




# Request to amend a current planning permit application

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

## PERMIT APPLICATION DETAILS

<b>Application No.:</b>	T240545PA	 <b>ADVERTISED MATERIAL</b> Planning Application: T240545 Date Prepared: 05 June 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>
<b>Address of the Land:</b>	181 Rainy Hill Road Cockatoo	

## APPLICANT DETAILS

<b>Name:</b>	[REDACTED]
<b>Organisation:</b>	
<b>Address:</b>	355 Evans Road Cockatoo
<b>Phone:</b>	
<b>Email:</b>	

## AMENDMENT TYPE

Under which section of the Act is this amendment being made? (select one)	
<b>Section 50</b> – Amendment to application at request of applicant <b>before</b> notice:	<input checked="" type="checkbox"/>
<b>Section 50A</b> - Amendment to application at request of responsible authority <b>before</b> notice:	<input type="checkbox"/>
<b>Section 57A</b> – Amendment to application <b>after</b> notice is given:	<input type="checkbox"/>

## AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for <input type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
Amended plans to show the existing shed to be demolished and to provide contours consistent with the site survey.		
Amended Native Vegetation Assessment to account for exemptions under Clause 52.12.		

**Specify the estimated cost of any development for which the permit is required:**

Not applicable <input type="checkbox"/>	Unchanged <input type="checkbox"/>	New amount <b>\$600000</b>
---	------------------------------------	----------------------------

**DECLARATION**

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.	
<b>Name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

**LODGEMENT**

<p>Please submit this form, including all amended plans/documents, to <a href="mailto:mail@cardinia.vic.gov.au">mail@cardinia.vic.gov.au</a></p> <p>You can also make amendments to your application via the Cardinia ePlanning Portal at <a href="https://eplanning.cardinia.vic.gov.au/">https://eplanning.cardinia.vic.gov.au/</a></p> <p>If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.</p>
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**IMPORTANT INFORMATION**

<p>It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.</p> <p>Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.</p> <p>No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the <i>Planning and Environment (Fees) Regulations 2016</i> for more information.</p> <p>The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.</p> <p>Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.</p> <p>Any material submitted with this request, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the <i>Planning and Environment Act 1987</i>.</p>
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## PERMIT APPLICATION DETAILS

Application No.:	T240545PA
Address of the Land:	181 Rainy Hill Road Cockatoo

## APPLICANT DETAILS

Name:	[REDACTED]
Organisation:	
Address:	355 Evans Road Cockatoo
Phone:	
Email:	

**Cardinia**  
**ADVERTISED MATERIAL**  
 Planning Application: T240545  
 Date Prepared: 05 June 2026

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## AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for <input checked="" type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input checked="" type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
Amend the application to the use and development of the land for a dwelling and the removal of native vegetation.		
Plans and supporting reports updated including addressing RFI.		
Amend applicant to Suzan and Evan Williams C/- XWB Consulting		

Specify the estimated cost of any development for which the permit is required:		
Not applicable <input type="checkbox"/>	Unchanged <input type="checkbox"/>	New amount <b>\$600000</b>

**DECLARATION**

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.

<b>Name:</b>	[REDACTED]
<b>Signature:</b>	[REDACTED]
<b>Date:</b>	14 July 2025

**LODGEMENT**

Please submit this form, including all amended plans/documents, to [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

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

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

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**Application Summary**

Portal Reference                      A4240AN

**Basic Information**

Proposed Use                      Leveling of imported fill, planning for dwelling.  
 Current Use                          One shed  
 Cost of Works                        \$5,000  
 Site Address                         181 Rainy Hill Road Cockatoo 3781

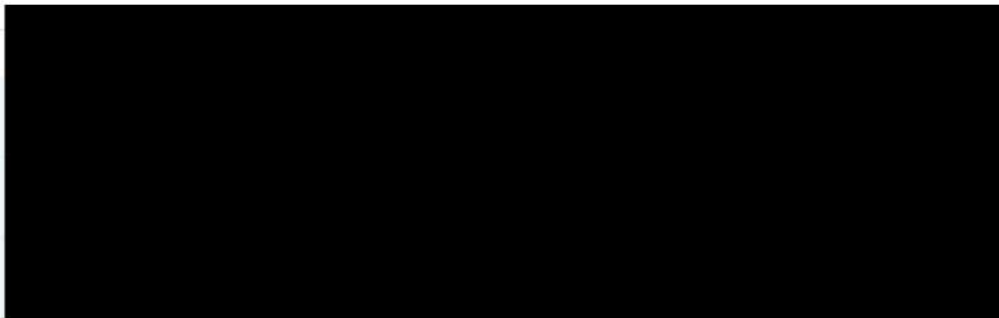
**Covenant Disclaimer**

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  
 Applicant  
 Owner  
 Preferred Contact



**Fees**

Regulation Fee Condition	Amount	Modifier	Payable
9 - Class 2      Not more than \$10,000	\$220.50	100%	\$220.50
<b>Total</b>			<b>\$220.50</b>

**Meetings**

Meeting Type	Officer Name	Date of Meeting
Pre Application	[Redacted]	16 Oct 2024

  
**ADVERTISED MATERIAL**  
 Planning Application: T240545  
 Date Prepared: 05 June 2026

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## Documents Uploaded

Date	Type	Filename
16-10-2024	A Copy of Title	title search October 2024.docx
16-10-2024	Site plans	181-Rainy-Hill-Road-Cockatoo-Vicplan-Planning-Property-Report.pdf
16-10-2024	Site plans	181 Rainy Hill Road boundary - fencing unchanged since purchase.pdf
16-10-2024	Site plans	298401AA - Feature Survey.pdf
16-10-2024	Site plans	298924-03-WILLIAMS-TOWN PLANNING ISSUE-071024 (1).pdf
16-10-2024	Site plans	Appendix 1 outbuilding (shed).jpg
16-10-2024	Site plans	Appendix 2 Plan of existing conditions.pdf
16-10-2024	Site plans	Application_for_Planning_Permit_Cardinia Williams Dec 2021.pdf
16-10-2024	Site plans	existing driveway.pdf
16-10-2024	Site plans	ITEM 8 Satellite with neighbouring buildings and boundaries.docx
16-10-2024	Site plans	Planning Certificate Dept Planning and Environmental Regulations.pdf
16-10-2024	Site plans	title search October 2024.docx
16-10-2024	Site plans	Updated Native Vegetation Assessment - 181 Rainy Hill Road Cockatoo - August 2024 (1).pdf
16-10-2024	Site plans	Williams Proposal 181 Rainy Hill Road Cockatoo 3781.docx

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]	W: 0408-880-338 M: 0408-880-338 E: suzanwilliams063@gmail.com
Submission Date	16 October 2024 - 05:30:PM	

## Declaration

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

  
**Civic Centre**  
20 Siding Avenue, Officer, Victoria  
**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria

**Postal Address**  
Cardinia Shire Council  
P.O. Box 7, Pakenham VIC, 3810  
**Email:** mail@cardinia.vic.gov.au

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

  
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**Civic Centre**  
20 Siding Avenue, Officer, Victoria  
**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria

**Postal Address**  
Cardinia Shire Council  
P.O. Box 7, Pakenham VIC, 3810  
**Email:** mail@cardinia.vic.gov.au

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



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

**Office Use Only**

Application No.: \_\_\_\_\_ Date Lodged: / /

# Application for a **Planning Permit**

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

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

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

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

**i** Click for further information.

Clear Form

## The Land **i**

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

**Street Address \***

Unit No.:	St. No.:	St. Name:
Suburb/Locality:		Postcode:

**Formal Land Description \***

Complete either A or B.

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

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

A   Lodged Plan  Title Plan  Plan of Subdivision

**OR**

B

## The Proposal

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

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

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

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

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

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

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Planning Application: T240545  
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## Existing Conditions i

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

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

1 outbuilding (Item 1 outbuilding shed photo)

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

## Title Information i

### Encumbrances on title \*

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

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

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

## Applicant and Owner Details i

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

### Applicant \*

The person who wants the permit.

Name:		
Title: Mrs	First Name:	
Organisation (if applicable):		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.: 355	St. Name: Evans Road
Suburb/Locality: Cockatoo	State: VIC	Postcode: 3781

Please provide at least one contact phone number \*

<b>Contact information for applicant OR contact person below</b>	
Business phone:	Email:
Mobile phone: 0408880338	Fax:

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

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

### Owner \*

The person or organisation who owns the land

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

Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:
Owner's Signature (Optional):	Date:	
day / month / year		


**Cardinia**  
Same as applicant   
**ADVERTISED MATERIAL**

Planning Application: 1240545  
Date Prepared: 05 June 2026

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## Declaration

This form must be signed by the applicant \*

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

## Need help with the Application?

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

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

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

No  Yes

If 'Yes', with


Date: 2/10/2024

## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

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

 Provided all necessary supporting information and documents?

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

A plan of existing conditions.

Plans showing the layout and details of the proposal.

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

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

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

Completed the relevant council planning permit checklist?

Signed the declaration?

## Lodgement

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

Cardinia Shire Council  
PO Box 7  
Pakenham VIC 3810

**Contact information:**

Telephone: 1300 787 624  
Fax: (03) 5941 3784  
Email: [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)  
DX: 81006

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

Cardinia

ADVERTISED MATERIAL

Planning Application: T240545  
Date Prepared: 05 June 2026

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

VOLUME 08367 FOLIO 242

Security no : 124126060956A  
Produced 09/07/2025 01:53 PM

**LAND DESCRIPTION**

Lot 1 on Plan of Subdivision 056062.  
PARENT TITLE Volume 08149 Folio 735  
Created by instrument B321521 21/08/1962

**REGISTERED PROPRIETOR**

Estate Fee Simple

Joint Proprietors  
[Redacted] of 355 EVANS ROAD COCKATOO VIC 3781  
AQ598705K 03/01/2018

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AQ598706H 03/01/2018  
WESTPAC BANKING CORPORATION

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 LP056062 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: 181 RAINY HILL ROAD COCKATOO VIC 3781

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 12690B WESTPAC BANKING CORPORATION (63)  
Effective from 03/01/2018

DOCUMENT END



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# Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	<b>Plan</b>
Document Identification	<b>LP056062</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>09/07/2025 13:53</b>

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The document is invalid if this cover sheet is removed or altered.

 <b>Cardinia</b> <b>ADVERTISED MATERIAL</b> Planning Application: T240545 Date Prepared: 05 June 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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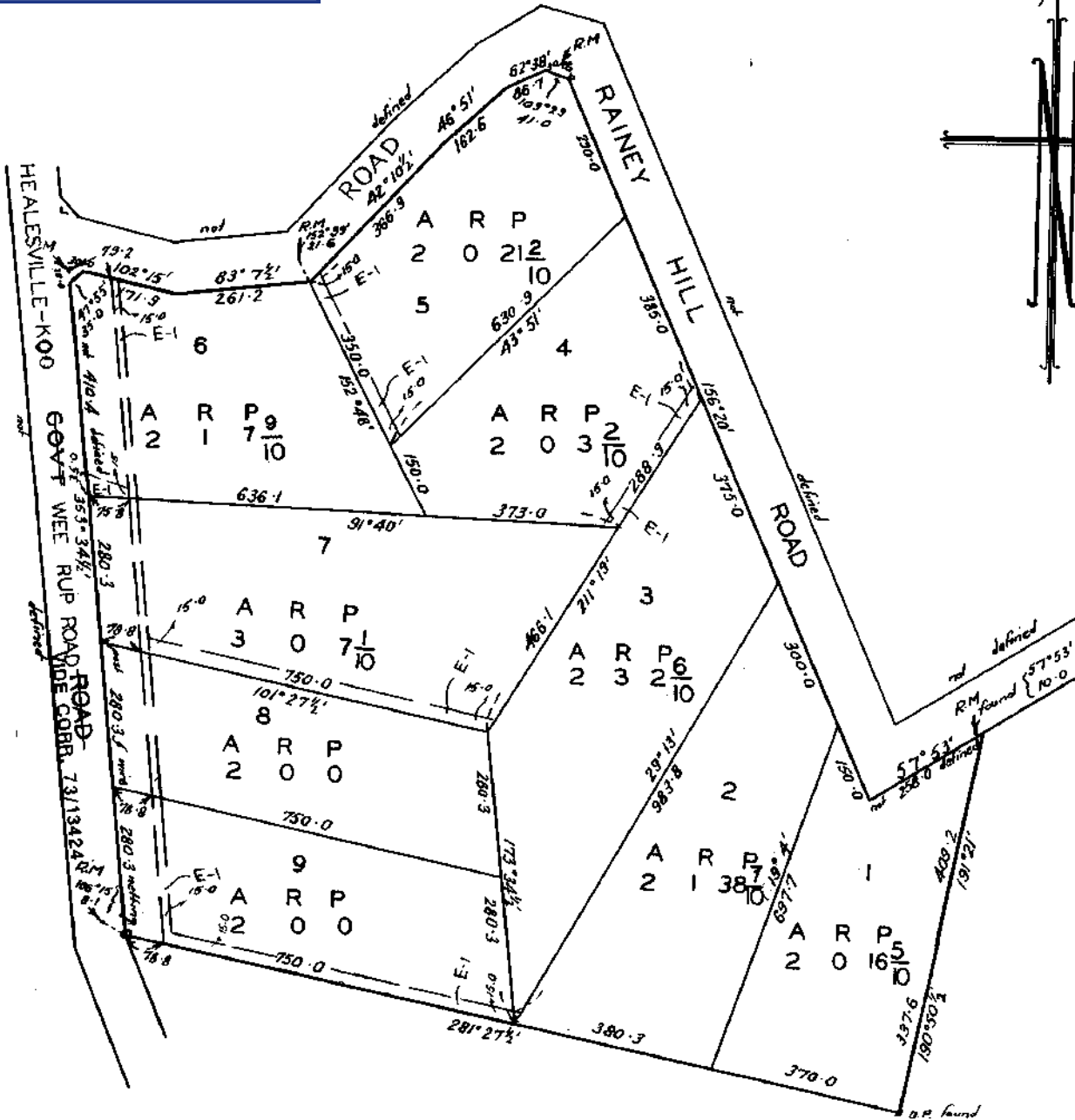
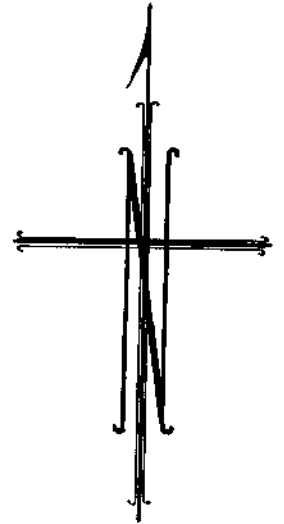
# PLAN OF SUBDIVISION OF PART OF CROWN ALLOTMENT 123L PARISH OF GEMBROOK COUNTY OF MORNINGTON

**LP56062**  
**EDITION 1**  
PLAN MAY BE LODGED 19/7/62

  
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SCALE CHAINS TO AN INCH



Note = Land colored blue is drainage easement

**COLOUR CONVERSION**  
E-1 = BLUE

FOR APPROPRIATIONS, ETC,  
SEE BACK HEREOF

T.J.A. FORBES & CO.

B 321521

STAMP  
24.11.61

VOL. 8149... FOL. 735...

A.L. DA COSTA 24.8.60  
SHIRE OF BERWICK  
16.10.61

LP ...56062.....  
BACK OF SHEET ...1.....

### PLAN MAY BE LODGED

S.M.C.D.

19 JUL 1962

THE LAND COLOURED BLUE  
IS APPROPRIATED  
OR SET APART FOR  
EASEMENTS OF DRAINAGE.

STREET NAME AMENDED  
FROM KIRKPATRICK ROAD TO RAINEY HILL ROAD  
GAZ. 1962  
~~NO.~~ P.3923



  
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# FEATURE & LEVEL PLAN

181 Rainy Hill Road

COCKATOO

SCALE 1:400 (A3)

## LEGEND

-  - TELSTRA PIT
-  - POWER POLE
-  - SIGN
-  - PHOTO POSITION & DIRECTION



No.181  
VACANT  
LOT



**ADVERTISED MATERIAL**  
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**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.

**NOTE:**  
 - LEVELS SHOWN ON THIS PLAN ARE TO A.H.D BASED ON GEMBROOK PM 179 (R.L. 185.969)

DRAWN BY : H. STEPHENS  
 CHECKED : L.N  
 DATE OF SURVEY : 20/05/2025  
 SURV. REF. NO. 22526  
 VERSION: 1 - 05/25

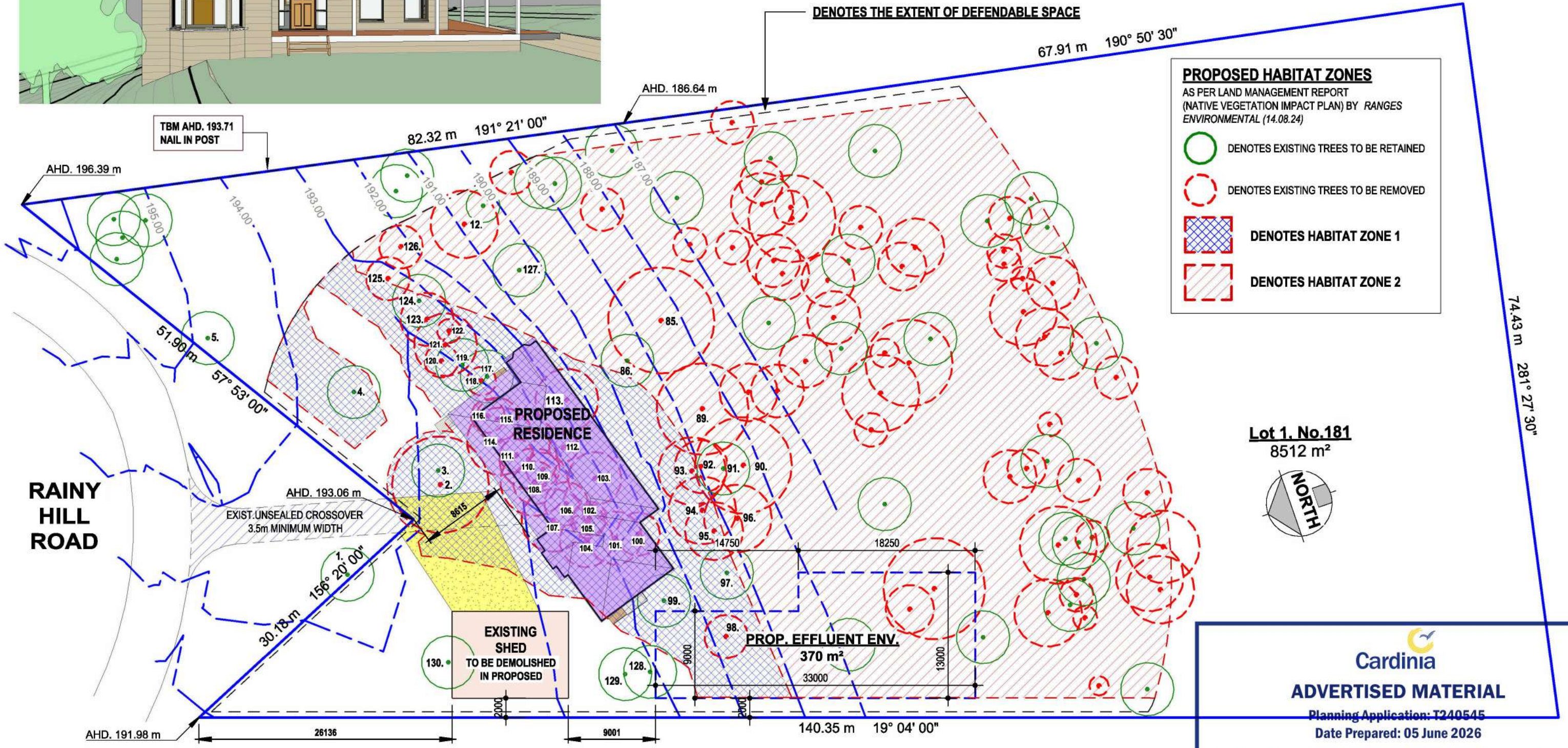
**NOBELIUS LAND SURVEYORS**  
 P.O. BOX 461  
 PAKENHAM 3810  
 Ph 03 5941 4112  
 mail@nobelius.com.au







**PLEASE NOTE**  
 ALL SITE FEATURES AND AHD. LEVELS SHOWN ON THIS PLAN DERIVE FROM INFORMATION SUPPLIED BY:  
**NOBELIUS LAND SURVEYORS**  
 REPORT No.: 22526 (VERSION 1)  
 DATED: 05/2025



