

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

| | |
|---|---|
| The land affected by the application is located at: | 91 Old Orbost Road SWAN REACH 3903 Lot: 1 LP: 203744 |
| The application is for a permit to: | Three Lot Subdivision |
| The applicant for the permit is: | Development Solutions Victoria Pty Ltd |
| The application reference number is: | 5.2023.281.1 |
| You may look at the application and any documents that support the application on the website of the responsible authority. | COVID-19 Omnibus (Emergency Measures) Bill 2020 now modifies the requirement of Form 2 so that <i>Planning documents previously required to be physically available to view at local government offices are now only required to be available for online inspection.</i> |

This can be done anytime by visiting the following website:

<https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

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

An objection must

- ♦ be made to the Responsible Authority in writing,
- ♦ include the reasons for the objection, and
- ♦ state how the objector would be affected.

| | |
|--|------------------------------------|
| The Responsible Authority will not decide on the application before: | Subject to applicant giving notice |
|--|------------------------------------|

If you object, the Responsible Authority will tell you its decision.

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

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

Page 1 of 1

VOLUME 09690 FOLIO 932

Security no : 124107897717C
Produced 26/07/2023 02:18 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 203744J.
PARENT TITLE Volume 05526 Folio 111
Created by instrument LP203744J

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE LP203744J 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: 91 OLD ORBOST ROAD SWAN REACH VIC 3903

ADMINISTRATIVE NOTICES

eCT Control 21210T WARREN GRAHAM AND MURPHY PTY LTD
Effective from 21/05/2019

DOCUMENT END

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| Document Assembled | 26/07/2023 14:20 |

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OFFICE USE ONLY

LP203744J

EDITION. 2.

PARISH. 2.

NOTATIONS

DEPTH LIMITATION 1524M

TO BE COMPLETED WHERE APPLICABLE

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS

NOS. IN PROCLAIMED SURVEY AREA NO.

THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES

TITLE REF: C/T VOL 5526 FOL 111

LAST PLAN REF: —

PLAN OF SUBDIVISION

COUNTY TAMBO

PARISH BUMBERRAH

CROWN ALLOTMENT 62 C

NUMBER OF SHEETS IN PLAN

NUMBER OF THIS SHEET

SCALE

ORIGINAL SCALE 1:1000

LENGTHS ARE IN METRES

OFFICE USE ONLY

LP203744J

VICTORIA

APPROVAL DATE 21/7/86

DATE

A.R.T.

EDN. No.

DEALING No.

CORRES 14272/1987

MODIFICATION

CHANGE OF ROAD NAME

LAND

CERTIFICATION BY SURVEYOR

200 WYTHE AND SADLER PTY LTD

66 MCCULLOCH STREET, PO BOX 722

BRINSFORD VIC 3875

(051) 52 50 11

CERTIFICATE OF MUNICIPAL CLERK

COUNCIL REF.

LIST OF MODIFICATIONS

APPROVAL DATE 21/7/86

DATE

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EDN. No.

DEALING No.

CORRES 14272/1987

MODIFICATION

CHANGE OF ROAD NAME

LAND

MUNICIPALITY

STEPHENS ROAD

146°22'40"

173°03'

298.47

12.28 ha

215.54

89°34'

156.41

138.61

114.75

178°23'

85°05'

68.90

146.07

178°26'

85°05'

130.38

164.48

189°15'

316.71

1481.19

ORRBOST ROAD

125.72

228°19'

36.34

242.38

270°00'

343.67

259.10

359°31'40"

244.43

359°26'40"

20.04 ha

62

62

APPROX TRUE NORTH



APPLICATION FOR PLANNING PERMIT
THREE LOT SUBDIVISION

JULY
20
23

91 OLD ORBOST ROAD, SWAN REACH

VANESSA & BRADLEY ASH

REF: 23046

Printed 17/08/2023
Page 5 of 75

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| Version | Initials | Date | Comments |
|---------|----------|------------|----------|
| 1.0 | DAC | 07/07/2023 | |
| 1.1 | CMC | 21/07/2023 | |
| 1.2 | DAC | 24/07/2023 | |

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July 2023



APPLICATION FOR PLANNING PERMIT 91 OLD ORBOST ROAD, SWAN REACH THREE LOT SUBDIVISION

1. EXECUTIVE SUMMARY

This planning submission is in support of a planning permit application for a Three Lot Subdivision at 91 Old Orbost Road, Swan Reach.

The subject site is approximately 20.04 hectares in area and is located within an existing rural living area of Swan Reach. The site is zoned Rural Living Zone – Schedule 2 (RLZ2) and is affected by the Erosion Management Overlay (EMO) and the Vegetation Protection Overlay – Schedule 1 (VPO1).

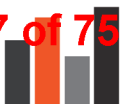
A planning permit is required for the subdivision of land under the provisions of the Rural Living Zone and the Erosion Management Overlay. The requirements of the zone and overlay are addressed within this submission and the supporting documentation.

The proposed three lot subdivision is considered appropriate in this location and is not expected to detrimentally impact any existing surrounding land uses and development.

This report addresses the following components of the East Gippsland Planning Scheme:

- Clause 01 – Purposes of this Planning Scheme
- Clause 02 – Municipal Planning Strategy
- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risks
- Clause 15 – Built Environment Heritage
- Clause 35.03 – Rural Living Zone
- Clause 44.01 – Erosion Management Overlay
- Clause 65.01 – Decision Guidelines
- Clause 65.02 – Decision Guidelines

The information provided within this submission addresses the requirements of the East Gippsland Planning Scheme and concludes the proposed three lot subdivision will result in a positive contribution to the rural residential component of Swan Reach.



2. INTRODUCTION:

We act on behalf of Vanessa and Bradley Ash, the applicant and owner of land at 91 Old Orbost Road, Swan Reach being the subject of this planning application.

This planning submission has been prepared in support of an application for a Three Lot Subdivision.

This planning submission addresses the relevant provisions of the East Gippsland Planning Scheme to assist Council planning officers in considering the merit of the proposed development.

3. SITE AND SURROUNDS

The subject site is located at 91 Old Orbost Road, Swan Reach formally identified as Lot 1 on Plan of Subdivision 203744J contained in Certificate of Title Volume 09690 Folio 932. The title is not affected by any restrictive covenants or agreements.

A copy of the title and plan of subdivision is contained in **Appendix A**.

The subject site is located approximately 2.2 kilometres northeast of Swan Reach and approximately 16 kilometres northwest of the central business district of Lakes Entrance. The subject site in relation to Swan Reach as well as the surrounding land, is shown in the locality plans below in **Figure 1** and **Figure 2**.

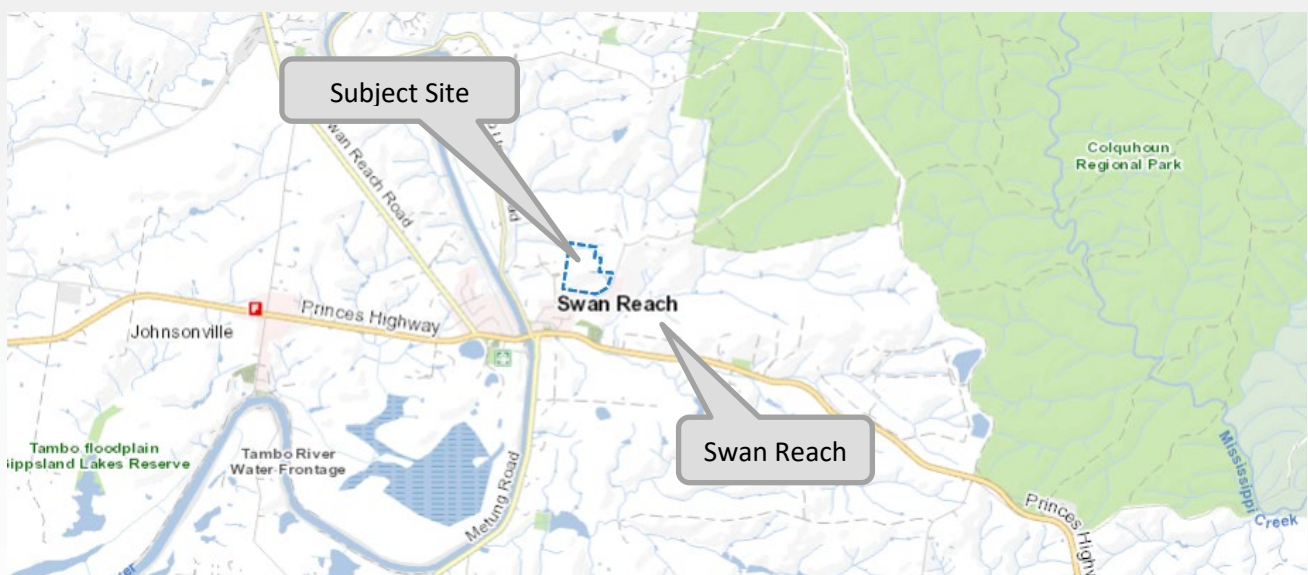


Figure 1 – Locality Plan – 91 Old Orbost Road, Swan Reach (source: mapshare.vic.gov.au)

Swan Reach is a small rural community located approximately 21km east of Bairnsdale along the Princes Highway in the East Gippsland Shire. Nearby and surrounding communities of similar nature are Nicholson, Johnsonville, Tambo Upper and Swan Reach forming the Twin Rivers District based around the Tambo and Nicholson Rivers. Swan Reach has minimal community and commercial facilities such as a school, post office, shop, hotel, service station and sporting ground. Further amenities are sourced and available further afield in Bairnsdale and Lakes Entrance.

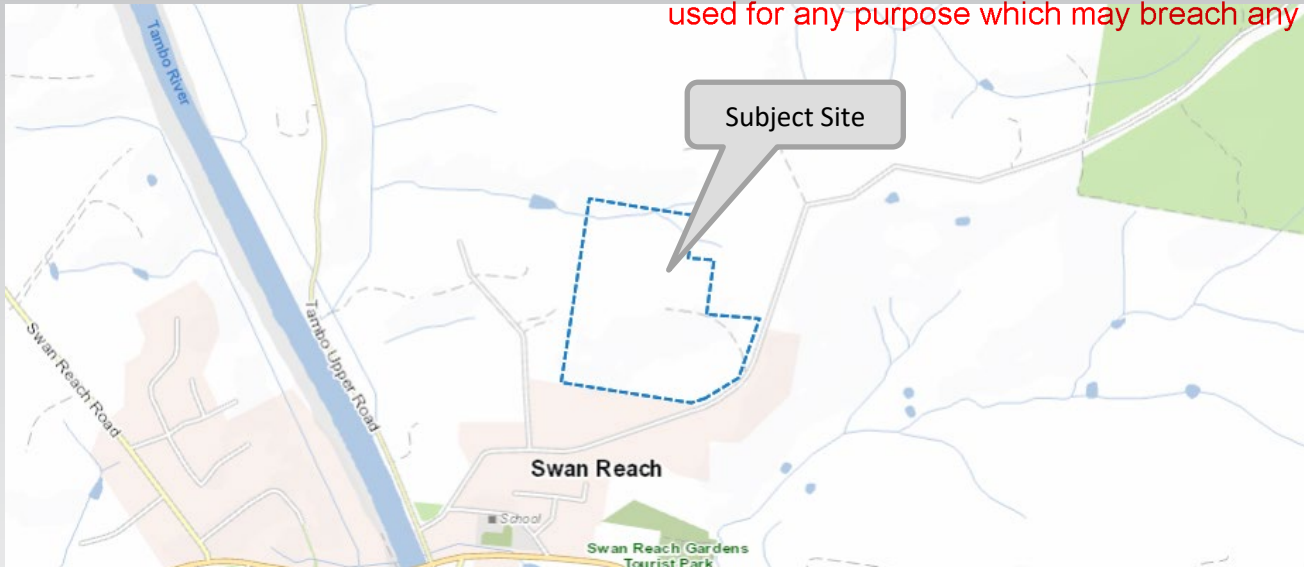


Figure 2 – Locality Plan – 91 Old Orbost Road, Swan Reach (source: mapshare.vic.gov.au)

The subject site is approximately 20.04 hectares in area, irregular in shape and undulating in nature. The property contains an existing dwelling, outbuildings and scattered vegetation. The site contains an existing watercourse in the northern portion and a dam in the southern portion. The boundaries of the site are delineated by standard rural post and wire fencing.

Access to the site is existing along the southeast boundary directly from Old Orbost Road. Old Orbost Road is a bitumen sealed road with gravel shoulders and grassed swale drains. Old Orbost Road traverses in a northeast to southwest direction. Old Orbost Road connects to School Road approximately 800 metres south west of the subject site. School Road provides a direct link to the Princes Highway.

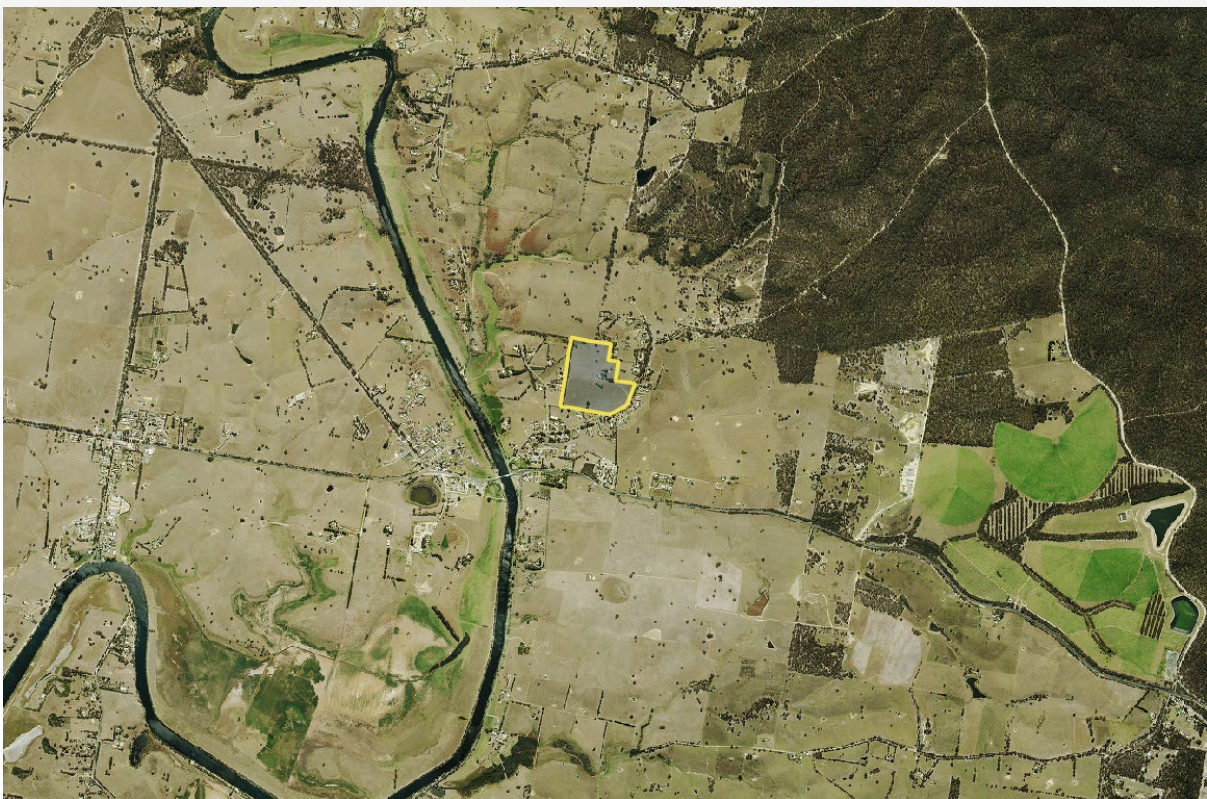
Land adjoining the site to the north contains existing rural residential development, associated facilities and further farming land. Adjoining the eastern and southern boundaries is existing residential development, associated facilities and Old Orbost Road. Adjoining the western boundary is existing residential development and associated facilities.

The site has access to a range of infrastructure including electricity, telecommunications, reticulated water and a good quality road network.

A visual description of the subject site and surrounding land is outlined in the photographs below.



Photograph 1 – Aerial Photograph of the subject site and surrounding land – 91 Old Orbost Road, Swan Reach (source: dpi.vic.gov.au)



Photograph 2 – Aerial Photograph of the subject site and surrounding land – 91 Old Orbost Road, Swan Reach (source: dpi.vic.gov.au)



Photograph 3 – Subject site at 91 Old Orbest Road, Swan Reach.



Photograph 4 – Existing gravel access driveway to subject site facing north.



Photograph 5 – Existing dwelling on subject site facing north.



Photograph 6 – Existing outbuildings facing north.



Photograph 7 – Proposed Lot 1 facing northwest.



Photograph 8 – Proposed Lot 1 facing south.



Photograph 9 – Proposed Lot 1 facing southwest.



Photograph 10 – Proposed Lot 2 comprising the south eastern portion of the site facing north.



Photograph 11 – Proposed Lot 2 comprising the south eastern portion of the site facing south.



Photograph 12 – Proposed Lot 2 comprising the south eastern portion of the site facing west.



Photograph 13 – Proposed Lot 3 comprising the southern portion of the site facing west.



Photograph 14 – Proposed Lot 3 facing southeast.



Photograph 15 – Property directly opposite subject site at 94 old Orbost Road, Swan Reach.



Photograph 16 – Neighbouring property adjoining the subject site along the northern boundary at 123 Old Orbost Road, Swan Reach.



Photograph 17 – Old Orbest Road facing north east.



Photograph 18 – Old Orbest road facing south west.

