27 April 2023

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NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	121 Princes Highway LAKES ENTRANCE Lot G PS 328995
The application is for a permit to:	Multi-lot subdivision, buildings and works (roadworks), removal of native vegetation and creation of access to a road in a Transport Zone 2
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	578/2021/P
You may look at the application and any documents that support the application on the website of the responsible authority.	(Intentionally blank)

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 sent 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:

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

Please note submissions received will be made available for inspection and may be made available to other parties in accordance with the Planning & Environment Act 1987. If you have concerns about this, please contact the East Gippsland Shire Council's Planning Office.





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LAND DESCRIPTION

Lot G on Plan of Subdivision 328995T. PARENT TITLE Volume 10086 Folio 305 Created by instrument PS328995T 05/08/1994

REGISTERED PROPRIETOR

Estate Fee Simple Sole Proprietor

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS328995T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AU904245J (E)	WITHDRAWAL OF CAVEAT	Registered	12/10/2021
AU904246G (E)	TRANSFER	Registered	12/10/2021
AU904247E (E)	MORTGAGE	Registered	12/10/2021

------ SEARCH STATEMENT-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

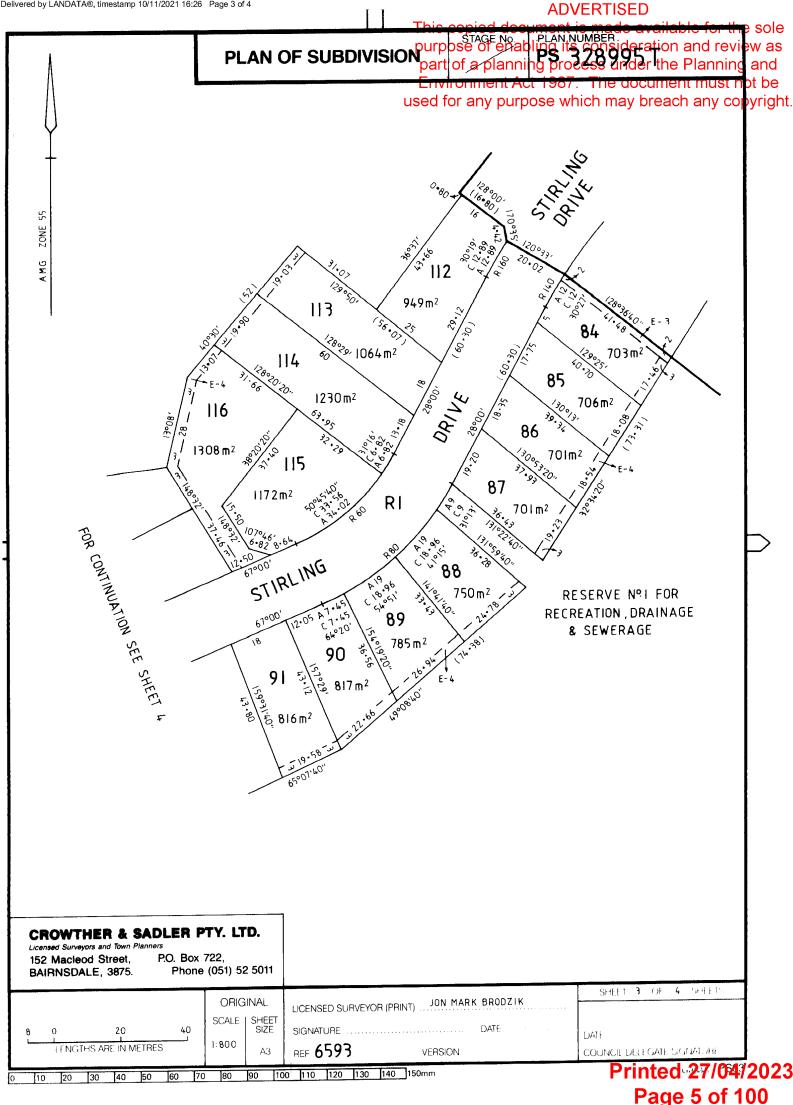
Street Address: 121 PRINCES HIGHWAY LAKES ENTRANCE VIC 3909

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

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LICENSED SURVEYORS & TOWN PLANNERS

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PO Box 722, Bairnsdale, VIC 3875

> P: 5152 5011 F: 5152 5705

E: contact@crowthersadler.com.au

Planning Report

Multi- Lot Subdivision, Earthworks, Removal of Native Vegetation and Creation of access to a Road Zone Category 1

121 Princes Highway, Lakes Entrance

Reference - 19395

November 2021





East Gippsland Shire Council

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Copy of Title (Lot G on PS328995T)

Plan of Vegetation Removal (Version 1)

NVIM Report (dated 21 October 2021)

Vegetation Link Quote (dated 21 October 2021)

Social Impact Comment Contained in Planning Report

Servicing & Access Strategy – Crossco Consulting

Drainage Plan - Crossco Consulting

Geotechnical Risk Assessment - Chris O'Brien & Associates

Note: Applicable Planning Application fee is \$2,908.30

1. Introduction

This planning report is prepared in support of proposed multi-lot subdivision, earthworks, removal of native vegetation and Create Access to a Road Zone Category 1 at 121 Princes Highway, Lakes Entrance. The report addresses the provisions of the General Residential Zone, Erosion Management Overlay and Design and Development Overlay as contained within the East Gippsland Planning Scheme.



Aerial image of the subject land and immediate surrounds (Source: Google Earth)



Aerial image of the subject land and wider precinct (Source: Google Earth)

2. Subject Land & Surrounding Context

Commonly known as 121 Princes Highway, Lakes Entrance the subject land is approximately 3.677 hectares. The subject land has frontage to Princes Highway in the south, and an unmade Government Road to the south-west.



Looking east along frontage to Princes Highway

The property is an undulating parcel of land falling from the eastern and southern boundaries to the west.



Looking north-east along western boundary

Currently undeveloped the land incorporates native vegetation along the western part of the subject land, northern parts of the property and lesser amounts in the eastern and central areas of the subject land.



Looking west across subject land from Princes Highway frontage

An existing sewerage easement encumbers the land in the central-eastern area of the property. Access to the land is obtained from the Princes Highway.



Existing access from Princes Highway

East of the subject land is a caravan park that obtains access from the Princes Highway and residential properties that obtain access from Mist Street. The residential properties range in styles reflecting their development over a number of decades.

North-east is the intersection of Mist Street and Foam Street is a residential precinct of Lakes Entrance. North of the subject land is a Council drainage reserve that is vegetated.



Looking north towards existing Council drainage reserve

West of the property is the continuation of the Council drainage reserve that is vegetated. Further west is the residential precinct of the Merrangbaur Heights Estate.

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Looking west towards established residential properties in the Merrangbaur Heights Estate



Looking south-west across subject land with established residential properties to the west and distant water views further south

South-west is the Council drainage reserve and an unused and unmade Government Road. A pedestrian walking path from the Merrangbaur Heights Estate into the drainage reserve and continuing south-west along the Princes Highway is developed.

South of the subject land is Merrangbaur Hill where a range of lots containing dwellings has been developed above the ridgeline.



Existing residential properties to the south of Princes Highway viewed from subject land

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The property is an infill development opportunity within the Lakes Entrance township. Lakes Entrance is a well-developed coastal town with all the necessary educational facilities, recreational opportunities, community services, employment nodes and retail and entertainment facilities.



Looking south across subject land from north-eastern corner



Three mapped waterways shown on the subject site (Source: VicPlan)

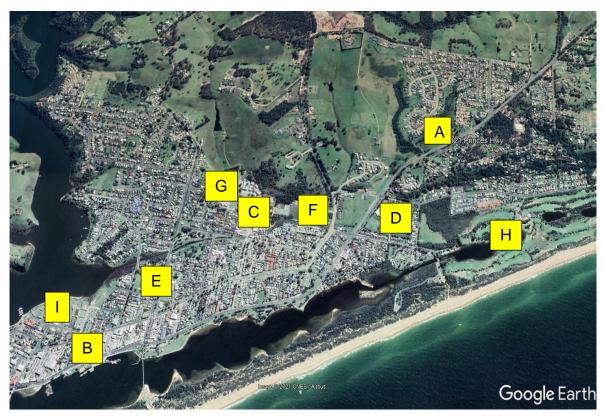
There are three waterways that are mapped on the subject land. When reviewed on site these mapped waterways are not considered waterways.

The southern mapped waterway does not exist on the property, and it is clear from site inspections, contour mapping and aerial images that the waterway is located within the Government Road

The northern most waterway is the result of a stormwater outfall from the caravan park and the central mapped waterway is a result of sewer works rather than a natural waterway.

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Design Response



A - Subject Land

B – Lakes Entrance Activity Centre

C – Lakes Entrance Industrial Area

D – Primary School

E – Primary School

F - Lakes Entrance Aquadome

G – Lakes Entrance Secondary College

H – Lakes Entrance Golf Club

I - Lakes Entrance Football Ground

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3. The Application & Proposal

It is proposed to undertake a multi-lot subdivision of the subject land, undertake earthworks and remove native vegetation.

It is proposed to create 25 lots ranging in lot size to ensure a diversity of lots and to respect the landform of the subject land. The smallest lot to be created is 585 square metres and the largest 2774 square metres.

A new road is proposed from the Princes Highway to service the subdivision and will provide access to lots 5-20. A common property accessway from the new road is proposed to service lots 1-4 to be created in the south-west of the subject land. To the north of the subject land a common property accessway from the new road will service northern lots 21-25.

The proposed road access location will provide convenient access to the subject land. An existing right turn lane is provided to the property at the access point. It is proposed to upgrade the Princes Highway by providing a left-turn lane to the access point.

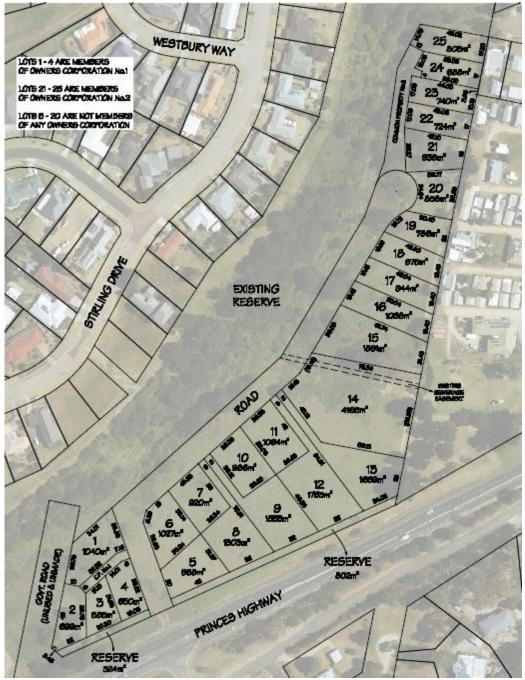
It is proposed to create a reserve along the Princes Highway to avoid direct access from being created by future lot owners to the Princes Highway, respect the landform and protect existing native vegetation.

Due to the topography of the property the drainage scheme will utilise the western drainage reserve that is currently operating efficiently with vegetation helping to remove nutrients and sediment.

The drainage scheme will ensure that pre-development discharge from the subject land will be achieved via detention tanks on each lot that will be plumbed into toilets and laundry facilities. Rainwater gardens will be developed on each lot to ensure water quality treatment occurs prior to release into the drainage system.

Rainwater gardens will be developed along the western edge of the proposed new road to ensure appropriate water quality is achieved prior to being released into the western drainage reserve.

Native vegetation removal is unavoidable and in any event is considered presumed lost. It will be necessary to offset the native vegetation this includes scattered trees from within lots 15, 16, 23 & 25 and patches of vegetation from within lot 15 and within the Common Property.



Proposed subdivision plan of the subject land

East Gippsland Shire Council

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The subject application triggers approval at the following Clauses of the East Gippsland Planning Scheme:

- Clause 32.08-3 General Residential Zone for subdivision;
- Clause 43.02-3 Design and Development Overlay for subdivision;
- Clause 44.01-2 Erosion Management Overlay to carry out roadworks;
- Clause 44.01-3 Erosion Management Overlay for removal of vegetation;
- Clause 44.01-5 Erosion Management Overlay for subdivision;
- Clause 52.17 Native Vegetation for removal of native vegetation;
- Clause 52.29 Land Adjacent to a Road Zone, Category 1 to create access to a Road Zone Category 1; and
- Clause 52.29 Land Adjacent to a Road Zone, Category 1 for subdivision.

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.

The subject land is not mapped as being culturally sensitive. Therefore, there is no mandatory requirement to provide a CHMP in support of the proposal, despite the proposed subdivision representing a high impact activity.



Extract from Cultural Heritage Sensitivity mapping (Source: VicPlan)

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5. Planning Policy

The proposed subdivision responds positively to statements within Clause 11 relating to *Settlement* as it seeks to promote sustainable growth and development, delivering choice and opportunity for all Victorians through a network of settlements.

The subject land forms part of an established residential precinct within a defined settlement boundary, and will facilitate an improved land use outcome for a large, underutilised parcel of appropriately zoned and serviced land, responding sustainably to population growth forecasts.

The proposal supports strategies within Clause 11.03-4S relating to *Coastal Settlement* by providing appropriately sized lots within the defined town boundary. The proposal responds to a desire for a broad range of housing types and services, in addition to avoiding development along the coastal edge and rural landscapes. The proposal will achieve sustainable and attractive lot sizes within an established residential area.

Protection of Biodiversity at Clause 12.01S is maintained by the proposed subdivision. Unfortunately, the native vegetation on the subject land can not be avoided and is presumed lost. Offsets will need to be undertaken resulting from the loss of native vegetation to ensure no net loss in biodiversity.

The subdivision layout will maintain the natural drainage patterns, water quality and biodiversity adjacent to coastal estuaries through the use of best practice WSUD and provides the opportunity for any future development to be sensitively sited as sought under Clause 12.02-1S *Protection of Coastal Areas*.

Coastal inundation and erosion (Clause 13.01-2S) seeks to plan for and manage the potential coastal impacts of climate change. The land enjoys a sufficiently elevated position that will ensure any future coastal impacts will have little if any effect on the subject land.

Bushfire Planning (Clause 13.02-1S) is required to be considered in bushfire prone areas. The objective of the policy and strategies is to effectively give priority to the protection of human life. A bushfire hazard and identification assessment has been undertaken and is discussed later in this report.

Erosion and landslip risk (Clause 13.04-2S) is acknowledged by the subdivision layout and was designed having regard to the geotechnical risk assessment prepared for the subject land by Chris O'Brien and Associates.

The proposal provides opportunity for further development within an existing residential precinct, delivering a functional, accessible, safe and diverse environment, consistent with objectives relating to *Built Environment and Heritage* contained in Clause 15.

The proposed subdivision responds positively to strategies relating to *Subdivision Design* at Clause 15.01-3S, designed in a site responsive manner to address the topography of the land, and proposing larger lots for areas with more undulation, resulting in an attractive and accessible outcome.

This infill subdivision will further contribute to the availability of serviced residential land within the town boundary with convenient access to community infrastructure, schools and employment, consistent with objectives pertaining to Clause 16 relating to *Housing*. Additional supply of residential lots at a range of lot sizes will provide necessary housing supply and will assist with housing affordability.

Clause 19.03-2S *Infrastructure design and provision* is supported by the proposal. A key element of the design response to the subject land has been an integrated approach to planning and engineering design given the drainage need for the development. The design allows for the integration of infrastructure and services.

5.2 Local Planning Policy

Policy statements relating to Lakes Entrance outlined within *Strategies for Sub-Regions, Towns & Localities* (Clause 21.12) encourages the consolidation of development within the township boundary and to ensure development is in keeping with the character of the township. The proposed subdivision provides opportunity for residential development that responds appropriately to the character of the area, topography of the land and strategic vision for Lakes Entrance.

Lakes Entrance is identified at Clause 21.12 as having a range of commercial and community services, schools and recreational opportunities. Available infrastructure includes reticulated water, sewerage, gas and electricity with the town servicing permanent residents, significant levels of holiday home ownership, and tourist accommodation offerings. The proposed subdivision is wholly consistent with the Lakes Entrance Strategy Plan.

Given the subject Application seeks to create between twenty and sixty allotments, *Policy Guidelines for Residential Development* as detailed at Clause 21.08 require the provision of a Social Impact Comment in accordance with Council's *Social Impact Assessment Guidelines for Development Applications* (May 2013) ('SIA Guidelines').

We provide the following comments based on the discussion points provided at Attachment 4 of the SIA Guidelines:

- 2016 Census data for the Statistical Area of Lakes Entrance (which
 encompasses the localities of Kalimna and Lake Bunga) indicates an average
 of 2.1 persons per household. It is estimated the development of each of the
 proposed allotments would result in a population increase of 52.5 persons,
 being an increase of 0.86% on the 2016 Census data.
- The inclusion of 25 new dwellings represents a 0.77% increase in the number of dwellings for the statistical area. With each increase at less than 1%, neither factor is considered to be significant in a statistical sense.

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- The proposed subdivision will not result in any benefit or disadvantage, direct or indirect, to a particular population cohort or group in the community.
- The proposal will not create any increased employment opportunities, other than those generated as a consequence of construction activity.
- Median rent and mortgage repayments for the Lakes Entrance statistical area are substantially less than the State average (at 32% and 25% less respectively), which indicates the locality contributes to the provision of more affordable housing. The creation of additional allotments will deliver improvements consistent with the objectives promoted by *Homes for Victorians* (2017).
- The proposal is not considered to have a significant impact on current social, recreational or community infrastructure in the precinct, based on the benchmarks for quantitative analysis provided at Table 4 of the SIA Guidelines.
- The proposed development will expand the existing footpath network, which will in turn decrease the risk for pedestrians within the development. The proposal has been intentionally designed to provide opportunities for casual surveillance of the drainage reserve, which will have positive consequences regarding safety.

In summary, the proposed infill subdivision represents a sound social outcome.

6. Planning Elements

6.1 General Residential Zone

The proposed subdivision responds positively to the purpose of the General Residential Zone, as it will create vacant residential lots that will provide for housing growth respectful of the neighbourhood character in an appropriate location.



Extract from zone mapping with the subject land outlined in blue (Source: VicPlan)

The subject application does not require consideration of garden area, given each of the proposed lots exceed 400m² in area. All proposed lots are appropriately dimensioned and oriented to accommodate future residential development with appropriate solar access, with sufficient area to accommodate private open space, externally accessible storage and vehicle access/egress.

The proposed subdivision accords with the objectives and standards of Clause 56, with an analysis of the proposal's compliance summarised in the following table.