**SITE - PROPOSED FULL**  
 1 : 400

**Cardinia**  
**ADVERTISED MATERIAL**  
 Planning Application: T240545  
 Date Prepared: 05 June 2026

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**COCKATOO**

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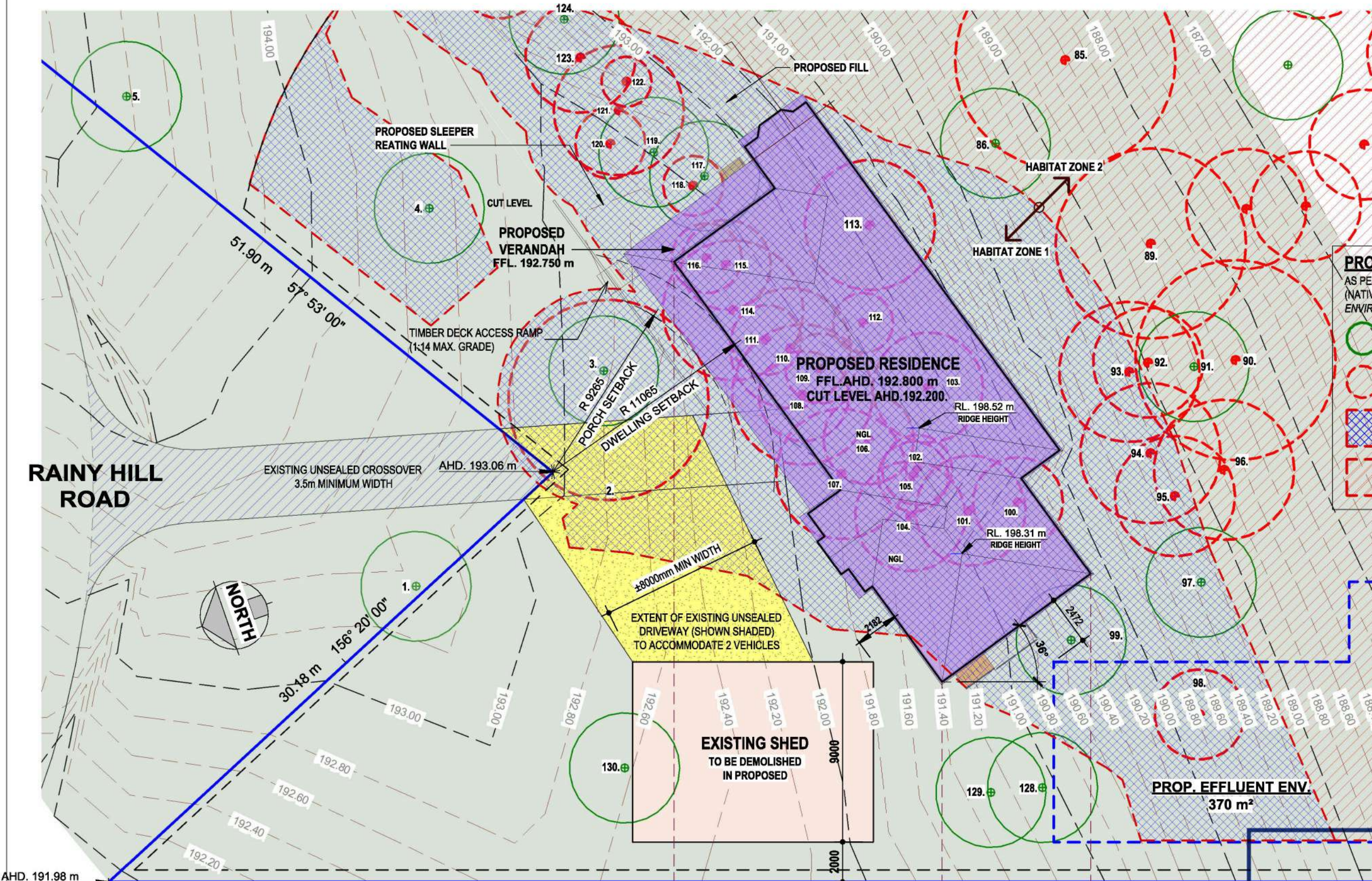
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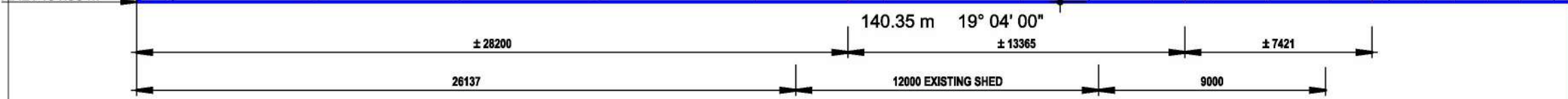
TOWN PLANNING ISSUE C (LAND SURVEY)	SMW	18.02.26	DRG No.	<b>298924</b>
TOWN PLANNING ISSUE B	SMW	02.12.25	Sht No: 02	
TOWN PLANNING ISSUE A	SMW	13.10.25	<b>REGISTERED</b> Building Practitioner	
TOWN PLANNING SUBMISSION ISSUE	SMW	07.10.24		
PRELIMINARY ISSUE 2	SMW	10.09.24		
PRELIMINARY ISSUE	SMW	19.08.24		

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**PROPOSED HABITAT ZONES**  
 AS PER LAND MANAGEMENT REPORT  
 (NATIVE VEGETATION IMPACT PLAN) BY RANGES  
 ENVIRONMENTAL (14.08.24)

- DENOTES EXISTING TREES TO BE RETAINED
- DENOTES EXISTING TREES TO BE REMOVED
- DENOTES HABITAT ZONE 1
- DENOTES HABITAT ZONE 2



**SITE - PROPOSED PART**  
 1 : 200

**Cardinia**

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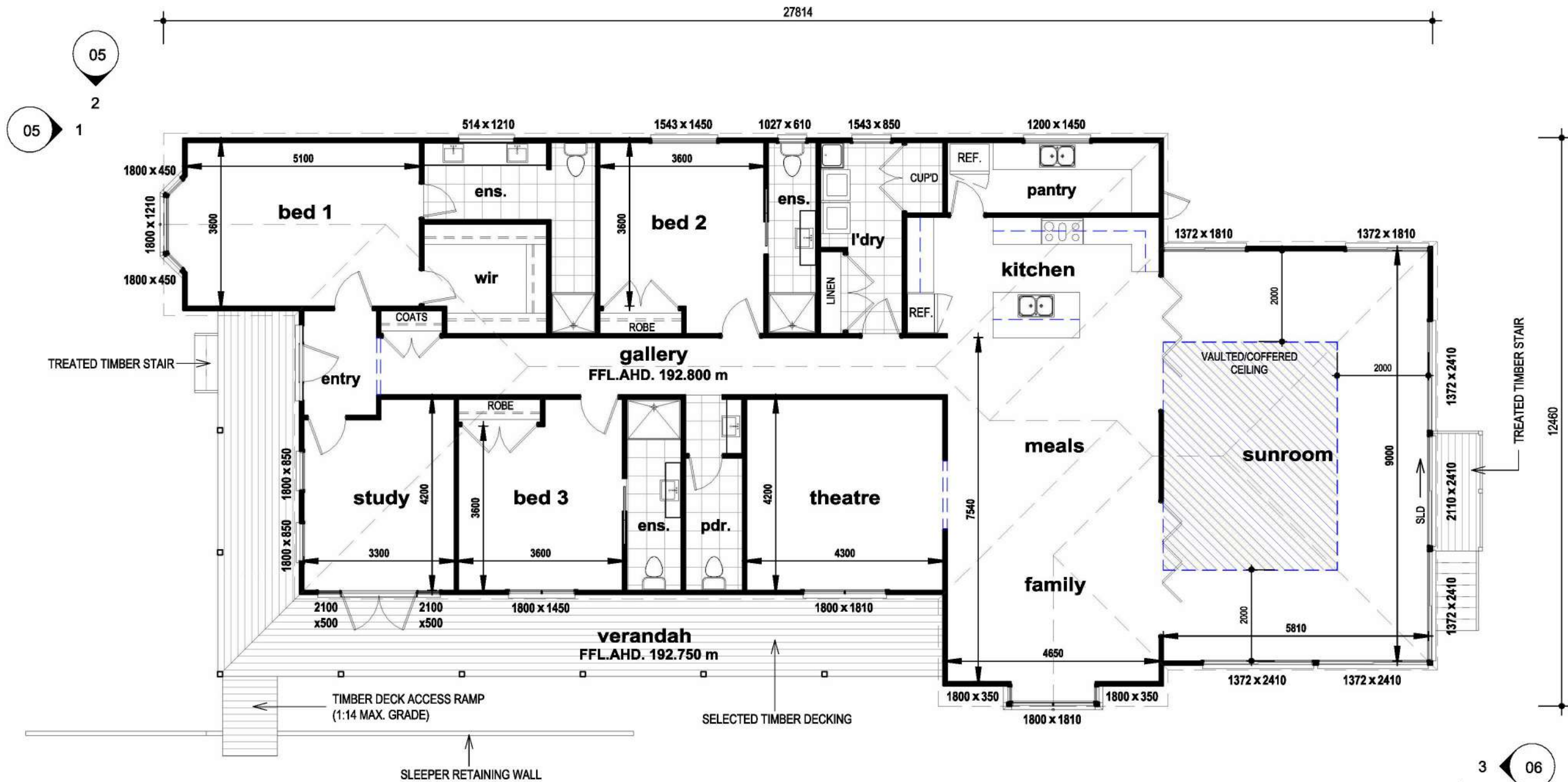
TOWN PLANNING ISSUE C (LAND SURVEY)	SMW	18.02.26
TOWN PLANNING ISSUE B	SMW	02.12.25
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PRELIMINARY ISSUE 2	SMW	10.09.24
PRELIMINARY ISSUE	SMW	19.08.24

DRG No. **298924**

Sht No: 03

**REGISTERED**  
 Building Practitioner

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**FLOOR PLAN**  
1 : 100

AREA SCHEDULE		
Name	Area	Squares
LIVING	264.65 m <sup>2</sup>	28.49
VERANDAH	39.83 m <sup>2</sup>	4.29
Grand total	304.48 m <sup>2</sup>	32.78

  
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[Redacted]  
 [Redacted] AD, COCKATOO

  
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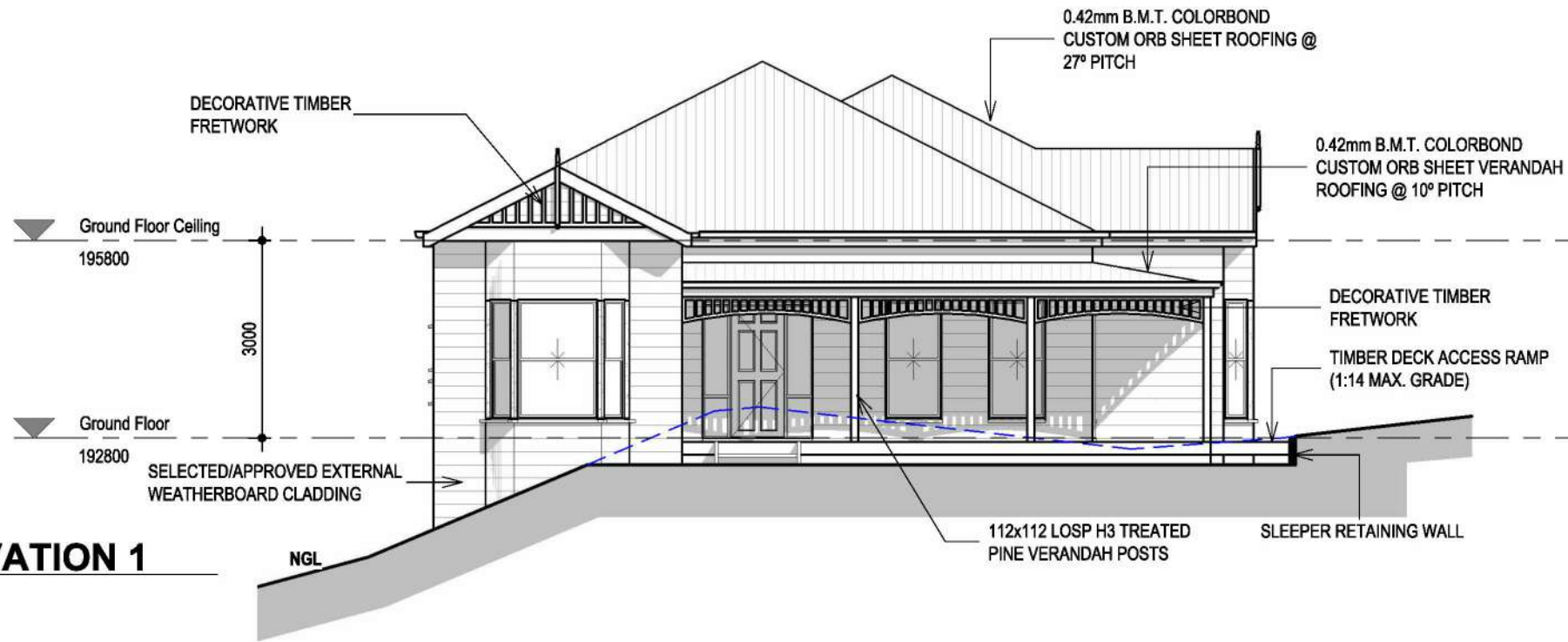
  
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PRELIMINARY ISSUE	SMW	19.08.24

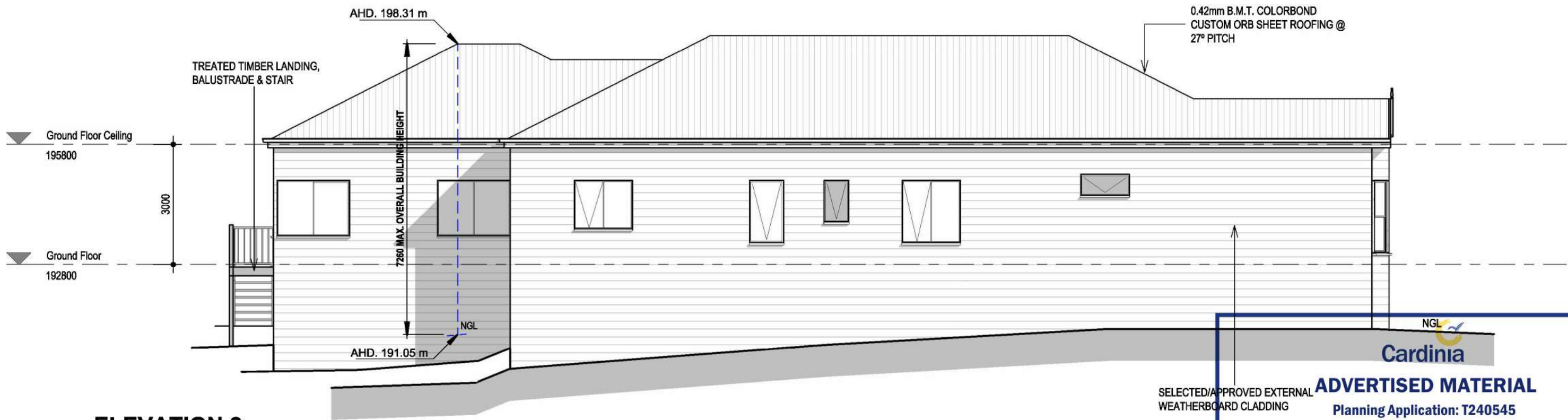
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 Sht No: 04  
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**ELEVATION 1**  
1 : 100



**ELEVATION 2**  
1 : 100



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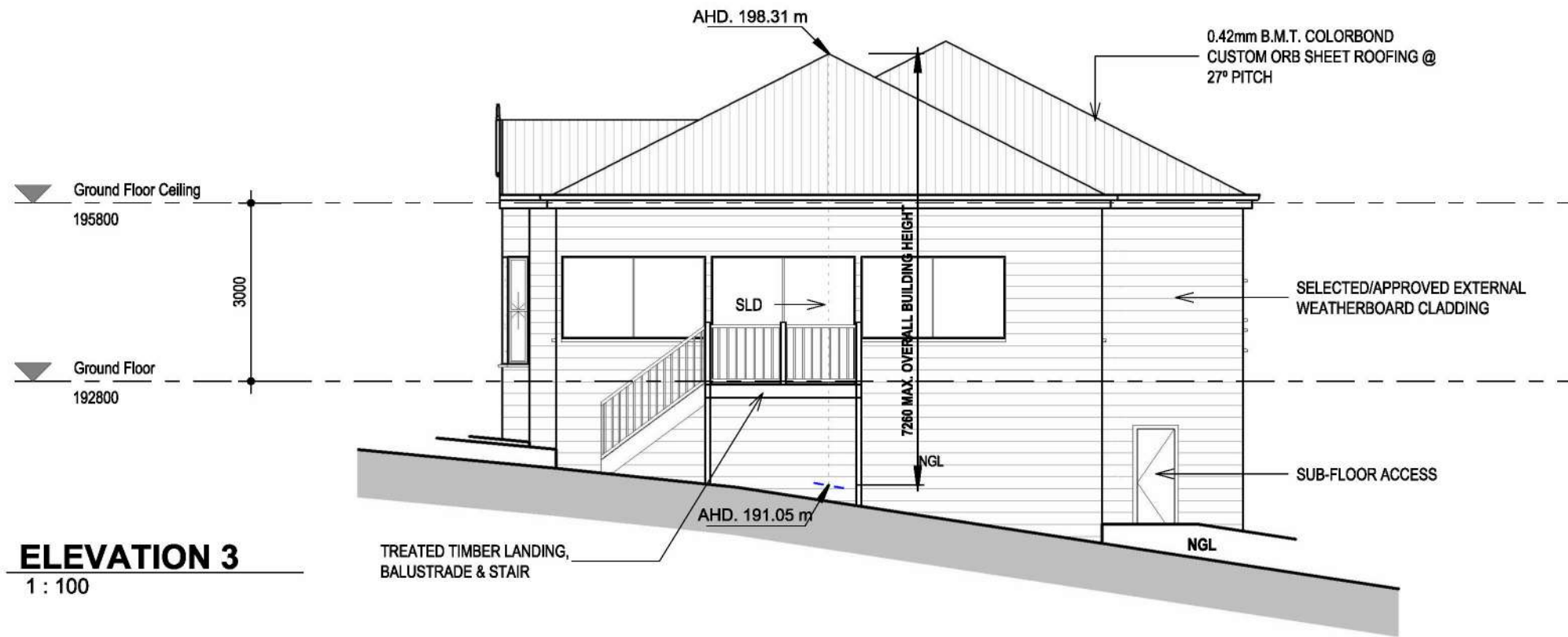
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DRG No. **298924**

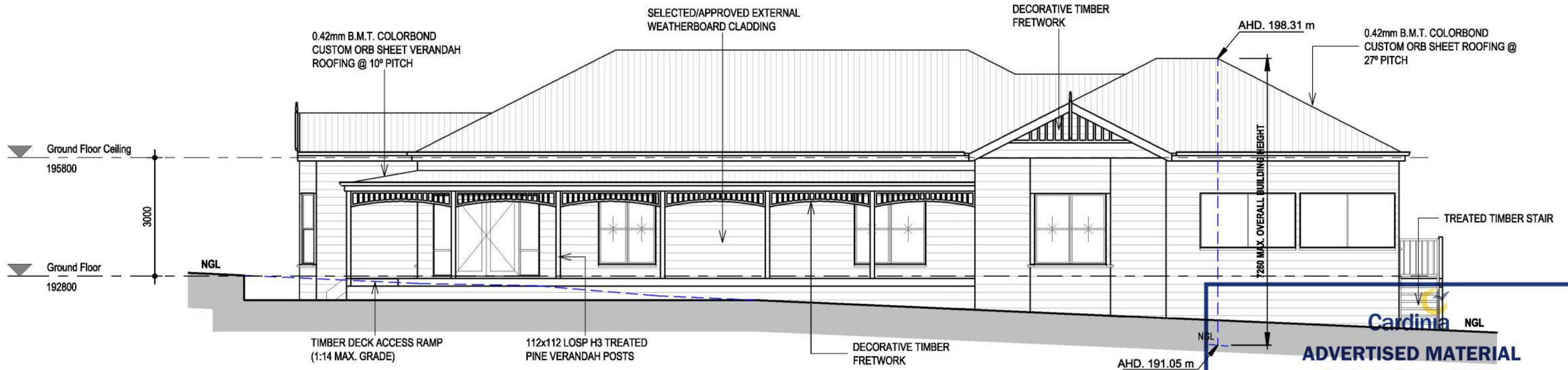
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Building Practitioner

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**ELEVATION 3**  
1 : 100



**ELEVATION 4**  
1 : 100

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at- 181 RAINY HILL ROAD, COCKATOO

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PRELIMINARY ISSUE 2	SMW	10.09.24
PRELIMINARY ISSUE	SMW	19.08.24

DRG No. **298924**  
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6 May 2026

Senior Statutory Planner  
Cardinia Shire Council  
[mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

**Re: Planning permit application T240545PA  
181 Rainy Hill Road Cockatoo**

I refer to Council's letter dated 16 March 2026 requesting further information in relation to the above application. The following response is provided in relations to Council letter:

My client's Land Capability Consultant Luke Tymensen of Hardcore Geotech has spoken directly to Council's Environmental Health Unit regarding the concerns raised in relation to the Land Capability Assessment. I am instructed they are now happy with the assessment provided and said they would advise you accordingly. Please confirm if you have received this advice from Council's Environmental Health Unit.

Please find attached a sketch demonstrating that stormwater from the proposed dwelling can be captured by a rainwater tank with overflow from the tank being able to be discharged to the table drain in Rainy Hill Road.

Please find attached a revised Native Vegetation Assessment addressing the matters outlined in Council's letter.

In relation to Council's comments in relation to the unacceptable loss of biodiversity, we reiterate the response provided to this issue in my letter dated 14 October 2025. The circumstances are different to those referred to in the VCAT cases cited and Council is required to consider each application on its merits.

We trust that Council now has sufficient information to consider and decide on the application.

Regards



Phil Walton  
**XWB Consulting**

Cardinia

**ADVERTISED MATERIAL**

Planning Application: T240545  
Date Prepared: 05 June 2026

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**Subject:** T240545 PA - Section 50 amendment to current application required - 181 Rainy Hill Road, Cockatoo  
**Date:** Thursday, 19 February 2026 12:59:47 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image008.png](#)  
[Section 50 Form Feb 26.pdf](#)  
[TP Plans Feb 26.pdf](#)

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi [REDACTED]

Thank you for your patience in responding to the matters below and correcting a discrepancy between site contours on the plans and the site contours on the feature survey which had come to my attention.

Please find attached a Section 50 form.

In relation to the comments below:

- The plans have been amended to show the existing shed as being demolished.
- Normally Council would advise the local point of discharge (LPD) and an as con (as constructed) sketch is not available as the dwelling and/or drainage has not been constructed. In relation to a soakage pit, our geotechnical Engineer (HardCore Geotech) does not recommend a soakage pit on the basis that once the SILT and CLAY soils become saturated any further moisture put into the soak pit will become overland flow. During the wetter months of the year the SILT soils are typically saturated by rainfall alone. Options for stormwater include a rock lined channel to dissipate stormwater to the rear of the property and/or the use of tank/s to retain stormwater from the dwelling roof with an overflow outlet with a level which allows stormwater to be directed back to Rainy Hill Road.
- In terms of the LCA, HardCore Geotech have reviewed the comments and advised all of the required information is contained in the report. On page 2 it is noted that there is a 20% decrease on the DIR due to the slope of the site. On page 5 this is repeated and it is noted that in the calculations 1.6mm/day was used. The calculation spread sheet is on Page 31 and it shows here that an application rate of 1.6mm/day was used to determine the size of the LAA.
- In terms of biodiversity, following discussions with yourself please find attached a revised Native Vegetation Assessment which accounts for the exemptions under Clause 52.12 of the Cardinia Planning Scheme in relation to the removal of vegetation (other than trees) within 50m of the neighbouring dwellings. Of the 0.422ha proposed to be removed, 0.27ha (64%) comes under the exemption.

I trust this addresses the matters raised by Council.

I will send two emails. The first with the Section 50 form and plans, and the second with the native vegetation assessment.

Regards

[REDACTED]



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Planning Application: T240545  
Date Prepared: 05 June 2026

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14 October 2025

Senior Statutory Planner  
Cardinia Shire Council  
[mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

**Re: Planning permit application T240545PA  
181 Rainy Hill Road Cockatoo**

I refer to Council's letter dated 11 August 2025 requesting further information in relation to the above application and to your email dated 27 August 2025 providing some clarification in relation to Council's letter.

The following response is provided in relations to Council letter:

**Outstanding fees**

I understand from my client that the fees have been paid.

