

11 March 2015

Peter Blackwell
Post Approvals Section
Environment Assessment and Compliance Division
Department of the Environment
GPO Box 787
CANBERRA, ACT 2601
Email: Peter.Blackwell@environment.gov.au

Dear Peter

Referral EPBC 2011/6057, 210-238 Maidstone Street Altona

Project no. 18903

This letter provides confirmation that Maidstone St Joint Venture Pty Ltd is the now the owner of 210-238 Maidstone Street Altona and accepts full responsibility for the approval conditions associated with EPBC Act Referral 2011/6057 previously issued to Ali Holdings#1 Pty Ltd.

Maidstone St Joint Venture Pty Ltd has appointed Biosis to assist the company to comply with the conditions attached to the approval of this referral. Progress towards compliance is outlined below.

Conditions 1 & 6

The site has been the subject of a survey by a licenced surveyor. The surveyor has now clearly defined the extent of 210-238 Maidstone Street Altona on the ground and the location of the prescribed native grassland reserve, including the required 3 m wide buffer, using wooden pegs. This data has also been recorded electronically and will be used to produce an angled and dimensioned title diagram to be submitted to the Titles Office. A copy of this plan is attached and can be provided electronically if required.

Based on this survey Maidstone St Joint Venture Pty Ltd will establish a fence around the native grassland reserve. The northern boundary of the reserve adjoins an existing council native grassland reserve with an established post and wire farm fence identifying the boundary. No additional fence is proposed for this northern boundary.

The eastern boundary of the reserve also forms the property boundary with 33 Jordan Close Altona (Figure attached). Hobsons Bay has indicated that a development application for this property will also establish a native grassland reserve adjacent to this reserve. In order to minimise the impact on an ultimately larger native grassland reserve to be established in this location, no fencing is currently proposed for the eastern boundary of this native grassland reserve. If this situation changes then a fence will be constructed along

Biosis Pty Ltd
Melbourne Resource Group

38 Bertie Street
Port Melbourne VIC 3207

Phone: 03 9646 9499
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: melbourne@biosis.com.au

biosis.com.au

the eastern boundary in a manner required to protect and isolate the reserve from any construction works or land use inconsistent with the approved conservation management plan.

Maidstone St Joint Venture Pty Ltd will therefore only construct new fencing on the outer margin of the prescribed three metre wide buffer to the 1.73 ha reserve on its southern and western boundaries. This fence will be a 1.8 m high cyclone wire fence with an appropriate gate to provide access from Jordan Close. Signs will be attached to this fencing identifying the reserve as a construction No Go Zone and all site contractors will be inducted to ensure no inadvertent impacts occur to this protected area.

The specifications for the fencing have been negotiated with the City of Hobsons Bay who has also agreed to accept the eventual ownership and management responsibility of the reserve. Establishing the fencing defined above is proposed to satisfy Condition 6a. Photographs of the fencing and associated signs will be provided soon after the fence has been constructed.

Construction will therefore be excluded from about 1.808 ha including the 1.73 ha native grassland reserve and the 780 square metre buffer zone (a 3 m wide strip on the western and southern boundaries of the reserve). Fencing construction will impact on a portion of the buffer zone but it is reasonable to suggest that the native grassland reserve will include 1.8 ha of native grassland.

The property supports a total of 5.25 ha of native grassland. With the protection of 1.8 ha of this area, construction will only impact 3.45 ha of Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVP). This impact area is less than the 3.52 ha threshold defined by Condition 1.

Conditions 2 & 3:

As prescribed by Condition 2, an offset package protecting a minimum of 14.08 ha has been identified by Maidstone St Joint Venture. This includes the on site reserve of 1.73 ha and an external offset of 12.35 ha at Terrinallum South (Biosis 2015 – as attached). Together these offsets would protect the prescribed 14.08 ha.

The 12.35 ha offset area at Terrinallum South has been assessed by Biosis (2015). The entire proposed external offset area at this site is comprised of vegetation which is classified as Natural Temperate Grassland of the Victorian Volcanic Plain. This vegetation also provides high quality habitat for Golden Sun Moth.

The proposed 12.35 ha external offset at Terrinallum South is required to be of equal or higher quality to that identified in Condition 1 of the referral. The condition of the vegetation to be removed at 210-238 Maidstone Street Altona is identified by BL&A (2012) to have a habitat score of 57/100. This habitat score is slightly lower than that identified at Terrinallum South by Biosis (2015).

