

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	17 Forge Creek Road EAGLE POINT 3878 Lot: 5 PS: 307157
The application is for a permit to:	Removal of Vegetation
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2023.435.1
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
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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.

Planning Report v2

Removal of Native Vegetation Forge Creek Road & Woodman Road, Eagle Point

Our reference – 20636

27 October 2023



FS 520900



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	Application Form (via planning portal)	
	Plan of Vegetation Removal (Version 2)	
	Design Response Plan (Version 2)	
	Native Vegetation Removal Report (ID: 319_20231024_2CH)	
	Report of Available Native Vegetation Credits (ID: 21539)	
	Copy of Planning Permit 340/2019/P (issued 16/06/2022)	
	Services Plan & Intersection Detail Plan (A)– Crossco Consulting	

Note: Applicable Planning Application fee is \$1,232.25

1. Introduction

This Planning Report is prepared in support of a proposal to remove selected vegetation from within the road reserve along Woodman Road and from the intersection of Forge Creek Road and Woodman Road, Eagle Point. The Report addresses the provisions of the Vegetation Protection Overlay – Schedule 1 and Particular Provisions relating to native vegetation as contained within the *East Gippsland Planning Scheme*.



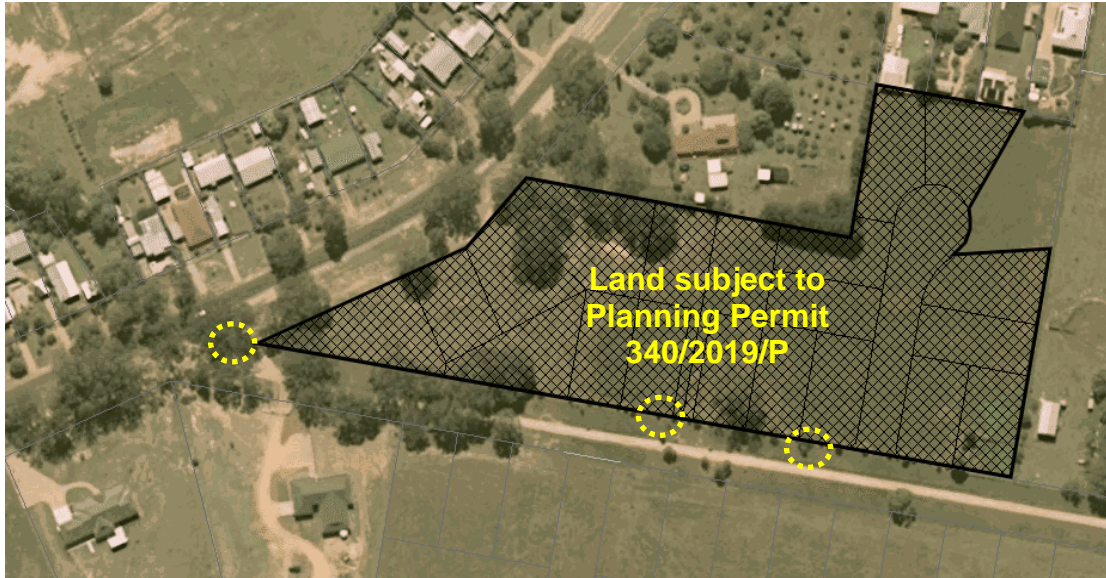
*Aerial view of subejct land and surrounds, with proposed vegetation removal outlined
(Source: LASSI SPEAR)*



*Extract from Zone mapping, with proposed vegetation removal outlined
(Source: LASSI SPEAR)*

2. Background

Planning Permit 340/2019/P issued on 16 June 2022 approved the subdivision of freehold land known as 17 Forge Creek Road, Eagle Point. A Condition of Permit required the realignment of the intersection of Forge Creek Road and Woodman Road.



Aerial photograph with proposed vegetation removal outlined (Source: VicPlan)

The required realignment will enhance safety as the current intersection alignment has limited definition, making it easy for eastbound vehicles travelling on Forge Creek Road to miss the intersection altogether. During the Application phase of 340/2019/P it was agreed that the intersection could be made substantially safer and more functional by adopting revised alignment to facilitate a T intersection.

The design of the intersection upgrade has now been formalised and whilst it makes use of an existing gap in the roadside vegetation, it physically impacts one tree and encroaches substantially into the Tree Protection Zone ('TPZ') of a further two nearby trees within the roadside corridor, triggering planning permission.

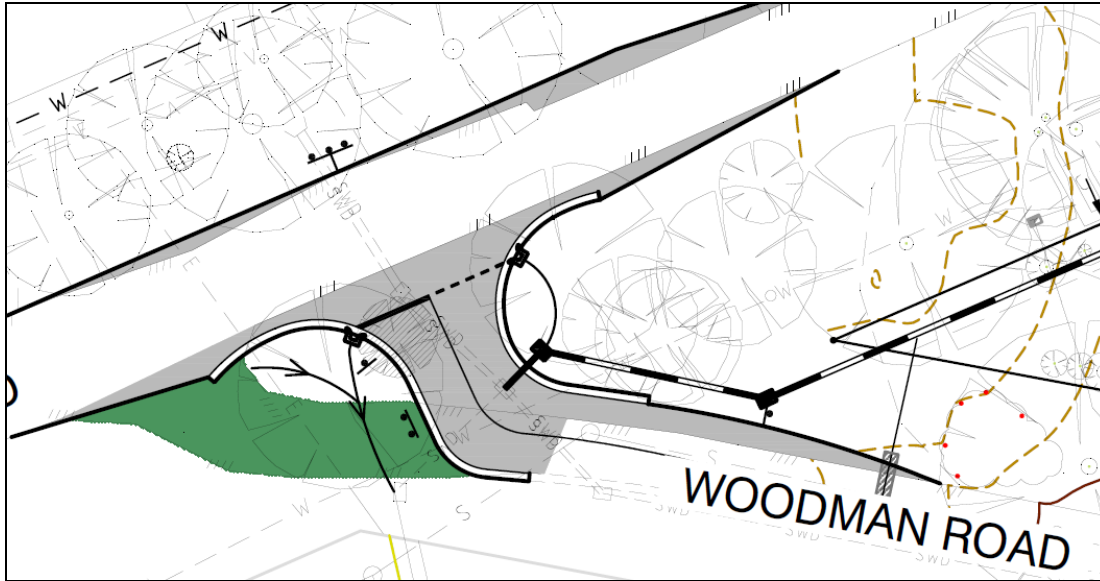
Engineering Plans have now also been prepared which nominate reticulated servicing and a footpath along the northern side of Woodman Road which will impact an additional two trees.

Each tree in question is located on public land affected by the provisions of the General Residential Zone and Design & Development Overlay – Schedule 11 of the *East Gippsland Planning Scheme*. The vegetation to be removed to facilitate the intersection upgrade is also affected by the provisions of the Vegetation Protection Overlay – Schedule 8.

3. The Application & Proposal

The application seeks approval for the removal of native vegetation to accommodate the realignment of the Forge Creek Road and Woodman Road intersection and to establish servicing within Roodman Road.

Plans prepared by *Crossco Consulting* nominate the revised intersection alignment, carefully designed to avoid physical impacts to larger trees within the Road Reserve by using of an existing gap in the vegetated roadside corridor.



Extract from Services Plan (Source: Crossco Consulting (Rev A))

Despite the gap in the roadside corridor, the realignment will require the physical removal of one small tree, and will impact the TPZ of an additional two trees by more than 10%.



Tree #2 (Patch Tree C) to be physically removed (date of photography 12/09/2023)



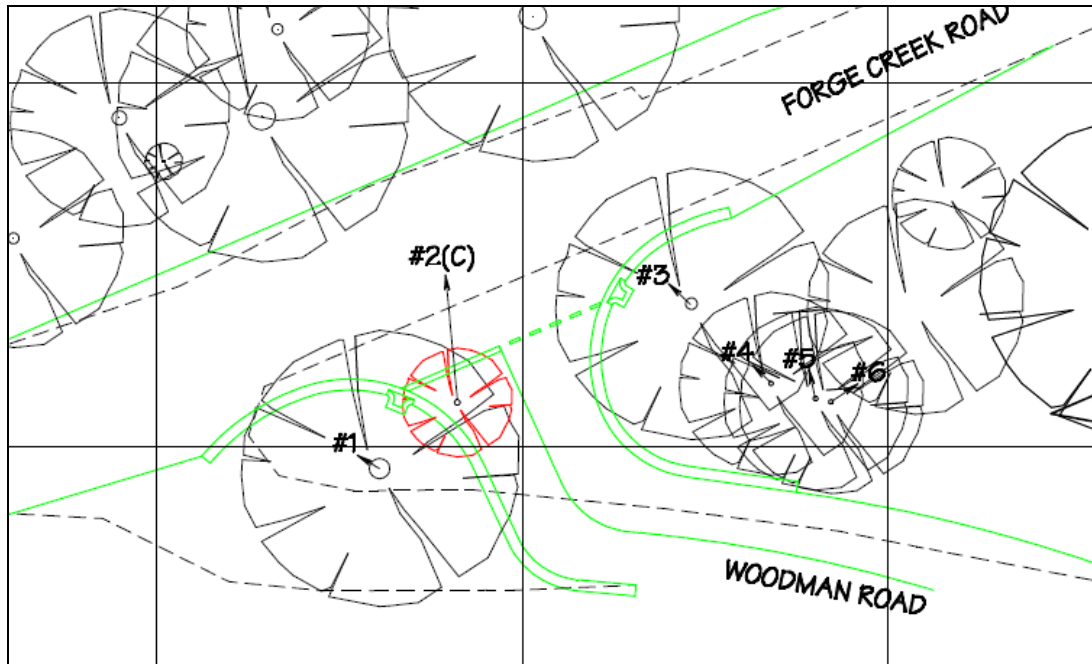
Vegetation impacted by the proposal (date of photography 12/09/2023)

The establishment of servicing and a pathway on the northern side of Woodman Road will also directly impact two scattered trees.