**Locality plan**

Please find attached a setback plan showing the separation distances from neighbouring dwellings and from the waterway to the south. The setback from neighbouring dwellings is a permit trigger under the Rural Conservation Zone.

The boundaries and dimensions of the site, location of buildings, setback between the proposed dwelling and existing shed, and setbacks from the road and western boundary are shown on the submitted site plan.

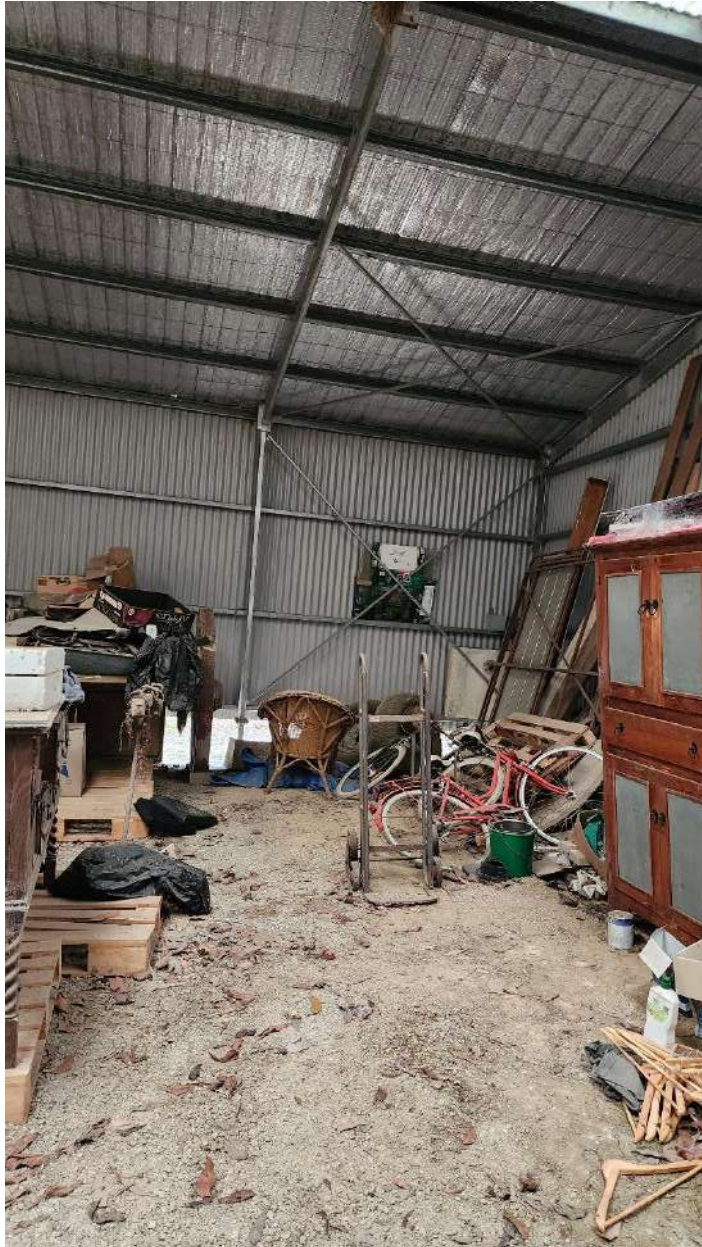
**Site plan**

Please find attached an amended set of plans including an amended site plan.

**Existing shed**

The existing shed has been on the land for over 20 years and certainly long before it was purchased by my clients. The existing shed does not form part of the current application which is for the dwelling. For Council's reference, the shed is a rudimentary building use for storage which does not contain any rooms and has a gravel floor. Should Council wish to question whether a permit is or was required for the shed, it will need to establish when the shed was constructed and the applicable planning scheme controls at that point in time, and not simply rely on the current planning scheme provisions.





### **Town planning report**

Please find attached an updated planning report. Two carparking spaces are provided on site for the dwelling satisfying the carparking provisions of Clause 52.06.

### **Wastewater**

Please find attached a Land Capability Assessment prepared by Hardcore Geotech.

### **Bushfire Planning Assessment**

Please find attached a revised Bushfire Planning Assessment prepared by Ranges Environmental Consulting.

The Bushfire Management Plan does not propose defensible space on adjoining land and the shed does not form part of the current application.

### **Amendment to the current application**

There is no amendment proposed to the current application. The shed does not form part of the current application, no reduction in the car parking requirements of Clause 52.06 is sought and no additional defensible space is proposed.

### **Defendable space on adjoining land**

The Bushfire Management Plan does not propose defensible space on adjoining land. The Bushfire Assessment simply notes that the adjoining property to the west and Rainy Hill Road Reserve are managed in a low threat condition.

### **Unacceptable loss of biodiversity**

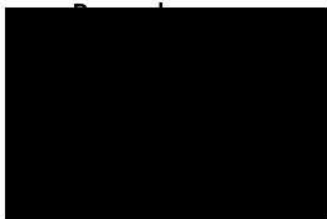
We dispute that the application will result in an unacceptable loss of biodiversity.

As set out in the planning report, the site is located within an area with an established pattern of rural residential development with dwellings being provided within a bushland setting. The dwelling is sited in close proximity to Rainy Hill Road within an area previously subject to clearing and disturbance. An area of vegetation at the rear of the property will be retained for conservation purposes which is appropriate as it is in closer proximity to the creek to the south. The siting of the dwelling maximises the separation from the creek. A land management plan has been prepared by Ranges Environmental Consulting as part of the native vegetation assessment which identifies this area as a conservation zone. Weed and pest animal control is proposed as part of the Land Management Plan to improve the value of habitat to be retained on the property.

The native vegetation assessment undertaken by Ranges Environmental Consulting identifies that 101 trees are required to be removed to construct the dwelling and to provide for bushfire defensible space. The majority are small, immature or understorey trees with the removal of large trees minimised. A total of 6 large canopy trees are proposed to be removed. In providing for the canopy separation required for defensible space, priority has been given to the retention of larger trees given both their environmental and landscape values.

In contrast the Jennings and Bucci VCAT decisions cited refer to sites with higher biodiversity values and greater environmental impacts. Jennings involved the removal of 575 trees including 259 indigenous trees of which 146 trees were Eucalyptus Fulgens which is an endangered species. Bucci involved the removal of 27 large trees. Both Jennings and Bucci were a detailed pathway assessment under Clause 52.17 whereas the current application is an intermediate pathway assessment. The location category is Category 1 where there is no significant impact on habitat for rare or endangered species, and the EVC is not mapped as being endangered.

We trust the information provided is sufficient to allow for Council's consideration of the application to continue.



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**Planning Permit Application  
Dwelling  
181 Rainy Hill Road Cockatoo**



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**July 2025  
Revised October 2025**

**xwb consulting**

**Town Planning and Bushfire Consultants**

[Type here]

## 1. Introduction

Suzan Williams has lodged a planning permit application T240545PA for works on the land at 181 Rainy Hill Road Cockatoo. Council has requested further information in relation to the application in a letter dated 13 November 2024 including clarification as to whether the application should be amended to the use and development of the land for a dwelling and the removal of vegetation.

XWB Consulting has been engaged by Suzan and Evan Williams (the owners of the land) to assist them with the planning permit application including amending the application to the use and development of the land for a dwelling and the removal of vegetation.

This planning report has been prepared by:



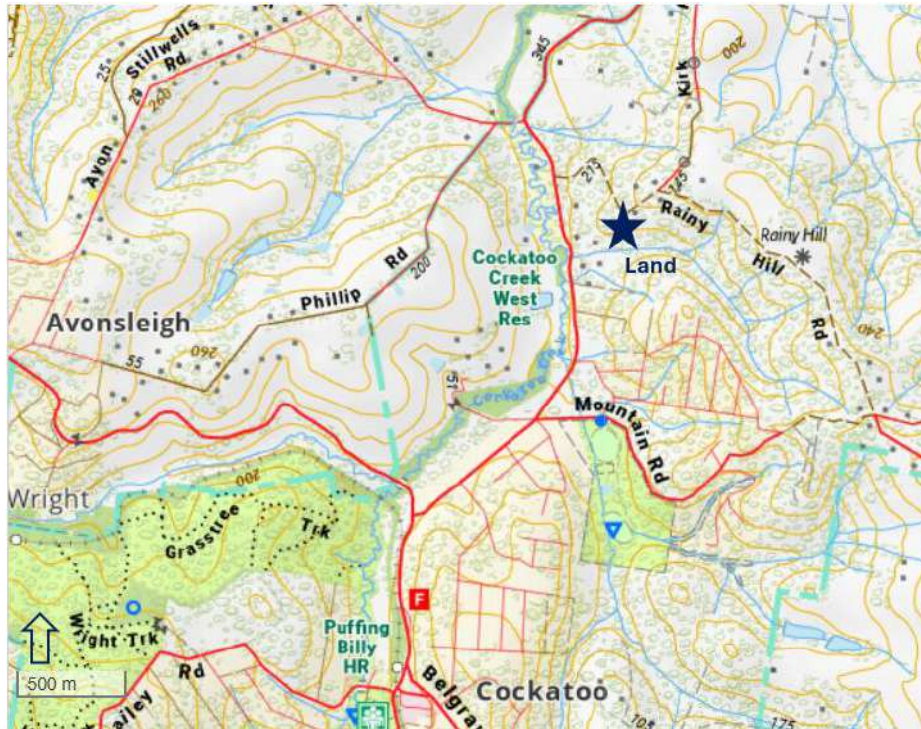
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## 2. Land and locality

The land is located on the south side of Rainy Hill Road approximately 500m east of Woori Yallock Road and 2.4km north of the Cockatoo Town Centre. The land has a frontage of 82.08m to Rainy Hill Road and an area of 8512sqm. The location of the land and details of the land are shown on the plan and aerial photograph below:



  
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The land contains an existing shed located in the north west corner of the property close to Rainy Hill Road. The majority of the property comprises remnant bushland save for a cleared area in close proximity to Rainy Hill Road. The land falls to the south away from Rainy Hill Road with a moderate to steep slope.

The land forms part of a pocket of rural residential / rural living properties on the east side of Woori Yallock Road extending up from the Cockatoo Township, the majority of which have been developed with dwellings. Rural residential properties also extend east from the land along Rainy Hill Road and Kirk Road. To the west of Woori Yallock Road and to the north of Rainy Hill Road are larger rural properties which contain a mix of open paddocks and remnant bushland. To the south east is an area of bushland on the east side of the Cockatoo Township.

The land is not within an area of Aboriginal cultural heritage sensitivity as shown on the mapping available from the Department of Transport and Planning.

The land is contained in Certificate of Title Volume 08367 Folio 242. The title is not affected by any restrictive covenants.



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### 3. Proposal

The application as amended proposes the use and development of the land for a dwelling as shown on the site plan below. The removal of 0.422ha of lowland forest habitat including 101 trees (6 large trees) will be required to construct the dwelling or provide defendable space for the dwelling.



The dwelling:

- Is setback 8.615m from Rainy Hill Road at the apex of the corner. The dwelling is setback over 30m from the physical road pavement.
- Is setback 10m from the western boundary.
- Is sited in an area with prior disturbance.
- Will have a floor area of 304.48sqm.
- Is a single storey building with a maximum height of 7.72m to the roof pitch above natural ground level.
- Is a cottage type design with weatherboard walls and a colourbond metal roof.
- Minimises the extent of cut and fill required with cut and fill largely limited to external areas at the front of the dwelling.
- Has two carparking spaces provided.

Detailed plans have been submitted with the amended permit application.

  
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## 4. Planning Scheme Provisions

### 4.1 State Planning Policy

A number of state planning policies are relevant to the application as set out below:

Policy	Objective
11.01-1R Green wedges	To protect the green wedges of metropolitan Melbourne from inappropriate development.
12.01-2S Native vegetation management	To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
13.02-1S Bushfire planning	To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

### 4.2 Local Planning Policy

A number of local planning policies are relevant to the application as set out below:

Policy	Objective/s
21.02-2 Landscape	To recognise and protect the diverse landscape and areas of significant landscape value.
21.02-3 Biodiversity	<ul style="list-style-type: none"> <li>To achieve no net loss in the quantity and quality of native vegetation in the municipality.</li> <li>To maintain and enhance the diversity of indigenous habitats and species.</li> <li>To reduce the spread and extent of pest plants and animals.</li> </ul>
21.02-4 Bushfire management	To recognise that areas in the municipality are prone to bushfire and to minimise the potential risk to life, property and the environment.



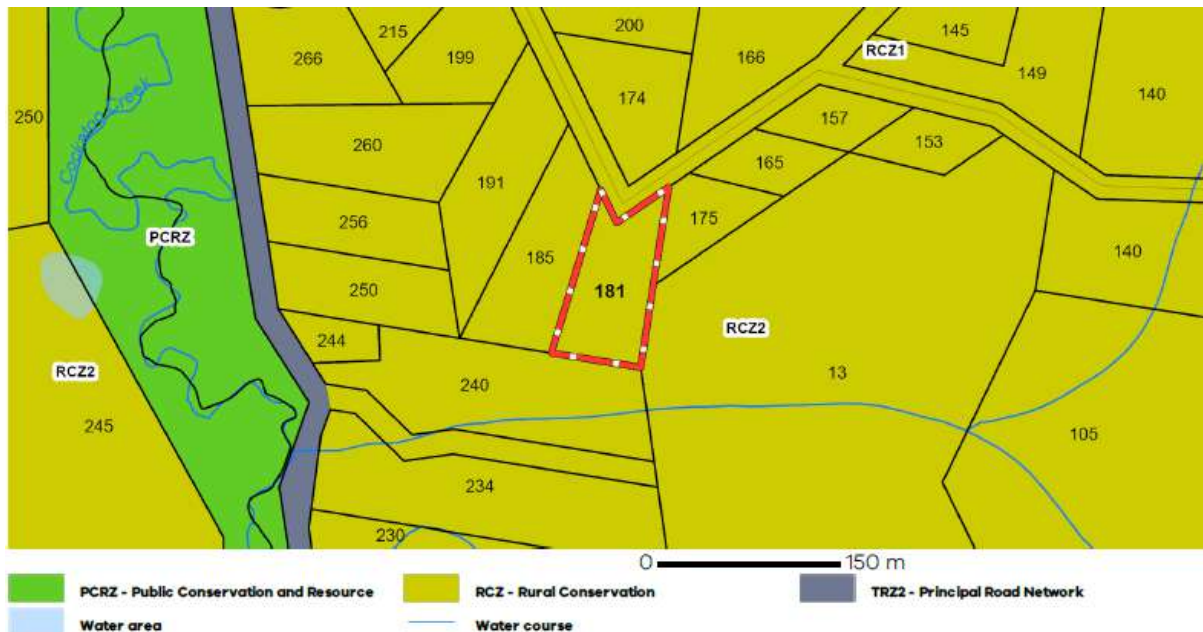
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### 4.3 Zone Provisions

The property is within a Rural Conservation Zone (Schedule 2) under the Cardinia Planning Scheme as shown on the plan below:



The purpose of the Rural Conservation Zone is:

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

The values to be conserved as specified under the schedule to the zone are the protection and conservation of the environmental values and landscape qualities of the land, including habitat of botanical and zoological significance, and the conservation of natural resources, including native vegetation, waterways and soils.

A planning permit is required for the use of the land for a dwelling under the Rural Conservation Zone. The zone specifies that a lot used for a dwelling must meet the following requirements:

- Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling or small second dwelling must be connected to reticulated sewerage if available. If reticulated sewerage is not available, all wastewater from the dwelling

  
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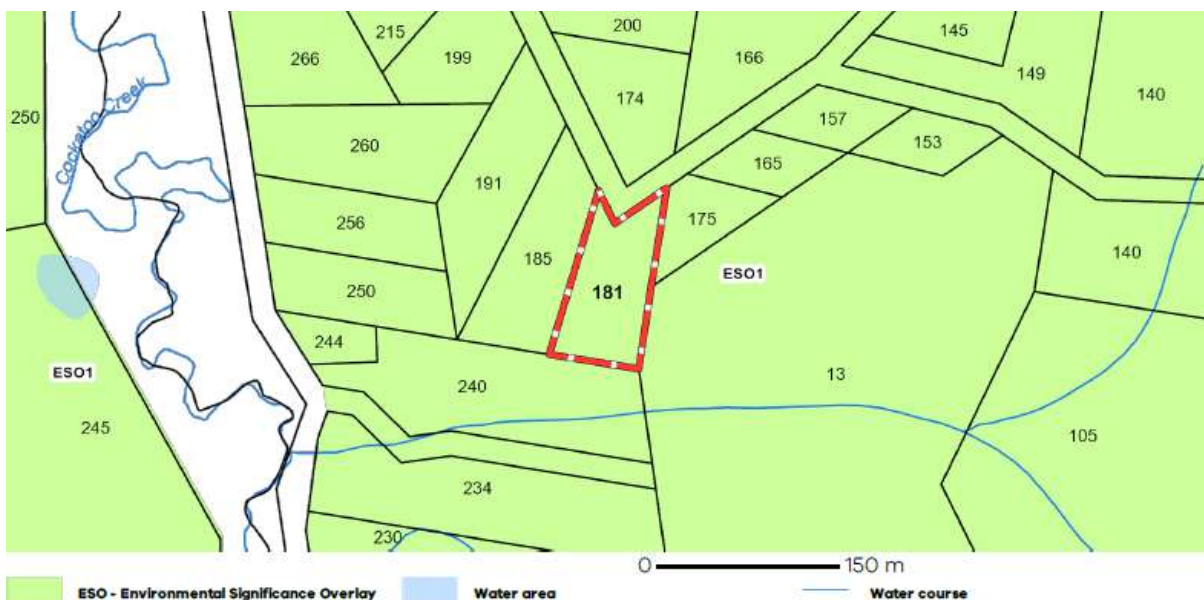
must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.

- The dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

A planning permit is required to construct a building, and to construct and carry out works under the Rural Conservation Zone.

#### 4.4 Overlay Provisions

The land is within an Environment Significance Overlay (Schedule 1) under the Cardinia Planning Scheme as shown on the plan below:



The purpose of the Environmental Significance Overlay is:

- 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.

The overlay sets out that a schedule to this overlay must contain a statement of environmental significance and the environmental objective to be achieved.

The schedule sets out the following statement of environmental significance:

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

zoological significance. These characteristics are also a significant factor in terms of environmental hazards including erosion and fire risk.

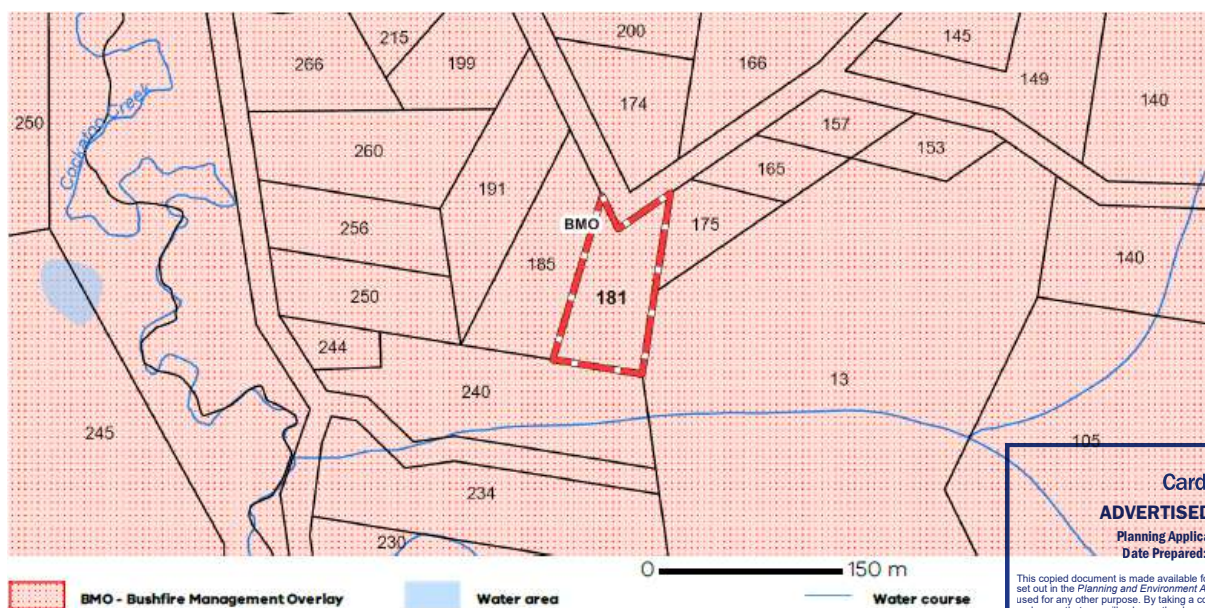
The vegetation supports the ecological processes and biodiversity of this area by forming core habitat areas within a complex network of biolink wildlife corridors. Sites containing threatened flora and fauna are defined as being of botanical and zoological significance. Development within and around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

The environmental objectives to be achieved under the schedule to the overlay are:

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

A permit is required under the Environmental Significance Overlay to construct a building, or to construct and carry out works and for the removal of vegetation.

The land is also in a Bushfire Management Overlay under the Cardinia Planning Scheme as shown on the plan below:



The purpose of the Bushfire Management Overlay is to:

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

A planning permit is required to construct a building or construct or carry out works associated with the use of the land for accommodation.

### Particular Provisions

The car parking provisions at Clause 52.06 apply to the application. The purpose of the provisions is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Two car parking spaces are required to be provided under Clause 52.06 for a dwelling with 3 bedrooms or more.

The bushfire protection exemptions at Clause 52.12 apply to the application. The purpose of the provisions is:

- To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.
- To facilitate the construction and protection of community fire refuges and private bushfire shelters.

No permit is required to remove vegetation other than trees within 50m of an existing dwelling in a Bushfire Management Overlay including dwellings on adjoining properties. Some removal of understorey vegetation on the land would be covered by this exemption.

The native vegetation provisions at Clause 52.17 apply to the application. The purpose of the provisions is:

- 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 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.

A planning permit is required under Clause 52.17 for the removal of native vegetation.

The bushfire planning provisions at Clause 53.02 apply to the application. The purpose of the provisions is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To 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.

The bushfire planning provisions set out the requirements related to an application under the Bushfire Management Overlay.



## 5 Consideration

The application proposes a new dwelling. The conditions under the Rural Conservation Zone for the use of land for a dwelling are met in that:

- Rainy Hill Road is an all-weather road public road with dimensions adequate to accommodate emergency vehicles. The existing driveway to the dwelling can be constructed to accommodate emergency vehicle access as per the requirements of clause 53.02.
- Reticulated sewerage is not available to the property. All wastewater from the dwelling can be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* via an on-site wastewater management system as per the Land Capability Assessment undertaken by Hardcore Geotech.
- Reticulated potable water is available via a 100mm diameter main within Rainy Hill Road. A separate static water supply will be provided for firefighting purposes.
- Overhead electricity lines exist in Rainy Hill Road which the dwelling can be connected to.