Objective	Design Response
56.01-1	Complies
Subdivision Site & Context Description	See attached Site Context Plan and above comments pertaining to the site and surrounds in Section 2 of this report.
	The site sits within an existing residential precinct and has the ability to be connected to a range of reticulated services.
	The site is well positioned to take advantage of the educational, recreational, social, employment and commercial opportunities contained in the Lakes Entrance township.

Objective	Design Response		
56.01-2	Complies		
Subdivision Design Response	The property is constrained by the topography of the land. As a response, lots on steeper parts of the land have been designed to be larger to accommodate future development for housing. To the north and south-west of the subject land is the more constrained parts of the property. To accommodate the reduced width of the land common property will be utilised to make the best use of this serviced residential land. In doing so this produces a diversity of lot sizes as sought by planning policy.		
	Proposed access to the subject land is logical, practical and allows the subdivision to make best use of the land.		
56.02-1	Complies		
Strategic Implementation Objective	Please refer to Section 5 of this Report for commentary on compliance with State and Local Policy.		
56.03-4	Complies		
Built Environment Objective	The subdivision will provide for a functional, safe and attractive living environment through the provision of a range of lot sizes connecting with the existing road network.		
56.04-1	Complies		
Lot Diversity & Distribution Objectives	The proposed lots range from 585m² in area to 2774m² in area, providing for diversity in size whilst being respectful of the existing lot pattern and surrounding development.		
	No average net residential density is specified for the subject land within any zone or overlay applicable to the subject land.		
56.04-2	Complies		
Lot Area & Building Envelopes Objective	Given the size of the proposed lots all being above 500m² in area, there is no requirement to nominate Building Envelopes as part of the proposal.		
	Each of the proposed lots can easily accommodate an indicative building rectangle measuring 10m x 15m. The lot dimensions cater for appropriate solar access and future provision of services, supporting the objectives of Standard C8.		
56.04-3	Complies		
Solar Orientation of Lots Objective	The proposed layout and orientation provide each lot the ability to achieve appropriate solar orientation. All proposed lots are generally larger in size ensuring solar access, and having regard for a variety of future built form outcomes.		

Objective	Design Response
56.04-4	Complies
Street Orientation Objective	Complying with Standard C10, the majority of lots have access to a road, the lots that front the arterial road will have dwellings constructed to front the road to take advantage of views, the road where possible will adjoin the drainage reserve and will result in dwellings having an interface with the reserve.
56.04-5	Complies
Common Area Objectives	There are two common areas being to the south-west and northern parts of the subject land.
	Common property No1 will require a Body Corporate involving lots 1-4 and common property No.2 will also require a Body Corporate involving lots 21-25. The common property will relate to access and is required given the constraints of the subject land preventing the development of a road in these parts of the property allowing the better and higher use of the property for infill residential development. The common property will be constructed and developed with durable surfaces.
56.05-1	Complies
Integrated Urban Landscape Objectives	It is anticipated that a condition on the permit will trigger a requirement for a landscape plan to be developed and endorsed.
	The plan is likely to include details pertaining to the landscaping of the road reserve and will contain integrated water management systems (raingardens) to maintain water quality, the proposal is considered to support Standard C12.
56.05-2	Complies
Public Open Space Provision Objectives	The central reserve will be encumbered by drainage and sewerage easements. Access to these easements will be provided by the reserve. The reserve will have good passive surveillance from the proposed street network.
	The reserve along the frontage of the Princes Highway serves a number of purposes including minimising vegetation loss but it also provides the opportunity for the walking path to be extended should Council wish.
56.06-2	Complies
Walking & Cycling Network Objectives	The proposed subdivision will be provided with a low speed environment road as it terminates within the property. The road reserve is sufficient for cyclists and a footpath will be constructed.
56.06-4	Complies
Neighbourhood Street Network Objective	Movement of pedestrians, cyclists and motor vehicles can be achieved by the street network.

Objective	Design Response			
56.06-5	Complies			
Walking & Cycling Network	Footpath and cycle paths are not a feature of the area.			
Detail Objectives	A concrete footpath will be provided on one side of the road assisting pedestrian movement.			
56.06-6	Complies			
Public Transport Network Detail Objectives	Considering Public Transport throughout Lakes Entrance is limited largely to a select few bus routes, the property benefits from Lakes Entrance East route comprising an established bus stop along the front of the property.			
	State of the state			
	Source: Public Transport Victoria			
56.06-7	Complies			
Neighbourhood Street Network Detail Objective	The proposed street network will be constructed to the specifications contained within the <i>Infrastructure Design Manual</i> .			
	The design results in a low-speed environment, verges will have sufficient width allowing a footpath, street tree planting, lighting and utility needs and kerb and channel will be constructed.			
	The additional lots will not result in an unreasonable increase in traffic volumes within the surrounding road network.			
56.06-8	Complies			
Lot Access Objective	The proposed subdivision has been designed to ensure both safe and convenient vehicle access and egress for all lots.			
	The new road will create an intersection with the Princes Highway that will be constructed to the standards of the road authority. A traffic impact assessment report accompanies the application.			
56.07-1	Complies			
Drinking Water Supply Objectives	Reticulated drinking water is available to the land. It is expected that a condition of permit will require the owner of the land to enter into an agreement with East Gippsland Water for the supply of reticulated water to each proposed lot.			

	used for any purpose which may i
Objective	Design Response
56.07-2	N/A
Reused & recycled Water Objective	East Gippsland Water, the relevant local authority does not have any requirements for the installation of reused and recycled water supply in this precinct at this time.
56.07-3	Complies
Wastewater Management Objective	It is expected that a Condition of permit will require the owner of the land to enter into an agreement with East Gippsland Water for the supply of reticulated sewerage to each proposed lot.
56.07-4	Complies
Stormwater Management Objectives	The site will be drained to the satisfaction of the Responsible Authority.
	The Site Drainage Plan nominates the proposed methods of stormwater drainage and treatment. After proceeding through water tanks that will be plumbed into the dwellings for reuse, a series of pits and pipes will proceed through to rainwater gardens to provide appropriate water quality and will terminate in the drainage reserve that will further treat the stormwater.
	It is anticipated that detailed drainage plans will be required as a condition on the permit prior to the commencement of works.
56.08-1	Complies
Site Management Objectives	It is considered premature at this time to prepare a <i>Site Management Plan</i> . The methods of site management can include a variety of methods and techniques that may vary between contractors and the specific circumstances of a development site.
	It is most appropriate for a Site Management Plan (and/or a Construction Management Plan) to be provided as a condition of a permit prior to the commencement of site works.
56.09-1	Complies
Shared Trenching Objectives	Shared trenching for reticulated services will be undertaken in accordance with the standards of the relevant supply agency.
56.09-2	Complies
Electricity, telecommunications & Gas Objectives	Electricity and telecommunications are available within the precinct. Each of the proposed lots are able to be connected in accordance with the requirements of the respective service provider.
56.09-3	Complies
Fire Hydrants Objective	Fire hydrants will be provided in accordance with CFA requirements. Details as to the location of fire hydrants will be provided as part of detailed construction documentation in accordance with permit conditions.

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Objective	Design Response		
56.09-4	Complies		
Public Lighting Objective	Street lighting will be provided, where deemed necessary in accordance with Council's standard.		
	Details as to the location of public lighting will be provided as part of detailed construction documentation in accordance with permit conditions to comply with Standard C30.		

Response to Decision Guidelines

- The proposal demonstrates a high level of consistency with the Municipal Planning Strategy and the Planning Policy Framework;
- Purposes of the zone are satisfied as the proposal has been designed in a site responsive manner, respects the neighbourhood character, provides for a range of lot sizes allowing a diversity of housing types;
- Lots are of a sufficient size to allow appropriate setbacks and spacing of dwellings into the future; and
- The objectives and standards of Clause 56 are met.

6.2 Design and Development Overlay

Schedule 13 to the Design & Development Overlay relates to *Residential Development in Coastal Settlements: Lakes Entrance*, the design objectives of which relate to character, visual impacts, retention of vegetation and the like.



Extract from Design & Development Overlay mapping (Source: VicPlan)

Pursuant to Clause 3.0 of Schedule 13 to the DDO in the East Gippsland Planning Scheme, there are no specified design objectives prescribed for the subdivision of land.

The site is identified as being within character area: Future Residential (Area 14).

The following dot points provide a response to the relevant Decision Guidelines relating to *All Areas & Character Area 14*:

- Design objectives of the Overlay are addressed, the township character will be maintained while reducing urban sprawl by utilising this vacant and zoned property, the subdivision layout has been designed so that the visual impact of future development will be minimised, and the design is site responsive to the topography of the land.
- The proposal assists to encourage development of the precinct on the edge of town in a discreet stage.
- The vegetation that is presumed lost is necessary to ensure the higher and best use of the land for residential purposes and will not affect the overall landscape setting given the heavily vegetated drainage line to the west of the subject land. Furthermore, revegetation of the future residential properties will provide some visual softening.
- The infill development will sit comfortably in the context of the existing urban area.
- The drainage reserve has been respected with setbacks from residential lots and the waterway on the property has been placed within a proposed reserve.
- Water sensitive urban design will be utilised.

6.3 Erosion Management Overlay

The whole of the subject land is affected by the provisions of the Erosion Management Overlay which triggers planning approval to:

- Carry out roadworks in accordance with Clause 44.01-2 of the Erosion Management Overlay.
- Remove vegetation in accordance with Clause 44.01-3 of the Erosion Management Overlay.
- Subdivide land in accordance with Clause 44.01-5 of the Erosion Management Overlay.



Extract from Erosion Management Overlay mapping (Source: VicPlan)

The application requirements under the schedule to the Erosion Management Overlay triggers the need for a Geotechnical Risk Assessment (GRA) to be provided in support of the application.

In accordance with these requirements, a GRA has been commissioned for the proposal and has been prepared by *Chis O'Brien & Associates*. The assessment concludes that the proposal yields a low risk to erosion, with the land capable of safely accommodating residential development as there is limited evidence of erosion or landslip on the site or any adjoining residential lots.

6.4 Clause 52.17 Native Vegetation

The following response to Clause 52.17-1 has been provided as a number of native trees contained within the property boundaries will be impacted as a result of the proposal.

Some of the site vegetation will be physically removed to enable the establishment of the internal road network and associated infrastructure however the vegetation contained within the proposed allotments will be presumed lost as the Lots will be less than 4000m² in area.

Application Requirements

The Application complies with 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 (dated 21/10/2021) as generated from the *Native Vegetation Information Management System* which includes detail on the assessment pathway, detail about the vegetation earmarked for removal, mapping and offset requirements along with other details as triggered within Table 4 of the Guidelines.

The vegetation being considered under the provisions of Clause 52.17 includes scattered trees from within Lots 15, 16, 23 & 25 and patches of vegetation from within Lot 15 and within the Common Property.

Patch 1

Patch 1 refers to the cluster of trees within Lot 15 which are being considered under the provisions of Clause 52.17 as they will be contained within an allotment which will be less than 4000m² in area.

Whilst the perennial understorey comprises well below 25% native species, there are more than three canopy trees with touching drip lines within Lot 15 which triggers the patch classification.



Looking north towards patch of vegetation within Lot 15 (Patch 1)

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Looking south towards patch of vegetation within Lot 15 (Patch 2)

Patch 2

Patch 2 refers to the cluster of trees within Common Property No. 2 driveway system which will need to be removed to facilitate access and servicing. Having regard for the landform and location of the trees, there is simply insufficient area to avoid their removal.

Whilst the perennial understorey comprises well below 25% native species, there are more than three canopy trees with touching drip lines within the area of Common Property No. 2 which triggers the patch classification.



Looking south towards patch of vegetation within Common Property (Patch 2)

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Scattered Trees

The native canopy trees contained within Lots 15, 16, 23 & 25 which do not form part of a patch have been assessed as scattered trees consistent with the Guidelines.

The following table provides information and photographs of the scattered trees (J-R inclusive) and the trees which form part of the native vegetation patches (Patch 1 & Patch 2).

Tree ID	A		Tree ID	В	
Tree Circumference	300cm		Tree Circumference	300cm	
Scattered / Patch	Patch		Scattered / Patch	Patch	
Tree Size	Large		Tree Size	Large	
Tree ID	С		Tree ID	D	
Tree Circumference	145cm		Tree Circumference	132cm	
Scattered / Patch	Patch		Scattered / Patch	Patch	
Tree Size	Small		Tree Size	Small	
Tree ID	E		Tree ID	F	
Tree Circumference	182cm		Tree Circumference	90cm	
Scattered / Patch	Patch	NEW YEAR	Scattered / Patch	Patch	
Tree Size	Small		Tree Size	Small	
Tree ID	G		Tree ID	Н	
Tree Circumference	90cm		Tree Circumference	75cm	YA
Scattered / Patch	Patch		Scattered / Patch	Patch	
Tree Size	Small		Tree Size	Small	

Tree ID	1		Tree ID	J	I I I
Tree Circumference	130cm		Tree Circumference	100cm	
Scattered / Patch	Patch	3	Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	
Tree ID	K		Tree ID	L	Acres 1
Tree Circumference	140cm		Tree Circumference	80cm	34/6
Scattered / Patch	Scattered		Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	
Tree ID	M		Tree ID	N	
Tree Circumference	145cm		Tree Circumference	80cm	
Scattered / Patch	Scattered		Scattered / Patch	Scattered	Control of the Contro
Tree Size	Small		Tree Size	Small	
Tree ID	0		Tree ID	Р	
Tree Circumference	130cm		Tree Circumference	50cm	
Scattered / Patch	Scattered		Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	

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used for any purpose which may breach any copyright.

Tree ID	Q	Tree ID	R	
Tree Circumference	90cm	Tree Circumference	100cm	
Scattered / Patch	Scattered	Scattered / Patch	Scattered	
Tree Size	Small	Tree Size	Small	

To compensate for the 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. Please find enclosed a quotation from Vegetation Link confirming the availability of the required credits with all necessary attributes.

In response to the application requirements specified at Table 4 of the *Guidelines* for the removal, destruction or lopping of native vegetation (DELWP, 2017) ('the Guidelines') we offer the following comments.

	Application Requirement	Response/Comment
1.	Information about the vegetation to be removed	The accompanying Native Vegetation Removal Report includes adequate information to address this Application Requirement.
2.	Topographic and land information	The subject land slopes in a westerly direction however it is not considered to be steep and can easily be walked.
		Whilst there are natural drainage lines dissecting the property and contained on adjoining land, the vegetation being considered is well setback.
3.	Recent dated photographs of the native vegetation to be removed.	Photographs of the existing vegetation included within this report are recent having been taken on 11 October 2021.
4.	Details of other native vegetation approved to be removed, or that was removed without the required approvals on the property within the past 5 years.	We are unaware of any other native vegetation approved to be removed or removed without the required approvals, on the subject land.
5.	Avoid and minimise statement	The subject land is mapped as being within the General Residential Zone which seeks to promote residential style development which makes good use of the community's investment in infrastructure.
		Subdivision of the land will promote residential development consistent with the provisions of the General Residential Zone.

	Application Requirement	Response/Comment
5.	Avoid and minimise statement (continued)	Some of the vegetation earmarked for removal will accommodate an internal road network and servicing whilst the remainder will be presumed lost as it will be contained within allotments which are less than 4000m² in area.
		Whilst all of the vegetation will be offset, there will be the ability to physically retain some of the established trees as contained within the allotments, if desired. This will be dependant upon future landowners and development design.
		It is impractical to create allotments which are greater than 4000m² in area to avoid the presumed loss of vegetation, given the land is contained within the General Residential Zone.
		Some of the existing vegetation will be preserved as the Reserve has been designed to enable some retention.
		The majority of the vegetation being considered under the provisions of Clause 52.17 are wattles which are nearing the end of their life expectancy. Several of the trees contained within the property are already dead and others are showing signs of dying off. It is therefore considered to be unrealistic to make drastic alterations to the subdivision design to accommodate them as features.
6.	Property Vegetation Plan	Not applicable.
		No Property Vegetation Plan made pursuant to Section 69 of the <i>Conservation, Forest & Land Act 1987</i> has been prepared.
7.	Defendable space statement	Whilst the subject land is mapped as being Bushfire Prone, it is not mapped as being affected by the provisions of the Bushfire Management Overlay.
		Given that the site is mapped as being Bushfire Prone and the subdivision will result in the creation of more than 10 allotments a robust response has been provided to Clause 13.02-1S relating to Bushfire Planning.
		Whilst there is no requirement to establish defendable space as part of the subject Application, the subdivision has been designed so as to ensure that future development can be established having regard for AS 3959.
8.	Native Vegetation Precinct Plan statement	The Application is not being made under the provisions of Clause 52.16.
9.	Offset statement	It is anticipated that the standard Conditions will be imposed on Permit which specify the offset requirement and the timing to secure the offset.
		There is no ability to provide vegetation offsets onsite given the residential context of the area. It is therefore anticipated that vegetation offsets will be achieved through third party arrangements.

	Application Requirement	Response/Comment
9.	Offset statement (continued)	Preliminary investigations have been undertaken with a BushBroker accredited organisation to ensure that there are adequate offsets available to purchase which meet the offset requirements.
		Please find accompanying the Application a copy of correspondence provided by Vegetation Link which confirms vegetation offsets are available within the East Gippsland Catchment Management Authority area that can accommodate the presumed vegetation losses. This document is being provided as evidence that suitable vegetation offsets can be purchased under the current market.

	Decision Guidelines	Response/Comment
1.	Efforts to avoid and minimise vegetation removal to be commensurate with the biodiversity and other	The land is already zoned General Residential Zone which earmarks the land for residential purposes. Consideration would have been given to a range of issues such as biodiversity at the time the zone was applied.
	values.	The proposed subdivision has been designed having regard for the site conditions with the allotments being sufficient in area to enable the physical retention of some of the trees, if desired.
		An assessment is being undertaken in accordance with the provisions of Clause 52.17 given the subdivision will result in allotments which are less than 4000m² in area.
2.	The role of the vegetation being removed in protecting water courses, preventing land degradation and adverse effects on groundwater.	The two trees in question are considered to play a minimal role in protecting water quality and preventing land degradation given their location. The trees are well offset from existing water courses and whilst the land is sloping it is not considered to be steep.
3.	The need to manage native vegetation to presence identified landscape values.	Whilst some of the trees have some aesthetic value, they are not considered to have a high environmental value having regard for the NVIM mapping and associated scores.
		The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area.
4.	Whether the vegetation to be removed is protected under the Aboriginal Heritage Act 2006.	The vegetation earmarked for removal is not identified as being protected under the <i>Aboriginal Heritage Act 2006</i> .
5.	The need to remove vegetation for defendable space.	The vegetation is not being removed for the purpose of defendable space. Whilst the subject land is mapped as being Bushfire Prone, it is not mapped as being within the Bushfire Management Overlay.