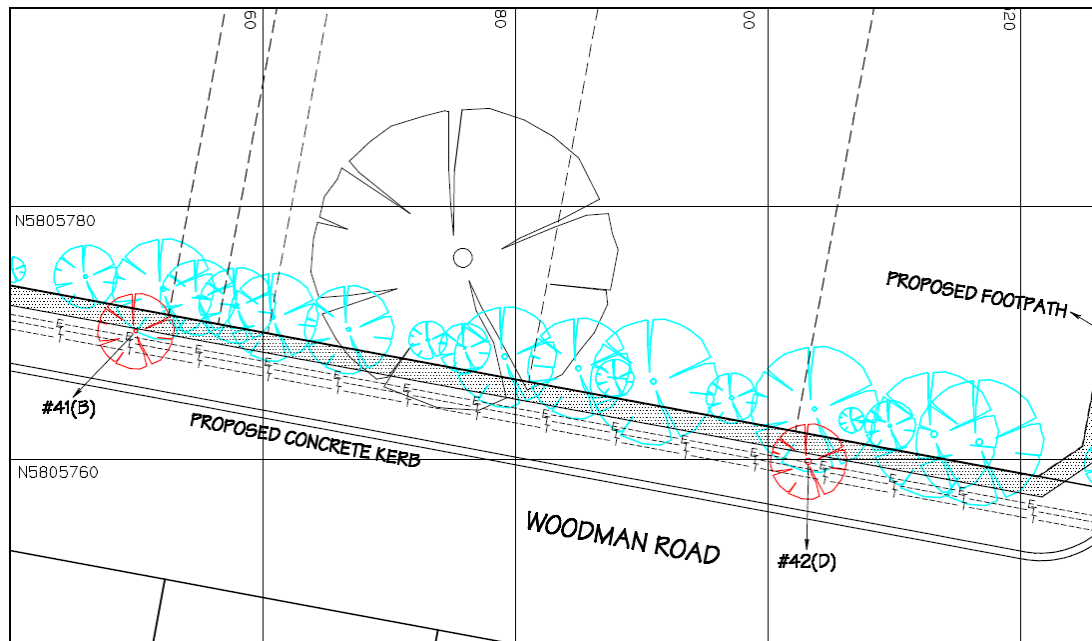
Tree #41 (B) & Tree #42 (D) to be physically removed to (date of photography 30/06/2023)

Accompanying the Application is a Plan of Vegetation Removal which nominates the physical removal of three trees to accommodate the intersection upgrade and servicing.



Extract from Plan of Vegetation Removal (V2)

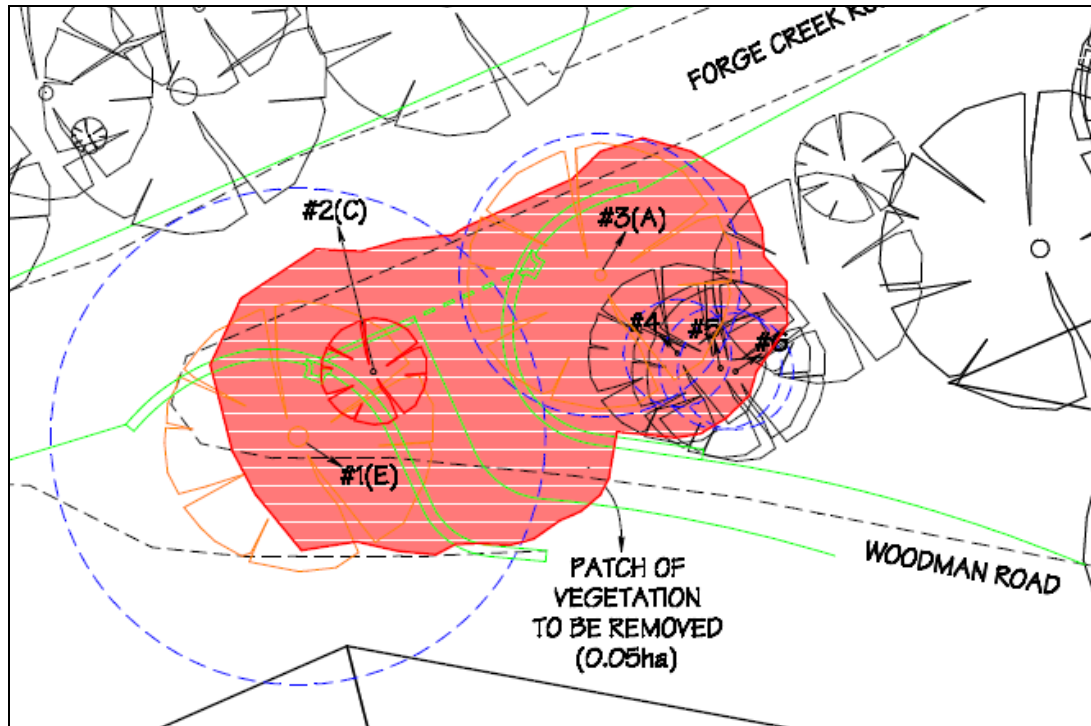
Tree shown 'red' (Tree #2 – C) to be physically removed to facilitate the intersection upgrade



Extract from Plan of Vegetation Removal (V2)

Trees shown 'red' (Tree #41 – B & Tree #42 – D) to be physically removed to accommodate servicing

A Design Response Plan provided for demonstrative purposes only demonstrates the extent of native vegetation that will be directly impacted by the proposed works, together with presumed vegetation losses incurred where TPZ's are impacted by more than 10%.



Extract from Design Response Plan (V2)
TPZ's shown in 'blue'

The following table provides detail on the existing vegetation located within proximity to the proposed intersection works and servicing. This data is to be read in conjunction with the accompanying Design Response Plan

Tree # Based on Field Data	Tree ID As per NVRR	Circumference (in cm) at Breast Height (1.3m above ground level)	DBH (cm)	TPZ (m)	% TPZ Impacted
1.	E	350	111.4	13.37	21.05
2.	C	97	30.88	N/A	100%
3.	A	200	63.66	7.64	20.60
4.	-	76	24.19	2.9	0
5.	-	87	27.69	3.32	0
6.	-	82	26.1	3.13	0
41.	B	57	18.14	N/A	100%
42.	D	71	22.6	N/A	100%

Note: TPZ's impacted by >10% are presumed lost and will require offset under Clause 52.17

Given the vegetation is located within the Road Reserve it is anticipated that the Application will be referred to Council's Land Manager as part of the planning process to obtain Land Manager Consent.

Referral will also be required to the *Department of Energy, Environment & Climate Action* (recommending referral authority) given the vegetation removal is to occur on Crown Land which is managed by the Responsible Authority.

Planning Scheme Clause No.	Description of what is proposed
Clause 52.17-1	Removal of Native Vegetation
Clause 42.02-2 _{VPO}	Removal of Vegetation

4. Cultural Heritage

Pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) is required under the *Aboriginal Heritage Act 2006* for an activity if:

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



Extract from Cultural Heritage Sensitivity mapping, with sensitive areas shown in green
(Source: VicPlan)

Pursuant to regulation 46, the construction of a building or the carrying out of works is a high impact activity if it would result in significant ground disturbance and is for or associated with a specified use.

Whilst the proposed works could result in significant ground disturbance, the land in question is an area of cultural heritage sensitivity. There is therefore no mandatory requirement to provide a CHMP in support of the Application.

5. Planning Policy

The following comments respond to State and Local Planning Policy as relevant to the proposal.

5.1 Municipal Planning Strategy

Clause 02.03-2 *Environmental & Landscape Values* identifies that Council's strategic vision is to restore and maintain biodiversity, protect areas of value, balance development with wildlife corridors and areas of rural or natural landscape and to protect sites of significance by encouraging sensitive development.

The proposal is considered to respond well as the design of the intersection has made use of an existing gap in the vegetated roadside corridor which minimises the extent of vegetation loss. This design has also ensured the physical retention of the larger, more established trees within the road reserve.

5.2 Planning Policy Framework

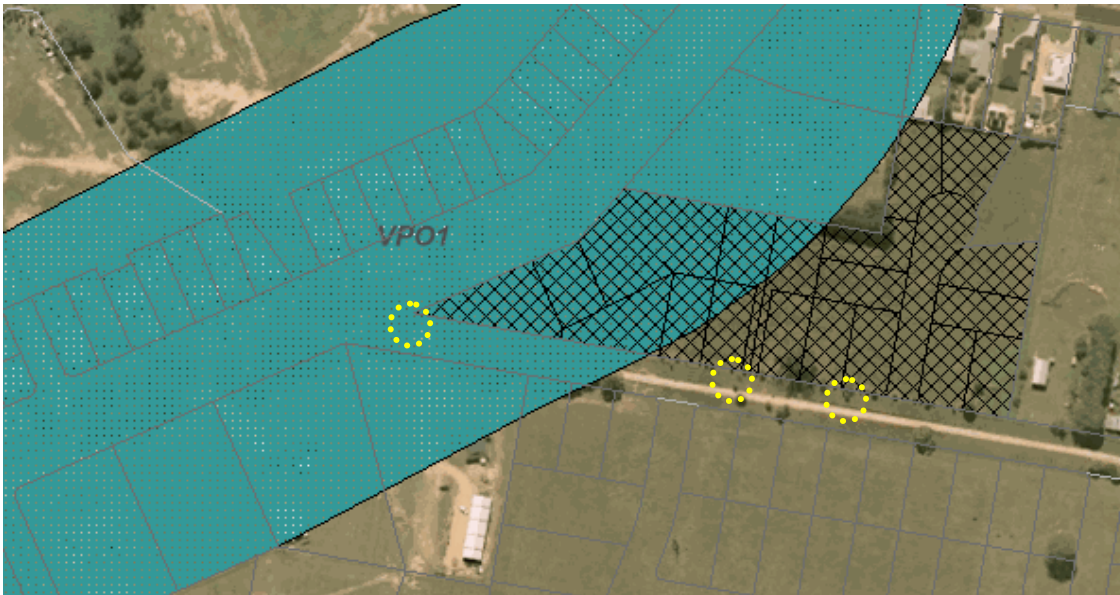
The objective and associated strategies at Clause 12.01-2S relating to *Native Vegetation Management* have been adhered to by the proposal as efforts have been made to avoid and minimise the extent of vegetation impacted by the proposal. This has been achieved by carefully designing the alignment of the intersection to avoid larger established trees.

Whilst the physical loss of vegetation will be minimal, consideration has also been given to the presumed loss of any surrounding trees for which the proposed works will impact TPZs by more than 10%. Both the physical and presumed vegetation losses will be offset accordingly, consistent with the *Guidelines for the removal, destruction or lopping of native vegetation (2017)*.

