to the west of the subject lots, should a fire approach from the east.
<i>Achieving no net increase risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce the bushfire risk overall.</i>	The BMO applies (partially) to the land recognising that the land is in an area of high bushfire hazard. The existing dwelling should implement the current regulations pertaining to bushfire mitigation. No new lots are created and no development is proposed.
<i>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.</i>	Please refer to the Landscape Assessment Plan above in Figure 3; the Local and Neighbourhood conditions are considered in Figures 4 and 5 (above); and the Site conditions are considered in the Bushfire Hazard Site Assessment in Figure 11 above. While the landscape provides hazardous conditions, the site can provide two access/egress options.
<i>Assessing alternative Low Risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.</i>	<ul style="list-style-type: none"> • The proposal contemplates a re-subdivision adjacent to an established residential area of Cockatoo.



	<ul style="list-style-type: none"> • The proposal increases resilience by applying a prescribed management to the defendable space across the land, which benefits the existing residential lots to the west. • It is expected that this re-subdivision would be referred to CFA for consideration as it is in the Bushfire Management Overlay.
<p><i>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 BAL-12.5 rating under AS3959:2009.</i></p>	<ul style="list-style-type: none"> • Perhaps the most important element of clause 13.02 as it empowers the Responsible Authority to refuse a permit application until it is satisfied with the bushfire protection measures being implemented. • The proposal contemplates a statutory application only and is not a strategic proposal. • This report demonstrates that the risk of bushfire should not be a reason for refusal.

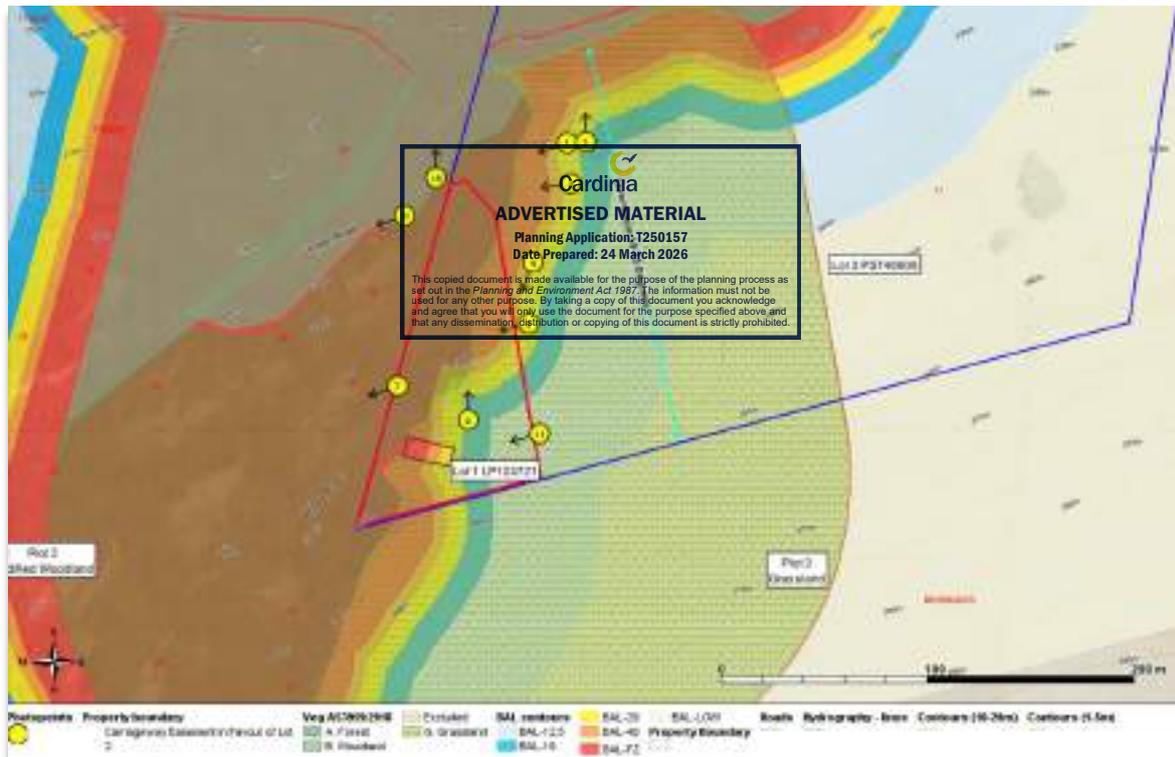


FIGURE 6 (ABOVE) – BAL CONTOUR PLAN SHOWING AREAS OF THE PROPOSED LOT CAN ACHIEVE BAL 12.5 AS PER THE REQUIREMENTS ASSOCIATED WITH SETTLEMENT PLANNING.

AREAS OF HIGH BIODIVERSITY CONSERVATION VALUE

The objective here is to 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.

The land is adjacent to established residential lots where understorey vegetation has been significantly modified to provide areas for dwelling development.

There is an existing dwelling on Lot 1 LP124721 and will be subject to planning requirements however, this proposal provides evidence that lot 1 has the capacity to mitigate the bushfire risk posed by the surrounding land, particularly with regard to access and vegetation management.

USE AND DEVELOPMENT CONTROL IN A BUSHFIRE PRONE AREA

REQUIREMENTS	RESPONSE
<p><i>Use and development control 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 use and development:</i></p> <ul style="list-style-type: none"> • Subdivision of more than 10 lots • Accommodation <p><i>When assessing a planning permit application for the above uses and development:</i></p> <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Use and development controls do not apply as the proposal contemplates a re-subdivision and there are <u>no new lots being created and no development on the lots proposed</u>. The use will remain unchanged. • In the context of strategic planning decisions, these strategies need to consider the ‘<i>net increase in risk to existing and future residents</i>’. As it relates to the objectives at Clause 13.02-1S of the Planning Scheme, it is necessary to ensure that the protection of human life is prioritised when decisions are made. However, the strategies listed at Clause 13.02-1S in the Planning Scheme are not ‘mandatory requirements’ and it is not necessary to ‘tick every box’. It is more important to ensure that decisions are consistent with the State policy objectives and build resilient communities.

PLANNING POLICY DOCUMENTS TO BE CONSIDERED	RESPONSE
Any relevant approved state, regional and municipal fire prevention plan.	Fire prevention measures included in the Cardinia Shire Municipal Fire Prevention Plan ensure roadsides and public space to the north of the land are managed.
AS3959:2018 Construction of Buildings in Bushfire Prone Areas (Standards Australia, 2018).	Bushfire Attack Levels employ this standard to determine the BAL for the site. The existing dwelling is subject to BALFZ however these are existing BAL conditions and the proposal will not alter these conditions, rather provides a mechanism to apply mitigation requirements such as retrofitting the dwelling and vegetation management.
Living in bushfire-prone areas – CSIRO & Standards Australia (SAA HB 330-2009, December, 2009)	This is the handbook to AS3959, which does not need to be considered in the planning proposal.
Any Bushfire Prone Area map prepared under the Building Act 1993 or regulations made under the Act.	The updated Bushfire Prone Area mapping has been considered in this report.

CLAUSE 71.02-3 INTEGRATED DECISION MAKING

Clause 71.02-3 Integrated decision making seeks to balance the needs and expectations of the community in terms of the provision of built form to accommodate a growing population, protection of the environment, economic wellbeing, various social needs, management of resources and infrastructure.

Clause 71.02-3 has been updated (February, 2022) and aims to balance these needs and expectations through the employment of the Planning Scheme to ensure conflicting objectives are balanced in favour of net community benefit and sustainable development for the benefit of present and future generations. It states that in bushfire affected areas, planning must prioritise the protection of human life over all other policy considerations.

Our proposal contemplates the re-subdivision of land in an area where the risk associated with bushfire is high however, the proposal will have no bearing on the physical environment, nor does it elevate, mitigate or alter the bushfire risk. The re-subdivision of the subject sites has the purpose of providing a lot around the existing dwelling that provides a suitable transition from the agricultural land to the east to the residential land to the west. It will have no impact on the physical environment, economic wellbeing, various social needs, management of resources or infrastructure

3. BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

Consideration of the surrounding landscape in bushfire decisions is salient because the accuracy of the models in reflecting bushfire exposure on a particular site vary in different landscapes and under different conditions. The scale of a bushfire, its severity, intensity and potential impact on life and property is driven by the characteristics of the broader landscape, rather than those characteristics within 150 metres of the site². The extent and continuity of the vegetation, the topography including the orientation of ridgelines and the steepness of the terrain, the potential fire runs, the location and exposure of a site and the extent of damage are all factors that influence bushfire behaviour at a landscape scale and the risk posed to subject site.

The Bushfire Hazard Landscape Assessment includes a plan that describes the bushfire hazard of the area surrounding the site. Refer to Figure 7 below.



² Planning Permit Application Bushfire Management Overlay - Technical Guide, DELWP (2017:10)

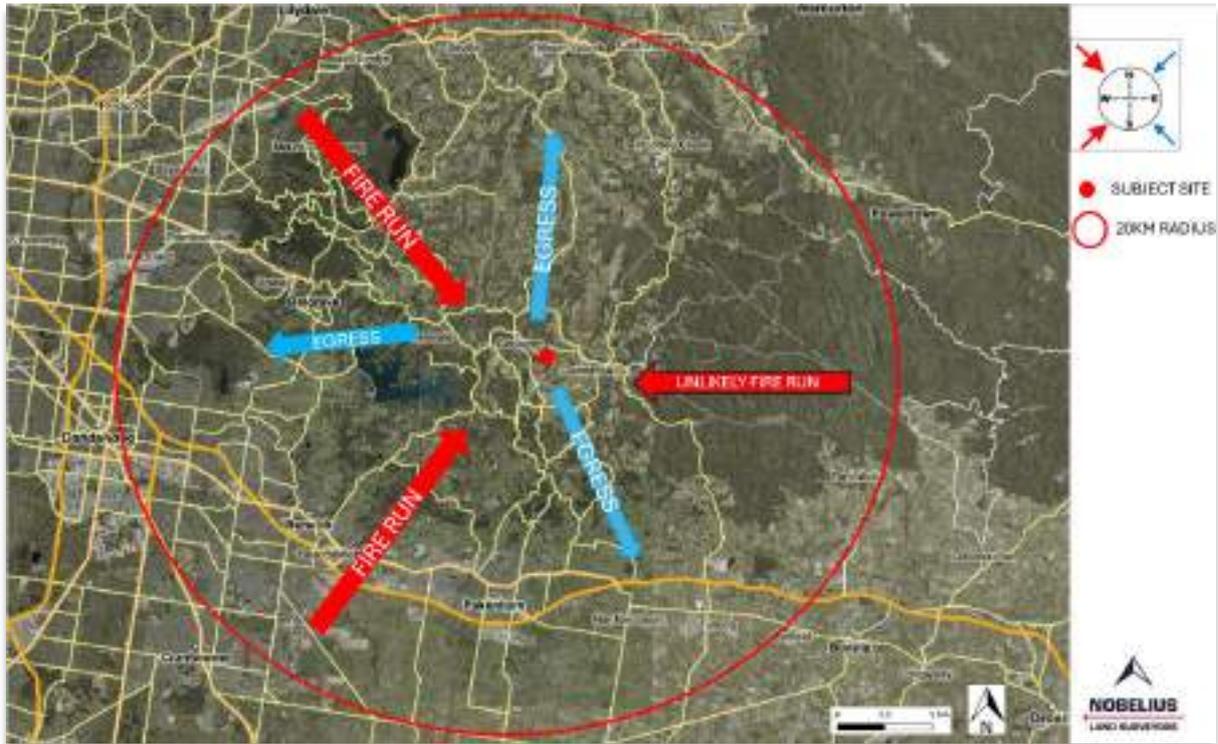


FIGURE 7 (ABOVE) - THE BUSHFIRE HAZARD LANDSCAPE PLAN FOR 11 ACLARE ROAD, COCKATOO, 3782.

The site is located approximately 2kms to the southeast of the Cockatoo township accessed via Pakenham Road and local access roads. The surrounding area exhibits characteristics that will sustain fire runs from all directions, though a fire is unlikely to progress from Bunyip State Forest in the east. It is expected that a fire run from Mount Dandenong Ranges in the northwest, or the vegetation surrounding the Cardinia Reserve to the west is a more likely scenario with a fire driven by a north-westerly wind progressing in a south-easterly direction from the Yarra Ranges National Park. Typically, an approaching cold front from the southwest will redirect the fire and expand the easterly flank to a wide front and intensify the fire. These conditions are consistent with the fire history of Ash Wednesday and characterised by fast-moving fires with powerful convection columns, which in turn cause extreme fire behaviour and ember storms. An interrupted fire run is more likely to occur with ember attack igniting local fuel sources such as aged dwellings and unmanaged vegetation.

3.1 LANDSCAPE TYPE

The surrounding landscape is characteristic of the **'Broader Landscape Type Three'** as defined by DELWP³:

- *The type and extent of vegetation located more than 150metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a 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 that provides shelter from bushfire is not certain.*

³ Planning Permit Application Bushfire Management Overlay - Technical Guide, DELWP (2017:13)

The site will experience landscape fire scenarios that are likely beyond the assumptions of the Bushfire Management Overlay, and the location of the adjacent sites present one egress option with no NSP-PLR located within easy access of the site (the NSP-PLR is located in the Cockatoo Township).

3.2 VEGETATION IN THE BROADER LANDSCAPE

The subject site is surrounded by vegetation and complex topography. The dominate vegetation is consistent with Group A Forest (AS3959:2018) with remnant wet and dry sclerophyl forests and gullies to the north, which have been subject to modification on land to the west, and Group G Grassland (AS3959:2018) on land to the east and south. The vegetation occurs in patches and is subject to private and public ownership.

The Yarra Ranges National Park is located to the northwest of the site, with Cardinia Reservoir to the west and Bunyip State Park to the east. These vegetated areas allow for extensive fire runs through the landscape. Please refer to Figure 8 (below).

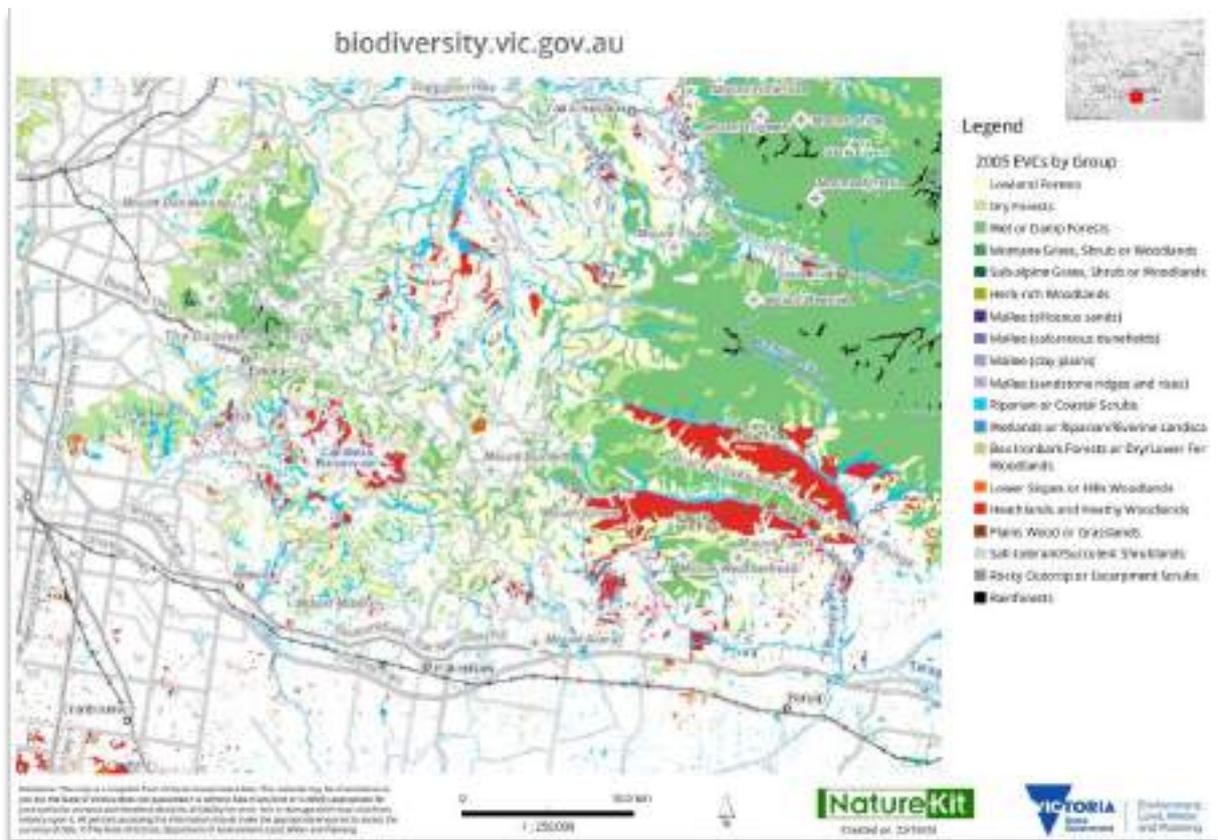


FIGURE 8 EVIDENCES THE ECOLOGICAL VEGETATION CLASS PROXIMATE TO THE SUBJECT SITE (LOCATED CENTRALLY ON THE MAP), NATUREKIT, 2024.


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3.3 TOPOGRAPHY OF THE BROADER LANDSCAPE

The topography of the surrounding landscape is typical of this region. The land is elevated foothills with drainage gullies. The topography combined with the vegetation would enable a landscape bushfire scenario to occur.



FIGURE 9 - THE TOPOGRAPHY OF THE SURROUNDING AREA IS REPRESENTED BY THE MAP ABOVE. THE SUBJECT SITE IS LOCATED CENTRALLY ON THE MAP AND IS SURROUNDED BY UNDULATING TERRAIN IN ALL DIRECTIONS (VICTORIAN FIRE RISK REGISTER 2024)

3.4 SURROUNDING ROAD NETWORK

The combined sites have access via Aclare Road in the south and Lisheen Road, which has provided access for agricultural trucks to the cattle yard that still exists on the land. Neither of these roads are sealed roads. These local roads intersect with Brisbanes Road, which joins Pakenham Road to the west, which is a major access road that provides north to south thoroughfare. To the north is Belgrave-Gembrook Road, which is separated from the subject sites by the Puffing Billy Tourist Railway. These roads are tree lined and windy and offer egress options to and from the north and south, east and west. Please refer below to Figure 10.


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FIGURE 10 (ABOVE) SHOWS THE SUBJECT SITE IN CONTEXT WITH SURROUNDING ROAD NETWORK (LASSI, 2024).

3.5 NEIGHBOURHOOD SAFER PLACE - BUSHFIRE PLACE OF LAST RESORT

The area does not have a Neighbourhood Safer Place, or Place of Last Resort (NSP-BPLR) located at the Cockatoo Community Complex, within 1000 metres of the subject site. To the east is Gembrook Community Centre, which is also designated as a NSP-BPLR however, to access the Gembrook NSP-BPLR one needs to enter Cockatoo Township and then head west on Belgrave-Gembrook Road.

3.6 BUSHFIRE HISTORY OF THE AREA

The Cardinia Municipal Management Plan 2022-2025 lists bushfire events in the region. Dense vegetation on often isolated crown land combined with rugged terrain has resulted in extensive areas burnt by bushfire before containment can be achieved. This was evidenced in 1983 when 210,000ha were burnt in the Ash Wednesday Bushfire; 2008 when 475ha were burnt in the Bunyip State Park; 2009 during the Black Saturday Bushfires during which 45% of the Bunyip State Park was burnt; 2019 during the Bunyip Complex Fires during which 29 houses were lost. Add to this, underlying soil dryness, fuel loads, terrain and weather conditions contributing to fire behaviour, enabling fires to gain momentum and jump containment lines contributing to large landscape-scale fire events.

Please refer to Figure 11 (below) that shows the spatial and temporal context of bushfire history.





FIGURE 11 (ABOVE) SHOWS THE SUBJECT SITE LOCATED CENTRALLY ON THE MAP IN CONTEXT WITH FIRE HISTORY OF THE SURROUNDING AREA, WITH GREY AREAS REPRESENTING WHERE BUSHFIRE HAVE OCCURRED, VICTORIA FIRE RISK REGISTER, 2024 (https://www.vfrr.vic.gov.au/vfrr_map.php#).

3.7 BUSHFIRE SCENARIOS

Cardinia

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The site is at an increased risk of bushfire due to the vulnerability of Cockatoo, the older building stock providing for fire penetration of the settlement area and the surrounding vegetation and topography. Consideration of these contributing factors to the potential bushfire behaviour has informed the following bushfire scenarios.

SCENARIO 1 – BUSHFIRE FROM THE NORTH

The worst case scenario for this site is a bushfire approaching from the north or northwest which has the potential for a fire run (~10kms) under hot northerly winds through forest vegetation that is unmanaged, making containment challenging. A fire from this direction can move as a head fire with spot fires moving ahead of the fire front. The vegetation and its proximity to the boundaries of the combined sites will likely result in radiant heat exposure with ember attack the result of a fire on the ridge to the north of the site with wind-driven embers dropping into the valley and onto the northerly aspect of the slope to the south of the creek. This fire would likely be a landscape-scale fire.

SCENARIO 2 – BUSHFIRE FROM THE WEST

A bushfire approaching from the west has the potential for a fire run (>5kms) through forest vegetation that is interspersed with residential development. Should this fire start to the west of the site driven by a hot north-westerly wind and be subject to a change in wind direction, now from the southwest, the fire will develop an extensive fire front that will shower the site with embers. This fire will block egress to the north, west and south-west.

SCENARIO 3 – BUSHFIRE FROM THE EAST

To the east of the site is Bunyip State Park and Kurth Kiln. A fire from the east would likely be a result of spot fires and localised ignitions from a larger fire to the north or west. It will have a reduced impact on the site as an easterly wind is unlikely to drive this fire.

