

This form is only to be used for changes made to a current planning permit application

DECLARATION FOR AMENDMENT TO A PLANNING PERMIT APPLICATION



PLANNING PERMIT NO: P26760

Office Use Only:

DATE RECEIVED:

FEE PAID: \$

Planning and Environment Act 1987 Sections 50 & 50A & 57A. Planning and Environment Regulations, Regulation 16. Council is collecting the information on this form so that it may consider your application in accordance with Part IV of the Planning and Environment Act 1987. Council must make a copy of this application available for any person to inspect free of charge in accordance with Section 51 of the Act.

Please print clearly. Please read the notes on the back before completing this form.

THE APPLICANT: Who is making this amendment

[REDACTED]
Address: 297 HIGH STREET, NORTHCOTE VIC 3070

THE LAND: Give the address and title particulars of the land.

70 CAPTAIN PEARSON DRIVE, MICKLEHAM VIC 3064
--

PROPOSED AMENDMENTS: what changes are being requested since lodging the original application for planning permit (attach letter if required)

INCLUDE THE PERMIT TRIGGERS: APPROVAL OF SITE SPECIFIC DEVELOPMENT PLAN PURSUANT TO CL 43.04-2 REMOVAL OF NATIVE VEGETATION PURSUANT TO CL 52.17

THE OWNER: The owner must be notified of these proposed changes

Name: SAME AS APPLICANT	Tel. Bus. hours:
Address:	

DECLARATION TO BE COMPLETED FOR ALL APPLICATIONS

This form must be signed. Please complete A, B or C

A	I declare that I am the Application and Owner of this land that all information given is true and correct	Owner/Applicant Signature:  Date: 5 / 11 / 2025
B	I am the Owner of the land. I have seen this application	Owner Signature: Date:
C	I/We the Applicant declare that all information given is true and correct	Applicant Signature: Date:
C	I/We the Applicant declare that I/We have notified the owner about this application and that all information given is true and correct	Applicant Signature: Date:

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HOW TO AMEND AN APPLICATION FOR A PLANNING PERMIT

Section 50. Amendment to application at request of applicant before notice

- (1) An applicant may ask the responsible authority to amend an application before notice of the application is first given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and
 - (c) an amendment to any plans and other documents forming part of or accompanying the application.
- (3) A request under this section must—
 - (a) be accompanied by the prescribed fee (if any); and
 - (b) be accompanied by any information or document referred to in section 47(1)(c) to 47(1)(e) that relates to the proposed amendment to the application and that was not provided with the original application; and
 - (c) if the applicant is not the owner of the land to which the application applies, be signed by the owner or include a declaration by the applicant, that the applicant has notified the owner about the request.
- (4) Subject to subsection (5), the responsible authority must amend the application in accordance with the request.
- (5) The responsible authority 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.
- (6) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (7) On the amendment of an application under this section, the amended application is to be taken—
 - (a) to be the application for the purposes of this Act; and
 - (b) to have been received on the day that the request for amendment was received by the responsible authority.

50A. Amendment of application by responsible authority before notice

- (1) With the agreement of the applicant and after giving notice to the owner, the responsible authority may make any amendments to an application that it thinks necessary before notice of the application is first given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and
 - (c) an amendment to any plans and other documents forming part of or accompanying the application.
- (3) The responsible authority may require the applicant—
 - (a) to notify the owner under subsection (1); and
 - (b) to make a declaration that that notice has been given.
- (4) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (5) On the amendment of an application under this section, the amended application is to be taken—
 - (a) to be the application for the purposes of this Act; and
 - (b) to have been received on the day that the applicant agreed to the amendment.

57A. Amendments to application after notice of application is given

- (1) An applicant may ask the responsible authority to amend an application after notice of the application is given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and
 - (c) an amendment to any plans and other documents forming part of or accompanying the application.
- (3) A request under this section must—
 - (a) be accompanied by the prescribed fee (if any); and
 - (b) be accompanied by any information or document referred to in section 47(1)(c) to 47(1)(e) that relates to the proposed amendment to the application and that was not provided with the original application; and
 - (c) if the applicant is not the owner of the land to which the application applies, be signed by the owner or include a declaration by the applicant that the applicant has notified the owner about the request.
- (4) Subject to subsection (5), the responsible authority must amend the application in accordance with the request.
- (5) The responsible authority 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.
- (6) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (7) On the amendment of an application under this section—
 - (a) the amended application is to be taken—
 - (i) to be the application for the purposes of this Act; and
 - (ii) to have been received on the day that the request for amendment was received by the responsible authority; and
 - (b) all objections made in relation to the original application are to be taken to be objections to the amended application.
- (8) Nothing in this section affects any right a person may have to make a request under section 87 or 89 in respect of anything done or not done in relation to the original application.
- (9) Sections 52 and 55 do not apply to an amended application.

Send your completed form and all documents to the Responsible Authority:

**HUME CITY COUNCIL – STATUTORY PLANNING
P O Box 119, DALLAS 3047
1079 PASCOE V ALE RD, BROADMEADOWS**

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Application for Planning Permit

Planning Enquiries
 Phone: 03 9205 2200
 Web: <http://www.hume.vic.gov.au>

If you need help to complete this form, read [How to complete the Application for Planning Permit 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 concerns, please contact Council's planning department.

⚠ Questions marked with an asterisk (*) are mandatory and must be completed.

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

The Land

① Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.:	St. Name:
<input type="text"/>	<input type="text"/>	<input type="text"/>
Suburb/Locality:		Postcode:
<input type="text"/>		<input type="text"/>

Formal Land Description *

Complete either A or B.

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

A Lot No.: Lodged Plan Title Plan Plan of Subdivision No.:

OR

B Crown Allotment No.: Section No.:

Parish/Township Name:

If this application relates to more than one address, please click this button and enter relevant details.

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.

② For what use, development or other matter do you require a permit? *

If you need help about the proposal, read:

Select the focus of this application and describe below:

Provide additional information on 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.

③ Estimated cost of development for which the permit is required *

Cost \$

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

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 for information.

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Existing Conditions i

4 Describe how the land is used and developed now *

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

Single Dwelling

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

Title Information i

5 Encumbrances on title *

If you need help about the title, read:

[How to complete the Application for Planning Permit form](#)

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', eg. restrictive covenants.)

Applicant and Owner Details i

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

Applicant *

The person who wants the permit.

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

*Please provide at least one contact phone number **

Contact person's details *

Same as applicant (if so, go to 'contact information')

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

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Owner *

The person or organisation who owns the land

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

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

Declaration

⑦ This form must be signed by the applicant *

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

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

Signature: 

Date:
day / month / year

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Need help with the Application?

If you need help to complete this form, read [How to complete the Application for Planning Permit form](#)
General information about the planning process is available at www.delwp.vic.gov.au/planning

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.

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

No Yes

If 'yes', with whom?:

Date:

day / month / year

Checklist

9 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 (eg 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 (section 7)?

Lodgement

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

Hume City Council
PO Box 119 Dallas VIC 3047
Pascoe Vale Road Broadmeadows VIC 3047

Contact information:

Telephone: 61 03 9205 2200

Email: email@hume.vic.gov.au

DX: 94718

Translation: 03 9205 2200 for connection to Hume Link's multilingual telephone information service

Deliver application in person, by fax, or by post:

Make sure you deliver any required supporting information and necessary payment when you deliver this form to the above mentioned address. This is usually your local council but can sometimes be the Minister for Planning or another body.

Save Form:

You can save this application form to your computer to complete or review later or email it to others to complete relevant sections.

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

Page 1 of 1

VOLUME 10418 FOLIO 463

Security no : 124111899457J
Produced 16/01/2024 03:02 PM

LAND DESCRIPTION

Lot 104 on Plan of Subdivision 416595V.
PARENT TITLE Volume 10398 Folio 127
Created by instrument PS416595V 11/12/1998

REGISTERED PROPRIETOR

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AJ895168P 05/09/2012
WESTPAC BANKING CORPORATION

COVENANT W087465D 04/06/1999

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

DIAGRAM LOCATION

SEE PS416595V 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: 70 CAPTAIN PEARSON DRIVE MICKLEHAM VIC 3064

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 23/10/2016

DOCUMENT END

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Number of Pages (excluding this cover sheet)	4
Document Assembled	16/01/2024 15:03

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TRANSFER OF LAND

Section 45 Transfer of Land Act 1958



W087465D
040699 0916 45 122

Form T2
Office

Lodged by: CBA
Name:
Phone:
Address:
Ref.: 323475203
Customer Code: 203



MADE A CHANGE CONTROL
Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed—
—together with any easements created by this transfer;
—subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
—subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)
Certificate of Title Volume 10418 Folio 463

IMAGED

Estate and Interest: (e.g. "all my estate in fee simple")
ALL ITS ESTATE IN FEE SIMPLE



Consideration:
Directing Party to Transferor \$13,134.24
Transferee to Directing Party \$122,000.00

Transferor: (full name)
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM

Victorian Stamp Duty - AP184
~~PRIME/COUNTERPART/COLL~~
Consideration \$ 122,000
Duty Payable \$ 2980
Ref: 323475203
Date 15.12.1993
Initials

Transferee: (full name and address including postcode)
MARK COLIN BUSUTTIL and JO PASCOE
Both of 1000 Somerton Road, Greenvale, as Joint Proprietors

Directing Party: (full name)
GORWAL HOLDINGS PTY LTD ACN 079 696 772

Creation and/or Reservation and/or Covenant: *EDWARD WILLIAM COCKRAM AND SANDRA JOAN COCKRAM their
AND the said MARK COLIN BUSUTTIL and JO PASCOE for themselves their heirs, executors, administrators and transferees the registered proprietor or proprietors for the time being of the land hereby transferred and of every part thereof DO HEREBY as separate covenants COVENANT with the said GORWAL HOLDINGS PTY LTD its successors, assigns and transferees and other registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No. PS416595V and every part or parts thereof (other than the land hereby transferred) that they will not;

1. Erect, build or use, or permit or suffer to be erected, built or used, more than one private dwelling house on the land or any part of it;
 2. Erect or build or use, or permit or suffer to be erected, built or used a private dwelling house on the land, or any part of it, of a size less than two hundred and thirty square metres in area (being approximately twenty five squares in the Imperial measurement).
- Continued on T2 Page 2

Approval No. 571967L ORDER TO REGISTER
Please register and issue title to
Signed Cust.

T2



STAMP DUTY USE ONLY
Victorian Stamp Duty - AP184
~~PRIME/COUNTERPART/COLL~~
Consideration \$ 13,134.24
Duty Payable \$ 183.88
Ref: 323475203
Date 15.12.1993
Initials

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THE BACK OF THIS FORM MUST NOT BE USED

ANNEXURE PAGE

Approved Form A1
Victorian Land Titles Office

Transfer of Land Act 1958

This is page 2 of Approved Form dated 8-1-99 between
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM and GORWAL HOLDINGS PTY LTD AND MARK
COLIN BUSUTTIL and JO PASCOE

Signatures of the parties

RC
SC
[Signature]
M. Busuttill
EC
[Signature]
Sandra Cockram
[Signature]
Sandra Cockram

Panel Heading

The following are not to be included for the purpose of determining whether a private dwelling house on the land, or any part of it, is of a size less than two hundred and thirty square metres in area:

- (a) any garage on the land or any part of it;
 - (b) any carports on the land or any part of it;
 - (c) any verandah which may be attached to the private dwelling house;
 - (d) any sheds or storage areas which may be attached to the private dwelling house;
3. Erect, build or use, or permit or suffer to be erected, built or used, any outbuildings, garages or other buildings on the land, or any part of it, prior to a private dwelling house being erected or built on the land or any part of it;
 4. Erect, build, alter or use, or permit or suffer to be erected, built, altered or used, a private dwelling house with external walls on the land, or any part of it, constructed of, other than to a minor extent, materials other than brick, brick veneer, glass, stone or rendered walls;
 5. Erect or build, or permit or suffer to be erected or built, a private dwelling house, garage, outbuilding or other building on the land, or any part of it, constructed of second hand or used materials, or galvanised or painted galvanised iron (excluding colourbond);
 6. Attach, or permit or suffer to be attached, a roof on a private dwelling house on the land, or any part of it, with material other than tiles, slate or colourbond. In the event of a roof on a private dwelling house being constructed or built of colourbond, the colourbond used is not to be white in colour;
 7. Attach, or permit or suffer to be attached, a roof to a private dwelling house on the land, or any part of it, if such roof is not gabled (at an angle of at least twenty (20) degrees from horizontal) to a centre ridge;
 8. Paint a private dwelling house, garages, outbuildings or other buildings on the land, or any part of it, in colours which are not muted and of minimal reflection;
 9. Paint external fencing on the land, or any part of it, using colours other than black.
 10. Subdivide the land, or any part of it, or permit or suffer the subdivision of the land or any part of it;
 11. Permit or suffer vehicles (other than non commercial vehicles), sheds, caravans, wood piles, petrol tanks, rainwater tanks or containers to be visible from the street affronting the land. The use of effective screening is permissible to restrict visibility of the aforementioned objects from the street affronting the land;
 12. Undertake, or permit or suffer the undertaking of, earthworks or quarrying on the land, or any part of it, other than for the purpose of landscaping or constructing a private dwelling house, outbuildings, garages, other buildings, pool or tennis court;

Approval No. 571967L

A1



1. If there is insufficient space to accommodate the required information insert the words "See Annexure Page 2" (or as appropriate) under the appropriate panel heading. **PAGE IS NOT TO BE USED.**
2. If multiple copies of a mortgage are lodged, the copy to be used for the purposes of a planning process under the Planning and Environment Act 1987.
3. The Annexure Pages must be properly attached to the Form to which they relate.
4. All pages must be attached together for the purposes of this Form.

W087465D
040699 0916 45 122

Approved
formation
ANNEXURE

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Please note that the plan may not be to scale.

to each.
approved

ANNEXURE PAGE

Transfer of Land Act 1958

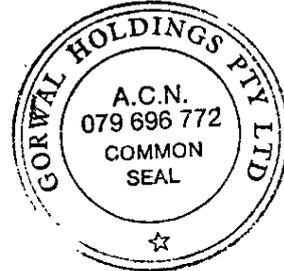
Approved Form A1
Victorian Land Titles Office

This is page 4 of Approved Form dated between
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM and GORWAL HOLDINGS PTY LTD AND MARK
COLIN BUSUTTIL and JO PASCOE
Signatures of the parties

Panel Heading

SIGNED by the Transferors in the presence of:

Sandra Cockram *E. Nancarrow*
[Signature]



THE COMMON SEAL of GORWAL HOLDINGS PTY LTD (ACN 079 696 772) was hereunto affixed in accordance with its Articles of Association in the presence of:

Sandra Cockram
Director

[Signature]
Secretary

SIGNED by the Transferees in the presence of:

M. Busuttill x MCB

Jo Pascoe x Witness

[Signature] x JP

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W087465D
040699 0916 45 122

Approval No. 571967L

A1



1. If there is insufficient space to accommodate the words "See Annexure Form" insert the words "See Annexure Form" on the Annexure Page under the appropriate heading. **PAGE IS NOT TO BE USED.**
2. If multiple copies of a mortgage are lodged, original Annexure Pages must be attached to each.
3. The Annexure Pages must be properly identified and signed by the parties to the Approved Form to which it is annexed.
4. All pages must be attached together by being stapled in the top left corner.



Approved Information
ANNEXURE



Imaged Document Cover Sheet

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Document Type	Plan
Document Identification	PS416595V
Number of Pages (excluding this cover sheet)	2
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PLAN OF SUBDIVISION	Stage No. /	LTO use only EDITION 1	PLAN NUMBER PS 416595V
----------------------------	-------------	----------------------------------	----------------------------------

Location of Land
 Parish: Kalkallo
 Section: 12 (Part)
 Parish: Mickleham
 Section: 12 (Part)

LTO base record: D.C.M.B.
 Title References:

Last Plan Reference: PS 416590G Lot H
 Postal Address: Mt. Ridley Road
 Mickleham 3064

AMG Co-ordinates: E 316,550m
 (Of approx. centre of plan) N 5,840,440m Zone 55

Vesting of Roads or Reserves

Identifier	Council/Body/Person
ROADS RI	HUME CITY COUNCIL

Council Certification and Endorsement

Council Name: Hume City Council Ref:

- This plan is certified under section 6 of the Subdivision Act 1988.
- This plan is certified under section 11(7) of the Subdivision Act 1988.
Date of original certification under section 6 / /
- This is a statement of compliance issued under section 21 of the Subdivision Act 1988.

Open Space

(i) A requirement for public open space under section 18 Subdivision Act 1988 has / has not been made.

(ii) The requirement has been satisfied.

(iii) The requirement is to be satisfied in Stage

Council Delegate
 Council seat
 Date / /

Notations

Depth Limitation: Does not apply	Staging: This is/is not a staged subdivision Planning Permit No.
----------------------------------	--

LOT NUMBERS 1 TO 102 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.

NUMBER OF LOTS: 10
 AREA OF STAGE: 18.54ha
 AREA OF ROADS: 1.050ha

Survey: This plan is / is not based on survey. To be completed where applicable. This survey has been connected to permanent marks no(s). 2 (Mickleham) and 32, 34, 36, 37, 40 & 96 (Kalkallo). In Proclaimed Survey Area no. _____

Easement Information

Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement
 A - Appurtenant Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of
E-1	ELECTRICITY SUPPLY	SEE DIAG.	THIS PLAN	SOLARIS POWER LIMITED
E-2	DRAINAGE	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN AND HUME CITY COUNCIL
RI	WAY, DRAINAGE AND SEWERAGE AND THE SUPPLY OF WATER, GAS, ELECTRICITY AND TELECOMMUNICATIONS	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN

LTO use only _____

Statement of Compliance / Exemption Statement

Received

Date / /

LTO use only _____

PLAN REGISTERED TIME

DATE 1/12/19

Assistant Registrar of Titles

Sheet 1 of 2 Sheets

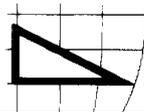
LICENSED SURVEYOR MALCOLM JOHN PERRIAM

REF 7140/5B/01 VERSION 2 DATE 4/6/1998 SIGNATURE _____



PEYTON WAITE

CONSULTING LAND SURVEYORS & TOWN PLANNERS
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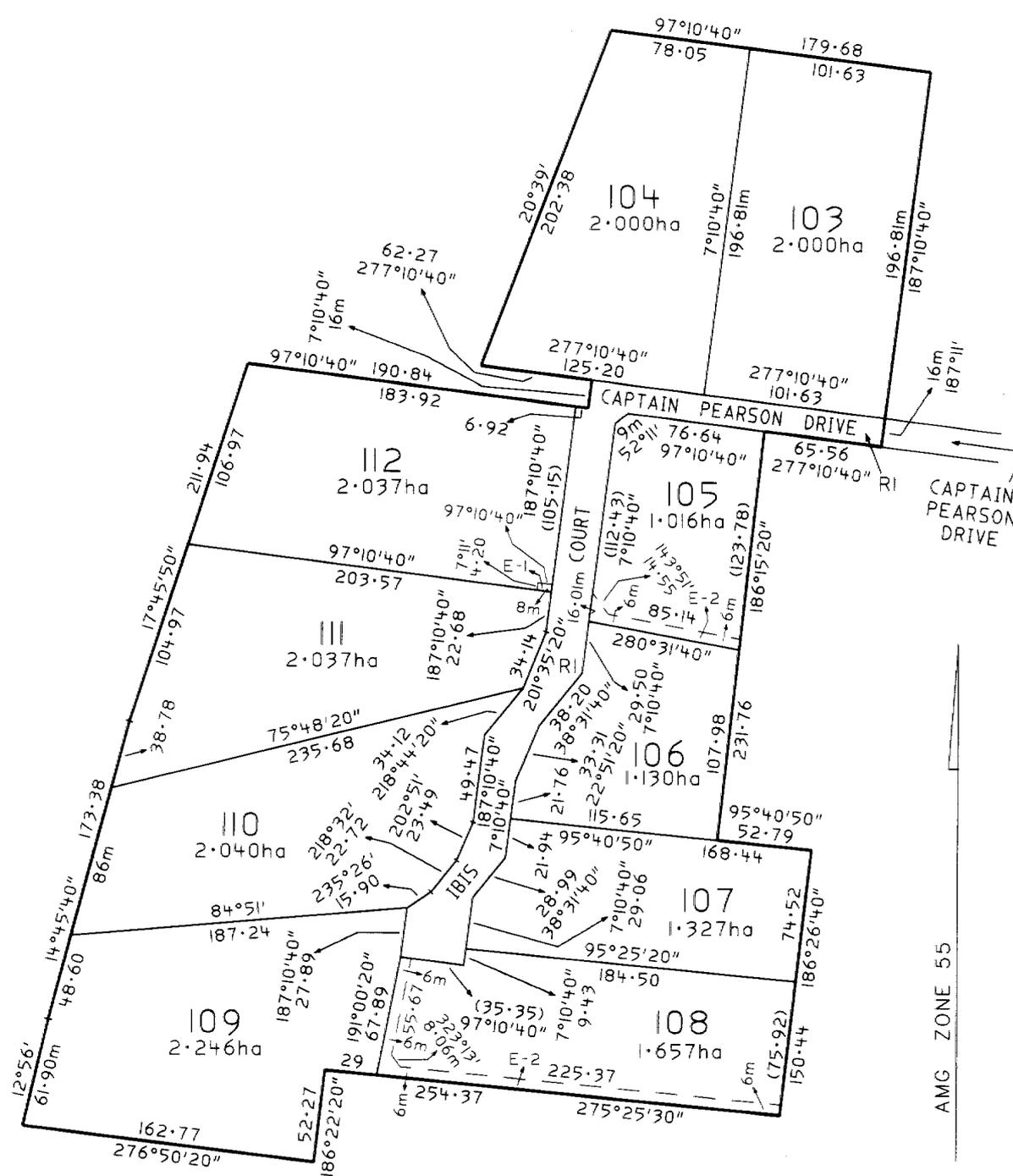
COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 416595V



ORIGINAL SCALE

SHEET SIZE A3 SCALE 1:2500

LENGTHS ARE IN METRES

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SIGNATURE _____ DATE 4/6/1998

REF 7140/5B/01 VERSION 2 7140SUB.G43

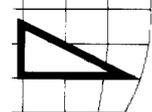


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SHEET 2 OF 2 SHEETS

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WPA.

PLANNING REPORT

70 Captain Pearson Drive, Mickleham
Prepared on behalf of the Landowners

November 2025

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Document Information

Planning Report

Planning Permit Application
70 Captain Pearson Drive, Mickleham
Prepared for the Landowners

Rev.	Date	Description	Prepared by	Reviewed by	Project Manager
01	05/11/25	Planning Report	SL		SL

Disclaimer

This report was prepared by Whiteman Property & Associates (WPA) for the specific purpose identified in this report. This report should not be used or relied on for any other purpose.

In preparing this report, WPA may have relied upon information provided by other parties. WPA accepts no responsibility for (or for checking) to the accuracy, completeness or currency of information provided by those parties.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and the information reviewed at the date of preparation of the report. WPA has no responsibility or obligation to update this report to account for events or changes occurring after the date that the report was prepared.

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Executive Summary

This report has been prepared on behalf of the landowners of **70 Captain Pearson Drive, Mickleham (the subject site)**.

It is proposed to carry out a two lot subdivision of the land, vary a restrictive covenant to allow the two lot subdivision and to remove native vegetation at the subject site.

The design response and supporting documentation demonstrates that the proposal substantially complies with the Hume Planning Scheme and would be an **acceptable outcome**.

Subject Site:	70 Captain Pearson Drive, Mickleham
Legal Description:	Lot 104 PS416595
Proposal:	Two (2) lot subdivision, variation to a restrictive covenant and removal of native vegetation
Permit Triggers:	Clause 35.03-3 – To subdivide land within the RLZ Clause 43.04-2 – Approval of site specific development plan Clause 52.02 – To vary a restrictive covenant Clause 52.17 – Removal of native vegetation
Title Restrictions:	Covenant W087465D - Prohibits use and development of more than one dwelling on site and subdivision of the subject site
Site Area:	2.0ha
Zoning:	Rural Living Zone (RLZ) – Schedule 1 (RLZ1)
Overlay(s):	Development Plan Overlay (DPO) – Schedule 8 (DPO8)
CHMP Required:	N/A
PPTN Area:	N/A
Designated Bushfire Prone Area:	Yes
Canopy Tree Coverage Requirements:	N/A

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1 Introduction

1.1 Project Overview

This planning report has been prepared by Whiteman Property & Associates (**WPA**) on behalf of the landowner in support of a planning permit application seeking approval for a two lot subdivision, variation to a restrictive covenant and removal of native vegetation at 70 Captain Pearson Drive, Mickleham (**the subject site**).

This purpose of this report is to outline the planning merits of the proposal and its consistency with the relevant planning controls and policies of the Hume Planning Scheme.

For the reasons discussed within this report it is considered that the proposed subdivision is an appropriate response to the planning policies within the Hume Planning Scheme and is therefore an **acceptable outcome**.

1.2 Supporting Information & Consultant Team

A detailed assessment of this proposal is set out in this report and should be read in conjunction with the following supporting information:

- **Appendix 1:** Feature and Level Survey Plan (prepared by Brian Watson Surveying)
- **Appendix 2:** Native Vegetation Impact Assessment Report (prepared by Ranges Consulting)
- **Appendix 3:** Certificate of Title
- **Appendix 4:** Proposed Subdivision Layout Plans (prepared by Jova Drafting Consultants)
- **Appendix 5:** Proposed Plan of Subdivision (prepared by Brian Watson Surveying)
- **Appendix 6:** Site Specific Development Plan for 70 Captain Pearson Drive, Mickleham (prepared by WPA)
- **Appendix 7:** Land Capability Assessment (prepared by Land Capability Assessment Victoria)
- **Appendix 8:** List of Beneficiaries Advice Letter (prepared by Feigl and Newell)

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2 Subject Site & Surrounds

2.1 Subject Site

The subject site is addressed as 70 Captain Pearson Drive, Mickleham and legally known as Lot 104 on PS416595.

It is located on the northern side of Captain Pearson Drive, nearly opposite the section of the road which turns into Ibis Court. It is also approximately 500m west of Summit Drive.

The subject site is an irregular shaped allotment. It has a frontage of 125m and a maximum depth of 202m which totals 2.0ha in area.

The subject site is currently developed with an existing single storey dwelling that is sited centrally within the allotment with generous setbacks from all title boundaries. The subject site is also developed with outbuildings (sheds), a water tank, and an existing crossover located in the south east corner of the site.

The subject site is relatively flat. Trees appear to have been planted along the front boundary and around the dwelling.

For further information please refer to the Feature Level and Survey Plan prepared by Brian Watson Surveying which is provided as **Appendix 1** of this report and the Native Vegetation Assessment Report prepared by Ranges Consulting which is provided as **Appendix 2** of this report.

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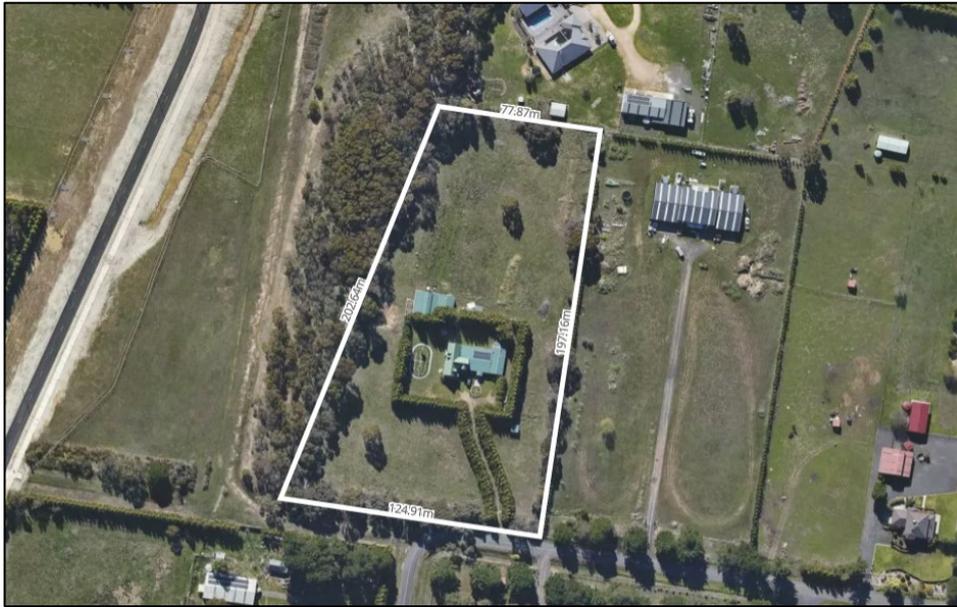


Figure 1: Site aerial (Source: Landchecker)

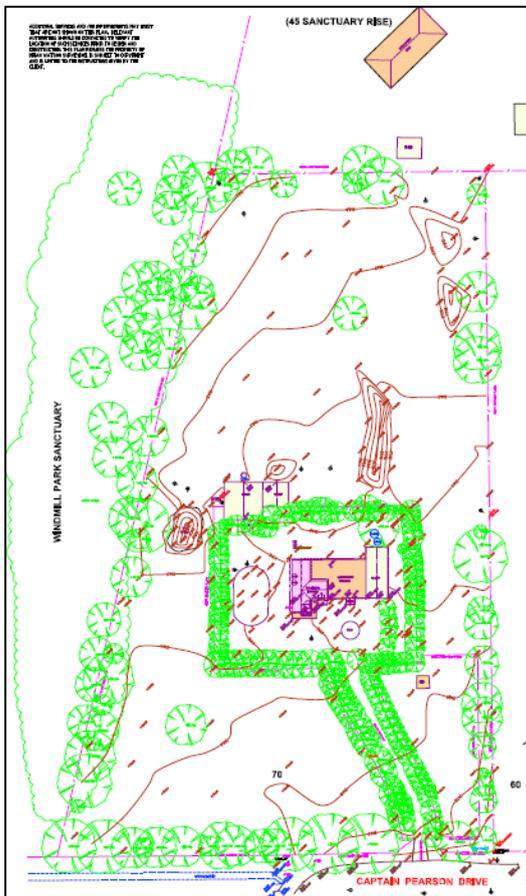


Figure 2: Excerpt of Feature and Level Survey Plan (Source: Brian Watson Surveying)

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2.3 Site Context & Surrounding Area

The subject site is located in a semi-rural/residential area of Mickleham known as the *Inter Urban Break*. The majority of the lots are 1ha to 4ha in area and have been developed with residential dwellings.