6. Planning Elements

6.1 Vegetation Protection Overlay

The tree to be removed to facilitate the intersection upgrade is affected by the provisions of the Vegetation Protection Overlay – Schedule 1 relating to *Tambo-Bairnsdale Roadside Vegetation Protection Network*. The Overlay identifies the significance of native vegetation along roadsides for habitat, landscape and aesthetic values.



Extract from Vegetation Protection Overlay mapping (Source: VicPlan)

The objective of Schedule 1 to the Vegetation Protection Overlay is to protect high conservation value roadside vegetation from potential adverse impacts of establishing access, construction activities, and ongoing maintenance.

Response to Decision Guidelines

The extent of vegetation requiring approval for removal under the Overlay is limited to one small tree only, identified as Tree # 2 (C) on the accompanying Plan Set.

The extent of vegetation to be physically removed has been limited to that absolutely necessary to cater for the realignment of the existing intersection of Woodman Road and Forge Creek Road. The intersection has been designed to make use of an existing gap in the roadside vegetation which avoids any physical impacts to larger established trees.

The intersection upgrade is required to enhance safety for road users as the current alignment is a sub-optimal standard to accommodate traffic movement and volumes.

The proposal is considered to strike a good balance between the need to upgrade the existing intersection whilst maintaining the aesthetic and environmental values of the vegetated roadside corridor.

6.2 Native Vegetation: Clause 52.17

Planning approval is required at Clause 52.17-1 for the physical removal of native vegetation, with consideration also given to the presumed loss of trees within proximity to the proposed works which will have their TPZs impacted by more than 10% by the proposed roadworks.

Application Requirements

Information including plans and photos accompanying the application satisfy the Application Requirements specified within the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation, December 2017* ('the Guidelines').

Accompanying the Application is a Native Vegetation Removal Report ID: 319_20231024_2CH which confirms the assessment pathway (Intermediate Assessment Pathway), details of the vegetation to be removed and presumed lost, mapping and offset requirements, along with other details required by Table 4 of the Guidelines.

The extent of vegetation removal being considered under the provisions of Clause 52.17 is a patch of native vegetation 0.05ha in area containing three trees (Zone 1) and two scattered trees (Tree B & Tree D).

Whilst the understorey is highly modified and does not contain >25% native perennial groundcover, the presence of three trees with touching canopies categorises the vegetation within proximity to the intersection works as a patch.



*Vegetation impacted by the proposed intersection works
(date of photography 12/09/2023)*

Scattered Tree B and Scattered Tree D have been identified as small scattered trees as they are canopy trees that do not form part of a patch (<25% native perennial groundcover provided).



*Scattered trees to be removed to accommodate servicing
(date of photography 30/06/2023)*

To compensate for the physical and presumed loss of vegetation, a third-party offset will be secured to ensure no net loss of biodiversity, in accordance with the requirements of Clause 52.17-5. Search results from the Native Vegetation Credit Register provided in support of the Application confirm the availability of the required offsets on the current market with all necessary attributes (Report ID: 21539).

In response to the application requirements specified at Table 4 of the Guidelines we offer the following comments.

	Application Requirement	Response/Comment
1.	Vegetation to be removed	<p>The accompanying Native Vegetation Removal Report includes all required information.</p> <p>The extent of vegetation being considered under the provisions of Clause 52.17 includes 0.05ha of native vegetation, identified as a patch and two small scattered trees.</p> <p>A total offset amount of 0.021 general habitat units with one large tree is required with a minimum strategic biodiversity value of 0.206 within the East Gippsland Catchment Management Authority or East Gippsland Shire Council areas.</p>
2.	Topographic and land information	The landform within proximity to the proposed vegetation removal is flat and does not contain any steep slopes.
3.	Photographs	Photographs of the existing vegetation included within this report are recent, taken on 12 September 2023 and 30 June 2023.
4.	Past Removal	<p>There are no records on Council's Online Register of any removal of native vegetation within the Road Reserve within the last 5 years.</p> <p>The removal of some native grasses was previously undertaken within Woodman Road to facilitate servicing as part of Planning Permit 727/2010/P/B. We confirm that this work was undertaken more than 5 years ago, with the Statement of Compliance for the final stage of this development having issued 11/12/2014.</p>

	Application Requirement	Response/Comment
5.	Avoid and minimise statement	<p>Measures have been undertaken to avoid and minimise impacts to native vegetation associated with the proposed intersection upgrade.</p> <p>The existing nature of the intersection and requirement to realign consistent with engineering specifications for road safety purposes leaves limited opportunity to totally avoid impacts to native vegetation.</p> <p>Nonetheless, the design of the intersection has adopted the clearest portion of the road reserve to accommodate the new section of road pavement. This has resulted in the need to only physically remove one tree and presume the loss of two trees to accommodate the new intersection.</p> <p>If an alternative location was adopted it would almost certainly result in further impacts to native vegetation given the presence of several larger trees within the road reserve.</p> <p>The servicing design will result in the removal of two small scattered trees from within Woodman Road however the servicing design has sought to avoid the removal of the larger more established and significant trees provided further within the Road Reserve to the west.</p>
6.	Property Vegetation Plan	Not applicable.
7.	Defendable space statement	The vegetation removal is not being undertaken to create defendable space.
8.	Native Vegetation Precinct Plan	The Application is not made under the provisions of Clause 52.16.
9.	Offset statement	<p>As a Permit is required to remove native vegetation, the biodiversity impacts from the removal must be offset in accordance with the Guidelines. It is anticipated that the standard Conditions will be imposed on Permit which specify the offset requirement and the timing to secure the offset.</p> <p>There is no ability to provide a first party offset in this instance given that the vegetation is being removed from a Road Reserve within proximity to residential development. It is therefore necessary that vegetation offsets be achieved through third party arrangements.</p>

		A search statement from the Native Vegetation Credit Register has been provided in support of the proposal which confirms suitable offsets are available to compensate for the proposed vegetation removal.
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	Decision Guidelines	Response/Comment
1.	Efforts to avoid and minimise vegetation removal to be commensurate with the biodiversity and other values	<p>Efforts to avoid and minimise impacts to native vegetation are considered commensurate to the biodiversity values of the area.</p> <p>The extent of vegetation removal is quite limited, and the design of the access and servicing has otherwise enabled the retention of the remaining and more significant vegetation within the roadside corridor.</p> <p>The alignment of the proposed access is quite appropriate. Any alternative aligned would almost certainly incur further vegetation removal, either directly or through presumed loss due to extent of impact to TPZs.</p> <p>Whilst vegetation losses and impacts will be incurred, they will be offset accordingly to ensure no net loss to biodiversity as a result of the project.</p>
2.	Water courses, land degradation and groundwater	The vegetation proposed to be removed is considered to play a minimal role in protecting water quality and preventing land degradation given the flat nature of the landform and generous offset from existing watercourses.
3.	Identified landscape values	<p>The patch of vegetation impacted by the intersection upgrade is affected by the provisions of the Vegetation Protection Overlay – Schedule 1 whilst the two small, scattered trees are not.</p> <p>The Environmental Significance Overlay does not encumber any vegetation earmarked for removal.</p> <p>The vegetation has some aesthetic value but is not considered to have a high environmental value having regard for the NVIM mapping and associated scores.</p> <p>The vegetation is modelled as encompassing an endangered Ecological Vegetation Class however losses are limited to less than 0.5ha and avoid the need for any Specific Offsets.</p>

	Decision Guidelines	Response/Comment
4.	Aboriginal Heritage Act 2006	Vegetation to be removed is not protected under the <i>Aboriginal Heritage Act 2006</i> .
5.	Defendable space	Vegetation is not being removed for the purpose of defendable space.
6.	Property Management Plan	No Property Management Plan applies.

	Decision Guidelines	Response/Comment
7.	Offsets	There is the ability to obtain and secure vegetation offsets which meet the offset requirements in accordance with the Guidelines, demonstrated through the inclusion of search statement from the Native Vegetation Credit Register.
8.	Clause 52.16	N/A - The Application is not made under the provisions of Clause 52.16.
9.	Impacts on biodiversity	The vegetation is contained within an endangered Ecological Vegetation Class however the limited physical loss to be incurred will not have any significant impact on habitat for rare or threatened species. The Native Vegetation Removal Report identifies the Application as an Intermediate Assessment Pathway.

7. Conclusion

The proposed removal of native vegetation is considered to accord with all relevant provisions of the Vegetation Protection Overlay and Particular Provisions relating to Native Vegetation of the *East Gippsland Planning Scheme*. The proposal is consistent with Municipal Planning Strategy and Planning Policy Framework.

For these reasons we respectfully request that Council consider the merits of the Application favourably and resolve to issue a Planning Permit.

Crowther & Sadler Pty Ltd
27 October 2023

Report of available native vegetation credits

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

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

Date and time: 26/10/2023 02:47

Report ID: 21539

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)	
0.021	0.206	1	CMA	East Gippsland

Details of available native vegetation credits on 26 October 2023 02:47

These sites meet your requirements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-2323	14.848	86	East Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets, Ethos, VegLink
BBA-2843	15.103	903	East Gippsland	East Gippsland Shire	Yes	Yes	No	VegLink
TFN-C1621	1.387	1	East Gippsland	East Gippsland Shire	Yes	Yes	No	TFN
VC_CFL-3720_01	1.876	244	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR
VC_CFL-3724_01	0.031	105	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR
VC_CFL-3767_01	22.061	1604	East Gippsland	East Gippsland Shire	Yes	Yes	No	Ethos, VegLink

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

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

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

Credit Site ID	GHU	LT	CMA	LGA	Land Owner	Trader	Fixed price	Broker(s)
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There are no potential sites listed in the Native Vegetation Credit Register that meet your offset requirements.