A broader area at Terrinallum South has been subject to a Golden Sun Moth survey by Plume Ecology during the 2014/15 flight season (Plume Ecology 2015 – report attached). The report on this survey is attached. While the survey focused on other potential offset areas to the north of the offset nominated for this project, a large population of Golden Sun Moth was recorded from similar habitat contiguous with the offset area nominated for this project. One Golden Sun Moth was recorded from the 12.35 ha area nominated as the offset for Maidstone St Joint Venture. However, Biosis (2015) identified the entire proposed offset area as high quality Golden Sun Moth habitat and it is apparent that the only reason more Golden Sun Moth were not recorded within this site was that the targeted surveys were directed to the contiguous habitat to the north of this site.

The 12.35 ha offset area at Terrinallum South can therefore satisfy the requirements of Condition 3.

Notice of the intention of Maidstone St Joint Venture to secure the external offset at Terrinallum South is attached. If your assessment of this site indicates it is appropriate to satisfy the requirements of Conditions 2 & 3, the agreement will be finalised, the nominated offset area secured and an offset site management plan will be completed and submitted to DoE for approval.

Condition 5:

The conduct of a management burn has provided a significant opportunity to control weeds present within the reserve. Maidstone St Joint Venture Pty Ltd has approved an initial round of weed control works by GAGIN Pty Ltd (quotation attached). These initial works, including the burn and weed control works, are consistent with the requirements of the Conservation and Offset Management Plan prepared by Brett Lane & Associates (2012) and provide evidence that implementation of the plan has begun. This is consistent with the requirements of Condition 5d.

The Conservation Management and Offset Management Plan prepared by Brett Lane & Associates (2012) which is identified as Definition f) in the Conditions of Approval had not until recently been presented to the City of Hobsons Bay. Hobsons Bay has provided a number of comments on the plan and the attachment of an addendum is required before the plan can become an endorsed component of the project's Planning Permit (Permit No. PA1224236). To accommodate the council's concerns the attached addendum has been approved so that the Conservation Management and Offset Management Plan can be submitted to Victoria's Department of Environment, Land, Water and Planning (DELWP) for approval and endorsement as part of the planning permit. This addendum is attached for your consideration and approval as required by Condition 15.

Once the Conservation Management and Offset Management Plan has been approved by DoE, Maidstone St Joint Venture will secure an on-title agreement with Trust for Nature to provide permanent legal protection for this on site offset.

Conditions 7, 8 & 9

In line with Condition 7, Biosis has conducted a pre-clearance survey of the project area to identify all individuals of Spiny Rice-flower *Pimelea spinescens* subsp. *spinescens*.

To improve the detectability of Spiny Rice-flower prior to this survey the project area was subject to a management burn in late October 2014. Prior to the burn the project area supported a dense grassy ground cover which made the detection of Spiny Rice-flower difficult (Plate 1). The management burn was conducted under a council permit (see attachment) issued to GAGIN Pty Ltd and resulted in a relatively uniform burn over the project area (Plate 2).

The pre-clearance survey was conducted on 19 December 2014 when known plants were resprouting and clearly visible (Plate 3). While the regenerating grassland also supported a greater ground cover (Plate 4) plants were considered readily detectable in this relatively open, high contrast environment.

The survey of the site was conducted by three botanists familiar with this species. The site was systematically traversed in a series of transects with observers separated by approximately five metres. Each botanist was tracked by a GPS unit. The output of these units is provided in Figure 1. These plants were inspected again on 6 January 2015 to confirm the number of individuals present at each location and each plant was accurately marked for recording by a surveyor. Each plant/plant cluster was also photographed.

This systematic survey recorded 18 individuals of Spiny Rice-flower (Figure 2). Of these 18 individuals, 15 were within the grassland reserve and associated buffer. Many of these plants were closely clustered

together and such clusters may have previously been considered to be single plants (Plate 5). These clusters typically occur around female plants as seed dispersal is relatively poor and germination often occurs in close proximity to these mother plants.

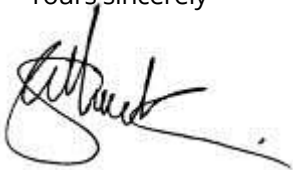
The three individuals identified outside of the grassland reserve (Waypoint 7 in Figure 2, Plate 6) will be translocated into the reserve using a tree-spade prior to the fencing of the reserve and associated buffer area as prescribed by Condition 8 of the approval. This translocation will be conducted in a manner consistent with the approved Spiny Rice-flower Salvage and translocation plan. These plants are tightly clustered (some may be recent recruits – i.e. young plants) and would be salvage as a single unit by the tree spade.

Condition 8 and Definition V) identify this plan as that prepared by Brett Lane & Associates in May 2013. Unfortunately this plan had not been approved by Hobsons Bay Council or DELWP. Hobsons Bay has provided a number of comments on this plan when it was submitted as part of the Planning Permit process. Hobsons Bay has required the attachment of an addendum before the plan can become an endorsed component of the project's Planning Permit (Permit No. PA1224236). This addendum is attached for your consideration and approval as required by Condition 15.