The abutting property to the north is addressed as 45 Sanctuary Rise and contains a dwelling and outbuilding on a lot just under 2ha in area.

The abutting property to the east is addressed as 60 Captain Pearson Drive, Mickleham contains a dwelling on a lot 2ha in area.

The abutting property to the west is a Council reserve which contains native trees and a retarding basin. This reserve abuts the recently constructed Aitken Boulevard extension which provides a link between Mt Ridley Road and Donnybrook Road.

The subject site is located in an established rural residential area and is in close proximity to the following:

- Hume Anglican Grammar –700m southeast
- Mount Ridley Conservation Reserve – 800m southeast
- Mother Teresa Catholic Primary School – 1.6km southeast
- Highlands Shopping Centre – 1.6km south
- Mount Ridley College – 2km southwest
- Hume Freeway Entrance – 2.8km southeast
- Merrifield Business Park – 3km north

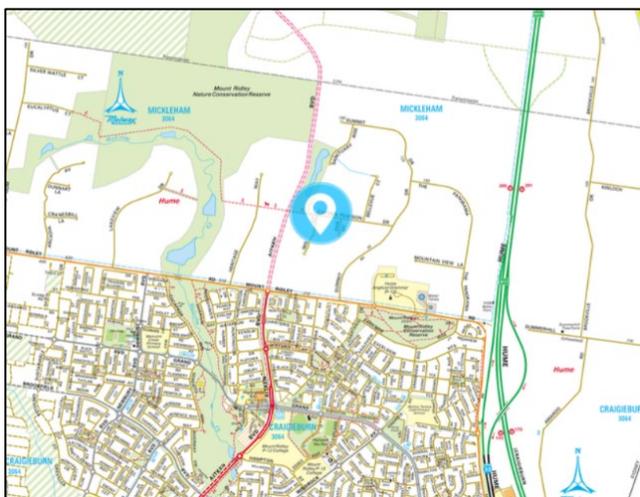


Figure 4: Surrounding area map (Source: Melway Maps Online)

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3 The Proposal

The application seeks a planning permit to facilitate a two lot subdivision at the subject site. As identified in Section 4 of this report, planning permission is sought for the two lot subdivision, variation of restrictions and removal of native vegetation.

This section of the report should be read in conjunction with the accompanying plan package prepared by Jova Drafting Consultants at **Appendix 4** of this report and the Proposed Plan of Subdivision prepared by Brian Watson Surveying at **Appendix 5** of this report.

3.1 Proposed Subdivision

The two lot subdivision will be a 'battle-axe' formation. Lot 1 and Lot 2 are described as follows:

Lot 1

- The existing dwelling on the subject site will be retained in Lot 1 which will have a new area of 10,000m² (1.0ha).
- Vehicle access for Lot 1 will continue to be provided from Captain Pearson Drive via the existing crossover and accessway.
- The existing effluent disposal system will be decommissioned. A new effluent disposal system will be provided to the western side of the dwelling.

Lot 2

- Lot 2 will have a site area of 10,000m² (1.0ha).
- Lot 2 will be provided with a building envelope which is setback 20m from all title boundaries
- Vehicle access for Lot 2 will be provided from Captain Pearson Drive via a new crossover located in the south-eastern corner of the site and to the east of the existing crossover which will be retained for Lot 1.
- A new effluent disposal system to service a new dwelling at Lot 2 can be provided in the north-west corner of the site.

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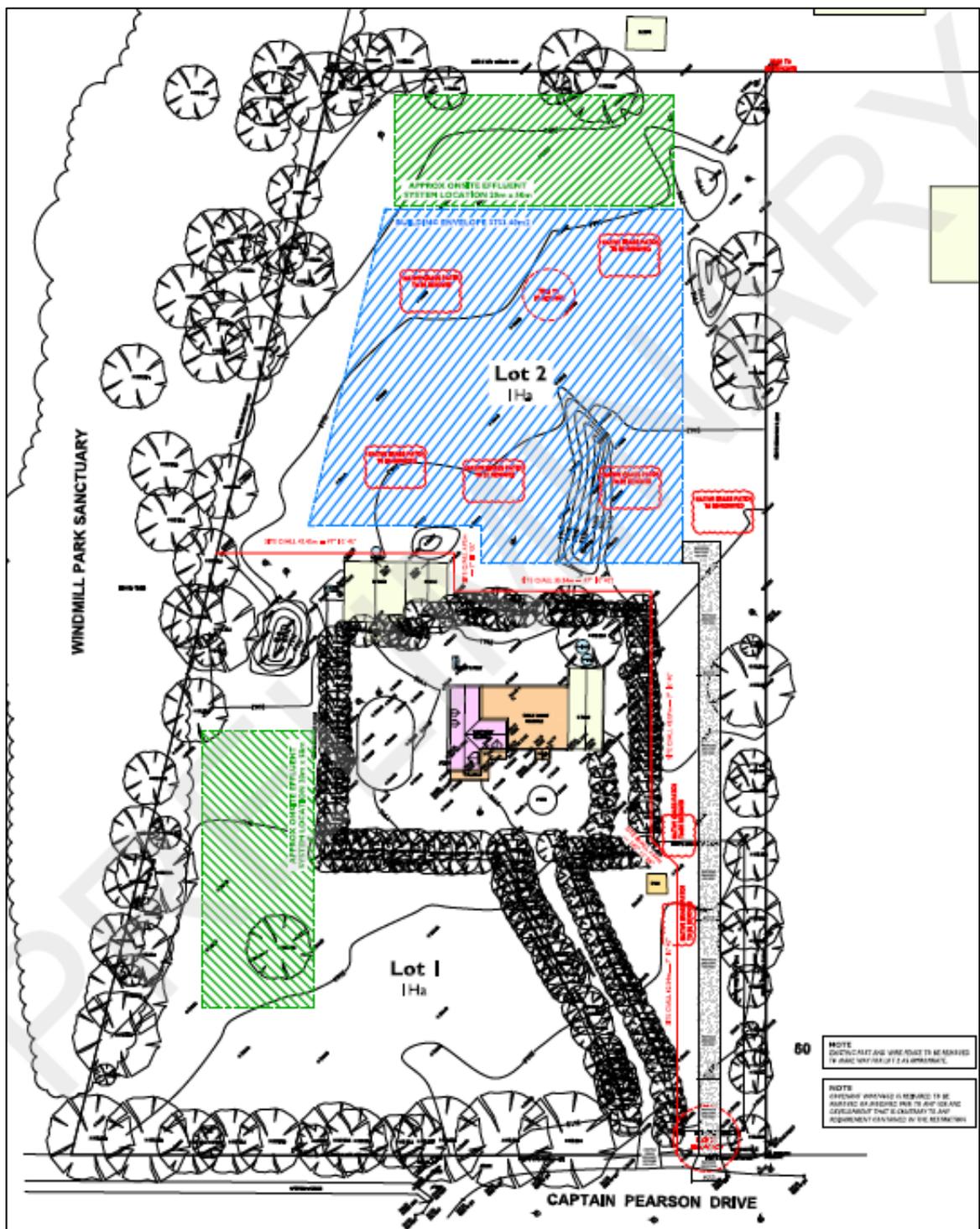


Figure 5: Excerpt of proposed subdivision layout plan (Source: Jova Drafting Consultants)

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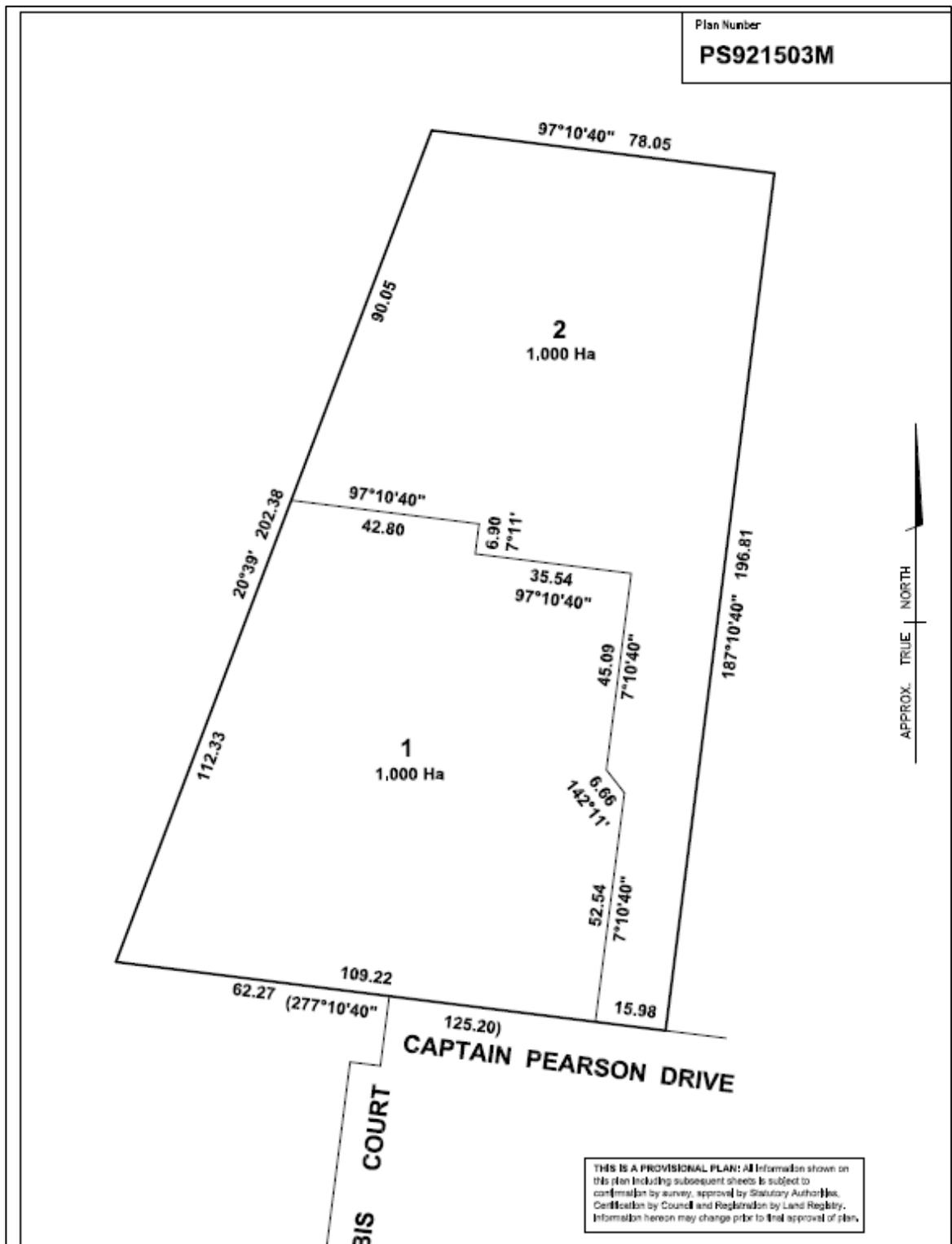


Figure 6: Excerpt of proposed plan of subdivision (Source: Brian Watson Surveying)

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3.2 Proposed Variation to Restrictive Covenant W087465D

Condition 1 of Covenant W087465D currently prohibits the use and development of more than one dwelling on the land.

Condition 10 of Covenant W087465D currently prohibits the land from further subdivision.

An excerpt of Condition 1 and 10 of Covenant W087465D is provided as follows:

Creation and/or Reservation and/or Covenant: *EDWARD WILLIAM COVANT AND SURETY CO... their
AND the said MARK COLIN BUSUTTIL and JO PASCOE for themselves their heirs, executors, administrators and transferees the registered proprietor or proprietors for the time being of the land hereby transferred and of every part thereof DO HEREBY as separate covenants COVENANT with the said CORWAL HOLDINGS PTY LTD its successors, assigns and transferees and other registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No. PS416595V and every part or parts thereof (other than the land hereby transferred) that they will not;

1. Erect, build or use, or permit or suffer to be erected, built or used, more than one private dwelling house on the land or any part of it;

...

10. Subdivide the land, or any part of it, or permit or suffer the subdivision of the land or any part of it;

Figure 7: Excerpt of subdivision restriction created by Covenant W087465D (Source: Landata)

It is proposed to vary the wording of Condition 1 as follows:

"1. Erect, build or use, or permit or suffer to be erected, built or used, more than ~~one~~ two private dwelling houses on the land or any part of it."

It is proposed to vary the wording of Condition 10 as follows:

"10. Subdivide the land or any part of it or permit or suffer the subdivision of the land or any part of it into any more than two lots."

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3.3 Proposed Native Vegetation Removal

A Native Vegetation Impact Assessment has been undertaken by Ranges Environmental Consulting (refer to **Appendix 2**).

The trees located on the subject site are not assessed as being local indigenous species. Accordingly, no planning permission is required to remove the trees.

There are several patches of native grass that are located within an area potentially impacted by the future vehicle accessway and building envelope for proposed Lot 2. Accordingly, it is assumed that the native grass patches shown in Figure 8 below will be deemed lost and will require offsets to be secured to facilitate removal.



Figure 8: Excerpt of development impact map (Source: Landata)

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3.4 Proposed Site Specific Development Plan

The site specific development plan seeking approval is provided at **Appendix 6** of this report.

4 Planning Permit Triggers

Clause 35.03-3:	<ul style="list-style-type: none">• A planning permit is required to:<ul style="list-style-type: none">◦ Subdivide land.
Clause 43.04-2:	<ul style="list-style-type: none">• A planning permit must:<ul style="list-style-type: none">◦ Be generally in accordance with an approved development plan.
Clause 52.17-1:	<ul style="list-style-type: none">• A planning permit is required to:<ul style="list-style-type: none">◦ Remove native vegetation.
Clause 52.02:	<ul style="list-style-type: none">• A planning permit is required to:<ul style="list-style-type: none">◦ Vary a restrictive covenant.

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5 Zoning

5.1 Rural Living Zone

The subject site is located in the Rural Living Zone (RLZ) with an unnumbered schedule.

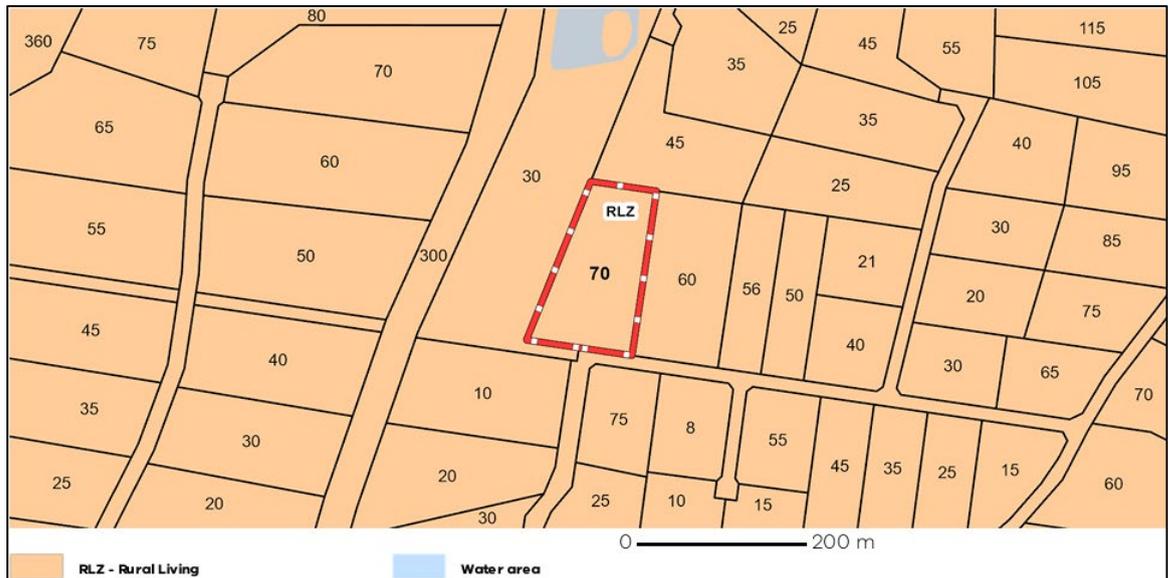


Figure 9: Zoning Map (Source: VicPlan)

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Use of Land for a Dwelling

Pursuant to Clause 35.03-1, a dwelling use is a Section 1 – no permit required use provided that the following conditions are met:

- The lot must be at least the area specified in a schedule to this zone. If no area is specified,

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the lot must be at least 2 hectares.

- *Must be the only dwelling on the lot.*
- *Must meet the requirements of Clause 35.03-2.*
- *Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

The proposal does not currently include the construction of a dwelling.

Permit Requirement (Subdivision)

Pursuant to Clause 35.03-3, a planning permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone.

Pursuant to Clause 1.0 of the Schedule to the RLZ the subject site is located within Area A on Map 1 which indicates that each lot subdivided must have an area of at least 1ha.

Decision Guidelines

The decision guidelines are at Clause 35.03-5.

PRELIMINARY RESPONSE

Planning permission is not being sought for the use and development of land for a dwelling.

It is highlighted that the proposed subdivision complies with the mandatory minimum subdivision area given the proposed lots are at least 1ha in area.

Please refer to Section 12 of this report for a detailed planning assessment.

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6 Overlays

6.1 Development Plan Overlay – Schedule 8

The subject site is affected by the Development Plan Overlay (DPO) – Schedule 8 (DPO8).



Figure 10: DPO8 Map (Source: VicPlan)

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

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Objectives of Rural Residential Area

Pursuant to Clause 1.0 of the DPO8, there are no specific objectives that need to be achieved as part of a planning permit application.

Requirement Before a Permit is Granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- *Be generally in accordance with the development plan.*
- *Include any conditions or requirements specified in a schedule to this overlay.*

Exemption from Notice & Review

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

PRELIMINARY RESPONSE

The subject site is located within the Rural Residential Area of Schedule 8 to the DPO. Pursuant to Clause 4.0 of the DPO8, a site specific development plan is required to be prepared to the satisfaction of the Responsible Authority prior to the development of a planning permit application for subdivision.

A site specific development plan for the subject site has been prepared for Council review. It has been included as **Appendix 6** of this report

Please refer to Section 12 of this report for a detailed planning assessment.

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7 Particular Provisions

7.1 Clause 52.02 – Easements, Restrictions & Reserves

Purpose

- *To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.*

Permit Requirement

A planning permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 24A of the Subdivision Act 1988.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988. In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the interests of the affected people. Critically, Clause 65 makes reference to the need to consider relevant section of the Planning and Environment Act 1987.

Given that the covenant was created after 25 June 1991 (covenant registered on the Title on 28 April 2000), the proposed variation to the covenant must satisfy the requirements of Section 60(2) of the *Planning and Environment Act 1987* which states that:

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“The Responsible Authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefitted by the restrictive covenant (other than the owner who, before or after the making of the application for the permit but not more than three months before its making, has contested in writing to the grant of permit) will be unlikely to suffer.

- a) Financial loss; or*
- b) Loss of amenity; or*
- c) Loss arising from change to the character of the neighbourhood; or*
- d) Any other material detriment*

as a consequence of the removal or variation to the restriction”.

PRELIMINARY RESPONSE

A planning permit is required for the variation of Condition 10 of Covenant W087465D which currently prohibits the landowner from further subdivision. Please refer to Section 2.2 and 12.3 of this planning report for further information.

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7.2 Clause 52.17 – Native Vegetation

Purpose

- 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.

Permit Requirement

Pursuant to Clause 52.17-1 and Clause 52.17-7, a planning permit is not required to remove, destroy or lop planted native vegetation.

PRELIMINARY RESPONSE

The submitted Native Vegetation Impact Assessment confirms that there are no trees which are considered to be native in accordance with this provision. Accordingly, there is no planning permit trigger for the removal of the trees.

However, the site assessment revealed that indigenous vegetation is limited to fragmented patches of low quality Plains Grassland. Given that the future accessway and building envelope is likely to impact the grassland patches, it is considered that the grassland will be deemed as being lost. Offsets are therefore required to be secured.

Please refer to Section 12 of this report for a detailed planning assessment.

7.3 Clause 52.37 – Canopy Trees

This provision has been recently introduced into the Hume Planning Scheme via Planning Scheme Amendment VC289 on 15 September 2025.

Pursuant to Clause 52.37-2, **no planning permission is required to remove, destroy or lop a canopy** tree as the subject site is not in the Mixed Use Zone, Township Zone,

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Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone, and Housing Choice and Transport Zone.

7.4 Clause 53.01 – POS Contribution & Subdivision

Pursuant to Clause 53.01, a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Exemption from Public Open Space Requirement Specified in the Scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
 - Class 1: The subdivision of a building use for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before the date.
 - Class 2: The subdivision of a commercial or industrial building provided each lot contains of the building.
- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it is unlikely that each lot will be further subdivided.

PRELIMINARY RESPONSE

The public open space contribution exemption applies for this two lot subdivision given that it is unlikely that each lot will be further subdivided given the current mandatory minimum subdivision area requirements.

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8 General Provisions

8.1 Clause 65.02 – Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The suitability of the land for subdivision.*
- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

8.2 Clause 65.02 – Decision Guidelines

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- *The suitability of the land for subdivision.*

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- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- *The provision and location of reserves for public open space and other community facilities.*
- *The staging of the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The functions of any body corporate.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.*
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.*
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*
- *The impact the development will have on the current and future development and operation of the transport system.*

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9 Municipal Planning Strategy

The following key objectives and strategies of Hume’s Municipal Planning Strategy (MPS) are relevant to the consideration of a proposed subdivision planning application:

MPS Clause:	Objective/Strategy:
<p>Clause 02.03-1 – Settlement</p>	<ul style="list-style-type: none"> • Maintain the inter urban break in the Hume Corridor for, larger detached housing and low density rural residential development that supports the conservation of biodiversity and landscape values.
<p>Clause 02.03-2 – Environmental and Landscape Values</p>	<ul style="list-style-type: none"> • Plan use and development to: <ul style="list-style-type: none"> ○ Protect and restore biodiversity, natural habitats, ecological linkages and native vegetation, including scattered indigenous trees. ○ Protects significant and unique landscape values that contribute to Hume’s character and identity. • Protect significant views and vistas of hilltops, escarpments, ridgelines, and creek valleys and waterways, including views towards the Melbourne CBD and surrounding mountain ranges.
<p>Clause 02.03-3 – Environmental Risk and Amenity</p>	<ul style="list-style-type: none"> • Minimise the risk to life, property and the environment from flood and bushfire.

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MPS Clause:	Objective/Strategy:
Clause 02.03-6 – Housing	<ul style="list-style-type: none">• Increase the diversity of housing in Hume.• Encourage well-designed infill residential development that provides housing options for smaller households.• Encourage housing that can be adapted for different life stages or is suitable for the needs of an ageing household.

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10 Planning Policy Framework

The following objectives and strategies of the Planning Policy Framework (PPF) are relevant to the consideration of this planning application:

PPF Clause:	Objective/Strategy:
<p>Clause 11.01-1S – Settlement</p>	<ul style="list-style-type: none"> To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
<p>Clause 11.01-1R – Settlement – Metropolitan Melbourne</p>	<ul style="list-style-type: none"> Maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city and protect the values of non-urban land.
<p>Clause 11.01-1L – Settlement – Hume</p>	<ul style="list-style-type: none"> Maintain the Inter Urban Break in the Hume Corridor and the Rolling Meadows areas in Sunbury.
<p>Clause 11.02-1S – Development Capacity</p>	<ul style="list-style-type: none"> To ensure sufficient development opportunities are available to meet the needs of current and future Victorians. Restrict rural residential development that would compromise future development at higher densities.
<p>Clause 11.03-3S – Development Capacity</p>	<ul style="list-style-type: none"> To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

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PPF Clause:	Objective/Strategy:
<p>Clause 11.03-5S – Distinctive Areas and Landscapes</p>	<ul style="list-style-type: none"> To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.
<p>Clause 11.03-6S – Regional and Local Places</p>	<ul style="list-style-type: none"> To facilitate integrated place-based planning. Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.
<p>Clause 12.01-1S – Protection of Biodiversity</p>	<ul style="list-style-type: none"> To protect and enhance Victoria’s biodiversity. Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites. Strategically plan for the protection and conservation of Victoria’s important areas of biodiversity. Avoid impacts of land use and development on important areas of biodiversity.
<p>Clause 12.01-1L – Protection of Biodiversity – Hume</p>	<ul style="list-style-type: none"> Maintain the Inter Urban Break in the Hume Corridor and the Rolling Meadows areas in Sunbury to provide for the ecological connectivity between the Mt Ridley Conservation Reserve and conservation and open space areas in Craigieburn. Support predominantly larger detached housing and low density rural residential development in the Inter Urban Break in the Hume Corridor and the Rolling Meadows areas.

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PPF Clause:	Objective/Strategy:
<p>Clause 12.05-2S – Landscapes</p>	<ul style="list-style-type: none"> To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.
<p>Clause 12.05-2L – Landscapes – Hume</p>	<ul style="list-style-type: none"> Restrict development on the upper slopes of Redstone Hill, Bald Hill, Mount Holden, Mount Ridley and Mount Aitken to maintain their visual prominence in the landscape.
<p>Clause 13.01-1S – Natural Hazards and Climate</p>	<ul style="list-style-type: none"> To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.
<p>Clause 13.02-1S – Bushfire Planning</p>	<p>This Policy applies as the subject site is located within a designated bushfire prone area.</p> <ul style="list-style-type: none"> To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.
<p>Clause 15.01-1S – Urban Design</p>	<ul style="list-style-type: none"> To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
<p>Clause 15.01-1R – Urban Design – Metropolitan Melbourne</p>	<ul style="list-style-type: none"> To create a distinctive and liveable city with quality design and amenity.

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PPF Clause:	Objective/Strategy:
Clause 15.01-2L-02 – Energy and Resource Efficiency	<ul style="list-style-type: none"> • Ensure the design of new subdivisions and the siting of buildings maximises passive solar design outcomes. • Ensure development contributes towards an increase in canopy cover across Hume.
Clause 15.01-3S – Subdivision Design	<ul style="list-style-type: none"> • To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
Clause 15.01-3L – Subdivision Design – Hume	<ul style="list-style-type: none"> • Maintain views to hilltops, escarpments, ridgelines and creek valleys through the alignment of local subdivision roads.
Clause 15.01-4S – Healthy Neighbourhoods	<ul style="list-style-type: none"> • To achieve neighbourhoods that foster healthy and active living and community wellbeing.
Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne	<ul style="list-style-type: none"> • Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.
Clause 15.01-5S – Neighbourhood Character	<ul style="list-style-type: none"> • To recognise, support and protect neighbourhood character, cultural identity, and sense of place. • Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
Clause 15.01-6S – Design for Rural Areas	<ul style="list-style-type: none"> • To ensure development respects valued areas of rural character.

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PPF Clause:	Objective/Strategy:
Clause 16.01-1S – Housing Supply	<ul style="list-style-type: none"> To facilitate well-located, integrated and diverse housing that meets community needs.
Clause 16.01-1R – Housing Supply – Metropolitan Melbourne	<ul style="list-style-type: none"> Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.
Clause 16.01-3S – Rural Residential Development	<ul style="list-style-type: none"> To identify land suitable for rural residential development. Encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made Discourage development of small lots in rural zones for residential use or other incompatible uses. Ensure land is only zoned for rural residential development where it: <ul style="list-style-type: none"> Is located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development. Can be supplied with electricity, water and good quality road access.

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11 Aboriginal Heritage

Aboriginal Heritage Legislation

The main purposes of the *Aboriginal Heritage Act 2006* are to:

- Provide for the protection of Aboriginal Cultural Heritage and Aboriginal intangible Heritage in Victoria.
- Empower Traditional Owners as protectors of their Cultural Heritage on behalf of Aboriginal People and all other peoples.
- Strengthen the ongoing right to maintain the distinctive spiritual, cultural, material and economic relationship of Traditional Owners with the land and waters and other resources with which they have a connection under traditional laws and customs.
- Promote respect for Aboriginal Cultural Heritage, contributing to its protection as part of the common heritage of all peoples and to the sustainable development and management of land and of the environment.