The site is located within an area with an established pattern of rural residential development with dwellings being provided within a bushland setting. The dwelling is sited in close proximity to Rainy Hill Road within an area previously subject to clearing and disturbance. Dwellings on the lots along Rainy Hill Road are located in a similar location and setting. An area of vegetation at the rear of the property will be retained for conservation purposes which is appropriate as it is in closer proximity to the creek to the south. The siting of the dwelling maximises the separation from the creek. A land management plan has been prepared by Ranges Environmental Consulting as part of the native vegetation assessment which identifies this area as a conservation zone. Weed and pest animal control is proposed as part of the Land Management Plan to improve the value of habitat to be retained on the property. The use and development of the land for a dwelling is considered to be consistent with sustainable land management based on the existing pattern of development and the proposed land management plan. The dwelling has been sited to minimise the impact on environmental values and address environmental risks particularly bushfire. This is considered to be consistent with state planning policy in relation to green wedges.

The design of the dwelling is based on a rural cottage which is considered to be sympathetic to the rural landscape which is consistent with state planning policy in relation to green wedges and local planning policy in relation to landscapes.

A native vegetation assessment has been undertaken by Ranges Environmental Consulting. The assessment identifies that 101 trees are required to be removed to construct the dwelling and to provide for bushfire defendable space. The majority are small, immature or understory trees with the removal of large trees minimised. A total of 6 large canopy trees are proposed to be removed. In providing for the canopy separation required for defendable space, priority has been given to the retention of larger trees given both their environmental and landscape values. An offset of 0.38 general habitat units with a minimum SBV score of 0.520 plus 6 large trees is required. This offset does not account for the exemptions under Clause 52.12 in relation to vegetation other than trees within 50m of neighbouring dwellings. An avoid and minimise statement has been provided as part of the native vegetation assessment and it is considered that the approach adopted is consistent with state and local planning policy and the purposes of Clause 52.17 in relation to native vegetation removal and that the biodiversity impact is not unacceptable.

A bushfire assessment has been undertaken as part of the application by Ranges Environmental Consulting. The bushfire assessment outlines the measures required to address the dwelling being located within a moderate fire risk location which address state and local planning policy in relation to bushfire. It proposes the dwelling be constructed to a bushfire attack level of BAL40 to provide a higher level of bushfire resilience and that defendable space should be provided for a distance of 49m to the south and west, 25m to the north and east or to the property boundary (whichever is closer). A static water supply tank with a capacity of 10,000 litres should be provided for firefighting purposes at the time the dwelling is constructed. No access requirements apply to the dwelling given it is located within 30m of Rainy Hill Road. The bushfire assessment which addresses the Bushfire Management Overlay and Clause 53.02 (Bushfire Planning) responds to state and local planning policy in relation to bushfire. The biodiversity impact to provide for bushfire protection measures is not unacceptable in the context of the site and surrounds, biodiversity values and the quantum and value of vegetation to be removed.

It is considered that a planning permit should be issued for the dwelling subject to appropriate permit conditions.



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**Bushfire Planning Assessment**  
**Proposed Dwelling**  
**181 Rainy Hill Road, Cockatoo**

**Cardinia**  
**DEVELOPMENTAL**  
Planning Application: T240545  
Date Prepared: 05 June 2026

**September 2025**

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<b>Report:</b>	<b>Bushfire Management Statement: 181 Rainy Hill Road, Cockatoo</b>
<b>Report no:</b>	21066
<b>Author:</b>	Chris Armstrong/ William Tester
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<b>Date:</b>	29 September 2025
<b>Prepared for:</b>	Suzan and Evan Williams

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# 1 Introduction

This Bushfire Management Statement is prepared in accordance with clause 53.02 (Planning for Bushfire) outlined in the Cardinia Planning Scheme.

Site Details	
<b>Municipality:</b>	Cardinia Council
<b>Subject Site:</b>	181 Rainy Hill Road, Cockatoo
<b>Site Area:</b>	8580 m <sup>2</sup>
<b>Zoning:</b>	Rural Conservation Zone – Schedule 2 (RCZ2)
<b>Overlays:</b>	Bushfire Management Overlay (BMO) Environmental Significance Overlay – Schedule 1 (ESO1)
<b>Existing Buildings and Works</b>	Existing temporary storage structure in the north-west corner of the property

Summary of Proposal	
<b>Development Plan:</b>	Construction of a dwelling (Refer to Attachment 1 Site Plans)
<b>Construction Standard:</b>	BAL 40
<b>Defendable Space:</b>	49 metres to the south 25 metres to the north and east or to the Property Boundary (whichever is closer)
<b>Water Supply</b>	A 10,000 litre static water supply tank constructed from metal or concrete with fire authority fittings is required

## Application Requirements

This application must address objectives outlined in clause 44.06 Bushfire Management Overlay and Clause 53.02 Planning for Bushfire including:

- a) 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 AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia).
- b) 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 the approved measures specified in Clause 53.02-1.
- c) A bushfire management statement describing how the proposed development responds to the requirements in this clause and Clause 44.06. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the objective.



## 2 Bushfire Hazard Assessment

A site investigation was undertaken on 25 October 2021 to determine the vegetation types within 150 metres of the development site. Further site assessments were undertaken on 30 November 2022 to ensure data is up to date.

The location of the dwelling has been designed to reflect the minimum setback distances from threats where they occur on neighbouring properties. The location of the dwelling is also in the only partially cleared area on the property, near the northern boundary and adjacent to Rainy Hill Road.

Map 1 of Appendix 1 shows the vegetation types within 150 metres of the property boundary (the assessment area). Classification of vegetation types are consistent with definitions in AS-3959 Construction of buildings in bushfire prone areas.

### 2.1 Assessment area

The table below provides a summary of vegetation types and slopes in all directions in relation to the property and the following page provides descriptions of these vegetation types.

Hazard no.	Hazard 1	Hazard 2	Hazard 3	Hazard 4
Direction	South	East/ South-east	North-east	North
Threat type (within 150m of the site)	Low Threat <input type="checkbox"/>	Low Threat <input type="checkbox"/>	Low Threat <input type="checkbox"/>	Low Threat <input type="checkbox"/>
	Modified <input type="checkbox"/>	Modified <input type="checkbox"/>	Modified <input checked="" type="checkbox"/>	Modified <input type="checkbox"/>
	Forest <input checked="" type="checkbox"/>	Forest <input checked="" type="checkbox"/>	Forest <input type="checkbox"/>	Forest <input checked="" type="checkbox"/>
	Woodland <input type="checkbox"/>	Woodland <input type="checkbox"/>	Woodland <input type="checkbox"/>	Woodland <input type="checkbox"/>
	Scrub <input type="checkbox"/>	Scrub <input type="checkbox"/>	Scrub <input type="checkbox"/>	Scrub <input type="checkbox"/>
	Rainforest <input type="checkbox"/>	Rainforest <input type="checkbox"/>	Rainforest <input type="checkbox"/>	Rainforest <input type="checkbox"/>
	Grassland <input type="checkbox"/>	Grassland <input type="checkbox"/>	Grassland <input type="checkbox"/>	Grassland <input type="checkbox"/>
Effective Slope (under classified vegetation)	Upslope/Flat <input type="checkbox"/>	Upslope/Flat <input checked="" type="checkbox"/>	Upslope/Flat <input checked="" type="checkbox"/>	Upslope/Flat <input checked="" type="checkbox"/>
	Downslope	Downslope	Downslope	Downslope
	>0 to 5° <input type="checkbox"/>	>0 to 5° <input type="checkbox"/>	>0 to 5° <input type="checkbox"/>	>0 to 5° <input type="checkbox"/>
	>5 to 10° <input type="checkbox"/>	>5 to 10° <input checked="" type="checkbox"/>	>5 to 10° <input type="checkbox"/>	>5 to 10° <input type="checkbox"/>
	>10° to 15° <input checked="" type="checkbox"/>	>10° to 15° <input type="checkbox"/>	>10° to 15° <input type="checkbox"/>	>10° to 15° <input type="checkbox"/>
	>15 to 20° <input type="checkbox"/>	>15 to 20° <input type="checkbox"/>	>15 to 20° <input type="checkbox"/>	>15 to 20° <input type="checkbox"/>
>20° <input type="checkbox"/>	>20° <input type="checkbox"/>	>20° <input type="checkbox"/>	>20° <input type="checkbox"/>	
Distance to threat	49 m at closest point beyond PB <sup>1</sup>	South-east (5-10°) – 32m East (Flat) – 25m	54 m	37 m

  
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<sup>1</sup>As the threat is contiguous with the building envelope and has the potential to be managed within the property, the distance provided is the closest distance to the threat in the neighbouring property.

Hazard no. (Refer to Map 1)	Hazard 5	Hazard 6	Hazard 7
Direction	North-west	West	South-west
Threat type (within 150m of the site)	Low Threat <input type="checkbox"/>	Low Threat <input type="checkbox"/>	Low Threat <input type="checkbox"/>
	Modified <input checked="" type="checkbox"/>	Modified <input type="checkbox"/>	Modified <input type="checkbox"/>
	Forest <input type="checkbox"/>	Forest <input checked="" type="checkbox"/>	Forest <input type="checkbox"/>
	Woodland <input type="checkbox"/>	Woodland <input type="checkbox"/>	Woodland <input type="checkbox"/>
	Scrub <input type="checkbox"/>	Scrub <input type="checkbox"/>	Scrub <input type="checkbox"/>
	Rainforest <input type="checkbox"/>	Rainforest <input type="checkbox"/>	Rainforest <input type="checkbox"/>
	Grassland <input type="checkbox"/>	Grassland <input type="checkbox"/>	Grassland <input checked="" type="checkbox"/>
Effective Slope (under classified vegetation)	Upslope/Flat <input type="checkbox"/>	Upslope/Flat <input type="checkbox"/>	Upslope/Flat <input type="checkbox"/>
	Downslope	Downslope	Downslope
	>0 to 5 ° <input type="checkbox"/>	>0 to 5 ° <input type="checkbox"/>	>0 to 5 ° <input type="checkbox"/>
	>5 to 10° <input type="checkbox"/>	>5 to 10° <input type="checkbox"/>	>5 to 10° <input checked="" type="checkbox"/>
	>10° to 15° <input checked="" type="checkbox"/>	>10° to 15° <input checked="" type="checkbox"/>	>10° to 15° <input type="checkbox"/>
	>15 to 20° <input type="checkbox"/>	>15 to 20° <input type="checkbox"/>	>15 to 20° <input type="checkbox"/>
>20° <input type="checkbox"/>	>20° <input type="checkbox"/>	>20° <input type="checkbox"/>	
Distance to threat	37 m	62 m	92 m

  
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## 2.2 Vegetation Classification

Vegetation classes occurring within the 150-metre assessment area are described below. The following page provides photos of the vegetation types to accompany these descriptions.

### Forest – Hazards 1, 2, 4 and 6.

Forest vegetation occurs in all directions of the subject site and represents the primary threat to the development.

The forest threat to the south and east is contiguous with the proposed building envelope (Hazard 1 and 2). As the vegetation within the property can be modified to a low threat state (subject to a planning permit) the nearest distance to the threat where it occurs on the neighbouring property was used to determine the BAL rating and the associated defensible space distances.

Hazard 2 to the southeast is 5-10 degrees downslope and therefore 31m is required, whereas further to the eastern reach of Hazard 2 it becomes flat or upslope of the property. Hazard 1 is >10° to 15° downslope of the property and represents the most significant threat to the proposed building envelope. This vegetation is contiguous with over 60 hectares of bushland occurring on neighbouring private properties and contains fuel loads that are typical of the standard forest classification of >35 tonnes of fuel per hectare. Generally, this area supports a dense cover of vegetation at groundstorey

and midstorey strata with high levels of elevated fuels among flammable fibrous and ribbon-barked Eucalypts (figures 1 and 2). The dense nature and structure of this vegetation would likely influence fire behaviour in the landscape to be characteristic of a Forest fire.

Hazard 4 occurs 37m to the north, upslope of the proposed building envelope on the opposite side of Rainy Hill Road. This threat is approximately 13 hectares of bushland on private property. Although this vegetation was not easily accessible by road, it likely supports unmanaged forest vegetation from aerial analysis and from visual assessment, where it was visible from Rainy Hill Road (Figure 3).

Hazard 6 occurs approximately 62m west of the proposed building envelope on private property. Another property identified as low threat separates this hazard from the subject site. As such, this hazard is not considered to be a high threat within the landscape, even though it is >10° to 15° downslope.

### Modified – Hazard 3 and 5

Modified vegetation as defined in AS-3959 occurs to the north-west and north-east of the proposed building envelope. Residential lots retain areas of mature Eucalypt canopy species among planted exotics. There is some fuel continuity in the canopy and midstorey, however the understorey for the most part is substantially modified, specifically comprising mown areas, landscaped areas, cultivated gardens and a dwelling on a similar sized allotment to the subject site (Figure 4). This is characteristic of most residential lots within the broader assessment area.

Within the area identified as Modified vegetation as per Plan 1, there is limited distribution of canopy trees with volatile bark and fire prone surface fuels due to the prevailing residential land use that reduces fuel continuity. These factors suggest that the surrounding vegetation would not burn with any significant intensity and the vegetation class firmly points to 'modified' vegetation as defined in AS-3959 rather than Forest or Woodland.

### Grassland – Hazard 7

One area of Grassland was identified 92 metres to the south-west of the proposed building envelope (Hazard 7). This threat occurs on cleared agricultural land beyond Hazard 1 (Forest) and is characterised by the presence of unmaintained pasture grasses with some scattered canopy trees. This threat didn't warrant further investigation as it occurs beyond more significant threats in the landscape. As there is no guarantee that this vegetation will be maintained in a low threat state (slashed below 10 cm) it was considered to be a Grassland threat as per AS-3959.

### Low threat – Hazard 4

Low Threat vegetation was recorded in the property immediately to the west and the adjoining road reserve. Although this property contains planted vegetation and some remnant canopy trees, it is unlikely to contribute to fire behaviour in the landscape due to it being maintained in a low threat state, including regularly mown lawns, a hard stand driveway and maintained garden beds (figure 5).





**Figure 1.** Overlooking Hazard 1, dense understorey vegetation and flammable fibrous barked eucalypts



**Figure 2.** High biomass and elevated fuels within Hazard 1.



**Figure 3.** Forest vegetation to the north (Hazard 4). Understorey not typically as dense as Hazards 1 and 2.



**Figure 4.** Typical example of a modified threat. Retained canopy trees, planted shrubs and maintained groundlayer.



**Figure 5.** Low threat vegetation within the yard of the property to the west.



**Figure 6.** Overlooking the proposed building envelope location from the crossover from Rainy Hill Road.

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### 3 Bushfire Hazard Landscape Assessment

The Landscape Hazard Assessment describes potential bushfire risks beyond 150 metres including landscape typology, fire history, potential bushfire behaviour and evacuation options.

Map 2 shows the broader landscape context including wildfire history, controlled burns and access to Neighbourhood Safer Places and emergency services.

#### 3.1 Fire History

The site is within 3.5 kilometres of the Cockatoo Township, 500 metres from Woori Yallock Road and is in a semi-residential area that has not experienced wildfire activity in recent years.

The Black Saturday Bushfires in 1939 came within 750 metres of the property. More recently, in 1983 the Ash Wednesday Bushfires came within 150 metres of the property. This fire devastated extensive areas of Victoria, with an estimated 1800 hectares burnt in the Cockatoo region and 307 buildings lost. Since these fires, extensive areas of clearing and property subdivision has occurred, resulting in an overall reduction in the threat from bushfire in the region. The only other wildfire that has occurred within 10km of the subject site, was a small grass fire in 2010. This occurred 3.2 kilometres west of the property and was contained to 24 hectares.

Subsequently, large areas of controlled fuel-reduction burns have been undertaken in the past 20 years within the nearby Wright Forest Bushland Reserve to the south-west. It is anticipated that fuel reduction burns will continue to be undertaken to assist with fire prevention and containment at the interface of residential zones and the reserves.

#### 3.2 Surrounding Landscape

Within 1km of the site, the surrounding landscape is hilly to gently undulating. At least 60% of this area is cleared rural farmland, approximately 25% contains forested areas, with the remaining 15% being residential properties. The areas of forested vegetation are primarily within private property to the south-west, as well as to the north.

The site is contiguous with unmodified forest to the south and east. This vegetation represents a significant threat to the property, given it is downslope of the proposed building envelope. Although unlikely, there is potential for a fire in the landscape to follow a similar trajectory to the Ash Wednesday bushfires and burn through a contiguous area of forest vegetation on private property, before interacting with the subject site. A fire in this threat could potentially generate substantial momentum under favourable conditions and expose the building envelope to a fire front.

Given that the property lies within a semi-residential area, firefighting authorities would likely place priority on controlling fires in this landscape and limit its momentum.

The site lies on the southern aspect of a hill that is well protected from northerly winds that typically contribute to the spread and intensity of fire.



Therefore, the most likely scenario is that the proposed development could be exposed to ember attack during the life of the building, from a fire occurring within the Wright Forest to the south or bushland on private property in most directions.

### 3.3 Access to Refuge and Emergency Services

There is one designated Neighbourhood Safer Places (NSP) in close proximity to the property, at the Cockatoo (Mountain Road Reserve Indoor Sports Complex), approximately 2km away. NSPs are purpose-built or modified buildings that provide protection from radiant heat and embers. Plan 2 also shows that there are multiple areas of suitable refuge, including cleared agricultural farmland along Rainy Hill Road to the east as well as along Woori Yallock Road to the north.

Nearby CFA fire stations situated at Cockatoo, Emerald and Pakenham Upper demonstrate that emergency services and facilities are well resourced in the local area.

### 3.4 Landscape Typology

The Technical Guide to Planning Permit Applications in the Bushfire Management Overlay (DELWP 2017) outlines 4 Landscape Types ranging from Landscape Type 1 (low risk) to Landscape Type 4 (extreme) as outlined below.

Landscape Type	Description
<b>Type 1</b>	<ul style="list-style-type: none"> <li>– There is little vegetation beyond 150 metres of the site (except grasslands and low-threat vegetation).</li> <li>– Extreme bushfire behaviour is not possible.</li> <li>– The type and extent of vegetation is unlikely to result in neighbourhood scale destruction of property.</li> <li>– Immediate access is available to a place that provides shelter from bushfire.</li> </ul>
<b>Type 2</b>	<ul style="list-style-type: none"> <li>– The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.</li> <li>– Bushfire can only approach from one aspect and the site is located in a suburban, township or urban area managed in a minimum fuel condition.</li> <li>– Access is readily available to a place that provides shelter from bushfire. This will often be the surrounding developed area.</li> </ul>
<b>Type 3</b>	<ul style="list-style-type: none"> <li>– The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.</li> <li>– Bushfire can approach from more than one aspect.</li> <li>– The site is located in an area that is not managed in a minimum fuel condition.</li> <li>– Access to an appropriate place that provides shelter from bushfire is not certain.</li> </ul>

  
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Landscape Type	Description
Type 4	<ul style="list-style-type: none"><li>– The broader landscape presents an extreme risk.</li><li>– Evacuation options are limited or not available.</li></ul>

---

The local landscape character surrounding the proposed development is best described as Landscape Type 3, as the property is contiguous with vegetation occurring on private property which is unlikely managed to a minimum fuel condition. A fire within this threat may result in neighbourhood-scale destruction. In the event of emergency evacuations, access to areas of refuge remain reasonably certain. However, these should not be relied upon during a fire emergency.

In summary, the landscape risks pose some threat to development on the property and an integrated plan to mitigate bushfire risks is required including:

- a suitable standard of construction for dwellings in accordance with Construction of buildings in bushfire prone areas (AS-3959).
- designated defendable space
- water supply

  
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## 4 Bushfire Management Statement

This section describes how the proposed development responds to the requirements of *Planning for Bushfire* (Clause 53.02-1). The purpose of Bushfire Protection Objectives for dwellings in existing settlements is:

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


### 4.1 Definition of objectives and measures

Four key provisions are outlined in Clause 53.02 to fulfil the purpose of *Planning for Bushfire*:

- a) **Objectives.** An objective describes the outcome that must be achieved for a completed development.
- b) **Approved measures (AM).** An approved measure meets the objective.
- c) **Alternate measures (AltM).** An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- d) **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

### 4.2 Bushfire Protection Measures

#### Landscape, Siting and Design Objectives


<p><b>AM 2.1</b></p> <p>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</p>	<p><b>Response:</b> Bushfire risk can be mitigated due to the elevated building standard of BAL 40 with defendable space equivalent to BAL 29 (49m for a 10-15m forest slope).</p> <p><b>Response:</b></p>	 <p><b>ADVERTISED MATERIAL</b>                  Planning Application: T240545                  Date Prepared: 05 June 2026</p> <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 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></p>
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	<p>Bushfire risk can be mitigated due to the elevated building standard of BAL 40 with defendable space equivalent to BAL 29 (49m for a 10-15m forest slope).</p>
<p><b>e) AM 2.2</b></p> <p>A building is sited to ensure the site best achieves the following:</p> <ul style="list-style-type: none"> <li>– The maximum separation distance between the building and the bushfire hazard.</li> <li>– The building is in close proximity to a public road.</li> <li>– Access can be provided to the building for emergency service vehicles.</li> </ul>	<p><b>Response:</b></p> <p>The dwelling is approximately 30 metres from Rainy Hill Road and suitable for emergency vehicles.</p> <p>The siting achieves the greatest separation distance from the primary threat being Hazard 1 and 2. The dwelling is located close to the neighbouring property which is maintained in a low threat condition.</p> <p>Given the narrow width of the property, there are limited opportunities to further separate the dwelling from the primary threat.</p>
<p><b>AM 2.3</b></p> <p>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</p>	<p><b>Response:</b></p> <p>No detailed design has been tendered to date, however, a BAL 40 is proposed which provides a high level of resilience to radiant heat and ember attack.</p>

### 4.3 Defendable Space and Construction Objective

Requirement
<p><b>Approved Measure 1.2:</b> A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5.</p> <p>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</p>

**Response:** The following table shows the Defendable Space requirements from the proposed dwelling relative to BAL Construction Standards (based on table 2 of clause 53.02).

Requirement	 <b>ADVERTISED MATERIAL</b> Planning Application: T240545 Table 1 Published: 05 June 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>
<p><b>Approved Measure 1.2:</b> A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5.</p> <p>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</p>	

**Response:** The following table shows the Defendable Space requirements from the proposed dwelling relative to BAL Construction Standards (based on table 1 of clause 53.02).