SCENARIO 4 – BUSHFIRE FROM THE SOUTH-WEST

A fire resulting from a south-westerly wind change may either miss the site if the ignition point was to the north and associated with the Yarra Ranges National Park, or be interrupted by mitigation and containment efforts given its proximity to urban settlement further south. Should a fire ignite in the forest to the south-west of the site, associated with the Cardinia Reservoir, and be driven by a south-westerly wind direction, the site will be subject to flame contact, radiant heat and ember attack. This fire will block the egress from the sites.

3.8 REGIONAL BUSHFIRE PLANNING

The Cardinia Municipal Fire Management Plan, 2022-2025 (CMFMP) provides a high-level analysis of locations where the bushfire hazard may impact on planning objectives. The CMFMP provides information where a range of land use planning matters intersect with a bushfire hazard to influence the level of risk to life and property from bushfire. This information is required to be used as part of strategic land use and settlement planning at the municipal and local levels.

After review of the CMFMP, the following specific references are noted:

- Remnant vegetation surrounding and throughout the area;
- Various roads with limited access and egress are located in this area;
- Area to the north and east contains patches of vegetation of high conservation significance;
- A growing population living on the intersection of urban and rural environments.

4. BUSHFIRE HAZARD SITE ASSESSMENT

The Bushfire Hazard Site Assessment (BHSA) documents the hazard on and within 150m of the site. The BHSA provides information on the vegetation and slope on and near the site and informs defensible space and building construction requirements. The description of the hazard is in accordance with AS3959:2018 Construction of Buildings in bushfire prone areas (Standards Australia) excluding part (a) of section 2.2.3.2 (vegetable exclusions). Refer to Figure 12 below for the plan that describes the bushfire hazard within 150 metres of Lot 1 PS746908J (proposed). Vegetation is detailed in the Table below.



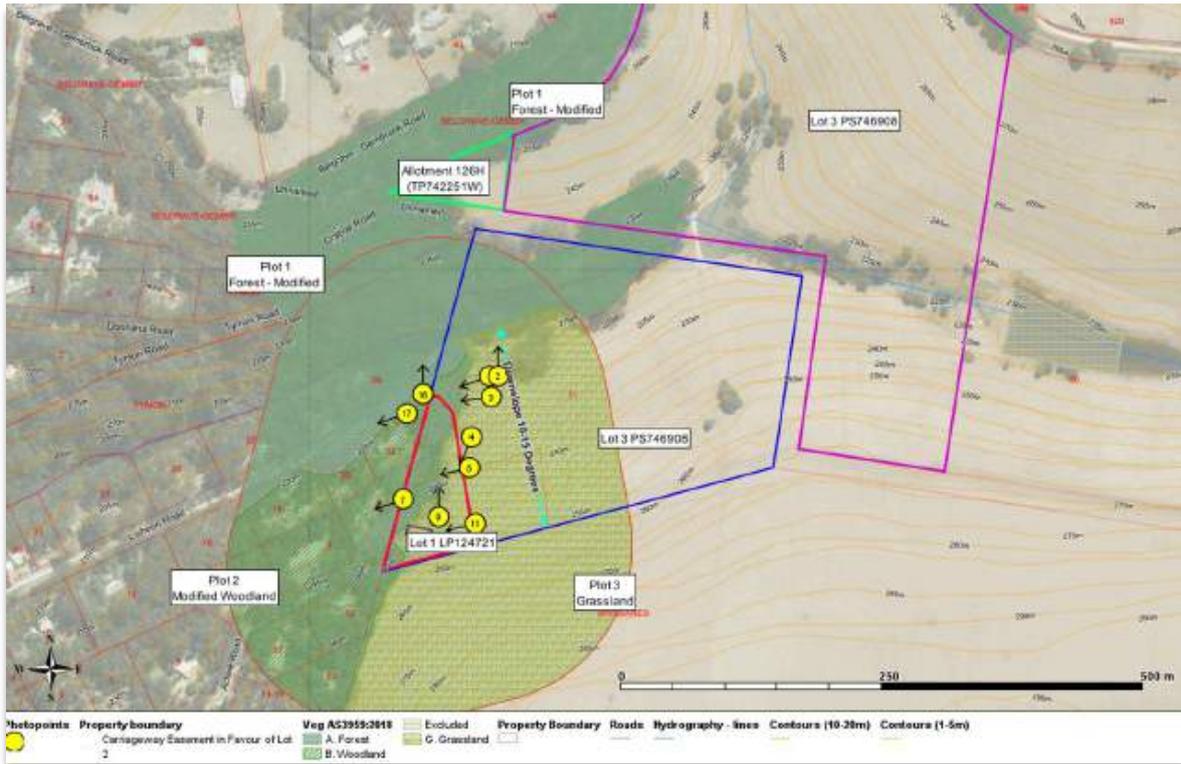


FIGURE 12 (ABOVE) – THE BUSHFIRE HAZARD SITE ASSESSMENT FOR LOT 1 PS746908J (PROPOSED) WHERE THE EXISTING DWELLING IS LOCATED. THE BHSA IS ALSO PROVIDED IN THE APPENDIX.

4.1 VEGETATION WITHIN 150M OF THE SITE

The vegetation within the 150-metre assessment area was classified according to AS3959:2018, Technical Guide (DELWP, 2017), and the Overall Fuel Hazard Assessment Guide (DSE, 2010). The AS3959:2018 approach employs a generalised description of vegetation based on the AUSLIG (Australian natural Resource Atlas: No. 7 Native Vegetation) classification system. According to this system, vegetation can be classified into seven categories associated with a particular fire behaviour, which are then employed to determine bushfire intensity.

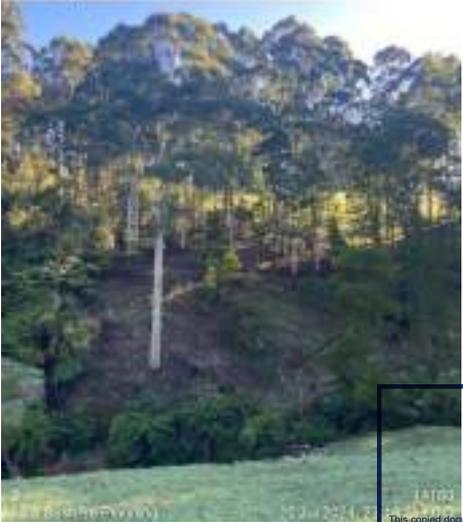
To the west and north of the site is vegetation consistent with Forest, with much of the understory removed (Modified) to accommodate residential development on residentially-zoned land to the west. To the east and south of the sites is vegetation consistent with Grassland (Sown pasture). The forms of classifiable vegetation identified within 150 metres of the site are described in Table 1 below.



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TABLE 1 – VEGETATION WITHIN 150M OF THE SITE

FOREST (GROUP A, CLASS 03) (MODIFIED)
<p>VEGETATION DESCRIPTION (AS3959:2018) Open Forest – Trees up to 30m high: 30% - 70% foliage cover (may include understorey of sclerophyllous low trees or shrubs). Typically dominated by Eucalyptus, Melaleuca or callistemon (may include riverine and wetland environment) and Callitris.</p> <p>SITE DESCRIPTION The vegetation cover on the slopes to the north of the creek is generally consistent with Forest-Open Forest. The understorey and middle storey have been cleared so this area of forest is significantly modified. The land to the west of the existing dwelling (photo below right) has the understorey removed and in parts replaced with planted species. This area too has been significantly modified.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>2°N (T) ● 37°56'58"S, 145°30'37"E ±14m ▲ 233m</p>  </div> <div style="text-align: center;"> <p>269°W (T) ● 37°57'1"S, 145°30'34"E ±7m ▲ 252m</p>  </div> </div> <div style="text-align: center; margin-top: 10px;">  ADVERTISED MATERIAL Planning Application: T250157 Date Prepared: 24 March 2026 <small>This copied document is 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.</small> </div>
GRASSLAND (GROUP G, CLASS 26-SOWN PASTURE)
<p>VEGETATION DESCRIPTION (AS3959:2018) Sown grassland and areas of Tussock grassland – Grassland can include shrubs and trees, if the foliage cover is less than 10%. Includes pasture and cropland.</p> <p>SITE DESCRIPTION Within the site boundaries and to the south and east of the subject sites is vegetation generally consistent with grassland. While there were no cattle grazing at the time of the site visit (July 2024), the grass was grazed to a low state and was irrigated.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>70°E (T) ● 37°57'2"S, 145°30'35"E ±12m ▲ 257m</p>  </div> <div style="text-align: center;"> <p>192°S (T) ● 37°56'59"S, 145°30'36"E ±9m ▲ 243m</p>  </div> </div>

4.2 TOPOGRAPHY WITHIN 150M OF THE SITE

The topography of the combined titles is undulating with the centrally located creek creating a gully. The north-facing aspect of Lot 2(pt) PS746908J (southern parcel) features a slope of 10-15° with the low point being the centrally-located creek. The south-east and southwest facing aspects of land contained in Lot 2(pt) PS746908J (Northern lot) is dissected by a drainage line that deposits into the creek. These slopes measure 10-15°.

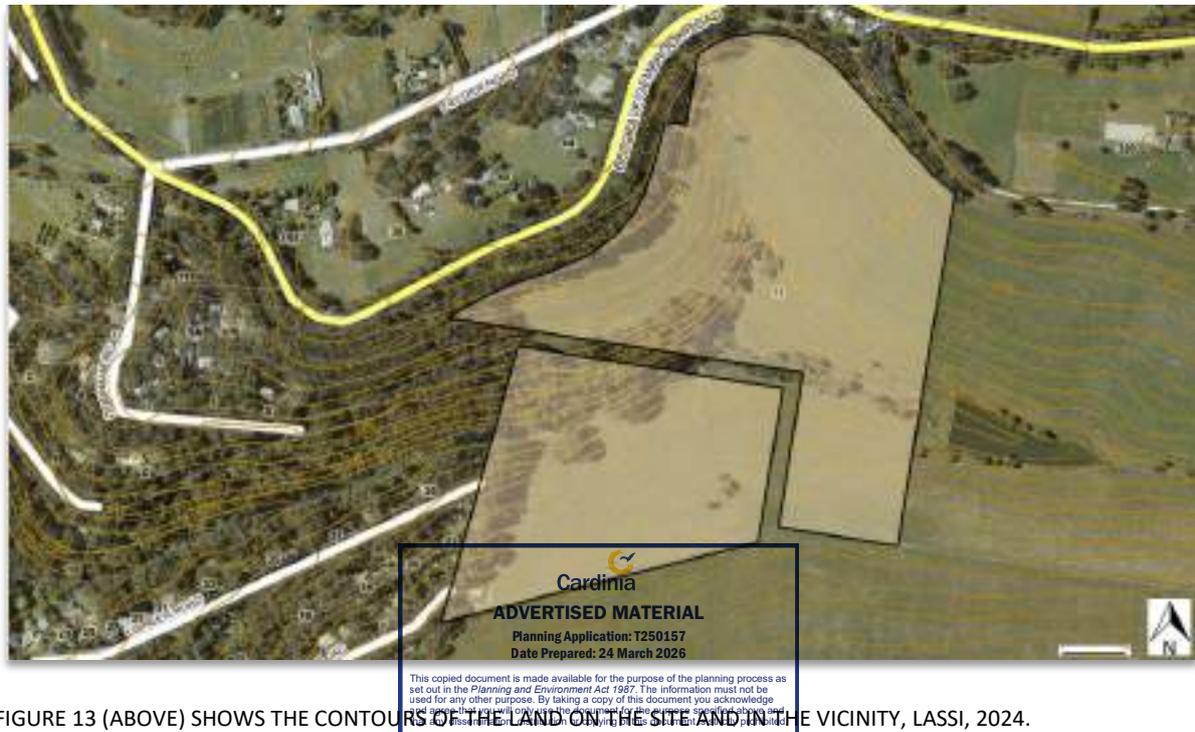


FIGURE 13 (ABOVE) SHOWS THE CONTOURS OF THE LAND ON THE SITE AND IN THE VICINITY, LASSI, 2024.

4.3 SEPARATION OF THE SITE FROM THE HAZARD AND THE BAL

The Bushfire Attack Level (BAL) is a means of measuring a buildings potential exposure to ember attack, radiant heat and direct flame contact using increments of radiant heat expressed in kilowatts per square metre. The BAL is also the basis for establishing the requirements for construction to improve protection of building elements from bushfire with the highest BAL employed to determine the construction requirements. The BAL for this site has been calculated using a Forest Fire Danger Index (FFDI) of 100 and a Flame Temperature of 1090k. These parameters are consistent with the risk parameters set in Clause 53.02 and are in accordance with the risk parameters set in AS3959:2018.

While a BHTA assessment of the site conditions was undertaken and informs the BAL assessment, it should be noted that this is a re-subdivision of land and there is no proposal to change the current use of the land, nor develop the land with any additional dwellings, including a replacement of the existing dwelling.

The conditions associated with the existing dwelling achieves a separation from the Forest (modified) hazard and the woodland (modified) hazard that aligns with Flame Zone.

The table below documents the classifiable vegetation and the slope under the vegetation for the existing dwelling on Lot 1 PS746908 J (proposed).

LOT 1 PS746908J (PROPOSED)– 11 ACLARE ROAD

ORIENTATION	HIGHEST THREAT VEGETATION	SLOPE UNDER CLASSIFIABLE VEGETATION	SEPARATION DISTANCE	BUSHFIRE ATTACK LEVEL (BAL)
NORTH	Forest (modified)	Downslope	118 metres	12.5
EAST	Grassland	Flat land	0 metres	FZ
SOUTH	Grassland	Upslope	0 metres	FZ
WEST	Woodland (modified)	Downslope	16 metres	FZ

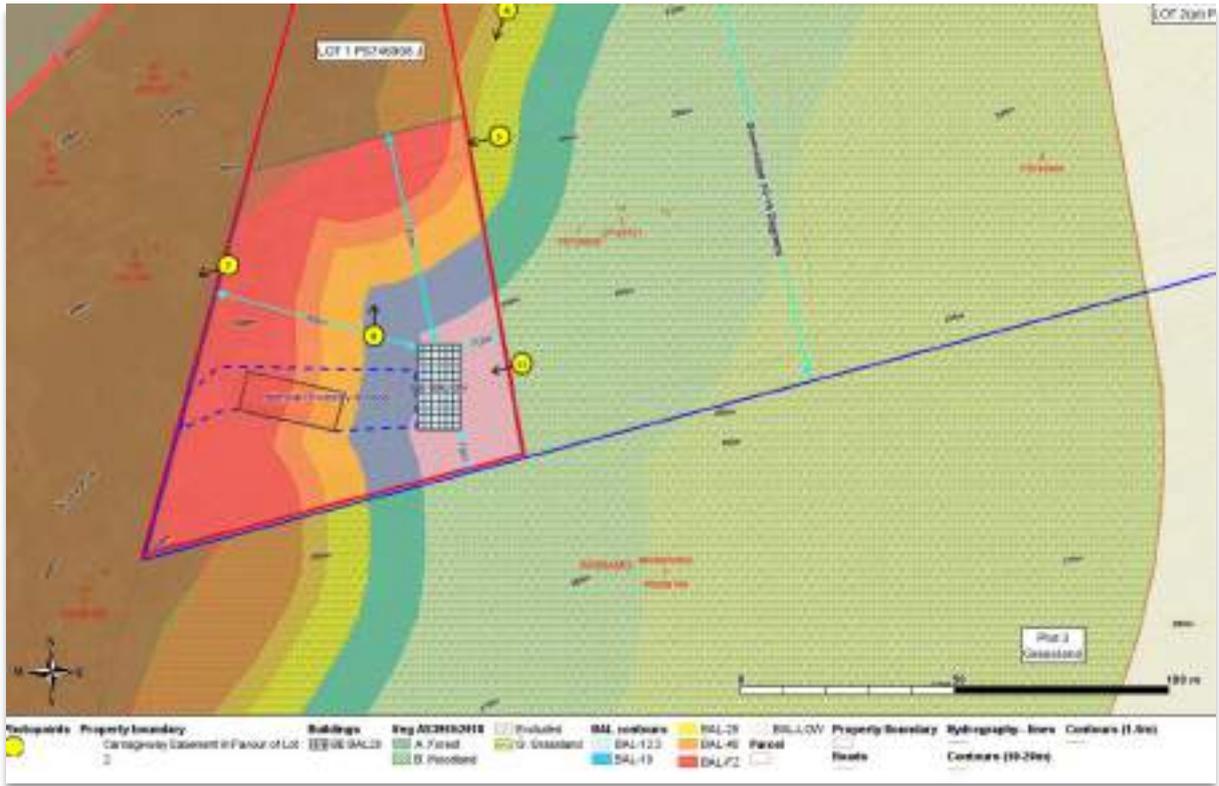
The Bushfire Attack Level (BAL) for the existing dwelling qualifies as Flame Zone. Note that this is an existing dwelling built prior to 1983 (when the current owners purchased the property; please refer to signed Statutory Declaration dated 29th April 2025) and has not have been constructed to current standards (AS3959:2018). Its bushfire risk will not be affected by the re-subdivision of land; either elevated or reduced regardless of whether the re-subdivision proposal proceeds.

As per the advice provided by Fire Safety Officer Piet Van Hooydonk (16 October 2025) and the subsequent Request for Further Information dated 17 November 2025, should any replacement of the existing dwelling be proposed in the future, appropriate siting aligning with BAL29 construction standards would be required and Defendable Space of 49metres (minimum) would be required subject to siting and Forest classification.⁴

The BAL Contour plan below provides evidence that Lot 1 PS746908J (proposed) has the capacity to accommodate a building envelope that can achieve BAL29 and a separation of 49metres from the boundary to the west. The indicative Building Envelope on Lot 1 PS746908J (proposed) can achieve a separation from the western boundary of 49metres, which aligns with Column C in Table 2, clause 53.02 (Woodland Downslope 10-15 degrees). A separation of 10 metres is achievable from the grassland to the east (flat slope) and to the south (upslope). Defendable Space can be achieved for a distance on 49 metres to the north (downslope). Please read in conjunction with our response to AM5.2 below.



⁴ FRV consent to a request for a waiver of requirements under clause 44.06-3 was received dated 16 October 2025 and subsequently revoked, as per correspondence dated 17 November 2025 (CFA Ref: 8000-59831-148234).



5. BUSHFIRE MANAGEMENT STATEMENT

The proposed re-subdivision of the lots is reproduced below.




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Clause 53.02 contains a range of sub clauses with associated objectives, approved measures (AM), alternative measures (AltM) and decision guidelines. The following table details which clauses are relevant to this application. The following pages demonstrate how the requirements have been met for each relevant standard and those contained in Clause 44.06.

CLAUSE		APPROVED MEASURE	APPLICABILITY	JUSTIFICATION
CLAUSE 53.02-3	Dwellings in existing settlements – Bushfire protection objective	AM 1.1	Not applicable	
		AM 1.2	Not applicable	
		AM 1.3	Not applicable	
CLAUSE 53.02-4.1	Landscape, siting and design objectives	AM 2.1	Applicable	Subdivision As required by AM5.2 Subdivision – no new buildings
		AM 2.2	Applicable	
		AM 2.3	Not applicable	
CLAUSE 53.02-4.2	Defendable space and construction objectives	AM 3.1	Not applicable	Addressed via AM 5.2
		AM 3.2	Not applicable	
		AltM 3.3	Not applicable	
		AltM 3.4	Not applicable	
		AltM 3.5	Not applicable	
		AltM 3.6	Not applicable	
CLAUSE 53.02-4.3	Water supply and Access objectives	AM 4.1	Applicable	As required by AM 5.1
		AM 4.2	Not applicable	
CLAUSE 53.02-4.4	Subdivision objectives	AM 5.1	Required by CFA RFI	Subdivision in the GWZ with DF in accordance with Column C in Table 2 Cl 53.02-5) Rural residential site < 10 lots < 10 lots
		AM 5.2	Required by Council RFI	
		AM 5.3	Not applicable	
		AM 5.4	Applicable	
		AltM 5.5	Not applicable	

AM 3.1 Not applicable
 AM 3.2 Not applicable
 AltM 3.3 Not applicable
 AltM 3.4 Not applicable
 AltM 3.5 Not applicable
 AltM 3.6 Not applicable

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The following part of the report provides a response to each of the relevant clauses with justification as to how this proposed subdivision responds to the requirements.

CLAUSE 53.02-4.1 BUSHFIRE PROTECTION 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.



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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.

Response: The site is located to the east of existing residential development and contemplates the re-subdivision of land to result in two lots; one lot in two parts and one lot around the existing dwelling - no additional lots or residential development are proposed. The site will experience ember attack, radiant heat and ignitions from interrupted fire runs that will bring fire into the locality.

The dwelling on Lot 1 PS746908J is an existing dwelling that currently exhibits a 16-metre setback from the forested area (assessed as BAL-FL). The bushfire risk to this existing dwelling will not vary regardless of whether the subdivision proceeds or not. The woodland area to the west of the existing dwelling has been *significantly modified* with the understorey cleared to provide for residential land use and development. While the management of vegetation may lessen the intensity of a fire, the vegetation on adjacent lots is not managed as defendable space and there is no guarantee that it would be managed as defendable space into the future.