4. PROPOSAL:

This application seeks approval for a Three Lot Subdivision. The proposed plan of subdivision is contained in **Appendix B**.

The proposal seeks approval for a Three Lot Subdivision that will create two vacant rural residential allotments. The subject site contains scattered vegetation, an ephemeral watercourse in the northern portion of the site and an existing dam in the southern portion of the site. The proposed lots have been designed to respond to the existing site conditions with consideration for the existing features and potential hazards associated with the subject site.

Lot 1

The proposed Lot 1 will be irregular in shape and include the existing dwelling, outbuildings and access driveway. This proposed allotment will be approximately 17.59 hectares in area.

The access is existing directly from Old Orbost Road along the southeastern boundary and will remain unchanged.

Lot 2

The proposed Lot 2 will comprise an almost triangular parcel of land in the southeastern portion of the site and will be approximately 8694m² in area.

Access to proposed Lot 2 is proposed in the northern portion of the eastern boundary, directly from Old Orbost Road. The proposed lot will have a 144.48 metre frontage to Old Orbost Road.

A Works on Road Reserve Permit will be required for this access.

Lot 3

The proposed Lot 3 will comprise an almost rectangular shaped allotment in the southern portion of the subject site and will be approximately 1.57 hectares in area.

Access to proposed Lot 3 is proposed along the southeastern boundary, directly from Old Orbost Road as indicated on the proposed plan of subdivision. The proposed lot will have a 56.34 metre frontage to Old Orbost Road.

A Works on Road Reserve Permit will be required for this access.

Services

The subject site is connected to an appropriate level of services including electricity, reticulated water, telecommunications and a good quality road network. Each of the proposed allotments will be connected to all available services.

Works

No vegetation removal is required to facilitate the proposed subdivision. Some minor earthworks will be required for the installation of services and access crossovers. A Geotechnical Risk Assessment waiver is contained in **Appendix C** that concludes the proposed subdivision is appropriate in this location and any erosion hazards can be reduced to an acceptable level. The implementation of silt fences during the construction of vehicle crossovers and service installations is recommended.

Wastewater

A Land Capability Assessment is contained in **Appendix D** that concludes the proposed allotments being created are suitable for the use of a standard subsoil absorption trench septic system to support future residential development in the absence of reticulated sewerage. There is adequate space for the allotments to treat and retain wastewater within the allotment boundaries.

An indication of the proposed plan of subdivision is located below.

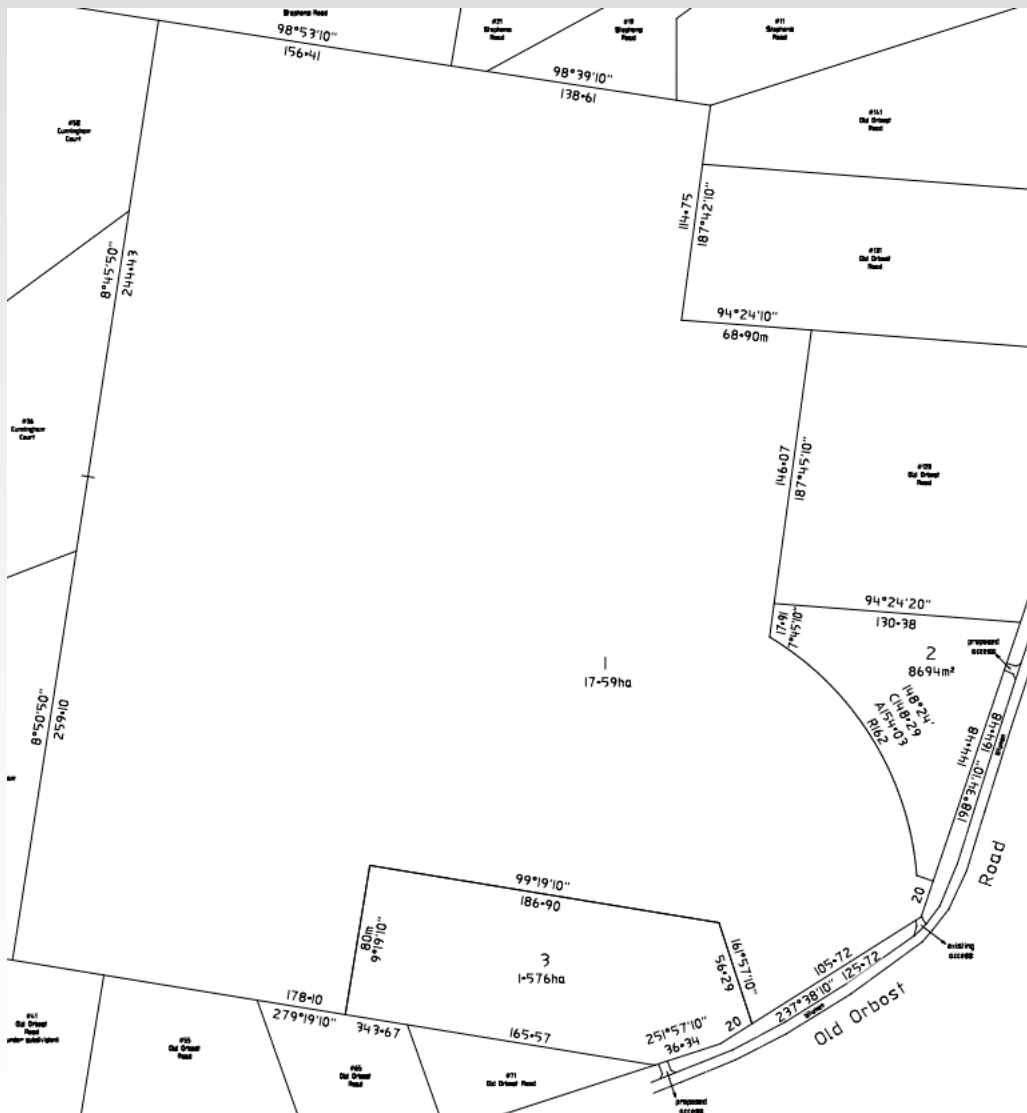


Figure 3: Proposed plan of subdivision - OnePlan

5. PLANNING PROVISIONS

5.1 EAST GIPPSLAND PLANNING SCHEME

Clause 01 – Purposes of this Planning Scheme provide:

- To provide a clear and consistent framework within which decisions about the use and development of land can be made.
- To express State, regional, local and community expectations for areas and land uses.
- To provide for the implementation of State, regional and local policies affecting land use and development.
- To support responses to climate change.

5.2 MUNICIPAL PLANNING STRATEGY

Clause 02.01 – **Context** provides an overview of the East Gippsland Shire Council acknowledging the 21,051 square kilometres that it covers incorporating the entire far eastern corner of the state of Victoria.

“East Gippsland is growing at an annual rate of about one percent and development will be guided by policies to ensure that this growth reflects local character and meets the needs of future generations.”

Settlement identifies that East Gippsland can be divided into four economic and geographic areas, as shown on the Strategic Framework Plan below being the Lakes and Coastal sub region, the Highland sub region, the Valleys and Forests sub region and the Agricultural Hinterland sub region.

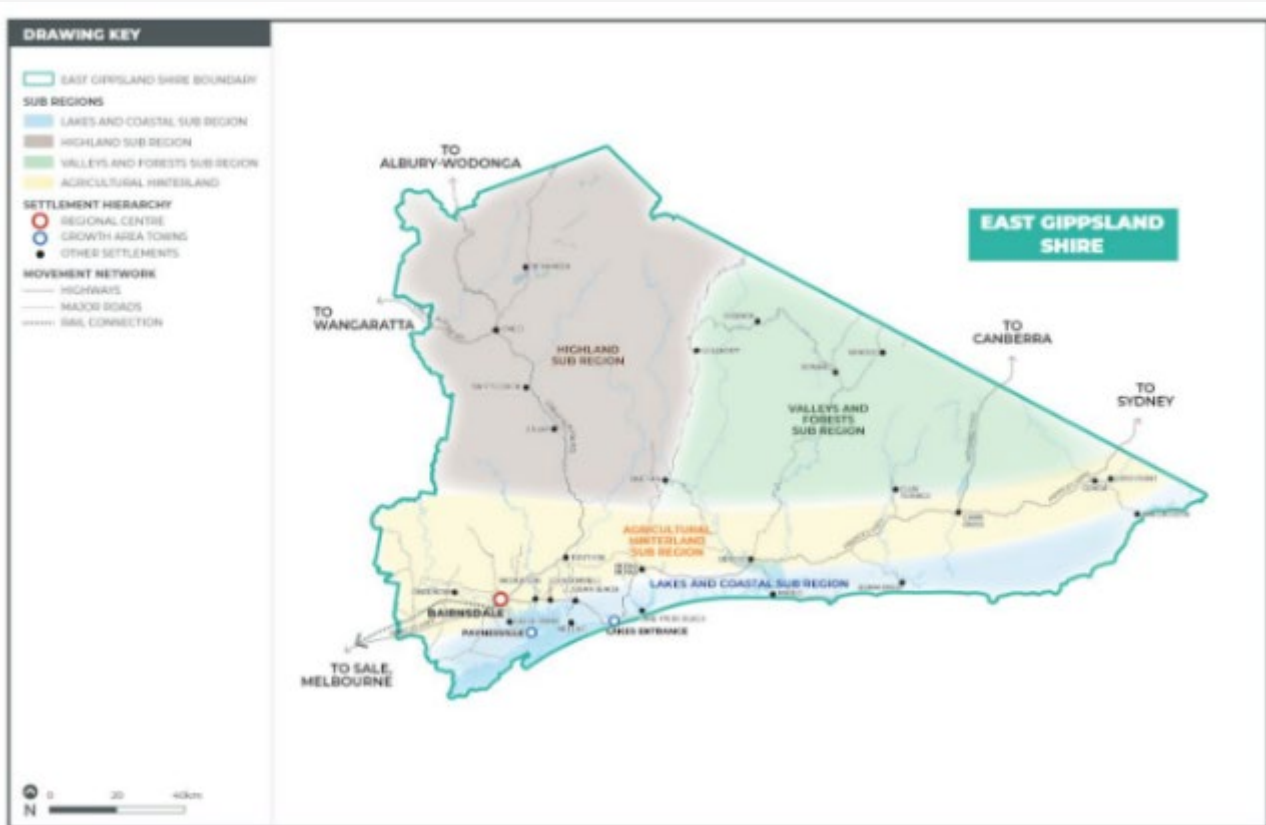


Figure 4 – Strategic Framework Plan (source: East Gippsland Planning Scheme)

Swan Reach is located within the Agricultural Hinterland sub-region.

East Gippsland has a strong sense of community and an enviable lifestyle supported by the remarkable diversity and the beauty of its natural environment. Rural residential localities such as Swan Reach are imperative to the East Gippsland character.

Clause 02.02 – **Vision** notes the Council Plan (2017-2021) identifies the following vision:

“East Gippsland is the most liveable region in Australia.

A place of natural beauty, enviable lifestyles, and opportunities.”

This vision is supported with principles that are relevant to land use planning including:

- Liveability
- Sustainability
- Productivity

Clause 02.03-1 **Settlement and housing** identifies the Growth area towns being the Bairnsdale, Paynesville and Lakes Entrance. Swan Reach is identified as being one of the three small towns located within the Twin Rivers Region located east of Bairnsdale incorporating the Nicholson and Tambo Rivers.

Council’s strategic directions for **rural settlements** are:

- *Consolidating development within existing town boundaries, using infill development, before further expansion of the towns.*
- *Providing for further subdivision where the land has capacity to absorb wastes, native vegetation is protected, and minimal impact is made on adjoining public land.*
- *Preserving the separation between Nicholson, Johnsonville and Swan Reach.*

Clause 02.03-2 – provides Council’s strategic directions for **Environmental and landscape values** are:

- *Restoring and maintain the biodiversity of our rivers, waterways, lakes and wetlands.*
- *Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River, the Tambo River, Princes Highway; ridgelines and roadside vegetation.*
- *Balancing residential, business and tourist development with wildlife corridors and areas of rural or natural landscape.*
- *Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.*

Clause 02.03-3 – provides Council’s strategic directions for **Environmental risk** are:

- *Prioritising the planning and management responses and adaptation strategies to vulnerable areas, such as protect, redesign, rebuild, elevate, relocate and retreat.*
- *Assessing the impacts of climate-induced sea level rise, combined with more severe storm surges.*
- *Minimising land degradation and tree decline in some rural areas.*
- *Using geotechnical risk assessments in evaluating proposals for use and development in erosion risk areas.*

Clause 02.03-5 – provides Council’s strategic directions for **Built environment and heritage** are:

- *Protecting natural and cultural heritage.*
- *Maintaining the human scale, village feel and character of Paynesville particularly in the town centre.*
- *Upgrading the townscapes of Lakes Entrance and Paynesville.*

5.3 PLANNING POLICY FRAMEWORK

Clause 11 – **Settlement** provides:

“Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- *Health wellbeing and safety.*
- *Diversity of choice.*
- *Adaptation in response to changing technology.*
- *Economic viability.*
- *A high standard of urban design and amenity.*
- *Climate change adaptation and mitigation.*
- *Prevention of land, water, air and noise pollution.*
- *Protecting, conserving and improving biodiversity, waterways and other natural resources.*
- *Accessibility.*
- *Land use and transport integration.*
- *Waste minimisation and resource recovery.*

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.”

Clause 11.01-1R – **Settlement - Gippsland** provides:

- *Support urban growth in Latrobe City as Gippsland’s regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.*
- *Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.*
- *Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.*
- *Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.*
- *Provide regional social infrastructure in the regional city and regional centres.*
- *Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.”*

Clause 11.01-L-01 – **East Gippsland Settlements** identifies the following strategies:

- *Encourage infill or incremental development of existing towns in preference to dispersed development.*
- *Encourage the consolidation of existing township areas through the development and subdivision of exiting lots.*
- *Allow limited infill development within existing residential zones.*

- *Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.*
- *Design new subdivision within or adjacent to unsewered towns to have lot sizes appropriate for on-site treatment and disposal of wastewater.*
- *Support residential infill development within existing residential zones.*
- *Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.*
- *Support medium density development for tourist and residential uses in residential zones.*
- *Preserve intervening areas of rural or natural landscapes to protect the separation between settlements.*
- *Provide any new lot created in the Township Zone or Low Density Residential Zone with urban infrastructure.*
- *Encourage development of township centres through consolidation of retail and commercial areas.*
- *Encourage retail and commercial uses requiring larger sites to locate adjacent to the central commercial areas, rather than in free-standing sites on the outskirts of towns.*

Clause 11.01-1L-03 – Rural Settlements identifies Swan Reach in the Nicholson, Johnsonville and Swan Reach Framework Plan and identifies the following strategies.

- *Manage township growth to protect and enhance environmental and landscape values.*
- *Preserve the separation between Nicholson, Johnsonville and Swan Reach.*
- *Consolidate the existing undeveloped and underutilised Township Zone.*
- *Encourage development of the undeveloped Low Density and Rural Living Zone land.*
- *Encourage the development of infill commercial and tourism opportunities on sites with frontage to the Princes Highway.*
- *Provide tourist accommodation in the Comprehensive Development Zone to the south east of the Nicholson township.*
- *Direct township growth to the north of the existing Township Zone at 100 Nicholson Sarsfield Road.*
- *Improve pedestrian connectivity between the Township Zone areas on either side of the Rivers.*
- *Improve pedestrian connections adjacent to the Princes Highway including connections between Nicholson and settlement areas east of the Nicholson River, including the Nicholson Primary School, and between Johnsonville and Swan Reach.*
- *Improve pedestrian and cycle connections between Nicholson, Johnsonville and the Rail Trail.*
- *Improve entry treatments adjacent to the Princes Highway.*
- *Improve linkages between the Rail Trail and townships.*
- *Protect corridors of roadside vegetation, streamlines and habitat corridors including on the Princes Highway, Bumberrah Road and the Tambo River.*
- *Protect the Princes Highway corridor and river corridor from inappropriate development.*
- *Protect roadside vegetation, waterways and habitat corridors near the Tambo River, Princes Highway, Mossiface Swan Reach Road, Cunningham Road and Old Orbost Road.*

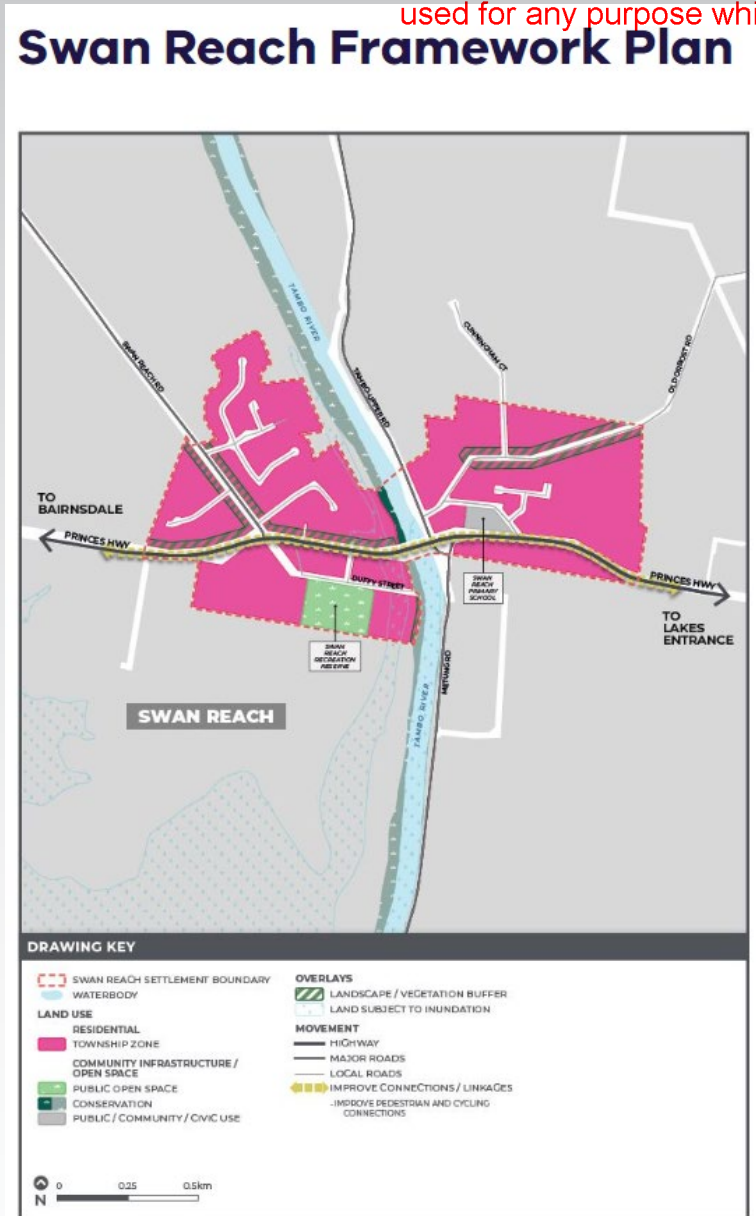


Figure 5 – Swan Reach Framework Plan (source: East Gippsland Planning Scheme)

Clause 12 – **Environmental and Landscape values** provides:

“Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include National Strategy for Ecologically

- *Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, the National Strategy for the Conservation of Australia’s Biological Diversity, the National Forest Policy Statement and National Environment Protection Measures.*

- *Planning should protect sites and features of nature conservation, biodiversity, geological or landscape value."*

Clause 13 – **Environmental Risks and Amenity** provides:

"Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- *Land use and development compatibility.*
- *Effective controls to prevent or mitigate significant impacts.*

Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change."

