

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	34 First Parade RAYMOND ISLAND 3880 Lot: 2 PS: 517797
The application is for a permit to:	Two Lot Subdivision & Removal of Native Vegetation
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2023.356.1
You may look at the application and any documents that support the application on the website of the responsible authority.	COVID-19 Omnibus (Emergency Measures) Bill 2020 now modifies the requirement of Form 2 so that <i>Planning documents previously required to be physically available to view at local government offices are now only required to be available for online inspection.</i>

This can be done anytime by visiting the following website:

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

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

An objection must

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

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

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

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

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

Page 1 of 1

VOLUME 10776 FOLIO 663

Security no : 124108689224S
Produced 29/08/2023 02:14 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 517797U.

PARENT TITLES :

Volume 10419 Folio 904 Volume 10466 Folio 685

Created by instrument PS517797U 09/01/2004

REGISTERED PROPRIETOR

Estate Fee Simple

Joint Proprietors

MARK KAHSNITZ

ELIZABETH ANN DREWELL both of 25/19 SORRENTO STREET NORTH BEACH WA 6020

AJ702897J 01/06/2012

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AJ702898G 01/06/2012

AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

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 PS517797U FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 34 FIRST PARADE RAYMOND ISLAND VIC 3880

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Effective from 23/10/2016

DOCUMENT END

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PLAN OF SUBDIVISION

STAGE No.

LTO USE ONLY

PLAN NUMBER

EDITION 1

PS 517797U

LOCATION OF LAND

PARISH: BAIRNSDALE
TOWNSHIP: RAYMOND ISLAND
SECTION: 17
CROWN ALLOTMENT: 2 (PART)
CROWN PORTION: —

TITLE REFERENCES: VOL 10419 FOL 904
VOL 10466 FOL 685

LAST PLAN REFERENCE: LOT 1 ON PS 420970W
LOT 2 ON PS 423537V

POSTAL ADDRESS: FIRST PARADE,
(At time of subdivision) RAYMOND ISLAND, 3880

AMG CO-ORDINATES: E 563 900
(Of approx. centre of land in plan) N 5802 020 ZONE: 55

COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF: 78/2003/CRT

1. This plan is certified under Section 6 of the Subdivision Act 1988.
- ~~2. This plan is certified under Section 11(7) of the Subdivision Act 1988.~~
~~Date of original certification under Section 6 / /~~
3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.

OPEN SPACE

- (i) A requirement for public open space under Section 18 Subdivision Act 1988 has / has not been made.
- ~~(ii) The requirement has been satisfied.~~
- ~~(iii) The requirement is to be satisfied in stage~~
Council Delegate
Council seal
Date 28/08/2003
~~Re-certified under Section 11(7) of the Subdivision Act 1988~~
Council Delegate
Council seal
Date / /

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER

COUNCIL / BODY / PERSON

NIL

NIL

NOTATIONS

STAGING This is / is not a staged subdivision
Planning Permit No

DEPTH LIMITATION DOES NOT APPLY

SURVEY: THIS PLAN ~~IS~~ IS NOT BASED ON SURVEY
THIS SURVEY IS CONNECTED TO PERMANENT MARK No(s)

EASEMENT INFORMATION

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

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	SEWERAGE	3	THIS PLAN	EAST GIPPSLAND REGION WATER AUTHORITY

LTO USE ONLY

STATEMENT OF COMPLIANCE
/ EXEMPTION STATEMENT

RECEIVED



DATE 15/12/03

LTO USE ONLY

PLAN REGISTERED

TIME 8:01 am

DATE 9/1/04

GS Newman
Assistant Registrar of Titles

SHEET 1 OF 2 SHEETS

Crowther & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 5182 8011

LICENSED SURVEYOR

MICHAEL JOSEPH SADLER

SIGNATURE

DATE / /

REF 10582

VERSION 2

DATE / /

COUNCIL DELEGATE SIGNATURE

ORIGINAL FILE 517797U

Printed 23/10/2023

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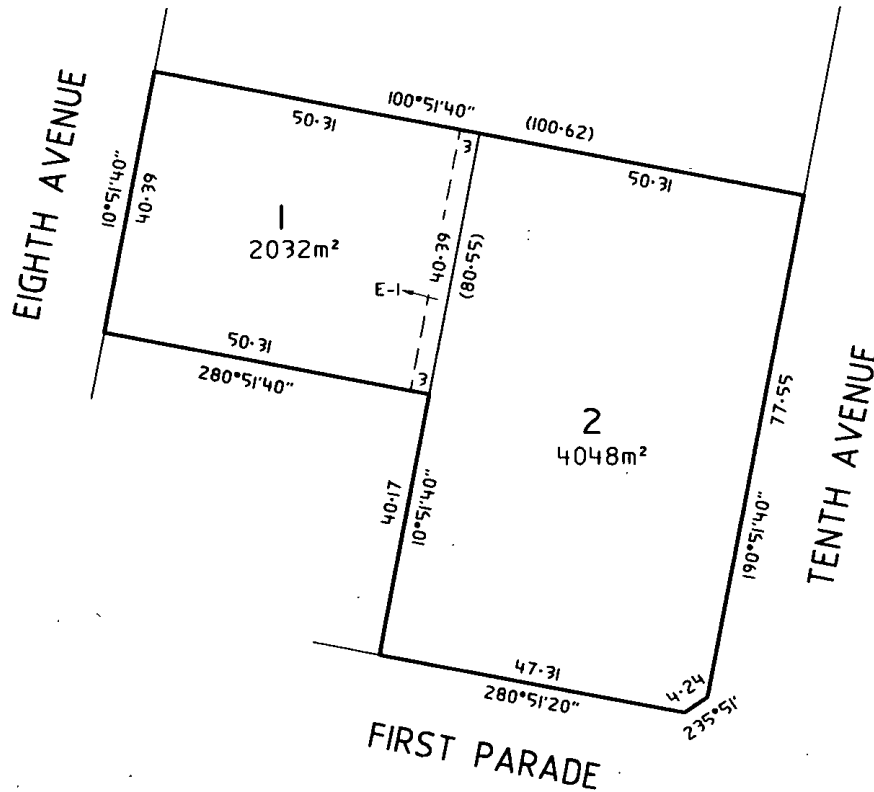
PLAN OF SUBDIVISION

STAGE NO.

PLAN NUMBER

PS 517797U

AMG ZONE 55



Crowther & Sadler Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 6162 6011

ORIGINAL

SCALE

LICENSED SURVEYOR

MICHAEL JOSEPH SADLER

SIGNATURE

DATE / /

REF 10582

VERSION 2

SHEET 2 OF 2 SHEETS

SHEET
SIZE
A3

SCALE
1:800

8 0 8 16 24 32
LENGTHS ARE IN METRES

DATE / /
COUNCIL DELEGATE SIGNATURE

0 10 20 30 40 50 60 70 80 90 100 110mm

Printed 23/10/2023

Page 4 of 97

Planning Report

Two Lot Subdivision & Removal of Native Vegetation 34 First Parade, Raymond Island

Our reference – 20530

11 September 2023



FS 520900



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	Application Form (via planning portal)	
	Proposed Subdivision Plan (Version 2, dated 11/07/2023)	
	Design Response Plan (Version 1, dated 29/08/2023)	
	Plan of Vegetation Removal (Version 1, dated 25/08/2023)	
	Bushfire Planning Report (V1.0, 18/08/23) – Euca Planning	
	Bushfire Management Plan (Version 1 – drawn 29/08/2023)	
	Copy of Title (Lot 2 on PS517797)	
	Native Vegetation Removal Report ID: GEN_2023_616 (dated 23/08/23)	
	Report of available native vegetation credits Report ID: 20505 (24/08/23)	

Note: Applicable Planning Application fee is \$2,031.20

Class 19 – Subdivision (\$1,415.10)

Class 10 – Vegetation Removal (\$1,232.25/2=\$616.10)

1. Introduction

This Planning Report is prepared in support of proposed Two Lot Subdivision & Removal of Native Vegetation at 34 First Parade, Raymond Island. The Report addresses the provisions of the General Residential Zone, Land Subject to Inundation Overlay, Design & Development Overlay – Schedule 11, Vegetation Protection Overlay – Schedule 2 and Bushfire Management Overlay – Schedule 2 as contained within the *East Gippsland Planning Scheme*.



Aerial view of subject land and surrounding precinct – Source: VicPlan



Zone mapping and aerial of subject land and surrounding precinct – Source: VicPlan

2. Site & Context Description

The Subject Land

The subject land is a residential parcel of land formally described as Lot 2 on PS 517797U and is approximately 4,047.8m² in area commonly known as 34 First Parade, Raymond Island.

The site is a relatively large residential allotment which benefits from frontage to First Parade of approximately 47.31 metres in length to the south and frontage to Tenth Avenue of approximately 77.55 metres in length to the east.

An existing dwelling and associated outbuilding are sited on the southern portion of the land which takes vehicle access from First Parade whilst the northern portion of the property contains a small shed.



Existing dwelling and shed from First Parade



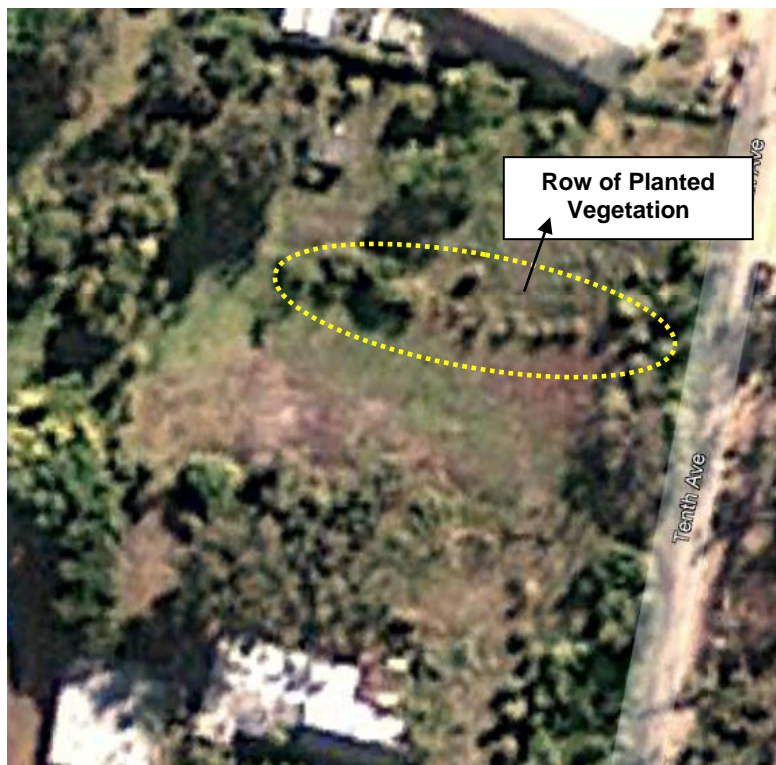
Existing shed on northern portion of the site

Whilst the site is situated within an existing residential precinct and contains some planted and non-native vegetation it also contains some established native vegetation inclusive of species such as Manna Gums, Coast Banksia and Sweet Pittosporum.

Some revegetation of native species was undertaken across the site in an east-west direction approximately 20 years ago which is easily identified by the even spacing, straight alignment and common species selection. There has also been some natural regeneration of native species across the land which is now generally more than 10 years in age.



Row of planted trees (30/07/2023)



Historic aerial photography – Source: Google Earth (22/08/2009)

The landform across the site is relatively flat. Contour data demonstrates that the southeastern corner of the property represents the highest elevation with the landform falling very slightly to the north.

Whilst informal vehicle access is provided from First Parade to the existing shed on the southern portion of the property, there are no formal vehicle crossovers established to the land.



Access to existing shed from First Parade

The adjoining road reserves in front of the subject land are somewhat well vegetated with native species. Power is provisioned overhead on the northern side of First Parade and on the eastern side of Tenth Avenue.



View towards subject land from Tenth Avenue

Services are available to the land with an existing water supply provided from First Parade to the south and sewer provided to both the northwestern corner of the site and the southwestern corner of the site.



Sewer & Water Layout – Source: EGW

The subject land is affected by the provisions of the General Residential Zone, Design & Development Overlay – Schedule 11, Vegetation Protection Overlay – Schedule 2 and Bushfire Management Overlay – Schedule 2 of the *East Gippsland Planning Scheme*.

Surrounding Context

The subject land is situated within an existing residential precinct on Raymond Island. The surrounding area is relatively flat and enjoys a natural vegetated character.

First Parade to the south and Tenth Avenue to the east both currently comprise a gravel pavement and service multiple residential properties.



View west along First Parade



View north along Tenth Avenue

The surrounding properties to the north, south and west of the site are contained within the General Residential Zone. Land on the eastern side of Tenth Avenue opposite the subject land is contained within the Public Conservation Resource Zone and is well vegetated with coastal species.

The residential precinct is generally developed with a mixture of single and double storey dwellings, many of which serve as second residences or holiday homes. Dwellings typically comprise of light weight materials rather than heavier masonry cladding and have flat pitched roof forms.