LT - Large Trees

CMA - Catchment Management Authority

LGA - Municipal District or Local Government Authority

Next steps

If applying for approval to remove native vegetation

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

If you have approval to remove native vegetation

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

Broker contact details

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

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

Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

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

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

Native Vegetation Removal Report

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NVRR ID: 319_20231024_2CH

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

Report details

Date created: 24/10/2023

Local Government Area: EAST GIPPSLAND SHIRE

Registered Aboriginal Party: Gunaikurnai

Coordinates: 147.67403, -37.89336

Address:

Summary of native vegetation to be removed

Assessment pathway	Intermediate Assessment Pathway		
Location category	Location 2 The native vegetation extent map indicates that this area is typically characterised as supporting native vegetation. Additionally, it is modelled as encompassing an endangered Ecological Vegetation Class, sensitive wetland or sensitive coastal area. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.		
Total extent including past and proposed removal (ha) <i>Includes endangered EVCs (ha): 0.105</i>	0.112	<i>Extent of past removal (ha)</i>	0
		<i>Extent of proposed removal - Patches (ha)</i>	0.050
		<i>Extent of proposed removal - Scattered Trees (ha)</i>	0.063
No. Large Trees proposed to be removed	1	<i>No. Large Patch Trees</i>	1
		<i>No. Large Scattered Trees</i>	0
No. Small Scattered Trees	2		

Offset requirements if approval is granted

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

General Offset amount ¹	0.021 General Habitat Units
Minimum strategic biodiversity value score ²	0.206
Large Trees	1
Vicinity	East Gippsland CMA or EAST GIPPSLAND SHIRE LGA

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

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

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

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

Application requirements

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

Application Requirement 1 - Native vegetation removal information

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

Application Requirement 2 - Topographical and land information

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

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

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

Application Requirement 4 - Past removal

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

Application Requirement 5 - Avoid and minimise statement

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

Application Requirement 6 - Property Vegetation Plan

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

No

Application Requirement 7 - Defendable space statement

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

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

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

Application Requirement 8 - Native Vegetation Precinct Plan

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

Does an NVPP apply to the proposal?

No

Application Requirement 9 - Offset statement

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

Next steps

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

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

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

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

Application Requirement 6 - Property Vegetation Plan

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

Appendix 1: Description of native vegetation to be removed

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

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

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

Native vegetation to be removed

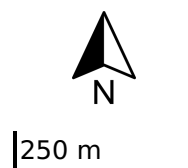
Information provided by or on behalf of the applicant			Information calculated by NVR Map							
Zone	Type	DBH (cm)	EVC code (modelled)	Bioregional conservation status	Large Tree(s)	Condition score (modelled)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
1	Patch	-	GipP0055, GipP0151	Endangered, Vulnerable	1	0.200	0.050	0.050	0.181	0.009
B	Scattered Tree	18	GipP0055	Endangered	-	0.200	0.031	0.031	0.220	0.006
D	Scattered Tree	23	GipP0055	Endangered	-	0.200	0.031	0.031	0.416	0.007

Appendix 2: Images of mapped native vegetation

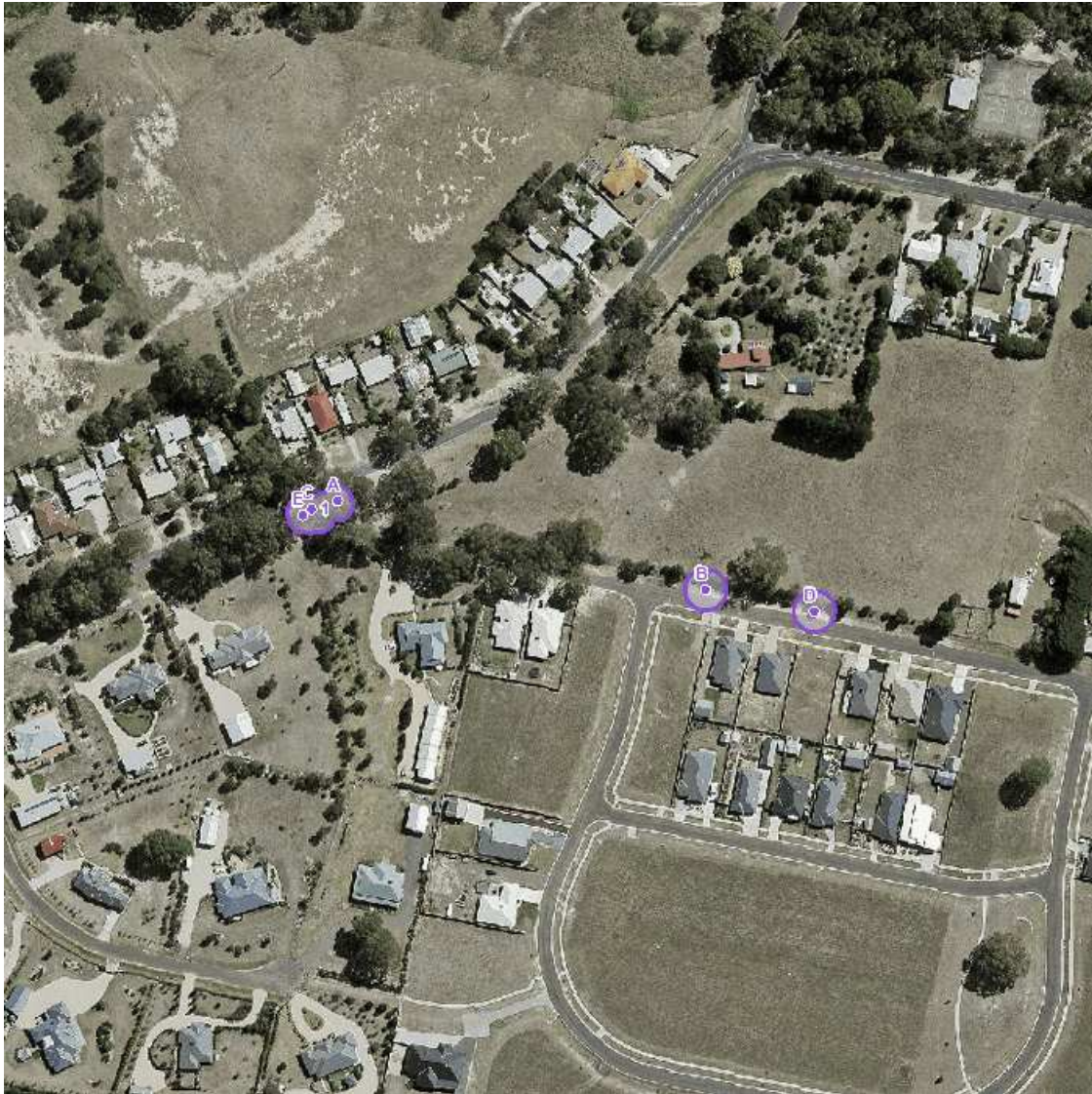
1. Property in context



- Proposed Removal
- Property Boundaries



2. Aerial photograph showing mapped native vegetation



Proposed Removal



80 m

3. Location Risk Map



Proposed Removal

Location 1

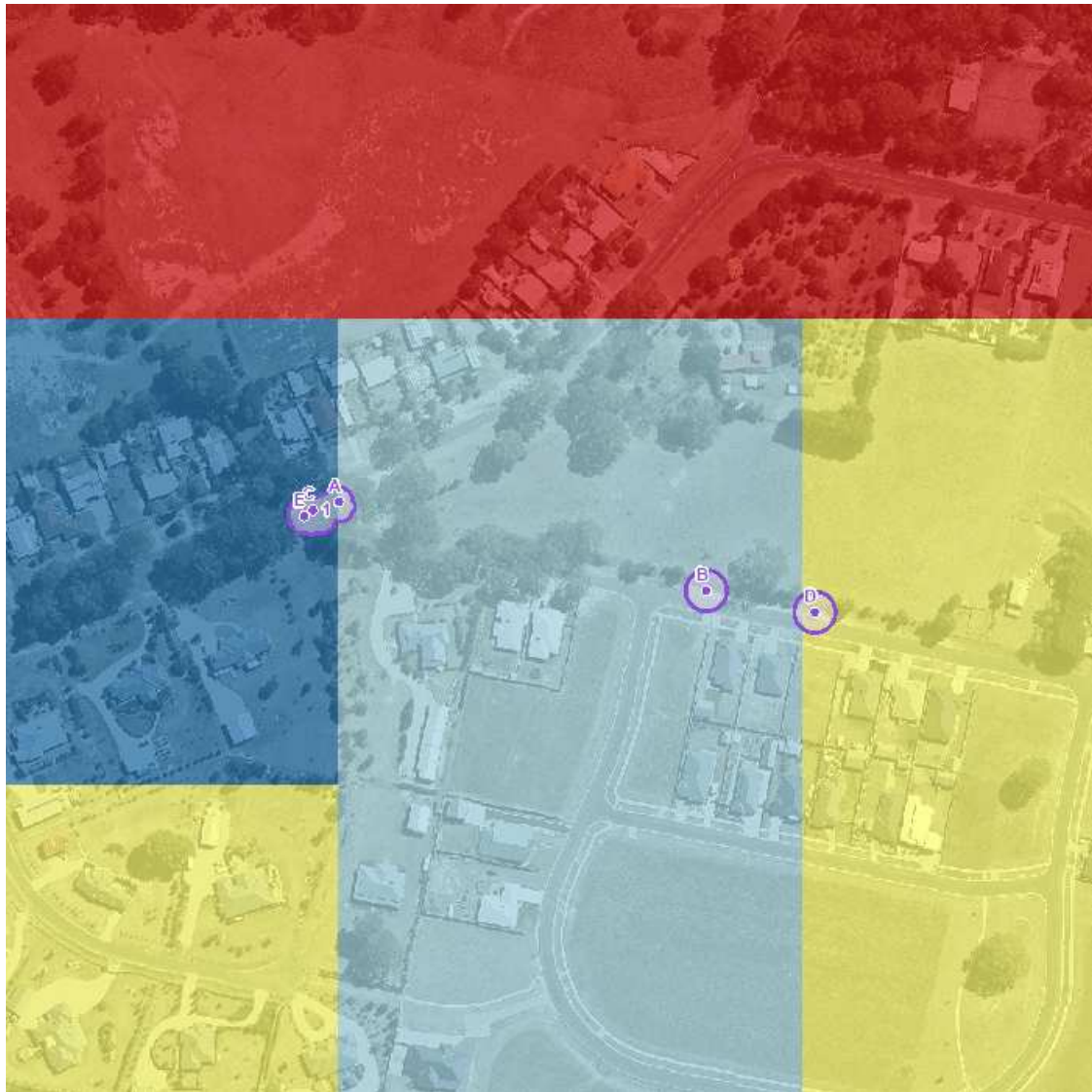
Location 2

Location 3

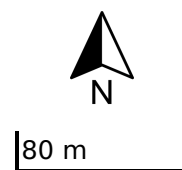
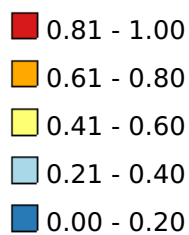