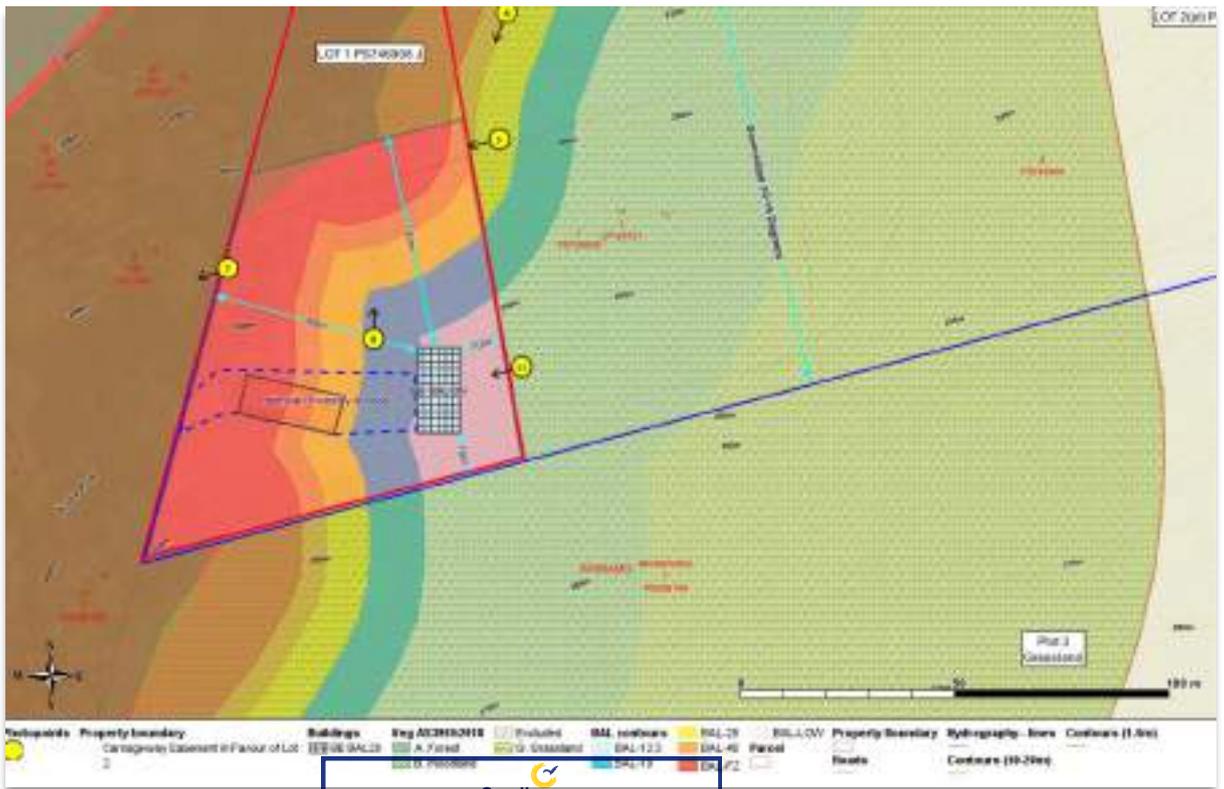
CAPACITY OF LOT 1 PS746908J TO ACCOMMODATE ANY FUTURE REPLACEMENT DWELLING

Should a replacement dwelling be contemplated in the future on Lot 1 PS746908J, it must be located in the south eastern portion of Lot 1 to achieve BAL29 with a 10metre separation from the grazed grass to the east (flat slope); 10 metres from the grazed grass to the south (upslope); 49metres from the woodland to the west (flat slope) and 49 metres from the forest to the north (downslope 10-15 degrees). The defendable space around a building envelope of 15m x 20m (as per FIGURE A below) must be managed to the property boundaries, which is achievable as evidenced by the plan below.

Access can be provided via the existing crossover from Aclare Road to the proposed building envelope by employing the flat area provided once the existing dwelling is removed, as per below. This complies with the access requirements of Table 5, clause 53.02-5. The lot has ample area to provide for a water tank to meet the requirements of table 4, clause 53.02-5. Vegetation on Lot 1 PS746908J has been significantly modified with a number of trees falling in recent storms so that canopy separation may only require some additional pruning to achieve the requirements of Table 6, clause 53.02-5.



FIGURE A



*A Bushfire Management Plan for a possible replacement dwelling on Lot 1 PS746808J is provided in Appendix 4.

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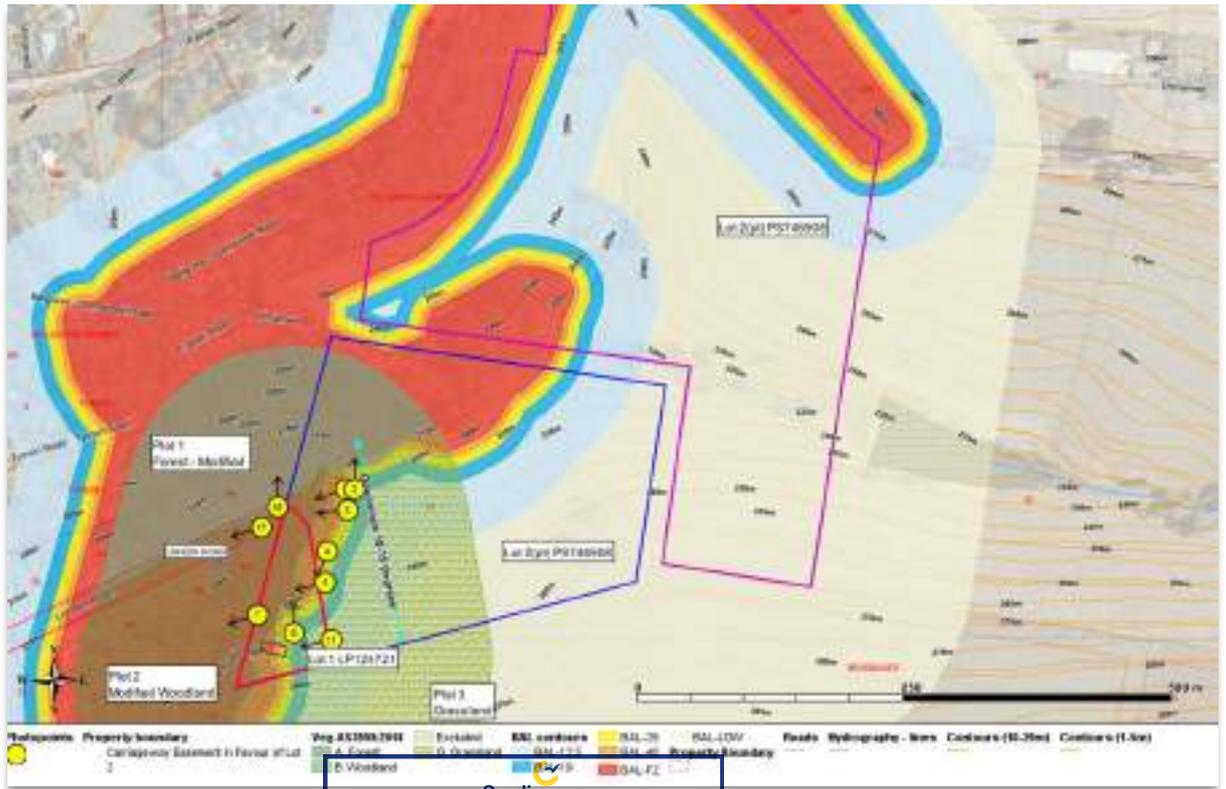
Should Council and CFA preference in favour of Defendable Space measuring 49metres in every direction, a Section 173 Agreement can be employed (as advised by FRV) to ensure the grassland on adjoining land is managed to 100mm (Low Threat State) to the east and south. Additionally, any future dwelling replacement proposal on Lot 1 would be further enhanced by the construction of a private fire bunker adjacent to any proposed dwelling.

It is advised however that there is no proposal to replace the dwelling and this can and should be assessed on its merits and subject to permit conditions should a replacement dwelling ever be contemplated by a future planning application.

CAPACITY OF LOT 2(PT) PS746908J TO ACCOMMODATE ANY FUTURE DWELLING DEVELOPMENT

While there is no intention of building on Lot 2 (pt) PS746908J, Figure B below provides evidence that there are locations on Lot 2(pt) that can achieve BAL29 or less (BAL12.5-BAL19). Access to Lot 2 PS746908J is provided via Lisheen Road, which benefits from augmentation works that ensures an Emergency Service vehicle can access the Lot from Lisheen Road, as per the requirements of Table 5, clause 53.02-5.

FIGURE B



A Bushfire Management Plan for Lot 1 PS746908J is provided in Appendix 5 that shows a dwelling that achieves a BAL29 and meets the water supply requirements of Table 4, clause 53.02-5; the access requirements of Table 5, clause 53.02-5 and the vegetation management in accordance with Table 6, clause 53.02-5.

CLAUSE 53.02-4.3 WATER SUPPLY AND ACCESS OBJECTIVES

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

AM 4.1

AM 4.1 A building used for a dwelling (including an extension or alteration to a dwelling), a small second dwelling, industry, office or retail premises is provided with:

- A static water supply for firefighting 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 54.02-5.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.

Response: The existing dwelling on Lot 1 PS746908J has access to reticulated water from Aclare Road. There is currently no static water supply for the purpose of firefighting purposes however, the area of Lot 1 PS746908J has the capacity to provide a water supply for firefighting purposes that aligns with the requirements of Table 4, clause 53.02-5, with access to the water supply consistent with Table 5 clause 53.02-5. Access to the northern (lower portions) of Lot 1 is via Lisheen Road and the existing dwelling in the southern portion of the lot is accessed via the existing crossover from Aclare Road. The re-subdivision of land meets the approved measures of AM4.1 and the water supply and access objective (Clause 53.02-4.3).

CLAUSE 53.02-4.4 SUBDIVISION OBJECTIVES

*To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.
To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.*

AM5.1 An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:

- The defensible space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.
- The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.

Response: The land is zoned Green Wedge and currently features an existing dwelling, so is used and developed for rural residential purposes. The existing dwelling is subject to existing bushfire hazard and risk that will not be elevated as a result of the re-subdivision. The area of the lot has the capacity to provide a water supply and access as per the requirements of Clause 53.02-4.1 and 53.02-4.3.

As per advice received by FRV/CFA should any replacement of the existing dwelling be contemplated in the future, the replacement dwelling will need to show a capacity to increase separation from the hazard and meet the construction requirements associated with BAL29. This is discussed below in our response to AM5.2⁵.

AM 5.1



⁵ The CFA/FRV Request for Further Information dated 17 November (Ref: 8000-59831-148234) requests a response to AM5.1, whereas the Request for Further Information received from Council dated 13 November 2025 requests a response to AM5.2 noting the use and development of the land for rural residential purposes.

AM5.2 An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:

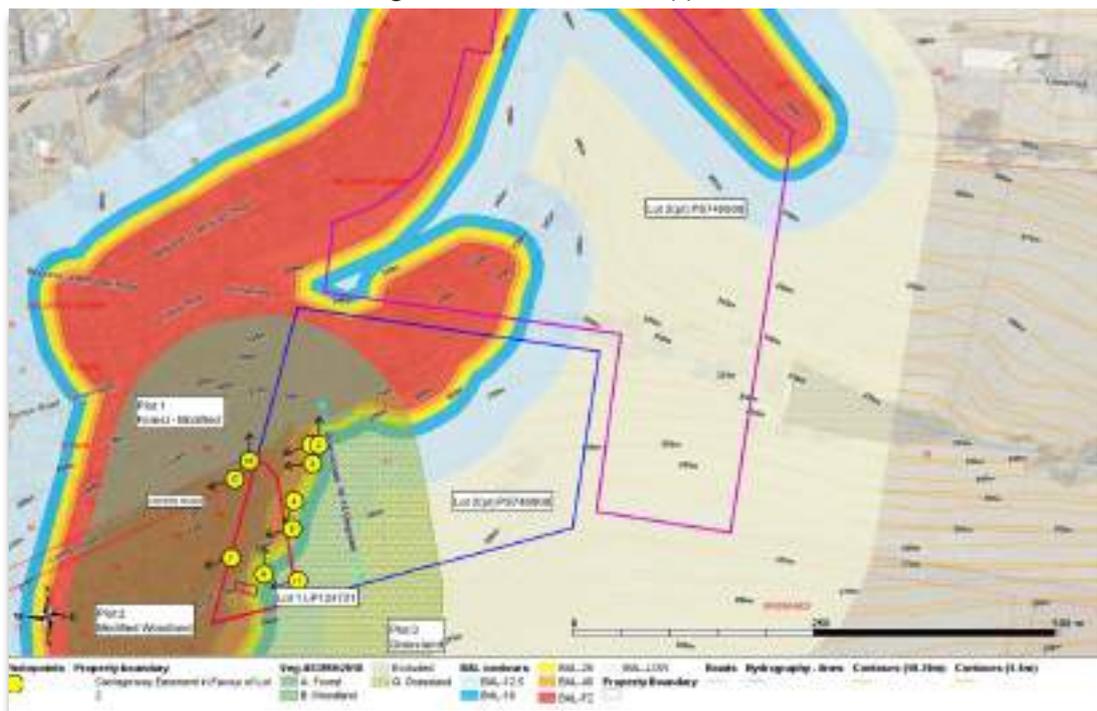
- Each lot satisfies the approved measure in AM2.1.
- A building envelope for a single dwelling on each lot that complies with AM2.2 and provides defensible space in accordance with:
 - Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or
 - Columns A, B or C of Table 2 to Clause 53.02-5 for a Subdivision that creates less than 10 lots.

The bushfire attack level that corresponds to the defensible space provided in accordance with Table 2 to Clause 53.02 must be noted on the building envelope.

- Defensible space wholly contained within the boundaries of the proposed subdivision.
- Defensible space may be shared between lots within the subdivision. Defensible space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defensible space.
- Vegetation requirement measurements in accordance with Table 6 to implement and maintain the defensible space required under this approved measure.
- Water Supply and vehicle access that complies with AM4.1.

Response: The land is subject to the Green Wedge and features an existing dwelling, so the requirements of AM5.2 are responded to accordingly given the rural residential nature of the site.

Figure B below provides evidence that Lot 2 (pt) PS746908J can achieve a building envelope that is located in areas of Lot 2(pt) that are subject to BAL12.5, BAL19 and BAL29, corresponding with Columns A, B or C of Table 2 to Clause 53.02-5. These areas are represented by the lighter blue, darker blue and yellow BAL contours (respectively) in the plan below and correlate with the vegetation profiles, slope and setback. Defensible space can be wholly contained with Lot 2 (pt) PS746908J and there is ample area to accommodate water supply in accordance with Table 4 of Clause 53.02-5. Management of vegetation in accordance with the requirements of Table 6 of Clause 53.02-5 would require mowing the grass to 100mm or less to ensure it aligns with clause 2.2.3.2 (f) of AS3959:2018.



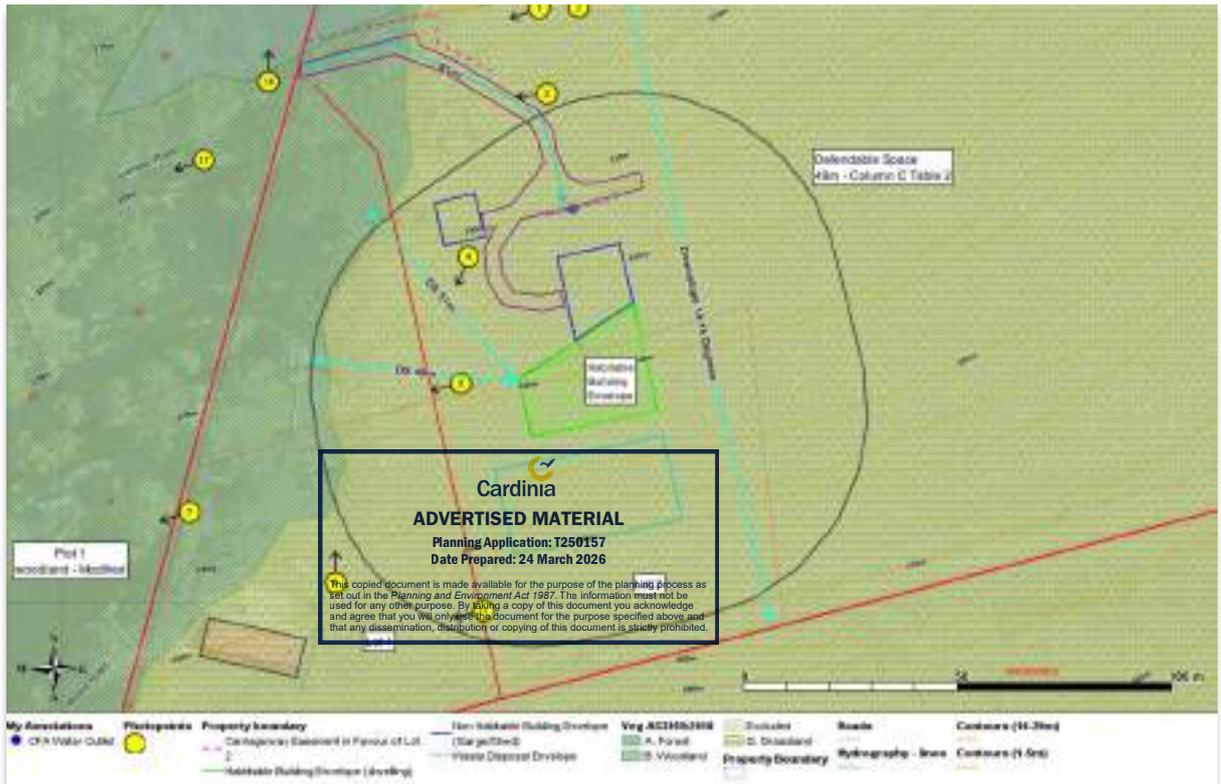
AM 5.2

INDICATIVE COMPLIANCE WITH TABLE 2 CLAUSE 53.02-5 SHOULD A DWELLING DEVELOPMENT ON LOT 2 PS746908J BE CONTEMPLATED IN THE FUTURE

Should a dwelling ever be contemplated on Lot 2 (pt) PS746908J, Figure C below shows that a building envelope with Defendable Space that meets the requirements of Column B (BAL19) Table 2 of Clause 53.02-5 can be achieved. A water supply and access compliant with AM4.1 can be achieved, including a turning area within 100metres of the end of Lisheen Road.

*It must be noted that a dwelling on Lot 2(pt) PS746908J is not contemplated as part of this application.

FIGURE C



A Bushfire Management Plan is provided in Appendix 5 that identifies construction standards, defendable space, water supply and access to Lot 2 (pt) PS746908J.

A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Response: The re-subdivision of the land does not elevate the existing risk to the existing dwelling however, the area of the lot has the capacity to provide water supply and access that can reduce the landscape risk. As per advice received by FRV/CFA should any replacement of the existing dwelling on Lot 1 PS746908J be contemplated in the future, the replacement dwelling will need to show a capacity to increase separation from the hazard and meet the construction requirements associated with BAL29.

AM 5.4

7. REFERENCES & APPENDICES

Department of Transport, Planning and Local Infrastructure (2014) Planning Practice Note 65 – Preparing and Assessing a Planning Application under the Bushfire Provisions in Planning Schemes. Victorian Government, Melbourne

Leonard, J. and Blanche, R. (2005) Investigation of bushfire attack mechanisms involved in house loss in the ACT bushfire 2003. Bushfire CRC report CMIT©-2005-377

Leonard, J. (2009) Report to the 2009 Victorian Bushfires Royal Commission Building performance in Bushfires. CSIRO Australia.

Standards Australia (2007) Australian Standard AS 1530.8.2 Methods for fire tests on building materials, components and structures – Tests on elements of construction for buildings exposed to simulated bushfire attack – Large flaming sources AS 1530.

Standards Australia (2018) AS 39359-2018 Construction of Buildings in Bushfire Prone Areas. Standards Australia, North Sydney, New South Wales.

The State of Victoria Department of Planning and Community Development (2012) Regional Bushfire Planning Assessment – Gippsland Region.