Clause 13.04.2S – **Erosion and Landslip** contains the objective:

"To protect areas prone to erosion landslip or other land degradation processes."

The strategies identified are:

- *Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.*
- *Prevent inappropriate development in unstable areas or areas prone to erosion.*
- *Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.*

Clause 15 – **Built Environment and Heritage** provides:

"Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Creating quality built environments supports the social, cultural, economic and environmental wellbeing of our communities, cities and towns.

Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and development and quality of urban design."

Planning should achieve high quality urban design and architecture that:

- *Contributes positively to local urban character and sense of place.*
- *Reflects the particular characteristics, aspirations and cultural identity of the community.*
- *Enhances livability, diversity, amenity and safety of the public realm.*
- *Promotes attractiveness of towns and cities within broader strategic contexts.*
- *Minimises detrimental impact on neighbouring properties.*

Clause 15.02 – Sustainable development

Clause 15.02-1S – **Energy and resource efficiency** contains the objective:

“To encourage land use and development that is consistent with the efficient use of energy and the minimisations of greenhouse gas emission.”

The strategies identified are:

- *Ensure that buildings and subdivision design improves efficiency in energy use.*
- *Promote consolidation of urban development and integration of land use and transport.*
- *Improve efficiency in energy use through greater use of renewable energy.*

Clause 16 – Housing

“Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.

Planning for housing should include the provision of land for affordable housing.”

Clause 15.01-3S – **Rural residential development** contains the objective:

“To identify land suitable for rural residential development.”

The strategies identified are:

- *Manage development in rural areas to protect agriculture and avoid inappropriate 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.*
- *Demonstrate need and identify locations for rural residential development through a housing and settlement strategy.*
- *Ensure planning for rural residential development avoids or significantly reduces adverse economic, social and environmental impacts by:*
 - *Maintaining the long-term sustainable use and management of existing natural resource attributes in activities including agricultural production, water, mineral and energy resources.*
 - *Protecting existing landscape values and environmental qualities such as water quality, native vegetation, biodiversity and habitat.*
 - *Minimising or avoiding property servicing costs carried by local and state governments.*
 - *Maintaining an adequate buffer distance between rural residential development and animal production.*
- *Ensure land is not zoned for rural residential development if it will encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.*
- *Discourage development of small lots in rural zones for residential use or other incompatible uses.*
- *Encourage consolidation of existing isolated small lots in rural zones.*

- *Ensure land is only zoned for rural residential development where it:

 - *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.**

Clause 16.01-3L-01 – **Rural living** provides the following strategies:

- *Discourage commercial or industrial uses in the Rural Living Zone and the Low Density Residential Zone.*
- *Provide for primarily residential uses in a non-urban environment on land zoned Low Density Residential or Rural Living.*
- *Allow subdivision for small (hobby) farm lots only where land degradation, environmental, and management problems will not be created.*
- *Locate low density (rural residential) house lots only around fully serviced townships and on land suitable for septic tanks or other on-site wastewater treatment systems.*
- *Allow rural living development as an interim measure in areas with the capacity for full urban services or in identified future growth corridors; ensuring the subdivision design facilitated re-subdivision in future.*

The policy guidelines identify the need to consider (as relevant):

- *Providing for lots consistent with the above strategies as follows:

 - *Residential lots in a non-urban environment on land zoned Low Density Residential at lot sizes from 4000 square metres to 2 hectares.*
 - *Rural living lots of 2 to 8 hectares. Small (hobby) farm lots up to 40 hectares.*
 - *Low density (rural residential) house lots of 0.4 to 2 hectares.**

PROJECT PLANNING RESPONSE

This application seeks approval for a Three Lot Subdivision at 91 Old Orbost Road, Swan Reach located approximately 2.2 kilometres northeast of Swan Reach and approximately 16 kilometres northwest of the central business district of Lakes Entrance.

The property is approximately 20.04 hectares in area and is zoned Rural Living Zone. The subject site is affected by the Erosion Management Overlay and the Vegetation Protection Overlay. The site is not liable to flooding or bushfire however may be susceptible to erosion hazards. Approval is required for the subdivision of land under the provisions of the Rural Living Zone and the Erosion Management Overlay. The proposed subdivision has taken into consideration the objectives and requirements of the zone and overlays as addressed throughout this submission.

No vegetation removal is required to facilitate the proposed subdivision. Some minor earthworks are required for the installation of services to the proposed allotments and for the creation of an access crossover for proposed lots two and three. A Geotechnical Risk Assessment Waiver is contained in **Appendix C** that concludes the risks associated with erosion can be reduced to an acceptable level and recommends the installation of silt fences during the construction of crossovers and installation of services.

The subject site is currently connected to an adequate level of services that will continue to support the existing dwelling and can support future development on the vacant lots being created. Existing services include telecommunications, reticulated water, electricity and a suitable road network. Community and commercial services and facilities are located a short vehicle distance from the site in either Bruthen, Lakes Entrance or further to Bairnsdale.

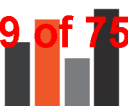
A Land Capability Assessment is contained in **Appendix D** that concludes the proposed vacant lots being created can adequately treat and retain wastewater within the allotment boundaries and will be required to use a standard subsoil absorption trench septic system.

Access to the site is existing directly from the southern boundary being Old Orbost Road, this access will continue to service the proposed Lot 1. Proposed Lot 2 will have access provided in the northern portion of the eastern boundary directly to Old Orbost Road and proposed Lot 3 will have access provided along the southern boundary directly from Old Orbost Road. A separate Works on a Road Reserve Permit will be applied for.

It is concluded that the proposed subdivision is appropriate in this location and will not have a detrimental impact on the existing rural living character of the area, particularly given the land surrounding the subject site is of various sizes and also used for rural residential purposes similar to the existing and proposed use of the site. The subject site contains scattered vegetation, an existing watercourse and a dam. The existing watercourse and dam will not be detrimentally impacted by the proposed subdivision. No vegetation removal is required to facilitate the proposed subdivision.

There are no physical or environmental constraints that make this site unsuitable for the proposed subdivision.

The proposal is considered to be consistent with the objectives of both the Planning Policy Frameworks and the Municipal Planning Strategy.



5.4 ZONE AND OVERLAYS:

The site is zoned Rural Living Zone – Schedule 2 (RLZ2) and is affected by the following overlays:

- Erosion Management Overlay (EMO)
- Vegetation Protection Overlay – Schedule 1 (VPO1)

The provisions of the Zone and Overlays are addressed below.

Rural Living Zone:

The purpose of the Rural Living Zone is:

- *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 the 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.*

An extract of the Rural Living Zone Map is provided below in **Figure 6**:

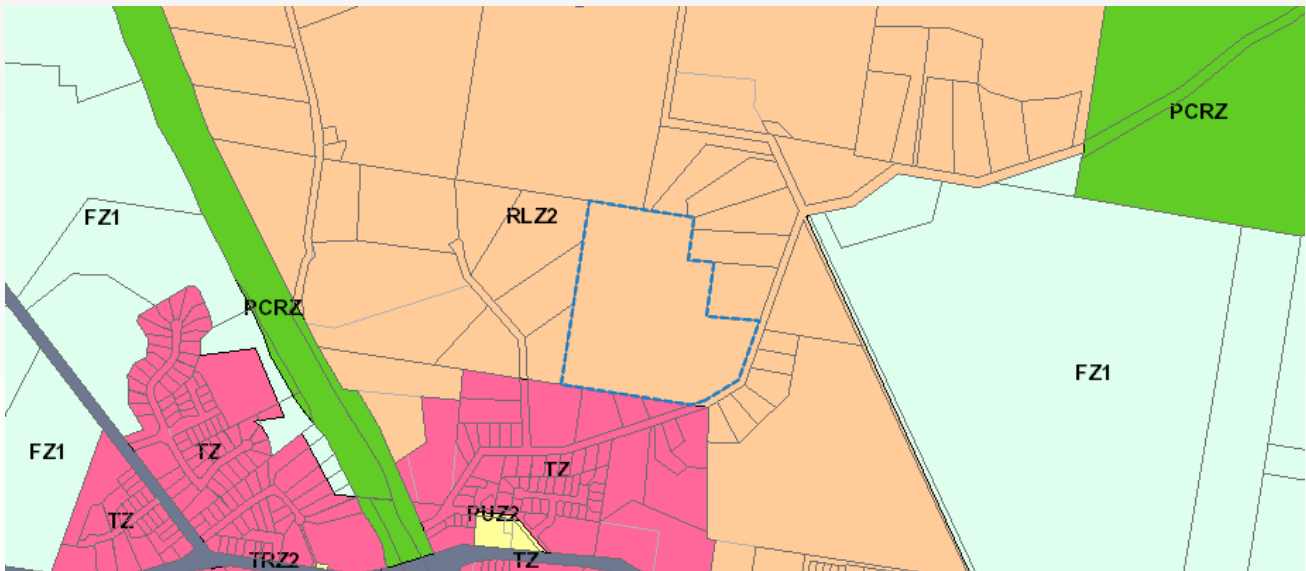


Figure 6 - Zoning Map (source - mapshare.vic.gov.au)

Clause 35.03 of the Rural Living Zone provides a permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares. Schedule 2 provides the minimum subdivision area is 4 hectares.

A permit is required under the provisions of the Rural Living Zone at Clause 35.03. Clause 35.03-3 provides that a permit can be granted to create smaller lots if the number of lots is no more than the number the land could be subdivided into in accordance with a schedule to the zone. It is under these provisions that this application is made.

The decision guidelines are addressed in Section 6.1 of this submission.

Erosion Management Overlay:

The purpose of the Erosion Management Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

An extract of the Erosion Management Overlay map is provided below in **Figure 7**.



Figure 7: Erosion Management Overlay Map (source: mapshare.vic.gov.au)

Clause 44.01-5 provides a permit is required to subdivide land under the provisions of the Erosion Management Overlay, as such the decision guidelines are addressed in Section 6.2 of this submission.

Vegetation Protection Overlay:

The purpose of the Vegetation Protection Overlay is:

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

An extract of the Vegetation Protection Overlay map is provided below in **Figure 8**.

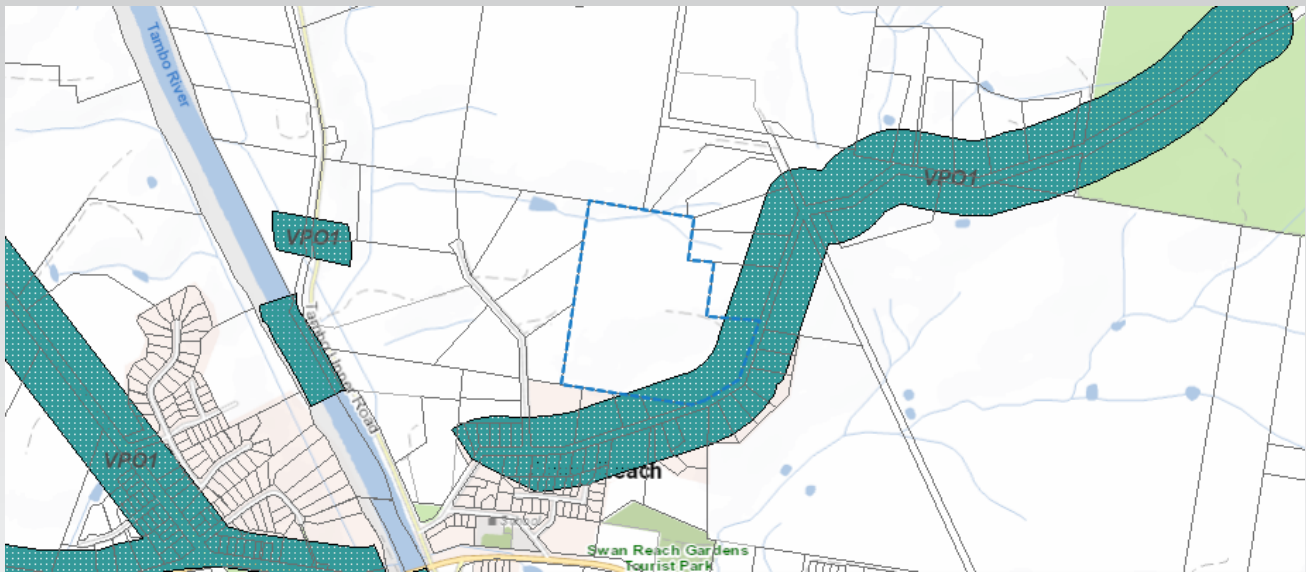


Figure 8: Vegetation Protection Overlay Map (source: mapshare.vic.gov.au)

Clause 42.02-2 provides a permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This application is not seeking to remove any vegetation to facilitate the proposed three lot subdivision, as such this is not addressed further.

5.5 OTHER PLANNING CONSIDERATIONS

Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is not recognised as being within an area of Aboriginal Cultural Heritage Sensitivity. The subdivision of land into three lots is an exempt activity and as such a Cultural Heritage Management Plan is not required.

6. PLANNING ASSESSMENT

6.1 DECISION GUIDELINES OF THE RURAL LIVING ZONE

Clause 35.03-5 of the East Gippsland Planning Scheme provides, before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The Municipal Planning Strategy and the Planning Policy Framework.

The Municipal Planning Strategy and the Planning Policy Framework are addressed throughout this report, in particular in Sections 5.1 and 5.2. The proposal is consistent with the objectives and strategies identified within the State and Local provisions and in particular provides for an appropriate subdivision which has taken into consideration the potential environmental constraints of the land and any potential impact to adjoining owners.

The subject site is not liable to flooding or bushfire however may be susceptible to erosion. The potential erosion hazards have been adequately considered and addressed throughout this submission and it is concluded the risks can be reduced to an acceptable level.

The proposed subdivision will not result in any off-site impacts. The proposed lots will have suitable access and will not create a lot layout that will be out of character to the surrounding area. The proposal does not require the removal of any vegetation.

Any regional Catchment Strategy and associated plan applying to the land.

The East Gippsland Regional Catchment Strategy 2022 is applicable to this area and is a planning framework that sets strategic direction and broad priorities in relation to maintaining and using our regions assets.

The subject site is within the Forested Foothills Local area which incorporates Swan Reach and surrounds. This area is strongly associated with the Gippsland Lakes priority landscape areas comprising much of the eastern river catchments that flow into the lakes, including the Mitchell, Tambo and Nicholson rivers. The subject site and proposed subdivision suitable in this area and will not negatively impact on any of our waterways or regions natural assets.

The proposed three lot subdivision has been designed to respond to the current site conditions with respect to any potential environmental implications. A Geotechnical Risk Assessment waiver is contained in **Appendix C** that concludes the proposed subdivision is unlikely to cause any additional erosion hazards and therefore is not expected to have any detrimental impact on the surrounding catchments.

The capability of the land to accommodate the proposed use or development.

The application is seeking approval for a three lot subdivision. The subject site is approximately 20.04 hectares in area and is capable of accommodating future residential development.

The site is currently connected to a suitable range of services and infrastructure including electricity, reticulated water, telecommunications and a good quality road network. The proposed subdivision will create two additional allotments that will be suitable for future residential development.

Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

The subject site is zoned Rural Living Zone. This application is seeking to subdivide land into three lots with proposed lot one containing the existing dwelling and associated facilities and proposed lots 2 and 3 will be vacant land. The allotments surrounding the site are used for rural residential with some containing small scale agricultural activities. The proposed subdivision will create two allotments that will be appropriate for future rural residential development. The proposed subdivision is within an appropriate location and is compatible with the surrounding land uses. The proposal is not seeking to construct any new buildings at this time.