The neighbouring property to the west of the subject land fronts First Parade and is double storey whilst the neighbouring property to the north of the subject land contains a single-story dwelling.



Neighbouring property to the west of the subject land from First Parade

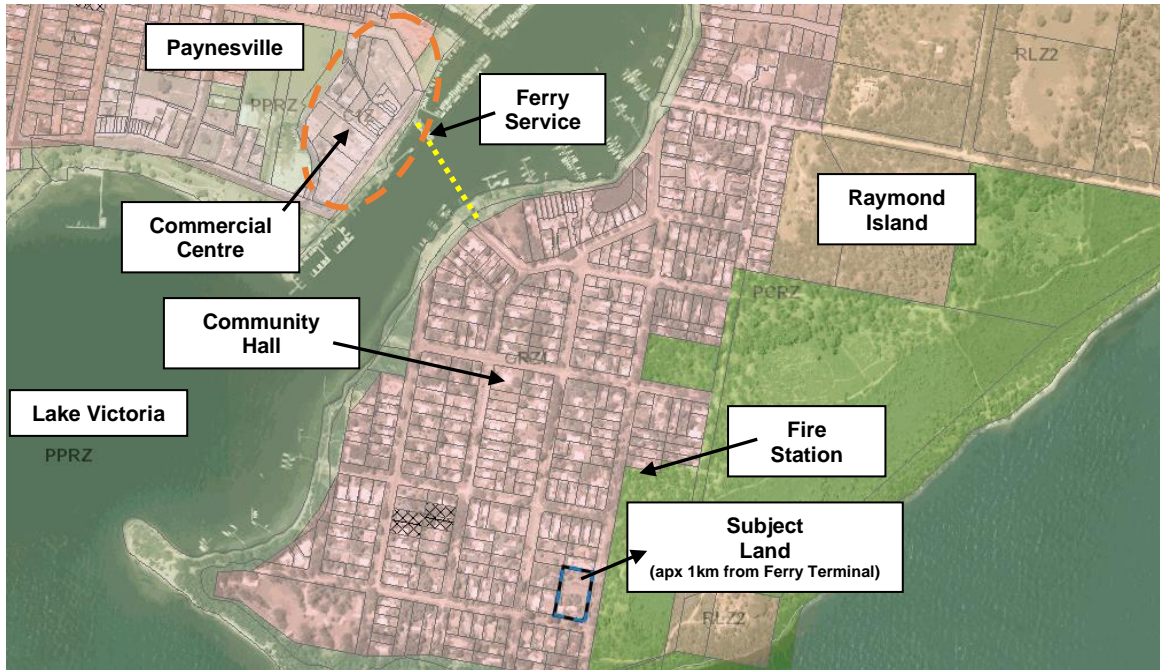


Existing dwelling to the north of subject land from Tenth Avenue

Many of the residential properties within the precinct are quite conventional in size and shape. Frontages are typically around 20.0 metres wide with allotment depth around 40.0 metres. The subject land remains one of the largest residential allotments within the precinct.

Raymond Island enjoys a natural landscaped character with established trees and coastal vegetation a prominent feature within both the residential and non-residential areas. The Island provides a unique residential opportunity which benefits from these natural surrounds.

Access to Raymond Island is unique, reliant on the Raymond Island ferry service which runs in regular intervals from the nearby township area of Paynesville. For convenience purposes some residents of Raymond Island also choose to utilise their own vessels to traverse to and from the mainland.



Site & Context Plan – Source: VicPlan

3. The Application & Proposal

The Application seeks approval for a Two Lot Subdivision & Removal of Native Vegetation in accordance with the provisions of the *East Gippsland Planning Scheme*.

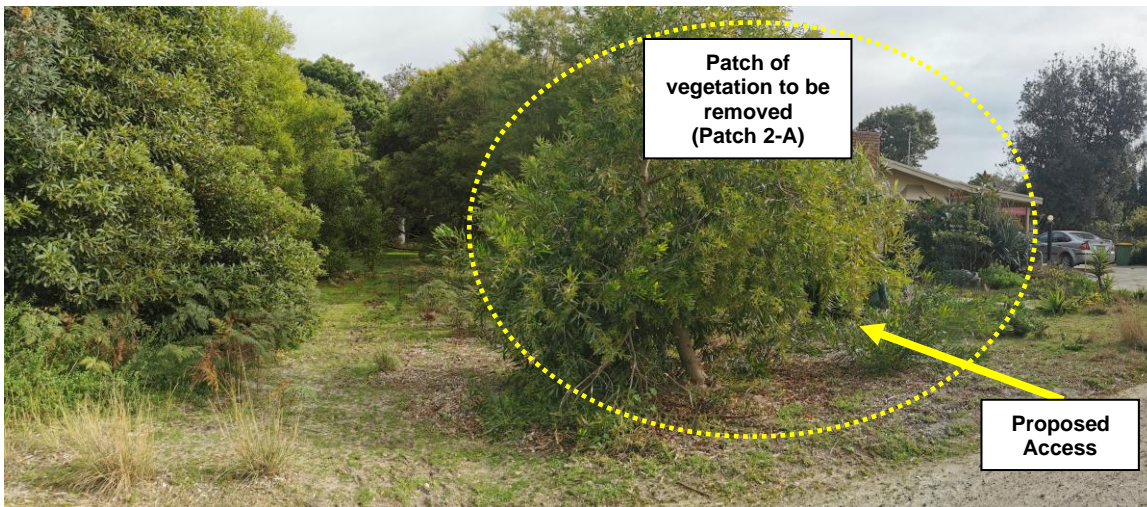
The subdivision has been designed to create Lot 1 of approximately 880m² in area which will be a vacant allotment for future residential development and Lot 2 of approximately 3167m² in area which will contain the existing dwelling and associated outbuilding.



Proposed Subdivision Layout

The existing access provisions from First Parade will continue to service the existing dwelling on proposed Lot 2 whilst a new gravel vehicle crossing is expected to be established from Tenth Avenue to provide access to proposed Lot 2.

The new point of access will be established from the most northern portion of the frontage to Tenth Avenue where the roadside vegetation is sparser however it will require removal of a small patch of native vegetation (Patch 2-A).



Proposed access from Tenth Avenue

The vegetation earmarked for removal from within the adjoining road reserve to facilitate access to proposed Lot 1 is not in our client's ownership and as a consequence it is anticipated that an internal referral will be required to obtain the necessary land manager/owner consent.

The subdivision will result in the creation of allotments less than 4000m² in area which has the impact of presuming total native vegetation losses across the site (Clause 52.17-7).

A large proportion of the vegetation contained within the subject land is already exempt from the need for a planning permit for removal. The relevant exemptions include:

- The removal, destruction or lopping of any vegetation within 10.0 metres of existing dwellings (Clause 52.12-1);
- The removal, destruction or lopping of any vegetation, except trees, within 50.0 meters of existing dwellings (Clause 52.12-1);
- Removal, destruction or lopping of native vegetation for boundary fencing (Clause 52.17-7).

The presumed loss of any trees from within the subject land and removal of the small patch of vegetation to facilitate access to the land will be offset consistent with the provisions of Clause 52.17.

Whilst offsets will be provided to accommodate total loss of native vegetation across the site, the physical removal of vegetation will be selective to balance the environmental values of the land.

Accompanying the Application is a Plan of Vegetation Removal which nominates the vegetation to be physically removed to accommodate the proposed subdivision. This plan is expected to be endorsed as part of Permit.

Despite being presumed lost and offset, most site vegetation will be physically retained. Selective vegetation removal will be required to accommodate a Building Envelope on Lot 1 and defensible space that can meet vegetation management requirements specified by the Bushfire Management Overlay – Schedule 2.

The Building Envelope has been specifically designed to ensure there is sufficient separation from the bushfire threat provided on the eastern side of Tenth Avenue whilst enabling the retention of the larger tree at the rear of Lot 1.

A Design Response Plan has also been provided in support of the Application and includes detail of various bushfire protection exemptions for the removal of vegetation and separation distance from the bushfire threat for demonstrational purposes.

To mitigate against the increase to flood levels associated with coastal climate impacts we expect that a Condition will be placed on Permit which will require future residential development to be constructed with a minimum finished floor level of 2.5m AHD.

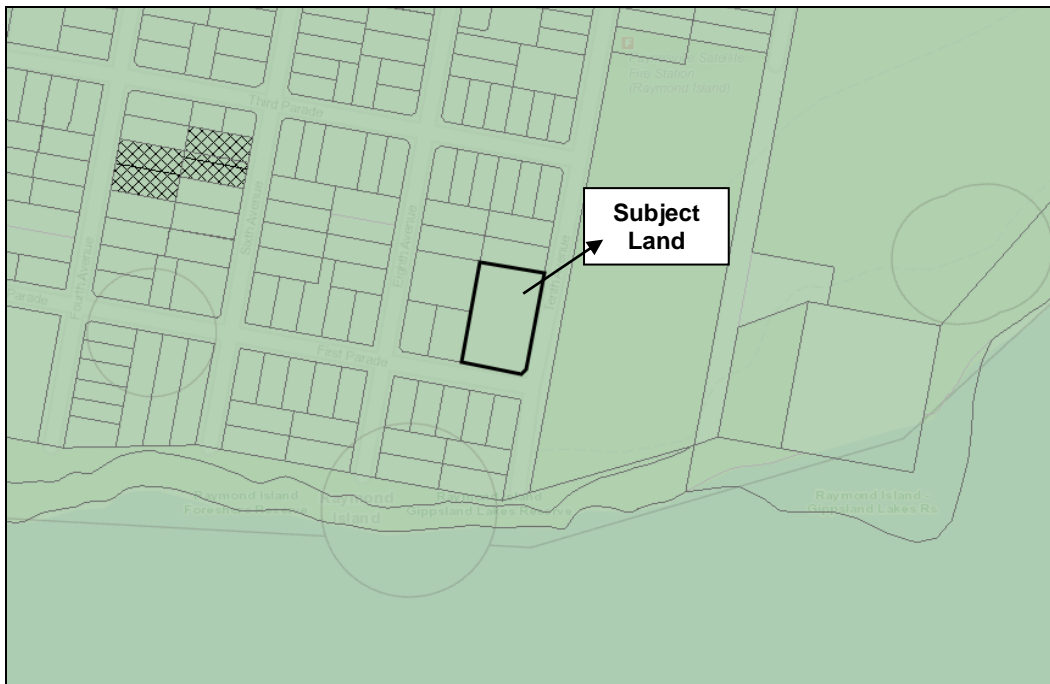
Planning approval is required pursuant to the following Clauses of the *East Gippsland Planning Scheme*:

Planning Scheme Clause No.	Description of what is Proposed
Clause 32.08-3 _{GRZ}	Subdivision
Clause 44.04-3 _{LSIO}	Subdivision
Clause 43.02-3 _{DDO}	Subdivision
Clause 42.02-2 _{VPO}	Vegetation Removal
Clause 44.06-2 _{BMO}	Subdivision
Clause 52.17-1	Removal of Native Vegetation

4. Cultural Heritage

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

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



Cultural Heritage Sensitivity Mapping – Source: VicPlan

Whilst the subject land is identified within an area of cultural heritage sensitivity the subdivision of land into two lots is not identified as a high impact activity (Reg 49). There is therefore no mandatory requirement to provide a CHMP in support of the proposal.

5. Planning Policy

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

5.1 Municipal Planning Strategy

Clause 02.03-1 *Settlement and housing – Coastal settlements* advises that Raymond Island is a unique village and rural residential locality set within the heart of the Gippsland Lakes. Council's strategic direction for Raymond Island is to expand development within existing areas and the proposal is considered to respond positively given its inclusion within the General Residential Zone and access to servicing.

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

The proposal responds well as it seeks to balance the anticipated residential use of the land with the environmental values. This has been achieved by limiting vegetation losses to that required to cater for a modest size dwelling on the vacant parcel of land.

The relevant strategic directions at Clause 02.03-3 *Environmental risks and amenity* prioritise adaptation strategies and assess the impacts of climate-induced sea level rise.