The *Aboriginal Regulations 2018* generally give effect to the *Aboriginal Heritage Act 2006*.

Cultural Heritage Management Plan

Pursuant to regulation 11 of the *Aboriginal Regulations 2018*, a cultural heritage management plan is required for an activity if—

- (a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; and
- (b) all or part of the activity is a high impact activity.

As represented in **Figure 11**, the subject site is not currently in an area of cultural heritage sensitivity. Consequently, there is no statutory requirement to prepare a Cultural Heritage Management Plan.



Figure 11: Aboriginal Cultural Heritage Sensitivity Map (Source: VicPlan)

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12 Planning Assessment

12.1 State and Local Planning Policy Support

Current planning policy emphasises on limiting urban sprawl by directing growth into existing settlements; and the importance of ensuring biodiversity, landscape, heritage and waterway values are appropriately considered during the planning process.

The proposed two lot subdivision is in an existing semi-rural residential area and will have negligible impacts on the lower density area given that each lot will have an area of 1 hectare as required by the RLZ schedule.

It is not expected that the proposed subdivision and future dwelling on the created lot will have an unreasonable impact on valuable agricultural land nor lead to any detrimental impacts on environmental, cultural and landscape values of the subject site given that:

- The created lot does not detrimentally impact upon Windmill Park Sanctuary in the reserve to the east of the site at 30 Sanctuary Rise, Mickleham.
- The existing vegetation nominated for removal is not considered to have significant arboricultural or biodiversity value.
- The subject site is not affected by the Bushfire Management Overlay or any other environmental and landscape overlays.
- The subject site is not located within a Cultural Heritage Sensitive Area.

12.2 Two Lot Subdivision in a RLZ

Consideration has been given to the decision guidelines of the RLZ at Clause 35.03-5. The proposed three lot subdivision is considered to be an appropriate outcome in a RLZ for the following reasons:

- Each lot will have a mandatory 1ha minimum site area as prescribed by the RLZ 1.
- The proposed subdivision layout has been designed to limit detrimental impacts on the existing characteristics of the subject site by retaining the existing dwelling as Lot 1.
- Vehicle access to each lot will be directly from Captain Pearson Drive which is not isolated and provides a sense of address. Crossovers will be appropriately spaced out to limit tree removal along the front boundary.
- The septic system for the existing lot is proposed to be relocated within Lot 1. The

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created lot will be provided with a new septic system in a location where it minimises impact on vegetation. Refer to the Land Capability Assessment prepared by Land Capability Assessment Victoria at **Appendix 7** of this report for further information.

- There are currently no Land Management Plans or Regional Catchment Strategies prepared for the subject site to be considered as part of this application.
- The subject site is not constrained by existing non-residential land uses on surrounding properties. The created lot is located 1.2km south of an establishing industrial precinct.
- The creation of an additional lot will not cause the loss of viable agricultural land. The precinct is predominantly used as large-lot residential purposes with minimal agricultural activity.
- It is not expected that subdivision works will lead to detrimental environmental outcomes such as reduced water quality, soil degradation, erosion and emissions of noise, dust and odours.
- The created lot will have negligible impact on biodiversity and landscape and heritage values of the area.
- It is anticipated that there will be no detrimental design and siting issues for future dwellings as they will be shielded by retained screen vegetation along the front boundary and will be designed in accordance with the other requirements of the Covenant.

12.3 DPO8 Considerations

It is acknowledged that pursuant to Clause 43.04-2, a planning permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

Accordingly, a site specific development plan has been included as part of this planning permit application.

The site specific development plan appropriately addresses the discretionary requirements of Clause 4.0 of the DPO8 and should be approved by the responsible authority to facilitate the two lot subdivision of the subject site.

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12.4 Native Vegetation Removal Considerations

The purpose of the Native Vegetation Provision at Clause 52.17 is to avoid the removal, destruction, or lopping of native vegetation and to ensure that no net loss to biodiversity as a result of the removal of vegetation.

Ranges Environmental Consulting have assessed trees and grassland at the subject site (refer to Appendix 2 of this report).

Tree Removal

It is submitted that future tree removal at the subject site will be permissible without the need for planning approval given that they are planted trees and not considered to be indigenous.

Grassland Removal

The site assessment revealed that indigenous vegetation is limited to fragmented patches of low quality Plains Grassland. Given that the future accessway and building envelope is likely to impact the grassland patches, it is considered that the grassland will be deemed as being lost. Offsets are therefore required to be secured.

Impact to native vegetation as a result of the proposal generates the following offset:

Offset Type General Offset

Offset Amount 0.091 general habitat units

Vicinity Melbourne Water CMA Region or Hume City Council Area

Minimum SBV Score 0.284

Large Trees 0

Native vegetation credits are available.

12.4.1 Avoid and Minimise Statement

It is considered that no feasible opportunities exist to further avoid and minimise impacts on biodiversity without undermining the key objectives of the proposal.

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12.5 Variation of Restrictive Covenant

The application seeks variation of Covenant W087465D to allow for the subject site to be subdivided into two lots.

Clause 52.02 of the Hume Planning Scheme states that a planning permit is required before a person proceeds under Section 23 of the Subdivision Act 1988 to create, vary, or remove an easement of restriction. The purpose of Clause 52.02 is to enable the removal and variation of an easement of restrictions to enable a use or development that complies with the Planning Scheme after the interested of affected people are considered.

The letter of advice prepared by Feigl & Newell and provided at **Appendix 8** of this report submits there are 10 properties registered as part of the Covenant (including the subject site).

It is further submitted that it appears that only the Registered Proprietors of Lot 110 on Plan of Subdivision 416595V (30 Ibis Court, Mickleham) are sole Beneficiaries to the covenant.

Given that the covenant was created after 25 June 1991 (covenant transferred on Title on 4 June 1999), the proposed variation to the covenant must satisfy the requirements of Section 60(2) of the *Planning and Environment Act 1987* which states that:

“The Responsible Authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefited by the restrictive covenant (other than the owner who, before or after the making of the application for the permit but not more than three months before its making, has contested in writing to the grant of permit) will be unlikely to suffer:

- a) Financial loss; or*
- b) Loss of amenity; or*
- c) Loss arising from change to the character of the neighbourhood; or*
- d) Any other material detriment*

as a consequence of the removal or variation to the restriction”

The proposed two lot subdivision is accompanied by a set of subdivision layout plans which demonstrates appropriate compliance with the Hume Planning Scheme as highlighted in the assessment provided at Sections 12.1 to 12.3 of this Planning Report.

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Therefore, it is considered that the beneficiaries to covenant will not suffer financial loss, loss of amenity, loss arising from change of the character of the neighbourhood or any other material detriment as a consequence of the variation to the restriction.

It is again highlighted that the two lot subdivision accords with the minimum subdivision area requirement of the RLZ1, and any new dwelling constructed on the created lot will need to comply with the other components of the restriction.

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13 Conclusion

The design response and supporting documentation demonstrates that the proposed three lot subdivision at 70 Captain Pearson Drive, Mickleham substantially complies with the Hume Planning Scheme and would be an **acceptable outcome**.

The proposed subdivision should be supported by Council for the following reasons:

- The proposal accords with the key considerations of the MPS, PPF, Zone and Overlay Controls, the relevant Particular Provisions and Decision Guidelines of Clause 65.
- The subdivision will not lead to significant loss of native vegetation or prime agricultural land, nor does it detrimentally impact environmental or landscape values of the subject site and surrounding area.
- It is anticipated that the Beneficiary to the Covenant (being the Proprietor's of Lot 110 on PS416595V) will not be subject to:
 - *Financial loss; or*
 - *Loss of amenity; or*
 - *Loss arising from change to the character of the neighbourhood; or*
 - *Any other material detriment*

Accordingly, it is respectfully requested that Council issue a planning permit.

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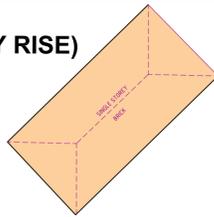
Appendix 1:

Feature and Level Survey Plan
Prepared by Brian Watson Surveying
Dated 30/5/2024

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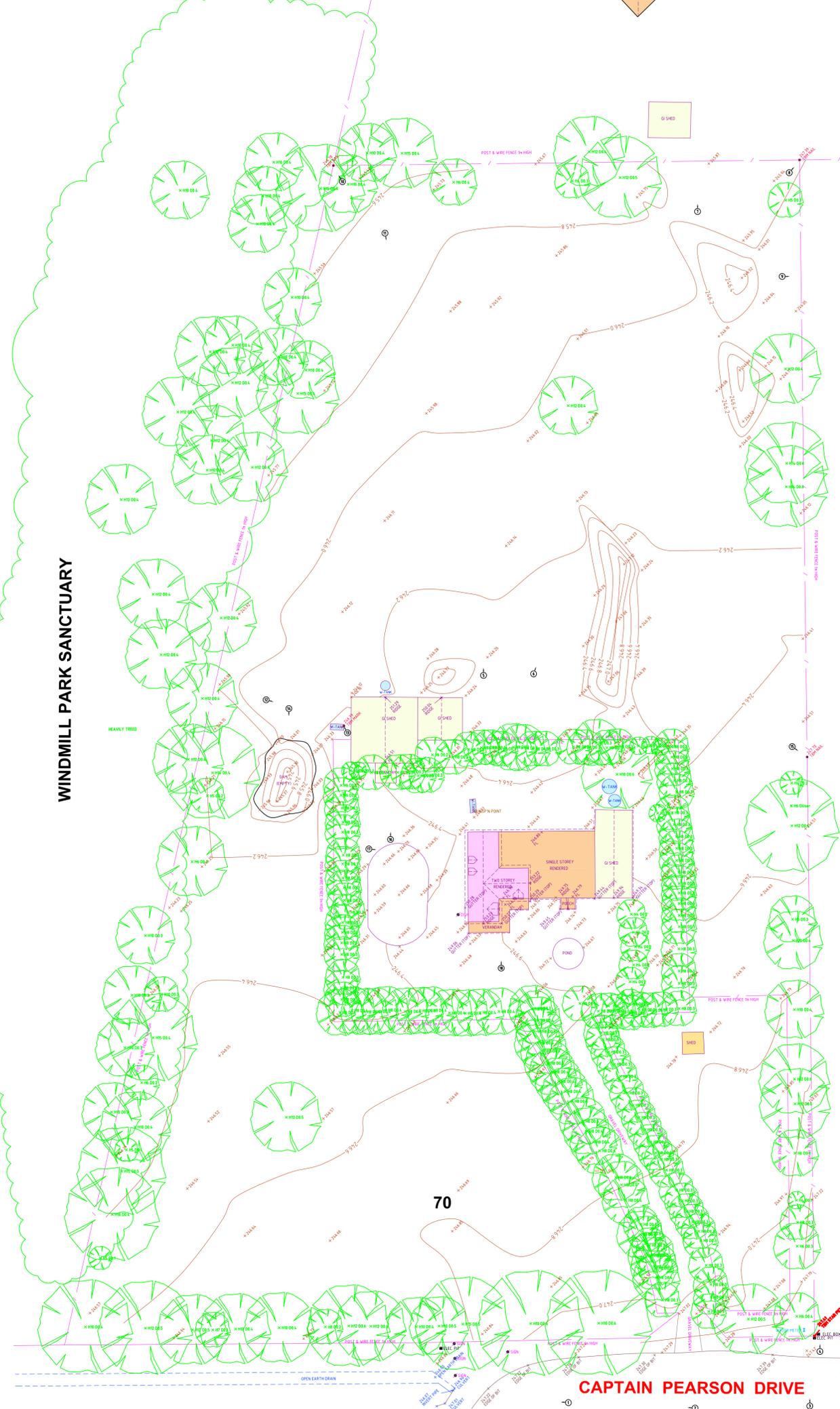
(45 SANCTUARY RISE)



WINDMILL PARK SANCTUARY



APPROX.

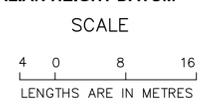


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- H HABITABLE WINDOW GROUND FLOOR
- N NON-HABITABLE WINDOW GROUND FLOOR
- H HABITABLE WINDOW FIRST FLOOR
- N NON-HABITABLE WINDOW FIRST FLOOR
- D DOOR

LEVELS ARE TO AUSTRALIAN HEIGHT DATUM
 TREE (HEIGHT 3m) (TRUNK DIAM 0.1m)



30-05-2024
 LICENSED SURVEYOR DATE

REF: 10744

PLAN OF SURVEY
70 CAPTAIN PEARSON DRIVE
MICKLEHAM

Appendix 2:

Native Vegetation Impact Assessment
Prepared by Ranges Consulting
Dated September 2024

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Native Vegetation Impact Assessment

Proposed 2-lot Subdivision

70 Captain Pearson Drive, Mickleham

September 2024

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Report	Native Vegetation Assessment - 70 Captain Pearson Drive Mickleham
Prepared For:	M&D Town Planning
Job no:	24052
Author:	William Tester
Contact:	will@rangesconsulting.com
Date:	4 September 2024

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1 Introduction

Ranges Environmental Consulting have been engaged by *M&D Town Planning* on behalf of the landowner to conduct a Native Vegetation Assessment in relation to a proposed 2 lot subdivision at 70 Captain Pearson Drive, Mickleham.

Specifically, this report addresses Item 5 of the Council RFI which states:

Confirm if Native Vegetation is present on the subject site. If Native Vegetation is present and is proposed to be removed, the application will need to be updated to reflect this permit trigger (including additional fee) and a response to Clause 52.17 (Native Vegetation) of the Hume Planning Scheme will be required.

1.1 Development Proposal

The development proposal consists of the subdivision of the land into 2 lots.

Appendix 1 provides a series of maps and plans to illustrate the proposed lot layout, areas of native vegetation and extent of vegetation impact.

While no direct impact is proposed, the act of subdivision will create an exemption under Clause 52.17. Therefore, all vegetation subject to the future exemption must be accounted for in the current proposal.

1.2 Site Context

The site area at 70 Captain Pearson Drive (the property) is approximately 2 hectares. The property is within the Victorian Volcanic Plains Bioregion and the Port Phillip and Western Port Catchment Management Region.

The property is within the Rural Living Zone (RLZ) and is subject to the Development Plan Overlay – Schedule 8 (DPO8)

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 the context of the proposed development is outlined below.

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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
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

Section 2 outlines the results of the native vegetation assessment.

Section 3 includes the tree assessment results

Section 4 details implications of development in accordance with Clause 52.17 and the incorporated *Native Vegetation Guidelines*.

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2 Native Vegetation Assessment

A site assessment was undertaken by *Ranges Environmental Consulting* on 14 August 2024. The site assessment considered native vegetation extent and condition and the potential impact as a result of the development plan. The type and extent of native vegetation was mapped onsite using QGIS 3.14 with a GPS receiver.

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 DEECA 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 pre-1750s EVCs produced by DELWP and accessible via Nature Kit Online indicate that Plains Grassland (EVC 132) is likely to have previously occurred within, and surrounding, the property. The site assessment revealed that vegetation within the assessment area is highly modified. Indigenous vegetation occurs as patchy, species poor remnant Plains Grassland.

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Large Tree Benchmark

Impact to large trees are a key consideration of the *Native Vegetation Guidelines*. However, the previously-occurring EVC, Plains Grassland is a treeless EVC and therefore no large tree benchmark applies.

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), or,
- A Site Condition Assessment undertaken by an accredited Native Vegetation Assessor.

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.

2.2 Results

Flora Species

During the site assessment, a total of 29 flora species were observed. This includes 19 species of exotic origin, 8 local native species and 2 Victorian natives occurring outside their natural range.

Limitations

The timing of the flora survey in winter is not ideal for the identification of many flora species. It is expected that further grasses, herbs and lilies might be detected if surveyed in spring. However, it is predicted that assessments undertaken across different seasons would yield similar results in terms of flora diversity and ecological condition.

Habitat Hectare Assessments

As shown in Map 1, two patches of Plains Grassland were identified and assessed during the site assessment. These patches are described as Habitat Zones below.

Habitat Zone 1

Habitat Zone 1 occurs in the southeast corner of the property.

Various Wallaby Grasses dominate the zone including Bristly Wallaby Grass *Rytidosperma setaceum* and Slender Wallaby Grass *Rytidosperma racemosum*. Scattered patches of herbs are also present consisting of Kidney Weed *Dichondra repens*, Grassland Wood-sorrel *Oxalis perennans* and Creeping Cudweed *Euchiton japonicus*.

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Weed cover is high consisting predominantly of Brown Top Bent *Agrostis capillaris* and Onion Grass *Romulea rosea*. Poor landscape context scores contribute to Habitat Zone 1 receiving a condition score of 21% of the EVC benchmark.



Figure 1. Wallaby Grass and leaf litter in Habitat Zone 1



Figure 2. Kidney Weed in Habitat Zone 1

Habitat Zone 2

Habitat Zone 2 occurs in scattered patches throughout the property and consists almost exclusively of Rush *Juncus sp.* Scattered occurrences of Creeping Cudweed *Euchiton japonica* are also present

Weed cover is high with Brown Top Bent *Agrostis capillaris* and Couch *Cynodon dactylon* dominating the zone. Other exotic species such as Cape Weed *Arctotheca calendula* and Toowoomba Canary Grass *Phalaris aquatica* are also present.

Organic litter, recruitment space availability and landscape scores are all low. Habitat Zone 2 therefore receives a condition score of 11% of the EVC benchmark



Figure 3. Western extent of Habitat Zone 2 near dam



Figure 4. Habitat Zone 2 occurs in patches throughout the property

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Habitat Hectare Results

Habitat Zone			1	2
Benchmark criteria	Max. Score	EVC		
		PG (EVC 132)	PG (EVC 132)	
Site condition	Large Old Trees	10	na	na
	Canopy cover	5	na	na
	Understorey	25	5	5
	Lack of weeds	15	4	0
	Recruitment	10	3	0
	Organic litter	5	3	2
	Logs	5	na	na
		1x	15	7
Multiplier	136%	20.4	9.52	
Patch Size		1	1	
Neighbourhood		0	0	
Distance to Core		0	0	
		1	1	
Habitat quality score	100	21	11	
Habitat score as above = #/100		0.21	0.11	

2.2.1 Non-Native Vegetation

The majority of vegetation in the study area consists of exotic grasses and planted trees.



Figure 5. Introduced grasses dominate the property



Figure 6. Cypress hedge

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3 Tree Assessment

Ranges Environmental Consulting assessed 14 trees to determine impacts in relation to the proposed lot boundary and accessway and to inform implications under the Native Vegetation Guidelines. Trees were not assessed beyond the accessway on the perimeter of the proposed Lot 2. Instead, a 15m setback for a building envelope is recommended to avoid impact to these trees as illustrated in Map 3..

3.1 Arboricultural Considerations

The tree assessments included all trees in the vicinity of the proposed accessway to Lot 2 and the middle of the Lot. Trees were assessed according to the AS 4970-2009 Australian Standard for Protection of Trees on Development Sites. To provide consistency with the *Native Vegetation Guidelines*, trunk size was calculated using diameter tape at 1.3m trunk height, i.e., Diameter at Breast Height (DBH).

As outlined below, AS 4970-2009 provides the methodology for calculating Tree Protection Zones and Structural Root Zones and appropriate measures to mitigate impacts to trees during construction activity.

Tree Protection Zones

AS 4970 defines a Tree Protection Zone (TPZ) as a radial area 12 x the trunk diameter. Minor encroachment into the TPZ may be considered negligible subject to tree condition and surrounding ground conditions. Minor Encroachment up to 10% is generally permissible provided there is compensation of an equivalent area contiguous with the TPZ that is not encroached upon.

Typically, any works that exceed 10% encroachment into the TPZ is potentially detrimental to the tree's health or stability. Potential impacts within a TPZ include, though are not limited to:

- Sub-surface excavation that affects the structure and integrity of the root zone
- Above ground works or vehicle movement resulting in compaction or impervious surfaces that reduce water absorption of the root zone
- Damage to tree trunks from machinery such as excavators and bobcats.
- Stockpiling of soils or building materials that reduce water absorption and oxygen levels in the natural soil profile.

Structural Root Zones

As defined in AS 4970 the Structural Root Zone (SRZ) is calculated by measuring the dimension of the trunk immediately above the root buttress. The SRZ is deemed to support several major lateral roots that is critical to the structure of the tree. The entire root structure and the soil profile within this area is considered significant for structural integrity. Any works within the SRZ is considered unsustainable to the structure and health of the tree.

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3.2 Tree Assessment Results

Of the 14 trees assessed, 11 trees are Australian Natives and 3 are Victorian natives occurring outside their natural range. None of the trees assessed are local indigenous species. Table 1 summaries all trees assessed.

Table 1. Tree assessment summary

DBH – Diameter at Breast Height			A – Australian Native	V – Victorian Native	
No.	Type	Species	Common Name	DBH (cm)	Condition
1	A	*Eucalyptus cinerea	Argyle Apple	41, 31	Good
2	A	Eucalyptus sp.	Gum	28	Dead
3	A	*Eucalyptus gomphocephala	Tuart	27, 24	Good
4	A	*Eucalyptus gomphocephala	Tuart	25	Good
5	A	*Eucalyptus gomphocephala	Tuart	15, 13	Good
6	A	Eucalyptus sp.	Gum	16, 11	Good
7	A	Eucalyptus sp.	Gum	25, 18, 16	Good
8	V	#Eucalyptus botryoides	Southern Mahogany	36, 26	Good
9	V	#Eucalyptus botryoides	Southern Mahogany	38	Good
10	A	*Eucalyptus cinerea	Argyle Apple	40	Good
11	A	*Eucalyptus gomphocephala	Tuart	18, 17, 15	Good
12	A	Eucalyptus spathulata	Swamp Mallet	46, 23, 21, 18, 18	Good
13	A	*Eucalyptus cinerea	Argyle Apple	17, 15, 14	Good
14	V	Eucalyptus sp.	Gum	32	Good

A total of 3 trees are expected to be impacted by the development. Proposed tree removal is outlined in Table 2. Details of all trees assessed are included in Appendix 3.

Table 2. Trees Impacted by the Proposal

A – Australian Native V – Victorian Native DBH – Diameter at Breast Height

No.	Type	Species	Common Name	DBH (cm)	Condition
1	A	*Eucalyptus cinerea	Argyle Apple	41, 31	Good
2	A	Eucalyptus sp.	Gum	28	Dead
14	V	Eucalyptus sp.	Gum	32	Good

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Impact to Tree Protection Zones

For all trees proposed for retention on the property to avoid impact to Tree Protection Zones, appropriate setbacks are recommended as shown in Map 3.

Impact to Structural Root Zones

If recommended setbacks are applied to avoid impact to Tree Protection Zones, this will also avoid impact to Structural Root Zones

Site Photos

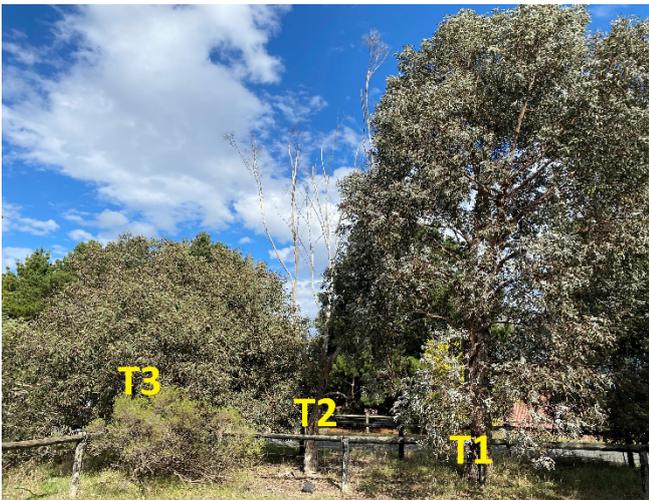


Figure 7. Trees 1-3. Tree 1 proposed for removal.



Figure 8. Trees 4 and 5 not impacted by the proposal



Figure 9. Trees 6 to 8 not impacted by the proposal

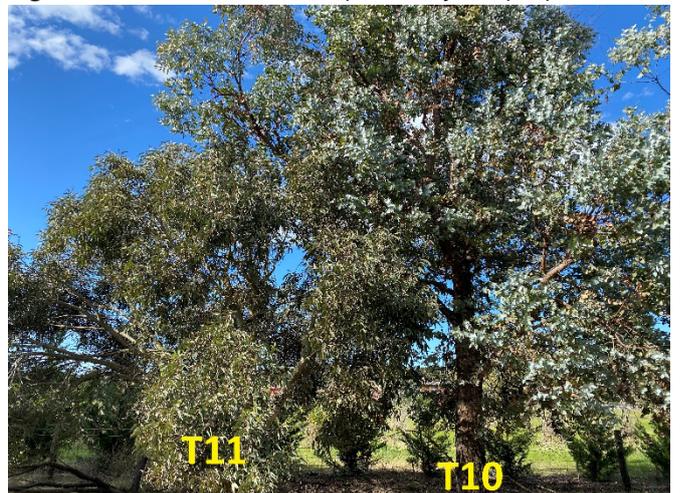


Figure 10. Trees 10 and 11 not impacted by the proposal

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Figure 11. Trees 12 and 13 not impacted by the proposal



Figure 12. Tree 14 proposed for removal

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4 Implications of the Native Vegetation Removal Guidelines

Clause 52.17 is the principle clause under the Hume 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 73 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.

4.1 Native Vegetation Impact

As outlined in the Assessors Handbook (DELWP 2018), the Native Vegetation Impact assessment must account for direct, indirect and consequential native vegetation loss. Table 3 outlines all potential impacts as relevant to the development proposal.

Table 3. Accounting for native vegetation loss

– 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)	✓
– The full canopy extent of all trees deemed to be impacted	N/A
– The need for firebreaks or defendable space to reduce bushfire risk	N/A
– Installation of services and utilities	N/A
– Impacts of construction activity, compaction and excavation	✓
– Septic treatment systems and stormwater runoff	N/A
– Exemptions triggered from approved dwellings or subdivisions	✓

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Proposed Native Vegetation Removal

No locally indigenous trees are impacted by the proposal. Therefore, impact to native vegetation as defined in the planning scheme is limited to understorey of Habitat Zones 1 and 2. It is expected that the future construction of a dwelling, construction activities, accessway and associated domestic use will impact on all native understorey in the proposed lot 2.

The approved proposal will result in creation of the fenceline 'exemption' of Clause 52.17. Therefore, all native vegetation within 2m of the proposed lot boundary is considered as 'consequential loss'.

Total native vegetation impact associated with the proposal amounts to 0.155 hectares of species-poor Plains Grassland.

Past Native Vegetation Removal

The Native Vegetation Guidelines considers past removal for proposed development applications where:

- Native vegetation was removed in the five-year period before the permit application is lodged
- This includes approved native vegetation removal on the same property or on contiguous land in the same ownership as the applicant or,
- Native vegetation removal without the required approvals.

No records of past approval for native vegetation removal applies to the subject property nor has unauthorised removal occurred to the authors knowledge.

4.1.1 Assessment Category

The assessment category of an application is determined in accordance with Table 4 on the following page. 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 4. 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	<u>Intermediate</u>	Detailed
Less than 0.5 hectares include one or more large trees	Intermediate	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 proposed works impact on less than 0.5 hectares of native vegetation and occur within Location 2. The application therefore falls within the Intermediate assessment pathway.

4.1.2 Biodiversity Impact and Offset Requirements

The native vegetation removal (NVR) report was generated by DEECA based on provision of spatial data from the impact assessment. The offset requirement that applies to approved native vegetation removal is:

Offset Type	General Offset
Offset Amount	0.091 general habitat units
Vicinity	Melbourne Water CMA Region or Hume City Council Area
Minimum SBV Score	0.284
Large Trees	0

The DEECA NVR Report verifies the results of the impact and offset assessment and is provided in Attachment 1.

4.1.3 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 no opportunities for a first party offset. Third party offsets are available as shown in Attachment 2.

4.2 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.

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Strategic Level Planning¹

Strategic Level Planning was considered in this assessment with references to:

- VicPlan Online [Vicplan \(mapshare.vic.gov.au\)](http://mapshare.vic.gov.au) which maintains records on planning scheme amendments or changes to zones or overlays (dating back to July 2017)
- Native Vegetation Precinct Plans relevant to the municipality (as outlined in Schedules to Clause 52.16)
- Sites under the Melbourne Strategic Assessment Levy Area

No strategic level planning applies to the property.

Site Level Planning²

- The indicative driveway siting and recommended building envelope setback allows for the retention of the vast majority of trees on the property and all the trees in the neighbouring reserve to the west.
- Tree removal is limited to planted Victorian and Australian natives
- The understorey impacted is of a low quality with the majority consisting exclusively of *Juncus* sp.

Given the above considerations, it is considered that no feasible opportunities exist to further avoid and minimise impacts on biodiversity without undermining the key objectives of the proposal.