	21 1	
	Decision Guidelines	Response/Comment
6.	Whether the removal is in accordance with any Property Management Plan.	There is no Property Management Plan applying.
7.	Whether an offset that meets the requirements has been identified and can be secured.	There is the ability to obtain and secure vegetation offsets which meet the offset requirements in accordance with the Guidelines. This has been demonstrated through the inclusion of a quotation provided by Vegetation Link.
8.	Clause 52.16 Applications	N/A
		The Application is not being made under the provisions of Clause 52.16.
9.	Impacts on biodiversity	The vegetation being considered under Clause 52.17 is not contained in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. As outlined on the accompanying Native Vegetation Removal Report the vegetation loss will not have a significant impact on any habitat for a rare of threatened species.

6.5 Bushfire Hazard Assessment

This section of the report has been provided to identify bushfire hazard and to provide a risk assessment relating to the proposed subdivision, given it seeks to create more than ten residential allotments within a designated bushfire prone area.

The purpose of this assessment is to:

- Respond to State Planning Policy at Clause 13.02-1S relating to Bushfire Planning;
- Identify vegetation, topographic and climatic conditions that create a bushfire hazard;
- Provide an assessment of the bushfire hazard on the basis of landscape conditions, local conditions, neighbourhood conditions and conditions of the subject land; and
- Respond to the identified bushfire hazard, including proposed bushfire protection measures and demonstrate how the protection of human life has been prioritised.

Locality & Site Description

The subject land represents an undeveloped General Residential Zone land holding surrounded on all sides by existing residential development. The property has a significant fall from east to west.

The property comprises of pastural grasses and is in parts vegetated. The drainage reserve to the north and west incorporates significant planted native vegetation that occurred as part of the Merrangbaur Heights Estate development.

The majority of properties within the immediate precinct contain residential development. There are some patches of vegetation scattered throughout the wider landscape however the predominant classifiable vegetation west of the subject land within the drainage reserve is rainforest, otherwise the surrounding properties are modified vegetation.

State Planning Policy Assessment

Objective

Clause 13.02-1S of the Planning Policy Framework seeks 'to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life'.

Policy Application

The Bushfire Planning Policy at Clause 13.02-1S is to be applied to all planning and decision making under the *Planning & Environment Act 1987* relating to land that is:

- Within a designated bushfire prone area; or
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

Whilst the subject land is not affected by the provisions of the Bushfire Management Overlay, the Policy requires consideration as the site is identified as a designated bushfire prone area.



Extract from Bushfire Management Overlay mapping (Source: VicPlan)

Strategies

The following tables outline the various strategies to be implemented in response to Clause 13.02-1S relating to Bushire Planning and provides responses specific to the proposal at hand.

Protection of Human Life		
Strategy	Response	
Prioritising the protection of human life over all other Policy	The proposed subdivision in this location is considered to ensure protection of human life.	
Considerations.	The subject land is excluded from Bushfire Management Overlay mapping.	
	The site is located within an existing residential precinct located only 3km from the Lakes Entrance Fire Station	
	The subject land and adjoining properties to the north, east and south are well managed and modified in nature.	
	The adjoining drainage reserve is not actively managed by Council and contains scrub vegetation.	
	The hazard within the adjoining reserve is downslope from the subject land. Nonetheless, the width and extent of the vegetation will not promote hazardous fire runs.	

Protection of Human Life	
Strategy	Response
Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects	The subject land is considered a low risk location given its close proximity to the main township and the surrounding conditions. The northern precinct of Lakes Entrance will continue to develop consistent with the LENGA Outline Development Plan. This will afford the precinct with further protection in the future.
of bushfire.	Vehicle access from the subject land to the Lakes Entrance activity centre is provided via good quality bitumen sealed roads, with two routes available.
	The relatively central location within the township area and good access enhances the protection of human life from the bushfire risk.
Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk	The subdivision has been designed with regard for the needs of future development under Australian Standard AS3959.
in decision making at all stages of the planning process.	Given the designation of the subject land as a Bushfire Prone Area, a Bushfire Attack Level (BAL) will need to be established for future dwellings on each of the allotments.
	The subdivision has been designed to ensure that each allotment can accommodate future residential development that can achieve a minimum BAL of 12.5.
Applying the best available science to identify vegetation, topographic and climatic	The Planning Application triggers consideration of the proposal under Clause 13.02-1S of the East Gippsland Planning Scheme.
conditions that create a bushfire hazard.	The need to consider AS3959 arises from the subject land being within a Designated Bushfire Prone Area.
	The Application has appropriately considered the methodology and controls of Australian Standard AS3959 as part of the bushfire assessment.
Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under Building Act 1993 or regulations made under that Act.	This report demonstrates that future development on each of the proposed allotments is able to meet the requirements of Table 2.4.2 of AS3959.
Applying the Bushire Management Overlay to areas where the extent of vegetation	The subject land is not affected by the Bushfire Management Overlay. The nearest Bushfire Management Overlay affected area is approximately 105m to the south.
can create an extreme bushfire hazard.	The exclusion of the site from the Bushfire Management Overlay highlights that the site is not considered to be at severe risk from bushfire.

Protection of Human Life		
Strategy	Response	
Considering and assessing the bushfire hazard on the basis of: -Landscape Conditions (Meaning conditions in the landscape within 20km (& potentially up to 75km) of a site).	Please refer to the Bushfire Risk section of this assessment which details considerations of the proposal against the landscape conditions, local conditions, neighbourhood conditions and site conditions.	
-Local Conditions (Meaning conditions in the area within approximately 1km of a site).		
-Neighbourhood conditions (Meaning conditions in the area within 400m of a site.		
-The site for the development.		
Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.	The subject application will not need to be formally referred to the Country Fire Authority with respect to bushfire risk. The Responsible Authority will need to be satisfied that the proposal adequately addresses Clause 13.02-1S.	
Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.	This report demonstrates that the proposal has considered and had regard to bushfire risk. Appropriate bushfire mitigation measures will be achieved through adoption of appropriate construction techniques and ongoing management of ground fuel consistent with a modified classification.	
Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.	This report demonstrates that the proposal responds positively to the provisions of Clause 13.02-1S, and that appropriate bushfire protection measures can be implemented.	

Settlement Planning		
Strategy	Response	
Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:		
Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less	The scheme of subdivision has been designed to ensure each of the proposed allotments can accommodate future development to BAL-12.5 based on assessment under AS 3959.	
than 12.5 kilowatts/square metre under AS 3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018).	Whilst each Lot can accommodate a dwelling constructed to BAL-12.5, the ability to construct future development to a higher level is available should a future purchaser prefer.	
	The omission of the subject land from the Bushfire Management Overlay demonstrates that the subject land is not a high risk bushfire area.	
	The subject land has been earmarked for residential growth within the Lakes Entrance Strategy Plan, demonstrating further that development will not result in an increase in risk to human life and property.	
	Residential development in this location is therefore considered appropriate and will not result in any adverse bushfire risk or risk to life and property.	
Ensuring the availability of, and safe access to, areas assessed as a BAL-Low rating under AS 3959-2018	The subject land is located only a short drive from the main commercial centre of Lakes Entrance which provides safe refuge from bushfire.	
Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018) where human life can be protected from the effects of bushfire.	Access to town is facilitated by good quality sealed road networks.	
Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.	Bushfire risk will not increase as a result of the proposed subdivision. On the contrary, the establishment of residential development on the land will provide additional protection to existing and future development, as there will be ongoing assurance of management and continued maintenance of the land.	
	Furthermore, a good quality built road will be provided along the western drainage reserve that will allow for active protection in an event.	
Achieving no net increase in risk to existing and future residents, property and community	There will be no net increase in risk resulting from the proposal, as appropriate bushfire protection measures will be implemented.	
infrastructure, through the implementation of bushfire protection measures and where	Future dwellings will be required to construct to a minimum of BAL-12.5, which is easily achieved.	
possible reducing bushfire risk overall.	The subdivision has also been designed in a manner which will ensure that future development will have direct and convenient access to the proposed road network.	

Settlement Planning		
Strategy	Response	
Plan to strengthen the resilience of se protection of human life by:	ettlements and communities and prioritise	
Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale including the potential for neighbourhood-scale destruction.	Although the site is not considered to be at high risk from bushfire, which is evident through the absence of the Bushfire Management Overlay, the risk of bushfire is recognised by the Bushfire Prone Area designation.	
Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.	The subject land is contained within an existing residential precinct earmarked for infill residential development, as per the Lakes Entrance Strategy Plan.	
Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than BAL 12.5 rating under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018).	This report is prepared in support of an application for a Planning Permit which can be approved given future dwellings can achieve construction to a minimum standard of BAL-12.5.	

Areas of Biodiversity Conservation Value		
Strategy	Response	
Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are an important area of biodiversity.	 The proposed subdivision has been designed with regard for the surrounding context by: Utilising existing points of access to minimise unnecessary vegetation removal. Proposing an internal road network to limit the number of access points through the perimeter planting and lowly-vegetated road reserve. Providing a road adjacent to the proposed Reserve, maximising separation from remnant vegetation within the drainage reserve and adjacent to the waterway. 	

Use & Development Control in Bushfire Prone Area	
Strategy	Response
When assessing a Planning Permit Ap	oplication for uses and development:
Consider the risk of bushfire to people, property and community infrastructure.	Whilst the application seeks approval for subdivision of the land, it results in the expectation that the allotments will be utilised for residential development.
	Establishment of future residential development in this location is most appropriate having regard for the surrounding residential use, proximity to a significant town and strategic directives for the precinct.
	Once developed, each allotment will ultimately provide protection to adjoining allotments by ensuring the environment remains managed to a low threat state.
Require the implementation of appropriate bushfire protection measures to address the identified	It is acknowledged that in practice development is likely to exceed the construction requirements for BAL-12.5, thereby enhancing protection and resilience from fire.
bushfire risk.	The conventional residential size of the allotments will result in ongoing management and maintenance by future owners with proposed allotments containing adequate area for future development to achieve BAL-12.5.
Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.	The subdivision results in the actual and presumed loss of native vegetation. The native vegetation will be appropriately offset to ensure no net loss of biodiversity.

Policy Guidelines & Documents	Response
The following must be considered as relevant:	
Any applicable approved state, regional and municipal fire prevention plan.	The Municipal Fire Prevention Plan has been considered. See relevant section of this report.
AS 3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018)	Australian Standard AS3959 has been used as part of this assessment to classify slope and vegetation to determine BAL 12.5 requirements for each lot.
Any bushfire prone area map prepared under the Building Act 1993 or regulations made under that Act.	The current Bushfire Prone Area mapping has been considered as part of this report. The subject land is within a Designated Bushfire Prone Area.

Bushfire Risk

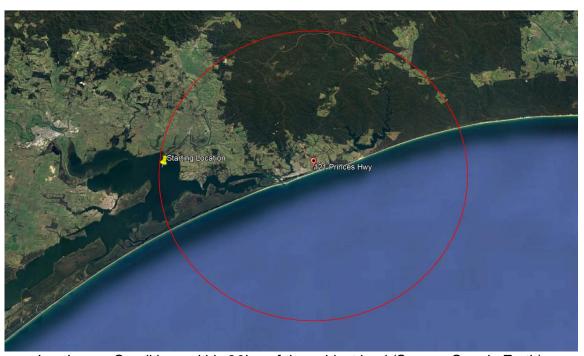
Under Clause 13.02-1S relating to Bushfire Planning triggers the need to consider and assess the bushfire hazard based on:

- Landscape conditions;
- Local conditions;
- Neighbourhood conditions; and
- The site for the development.

Landscape Conditions

When considering and assessing the bushfire hazard the landscape risk needs to be taken into consideration which includes the extent of vegetation cover, the area available to a landscape bushfire, terrain and accessibility to low threat areas.

Clause 13.02-1S pertaining to Bushfire Planning 'landscape conditions' refers to conditions in the landscape within 20km (and potentially up to 75km) of a site.



Landscape Conditions within 20km of the subject land (Source: Google Earth)

The key features within the 20km assessment area surrounding the site include:

- Large areas of residential and rural residential development, particularly to the east and to the west of the property.
- It incorporates a significant portion of ocean to the south of the assessment area.

- The northern portion of the 20km assessment area contains forested areas connected to a larger expanse of vegetation which provides a distant threat from bushfire.
- Whilst the terrain within most of the assessment area is undulating, the land within the northern part the assessment area is steeper, beginning to incorporate large hills as the land beyond begins to expand into the foothills of the Great Dividing Range.
- The land between the subject land and the township area of Lakes Entrance to the west is not vegetated and is easily accessed by a good quality sealed road network.

The subject land is surrounded by general residential, low density/rural residential and grazing properties except for the densely forested Crown land to the north.

Local Conditions

Under Clause 13.02-1S pertaining to Bushfire Planning 'local conditions' refers to conditions in the area within approximately 1km of a site.



Local conditions within 1km of the subject land (Source: Google Earth)

The key features within the 1km assessment area surrounding the subject land include:

 Land immediately in all directions is best described as residentially developed, being developed by a residential subdivision or is identified to be developed for residential purposes within the Lakes Entrance Northern Growth Area. However, the beginnings of farmed grassland rural residential properties are evident to the north towards the edges of the assessment area.

- The vast majority of properties within the assessment area are zoned for residential purposes.
- Princes Highway, which is categorised as a Road Zone Category 1 road, dissects the assessment area into northern and southern portions.
- The landform falls from the north to the south of the assessment area.

Neighbourhood Conditions

Under Clause 13.02-1S pertaining to Bushfire Planning 'neighbourhood conditions' refers to conditions in the area within 400 metres of a site.



Neighbourhood conditions within 400m assessment area (Source: Google Earth)

The key features within the 400m assessment area surrounding the subject land include:

- Multiple residential properties, in the most part developed at conventional residential densities. These properties represent a low threat vegetation classification.
- The predominant vegetation classification in all directions is considered 'low threat'.
- There is some established vegetation within the assessment area, but the
 canopies of larger trees are sufficiently separated. The ownership of the land
 containing the vegetation to the west of the subject land is owned by Council,
 which will provide certainty of ongoing management to a low fuel condition to
 minimise risk.

East Gippsland Shire Council

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Bushfire Scenarios

Bushfire from the North

The most likely bushfire scenario for this site considering the landscape, will be for a fire approaching from the north, given the presence of dense forest within the Crown land. Such a fire would have the potential for long fire runs impacting the rural living properties bordering the area.

Considering the climate of the area, a northerly wind represents approximately 35% of all wind direction annually, as recorded at Lakes Entrance from 1965 and current 2006 data (Bureau of Meteorology) with prevailing winds in the local climate more likely to originate from the west and south-west, with this number being over 40%.

Considering the climate and the largely residential development presiding over these directions locally in the wider landscape, the subject land is deemed to be of low fire risk from natural landscape factors.

Bushfire from the West

Classifiable vegetation to the west presents a less likely scenario of a fire approaching from the west resulting from ignition within the drainage reserve.

The width type of the vegetation would reduce the likelihood of long fire runs associated with westerly winds.

Fire runs from this area would be limited due to the managed nature of low threat vegetation associated with residential uses that would interrupt long fire runs by removing fuel sources at ground level.

Bushfire Hazard Site Assessment

Vegetation on the subject land and the immediately surrounding area has been classified in accordance with Table 2.3 of AS 3959, consistent with Clause 13.02-1S of the *East Gippsland Planning Scheme*.



Aerial view of subejct land and immediate surrounds (Source: Google Earth)

Exclusions & Low Threat Vegetation

Adjoining residential development has been classified as 'low threat' as these areas, in the most part, contain minimal vegetation and are managed, cultivated garden areas.

The linear strip of vegetation contained within the 400 metre assessment area to the west of the subject land represents classifiable vegetation, however the drainage reserve is a wet environment with predominantly upslope landform and contains low threat vegetation being rainforest. The land is Council owned and is able to be maintained.

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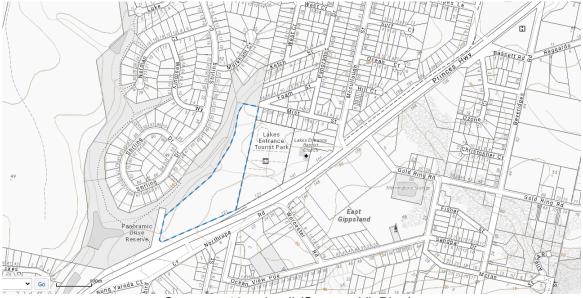
Grassland Classification

The majority of the subject land has a vegetation classification of low threat given the presence of maintained grass and lack of understorey plantings under large trees.

The environment will be further modified as a result of the subdivision, creation of internal roads and establishment of residential allotments into the future which will see a transition to a low threat classification.

Topography

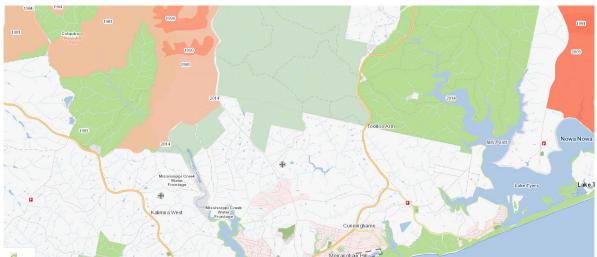
The subject land and surrounding area is undulating, sloping down to the west and south-west towards the drainage reserve.



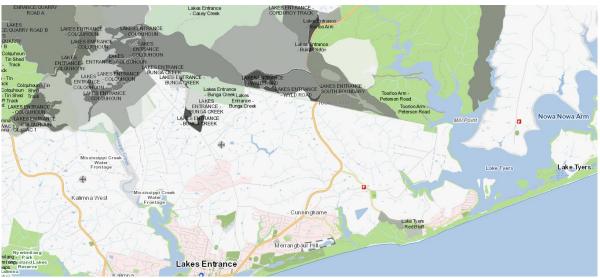
Contours 10m detail (Source: VicPlan)

Other Bushfire Matters

Although there is some record of fire history within the wider landscape since the early 1980's, there is no record of bushfire history on the subject land or generally within the Lakes Entrance township.



Bushfire history since 1970's (Source: MapShare)



Planned Burn history (Source: MapShare)

As the plans demonstrate, the most likely fire threat is from the northern Crown land. Active land management in the form of planned burns takes place within the Crown land.

Concluding Remarks with Respect to Bushfire Risk

In summary the proposed multi lot subdivision at 121 Princes Highway, Lakes Entrance has considered the bushfire controls under the *East Gippsland Planning Scheme* and will not result in any adverse outcomes with respect to bushfire risk as appropriate bushfire mitigation measures can be put in place.