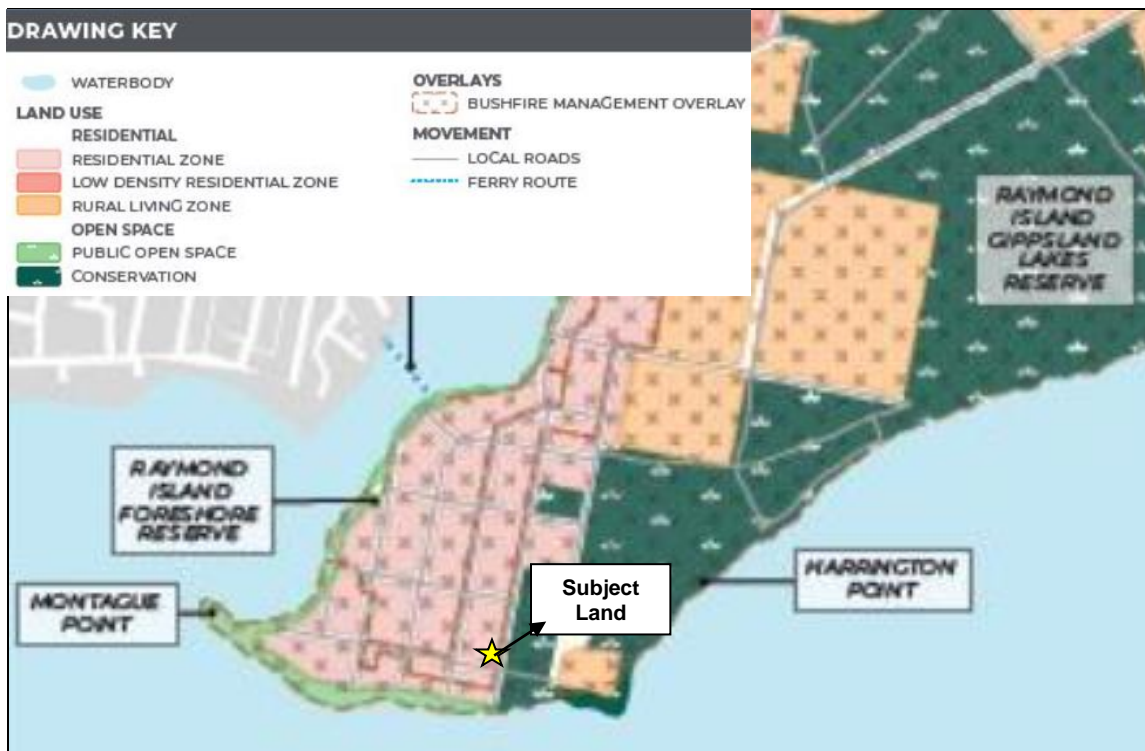
The use of a Section 173 Legal Agreement to ensure future development will have a minimum floor level of 2.5m AHD ensures that the proposal responds positively and mitigates against the perceived risk. The minimum floor level of 2.5m AHD has been adopted based on the AEP of 2.0 metres plus 0.2 metres provision for sea level rise and 0.3 metres freeboard.

5.2 Planning Policy Framework

Clause 11-01-1S relating to *Settlement* seeks to promote sustainable growth and development and deliver choice and opportunity for all Victorians through a network of settlements. The proposal responds positively as the subject land, is capable of sustaining the proposed development and is located within an existing residential precinct.

The accompanying Design Response Plan demonstrates how the land is capable of accommodating future development having regard for the site characteristics and findings of the Bushfire Planning Report prepared by *Euca Planning*.

Clause 11.03-4L03 *Raymond Island* seeks to protect and maintain the well vegetated and low intensity of Raymond Island whilst containing residential and low-density residential development to currently zoned areas. The subject land is located within the existing residential area as identified on the Raymond Island Framework Plan.



Extract of Raymond Island Framework Plan – Source: EGPS

The subject land is affected by the Land Subject to Inundation Overlay and Bushfire Management Overlay. As such Clause 13.01-1S *Natural hazards and climate change* is relevant to the proposal. The proposed subdivision responds appropriately as it has considered the flooding hazard by nomination of a minimum finished floor level, and addressed the bushfire hazard by inclusion of a Bushfire Management Plan to be referenced under a Section 173 Legal Agreement.

In response to Clause 13.01-2S *Coastal inundation and erosion*, Council has adopted the East Gippsland Coastal Inundation and Erosion Policy, which advises that Council will adopt in urban infill areas the AEP flood level plus a 0.2 metre sea level rise plus a 0.3 metre freeboard allowing urban areas at risk of inundation to accommodate and mitigate future risk. This equates to a finished floor level for Raymond Island of 2.5 metres AHD, which we anticipate will be ensured through the use of a Section 173 Legal Agreement.

The proposal has considered Clause 13.02-1S *Bushfire Planning* as the whole of the subject land is contained within a Designated Bushfire Prone area and the Bushfire Management Overlay. A response to this Clause has been included within the accompanying Bushfire Planning Report as prepared by *Euca Planning*.

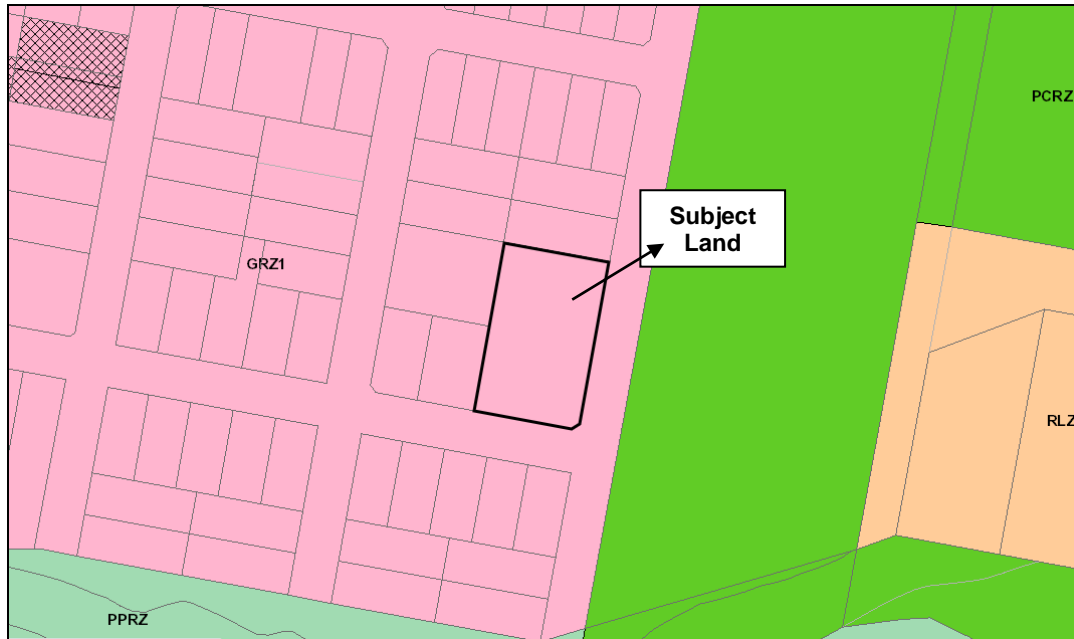
The proposal has prioritised human life through ensuring appropriate separation distances are established from classifiable vegetation and ensuring future development is constructed to BAL 29 or higher.

Clause 15.01-3S relating to *Subdivision Design* seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. The proposed subdivision adheres to this objective as the accompanying Design Response Plan demonstrates that the proposed vacant allotment can easily accommodate future residential development that respects the vegetated landscape.

6. Planning Elements

6.1 General Residential Zone

The whole of the subject land is affected by the provisions of the General Residential Zone which triggers planning approval at Clause 32.08-3 for subdivision of land.



Zone Mapping – Source: VicPlan

The proposed Two Lot Subdivision is considered to respond positively to the purpose of the General Residential Zone as it will provide opportunity for future infill development of an area with a full range of reticulated services and zoned appropriately.

The generous size of proposed vacant Lot 2 at 1761m² in area will ensure that future residential development of the land can easily accommodate the minimum 35% garden area requirement.

The proposed subdivision is considered to comply with the relevant provisions of Clause 56. The following table provides comment against the relevant standards and objectives of Clause 56 relevant to Two Lot Subdivision.

Objective	Comment
56.03-5 Neighbourhood Character	<p>Complies</p> <p>See earlier section within this report which includes information on the subject land and surrounding precinct.</p> <p>The proposal responds well to the surrounding allotment pattern as it will result in the creation of a vacant allotment (Lot 1) which is similar in size and dimensions to the neighbouring allotments immediately to the north.</p> <p>The subject land is a large parcel of land having regard for the surrounding allotment pattern and can easily accommodate the subdivision as proposed.</p> <p>Both allotments will be provided with direct road frontage which is a common theme throughout the precinct. There are no common areas proposed.</p> <p>The balancing of controls to physically retain much of the site vegetation ensures that the vegetated residential theme is carried forward by the proposal.</p> <p>The proposal nominates the creation of a modest sized Building Envelope which will facilitate future residential development that is commensurate to the established neighbourhood which caters for a mixture of permanent and holiday homes.</p>
56.04-2 Lot area and building envelopes	<p>Complies</p> <p>Both allotments are more than 500m² in area and can easily accommodate a 10x15 metre rectangle. A Building Envelope exceeding these dimensions has been nominated within the accompanying Bushfire Management Plan which will ultimately be enshrined within a Section 173 Legal Agreement.</p> <p>The subdivision layout provides generous area for anticipated future development to enjoy solar access, private open space, safe vehicle movements and water management within allotment boundaries.</p>
56.04-3 Solar orientation of lots	<p>Complies</p> <p>Each of the proposed allotments contain sufficient area for residential lots and have the capacity to provide appropriate solar orientation for both existing and future dwellings.</p>
56.04-5 Common Areas	<p>N/A</p> <p>There are no areas of Common Property proposed.</p>

Objective	Comment
56.06-8 Lot access	<p>Complies</p> <p>Access to proposed Lot 1 will be established from Tenth Avenue as part of the proposal, at the northern end of the property frontage. This location has been chosen given the presence of an existing gap in the vegetation which minimises impact to existing vegetation.</p> <p>The existing access provisions provided from First Parade to the existing shed will continue to service the existing dwelling on proposed Lot 2.</p> <p>Whilst it is expected that a Condition on permit will require the establishment of vehicle crossings to service each allotment, we request that the standard of construction deviate from that required by Council's Infrastructure Design Manual (IDM).</p> <p>Whilst it is appropriate for the width and dimensions of the vehicle crossings to be consistent with SD240, given both Tenth Avenue and First Parade both comprise a gravel pavement it is requested that the vehicle crossings also be gravel. This is most appropriate given that use of gravel crossings is prevalent within both First Parade and Tenth Avenue.</p>
56.07-1 Drinking water supply	<p>Complies</p> <p>Reticulated water is currently provided within First Parade which services the existing dwelling however works are expected to be undertaken as part of the subdivision to ensure both allotments will be provided with water connection.</p>
56.07-2 Reused and recycled water	<p>N/A</p> <p>Reused and recycled water will be dependent upon future owners and development of the land.</p>
56.07-3 Wastewater management	<p>Complies</p> <p>Reticulated sewer is established within the precinct. Both proposed allotments will be connected to sewer as part of the subdivision consistent with Standard C24.</p>
56.07-4 Urban run-off management	<p>Complies</p> <p>Drainage will be dealt with to the satisfaction of the Responsible Authority.</p>
56.08-1 Site management	<p>Complies</p> <p>The site will be managed to the satisfaction of the Responsible Authority.</p>
56.09-1 Shared trenching	<p>N/A</p> <p>Given the existing nature of the servicing within the area, there will be limited ability for shared trenching.</p>

<p>56.09-2</p> <p>Electricity, telecommunications and gas</p>	<p>Complies</p> <p>The proposal will make good use of a full range of existing services as available within the precinct. Both proposed allotments will be connected to reticulated power, water, sewer and telecommunications as part of the proposal.</p>
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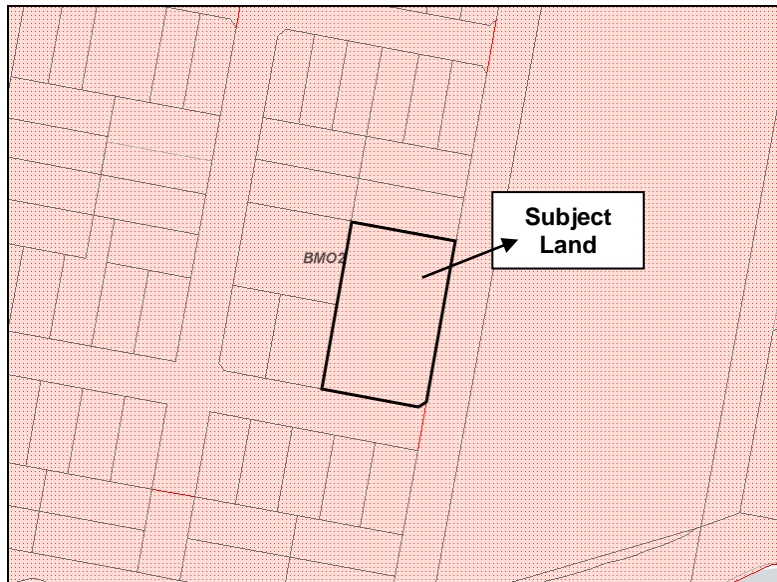
Decision Guidelines

The following dot points provide some comment against the key elements of the project in response to the Decision Guidelines.

- The proposed Two Lot Subdivision provides opportunity for infill residential opportunities into the precinct which can sustain further residential style development and is zoned appropriately.
- The subdivision will make good use of existing services and the site is already connected to a full range of reticulated services as available within the precinct.
- The site is well located being within an existing established residential precinct which is unique having regard for the surrounding natural landscape and lifestyle it provides.
- The proposed subdivision can be incorporated into the surrounding allotment pattern given the generous size of the land and ability to provide both Lots with generous road frontage.
- Each of the proposed allotments will be provided with its own frontage and direct access from either First Parade or Tenth Avenue.
- The subdivision seeks to carefully balance the residential use and the environmental values of the site through nomination of a Building Envelope that can achieve suitable defensible space with only selected physical vegetation loss.
- Vegetation losses have been minimised whilst also ensuring that the bushfire risk has been appropriately mitigated.
- There are no new roads proposed as part of the subdivision.
- There are no areas of Common Property proposed and no Owners Corporation will be required as a result of the proposal.