I look forward to your confirmation of project compliance with Condition 7, approval to proceed with the requirements of Condition 8 and the redundancy of Condition 9.

Please contact me on 8686 4833 if you would like to discuss this matter further.

Yours sincerely



Stephen Mueck
Senior Consultant Botanist
Phone 0429 808 732



Plate 1: Spiny Rice-flower growing in dense grass can be cryptic and difficult to detect



Plate 2: A management burn was conducted to increase ground visibility



Plate 3: Resprouting individuals of Spiny Rice-flower were clearly visible in this burnt environment



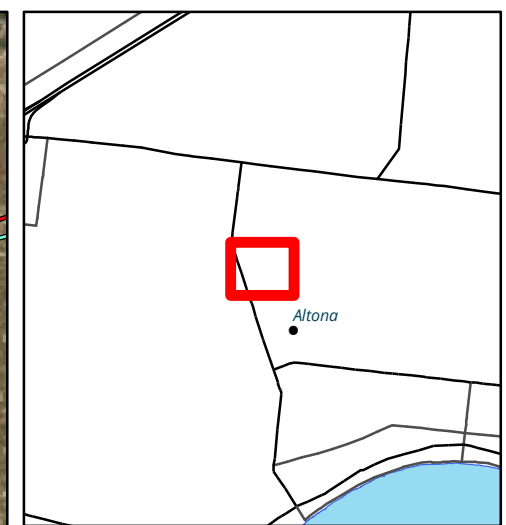
Plate 4: The condition of the grassland during the pre-clearance survey. Note the open ground cover in comparison to Plate 1.



Plate 5: A cluster of Spiny Rice-flower plants showing three individuals (Waypoint 1 in Figure 2)



Plate 6: The cluster Spiny Rice-flower at Waypoint 7 (Figure 2). Close examination of this cluster suggests the presence of three individuals.



Legend

-  18903_KLS_GPS44_Wpts_201219
-  18903_KLS_GPS43_WPTS_20141219
-  18903_KLS_GPS44_Trks_201219
-  18903_KLS_GPS43_Trks_20141219
-  18903_KLS_GPS40_Trks_20141219
-  18903_SGM_GPS16_Trks_20141211



GPS Results 19/12/2014

0 10 20 30 40 50
 Metres
 Scale: 1:1,607 @ A3
 Coordinate System: GDA 1994 MGA Zone 55



Matter: 18903,
 Date: 22 December 2014,
 Checked by: SGM, Drawn by: LDM, Last edited by: Imilne
 Location: P:\18900s\18903\Mapping\18903_GPS_Results



- Legend**
-  SpinyRiceFlower
 -  Reserve boundary

Spiny Rice Flower survey results

0 10 20 30 40 50
 Metres
 Scale: 1:1,573 @ A3
 Coordinate System: GDA 1994 MGA Zone 55

 **biosis**
 Biosis Pty Ltd
 Ballarat, Brisbane, Canberra, Melbourne,
 Sydney, Wangaratta & Wollongong

Matter: 18903,
 Date: 30 January 2015,
 Checked by: KLS, Drawn by: LDM, Last edited by: Imilne
 Location: P:\18900s\18903\Mapping\
 18903_SRF_Survey_Results

Attachments:

Burn Permit issued to GAGIN

Planning Permit PA1224236, Addendum to the Conservation Management and Offset Management Plan at 210-238 Maidstone Street Altona.

Planning Permit PA1224236 Addendum for the Spiny Rice-flower translocation plan for 210-238 Maidstone Street Altona.

Surveyors plan with the location and dimensions of Offset Zone 1 and the associated buffer

Biosis 2015. Terrinallum South, Darlington: Native vegetation condition report. Report for Maidstone St Joint Venture. Authors: Mueck, S. & Salmon, K. Biosis Pty Ltd, Melbourne. Project no. 18903

Heads of agreement to secure the external offset at Terrinallum South

Plume Ecology 2015. *Targeted Golden Sun Moth (Synemon plana) Survey Report 'Terrinallum South', Darlington Victoria*. Report prepared for a commercial client. Author Eddy, L. Plume Ecology, Timboon, Victoria.

COMMUNITY LOCAL LAW

PERMIT TO BURN Section 42(a)

(Not valid on a day of total fire ban or on any day which the Environment Protection Authority (EPA) has declared as a smog alert day)

A permit is hereby granted to **Native Vegetation Management Services** of **50 School Rd, Balliang East 3340 (contact: Peter Wlodarczyk, Ph: 0418 317 725)** for the purpose of **Controlled Ecological and Fuel Reduction Burns** at: **210-238 Maidstone St Altona North (N/E corner Maidstone & Jordon CI Altona North)**

Permit period commences on **4 October 2014 at 8:00am** and ending on **31 October 2014 at 5:00pm;**

subject to the following conditions and limitations, namely:

- (1) A fire must not be lit or allowed to remain alight on any day:
 - Which the EPA has declared as a smog alert day in the whole or any part of Victoria which includes the municipal district; or
 - Part of the day which has been declared to be one of a total fire ban day in respect of the whole of the State of Victoria or that part of the State where the burn is to be conducted.