APPENDICES

APPENDIX 1 – BUSHFIRE HAZARD LANDSCAPE PLAN

APPENDIX 2 – BUSHFIRE HAZARD SITE ASSESSMENT

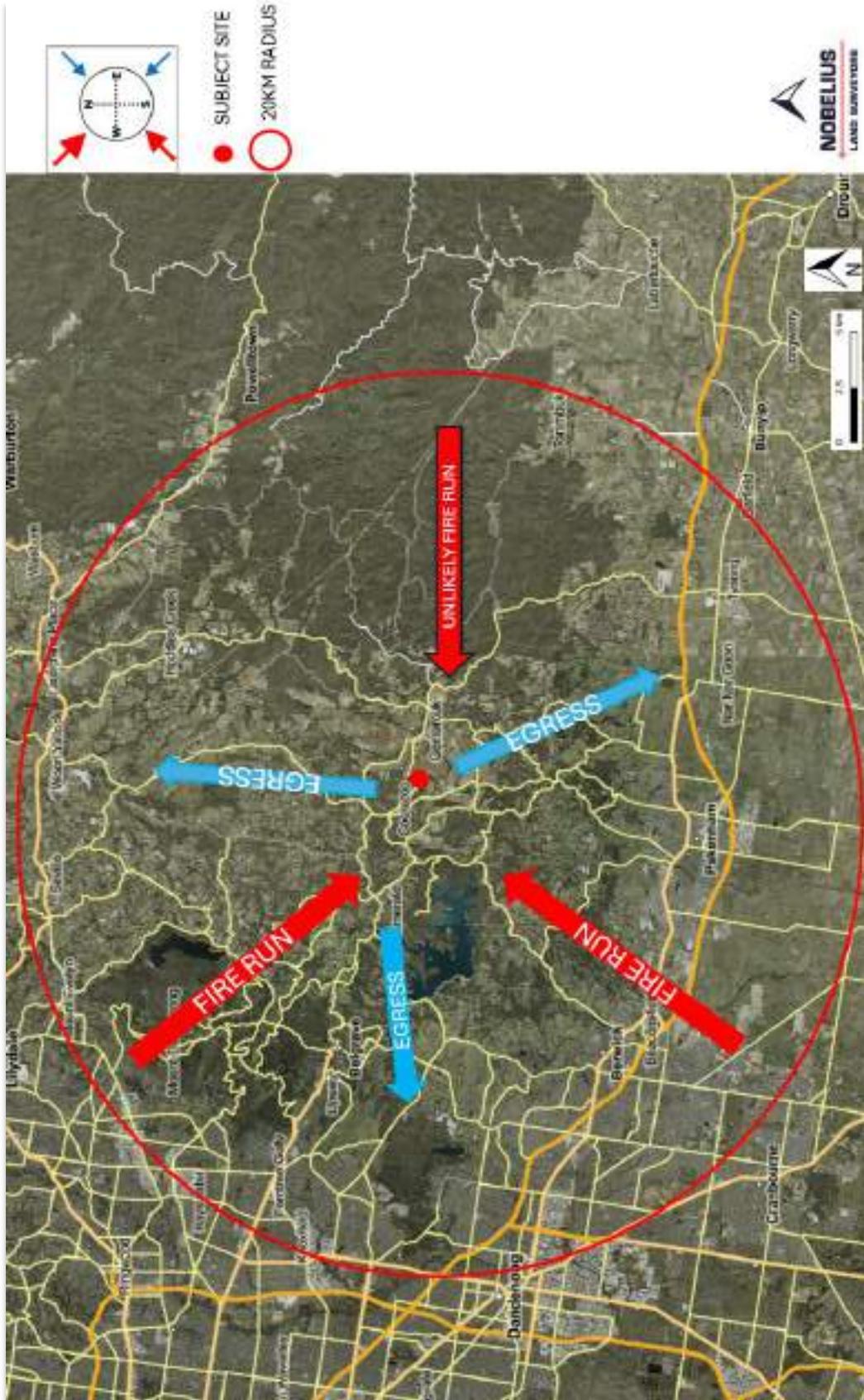
APPENDIX 3 – PROPOSED PLAN OF SUBDIVISION

APPENDIX 4 – BMP FOR LOT 1 PS746908J (REPLACEMENT DWELLING)

APPENDIX 5 – BMP FOR LOT 2 (PT) PS746908 J (INDICATIVE)



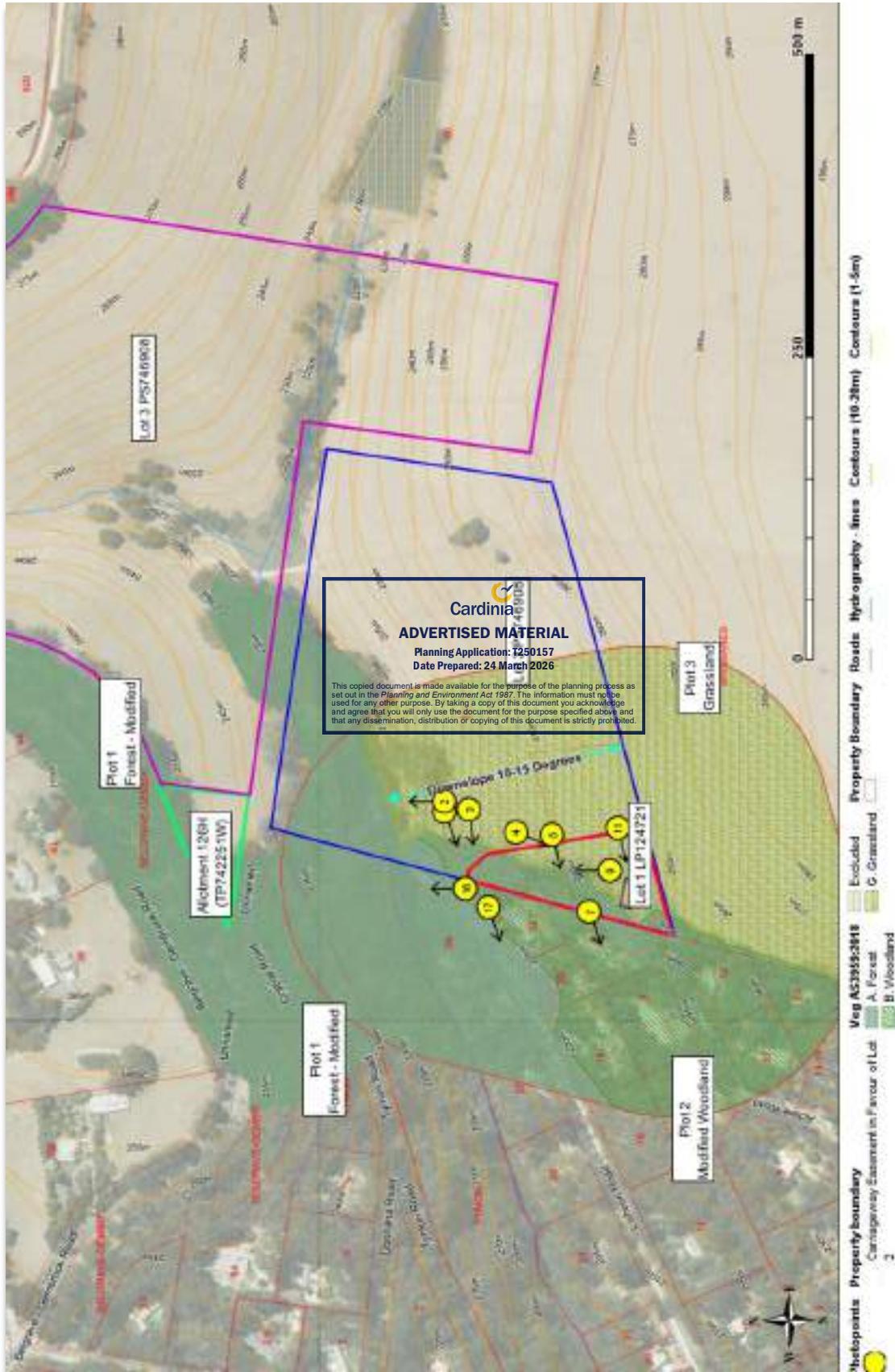
APPENDIX 1 – BUSHFIRE HAZARD LANDSCAPE PLAN



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APPENDIX 2 – BUSHFIRE HAZARD SITE ASSESSMENT



APPENDIX 5 – BMP FOR LOT 2 (PT) PS746908 J

BUSHFIRE MANAGEMENT PLAN

LOT 2(pt) PS 746908J, COCKATOO 3781
Version 1, 14/03/2026, Nobelius Land Surveyors

BUSHFIRE CONSTRUCTION LEVEL (LOT 1 PS746908J)
All construction works need to comply with a minimum BAL of BAL29 (AS 3099:2018).

DEPENDABLE SPACE
Lot 1 PS746908J must provide defendable space for the entire lot surrounding any dwelling located and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All trees and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 meters of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 cm 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 6m, meters in any and must be separated by at least 5 meters.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 meters.
- There must be a clearance of at least 2 meters between the lowest tree branches and ground level.

FIREFIGHTING WATER SUPPLY (IN ACCORDANCE WITH THE REQUIREMENTS OF TABLE 4 TO CLAUSE 53.02-5)
The (replacement) dwelling on Lot 1 and at the time of building must be provided with 10,000 litres of effective water supply for firefighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosion resistant metal.
- The water supply must also incorporate a ball or gate valve (British Standard Fluc 10597 60mm) and coupling (24 mm CFA 2 thread per inch rate fitting).
- Include a separate outlet for occupied site.

- The outlets of the water tank must be within 4m of the accessway and be lockable shut.
- Be located 60 metres from the outer edge of the approved building.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided. Any paperwork and signs must be a minimum of 60 mm (excluding the CFA coupling).

ACCESS (IN ACCORDANCE WITH REQUIREMENTS OF TABLE 5 TO CLAUSE 53.02-5)
Where fire authority access to the State Water Supply is required under ABL 1 fire safety vehicles should be able to get within 4 metres of the water supply outlet. Where the water supply of 10,000 litres is required, all access conditions are required:

- Be of all-weather sealed surface.
- Have a load limit of at least 15 tonnes.
- Curves must have a minimum inner radius of 18m.
- The average grade must be no more than 1 in 7 (14.3 per cent) (8.1%) with a maximum of no more than 1 in 5 (20 per cent) (11.3%) for no more than 50m.
- Have a minimum trafficable width of 3.5m.
- Be clear of encroachments for at least 3.0m on each side and 4m above the access way.
- Gaps must have no more than a 1 in 6 (16.7 per cent) (7.1 degrees) entry and exit angle.

7



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LOT 1 PS 746908J, 11 ACLARE ROAD, COCKATOO 3781

Version 2, 14/12/2025, Nobelius Land Surveyors

BUSHFIRE CONSTRUCTION LEVEL (LOT 1 PS746908J)

All construction works need to comply with a minimum BAL of **BAL29** (AS 3959:2018).

DEFENDABLE SPACE

Lot 1 PS746908J must provide defendable space for the entire lot surrounding any dwelling modified and 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 meters of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 cm 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 5sq. meters in area and must be separated by at least 5 meters.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 meters.
- There must be a clearance of at least 2 meters between the lowest tree branches and ground level.

FIREFIGHTING WATER SUPPLY (IN ACCORDANCE WITH THE REQUIREMENTS OF TABLE 4 TO CLAUSE 53.02-5)

The (replacement) dwelling on Lot 1 and at the time of building, must be provided with **10,000 litres of effective water supply** for firefighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- The water supply must also incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Include a separate outlet for occupant use.

- The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
- Be located 60 metres of the outer edge of the approved building.
- 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).

ACCESS (IN ACCORDANCE WITH REQUIREMENTS OF TABLE 5 TO CLAUSE 53.02-5)

Where fire authority access to the Static Water Supply is required under AM4.1 fire ability vehicles should be able to get within 4 metres of the water supply outlet. Where the water supply of 10,000 litres is required, all access conditions are required:

- Be of all-weather construction.
- Have a load limit of at least 15 tonnes.
- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1°) with a maximum of no more than 1 in 5 (20 per cent) (11.3°) for no more than 50m.
- Have a minimum trafficable width of 3.5m.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- 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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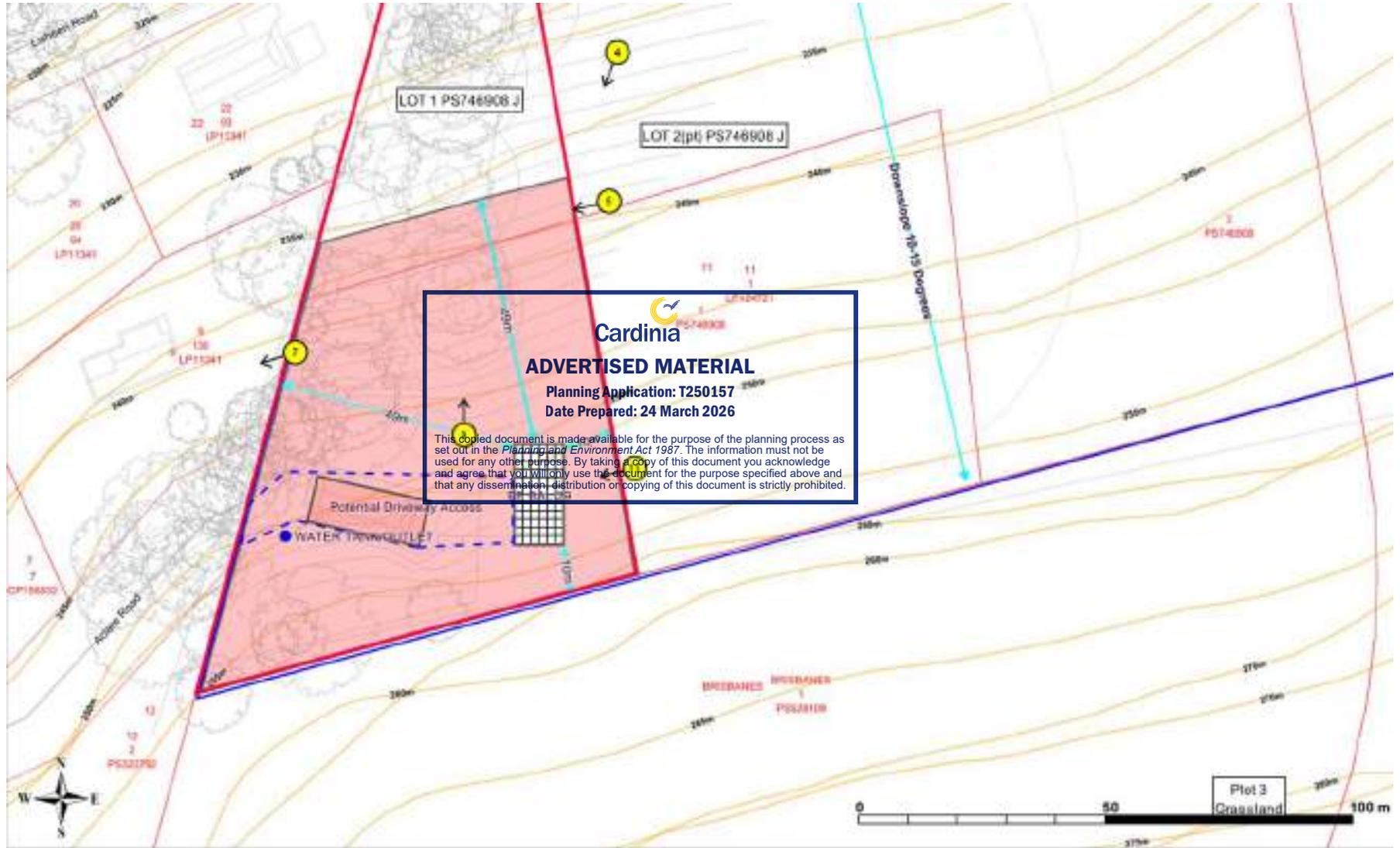
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LOT 1 PS 746908J, 11 ACLARE ROAD, COCKATOO 3781

Version 2, 15/12/2025, Nobelius Land Surveyors



My Annotations	Photopoints	Property boundary	Buildings	Parcel	Property Boundary	Roads	Hydrography - lines	Contours (10-20m)	Contours (1-5m)
● WATER TANK	●	Carriageway Easement in Favour of Lot 2	BE BAL29 Defendable Space						

LOT 2(pt) PS 746908J, COCKATOO 3781

Version 1, 14/12/2025, Nobelius Land Surveyors

BUSHFIRE CONSTRUCTION LEVEL (LOT 1 PS746908J)

All construction works need to comply with a minimum BAL of **BAL29** (AS 3959:2018).

DEFENDABLE SPACE

Lot 1 PS746908J must provide defendable space for the entire lot surrounding any dwelling modified and managed in accordance with the following requirements:

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- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- The water supply must also incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Include a separate outlet for occupant use.

- The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
- Be located 60 metres of the outer edge of the approved building.
- 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).

ACCESS (IN ACCORDANCE WITH REQUIREMENTS OF TABLE 5 TO CLAUSE 53.02-5)

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- Be of all-weather construction.
- Have a load limit of at least 15 tonnes.
- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1°) with a maximum of no more than 1 in 5 (20 per cent) (11.3°) for no more than 50m.
- Have a minimum trafficable width of 3.5m.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- 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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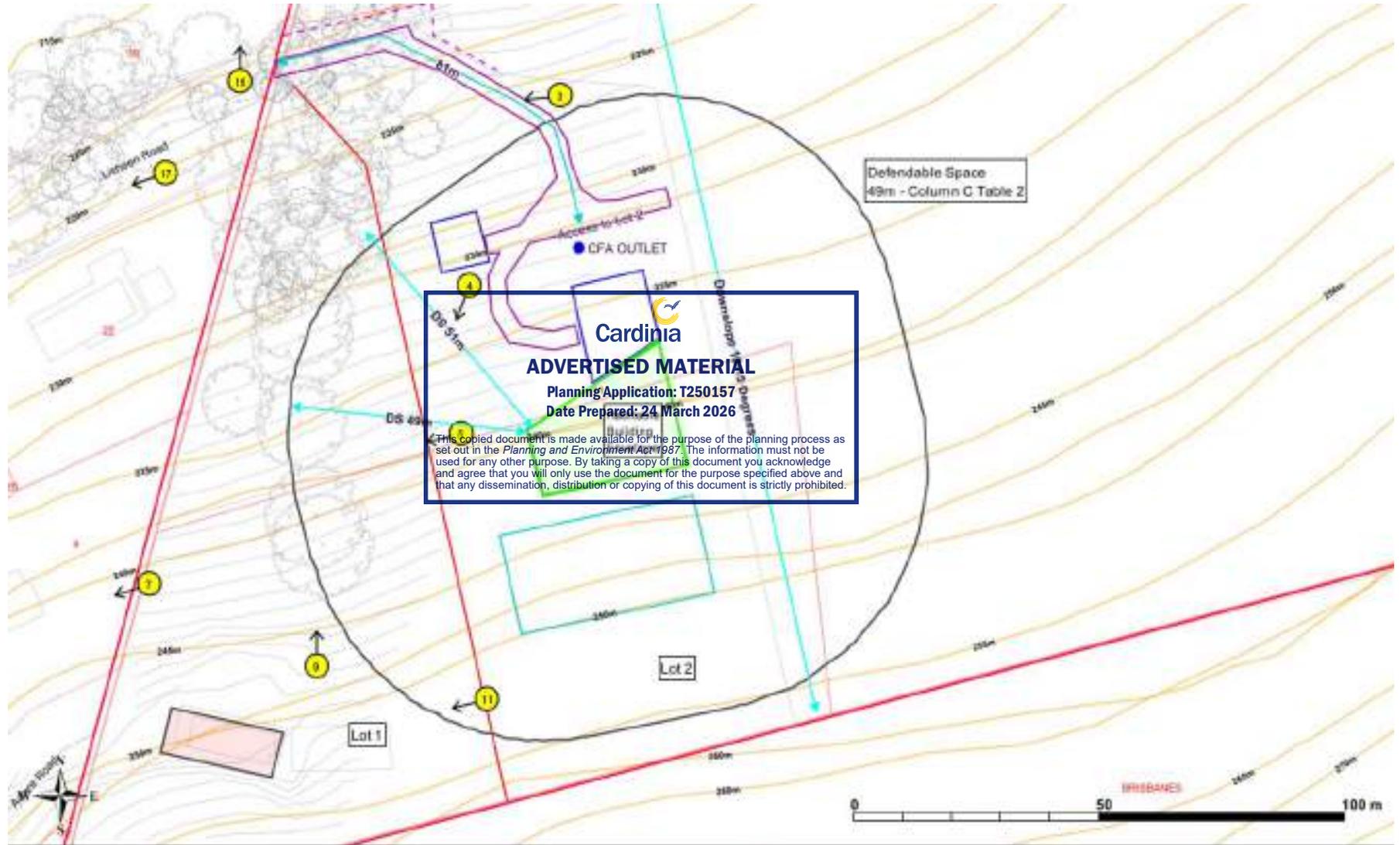
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LOT 2(pt) PS 746908J, COCKATOO 3781

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- | | | | | | | | | |
|-----------------------|--------------------|---|---|--------------------------------|--------------|----------------------------|--------------------------|------------------------|
| My Annotations | Photopoints | Property boundary | Habitable Building Envelope (dwelling) | Waste Disposal Envelope | Roads | Hydrography - lines | Contours (10-20m) | Contours (1-5m) |
| ● CFA Water Outlet | ● | --- 2 | — | — | — | — | — | — |
| | | --- Carriageway Easement in Favour of Lot 2 | — Non Habitable Building Envelope (Garage/Shed) | □ Property Boundary | | | | |

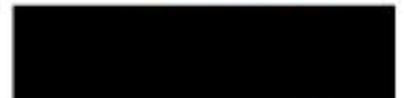


Treed *environs*

ARBORICULTURAL ASSESSMENT & REPORT

LISHEEN ROAD
COCKATOO

Prepared for



by

Treed environs

October 2025

Revised February 2026

Cardinia

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Date Prepared: 24 March 2026

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• TREES • NATIVE VEGETATION • BUSHFIRE MANAGEMENT

TERRASTYLIS PTY LTD ACN 080 282 506 ATF The Holly Patch Trust ABN 88 452 276 207 Tas TREED ENVIRONS

jeff@treedenvirons.com.au Phone 0419 899 446

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1 Introduction and purpose

The purpose of this report is to enable informed decisions to be made concerning tree retention on or adjacent to the subject site. This report sets out, for each tree assessed, the:

- Physical parameters, height, canopy spread and trunk diameter.
- Health, architecture and condition.
- Life stage, and
- Significance to the local area including the ownership or location of the tree.

These elements are combined to create the Integrated Tree Rating (ITR) for each tree. The ITR comes in four levels – Low, Fair, Moderate and Exceptional – and forms the basis of determining the amount of effort and resources that should be put into retaining a tree.

2 Australian Standard

This report has been prepared having regard to AS 4970 - 2025 – Protection of trees on development sites. Terms used in this report are used consistently with definitions of terms in AS 4970.

3 Assessment process

 B. Forest Science (Melb.), Principal Consultant Terrastylis Pty Ltd, inspected the site in May 2024 and extended the inspection in June 2025.

Inspection was carried out from the ground and no sampling or boring was undertaken. Trees that may require a permit under the planning scheme or trees adjoining the site that may be impacted by development were assessed.