6.2 Bushfire Management Overlay

The whole of the subject land is affected by the provisions of the Bushfire Management Overlay – Schedule 2 “Cann River, Mallacoota, Metung, Raymond Island BAL - 29 Areas” which triggers planning approval at Clause 44.06-2 for subdivision of the land.



Bushfire Management Overlay – Source: VicPlan

The accompanying Bushfire Planning Report prepared by *Euca Planning* includes adequate information and documentation to address the Application Requirements prescribed at Clause 44.06-3.

Included as part of the Bushfire Planning Report is a Bushfire Hazard Site Assessment which describes the bushfire hazard within 150 metres of the assessment area, a Bushfire Hazard Landscape Assessment which identifies the surrounding landscape as ‘Landscape Type 2’ and a Bushfire Management Plan.

Whilst the Bushfire Management Plan prepared by *Euca Planning* nominates Building Envelope areas having regard for the separation distance of 18.0 metres from Tenth Avenue, it does not cater for the retention of the large tree within the rear of Lot 1.

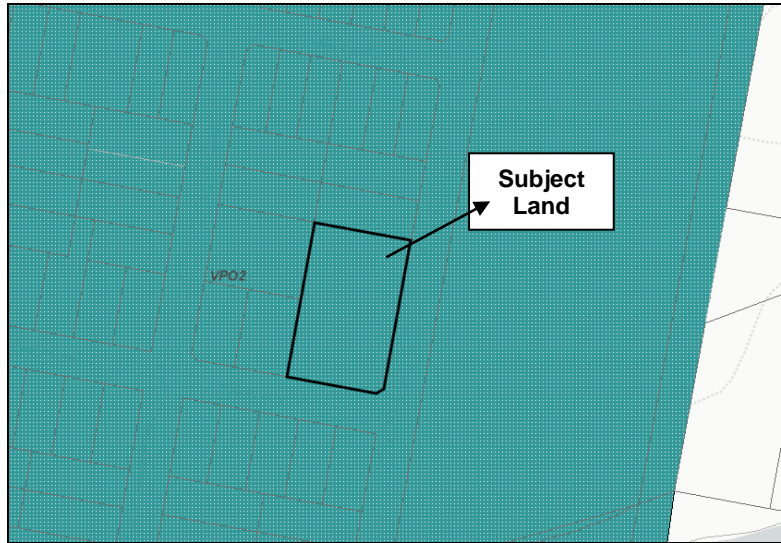
A separate Bushfire Management Plan (Version 1-Drawn 29/08/2023) has therefore been provided in support of the Application which nominates a Building Envelope on Lot 1 consistent with the accompanying Design Response Plan. It is anticipated that this Plan will be endorsed as part of planning permit.

The nominated Building Envelope for Lot 1 has been designed to accommodate separation distances consistent with Column A of Table 2 to Clause 53.02-5 (BAL 12.5) however a minimum construction level of BAL 29 will be required consistent with the Schedule to the Overlay.

The Bushfire Management Plan also prescribes requirement for tree canopy separation to be 2.0 metres which complies with the Overlay albeit deviates from standard wording at Table 6 to Clause 53.02-5.

6.3 Vegetation Protection Overlay

The area in question is affected by the provisions of the Vegetation Protection Overlay – Schedule 2 relating to *Raymond Island Vegetation Protection Area*.



Vegetation Protection Overlay Mapping - Source: VicPlan

Planning approval is triggered at Clause 42.02-2 for the removal of vegetation greater than 2.0 metres in height in accordance with the Vegetation Protection Overlay – Schedule 2.

The Statement of nature and significance of the vegetation to be protected identifies that remnant vegetation on Raymond Island contributes significantly to aesthetic values and provides for a unique rural and urban character in a lakeshore setting which is attractive to both locals and visitors.

The associated objectives of the Overlay seek to conserve the vegetation of high conservation value high aesthetic landscape values so as to conserve high conservation value vegetation, conserve and enhance fauna habitat corridors and reduce risk of soil degradation by minimising extent of vegetation loss.

The application has carefully considered the conservation and aesthetic values of the land by selecting only specific trees to be removed from within the site as opposed to wholesale clearing as shown on the accompanying Plan of Vegetation Removal.

It is noted that the understory vegetation less than 2.0 metres in height being removed to facilitate access into proposed Lot 1 does not require consideration under the provisions of the Vegetation Protection Overlay.

Decision Guidelines

The proposal has sought to avoid and minimise impacts to the site vegetation to aid in the preservation of conservation and aesthetic values. This has been achieved by limiting vegetation loss to that absolutely necessary for establishment of a modest sized Building Envelope and associated defendable space.

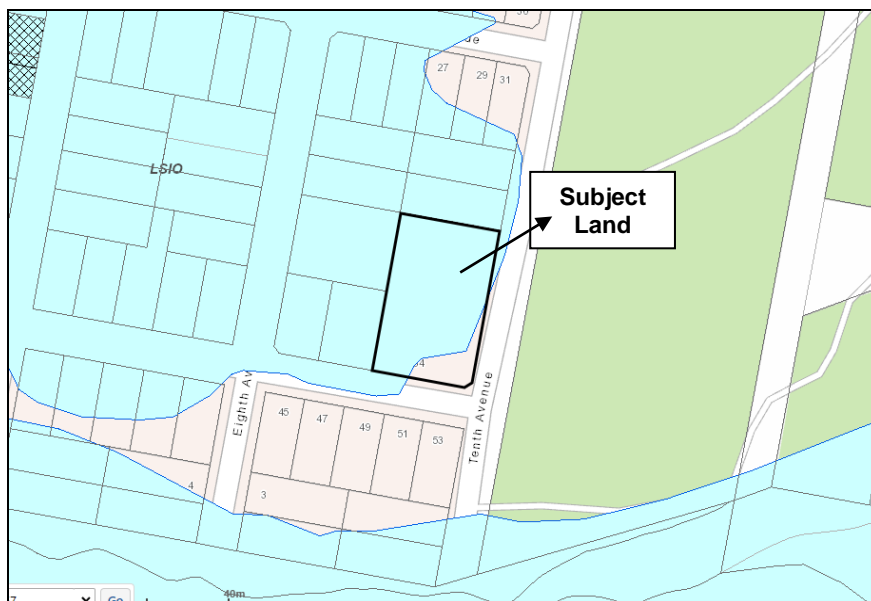
The proposal has sought to retain the large tree in the rear of proposed Lot 1 by carefully designing the Building Envelope to ensure that future development contained therein will not impact the Tree Protection Zone by more than 10%.

The proposal is considered to strike a good balance between the expected residential use of the land with the maintenance of the aesthetic and environmental values with most of the trees contained within the site and also within the adjoining roadside corridor having been earmarked for retention.

The vegetation removal element of the project is required to ensure protection of life having regard for the bushfire threat consistent with Clause 13.02-1S *Bushfire Planning*. Strategies of which specifically seek to prioritise the protection of human life over all other policy considerations.

6.4 Land Subject to Inundation Overlay

The majority of the site is affected by the provisions of the Land Subject to Inundation Overlay which triggers planning approval at Clause 44.04-3 for subdivision of land.



Land Subject to Inundation Overlay Mapping – Source: VicPlan

The site's inclusion within the Land Subject to Inundation Overlay will trigger referral to the relevant flood plain management authority under Section 55 of the *Planning & Environment Act 1987*.

Decision Guidelines

Council's Coastal Inundation & Erosion Planning Policy (dated 4 March 2017) supports infill development into existing residential precincts such as the case at hand.

Existing ground levels for the site are in the range of 3.0mAHD on the southeastern portion of the site, and 2.2mAHD on the northern portion of the site meaning the depth of flooding will be minimal based on current climatic conditions.

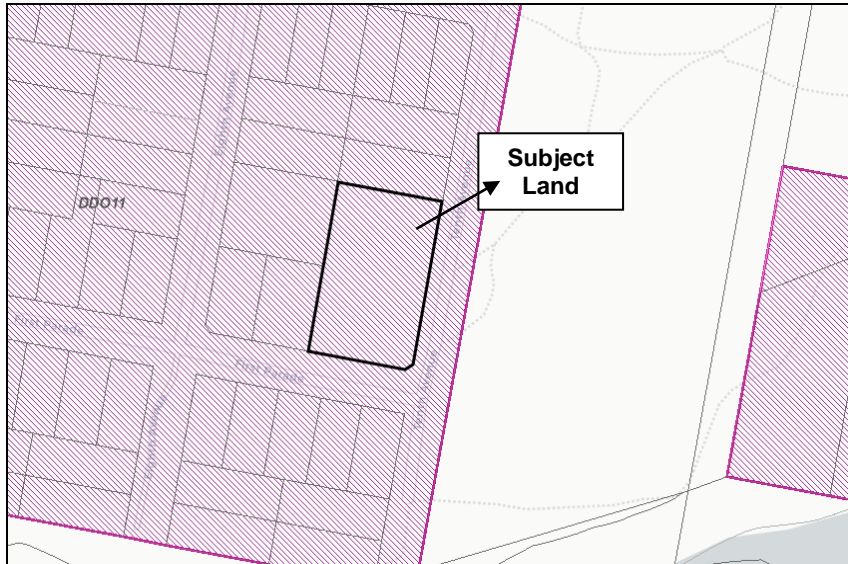
There is the ability to construct any future dwelling on the proposed vacant allotment with a suitable floor level at or above 2.5m AHD to avoid adverse impacts from potential flood waters under future climate scenarios.

Residents of Raymond Island have become quite accustomed to Ferry Service outages, occurring for a range of reasons including mechanical fault, programmed maintenance or high winds. The loss of the Ferry Service through flooding is a less common occurrence however the community have demonstrated the ability to adapt in a similar manner.

The residents are also provided with considerable forewarning of ferry outages in the event of flooding, unlike instances of mechanical fault and high winds. We believe the risk associated with the lack of flood free egress is minimal when set in the context of regular and systemic outages.

6.5 Design & Development Overlay

The whole of the subject land is affected by the provisions of the Design & Development Overlay – Schedule 11 *Residential Development in Coastal Settlements* which triggers planning approval at Clause 43.02-3 for subdivision of the land.



Design & Development Overlay Mapping – Source: VicPlan

Design Objectives specific to Schedule 11 seek to protect the township character of coastal settlements, ensure height and bulk of development is compatible with the setting, development is designed to minimise visual impacts on the natural landscape and is visually integrated into the landscape. It also seeks to ensure new development is visually unobtrusive through and above the surrounding tree canopy.

Decision Guidelines

The proposal simply seeks to subdivide the land and does not propose any development. The design of the subdivision provides opportunity for future development which can respond appropriately to the design objectives of Schedule 11 to the Overlay.

The even nature of the property, surrounding residential context and generous size of proposed vacant Lot 2 ensures there is sufficient capacity to accommodate future residential development that responds well to the provisions of the Overlay.

The proposed subdivision can be incorporated into the surrounding precinct easily having regard for the surrounding allotment pattern. The subject land is one of the largest parcels of residential land within the precinct with surrounding development is predominately contained within smaller, more conventional sized and shaped allotments.

7. Particular Provisions

7.1 Native Vegetation : Clause 52.17

Planning approval is triggered at Clause 52.17-1 for the physical removal of the established trees on site and the small patch of vegetation within the road reserve in accordance with Particular Provisions relating to Native Vegetation.

Given the presence of the existing dwellings on the subject land and the adjoining property to the north, which were both constructed prior to 10 September 2009, the exemption listed at Clause 52.12-1 allows for the removal of all site vegetation, other than trees, without the need for planning permission.

Consideration has also been given to the provisions of Clause 52.17 for the presumed loss of the remaining trees contained within the boundaries of the subject land. Whilst these trees will not all necessarily be removed as part of the proposal, the site area exemption listed at Clause 52.17-7 has the impact of presuming their loss.

Application Requirements

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

Accompanying the Application is a Native Vegetation Removal Report ID: GEN_2023_616 (dated 23/08/2023) as generated by EnSym which confirms the assessment pathway, details of the vegetation presumed lost, mapping and offset requirements along with other details as specified within Table 4 of the Guidelines.

The extent of vegetation removal for which approval is being sought under the provisions of Clause 52.17 includes five patches of vegetation (1-A, 2-A, 3-A, 4-A & 5-A) and one scattered tree (6-A).

Patch 1-A is located on the north-west portion of the subject land and consists of one large tree with a circumference of 240cm, together with some smaller trees with touching canopies. Whilst there is some suspicion that the smaller trees within this patch may have been planted, in the absence of any evidence they have been assessed as forming the native vegetation patch.



*Patch of native vegetation 1-A
(Date of photography 30/06/2023)*

Patch 2-A is located within the road reserve and requires removal to facilitate vehicle access to proposed Lot 1. This vegetation has been identified as a native vegetation patch as more than 25% of the perennial understory plant cover is native.