- (2) **Conditions**
 - This permit is issued for a the period 3 October 2014 – 31 October 2014, but on the basis that the burns will be conducted within a 24-hour period only, dependant on suitable weather conditions.
 - The fire must be supervised by from the time it is lit until the time it is extinguished.
 - Adequate means must be readily available at all times for extinguishing the fire.

- Occupants of neighbouring properties must be advised in advance when the burn is to be conducted.
- Metropolitan Fire Brigade and VicFire must be advised in advance that the burn is to be conducted.
- Any rubber or plastic substance, petroleum oil or material containing petroleum oil, paint or receptacle which contains paint, manufactured chemical or food waste must not be burnt.

Dated this **3 October 2014**

Authorised Officer

David De Bono
Acting Coordinator Parking & Local Laws
Hobsons Bay City Council
115 Civic Parade, Altona, VIC. 3018
Tel. No. 9932 1049

NOTE

The applicant to whom a permit is granted must do all acts and things as may be necessary to ensure compliance with the permit and its conditions.

The holding of a permit or compliance with a condition included in a permit does not of itself relieve the holder of the permit from:-

- (1) Compliance with any other legislative Regulation of Act with respect to fire; or
- (2) Liability for any damage sustained by another person or property as a result of a fire lit by the holder of the permit pursuant to the permit.

06 January 2015

Planning Permit PA1224236

Addendum to the Conservation Management and Offset Management Plan at 210-238 Maidstone Street Altona

A plan for the active ecological management of the native grassland reserve and associated buffer located at 210 – 238 Maidstone Street Altona has been prepared by Brett Lane & Associates Pty. Ltd. This plan is titled as follows:

Lot 1 PS 613111 Maidstone Street, Altona Conservation Management and Offset Management Plan. Prepared for Ali Holdings#1 Pty. Ltd. December 2012 Report No. 10025 (7.1).

In consultation with the City of Hobsons Bay it has been agreed that this plan will be endorsed as part of Planning Permit PA1224236 subject to the following amendments. These amendments are provided as an addendum to the existing plan. These amendments have been prepared by Stephen Mueck, Senior Consultant Botanist with Biosis, in consultation with David Murnane Coordinator - Parks & Gardens Services from the City of Hobsons Bay.

Addendum

Section 3.3.1:

An additional biomass management strategy which could be considered as follows:

- Mechanical removal of ground-cover biomass following strict plant hygiene practices. This would involve slashing and the physical removal of cut material from the reserve and/or mowing using a "catcher". This could only occur during late summer to early autumn when soil conditions are dry.

Section 3.3.2: Table 12

Page 23, fourth management action:

Replace: Rabbit Control to be carried out if required – Fumigate and collapse burrows where present.

With: Rabbit control should be managed through an appropriate pest eradication program.

Page 25, second management action:

Replace: Report due 31st December 2013

With: Report due 31st December 2015

Page 26, first management action:

Replace: Rabbit Control to be carried out if required – Fumigate and collapse burrows where present.

With: Rabbit control should be managed through appropriate pest eradication.

Page 28: first management action:

Replace: Report due 31st December 2015

With: Report due 31st December each year

Page 29, first management action:

Replace: Rabbit Control to be carried out if required – Fumigate and collapse burrows where present.

With: Rabbit control should be managed through appropriate pest eradication.

Page 30: last management action:

Replace: Report delivered to the Hobsons Bay City Council and DEPI no later than three months after the due date.

With: Report due 31st December each year. Report to be provided no later than three months after the due date.

Section 3.4:

None of the costings defined by Brett Lane & Associates are considered current or comprehensive of the likely management costs. Hobsons Bay has indicated it is prepared to have the native grassland reserve transferred into Council ownership. However this transfer will require the developer/owner to provide Council with funding for the implementation of the management plan for the full ten year period. Funding will include all relevant infrastructure such as fencing unless that infrastructure has been established by the developer to Council's satisfaction.

Costs for the implementation of this management plan will be subject to an agreement between the owner and Council prior to the transfer of the Conservation Reserve to the City of Hobsons Bay. Until this agreement has been confirmed the current owner is responsible for the management of the reserve and associated buffer as directed by this plan. Maidstone St Joint Venture Pty Ltd will provide council with a comprehensive list of tasks it has completed in association with the implementation of the conservation and offset management plan. A costing to establish any other infrastructure prescribed by the plan and for the implementation of ten years of prescribed management actions will also be provided prior to the start of negotiations with council.