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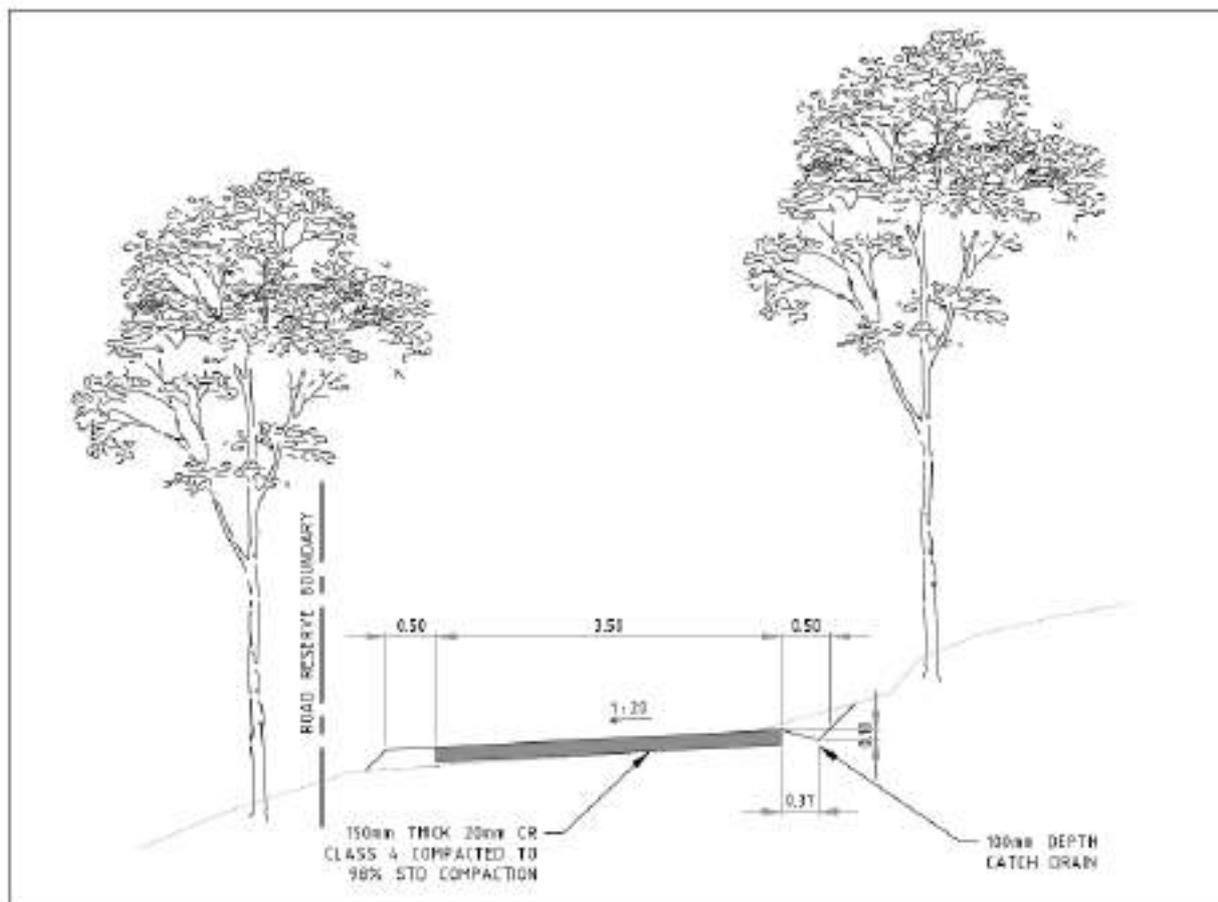
Inspection was undertaken in accordance with the Visual Tree Assessment method developed by Mattheck and Breloar.

This report only deals with the proposed enhancement on the eastern end of Lisheen Road. This part of Lisheen Road is not a public road under the Cardinia Road Management Plan

Tree numbers have been marked on plans provided by NFK Civil based on feature and level survey prepared by Nobelius Surveying. If an assessed tree was not shown on the plan, the tree position has been marked on the plan. The position of additional trees is only indicative and reflects the relative distribution of trees rather than their absolute position. The amended plan forms part of this report and is the basis of all consideration. Photographs of the trees are also included in this report.

A planning application has been lodged for the re-subdivision of 11 Aclare Road Cockatoo to create a new rural residential lot containing the existing dwelling with access from Aclare Road and a rural lot with access to be taken via Lisheen Road. The Council have required information on the impact of the proposed road upgrade on adjoining trees. A tree assessment was undertaken of trees adjoining Lisheen Road. This built upon a tree assessment that was previously undertaken. Trees 1 to 25 are not considered in this report. This report considers Trees 26 to 69 shown on the attached plan and described in the tables forming part of this report. Tree 38 has been divided into Tree 38 and Tree 38A. Three dead trees at the northeastern end of site have been added to plan and are referred to as Trees A, B & C

NFK Civil prepared a functional layout plan for the upgrade of Lisheen Road. The impact of the upgrade on assessed trees considers the tree assessment and the functional layout plan. The upgrade proposes to provide a 3.5 m road pavement with a minimum of 0.5 m clear zone on both sides. This will generally meet the standard bushfire access requirements. The NFK Civil plans comprises a typical road section on FLP-01 shown below



TYPICAL ROAD SECTION

SCALE: 1 : 50

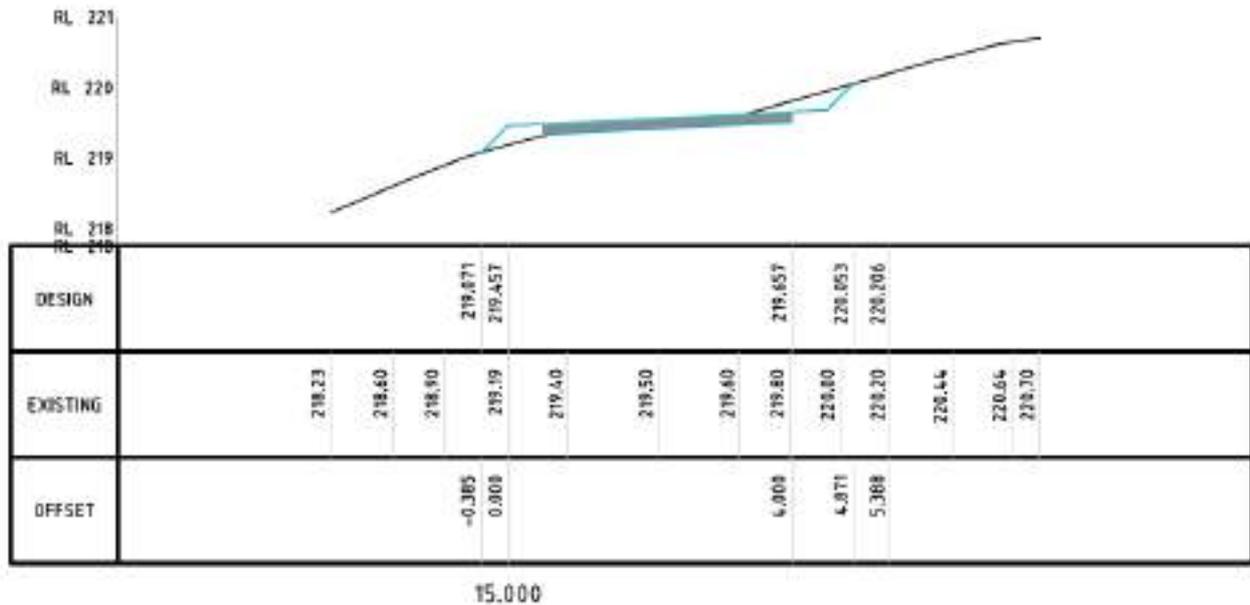
Typical Road Section from Functional Layout Plan cover sheet looking east

The Typical Road Section shows the 3.5 metres of crushed rock surface 150 mm deep with a 1 in 20 crossfall to the North (Creek), a 0.5-metre-wide clear zone along the northern side and a 0.5-metre-wide clear zone on the southern side incorporating a 100 mm deep catch drain. The bottom of catch drain is approximately 240 mm below the existing surface level.

In addition to the Typical Road Section a series of cross sections have been prepared. These section drawings show more detail of the feature levels.


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Example - Cross section at 15.00 metres

This cross section is east of the main access to 22 Lisheen Road and shows fill on northern side and cut on southern side.

4 Planning and regulatory controls

Approval may be required prior to removal of vegetation and in particular trees. The most common controls are overlay controls in planning schemes but there are a range of other controls that may apply in certain circumstances including Local Laws and other legislation including the Flora and Fauna Guarantee Act (on public land including roads). An online check of the planning controls has been undertaken and this has revealed that the site (Lisheen Road) is zoned Low Density Residential Zone 2 and is included in Design & Development Overlay Schedule 1 and Vegetation Protection Overlay schedule 1. Bushfire Management Overlay Schedule 2 also applies. A title search of Lisheen Road was undertaken. The title search shows that the Council is the registered proprietor of Lisheen Road. As the road is owned by the Council the land in the road is considered Public Land within the meaning of the Flora and Fauna Guarantee Act and a permit may be required to remove protected plants.

4.1 Clause 42.02 and Schedule 1 Vegetation Protection Overlay (VPO1)

Shown on the planning scheme maps as VPO1. A permit is required to remove any vegetation unless exempt. Exemptions include Bushfire Exemptions of Clause 52.12 of the planning scheme, Dead trees with a diameter of less than 400 mm and listed weed species. Trees 49, 52, 53, 62 & 62 are exempt from VPO1.

4.2 Clause 52.12 Bushfire Protection Exemptions

Clause 52.12 of the planning scheme implements the 10-30 or 10-50 rules. This clause operates by ousting other vegetation permit provisions when the site is a Bushfire Prone area (10-30 rule) or Bushfire Management Overlay (10-50 rule). The Council Request for Further information requires the 52.12 (50 m) exemption area to be shown on the plan for Lisheen Road. See site plan in section 12. The 50 m zone is the area where vegetation other than trees may be removed without a planning permit. To understand what assessed vegetation may be removed under the Clause 52.12 exemption it is necessary to determine whether vegetation should be considered a tree under the exemption.

A tree is not defined in the scheme. Refer to definitions section of this report. AS 4970-2025 defines a tree but this definition will not apply when Tree is defined in the planning scheme. Clause 52.37 defines a canopy tree and could be used as a basis of defining a tree. A tree would be greater than 5 m in height and a trunk diameter greater than 160 mm.

The native vegetation guidelines provides a definition of a native canopy tree. As it applies only to native trees it is less applicable than clause 52.37 which applies to all trees.

For the purpose of determining whether vegetation is a tree for the 10-50 rule, the Clause 52.37 definition of >5m high and trunk diameter > than 160 mm. With this definition Tree 36 is not considered to be a Tree. It should also be noted that this tree is also not considered a canopy tree under the native vegetation guidelines.

Trees 32, 36, 38, 38A, 50, 51, 55, 56 & 57 are exempt via clause 52.12.

4.3 Clause 52.17 Native vegetation

As the road has an area of greater than 4000m² then a permit will be required under Clause 52.17 will be required for removal of native vegetation unless otherwise exempt. Exemptions under Clause 52.12 may apply.

Trees 46, 47, 48, 49, 52, 53, 54, 61, 62, 63, A, B & C are exempt.

4.4 Flora and Fauna Guarantee Act

As the Council is the registered proprietor of Lisheen Road the Flora and Fauna Guarantee Act will apply to vegetation listed under that Act. If FFG listed vegetation is proposed to be removed a permit may be required from DEECA in addition to any permits required under the planning scheme.

5 Basis of Assessment

The assessment of trees has taken into account if applicable:

- Overlays which have specific vegetation controls
- Clause 52.17 for native vegetation.
- Flora and Fauna Guarantee Act for trees and larger woody plants



6 Trees removed from site

There are no signs that suggest that trees have been removed from the site within the previous 12 months other than trees that failed during recent storms.

7 Existing site conditions

The site at the Eastern end of Lisheen Road has been used infrequently to access the adjoining rural property and particularly to access the stock yards that are located a short distance into the adjoining property. The stock yards have become derelict. The road was blocked by tree failure during recent storms. The road has been reopened to the gates inside the adjoining property.

The assessment data is shown on the following table.

Table 1: Tree assessment data

Tree No	Species	Character	Health	Architecture	Condition	Life Stage	Significance	Standard Diam (mm)	Height (m)	Canopy Spread (m)	ITR
26	Eucalyptus viminalis	I	F	F	F	G	N	150	8	3	L
27	Eucalyptus viminalis	I	F	F	F	M	N	450	25	10	F
28	Eucalyptus viminalis	I	F	VP	VP	M	N	770	4	1	L
29	Eucalyptus cypellocarpa	I	F	F	F	M	N	800	20	12	F
30	Eucalyptus cypellocarpa	I	F	F	F	M	N	300	12	6	F
31	Eucalyptus obliqua	I	F	F	F	M	P	1,700	30	22	F
32	Cyathea australis	I	F	F	F	M	N	250	3	1	F
33	Eucalyptus cypellocarpa	I	F	F	F	M	N	500	30	15	F
34	Eucalyptus obliqua	I	F	F	F	M	N	400	15	7	F
35	Eucalyptus obliqua	I	F	F	F	M	P	1,100	30	15	F
36	Acacia melanoxylon	I	F	F	F	G	N	100	3	3	F
37	Acacia melanoxylon	I	F	F	F	M	N	250	8	4	F
38	Cyathea australis x5	I	F	F	F	M	N	200	2	1	F
38A	Cyathea australis	I	F	F	F	M	N	200	2	1	F
39	Eucalyptus obliqua	I	F	F	F	M	N	600	25	15	F
40	Eucalyptus radiata	I	F	F	F	M	N	600	16	12	F
41	Eucalyptus cypellocarpa	I	F	F	F	M	P	1,000	30	15	F
42	Eucalyptus cypellocarpa	I	F	F	F	M	P	1,300	35	15	F
43	Eucalyptus radiata	I	F	F	F	M	N	250	8	5	F
44	Eucalyptus radiata	I	F	P	P	M	N	250	8	6	F
45	Eucalyptus radiata	I	F	F	F	M	N	120	8	4	F
46	Allocasuarina species	A	F	F	F	M	N	160	5	5	F
47	Allocasuarina species	A	F	F	F	M	N	340	10	7	F
48	Allocasuarina species	A	F	F	F	M	N	160	7	5	F
49	Hakea salicifolia	AW	F	F	F	M	N	100	4	4	F
50	Cyathea australis x2	I	F	F	F	M	N	250	3	1	F
51	Cyathea australis	I	F	F	F	M	N	250	2	1	F
52	Hakea salicifolia	AW	F	F	F	M	N	150	5	4	F
53	Hakea salicifolia	AW	F	F	F	M	N	150	5	4	F
54	Callistemon salignus	A	F	F	F	M	N	150	5	3	F
55	Cyathea australis	I	F	F	F	M	N	250	3	1	F
56	Cyathea australis	I	F	F	F	M	N	250	3	1	F
57	Cyathea australis x2	I	F	F	F	M	N	250	3	1	F
58	Eucalyptus obliqua	I	F	F	F	M	N	600	20	7	F
59	Eucalyptus obliqua	I	F	F	F	M	P	1,200	30	12	F
60	Eucalyptus obliqua	I	F	F	F	M	P	1,000	30	8	F
61	Hakea salicifolia	AW	F	F	F	M	N	100	5	2	F
60	Hakea salicifolia	AW	F	F	F	M	N	120	6	3	F
63	Allocasuarina species	A	F	F	F	M	N	220	6	5	F

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Table 1: Tree assessment data

Tree No	Species	Character	Health	Architecture	Condition	Life Stage	Significance	Standard Diam (mm)	Height (m)	Canopy Spread (m)	ITR
64	Eucalyptus obliqua	I	F	F	F	M	P	1,200	30	15	F
65	Callistemon salignus	A	F	F	F	M	N	100	5	2	F
66	Acacia dealbata	I	F	F	F	M	N	200	9	5	F
67	Eucalyptus obliqua	I	F	F	F	M	P	1,000	30	15	F
68	Eucalyptus obliqua	I	F	F	F	M	P	1,100	30	15	F
69	Eucalyptus obliqua	I	F	P	P	M	N	800	20	15	F
A	Eucalyptus viminalis	I	VP	VP	VP	D	N	240	10	1	L
B	Eucalyptus viminalis	I	VP	VP	VP	D	N	250	10	1	L
C	Eucalyptus viminalis	I	VP	VP	VP	D	N	200	1	1	L

Table 1: Tree assessment data

The meaning of the categories shown in the tables is defined in Appendix 1. For convenience the effective tree diameter and Integrated Tree Rating have been shown in the above table. These characteristics have been determined in accordance with the definitions.

8 Integrated Tree Rating



The Integrated Tree Rating is a result of analysis of all assessed characteristics for a particular tree and its location. Accordingly assessed trees not on the subject property may be rated higher than equivalent trees on the subject site. This weighting ensures that due regard is had to trees adjoining the site.

General recommendations for each rating are:

EXCEPTIONAL: Exceptional trees should be retained and protected.

MODERATE: It is desirable and recommended that Moderate trees be retained and protected due to their high significance and the difficulty in providing adequate replacement landscaping.

FAIR: Fair trees are suitable for retention but due to significance, condition, relatively small size or young age have relatively little value or can readily be replaced with similar value trees. These trees can be retained when clear of development or removed and replaced to achieve a better development outcome.

LOW: Trees rated Low have little if any value. Some of these trees may be unstable or pose higher than acceptable levels of risk. There is little reason to retain these trees.

For each tree rated greater than Low, the Structural Root and Tree Protection Zones (radii about centre of tree at ground level) have been determined. These, together with canopy impacts, form the basis for determining the limit of approach/minimum distance development must be from each tree to enable its retention and ensure that the tree will remain viable. If design has been undertaken the design setback from each tree is compared with the Structural Root and Tree Protection Zones and comments made on whether the setback is adequate for retention of the tree. These elements should meet local government requirements regarding arborists or arboricultural consultants' reports.

9 Development Impacts

The potential impact of the proposed development is considered in this section. The impact is only considered in detail for trees with ITR of Exceptional, Moderate or Fair. This section considers the proposed development plan. If, on the other hand, the tree assessment is being prepared prior to development plan preparation provides set back distances to guide potential development.

9.1 Above ground impacts

The above ground impacts of a proposed development are usually readily assessable. Providing works are located outside the drip line then the impact will be minimal. Care must be taken during demolition and excavation to ensure that trees are not damaged by equipment. Particular attention must be placed on protecting the trunk and major branches from unintentional damage. Trunk protection may be required if work is being undertaken in very close proximity to a tree.

Pruning of the tree canopy is generally acceptable providing the pruning is undertaken by competent personnel and in accordance with the Australian Standard (AS 4373-2007 Pruning of amenity trees). Providing the pruning does not disfigure the tree it may be appropriate to remove up to 20% of the leaf area. Table 2 shows the radius, from the centre of the trunk, at which leaf area will be reduced by 20% if the pruning is done on one side of the tree only. This radius is based on the average canopy spread and should only be used as a guide.

9.2 Below ground impacts

The potential for impact on the elements of the tree below the ground will depend on the distribution of the tree root system.

Tree roots carry out two main functions.

- a) **Structural roots.** The structural roots support the above ground sections of the tree in a generally upright position.
- b) **Absorber roots.** The absorber roots are active, in association with fungi (mycorrhiza), in absorbing water and nutrients from the ground.

Whilst a tree only has one set of roots, the root areas can be considered to carry out these two functions somewhat independently.

The structural root radius and notional root zone are defined in AS 4970 defined by the SD. The extent of disturbance a tree can tolerate depends on both the nature of the tree and the disturbance. The standard allows outlines 3 levels of encroachment, Minor, Moderate and Major, and outlines assessment that needs to be undertaken for trees being retained. The SRZ, NRZ and radius at which 10% of root area is lost (Limit of Approach LOA) is shown in table 2. Encroachment beyond the 10% may require detailed assessment.

9.3 Indirect impacts

There may be additional impacts on the trees, other than the direct impacts discussed above. Care must be taken to ensure that soil compaction is minimised in the vicinity of any trees being retained. Indirect impacts may be caused through changes to drainage or maintenance requirements. The location of services has not been shown on the plans, and it has been assumed that services will be installed well clear of retained trees. Retained trees should be managed in accordance with the attached guidelines (Appendix 3).



9.4 Preliminary assessment

The preliminary assessment in the following table is a basic comparison of the setback distance to the tree canopy and tree root radii. It does not consider the distribution of the canopy or extent of works. These issues can significantly alter the extent of impact. Where required a more detailed assessment are undertaken and consideration is given as part of Section 9 Conclusion and Recommendations.

9.5 Lisheen Road enhancement

The proposed road enhancement will include removal of the existing organic layer that has built up over the underlying base of crushed rock. It is estimated that approximately 50 mm of organic layer will be removed to expose the underlying rock. The catch drain will be excavated and the northern edge of the formation built up to the level of the crushed rock pavement. 150 mm of crushed rock will then be placed over the road formation.

The removal of the organic layer, building up the northern edge and surfacing with crushed rock will have little impact on adjoining trees. The main potential impact is the construction of the catch drain and battering the existing embankment to match.

Trees 31, 35, 41, 42, 59, 60, 64, 67 & 68 are large trees with a standard diameter of greater than 1 metre. These trees are Large Trees under the native vegetation benchmarks. The proposed works extends into the SRZ of Trees 31 and 35. The impact of works must be proven with low impact techniques prior to construction works commencing.

A Project Arborist must be present during the proving of works in the NRZ of Trees 31 and 35 and also when organic layer is being removed and the catch drain excavated.



Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	NRZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
26	5.8	1.5	2.0	1.5	1.5	0.8	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
27	1.5	2.4	5.4	3.7	5.0	2.5	Development is within the canopy area and without appropriate management pruning may be beyond acceptable limits for maintaining tree health and vigour.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
28	1.0	3.0	9.2	6.3	0.5	0.3	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
29	4.4	3.0	9.6	6.5	6.0	3.0	Development is within the canopy area and depending on workspace requirements is within acceptable limits for maintaining tree health and vigour.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
30	0.0	2.0	3.6	2.4	3.0	1.5	Tree is within development footprint and tree will need to be removed for development to proceed.	Tree is within development footprint and will need to be removed for development to proceed.
31	1.5	4.1	15.0	10.2	11.0	5.5	Development is within the canopy area and without appropriate management pruning may be beyond acceptable limits for maintaining tree health and vigour.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
32	1.5	1.8	3.0	2.0	0.5	0.3	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.