*Patch of native vegetation 2-A
(Date of photography 30/06/2023)*

Patch 3-A encapsulates the trees contained centrally to the site with touching canopies. Whilst these trees are primarily regrowth, they are greater than 10 years in age and are woody plants which technically form a patch of native vegetation.



*Patch of native vegetation 3-A
(Date of photography 30/06/2023)*

Patch 4-A is located on the eastern portion of the site and is dominated by Sweet Pittosporum. Given the number of trees present and the touching nature of their canopies, this has been identified as a patch of native vegetation.



*Patch of native vegetation 4-A
(Date of photography 30/06/2023)*

Patch 5-A is located on the south eastern portion of the site and comprises of several trees within touching canopies. Given there are more than three trees with touching canopies, the vegetation has been identified as a patch.



*Patch of native vegetation 5-A
(Date of photography 30/06/2023)*

A Sweet Pittosporum (6-A) located on the northeastern portion of the land has been identified as a scattered tree as it does not form part of a native vegetation patch.



*Scattered Tree 6-A
(Date of photography 30/06/2023)*

To compensate for the impacts to native vegetation, a third-party offset will be secured to ensure no net loss of biodiversity, in accordance with the requirements of Clause 52.17-5. Search results from the Native Vegetation Credit Register have been provided in support of the Application which confirm the availability of the required offsets on the current market with all necessary attributes (Report ID: 20505).

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

	Application Requirement	Response/Comment
1.	Vegetation to be removed	<p>The accompanying Native Vegetation Removal Report includes adequate information to address this Application Requirement.</p> <p>The total extent of vegetation removal incorporates 0.155ha of native vegetation including one large tree which is within Location 2 which triggers an Intermediate Assessment Pathway.</p> <p>A total offset amount of 0.068 general habitat units with a minimum strategic biodiversity value of 0.637 and 1 large tree within the East Gippsland Catchment Management Authority or East Gippsland Shire Council will be required.</p>
2.	Topographic and land information	The landform within proximity to the proposed vegetation removal is flat and does not contain any steep slopes.
3.	Photographs	Photographs of the existing vegetation included within this report are recent, taken on 30/06/2023.
4.	Past Removal	There are no records on Council's ePathways system of any removal of native vegetation from the subject land within the past 5 years.
5.	Avoid and minimise statement	<p>The proposed subdivision has been carefully designed to ensure the principles of avoidance and minimising vegetation losses has been upheld.</p> <p>Strategically the subject land has been identified as residential land for an extended period and has access to reticulated services. It is therefore an expectation that the land will be developed for residential purposes.</p> <p>The density of the subdivision has been limited to two allotments only despite the ability to otherwise achieve a higher yield. Whilst initially the subdivision concept was designed for a three-lot subdivision it has since been reduced to a two-lot subdivision.</p> <p>Whilst all native vegetation contained within the land is being offset in response to the site area exemption listed at Clause 52.17-7, there is otherwise good opportunity for much of the site vegetation to be retained.</p> <p>The proposal has sought to carefully balance the environmental values of the land with the expectation of residential development by selecting specific trees for retention and removal.</p> <p>Only the trees that are absolutely required to be removed to facilitate a modest Building Envelope with associated defensible space have been shown on the accompanying Plan of Vegetation to be removed. Further consideration and planning approval would be required for the removal of any additional trees should it be desired into the future.</p> <p>The Building Envelope on proposed Lot 1 has been specifically designed to retain the large tree at the rear of the allotment by ensuring that the Tree Protection Zone (TPZ) will not be impacted by more than 10%.</p>

		Access to the proposed vacant allotment has been sited on the northern section of the property's frontage to Tenth Avenue where the vegetation is much sparser. Whilst some limited understory vegetation will need to be removed to facilitate access to the land, it avoids the need to remove any larger established trees.
6.	Property Vegetation Plan	Not applicable.
7.	Defendable space statement	<p>The subject land is contained within the Bushfire Management Overlay which has the impact of requiring defendable space to be established around the proposed Building Envelope.</p> <p>The proposal has nominated specific trees for removal to ensure that the defendable space requirements pertaining to vegetation management as prescribed under the Bushfire Management Overlay can be met.</p> <p>It is noted that the site is contained within Bushfire Management Overlay – Schedule 2 which requires a separation distance of 2.0 metres between canopy trees rather than the standard 5.0 metres typically required under Table 6 to Clause 53.02-5.</p>
8.	Native Vegetation Precinct Plan	The Application is not being made under the provisions of Clause 52.16.
9.	Offset statement	<p>As a Permit is required to remove native vegetation the biodiversity impacts from the removal must be offset in accordance with the Guidelines. It is anticipated that the standard Conditions will be imposed on Permit which specify the offset requirement and the timing to secure the offset.</p> <p>There is no ability to provide a first party offset in this instance given that the subject land forms part of an existing residential precinct. It is therefore necessary that vegetation offsets be achieved through third party arrangements.</p> <p>A search statement from the Native Vegetation Credit Register has been provided in support of the proposal which confirms suitable offsets are available to compensate for the proposed vegetation removal.</p>

	Decision Guidelines	Response/Comment
1.	Efforts to avoid and minimise vegetation removal to be commensurate with the biodiversity and other values.	<p>The effort to avoid and minimise impacts to native vegetation is considered to be commensurate to the biodiversity values of the area and residential expectation of the land.</p> <p>The extent of physical vegetation removal is quite limited even though all native trees are all being offset. This removal is required to enhance the protection of human life having regard for the surrounding bushfire threat.</p> <p>The Building Envelope has been kept modest in size and specifically designed to ensure the TPZ of the large tree will be impacted by less than 10% ensuring its ability to be physically retained.</p> <p>Ultimately the subdivision will achieve an outcome which is not dissimilar to the surrounding present which incorporates residential development that is enjoys a vegetated setting.</p>
2.	Water courses, land degradation and groundwater.	The vegetation proposed to be removed is considered to play a minimal role in protecting water quality and preventing land degradation given the flat nature of the landform and generous offset from exiting watercourses.
3.	Identified landscape values.	<p>The subject land is affected by the Vegetation Protection Overlay – Schedule 2 which identifies the significant aesthetic values the vegetation provides to the urban character.</p> <p>These values have been recognised by the proposal by nominating only selected vegetation for physical removal as shown on the accompanying Plan of Vegetation Removal.</p>
4.	Aboriginal Heritage Act 2006.	The vegetation to be removed is not protected under the <i>Aboriginal Heritage Act 2006</i> .
5.	Defendable space.	Some of the proposed physical vegetation removal ensures there is sufficient area to achieve defendable space requirements as triggered by the Bushfire Management Overlay.
6.	Property Management Plan.	<p>N/A</p> <p>There is no Property Management Plan applying.</p>
7.	Offsets	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 search statement from the Native Vegetation Credit Register.
8.	Clause 52.16	<p>N/A</p> <p>The Application is not being made under the provisions of Clause 52.16.</p>
9.	Impacts on biodiversity	As outlined on the accompanying Native Vegetation Removal Report the vegetation loss will not have a significant impact on any habitat for a rare or threatened species.

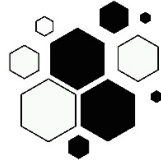
8. Conclusion

The proposed Two Lot Subdivision & Removal of Native Vegetation at 34 First Parade, Raymond Island is considered to accord with all relevant provisions of the General Residential Zone, Land Subject to Inundation Overlay, Design & Development Overlay – Schedule 11, Vegetation Protection Overlay – Schedule 2 & Bushfire Management Overlay – Schedule 2 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.

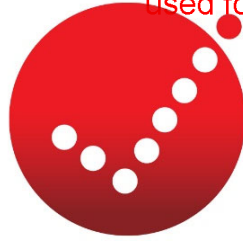
For these reasons we respectfully request that Council consider the merits of the Application favourably and resolve to issue a Planning Permit.



AMIE INGWERSEN
Natural Resource Planner



Euca Planning
Bushfire Specialists



BPAD
Bushfire
Planning & Design
Accredited Practitioner
Level 3



Bushfire Planning Report (V1.0)

Including Bushfire Management Statement

Lot 2 PS517797

34 First Parade, Raymond Island 3880

Traditionally the land of Gunaikurnai People

August 18th, 2023

Euca Planning Pty Ltd

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 - Graduate Certificate in Public Sector Management – Flinders University
 - Bachelor of Science – University of Melbourne (1996)

Memberships

- Member of Planning Institute of Australia (MPIA)
- Corporate Bronze Member of Fire Protection Association of Australia

Disclaimer

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Requirements detailed in this document do not guarantee survival of the buildings or the occupants. The client is strongly encouraged to develop and practice a bushfire survival plan.

Information and assistance including a template for a Bushfire Survival Plan is provided as part of the 'Fire Ready Kit' available through the CFA website at www.cfa.vic.gov.au or through your local CFA Regional office.

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Version Control

	Name	Date Completed	Comments
Field Assessment	Paul Smith	19 October 2022	
Mapping	Kelly Hedley	09 August 2023	
Draft Report	Kelly Hedley	09 August 2023	
Final Report	Kelly Hedley	09 August 2023	
Report Approved	Deanne Smith	18 August 2023	

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Executive Summary

This report has been prepared to accompany a planning permit application for a two-lot subdivision at 34 First Parade, Raymond Island. The site is within the Bushfire Management Overlay (BMO) and is required to demonstrate that the development has regard for the surrounding bushfire hazards.

This report presents a comprehensive assessment of the hazards and suggests mitigation measures to improve the protection of life and property for the proposed two-lot subdivision at 34 First Parade, Raymond Island. The site is within the General Residential Zone (GRZ1) and is a subdivision so requires a Pathway 2 application to meet the objectives and approval measures of Clause 53.02 of the East Gippsland Planning Scheme. As such a Pathway 2 style response has been adopted for this report.

This report includes the following components:

- An **Assessment against Clause 13.02-1S** of the East Gippsland Planning Scheme.
- A **Bushfire Hazard Landscape Assessment** that considers the landscape risk and whether the Clause 53.02 modelled fire assumptions are adequate.
- A **Bushfire Hazard Site Assessment** considering localised hazards, defensible space and the bushfire attack level.
- A **Bushfire Management Statement** that outlines the design response to the relevant approval measures in Clause 53.02 from the East Gippsland Planning Scheme.
- A **Bushfire Management Plan** that details the bushfire mitigation measures.

The development site is in Raymond Island, a small island in the Gippsland Lakes. The site is located near other established dwellings, and currently has one existing dwelling and an outbuilding. The land is accessed by a public roads, First Parade and Tenth Avenue. The proposed development is surrounded by low threat vegetation to the north, south and west and woodland primarily to the east with smaller areas to the south and west.

The Bushfire Management Statement demonstrates that the defensible space objectives can be met for Column A of Table 2 to Clause 53.02-5 with the entire lots managed as defensible space. Access will be provided for the new lot. Water supply is not required to be provided until such time as new dwellings are built, and a hydrant exists in the road reserve in front of 30 First Parade.

Due to the bark hazard of the woodland, the proposed development is expected to be affected by moderate ember attack in the event of a bushfire, and radiant heat due to the proximity to the vegetation. A BAL of 29 is deemed appropriate considering the distance from the unmanaged vegetation, and the achievement of the Clause 13.02-1S benchmark of not creating lots where dwellings can experience a radiant heat flux of greater than 12.5kW/m².

The site is able to meet the approval measures within Clause 53.02 for Column A separation, based on an FFDI of 100 and a flame temperature of 1090K, and an enhanced construction level of BAL 29.

1.0 Introduction

This Bushfire Management Statement (BMS) has been prepared to enable the applicants to respond to the requirements of Clause 44.06 Bushfire Management Overlay (BMO) (known from this point on as Clause 44.06), and in accordance with the application requirements of Clause 53.02– Bushfire Planning (known from this point on as Clause 53.02).

The statement contains these components:

- 1 An **assessment against Clause 13.02-1S** of the East Gippsland Planning Scheme.
- 2 A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site.
- 3 A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard has been prepared in accordance with Section 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) and is supported by photographs to assist in describing the bushfire hazard.
- 4 A **bushfire management statement** describing how the proposed development responds to the requirements of Clause 44.06 and 53.02.
- 5 A **bushfire management plan** detailing the bushfire mitigation measures.

1.1 Application Details

Municipality	East Gippsland Shire Council
Title Description	Lot 2 PS517797
Overlays	Bushfire Management Overlay – Schedule 2 (BMO2) Design and Development Overlay – Schedule 11 (DDO11) Land Subject to Inundation Overlay (LSIO) Vegetation Protection Overlay – Schedule 2 (VPO2)
Zoning	General Residential Zone – Schedule 1 (GRZ1)

1.2 Site Description

Site shape	Irregular rectangle
Site area	4047m ² Lot 1 – 880m ² Lot 2 – 3167m ²
Site Dimensions	The property has a road frontage to First Parade of approximately 47.31 metres and Tenth Avenue of approximately 77.55 metres.
Existing use and siting of buildings and works on and near the land	Existing dwelling and outbuilding on proposed Lot 2
Existing vehicle arrangements	Access from First Parade and Tenth Avenue
Nearest fire hydrant	Front of 30 First Parade, Raymond Island
Private bushfire shelter	Not applicable
Any other site features relevant to bushfire risk	Scattered vegetation throughout the settlement with woodland in close proximity to the east.