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¹ Strategic level planning is any regional or landscape scale planning process that the site has been subject to that avoided and minimised impacts on native vegetation across a region or landscape

² Site level planning refers to how the proposed use or development has been sited or designed to avoid and minimise impacts on native vegetation

5 Conclusion and Recommendations

The site assessment revealed that indigenous vegetation is limited to fragmented patches of low quality Plains Grassland. Trees assessed to inform impacts as a result of the accessway and lot boundary are either Australian natives or Victorian natives occurring outside their natural range and therefore do not require a permit for their removal. Total impact to native vegetation as per the guidelines therefore comes to 0.155 hectares.

Tree impact has been calculated on the basis that the accessway occurs outside the TPZs of Trees 1-13 as shown in the indicative alignment in Map 2. Native vegetation impact has been calculated on the basis that the building envelope is located in the centre of the lot within the recommended 15m setback shown in Map 3 to avoid further impact to trees.

Impact to native vegetation as a result of the proposal generates the following offset:

Offset Type	General Offset
Offset Amount	0.091 general habitat units
Vicinity	Melbourne Water CMA Region or Hume City Council Area
Minimum SBV Score	0.284
Large Trees	0

Native vegetation credits are available and are included in Attachment 2.

Recommendations for Tree Protection

Tree and vegetation protection zones apply to areas that are close to the approved construction footprint and vulnerable to inadvertent impacts including:

- Works within the Tree Protection Zone (TPZ). Typically, any works that exceed 10% incursion into the TPZ is potentially detrimental to tree health or stability,
- Inappropriate machinery access or stockpiling that has an impact on vegetation or a designated TPZ,
- Damage to tree trunks from machinery such as excavators, bobcats and forestry mulchers.

The following recommendations are provided below to ensure that trees allocated for retention are adequately protected during construction:

- Define the construction footprint to minimise the impact of the works to the fullest extent possible,
- No construction activity is to be undertaken beyond the designated construction zone including but not limited to excavation, vehicle and equipment movement, storage, and stockpiling,
- 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,

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- The vegetation protection fencing must be on the edge of all Tree Protection Zones unless approved works are within these zones,
- Maps in this report are to be provided to arborists and construction contractors along with clear instruction on the site constraints and areas to be protected,
- Removal of trees or vegetation is to be limited to trees specified in the permit or endorsed plans.

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6 References

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

DELWP (2017b) *Assessors Handbook – Applications to remove, destroy or lop native vegetation* (the Department of Environment, Land, Water and Planning, December 2017)

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-evc-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 and Plans

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)
- Subdivision Plans provided by M & D Town Planning
- GPS based data collected in the field

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Map 1 - Existing Conditions

70 Captain Pearson Drive
Mickleham

 Title Boundary

Tree Assessment

-  Victorian Native
-  Australian Native

Native Vegetation Patch

 Plains Grassland
(EVC 132)

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Date: 04 September 2024
Created by: William Tester
Map Program: QGIS 3.34

Scale (A3)
1:800



RANGES
Environmental 

info@rangesconsulting.com



Map 2 - Development Impact

70 Captain Pearson Drive
Mickleham

 Title Boundary

Tree Assessment

 Remove

 Retain

Native Vegetation Patch

 Plains Grassland
(EVC 132)

Development Layout

 Indicative Driveway

 Proposed Lot Boundary

 2m Impact Corridor

 Native Understorey Impact

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Date: 04 September 2024
Created by: William Tester
Map Program: QGIS 3.34

Scale (A3)

1:800

0 25 50 m



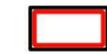
RANGES
Environmental 

info@rangesconsulting.com



Map 3 - Tree Protection Zones and Setbacks

70 Captain Pearson Drive
Mickleham

 Title Boundary

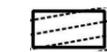
Tree Assessment

 Remove

 Retain

 Tree Protection Zone

Development Layout

 Indicative Driveway

 15m Setback From Trees

 Proposed Lot Boundary

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Date: 04 September 2024
Created by: William Tester
Map Program: QGIS 3.34

Scale (A3)

1:800

0 25 50 m



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Appendix 2 – Tree Data

A – Australian Native V – Victorian Native DBH – Diameter at Breast Height DBH-C – Combined multi-stem diameter at breast height

TPZ – Tree Protection Zone SRZ – Structural Root Zone DAB – Diameter at buttress

No.	Type	Species	Common Name	DBH (cm)	DBH-C(cm)	TPZ (m)	DAB (cm)	SRZ (m)	Height	Spread	Condition	Rating	Status
1	A	Eucalyptus cinerea	Argyle Apple	41, 31	51	6.16	60	2.7	5-10m	7	Good	Moderate	Remove
2	A	Eucalyptus sp.	Gum	28	28	3.36	35	2.1	5-10m	5	Dead	Low	Remove
3	A	Eucalyptus gomphocephala	Tuart	27, 24	36	4.33	50	2.5	5-10m	6	Good	Moderate	Remove
4	A	Eucalyptus gomphocephala	Tuart	25	25	3	31	2	<5m	5	Good	Low	Retain
5	A	Eucalyptus gomphocephala	Tuart	15, 13	20	2.38	30	2	5-10m	3	Good	Low	Retain
6	A	Eucalyptus sp.	Gum	16, 11	19	2.32	29	2	5-10m	6	Good	Moderate	Retain
7	A	Eucalyptus sp.	Gum	25, 18, 16	35	4.16	39	2.2	5-10m	6	Good	Moderate	Retain
8	V	Eucalyptus botryoides	Southern Mahogany	36, 26	44	5.32	45	2.4	5-10m	7	Good	Moderate	Retain
9	V	Eucalyptus botryoides	Southern Mahogany	38	38	4.56	44	2.3	5-10m	7	Good	Moderate	Retain
10	A	Eucalyptus cinerea	Argyle Apple	40	40	4.8	48	2.4	5-10m	7	Good	Moderate	Retain
11	A	Eucalyptus gomphocephala	Tuart	18, 17, 15	29	3.47	36	2.2	<5m	4	Good	Low	Retain
12	A	Eucalyptus spathulata	Swamp Mallet	46, 23, 21, 18, 18	61	7.33	62	2.7	5-10m	10	Good	Moderate	Retain
13	A	Eucalyptus cinerea	Argyle Apple	17, 15, 14	27	3.19	26	1.9	<5m	2	Good	Low	Retain
14	V	Eucalyptus sp.	Gum	32	32	3.84	38	2.2	5-10m	5	Good	Low	Remove

Attachment 1. DEECA NVR Report

Provided on the overleaf

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Native Vegetation Removal Report

NVRR ID: 333_20240904_93C

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

Report details

Date created: 04/09/2024

Local Government Area: HUME CITY

Registered Aboriginal Party: Wurundjeri

Coordinates: 144.92506, -37.56085

Address: 70 CAPTAIN PEARSON DRIVE MICKLEHAM 3064

Regulator Notes

Removal polygons are located:

Summary of native vegetation to be removed

Assessment pathway	Intermediate Assessment Pathway		
Location category	Location 2 The native vegetation extent map indicates that this area is typically characterised as supporting native vegetation. Additionally, it is modelled as encompassing an endangered Ecological Vegetation Class, sensitive wetland or sensitive coastal area. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.		
Total extent including past and proposed removal (ha) <i>Includes endangered EVCs (ha): 0.155</i>	0.155	<i>Extent of past removal (ha)</i>	0
		<i>Extent of proposed removal - Patches (ha)</i>	0.155
		<i>Extent of proposed removal - Scattered Trees (ha)</i>	0.000
No. Large Trees proposed to be removed	0	<i>No. Large Patch Trees</i>	0
		<i>No. Large Scattered Trees</i>	0
No. Small Scattered Trees	0		

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Offset requirements if approval is granted

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

General Offset amount ¹	0.091 General Habitat Units
Minimum strategic biodiversity value score ²	0.284
Large Trees	0
Vicinity	Melbourne Water CMA or HUME CITY LGA

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

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

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1. The General Offset amount required is the sum of all General Habitat Units in Appendix 1.

2. Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required.



Application requirements

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

Application Requirement 1 - Native vegetation removal information

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

Application Requirement 2 - Topographical and land information

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

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

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

Application Requirement 4 - Past removal

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

Application Requirement 5 - Avoid and minimise statement

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

Application Requirement 6 - Property Vegetation Plan

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

Application Requirement 7 - Defendable space statement

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

- Describes the bushfire threat; and

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

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

Application Requirement 8 - Native Vegetation Precinct Plan

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

Does an NVPP apply to the proposal?

Application Requirement 9 - Offset statement

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

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Next steps

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

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

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

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

Application Requirement 6 - Property Vegetation Plan

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

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Appendix 1: Description of native vegetation to be removed

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

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

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

Native vegetation to be removed

Information provided by or on behalf of the applicant			Information calculated by NVR Map							
Zone	Type	DBH (cm)	EVC code (modelled)	Bioregional conservation status	Large Tree(s)	Condition score (modelled)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
1	Patch	-	VVP_0132	Endangered	-	0.570	0.012	0.012	0.340	0.007
2	Patch	-	VVP_0132	Endangered	-	0.570	0.010	0.010	0.340	0.006
3	Patch	-	VVP_0132	Endangered	-	0.561	0.032	0.032	0.340	0.018
4	Patch	-	VVP_0132	Endangered	-	0.570	0.019	0.019	0.340	0.011
5	Patch	-	VVP_0132	Endangered	-	0.571	0.040	0.040	0.340	0.023
6	Patch	-	VVP_0132	Endangered	-	0.610	0.029	0.029	0.410	0.019
7	Patch	-	VVP_0132	Endangered	-	0.595	0.008	0.008	0.384	0.005
8	Patch	-	VVP_0132	Endangered	-	0.600	0.004	0.004	0.340	0.003

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Appendix 2: Images of mapped native vegetation

1. Property in context



- Proposed Removal
- Property Boundaries



200 m

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2. Aerial photograph showing mapped native vegetation



 Proposed Removal



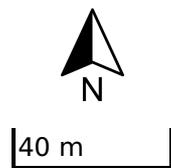
40 m

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3. Location Risk Map

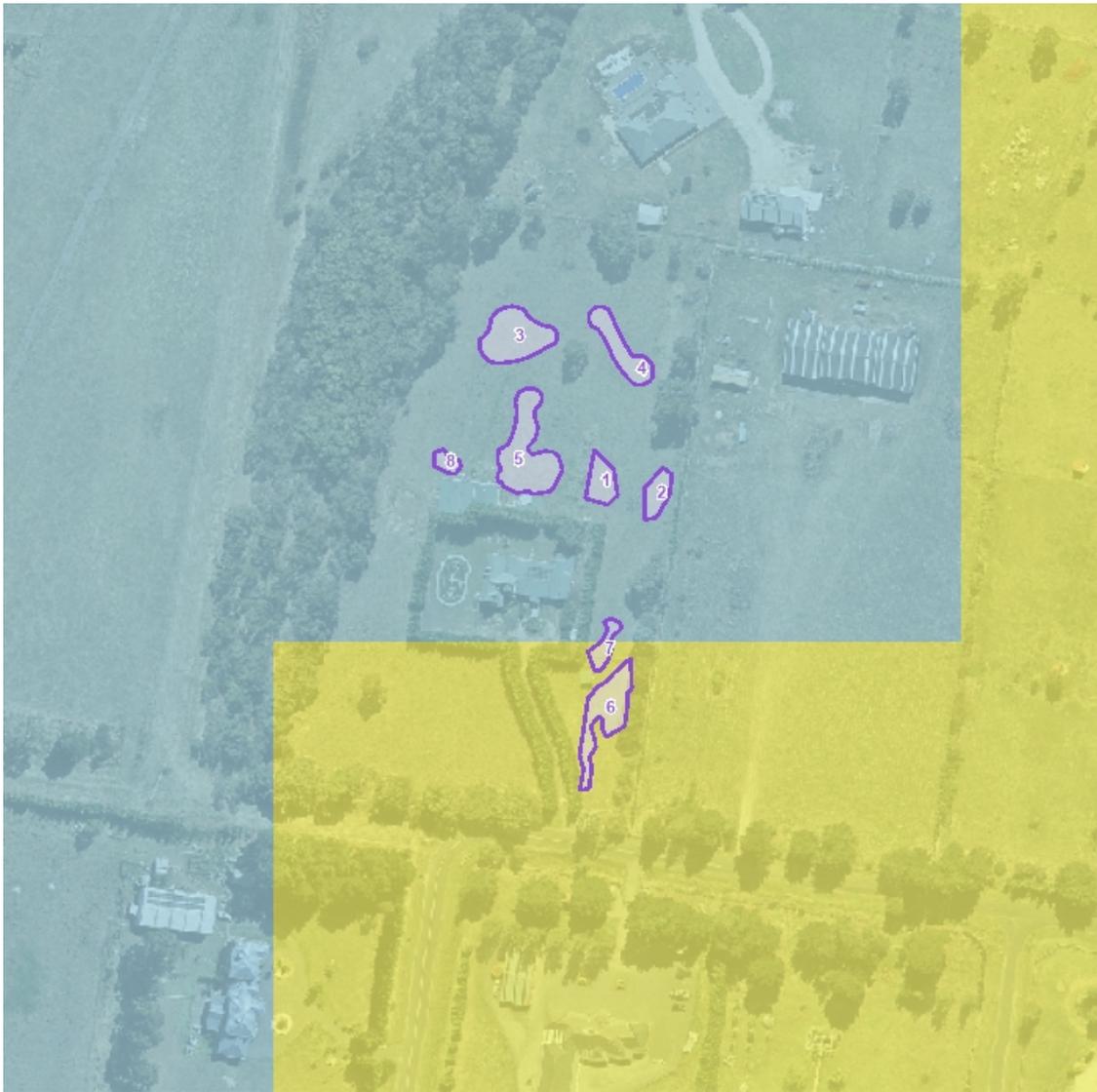


- Proposed Removal
- Location 1
- Location 2
- Location 3



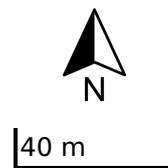
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4. Strategic Biodiversity Value Score Map



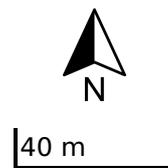
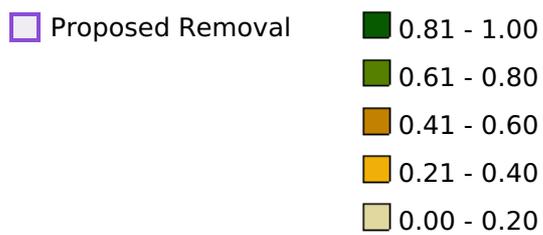
Proposed Removal

- 0.81 - 1.00
- 0.61 - 0.80
- 0.41 - 0.60
- 0.21 - 0.40
- 0.00 - 0.20



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5. Condition Score Map



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6. Endangered EVCs



■ Proposed Removal

■ Endangered 1750 Ecological Vegetation Classes



40 m

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Attachment 2. Available Native Vegetation Credits

Provided on the overleaf

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Report of available native vegetation credits

This report lists native vegetation credits available to purchase through the Native Vegetation Credit Register.

This report is **not evidence** that an offset has been secured. An offset is only secured when the units have been purchased and allocated to a permit or other approval and an allocated credit extract is provided by the Native Vegetation Credit Register.

Date and time: 04/09/2024 02:07

Report ID: 26261

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)	
0.091	0.284	0	CMA	Melbourne Water
			or LGA	Hume City

Details of available native vegetation credits on 04 September 2024 02:07

These sites meet your requirements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-0277	2.315	443	Melbourne Water	Mornington Peninsula Shire	No	Yes	No	Abezco, Ethos, VegLink
BBA-0670	16.209	105	Melbourne Water	Cardinia Shire	No	Yes	No	Abezco, VegLink
BBA-0677	5.583	1410	Melbourne Water	Whittlesea City	No	Yes	No	Abezco, VegLink
BBA-0678	42.326	2585	Melbourne Water	Nillumbik Shire	No	Yes	No	VegLink
BBA-0678_02	0.562	58	Melbourne Water	Nillumbik Shire	No	Yes	No	Abezco, VegLink
BBA-2789	1.317	14	Melbourne Water	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2790	2.911	116	Melbourne Water	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2870	2.544	431	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
BBA-2871	14.359	1642	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
TFN-C1664	0.168	24	Melbourne Water	Yarra Ranges Shire	Yes	Yes	Yes	Yarra Ranges SC
TFN-C1763_3	7.020	0	Melbourne Water	Mornington Peninsula Shire	Yes	Yes	No	Ecocentric, VegLink
VC_CFL-0838_01	0.184	648	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3682_01	1.834	0	Melbourne Water	Nillumbik Shire	Yes	Yes	No	Abezco

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VC_CFL-3687_01	0.278	61	Melbourne Water	Baw Baw Shire	Yes	Yes	No	Baw Baw SC
VC_CFL-3708_01	0.193	492	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3709_01	0.128	360	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3710_01	6.300	322	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3744_01	1.164	349	Melbourne Water	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3764_01	5.124	0	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink

These sites meet your requirements using alternative arrangements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
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There are no sites listed in the Native Vegetation Credit Register that meet your offset requirements when applying the alternative arrangements as listed in section 11.2 of the Guidelines for the removal, destruction or lopping of native vegetation.

These potential sites are not yet available, land owners may finalise them once a buyer is confirmed.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
VC_CFL-3746_01	4.962	563	Melbourne Water	Macedon Ranges Shire	Yes	Yes	No	VegLink

LT - Large Trees

CMA - Catchment Management Authority

LGA - Municipal District or Local Government Authority

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Next steps

If applying for approval to remove native vegetation

Attach this report to an application to remove native vegetation as evidence that your offset requirement is currently available.

If you have approval to remove native vegetation

Below are the contact details for all brokers. Contact the broker(s) listed for the credit site(s) that meet your offset requirements. These are shown in the above tables. If more than one broker or site is listed, you should get more than one quote before deciding which offset to secure.

Broker contact details

Broker Abbreviation	Broker Name	Phone	Email	Website
Abezco	Abzeco Pty. Ltd.	(03) 9431 5444	offsets@abzeco.com.au	www.abzeco.com.au
Baw Baw SC	Baw Baw Shire Council	(03) 5624 2411	bawbaw@bawbawshire.vic.gov.au	www.bawbawshire.vic.gov.au
Bio Offsets	Biodiversity Offsets Victoria	0452 161 013	info@offsetsvictoria.com.au	www.offsetsvictoria.com.au
Contact NVOR	Native Vegetation Offset Register	136 186	nativevegetation.offsetregister@delwp.vic.gov.au	www.environment.vic.gov.au/native-vegetation
Ecocentric	Ecocentric Environmental Consulting	0410 564 139	ecocentric@me.com	Not available
Ethos	Ethos NRM Pty Ltd	(03) 5153 0037	offsets@ethosnrm.com.au	www.ethosnrm.com.au
Nillumbik SC	Nillumbik Shire Council	(03) 9433 3316	offsets@nillumbik.vic.gov.au	www.nillumbik.vic.gov.au
TFN	Trust for Nature	8631 5888	offsets@tfn.org.au	www.trustfornature.org.au
VegLink	Vegetation Link Pty Ltd	(03) 8578 4250 or 1300 834 546	offsets@vegetationlink.com.au	www.vegetationlink.com.au
Yarra Ranges SC	Yarra Ranges Shire Council	1300 368 333	biodiversityoffsets@yarraranges.vic.gov.au	www.yarraranges.vic.gov.au

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For more information contact the DEECA Customer Service Centre 136 186 or the Native Vegetation Credit Register at nativevegetation.offsetregister@delwp.vic.gov.au

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Obtaining this publication does not guarantee that the credits shown will be available in the Native Vegetation Credit Register either now or at a later time when a purchase of native vegetation credits is planned.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes

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Appendix 3:

Certificate of Title

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

Page 1 of 1

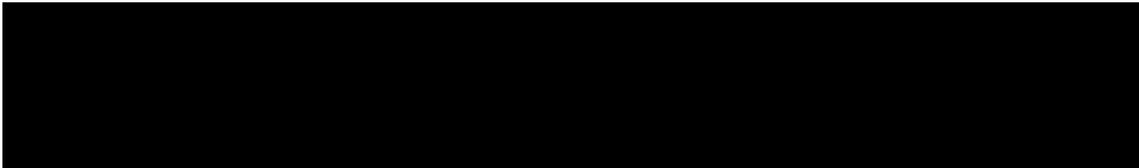
VOLUME 10418 FOLIO 463

Security no : 124111899457J
Produced 16/01/2024 03:02 PM

LAND DESCRIPTION

Lot 104 on Plan of Subdivision 416595V.
PARENT TITLE Volume 10398 Folio 127
Created by instrument PS416595V 11/12/1998

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AJ895168P 05/09/2012
WESTPAC BANKING CORPORATION

COVENANT W087465D 04/06/1999

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

DIAGRAM LOCATION

SEE PS416595V 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: 70 CAPTAIN PEARSON DRIVE MICKLEHAM VIC 3064

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 23/10/2016

DOCUMENT END

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Number of Pages (excluding this cover sheet)	4
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TRANSFER OF LAND

Section 45 Transfer of Land Act 1958



W087465D Form T2
040699 0916 45 122 s Office

Lodged by: CBA
Name:
Phone:
Address:
Ref.: 323475203
Customer Code: 203

MADE A [Barcode] CHANGE CONTROL
Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed—
—together with any easements created by this transfer;
—subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
—subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)
Certificate of Title Volume 10418 Folio 463

IMAGED

Estate and Interest: (e.g. "all my estate in fee simple")
ALL ITS ESTATE IN FEE SIMPLE

[Barcode]
DW087465D-1-4

Consideration:
Directing Party to Transferor \$13,134.24
Transferee to Directing Party \$122,000.00

Transferor: (full name)
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM

Victorian Stamp Duty - AP184
PRIME/COUNTERPART/COLL
Consideration \$ 122,000
Duty Payable \$ 2980
Ref: 323475203
Date 15.12.1993
Initials [Signature]

Transferee: (full name and address including postcode)
MARK COLIN BUSUTTIL and JO PASCOE³⁰⁵⁷
Both of 1000 Somerton Road, Greenvale, as Joint Proprietors

Directing Party: (full name)
GORWAL HOLDINGS PTY LTD ACN 079 696 772

Creation and/or Reservation and/or Covenant: *EDWARD WILLIAM COCKRAM AND SANDRA JOAN COCKRAM their
AND the said MARK COLIN BUSUTTIL and JO PASCOE for themselves their heirs, executors, administrators and transferees the registered proprietor or proprietors for the time being of the land hereby transferred and of every part thereof DO HEREBY as separate covenants COVENANT with the said GORWAL HOLDINGS PTY LTD its successors, assigns and transferees and other registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No. PS416595V and every part or parts thereof (other than the land hereby transferred) that they will not;

1. Erect, build or use, or permit or suffer to be erected, built or used, more than one private dwelling house on the land or any part of it;
 2. Erect or build or use, or permit or suffer to be erected, built or used a private dwelling house on the land, or any part of it, of a size less than two hundred and thirty square metres in area (being approximately twenty five squares in the Imperial measurement).
- Continued on T2 Page 2

Approval No. 571967L ORDER TO REGISTER
Please register and issue title to
Signed

STAMP DUTY USE ONLY
Victorian Stamp Duty - AP184
PRIME/COUNTERPART/COLL
Consideration \$ of 122,000
Duty Payable \$ 2980
Ref: 323475203
Date 15.12.1993
Initials [Signature]



ANNEXURE PAGE

Approved Form A1
Victorian Land Titles Office

Transfer of Land Act 1958

This is page 2 of Approved Form dated 8-1-99 between
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM and GORWAL HOLDINGS PTY LTD AND MARK
COLIN BUSUTTIL and JO PASCOE

Signatures of the parties

RC
SC
[Signature]
M. Busuttill
EC
[Signature]
Sandra Cockram
[Signature]
Sandra Cockram

Panel Heading

The following are not to be included for the purpose of determining whether a private dwelling house on the land, or any part of it, is of a size less than two hundred and thirty square metres in area:

- (a) any garage on the land or any part of it;
 - (b) any carports on the land or any part of it;
 - (c) any verandah which may be attached to the private dwelling house;
 - (d) any sheds or storage areas which may be attached to the private dwelling house;
3. Erect, build or use, or permit or suffer to be erected, built or used, any outbuildings, garages or other buildings on the land, or any part of it, prior to a private dwelling house being erected or built on the land or any part of it;
 4. Erect, build, alter or use, or permit or suffer to be erected, built, altered or used, a private dwelling house with external walls on the land, or any part of it, constructed of, other than to a minor extent, materials other than brick, brick veneer, glass, stone or rendered walls;
 5. Erect or build, or permit or suffer to be erected or built, a private dwelling house, garage, outbuilding or other building on the land, or any part of it, constructed of second hand or used materials, or galvanised or painted galvanised iron (excluding colourbond);
 6. Attach, or permit or suffer to be attached, a roof on a private dwelling house on the land, or any part of it, with material other than tiles, slate or colourbond. In the event of a roof on a private dwelling house being constructed or built of colourbond, the colourbond used is not to be white in colour;
 7. Attach, or permit or suffer to be attached, a roof to a private dwelling house on the land, or any part of it, if such roof is not gabled (at an angle of at least twenty (20) degrees from horizontal) to a centre ridge;
 8. Paint a private dwelling house, garages, outbuildings or other buildings on the land, or any part of it, in colours which are not muted and of minimal reflection;
 9. Paint external fencing on the land, or any part of it, using colours other than black.
 10. Subdivide the land, or any part of it, or permit or suffer the subdivision of the land or any part of it;
 11. Permit or suffer vehicles (other than non commercial vehicles), sheds, caravans, wood piles, petrol tanks, rainwater tanks or containers to be visible from the street affronting the land. The use of effective screening is permissible to restrict visibility of the aforementioned objects from the street affronting the land;
 12. Undertake, or permit or suffer the undertaking of, earthworks or quarrying on the land, or any part of it, other than for the purpose of landscaping or constructing a private dwelling house, outbuildings, garages, other buildings, pool or tennis court;

Approval No. 571967L

A1



1. If there is insufficient space to accommodate the required information on the Annexure Page under the appropriate panel heading, the words "PAGE IS NOT TO BE USED."
2. If multiple copies of a mortgage are lodged, the words "See Annexure Page 2" (or as the case may require) must be inserted in the appropriate panel heading.
3. The Annexure Pages must be properly attached to the Form to which it is annexed.
4. All pages must be attached to the Form in the order in which they are numbered.

W087465D
040699 0916 45 122

Approved
formation
ANNEXURE

to each.
approved



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Please note that the plan may not be to scale.

ANNEXURE PAGE

Transfer of Land Act 1958

Approved Form A1
Victorian Land Titles Office

This is page 3 of Approved Form dated between
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM and GORWAL HOLDINGS PTY LTD AND MARK
COLIN BUSUTTIL and JO PASCOE

Signatures of the parties

EC *SC* *EC* *SC*
Edward Cockram *Colin Busuttill* *JC* *SJ*
Sandra Cockram *Jo Pascoe* *Mark Gorwal* *Sandra Cockram*

Panel Heading

13. Park, or permit or suffer the parking of, vehicles, caravans, boats or other transports in front of the private dwelling house on the land;
14. Undertake, or permit or suffer the undertaking of, repairs to vehicles, caravans, boats or other transports on the land, or any part of it, in a manner which would be visible from the street;
15. Erect, or permit or suffer the erecting of radio masts on the land or any part of it;
16. Erect or build, or permit or suffer to be erected or to be attached or in any way affixed to the land or to any part of it or to any fixture or chattel situated on the land any advertising hoarding or other structure which is intended or is suitable for the display of advertisements or notices and the land or any part of it shall not be used for the display of advertisements or notices;
17. Erect or affix to the land, or any part of it, entrance gates other than those provided or supplied by Mt Ridley Developments Pty Ltd (ACN 078 659 711). If such entrance gates are to be replaced, they must be replaced with entrance gates of the same, or similar, make and description as the entrance gates originally supplied by Mount Ridley Developments Pty Ltd;
18. Erect a building or structure outside the designated building envelope of the land, or remove or trim any red-gum trees existing on the land or any part of it without the consent of the appropriate local municipal authority;
19. Use, or permit or suffer the use of, drums, cylinders, barrels or other like objects to cover, shield or protect trees on the land or any part of it;
20. Erect any fence on any of the boundaries of the land to divide it from any adjoining land or from any road unless such fence shall be of open style construction, for example posts and rails, or posts and wire;
21. Store, or permit or suffer the storing of, commercial, new or second-hand building material or construction equipment on the land, or any part of it, other than for the immediate purpose of erecting or building a private dwelling house, garage, outbuilding or other building;
22. Place, or permit or suffer to be placed, the connection of electricity and telephone services from the street to the private dwelling house or other buildings on the land, or any part of it, other than by underground means;
23. Erect or build, or permit or suffer to be erected or built, any structure on any part of the land which is intended or is suitable for use as a toilet or sanitary convenience or to alter any structure on the land for that purpose, unless it is permanently attached to and forms part of the private dwelling house which is erected on the land;

and these covenants shall appear on the Certificate of Title to issue for the said land and run with the land.