Section 3.5:

The following text is added after the existing paragraph for this section.

Fencing of the grassland reserve will be established along the outer margins of the buffer zone (3 m wide). The buffer zone will effectively be incorporated into the reserve but incorporate management actions which, while a requirement for conservation management, are not necessarily beneficial for the area impacted (i.e. fence construction and maintenance work areas, constructed firebreaks, access tracks).

05 January 2015

Planning Permit PA1224236
Addendum for the Spiny Rice-flower translocation plan for
210-238 Maidstone Street Altona

A plan for the translocation of individuals of Spiny Rice-flower *Pimelea spinescens* subsp. *spinescens* found outside the native grassland reserve and associated buffer located at 210 – 238 Maidstone Street Altona has been prepared by Brett Lane & Associates Pty. Ltd. This plan is titled as follows:

Lot 1 PS 613111 Maidstone Street, Altona Spiny Rice-flower salvage and translocation plan. Prepared for Ali Holdings#1 Pty. Ltd. May 2013 Report No. 10025 (8.1).

In consultation with the City of Hobsons Bay it has been agreed that this plan will be endorsed as part of Planning Permit PA1224236 subject to the following amendments. These amendments are provided as an addendum to the existing plan. These amendments have been prepared by Stephen Mueck, Senior Consultant Botanist with Biosis, in consultation with David Murnane Coordinator - Parks & Gardens Services from the City of Hobsons Bay.

Addendum

Section 2.2:

Contact details for the *Pimelea spinescens* Recovery Team are as follows:

Debbie Reynolds
Pimelea Conservation Officer
Trust for Nature
Level 5/379 Collins St, Melbourne VIC 3000
Phone: (03) 8631 5888
Email: Debbie Reynolds <debbier@tfn.org.au>

Section 6.2:

A total of 21 Spiny Rice-flower plants occur within the project area. These occur at seven locations with each location supporting two or more plants growing within 10 centimetres of each other. Only three plants at one location occur outside the reserve and associated buffer. As the plants are recovering from an October 2014 burn and development is proposed to begin in early to mid 2015, plants will not be able to flower and set seed before salvage. Planting seedlings is also considered a high risk strategy as favourable climatic conditions are required for any level of seedling establishment. Therefore seed collection, propagation and planting (Section 6.2) will not be required as part of this translocation plan.

The physical translocation of the three individuals will only require a single tree spade excavation given the small area they occupy (i.e. plants grow within a few centimetres of each other). This physical salvage will also result in the translocation of any seeds which may occur around these plants. Ongoing management of the reserve is expected to provide favourable conditions for the natural germination of any seed produce by the population maintained within the reserve. This reserve is also contiguous with a council reserve to the north and a proposed reserve to the east. Each reserve supports a similar number of Spiny Rice-flower

and together this area will support an expected population of about 50 individuals. Given the occurrence of favourable climatic conditions some level of natural reproduction is expected to occur within the reserve. If such recruitment is not observed than a co-ordinated population management program could be implemented including all managed grassland habitat reserved in this area.

Section 6.3:

Replace the second last paragraph with:

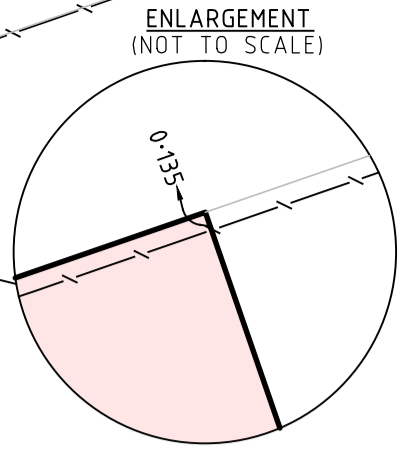
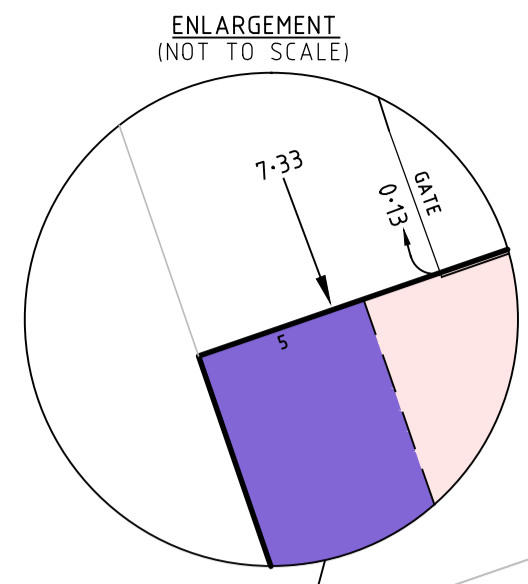
The location of each translocated plant will be recorded using a hand held GPS.