80 m

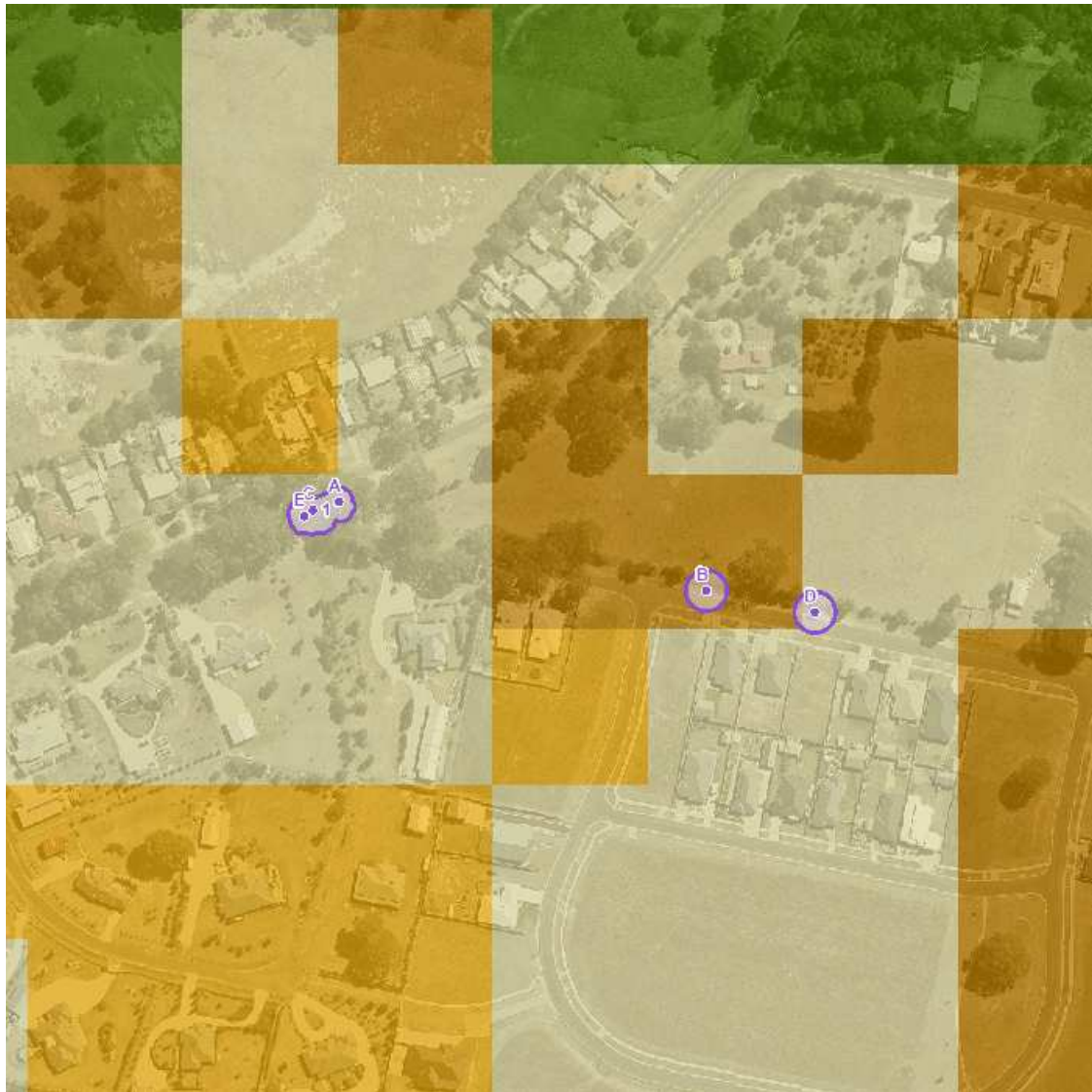
4. Strategic Biodiversity Value Score Map



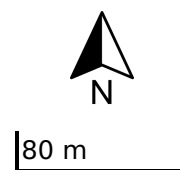
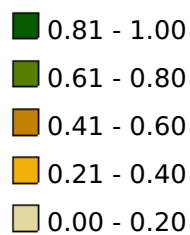
Proposed Removal



5. Condition Score Map





Proposed Removal



6. Endangered EVCs



 Proposed Removal

 Endangered 1750 Ecological Vegetation Classes



80 m

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Contact: Nirveen Kaur
Our Reference: 340/2019/P
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Email: feedback@egipps.vic.gov.au

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Bairnsdale Victoria 3875

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National Relay Service: 133 677

Residents' Info Line: 1300 555 886

Facsimile: (03) 5153 9576

Email: feedback@egipps.vic.gov.au

ABN 81 957 967 765

16 June 2022

Crowther & Sadler Pty Ltd
PO Box 722
BAIRNSDALE VIC 3875

Dear Sir or Madam,

Planning Application Number: 340/2019/P

Proposal: Multi lot subdivision, presumed loss of native vegetation and creation of a carriageway easement

**Location: 17 Forge Creek Road EAGLE POINT
Lot 5 PS 307157**

As you are aware, your application for a planning permit was subject to a review before the Victorian Civil and Administrative Tribunal.

The Tribunal has struck out the application for review, having found the application to be misconceived. The permit is therefore granted as if the application for review was not made

Please note that this permit is not a building permit, and if the proposal involves the construction or alteration of a building, you may need to obtain a separate building permit.

Yours sincerely



ROBERT PRINGLE
Statutory Planning Coordinator

PLANNING PERMIT

Permit No: **340/2019/P**
 Planning Scheme: **East Gippsland**
 Responsible Authority: **East Gippsland Shire**

ADDRESS OF THE LAND

17 Forge Creek Road EAGLE POINT
 Lot 5 PS 307157

BN: 872 2

THE PERMIT ALLOWS

Multi lot subdivision, presumed loss of native vegetation and creation of a carriageway easement in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application/other specified plans but modified to show:
 - a) An amended Vegetation Removal, Management and tree protection plan, drawn to scale with dimensions and geo references (such as VicGrid94 co-ordinates), that clearly shows:
 - i. the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land.
 - ii. the location and area of all native vegetation present, including scattered trees, that are permitted to be removed under this permit.
 - iii. all areas of native vegetation to be retained and protected within the land and road reserves.
 - iv. the location and dimensions of vehicle accessways to provide access from existing roads to the new allotments.
 - v. details of how native vegetation to be retained within adjoining road reserves will be protected from any adverse impacts during the construction of driveway crossovers to the new allotments, which must include tree and vegetation protection zones for native trees to be retained. Tree protection zones must accord with AS 4970-2009 Protection of Trees on Development Sites.

Date Issued: **16 June 2022**

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**Signature for the
Responsible Authority**

2. Before the issue of a Statement of Compliance, the owner of the land must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning & Environment Act 1987, which will provide that:
- Vegetation is to be protected in accordance with the endorsed tree protection plan for Lots 11, 16, 19 and 20.
 - Buildings and works and construction of structures must not be undertaken outside of the specified building envelopes without the written consent of the Responsible Authority:
 - Any works undertaken on Lots 11, 16, 19 and 20 must be only undertaken in accordance with an approved tree protection plan.
 - Except for those trees shown on the Vegetation Removal plan as to be removed, no tree or native vegetation may be removed, destroyed or lopped without the written consent of the Responsible Authority.
 - Any dwelling on each lot must include a rainwater tank having a minimum storage capacity of 6,000 litres; and
 - The rainwater tank must collect rainwater runoff from the roof of the dwelling; and
 - The rainwater tank must be used as the primary water source for flushing of toilets, laundry services and also include an external tap for garden irrigation.

This agreement must be prepared by the owner. The cost of the preparation, review and recording on the title of the agreement in accordance with Section 181 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority must be borne by the owner of the land.

3. The plan of subdivision submitted for certification must be generally consistent with endorsed plans and must not otherwise be altered without the prior written consent of the Responsible Authority.
4. The owner of the land must enter into an agreement with:
- A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

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Signature for the
Responsible Authority

5. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
6. All new services to the subdivision must be placed underground in shared trenching. Design for the installation of services must meet the requirements of the relevant authorities and must be approved by those authorities to the satisfaction of the responsible authority.
7. Before the Issue of a Statement of Compliance any portion of Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development must be repaired/reinstated to the satisfaction of the Responsible Authority.
8. Before the Issue of Statement of Compliance each lot as shown on the endorsed plans must be drained to the satisfaction of the Responsible Authority.
9. Before any works associated with the subdivision start, detailed drainage management plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in accordance with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:
 - a) Drainage infrastructure (where required and as appropriate to the site), including kerb and channel and underground piping/drains and pits.
 - b) Any modification to the terrain, such as filling and excavation.
 - c) Easements and legal points of discharge.
 - d) Methods of on-site detention, including the provision of sediment traps, wetlands, detention basins and gross pollutant traps.
 - e) PS Clause 53.18
Documentation detailing stormwater treatment methods, including the provision of 6,000litre Rainwater tanks for each lot, rain gardens etc.

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Responsible Authority

demonstrating compliance to Clause 53.18 of the East Gippsland Planning Scheme.

- f) Music Modelling to confirm compliance with Clause 53.18 of the Planning Scheme.

The works must be subject to a twelve-month defects liability period.

All earthworks associated with the construction of the drainage must be stabilised to protect against erosion and failure, and must not encroach onto other properties.

All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

10. Before the commencement of any works associated with the subdivision starts, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:

- Location of any temporary construction works office and machinery storage area;
- The construction works access way;
- Details of construction days and hours;
- Vehicle and machinery exclusion zones;
- Location and management requirements of stockpiled soil;
- Measures and techniques to protect drainage lines and watercourses from sediment runoff from disturbed or under construction areas;
- Measures and methods to be employed to protect sites of conservation importance, native vegetation and areas of archaeological significance;
- Measures and techniques to manage dust control;
- A note that Dewatering of any sedimentation/retention basin or dam during construction is prohibited without the prior approval of the Responsible Authority;
- The location of a machinery and vehicle wash down area and requirements for the ongoing use of the of the machinery and vehicle wash down area by contractors;
- Location and management of litter storage areas, construction waste areas and chemical storage areas; and
- Methods of ensuring all contractors are informed of the requirements of the construction management plan and persons responsible for ensuring the construction management plan is adhered to.

All construction works and requirements of the construction management plan must be undertaken and completed in accordance with the endorsed construction management plan to the satisfaction of the Responsible Authority.