The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

The proposal is seeking approval for the subdivision of land into three lots. The subject site is not located within 500 metres of a title boundary which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Agricultural issues

The capacity of the site to sustain the agricultural use.

The subject site is not currently being used for intensive agriculture and is not considered to be large enough to sustain a viable standalone agricultural enterprise. The proposed subdivision will create three allotments, one containing the existing dwelling and associated facilities and the other two will be vacant land. The vacant allotments will be of a size that is suitable for future rural residential development however will not be of a size that would sustain an agricultural use beyond domestic scale.

Any integrated land management plan prepared for the site.

Given the size and location of the subject site in addition to the limited agricultural activities, an integrated land management plan is not considered necessary or appropriate at this time.

The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

The proposal is not considered likely to impact the potential future expansion of any agricultural uses on any nearby or any surrounding land. The proposed subdivision is considered to result in allotments that are consistent with the surrounding land and will result in similar uses and development.

Environmental issues

The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.

The proposal is seeking approval for the subdivision of land into three lots. The proposed subdivision has been designed to be respectful of the environment and is unlikely to have an impact on soil and water quality. The existing use of the proposed Lot 1 will remain unchanged. No emission of noise, dust or odours are expected from the proposal.

The impact of the use or development on the flora, fauna and landscape features of the locality.

The proposal is not seeking to remove any vegetation, as such there is not expected to be any impacts on flora, fauna or landscape features of the locality. The proposed subdivision will result in two additional allotments that are suitable for rural residential purposes.

The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.

The subdivision will not require the removal of any vegetation and is not expected to detrimentally affect the biodiversity of the area. All stormwater runoff from any future development would be required to be addressed to the satisfaction of the responsible authority. It is expected that the vacant lots being created can be developed in the future without removing vegetation.

The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

The proposal is seeking to subdivide land only, no new buildings are proposed at this time. It is noted that the proposed Lot 2 and 3 is of a suitable size to allow for onsite effluent disposal that will be a suitable distance from waterways and native vegetation.

Design and Siting issues

The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

The subject site is located within an existing rural living area of Swan Reach. The site is not visible from any significant viewpoints or vistas. The proposal is seeking to subdivide land only, no new buildings are proposed at this time, however it is expected that any future development could be undertaken without any adverse impacts.

The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

As previously provided the subject site is located within an existing rural residential area containing varied style residential development and associated facilities with a range in lot sizes and shapes. There are no features of architectural, historic or scientific significance on or surrounding the subject site that will be affected by the proposed subdivision.

The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

The subject site is currently connected to all available existing infrastructure being reticulated electricity, telecommunications, reticulated water and the existing road network. The proposed subdivision is unlikely to exceed the capacity of the existing services.

Whether the use or development will require traffic management measures.

The proposed subdivision will not require traffic management measures.

The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

The proposal is seeking approval for the subdivision of land into three lots. The subject site is not located within 500 metres of a title boundary which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

6.2 DECISION GUIDELINES OF THE EROSION MANAGEMENT OVERLAY

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

The Municipal Planning Strategy and the Planning Policy Framework.

The Planning Policy Framework and the Municipal Planning Strategy recognise the need to facilitate sustainable development that respects our natural environment and adequately responds to potential threats and hazards.

The proposal is seeking approval for a three lot subdivision that will create two vacant allotments. Proposed Lot 1 will contain the existing dwelling and associated facilities and proposed lots two and three will be vacant land. The site is undulating in nature and contains existing scattered vegetation. The vacant lots being created will be suitable for future rural residential development.

The proposed subdivision does require some minor earthworks for the installation of services and access crossover. No vegetation removal is required to facilitate the proposed subdivision. The proposed subdivision is not expected to detrimentally affect the amenity of the area and the potential erosion risk can be reduced to an acceptable level. There is no evidence of any existing erosion on the subject site or land immediately surrounding. A Geotechnical Risk Assessment waiver is contained in **Appendix C** that concludes the proposed subdivision is unlikely to cause any additional erosion hazards.

Regional Catchment Strategy (Catchment and Land Protection Act 1994).

The East Gippsland Regional Catchment Strategy 2022 is applicable to this area and is a planning framework that sets strategic direction and broad priorities in relation to maintaining and using our regions assets.

The subject site is within the Forested Foothills Local area which incorporates Bairnsdale, Swan Reach and surrounds. This area is strongly associated with the Gippsland Lakes priority landscape areas comprising much of the eastern river catchments that flow into the lakes, including the Mitchell, Tambo and Nicholson rivers. The subject site and proposed subdivision suitable in this area and will not negatively impact on any of our waterways or regions natural assets.

The proposed three lot subdivision has been designed to respond to the current site conditions with respect to any potential environmental implications. A Geotechnical Risk Assessment waiver is contained in **Appendix C** that concludes the proposed subdivision is unlikely to cause any additional erosion hazards.

Civil construction, building and demolition guide (Publication 1834, Environment Protection Authority, November 2020).

This guide supports the civil construction, building and demolition industries to eliminate or reduce the risk of harm to human health and the Environment Protection Act, manage risks associated with development and implement the necessary control to management. The proposed subdivision is not expected to require any extensive earthworks, however, will require some minor earthworks for the installation of services and the access crossovers. Any works will be undertaken by suitably qualified professionals with suitable experience and who will obtain all necessary approvals and ensure the development is undertaken in accordance with all requirements of the Environment Protection Authority.

Control of Erosion on Construction Sites, Soil Conservation Authority.

This document identifies that there are many benefits of planning and carrying out erosion control works. The proposed subdivision does not include any buildings and works that require consideration of this document. Any future development will address these requirements and respond accordingly. As a minimum, all erosion prevention practices will be in accordance with standard Environment Protection Authorities requirements.

Your Dam, an Asset or Liability, Department of Conservation and Natural Resources.

This publication was replaced by the “Your Dam, Your Responsibility – Department of Sustainability and Environment, March 2007”, and is generally applicable to farm dams. Additionally, the document acts only as a guide and instructs that consultation with a suitably qualified engineer is advised. All engineering and drainage components of this project will be undertaken by a suitably qualified engineer. There is 1 dam in the southern portion and an existing watercourse in the northern portion of the subject site that will not be affected by the proposed subdivision.

Any proposed measures to manage concentrated runoff and site drainage.

There is no additional concentrated runoff or site drainage expected as a result of the proposed subdivision. Formal drainage plans are not expected to be required for the proposed subdivision. The site naturally drains to the existing dam and watercourse throughout the allotment.

Any proposed measures to minimise the extent of soil disturbance.

The subdivision will not require any extensive earthworks or excavations. All disturbed areas from the installation of services and the two access crossovers will be sown with grass to ensure no erosion occurs.

Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.

No vegetation removal is required to facilitate the proposed subdivision.

The need to stabilise disturbed areas by engineering works or revegetation.

The proposed subdivision does not require any extensive earthworks. Some minor earthworks are required for the installation of services and an access crossover to proposed lots two and three. Any disturbed ground will be sown with grass to ensure no erosion occurs. A Geotechnical Risk Assessment waiver is contained in



Appendix C that concludes no erosion is likely as a result of the proposed subdivision including the proposed minor earthworks.

Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.

There is no erosion evident on the subject site. The proposed subdivision does not include building envelopes for the proposed vacant lots being created. Both of the proposed allotments being created are considered to be of a suitable size for future rural residential development.

Whether buildings or works are likely to cause erosion or landslip.

There is currently no evidence of any erosion on the subject site or surrounding land. Given the application is seeking approval for subdivision only and no building or works are proposed, there is not likely to be any cause for erosion or landslip.

Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.

Access is existing directly from Old Orbost Road along the southeastern boundary and will remain unchanged, this access will form the access for the proposed Lot 1. The proposed Lot 2 will have access provided in the northern portion of the eastern boundary directly from Old Orbost Road and access to proposed Lot 3 will be provided along the southern boundary directly from Old Orbost Road. Access and servicing of the site is not likely to result in erosion or landslip.

Land Capability Report (if prepared) as developed by the Department of Environment, Land, Water and Planning.

No Land Capability Report has been prepared by DELWP for the subject site or surrounding land.

The need to remove, destroy or lop vegetation to create defensible space to reduce the risk of bushfire to life and property.

No vegetation removal is required to create defensible space for the existing dwelling or proposed vacant lots, and no new development is proposed at this time. No vegetation removal is considered likely as a result of this proposal.

Any technical information or reports required to be provided by a schedule to this overlay.

The proposed three lot subdivision does not require any extensive earthworks, however, will require some minor earthworks for the installation of services and access crossovers for proposed lots two and three. A Geotechnical Risk Assessment waiver is contained in **Appendix C** that concludes the proposed subdivision and associated minor earthworks is unlikely to increase the erosion hazards associated with the subject site and recommends the installation of silt fences during the construction phase.



Any other matters specified in a schedule to this overlay.

The risk to life, property, and community infrastructure from geotechnical hazard.

The Geotechnical Risk Assessment waiver provided by Chris O'Brien and Company in **Appendix C** provides, that the potential erosion risk is low, there is no evidence of soil erosion or landslip, and the natural soils of the site will have adequate strength and stability for future footings and slabs.

The recommendations of any geotechnical risk assessment and application document.

The Geotechnical Risk Assessment waiver as contained in **Appendix C** determines that the risk of landslip or erosion is low, and recommends all drainage be directed to the legal point of discharge.

The recommendation of any independent review of the geotechnical risk assessment and application documentation.

It is expected that an independent review of the geotechnical investigation would be undertaken by the appropriate officer of the East Gippsland Shire Council as part of the processing and consideration of the planning permit application.

The need for any ongoing geotechnical risk management measures.

Given the low erosion risk associated with the site, no further ongoing investigation or assessment is considered necessary at this time.

6.3 DECISION GUIDELINES OF CLAUSE 65.01:

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

Any significant effects the environment, including the contamination of land, may have on the use or development.

The subject site is a rural residential allotment located within a rural living area to the northeast of Swan Reach. There is no evidence of contamination on the subject site or surrounding land. The area is identified as being affected by the Erosion Management Overlay and the Vegetation Protection Overlay. The zone and overlay have been considered and addressed throughout this submission and it is concluded the subdivision is appropriate in this location. There are no significant effects the environment is likely to have on the proposed subdivision or future use of the land for rural residential purposes.

The Municipal Planning Strategy and the Planning Policy Framework.

The Municipal Planning Strategy and the Planning Policy Framework have been addressed throughout this submission. The proposed subdivision has been designed to adequately respond to the existing site conditions, address any potential environmental risks and to respect the natural landscape qualities of the area.

The proposed subdivision will not detrimentally affect the amenity of the area and will not limit the ability of the surrounding properties to continue to be used for agricultural activities.

The proposal has adequately responded to the erosion hazards identified.

The proposal is consistent with the overall objectives of the Municipal Planning Strategy and the Planning Policy Framework supporting rural residential development in an appropriate location.

The purpose of the zone, overlay or other provision.

The land is zoned Rural Living Zone which seeks to provide for residential use in a rural environment. This application seeks approval for a 3 lot subdivision with the proposed Lot 1 containing the exiting dwelling and associated facilities and the proposed Lots 2 and 3 will be vacant land. The proposed lot layout adequately responds to the existing site conditions and the natural qualities of the site. The application for subdivision can be made under the provisions of the Rural Living Zone and will provide for an appropriate outcome in this instance. The proposed 3 lot subdivision has adequately addressed the relevant overlay requirements and other provisions including the Aboriginal Cultural Heritage Management.

The subject site has access to a suitable level of services and infrastructure of which the proposed vacant lots will be connected to. The site is affected by the Erosion Management Overlay and the Vegetation Protection Overlay. The requirements of the zone and overlay have been addressed throughout this submission and it is concluded that the proposed subdivision is appropriate in this location and any environmental risks reduced to an acceptable level.

Any matter required to be considered in the zone, overlay or other provision.

This submission addresses all elements relevant to the proposal as identified in the East Gippsland Planning Scheme including the zone, overlays and Aboriginal Cultural Heritage provisions. These provisions are all addressed above, and the proposed subdivision is considered to adequately respond and address the requirements as relevant.

The orderly planning of the area.

This application seeks approval for a 3 lot subdivision within an existing rural residential area that is zoned Rural Living. The intent of the proposed subdivision is to provide for additional rural residential development whilst responding to the existing site. This subdivision is consistent with other similar style subdivisions throughout the East Gippsland Shire. Granting approval of this application will support consistent and orderly planning of the area.

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

The proposal will not result in a detrimental effect to the amenity of the area. The proposed subdivision is not expected to result in future development that would be visually obtrusive, and the existing character of the area will not be detrimentally affected.

The proximity of the land to any public land.

Apart from the adjoining road reserve, the subject site is not in proximity to any other public land. The proposed subdivision will not detrimentally affect the road network.

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

The subject site is undulating in nature. No vegetation removal or extensive earthworks are required to facilitate the proposed subdivision. Some minor earthworks will be required for the installation of services and access crossovers to proposed lots two and three. The subdivision is not considered likely to cause or contribute to any 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.

This subdivision is not seeking approval for any buildings or development and this time. The existing development on the site will remain unchanged and form part of proposed Lot 1. The proposed Lot 2 and 3 will be suitable for future rural residential development and it is expected that all stormwater runoff will be appropriately managed.

The extent and character of native vegetation and the likelihood of its destruction.

The subject site contains scattered vegetation. No vegetation removal is required to facilitate the proposed subdivision. Furthermore, it is expected that each of the vacant lots being created can be developed in the future without the need for vegetation removal.

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

Additional planting and regeneration may occur in conjunction with any future rural residential development on the proposed lots.

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 site is not within an area affected by potential flood or bushfire hazards. The potential erosion hazard have been considered and addressed within this submission. All preventative measures will be implemented, and all works will be undertaken in accordance with standard engineering practices to the satisfaction of the responsible authority. A Geotechnical Risk Assessment waiver is contained in **Appendix C** that concludes no erosion is likely as a result of the proposed subdivision.

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

The proposal seeks approval for a three lot subdivision. The proposed Lot 1 will contain the existing dwelling and associated facilities and proposed Lots 2 and 3 will be vacant land. The road network is of an appropriate standard to continue to support the existing development and the future development of the vacant allotments being created. Each lot has adequate area to provide for loading and unloading associated with the rural residential use. The subdivision is not expected to generate any road safety issues.

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

The proposed subdivision will create three allotments within an existing rural living area. Two new access driveways to Old Orbost Road will be required, however is deemed appropriate in this location. The proposal

is not expected to generate excessive amounts of traffic. Old Orbest Road and the surrounding road network is considered more than adequate to accommodate any additional traffic that may be generated by future rural residential development on the vacant allotments being created.

6.4 DECISION GUIDELINES OF CLAUSE 65.02:

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

The suitability of the land for subdivision.

This application is seeking approval for a 3 lot subdivision of rural residential land. The subdivision has been designed to support the existing residential development and provide for two additional allotments that can be developed with a dwelling in the future. The size, location and infrastructure available, make the site suitable for the proposed subdivision and potential future residential development. The subdivision has been designed to respond to the existing site conditions and to ensure the environmental qualities of the site and surrounding areas are protected. There are no environmental or physical constraints that make the site unsuitable for the proposed subdivision.

The existing use and possible future development of the land and nearby land.

The subject site contains an existing dwelling and associated facilities. The proposed subdivision creates two allotments that can be developed with a dwelling in the future. Aside from standard rural residential development there is no indication of any other future development in the area at this time.

The proposed subdivision will not impact the use of any nearby land.

The availability of subdivided land in the locality, and the need for the creation of further lots.

There are minimal vacant allotments of a similar nature in the immediate vicinity. Allotments surrounding the subject site vary in size and shape. There is an existing need for developable land within the East Gippsland Shire. Approval of this subdivision will support the community needs.

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

The proposed subdivision will not have any impact on any other land, particularly in relation to drainage. The subject site contains an ephemeral watercourse in the northern portion and an existing dam in the southern portion.

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

The proposed subdivision has been designed to respond to the physical characteristics of the land including the vegetation. No vegetation removal is required.

The density of the proposed development.

The density of the subdivision is consistent with the objective of the zone and is appropriate for the location given the utility services available, whilst responding to the current site conditions, and uses undertaken on the land. The density is consistent with the locality.

The area and dimensions of each lot in the subdivision.

The area and dimensions of each lot is provided in the proposed plan of subdivision and the description in Section 4 of this submission. The area and dimensions are appropriate for this location and appropriately respond to the existing site conditions whilst allowing for suitable rural residential development in the future.

The layout of roads having regard to their function and relationship to existing roads.

The subject site adjoins Old Orbost Road along the southern and eastern boundary for a distance of approximately 326.54 metres. The proposed Lot 1 will contain the existing access along the southeastern boundary directly from Old Orbost Road and the proposed Lot 2 and 3 will have new access provided directly from Old Orbost Road. The subdivision does not propose any new roads.

The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.

Each of the proposed allotments will have suitable driveway access to Old Orbost Road which will also provide for pedestrian access. There are no footpaths or formal pedestrian walkways in this location.

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

This subdivision is for three lots only and therefore no new public reserves, open spaces or community facilities are proposed. Bruthen or Lakes Entrance offer a range of reserves, public open space and community facilities only a short distance from the subject site.

The staging of the subdivision.

This application is for a three lot subdivision only and is not proposed to be staged.

The design and siting of buildings having regard to the safety and the risk of spread of fire.

The existing dwelling will form part of the proposed Lot 1. The subject site is not affected by the Bushfire Management Overlay. There is sufficient space on the proposed allotments to ensure suitable separation between dwellings.

The provision of off-street parking.

The proposed allotments are large enough to allow for parking on the site. No additional provision for off-street parking is considered necessary in response to the proposed subdivision.