1.3 Site Location

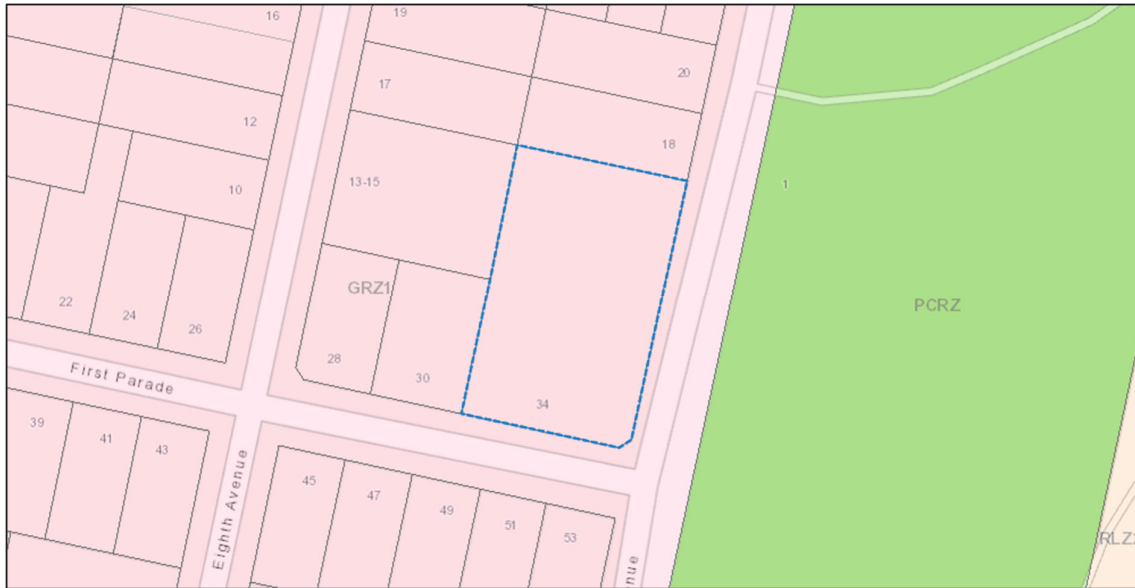


Figure One – Property Location – identified with the blue dashes central to the map (VicPlan, 2022)



Figure Two – Property Location 34 First Parade, Raymond Island (Nearmaps, 2023)

2.0 Planning Policy Assessment

2.1 Planning Policy Framework

Clause 71.02-3 (integrated decision making) of the Planning Scheme has been recently amended and provides that:

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning authorities and responsible authorities must prioritise the protection of human life over all other policy considerations.

Clause 13.02-1S (Bushfire) of the Planning Scheme applies to all decision making and seeks to:

*To strengthen the resilience of settlements and communities to bushfire through **risk-based planning** that prioritises the protection of human life.*

[Emphasis added]

Clause 13.02-1S includes a number of strategies to achieve that objective. Broadly these strategies include:

- prioritising the protection of human life;
- requiring a robust assessment of the bushfire hazard and risk assessment before any strategic or statutory decision is made; and
- directing population growth and new settlements to low-risk locations.

Importantly in relation to the protection of human life, clause 13.02-1S includes the following requirements:

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *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 of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.*

In relation to Bushfire hazard identification and assessment, clause 13.02-1S includes the following relevant requirements:

Identify bushfire hazard and undertake appropriate risk assessment by:

- *Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.*
- *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.*

- *Considering and assessing the bushfire hazard on the basis of:*
 - *Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;*
 - *Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;*
 - *Neighbourhood conditions – meaning conditions in the area within 400 metres of a site; and*
 - *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.*
- *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.*
- *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.*

Importantly in relation to settlement planning, clause 13.02-1S includes the following requirements:

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 than 12.5 kilowatts/square metres under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*
- *Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018) where human life can be better protected from the effects of bushfire.*
- *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.*
- *Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.*
- *Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighborhood and site scale, including the potential for neighborhood-scale destruction.*
- *Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighborhood basis.*
- *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 a BAL-12.5 rating under AS3959-2018.

In relation to use and development control in a Bushfire Prone area, clause 13.02-1S includes the following relevant requirements:

Use and development control in a Bushfire Prone Area In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for the following uses and development:

*... Subdivisions of more than 10 lots
.... Accommodation*

When assessing a planning permit application for the above uses and development:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.*

The use and development control does not specifically apply to this proposal as the subdivision is only 2 lots, and no dwelling is proposed. However, the ultimate intent of the new lots will be to develop a dwelling and this report demonstrates that the lots meet Clause 13.02-1S including the long-term intent of the use and development control without jeopardization of the safety of the existing dwelling.

When these strategies are read together it is clear that any future development would be required to provide a considered assessment of the bushfire risk. As such, the development must ensure it responds to bushfire risk. The purpose of this report is to undertake such an assessment for the site including an assessment of the likely fire behaviour and the risk to future residents. It is acknowledged that this site is subject to the Bushfire Management Overlay and Parts 3 to 5 of this report specifically address the application requirements of Clause 44.06 and 53.02 of the East Gippsland Planning Scheme.

In the context of strategic planning decisions, these strategies need to be read as on balance and consider the 'net increase in risk to existing and future residents'. As it relates to the objectives at Clause 13.02-1S of the Planning Scheme, it is necessary to ensure that the protection of human life is prioritised when decisions are made. However, the strategies listed at Clause 13.02-1S in the Planning Scheme are not 'mandatory requirements' and it is not necessary to 'tick every box'. It is more important to ensure that decisions are consistent with the State policy objectives and build resilient communities.

2.2 Planning Policy Framework Assessment

2.2.1 Objective

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

2.2.2 Application

The policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land which is within a designated bushfire prone area; or subject to a Bushfire Management Overlay.

Bushfire Prone Area and Bushfire Management Overlay

The planning proposal area is included in the Bushfire Prone Area (BPA). As described in Planning Advisory Note 46 (2013), the BPA is a building regulation tool that identifies where moderate bushfire hazard can be expected. It applies to areas subject to the BMO, and to areas that experience a lower head fire intensity modelled to be between 4,000kW/m and 30,000kW/m. This level of hazard informs areas declared as bushfire prone in the building system. Areas at the upper end of the bushfire intensity range (that is 28,000kW/m and above and referred to as BHL1b) are considered, where appropriate, for applying the BMO based on the advice of the relevant fire authority. The land is contained in the BMO. The entire planning proposal site is subject to the BPA and the BMO. The greater area in Raymond Island is also in the BPA and BMO reflecting the moderate to high bushfire hazard that can be expected from the vegetation connecting to and distributed through the area, particularly along the coastal interface.

In December 2017, Clause 13.02-1S of the East Gippsland Planning Scheme was amended to specifically refer to Bushfire Prone Areas and to strengthen the consideration of bushfire risk in all planning decisions. As the site is fully contained within the Bushfire Prone Area, the minimum level of construction for all dwellings is BAL 12.5, and this bushfire risk must be considered.

2.2.3 Strategies

Protection of human life

<i>Give priority to the protection of human life by:</i>	<i>Response</i>
Prioritising the protection of human life over all other policy considerations	<ul style="list-style-type: none"> - This proposal provides for a two-lot subdivision that can each accommodate a dwelling that responds to the risk of bushfire through siting and construction in a residential density area. - The proposal can be undertaken in a manner that will improve the safety of the existing residents in the established lots with the establishment of defensible space across the land.
Directing population growth and development to low-risk locations and ensuring the availability of, and safe access to,	<ul style="list-style-type: none"> - The lot has existed for many years and is part of an estate with many lots containing established dwellings. - Existing dwellings exist adjacent to this

areas where human life can be better protected from the effects of bushfire.	<p>development and the dwelling is sited in an area of the site that is substantially cleared.</p> <ul style="list-style-type: none"> - The overall design can respond to the vegetation corridor to the north-east. - The existing road network facilitates safe egress towards Raymond Island Township. - Access and egress are facilitated from First Parade and Tenth Avenue.
Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.	<ul style="list-style-type: none"> - An application to develop land needs to articulate how the design responds to the identified bushfire risk. - The subdivision has considered fire brigade access to both lots. A fire hydrant is located at the front of 30 First Parade, Raymond Island. - There are no access requirements to proposed lot 1 and the future driveway length is kept to less than 30 metres. Access to proposed Lot 2 is required if a replacement dwelling is to be proposed. - Any future dwelling on Lot 1 will be designed and sited to respond to bushfire. - If sited appropriately (in the proposed envelopes on the BMP) the vegetation is expected to yield less than 12.5kW/m² of radiant heat.

Bushfire hazard identification and assessment

<i>Identify bushfire hazard and undertake appropriate risk assessment by:</i>	<i>Response</i>
Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.	<ul style="list-style-type: none"> - The East Gippsland Planning Scheme relies on the planning proposal to respond to bushfire based on current assessment methods. - Clauses 13.02-1S, 44.06 and 53.02 are to be considered for proposal. - Clause 71.02-3 <i>Integrated Decision Making</i> strengthens the importance of bushfire planning as an appropriate tool to reconcile potential conflicts in design and vision. - The assessment method aligns with AS3959 and is provided in this report (see Section 4).
Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared	<ul style="list-style-type: none"> - Consistent with the revised Clause 13.02-1S, the planning proposal responds to the Bushfire Prone Area and the Bushfire Management Overlay.

under the Building Act 1993 or regulations made under that Act.	This report demonstrates that sufficient setbacks from the vegetation can be achieved to meet Column A of Table 2 of Clause 53.02 in all directions. This is an appropriate benchmark for this development given the increase in safety it delivers for the existing residents.
Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard	- The BMO does apply to all lots within the proposed sub-division, recognising that the land is in an area of high bushfire hazard. The BMO is addressed in Sections 3 to 5 of this report.
Considering and assessing the bushfire hazard on the basis of: <ul style="list-style-type: none"> • Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site; • Local conditions - meaning conditions in the area within approximately 1 kilometre from a site; • Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and, • The site for the development 	<ul style="list-style-type: none"> - In light of the recent changes to Clause 13.02 and the addition of this assessment requirement, an assessment is provided in Section 3.0 of this report. - As it is a two-lot subdivision in the BMO four scales of consideration are applied - Landscape conditions and local site conditions within Section 3.0 of this report. - Neighbourhood and local conditions are considered in Figure 3 and Figure 4. - The site conditions are considered through the Bushfire Hazard Site Assessment within Section 4.0 of this report. - This assessment supports the enhanced BAL for ember attack protection as there is a direct interface to the conservation reserve, aligning to the BMO Schedule.
Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.	- It is expected that this development would be referred to CFA for consideration as it is in the Bushfire Management Overlay.
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	<ul style="list-style-type: none"> - The content of this report provides a solid foundation for the design and subsequent approval of the planning proposal, with regard to bushfire risk. - Assessing the site-based bushfire risk and including appropriate bushfire protection measures (e.g. managed land, BALs, separation from the hazard) enables the achievement of the direction of the Planning Scheme.
Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures	- This element of the revised Clause 13.02-1S is the most important element and empowers the Responsible Authority to not approve a permit application until it is satisfied with the bushfire protection

satisfied or bushfire protection measures can be adequately implemented.	measures being implemented. - This report demonstrates that the risk of bushfire should not be a reason for refusal.
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Figure Three – Local conditions within 1km of the proposed subdivision.

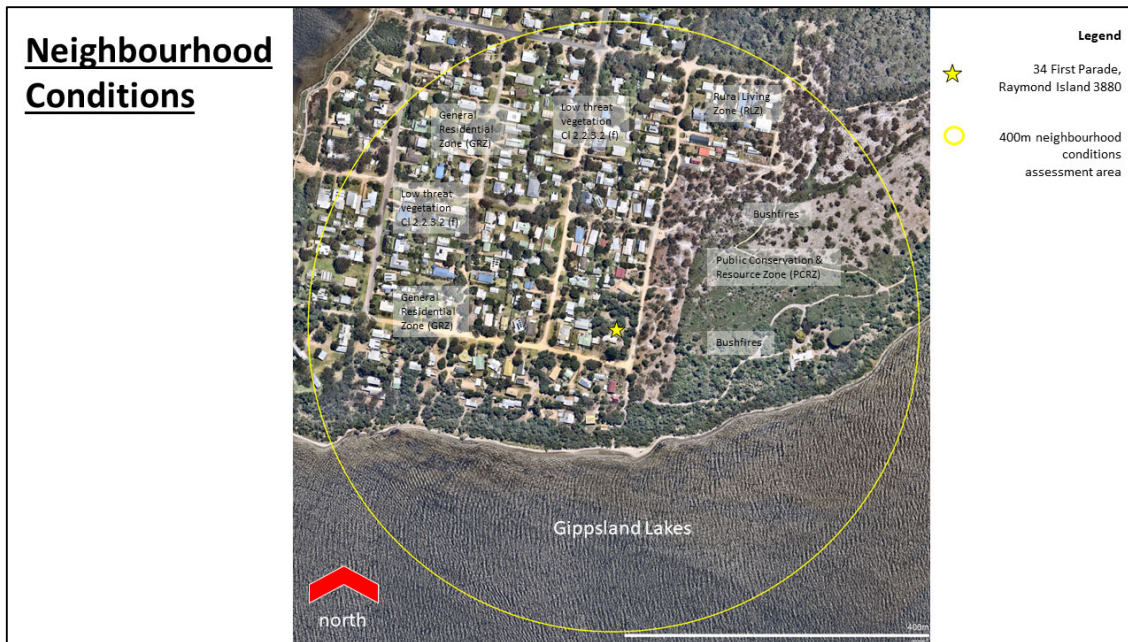


Figure Four – Neighbourhood conditions within 400m of the proposed subdivision.