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Responsible Authority

11. Before the commencement of works, a road construction plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must show:
- a) Fully sealed pavement for all new roads, with a minimum width of 7.3m metres, with kerb and channel on each side of the road.
 - b) A sealed carriageway easement driveway of minimum width 3.5m to Lots 12 and 13, with a swale drain on either side.
 - c) Fully sealed pavement with a turning area with a minimum radius of ten metres effective pavement on internal road.
 - d) Verge areas with a width sufficient for the construction of drainage infrastructure and for pedestrian access.
 - e) Concrete footpaths a minimum of 1.5 metres wide on both sides of the internal road.
 - f) Vehicular crossings as shown on the endorsed proposed plan of subdivision.
 - g) Intersection upgrade for Forge Creek Road and Woodman Road generally consistent with the Proposed Intersection Realignment Plan (Crossco, 15 October 2021).
 - h) Street lighting (using LED technology) in accordance with AS1158.
 - i) Statutory signage and traffic control devices and line marking as/if required.

The documentation for the road works must include provision for maintenance and repair of damage to any existing road and drainage infrastructure.

The works must be subject to a twelve month defects liability period.

12. Before the issue of statement of compliance all works and requirements of the road construction plan must be undertaken and completed to the satisfaction of the Responsible Authority.
13. No roadside vegetation is to be removed, lopped or cleared until a separate planning permit has been issued by the Responsible Authority.
14. No vegetation other than approved via Vegetation Management Plan is to be removed, lopped or cleared until a separate planning permit has been issued by the Responsible Authority.

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**Signature for the
Responsible Authority**

Native vegetation permitted to be removed, destroyed or lopped

15. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.268 hectares of native vegetation, which is comprised of:
- i. 0.098 hectares of patch native vegetation including 1 large tree with a strategic biodiversity value of 0.220
 - ii. 1 small tree.

Native vegetation offsets

16. To offset the removal of 0.268 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017):
- a) A general offset of 0.122 general habitat units:
 - i) located within the East Gippsland Catchment Management boundary or East Gippsland municipal area
 - ii) with a minimum strategic biodiversity value of at least 0.176.

The offset(s) secured must also protect 1 large tree.

Before the issue of a Statement of Compliance, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:

- b) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
 - c) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
17. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning Gippsland regional office via Gippsland.Planning@delwp.vic.gov.au
18. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

Time Limit condition

19. This permit will expire if any of the following circumstances applies:

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- The plan of subdivision is not certified within two years.
- A Statement of Compliance is not issued within five years of the date of the plan of subdivision being certified.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Country Fire Authority Conditions

20. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:
- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the East Gippsland Shire Planning Scheme.
 - Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
 - State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Bushfire Management Plan endorsed

21. The Bushfire Management Plan (prepared by Crowther & Sadler, Plan Ref: 18469-BMP, dated 20 October'21) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority. When endorsed the plan must be included as an annexure to the section 173 agreement prepared to give effect to Clause 44.06-5 of the East Gippsland Planning Scheme.

Hydrants

22. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
- Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
 - The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

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Roads

23. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
 - Curves must have a minimum inner radius of 10 metres.
 - Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Maintenance of defensible space

24. Before the Statement of Compliance is issued under the Subdivision Act 1988, defensible space on every lot in the subdivision must be implemented and maintained as specified on the endorsed Bushfire Management Plan, unless otherwise agreed in writing by the CFA and the Responsible Authority.

East Gippsland Water Conditions

25. Water and sewer reticulation infrastructure (including sewer connection points) must be extended to service each Lot to East Gippsland Water's requirements, at the cost of the Applicant/Developer. Subject to East Gippsland Water's requirements being met, relevant infrastructure will then become Gifted Assets (refer Notes). Each Lot is to be separately serviced by the water and sewer reticulation system and able to be separately metered (water) as appropriate to the satisfaction of East Gippsland Water.
26. For any Lot area that is not able to be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are required to be listed as restrictions on title to the satisfaction of East Gippsland Water.
27. Current water meter 07W100823 to remain within the boundaries of the relevant proposed Lot.
28. Arrangements for the design, construction, commissioning and acceptance of all Gifted Assets required by East Gippsland Water to extend water and/or sewerage services to each Lot require written approval by East Gippsland Water.
29. Provide easements on the plan of subdivision over newly created or existing infrastructure, as required by East Gippsland Water.

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Responsible Authority

30. Payment of applicable Development Planning Charges by the Applicant/Developer to East Gippsland Water (refer Notes)

AusNet Services conditions

31. The applicant must enter in an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
32. The applicant must enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
33. The applicant must enter into an agreement with AusNet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AusNet Electricity Services Pty Ltd.
34. The applicant must provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of "AusNet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
35. The applicant must obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.
36. The applicant must adjust the position of any existing AusNet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.
37. The applicant must set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for electric substations.
38. The applicant must provide survey plans for any electric substations required by AusNet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AusNet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
39. The applicant must provide to AusNet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.

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Responsible Authority**

40. The applicant must agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty Ltd.
41. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
42. The applicant must ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.
43. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
 - a) vehicular or pedestrian access
 - b) trenching or soil excavation
 - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
 - d) entry and exit pits for the provision of underground services
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.

APA Group conditions

44. Easements in favor of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.
45. The plan of subdivision submitted for certification must be referred to APT O&M Services Pty Ltd, in accordance with Section 8 of the Subdivision Act 1988.

Notes

1. Before undertaking works within a Council road reserve, a non-utility – minor works consent of works within road reserve application must be lodged with the Roads and Traffic unit of Council and approved. Refer to the Infrastructure Design Manual (IDM) for crossover designs.
2. **AusNet Services Notes**
 - a) It is recommended that, at an early date the applicant commences negotiations with AusNet Electricity Services Pty Ltd for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).

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Signature for the
Responsible Authority

- b) Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.
- c) Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

3. East Gippsland Water Notes

- a) Subject to its written acceptance of the Gifted Assets, East Gippsland Water will become responsible for ownership and the ongoing maintenance and operation of the assets in perpetuity.
- b) Development Planning Charges apply where East Gippsland Water are involved in the developer's works (actual charge is based on the final cost of the works). Contact East Gippsland Water for further information on these fees.
- c) If water services are required for proposed Lots 12 and 13, future connections/meters must be located within the relevant boundaries along the Woodman Road boundary.
- d) Any additional infrastructure required to adequately service the development would need to be provided by the Developer at the Developer's cost. The type and extent of additional infrastructure, if needed, is subject to detailed engineering design and approval by East Gippsland Water.

4. Country Fire Authority Note

Hydrant conditions apply to lots 12 & 13 as well.

The Tribunal has struck out the application for review, having found the application to be misconceived. The permit is therefore granted as if the application for review was not made.

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Signature for the
Responsible Authority

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

WHEN DOES A PERMIT BEGIN?

A permit operates:

From the date specified in the permit, or

If no date is specified, from:

- The date of the decision of the Tribunal, if the permit was issued at the direction of the Tribunal, or
- The day on which it is issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

A permit for the development of land expires if:

- The development or any stage of it does not start within the time specified in the permit, or
- the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision, or
- the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.

A permit for the use of land expires if:

- The use does not start within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit, or
- The use is discontinued for a period of two years.

A permit for the development and use of the land expires if:

- The development or any stage of it does not start within the time specified in the permit, or
- The development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
- The use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
- The use is discontinued for a period of two years.

If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2), of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains, a different provision:

- The use or development of any stage is to be taken to have started when the plan is certified; and
- The permit expires if the plan is not certified within two years of the issue of the permit.

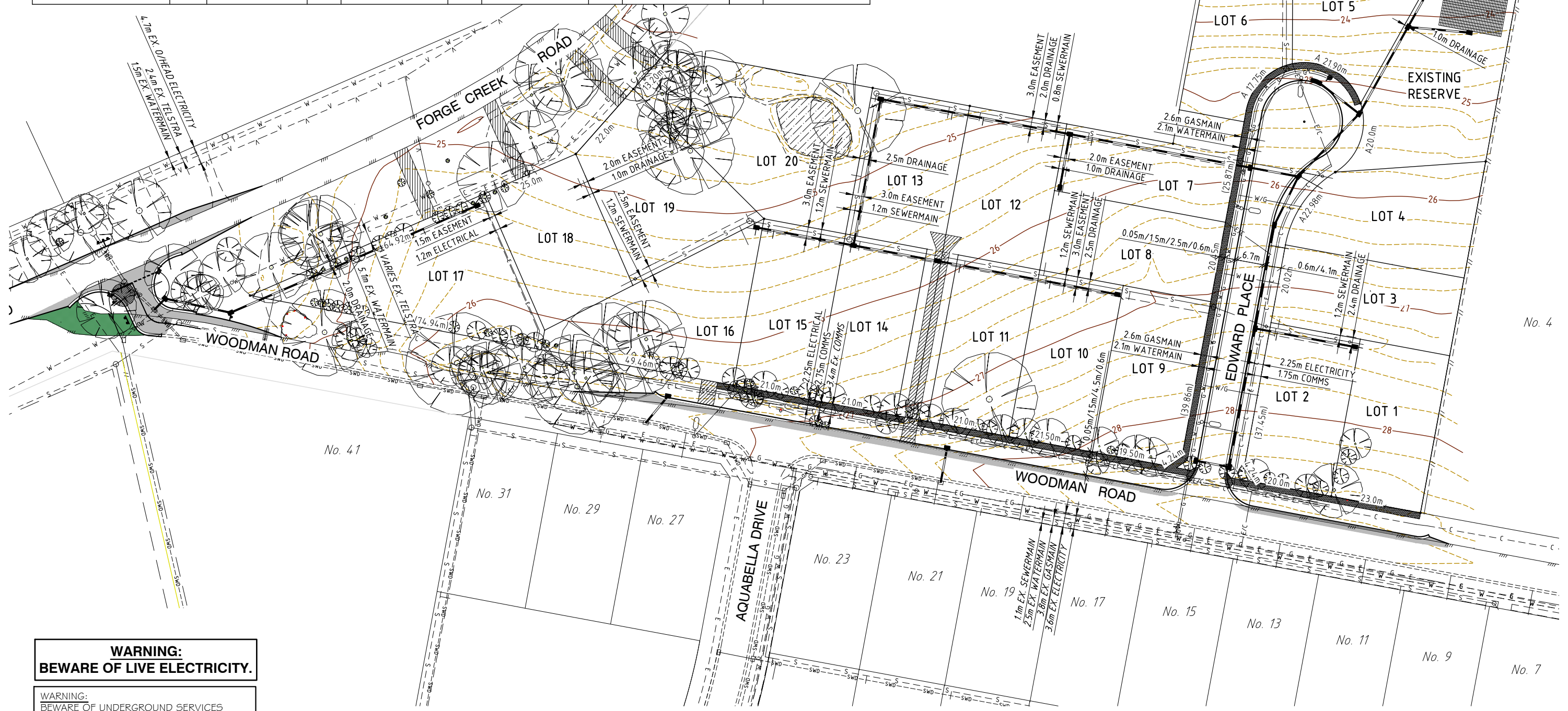
The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

- The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in such case, no right of appeal exists.
- An appeal must be lodged within 60 days after the permit was issued, unless a Notice of Decision to Grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- An appeal is lodged with the Victorian Civil and Administrative Tribunal.
- An appeal must be made on a Notice of Appeal form and lodged with the Victorian Civil and Administrative Tribunal, and be accompanied by the prescribed fee. An appeal must state the grounds on which it is based.
- An appeal must also be served on the responsible authority.
- Details about appeals, notice of appeal forms and the fees payable can be obtained from the Planning & Environment List at the Victorian Civil and Administrative Tribunal.