---

Defendable space of 49 metres or to the property boundary (whichever is less) is proposed (as shown in Plan 3 and 4) Despite the truncated distances to the west, north and east, the proposed defendable space is considered appropriate due to:

- adjoining property to the west is a large property with extensive areas of cultivated gardens which are anticipated to be maintained in a low threat state.
- the road reserve consists primarily of grasses and is currently slashed to below 10cm.

There is a reasonable level of assurance that both of these areas will continue to be maintained to a low threat state for the foreseeable future.

---



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Identified threat	Hazard 1	Hazard 2	Hazard 2A	Hazard 3	Hazard 4	Hazard 5	Hazard 6	Hazard 7
Direction from dwelling	South	East	South-east	North-east	North	North-west	West	South-west
Vegetation Type	Forest	Forest	Forest	Modified	Forest	Modified	Forest	Grassland
Slope from	Downslope	Upslope	Downslope	Upslope	Upslope	Downslope	Downslope	Downslope
Degrees	>10 to 15°	na	>5 to 10°	na	na	>10 to 15°	>10 to 15°	>5 to 10°
<b>BAL Options</b>	<b>Required Defendable Space<sup>2</sup></b>							
Defendable Space for BAL 19	64	35	53	NA	35	NA	64	17
Defendable Space for BAL 29	49	25	39	50 or to the PB	25	50 or to the PB	49	11
Defendable Space for BAL 40	39	19	31	NA	19	NA	39	8
Distance from the building to threat (m)	49	28	32	54	37	37	62	92
Proposed Construction Standard	BAL 40							
Proposed Defendable Space	49 m to the South and West 25 m to the North and East or to the Property Boundary (whichever is closer)							



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<sup>2</sup> Green = Able to achieve the required defendable space distance from the threat for the relevant BAL rating. Red = Not able to achieve defendable Space for the relevant BAL rating

## BAL recommendation

Plan 1 of Appendix 1 shows that Forest vegetation is the primary vegetation class within 50 m of the dwelling. In accordance with table 2 of clause 53.02, defensible space for a rating of BAL 29 can be achieved in all directions apart from the south-east. However, given the unmanaged forest threat and slope to the south-east, as well as the greater landscape risk, construction to BAL 40 for the entire dwelling is recommended. The defensible space to the north and west can utilise existing low threat vegetation with the neighbouring property and the road reserve to achieve the appropriate defensible space distances. There is a reasonable assurance that the land will remain or continue to be managed in a low threat condition.

A BAL 40 construction is considered an appropriate development response to the surrounding bushfire risks (based on table 2 of clause 53.02 for Forest vegetation as the primary threat, as well as the presence of Modified vegetation).

## Defendable Space Implementation

Plan 4 of Appendix 1 provides the Bushfire Management Plan that outlines standard vegetation management requirements to meet defensible space objectives along with the nominated construction standard and objectives for water supply and site access as outlined below.

Numerous trees will be required to be removed to meet 5-metre canopy separation requirements specified in the Bushfire Management Plan (BMP). In addition to this, the majority of understorey vegetation will also be required to be removed within the defensible space area.

Tree removal recommendations have prioritised the removal of understorey shrubs and immature eucalypts which currently provide elevated fuels that can act as a ladder to enable fire to reach the canopy of mature eucalypts. Where possible, mature eucalypts with moderate-high retention value beyond the dwelling have been prioritised for retention, as they pose minimal bushfire risk in the absence of dense understorey vegetation.

As the property is greater than 0.4 hectares and is zoned Rural Conservation Zone – Schedule 2 (RCZ2), any proposal to remove native vegetation must address obligations under Clause 52.17 of the Cardinia Shire Planning Scheme. These obligations are detailed with a separate report titled, *Native Vegetation Assessment – December 2022 – Ranges Environmental Consulting*.

## 4.4 Water Supply (AM 4.1)

### Requirement:

Buildings are required to be provided with a static water supply for firefighting and property protection purposes as specified in Table 4 to Clause 53.02-3 (duplicated below)

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting to ensure that the required volume of water as specified in the BMP is available.



Lot Size (m <sup>2</sup> )	Hydrant Available	Capacity (litres)	Fire Authority Fittings and Access Required	Applicable requirements
Less than 500	Not Applicable	2,500	No	<input type="checkbox"/>
500 – 1000	Yes	5,000	No	<input type="checkbox"/>
500 – 1000	No	10,000	Yes	<input type="checkbox"/>
1001 and above	Not Applicable	10,000	Yes	<input checked="" type="checkbox"/>

**Note:** Fittings must be in accordance with the published requirements of the relevant fire authority

**Note:** Tank must be constructed from metal or concrete


**Response:**

The site is greater than 1000m<sup>2</sup>. Therefore, the standards require a 10,000-litre water tank to be provided with fire authority fittings and vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. The location of the water tank is shown on the BMP. This tank is intended for use by fire authorities. Therefore, emergency vehicles must be able to get within 4 metres of the water supply.

### 4.5 Access Requirements

Vehicle access is required to be designed and constructed as per Table 5 of Clause 53.02-5 as duplicated below.

Column A	Column B
A1 - Length of access is less than 30 metres	There are no design and construction requirements if fire authority access to water supply is not required under AM 1.3
A2 - Length of access is less than 30 metres	Where fire authority access to the water supply is required under AM1.3 fire authority vehicles must be able to get within 4 metres of the water supply outlet
A3 - Length of access is greater than 30 metres	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>• All weather construction</li> <li>• A load limit of at least 15 tonnes</li> <li>• Provide a minimum trafficable width of 3.5 metres</li> <li>• Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically</li> <li>• Curves must have a minimum inner radius of 10 metres</li> <li>• The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres</li> <li>• Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit</li> </ul>

  
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Column A	Column B
A4 - Length of access is greater than 100 metres	<p>The following additional design and construction requirements apply:</p> <p>A turning area for fire fighting vehicles must be provided close to the building by one of the following:</p> <ul style="list-style-type: none"> <li>• A turning circle with a minimum radius of 8 metres</li> <li>• A driveway encircling the dwelling</li> <li>• The provision of other vehicle turning heads – such as a T or Y head – which meets the specification of Austroad Design for an 8.8 metre Service Vehicle</li> </ul>

**Response:**

The driveway access to the water supply is within 30 metres of Rainy Hill Road. This water supply is within 60 metres of the dwelling as indicated in Map 4. Therefore, no design and construction requirements apply to the driveway access, in line with requirements detailed within the footnotes of Table 4 of Clause 53.02-5.

## 4.6 Conclusion

The site is in a moderate fire risk location due to the presence of forest vegetation within 150m of the subject area. As the threat from the southeast cannot be managed to 49 metres, a BAL 40 construction for the dwelling is recommended.

The Bushfire Management Plan is intended to be the formal plan to be endorsed as a part of the permit. The plan includes all anticipated permit conditions in relation to the BAL construction standard, defensible space and water supply.

Hazard identification, defensible space distances and construction requirements have been determined in line with AS3959. The underlying modelling used to determine the defensible space distances for various construction standards are precautionary, however they still have limitations. Therefore, the recommended BAL rating and defensible space distances detailed within this report provide no guarantee of absolute protection under a bushfire attack. Rather, it provides the most appropriate recommendation for constructing a dwelling in this locality. It is recommended that the occupants independently assess their own risk and develop a bushfire protection plan that is not solely reliant on the dwellings resilience to a bushfire.

  
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## 5 References

CFA (2014B) Standard Permit Conditions Bushfire Management Overlay. Country Fire Authority, Victoria.

CFA (2014b) Water Supply Requirements (Bushfire Management Overlay). Country Fire Authority, Victoria.

CFA (2014c) Access Requirements (Bushfire Management Overlay). Country Fire Authority, Victoria.

DELWP (2017). Technical Guide: Planning Permit Applications Bushfire Management Overlay. Department of Environment, Land, Water and Planning, Melbourne, Victoria.

DELWP (2018) Bushfire State Planning Policy Amendment VC140 - Practice Note 68. Department of Environment, Land, Water and Planning, Melbourne, Victoria.

Standards Australia (2018) Australian Standard – Construction of buildings in bushfire prone areas.



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## Appendix 1 - Maps 1-4

The following Plans were produced using Quantum GIS (QGIS 3.18) and were developed from various datasets including:

- Aerial photography available through Google Earth (Ausmap) and Nearmap
- VicPlan layers (Parcel, Roads, Waterways and Local Government Boundaries)
- Victorian Bushfire Layers (Fire History Layer and Neighbourhood Safer Places Register)
- GPS based data collected in the field



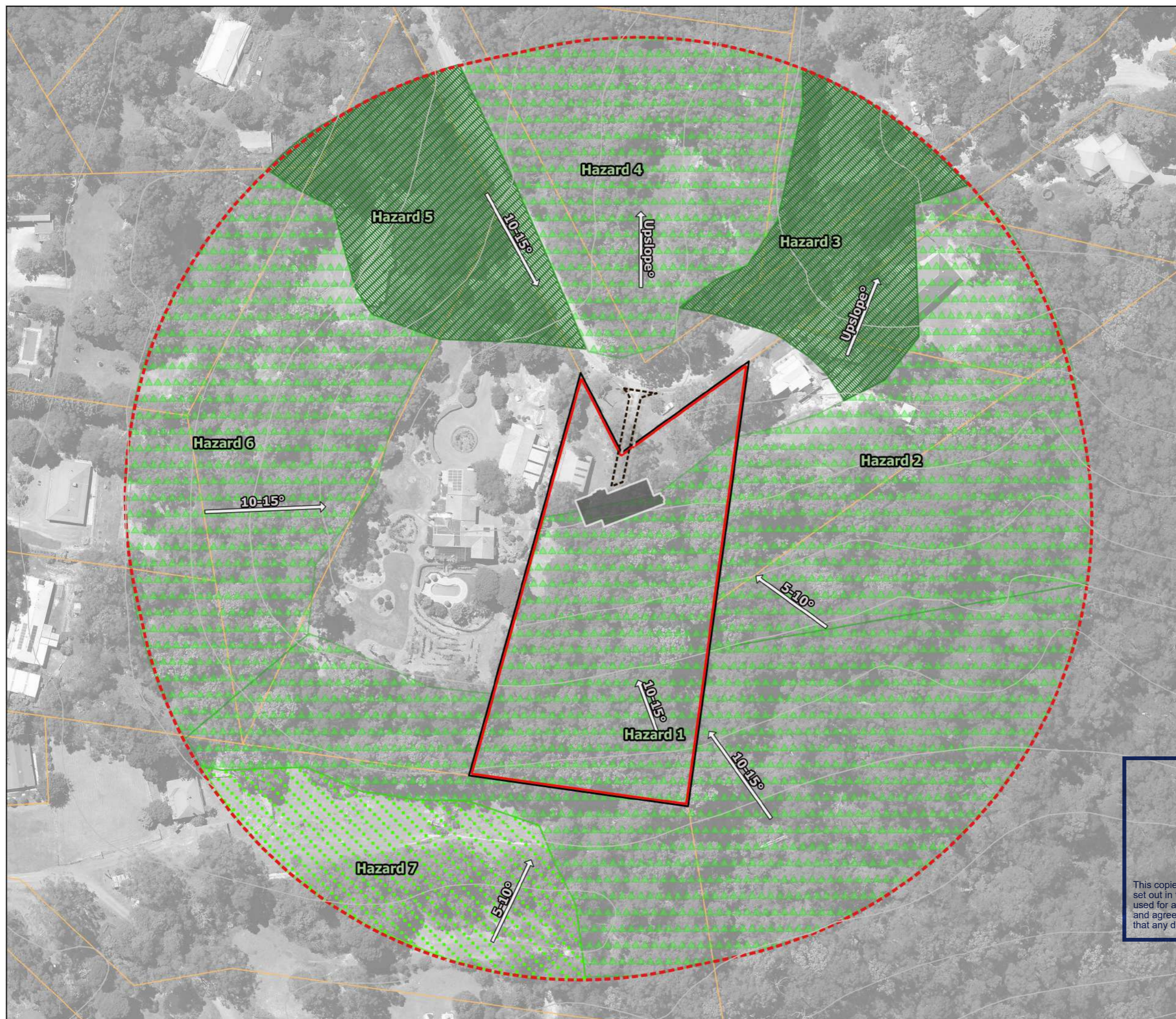
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# Plan 1 - Site Hazard Assessment

181 Rainy Hill Road Cockatoo



Title Boundary

### Development Layout

Dwelling

Driveway

150m Assessment Area

### AS-3959 Vegetation Types

Forest

Modified

Grassland

Elevations (5m)

Degrees (Arrows Point Upslope)

Date: 02 July 2025  
Created by: William Tester  
Map Program: QGIS 3.14

Scale (A3)  
1:1,200



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Date Prepared: 05 June 2026



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*Environmental*

0459 020 061 www.rangesconsulting.com

# Plan 2 - Landscape Hazard Assessment

181 Rainy Hill Road Cockatoo

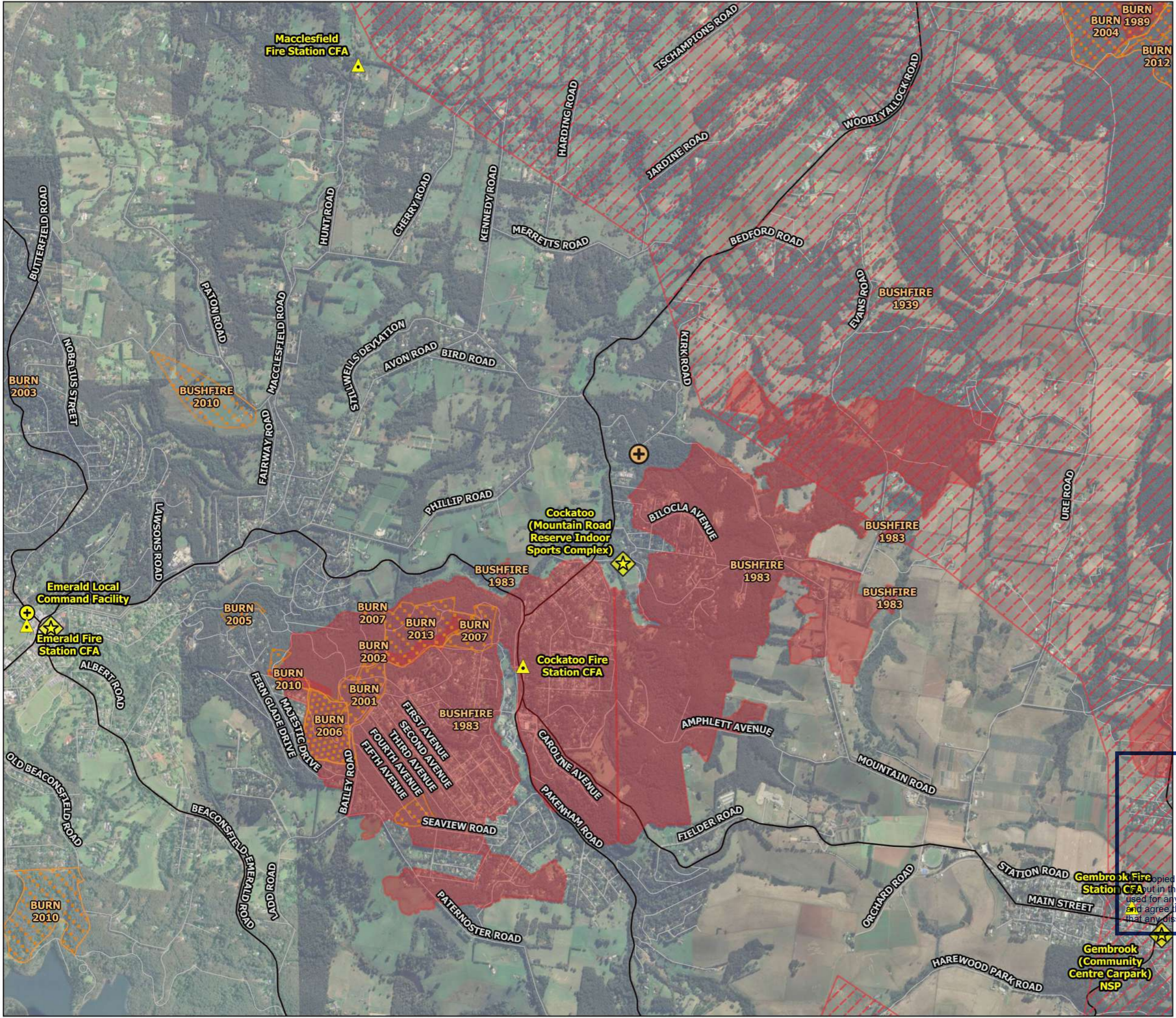
-  Subject Site
- Fire History**
-  2000-2020
-  1975-2000
-  1900-1970
- Emergency Facilities**
-  Emergency coordination centre
-  Fire station
-  Neighbourhood safer place

Date: 02 July 2025  
 Created by: Greg James  
 Map Program: QGIS 3.14

Scale (A3)  Cardinia

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 Planning Application: T240545  
 Date Prepared: 05 June 2026






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# Plan 3 - Defendable Space Assessment

181 Rainy Hill Road Cockatoo

## Development Layout

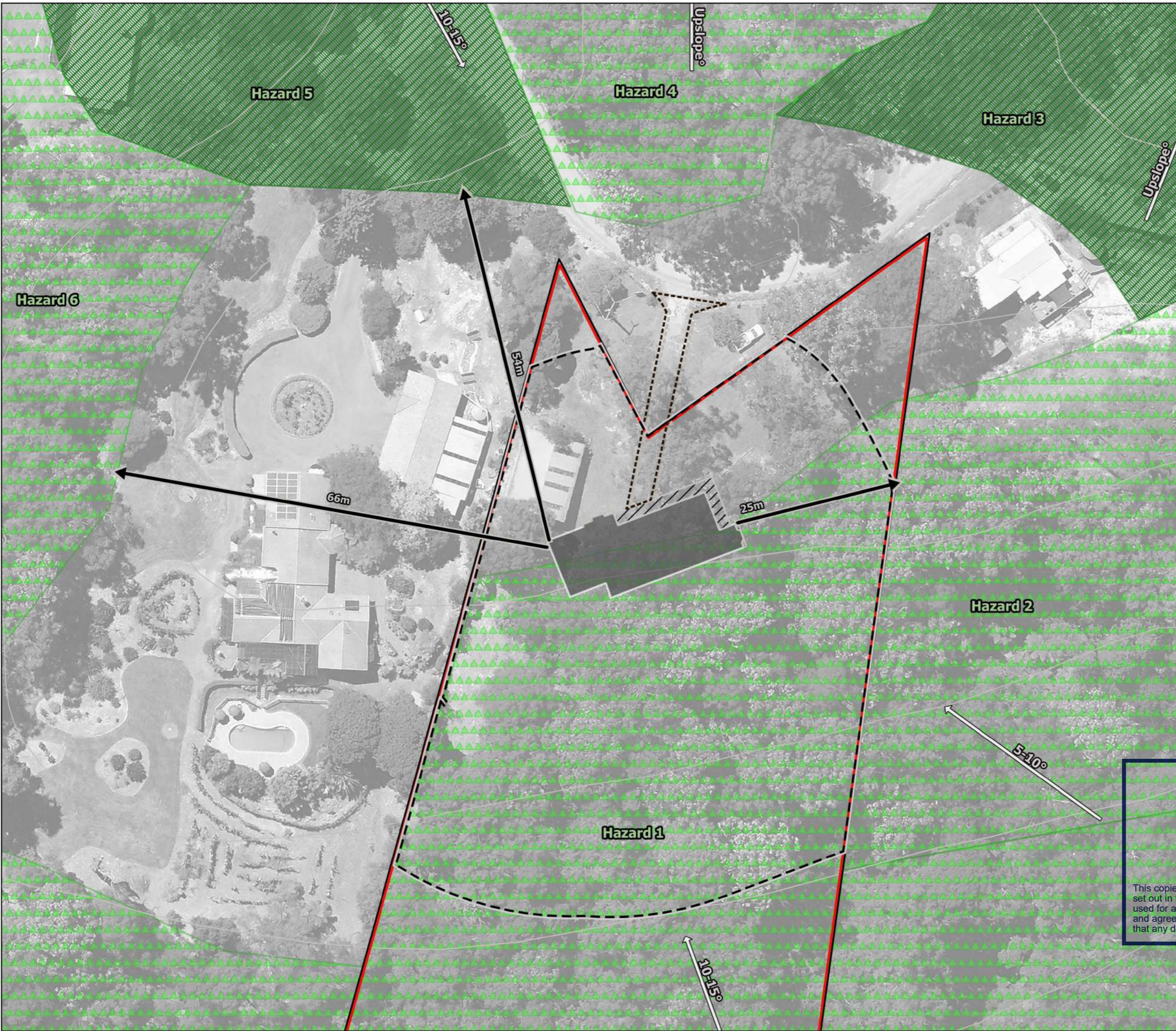
-  Dwelling
-  Defendable Space
-  Driveway
-  Verandah
-  Title Boundary

## Measurements of threats

-  Degrees (Arrows Point Upslope)
-  Distance
-  5m Contour

## AS-3959 Vegetation Types

-  Forest
-  Modified









Date: 02 July 2025  
 Created by: William Lester  
**ADVERTISED MATERIAL**  
 Planning Application: T240545  
 Date Prepared: 05 June 2026

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# Bushfire Management Plan

181 Rainy Hill Road Cockatoo

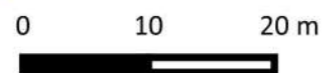
-  Title Boundary
- Development Layout**
-  Dwelling
-  Verandah
-  Defendable Space
-  Driveway
-  10,000L Water Tank

Date: 02 July 2025  
Created by: Greg James  
Map Program: QGIS 3.14



  
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Scale (A3):  
**1:600**

## Defendable Space

Defendable Space is to a distance of 49 metres to the south, 25 metres to the east and to the property boundary to the north and west. Vegetation and other flammable materials must be managed in accordance with the following:

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

## Access Requirements

The following design and construction requirements apply to the driveway:

1. All-weather construction.
2. A load limit of at least 15 tonnes.
3. Provide a minimum trafficable width of 3.5 metres.
4. Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
5. Curves must have a minimum inner radius of 10m.
6. The average grade must be no more than 1 in 7 (14.4 %) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50m.
7. Dips must have no more than a 1 in 8 (12.5%) (7.1 degrees) entry and exit angle.