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Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	NRZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
33	1.9	2.5	6.0	4.1	7.5	3.8	Development is within the canopy area and without appropriate management pruning may be beyond acceptable limits for maintaining tree health and vigour.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
34	4.1	2.3	4.8	3.3	3.5	1.8	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area
35	1.9	3.4	13.2	9.0	7.5	3.8	Development is within the canopy area and without appropriate management pruning may be beyond acceptable limits for maintaining tree health and vigour.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
36	0.0	1.5	2.0	1.5	1.5	0.8	Tree is within development footprint and tree will need to be removed for development to proceed.	Tree is within development footprint and will need to be removed for development to proceed.
37	2.9	1.8	3.0	2.0	2.0	1.0	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area
38	0.0	1.7	2.4	1.7	0.5	0.3	Tree is within development footprint and tree will need to be removed for development to proceed.	Tree is within development footprint and will need to be removed for development to proceed.


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Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	NRZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
38A	0.0	1.7	2.4	1.7	0.5	0.3	Tree is within development footprint and tree will need to be removed for development to proceed.	Tree is within development footprint and will need to be removed for development to proceed.
39	3.6	2.7	7.2	4.9	7.5	3.8	Development is within the canopy area and without appropriate management pruning may be beyond acceptable limits for maintaining tree health and vigour.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
40	3.1	2.7	7.2	4.9	6.0	3.0	Development is within the canopy area and depending on workspace requirements is within acceptable limits for maintaining tree health and vigour	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
41	10.4	3.3	12.0	8.2	7.5	3.8	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area
42	12.1	3.7	15.0	10.2	7.5	3.8	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area
43	17.0	1.8	3.0	2.0	2.5	1.3	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
44	9.7	1.8	3.0	2.0	3.0	1.5	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
45	21.8	1.5	2.0	1.5	2.0	1.0	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.


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Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	NRZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
46	15.7	1.5	2.0	1.5	2.5	1.3	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
47	13.1	2.1	4.1	2.8	3.5	1.8	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
48	12.1	1.5	2.0	1.5	2.5	1.3	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
49	10.9	1.5	2.0	1.5	2.0	1.0	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
50	8.5	1.8	3.0	2.0	0.5	0.3	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
51	2.2	1.8	3.0	2.0	0.5	0.3	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area
52	3.1	1.5	2.0	1.5	2.0	1.0	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
53	4.8	1.5	2.0	1.5	2.0	1.0	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
54	2.4	1.5	2.0	1.5	1.5	0.8	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
55	1.7	1.8	3.0	2.0	0.5	0.3	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.

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Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	NRZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
56	0.5	1.8	3.0	2.0	0.5	0.3	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
57	1.7	1.8	3.0	2.0	0.5	0.3	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
58	4.4	2.7	7.2	4.9	3.5	1.9	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
59	6.5	3.6	14.4	9.8	6.0	3.0	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
60	4.8	3.3	12.0	8.2	4.0	2.0	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
61	3.9	1.5	2.0	1.5	1.0	0.5	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.


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Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	NRZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
62	5.1	1.5	2.0	1.5	1.5	0.8	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
63	5.3	1.8	2.6	1.8	2.5	1.3	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
64	7.5	3.6	14.4	9.8	7.5	3.8	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
65	4.6	1.5	2.0	1.5	1.0	0.5	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
66	2.9	1.7	2.4	1.7	2.5	1.3	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
67	10.9	3.3	12.0	8.2	7.5	3.8	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area
68	7.7	3.4	13.2	9.0	7.5	3.8	Development is outside the canopy area.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
69	8.0	3.0	9.6	6.5	7.5	3.8	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area


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Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	NRZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
A	0.5	1.8	2.9	2.0	1	1	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
B	0.0	1.8	3.0	2.0	1	1	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
C	0.0	1.7	2.4	1.7	0	0	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.

Table 2: Impact on roots and canopy

Note: SRZ and NRZ have been calculated in accordance with AS 4970-2025. The LOA is the radius at which 10% of NRZ will be lost with development on one side only.



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Table 3 Tree data, trees to be retained or removed and planning controls

Tree No	Species	Standard Diam (cm)	SRZ (m)	NRZ (m)	Distance to works (m)	Exemptions				Works with SRZ	Chainage section	Comments	Retention status	Permit required if proposed for removal
						52.12 Veg other than trees	VPO Weeds	52.17 Not Victorian species	52.17 Dead and <40cm SD					
26	Eucalyptus viminalis	15	1.5	2.0	5.9					No			Retain	
27	Eucalyptus viminalis	45	2.4	5.4	1.9					Yes	See Ch 85	Works above grade	Retain	
28	Eucalyptus viminalis	77	3.0	9.2	1.9					Yes	See Ch 85	Works above grade	Retain	
29	Eucalyptus cypellocarpa	80	3.0	9.6	4.6					No			Retain	
30	Eucalyptus cypellocarpa	30	2.0	3.6	0.0					Yes			Remove	VPO & 52.17
31	Eucalyptus obliqua	170	4.1	15.0	1.6					Yes	See Ch 60	Cut within SRZ. Ch drawing indicates more cut than likely to occur.	Retain	
32	Cyathia australis	25	1.8	3.0	1.4	Yes				Yes	See Ch 50	Non-woody root zone	Retain	
33	Eucalyptus cypellocarpa	50	2.5	6.0	2.2					Yes	See Ch 45	Shallow works in SRZ	Retain	
34	Eucalyptus obliqua	40	2.3	4.8	4.0					No			Retain	
35	Eucalyptus obliqua	110	3.4	13.2	1.9					Yes	See Ch 40	Works above grade	Retain	
36	Acacia melanoxylon	10	1.5	2.0	0.0	Yes				Yes			Remove	NIL
37	Acacia melanoxylon	25	1.8	3.0	2.9					No			Retain	
38	Cyathia australis x5	20	1.7	2.4	0.0	Yes				Yes			Remove	NIL
38A	Cyathia australis	20	1.7	2.4	0.0	Yes				Yes			Remove	NIL
39	Eucalyptus obliqua	60	2.7	7.2	3.6					No			Retain	
40	Eucalyptus radiata	60	2.7	7.2	3.0					No			Retain	
41	Eucalyptus cypellocarpa	100	3.3	12.0	3.0					Yes	See Ch 95	Check Ch drawing	Retain	
42	Eucalyptus cypellocarpa	130	3.7	15.0	7.2					No			Retain	
43	Eucalyptus radiata	25	1.8	3.0	5.1					No			Retain	
44	Eucalyptus radiata	25	1.8	3.0	13.7					No			Retain	
45	Eucalyptus radiata	12	1.5	2.0	11.6					No			Retain	
46	Allocasuarina species	16	1.5	2.0	10.1			Yes		No			Retain	
47	Allocasuarina species	34	2.1	4.1	7.8			Yes		No			Retain	
48	Allocasuarina species	16	1.5	2.0	5.8			Yes		No			Retain	
49	Hakea salicifolia	10	1.5	2.0	4.9		Yes	Yes		No			Retain	
50	Cyathia australis x2	25	1.8	3.0	3.6	Yes				No			Retain	
51	Cyathia australis	25	1.8	3.0	2.2	Yes				No			Retain	
52	Hakea salicifolia	15	1.5	2.0	4.3		Yes	Yes		No			Retain	
53	Hakea salicifolia	15	1.5	2.0	5.1		Yes	Yes		No			Retain	
54	Callistemon salignus	15	1.5	2.0	4.0			Yes		No			Retain	
55	Cyathia australis	25	1.8	3.0	1.9	Yes				No	See Ch 30		Retain	
56	Cyathia australis	25	1.8	3.0	0.6	Yes				Yes	See Ch 30	Non-woody root zone	Retain	
57	Cyathia australis x2	25	1.8	3.0	1.7	Yes				Yes	See Ch 35	Non-woody root zone	Retain	
58	Eucalyptus obliqua	60	2.7	7.2	4.6					No			Retain	
59	Eucalyptus obliqua	120	3.6	14.4	4.3					No			Retain	
60	Eucalyptus obliqua	100	3.3	12.0	3.8					No			Retain	
61	Hakea salicifolia	10	1.5	2.0	4.9		Yes	Yes		No			Retain	


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Tree No	Species	Standard Diam (cm)	SRZ (m)	NRZ (m)	Distance to works (m)	Exemptions				Works with SRZ	Chainage section	Comments	Retention status	Permit required if proposed for removal
						52.12 Veg other than trees	VPO Weeds	52.17 Not Victorian species	52.17 Dead and <40cm SD					
62	Hakea salicifolia	12	1.5	2.0	5.1		Y	Y		N			Retain	
63	Allocasuarina species	22	1.8	2.6	5.6			Y		N			Retain	
64	Eucalyptus obliqua	120	3.6	14.4	5.2					N			Retain	
65	Callistemon salignus	10	1.5	2.0	4.3			Y		N			Retain	
66	Acacia dealbata	20	1.7	2.4	3.0					Y	See Ch-50	Works above grade	Retain	
67	Eucalyptus obliqua	100	3.3	12.0	11.3					N			Retain	
68	Eucalyptus obliqua	110	3.4	13.2	7.7					N			Retain	
69	Eucalyptus obliqua	80	3.0	9.6	8.0					N			Retain	
A	Eucalyptus viminalis	24	1.8	9.6	0.6				Y	Y	See Ch-85	Works above grade	Retain	
B	Eucalyptus viminalis	25	1.8	3.6	0.0				Y	Y	See Ch-85		Remove	VPO
C	Eucalyptus viminalis	20	1.7	15.0	0.0				Y	N	See Ch-85	No longer present	Remove	NIL

¶



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10 Conclusion and recommendations

The entire area of the road construction is within the NRZ of adjoining Trees. Construction works must be undertaken with a commitment of minimising the impact on adjoining trees other than trees outlined Red or Orange on the plans. The trees proposed to be removed are two dead trees on eastern end of works, and Tree 30. Tree 20 has a canopy area of approximately 28 m². Offsets will need to be provided for the loss of 28 m² of native vegetation. Tree 38 and 38A, a group of 6 small tree ferns, are proposed to be translocated within the site. The two dead trees on eastern end of site are 250 and 200 mm respectively and a permit is not required for the removal of these trees under clause 52.17. The Project Arborist will need to determine how Trees 38 and 38A (tree ferns) are to be translocated to the replanting site between Trees 28 and 29 within Lisheen Road reserve.

The regrading and installation of culverts under the two driveways to 22 Lisheen Road is to be undertaken with care and supervision of the Project Arborist. The regrading and installation of culvert on the eastern driveway should not have a significant impact on Tree 32 (Tree fern). The installation of culvert under the western driveway will be close to Tree 41 and care must be undertaken to minimise the impact on this tree. The typical design may need to be adjusted to achieve the marrying of the existing driveways to the new road pavement levels.

Trees 30, 36, 38, 38A and B are proposed to be removed. Only Trees 30 and B require a permit for removal. Tree 30 requires a permit under VPO1 and under clause 52.17. Tree B requires consent or a permit for removal of a dead tree with diameter less than 40cm under VPO1. Trees 38 and 38A were previously proposed to be relocated. The relocation of these trees is no longer proposed in order to minimise the impact on Trees 35 and 29 from the digging out and planting respectively.

Under the native vegetation guidelines Tree 30 is required to be offset. Tree 30 has a canopy spread of approximately 6m (diameter) and hence has a canopy area of approximately 28.3m².

Please Note: There is a reversal of the NRZ for Trees 28 and A on the plans

Should you require any additional information please contact me on 0419899446.

Yours faithfully



Forest Science (Melb), Principal Consultant.


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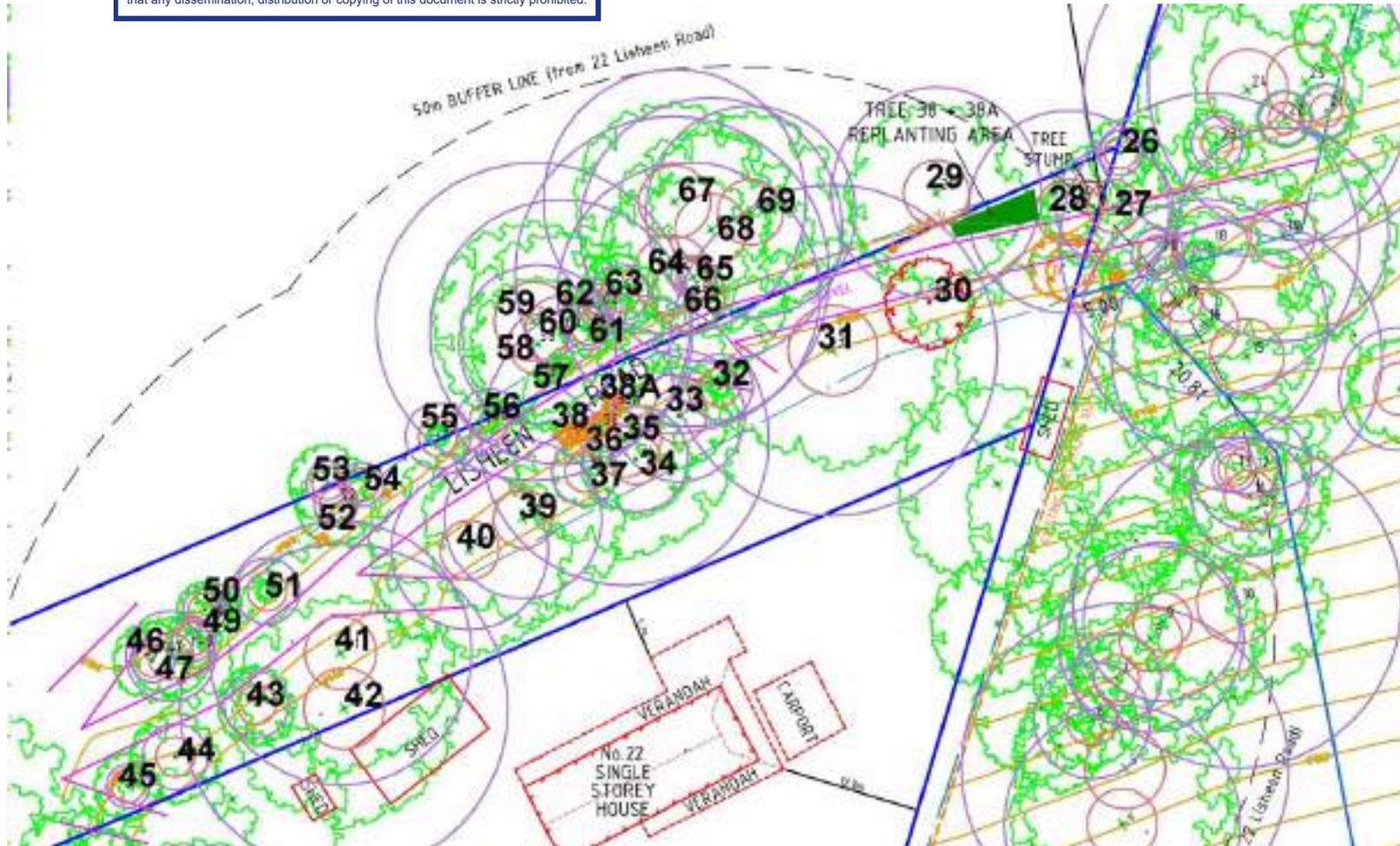
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11 Site Plan

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Site Plan

Tree numbers are shown black. Where multiple trees are in a number not all trees may be shown. Black dashed line is 50m from the dwelling on 22 Lisheen Road. Vegetation other than trees south of the dashed line are exempt from requiring a permit via clause 52.12. Additional areas may be exempt under the 50 m exemption for the dwelling on 39 Lisheen Road which is not shown on plan.

Note: North is to the top of page.

12 Photographs



Access to 39, Lisheen Road and access to 20



Tree 38A & 38



Access to 22



Tree 31 & 32 beside second access to 22



Electricity pole, Tree 55, 56 & 38



Tree 32 beside second access to 22


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Tree 31



Trees B & C both trees are dead. Tree C is no longer present. Tree 27 on right.



Tree A (Dead), 28 (Stump), 27 & 26



Tree 31 & electricity pole



Dead tree, Tree 27 & 28 on right



Tree 38A, 36 & 37


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Tree 38 & 37



Tree 41



Tree 41 past access to 22



Turn around tree access to 20 on left and 39 on right



Tree 55



Tree 32


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Tree 32



Tree A, 28 & 27



Tree C & B



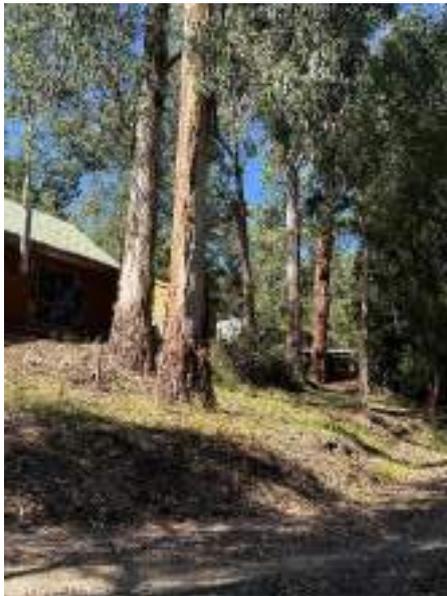
Tree 38A


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Tree 38



Tree 42 & 41



Tree C (stump) and B


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Appendix 1 - Explanation of terms

Species Character

The tree character provides information on the species of tree. For weeds reference is made to leaflets prepared by various municipalities, as well as “Environmental Weeds: A Field Guide for SE Australia”, by Kate Blood. Weeds may be Exotic **XW**, or Australian Weeds **AW**.

Character	Description
Indigenous	Grows or expected to grow naturally in the subject area. May be remnant or planted.
Australian	Originated in Australia but not in the subject area.
Victorian	Originated in Victoria but not in the subject area.
Exotic	Originated outside Australia.
Weed	Australian or Exotic plant that has naturalised in the Melbourne area and has become a pest or is considered to have potential to become a pest.

Health

Categorises the health and growth potential of a tree.

Category	Description
Excellent	<p>Canopy intact with significantly above average leaf shape, size and colour. Insect or disease damage less than 5% of leaf area. Epicormic growths make up virtually none of the canopy.</p> <p>Growth rate significantly above average for type, location and age of tree. High tip extension and leaf size. No appreciable tip dieback or canopy decline. Bud burst significantly early and leaf retention significantly late in season for deciduous trees.</p> <p>Dead wood comprises less than 10% of branch structure.</p> <p>Strong wound wood development (if wounds apparent).</p> <p>Growth not restricted by trees or structures.</p>
Good	<p>Canopy intact with above average leaf shape, size and colour. Insect or disease damage less than 10% of leaf area. Epicormic growths make up less than 10% of canopy.</p> <p>Growth rate above average for type, location and age of tree. Good tip extension and leaf size. No appreciable tip dieback or canopy decline. Bud burst early and leaf retention late in season for deciduous trees.</p> <p>Dead wood comprises less than 20% of branch structure.</p> <p>Moderate wound wood development.</p> <p>Minor interference to growth by adjoining trees or structures.</p>
Fair	<p>Canopy relatively intact with average leaf shape, size and colour. Insect or disease damage less than 20% of leaf area. Localised leaf discolouration may be present. Epicormics make up less than 20% of canopy.</p> <p>Growth rate average for type, location and age of tree. Average tip extension and leaf size. Localised tip dieback or canopy decline. Bud burst average and leaf retention average in season for deciduous trees.</p> <p>Dead wood comprises less than 30% of branch structure.</p> <p>Average wound wood development.</p> <p>Minor interference to growth by adjoining trees or structures.</p>

Category	Description
Poor	Canopy partly intact with less than average leaf shape, size and colour. Insect or disease damage more than 30% of leaf area. Leaf discolouration may be present across the canopy. Epicormic growths make up a significant proportion of canopy. Growth rate below average for type, location and age of tree. Low tip extension and leaf size. Widespread tip dieback or canopy decline. Bud burst late and leaf drop early in season for deciduous trees. Dead wood comprises more than 30% of branch structure. Low wound wood development. Significant interference to growth by adjoining trees or structures.
Very Poor	Canopy incomplete with significantly less than average leaf shape, size and colour. Insect or disease damage significantly more than 30% of leaf area. Leaf discolouration may be present across the entire canopy. Epicormic growths make up the majority of canopy. Growth rate significantly below average for type, location and age of tree. Major canopy decline and dieback. Bud burst very late and leaf drop very early in season for deciduous trees. Dead wood comprises more than 30% of branch structure. Almost no wound wood development. Major interference to growth from adjoining trees or structures. Dead

Architecture

Categorises the form and structure of the buttress, trunk and main branches of the tree and the presence of decay and other defects

Category	Description
Excellent	Canopy exceptionally well shaped and balanced. Tree structure is sound with no forks, defects or decay in the trunk or major branches. Buttress free of decay and defects and well developed for type, location and age of tree. No apparent root damage. Minor branches free of forks or defects.
Good	Canopy well shaped and balanced. Tree structure is sound with no forks, defects or decay in the trunk or major branches. Buttress free of decay and defects and well developed for type, location and age of tree. No apparent root damage. Localised defects in minor branches.
Fair	Canopy of average shape and balance. Trunk may be slightly leaning and canopy irregular in shape. Minor defects in tree structure with isolated forks, defects or decay in the trunk or major branches. Forks appear stable and are not significantly flared. Buttress free of decay and defects and with average development for type, location and age of tree. Minor root damage apparent outside structural root zone. Small defects in minor branches.
Poor	Canopy of less than average shape and balance. Trunk may be significantly leaning and canopy very irregular in shape. Major defects in tree structure with forks, defects or decay in the trunk or major branches. Forks may not be stable and may be flared. Branches may be crossed, rubbing or over extended. Buttress with minor decay and defects, and with below average development for type, location and age of tree. Root damage apparent outside with possibility of damage within the structural root zone. Major defects in minor branches.