6.7 Create and Alter Access to a Road Zone Category 1

A planning permit is required to create and alter access to a Road Zone, Category 1 and subdivide land adjacent to a road in a Road Zone Category 1 pursuant to Clause 52.29-2 of the planning scheme.

The Princes Highway is zoned Road Zone Category 1. It is proposed to construct an internal road to service the proposed subdivision utilising the existing access point to the subject land.

Decision Guidelines

- It is considered that the proposed subdivision is consistent with the Municipal Planning Strategy and the Planning Policy Framework (refer to Section 5 of this report).
- The proposed entry point of the new road is logical and sensible utilising the
 existing access point. The access point provides good sight lines in both
 directions, avoids vegetation removal and avoids the significant embankment
 within the road reserve.
- The Traffic Impact Assessment Review advises that the access point is appropriate with good sightlines. The access point can utilise the existing right-turn dedicated lane. The Princes Highway will be upgraded with a leftturn dedicated lane.

In anticipation of the need to provide a full Traffic Impact Assessment Report it has been commissioned and will be completed and lodged with Council shortly.

7. Conclusion

The proposed multi-lot subdivision, earthworks, removal of native vegetation and Create Access to a Road Zone Category 1 at 121 Princes Highway, Lakes Entrance is considered to accord with all relevant provisions of the General Residential Zone, Erosion Management Overlay and Design and Development Overlay of the East Gippsland Planning Scheme. The proposal is consistent with Planning Policy Framework and Local Policy and has been designed to complement the adjoining properties.

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

MICHAEL SADLER Managing Director



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A report to support an application to remove, destroy or lop native vegetation in the **Intermediate** Assessment Pathway using the modelled condition score

This report provides information to support an application to remove native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report <u>is not</u> an assessment by DELWP or local council of the proposed native vegetation removal. Biodiversity information and offset requirements have been calculated using modelled condition scores contained in the *Native vegetation condition map*.

Date and time: 21 October 2021 12:32 PM

Lat./Long.: -37.8648764572182,148.018215064908 Native vegetation report ID:

Address: 121 PRINCES HIGHWAY LAKES 319-20211021-011

ENTRANCE 3909

55 STIRLING DRIVE LAKES ENTRANCE

3909

Assessment pathway

The assessment pathway and reason for the assessment pathway		
Assessment pathway	Intermediate Assessment Pathway	
Extent of past plus proposed native vegetation removal	0.313 hectares	
No. large trees	2 large tree(s)	
Location category	Location 1 The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.	

Offset requirement

The offset requirement that will apply if the native vegetation is approved to be removed

Offset type	General offset
Offset amount	0.114 general habitat units
Offset attributes	
Vicinity	East Gippsland Catchment Management Authority (CMA) or East Gippsland Shire Council
Minimum strategic biodiversity value score	0.210
Large trees	2 large tree(s)



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Biodiversity information about the native vegetation

Description of any past native vegetation removal

Any native vegetation that was approved to be removed, or was removed without the required approvals, on the same property or on contiguous land in the same ownership, in the five year period before the application to remove native vegetation is lodged is detailed below.

Permit/PIN number	Extent of native vegetation (hectares)
None entered	0 hectares

Description of the native vegetation proposed to be removed

Extent of all mapped native vegetation	0.313 hectares
Condition score of all mapped native vegetation	0.383
Strategic biodiversity value score of all mapped native vegetation	0.262
Extent of patches native vegetation	0.048 hectares
1	0.026 hectares
2	0.022 hectares
Extent of scattered trees	0.265 hectares
No. large trees within patches	2 large tree(s)
No. large scattered trees	0 large tree(s)
No. small scattered trees	9 small tree(s)

Additional information about trees to be removed, shown in Figure 1

Tree ID	Tree circumference (cm)	Benchmark circumference (cm)	Scattered / Patch	Tree size
J	100	220	Scattered	Small
K	140	220	Scattered	Small
L	80	220	Scattered	Small
М	145	220	Scattered	Small
N	80	220	Scattered	Small
0	130	220	Scattered	Small
Р	50	220	Scattered	Small
Q	90	220	Scattered	Small
R	100	220	Scattered	Small
С	145	220	Patch	Small
D	132	220	Patch	Small
А	300	220	Patch	Large
В	300	220	Patch	Large
E	182	220	Patch	Small
F	90	220	Patch	Small
G	90	220	Patch	Small

Small

Small

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Patch



220

130

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Other information

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

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 or scattered trees, 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

complete.
Topographical and land information
Description of the topographic and land information relating to the native vegetation to be removed, including any ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan. This is an application requirement and your application will be incomplete without it.
Avoid and minimise statement
This statement describes what has been done to avoid the removal of, and minimise impacts on the biodiversity and other values of native vegetation. This is an application requirement and your application will be incomplete without it.
Defendable space statement
Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required if your application also includes an application under the Bushfire Management Overlay.
Offset statement
An offset statement that demonstrates that an offset is available and describes how the required offset will be secured. This is an application requirement and your application will be incomplete without it.

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Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in *Guidelines for the removal, destruction or lopping of native vegetation*. If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. This *Native vegetation removal report*must be submitted with your application and meets most of the application requirements. The following needs to be added as applicable.

Property Vegetation Plan

Landowners can manage native vegetation on their property in the longer term by developing a Property Vegetation Plan (PVP) and entering in to an agreement with DELWP.

If an approved PVP applies to the land, ensure the PVP is attached to the application.

Applications under Clause 52.16

An application to remove, destroy or lop native vegetation is under Clause 52.16 if a Native Vegetation Precinct Plan (NVPP) applies to the land, and the proposed native vegetation removal <u>is not</u> in accordance with the relevant NVPP. If this is the case, a statement that explains how the proposal responds to the NVPP considerations must be provided.

If the application is under Clause 52.16, ensure a statement that explains how the proposal responds to the NVPP considerations is attached to the application.

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Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

www.delwp.vic.gov.au

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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 an application will meet the requirements of Clauses 52.16 or 52.17 of planning schemes in Victoria or that a permit to remove native vegetation will be granted.

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 planning schemes in Victoria.

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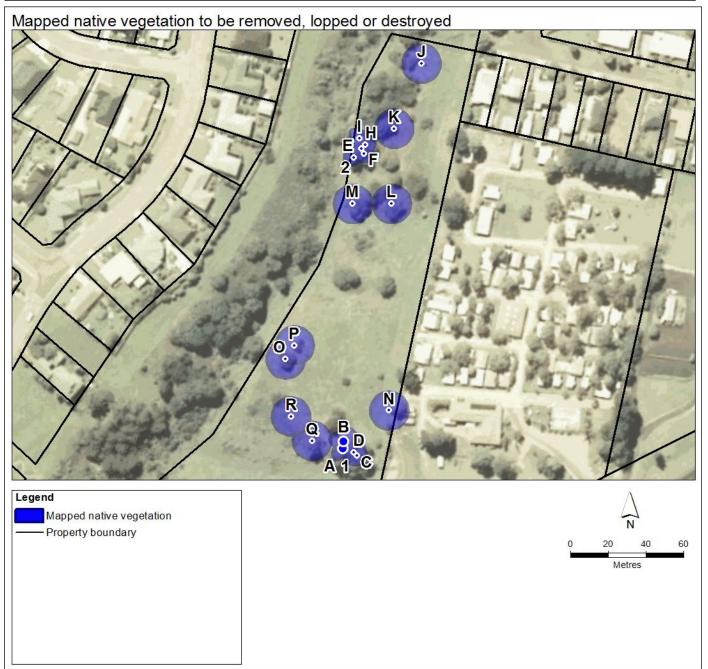




Figure 2 – Map of property in context

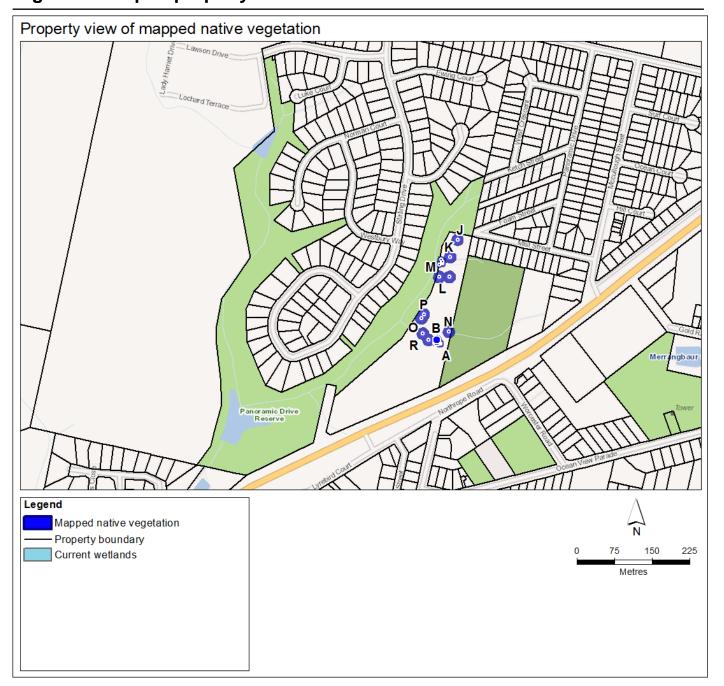
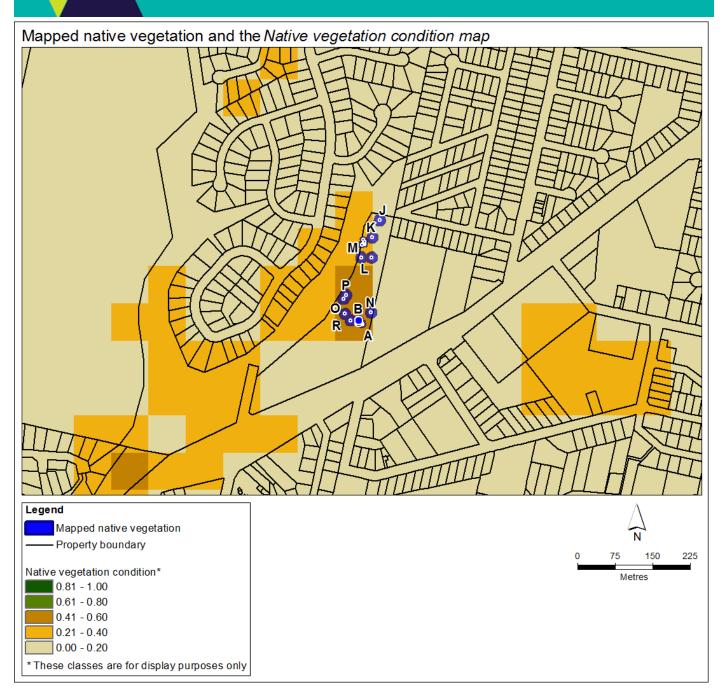


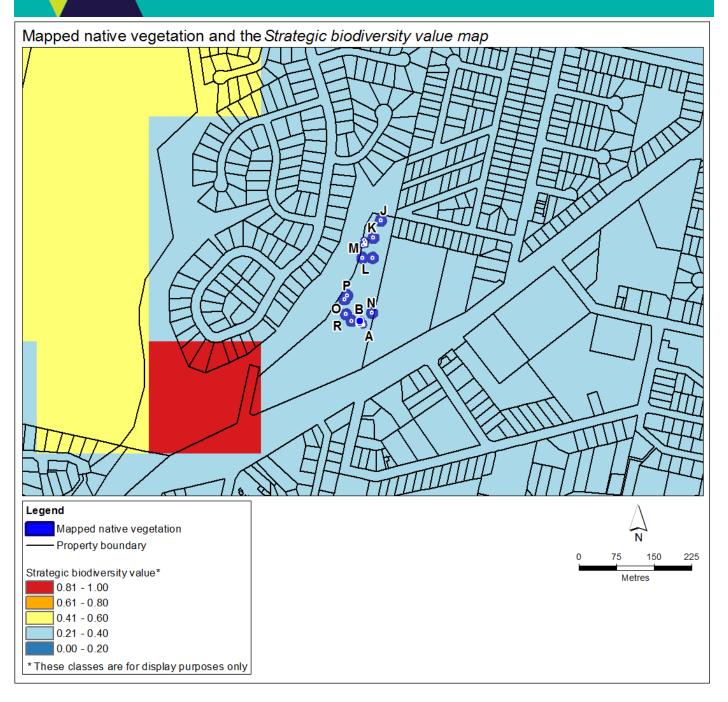


Figure 3 – Biodiversity information maps





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Appendix 1 - Details of offset requirements

Native vegetation	n to be re	emoved
Extent of all mapped native vegetation (for calculating habitat hectares)	0.313	The area of land covered by a patch of native vegetation and/or a scattered tree, measured in hectares. Where the mapped native vegetation includes scattered trees, each tree is assigned a standard extent and converted to hectares. A small scattered tree is assigned a standard extent defined by a circle with a 10 metre radius and a large scattered tree a circle with a 15 metre radius. The extent of all mapped native vegetation is an input to calculating the habitat hectares.
Condition score*	0.383	The condition score of native vegetation is a site-based measure that describes how close native vegetation is to its mature natural state. The condition score is the weighted average condition score of the mapped native vegetation calculated using the <i>Native vegetation condition map</i> .
Habitat hectares	0.120	Habitat hectares is a site-based measure that combines extent and condition of native vegetation. It is calculated by multiplying the extent of native vegetation by the condition score: *Habitat hectares = extent x condition score*
Strategic biodiversity value score	0.262	The strategic biodiversity value score represents the complementary contribution to Victoria's biodiversity of a location, relative to other locations across the state. This score is the weighted average strategic biodiversity value score of the mapped native vegetation calculated using the <i>Strategic biodiversity value map</i> .
General landscape factor	0.631	The general landscape factor is an adjusted strategic biodiversity value score. It has been adjusted to reduce the influence of landscape scale information on the general habitat score.
General habitat score	0.076	The general habitat score combines site-based and landscape scale information to obtain an overall measure of the biodiversity value of the native vegetation. The general habitat score is calculated as follows:
		General habitat score = habitat hectares x general landscape factor

^{*} Offset requirements for partial removal: If your proposal is to remove parts of the native vegetation in a patch (for example only understorey plants) the condition score must be adjusted. This will require manual editing of the condition score and an update to the calculations that the native vegetation removal tool has provided: habitat hectares, general habitat score and offset amount.

Offset requirements

Offset type	General offset	A general offset is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species. All proposals in the Basic and Intermediate assessment pathways will only require a general offset.
Offset multiplier	1.5	This multiplier is used to address the risk that the predicted outcomes for gain will not be achieved, and therefore will not adequately compensate the biodiversity loss from the removal of native vegetation.
Offset amount (general habitat units)	0.114	The general habitat units are the amount of offset that must be secured if the application is approved. This offset requirement will be a condition to any permit or approval for the removal of native vegetation. General habitat units required = general habitat score x 1.5
Minimum strategic biodiversity value score	0.210	The offset site must have a strategic biodiversity value score of at least 80 per cent of the strategic biodiversity value score of the native vegetation to be removed. This is to ensure offsets are located in areas with a strategic biodiversity value that is comparable to the native vegetation to be removed.
Vicinity	East Gippsland CMA or East Gippsland Shire Council	The offset site must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed.
(s) canopy tree with a Diameter at Breast Height greater than or equal to the large tree		The offset site must protect at least one large tree for every large tree removed. A large tree is a native canopy tree with a Diameter at Breast Height greater than or equal to the large tree benchmark for the local Ecological Vegetation Class. A large tree can be either a large scattered tree or a large patch tree.

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Our reference: VLO-7453

Your reference: (19395) 121 Princes Hwy,

Lakes Entrance

21 October 2021

Amie Ingwersen Crowther & Sadler amp@crowthersadler.com.au

Dear Amie

RE: Quotation for the supply of native vegetation credits

Vegetation Link is an accredited offset provider with the Department of Environment, Land, Water & Planning (DELWP). We offer a specialised brokerage service to enable permit holders and developers to identify suitable native vegetation credits to meet their planning permit offset requirements.

Based on the information you have provided, I understand you require the following native vegetation offset:

Offset type	Vicinity	General habitat units (GHU)	Min. strategic biodiversity value (SBV)	Large trees
General	East Gippsland CMA <i>or</i> East Gippsland Shire Council	0.114	0.210	2

To meet your offset requirements, you can purchase native vegetation credits from a third party as per the options quoted below1. This quotation is valid for 14 days, subject to credit availability and landholder pricing.

Option 1: 2 x CTA pathway – offset sites located in the East Gippsland Shire area (approx. 2-5 week turnaround from acceptance of quote)	
Cost of native vegetation credits – invoiced by Credit Owner	\$12,300.00
Transaction fees for 2 x contracts - invoiced by Vegetation Link	\$2,330.00
Total (ex. GST)	\$14,630.00
Total (inc. GST)	\$16,093.00

Option 2: CTA pathway – offset site located in the East Gippsland Shire area (approx. 2-5 week turnaround from acceptance of quote)	
Cost of native vegetation credits – invoiced by DELWP	\$18,600.00
Transaction fees – invoiced by Vegetation Link	\$1,470.00
Total (ex. GST)	\$20,070.00
Total (inc. GST)	\$22,077.00

¹ Note that the transaction fee includes DELWP NVOR transfer and allocation fees and a Vegetation Link fee

Vegetation Link Pty Ltd ABN: 92 169 702 032 www.vegetationlink.com.au

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If you would like to purchase credits, let us know that you accept the quote and return the attached **purchaser details form** by email. If more than one quotation option is provided above, specify which option you choose.

Upon receipt of the form, we will begin the trade process. Further details of the process for credit allocation is in the FAQ below.

Should you have any queries, please do not hesitate to contact us on 1300 VEG LINK (1300 834 546) or email offsets@vegetationlink.com.au.

Sincerely,

Tesha Mahoney

Biodiversity Offset Broker

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FAQs

What is a third party offset?

A third party offset is an offset site owned by another landowner who manages and protects native vegetation on their land. Landowners who establish these offset sites are required to:

- Enter into a Landowner Agreement for the specified offset site. A landowner agreement is in perpetuity and is binding upon the current and future landowners of the site. It permanently restricts use of the site for many purposes.
- Implement a detailed 10-year Management Plan endorsed by the DELWP Native Vegetation Offset Register to manage and improve the biodiversity values of the site.

How is the price of native vegetation offset credit (GHUs, GBEUs etc.) determined?

Landowners who own offset sites set their own price for native vegetation credits. They determine the price based on numerous factors. This includes but not limited to site establishment, the cost to manage the site in perpetuity (e.g., maintain fencing, control pest species), foregone use cost, and administrative costs. Depending on how the site is registered, the credit fee may be paid to either DELWP or directly to the landowner.