## Construction Standard

New dwelling is to be designed and constructed to a minimum AS-3959 Bushfire Attack Level of BAL 40

## Water Supply Requirements

A 10,000 litre water supply tank is to be provided for each dwelling. The water supply is to:

1. Be stored in an above ground water tank constructed of concrete or metal
2. All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal
3. Include a separate outlet for occupant use
4. Be readily identifiable from the building or appropriate identification signage to be satisfaction of the relevant fire authority.
5. Be located within 60 metres of the outer edge of the approved building.
6. The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
7. Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
8. Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).



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Native Vegetation Assessment  
Land Management Plan  
181 Rainy Hill Road Cockatoo

5 May 2026

Cardinia

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Date Prepared: 05 June 2026

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<b>Report:</b>	<b>Native Vegetation Assessment - 181 Rainy Hill Road Cockatoo - Jan 2026</b>
Job no:	21066
Prepared For:	Evan and Suzan Williams
Author:	Greg James/ William Tester
Contact:	0459 020 061 <a href="mailto:info@rangesconsulting.com">info@rangesconsulting.com</a>
Date:	5 May 2026

  
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# 1 Introduction

*Ranges Environmental Consulting* has been engaged by Suzan and Evan Williams to respond to a Request for Further Information (RFI) issued by Cardinia Shire Council (letters dated 11 August 2025 and 16 March) in relation to a development application for a proposed dwelling. RFI items addressed in this report include:

- Item 6. (August 2025) inclusion of wastewater envelope and associated impact to native vegetation (based on recommendations of a Land Capability Assessment (Hard Core Geotech September 2025)<sup>1</sup>.
- Item 10. (August 2025) including land management measures for ecological enhancement such as:
  - Reduction of Noxious and High Threat weeds to less than 1% cover
  - Facilitation of natural regeneration
  - Retention of fallen timber
  - Pest animal control
- Item 3 (March 2026): Provide a revised Native Vegetation Removal Report (NVRR) that explicitly responds to the partial-removal scenario mapped consistent with Map 6 of the Native vegetation assessment (i.e. understorey-only removal within 10/50 areas) and in accordance with the DEECA Assessor's handbook (V1.2, June 2025).

The impact of the dwelling, driveway, septic dispersal and defensible space considers the following:

- Native vegetation regulations outlined in Clause 52.17 of the Cardinia Planning Scheme and the incorporated 'Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) (referred to herein as the 'Native Vegetation Guidelines').
- Information requirements outlined in section 3.0 of Schedule 1 to the Environmental Significance Overlay (to remove, destroy and lop native vegetation)

This report version also considered existing permit exemptions to managed native vegetation for bushfire protection as outlined in clause 52.12 Bushfire Exemptions.

<sup>1</sup>The requirement of a 370m<sup>2</sup> wastewater envelope will result in additional tree removal compared to the assessment in June 2025, however the loss of large old trees and impact in hectares is unchanged.



## 1.1 Development Proposal

The Bushfire Management Plan has been endorsed by the Country Fire Authority (CFA) and requires the following:

- Construction of the dwelling to a Bushfire Attack Level (BAL) of 40.
- Defendable Space applies to 49m from the proposed dwelling to the south and west and 25m to the north and east (or to the property boundary, whichever is closer). As per standard vegetation management conditions, 5-metre canopy separation is required, and the understorey is required to be maintained to below 10 cm.

## 1.2 Site Context

The site at 181 Rainy Hill Road Cockatoo (the property) is approximately 0.85 hectares, the vast majority of which is remnant bushland (Lowland Forest EVC 16). One Temporary storage structure currently exists on the western boundary.

The property is within the Highlands Southern Fall Bioregion and the Port Phillip and Western Port Catchment Management Region. The land is in a Rural Conservation Zone – Schedule 2. A Bushfire Management Overlay and an Environmental Significance Overlay – Schedule 1 (ESO1) applies to the entire site.

## 1.3 Permit Requirements and Exemptions

A range of local, state and federal regulations may apply to proposals to remove native vegetation in Victoria. Various permit requirements may or may not be triggered based on the land area, land tenure, local planning schemes (including the relevant planning zones, overlays or specific provisions) and permit exemptions.

A summary of regulations that are considered in context of the proposed development is outlined below.

Level	Regulations	Description	Relevance
Victorian Planning Provisions	Clause 52.17 Native Vegetation	A permit is triggered for the removal of native vegetation due to land size being greater or equal to 0.4 hectares.	Applicable
	Clause 42.01 Environmental Significance Overlay	An application is required to remove, destroy or lop native vegetation	Applicable
State Legislation	The Flora and Fauna Guarantee ACT 1988	Generally, applies to public land unless private land is listed as critical habitat for a species or ecological community.	Not applicable
Federal Legislation	Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	May apply to private land if a listed species or ecological community is present.	Not applicable

  
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Section 2 outlines the results of the native vegetation assessment.

**Section 3** details implications of development in accordance with Clause 52.17 and the incorporated *Native Vegetation Guidelines*.

**Section 4** details the development implications in relation to biodiversity legislation and the Environmental Significance Overlay (ESO1).

**Section 5** includes the Land Management Plan



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## 2 Native Vegetation Assessment

A site investigation was undertaken by *Ranges Environmental Consulting* on 25 October 2021. The site assessment considered native vegetation extent and condition, the development impact and vegetation removal for defensible space. The type and extent of native vegetation was mapped onsite using QGIS 3.14 with a GPS receiver.

A subsequent site assessment was undertaken on 30 November 2022 to determine tree retention and removal for defensible space requirements based on the proposed dwelling and to inform the Land Management Plan.

### 2.1 Assessment Criteria

Native vegetation is assessed in accordance with the *Native Vegetation Guidelines*, which defines native vegetation in two categories:

#### Native vegetation patch

A patch of native vegetation is either:

- an area of vegetation where at least 25 per cent of the total perennial understory plant cover is native
- any area with three or more native canopy trees where the drip line of each tree touches the drip line of at least one other tree, forming a continuous canopy, or
- any mapped wetland included in the current wetlands map, available in DELWP systems and tools.

#### Scattered tree

A scattered tree is a native canopy tree that does not form part of a Native Vegetation Patch.

Note: A canopy tree is a mature tree that is greater than three metres in height and is normally found in the upper layer of a vegetation type.

Vegetation that is neither a native vegetation patch nor a scattered tree is not applicable to the *Native Vegetation Guidelines* e.g. scattered native shrubs, introduced pasture, planted woodlots and cultivated gardens.

#### Ecological Vegetation Classes

An Ecological Vegetation Class (EVC) is a native vegetation type classified based on its floristic, life form, environmental and ecological characteristics (DEPI 2013). The benchmark for an EVC describes the attributes of the vegetation type in its mature natural state, which reflects pre-settlement conditions.

Modelled EVCs produced by DELWP and accessible via Nature Kit Online, indicates that **Damp Forest (EVC 29)** formerly occurred on the site, with Riparian Scrub/Swampy Riparian Woodland Complex (EVC 17) occurring along the southern edge of the property, along the creekline. The site assessment revealed that Lowland Forest (EVC 16) was the dominant vegetation type persisting throughout the majority of the property. This vegetation



type is modelled to occur immediately north of the subject site and is characterised by a Messmate Stringybark canopy over a diversity of understorey lifeforms and species. This was deemed to be consistent with the vegetation type recorded on site.

## Site Condition Assessments

Site condition assessments are a key measure of native vegetation impact assessments and offset requirements. Where a native vegetation patch (or habitat zone) is identified, a site condition assessment can be attained by applying one of two methods below:

- The modelled site condition score using the NVIM online tool (basic and intermediate applications only)
- A habitat Hectare assessment undertaken by an accredited Native Vegetation Assessor

Due to the modified condition of some of the vegetation, a habitat hectare assessment was deemed the appropriate method for this assessment. Habitat Hectare assessments apply a defined EVC benchmark as per standardised methodology (DSE 2004). The assessment combines 7 site-based measures and 3 landscape-based measures to generate a site condition score between 0 and 1 that represents vegetation quality as a percentage of the optimum benchmark.

Native vegetation patches are separated where there is clear disconnection between one patch and the next, or where two types of EVCs are observed or where significant differences in condition occur within an EVC.

## Large Tree Benchmark

The Large Tree benchmark for Lowland Forest is 70 cm diameter when measured at breast height (1.3m above the ground). Impact to large trees are a key consideration of the *Native Vegetation Guidelines*.

Large trees are accounted for when using the modelled site condition score and in habitat hectare assessments.

## 2.2 Results

### 2.2.1 Native Type and Vegetation Condition

A remnant Eucalypt canopy prevails throughout most of the property (approximately 90%), with a predominantly weedy groundstorey surrounding the existing shed in the northern portion of the property.

Two distinct native vegetation areas (or habitat zones) occur on the property as described below and shown on Map 1 of Appendix 1.

#### Habitat Zone 1

Habitat Zone 1 occurs along the northern boundary of the property. It is a modified example of Lowland Forest due to historical disturbance and subsequent natural regeneration along a mound of fill which was likely formed after earthworks in the vicinity of the existing shed. A dense stand of immature Messmate Stringybark *Eucalyptus obliqua* have recruited along the fill, outcompeting weedy groundlayer species and enabling other



native species to persist. Dominant understorey shrubs include Common Cassinia *Cassinia aculeata subsp. aculeata*, Snowy Daisy-bush *Olearia lirata*, Prickly Tea-tree *Leptospermum continental* and Black Wattle *Acacia mearnsii*. The groundlayer is also dominated by native species, namely Forest Wire-grass *Tetrarrhena juncea*, Wiry Spear-grass *Austrostipa rudis*, Thatch Saw-sedge *Gahnia radula* and Bidgee-widgee *Acaena novae-zelandiae*. However, high-threat weeds such as Blackberry *Rubus fruticosus spp. agg.* and Spear Thistle *Cirsium vulgare* were also recorded throughout. Other notable native species include Shade Raspwort *Gonocarpus humilis*, Trailing Goodenia *Goodenia lanata*, St John's Wort *Hypericum gramineum*, Sharp leaf Woodrush *Luzula acutifolia subsp. acutifolia*, Shrubby Fireweed *Senecio minimus* and Grass Triggerplant *Stylidium graminifolium s.l.*

This zone also encapsulates several mature canopy trees due to their overlapping canopy's, comprising Messmate Stringybark *E. obliqua* and Narrow-leaf Peppermint *E. radiata*. Beneath these trees, the understorey is in general, dominated by weedy grasses such as Sweet Vernal-grass *Anthoxanthum odoratum*, Rye-grass *Lolium sp.*, Couch *Cynodon dactylon var. dactylon* and Panic Veldt-grass *Ehrharta erecta*. Other common weed species include English Daisy *Bellis perennis*, Common Centaury *Centaureum erythraea*, Flatweed *Hypochaeris radicata*, Ribwort *Plantago lanceolata*, Self-heal *Prunella vulgaris* and White Clover *Trifolium repens var. repans*. Overall, weed cover was estimated at 30%.

Habitat Zone 1 achieves a habitat hectare score of 58/100 with a moderate cover of weeds and low canopy cover limiting the overall score.

## Habitat Zone 2

This Habitat Zone accounts for the majority of the vegetation within the property and is representative of an intact example of Lowland Forest EVC. The canopy is dominated by Messmate Stringybark with a few Swamp Gums *Eucalyptus ovata* also recorded in the wetter areas at a lower elevation near the southern boundary of the site.

Habitat Zone 2 contains a high understorey diversity, with the majority of the components being at the benchmark for both cover and species diversity. Native shrubs include but are not limited to Black Wattle, Blackwood, Common Heath *Epacris impressa*, Common Cassinia *Cassinia aculeata*, Victorian Christmas Bush *Prostanthera lasianthos*, Prickly Current-bush *Coprosma quadrifida*, Snowy Daisy Bush, Trailing Ground-berry *Acrotriche prostrata*, Narrow-leaf Wattle *Acacia mucronata* and Wiry Bauera *Bauera rubioides*. The groundlayer is dominated by a suite of grasses which include Forest Wire-grass, Wiry Spear-grass, Thatch Saw-sedge, Tall Spear-grass *Austrostipa pubinodis* and Slender Tussock-grass *Poa tenera* as well as Austral Bracken *Pteridium esculentum*. An array of native forbs were also recorded, including though not limited to Shade Raspwort, Trailing Goodenia, Ivy-leaf Violet *Viola hederacea*, Tall Sundew *Drosera auriculata*, Common Apple-berry *Billardiera scandens*, Bird-orchid *Chiloglottis sp.*, and Maori Bedstraw *Galium leicarpum*.

An additional survey at a more seasonally appropriate time would likely reveal several more species, particularly native forbs and orchids which are cryptic or absent until summer flowering. However, for the purposes of the habitat hectare assessment, this zone achieved 20/25 for the understorey component, a particularly high score, which will not improve following a seasonally optimum survey.



Weed cover in Habitat Zone 2 is low, however woody weeds including Willow-leaf Hakea *Hakea salicifolia*, Blackberry and English Holly *Ilex aquifolium* were recorded sparsely throughout the zone.

A detailed tree assessment, one year on from the initial site condition assessment revealed an increase in the number of large trees, resulting in an overall condition score of 78/100.

### 2.2.2 Flora Species

A flora survey was undertaken within and on the margins of native vegetation zones. During this assessment, a total of 105 flora species were identified of which 70 are local indigenous species, with the remaining 35 species being non-indigenous in origin. Appendix 2 provides a list of all flora species observed.

The timing of the flora survey is suitable for the identification of most but not all flora species. Further surveys over summer are likely to reveal additional native species such as orchids, lilies, annual herbs and grasses. However, the brief survey provided a clear indication that the site is significantly modified from its natural state, except for Habitat Zone 2, which is reflected in the Habitat Hectare Assessment below.

### 2.2.3 Habitat Hectare Assessment

As shown on map 1, native vegetation prevails throughout most of the property (approximately 90%). A total of 0.78 hectares of Lowland Forest (EVC 16) across two different Habitat Zones was recorded during the site assessment. Predominantly weedy groundstorey vegetation occurs around the existing shed, in the locality of the proposed dwelling.

Table 1 provides the details of the habitat hectare assessment.

**Table 1. Habitat Hectare Results**

Habitat Zone			1	2
Benchmark criteria		Max. Score	LF (EVC 16)	
Site condition	Large Trees	10	8	9
	Canopy cover	5	2	4
	Understorey	25	15	20
	Lack of weeds	15	4	11
	Recruitment	10	6	10
	Organic litter	5	5	5
	Logs	5	4	5
		75	44	64
Patch Size			8	8
Neighbourhood			2	2
Distance to Core			4	4
		25	14	14
<b>Habitat quality score</b>		<b>100</b>	<b>58</b>	<b>78</b>
Habitat score as above = #/100			0.58	0.78



## Impact Assessment

As shown on Map 2, all of habitat zone 1 and part of habitat zone 2 will require partial removal for the purpose of construction and defendable space. Vegetation impact associated with the proposal amounts to 0.422 hectares of remnant Lowland Forest across two Habitat Zones including 0.112 hectares of Habitat Zone 1 and 0.310 hectares of Habitat Zone 2.

### 2.2.4 Non-Native Vegetation

Areas of non-native vegetation accounts for approximately 10% of the property. The northern boundary (the location of the proposed envelope) of the property features an area of cleared vegetation dominated by introduced grass species. Although some native ground flora is present (such as Weeping Grass and Wallaby grasses) it accounts for less than 15% cover. These areas are dominated by a range of introduced species such as Sweet Vernal, Medic, Rye-grass, Brown-top Bent, Yorkshire Fog and Flatweed.

### 2.2.5 Site Photos



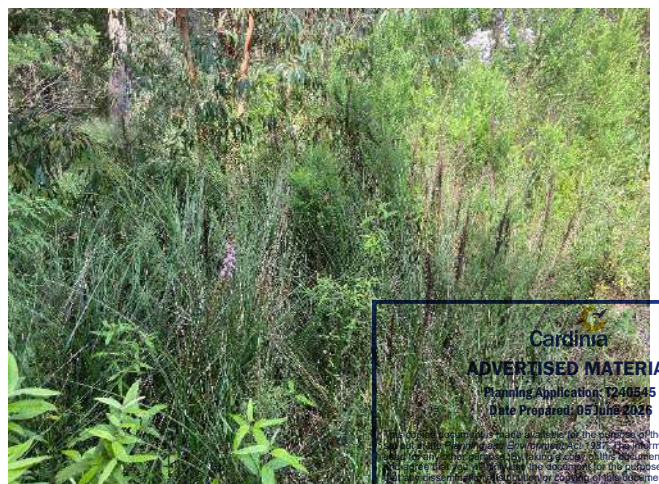
**Figure 1.** HZ2 – Representative photo of the intact remnant vegetation. Groundlayer dominated by Bracken.



**Figure 2.** HZ2- Representation of the understory cover and diversity.



**Figure 3.** Native herb, Trailing Goodenia recorded within both habitat zones.



**Figure 4.** Native vegetation recruiting and colonising the western end of HZ1.



Figure 5. Bird-orchid readily recorded within HZ2.



Figure 6. HZ2 – Numerous large logs present throughout.

## 2.3 Considerations of Bushfire Exemptions

Bushfire exemptions outlined in clause 52.12 of the planning scheme that are relevant to this proposal include:

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building
- The removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership (constructed before 10 September 2009)

Although no vegetation has currently been cleared under these available exemptions, the majority of the impact area (64%) falls within these exemptions as shown on Map 6, due to the neighbouring dwellings to the east and west. Past aerial photography shows both dwellings were constructed prior to 2009, with the exception of the western wing of the eastern dwelling, which was constructed around 2014. Vegetation removal on the subject property can be implemented without a permit, with the exception of trees<sup>1</sup> given that the distance from neighbouring dwellings to the property boundary is more than 10 metres.

As some of the understorey vegetation can be removed without a permit, 'partial removal' is applied in accordance with the DEECA 2025 Assessors Handbook to account for offset requirements. Where partial removal applies, the site condition( habitat hectare) score is effectively halved. Section 3.4 of this report details methods for calculating offsets that include some partial removal and some complete removal i.e. where no exemptions apply.

<sup>1</sup> the definition of a tree is understood to be any woody species equal or greater than 5m in height

  
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## 2.4 Tree Assessment

Ranges Environmental Consulting assessed 146 trees within the defendable space area to determine removal and retention requirements due to impacts from the dwelling and associated defendable space. Groups of understorey trees and immature canopy trees with similar features in a small area have been assigned the same tree identification number. These tree groups are to be removed for defendable space and include:

- Tree ID #44 – Group of 3 Blackwood
- Tree ID #65 – Group of 5 Blackwood
- Tree ID #106 – Group of 8 immature Messmate
- Tree ID #118 – Group of 2 immature Messmate
- Tree ID #122 – Group of 4 immature Messmate

Removal of 101 trees (including the above tree groups) is proposed for construction of the dwelling and associated defendable space, specifically:

- 17 trees sit within the footprint of the proposed dwelling
- 84 trees require removal to comply with defendable space requirements (5m canopy separation)

The remaining 38 trees can be retained within the context of the development and its defendable space.

A comprehensive list of all trees assessed is included in Appendix 3.

### Tree Protection Zone Incursions

Table 2 details TPZ incursions of retained trees in the vicinity of the proposed dwelling and driveway. Map 3 illustrates these incursions. These trees are considered to be viable for retention for the following reasons:

- Both tree 1 and 3 will experience incursions from the driveway at ~19%. The driveway access is already well formed and the grade from the road crossover to the building envelope is flat. There is expected to be minimal additional works required to establish a driveway to the building envelope.
- Tree 86 and Tree 129 will experience less than 10% incursion and both are of sound condition and structure

Table 2. Tree Protection Zone incursions

No	Species	DBH (cm)	Condition	TPZ (m)	TPZ Area (m2)	Incursion Area (m2)	% Incursion	Significance	Status
1	Eucalyptus obliqua	73	Good	8.76	241	45.91	19.05	High	Retain
3	E. obliqua	42	Poor	5.04	80	15.38	19.22	High	Retain
86	E. obliqua	79	Fair	9.48	282	26.26	9.3	High	Retain
129	E. radiata	55	Good	6.6	137	0.94	0.7	High	Retain

  
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## Large Trees

Of the trees assessed within the defensible space, 18 qualify as large trees as per the Lowland Forest Benchmark (>70cm). Six of these trees are recommended for removal for defensible space requirements as detailed in Table 2.

**Table 3. Large trees assessed within the defensible space**

No	Species	Common Name	DBH (cm)	Height (m)	Condition	Significance	Status
1	Eucalyptus obliqua	Messmate Stringybark	73	10-15m	Good	High	Retain
2	Eucalyptus obliqua	Messmate Stringybark	74	10-15m	Good	High	Remove
4	Eucalyptus obliqua	Messmate Stringybark	73	10-15m	Fair	High	Retain
5	Eucalyptus obliqua	Messmate Stringybark	111	15-20m	Fair	High	Retain
10	Eucalyptus obliqua	Messmate Stringybark	98	15-20m	Good	High	Retain
12	Eucalyptus obliqua	Messmate Stringybark	84	15-20m	Good	High	Remove
15	Eucalyptus obliqua	Messmate Stringybark	84	15-20m	Fair	Very High	Retain
21	Eucalyptus obliqua	Messmate Stringybark	79	20-25m	Good	Very High	Retain
32	Eucalyptus obliqua	Messmate Stringybark	79	25-30m	Good	Very High	Retain
40	Eucalyptus obliqua	Messmate Stringybark	83	20-25m	Good	Very High	Retain
43	Eucalyptus obliqua	Messmate Stringybark	172	20-25m	Fair	Very High	Retain
56	Eucalyptus obliqua	Messmate Stringybark	91	20-25m	Fair	Very High	Retain
64	Eucalyptus obliqua	Messmate Stringybark	82	15-20m	Fair	Very High	Remove
67	Eucalyptus obliqua	Messmate Stringybark	79	15-20m	Fair	Very High	Retain
85	Eucalyptus obliqua	Messmate Stringybark	93	10-15m	Fair	High	Remove
86	Eucalyptus obliqua	Messmate Stringybark	79	15-20m	Fair	High	Retain
89	Eucalyptus obliqua	Messmate Stringybark	99	15-20m	Good	High	Remove
90	Eucalyptus obliqua	Messmate Stringybark	75	15-20m	Poor	High	Remove



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## Trees Recommended for Retention

Map 5 shows tree retention and removal throughout the entire defendable space area.