Category	Description
Very Poor	Canopy of well below average shape and balance. Trunk may be strongly leaning and canopy very irregular in shape, with gaps or holes. Extensive defects in tree structure with forks, defects or decay in the trunk or major branches. Forks not stable and may be cracked or exceedingly flared. Branches may be crossed, rubbing or over extended. Buttress with major decay and defects and with well below average developed for type, location and age of tree. Major root damage apparent, including damage to structural root zone. Major defects in minor branches.

Condition

The assessed condition of a tree is effectively the lowest rating for Health or Architecture of that tree. To be of “Excellent” condition a tree must have excellent Health and Architecture. A tree with a poor Health rating and a poor Architecture rating has a “Very Poor” condition rating. The following table shows the condition for each Health and Architecture rating.

Health or Architecture	Excellent	Good	Fair	Poor	Very Poor
Excellent	Excellent	Good	Fair	Poor	Very poor
Good	Good	Good	Fair	Poor	Very poor
Fair	Fair	Fair	Fair	Poor	Very poor
Poor	Poor	Poor	Poor	Very poor	Very poor
Very poor	Very poor				

Condition Category	Description
Excellent	An exceptional specimen for its species, age and location.
Good	An above average specimen for its species, age and location.
Fair	An average specimen for its species, age and location.
Poor	A below average specimen for its species, age and location.
Very Poor	A well below average specimen for its species, age and location.



Life Stage

Stage	Description
Establishing	A recent germinant or transplanted tree that has not fully established.
Growth	An established tree that is rapidly growing and has not reached 50% of final expected canopy size for the species and location. Typically characterised by strong apical control and a pointed crown.
Mature	A tree that has reached at least 50% of its expected final canopy size for the species and location, and with canopy volume increasing. Typically characterised by the reduction in apical control and the rounding of the crown.
Senescent	A tree that has reached final canopy size for species and location, and with the canopy volume declining. Typically characterised by a rounded crown with holes. May contain new emergent growth in the lower canopy.

Significance

Reference should be made to National Trust of Australia (Victoria) criteria in Appendix 2.

Level	Description
Municipal	On a register or considered suitable to be on a register at the municipal level.
Streetscape	Of high value to the local area or streetscape. The value will generally be due to the landscape or amenity role of the tree.
Property	Of high value to adjoining properties. The value will generally be due to the landscape or amenity role of the tree.
Not Significant	Not of high value at the adjoining property level.



Integrated Tree Rating

The Integrated Tree Rating combines the condition, significance, species character and ownership to create a measure of the value of the tree and effort and resources that should be applied to the retention and protection of the tree.

Character	Description
Exceptional	Trees whose protection is most desired. <ul style="list-style-type: none"> • Significant at the state or municipal level. • With exceptional condition and significant at the streetscape level.
Moderate	Trees whose protection is desirable. <ul style="list-style-type: none"> • Significant at street or locality level. • Good condition.
Fair	Trees that may be protected: <ul style="list-style-type: none"> • Significant at the property level. • Trees that may be readily replaced by similar value trees. • Tree of no particular merit or small canopy volume. • Poor condition and NOT on the subject site.
Low	Trees of no particular value. <ul style="list-style-type: none"> • Not significant. • Dead or structurally unsound trees. • Small trees. • Young trees. • Trees of very poor condition. • Weed or potential weed species. • Trees likely to become unstable due to removal of other trees not suited for retention, or removal of structures.



Glossary and abbreviations

Term and abbreviation	Definition
Australian Standard (AS XXXX)	AS 4970 – 2025 Protection of trees on development sites is the applicable standard and AS 4373 – 2007 is the applicable standard for pruning of amenity trees.
Tree	<p>Clause 1.3.18 of AS 4970-2025 defines a tree as a “long-lived woody perennial plant usually greater than 3 m in height with one or relatively few main stems or trunks or as determined by the Responsible Authority”. Where a definition is included in the planning scheme the scheme definition will take precedence over AS 4970-2025.</p> <p>Clause 52.37 of the planning scheme defines a canopy tree as a tree that has:</p> <ul style="list-style-type: none"> • a height of more than 5 metres above ground level; and • a trunk circumference of more than 0.5 metres, measured at 1.4 metres above ground level; and • a canopy diameter of at least 4 metres; <p>Clause 72.04 incorporates “<i>The Guidelines for the removal, destruction or lopping of native vegetation Version 1.1 DEECA August 2025</i>” into the plan. The guidelines (note 4 on Page 8) defines a definition of a native canopy tree as a “mature tree (i.e. it is able to flower) that is greater than 3 metres in height and is (of a species) normally found in the upper layer of the relevant vegetation types. Note “(of a species)” is added for clarification and is not part of the guidelines</p> <p>Note: Canopy Tree has different meanings between Clause 52.37 and the Guidelines.</p>
Project Manager (PM)	The person who has overall responsibility for the project including the engagement of sub-contractors.
Project Arborist (PA)	The person or business nominated in this plan or appointed by the PM. The planning permit may specify qualifications and experience for the PA and/or that the Responsible Authority (Council) to be informed of or endorse the appointment of the PA.
Guidance	Guidance is when the PA has confirmed in writing of the agreed protection measures and is not anticipated that the PA to be onsite during the works.
Supervision	Supervision is where the PA is to be onsite during the works and tree protection measures may need to be adjusted to respond site constraints during the works.
Notional Root Zone (NRZ)	The NRZ is calculated in accordance with AS 4970-2025 by multiplying the SD by 12.

Term and abbreviation	Definition
Tree Protection Zone (TPZ):	Specified Zone above or below ground and at given offsets from the trunk set aside to protect a tree's roots and crown where these may be damaged by development.
Structural Root Zone (SRZ):	As defined in AS 4970 being "the area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed by its radius in metres. This zone only considers a tree's structural stability and not the root zone required for a tree's vigour and long-term viability, which will usually be a much larger area." The SRZ is the radius which defines the Structural Root Zone. Note SRZ applies to trees with "woody roots" and does not apply to Ferns, Palms and similar that do not have woody roots.
Standard Diameter (SD) or Diameter at Specified Height (DSH):	As defined in AS 4970 being "the nominal trunk diameter at 1.4 m above ground level usually determined from the circumference of the trunk divided by pi (π)". Appendix A of AS 4970 provides additional guidance as to defining the SD and provides a formula for determining the SD for multi-trunk trees.
Tree Protection Fencing (TPF)	TPF is a structure defined in a TPP or TPS that physically defines the boundary of a work area and a TPA. Existing fences shown on the TPP may be used as part of the TPF.
Tree Protection Area(s) (TPA)	TPA is the area shown on a TPP that is required to be managed for the protection of trees on or adjoining the site
Tree Protection Work Area(s) (TPWA)	TPWA is the area shown on a TPP that is part of the TPA where access or works is required to facilitate the development and where specific approvals and/or protection measures are required to be in place prior to access or works being undertaken within the TPWA. TPWA are areas where ground protection systems are to be used.
Encroachment	Encroachment is any works or change of use proposed to occur within a NRZ either above or below ground level regardless of work method or construction type
Minor NRZ Encroachment	Minor Encroachment is when it is less than 10% of the NRZ, has not had recent NRZ encroachment and is outside SRZ
Moderate NRZ Encroachment	Moderate Encroachment is if it is greater than 10% but less than 20% and is outside SRZ. PA to be engaged to review factor listed in AS 4970 2025 clause 3.3.2 to demonstrate how tree will remain viable. A TPS and TPP may form base for documentation
Major NRZ Encroachment	Major Encroachment is if it is over 20% of the NRZ or inside the SRZ. PA to be engaged to revise design or investigate impacts. A TPS and TPP should be prepared to support the retention of the tree.
Tree Protection Specification (TPS)	The TPS is the written specification to implement the TPP in order to protect trees to be retained.

Term and abbreviation	Definition
Tree Protection Plan (TPP)	Drawing that shows trees to be retained, the location of TPZ and any tree protection devices specified
Measurements:	As far as practicable the diameter, height and canopy spread of assessed trees are measured. Diameter is measured by means of a diameter tape. Canopy is measured with a tape measure. Height is measured with a range finder. Diameter is measured to the closest 10 mm; height and canopy are measured to the metre and are likely to be within 10% of actual. When access is not available for measurement, the dimension is visually estimated.



Appendix 2 - National Trusts Australia (NTA) significant trees

The following criteria are adapted from the NTA (TrustTrees) criteria for inclusion on the TrustTrees Significant Tree Register. The criteria must be adapted to determine significance at a local, sub municipal, or neighbourhood level.

Horticultural

- Horticultural or genetic value
- Important source of seed or propagating stock
- Particularly resistant to disease or exposure
- Species or variety that is rare or of a very localised distribution
- Particularly old or venerable
- Remnant native vegetation
- Outstanding for its height, trunk circumference or canopy spread
- An outstanding example of the species

Social

- Unique location or context
- Contribution to landscape
- Associated with Aboriginal activities
- Important landmark
- Spiritual and religious associations
- Contemporary association with the community

Historic

- Forms part of an historic park, garden or town
- Commemorates an occasion e.g. memorial or ceremonial plantings such as Avenue of Honour
- Associated with an important event
- Associated with an important person, group or institution

Aesthetic

- A really great looking tree
- Exhibits curious growth form or unusual physical features whether naturally occurring, resulting from natural events or human intervention
- Is a better than an average example of its species, or in its particular location

Refer to

<http://www.trusttrees.org.au/static/TrustTrees/pdf/Tree%20Protection%20in%20Australia%20National%20Trusts%20of%20Australia.pdf>



Appendix 3 - Guidelines for Protection of Trees on Construction Sites

To preserve mature trees within a construction site, some precautions must be taken to ensure that the trunk, limbs or root system of the tree are not excessively damaged. The root system of a tree is the most vital and the most delicate part of the plant, and the most easily damaged.

The root system extends far from the trunk, often beyond the drip line of the tree. The fine absorbing roots - those that collect water and nourishment for the tree - are located primarily within the top 200 - 300 mm of the soil. The roots and the soil in this surface layer must be protected from injury.

Any encroachment, disturbance, or compaction of the soil around the tree will damage or destroy the fine nutrient absorbing roots. Physical injury caused by cutting or crushing, chemical injury caused by direct poisoning or changes to soil conditions, such as changes to pH by addition of cement/lime/concrete products, and changes to water regimes by inundation or dehydration can result in the death of the tree. Injuries caused during construction projects may not become fully apparent for several years after the completion of the project but may ultimately kill the tree.

The following guidelines are standards recommended for the protection of trees. These guidelines should be incorporated in construction contracts, and the details made available to all parties involved with work on the site, including equipment operators. Guidelines should be developed specifically for each site to ensure the maximum level of protection.

1. Value your trees

Trees are living objects, which require a restricted range of environmental conditions for the tree to thrive. Construction sites can often change the environmental conditions of a site to the extent where tree survival is unlikely or the tree will have no amenity value. As retained healthy and vigorous trees have substantial value, it is imperative that trees be considered at each stage of the development cycle, from planning, construction through to landscaping.

2. Trees are not posts

Nothing whatsoever should be attached to any tree including temporary services, wires, nails, screws or any other fixing device.

3. Protection Barrier

A protection barrier shall be installed around the tree or trees to be preserved. This may also include trees on adjoining properties where these trees are within close proximity to the construction site. The barrier shall be constructed of durable fencing material, such as plastic construction fencing, or chainmesh fencing. The barrier shall be placed as far from the base of the tree(s) as possible, preferably extending past the drip line. The fencing shall be maintained in good repair throughout the duration of the project, and shall not be removed, relocated, or encroached upon without approval of Terrastylis.

4. Mulching

A layer of mulch to a depth of 75 millimetres should be placed over all root systems (not only the Tree Protection Zones) of all trees that are to be retained, to assist with moisture retention and reduce the impact of soil compaction. Mulch material should be either thoroughly composted material or consist of primarily of wood chips. Mulches containing high levels of uncomposted leaf material can cause problems due to nitrogen deficiency.

5. Services

Avoid trenching wherever possible. If trenching is to occur, use the one trench for as many services as possible and retain any large roots (greater than 40 millimetres in diameter) which grow across the trench. Boring should be undertaken at least in the vicinity of trees to be retained. Damaged roots should be pruned cleanly and the cut ends sprayed with a root hormone solution before covering. If there is risk of fungal disease, then the roots should also be treated with a fungicide. As far as practicable, trenches should be refilled with material excavated from the trench. This material should be placed back into the trench to match the existing layers in the soil. The fill material should be compacted, as far as practicable, to the same compaction levels as the surrounding soil.

6. Storage of Materials

Materials or supplies of any kind are not to be stored within the protection barriers. Concrete and cement materials, block, stone, sand and soil shall not be placed within the drip line of the tree.

7. Fuel Storage

Fuel storage shall NOT be permitted within 50 metres of any tree to be preserved. Refuelling, servicing and maintenance of equipment and machinery shall NOT be permitted within 50 metres of protected trees.

8. Debris and Waste Materials

Debris and waste from construction or other activities shall NOT be permitted within protected areas. Wash-down of concrete or cement handling equipment, in particular, shall NOT be permitted within 50 metres of protected trees.

9. Level Changes

Changes to surface levels can be particularly damaging to trees. Even as little as 50 millimetres of fill can cause the death of a tree. Lowering the grade can destroy major portions of a root system. Level changes should be approved by Terrastylis before construction begins, and precautions taken to mitigate potential injuries.

10. Damages

Any damages or injuries should be reported to Terrastylis as soon as possible. Severed roots shall be pruned cleanly to healthy tissue, using proper pruning tools. Broken branches or limbs shall be pruned in accordance with the Australian Standard 4373 - 2007.

11. Preventive Measures

Before construction begins, pruning of the tree canopies and branches should be done at the direction of Terrastylis to remove any dead or broken branches, and to provide the necessary clearances for the construction equipment.

12. Watering

Supplementary watering should be provided to all trees during dry periods, during and after the construction process. The dry period for Melbourne should be considered to be at least from 1st December to 30th April of each year. Approximately 25 millimetres of water, including rainfall (if any), should be provided each week. Disturbed trees may require supplementary water far in excess of this amount. Water should be provided by means of infrequent (weekly) deep soaking rather than frequent light applications.

13. Monitoring

Trees should generally be monitored on at least a monthly basis



Appendix 4 - Terms of engagement

The Client

1. The Client is the person listed on the cover of the report and includes agents and consultants acting on behalf of the client.

Payments

2. The client is responsible for payment of fees for the preparation of the report either in accordance with our standard schedule of rates or a prior written quote. Payment in full is required prior to a report being finalised.

Reports

3. The report is copyright to Terrastylis Pty Ltd.
4. The Client will be provided, unless expressly requested otherwise, with a draft report to correct errors in fact, assumptions or interpretations made by Terrastylis Pty Ltd. Draft reports are the exclusive property of Terrastylis Pty Ltd and may not be used for any other purpose nor shall the draft reports be distributed to any other persons whatsoever. Draft reports and any copies made there from shall be returned to Terrastylis upon request and any electronic copies deleted from computers and files.
5. Upon payment of the invoice the report will be finalised. The client will be licensed to use the final report for the sole purpose for which it was commissioned. This includes reproducing the report, but only in its entirety, for submission to authorities and other consultants. The making of partial reports or publication by any means whatsoever is prohibited without prior written approval from Terrastylis Pty Ltd.
6. Loss, removal or alteration of any part of the report will invalidate the entire report.
7. The use of this report or publication by anyone other than the client is strictly prohibited.

Information

8. Terrastylis Pty Ltd has taken care to obtain all information from sources believed to be reliable and all data has been verified as far as practicable. Terrastylis Pty Ltd does not guarantee or warrant, nor will it be held responsible for, information supplied by others.
9. Unless otherwise specified, information in this report covers only those items that were examined and reflects the condition of those items at the time of the inspection. The inspection is limited to visual examination of accessible components without boring, excavation or probing. There is no warranty or guarantee, expressed or implied, that the problems or deficiencies of the plants or property in question may not arise in the future.
10. Any legal description provided to Terrastylis is assumed to be correct. Any titles and ownerships to any property are assumed to be correct. No responsibility is assumed for matters legal in character. It is assumed that any property/project is not in violation of any applicable codes, ordinances, statutes or other government regulations.
11. The report and any values expressed therein are the opinion of Terrastylis Pty Ltd and the fee charged for the preparation of this report is in no way contingent upon the reporting of a specified value or the occurrence of a subsequent event.
12. Sketches, diagrams, graphs and photographs in the report, are intended as visual aids, and are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

Additional services

13. Terrastylis Pty Ltd shall not give, or be required to give, evidence or to attend court, tribunal or panel by reason of the preparation of this report. Such evidence or attendance shall be subject to new contractual arrangements, including payment of additional fee(s) for such services.



14. Terrastylis Pty Ltd shall not carry out any of the works or monitor any of the activities required in the report simply by the preparation of this report. Such work or monitoring shall be subject to new contractual arrangements, including payment of additional fee(s) for such services.



Tree No	Species	Standard Diam (cm)	SRZ (m)	NRZ (m)	Distance to works (m)	Exemptions				Works with SRZ	Chainage section	Comment	Retention status	Permit required if proposed for removal
						52.12 Veg other than trees	VPO Weeds	52.17 Not Victorian species	52.17 Dead and < 40 cm SD					
26	Eucalyptus viminalis	15	1.5	2.0	5.9					N			Retain	
27	Eucalyptus viminalis	45	2.4	5.4	1.9					Y	See Ch 85	Works above grade	Retain	
28	Eucalyptus viminalis	77	3.0	9.2	1.9					Y	See Ch 85	Works above grade	Retain	
29	Eucalyptus cypellocarpa	80	3.0	9.6	4.6					N			Retain	
30	Eucalyptus cypellocarpa	30	2.0	3.6	0.0					Y			Remove	VPO & 52.17
31	Eucalyptus obliqua	170	4.1	15.0	1.6					Y	See Ch 60	Cut within SRZ. Ch drawing indicates more cut than likely to occur.	Retain	
32	Cyathea australis	25	1.8	3.0	1.4	Y				Y	See CH 50	Non woody root zone	Retain	
33	Eucalyptus cypellocarpa	50	2.5	6.0	2.2					Y	See Ch 45	Shallow works in SRZ	Retain	
34	Eucalyptus obliqua	40	2.3	4.8	4.0					N			Retain	
35	Eucalyptus obliqua	110	3.4	13.2	1.9					Y	See Ch 40	Works above grade	Retain	
36	Acacia melanoxylon	10	1.5	2.0	0.0	Y				Y			Remove	NIL
37	Acacia melanoxylon	25	1.8	3.0	2.9					N			Retain	
38	Cyathea australis x5	20	1.7	2.4	0.0	Y				Y			Remove	NIL
38A	Cyathea australis	20	1.7	2.4	0.0	Y				Y			Remove	NIL
39	Eucalyptus obliqua	60	2.7	7.2	3.6					N			Retain	
40	Eucalyptus radiata	60	2.7	7.2	3.0					N			Retain	
41	Eucalyptus cypellocarpa	100	3.3	12.0	3.0					Y	See Ch 05	Check Ch drawing	Retain	
42	Eucalyptus cypellocarpa	130	3.7	15.0	7.2					N			Retain	
43	Eucalyptus radiata	25	1.8	3.0	5.1					N			Retain	
44	Eucalyptus radiata	25	1.8	3.0	13.7					N			Retain	
45	Eucalyptus radiata	12	1.5	2.0	11.6					N			Retain	
46	Allocasuarina species	16	1.5	2.0	10.1			Y		N			Retain	
47	Allocasuarina species	34	2.1	4.1	7.8			Y		N			Retain	
48	Allocasuarina species	16	1.5	2.0	5.8			Y		N			Retain	
49	Hakea salicifolia	10	1.5	2.0	4.9		Y	Y		N			Retain	
50	Cyathea australis x2	25	1.8	3.0	3.6	Y				N			Retain	
51	Cyathea australis	25	1.8	3.0	2.2	Y				N			Retain	
52	Hakea salicifolia	15	1.5	2.0	4.3		Y	Y		N			Retain	
53	Hakea salicifolia	15	1.5	2.0	5.1		Y	Y		N			Retain	
54	Callistemon salignus	15	1.5	2.0	4.0			Y		N			Retain	
55	Cyathea australis	25	1.8	3.0	1.9	Y				N	See Ch 30		Retain	
56	Cyathea australis	25	1.8	3.0	0.6	Y				Y	See Ch 30	Non woody root zone	Retain	
57	Cyathea australis x2	25	1.8	3.0	1.7	Y				Y	See Ch 35	Non woody root zone	Retain	
58	Eucalyptus obliqua	60	2.7	7.2	4.6					N			Retain	
59	Eucalyptus obliqua	120	3.6	14.4	4.3					N			Retain	
60	Eucalyptus obliqua	100	3.3	12.0	3.8					N			Retain	
61	Hakea salicifolia	10	1.5	2.0	4.9		Y	Y		N			Retain	


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						52.12 Veg other than trees	VPO Weeds	52.17 Not Victorian species	52.17 Dead and < 40 cm SD					
62	Hakea salicifolia	12	1.5	2.0	5.1		Y	Y		N			Retain	
63	Allocasuarina species	22	1.8	2.6	5.6			Y		N			Retain	
64	Eucalyptus obliqua	120	3.6	14.4	5.2					N			Retain	
65	Callistemon salignus	10	1.5	2.0	4.3			Y		N			Retain	
66	Acacia dealbata	20	1.7	2.4	3.0					Y	See Ch 50	Works above grade	Retain	
67	Eucalyptus obliqua	100	3.3	12.0	11.3					N			Retain	
68	Eucalyptus obliqua	110	3.4	13.2	7.7					N			Retain	
69	Eucalyptus obliqua	80	3.0	9.6	8.0					N			Retain	
A	Eucalyptus viminalis	24	1.8	9.6	0.6				Y	Y	See Ch 85	Works above grade	Retain	
B	Eucalyptus viminalis	25	1.8	3.6	0.0				Y	Y	See Ch 85		Remove	VPO
C	Eucalyptus viminalis	20	1.7	15.0	0.0				Y	N	See Ch 85	No longer present	Remove	NIL



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Native Vegetation Removal Report

NVRR ID: 311_20260204_67M

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the [Guidelines for the removal, destruction or lopping of native vegetation](#) (the Guidelines). This report is **not an assessment by DEECA** of the proposed native vegetation removal. Offset requirements have been calculated using modelled condition scores.