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SERVICE OFFSET TABLE										
SERVICES	SEWERMAIN		ELECTRICITY		COMMUNICATIONS		WATERMAIN		GASMAIN	
LOCATION	OFFSET	LOCATION	OFFSET	LOCATION	OFFSET	LOCATION	OFFSET	LOCATION	OFFSET	LOCATION
WOODMAN ROAD (EXISTING SERVICES)	1.1m	SOUTH IN R. RESERVE	3.6m	SOUTH IN R. RESERVE	3.4m	NORTH IN R. RESERVE	2.3m	SOUTH IN R. RESERVE	2.6m	SOUTH IN R. RESERVE
WOODMAN ROAD	-	-	2.25m	NORTH IN R. RESERVE	2.75m	NORTH IN R. RESERVE	-	-	-	-
FORGE CREEK ROAD (EXISTING SERVICES)	-	-	4.7m	NORTH IN R. RESERVE	2.4m 2.3m 3.5m	NORTH IN R. RESERVE SOUTH IN R. RESERVE SOUTH IN R. RESERVE	1.5m 4.6m	NORTH IN R. RESERVE SOUTH IN R. RESERVE	-	-
EDWARD PLACE	1.2m 1.2m	NORTH IN PROPERTY WEST IN R. RESERVE	2.25m	EAST IN R. RESERVE	1.75m	EAST IN R. RESERVE	2.1m	WEST IN R. RESERVE	2.6m	WEST IN R. RESERVE



WARNING:
BEWARE OF LIVE ELECTRICITY.

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

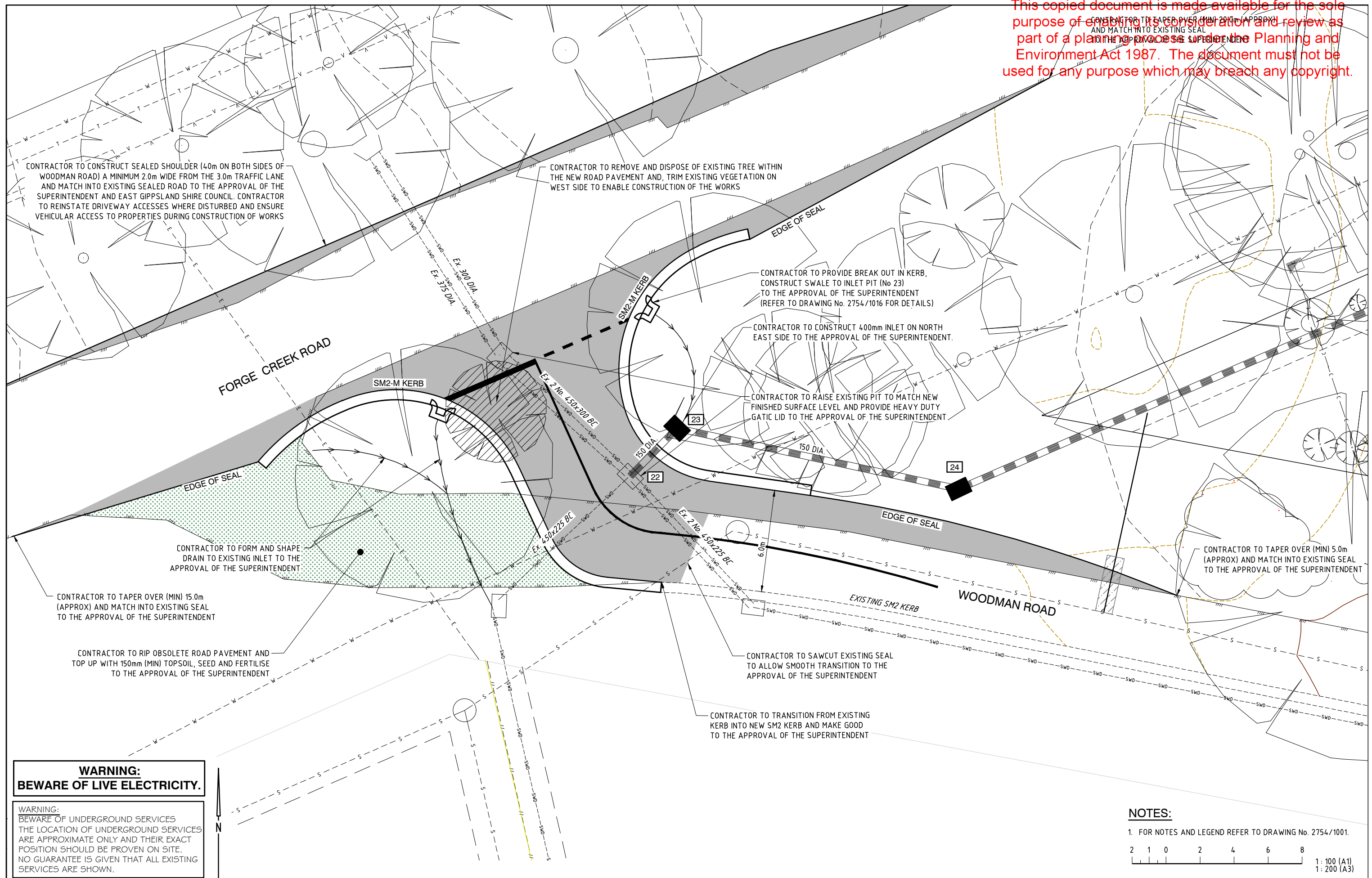
NOTES:

1. FOR NOTES AND LEGEND REFER TO DRAWING No. 2754/1001.

10 5 0 10 20 30 40 1: 500 AT A1
1: 1000 AT A3

B M.S. 31-08-2023 ORIGINAL ISSUE Rv. APPR. DATE REVISIONS		Crossco Consulting Pty Ltd All Rights Reserved 2023. Copyright in the whole and every part of this drawing belongs to Crossco Consulting Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Crossco Consulting Pty Ltd. This document is produced by Crossco Consulting Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Crossco Consulting Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.		Crossco Consulting Pty Ltd ABN: 88 135 548 110 154 Macleod St P.O. Box 858 Bairnsdale Vic 3875 Tel: (03) 51526298 Fax: (03) 51527222 Email: consult@crossco.com.au				DESIGNED: A.G. DRAWN: A.M.M. CHECKED: S.G. APPROVED: M.S. SCALE: 1:500		DATUM: HEIGHT: AHD HORIZONTAL: ARBITRARY SURVEY REF: - PLAN No: PS910688H		WOODMAN PARK PTY LTD. EAST GIPPSLAND SHIRE COUNCIL 17 FORGE CREEK ROAD, EAGLE POINT 20 LOT SUBDIVISION SERVICES PLAN		DATE: AUGUST 2023 SHEET 3 OF 19 PRINTED: 21/11/2023 Page 46 of 50	
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CONTRACTOR TO REMOVE AND DISPOSE OF EXISTING TREE WITHIN THE NEW ROAD PAVEMENT AND, TRIM EXISTING VEGETATION ON WEST SIDE TO ENABLE CONSTRUCTION OF THE WORKS

CONTRACTOR TO PROVIDE BREAK OUT IN KERB,
CONSTRUCT SWALE TO INLET PIT (No 23)
TO THE APPROVAL OF THE SUPERINTENDENT
(REFER TO DRAWING No. 2754/1016 FOR DETAILS)

CONTRACTOR TO CONSTRUCT 400mm INLET ON NORTH EAST SIDE TO THE APPROVAL OF THE SUPERINTENDENT.

CONTRACTOR TO RAISE EXISTING PIT TO MATCH NEW
FINISHED SURFACE LEVEL AND PROVIDE HEAVY DUTY
GATIC LID TO THE APPROVAL OF THE SUPERINTENDENT

- CONTRACTOR TO TAPER OVER (MIN) 5.0m
(APPROX) AND MATCH INTO EXISTING SEAL
TO THE APPROVAL OF THE SUPERINTENDENT

— CONTRACTOR TO SAWCUT EXISTING SEAL
TO ALLOW SMOOTH TRANSITION TO THE
APPROVAL OF THE SUPERINTENDENT

— CONTRACTOR TO TRANSITION FROM EXISTING
KERB INTO NEW SM2 KERB AND MAKE GOOD
TO THE APPROVAL OF THE SUPERINTENDENT

CONTRACTOR TO FORM AND SHAPE
DRAIN TO EXISTING INLET TO THE
APPROVAL OF THE SUPERINTENDENT

- CONTRACTOR TO TAPER OVER (MIN) 15.0m
(APPROX) AND MATCH INTO EXISTING SEAL
TO THE APPROVAL OF THE SUPERINTENDENT

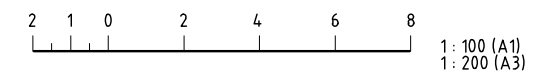
CONTRACTOR TO RIP OBSOLETE ROAD PAVEMENT AND
TOP UP WITH 150mm (MIN) TOPSOIL, SEED AND FERTILISE
TO THE APPROVAL OF THE SUPERINTENDENT

WARNING:
BEWARE OF LIVE ELECTRICITY.