The provision and location of common property.

The proposed subdivision does not require any common property and as such this is not considered relevant to this application.

The functions of any body corporate.

As the subdivision does not have any common property and there will be no body corporate, as such this is not considered relevant to this application.

The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.

The subject site has access to and is connected to existing services including electricity, telecommunications reticulated water and a good quality road network. It is proposed the vacant allotments will be suitable for future rural residential development with an adequate level of services and infrastructure available.

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.

The proposed Lot 1 will contain the existing dwelling and associated facilities and has an existing septic system. A Land Capability Assessment is contained in **Appendix D** that concludes the proposed vacant allotments being created are suitable to treat and retain wastewater and all wastewater can be treated and retained within the allotment boundaries.

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

Given this is only a three lot subdivision, no open space areas are proposed nor considered necessary. The proposed lot layout has been designed in order to respect the existing scattered vegetation on the site and to provide vacant allotments that are suitable for future rural residential development. The application does not require the removal of any vegetation.

7. CONCLUSION

This submission is in support of a planning permit application for a three lot subdivision at 91 Old Orbost Road, Swan Reach.

The relevant provisions of the East Gippsland Planning Scheme have been addressed and the proposed subdivision is appropriate in this location.

It is requested that a planning permit be granted for this development.

Development Solutions Victoria

CHRIS O'BRIEN & COMPANY PTY LTD

CONSULTING CIVIL & STRUCTURAL ENGINEERS

Reference No: B23246

Project No: 130623

19/06/2023

Development Solutions Victoria
48 Bailey Street
BAIRNSDALE VIC 3875

Email: olivia@devsolvic.com.au

Dear Olivia,

**RE: PROPOSED 3 LOT RESIDENTIAL SUBDIVISION
91 OLD ORBOST ROAD, SWAN REACH. VIC**

WATER ENGINEER'S CERTIFICATION OF LAND CAPABILITY ASSESSMENT AND ON SITE SOIL INVESTIGATION FOR DOMESTIC EFFLUENT DISPOSAL SEPTIC TANK SYSTEM

Further to our detailed inspection, at 10:00Am on 16th June, 2023 of the above site this is to certify that Andrew John Powell, on behalf of Chris O'Brien & Company Pty Ltd, has prepared this report to document our Land Capability Assessment (LCA) and soil percolation test data together with recommendations for a specific treatment at a number of locations within the above allotment for on-site containment of domestic effluent disposal.

The purpose of this particular land capability assessment (LCA) is to investigate the above property for its capability of providing a "Land Application Area" (LAA) to each of the allotments to be created. To do this we investigated each of the newly created allotments. The location of each of the test sites is shown on our site plan Appendix 1, attached hereunder. A dwelling already exists on lot 1 of the proposed subdivision.

A soil investigation pit was hand excavated at each of the test sites, with photos of findings attached to this report.

Test pit 1 Lot 2 – Damp dark grey sandy loam (SL) topsoil with coarse grass roots dispersed throughout underlain damp grey silty loam (SL) (180-350) underlain damp fawn grey fine sandy loam (FSL) (350-500) underlain damp fawn orange fine sandy loam (FSL) to at least 600mm depth at termination of test pit. (Soil category 2).

Test pit 2 Lot 3 – Damp dark grey sandy loam (SL) topsoil with coarse grass roots dispersed throughout underlain damp grey sandy loam (SL) (180-400) underlain damp fawn grey fine sandy loam (FSL) to at least 600mm depth at termination of test pit. (Soil category 2).

All soils were checked on site for the behaviour of moist bolus. Generally soils were silky and smooth and easily manipulated. When manipulated will form a ribbon.

DISCUSSION

For this particular site, should soil percolation testing have been undertaken we would expect the percolation rate to exceed 15mm/hr and be less than 500mm/hr. in this case absorption is largely by absorption through the upper soil strata and evapo-transpiration.

PHOTOGRAPHY

Several colour photographs have been attached to the rear of this report to illustrate the subject allotment terrain and the soils found in the test pit locations. Photos demonstrate how the land is currently drained with the land falling towards the west and south. It is obvious, by observation of the photographs, the soil type and the reasonable sloping terrain available for disposal, that standard absorption trenches can be used on this site, with varying lengths dependant on the soil category found at the test pit location.

DAILY FLOW & SEPTIC TANK CAPACITY

- It is anticipated that a dwelling will be constructed on each of the allotments. For the purposes of this report we have allowed for a four (4) bedrooms and as a consequence the estimated daily flow in accordance with EPA Publication 891.4 July 2016: Code of Practice – Onsite Wastewater Management: Table 4 (dwelling installed with full water-reduction fixtures and fittings) and AS/NZS 1547:2012 Table H1

$$= (2 + 3 \times 1) 150$$

$$= 750 \text{ L/day (Town Reticulated Water Supply)}$$

- Minimum septic tank capacity (C) in accordance with AS/NZS 1547:2012 Table J1

$$= 3000 \text{ litres (Minimum Volume)}$$

750 L/day is used throughout the rest of this report to determine the size of the treatment area required for site specific treatment for on-site containment of domestic effluent disposal.

STANDARD ABSORPTION TRENCH – DESIGN AREA SIZING IN ACCORDANCE WITH AS/NZS 1547:2012 AND EPA PUBLICATION 891.4: JULY 2016

Reference is made to the Australian Standard code AS/NZS 1547:2012 "On site Domestic-wastewater Management" Appendix L. Refer table L1, whereby the soil examined on site may be classified as a Soil Category 2: Sandy loams (massive) for both of the new allotments, the Design Irrigation Rate (DIR) for primary treated effluent is approx. 15mm/day, Noteworthy is that the EPA "Guidelines for Environmental Management" – Code of Practice Onsite Wastewater Management: Appendix A – Table 9: Soil Categories and Recommended Maximum Design Loading/Irrigation Rates (DLR/DIR) for "Land Application Systems" makes direct reference to Table L1 in AS/NZS 1547:2012 and therefore the exact same DIR is recommended by the EPA. A water balance analysis is attached to determine the area of land absorption required.

LENGTH REQUIRED FOR TRENCH BED SYSTEM

The appropriate absorption bed length for a trench system has been determined using formula from Appendix L with the bed length $L = Q / (DLR \times W)$. A conservative DIR of 15L/m²/day is being adopted. Based on a Q of 750L/day and adopting a preferred trench width of 1000mm the total length of trench bed required for each of the proposed allotments is 50m which can be provided in 2 x 25m lengths. A final layout of the treatment system is to be completed when a septic tank permit is applied for each allotment. For the area suggested for the LAA on each allotment refer to the plan attached hereunder.

RESERVE AREA NOT REQUIRED

The allocation of a reserve area is not thought to be necessary for the allotments on this site, however significant area is available should the installed trench bed system fail. The design parameters used to determine the required size of the Land Application Area (LAA) have been suitably conservative. The soil is not sodic nor saline.

PREPARATION OF THE SITE PRIOR TO COMMENCEMENT

The area upon which the absorption trench bed is proposed for construction shall be protected from stormwater overland flow by establishing a shallow open earth vee-drain across the upstream sides of the LAA (effluent disposal field) curtailing around the ends – if required.

SUMMARY & CONDITIONS

A water balance yields a land application area (LAA) of 60sq.m for each of the new allotments. It is our professional opinion that the new allotments are suitable for the use of standard absorption trenches with the total length of 1000mm wide trenches required on each allotment being at least 50m which will be environmentally adequate and consistent with the above recommendations.

Based on the land capability assessment results, it is our opinion that the soil type and profile on this site are suitable for disposal of wastewater on site, using primary treatment only. 1000mm wide x 400mm depth trenches are to be used.

From the test results it can be seen that based on a four (4) bedroom dwelling being constructed on any of the proposed allotments, a minimum length of 50m of standard absorption trench (1000mm wide) is required.

Siting of the suggested wastewater disposal field area has been shown on the site plan. The following factors shall be considered when positioning the proposed wastewater disposal field. We have also shown a much larger area than required to allow some flexibility in the final placement.

- 1) Standard siting guidelines as per the requirements of the East Gippsland Shire Council (EGSC) guidelines.
- 2) At least 3.0m (subject to agreement between EGSC and COB & Co. prior to commencement) up-slope and 1.5m down-slope of any title boundary/road reserve or building.

The following additional conditions shall be observed in addition to those set out by the local Council.

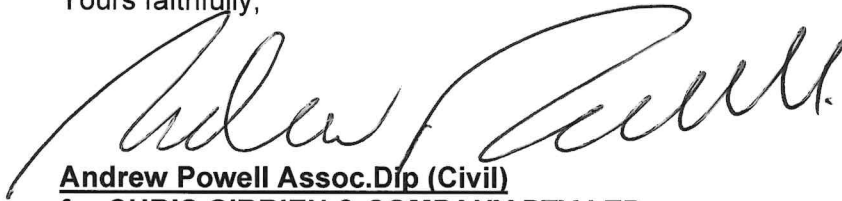
1. The system has been designed on a standard 1000mm wide x 400mm deep trench system. Trenches are to be installed at 3m maximum centres.
2. Gypsum is to be added to the bottom of trenches at a rate of 1kg/m²
3. The disposal field shall be sown with lawn grasses as soon as possible on completion of works. This will stabilize the soil and allow for the vegetation to take up the wastewater.
4. Only water from the septic tank is permitted to enter the disposal system. Stormwater run-off shall be prevented from entering the trench bed system area. We suggest an open earth vee-drain be constructed to 100mm depth along the high side of any proposed LAA or other approved method as approved by the Design Engineer.
5. Vehicles or heavy equipment shall not be permitted on the disposal field as damage to the disposal system may result.
6. Spikes, tent pegs, garden stakes etc. shall not be driven into the ground in the disposal field as damage to the disposal system may result.
7. An ongoing maintenance program shall be instigated to ensure that the disposal system is properly maintained and works effectively.

CONCLUSION

Following the Land Capability Assessment on this site it is professional opinion that each of the proposed allotments are suitable for on-site wastewater disposal utilizing a standard absorption trench bed system which is highly unlikely to cause detriment to the environment.

Adequate maintenance and checking of the proposed system should be established as part of the Council Permit Application approvals process.

Yours faithfully,



Andrew Powell Assoc.Dip (Civil)
for CHRIS O'BRIEN & COMPANY PTY LTD

LAND CAPABILITY ASSESSMENT AND SOIL PERCOLATION TESTING

| Land Features | Land Capability Class Rating | | | | | Site Rating |
|---------------|------------------------------|---------|---------|---------|--------------|-------------|
| | Very Good(1) | Good(2) | Fair(3) | Poor(4) | Very Poor(5) | |

General Characteristics

| | | | | | | |
|--|--|---|-----------------------------------|---|--------------------------------------|---|
| Site Drainage | No visible signs of dampness | Moist soil, but no standing water in soil pit | | Visible signs of dampness, such as moisture tolerant plants | Water ponding on surface | 1 |
| Runoff | None | Low | Moderate | High, need for diversionary structures | Very high, diversion not practical | 2 |
| Flood Levels | Never | | <1 in 100 | >1 in 100 and <1 in 20 | <1 in 20 | 1 |
| Proximity to watercourses | >60m | | | | <60m | 1 |
| Slope% | 0-2 | 2-8 | 8-12 | 12-20 | >20 | 2 |
| Landslip | No actual or potential failure | | Low potential for failure | High potential for failure | Present or past failure | 1 |
| Groundwater (seasonal watertable depth(m)) | >5 | 5-2.5 | 2.5-2.0 | 2.0-1.5 | <1.5 | 1 |
| Rock outcrop (% of land surface containing rocks >200mm) | 0 | <10% | 10-20% | 20-50% | >50% | 1 |
| Erosion potential | No erosion potential | Minor | Moderate | High | Severe erosion potential | 1 |
| Exposure | High sun and wind exposure | | Moderate | Low sun and wind exposure | | 1 |
| Landform | Hill crests, convex side slopes and plains | | Concave sideslopes and footslopes | | Floodplains and incised channels | 1 |
| Vegetation type | Turf or pasture | | | | Dense forest with little undergrowth | 1 |
| Average Rainfall (mm/year) | <450 | 450-650 | 650-750 | 750-1000 | >1000 | 3 |
| Pan Evaporation (mm/yr) | <1500 | 1250-1500 | 1000-1250 | | <1000 | 2 |

Soil profile characteristics

| | | | | | | |
|----------------------------|---------|---------|---------|-----------|---------|---|
| Soil permeability category | 2 and 3 | 4 | | 5 | 1 and 6 | 1 |
| Profile depth | >2m | 1.5m-2m | 1.5m-1m | 1.0m-0.5m | <0.5m | 2 |

| | | | | | | |
|-------------------------------------|---------|---------|-------|------|-----------|--------------|
| Presence of mottling | None | | | | Extensive | 1 |
| Coarse fragments (%) | <10 | 10-20 | 20-40 | | >40 | 1 |
| pH | 6-8 | | 4.5-6 | | <4.5, >8 | Not measured |
| Emerson aggregate | 4, 6, 8 | 5 | 7 | 2, 3 | 1 | 1 |
| Electrical conductivity (Ece)(Ds/m) | <0.3 | 0.3-0.8 | 0.8-2 | 2-4 | >4 | Not measured |
| Sodicity ESP% | <3 | | 6-8 | 8-14 | >14 | 3 |

INSTALLATION CONDITIONS

All installations shall comply with the AS/NZS 1547:2012 the, EPA Code of Practice – Septic Tanks 1996, the Victorian Water Supply and Sewerage Plumbing Regulations 1986 and AS 3500 National Plumbing and Drainage Code.

No septic tank or sand filter shall be installed closer than 1.5m to the foundations of any house, building or the boundary of the allotment.

Inlets and outlets of the septic tank must be baffled to avoid disturbing the contents of the septic tank.

Inspection openings of the septic tank shall be brought up to and permanently marked at surface level. Inspection openings shall be fitted with childproof airtight covers which are capable of being readily removed and replaced by one adult. Access opening covers shall not be cemented or otherwise fixed in position so as to be incapable of being readily removed for inspection purposes.

Food waste disposal units are not recommended for use with septic tank systems. **If used in household situation, a minimum extra allowance of 25% shall be made for additional sludge storage.**

Spa baths over 200 litre capacity are not to be connected to the primary septic tank but must be taken into account for effluent disposal calculations.

Nominated Area Water Balance For Soil Category 2

| | | | | |
|---------------------------------|--|----------|----------|---|
| Site Address: | 91 Old Orbost Road – Swan Reach | | | |
| Notes: | MAV Model LCA | | | |
| Input Data | Notes | | | |
| Design Wastewater Flow | Q | 750 | L/day | Based on 4 bedrooms (5 persons) @ 150L/p/day From EPA Publication 891.4 – July 2016 |
| Design DIR | DIR | 15 | mm/day | Assumes loamy topsoils without impeded vertical drainage, refer Table 5.1 A4 AS/NZS 1547:2012 |
| Nominated Land Application Area | L | 60 | Sq.m | Used for iterative purposes (if desired) to determine storage requirements for nominated areas |
| Crop Factor | C | 0.6-0.85 | unitless | Estimates evapotranspiration as a fraction of pan evaporation, varies with season and crop type |
| Retained Rainfall | Rf | 0.8 | unitless | Proportion of rainfall that remains on site and infiltrates allowing for any runoff |
| Rainfall Data | Bairnsdale Station 085279 mean monthly | | | |
| Evaporation Data | East Sale Station 085072 mean monthly | | | |

| Parameters | Symbol | Formula | Units | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|---|--------|-----------|----------|--------|--|--------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Days in month | D | \ | days | 31 | 28 | 31 | 30 | 31 | 30 | 31 | 31 | 30 | 31 | 30 | 31 | 365 |
| Rainfall | R | \ | mm/month | 49.7 | 46.1 | 46.5 | 56.5 | 44.0 | 62.7 | 48.2 | 36.0 | 50.2 | 59.9 | 77.4 | 60.4 | 636.9 |
| Evaporation | E | \ | mm/month | 201.5 | 162.4 | 136.4 | 84.0 | 52.7 | 42.0 | 46.5 | 68.2 | 93.0 | 124.0 | 153.0 | 186.0 | 1349.7 |
| Crop Factor | C | | | 0.85 | 0.85 | 0.7 | 0.7 | 0.6 | 0.6 | 0.6 | 0.6 | 0.7 | 0.7 | 0.85 | 0.85 | |
| OUTPUTS | | | | | | | | | | | | | | | | |
| Evapotranspiration | ET | E x C | mm/month | 171.28 | 138.04 | 95.48 | 58.8 | 31.62 | 25.2 | 27.9 | 40.92 | 65.1 | 86.8 | 130.05 | 158.1 | 1029.3 |
| Percolation | B | DIRxD | mm/month | 465 | 420 | 465 | 450 | 465 | 450 | 465 | 465 | 450 | 465 | 450 | 465 | 5475 |
| Outputs | ET+B | | mm/month | 636.28 | 558.04 | 560.48 | 508.8 | 496.62 | 475.2 | 492.9 | 505.92 | 515.1 | 551.8 | 580.05 | 623.1 | 6804.3 |
| INPUTS | | | | | | | | | | | | | | | | |
| Retained Rainfall | RR | RxRf | mm/month | 39.76 | 36.88 | 37.2 | 45.2 | 35.2 | 50.16 | 38.56 | 28.8 | 40.16 | 47.92 | 61.92 | 48.32 | 570.1 |
| Effluent Irrigation | W | (QxD)/L | mm/month | 387.5 | 350 | 387.5 | 375.0 | 387.5 | 375.0 | 387.5 | 387.5 | 375.0 | 387.5 | 375.0 | 387.5 | 4562.5 |
| Inputs | RR + W | | mm/month | 427.26 | 386.88 | 424.7 | 420.2 | 422.7 | 425.16 | 426.06 | 416.3 | 415.16 | 435.42 | 436.92 | 435.82 | 5072.8 |
| LAND AREA FOR ZERO STORAGE | | | | | | | | | | | | | | | | |
| Maximum effluent Application for Zero Storage | X | (ET+B)-RR | mm/month | 596.52 | 521.16 | 523.28 | 463.6 | 461.42 | 425.04 | 454.03 | 477.12 | 474.94 | 503.88 | 518.13 | 574.78 | |
| Effluent Produced | Y | Q*D | L/month | 23250 | 21000 | 23250 | 22500 | 23250 | 22500 | 23250 | 23250 | 22500 | 23250 | 22500 | 23250 | |
| Maximum area required for zero storage | | Y/X | Sq.m | 38.98 | 40.30 | 44.43 | 48.53 | 50.39 | 52.94 | 51.17 | 48.73 | 47.37 | 46.14 | 43.42 | 40.45 | |
| LAND AREA REQUIRED FOR ZERO STORAGE | | | | | | | | | | | | | | | | |
| | | | Sq.m | 39 | 41 | 45 | 49 | 51 | 53 | 52 | 49 | 48 | 47 | 44 | 41 | |
| MINIMUM AREA REQUIRED FOR ZERO STORAGE | | | | 60 | This is based on the worst months of the year, so the balance over estimates the area/storage requirements and is hence conservative for all other months. | | | | | | | | | | | |