Report details

Date created: 04/02/2026

Local Government Area: CARDINIA SHIRE

Registered Aboriginal Party: Wurundjeri

Coordinates: 145.50926, -37.94978

Address:

Summary of native vegetation to be removed

Assessment pathway	Basic Assessment Pathway		
Location category	Location 1 The native vegetation extent map indicates that this area is not typically characterised as supporting native vegetation. It does not meet the criteria to be classified as Location Category 2 or 3. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.		
Total extent including past and proposed removal (ha) <i>Includes endangered EVCs (ha): 0</i>	0.031	<i>Extent of past removal (ha)</i>	<i>0</i>
		<i>Extent of proposed removal - Patches (ha)</i>	<i>0.000</i>
		<i>Extent of proposed removal - Patch Trees (outside of a mapped patch) (ha)</i>	<i>0.031</i>
		<i>Extent of proposed removal - Scattered Trees (ha)</i>	<i>0.000</i>
No. Large Trees proposed to be removed	0	<i>No. Large Patch Trees</i>	<i>0</i>
		<i>No. Large Scattered Trees</i>	<i>0</i>
No. Small Scattered Trees	0		

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Offset requirements if approval is granted

Any approval granted will include a condition to secure an offset, before the removal of native vegetation, that meets the following requirements:

General Offset amount ¹	0.013 General Habitat Units
Minimum strategic biodiversity value score ²	0.424
Large Trees	0
Vicinity	Melbourne Water CMA or CARDINIA SHIRE LGA

NB: values within tables in this document may not add to the totals shown above due to rounding

The availability of third-party offset credits can be checked using the Native Vegetation Credit Register (NVCR) Search Tool - <https://nvcr.delwp.vic.gov.au>



1. The General Offset amount required is the sum of all General Habitat Units in Appendix 1.
2. Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required.

Application requirements

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Application Requirement 1 - Native vegetation removal information

If the native vegetation removal is mapped correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 1.

Application Requirement 2 - Topographical and land information

This statement describes the topographical and land features in the vicinity of the proposed works, including the location and extent of any ridges, hilltops, wetlands and waterways, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

Application Requirement 3 - Photographs of the native vegetation to be removed

Application Requirement 3 is not addressed in this Native Vegetation Removal Report. All applications must include recent, timestamped photos of each Patch, Large Patch Tree and Scattered Tree which has been mapped in this report.

Application Requirement 4 - Past removal

If past removal has been considered correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 4.

Application Requirement 5 - Avoid and minimise statement

This statement describes what has been done to avoid and minimise impacts on native vegetation and associated biodiversity values.

Application Requirement 6 - Property Vegetation Plan

This requirement only applies if an approved Property Vegetation Plan (PVP) applies to the property
Does a PVP apply to the proposal?

Application Requirement 7 - Defendable space statement

Where the removal of native vegetation is to create defendable space, this statement:

- Describes the bushfire threat; and



- Describes how other bushfire risk mitigation measures were considered to reduce the amount of native vegetation proposed for removal (this can also be part of the avoid and minimise statement).

This statement is not required if, If the proposed defensible space is within the Bushfire Management Overlay (BMO), and in accordance with the 'Exemption to create defensible space for a dwelling under Clause 44.06 of local planning schemes' in Clause 52.12-5.

Application Requirement 8 - Native Vegetation Precinct Plan

This requirement is only applicable if you are removing native vegetation from within an area covered by Native Vegetation Precinct Plan (NVPP), and the proposed removal is not identified as 'to be removed' within the NVPP.

Does an NVPP apply to the proposal?

Application Requirement 9 - Offset statement

This statement demonstrates that an offset is available and describes how the required offset will be secured. The Applicant's Guide provides information relating to this requirement.



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Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in the Guidelines. If you wish to remove the mapped native vegetation you are required to apply for approval from the responsible authority (e.g. local Council). This Native vegetation removal report must be submitted with your application and meets most of the application requirements. The following requirements need to be addressed, as applicable.

Application Requirement 3 - Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed **must be provided** with the application. All photographs must be clear, show whether the vegetation is a Patch of native vegetation, Patch Tree or Scattered Tree, and identify any Large Trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Application Requirement 6 - Property Vegetation Plan

If a PVP is applicable, it must be provided with the application.



Appendix 1: Description of native vegetation to be removed

General Habitat Units for each zone (Patch, Scattered Tree or Patch Tree) are calculated by the following equation in accordance with the Guidelines

General Habitat Units = extent without overlap x condition score x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The General Offset amount required is the sum of all General Habitat Units per zone.

Native vegetation to be removed

Information provided by or on behalf of the applicant			Information calculated by NVR Map							
Zone	Type	DBH (cm)	EVC code (modelled)	Bioregional conservation status	Large Tree(s)	Condition score (modelled)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
A	Patch Tree (outside mapped Patch)	30	HSF_0030	Least Concern	-	0.350	0.031	0.031	0.530	0.013



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Appendix 2: Images of mapped native vegetation

1. Property in context



-  Proposed Removal
-  Property Boundaries



200 m


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2. Aerial photograph showing mapped native vegetation



□ Proposed Removal



30 m


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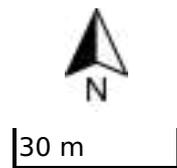
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3. Location Risk Map



- Proposed Removal
- Location 1
- Location 2
- Location 3

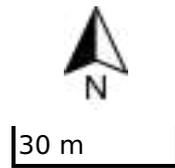
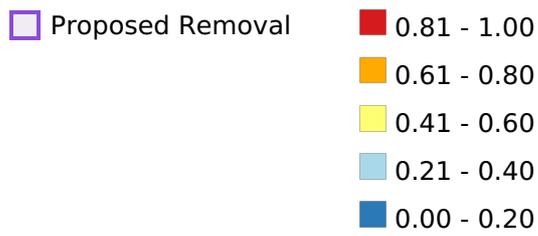
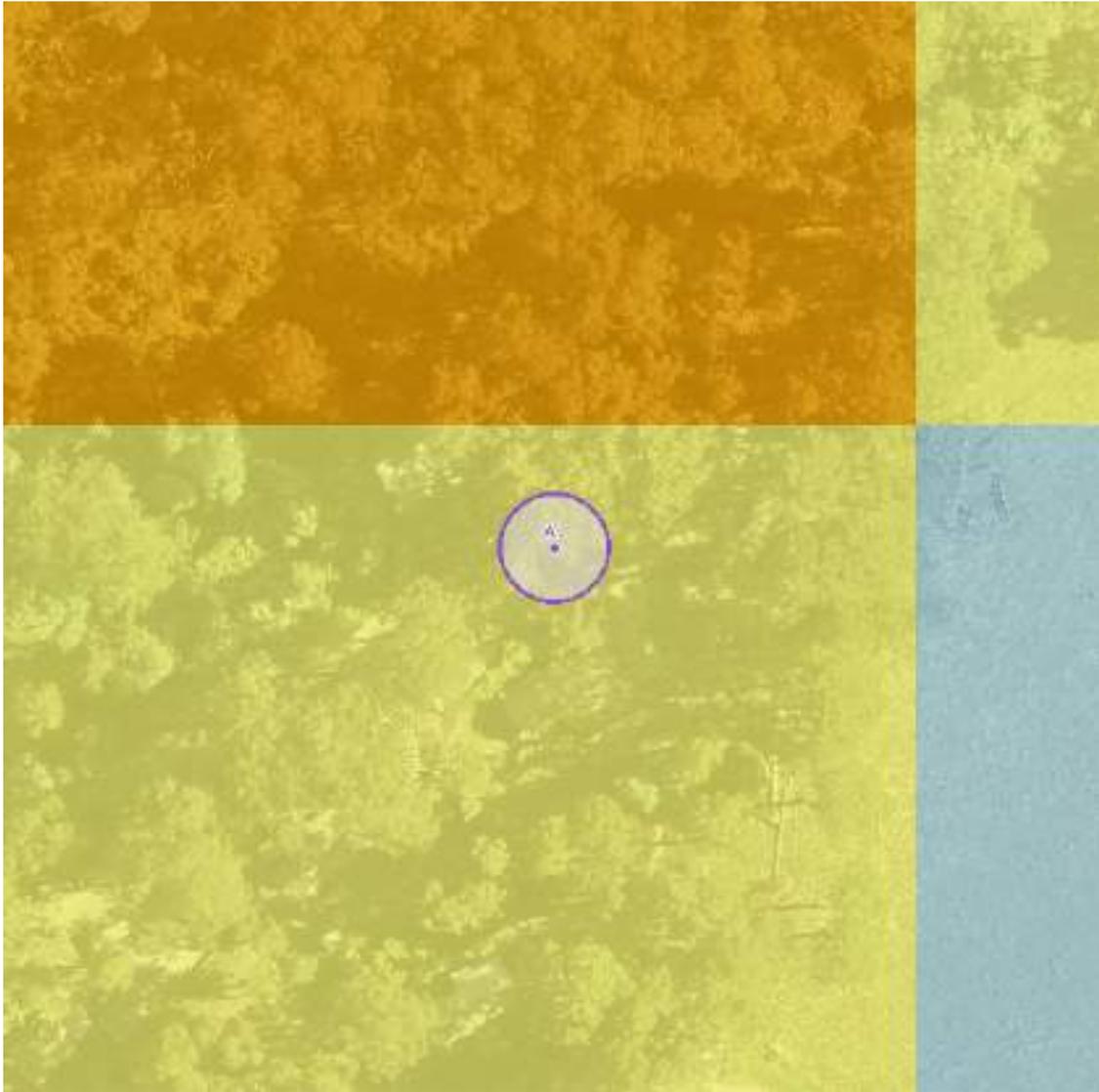




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4. Strategic Biodiversity Value Score Map

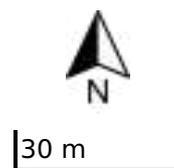
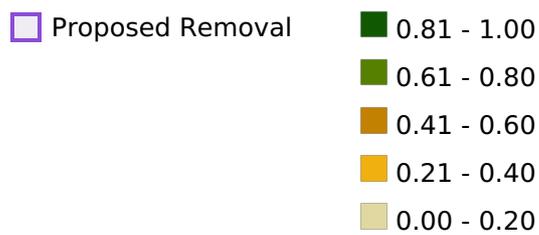
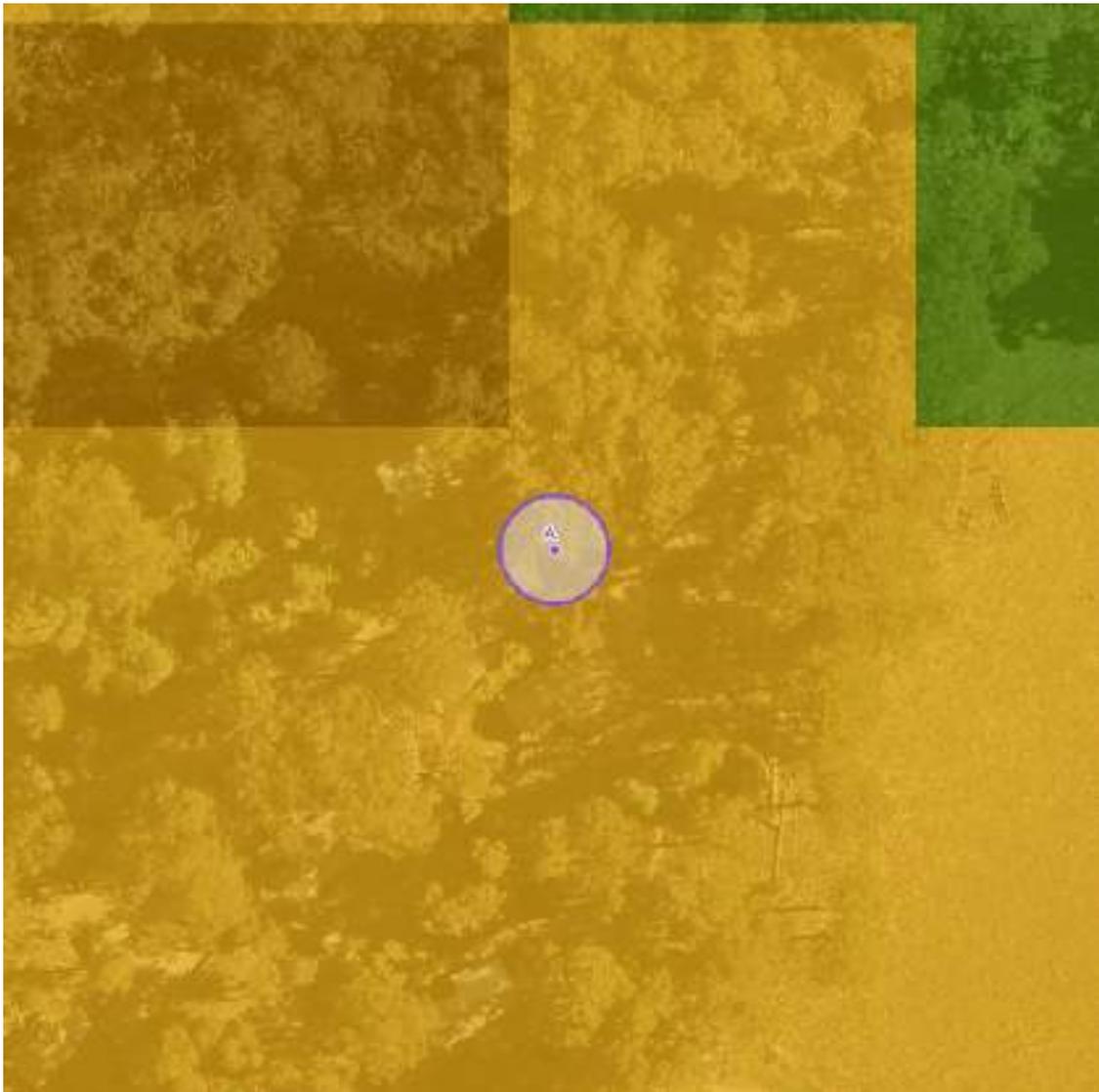




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5. Condition Score Map




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6. Endangered EVCs

Not Applicable

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Instructions for completing a statutory declaration

Please complete the following form using the notes in the left-hand margin for guidance. More guidance on making statutory declarations can be found at www.justice.vic.gov.au.

When making the statutory declaration the declarant must say aloud:

I, [full name of person making declaration] of [address], declare that the contents of this statutory declaration are true and correct.

STATUTORY DECLARATION



Insert the name, address and occupation (or alternatively, unemployed or retired or child) of person making the statutory declaration.

50 ORCHARD ROAD
GEMBROOK
(OCCUPATION FARMERS)

make the following statutory declaration under the Oaths and Affirmations Act

2018: WE PURCHASED 11 AGLARE ROAD COCKATOO IN 1983.

1. WITH THE DWELLING ON THE PROPERTY AND HAVE ALWAYS ACCESSED THE DWELLING AND PROPERTY FROM 11 AGLARE ROAD COCKATOO AND THE FAMILY WE PURCHASED FROM ALSO ACCESSED FROM 11 AGLARE ROAD COCKATOO. THE COUNCIL WASTE TRUCKS ALSO COLLECT THE BINS FROM THIS SECTION OF THE ROAD, WHICH IS ALSO MAINTAINED BY COUNCIL

I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be

COUNCIL RATES ALSO COME TO THE 11 AGLARE ROAD

Set out matter declared to in numbered paragraphs. Add numbers as necessary.



Signature of person making the declaration

Place (City, town or suburb)

Date

Signature of authorised statutory declaration witness

Date

Name, capacity in which authorised person has authority to witness statutory declaration, and address (writing, typing or stamp)

The witness must only sign this section if the person making the statutory declaration is illiterate, blind or cognitively impaired and the statutory declaration is read to them.

I certify that I read this statutory declaration to [name of the person making the statutory declaration] at the time the statutory declaration was made.


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This section must be signed by any person who has assisted the person making the statutory declaration, for example by translating the document or reading it aloud. If no assistance was required, this section does

I certify that I have assisted [name of the declarant] by [insert assistance provided, for example translating the document].

Signed:

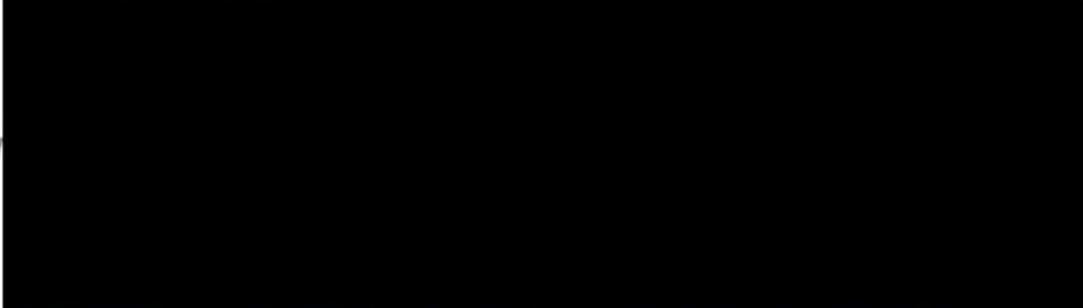
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Insert the name, address and occupation (or alternatively, unemployed or retired or child) of person making the statutory declaration.



make the following statutory declaration under the Oaths and Affirmations Act 2018:

2018: WE PURCHASED 11 AGLARE ROAD COCKATOO IN 1983.
1. WITH THE DWELLING ON THE PROPERTY AND HAVE ALWAYS ACCESSED THE DWELLING AND PROPERTY FROM 11 AGLARE ROAD COCKATOO AND THE FAMILY WE PURCHASED FROM ALSO ACCESSED FROM 11 AGLARE ROAD COCKATOO. THE COUNCIL WASTE TRUCKS ALSO COLLECT THE BINS FROM THIS SECTION OF THE ROAD, WHICH IS ALSO MAINTAINED BY COUNCIL. I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence. COUNCIL RATES ALSO COME TO THE 11 AGLARE ROAD

Set out matter declared to in numbered paragraphs. Add numbers as necessary.

Signature of person making the declaration

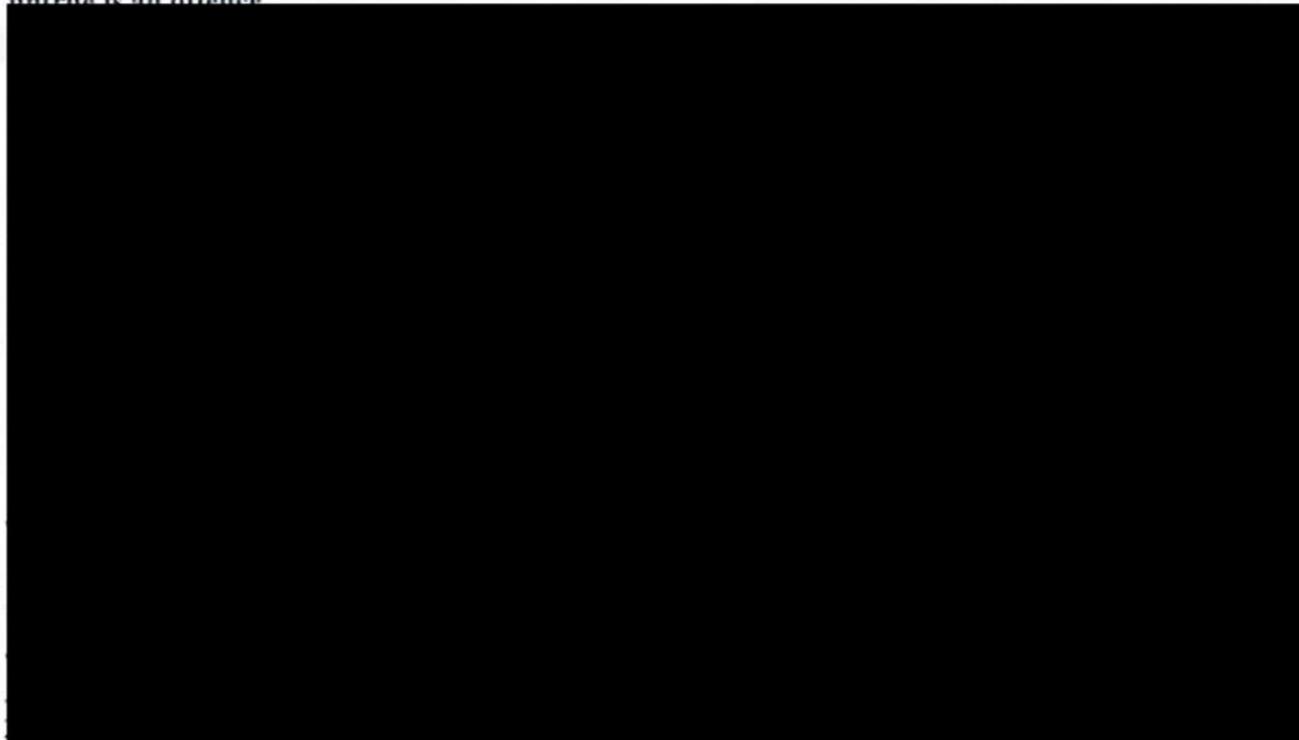
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This section must be signed by any person who has assisted the person making the statutory declaration, for example by translating the document or reading it aloud. If no assistance was required, this section does

I certify that I have assisted [name of the declarant] by [insert assistance provided, for example translating the document].

Signed:

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