Settlement Planning

<i>Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:</i>	<i>Response</i>
Directing population growth and development to low-risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metres under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018).	<ul style="list-style-type: none"> - Recognising the land is an established lot in an area that is at high risk from bushfire, development of land by subdivision should only proceed where all elements of the BMO are achieved. - This report demonstrates that this goal is achieved including the provision of the greatest separation from the hazard and an increased level of construction. - The proposed lots have siting locations assessed as having a radiant heat flux not exceeding 12.5kW/m2 under AS3959. - It is noted that the existing dwelling has a separation that corresponds with 12.5kW/m2.
Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire	<ul style="list-style-type: none"> - The nature of the settlement of Raymond Island provides ready access with a 2-minute drive to areas of the greater Raymond Island township that constitute BAL-LOW including the NSP-PLR.
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.	<ul style="list-style-type: none"> - The establishment and maintenance of defensible space will accompany the build of any dwelling on either lot. The increased level of vegetation management will reduce the risk of bushfire to the existing residents.
Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.	<ul style="list-style-type: none"> - Any new dwelling will implement the current regulations pertaining to bushfire construction. A Section 173 Agreement will ensure this occurs.
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	<ul style="list-style-type: none"> - In light of the recent changes to Clause 13.02 and the addition of this assessment requirement, an assessment is provided in Section 3.0 and 4.0 of this report. - Four scales of consideration are applied: and contained in this report. - The site conditions are best considered through the Bushfire Hazard Site Assessment methodology.
Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.	<ul style="list-style-type: none"> - The proposal is an existing lot in an established general residential area. - This proposal increases the resilience by providing new and smaller developments both likely to being developed with new

	resilient dwellings and provides for a more managed area of land.
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 a BAL-12.5 rating under AS3959-2018.	- The proposal is a statutory planning application only.

Areas of high biodiversity conservation value

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 of high biodiversity conservation value.

Assessment of the development

- Some vegetation requires removal.
- The proposed subdivision corresponds with the settlement pattern and will reduce the bushfire risk to nearby residents.
- Ample access and egress are available for the proposed subdivision.

Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for accommodation, and for subdivisions of 10 or more lots. Neither of these apply to this situation. This report does provide evidence that the proposal achieves no net increase in bushfire risk.

2.2.4 Policy Guidelines

Planning must consider as relevant:	Response
Any relevant approved State, regional and municipal fire prevention plan.	Fire prevention measures of the East Gippsland Shire Municipal Fire Prevention Plan ensure the roadside of the First Parade and Tenth Avenue, and the neighbourhood are managed.
AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).	This is relevant through the derivation of Bushfire Attack Levels, and is considered when referring to the BAL. Current standard is AS3959-2018.
Building in bushfire-prone areas - CSIRO & Standards Australia (SAA HB36-1993, May 1993).	This is the handbook to AS3959 and does not need to be considered directly by the planning proposal.
Any Bushfire Prone Area map prepared under the Building Act 1993 or regulations made under that Act.	The updated Bushfire Prone Area map has been considered in this report.

3.0 Bushfire Hazard Landscape Assessment

The Bushfire Hazard Landscape Assessment includes a plan that describes the bushfire hazard of the general locality surrounding the site (Figure Five, additionally a copy is provided in Appendix One).



Figure Five – Bushfire Hazard Site Assessment – Overall subdivision level

The landscape risk of a site is an important consideration when mitigating bushfire hazards. The landscape risk is the combination of several elements in the surrounding landscape. These relate to the vegetation extent, the area available to a landscape bushfire, the orientation of the ridgelines and the steepness of the terrain, the accessibility to low threat areas and the quality of the road networks surrounding the site.

This site is positioned in First Parade, Raymond Island near a main road. The topography of the surrounding landscape will experience minor ember attack, minor radiant heat and localised ignitions associated with the landscape fire. The site is unlikely to experience convection column collapse and will experience short-duration fire.

The site is considered '**Landscape Type 2**' as defined by DELWP guidance:

- *The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.*
- *Bushfire can only approach from one aspect and the site is located in a suburban, township or urban area managed in a minimum fuel condition.*
- *Access is readily available to a place that provides shelter from bushfire. This will often be the surrounding developed area.*

The site will experience landscape fire scenarios that are within the assumptions of the Bushfire Management Overlay.

3.1 Regional Bushfire Planning Assessment

The Regional Bushfire Planning Assessment (RBPA) for the Gippsland Region (2012) provides a high-level analysis of locations where the bushfire hazard may impact on planning objectives. The RBPA provides information where a range of land use planning matters intersect with a bushfire hazard to influence the level of risk to life and property from bushfire. This information is required to be used as part of strategic land use and settlement planning at the regional, municipal and local levels.

“The RBPA is not a statutory planning provision and does not directly translate into planning schemes. However, it complements planning scheme provisions such as the Bushfire Management Overlay (BMO) by providing spatial and qualitative information from a variety of sources which together can inform considerations about where bushfire should be assessed early in the strategic planning process.” RBPA – Gippsland Region (2012)

After review of the RBPA, it is noted that the proposal falls in an area identified as:

19-006 Raymond Island - Urban development located in Raymond Island is concentrated in the south-west peninsula. Lots interface with both coastal and inland vegetation, with access to the island limited to a pontoon.

3.2 Vegetation Extent in the Broader Landscape

The vegetation in the broader landscape is grass and woodland type vegetation. Patches of Damp Sands Herb Rich Woodland is the prominent vegetation type on Raymond Island. An indication of the Ecological Vegetation Classes in the landscape is provided below (site left of central to image).

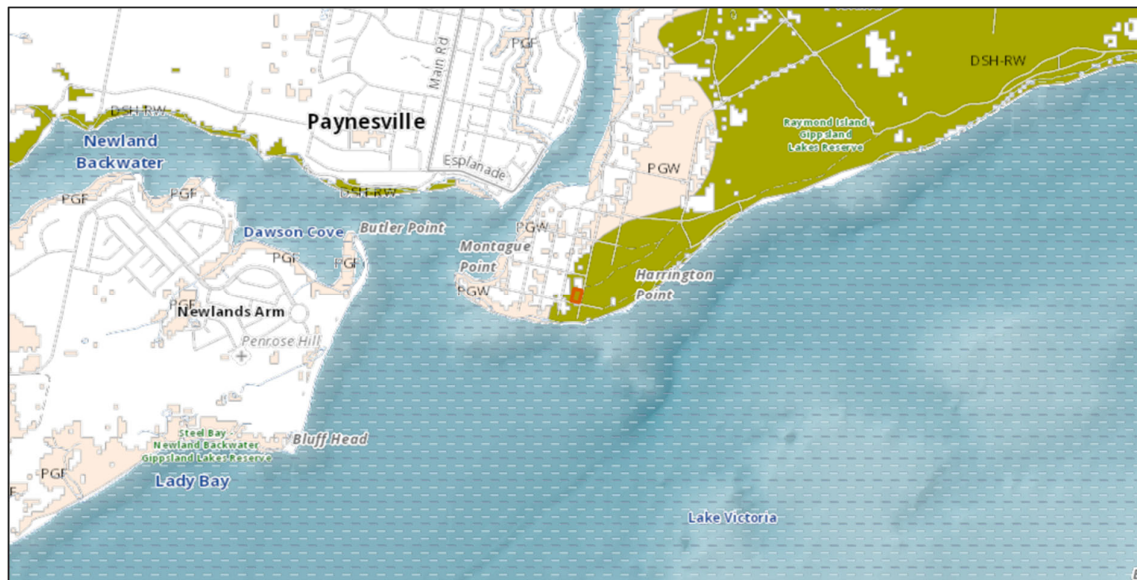


Figure Six – Biodiversity Map showing Damp Sands Herb-rich Woodland (olive green) and Plains Grass Woodland (salmon) (NatureKit, 2022).

3.3 Topography

The topography of the surrounding landscape is typical of this area of Raymond Island. The terrain comprises minor undulations and a predominance of flat land. This area is the coastal plains. No part of Raymond Island exceeds 10 metres in height.

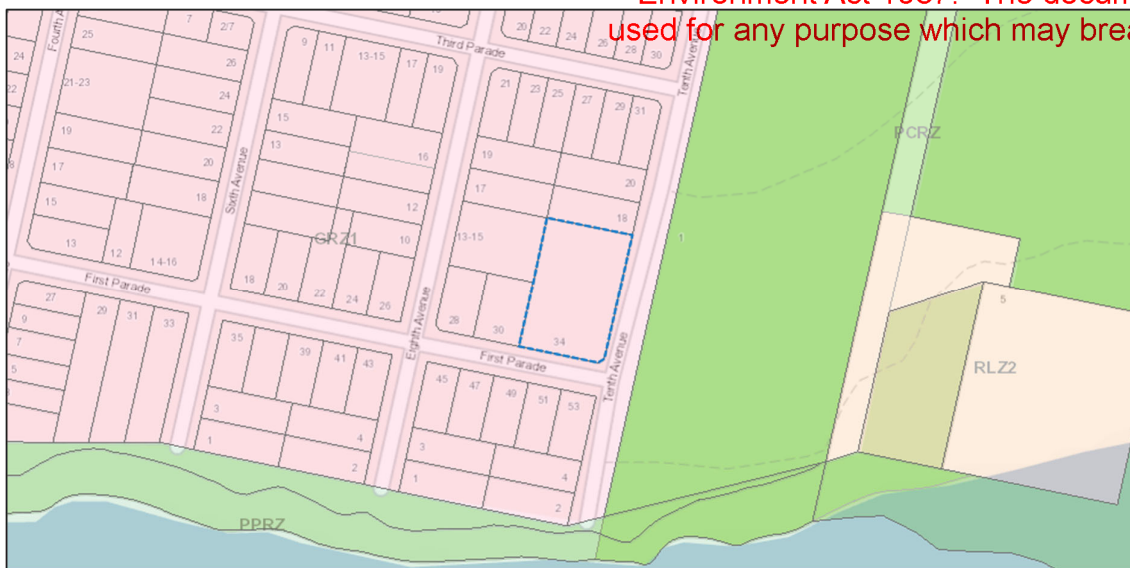


Figure Seven – Topography of surrounding landscape (VicPlan, 2022)

3.4 Surrounding Road Network

The planning proposal site has frontage to First Parade and Tenth Avenue. The egress and access network comprises short local roads and the property is located with frontage to First Parade and Tenth Avenue. It connects to the broader street network providing egress to Raymond Island township.

3.5 Bushfire History of the Area

There is small history of bushfire in this area. Two bushfires (1981 & 1992) occurred within Raymond Island Gippsland Lakes Reserves whilst a larger significant fire occurred in the greater area to the west of Paynesville in 1978. Several fuel reduction burns have also occurred on Raymond Island. The ongoing and continual development of this area has assisted in reducing the bushfire hazard.

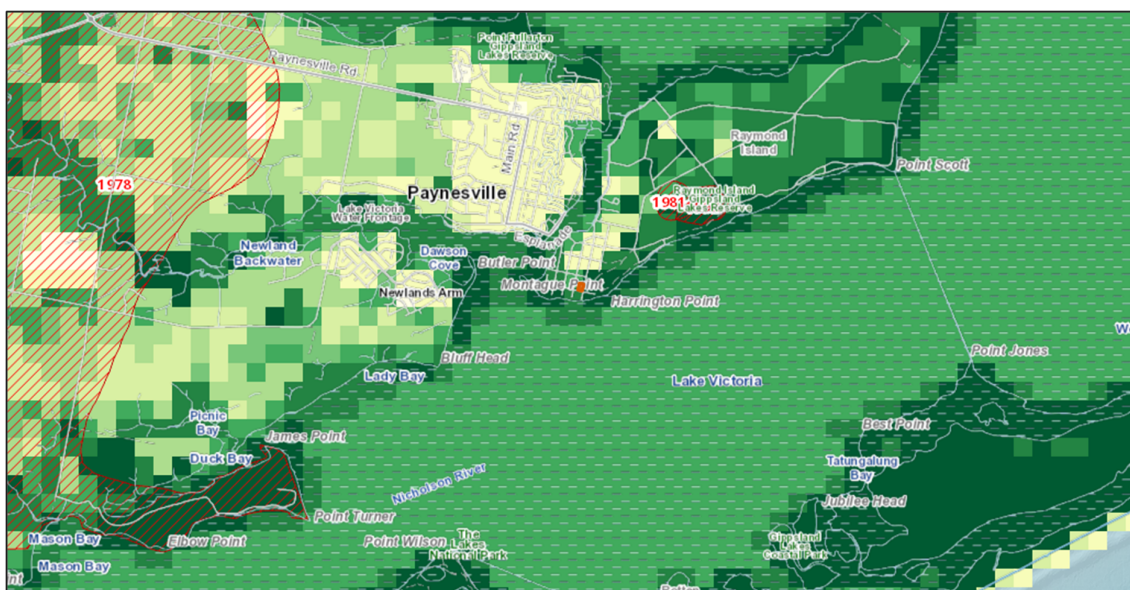


Figure Eight – Bushfire history (NatureKit 2022)

3.6 Bushfire Scenarios

The site is at an increased risk from bushfire due to the scattering of vegetation, and the age of some of the homes. Consideration of the potential bushfire behaviour local to the site has been undertaken in refining the options and to inform the building envelopes location, siting, extent of vegetation management and building construction levels.