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| | | | |
|----------|-----------|-------------|-----------|
| DRAWN | SITE PLAN | DATE | JUNE 2003 |
| AJP | PROJECT | SCALE | AS SHOWN |
| DESIGNED | | SHEET NO. | 1 OF 1 |
| AJP | | PROJECT NO. | 130623 |
| CHECKED | | | |
| COB | | | |
| SIGNED | | | |

CLIENT DEVELOPMENT SOLUTIONS VICTORIA

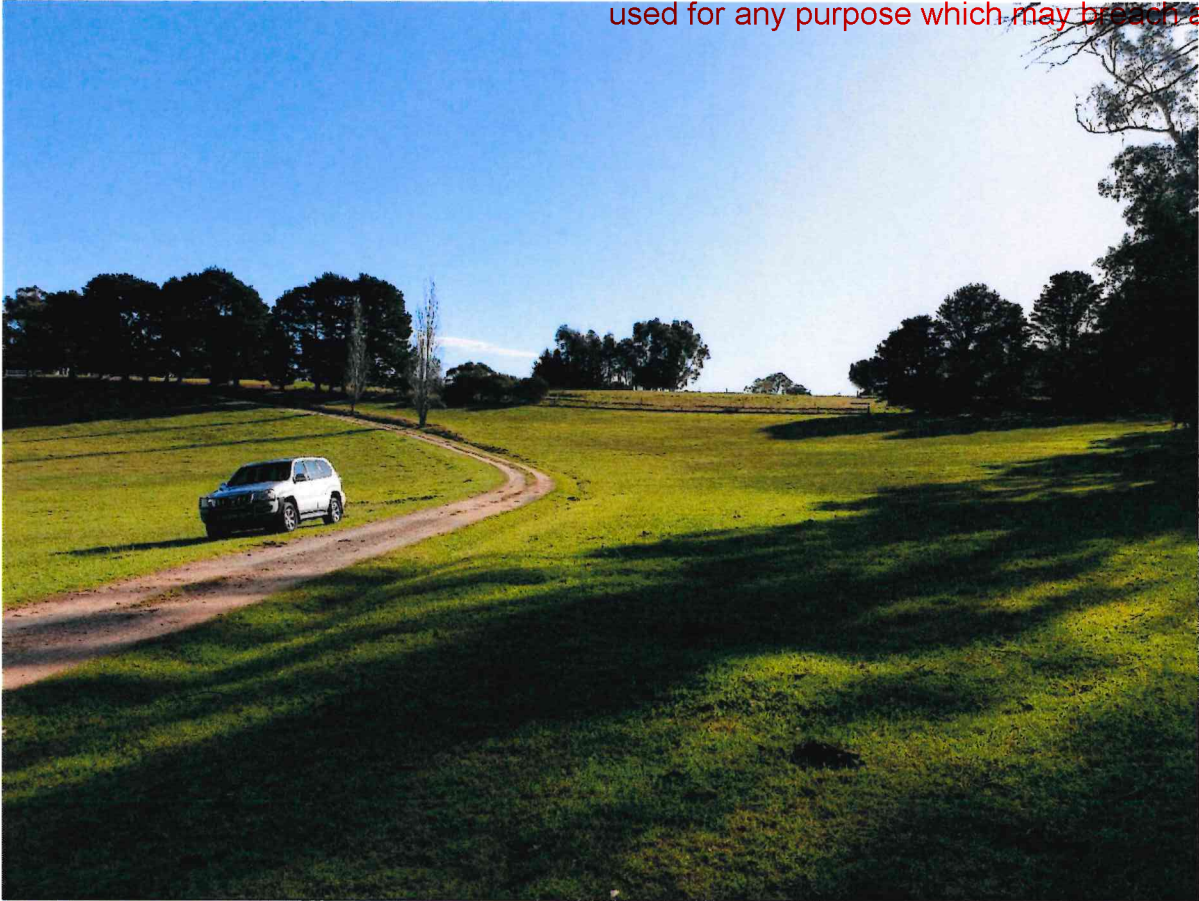
CHRIS O'BRIEN & COMPANY PTY LTD
CONSULTING CIVIL & STRUCTURAL ENGINEERS

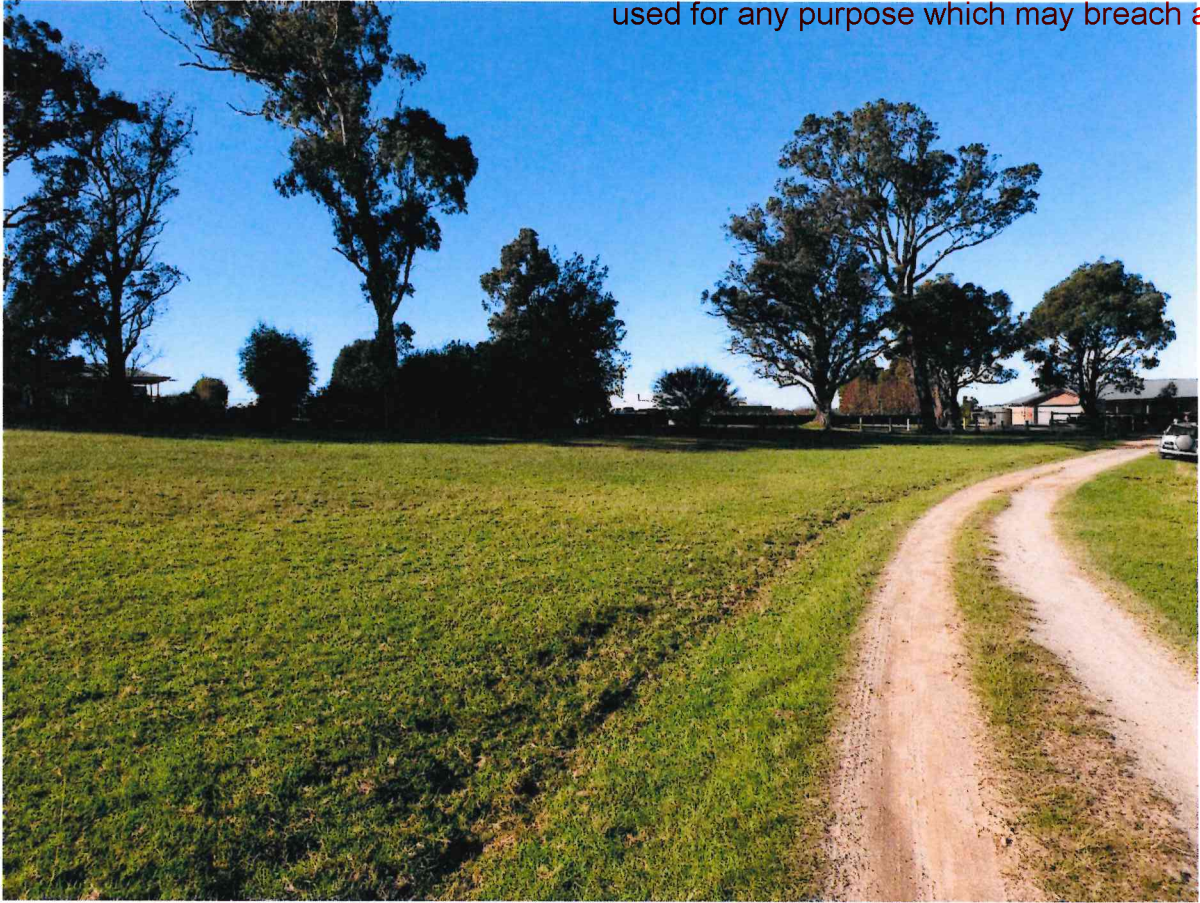
All correspondence to:
P.O. Box 18
Traralgon Vic. 3844

13^A Church Street
Traralgon Vic. 3844

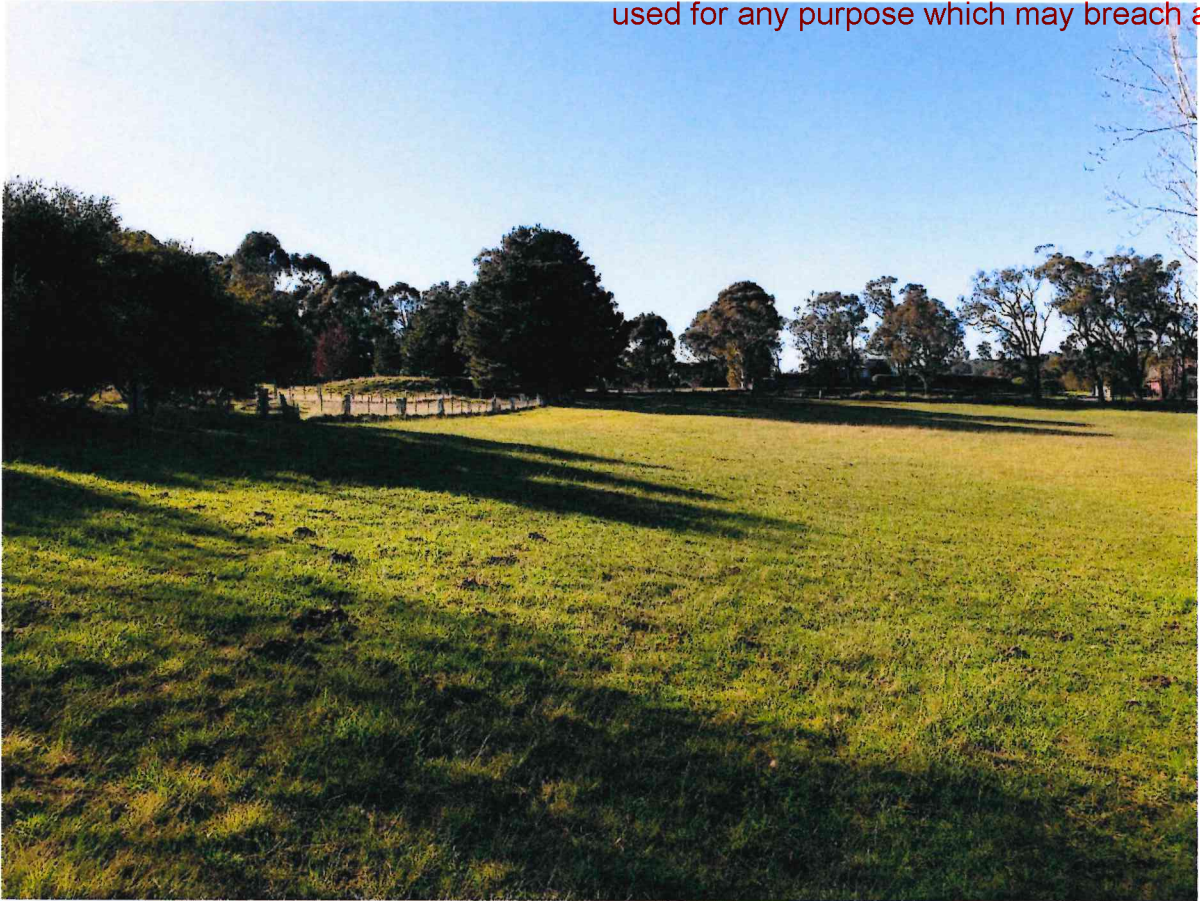
Telephone 03 5174 9911
Facsimile 03 5174 0011

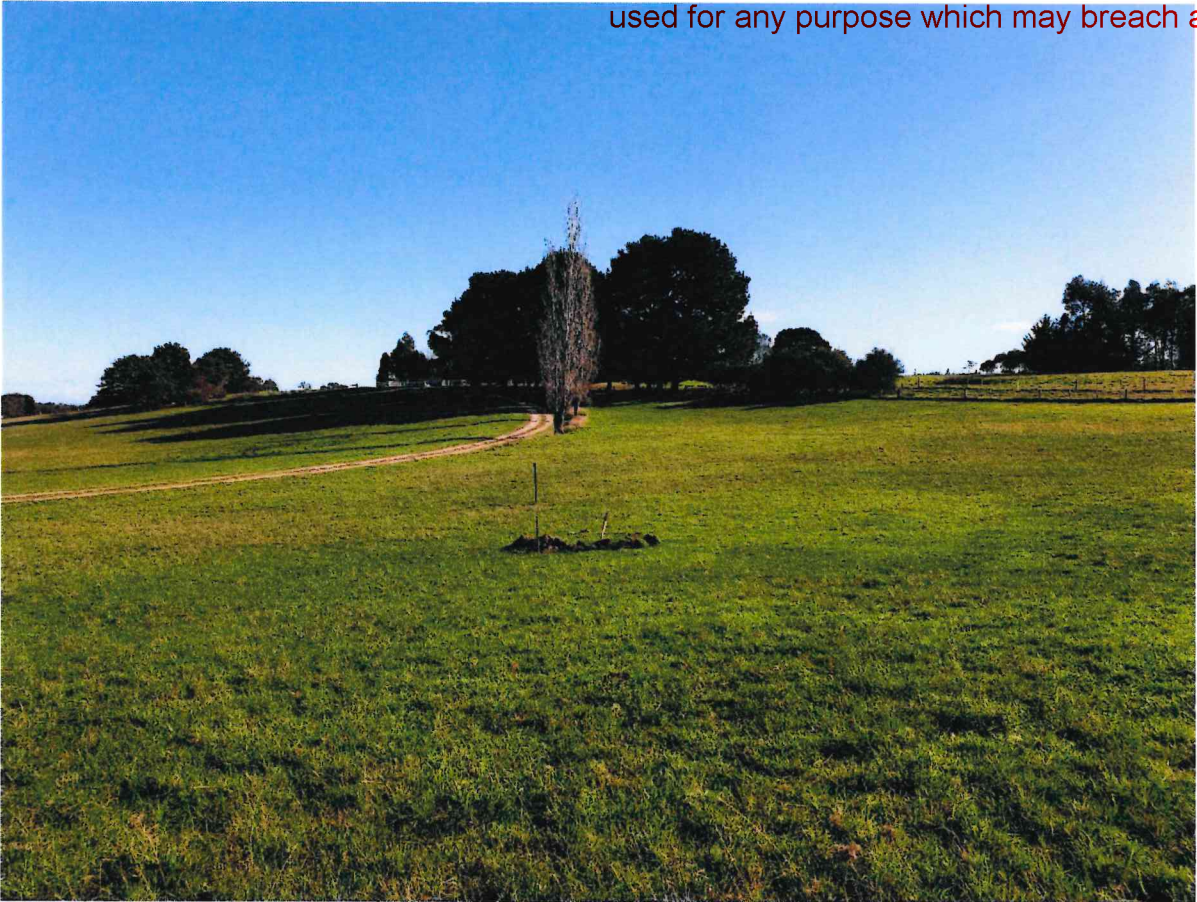
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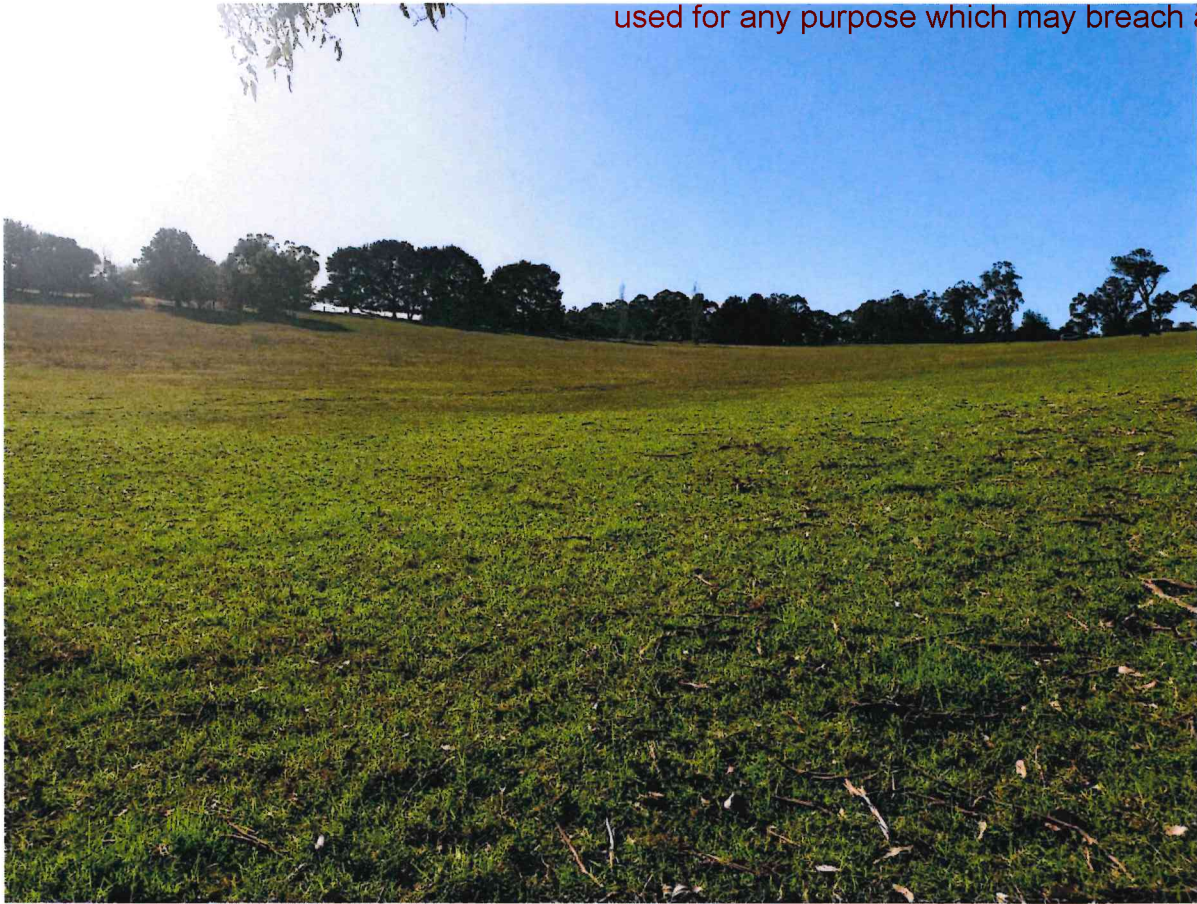