Section 7.3:

The following is provided in addition to the existing text:

Given the small scale of this translocation plan there is a high probability that the three individuals subject to physical translocation will not survive. This probability of failure is high regardless of the intensive level of management input required. However, even if the translocated plants do appear to be dead, management of the translocated soil will be a requirement of this plan for at least two years. This response is required as a plant's tap root may become dormant and any soil stored seed may also remain viable.

If no plant is apparent within the translocated soil after two years then the translocation will be reported as a failure to the Pimelea spinescens Recovery Team and no further implementation of the translocation plan will be required.



TITLE NOTES:
 SEE TITLE FOR FULL DETAILS OF ANY CAVEATS, MORTGAGES, AND/OR COVENANTS.
 THE RELATIONSHIP BETWEEN OCCUPATION AND TITLE PRESENTED IN ENLARGEMENT BUBBLES AND SHOWN THUS \curvearrowright 0-13 IS NOT SHOWN TO SCALE AND IS EXAGGERATED FOR CLARITY. OCCUPATION HAS BEEN LOCATED BY SURVEY AT THESE POINTS ONLY.
 TITLE BOUNDARIES SHOWN BY THICK CONTINUOUS LINES HAVE BEEN RE-ESTABLISHED BY SURVEY.
 THIS PLAN SHOULD BE READ IN CONJUNCTION WITH THE SURVEYOR'S REPORT DATED 01/10/2014.
 TITLE BOUNDARIES SHOWN BY THICK CONTINUOUS LINES HAVE BEEN RE-ESTABLISHED BY SURVEY. AS A RESULT, BOUNDARY DIMENSIONS SHOWN ON THIS PLAN MAY NOT NECESSARILY AGREE WITH TITLE. EXTERNAL TITLE BOUNDARIES ARE SUBJECT TO LAND REGISTRY APPROVAL AS PART OF THE REGISTRATION OF THE PROPOSED PLAN OF SUBDIVISION.

SURVEY DATUM
 LEVELS ARE IN METRES TO A.H.D. SHOWN THUS $x^{7.17}$ DATUM BEING MMB 1983 WITH AN R.L. OF 3-290A.H.D.
 THIS SURVEY IS ORIENTATED TO MGA94 ZONE 55 BEARINGS VIDE VICMAP POSITION - GPsnet (VERIFIED TO TRUGANINA PM 219 AND TRUGANINA PM 79).

VICMAP DATA
 THIS PLAN CONTAINS DATA EXTRACTED FROM VICMAP DIGITAL DATA (VDD) DATED JANUARY 2013 (CADASTRAL INFORMATION).
 THE ACCURACY OF THE VDD FOR BOTH CADASTRAL AND CONTOUR DATA IS QUOTED AS BEING GENERALLY BETWEEN 0-3 METRES AND 0-8 METRES. THEREFORE THE INFORMATION SHOWN IN THIS REGARD IS INTENDED TO BE A GUIDE ONLY TO WHERE BOUNDARIES AND CONTOURS MAY BE LOCATED. PLEASE REFER TO TITLE DETAILS OF ANY LOT FOR PRECISE DIMENSIONS AND ACCURATE EASEMENT AND RESTRICTION DETAILS.

CONTOURS & TERRAIN MODELING
 10 MAJOR CONTOUR INTERVAL 1-00m
 MINOR CONTOUR INTERVAL 0-20m

GENERAL NOTES
 THE NOTES CONTAINED WITHIN THE PLAN ARE AN INTEGRAL PART OF THE INFORMATION PRESENTED, AND MUST BE INCLUDED IN ANY REPRODUCTION.
 WHERE BUILDING, RIDGE AND EAVE LINES ARE SHOWN AS DASHED LINES ——— THIS INFORMATION HAS BEEN LOCATED BY SURVEY.
 WHERE BUILDING, RIDGE AND EAVE LINES ARE SHOWN AS DASH-DOT-DOT LINES - - - - - THIS INFORMATION HAS BEEN DIGITISED FROM AN AERIAL PHOTOGRAPH AND IS APPROXIMATE IN LOCATION (NOT TO BE USED FOR ANY SET OUT PURPOSES).
 TREE SPREAD AND TRUNK DIAMETERS ARE SHOWN TO SCALE. TREES WITH A TRUNK DIAMETER GREATER THAN 100MM ONLY HAVE BEEN SHOWN ON THIS PLAN UNLESS OTHERWISE INDICATED.