Approval No. 571967L

A1



1. If there is insufficient space to accommodate the required Form insert the words "See Annexure Page 2" (or as the case may be) on the Annexure Page under the appropriate panel heading.
2. If multiple copies of a mortgage are lodged, only one copy of the Form is required.
3. The Annexure Pages must be properly identified as part of a planning process under the Planning and Environment Act 1987.
4. All pages must be attached together in the order shown.

W087465D
040699 0916 45 122

Approved Form A1
ANNEXURE

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ANNEXURE PAGE

Transfer of Land Act 1958

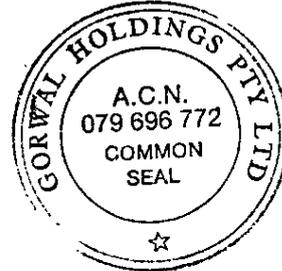
Approved Form A1
Victorian Land Titles Office

This is page 4 of Approved Form dated between
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM and GORWAL HOLDINGS PTY LTD AND MARK
COLIN BUSUTTIL and JO PASCOE
Signatures of the parties

Panel Heading

SIGNED by the Transferors in the presence of:

Sandra Cockram *E. Nancarrow*
[Signature]



THE COMMON SEAL of GORWAL HOLDINGS PTY LTD (ACN 079 696 772) was hereunto affixed in accordance with its Articles of Association in the presence of:

Sandra Cockram
Director

[Signature]
Secretary

SIGNED by the Transferees in the presence of:

M. Busuttill x MCB

Jo Pascoe x Witness

[Signature] x JP

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W087465D
040699 0916 45 122

Approval No. 571967L

A1



1. If there is insufficient space to accommodate the signature on the Annexure Page under the approved Form insert the words "See Annexure PAGE IS NOT TO BE USED."



Approved information ANNEXURE

- 2. If multiple copies of a mortgage are lodged, original Annexure Page to be attached to each.
- 3. The Annexure Pages must be properly identified and signed by the parties to the Approved Form to which it is annexed.
- 4. All pages must be attached together by being stapled in the top left corner.



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Document Type	Plan
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Number of Pages (excluding this cover sheet)	2
Document Assembled	16/01/2024 15:03

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PLAN OF SUBDIVISION	Stage No. /	LTO use only EDITION 1	PLAN NUMBER PS 416595V
----------------------------	-------------	----------------------------------	----------------------------------

Location of Land
 Parish: Kalkallo
 Section: 12 (Part)
 Parish: Mickleham
 Section: 12 (Part)

LTO base record: D.C.M.B.
 Title References:

Last Plan Reference: PS 416590G Lot H
 Postal Address: Mt. Ridley Road
 Mickleham 3064

AMG Co-ordinates: E 316,550m
 (Of approx. centre of plan) N 5,840,440m Zone 55

Vesting of Roads or Reserves

Identifier	Council/Body/Person
ROADS RI	HUME CITY COUNCIL

Council Certification and Endorsement

Council Name: Hume City Council Ref:

- This plan is certified under section 6 of the Subdivision Act 1988.
- This plan is certified under section 11(7) of the Subdivision Act 1988.
Date of original certification under section 6 / /
- This is a statement of compliance issued under section 21 of the Subdivision Act 1988.

Open Space

(i) A requirement for public open space under section 18 Subdivision Act 1988 has / has not been made.

(ii) The requirement has been satisfied.

(iii) The requirement is to be satisfied in Stage

Council Delegate
 Council seat
 Date / /

Notations

Depth Limitation: Does not apply	Staging This is/is not a staged subdivision Planning Permit No.
LOT NUMBERS 1 TO 102 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.	Survey:- This plan is / is not based on survey. To be completed where applicable. This survey has been connected to permanent marks no(s). 2 (Mickleham) and 32, 34, 36, 37, 40 & 96 (Kalkallo). In Proclaimed Survey Area no. _____
NUMBER OF LOTS: 10 AREA OF STAGE: 18.54ha AREA OF ROADS: 1.050ha	

Easement Information

Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road)					LTO use only Statement of Compliance / Exemption Statement
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of	Received <input type="checkbox"/> Date / / LTO use only PLAN REGISTERED TIME DATE / / Assistant Registrar of Titles Sheet 1 of 2 Sheets
E-1	ELECTRICITY SUPPLY	SEE DIAG.	THIS PLAN	SOLARIS POWER LIMITED	
E-2	DRAINAGE	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN AND HUME CITY COUNCIL	
RI	WAY, DRAINAGE AND SEWERAGE AND THE SUPPLY OF WATER, GAS, ELECTRICITY AND TELECOMMUNICATIONS	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN	
LICENSED SURVEYOR MALCOLM JOHN PERRIAM REF 7140/5B/01 VERSION 2 DATE 4/6/1998 SIGNATURE _____					



PEYTON WAITE
 CONSULTING LAND SURVEYORS & TOWN PLANNERS
 353 PLENTY ROAD PRESTON 3072 PHONE 94784933 FAX 94706991
 CERTIFIED QUALITY SYSTEM - ISO 9001 1987 REG No.306



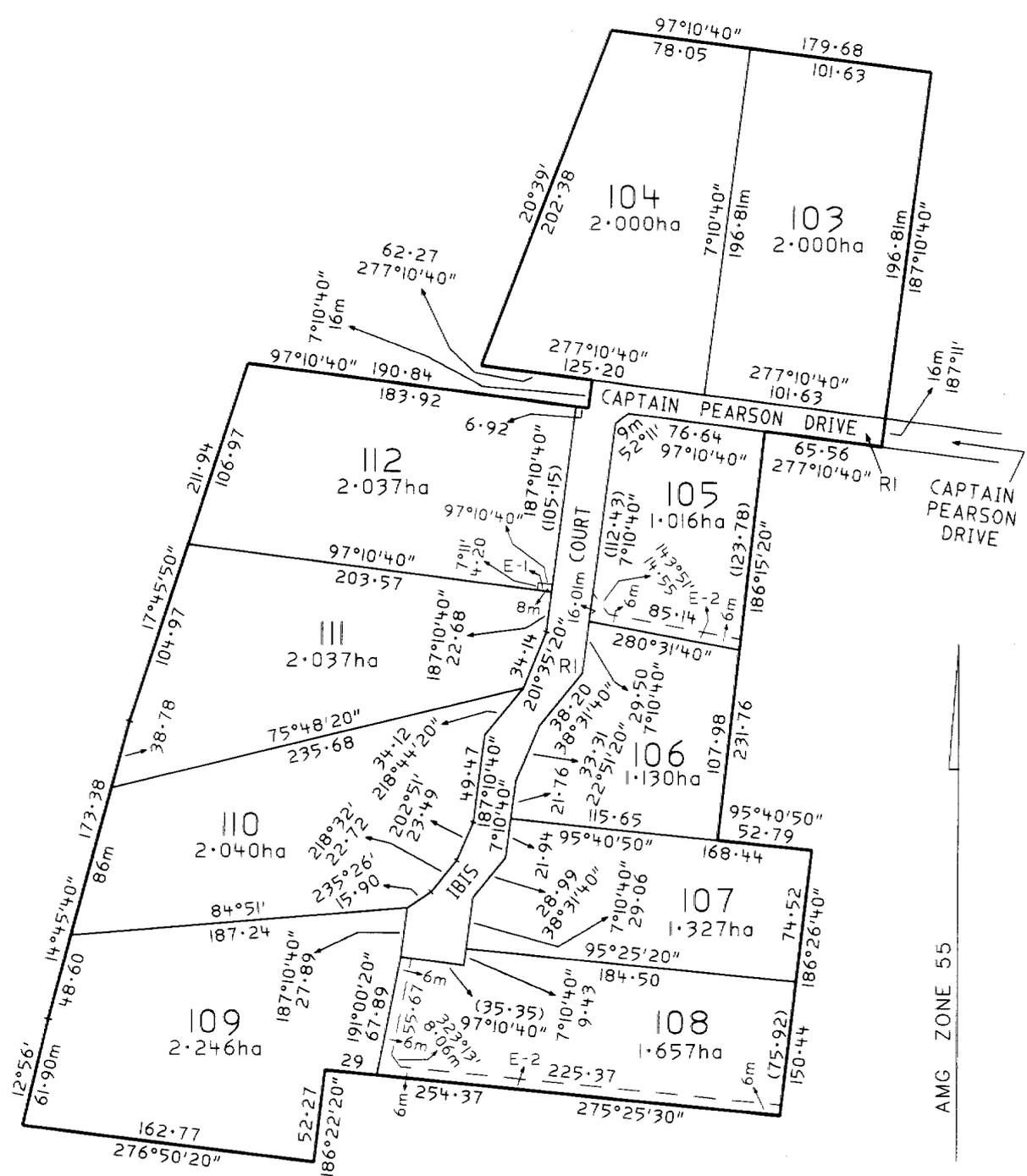
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PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 416595V



AMG ZONE 55

ORIGINAL SCALE

SHEET SIZE A3 SCALE 1:2500

LENGTHS ARE IN METRES

LICENSED SURVEYOR MALCOLM JOHN PERRIAM

SIGNATURE _____ DATE 4/6/1998

REF 7140/58/01 VERSION 2 7140SUB.G43

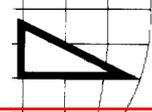


PEYTON WAITE

CONSULTING LAND SURVEYORS & TOWN PLANNERS

353 PLENTY ROAD PRESTON 3072 PHONE 94784933 FAX 94746699 A.C.N. 0041961884

CERTIFIED QUALITY SYSTEM - ISO 9001 1987 REG No.306



SHEET 2 OF 2 SHEETS

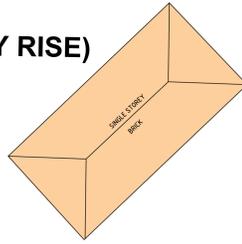
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Appendix 4:

Proposed Subdivision Layout Plan Package
Prepared by Jova Drafting Consultants

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(45 SANCTUARY RISE)



WINDMILL PARK SANCTUARY

Lot 2
1Ha

BUILDING ENVELOPE 3733.60m²

APPROX ONSITE EFFLUENT
SYSTEM LOCATION 20m x 50m

APPROX ONSITE EFFLUENT
SYSTEM LOCATION 20m x 50m

Lot 1
1Ha

CAPTAIN PEARSON DRIVE

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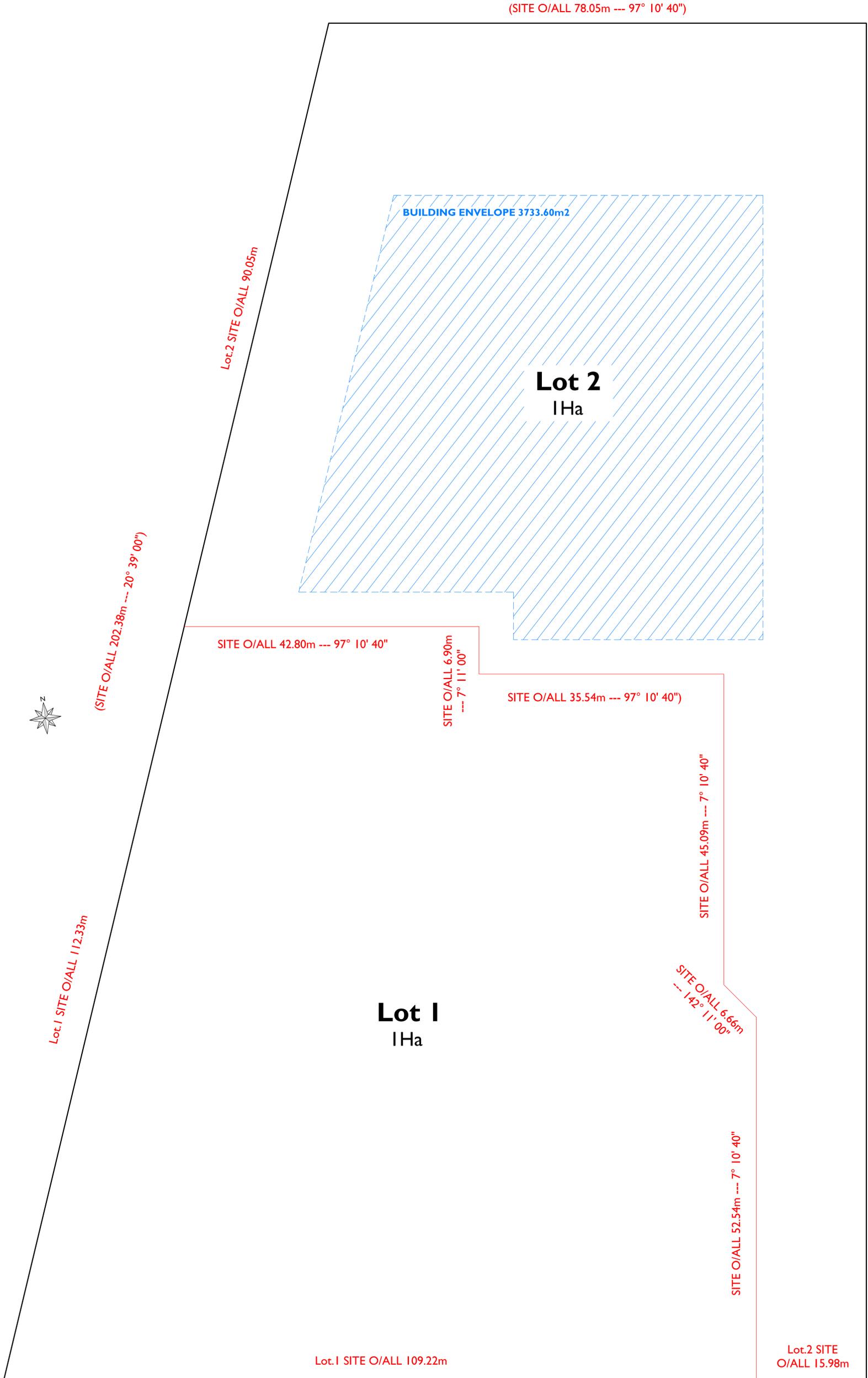
60

NOTE
EXISTING POST AND WIRE FENCE TO BE REMOVED TO MAKE WAY FOR LOT 2 AS APPROPRIATE.

NOTE
COVENANT W087465D IS REQUIRED TO BE REMOVED OR MODIFIED PRIOR TO ANY USE AND DEVELOPMENT THAT IS CONTRARY TO ANY REQUIREMENT CONTAINED IN THE RESTRICTION

SUBDIVISION LAYOUT PLAN/ SITE SPECIFIC DEVELOPMENT PLAN

SCALE 1:250 A0 PAPER SIZE



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Appendix 5:

Proposed Plan of Subdivision
Prepared by Brian Watson Surveying

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PLAN OF SUBDIVISION	EDITION 1	Plan Number PS921503M
----------------------------	-----------	---------------------------------

LOCATION OF LAND COUNTY: BOURKE PARISH: KALKALLO TOWNSHIP: SECTION: 12 (PART) CROWN ALLOTMENT: CROWN PORTION: TITLE REFERENCE: VOLUME 10418 FOLIO 463 LAST PLAN REFERENCE: PS416595V (LOT 104) POSTAL ADDRESS: 70 CAPTAIN PEARSON DRIVE (at time of subdivision) MICKLEHAM 3064 MGA CO-ORDINATES: E: 316732 ZONE: 55 (of approx centre of land in plan) N: 5840858 GDA 2020	COUNCIL: HUME
--	---------------

VESTING OF ROADS AND/OR RESERVES	NOTATIONS
---	------------------

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

THIS IS A PROVISIONAL PLAN: All information shown on this plan including subsequent sheets is subject to confirmation by survey, approval by Statutory Authorities, Certification by Council and Registration by Land Registry. Information hereon may change prior to final approval of plan.

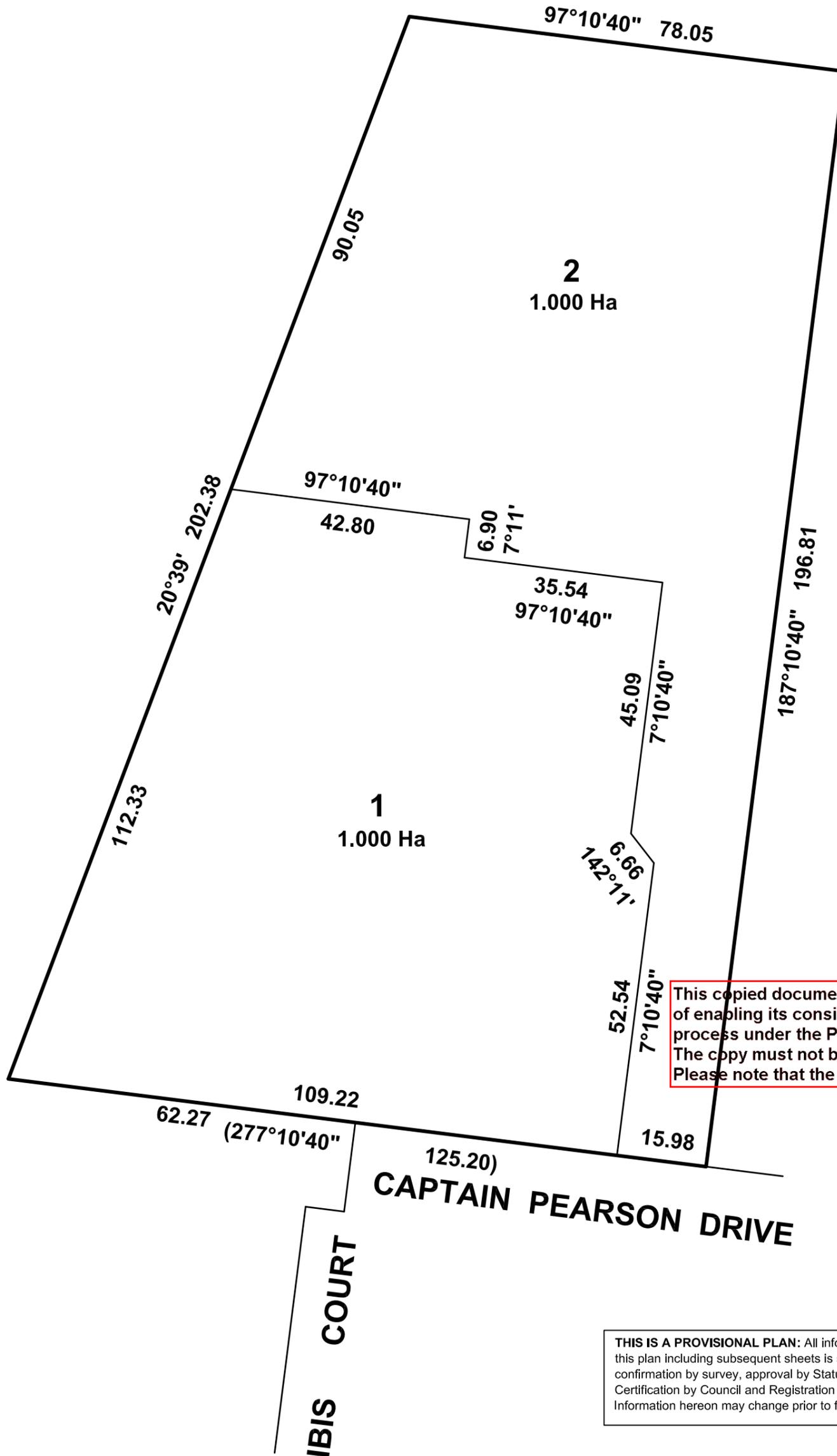
NOTATIONS
DEPTH LIMITATION - Does not apply
SURVEY: This plan is based on survey. STAGING: This is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). in Proclaimed Survey Area No. 74

EASEMENT INFORMATION

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

Section 12(2) of the Subdivision Act applies to all the land in this plan

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
<div style="border: 2px solid red; padding: 10px; display: inline-block;"> <p>This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The copy must not be used for any other purpose. Please note that the plan may not be to scale.</p> </div>				



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BRIAN WATSON SURVEYING P/L

Office Address: 454 Waverley Road, EAST MALVERN. 3145
 Mailing Address: PO Box 113, CARNEGIE. 3163
 Phone: 9572 3122 Fax: 9572 3144
 Email: admin@brianwatsonsurveying.com.au ABN: 51 618 637 522

SCALE
1: 800



ORIGINAL SHEET
SIZE: A3

SHEET 2

BRIAN WATSON VERSION 1

Appendix 6:

Site Specific Development Plan
Prepared by WPA

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WPA.

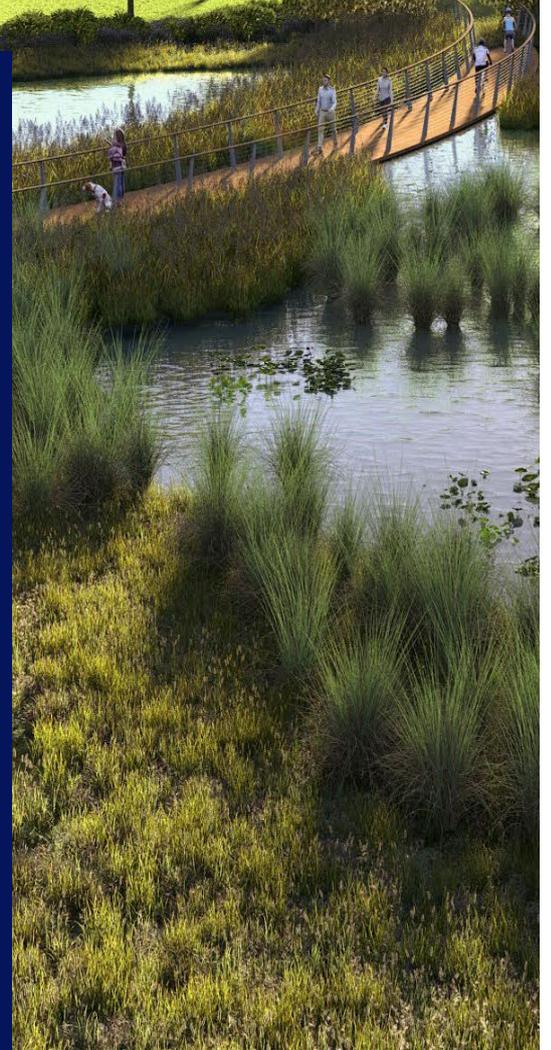
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Site Specific Development Plan

70 Captain Pearson Drive, Mickleham
Prepared on behalf of the Landowners

November 2025

info@whiteman.com
kwhiteman.com
(PH) 9466 8819



1 Introduction

This Site Specific Development Plan for 70 Captain Pearson Drive, Mickleham (**the subject site**) has been submitted by Whiteman Property & Associates (**WPA**) on behalf of the Landowners.

The Site Specific Development Plan has been prepared to accompany a concurrent planning permit application (which has also been submitted by WPA on behalf of the Landowners) proposing a two lot subdivision application and associated variation of a restrictive covenant at the subject site.

Once approved, the Site Specific Development Plan will provide necessary guidance into the future development on the created lot at the subject site.

The preparation of the Site Specific Development Plan has been informed by the requirements of the applied Development Plan Overlay (DPO) – Schedule 8 (DPO8).

2 Purpose of the Site Specific Development Plan

The subject site is covered by the DPO8.



Figure 1: DPO8 Map (source: VicPlan)

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The purpose of the DPO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.*

Requirement before a permit is granted

Pursuant to Clause 43.04-2 of the Hume Planning Scheme, a permit must not be granted to use or subdivide land, construct a building, or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

There is currently no approved Development Plan associated with the subject site. Accordingly, this Site Specific Development Plan has been prepared in order to allow Council the discretion to approve any future planning permit application proposing the subdivision of the site.

3 Site Specific Development Plan Requirements

Pursuant to Clause 4.0 of the DPO8, a Development Plan for specific areas may be prepared to the satisfaction of the responsible authority and may include the following:

- *Building envelopes and site layout including setbacks.*
- *Building height requirements.*
- *Building design requirements including building materials and colours, house styles, fencing and roof forms.*
- *Landscaping requirements.*
- *Any other matters which relate to the development of the land.*

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4 The Site Specific Development Plan

The preparation of the Site Specific Development Plan has been informed by the above listed requirements of the DPO8. Additionally, the following specialist reports and assessments (which have also been prepared to accompany the concurrent planning permit application proposing subdivision of the site) further guide the preparation of the Site Specific Development Plan:

- Feature Level & Survey Plan – Brian Watson Surveying
- Urban Design – Jova Drafting Consultants
- Native Vegetation Impact Assessment – Prepared by Ranges Consulting
- Land Capability Assessment – Prepared by Land Capability Assessment Victoria

Please refer to the Site Specific Development Plan for 70 Captain Pearson Drive, Mickleham prepared by Jova Drafting Consulting which is provided at **Attachment 1** of this report. The plan nominates building envelopes, and associated setback distances from property boundaries and building height envelopes that the future development of the created lot must consider.

The plan is consistent with the proposed two lot subdivision seeking approval concurrently.

In addition, any future planning permit applications associated with this Site Specific Development Plan must consider the following design guidelines to the satisfaction of the responsible authority:

- No more than one private dwelling to be erected on each lot.
- The maximum building height of a private dwelling should not exceed 9 metres and should not contain more than 2 storeys at any point, unless otherwise specified in writing by the Responsible Authority.
- Outbuildings, garages and other buildings on the land shall not be built prior to the private dwelling being erected.
- Roof lines of dwellings and other buildings should be consistent with the current Hume City Council policies and controls regarding roof forms.
- Colours and materials used for dwelling and other building and works will be consistent with current Hume City Council policies and controls regarding building colours and materials.

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- Natural slopes and topography will be reasonably retained so that the visual impact of excavation can be minimised.
- Colours, materials and designs in roadways, driveways, and pedestrian paths should blend with the surrounding landscape to minimise visual contrasts.
- Effective drainage should be planned for all works prior to construction.
- Effluent runoff should not seep into drainage pipes or watercourses.
- Typical rural style fencing will be utilised wherever possible (i.e., post and wire or similar "open style" fencing). Other style of fencing may be permissible provided they are not considered to be visually intrusive and dominant.
- Any existing and emerging environmental and noxious weeds are to be removed prior to the commencement of landscape works, and regularly during the maintenance established period.
- Only contractors trained in natural area management are to undertake weed control in environmentally sensitive areas.

5 Conclusion

WPA trusts that the Site Specific Development Plan appropriately address the requirements of the DPO8 of the Hume Planning Scheme. Consequently, it is submitted that Council can approve this Site Specific Development Plan in accordance with the proposed three lot subdivision application at the subject site.

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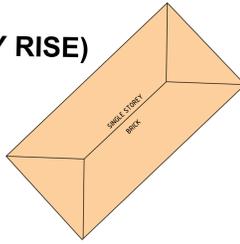
Attachment 1:

Site Specific Development Plan

Prepared by Jova Drafting Design

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(45 SANCTUARY RISE)



WINDMILL PARK SANCTUARY

Lot 2
1Ha

Lot 1
1Ha

APPROX ONSITE EFFLUENT
SYSTEM LOCATION 20m x 50m

BUILDING ENVELOPE 3733.60m²

APPROX ONSITE EFFLUENT
SYSTEM LOCATION 20m x 50m

SITE O'ALL 42.80m --- 97° 10' 40"

SITE O'ALL 6.90m --- 7° 11' 00"

SITE O'ALL 35.54m --- 97° 10' 40"

SITE O'ALL 45.09m --- 7° 10' 40"

SITE O'ALL 52.54m --- 7° 10' 40"

60

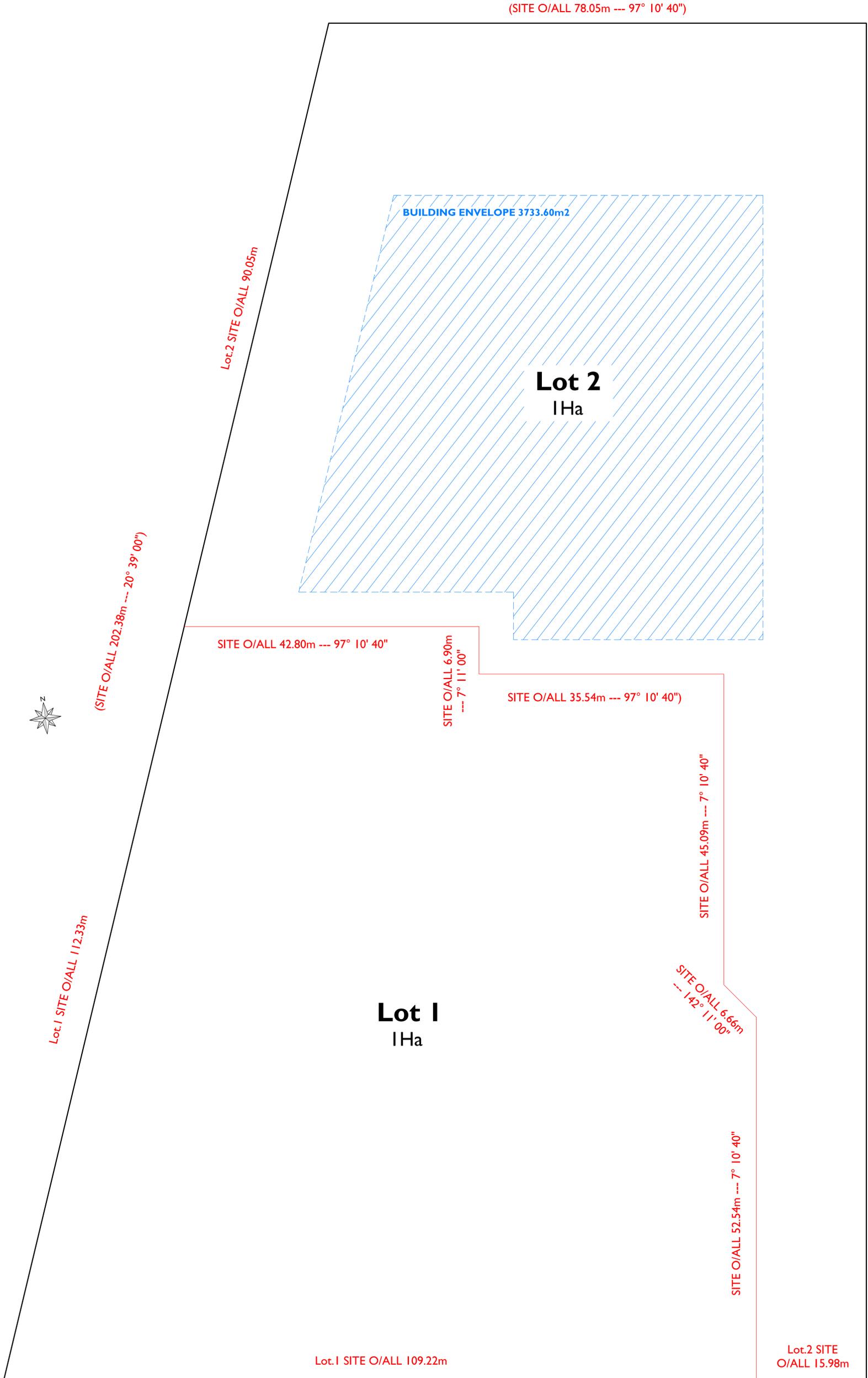
NOTE
EXISTING POST AND WIRE FENCE TO BE REMOVED
TO MAKE WAY FOR LOT 2 AS APPROPRIATE.