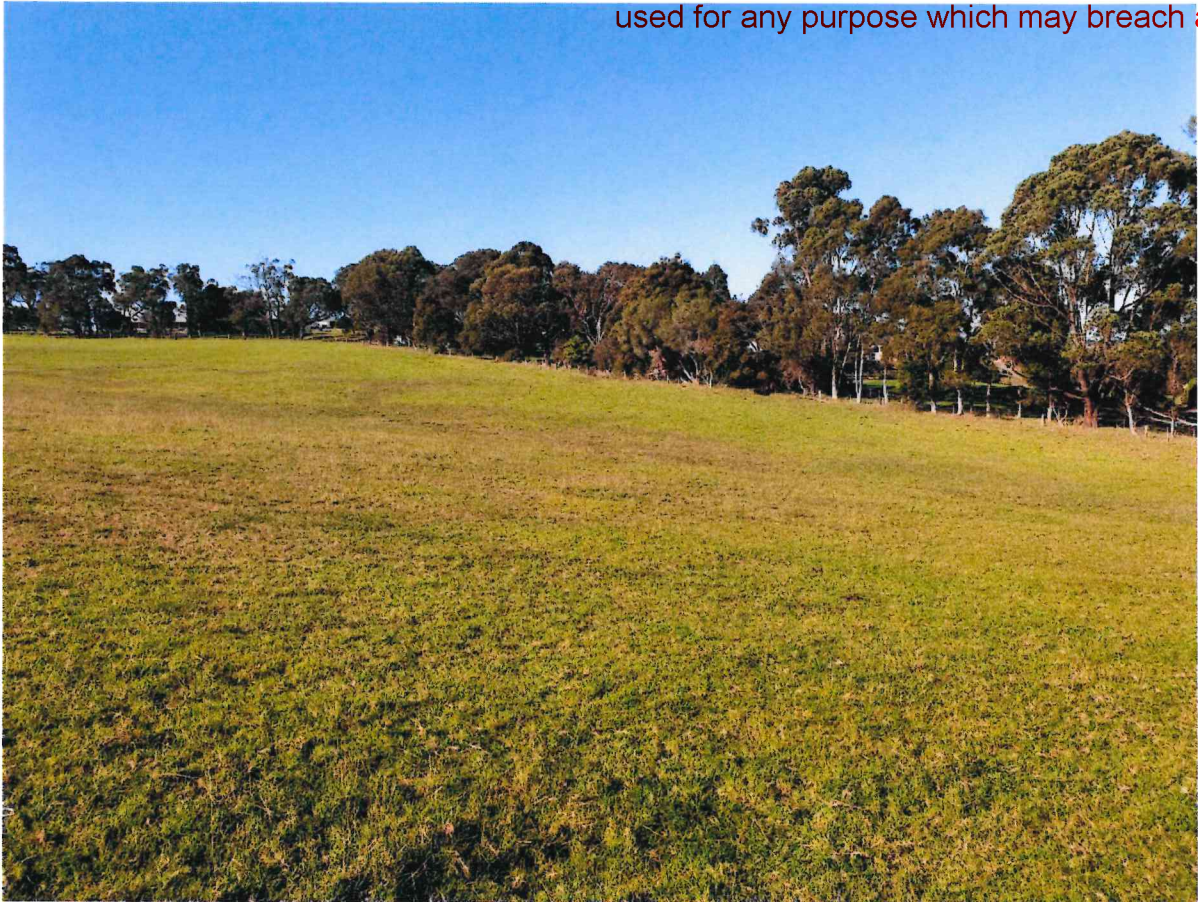


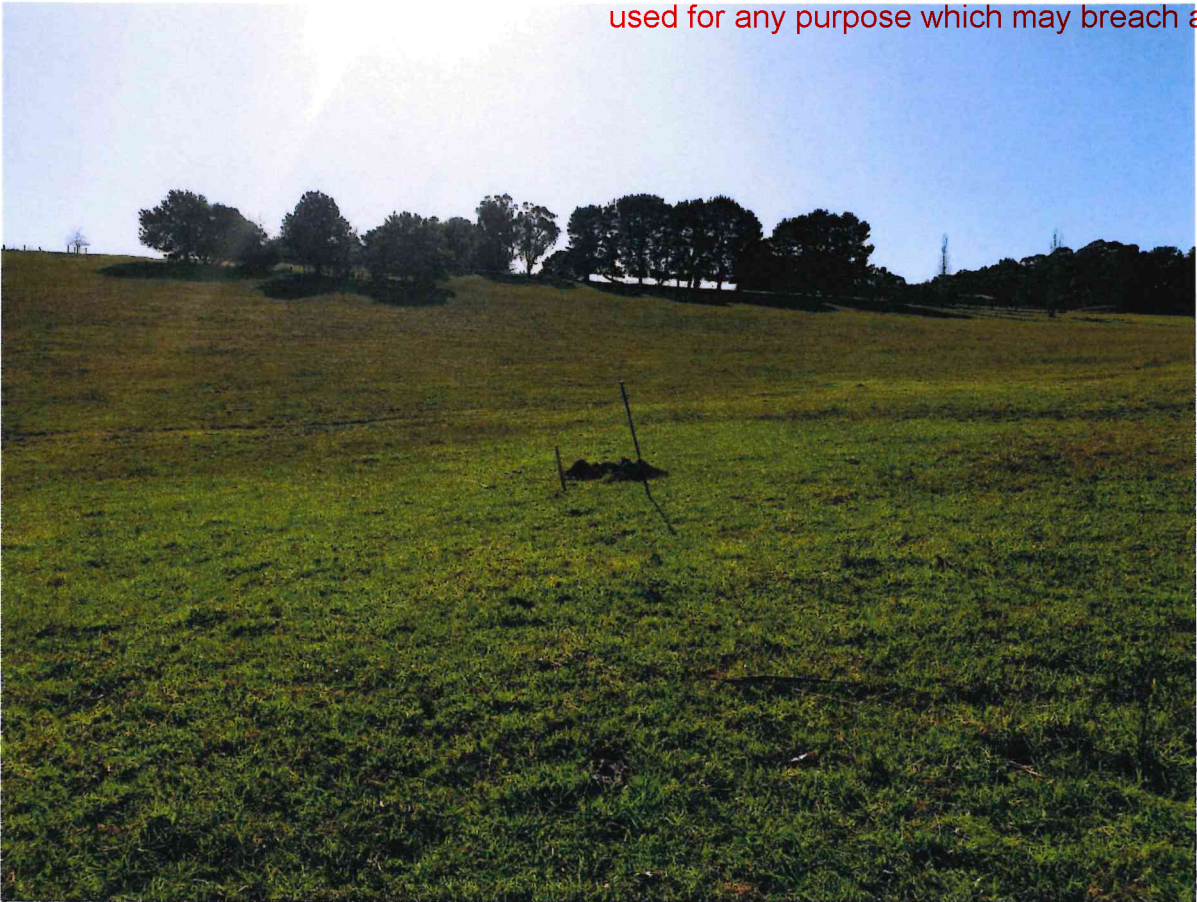
















CHRIS O'BRIEN & COMPANY PTY LTD

CONSULTING CIVIL & STRUCTURAL ENGINEERS

Reference No: B23245

Project No: 130623

20/06/2023

Development Solutions Victoria
46 Bailey Street
BAIRNSDALE Vic 3875

Attn: Olivia Zagami

Email: olivia@devsolvic.com.au

Dear Olivia,

**RE: GRA Waiver for Proposed 3 Lot Subdivision
91 Old Orbost Road, Swan Reach.**

Chris O'Brien & Company Pty Ltd have been engaged by Olivia Zagami of Development Solutions Victoria to determine whether or not a full Geotechnical risk assessment report is required for a proposed 3 lot subdivision at 91 Old Orbost Road, Swan Reach Vic 3903. An erosion management overlay exists over the property.

The purpose of this letter is to determine if the works to be carried out on this site will be a risk to the surrounding environment and is to be used in the planning application process only. This letter is not a soil classification report and shall not be used for this purpose.

Information contained in this letter is from a visual inspection of the site and based on information supplied to Chris O'Brien & Company Pty Ltd on the work to be completed on the site.

The site was inspected by Andrew Powell on the 16th June 2023.

Inspection of the site confirmed no erosion problems currently exist on the site. The site is a large rural allotment on the north east edge of the Swan Reach township with the land currently used for cattle grazing. The allotment is well grassed with most significant vegetation either in the road reserve or scattered around the perimeter of the property with only a few trees on the actual allotment. The allotment currently falls toward the centre of the property with a surface drain running towards the south east with a dam located just to the east of the proposed lot 3. Access to the site is currently from Old Orbost Road with this access to be used for lot 1 of the proposed subdivision. Photos of our findings are attached to this report.

Works to be completed for the proposed subdivision are to provide vehicle crossovers to all allotments from Old Orbost Road and the provision of all services to the allotments such water reticulation connection and connection to all Ausnet services. Sewer will be by on-site treatment and stormwater will be via rainwater tank

Development Solutions Victoria

Proposed 3 Lot Subdivision, 91 Old Orbost Road, Swan Reach

Project No. 130623

Page 2 of 2

For the creation of the subdivision vehicle crossovers need to be provided to all lots to be created in accordance with standard drawings. Work required will be some minor earthworks and the placement and compaction of all materials required to form the crossovers. We recommend that silt fences are placed to protect all downstream assets and allotments from silt runoff. Provided this is done we expect no environmental risks from this work.

A connection to all existing services will need to be provided. Some minor excavation works and some trenching works will be required to provide the connection of all services to the proposed allotments. Silt fences as specified above will need to be provided during any excavation works. Provided this is adhered to we expect no environmental risks are expected from this work. The creation of the subdivision will have no impact on storm water and sewer until a dwelling is constructed on the new allotments.

We therefore suggest that a full geotechnical risk assessment report is not required for this development. As long as normal precautions are taken, such as provision of silt fences during any earthworks, material placement and trenching works we anticipate no environmental risks with the work to be undertaken.

Should you need to clarify anything, please contact the Andrew Powell on 0402384596

Yours faithfully,



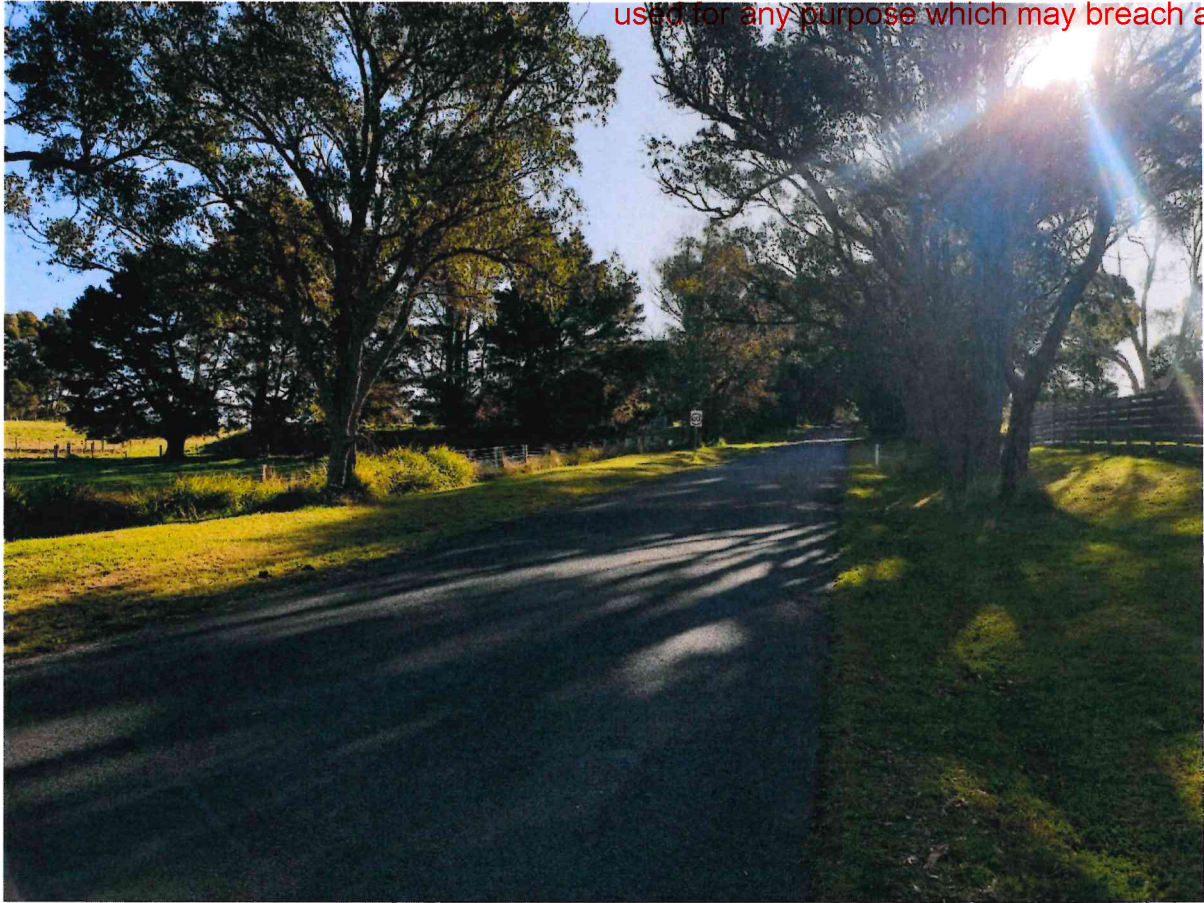
Andrew Powell Assoc.Dip (Civil)

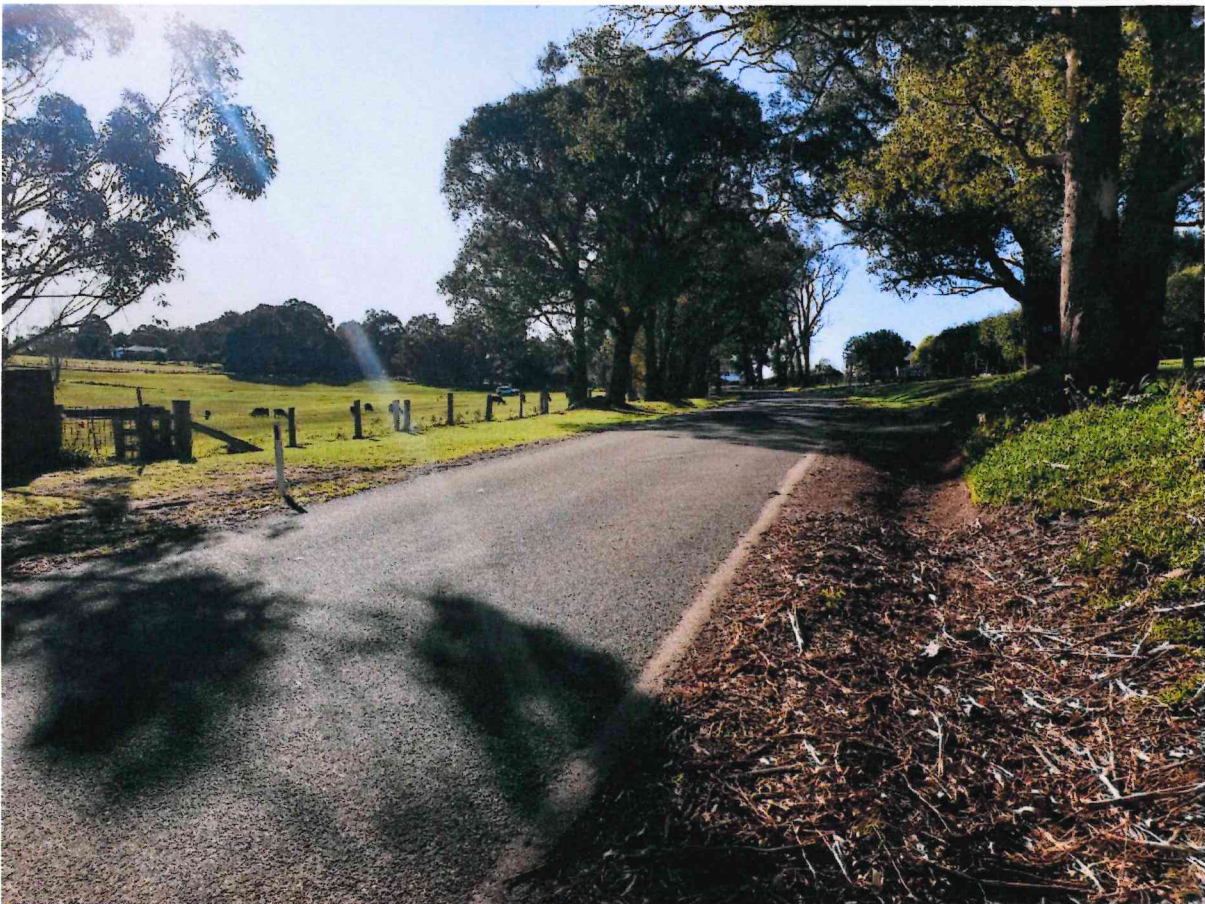
for CHRIS O'BRIEN & COMPANY PTY LTD

Existing access & proposed access locations.