Further information about the work some of our landowners are doing can be found on the <u>Vegetation Link website</u>.

What is the process after I accept the quote?

After you accept the quote and return the purchaser table, the following steps will be undertaken:

- 1. We will set up a contract between the parties involved and send the contract out for signing by all parties.
- 2. Once the contract is signed by all parties, invoices will be issued for the fees listed in the quotation. We will send you two invoices, one for our transaction fee invoiced by Vegetation Link and one for the credit fee, usually to be paid to DELWP or the landowner. We recommend providing remittances for your payments.
- 3. Once payments are received, Vegetation Link will send you an allocated credit extract from the Native Vegetation Offset Register and your executed contract as evidence that you have purchased the offset.

How long will the process take? When will I get my credits?

Generally, the process from quote acceptance to having evidence of allocated credits takes between 2-6 weeks. This is dependent on a range of factors including the type of landholder agreement, contract types and organisational workflows. We work as quickly as possible to get your credits to you within this time period.

We note that you **cannot** remove vegetation until you have been given permission by the Responsible Authority (usually the council that has issued your permit).

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What happens if I don't have a permit yet?

When people are buying credits before a permit is issued, the following three options are most common:

- You can pay for the offsets before the planning permit is available, and then the
 offsets are allocated to the permit when it is available. This will incur an additional
 \$50 fee from DELWP. When considering this option, it is important to realise that
 your estimated offset requirements may be different than the actual permit
 requirements.
- You can wait for the planning permit to be approved first and then request a quote
 to meet the requirements in your permit. Should credits be available, you can then
 start the offset purchase process. We then use the planning permit number for
 allocating the credits. Allocating credits to the permit is evidence that you have
 purchased your offset.
- You can request a quote to confirm availability and to get an idea of the cost of
 offsetting before you apply for a permit. Once you receive the planning permit you
 can request an updated quote. It is at this point that you can then go through the
 offset purchase process.

We cannot guarantee credit availability until a) contracts are executed, or b) credits have been held via a pending trade lodged with DELWP Native Vegetation Offset Register.

We cannot guarantee price until a) a quote has been accepted within 14 days, and b) a Credit Trading Agreement is signed within 21 days, and c) the invoice for the credits is paid within 28 days of the date the invoice is issued.

If I sign the contract, does that mean I MUST pay for the credits?

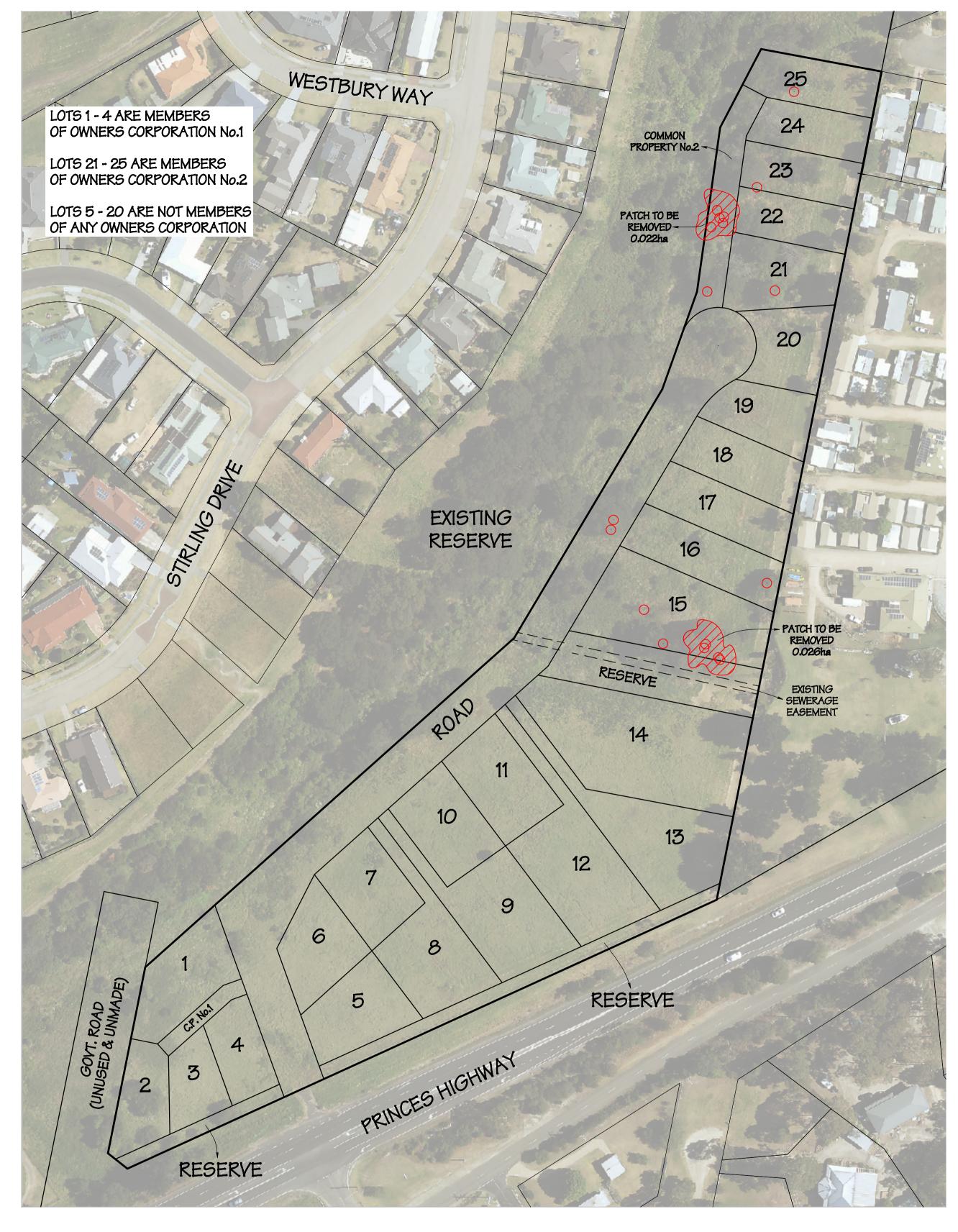
Yes, you have entered into a contract agreeing to pay for the offset credits therein and are required to pay for those credits. The credits must be paid for within 28 days of the date of the invoice.

Can you hold the credits for me, as I want to pay later?

We are unable to hold credits for later payment. Please also see 'What happens if I don't have a permit yet?' above.

For further information, see our website or the DELWP website.

55 ZONE MGA94



O - DENOTES TREE TO BE REMOVED

AAASDA

121 PRINCES HIGHWAY, LAKES ENTRANCE

Crowther&Sadler Pty.Ltd.

LICENSED SURVEYORS & TOWN PLANNERS 152 MACLEOD STREET, BAIRNSDALE, VIC., 3875 P. (03) 5152 5011 E. contact@crowthersadler.com.au

FILENAME: Y:\19000-19999\19300-19399\19395 AAA\$DA\19395 Veg Removal V1.pro

NOTATIONS

AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY

SURVEYORS REF. SCALE (SHEET SIZE A2) 19395 1:1000 VERSION I - DRAWN 20/10/2021

PLAN OF VEGETATION REMOVAL

PARISH OF COLQUHOUN CROWN ALLOTMENTS 28A \$ 30A (PARTS)

LOT G ON PS328995T

Printed 27/04/2023

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Reference No: B21228

Project No: 311021

7/12/2021

Crowther & Sadler Pty Ltd P.O Box 722 BAIRNSDALE Vic 3875

Attn: Aaron Hollow

Email: aaron@crowthersadler.com.au

Dear Aaron,

RE: Geotechnical Risk Assessment for Proposed 25 Lot Residential Subdivision

121 Princes Highway, Lakes Entrance.

INTRODUCTION

Chris O'Brien & Company Pty Ltd have been engaged by Aaron Hollow of Crowther & Sadler Pty Ltd to provide a Geotechnical risk assessment report for a proposed 25 Lot residential subdivision at 121 Princes Highway, Lakes Entrance Vic 3909. 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.

Note that in accordance with "Guidelines for Landslide Susceptibility" Section 5: Landslide Zoning: the subject site would not be considered in a landslide hazard zone.

The site was inspected by Andrew Powell on the 9th November 2021.

SITE DESCRIPTION

The approximate 3.5 hectare site is located at the eastern end of the Lakes Entrance township with access to the subdivision from the Princes Highway to the south. The site has the Lakes Entrance Tourist Park to the east with the remainder of the site bordered by natural watercourses. The site had low to moderate falls with a maximum fall observed on the site of approximately 1 in 6 with the site generally falling towards the natural watercourse to the north. The site currently drains to a series of dams and natural watercourses. Storm water from the east also surface drains through the property into the watercourse to the north. The site has a very good cover of grass and no visible erosion is

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currently occurring on site. A series of photosals after the the series of photosals after the series of site features as described.

PROJECT DETAILS

A 25 lot subdivision is proposed for the site. The construction work will be as follows.

- Excavation (cut/fill) along the proposed access road carriageway. Maximum cut/fill batter to be 1 in 2.
- Placement and compaction of road making materials.
- Excavation of trenches for the provision of all services to the subdivision including provision of storm water drainage to allow external catchments to be drained through the site.
- Provision of site access for the duration of the works.
- Provision of areas for site facilities, machinery and fuel storage, and topsoil stockpiling for the duration of the works.
- All cut/fill batters (no steeper than 1 in 2) and disturbed areas to be re-sod and sown with local grasses.

FIELD INVESTIGATION

The site was inspected on the 9th November 2021 to assess what is currently occurring on site in regards to erosion, to determine services available to the site and to assess soil conditions on the site.

Visual inspection of the site confirmed no erosion currently occurring onsite. A number of storm water pipes from the site to the east currently drain onto the property with these outlets clearly visible. No erosion problems are currently occurring from this source.

Inspection confirmed that all services are available to the site with sewer manholes already in existence on the site.

A soil investigation was completed for the site with the typical soil profiles of the site listed below.

0 – 250	Dark grey sandy loam topsoil, Damp & Firm
250 – 450	Fawn & grey loamy silty sand, Damp & Firm
450 – 750	Fawn & grey clayey sandy silt, Damp & Firm
750 – 1000	Fawn & orange clayey sandy silt, Damp & Stiff

Photos below show soils found and depth profile. No adverse moisture conditions or fill were encountered during the soil investigation. It is expected that the topsoil will be stripped in work areas and stockpiled for future use. Soils found were cohesive, strong and considered ideal for forming batters up to a maximum slope of 1 in 2.

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SUMMARY OF RISK

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LANDSLIDE SHEET/RILL EROSION **TUNNEL EROSION**

LOW LOW LOW

- Low to moderate grades over the entire site ranging from about 1 in 20 to 1 in 6.
- There is no evidence of any landslip or soil erosion and any of the surrounding properties
- Land to the east currently surface flows through the site down to the existing watercourse to the north. Although visual inspection showed no erosion occurring from this practice, collection and proper treatment of this storm water will reduce the risk. Currently the existing excellent grass cover is protecting the soils under.
- A construction management plan will need to be implemented for entire construction time for the roads and associated underground services. The plan will need to show measures to be undertaken to control erosion and storm water during the construction period. The following will have to be considered:
 - Location of any temporary construction works office and machinery storage i.
 - ii. Identification and location of areas suitable for the stockpile of topsoil with measures of erosion control to be shown (i.e. diversion banks and sediment fences)
- iii. Measures and techniques to protect drainage lines and watercourses from sediment runoff from disturbed or under construction areas.
- Drainage of all construction and stockpile areas for the duration of the works iv. and details of stormwater treatment to be provided.
- A stabilized vehicle access point to and from all storage areas on the site for the V. entire length of the construction
- The form, bulk, scale and location of cut and fill is to be controlled to ensure no vi. adverse effects on the natural water course to the north. (i.e. diversion banks and spoon drains)
- All erosion and sediment control measures will need to be inspected on a daily vii. basis by the site manager with any maintenance required to be rectified immediately.
- Storm water management plan for the whole site, with drainage treatment and details and control of storm water run-off to be clearly indicated. Control of sediment run-off and erosion control details to be shown. It is essential that all storm water run-off from construction areas be treated prior to entering site run-off areas.

The above recommendations will need to be provided and approved prior to the commencement of any construction works on site. All storm water pits, silt fences etc will need regular maintenance to ensure the systems work as intended, as any silt build up in pits etc could cause the system to fail.

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CONCLUSION

We therefore suggest that a full geotechnical risk assessment report is not required for this development. As long as all recommendations above are strictly adhered to, we anticipate no environmental risks with the work to be undertaken.

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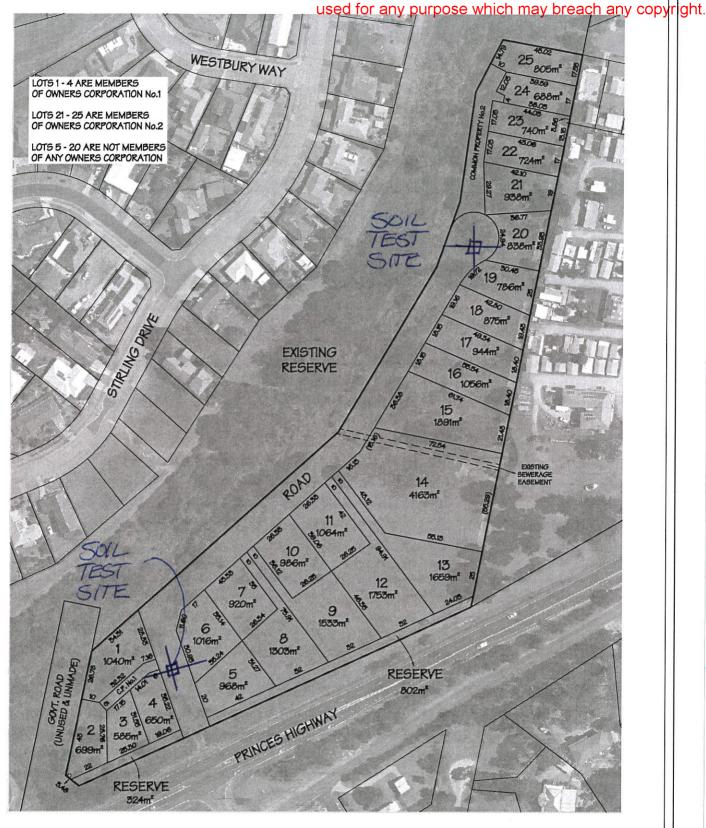
Should you need to clarify anything, please contact the Andrew Powell on 0402384596

Yours faithfully,

Andrew Powell Assoc.Dip (Civil)

for CHRIS O'BRIEN & COMPANY PTY LTD

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ZONE 55

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Crowther & Sadler Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS

182 MACLEOD STREET, BAIRNISDALE, VIC., 9875

P. 033 8128 2011 E. confoci@crowthrescader.com.cu

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SCALE (SHEET SIZE A2) SURVEYORS REF.

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PARISH OF COLQUHOUN CROWN ALLOTMENTS 28A \$ 30A (PARTS)

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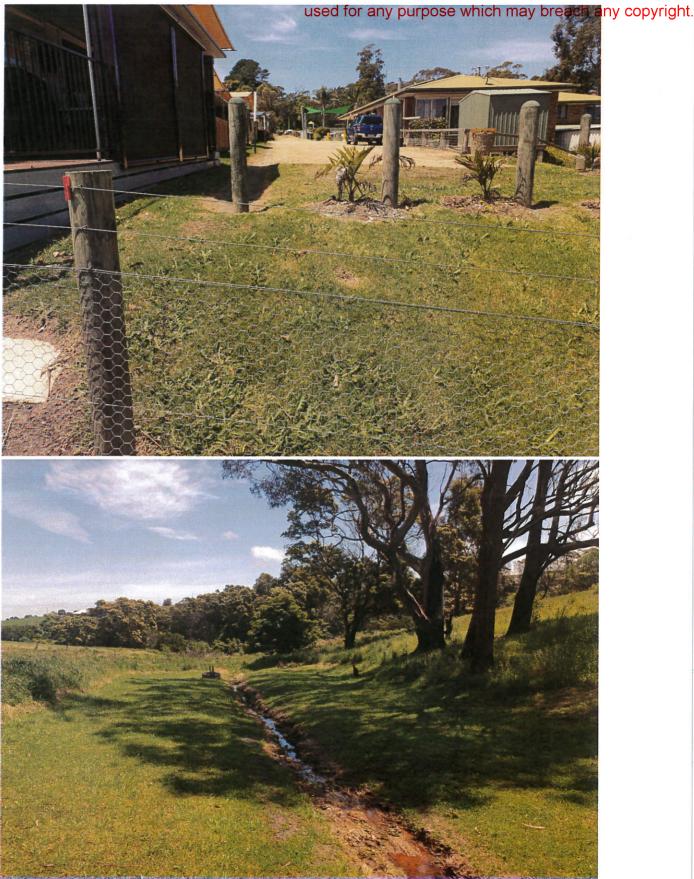


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Existing sevices and external catchments



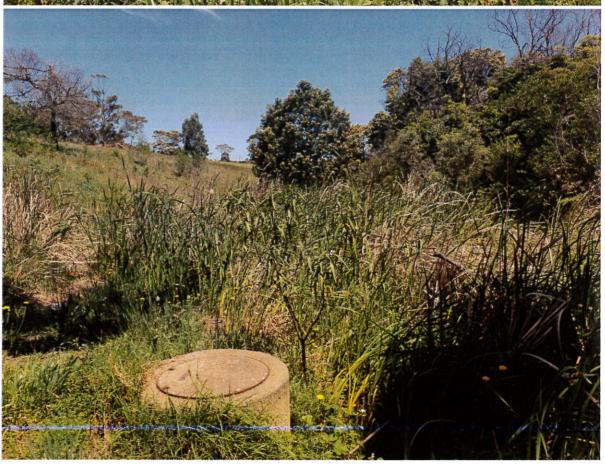
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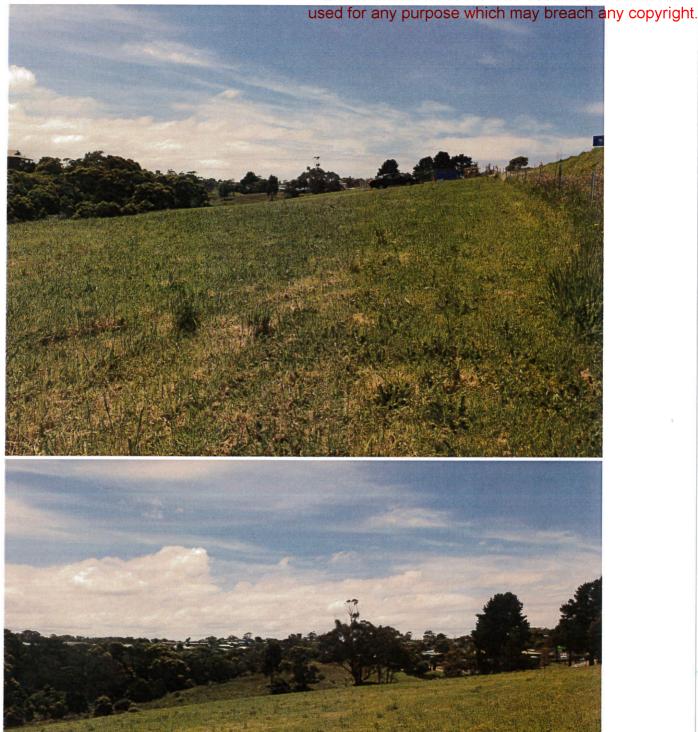