NOTE
COVENANT W087465D IS REQUIRED TO BE
REMOVED OR MODIFIED PRIOR TO ANY USE AND
DEVELOPMENT THAT IS CONTRARY TO ANY
REQUIREMENT CONTAINED IN THE RESTRICTION

CAPTAIN PEARSON DRIVE

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**SUBDIVISION LAYOUT PLAN/ SITE
SPECIFIC DEVELOPMENT PLAN**
SCALE 1:250 A0 PAPER SIZE



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WPA.

WHITEMAN

PROPERTY &
ASSOCIATES

Appendix 7:

Land Capability Assessment

Prepared by Land Capability Assessment Victoria

Dated October 2024

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QING ZHOU LIN & XIAO HONG LIN

**LAND CAPABILITY ASSESSMENT
FOR
ON-SITE WASTEWATER MANAGEMENT
AT
70 CAPTAIN PEARSON DRIVE, MICKLEHAM VIC 3064**

REPORT No. LCA14102024

OCTOBER/2024

By

Zoltan Lorincz, M.Agricultural Sc.
Land Capability Assessment Victoria
CONSULTANTS IN THE AGRICULTURAL SCIENCES

IMPORTANT NOTE

The land capability assessment report consists of this cover sheet, two written sections, three drawings and four appendices.
The report elements are not to be read or interpreted in isolation.

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(iii) Executive Summary

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APPENDIX A1
Soil Permeability and Soil Test Results

APPENDIX A2
Soil Profile Photographs

APPENDIX A3
Logs of Boreholes

APPENDIX B
Water-, Nutrient Balance and Rainfall data

APPENDIX C
Land Capability Assessment Table

APPENDIX D
Management Plan

DRAWING 1
Location of Subject Site

DRAWING 2
Location of Proposed Development
Showing Contours

DRAWING MP1
Cut-off Drain Detail for
Effluent Disposal Fields

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ASSESSOR'S ACADEMIC & PROFESSIONAL QUALIFICATIONS

Zoltan Lorincz is the principal Soil Scientist at Land Capability Assessment Victoria. He has a Masters Degree in Applied Science (General Agriculture) (awarded in 2002) and completed his studies in a two-year Postgraduate Specialist Training Programme in Soil Science (awarded in 2012).

All fieldwork and analyses are undertaken by Zoltan Lorincz.

ASSESSOR'S PROFESSIONAL INDEMNITY INSURANCE

Policy Number:	118U813797BPK
Period of Cover:	24/8/2024 – 24/8/2025
Geographical Coverage:	Australia
Retro-active Date:	Unlimited
Limit of Indemnity:	\$2,000,000

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EXECUTIVE SUMMARY

The proposed development at 70 Captain Pearson Drive, Mickleham VIC is suitable for sustainable on-site effluent disposal.

The site is located in the Rural Living Zone and is not in a Special Water Supply Catchment. It is proposed to subdivide the existing block of 2 hectares into 2 equal lots of 1 hectare. The effluent field of the existing 5-bedroom residence is located in the proposed new lot thus it has to be relocated as indicated in Drawing 2. It is proposed to backfill the existing dam on the western part of the block. The LCA report has been prepared for the new lot assuming a 4-bedroom (equivalent) residence.

The site is not sewerred and has mains water supply.

Our field testing which included soil profile logging and sampling, a differential level survey, laboratory testing and subsequent reporting including water and nutrient balance modelling has revealed that on-site effluent disposal is rational and sustainable.

The assessment has been made in the context of prioritising public and environmental health with a design compromise between rational wastewater reuse and sustainable wastewater disposal.

Effluent shall be treated on both lots to at least the septic standard and distributed by absorption trenches utilising the processes of evapotranspiration and deep seepage.

The trench lengths have been determined for the mean wet year and satisfies the requirements of *SEPPs (Waters of Victoria)* in that the effluent disposal system cannot have any detrimental impact on the beneficial use of surface waters or groundwater.

For the proposed development the available area is not limiting and continuous or long-term increases in effluent volume above 750 litres/day (proposed 4-bedroom (equivalent) residence on the new lot) and 900 litres/day (existing 5-bedroom residence) are possible.

With regard to density of development and cumulative risk the assessment has considered risk associated with subsurface flows and surface flows.

In regard to subsurface flows, it is clear that provided the on-site system is adequately designed, constructed, operated and maintained the risk to surface and ground waters is negligible. Once the effluent is placed underground, the long travel times via ground water to surface waters ensures adequate nutrient attenuation.

In regard to surface flows, it is clear that provided the on-site system is adequately designed, constructed, operated and maintained, the risk to surface and ground waters is no greater than for a sewerred development.

Proposed use for the new lot requires a primary treatment system and absorption trenches while for the existing residence the existing septic tank is suitable and new absorption trenches are required.

The LCA recommends a conservative, scientifically based, well founded wastewater management system with inherent multiple barriers of safety.

Cumulative risk from the development is extremely low. The risk of serious or irreversible damage is extremely low.

All requirements of *SEPP (Waters of Victoria)* have been met.

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LCA14102024 – OCTOBER/2024

**LAND CAPABILITY ASSESSMENT
FOR
ON-SITE WASTEWATER MANAGEMENT
AT
70 CAPTAIN PEARSON DRIVE, MICKLEHAM VIC 3064**

1. SECTION 1. SITE INVESTIGATION

1.1. INTRODUCTION

On instruction from the landowner, an investigation was undertaken to assess land capability for on-site effluent disposal/reuse for a 4-bedroom (equivalent) residence at 70 Captain Pearson Drive, Mickleham VIC.

The site is located in the Rural Living Zone and is not in a Special Water Supply Catchment. It is proposed to subdivide the existing block of 2 hectares into 2 equal lots of 1 hectare. The effluent field of the existing 5-bedroom residence is located in the proposed new lot thus it has to be relocated as indicated in Drawing 2. It is proposed to backfill the existing dam on the western part of the block. The LCA report has been prepared for the new lot assuming a 4-bedroom (equivalent) residence. The site is not sewerred and has mains water supply.

The assessment has been made in the context of prioritising public and environmental health with a design compromise between rational wastewater reuse and sustainable wastewater disposal.

1.2. INVESTIGATION METHOD

The site investigation was carried out in accordance with *SEPPs (Waters of Victoria) and related documents. This report is in accordance with current SEPPs (Waters of Victoria), EPA Victoria - Guideline for onsite wastewater management (May 2024) and EPA Victoria - Guideline for onsite wastewater effluent dispersal and recycling systems (May 2024)*. Guidance has been sought from *AS/NZS 1547:2012, Guidelines for Wastewater Irrigation, E.P.A. Publication 168, April 1991, Wastewater Subsurface Drip Distribution, Tennessee Valley Authority, March, 2004, AS 2223, AS 1726, AS 1289, AS 2870 and Australian Laboratory Handbook of Soil and Water Chemical Methods*.

Our capability assessment involved the mapping of unique land-soil unit(s) which were defined in terms of significant attributes including; climate, slope, aspect, vegetation, soil profile characteristics (including soil reaction trend, electrical conductivity and colloid stability), depth to rock, proximity to surface waters and escarpments, transient soil moisture characteristics and hydraulic conductivity.

Exploratory auger drilling was undertaken to enable profile characterization and sampling. Onsite dispersion index testing revealed significant dispersion. Hence, *insitu* permeability testing was not considered rational.

Water balance analysis was based on the mean wet year calculated from the mean monthly rainfall data and mean annual rainfall for Greenvale Reservoir and mean evaporation data for Melbourne Airport and was undertaken in accordance with *Guidelines for Wastewater Irrigation, E.P.A. Publication 168, April 1991 (Part), AS/NZS 1547:2012* and in-house methods.

The rainfall and evaporation data were obtained from the National Climate Centre, Bureau of Meteorology.

The data was subsequently analysed and applied to our water and nutrient balance analyses.

The results of the water- and nutrient balance analysis are given in Appendix B. to this report. The results of the investigation and *in situ* and laboratory testing are given in Section 4.2 below and in Appendix A to this report.

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1.3. CAPABILITY ASSESSMENT

We have used the attributes determined by the investigation to define one (1) land-soil unit, as follows:-

1.3.1. Land-Soil Unit A.

This land-soil unit consists of level terrain, as shown in Drawing 2 and Figure 1.

The salient land-soil attributes and constraints are summarised in Appendix C.

1.3.1.1. Climate.

The general area receives a mean annual rainfall of 589mm and a mean annual evaporation of 1708mm. Mean evaporation exceeds the mean rainfall throughout the year.

Rainfall and evaporation data are presented in Appendix B, to this report.

1.3.1.2. Slope and Aspect.

The natural ground surface over the proposed land application area is level, slopes at 1%, generally, as shown in Drawing 2 and Figure 1.

The unit is somewhat protected from the prevailing winds and is subject to partial shade from nearby trees.

1.3.1.3. Vegetation and Land Use.

The unit is vegetated with dense pasture grasses as shown in Figure 1. The land is currently used for grazing.

The land application area has been designed for pasture grass (rye/clover equivalent).

1.3.1.4. Slope Stability.

For the encountered subsurface conditions, slope degree and geometry and for the proposed range of hydraulic loadings, the stability of the ground slopes within the disposal areas are unlikely to be compromised.

1.3.1.5. Subsurface Profile.

The following interpretation of the general subsurface profile assumes conditions similar to those encountered in the boreholes are typical of the investigation area.

Note: If subsurface conditions substantially different from those encountered in the investigation are encountered during soil renovation works, all work should cease, and this office notified immediately.

The unit is underlain by residual materials of Miocene to Holocene Age.

The general subsurface profile consists of:

- A topsoil (A₁-horizon) layer of brown, moist, medium-dense loam, with a soil reaction trend of 5.5pH and electrical conductivity (EC_{SE}) of 0.10dS/m, containing a root zone, to a depth of 0.15m, overlying,
- A residual soil (B₁-horizon) layer of dark brown, moist, silty medium clay of medium plasticity, with a soil reaction trend of 5.2pH, electrical conductivity (EC_{SE}) of 0.45dS/m and a free swell^a of 70%, to a depth of 0.40m, overlying,
- A residual soil (B₂-horizon) layer of brown, moist, silty medium clay of medium plasticity, with a soil reaction trend of 5.7pH, electrical conductivity (EC_{SE}) of 0.70dS/m and a free swell of 70%, to a depth of 0.55m, overlying,
- A residual soil (B₃-horizon) layer of brown-dark yellow-brown, moist, silty medium clay of high plasticity, with a soil reaction trend of 6.0pH, electrical conductivity (EC_{SE}) of 1.73dS/m and a free swell of 100%, to a depth of 1.20m, overlying,

^a After Holtz (measures swell potential of fraction passing 450µm)

- A residual soil (BC-horizon) layer of brown-dark yellow-brown, silty medium clay of high plasticity, with a soil reaction trend of 6.4pH, electrical conductivity (EC_{SE}) of 3.01dS/m, to a depth of at least 1.55m.

Soil test results, soil profile photographs and logs of boreholes are presented in Appendix A, to this report. For location of boreholes refer Drawing 2.

1.3.1.6. Soil Permeability.

Where the soils are dispersive insitu permeability testing realises inaccurate, low or nil results.

The hydraulic conductivity can be estimated by using test waters containing calcium chloride or by laboratory assessment of colloid stability and determination of ameliorant quantities (e.g. gypsum/lime requirement) and swell potential.

A conservative estimate of permeability has been deduced as follows (from soil texture, structure and swell potential tests):-

Profile analysis in accordance with AS/NZS 1547:2012 and our laboratory-determined dispersion and swell potential shows the residual clay soils to be dispersive, medium- to high-swelling (free swell up to 100%) silty medium clays (Type 6 soils) with saturated hydraulic conductivity of less than 0.06m/day.

For the limiting silty medium clay soils and after allowing for renovation to create and maintain stable colloids, we have adopted an estimated saturated hydraulic conductivity of 0.055m/day.

Peak deep seepage is conservatively estimated at 4.9mm/day. Average daily deep seepage is 1.6mm.

1.3.1.7. Basement Rock Permeability.

From the literature and from examination of rock profiles and rock mass defect character in the vicinity, the hydraulic conductivity of the basement rocks would be in excess of 0.05m/day (adopt 1m/day for buffer design).

1.3.1.8. Colloid Stability.

The results of the Emerson Crumb and Dispersion Index Tests indicate that the residual materials are dispersive. The residual clay soils have Emerson Classes of 1 and 2 and Dispersion Indexes of 10 to 12.

Sodicity has been assessed by inspection of the ground surface for salt tolerant and/or salt affected vegetation, the electrical conductivity has been determined for the A and B horizons using a 1:5 soil/water extract and converted to EC (saturation extract), and also soil reaction trend and shrink-swell potential has been determined.

The determined electrical conductivity (EC_{SE}) ranged from 0.10dS/m to 3.01dS/m for all materials, soil reaction trend ranged from 5.2pH to 6.4pH, while free swell potential was 70% and 100%.

We recommend amelioration in the form of gypsum and lime application to create and maintain stable peds under saline disposal.

1.3.1.9. AS1547:2012 Soil Classification.

In accordance with AS/NZS1547:2012 the residual clay materials can be classified as Type 6 soils (dispersive silty medium clays).

After allocating proportional vertical and lateral flows and allowing for the potential for perched water mounding, we have adopted a daily peak water balance seepage rate^b of 4.9mm for septic standard effluent. The theoretical average daily seepage rate is 1.6mm.

The peak water balance seepage loss rate is based on being <10% of the estimated hydraulic conductivity (of the limiting horizon) plus a lateral flow component, effluent type and the effects of soil characteristics including profile thickness (flow paths and storage), shrink-swell, dispersivity and soil reaction trend and assumes renovation.

^b The peak water balance seepage loss rate is based on being <10% of the measured/estimated hydraulic conductivity (of the limiting horizon) plus a lateral flow component, effluent type and the effects of soil characteristics including profile thickness (flow paths and storage), shrink-swell, dispersivity, soil reaction trend and assumptions of renovation.

1.3.1.10. Surface Drainage.

The proposed effluent areas are level (as shown in Drawing 2 and Figure 1). The nearest watercourse is located at least 140m distant (measured normal to contours).

1.3.1.11. Groundwater.

No seepage was encountered in any of the boreholes.

There are no groundwater bores within a significant distance of the site (in approx. 300m distance).

The Visualising Victoria's Groundwater database indicates that the groundwater is less than 5 metres of the surface.

The groundwater is of moderate yield and medium quality (3500-7000mg/litre TDS) with beneficial use including most stock.

1.3.1.12. Nutrient Attenuation.

Clayey soils (as found on this site) can fix large amounts of phosphorous. Phosphate-rich effluent seeping through these soils will lose most of the phosphorous within a few metres.

The limiting nutrient for this site is nitrogen. No phosphorous balance is required.

Several processes affect nitrogen levels within soil after effluent disposal. Alternate periods of wetting and drying with the presence of organic matter promote reduction to nitrogen gas (denitrification). Plant roots absorb nitrates at varying rates depending on the plant species (see Appendix B), however nitrate is highly mobile, readily leached, and can enter groundwater via deep seepage and surface waters via overland flow and near-surface lateral flow.

Based on the water and nutrient balance (see Appendix B), and assuming 30mg/litre N in the effluent (general case) and 20mg/litre P, a denitrification rate of 20%, with N uptake of 220 kg/ha/year for an appropriate grass cover equivalent to a rye/clover mix, a conservative estimate can be made of the nitrogen content in the deep seepage and lateral flow.

For the general case, and without taking into account further expected denitrification below the root zone and in the groundwater (reported to be in the vicinity of 80%), denitrification in the lateral flow (external to the trenches) and plant uptake in the lateral flow, the effluent loading rate should not exceed 5mm/day.

On-site effluent disposal systems designed, constructed, operated and maintained in accordance with the following recommendations cannot adversely impact on the beneficial use of surface waters and groundwater in the area.

1.4. RISK MANAGEMENT & MITIGATION

SEPP (Waters of Victoria) requires that the proposal be assessed on a risk-weighted basis and that cumulative effects be considered.

A multiple barrier approach is used in assessing this development, with components listed below:

1.4.1. Water Usage.

Current best practice allows for a (continuous) daily effluent flow of 750 litres (proposed 4-bedroom (equivalent) residence on the new lot) and of 900 litres (existing 5-bedroom residence) as per *EPA Victoria - Guideline for onsite wastewater management (May 2024) Table 4-1*.

The design flow is unlikely to be continuous and (at least) standard water reduction fixtures are a mandatory requirement under local building codes.

1.4.2. Primary Treatment.

The LCA recommends the existing septic tank and ~~new absorption trenches for the existing residence and a primary treatment system and absorption trenches for the proposed 4-bedroom (equivalent) residence.~~

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1.4.3. Block Size.

Many under-performing effluent fields are placed on blocks where area is limited. Limited area can lead to inadequately sized or inappropriately placed effluent fields and a lack of options should the daily effluent volumes increase.

In the subject site, size is not a constraining factor for the proposed development.

1.4.4. Management Plan.

Historically, inadequate maintenance has played a major part in the failure of onsite effluent disposal systems. There is a management plan within the LCA (see Appendix D). This plan gives guidance on the implementation of mandatory operation, maintenance and inspection procedures.

1.4.5. Sizing of Treatment Systems.

For the proposed 4-bedroom (equivalent) residence no specific treatment system is recommended, however the septic tank must have current JAS/ANZ accreditation, which match effluent volumes with plant capacity. For the existing house the current septic tank is suitable.

1.4.6. Load Balancing.

Load balancing capacity (temporary storage) is achieved within the trench system.

1.4.7. Oversized Effluent Areas.

Design effluent areas are based on conservative estimates of renovation and complete attenuation of nitrogen. The deep seepage rate is lower than the hydraulic conductivity of the limiting layer (<12%).

1.4.8. Reserve Areas.

There is sufficient area available for a reserve area and/or expansion of the area should design flow increase. The reserve area is a spare effluent field, which is left undeveloped, but can be commissioned in the case of increase in daily effluent production due to contingencies through the chain of ownership or should the effluent field fail.

1.4.9. Buffer Distances.

Buffer distances are set out in the *EPA Victoria - Guideline for onsite wastewater management (May 2024) Table 4-10* to allow for attenuation of pathogens and nutrients, should an effluent surcharge occur, either overland or subsurface.

The effluent area is located at least 140m from surface waters.

The time taken for groundwater to reach the nearest surface waters can be estimated by using the Darcy equation (which states that velocity is the product of the hydraulic conductivity and the hydraulic gradient). From the literature, the regional gradient is about 0.001.

Flow times can be estimated for groundwater to flow the 140m (minimum) to the nearest surface waters at this site.

For a conservative basement hydraulic conductivity of 1m/day^c with a hydraulic gradient of 0.001, the time taken for groundwater to flow a distance of 140m is over 380 years.

1.4.10. System Failure.

A properly designed and constructed onsite effluent system consisting of the septic tank and absorption trenches can suffer degrees of failure.

^c This is a conservatively high figure to demonstrate maximum possible flow rates. A conservatively low figure was used for calculation of effluent application rates (see recommendations) to demonstrate disposal sustainability.

Failure can take the form of mechanical (plant), accidental (toilet blockages, damaged trench lines, high BOD influent), operational (overloading) and maintenance (failure to check filters, failure to participate in maintenance programme).

1.4.10.1. Mechanical Breakdown.

This system is designed to use gravity. There are no mechanical components that can fail.

1.4.10.2. Accidents.

Toilet blockages and accidentally damaged trenches could allow localised surface surcharge of treated effluent. This is why minimum buffers to surface waters have been maintained.

1.4.10.3. Operational Breakdown.

Operational failures and transient hydraulic overloading are accommodated by the load balancing facility, as described in Section 1.4.6, above.

1.4.10.4. Maintenance Breakdown.

Maintenance breakdowns such as failure to maintain the “fencing”, trench profile and vegetation can cause malfunction.

It is important that a suitable inspection, maintenance and pump-out regime is adhered to.

1.4.11. Risk Summary.

With regard to density of development and cumulative risk the assessment has considered risk associated with subsurface flows and surface flows.

In regard to subsurface flows, it is clear that provided the on-site system is adequately designed, constructed, operated and maintained (see items 1.4.1 through 1.4.10.4), the risk to surface and ground waters is negligible. Once the effluent is placed underground, the long travel times via ground water to surface waters ensures adequate nutrient attenuation.

In regard to surface flows, it is clear that provided the on-site system is adequately designed, constructed, operated and maintained (see items 1.4.1 through 1.4.10.4), the risk to surface and ground waters is no greater than for a sewered development. Indeed, it could be considered that the risk is less than for a sewered development because there can be no mains failure (because there is no mains).

The LCA recommends a conservative, scientifically based, well founded wastewater management system with inherent multiple barriers of safety.

Cumulative risk from the development is extremely low. The risk of serious or irreversible damage is extremely low.

All requirements of *SEPP (Waters of Victoria)* have been met.

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Figure 1: Land-soil unit A (proposed effluent area) viewed from south to north.

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2. SECTION 2. RECOMMENDATIONS

2.1. APPLICATION

The following recommendations are based on the results of our assessment, and are made in accordance with *SEPPs (Waters of Victoria)*, *EPA Victoria - Guideline for onsite wastewater management (May 2024)*, *EPA Victoria - Guideline for onsite wastewater effluent dispersal and recycling systems (May 2024)*, *AS 1726*, and *AS/NZS 1547:2012*.

They are based on the estimated hydraulic conductivity of the limiting clay materials and are designed to demonstrate the viability of on-site effluent disposal for the proposed 4-bedroom (equivalent) residence and a daily effluent production of up to 750 litres and the existing 5-bedroom residence and a daily effluent flow of 900 litres and are considered to be conservative.

2.2. ABSORPTION

2.2.1. Disposal Strategy.

Based on the results of the water balance analysis and considering the prevailing surficial and subsurface conditions including soil profile thickness^d and slope and on condition that adequate site drainage is provided (as described in Section 2.4, below), absorption systems are appropriate for effluent disposal for land-soil unit A.

2.2.2. Effluent.

On the new lot effluent will be generated from a 4-bedroom (equivalent) residence and will include black and grey water (all wastes).

2.2.2.1. Effluent Quality.

Effluent shall be treated to a standard (via septic tank) that meets or exceeds the water quality requirements of the septic standard.

2.2.2.2. Effluent Quantity.

For the new lot a daily effluent volume of 750 litres has been calculated and assumes a 4-bedroom (equivalent) residence and a daily effluent flow of 900 litres has been calculated for the existing 5-bedroom residence – as per *EPA Victoria - Guideline for onsite wastewater management (May 2024) Table 4-1*.

Both calculations assume mains water supply and WELS-rated water-reduction fixtures and fittings – minimum 4 Stars for dual-flush toilets, shower-flow restrictors, aerator taps, flow/pressure control valves and minimum 3 Stars for all appliances.

2.2.3. Trench Bottom Area and Trench Length.

Trench bottom areas have been determined from the results of the water and nutrient balance analyses, the *EPA Victoria - Guideline for onsite wastewater management (May 2024) Tables 4-8 and 4-9* and *AS/NZS 1547:2012, Appendix L*.

Trenches are to be designed and constructed in accordance with *AS/NZS 1547:2012, Appendix L*. Critical dimensions include a width of 1.0m and a pond depth of 0.25m.

2.2.3.1. Hydraulic Loading.

To satisfy the requirement for no surface discharge in the mean wet year, for the proposed 4-bedroom (equivalent) residence a wetted area of 150m² is required. This translates into a trench length of 150m x 1.0m wide trench.

For the existing 5-bedroom residence a wetted area of 180m² is required which translates into a trench length of 180m x 1.0m wide trench.

^d Minimum 1400mm required for absorption trenches.

The water balance analysis uses a peak deep seepage of 4.9mm/day (average deep seepage of 1.6mm/day).

2.2.3.2. Nutrient Loading.

The requirements of *SEPPs (Waters of Victoria)* would be satisfied with a wetted area, as given above.

2.2.3.3. Design Loading.

To satisfy the requirement for no surface discharge in the mean wet year and on-site attenuation of nutrients, the effluent should be applied to a trench length of 150m (1.0m wide) for the proposed new 4-bedroom (equivalent) residence and to a trench length of 180m (1.0m wide) for the existing 5-bedroom residence. Trenches shall be placed coincident with contours and shall not exceed 20m in length and are to be spaced 2m apart, as required.

In case of an increase in effluent production through the chain of ownership, there is sufficient area available for duplicating/extending the absorption trenches.

2.2.4. Inspections.

We recommend that the mandatory inspection and reporting as described in the *EPA Victoria - Guideline for onsite wastewater management (May 2024) Section 6* include an annual (post spring and post episodic event) report on the functioning and integrity of the distribution system and on the functioning and integrity of the cut-off bunds, outfall areas and soil media.

2.2.5. Soil Renovation.

Soils are dispersive and require amelioration. To create and maintain water-stable peds (under disposal with saline effluent), soil renovation in the form of gypsum and lime application is required at the rate of 1kg/m², respectively. Initially, prior to the installation and operation of the effluent disposal system gypsum is to be broadcast over the land application area at the rate of 0.5kg/m². Following that gypsum shall be broadcast again over the effluent area at the rate of 0.25 kg/m² in every two winter months and 0.25kg/m² in every 3 summer months until the determined gypsum application of 1kg/m² is reached.

If the determined gypsum application of 1kg/m² is not reached by the time of the installation and operation of the effluent disposal system gypsum shall be broadcast again over the effluent area at the rate of 0.25 kg/m² in every winter month and 0.25kg/m² in every 1.5 summer months.

After reaching the determined gypsum application of 1kg/m² we recommend sampling and testing to assess the effectiveness of the gypsum application. This testing will determine future application rate and frequency of application.

Gypsum requirement assumes the gypsum contains 19% Calcium and 15% Sulphur. Gypsum is to be fine ground "Grade 1" agricultural quality. Gypsum shall be reapplied every 3 years at the rate of 0.5kg/m².

Lime shall be placed on the bottom of the trenchlines at the rate of 1kg/m². Lime must be extremely fine ground with a high Effective Neutralising Value (ENV). Lime requirement assumes the lime contains 40% Calcium.

2.3. RESERVE AREA

The expected design life of fifteen years may vary due to construction and maintenance vagaries and possible effluent volume increases through the chain of ownership.

There is sufficient available area for extension/duplication of the effluent areas.

2.4. SITE DRAINAGE.

Our recommendations for on-site effluent disposal have allowed for incident rainfall only (not surface flow or lateral subsurface flow) and are conditional on the installation of a shallow cut-off bund, which shall be placed upslope of the disposal areas.

Care shall be taken to ensure that the intercepted and diverted surface waters are discharged well away and down slope of the disposal fields.

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Locations of the cut-off bunds and a drain detail are shown in Drawings 2 and MP1.

The owner shall also ensure that any upslope site works do not divert and/or concentrate surface water flows onto the disposal areas.

2.5. BUFFER DISTANCES

The water balance analyses have shown that potential surface (rain water) flows from the effluent area would be restricted to episodic events.

The estimated hydraulic properties of the upper soil materials and hydraulic gradient have been used to evaluate (via Darcy's Law) the buffer distances with respect to subsurface flows.