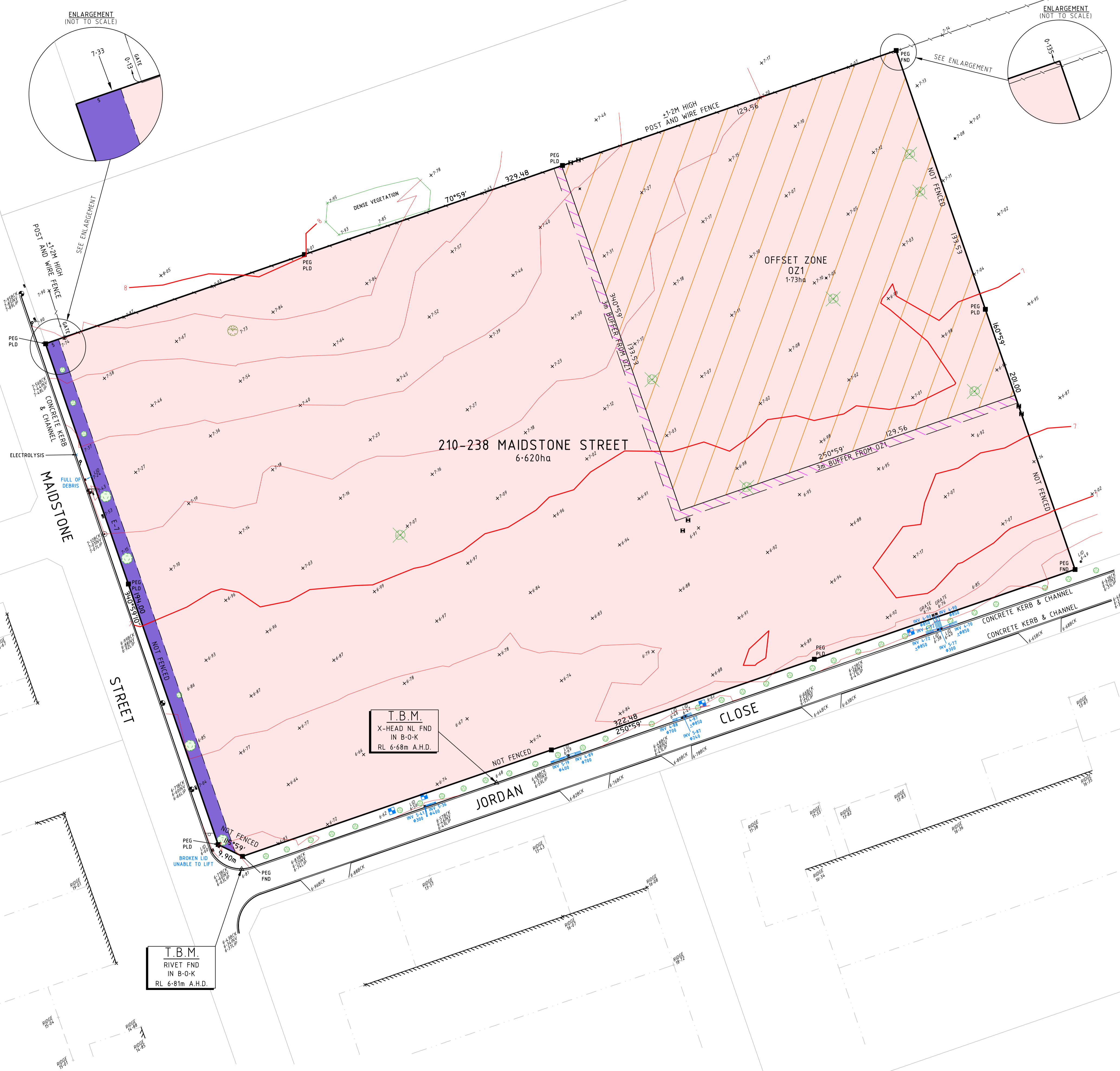
TITLE REFERENCE
 Vol. 11100 Fol. 440
 LOT 1 ON 613111Y
 SECTION --
 CROWN ALLOTMENT: -- (PART)
 PARISH: TRUGANINA
 COUNTY: --

EASEMENT
 E-7 - WATER SUPPLY
 ORIGIN: PPS1016
 LAND IN FAVOUR OF CITY
 WEST WATER LIMITED

LEGEND

☐ COMMUNICATIONS PIT	⊕ JUNCTION PIT
⊙ ELECTRICITY POLE	⊙ NAIL IN FENCE POST
⊙ ELECTRICITY POLE WITH LIGHT	⊙ SEWER PIT
⊙ SPINY RICE FLOWER FLAGGED/SURVEYED ON 14/01/2015	⊙ SIDE-ENTRY PIT
⊙ FIRE HYDRANT	⊙ STAY FOR ELECTRICITY POLE
⊙ GRATED PIT	⊙ TITLE PEG
	⊙ ENGINEERING PEG