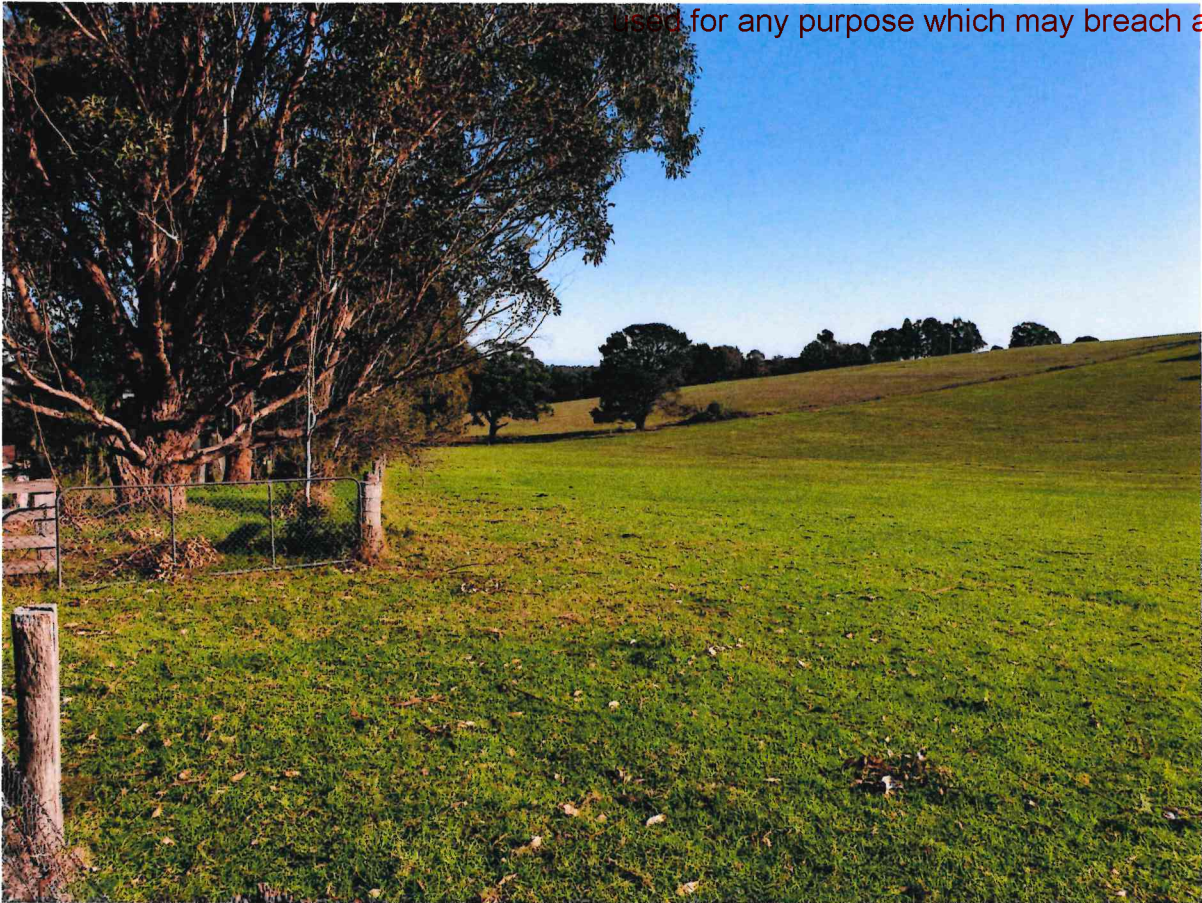


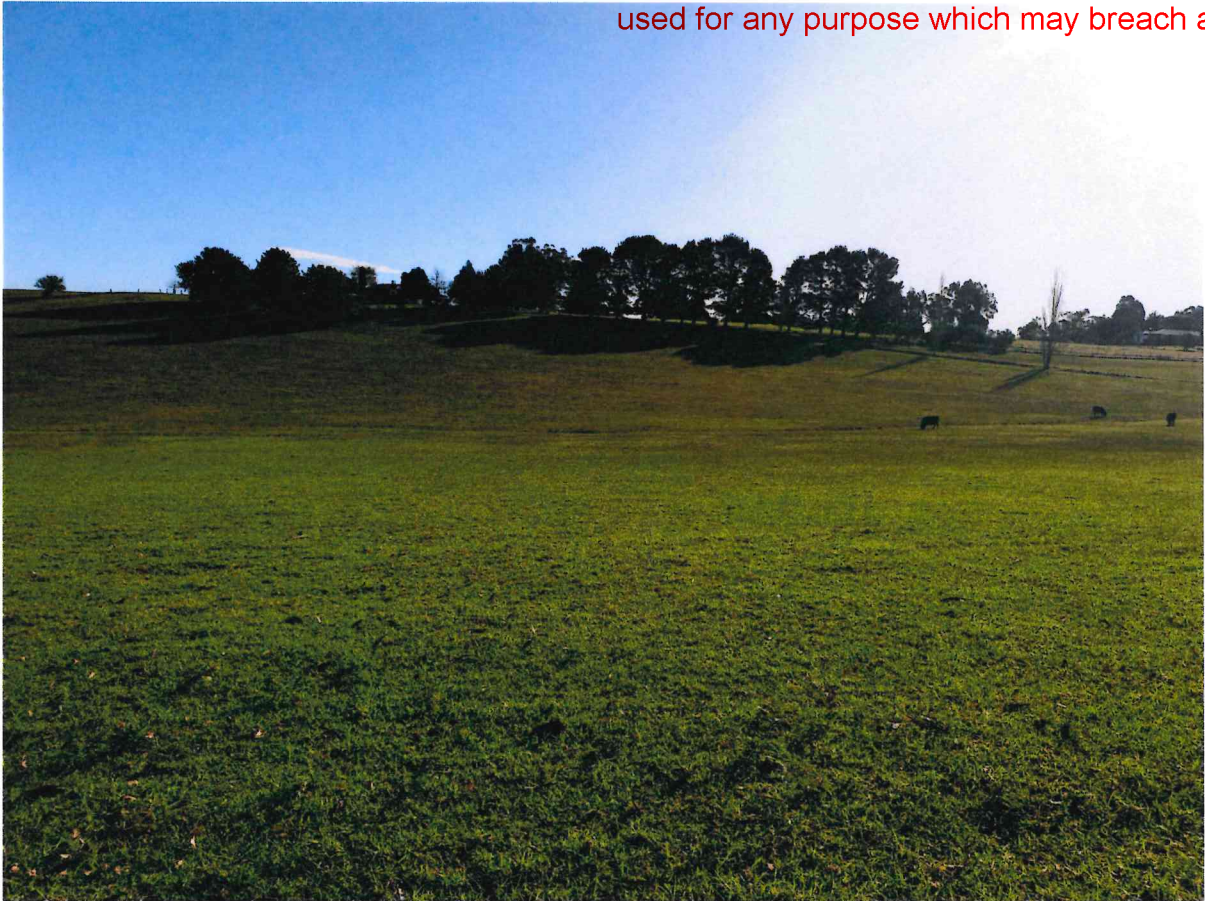


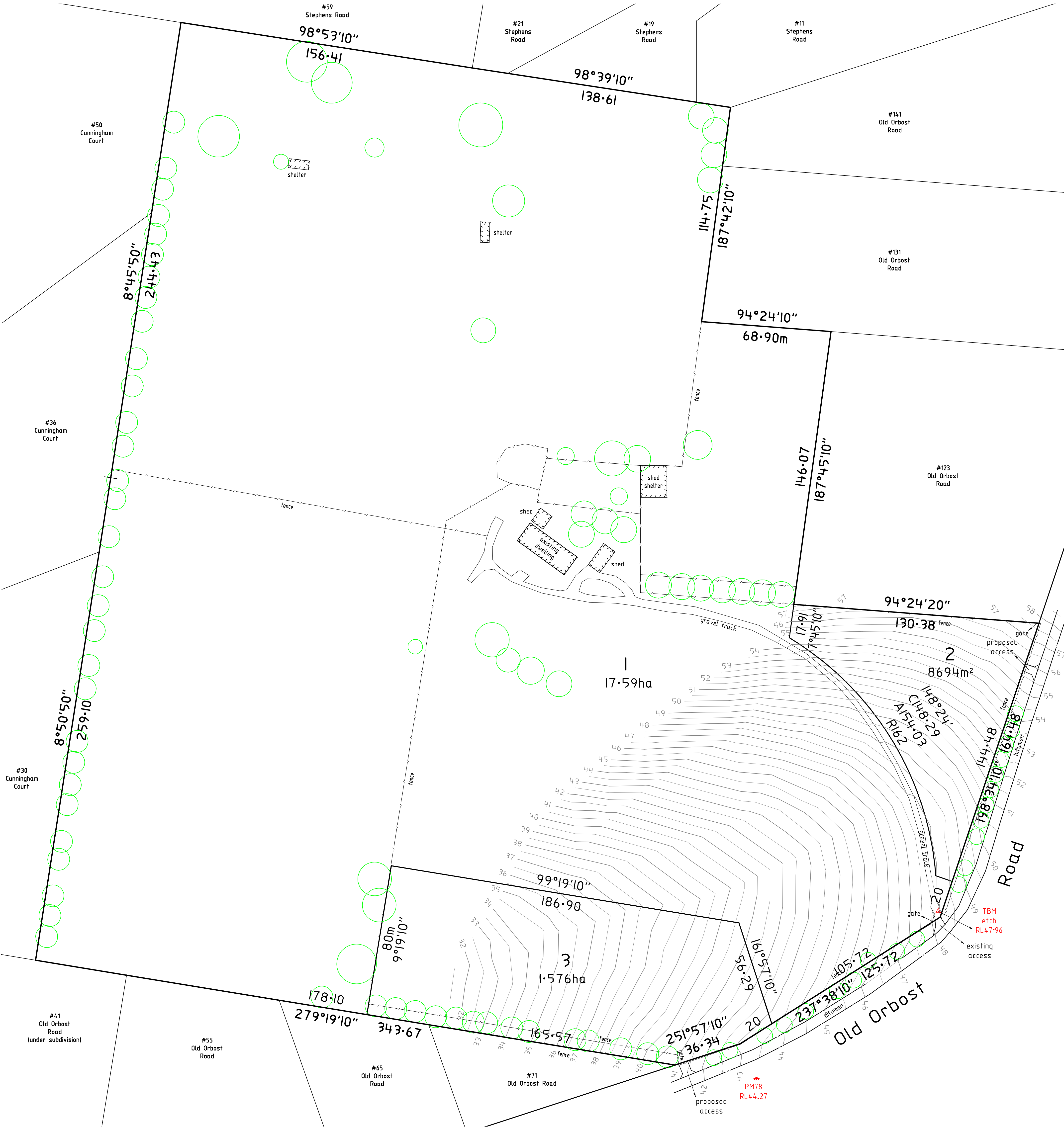


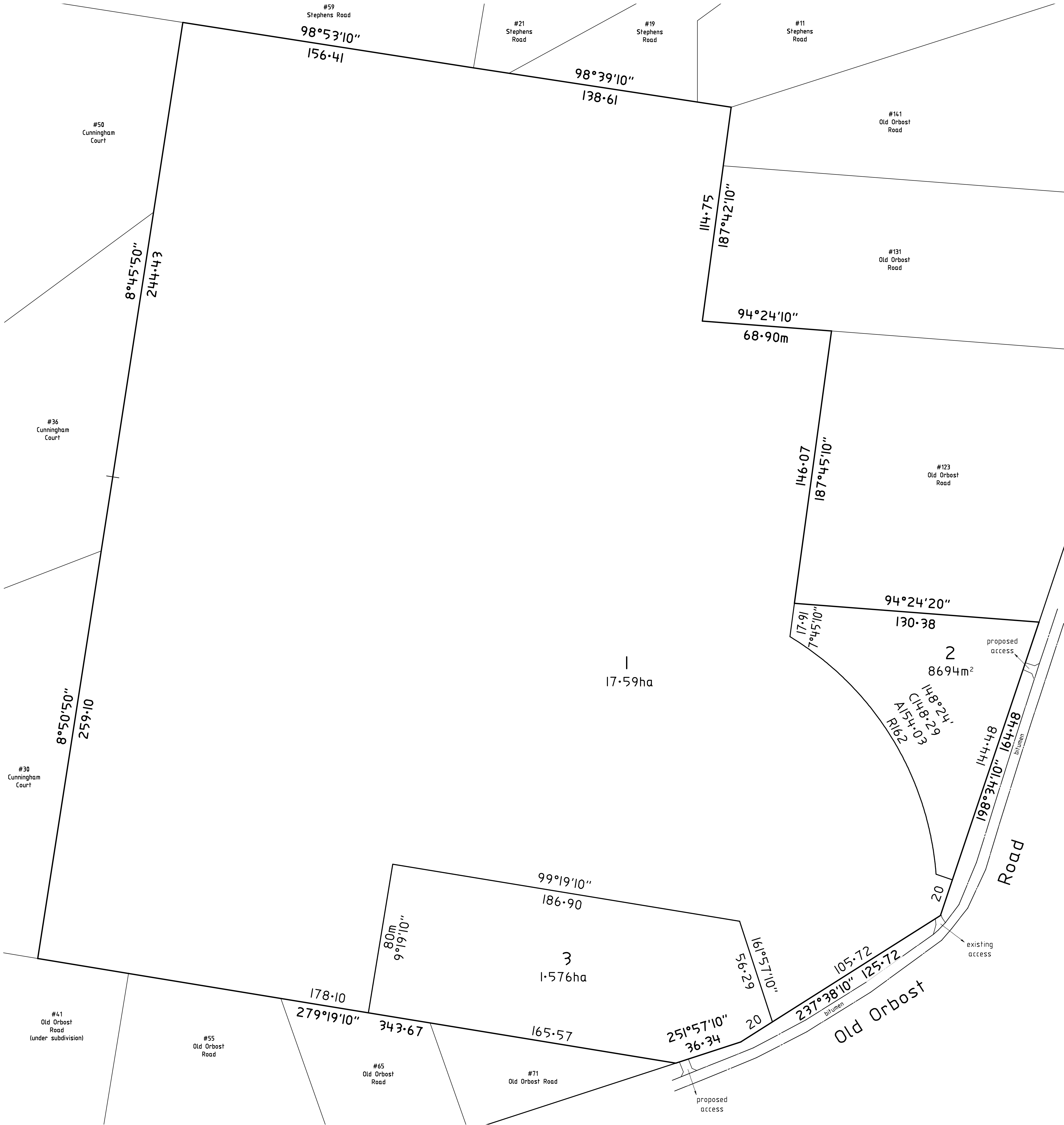
General site photos.







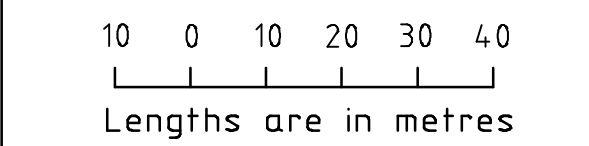




MGA2020 ZONE 55



- This is not a Title survey.
- See Certificate of Title for Easement details.
- Only significant trees are shown on this plan.
- Whilst every effort has been made to locate all feature details within the surveyed area SK Spatial will not be held responsible for features hidden, obscured or under construction at the time of survey.
- No underground features have been located unless specifically shown.
- All data shown on this plan is an accurate representation of the subject site at the time of survey.
- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.



Notations
This is not a Title survey.
See Certificate of Title for Easement details.
Datum vide PSS21896T
Total site area: 20.04ha

91 Old Orbost Road, Swan Reach, 3903

East Gippsland Shire

| Plan No. | Scale | Drawn |
|-------------|----------------------------|------------|
| 232254 PR-2 | 1:1000 - A1 1:2000 - A3 | 19/05/2023 |

Proposed Subdivision Plan

County of Tambo
Parish of Bumberrah

Crown Allotment: 62C (Part)

Lot 1 on LP203744J

Paracentroid (MGA2020) : E 576 540, N 5814 220

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