Our analysis and evaluation has shown that the default setback distances given in *EPA Victoria - Guideline for onsite wastewater management (May 2024)*, Table 4-10 are conservative and can be applied without amendment.

For a building located downslope of an effluent field, your engineer shall evaluate the integrity of building foundations with respect to the assigned buffer distance.

2.6. SUMMARY OF RECOMMENDATIONS

Our capability assessment has shown that at least one rational and sustainable on-site effluent disposal method (septic and absorption trenches) is appropriate for the proposed development.

A management plan is presented in Appendix D, to this report.



Zoltan Lorincz M.App.Sc.
PRINCIPAL SOIL SCIENTIST
LAND CAPABILITY ASSESSMENT VICTORIA

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APPENDIX A1

SOIL PERMEABILITY

Where the soils are dispersive and/or have high shrink-swell potential insitu permeability testing realises inaccurate, low or nil results.

The hydraulic conductivity can be estimated by using test waters containing calcium chloride and/or by laboratory assessment of colloid stability and determination of ameliorant quantities (e.g. gypsum/lime requirement) and swell potential.

A conservative estimate of permeability has been deduced as follows (from soil texture, structure and swell potential tests):-

Profile analysis in accordance with AS/NZS 1547:2012 and our laboratory-determined dispersion and swell potential shows the residual soils to be dispersive silty medium clays (i.e. Type 6 soils) with saturated hydraulic conductivity less than 0.06m/day.

Similar dispersive and swelling soils have responded positively (with sufficiently improved hydraulic capability) following applications of gypsum and lime.

The limiting silty medium clay soils require amelioration in the form of gypsum and lime application at the rate of 1kg/m², respectively. For soil renovation see Section 4.3.3.

The application of gypsum and lime creates water-stable peds (by replacing Sodium and Magnesium ions with Calcium ions) with a consequent higher hydraulic conductivity controlled by macro pores.

Peak deep seepage is conservatively estimated at 4.9mm/day. Average daily deep seepage is 1.6mm.

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SOIL TEST RESULTS

Project: Mickleham			Date of sampling: 19/09/24			Date of Lab test:				BH: 1
horizon (cm)	pH	EC _{1:5}	EC _{SE}	disp 10 min	disp 2 hours	disp total	Emers 2 hours	Emers 20 hours	free swell %	texture
0-20				0	0	0	4,5,6	4,5,6		silt
20-50				1	2	11	2	2		silty light clay
50-95				0	2	10	2	2		silty light clay
95-150				0	3	11	2	2		silty light clay

Project: Mickleham			Date of sampling: 19/09/24			Date of Lab test:				BH: 2
horizon (cm)	pH	EC _{1:5}	EC _{SE}	disp 10 min	disp 2 hours	disp total	Emers 2 hours	Emers 20 hours	free swell %	texture
0-15	5.5	0.01	0.10	0	0	0	8	8		loam
15-40	5.2	0.07	0.45	1	3	12	2	2	70	silty medium clay
40-55	5.7	0.11	0.70	0	4	12	1	1	70	silty medium clay
55-120	6.0	0.27	1.73	0	3	11	2	2	100	silty medium clay
120-155	6.4	0.47	3.01	0	4	12	1	1	100	silty medium clay

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APPENDIX A2

SOIL PROFILE PHOTOGRAPHS



BOREHOLE 1

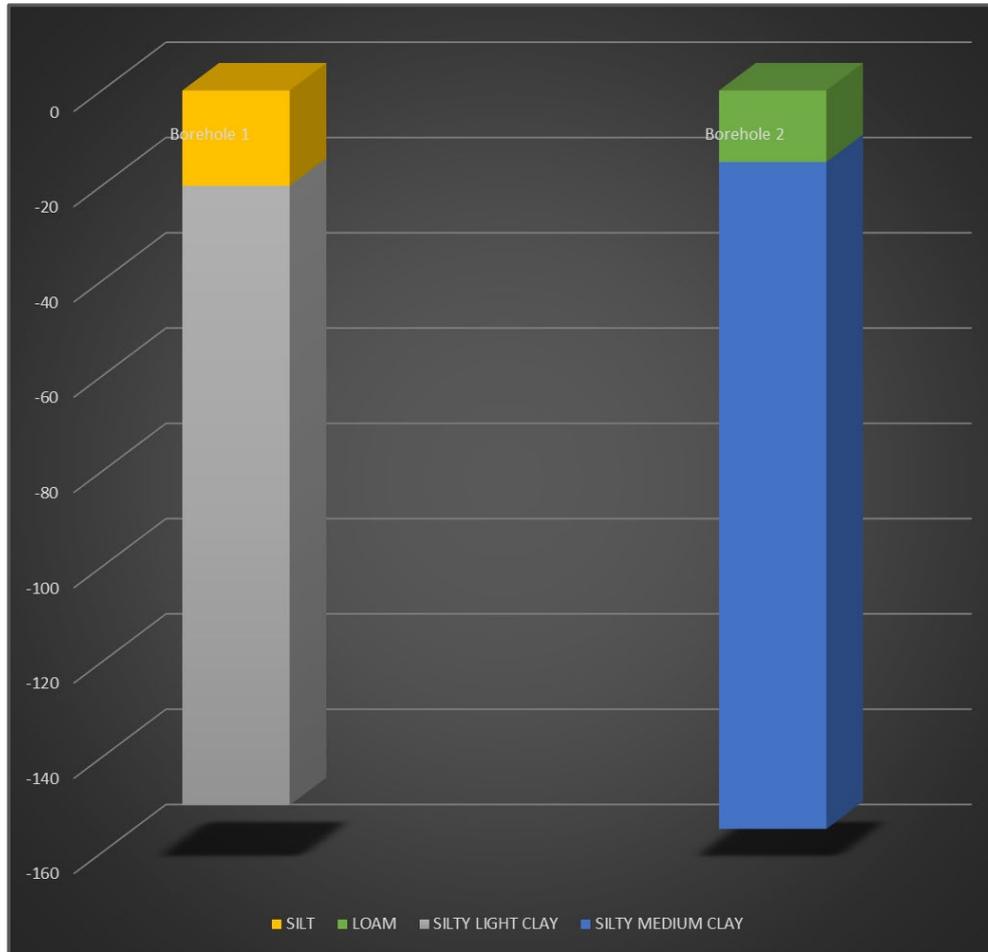


BOREHOLE 2

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APPENDIX A3

LOGS OF BOREHOLES



For location of boreholes refer Drawing 2.

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APPENDIX B

WATER- AND NUTRIENT BALANCE

Land Capability Assessment Victoria

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LCA14102024

WATER BALANCE (Absorption): With storage depth less than 250mm.

existing 5-bedroom residence

Rainfall Station: Greenvale Reservoir/ Evaporation Station: Melbourne Airport

Location: Mickleham

Date: October, 2024

Client: Qing Zhou Lin & Xiao Hong Lin

ITEM	UNIT	#	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
Evaporation (Mean)	mm	A	251	199	177	114	78	54	62	84	120	161	180	229	1708
Rainfall (mean)	mm	B1	46	43	41	50	44	48	44	49	54	58	62	53	589.1
Effective rainfall	mm	B2	43	39	39	47	42	45	41	47	51	55	59	50	558
Peak Seepage Loss ¹	mm	B3	152	137	152	147	152	147	152	152	147	152	147	152	1789
Evapotranspiration(EA)	mm	C1	176	139	124	68	39	24	25	38	66	105	126	161	1090
Waste Loading(C1+B3-B2)	mm	C2	284	237	237	168	149	126	135	143	162	202	214	263	2321
Net evaporation from lagoons (10(0.8A-B1x)lagoon area(ha))	L	D	0	0	0	0	0	0	0	0	0	0	0	0	0
Volume of Wastewater	L	E	27900	25200	27900	27000	27900	27000	27900	27900	27000	27900	27000	27900	328500
Total Irrigation Water(E-D)/G	mm	F	155	140	155	150	155	150	155	155	150	155	150	155	1825
Wetted Area(E/C2)	m ²	G	98	106	118	160	188	214	206	195	167	138	126	106	180
Storage	mm	H	-129	-97	-82	-18	6	24	20	12	-12	-47	-64	-108	
Increase in depth of stored effluent(H/0.7)	mm	K	-431	-325	-272	-61	21	79	66	40	-40	-157	-214	-358	
Depth of effluent for month	mm	L	0	0	0	0	0	21	79	66	40	0	0	0	
Increase in depth of effluent	mm	M	-431	-325	-272	-61	21	100	145	106	0	-157	-214	-358	
Computed depth of effluent	mm	N	0	0	0	0	21	121	225	171	40	0	0	0	
Actual seepage loss:	mm	SL	47	42	42	50	45	48	45	50	54	58	62	53	604
Direct Crop Coefficient	I	I	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:

1. Seepage loss equals deep seepage plus lateral flow, equals DLR of 4.9mm/day

Rainfall retention:	95%	J	CROP FACTOR:												
Lagoon Area:	0 ha	O	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:
Wastewater(daily):	900 L	P	0.45	0.45	0.45	0.45	0.4	0.4	0.4	0.4	0.45	0.45	0.45	0.45	Shade:
Peak deep seepage:	4.9 mm	Y	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	Fescue:
Wetted Area:	180 m ²	Z	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	Buffalo:
Length (1.0m wide) trench:	180 m	NE													
Average daily seepage loss:	1.6 mm	X													
Design Loading Rate:	5.0 mm	R													

Land Capability Assessment Victoria

Spreadsheet used with permission

LCA14102024

WATER BALANCE (Absorption): With storage depth less than 250mm.

new 4-bedroom residence

Rainfall Station: Greenvale Reservoir/ Evaporation Station: Melbourne Airport

Location: Mickleham

Date: October, 2024

Client: Qing Zhou Lin & Xiao Hong Lin

ITEM	UNIT	#	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
Evaporation (Mean)	mm	A	251	199	177	114	78	54	62	84	120	161	180	229	1708
Rainfall (mean)	mm	B1	46	43	41	50	44	48	44	49	54	58	62	53	589.1
Effective rainfall	mm	B2	43	39	39	47	42	45	41	47	51	55	59	50	558
Peak Seepage Loss ¹	mm	B3	152	137	152	147	152	147	152	152	147	152	147	152	1789
Evapotranspiration(EA)	mm	C1	176	139	124	68	39	24	25	38	66	105	126	161	1090
Waste Loading(C1+B3-B2)	mm	C2	284	237	237	168	149	126	135	143	162	202	214	263	2321
Net evaporation from lagoons (10(0.8A-B1x)lagoon area(ha))	L	D	0	0	0	0	0	0	0	0	0	0	0	0	0
Volume of Wastewater	L	E	23250	21000	23250	22500	23250	22500	23250	23250	22500	23250	22500	23250	273750
Total Irrigation Water(E-D)/G	mm	F	155	140	155	150	155	150	155	155	150	155	150	155	1825
Wetted Area(E/C2)	m ²	G	82	88	98	134	166	178	172	163	139	115	105	89	150
Storage	mm	H	-129	-97	-82	-18	6	24	20	12	-12	-47	-64	-108	
Increase in depth of stored effluent(H/0.7)	mm	K	-431	-325	-272	-61	21	79	66	40	-40	-157	-214	-358	
Depth of effluent for month	mm	L	0	0	0	0	0	21	79	66	40	0	0	0	
Increase in depth of effluent	mm	M	-431	-325	-272	-61	21	100	145	106	0	-157	-214	-358	
Computed depth of effluent	mm	N	0	0	0	0	21	121	225	171	40	0	0	0	
Actual seepage loss:	mm	SL	47	42	42	50	45	48	45	50	54	58	62	53	604
Direct Crop Coefficient	I	I	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:

1. Seepage loss equals deep seepage plus lateral flow, equals DLR of 4.9mm/day

Rainfall retention:	95%	J	CROP FACTOR:												
Lagoon Area:	0 ha	O	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:
Wastewater(daily):	750 L	P	0.45	0.45	0.45	0.45	0.4	0.4	0.4	0.4	0.45	0.45	0.45	0.45	Shade:
Peak deep seepage:	4.9 mm	Y	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	Fescue:
Wetted Area:	150 m ²	Z	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	Buffalo:
Length (1.0m wide) trench:	150 m	NE													
Average daily seepage loss:	1.6 mm	X													
Design Loading Rate:	5.0 mm	R													

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RAINFALL DATA

Station: Greenvale Reservoir

Number: 86305

Opened: 1972

Now: Open

Lat: 37.64°S

Lon: 144.91°E

Elevation: 156.m

Statistic	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	45.7	42.9	41.0	49.6	44.1	47.5	43.6	49.0	53.6	57.5	62.0	52.6	600.5
Lowest	1.4	0.6	1.4	6.8	6.4	2.6	7.6	9.0	10.6	5.8	13.4	3.6	391.4
5th %ile	7.8	3.2	12.7	9.9	12.0	12.6	14.0	19.3	16.7	9.4	20.8	11.6	411.0
10th %ile	11.0	5.4	15.8	16.8	16.3	20.0	16.6	23.4	24.4	17.8	22.4	14.6	432.2
Median	42.2	29.8	36.8	40.3	43.1	40.8	42.6	44.7	50.2	53.5	57.0	43.8	616.6
90th %ile	80.4	108.8	69.8	86.2	69.8	80.6	69.3	79.4	91.4	102.9	115.0	96.0	731.9
95th %ile	90.7	132.8	79.7	116.8	91.6	101.0	77.4	84.2	103.6	131.5	135.7	112.1	768.2
Highest	114.4	179.6	136.2	147.6	116.2	128.2	110.6	112.4	104.6	169.2	146.8	146.6	838.7

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APPENDIX C1

**LAND CAPABILITY ASSESSMENT TABLE
(Non-Potable water supply catchments)**

LAND FEATURE	LAND CAPABILITY RISK RATING				AMELIORATIVE MEASURES & RISK REDUCTION
	LOW	MEDIUM	HIGH	LIMITING	
Available land for LAA	Exceeds LAA and duplicate LAA requirements	Meets LAA and duplicate LAA requirements	Meets LAA and partial duplicate LAA requirements	Insufficient LAA area	Non limiting for trenches & beds: Full reserve area available.
Aspect	North, north-east and north-west	East, west, south-east, south-west	South	South, full shade	Not relevant.
Exposure	Full sun and/or high wind or minimal shading	Dappled light (partial shade)	Limited light, little wind to heavily shaded all day	Perpetual shade	Patial shade from nearby trees.
Slope Form	Convex or divergent side slopes	Straight sided slopes	Concave or convergent side slopes	Locally depressed	Not relevant.
Slope gradient:					
Trenches and beds	<5%	5% to 10%	10% to 15%	>15%	1%: Non-limiting for trenches.
Site drainage: runoff/run-on	LAA backs onto crest or ridge	Moderate likelihood	High likelihood	Cut-off drain not possible	Unremarkable. Cut-off bund required upslope.
Landslip ¹	Potential	Potential	Potential	Existing	Unremarkable
Erosion potential	Low	Moderate	High	No practical amelioration	All runoff to be dispersed without concentrating flows. LAA stabilised with gypsum and lime.
Flood/inundation	Never		<1%AEP	>5% AEP	Unremarkable
Distance to surface waters (m)	Buffer distance complies with Guideline requirements		Buffer distance does not comply with Guideline requirements	Reduced buffer distance not acceptable	LAA located at least 140m from surface waters.
Distance to groundwater bores (m)	No bores on site or within a significant distance	Buffer distances comply with Guideline	Buffer distances do not comply with Guideline	No suitable treatment method	No bores within a significant distance (more than 300m from LAA)
Vegetation	Plentiful/healthy vegetation	Moderate vegetation	Sparse or no vegetation	Propagation not possible	Existing vegetation is suitable.
Depth to water table (potentiometric) (m)	>2	2 to 1.5	<1.5	Surface	Water table is closer than 5m.
Depth to water table (seasonal perched) (m)	>1.5	<0.5	0.5 to 1.5	Surface	Perching possible.
Rainfall ² (mean) (mm)	<500	500-750	750-1000	>1000	589mm/year. Non-limiting for trench systems. Design by water balance.
Pan evaporation (mean) (mm)	>1250	1000 to 1250	750 to 1000	<750	1708mm/year. Design by water balance.
SOIL PROFILE CHARACTERISTICS					
Structure	High or moderately structured	Weakly structured	Structureless, massive or hardpan		Maintain structure by gypsum and lime application (at the rate of 1kg/m ² , respectively).
Fill materials	Nil or mapped good quality topsoil	Mapped variable depth and quality materials	Variable quality and/or uncontrolled filling	Uncontrolled poor quality/unsuitable filling	No fill encountered.
Thickness: (m)					
Trenches and beds	>1.4		<1.4	<1.2	Non-limiting for trench systems.
Permeability ³ (limiting horizon) (m/day)	0.15-0.3	0.03-0.15 0.3-0.6	0.01-0.03 0.6-3.0	>3.0 <0.03	Design by water balance
Permeability ⁴ (buffer evaluation) (m/day)	<0.3	0.3-3	3 to 5	>5.0	Evaluate flow times via Darcy's Law (assume 1m/day for residual clays)
Stoniness (%)	<10	10 to 20	>20		Unremarkable
Emerson number	4, 5, 6, 8	7	2, 3	1	Non-dispersive topsoils, dispersive soils. Apply gypsum and lime (at the rate of 1kg/m ² , respectively) to increase Ksat and to create and maintain stable peds.
Dispersion Index	0	1-8	8-15	>15	Non-dispersive topsoils, dispersive soils. Apply gypsum and lime (at the rate of 1kg/m ² , respectively) to increase Ksat and to create and maintain stable peds.
Reaction trend (pH)	5.5 to 8	4.5 to 5.5	<4.5 >8		5.5pH in topsoil. Ideal range for grasses
E.C. (dS/m)	<0.8	0.8 to 2	2-4	>4.0	Non-limiting for trench systems.
Sodicity (ESP) (%)	<6	6 to 8	>8	>14	Sodic (inferred from Emerson, Dispersion Index, Free swell)
Free swell (%)	<30	30-80	80-120	>120	70% and 100%. Medium- to high-swelling clay fraction.

There are limiting and high-risk factors for primary effluent trench systems (colloid stability). Apply gypsum and lime at the rate of 1kg/m², respectively to increase Ksat and to create and maintain stable peds.

Evaluation of buffer distances via Darcy's Law shows EPA default buffer distances to be adequate.

Hence, in terms of the design, engineering and management inputs required for sustainable on-site effluent disposal are rational and easily achieved without significant impost on the landowner.

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¹ Landslip assessment based on proposed hydraulic loading, slope, profile characteristics and soil strength.

² Mean monthly rainfalls used in water balance analyses.

³ Saturated hydraulic conductivity estimated from data base and laboratory tests.

⁴ Saturated hydraulic conductivity estimated from AS/NZS1547:2012 and data base.

APPENDIX D
MANAGEMENT PLAN

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LCA14102024-OCTOBER/2024

**MANAGEMENT PLAN
FOR
ON-SITE EFFLUENT DISPOSAL VIA ABSORPTION TRENCHES
AT
70 CAPTAIN PEARSON DRIVE, MICKLEHAM VIC 3064**

1. INTRODUCTION

This document identifies the significant land-soil unit constraints (as identified in LCA14102024) and their management and day-to-day operation and management of the on-site effluent system.

This management plan is to be read in conjunction with our land capability assessment for this land-soil unit (LCA14102024).

2. SIGNIFICANT LAND-SOIL UNIT CONSTRAINTS

2.1 Allotment Size. The day-to-day operation and management of on-site effluent systems, as described below, is not constrained by lot size or geometry.

Although all requirements of *SEPPs* have been met or exceeded through conservative design, prudence dictates that property owners assiduously follow the management programme given in Section 4, below.

2.2 Nitrogen Attenuation. Provided the trench areas are at least as large as those required to satisfy the nitrogen loading, as described in LCA14102024 Sections 1.3.1.12 and 2.2.3.2, and that the (specified) vegetation is maintained and grass is cut and periodically harvested, nitrogen will be attenuated on-site.

2.3 Hydraulic Conductivity. The soils of this site are dispersive silty medium clays with medium- to high-swelling potential and a low hydraulic conductivity. The hydraulic conductivity is significantly influenced by soil structure, soil colloid stability and swell characteristics. Breakdown or reduction of these soil parameters over time may manifest as reduced performance of the disposal system. The monitoring and inspection regime detailed in Section 4.7.2, below, should be adhered to.

2.4 Site Drainage. Our recommendations for on-site effluent disposal have allowed for incident rainfall only (not surface flow or lateral subsurface flow) and are conditional on the installation of a cut-off bund, which should be placed upslope of the disposal area. Care should be taken to ensure that the intercepted and diverted surface waters and any perched groundwater are discharged well away and down slope of the disposal field (see Drawings 2 and MP1).

This diverted water should also be discharged in a manner to avoid scouring and/or erosion. It may be appropriate to discharge the water onto a stone/rubble dissipation area.

The owner should also ensure that any upslope land-soil unit works do not divert and/or concentrate surface water flows onto the disposal area.

2.5 Vegetation. Existing vegetation is suitable. The effluent disposal areas have been sized via water and nutrient balance analyses utilising crop factors for pasture (rye/clover mix) under conditions of partial shade.

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3. THE ONSITE EFFLUENT SYSTEM

The onsite effluent system consists of the influent (black and greywater from a 4-bedroom (equivalent) residence), a septic tank, distribution pipes, the absorption trenches, prescribed vegetation, associated infrastructure (cut-off bunds, outfall areas, fencing), a service and maintenance programme and on-going management.

4. MANAGEMENT

The owner is required to understand (and ensure that tenants understand) that sustainable operation of the onsite effluent system is not automatic. Sustainable operation requires on-going management, as outlined below.

4.1 Effluent. Effluent will be generated from a 4-bedroom (equivalent) residence and will include black and grey water (all wastes).

4.1.2 Effluent Quality. Effluent should be treated (via a septic tank) to a standard that meets or exceeds the water quality requirements of the septic standard.

4.1.3 Effluent Quantity. The daily effluent volume of 750 litres has been calculated from *EPA Victoria - Guideline for onsite wastewater management (May 2024), Table 4-1* and assumes a 4-bedroom (equivalent) residence with mains water (equivalent) and WELS-rated water-reduction fixtures and fittings – minimum 4 Stars for dual-flush toilets, shower-flow restrictors, aerator taps, flow/pressure control valves and minimum 3 Stars for all appliances.

4.2 Septic Tank. No specific treatment system is recommended, however the septic tank must have current JAS/ANZ accreditation, which matches effluent volumes with plant capacity. For absorption, it is assumed that the design, construction, operation and maintenance are carried out in accordance with *AS/NZS1547:2012* and a “system specific” JAS/ANZ certification, as appropriate.

4.3 Trench Lengths. The trench length has been determined from the *EPA Victoria - Guideline for onsite wastewater management (May 2024), Table 4-8 and 4-9* and *AS/NZS 1547:2012*.

4.3.1 Effluent Area Requirement. For the estimated daily effluent flows and to satisfy the requirement for no surface discharge in the mean wet year and on-site attenuation of nutrients, the effluent should be applied to 150 lineal metres (proposed 4-bedroom residence) and 180 lineal metres (existing 5-bedroom residence) of 1.0m wide absorption trenches.

Effluent distribution is as detailed in Section 4.3.2, below.

In case of an increase in effluent production through the chain of ownership, there is sufficient area available for duplicating/extending the absorption trenches.

Any landscaping and/or planting proposals require endorsement from the Hume City Council.

4.3.2 Distribution System. The absorption trenches are to be designed and constructed in accordance with *AS/NZS1547:2012* and *LCA14102024*.

4.3.3. Soil Renovation: Soils are dispersive and require amelioration. To create and maintain water-stable peds (under disposal of saline effluent), soil renovation in the form of gypsum and lime application is required at the rate of 1kg/m², respectively. Initially, prior to the installation and operation of the effluent disposal system gypsum is to be broadcast over the land application area at the rate of 0.5kg/m². Following that gypsum shall be broadcast again over the effluent area at the rate of 0.25 kg/m² in every two winter months and 0.25kg/m² in every 3 summer months until the determined gypsum application of 1kg/m² is reached.

If the determined gypsum application of 1kg/m² is not reached by the time of the installation and operation of the effluent disposal system gypsum shall be broadcast again over the effluent area at the rate of 0.25 kg/m² in every winter month and 0.25kg/m² in every 1.5 summer months.

After reaching the determined gypsum application of 1kg/m² we recommend sampling and testing to assess the effectiveness of the gypsum application. This testing will determine future application rate and frequency of application.

Gypsum requirement assumes the gypsum contains 19% Calcium and 15% Sulphur. Gypsum is to be fine ground “Grade 1” agricultural quality and shall be reapplied every 3 years at the rate of 0.5kg/m².

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Lime shall be placed on the bottom of the trenchlines at the rate of 1kg/m². Lime must be extremely fine ground with a high Effective Neutralising Value (ENV). Lime requirement assumes the lime contains 40% Calcium.

4.3.4 Buffer Distances. The water balance analysis has shown that potential surface rainwater flows from the effluent area would be restricted to episodic events.

The estimated hydraulic properties of the upper soil materials and hydraulic gradient (equivalent to the ground slope and regional gradients) have been used to evaluate (via Darcy's Law) the buffer distances with respect to subsurface flows.

Our analysis and evaluation have shown that the default setback distances given in *EPA Victoria - Guideline for onsite wastewater management (May 2024)*, Table 4-10 are conservative and can be applied without amendment.

For a building located downslope of an effluent field, your engineer should evaluate the integrity of building foundations with respect to the assigned buffer distance.

Buffer distances are to be applied exclusive of the disposal area.

4.3.5 Buffer Planting. All downslope (Title inclusive) buffers may be required to filter and renovate abnormal surface discharges. Hence, they are to be maintained with existing or equivalent groundcover vegetation.

4.3.6 Buffer Trafficking. Buffer trafficking should be minimised to avoid damage to vegetation and/or rutting of the surface soils.

Traffic should be restricted to 'turf' wheeled mowing equipment and to maintenance, monitoring and inspections by pedestrians, where possible.

4.4 Vegetation. The system design for on-site disposal includes the planting and maintenance of suitable vegetation, as specified in LCA14102024 and/or similar documents.

Specifically, this disposal areas have been sized (in part) utilising crop factors and annual nitrogen uptake for a rye/clover eq mix.

The grass needs to be harvested (mown and periodically removed from the disposal areas).

Where a variation to recommended grass species is proposed, it must be demonstrated that the nitrogen uptake and crop factors (as specified in LCA14102024 Appendix B – water and nutrient balance) are met or exceeded.

4.5 Verification. The Council is to be satisfied that the effluent system has been constructed as designed.

4.6 Associated Infrastructure. The following items are an integral part of the onsite effluent system.

4.6.1 Cut-off bunds. Cut-off bunds are designed to prevent surface water flows from entering the effluent areas. They should be constructed and placed around the effluent area, as shown in Drawing MP1.

4.6.2 Outfall areas. All pipe outfalls should be at grade and designed to eliminate scour and erosion.

A grassed outfall would normally be adequate. However, should monitoring and inspections reveal rill or scour formation, the outfall will need to be constructed so that energy is satisfactorily dissipated.

Should this situation occur, professional advice is to be sought.

4.6.3 Fencing. The disposal area is to be a dedicated area. Adequate fencing must be provided to prevent stock, excessive pedestrian and vehicular movements over the area.

Fencing may take any of the traditional forms or can be incorporated into landscape features or be dense planting, as appropriate.

4.7 Service and Maintenance Programme. The minimum requirements for servicing and maintenance are set out in the relevant JAS/ANZ accreditation and the manufacturer's recommendations.

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4.7.1 Septic Tank. Septic Tanks should be inspected at least one time per year (or as recommended in the JAS/ANZ certification) and pumped out at least every two years.

The local authority is to ensure compliance.

The manufacturer's recommendations are to be followed. Generally, low phosphorous and low sodium (liquid) detergents should be used. Plastics and other non-degradable items should not be placed into the tanks. Paints, hydrocarbons, poisons etc should not be disposed of in sinks or toilets. Advice from a plumber should be obtained prior to using drain cleaners, chemicals and conditioners. It is important to ensure that grease does not accumulate in the tanks or pipes. Grease and similar products should be disposed of by methods other than via the on-site effluent system.

4.7.2 Monitoring and Inspections. We recommend that the mandatory testing and reporting as described in the *EPA Victoria - Guideline for onsite wastewater management (May 2024) Section 6*, include an annual (post spring) and post periods of heavy and/or prolonged rainfall report on the functioning and integrity of the distribution system and on the functioning and integrity of the cut-off bunds, outfall areas and soil media.

The effluent areas should be regularly inspected for excessively wet areas and vegetation integrity.