Table 4 illustrates trees to be retained in each type and age class

**Table 4. Tree Retention Summary**

Type/ Age Class	Species	Common	Sub-total
<b>Large Canopy Tree (<math>\geq 70</math> DBH)</b>	Eucalyptus obliqua (9)	Messmate Stringybark	9
<b>Mature Canopy Tree (<math>\geq 50</math> to 69 DBH)</b>	Eucalyptus obliqua (3)	Messmate Stringybark	8
	Eucalyptus dives (3)	Broad-leaf Peppermint	
	Eucalyptus radiata (2)	Narrow-leaf Peppermint	
<b>Small or Immature Canopy Trees (&lt;50 DBH)</b>	Eucalyptus ovata (1)	Swamp Gum	19
	Eucalyptus obliqua (10)	Messmate Stringybark	
	Eucalyptus radiata (7)	Narrow-leaf Peppermint	
	Eucalyptus dives (2)	Broad-leaf Peppermint	
<b>Understorey Tree</b>	Acacia dealbata (1)	Silver Wattle (group of 3)	2
	Acacia melanoxylon (1)	Blackwood	
		<b>Total for Retention</b>	<b>39</b>



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## Trees Recommended for Removal

Table 5 illustrates trees to be removed in each type and age class.

**Table 5. Tree Removal Summary**

Type/Age Class	Species	Common	Sub-total
Large Canopy Tree ( $\geq 70$ cm DBH)	Eucalyptus obliqua (6)	Messmate Stringybark	6
Mature Canopy Tree ( $\geq 50$ to 69cm DBH)	Eucalyptus obliqua (6) Eucalyptus radiata (1)	Messmate Stringybark	7
Small Trees (20-50cm DBH)	Eucalyptus obliqua (34)	Messmate Stringybark	44
	Eucalyptus radiata (3)	Narrow-leaf Peppermint	
	Eucalyptus dives (4)	Broad-leaf Peppermint	
	Eucalyptus baxteri (1)	Brown Stringybark	
	Eucalyptus cypellocarpa (1)	Mountain Grey-gum	
	Eucalyptus sp. (1)	Unknown	
Immature Canopy Trees less than 20cm DBH	Eucalyptus obliqua (25) including tree groups 106, 118 and 122 Eucalyptus ovata (1) Eucalyptus baxteri (3) Eucalyptus dives (4)	Messmate Stringybark	33
Understorey Tree	Acacia dealbata (3)	Silver Wattle	16
	Acacia melanoxylon (14) including tree groups 44 and 65	Blackwood	
Exotic Tree	Prunus sp. (1)	Unknown	1
		<b>Total for Removal</b>	<b>107</b>



**Figure 7.** Trees in the northeast corner of the property to be retained.



**Figure 8.** Temporary storage structure to the right and immature-semi mature trees within proposed dwelling footprint to the left

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Figure 9. Tree 3 to be removed for defensible space



Figure 10. Tree 10 (>70cm DBH) to be retained

  
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## 3 Implications of the Native Vegetation Removal Guidelines

Clause 52.17 is the principle clause under the Cardinia Planning Scheme that regulates native vegetation protection and permitted removal. The *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) (referred to as the *Native Vegetation Guidelines*) is the primary reference document under this clause. Native Vegetation is regulated under all Victorian Planning Schemes and is defined in Clause 72 as:

‘Plants that are indigenous to Victoria, including trees shrubs, herbs and grasses’.

Clause 52.17 regulates clearing of native vegetation by achieving no net loss to Victoria’s biodiversity. This is achieved through the following approaches:

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- 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.

### 3.1 Native Vegetation Impact

The CFA endorsed Bushfire Management Plan recommends that defensible space extends 49m to the south and west and 25m to the north and east (or to the property boundary, whichever is closest). With the loss of several canopy trees required for defensible space (i.e. 5 metre canopy separation) and the removal of the majority of groundstorey vegetation, the entire area of native vegetation is considered effectively lost.

Vegetation impact associated with the proposal amounts to 0.42 hectares of remnant Lowland Forest across two Habitat Zones including:

- 0.110 hectares of Habitat Zone 1
- 0.310 hectares of Habitat Zone 2
- 6 Large trees



Map 2 shows the areas of impacted native vegetation including canopy and understorey trees. Map 5 shows all trees allocated for removal and retention, noting that native vegetation loss in hectares

extends to the full canopy of each tree to be removed (in some cases this beyond the defensible space area).

The assessment of native vegetation loss has accounted for direct and indirect impacts from the development in accordance with the Assessors Handbook (DEECA 2025) as outlined below.

– Ancillary works and uses around a new dwelling assumes 100% loss of native vegetation within 10 metres from the building	✓
– impacts to Tree Protection Zones (generally $\geq 10\%$ though exceptions may apply) <sup>1</sup>	✓
– the full canopy extent of all trees deemed to be impacted	✓
– the need for firebreaks or defensible space to reduce bushfire risk	✓
– installation of services and utilities	✓
– impacts of construction activity, compaction and excavation	✓
– Septic treatment systems and stormwater runoff	✓

<sup>1</sup>Exceptions are discussed in page 12 of this document

## Exemptions and Partial Removal

As per Clause 52.17, the removal of native vegetation within 2m of the property boundary is exempt from permit requirements for the purpose of fence construction and/ or maintenance. This area has therefore been removed from required offsets.

Furthermore, of the 0.422 hectares impacted, 0.27 hectares (or 64%) can be partially removed under the 10/50 exemptions while the remaining 0.15 hectares (or 36%) have no available exemptions (see Map 6). Therefore, partial removal is applicable to this application.

Native Vegetation Offset Requirements are calculated in accordance with Appendix 3: B.4 of the Assessors Handbook Version 1.2 June 2025. The following steps apply to calculation of offsets that include partial removal (i.e. areas where only trees require a permit for removal):

Three Native Vegetation Removal Reports<sup>2</sup> are required including:

- **Report 1:** to show extent of partial and complete removal.
- **Report 2:** show the extent of complete removal only.
- **Report 3:** showing the extent of partial removal only.

<sup>2</sup> The 3 Native Vegetation Removal (NVR) Report are generated by through the online NVR Map based on provision of spatial data from the impact assessment. Attachments 1-3 provide the separate reports



From the 3 NVRP reports, offset permit conditions are:

- Report 2 plus Report 3 (including amount in habitat units and large trees)
- Minimum SBV and location attributes are taken from Report 1

Table 6 outlines the calculated offset requirements

**Table 6. Offset Calculations**

Report No.	Type of Removal	General Habitat Units (GHUs)	Large Trees	SBV	Assessment Pathway
Report 1	Full and Partial Removal	0.260 GHUs	6	0.52	Intermediate
Report 2	Complete Removal	0.142 GHUs	1	0.52	Intermediate
Report 3	Partial Removal	0.118 GHUs	5	0.52	Intermediate
<b>Total Offset Requirements</b>		0.260 GHUs	6	0.52	Intermediate

### 3.2 Assessment Category

The assessment category of an application is determined in accordance with Table 7. The location category is a biodiversity mapping unit that has been determined across Victoria and is represented in three categories:

- **Location 3** – includes locations where the removal of less than 0.5 hectares of native vegetation could have a significant impact on habitat for a rare or threatened species.
- **Location 2** – includes locations that are mapped as endangered EVCs and/or sensitive wetlands and coastal areas are not included in Location 3
- **Location 1** – includes all remaining locations in Victoria.

**Table 7. Determining the assessment Category**

Extent of Native Vegetation	Location Category		
	Location 1	Location 2	Location 3
Less than 0.5 hectares and not including any large trees	Basic	Intermediate	Detailed
Less than 0.5 hectares include one or more large trees	<u>Intermediate</u>	Intermediate	Detailed
0.5 hectares or more	Detailed	Detailed	Detailed

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Source: Table 3, *Guidelines for the removal, destruction or lopping of native vegetation* (DEPI 2017)

The property is within Location 1, there are 6 large trees proposed for removal and the total extent of native vegetation loss is less than 0.5 hectares. Therefore, the application follows the Intermediate assessment pathway.

### 3.3 Avoid and Minimise Statement

As required for all applications, an avoid and minimise statement is provided below to demonstrate how the application has reduced impacts on biodiversity and other values of native vegetation.

1. The proposed dwelling is sited within the lower quality vegetation of HZ1, with impacts to HZ2 restricted to the defensible space area.
2. The layout utilises the existing driveway for access, reducing impacts to native vegetation.
3. The siting of the dwelling cannot be moved any closer to the northern boundary due to the required 49m setback distance to forest vegetation under a 10-15° slope (alongside Rainy Hill Road). As per Bushfire Planning c.53.02 this is the minimum equivalent distance required for defensible space on the property based on column C of table 2 i.e. same forest class and slope as the vegetation to the north of the site. This is demonstrated in Plan 3 of the Bushfire Management Assessment (Ranges Environmental Consulting – August 2024).
4. A Bushfire Attack Level (BAL) construction of BAL 40 is the nominated building standard based on construction within a high-risk landscape. It is important to note that the CFA requires defensible space equivalent to BAL 29, with the building construction to BAL 40 to increase bushfire resilience. Reduced defensible space equivalent to BAL 40 is not an option in this instance. This is consistent with the policy of *Applying the Bushfire Hazard Landscape Assessment in a Bushfire Management Overlay* (CFA version 3 – September 2018).
5. A total of 64% of the development and defensible space area is located in an area where existing permit exemptions apply to remove or managed native vegetation for bushfire prevention (Clause 52.12 aka 10/50 entitlements)
6. The proposal accommodates the retention of 12 large trees within the defensible space, maintaining above Lowland Forest EVC benchmark levels.
7. Where possible, mature eucalypts with moderate-high retention value were prioritised for retention, based on health, form and habitat value.

Through detailed siting and analysis of bushfire risk, the current layout of the dwelling is the best possible option to avoid and minimise native vegetation loss given the minimum setback distance to forest vegetation on neighbouring lands. There are no other opportunities to avoid native vegetation loss without undermining the entire objective of this proposal.



### 3.4 Biodiversity Impact and Offset Requirements

As demonstrated in Table 6 (page 20), the following offset requirement applies to approved native vegetation removal:

<b>Offset Type</b>	General Offset
<b>Offset Amount</b>	0.26 general habitat units
<b>Vicinity</b>	Port Phillip and Western Port Region or Cardinia Shire Council Area
<b>Minimum SBV Score</b>	0.520
<b>Large Trees</b>	6

### 3.5 Offset Strategy

A native vegetation offset works on the principle of providing an ecological gain equivalent to the value of native vegetation loss. There are two ways in which an offset can be secured:

- Through legal protection, conservation management and forfeit of rights to the use the land (e.g. grazing and firewood collection) on the same property, providing sufficient areas of native vegetation is available or,
- Purchase of a third-party native vegetation offset. This is typically purchased through an accredited broker trading under the State's *Native Vegetation Credit Register*

There are limited opportunities available to offset on the same land and therefore the applicant will most likely be required purchase offset credits from a third-party. Appendix 5 provides a summary of Native Vegetation Credits available (as of August 2024) to meet the minimum habitat units.



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## 4 Additional Considerations of Biodiversity Legislation

This section provides an overview of biodiversity legislation at local, state and national level.

### 4.1 Potentially Occurring Rare and Threatened Species

Two listings apply for rare or threatened flora and fauna in Victoria, the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act).

#### Threatened Flora and Fauna Species

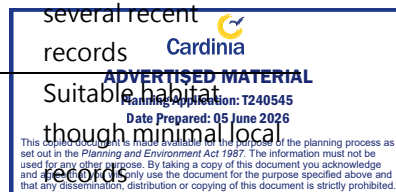
The Victorian Biodiversity Atlas (VBA) was queried within 5km of the property to assist with consideration of threatened species.

Based on database queries and a site-based habitat assessment, Tables 8 and 9 provide a likelihood of occurrence assessment for threatened flora and fauna species recorded within 5km of the site.

#### Occurrence likelihood of Threatened Flora

**Table 8. Potentially occurring threatened flora species.**

Conservation Status				VBA Records				
EX: Extinct		EN: Endangered		Refers to Victorian Biodiversity Atlas records within 5km				
CR: Critically endangered		VU: Vulnerable						
EPBC	FFG	Origin	Scientific name	Common name	No. recs	Last Record	Occurrence Likelihood	Likelihood Reasoning
	CR		Caladenia oenochila	Wine-lipped Spider-orchid	2	1988	Low	Suitable habitat though minimal local records
	CR		Asterolasia asteriscophora subsp. albiflora	White Star-bush	43	2019	Moderate	High number of records, suitable habitat
	EN		Correa reflexa var. lobata	Powelltown Correa	8	2006	Moderate	Suitable habitat and several recent records
	EN		Tetratheca stenocarpa	Long Pink-bells	3	2003	Low	Suitable habitat though minimal local records
	EN		Acacia stictophylla	Dandenong Wattle	1	2012	Low	Suitable habitat though minimal local records



EPBC	FFG	Origin	Scientific name	Common name	No. recs	Last Record	Occurrence Likelihood	Likelihood Reasoning
			<i>Eucalyptus fulgens</i>	Green Scentbark	3	2017	Low	Suitable habitat though minimal local records
	EN							
			<i>Melaleuca armillaris</i> subsp. <i>armillaris</i>	Giant Honey-myrtle	2	2020	Low	Suitable habitat though minimal local records
	EN	#						
			<i>Acacia howittii</i>	Sticky Wattle	1	2005	Low	Suitable habitat though minimal local records
	VU	#						
			<i>Corymbia maculata</i>	Spotted Gum	2	2020	Low	Suitable habitat though minimal local records
	VU	#						

All species recorded within 5km of the site are listed under state legislation with no species recorded listed under the EPBC Act. Two species has been determined as having a moderate likelihood of occurrence based on appropriate habitat and a high number of recent records.

All 43 records of White Star-bush *Asterolasia asteriscophora subsp. albiflora* occur between approximately 3 and 5 kilometers southwest of the property indicating that this is the limit of the known population range. The flora survey was undertaken with particular consideration to threatened species and occurred during the usual flowering time for White Star-bush.

Powelltown *Correa reflexa var. lobata* has been recorded 8 times in the local area with the closest record occurring approximately 1.7 kilometers away. Flowers provide identification to species level and the flora survey was undertaken at the end of the usual flowering period. However, no species of *Correa* were observed.

It is therefore considered unlikely that the proposed development will impact on threatened flora.

  
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## Occurrence likelihood of Threatened Fauna

Records dated before 1960 and those of aquatic species have not been included in Table 7.

**Table 9. Potentially occurring threatened fauna species.**

Conservation Status				VBA Records			
EX: Extinct		EN: Endangered		Refers to Victorian Biodiversity Atlas records within 5km			
CR: Critically endangered		VU: Vulnerable					
EPBC	FFG	Scientific name	Common name	Last Record	No. recs	Likelihood occurrence	Likelihood Reasoning
EN	CR	<i>Lathamus discolor</i>	Swift Parrot	1990	1	Low	Suitable habitat, minimal recent records
CR	CR	<i>Lichenostomus melanops cassidix</i>	Helmeted Honeyeater	1999	483	Moderate	High number of records, suitable habitat
EN	EN	<i>Dasyurus maculatus maculatus</i>	Spot-tailed Quoll	1995	1	Low	Suitable habitat, minimal recent records
	CR	<i>Accipiter novaehollandiae novaehollandiae</i>	Grey Goshawk	2019	5	Moderate	Suitable habitat, recent records
	VU	<i>Chthonicola sagittatus</i>	Speckled Warbler	1999	1	Low	Some suitable habitat, minimal records
	EN	<i>Tyto tenebricosa</i>	Sooty Owl	2020	7	Moderate	Suitable habitat, recent records
	EN	<i>Varanus varius</i>	Lace Monitor	2020	6	Moderate	Suitable habitat, recent records
	VU	<i>Petauroides volans</i>	Southern Greater Glider	2019	7	Moderate	Suitable habitat, recent records
	VU	<i>Hirundapus caudacutus</i>	White-throated Needletail	2019	43	Moderate	Multiple records
	VU	<i>Hieraaetus morphnoides</i>	Little Eagle	1979	1	Low	Minimal records
	VU	<i>Lophoictinia isura</i>	Square-tailed Kite	2017	5	Low	Sub-optimal habitat, low records
	VU	<i>Ninox strenua</i>	Powerful Owl	2019	23	High	Suitable habitat, multiple records
EN		<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	2022	17	Moderate	Suitable habitat, multiple records
VU		<i>Petaurus australis australis</i>	Yellow-bellied Glider	2019	11	Moderate	Suitable habitat, multiple records

Cardinia

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Based on local records and habitat requirements, eight threatened species were deemed to have a moderate, and one species a high, likelihood of occurrence on the site.

Listed as vulnerable under both the EPBC and FFG, the White-throated Needletail *Hirundapus caudacutus* occurs in Australia between late spring and early Autumn. They are a predominantly aerial species, feeding on insects in flight and utilising trees for roosting. Given the large range of the species, and predominantly aerial habitat requirements, the proposed development is unlikely to have significant impact to the White-throated Needletail.

The VBA query identified 483 records of the Helmeted Honeyeater *Lichenostomus melanops cassidix* which is listed as critically endangered under the EPBC and FFG. These records are located on Cockatoo creek approximately 1.7km southwest of the property and are more than 20 years old. The current known distribution of the species is within and immediately surrounding the Yellingbo Nature Conservation Reserve which is over 5 kilometers from the property. The proposed development is therefore unlikely to have an impact on the Helmeted Honeyeater.

Several records of the Powerful Owl *Ninox strenua*, Sooty Owl *Tyto tenebricosa* and Grey Goshawk *Accipiter novaehollandiae* occur in the surrounding 5km. Areas with large trees and gullies are favoured by these birds of prey, hollow-bearing trees in particular are required for nesting. Although tree removal is required for defensible space, the development proposes to retain all trees containing large hollows. The property is contiguous with a large area of remnant forest which provides suitable habitat within the ranges of these locally occurring birds of prey. The development is therefore unlikely to have a significant effect on these species.

Six records of Lace Monitors *Varanus varius* have occurred in the surrounding 5 kilometers, the closest of these to the property is approximately 3.4 kilometers away within Wright Forest Bushland Reserve. Given the distance of records from the property, the limited number of records, and the minor area of impact to suitable habitat, it is unlikely the proposed development will have a significant impact to this species.

One record for the Yellow-bellied Glider *Petaurus australis* occurs only 400m northwest of the property and with foraging ranges known to be large, the species is likely to occur. Suitable hollows are to be retained and the surrounding large areas of intact forest provide habitat for the species. Records of the Southern Greater Glider *Petauroides volans* occur between 4 and 5 kilometers from the property. Therefore, the species is not expected to be significantly impacted by the development.

Gang-gang Cockatoos *Callocephalon fimbriatum* have a high number of local records and are therefore expected to occur on the property. They are found in tall mountain forests with dense understorey in summer and move to lower altitudes in winter, making the range quite substantial. They require tall hollow-bearing trees for nesting. Given the large ranges of the species, as well as the intention to retain trees with large hollows, it is unlikely that the development will have a significant impact on the Gang-gang Cockatoo.



## 4.2 Environmental Significance Overlay

Clause 42.01 of the Cardinia Shire Planning Scheme sets out the requirements of Schedule 1 to the Environmental Significance Overlay (ESO1- Northern Hills), which applies to the entire site. The Statement of Environmental Significance of the ESO1 is duplicated below:

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

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

In response to the above statement, the development is unlikely to impact on water quality as the nearest waterway is over 120m from the dwelling. There is retained native vegetation between the waterway and the dwelling. Construction mitigation measures should show due regard for impacts from run off and ensure that sediment fencing is installed along all aspects that are downslope of the building envelope. The development layout impacts on one of the only areas of non-native vegetation on the property. Less than 0.5 hectares of native vegetation is proposed to be removed, the majority of which is within the lower quality vegetation of HZ1. The area of highest botanical and zoological significance on the property, is HZ2. Impacts to this zone are restricted to less than 0.33 ha. Although the proposal will have some impact on high-quality habitat, it is continuous with over 60 hectares of similar vegetation on neighbouring properties.

The proposal will not impact on the network of biolink wildlife corridors within the Northern Hills as the proposal does not result in the fragmentation of any habitat zones, as the property is situated nearby to dwellings in an already fragmented landscape. The native vegetation on the property currently provides habitat continuity to the neighbouring properties to the east and south as well as being connected to riparian vegetation along a tributary of Cockatoo Creek, beyond the property's boundary. This continuity won't be interrupted by the proposal, as vegetation will be retained to the southern boundary to maintain this biolink in the landscape.



## ESO1 Information Requirements

As set out in clause 42.01-4, most application requirements pertaining to vegetation removal are addressed in section 2 and 3 of this report as these also comply with requirements of the Native Vegetation Guidelines.

The table below sets out the key requirements and responses to the ESO1.

**Table 10. ESO1 Application Requirements**

Requirement	Response
1. A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.	Refer to Maps 1, 2 and 5
2. A description of the vegetation including the understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.	Refer to section 2.2 for a description of the vegetation removal and Appendix 3 for Tree Assessment Data
3. Location of Hollow Bearing Trees	All 5 hollow bearing trees identified in this assessment are shown in Map 1 (including Trees 15, 32, 43, 56 and 83). Four of these can be retained. Tree 83 is proposed for removal given is dead and is unstable in structure. This tree is less than 50cm diameter and limited to hollow bearing capacity.
4. Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.	Map 1 provides details on the existing conditions. No waterways run through the property. A tributary to Cockatoo Creek runs through the neighbouring property to the south. There were no signs of erosion within the property during the site assessment.
5. A written explanation of the steps that have been taken to: <ul style="list-style-type: none"> <li>– Avoid the removal of vegetation, where possible.</li> <li>– Minimise the removal of vegetation.</li> <li>– Appropriately replace and/ or compensate the loss of vegetation, if required.</li> </ul>	Provided in section 3.3
6. A copy of any property vegetation plan that applies to the site.	No property vegetation plan applies



## 5 Land Management Plan

The objectives and prescriptions outlined in this plan apply for 10 years. However, the management principles, control of pest plants and animals and land use zones outlined in this plan should be ongoing.

Management of noxious or high threat weeds and pest animals are a primary objective of this plan for each designated management zone.

### 5.1 Land Management Zones

As set out in the table below, there are 3 land management zones included in this plan, a Domestic and Defendable Space Zone, a Vegetation Protection Zone and a Conservation Zone as shown in Map 4.

**Table 11. Description of Land Management Zones**

Zone	Area	Description
Domestic and Defendable Space Zone	0.506 hectares	Includes the entire defendable space area
Vegetation Protection Zone	0.054 hectares	Includes the north-western portion of the property beyond the defendable space
Conservation Zone	0.296 hectares	Includes the remainder of the property south of the defendable space zone

#### Domestic and Defendable Space Zone

The Bushfire Management Plan makes the following recommendations:

- A distance of 49 metres of defendable space around the proposed dwelling to the south
- A distance of 25 metres of defendable space to the east
- Defendable space to the property boundary to the north and west
- Construction of the Dwelling to BAL 40

All buildings, structures and works are to be contained within this zone. All domestic activity is to be limited to this area and any domestic animals should be contained to this zone using internal fencing or suitable enclosures.