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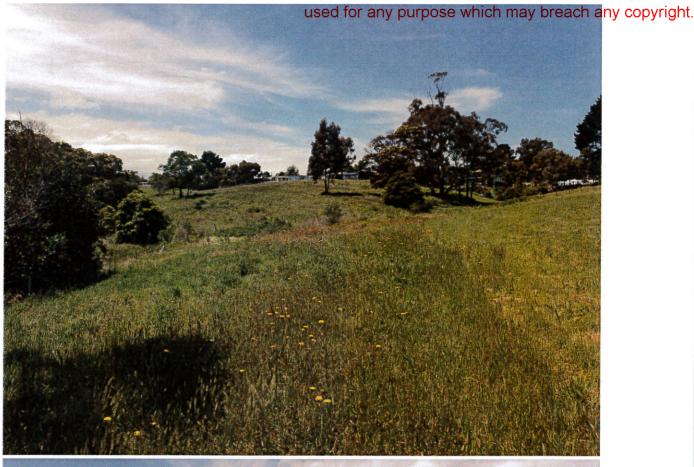
General site showing slopes and vegetation



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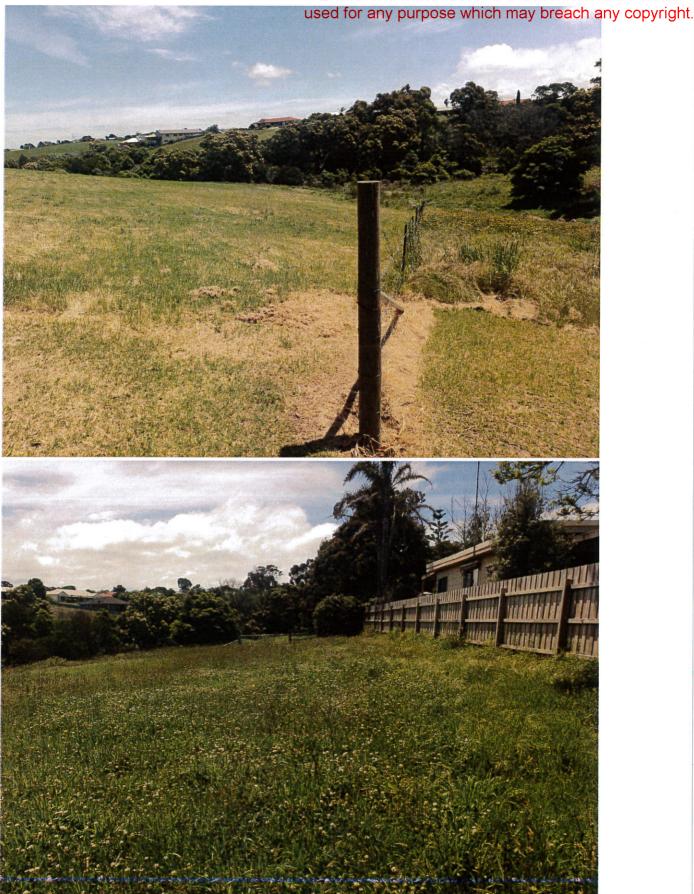


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Our ref: 19395

23 March 2023

Statutory Planning Coordinator East Gippsland Shire Council

Via email: planning@egipps.vic.gov.au

Attention: Mr Robert Pringle

Dear Robert,

Re: Planning Application 578/2021/P

Multi-lot subdivision, Earthworks, Removal of Native Vegetation and

Creation of access to a Transport 2 Zone road

121 Princes Highway, Lakes Entrance

Please find enclosed a revised Proposed Subdivision Plan (Version 10) depicting an altered subdivision layout. Also enclosed is a revised Design Response Plan (Version 2), together with a revised plan set from Crossco Consulting detailing proposed arrangements for Access, Servicing, and Site Drainage.

The revised scheme has been prepared in response to concerns raised by the Engineering Department regarding road construction, and informed by information provided by Stormy Water Solutions as part of the Revised LENGA Drainage Strategy (October 2022).

The subject land is included within the RORB and MUSIC modelling undertaken for the LENGA area, despite the subject land being outside the designated LENGA area.

The subject land forms part of Catchment E-1 which benefits from existing drainage infrastructure in the form of a retarding basin and informal wetlands within the gully to the west of the site.

Consistent with the Revised Drainage Strategy, each allotment will have a 2,000L rainwater tank for reuse purposes, to be plumbed in for toilet flushing and laundry use. Stormy Water Solutions have advised there are no further requirements for detention on site, as the existing infrastructure has been designed with capacity to accommodate drainage from the subject land.

Whilst the subject land is not included within the Development Contributions Plan Overlay, the proposal will benefit from proposed infrastructure, in particular through the construction of Wetland DR11a. In good faith, our Client is pleased to offer up a voluntary contribution towards this infrastructure.



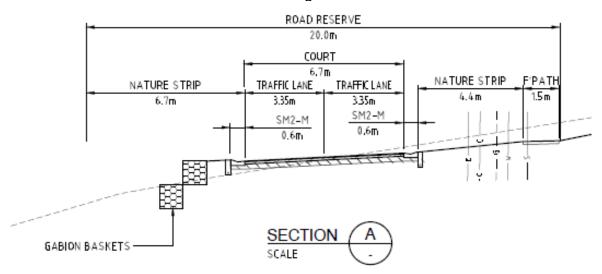
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The Revised Drainage Strategy (at page 56) includes a Preliminary Cost Estimate for Wetland 11a of \$945,120, rounded to \$0.95m. Based on the targeted number of dwellings within LENGA of 1544 dwellings, this equates to a contribution of \$615.29 per dwelling. Mindful this is a conceptual value, and that contributions from outside the LENGA catchment had not otherwise been anticipated, we would like to offer a financial contribution of \$24,000, being \$1,000 per proposed allotment.

Should Council find this offer acceptable, it would be our expectation that an Agreement under Section 173 of the *Planning and Environment Act 1987* would be required to document in perpetuity the contributions made by our Client, and that the amount would need to be paid in full prior to the issue of Statement of Compliance.

Importantly, should Council deem this approach to be appropriate, the issue of Statement of Compliance should not be withheld pending construction of Wetland 11a, given water quality is considered on a catchment-wide scale within the broader LENGA area. The benefits of Wetland 11A exceed the minimal water quality improvements associated with the development of the subject land.

The proposed road design now incorporates gabions on the western (lower) side, consistent with the recommendations of the SWS report where batters are steeper than 1:5. Additional width has been provided within the proposed road reserve to accommodate the transition in grade.



Extract from Proposed Access & Servicing Plan (Crossco Consulting)

The location of the courtbowl has been shifted slightly to the east to minimise works within proximity of the existing drainage line, with a footpath proposed on the eastern (higher) side of the road only.

The revised scheme will result in an overall reduction in the number of lots, down by one to twenty-four lots. The proposed yield is considered to be more appropriate having regard for the conditions on ground.

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The two areas of Common Property are to be retained, with each including provision for the turning of a fire fighting vehicle. Areas for the placement of rubbish bins for municipal collection have been appropriately nominated within the road reserve, which will avoid the need for garbage trucks to access areas of Common Property.

The intersection location had been amended following feedback from the Department of Transport and Planning, achieving a staggered 'T' intersection with appropriate separation from the intersection with Northrope Road.

The Revised Traffic Engineering Response prepared by Traffix Group incorporates a Concept Layout Plan and Swept Path Analysis of the proposed intersection, demonstrating appropriate functionality for an 8.8m long service vehicle.

The revised scheme still respects the 30m buffer from the designated waterway to the west of the subject land, with the majority of allotments located entirely outside the 30m buffer area.

Provision for overland flow paths from adjacent property to the east has been made, with the intention being to extend drainage infrastructure to direct the currently uncontrolled runoff through to the designated waterway.

We trust that the revised scheme achieves an acceptable outcome, and look forward to receiving Council's instructions for public notification.

As always, please do not hesitate to contact me should you require any further information in relation to this matter.

Regards,

KATE YOUNG

Encl. Proposed Subdivision Plan (Version 10)

Design Response Plan (Version 2)

Crossco Consulting plan set comprising:

Access and Servicing Plan – Overall Layout Plan (2524/001-H)

Detail Layout Plan - Sheet 1 of 2 (2524/002-H)

Detail Layout Plan - Sheet 2 of 2 (2524/003-H)

Site Drainage Plan (2524/004-H)

Traffix Group - Revised Traffic Engineering Response (19 December 2022)

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Our Reference: G30501L-02A

19th December, 2022

Crowther & Sadler Pty Ltd 512 Macleod Street BAIRNSDALE VIC 3875

Attention: Ms. Kate Young,

121 Princes Highway, Lakes Entrance – Proposed Residential Subdivision Traffic Engineering Response to Department of Transport

Further to your instructions, please find following our traffic engineering response to the letter issued by the Department of Transport (dated 21st October, 2022), which stated that it was not satisfied by the previously submitted concept plan. Alterations to the plan have now been made to adhere to the issues that the Department had with the design.

The following should be read in conjunction with our traffic report G30501R-01B (dated February, 2022). We note that the traffic report was based on a scheme with 25 residential lots. However, the current proposal is for 24 residential lots.

Further Information Request Items

The following further information has been requested by the Department of Transport:

- 1. Concept plans of the intersection with the Princes Highway and the subdivision showing the following:
 - a. Swept paths for all manoeuvres.

The Department requests further swept paths for all the manoeuvres including a passenger vehicle, service vehicle and 19m Semi (check Vehicle).

b. The required deceleration lane length and storage from the south-west direction turning right into the subdivision.

The Department requests that the appropriate deceleration lane length including taper, parallel lane and storage length is provided for the south-west direction turning right into the proposed subdivision based on the speed and traffic volumes.

c. intersection design

Provide a staggered 'T' intersection concept layout plan of the proposed subdivision intersection and the intersection with Northrope Road.

A concept plan for the proposed intersection is attached at Appendix A to this letter. The concept pan details the following:

The centre of the proposed access road into the subject land is offset from the centre
of Northrope Road by 35m, in accordance with the requirements of Austroads Guide to
Road Design Part 4A – Unsignalised and Signalised Intersections. We are satisfied that

121 Princes Highway, Lakes Entrance

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the intersection is now staggered as per the requirements of the Department of Transport and Austroads.

- The existing right turn lane has been relocated to suit the revised location of the access to the site and has been extended to a total length of 110m reflect the 90km/h speed
- A left turn basic treatment to accommodate left turn movements into the site is provided on the approach the proposed new access road.
- The existing bus stop has been relocated from directly adjacent to the site access point to approximately 75m east to the departure side of the intersection.

The drawing package includes swept paths for the service vehicle, used as design vehicles and a 19m articulated vehicle for checking purposes. The swept paths detail each vehicle accessing from both directions.

The total length of the right turn lane at 110m complies with the requirements of the Austroads Guide to Road Design Part 4A – Unsignalised and Signalised Intersections for the 90km/h speed environment.

We are satisfied that this plan and swept paths satisfies the further information request by DoT.

We trust that the above information satisfactorily responds to the further information request items and the preliminary comments provided by the Department of Transport in its letter dated 21st October, 2022. If any additional information is required, please contact the undersigned at Traffix Group on 9822 2888.

Regards,

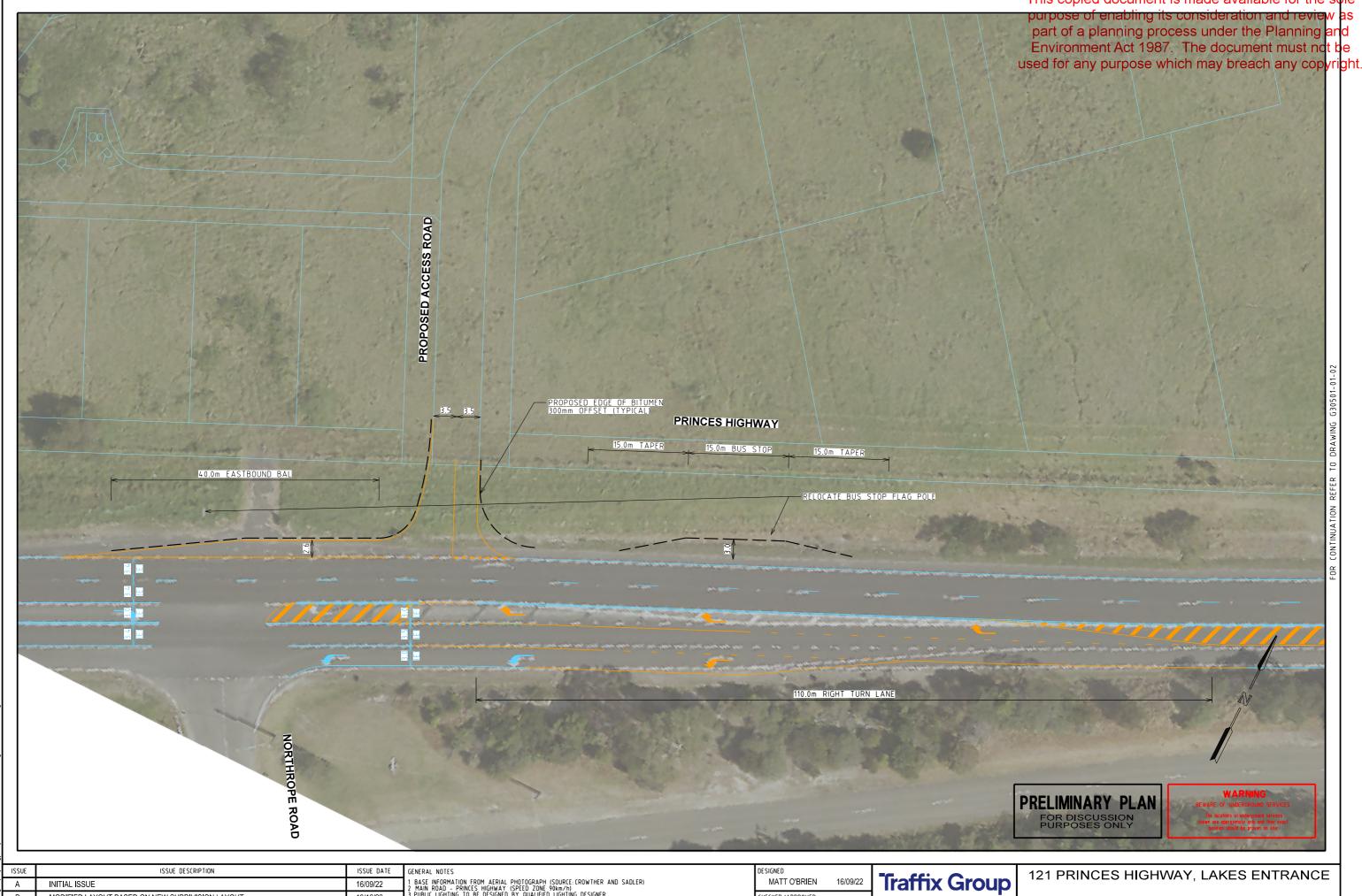
Matthew Woollard Senior Associate

TRAFFIX GROUP



Appendix A

Concept Intersection Plan and Swept Paths



16/09/22 INITIAL ISSUE MODIFIED LAYOUT BASED ON NEW SUBDIVISION LAYOUT 19/12/22

I BASE INFORMATION FROM AERIAL PHOTOGRAPH (SOURCE:(ROWTHER AND SADLER) 2 Main Road – Princes Highway (Speed Zone 90km/h) 3 Public Lighting to be designed by Qualified Lighting Designer