MGA94 COORDINATES
 (OF APPROX. CENTRE OF PLANT)
 E 307 440
 N 5007 960



Hellier McFarland
 Development Consultants Town Planners Land Surveyors
 342 Hawthorn Rd, Caulfield South, VIC 3162
 Tel: 03 9532 9951 Fax: 03 9532 9941
 www.hmf.com.au | info@hmf.com.au

I, Michael James Molyneux Byrne of 342 Hawthorn Road, Caulfield South certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 24/09/2014, that this plan is accurate and correctly represents the adopted boundaries and the survey accuracy accords with that required for LEVEL LAND as defined in regulation 7 (2) of the Surveying (Cadastral Surveys) Regulations 2005.

Date: _____ Licensed Surveyor, Surveying Act 2004

SURVEY	GM/SL	24/09/2014	SCALE 1:750
DRAWN	GM/SWS	19/01/2015	7.5 0 7.5 15 22.5 30
CHECKED	MJMB	01/10/2014	LENGTHS ARE IN METRES
APPROVED	MC	19/01/2015	ORIGINAL SHEET SIZE A1
CAD REF:	9584S-1C.dwg		
COMPS REF:	9584S 2014-09-24	Feature Re-estab-see	

G	-	-	-
F	-	-	-
E	-	-	-
D	-	-	-
C	SWS	OFFSET ZONE REVISED	19/01/2015
B	SWS	OFFSET ZONE ADDED	14/01/2015
REV	BY	REVISION	DATE

REF No. 9584S/1
 VERSION c
 DATE 19/01/2015
 SHEET No. 1 of 1

PLAN OF SURVEY
210-238 MAIDSTONE STREET
ALTONA

THIS PLAN IS AN UNCONTROLLED DOCUMENT. IT IS THE RESPONSIBILITY OF THE USER TO CONFIRM THAT THIS PLAN IS A CURRENT COPY AND IS SUITABLE FOR THE PROPOSED PURPOSE. THIS SHEET MUST BE READ IN CONJUNCTION WITH ALL SHEETS OF THIS SERIES.

TERMS SHEET

Tom & Kate Calvert AND Cadence Property Group

Terms for Establishment of an Offset Site

NO.	ITEM	TERMS
1	Parties	Landowner: Tom & Kate Calvert Permit Holder: Cadence Property Group
2	Offset	The Landowner agrees to permanently protect and manage a 12.35 hectare area of Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) which also provides habitat for the Golden Sun Moth (GSM) including confirmed presence of GSM ("Offset Area") and includes a gain not less than 3.36 habitat hectares of Very High Conservation Significance Plains Grassland.
3	Minimum Price	Based on a current day price of not less than \$687,204 excluding GST, adjusted on a 6% discount rate, the total agreed price of not less than \$752,225 excluding GST is to be paid as follows: a. Capital payment of \$527,225 excluding GST to the Landowner upon registration of a Trust for Nature offset covenant over the Offset Area b. \$225,000 excluding GST paid to Trust for Nature upon signing a credit trading agreement, to be subsequently paid to the Landowner over 10 years This is on the basis of reasonable management actions agreed to by the Owner in the Offset Management Plan.
4	Deposit	A non-refundable deposit of 10 per cent of the Minimum Price to be paid to the Landowner upon signing commercial agreement, which will be deducted from the Capital payment
5	Trust for Nature Covenant registration Fees	To be paid by the Permit Holder
6	GSM Population Monitoring	Excluded from the price
7	Offset Management Plan development	A ten year Offset Management Plan is to be prepared by an ecologist engaged by the Permit Holder, at the Permit Holders cost and must be agreed to by the Landowner
8	Access	The landowner will provide reasonable access to the Offset Area to the Permit Holder (including its employees, consultants and contractors) for the purposes of validating site suitability and collecting the necessary information to prepare an offset management plan, on the following conditions: a. Collected data is not released to any third-party without written consent of the landowner, with such consent not unreasonably withheld ; and, b. The landowner has access to all collected data for quality assessment purposes
9	Term	If a Trust for Nature covenant is not registered on the Landowner's land by 30 November 2015, the Minimum Price will increase by 5 per cent
10	Confidentiality	The parties acknowledge that this agreement and all information relating to or incidental to it supplied to or obtained by either of them is confidential and must take reasonable steps to ensure that any of their

		respective employees, advisers and agents, do not disclose any part of this agreement or any information relating to it without the prior consent of the other party or otherwise as required by law
11	Exclusivity	Cadence enter into this agreement with the Owner exclusively and agree to cease all discussions and negotiations with any other offset provider.

Dated: 24-02-15



Signed for and on behalf of Tom & Kate Calvert



Signed for and on behalf of Cadence Property Group Pty Ltd