Vegetation management prescriptions apply to defensible space as per standard CFA permit conditions outlined below:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5m<sup>2</sup> in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- Canopy separation of at least 2 metres with overall tree canopy no greater than 15 percent overall cover.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

### Vegetation Protection Zone

Native vegetation is to be entirely protected within this zone except for dead fallen timber or standing dead trees less than 40cm diameter (125cm circumference). Management objectives within this zone include:

- Native vegetation in this area is not to be mown or grazed by livestock.
- There is to be no disturbance activities such as stockpiling/storage, soil disturbance or use of heavy machinery
- Landowners must retain and protect all live native vegetation and allow for natural regeneration of native flora
- Reduce high threat woody weeds to minimal levels
- Landowners may harvest dead fallen timber for firewood collection
- All dead trees over 40cm diameter (125cm circumference) are to be retained



## Conservation Zone

The primary objectives of this zone are for protection of native vegetation and fauna habitats.

Given the land is under a Rural Conservation Zone, land management measures must offer a tangible ecological enhancement.

The following requirements apply to the conservation zone to ensure an ecological gain is achieved throughout the remainder of the land (where not subject to defendable space):

- Landowners control listed noxious weeds and high threat woody weeds to less than 1% cover with no mature specimens retained
- Landowners must retain and protect all native vegetation (dead and alive) and allow for natural regeneration of native flora
- No fallen timber is to be collected, it must be retained for fauna habitat
- Landowners should monitor pest animal activity and seek professional advice where pest animals appear to be having an impact on soils and native vegetation
- Landowners are to prevent domestic animals and livestock from entering the zone
- There is to be no disturbance activities such as slashing, stockpiling/storage, soil disturbance or use of heavy machinery

## 5.2 Weed Control Objectives

Weed control is a primary objective of this plan particularly within the Conservation Zone. This includes declared noxious weeds under the Catchment and Land Protection Act (CaLP) 1994 and other high threat weeds identified in this plan (all of which are to be controlled to less than 1% cover with no reproductively mature specimens retained).

At this stage there is only sparse occurrences of high threat weeds throughout the property. At the time of assessment, high threat herbaceous weeds are limited to small patches of Spear Thistle *Cirsium vulgare* within the domestic and defendable space zone, near the dwelling footprint. However, high threat woody weeds are sparse but widespread.

### 5.2.1 Woody Weeds

Woody weeds on the property include scattered mature individuals of English Holly *\*Ilex aquifolium*, Willow-leaf Hakea *Hakea salicifolia* and Spanish Heath *\*Erica lusitanica*. Blackberry seedlings occur throughout the property and several dense patches of immature and mature plants have been mapped. Map 4 shows the locations of infestations and control methods are outlined below.



## General Woody Weed Control Methods

### Large Woody Weeds – Drill and Fill Method

Use the following method for any specimen 25cm in circumference or greater:

- Drill hole to 2-3cm deep, as close to the base of the tree as possible.
- Fill the hole immediately with herbicide (typically glyphosate with a nozzle gun)
- Repeat this process at intervals of 3-5 cm around the entire base of the tree including larger exposed roots.

### Small to Medium Woody Weeds – Cut and Paint Method

- Use the following method for any specimen less than 25cm in circumference
- Make a clean cut with a saw or loppers as close to the base as possible
- Immediately apply herbicide to the base of the cut (best applied with a herbicide dabber)
- These works are not advised in hot and dry conditions due to reduction of vascular translocation of herbicides
- Cut stems with seed and flower heads should be taken to the nearest waste transfer station.

### Sample Photos of Target Species



Figure 11. English Holly



Figure 13. Sweet Pittosporum



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Figure 12. Spanish Heath




Figure 14. Himalayan Honeysuckle

### 5.2.2 Control Methods for Blackberry

Blackberry <i>Rubus fruticosus</i> spp. agg.				
Description	Life cycle	Status	Dispersal Methods	
<p>Scrambling shrub, perennial, semi-deciduous. Prickly and multi-stemmed which spreads via arching canes that can take root and produce 'daughter plants'</p> <p>5-petaled white to pink flowers. Produces small berries that change from green to red and ripens to black.</p>	<p>Germination: September to November.</p> <p>Flowering: November to January.</p> <p>Fruiting: January to March</p>	<p>Declared Noxious (Regionally Controlled within the Port Phillip Region).</p>	<p>Spread by seed. Berries spread by birds or water.</p> <p>New plants often favour soil disturbance.</p>	
<b>Distribution Across the Site</b>				
<p>Large mature patch on northeastern corner of property and scattered seedlings across the remainder of the site.</p>				
<b>Control options within the site</b>				
<p>Plants throughout the site can be controlled with low volume targeted herbicide application.</p>				
<p>Blackberry should be controlled prior to plants reaching maturity. If mature, treat during the early flowering period to prevent fruiting.</p>				



Figure 15. Blackberry in flower (sample photo)

  
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Glyphosate is generally ineffective. Application with a broad-leaf selective herbicide (as per label directions) is generally effective but only if applied during the warmer months.

Herbicide use must be applied with care to avoid contamination of waterways and off-target impact to native vegetation.



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### 5.2.3 Grassy and Herbaceous Weeds

Small infestations of Spear Thistle *\*Cirsium vulgare* occur around the proposed dwelling. Monitoring of this species, and other high threat herbaceous weeds should occur throughout the remainder of the property.

#### Control Methods for Spear Thistle

Spear Thistle <i>*Cirsium vulgare</i>			
Description	Life cycle	Status	Dispersal Methods
An erect annual or biennial thistle to 1.5 m high. Seeds germinate in autumn/winter and produce prominent rosettes.	<p><b>Germination:</b> Autumn/ winter</p> <p><b>Flowering:</b> Spring</p> <p><b>Fruiting:</b> Spring/Summer</p>	Listed as 'Controlled' under the CaLP Act.	Spread by wind-dispersed seeds.
<b>Distribution Across the Site</b>			
Around the area of the proposed dwelling			
<b>Control options within the site</b>			
Small scale spray with selective herbicide is recommended to control Spear Thistle on the property.			
Mature flowering or seeding plants should be removed by hand, bagged and disposed of appropriately to avoid seed dispersal.			



Figure 16. Spear Thistle in flower



Figure 17. Spear Thistle rosette



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## Herbicide Application

It is expected that most of the woody weed control actions could be undertaken by the landowner with the use of hand tools and a glyphosate-based herbicide for cut and paint/drill and fill applications. However, the landholder may need assistance from a suitably qualified contractor to control high threat weeds within the vegetation protection and offset zones.

Within bushland areas, weed control contractors must have a suitable level of experience in bushland management and are required to hold the appropriate licences for herbicide use (typically an Agricultural Chemical Users Permit).

In summary, weed control should be undertaken with due regard to:

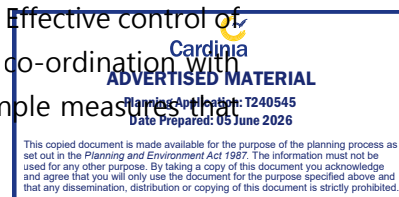
- Avoiding off-target damage to native vegetation, control of groundstorey weeds must be undertaken by hand or with careful spot spraying using a selective herbicide.
- Monitoring on a quarterly basis to identify and control new emerging weeds to ensure the weed control targets are kept in check.
- Emerging woody weed species are to be identified and removed at the earliest opportunity by hand or by the 'cut and paint' method.
- Seasonally appropriate control of all weeds prior to flowering and seed set of the target species.

Although this plan identifies the key weed species identified at the time of assessment, weed control should not be limited to these species. There are numerous additional weeds known to occur in the local area including those scheduled in the Cardinia Locally Significant Weeds List (Attachment 5). Landowners should familiarise themselves with species on this list and other relevant Council publications and take appropriate action should any of these species emerge on the property.

## 5.3 Pest Animal Control

Rabbits and Foxes have been identified as the primary threats to vegetation and fauna habitats in the local area. Sambar Deer are also a newer and now established threat in the region.

It appears that the impacts of pest animals on native vegetation are currently minimal and no rabbit, or fox activity was observed during site assessments. The presence of deer on the property was confirmed during site assessments through the identification of rubbings on trees. Effective control of pest animals is limited at a site scale and is only truly effective if undertaken in co-ordination with neighbouring properties and public land managers. However, there are some simple measures that landowners can undertake to minimise the impact.



## Rabbit Control

Destroying potential harbour sites is one of the simpler and cost-effective measures for discouraging rabbit populations. Potential harbour includes not only warrens, but also wood piles and building waste.

Rabbit activity should be monitored on a bi-annual basis and appropriate actions should be undertaken to the extent possible and practical.

If impact to soils and vegetation from rabbits is detected, the landowner should seek the assistance of qualified professionals. A qualified practitioner would typically use poison baits (such as pindone and 1080) applied during mid to late summer during the non-breeding season when natural feed is scarce, and rabbits are less territorial. The use of caged bait stations is preferable to avoid possible consumption by kangaroos, wallabies and other smaller mammals. Warren fumigation may be an option where significant warrens are identified. This is usually more effective following a successful baiting program.

## Fox Control

Fox control at the site scale is very limited but as a minimum, regular monitoring, location and destruction of dens should be undertaken.

Otherwise, reducing fox activity relies on multiple methods ranging from den destruction, baiting, shooting and trapping. Buried baits or dedicated bait stations are less likely to be consumed by native birds or mammals.

Similar to rabbit control, fox control is most effective when part of an integrated strategy across multiple landholdings. No single method of fox control is reliable in the long-term and properties that receive fox eradication can often result in re-invasion of the area within 2 months from nearby untreated sites.

## Deer Control

Typical signs of deer activity include rubbings on immature saplings, scats, wallows, well-formed tracks, and defoliation of the majority of shrubs below 2m as a result of regular browsing.

Similar to Fox and rabbit control, Sambar deer control is difficult on a property-scale but where important habitat exists, a good option is to ensure boundary fencing is intact and suitable for excluding Sambar deer.



## 5.4 Construction Management Plan

This section outlines the minimum requirements for construction of the dwelling, shed and driveway for the purpose of minimising environmental impacts during construction of the development.

### Site Access and Storage Compounds

Designated site access for construction machinery and site storage is to be planned prior to construction works or vegetation removal.

Suitably located site compounds are to be limited to the permitted impact area. Site compounds are to accommodate all construction requirements including though not limited to:

- Parking and/or storage of vehicles, machinery and equipment
- Containers or designated bins for all forms of waste and,
- Designated re-fueling areas

### Construction measures

The following recommendations must be implemented during the construction of the development in order to minimise potential impacts to nearby trees and native understorey:

- Trees and other native vegetation to be retained is to be secured by the installation of high visibility vegetation protection fencing or flagging set at the edge of the construction zones
- Vegetation protection fencing must be on the edge of all Tree Protection Zones unless approved works are within these zones
- Removal of trees or vegetation is to be limited to trees specified in the permit or endorsed plans.
- The driveway is to be constructed with a semi-permeable crushed rock surface (no paving or other non-permeable materials)
- Silt barriers are to be installed downslope of the construction works where there are significant site cuts or areas vulnerable to soil erosion and run-off, especially in the lead up to forecasted rain
- No soil is to be stockpiled on site unless within the construction zone and appropriately contained with silt prevention fencing.



## 5.5 Planting and Landscaping

Restrictions imposed by defensible space requirements limit the manner in which planting and landscaping can be undertaken. To the extent practical, use of locally indigenous plants is recommended for landscape planting due to their adaptability to the local environment, low irrigation requirements and maintenance of the local landscape character.

Plants of Victorian, Australian and exotic origin may also be used within the domestic and defensible space zone providing that no plants listed as Environmental Weeds are established. Listed Environmental Weeds are included in a range of relevant publications including the Locally Significant Weeds list in Attachment 1.



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## 5.6 Management Timeline

This section provides a seasonal timeline for implementation of management recommendations documented in this plan.

### Management Milestone for the entire property at the end 10 years:

- Minimal occurrence of noxious weeds in all management zones (less than 1% cover)
- Minimal cover of woody weeds and eliminate all mature specimens (less than 1% cover)
- Negligible impact from pest animals



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**Table 12. Annual Management Timeline**

Item	Per Year		Management Actions
	Timing	Frequency	
1	Aug-Sept / March-April	Twice yearly	<b>Zone: All zones</b>
			Inspect zone for infestations of English Holly. Inspect for new germinates in Autumn and Spring, remove mature plants prior to fruiting period (April to June)
2	October to December	Twice yearly	<b>Zone: All zones</b>
			Inspect for emergent populations of Spear Thistle and undertake prompt control/removal. Maintain minimal cover throughout the property.
3	Spring	Yearly	<b>Zone: All zones</b>
			Use selective herbicide to treat Blackberry at the start of the growing period before fruiting can occur

Item	Per Year		Management Actions
	Timing	Frequency	
4	Winter	Yearly	<b>Zone: All Zones</b>
			Inspect site for emerging Spanish Heath. Remove promptly prior to spring flowering time.
5	Winter	Yearly	<b>Zone: All Zones</b>
			Inspect site for emerging Willow-leaf Hakea. Remove promptly prior to spring flowering time.
6	Aug-Sept / March-April	Twice yearly	<b>Zone: All zones</b>
			Undertake Bi-annual inspections for pest animal activity including Rabbit Warrens, Fox Dens and Deer Wallows/ rubbings. If significant impacts are observed, seek advice from a pest control professional.
7	Sept-Oct / Jan-Feb	Twice yearly	<b>Zone: All zones</b>
			Undertake biannual inspections for new pest plants and undertake necessary controls.
8	Annual Fire Danger Period	Each year	<b>Zone: Defendable Space Zone</b>
			Apply defendable space prescriptions during the declared fire danger period. Ensure defendable space complies with the Bushfire Management Plan



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## 6 Conclusion and Recommendations

The proposed removal or impact to native vegetation as defined in the *Native Vegetation Guidelines* amounts to the loss of 0.422 hectares of remnant Lowland Forest (EVC 16) to accommodate construction of the dwelling and associated defensible space requirements. Of the 0.422 hectares, 64% is within partial permit exemptions to remove native vegetation under the 10/50 entitlements.

Through detailed siting and analysis of bushfire risk, the current layout of the dwelling is the best possible option to avoid and minimise native vegetation loss given the minimum setback distances for forest vegetation on neighbouring lands. There are no other opportunities to avoid native vegetation loss without undermining the entire objective of this proposal.

### Native Vegetation Offset Requirements

The loss of native vegetation associated with the proposed development (including accounting for partial removal) generates the following offset requirement:

<b>Offset Type</b>	General Offset
<b>Offset Amount</b>	0.26 general habitat units
<b>Minimum Strategic Biodiversity Value</b>	0.520
<b>Large Trees</b>	6
<b>Vicinity</b>	Port Philip and Western Port Catchment Management Region or Cardinia Shire Council

Offsets can be met via a third-party arrangement through the Native Vegetation Credit Register and numerous options are currently available.

### Fauna Monitoring, Salvage and Relocation

A number of hollow-bearing trees were identified in the impact area. Trees with high habitat value were prioritised for retention however one tree (Tree 83) containing small hollows is marked for removal. In order to minimise impacts to hollow-dwelling animals, the following should be implemented.

1. Trees marked for removal should be subject to nocturnal surveys by a suitably qualified zoologist in the days leading up to planned removal. Pre-clearing nocturnal surveys will provide the opportunity for zoologists to identify fauna activity and use of nests and hollows and to devise a strategy for fauna salvage and relocation prior to or during tree removal works.
2. A qualified zoologist should be present on-site during removal of trees that are likely to be occupied by wildlife.
3. In accordance with the Wildlife Act 1975 and the FFG Act 1988, the zoologist will be required to hold the appropriate permits for fauna handling, transportation and re-habitation.



## 7 References

DELWP (2017) *Guidelines for the removal, destruction or lopping of native vegetation* (the Department of Environment, Land, Water and Planning, December 2017

DELWP (2025) *Assessors Handbook – Applications to remove, destroy or lop native vegetation* (the Department of Environment, Land, Water and Planning, Version 1.2 June 2025

DELWP (2017c) *Nature Kit Online*. the Department of Environment, Land, Water and Planning, December 2017. <http://maps.biodiversity.vic.gov.au/viewer/?viewer=NatureKit>

DEPI (2014b) *Ecological Vegetation Class (EVC) Benchmarks for each Bioregion*. Department of Environment and Primary Industries, Government of Victoria. Accessed via: <http://www.dse.vic.gov.au/conservation-and-environment/native-vegetation-groups-for-victoria/ecological-vegetation-class-etc-benchmarks-by-bioregion>

DSE (2009) *Vegetation Quality Assessment Manual–Guidelines for applying the habitat hectares scoring method*. Version 1.3. Victorian Government Department of Sustainability and Environment, Melbourne.



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## Appendix 1 – Maps

The following Plans were produced using Quantum GIS (QGIS 3.14) and were developed from various datasets including:

- VicPlan layers (Parcel, Roads, Waterways and Local Government Boundaries)
- GPS based data collected in the field



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**Map 1 - Existing Conditions**  
 181 Rainy Hill Road Cockatoo



**Tree Assessment**

-  Large Tree (>70cm DBH)
-  Large Tree with Habitat Hollows
-  Small Tree (<70cm DBH)
-  Small Tree with Habitat Hollows

 Title Boundary

**Remnant Lowland Forest**

-  Habitat Zone 1
-  Habitat Zone 2

Scale (A3) **1:600**  
 Date: 23 June 2025  
 Created by: Greg James  
 Version: 3.14  
**ADVERTISED MATERIAL**  
 Planning Application: T240545  
 Date Prepared: 05 June 2026

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






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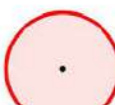

# Map 2 - Native Vegetation Impact

181 Rainy Hill Road Cockatoo

## Development Layout

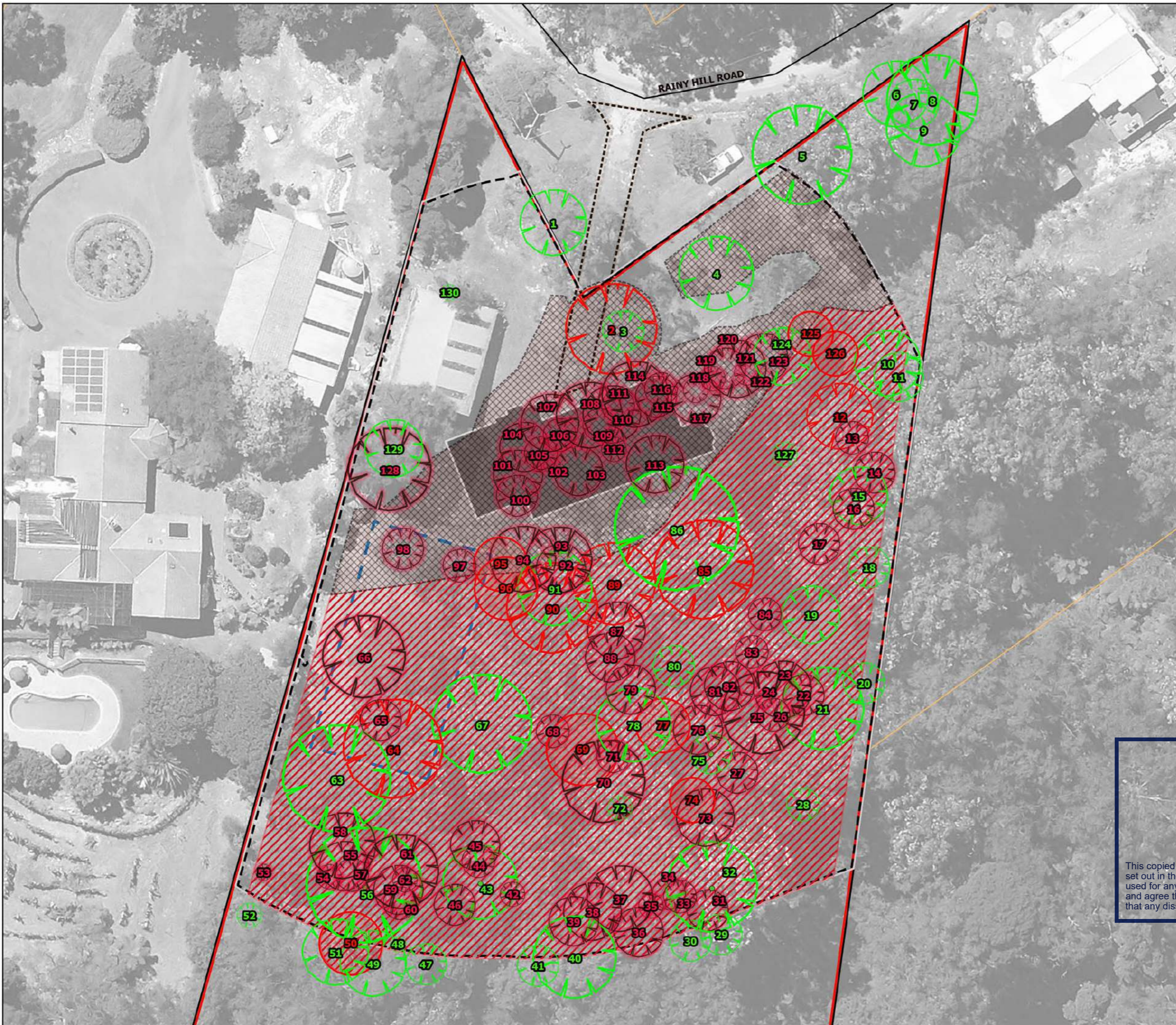
-  Dwelling
-  Defendable Space
-  Septic Treatment Zone
-  Driveway
-  Title Boundary

## Tree Census

-  Large Old Tree (Remove)
-  Canopy Tree (Remove)
-  Understorey Tree (Remove)
-  Tree to be Retained

## Native Vegetation Impact

-  Habitat Zone 1
-  Habitat Zone 2



Date: 05 May 2020  
Cardinia Council  
**ADVERTISED MATERIAL**  
Map Program: QGIS 3.14  
Planning Application: T240545  
Date Prepared: 05 June 2020 20 m

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# Map 3 - Tree Protection Zones

181 Rainy Hill Road Cockatoo

- Title Boundary
- Development Layout**
  - Dwelling
  - Verandah
  - Defendable Space
  - Driveway
  - Septic Treatment Zone
  - 10,000L Water Tank
- Tree Status**
  - Retain
  - Retain
- Tree Protection Zone**
  - Tree to be removed
  - Tree to be retained
  - TPZ Encroachment for retained trees

Scale (A3) 1:290

Date: 29 September 2025  
Created by: Greg James  
Map Program: QGIS 3.4



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