MATT O'BRIEN 16/09/22 CHECKED/APPROVED MATT WOOLLARD 16/09/22

FILE NAME G30501-01-00.dgn Level 28, 459 Collins Street Melbourne, Victoria 3000 +61 3 9822 2888

www.traffixgroup.com.au

EAST GIPPSLAND SHIRE
CONCEPT LAYOUT PLANT/04 SHEET No. 1/4 PWG No. G30501-01-010



ISSUE DESCRIPTION ISSUE DATE INITIAL ISSUE 16/09/22 MODIFIED LAYOUT BASED ON NEW SUBDIVISION LAYOUT 19/12/22

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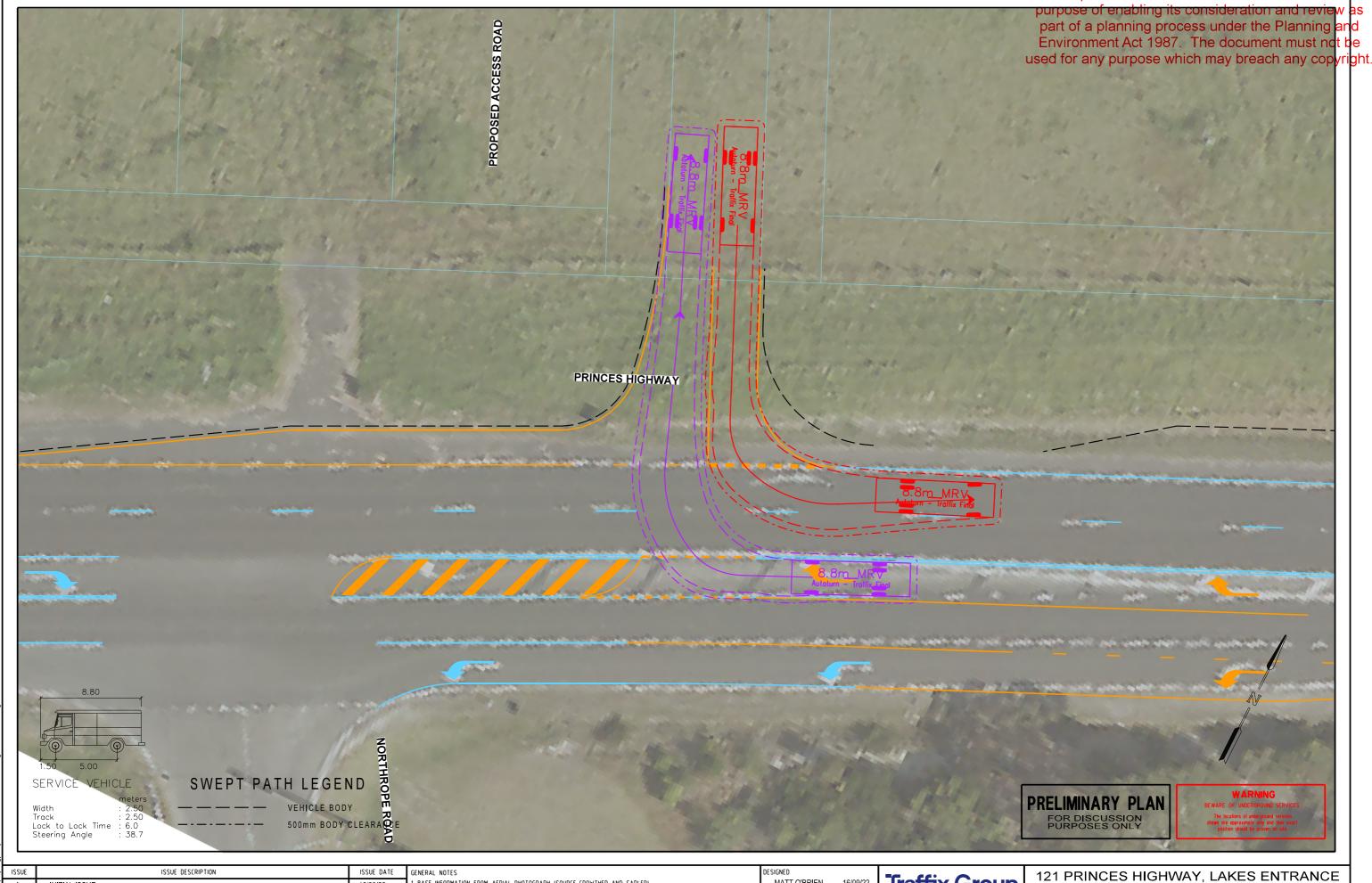
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121 PRINCES HIGHWAY, LAKES ENTRANCE

EAST GIPPSLAND SHIRE
CONCEPT LAYOUT PLAN
FINTED 27/04 SHEET No. 2/4 PWG No. G30501-91-03



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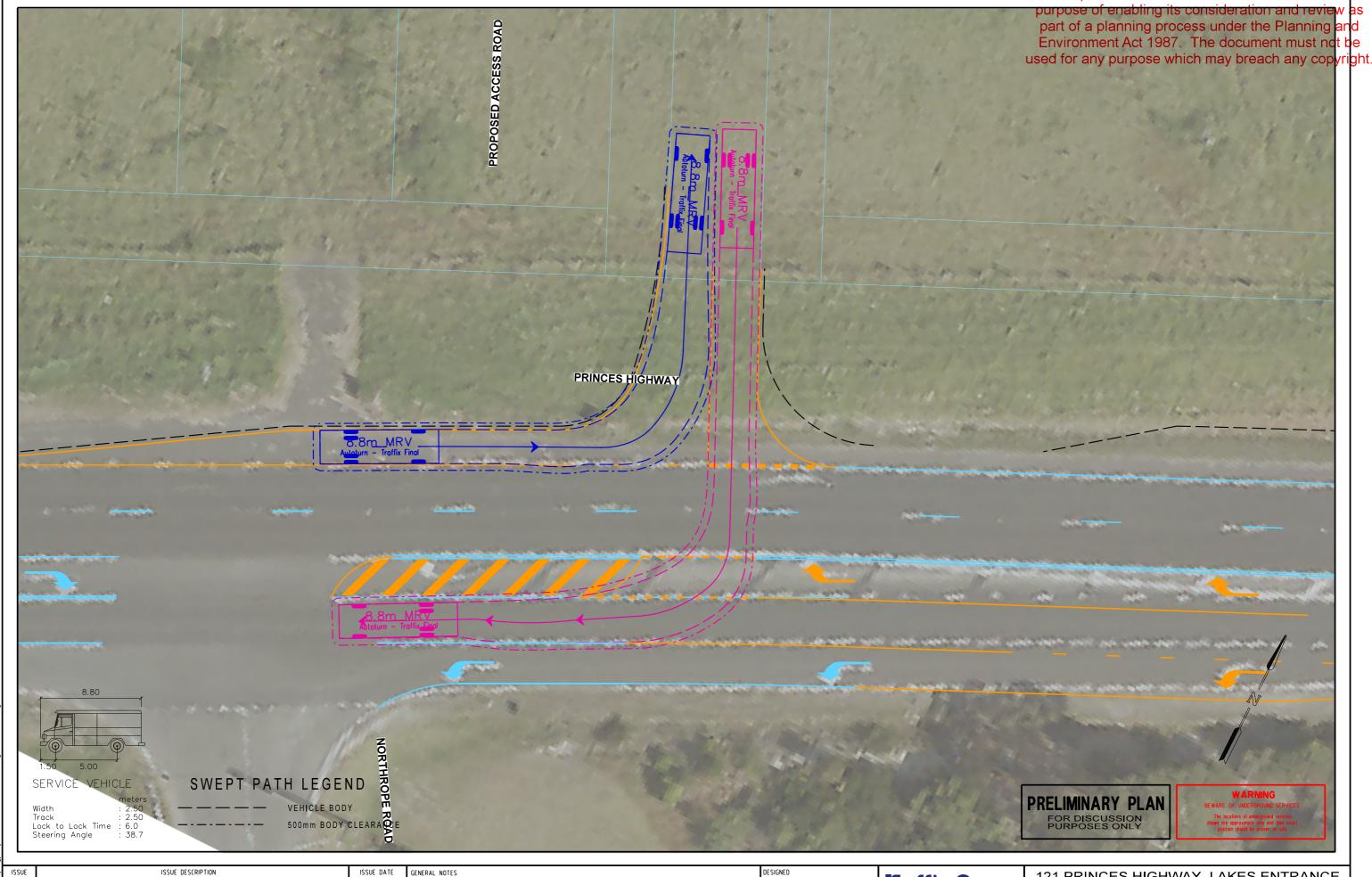
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EAST GIPPSLAND SHIRE
SWEPT PATH ANALYSIS 7/04/2023 SHEET No. 3/4 PWG No. G30501-91-03 age 91 of 100



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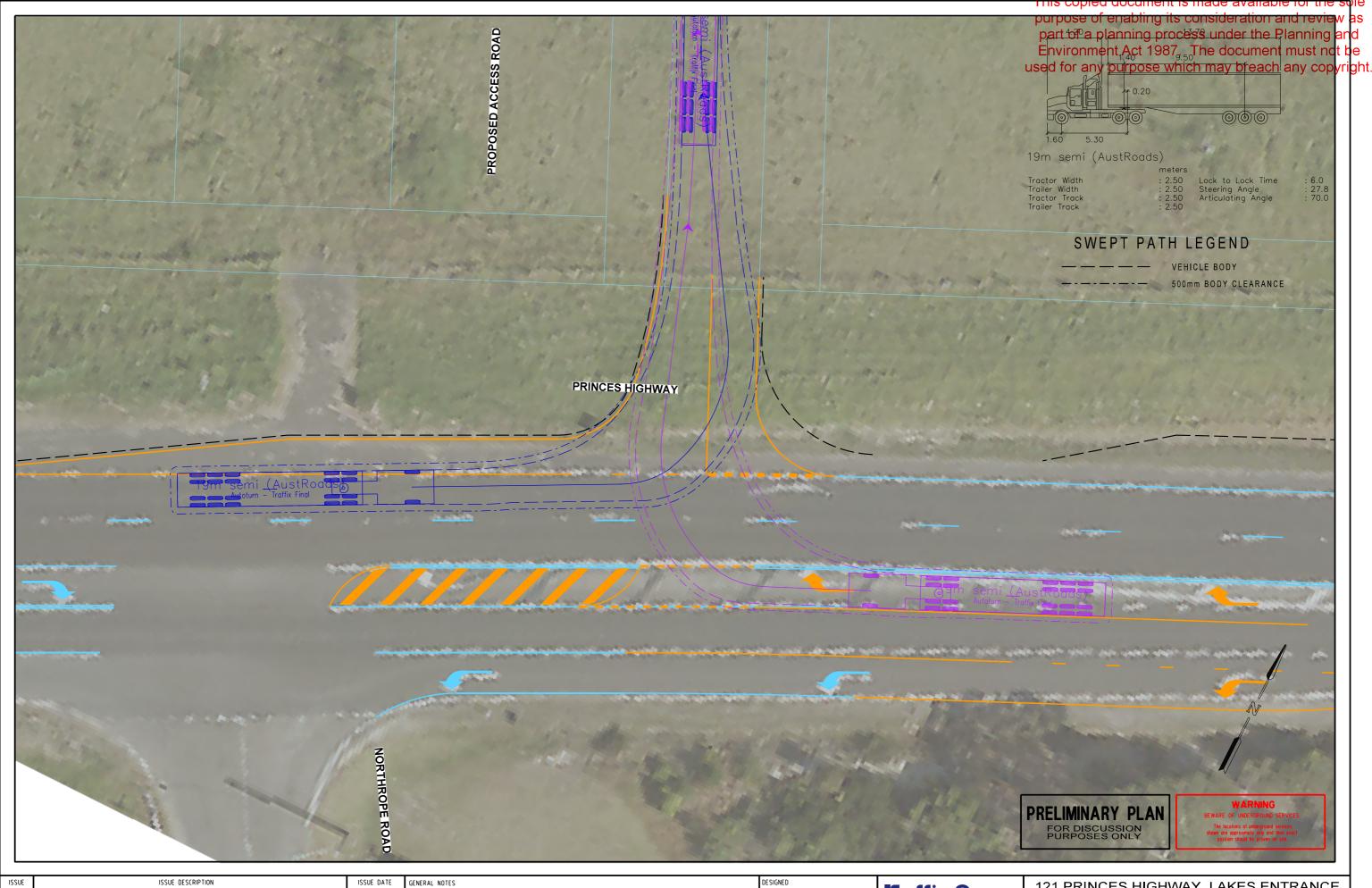
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121 PRINCES HIGHWAY, LAKES ENTRANCE