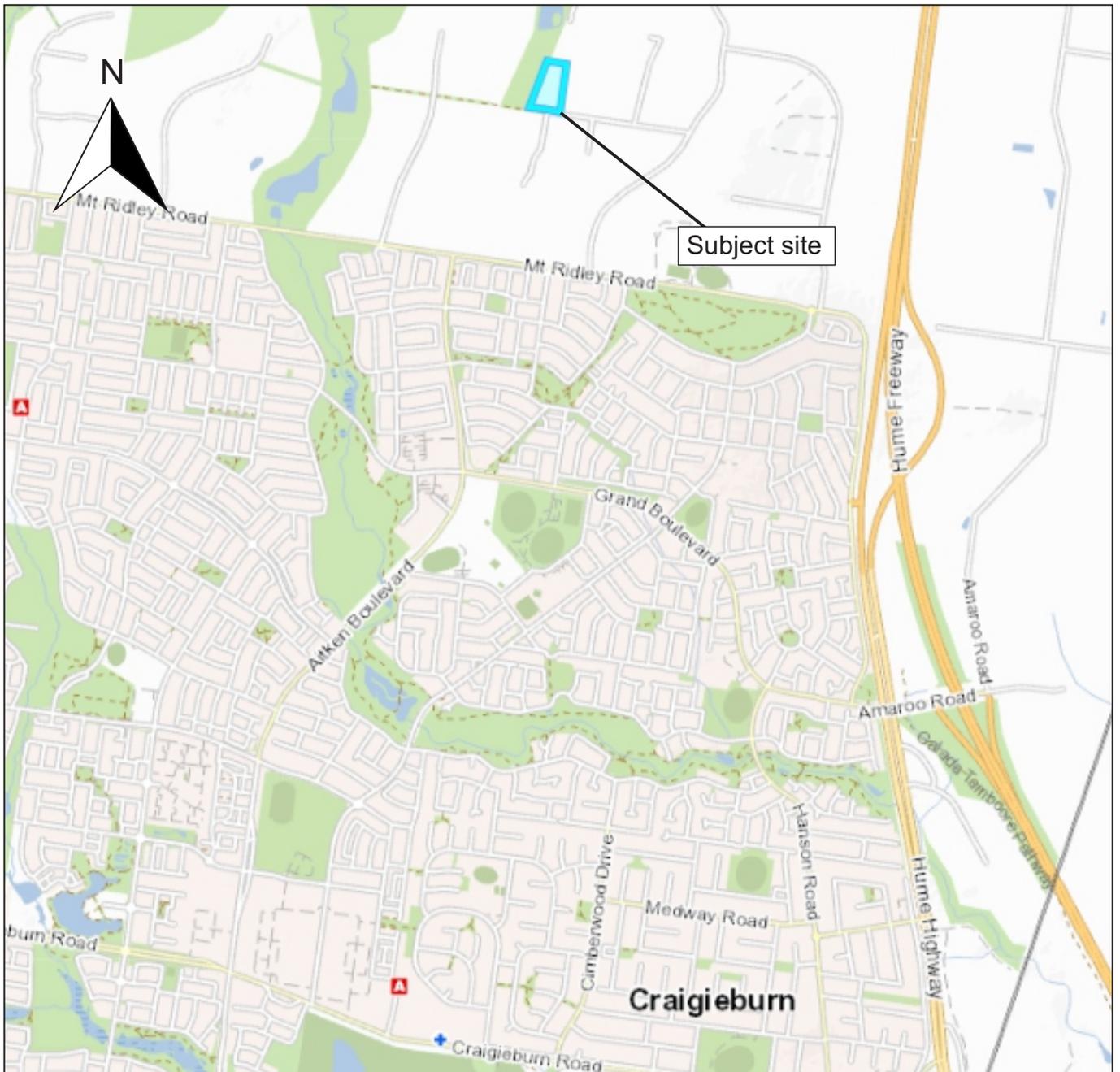
The inspection regime described in LCA14102024, Section 2.2.4, should be strictly adhered to.



Zoltan Lorincz M.App.Sc.
PRINCIPAL SOIL SCIENTIST
LAND CAPABILITY ASSESSMENT VICTORIA

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LOCATION OF SUBJECT SITE

70 CAPTAIN PEARSON DRIVE, MICKLEHAM VIC 3064

QING ZHOU LIN & XIAO HONG LIN

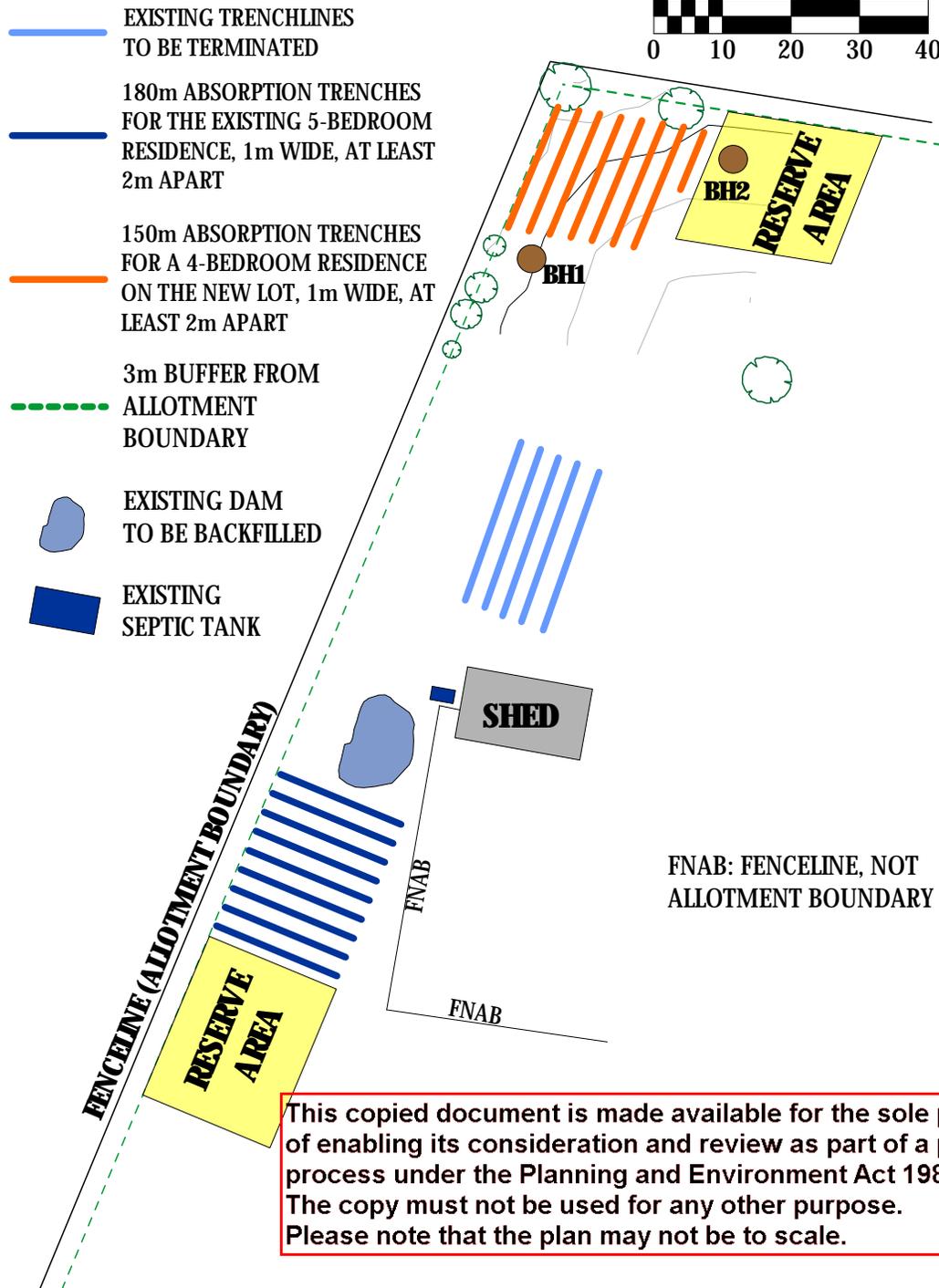
Drawn: Zoltan Lorincz

Report number: LCA14102024

Date: October 2024.

Drawing number: 1

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LOCATION OF PROPOSED DEVELOPMENT SHOWING CONTOURS

70 CAPTAIN PEARSON DRIVE, MICKLEHAM VIC 3064

QING ZHOU LIN & XIAO HONG LIN

DRAWN: LAND CAPABILITY ASSESSMENT VICTORIA

DATE: OCT 2024

REPORT NUMBER: LCA14102024

DRAWING NUMBER: 2

SCALE: 1:1000



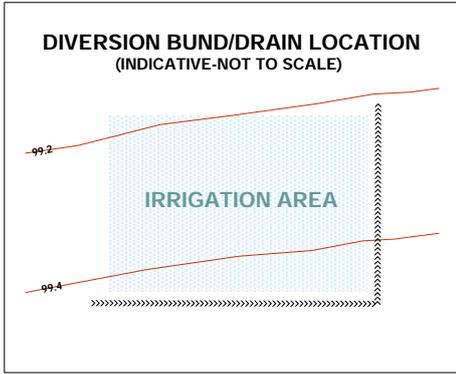
CONTOUR INTERVAL: 0.1m

SUFFICIENT AREA EXISTS FOR DUPLICATION OF EFFLUENT DISPOSAL AREA DUE TO CONTINGENCIES THROUGH THE CHAIN OF OWNERSHIP

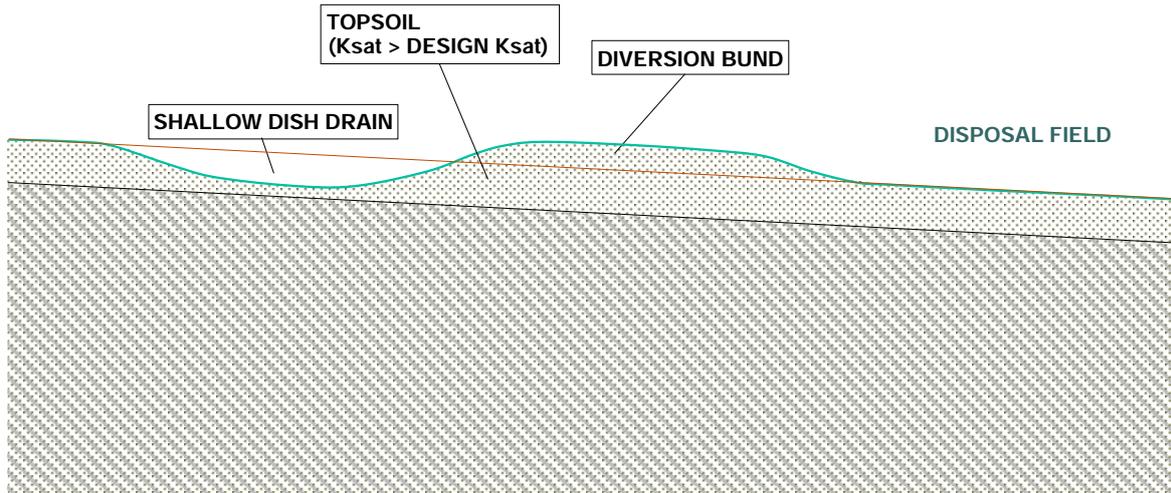
NOTE: THIS IS NOT A RE-ESTABLISHMENT SURVEY. TITLE BOUNDARIES ARE ASSUMED TO BE COINCIDENT WITH EXISTING FENCES.

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LAND CAPABILITY ASSESSMENT VICTORIA



NOTE: CUT-OFF DRAIN LOCATION IS SCHEMATIC ONLY. FINAL LOCATION TO BE DETERMINED BY DESIGN ENGINEER AS PART OF SITE DRAINAGE DESIGN.



NOTES:

1. DRAIN TO BE DESIGNED, CONSTRUCTED & MAINTAINED TO ENSURE THAT NO SURFACE FLOWS ENTER THE IRRIGATION AREA.
2. DRAIN AND TO BE LOCATED ON UPSLOPE SIDES OF IRRIGATION AREA (NO CLOSER THAN 1m FROM NEAREST SUBSURFACE DISTRIBUTION LINE).
3. DRAIN TO HAVE UNSPECIFIED FALL.
4. MINIMUM DEPTH AT LEAST 200mm.
5. DRAIN CROSS SECTIONAL AREA RELATED TO DESIGN FLOWS AS DETERMINED BY A SUITABLY QUALIFIED AND EXPERIENCED ENGINEER.
6. OFF-SITE DRAIN OUTFALL TO LEGAL POINT OF DISCHARGE SUBJECT TO LOCAL AUTHORITY REQUIREMENTS.
7. ON-SITE DRAIN OUTFALL TO INCLUDE APPROPRIATE ENERGY DISSIPATION TO AVOID EROSION.
8. ALL DRAINS AND OUTFALL AREAS SUBJECT TO POST-SPRING INSPECTION.

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NOTE: DRAWING NOT TO BE USED FOR SET-OUT PURPOSES

CUT-OFF DRAIN DETAIL FOR EFFLUENT DISPOSAL FIELDS

SURFACE FLOW DIVERSION BUND & DISH DRAIN

QING ZHOU LIN & XIAO HONG LIN

Scale: 1:10 (Approximately)

Drawn: P.R.W.

Report Number: LCA14102024

Contour Interval: N/A

Date: October 2024

Drawing Number: MP1

Appendix 8:

List of Beneficiaries Advice Letter
Prepared by Fiegl & Newell

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FEIGL & NEWELL PTY. LTD. A.B.N. 91 155 326 195

Professional Title Searchers

ESTABLISHED 1968

Consultant for:
SEMI & LOCAL GOVERNMENT
SURVEYORS
PLANNERS
VALUERS
SOLICITORS
ENVIROSCIENTISTS

Searchers of:
T.L.A. TITLES
GENERAL LAW
CROWN LANDS
SURVEY INFORMATION
CORPORATE AFFAIRS
COVENANT BENEFICIARIES

5th March 2024

TO WHOM IT MAY CONCERN

RE PROPERTY: 70 CAPTAIN PEARSON DRIVE, MICKLEHAM

My name is Dinah Newell I am a Partner of the firm Feigl & Newell Pty Ltd.

Our firm is considered to be experts in the field of Covenant Beneficiaries and we are retained by Barristers to brief them in these matters.

After careful perusal of the Covenant in Instrument of Transfer Number W087465D , it would appear that the benefitted property is outlined green. The land outlined orange on the map attached has the burden of said Covenant, being the subject site.

My methodology for arriving at this conclusion is that the Covenant in Transfer No. W087465D, states that the Beneficiaries are the Registered Proprietors for the time being of every lot comprised in Plan of Subdivision PS416595V.

See spread sheet attached for the dates of Transfers from the Subdivider.

Please advise if any further information is required.

Yours Faithfully



Dinah Newell.

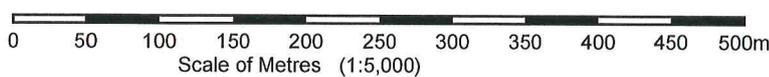
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Beneficiaries of Cov over					
			70 Captain Pearson Dve, Mickleham	W087465D	04.06.1999
Lot No.	Vol. Fol.	Street No.	Address	Transfer	Date
103	10418.462	60	Captain Pearson Dve, Mickleham 3064	V848354F	20.01.1999
105	10418.464	75	Captain Pearson Dve, Mickleham 3064	V986321C	12.04.1999
106	10418.465	25	Ibis Crt, Mickleham 3064	W022155C	03.05.1999
107	10418.466	35	Ibis Crt, Mickleham 3064	V882837L	09.02.1999
108	10418.467	45	Ibis Crt, Mickleham 3064	V853326M	22.01.1999
109	10418.468	40	Ibis Crt, Mickleham 3064	V854720D	22.01.1999
110	10418.469	30	Ibis Crt, Mickleham 3064	W279550V	10.09.1999
111	10418.470	20	Ibis Crt, Mickleham 3064	V935660R	11.03.1999
112	10418.471	10	Ibis Crt, Mickleham 3064	V866361J	29.01.1999

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Data Source: Vicmap Property



MGA Zone 55
 Melways- 366 J12 (ed.42) Vicroads- 426 K7 (ed.8)
 Created 11:13 AM on Mar 5, 2024

Co-ordinates of Plot Corners
 NW 316226,5841132
 SW 316250,5840011
 MGA Zone 55

WARNING:
 No warranty is given as to the accuracy or completeness of this map.
 Dimensions are approximate.
 For property dimensions, undertake a Title search.

Co-ordinates of Plot Corners
 NE 317122,5841152
 SE 317146,5840030
 MGA Zone 55

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

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

Page 1 of 1

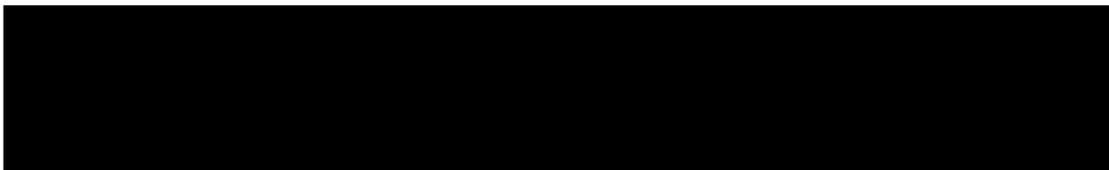
VOLUME 10418 FOLIO 463

Security no : 124111899457J
Produced 16/01/2024 03:02 PM

LAND DESCRIPTION

Lot 104 on Plan of Subdivision 416595V.
PARENT TITLE Volume 10398 Folio 127
Created by instrument PS416595V 11/12/1998

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AJ895168P 05/09/2012
WESTPAC BANKING CORPORATION

COVENANT W087465D 04/06/1999

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

DIAGRAM LOCATION

SEE PS416595V 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: 70 CAPTAIN PEARSON DRIVE MICKLEHAM VIC 3064

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 23/10/2016

DOCUMENT END

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PLAN OF SUBDIVISION	Stage No. /	LTO use only EDITION 1	PLAN NUMBER PS 416595V
----------------------------	-------------	----------------------------------	----------------------------------

<p>Location of Land Parish: Kalkallo Section: 12 (Part) Parish: Mickleham Section: 12 (Part)</p> <p>LTO base record: D.C.M.B. Title References:</p> <p>Last Plan Reference: PS 416590G Lot H Postal Address: Mt. Ridley Road Mickleham 3064</p> <p>AMG Co-ordinates: E 316,550m (Of approx. centre of plan) N 5,840,440m Zone 55</p>	<p style="text-align: center;">Council Certification and Endorsement</p> <p>Council Name: Hume City Council Ref:</p> <ol style="list-style-type: none"> 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. <p>Open Space</p> <p>(i) A requirement for public open space under section 18 Subdivision Act 1988 has / has not been made.</p> <p>(ii) The requirement has been satisfied.</p> <p>(iii) The requirement is to be satisfied in Stage</p> <p>Council Delegate Council seal Date / /</p>
Vesting of Roads or Reserves	
Identifier	Council/Body/Person
ROADS RI	HUME CITY COUNCIL

Notations	
Depth Limitation: Does not apply	Staging This is/ is not a staged subdivision Planning Permit No.
<p>LOT NUMBERS 1 TO 102 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.</p> <p>NUMBER OF LOTS: 10 AREA OF STAGE: 18.54ha AREA OF ROADS: 1.050ha</p>	<p>Survey:- This plan is / is not based on survey. To be completed where applicable.</p> <p>This survey has been connected to permanent marks no(s). 2 (Mickleham) and 32, 34, 36, 37, 40 & 96 (Kalkallo).</p> <p>In Proclaimed Survey Area no. _____</p>

Easement Information					<p>LTO use only</p> <p>Statement of Compliance / Exemption Statement</p> <p>Received <input type="checkbox"/></p> <p>Date / /</p>
Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road)					<p>LTO use only</p> <p>PLAN REGISTERED TIME</p> <p>DATE 1/24/20</p> <p>Assistant Registrar of Titles</p>
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of	
E-1	ELECTRICITY SUPPLY	SEE DIAG.	THIS PLAN	SOLARIS POWER LIMITED	
E-2	DRAINAGE	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN AND HUME CITY COUNCIL	
RI	WAY, DRAINAGE AND SEWERAGE AND THE SUPPLY OF WATER, GAS, ELECTRICITY AND TELECOMMUNICATIONS	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN	
LICENSED SURVEYOR MALCOLM JOHN PERRIAM REF 7140/5B/01 VERSION 2 DATE 4/6/1998 SIGNATURE _____					Sheet 1 of 2 Sheets



PEYTON WAITE
CONSULTING LAND SURVEYORS
353 PLENTY ROAD PRESTON 3072
PHONE 94784933 FAX 94706992 A.C.N. 401 963 884
CERTIFIED QUALITY SYSTEM - ISO 9001:2015

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DATE / /
COUNCIL DELEGATE SIGNATURE

7140503.043
Original sheet size A3

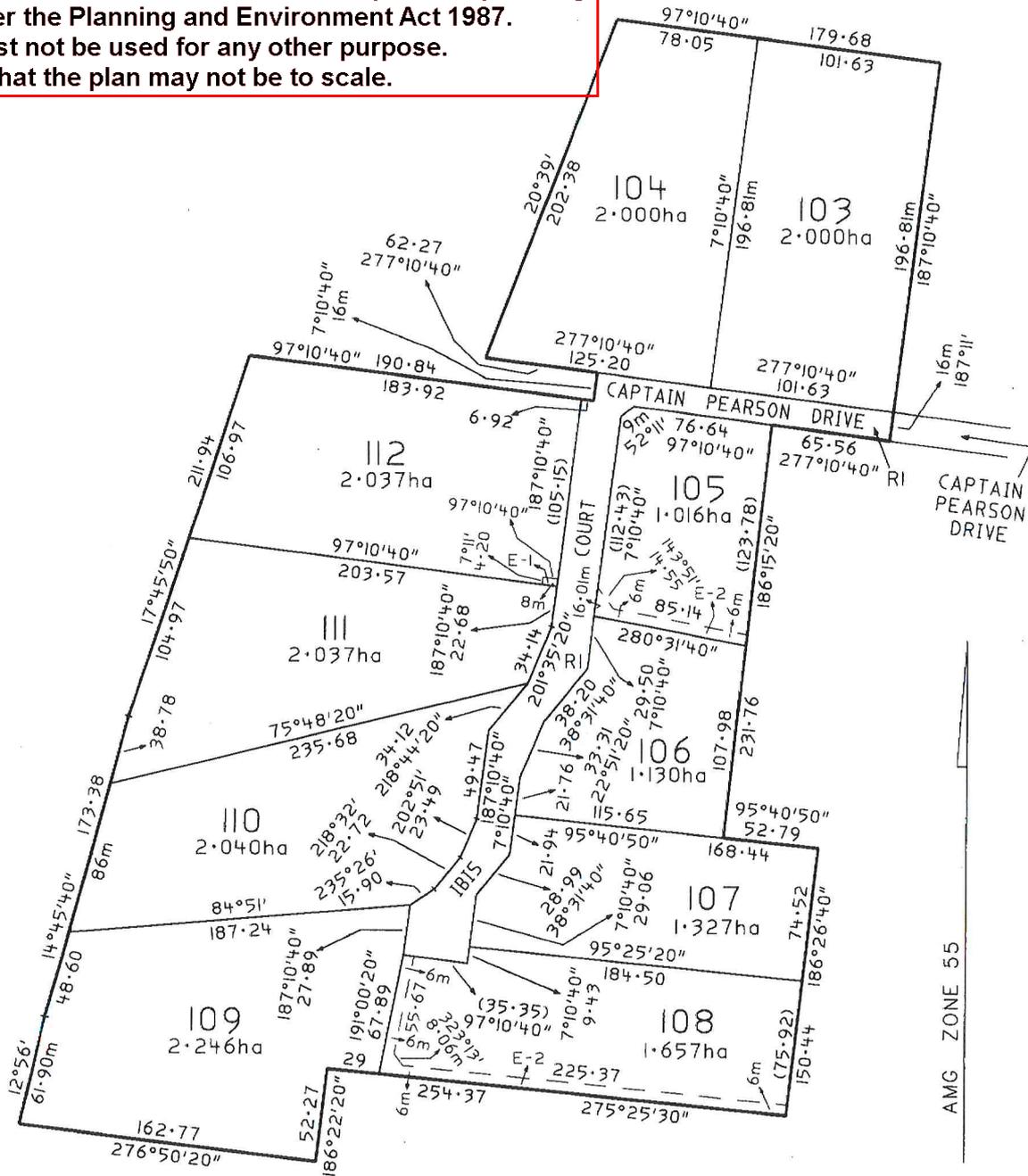
PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 416595V

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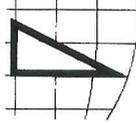


AMG ZONE 55

ORIGINAL SHEET SIZE A3	SCALE 1:2500	SCALE 25 0 25 50 75 100 LENGTHS ARE IN METRES	LICENSED SURVEYOR MALCOLM JOHN PERRIAM
SIGNATURE _____		DATE 4/6/1998	
REF 7140/5B/01		VERSION 2 7140SUB.G43	



PEYTON WAITE
CONSULTING LAND SURVEYORS & TOWN PLANNERS
353 PLENTY ROAD PRESTON 3072 PHONE 94784933 FAX 94706992 A.C.N. 004 963 884
CERTIFIED QUALITY SYSTEM - ISO 9001 1987 REG No.306



SHEET 2 OF 2 SHEETS
DATE / /
COUNCIL DELEGATE SIGNATURE

TRANSFER OF LAND

Section 45 Transfer of Land Act 1958



W087465D
040699 0916 45 122

Form T2
Office

Lodged by: CBA
Name: _____
Phone: _____
Address: _____
Ref.: 323475203
Customer Code: 203

MADE A _____ CHANGE CONTROL
Land Titles Office Use Only



The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed—
—together with any easements created by this transfer;
—subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
—subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)
Certificate of Title Volume 10418 Folio 463

IMAGED

Estate and Interest: (e.g. "all my estate in fee simple")
ALL ITS ESTATE IN FEE SIMPLE

Consideration:
Directing Party to Transferor \$13,134.24
Transferee to Directing Party \$122,000.00



Transferor: (full name)
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM

Victorian Stamp Duty -AP184
PRIME/COUNTERPART/COLL
Consideration \$ 122,000
Duty Payable \$ 2980
Ref: 323475203
Date 15.12.19
Initials mm

Transferee: (full name and address including postcode)
MARK COLIN BUSUTTIL and JO PASCOE
Both of 1000 Somerton Road, Greenvale, as Joint Proprietors

Directing Party: (full name)
GORWAL HOLDINGS PTY LTD ACN 079 696 772

Creation and/or Reservation and/or Covenant: *EDWARD WILLIAM COCKRAM AND SANDRA JOAN COCKRAM their
AND the said MARK COLIN BUSUTTIL and JO PASCOE for themselves their heirs, executors, administrators and transferees the registered proprietor or proprietors for the time being of the land hereby transferred and of every part thereof DO HEREBY as separate covenants COVENANT with the said GORWAL HOLDINGS PTY LTD its successors, assigns and transferees and other registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No. PS416595V and every part or parts thereof (other than the land hereby transferred) that they will not;

1. Erect, build or use, or permit or suffer to be erected, built or used, more than one private dwelling house on the land or any part of it;
2. Erect or build or use, or permit or suffer to be erected, built or used a private dwelling house on the land, or any part of it, of a size less than two hundred and thirty square metres in area (being approximately twenty five squares in the Imperial measurement).

Continued on T2 Page 2

Approval No. 571967L

ORDER TO REGISTER

Please register and issue title to

T2



Signed _____

STAMP DUTY USE ONLY
Victorian Stamp Duty -AP184
PRIME/COUNTERPART/COLL
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Ref: 323475203
Date 15.12.19
Initials mm

ANNEXURE PAGE

Transfer of Land Act 1958

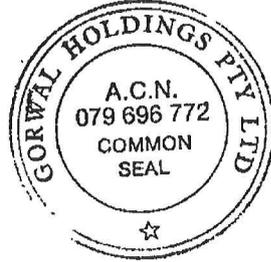
Approved Form A1
Victorian Land Titles Office

This is page 4 of *Approved Form* dated _____ between
EDWARD WILLIAM COCKRAM and SANDRA JOAN COCKRAM and GORWAL HOLDINGS PTY LTD AND MARK
COLIN BUSUTTIL and JO PASCOE
Signatures of the parties

Panel Heading

SIGNED by the Transferors in the presence of:

Sandra Cockram *G. Nancarrow*
[Signature]



THE COMMON SEAL of GORWAL
HOLDINGS PTY LTD (ACN 079 696 772) was
hereunto affixed in accordance with its Articles of
Association in the presence of:)

Sandra Cockram
Director

[Signature]
Secretary

SIGNED by the Transferees in the presence of:

M. Busuttill x MCB

Jo Pascoe x witness

[Signature] x JP

W087465D
040699 0916 45 122

Approval No. 571967L

A1



1. If there is insufficient space to accommodate the words "See Annexure Page" on the Annexure Page under the approval number, the words "ANNEXURE PAGE IS NOT TO BE USED." must be printed on the Annexure Page.
2. If multiple copies of a mortgage are lodged, original Annexure Pages must be attached to each.
3. The Annexure Pages must be properly identified and signed by the parties to the Approved Form to which it is annexed.
4. All pages must be attached together by being stapled in the top left corner.



Approved
Information
ANNEXURE

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WPA.

WHITEMAN

PROPERTY &
ASSOCIATES