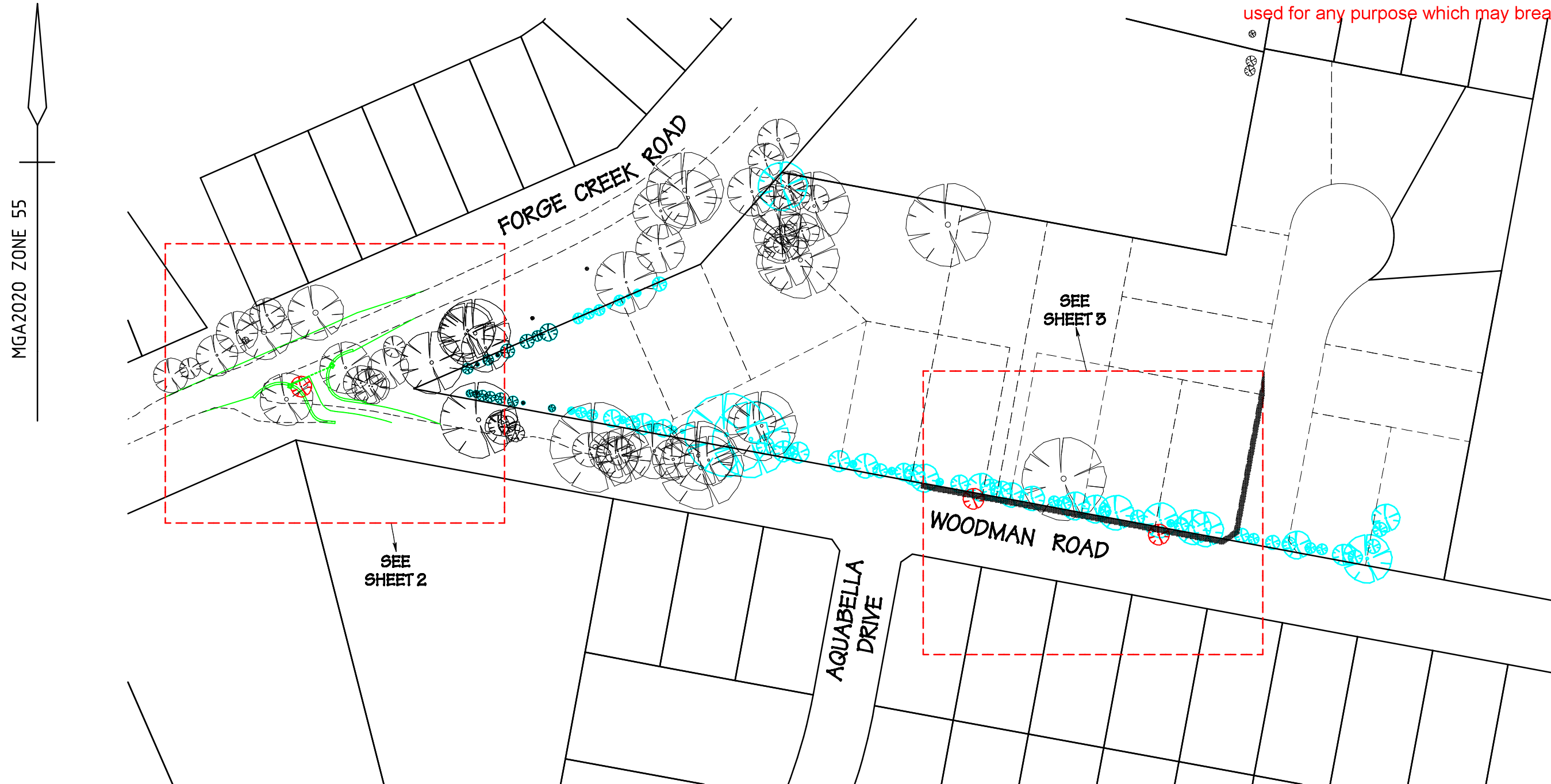
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NOTES:

1. FOR NOTES AND LEGEND REFER TO DRAWING No. 2754/1001.



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SHEET 1 OF 3

<p>WOODMAN PARK PTY LTD</p> <p>WOODMAN ROAD & FORGE CREEK ROAD, EAGLE POINT</p>	NOTATIONS		PLAN OF VEGETATION REMOVAL	
<p>Crowther & Sadler Pty. Ltd.</p> <p>LICENSED SURVEYORS & TOWN PLANNERS</p> <p>152 MACLEOD STREET, BAIRNSDALE, VIC., 3875</p> <p>P. (03) 5152 5011 E. contact@crowthersadler.com.au</p>	SCALE (SHEET SIZE A3)	SURVEYORS REF.		
<p>FILENAME: Y:\20000-20999\20600- 20699\20636 Woodman Park Pty Ltd\20636 Veg Removal V2.pro</p>	1 : 400	<p>20636</p> <p>VERSION 2 - DRAWN 24/10/2023</p>		

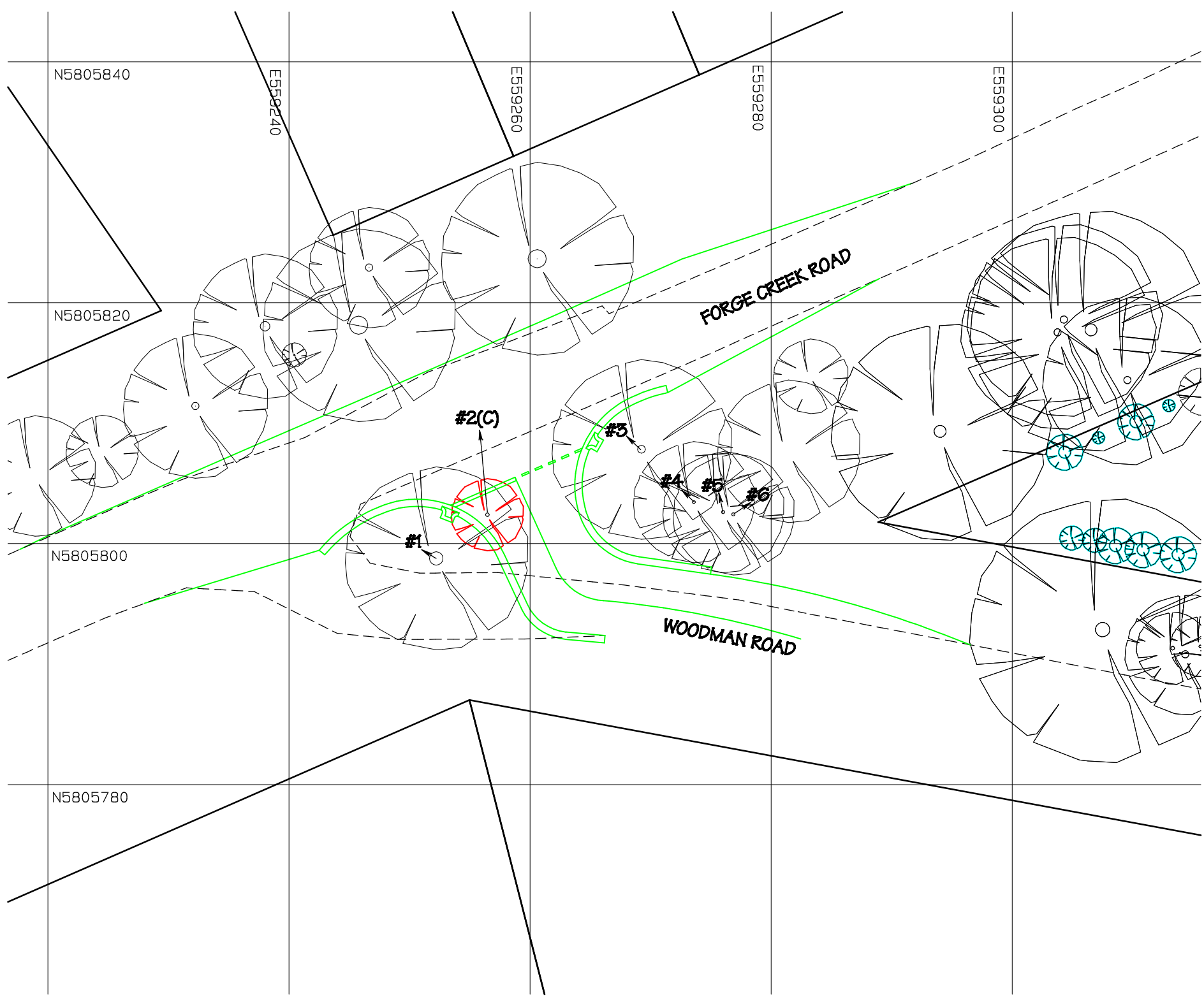
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PLAN OF VEGETATION REMOVAL

SHEET 2 OF 3

-  - DENOTES TREE TO BE RETAINED
-  - DENOTES TREE TO BE REMOVED
-  - DENOTES PLANTED VEGETATION

MGA2020 ZONE 55






<div>WOODMAN PARK PTY LTD</div> <div>WOODMAN ROAD & FORGE CREEK ROAD, EAGLE POINT</div> <div>Crowther & Sadler Pty. Ltd.</div> <div>LICENSED SURVEYORS & TOWN PLANNERS</div> <div>152 MACLEOD STREET, BAIRNSDALE, VIC., 3875</div> <div>P. (03) 5152 5011 E. contact@crowthersadler.com.au</div> <div>FILENAME: Y:\20000-20999\20600- 20699\20636 Woodman Park Pty Ltd\20636 Veg Removal V2.pro</div>	NOTATIONS	
	SCALE (SHEET SIZE A3)	SURVEYORS REF.
	1 : 400	20636 VERSION 2 - DRAWN 24/10/2023

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PLAN OF VEGETATION REMOVAL

SHEET 3 OF 3

-  - DENOTES TREE TO BE RETAINED
-  - DENOTES TREE TO BE REMOVED
-  - DENOTES PLANTED VEGETATION

MGA2020 ZONE 55



<div>WOODMAN PARK PTY LTD</div> <div>WOODMAN ROAD & FORGE CREEK ROAD, EAGLE POINT</div> <div>Crowther & Sadler Pty. Ltd.</div> <div>LICENSED SURVEYORS & TOWN PLANNERS</div> <div>152 MACLEOD STREET, BAIRNSDALE, VIC., 3875</div> <div>P. (03) 5152 5011 E. contact@crowthersadler.com.au</div> <div>FILENAME: Y:\20000-20999\20600- 20699\20636 Woodman Park Pty Ltd\20636 Veg Removal V2.pro</div>	NOTATIONS	
	SCALE (SHEET SIZE A3)	SURVEYORS REF.
	1 : 400	20636 VERSION 2 - DRAWN 24/10/2023