EAST GIPPSLAND SHIRE
SWEPT PATH PLALYSIS 7/04/2023 SHEET No. 3/4 PWG No. G30501-01-030



INITIAL ISSUE

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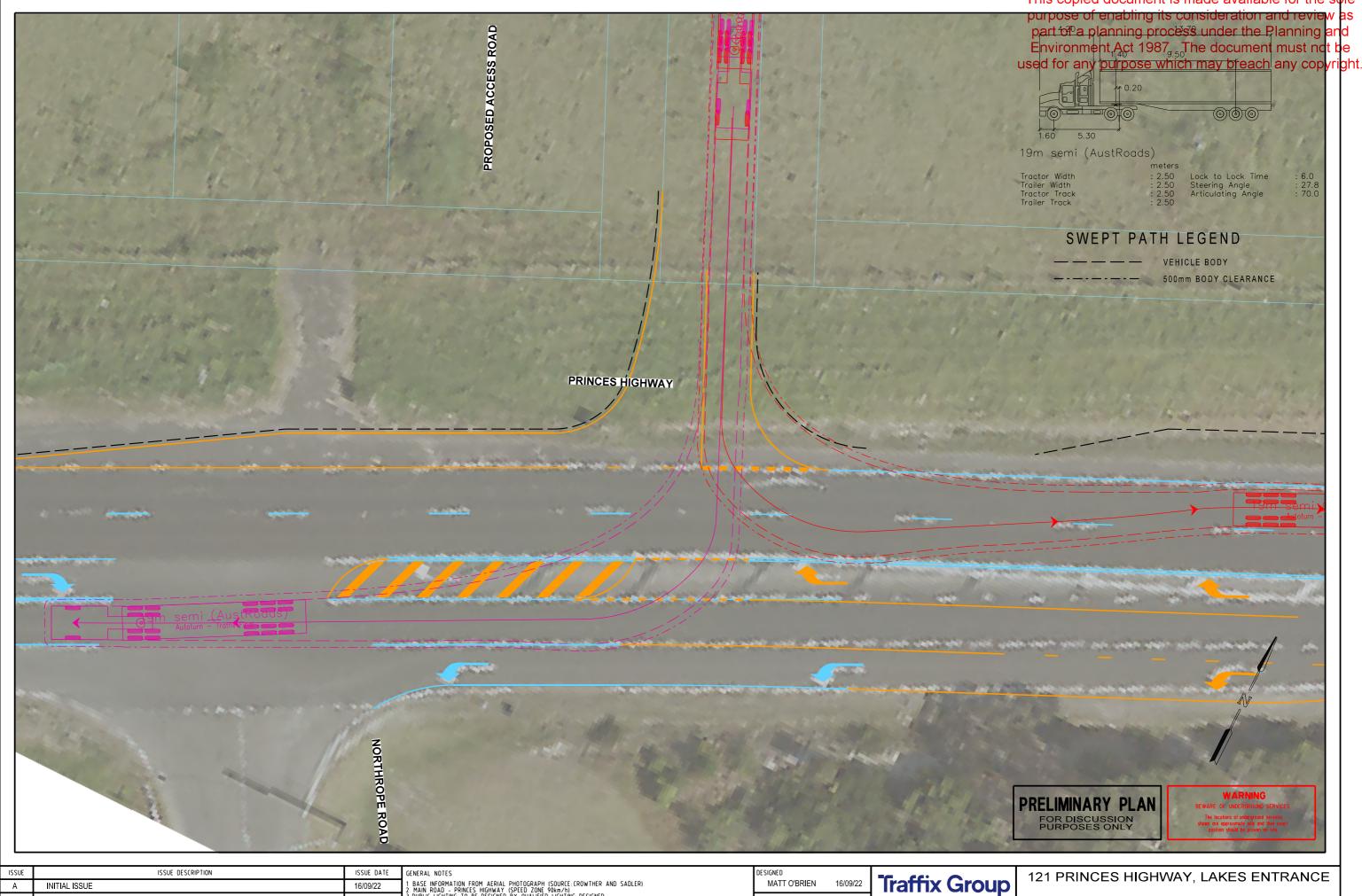
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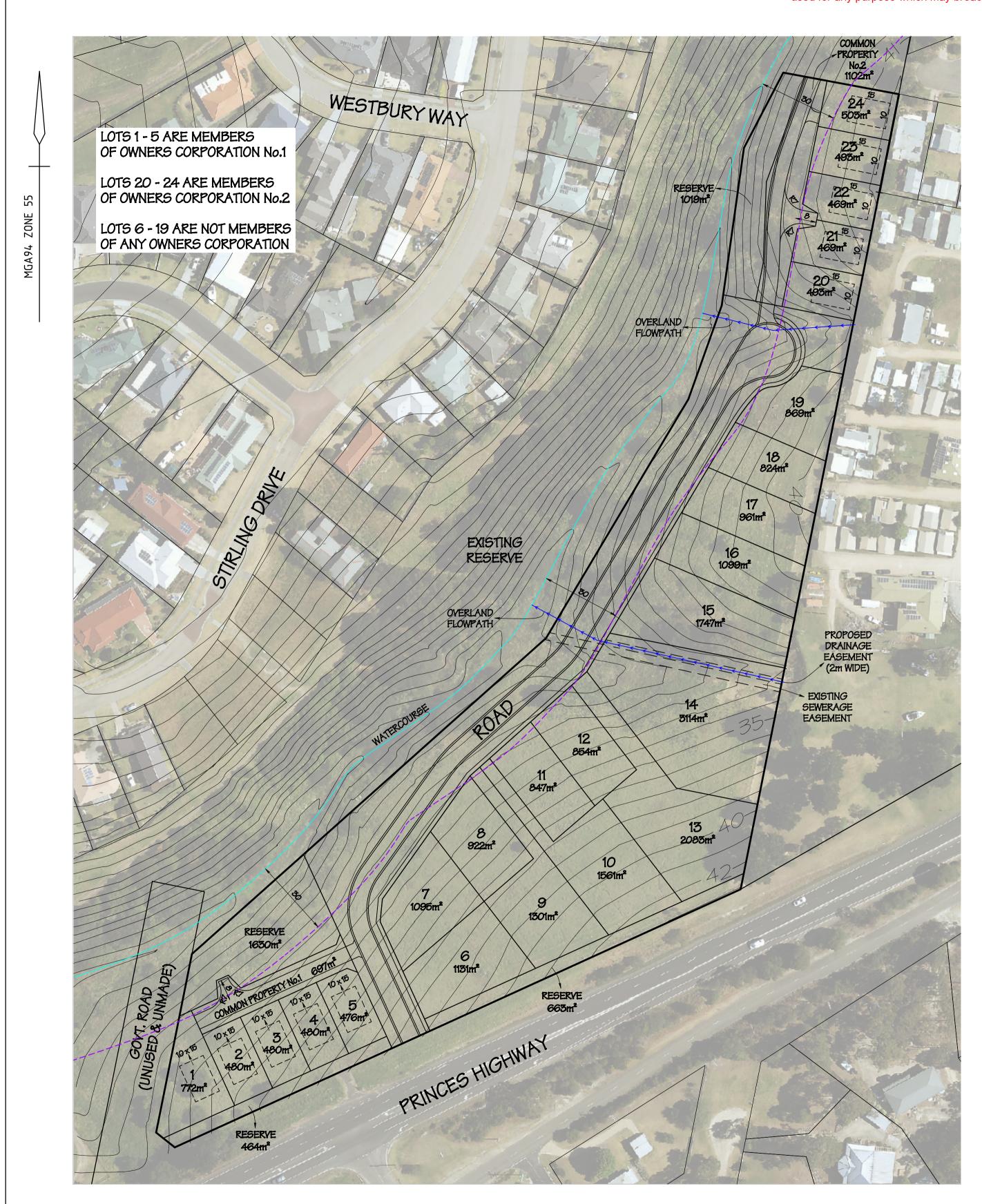
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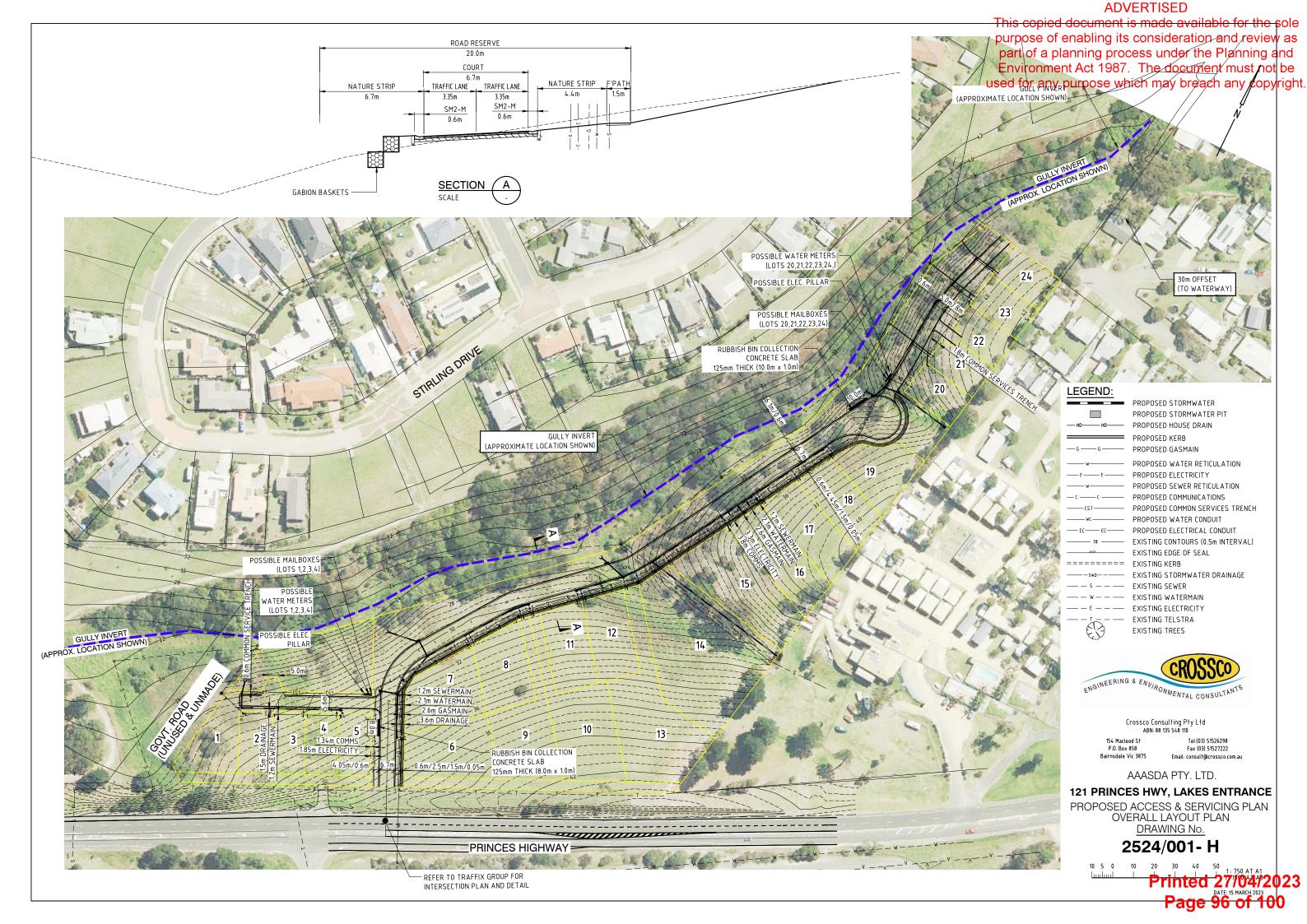
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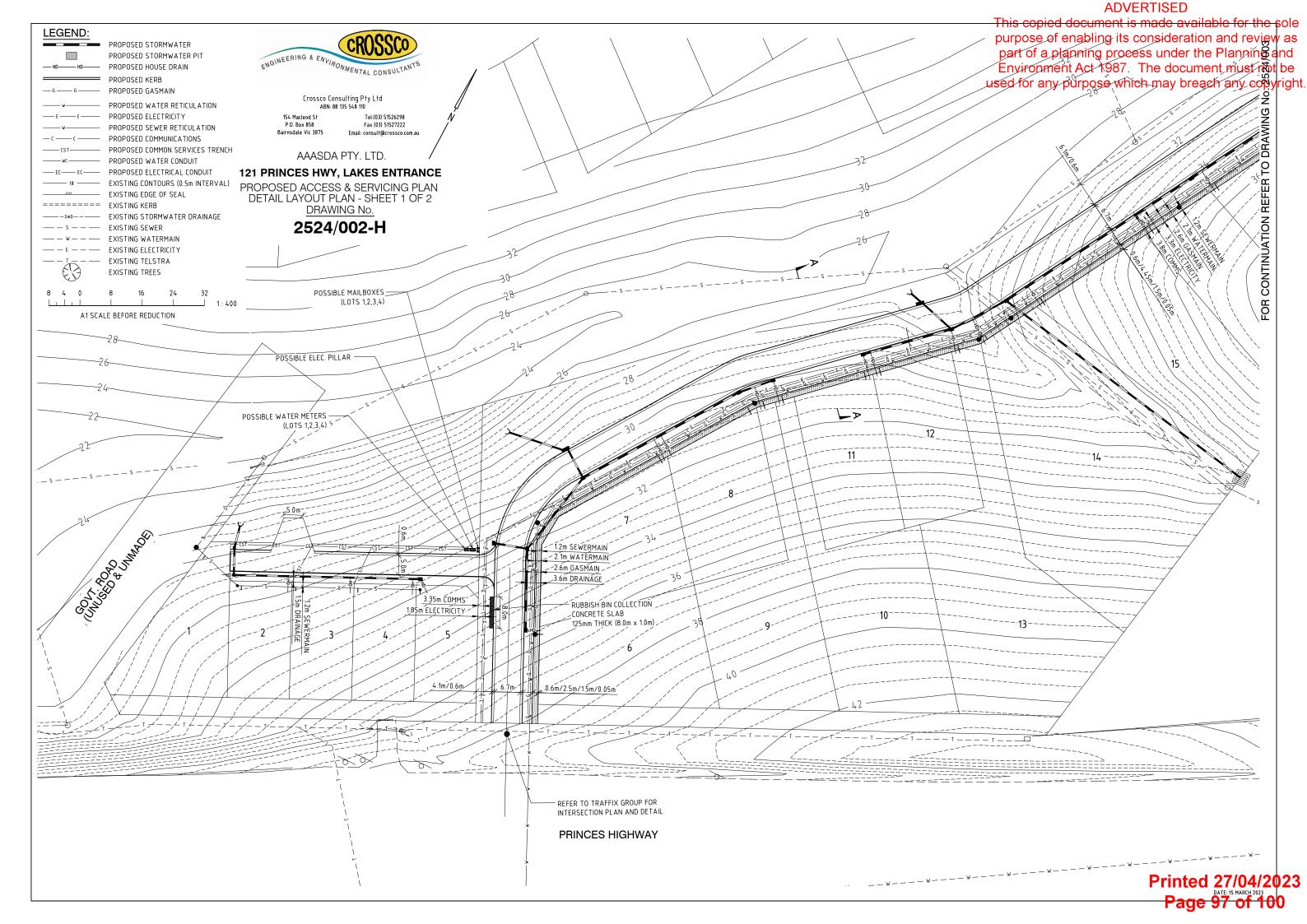
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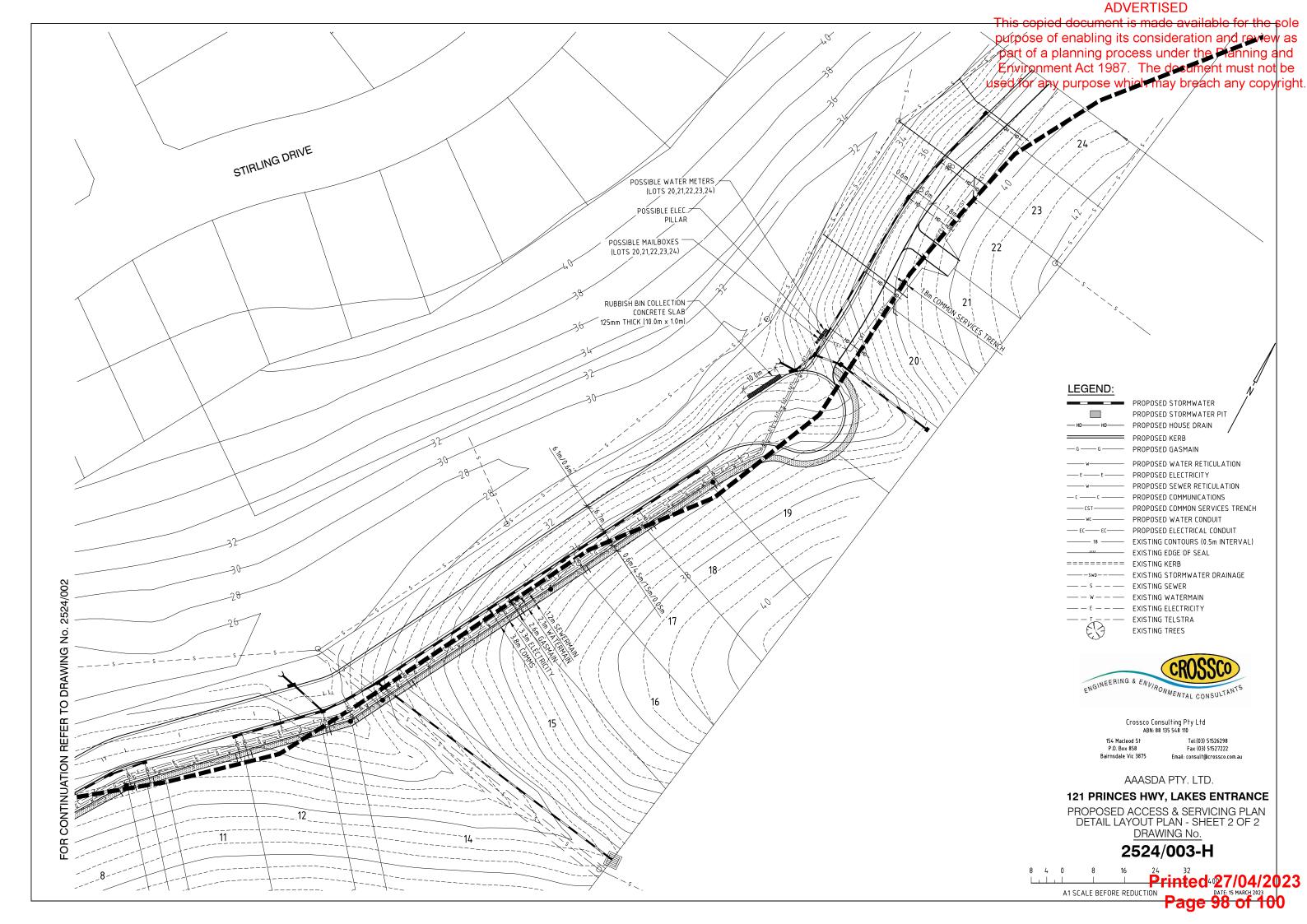
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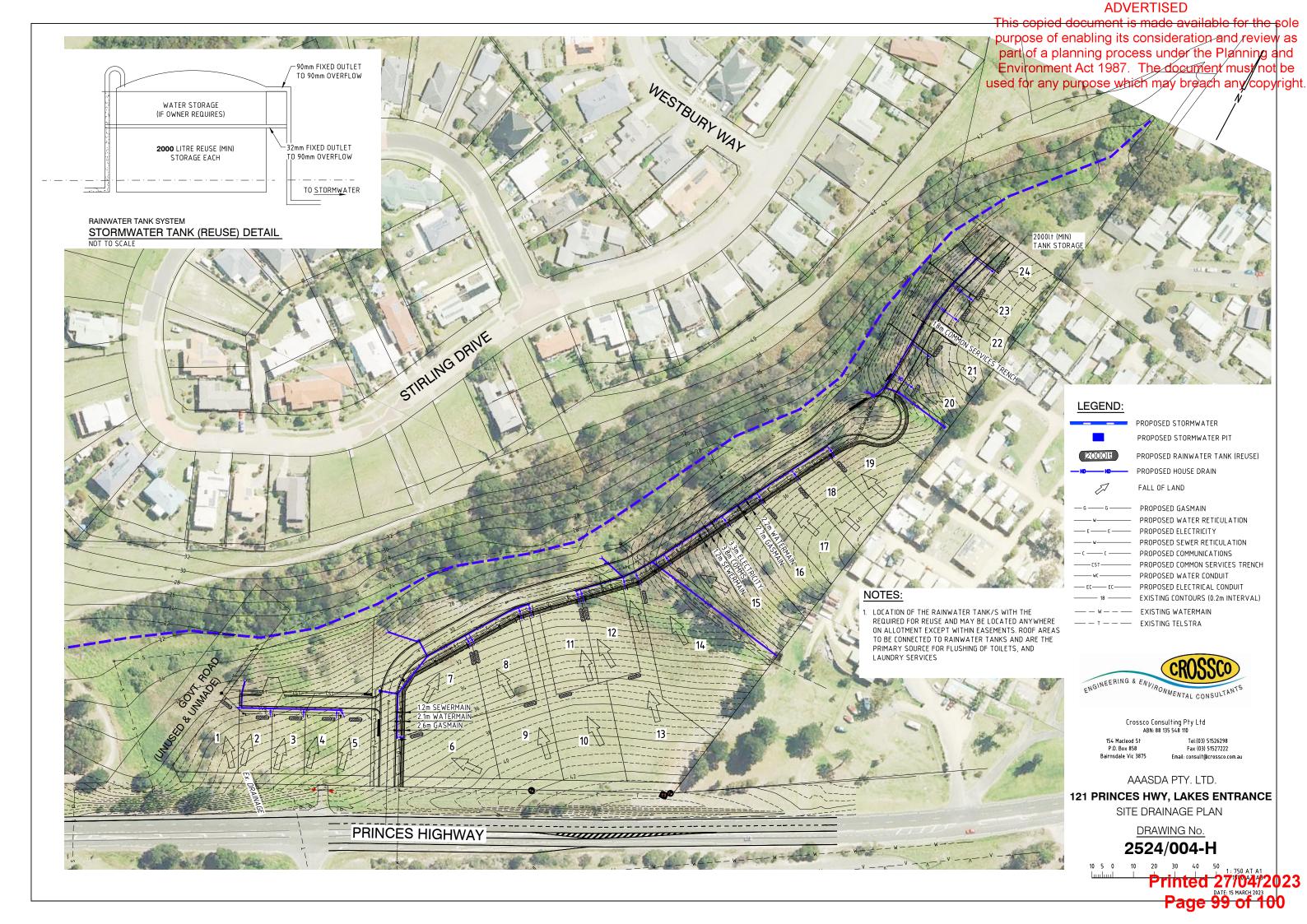
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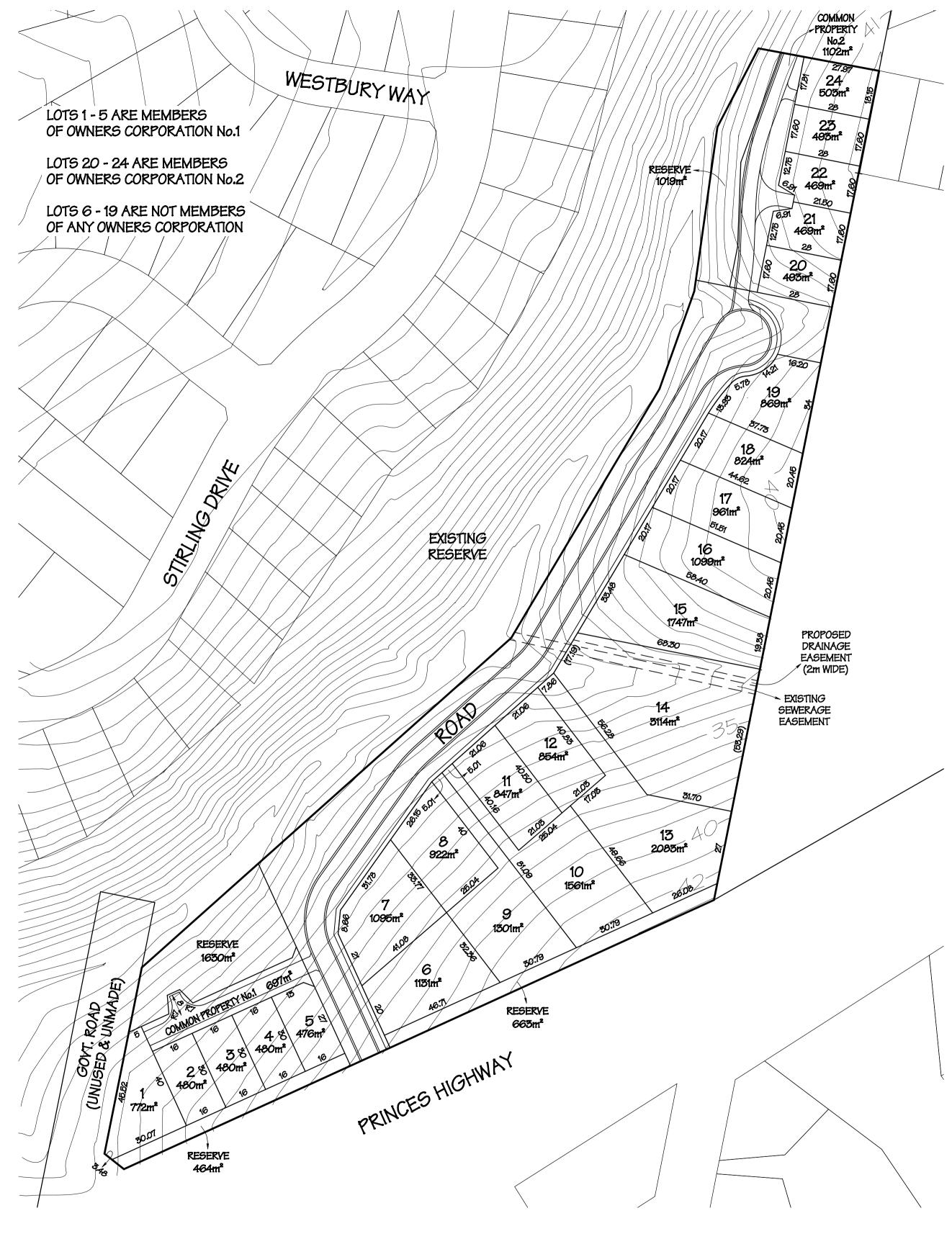








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PROPOSED SUBDIVISION

PARISH OF COLQUHOUN CROWN ALLOTMENTS 28A \$ 30A (PARTS)

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