Scenario 1 –Bushfire from the north-east

A fire approaching from the east has the potential for an interrupted 1-kilometre fire run through the conservation reserve comprising woodland and coastal scrubs. This fire has the potential of impacting the community with the support of strong easterly winds. A fire from this direction can bring embers to the site and ignite localised fuels providing radiant heat. This fire is not a landscape fire, and may block the egress from the site. Early evacuation is recommended.

4.0 Bushfire Hazard Site Assessment

The Bushfire Hazard Site Assessment includes a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard is prepared in accordance with AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2 (Vegetation exclusions). Refer to Figure Nine and a larger copy is provided in Appendix Two. Distances are detailed in Table 1 and Table 2.



Figure Nine – Bushfire Hazard Site Assessment – Overall subdivision level

4.1 Vegetation

The vegetation within the 150-metre assessment area was classified according to AS3959:2018, Technical Guide (DELWP, 2017) and the Overall Fuel Hazard Assessment Guide (DSE, 2010).

The AS3959:2018 approach uses a generalised description of vegetation based on the AUSLIG (Australian Natural Resources Atlas” No.7 Native Vegetation) classification system. According to this

method, vegetation can be classified into seven categories. Each category indicates a fire behaviour and these categories or classifications are then used to determine bushfire intensity. Information gained from the Ecological Vegetation Classes informs the vegetation classification chosen.

The land is currently vacant in one parcel. Access is currently from First Parade. To the north, west and south of the parcels established with dwellings managed as 'low threat vegetation'. To the east is land classified as woodland.

Vegetation Classification: Woodland

AS3959:2018 Definition:

Open woodland – Trees 10-30 m high; 10-30% foliage cover dominated by eucalypts; understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.

Site Description:

The proposed subdivision has woodland to the direct east at a distance of 15 metres. The road reserve is 20m wide, however is not fully clear of vegetation. The woodland is part of the greater area of the conservation-based reserves to the north-east and the coastal areas. The woodland is essentially flat but does have a mild downslope towards the waters edge.



Images – Typical woodland within the assessment area. Photo taken looking at woodland vegetation to the east of the proposed subdivision.

Vegetation Classification: Low threat vegetation

AS3959:2018 Definition:

2.2.3.2 Exclusions – Low threat vegetation and non-vegetated areas

The following vegetation shall be excluded from a BAL assessment:

(a) Vegetation of any type that is more than 100 m from the site

- (b) *Single areas of vegetation less than 1 ha in area and not within 100 m of other areas of vegetation being classified vegetation.*
- (c) *Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other or of other areas of vegetation being classified vegetation.*
- (d) *Strips of vegetation less than 20 m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20 m of the site or each other, or other areas of vegetation being classified vegetation.*
- (e) *Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.*
- (f) *Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks.*

NOTES:

1. *Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short-cropped grass for example, to a nominal height of 100 mm).*
2. *A windbreak is considered a single row of trees used as a screen or to reduce the effect of wind on the leeward side of the trees.*

Site Description:

The majority of the lots adjacent to the development are intensely managed and built on, meeting the definition of low threat vegetation. Additionally, the lots in the area are actively being subdivided having defendable space applied. The local network of streets is considered non-vegetated.



Images – Low threat vegetation within the assessment area. Photos looking at the existing dwelling adjacent land to and the maintained lawns and garden of the subject land.

4.2 Topography

The topography of the site and the surrounding is of flat gradient. The surrounding areas ranging from the north to south via the west is developed with residential development and associated road network within a General Residential Zone (Figure Ten). Adjacent to the subject land (east) is a Public Conservation and Resource Zone that is also flat.

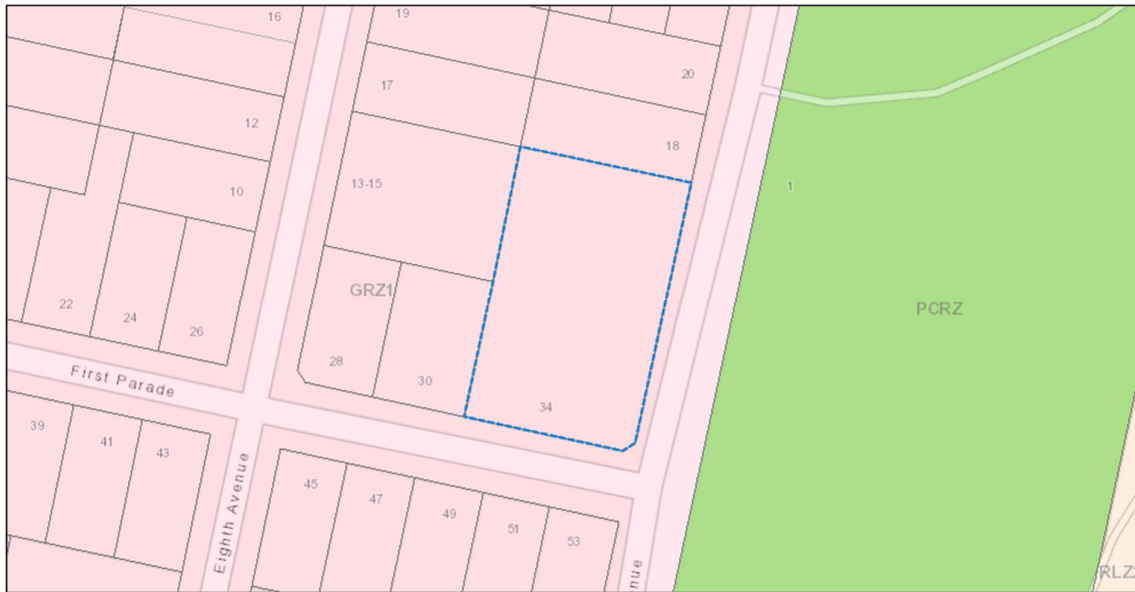


Figure Ten – Topography of the site, no contours visible. (VicPlan, 2022)

4.3 Separation from the Hazard and Bushfire Attack Level for the Proposed Development

The bushfire attack level (BAL) is a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared. The BAL is also the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire.

The highest BAL determines the construction requirements for the dwelling. A reduction of one BAL level may be applied if facades of the house are shielded from the bushfire hazard. In this case, it is not appropriate to apply a reduction as no facades are entirely shielded from the bushfire hazard. The BAL for this site has been calculated using a Forest Fire Danger Index (FFDI) of 100 and a Flame Temperature of 1090K. These parameters are in accordance with the risk parameters set in Clause 53.02.

An assessment of the site conditions without modification was made and informs the BAL assessment. As this is a two-lot subdivision, the ability for each site to achieve a dwelling site with a BAL29 defensible space, is required by Clause 44.06 however cognoscente of the intent of Clause 13.02-1S it is demonstrated that no future dwelling will be exposed to a radiant heat of greater than 12.5kW/m². The defensible space required extends across all the land, thus ensuring that the land is maintained in a low threat vegetation state into the future benefiting each lot and the surrounding lots.

Table 1 – Separation from the Hazard Assessment (without modification)

Orientation	Highest threat vegetation	Average slope under classifiable vegetation	Separation distance	Bushfire Attack Level (BAL)
North	Low threat vegetation	Flat	Not applicable	Table 2 BAL12.5
East	Woodland	Flat	15 metres	Column D 12 metres
South	Woodland	Flat	112 metres	Column A 33 metres
	Low threat vegetation	Not applicable	Not applicable	Table 2 BAL12.5
West	Low threat vegetation	Not applicable	Not applicable	Table 2 BAL12.5

Table 2 – Defendable Space determination (Column A, BAL12.5)

Orientation	Highest threat vegetation	Average slope under classifiable vegetation	Separation distance currently	Defendable space required
North	Low threat vegetation	Flat	Not applicable	50 metres or to the property boundary, whichever is the lesser
East	Woodland	Flat	15 metres	BAL12.5 33 metres
South	Woodland	Flat	112 metres	BAL12.5 33 metres
West	Low threat vegetation	Not applicable	Not applicable	50 metres or to the property boundary, whichever is the lesser

Assumptions:

- The adjacent lots will remain managed as Low Threat Vegetation.
- The defendable space of 33 metres to the east is derived from the 15-metre separation distance to the east between the boundary and hazard, and a 18 metre setback from the boundary, west into the property, creating a proposed envelope for future dwellings.
- A BAL of 29 construction is deemed appropriate considering the distance from the unmanaged vegetation, ember attack potential, and the achievement of the Clause 13.02-15 benchmark of not creating lots where dwellings can experience a radiant heat flux of greater than 12.5kW/m².

5.0 Bushfire Management Statement

Refer to Appendix Three for the proposed Plan of Subdivision. Below is an image of the proposed Plan of Subdivision.



5.1 Design Response Against Clause 53.02

In accordance with Clause 44.06 Bushfire Management Overlay a response is provided against Clause 53.02. A selection of the sub clauses and associated objectives, approved measures (AM), alternative measures (AltM) and decision guidelines applies to this application. Table 3 details which clauses are relevant to this application and the following pages demonstrate how the requirements have been met for each relevant standard.

Table 3 Specification of relevant clauses

Clause	Approved Measure	Achieved	Justification
Clause 53.02-3 Dwelling in existing settlements – Bushfire protection objective	AM 1.1	Not applicable	
	AM 1.2	Not applicable	
	AM 1.3	Not applicable	
Clause 53.02-4.1 Landscape, siting and design objectives	AM 2.1	Applicable	As the proposal is for a subdivision of an existing single lot the development of the lots will reduce bushfire risk.
	AM 2.2	Applicable	As required by AM5.2
	AM 2.3	Not applicable	Subdivision only, no new buildings
Clause 53.02-4.2 Defendable space and construction objectives	AM 3.1	Not applicable	Addressed through AM5.1
	AM 3.2	Not applicable	
	AltM 3.3	Not applicable	
	AltM 3.4	Not applicable	
	AltM 3.5	Not applicable	
Clause 53.02-4.3 Water supply and access objectives	AM 4.1	Applicable	As required by AM5.2
	AM 4.2	Not applicable	
Clause 53.02-4.4 Subdivision objectives	AM 5.1	Not applicable	
	AM 5.2	Applicable	General Residential Zone (GRZ)
	AM 5.3	Not applicable	Less than 10 lots
	AM 5.4	Applicable	Limited relevance
	AltM 5.5	Not applicable	Less than 10 lots

The following part of the application outlines each of the relevant clauses and provides justification as to how this design responds to the requirements.

Clause 53.02-4.1 Bushfire Protection objective

Landscape, siting and design objective

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

Approved Measure	Requirement
AM 2.1	<p>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</p> <p>Response: This site is positioned to the south-west of the general residential area of Raymond Island and will be an infill subdivision within an established settlement. The subdivision increases the opportunity for one additional dwelling to be located in close proximity to existing dwellings. The site will experience moderate ember attack, radiant heat and localised ignitions associated with short, localised runs of fire and scattered vegetation. These scenarios are detailed earlier in this report and will bring fire to the locality however fire at the site is unlikely to be of a landscape scale, rather from localised neighbourhood fires particularly from the east and north-east. It is noted that site has reasonable access, an ability to achieve a separation from the hazard commensurate to Column A of Table 2 to Clause 53.02-5 and has proximity to a township settlement and developed land. The landscape bushfire scenarios are within the scope of the Bushfire Management Overlay assumptions.</p>
AM 2.2	<p>A building is sited to ensure the site best achieves the following:</p> <ul style="list-style-type: none"> • The maximum separation distance between the building and the bushfire hazard • The building is in close proximity to a public road • Access can be provided to the building for emergency services vehicles <p>Response: There is an ability to locate buildings to achieve maximum separation distance from the hazard. The siting opportunity on each lot to site a building that achieves Column A of Table 2 to Clause 53.02-5, is able to be achieved. In addition, there is opportunity to meet the requirements of Column A of Table 2 when consideration of the siting of the existing dwelling on Lot 2 is taken into account. Both lots have defendable space to be provided across their entirety in recognition of proximity to low threat vegetation, thus separating the bushfire hazard from the buildings, and improving the existing situation for adjacent lots. Both proposed lots have direct access to a public road. As access is less than 30 metres and there is no requirement for fire brigade access to the firefighting water supply (unless Lot 2 has a replacement dwelling in the future), no specification for the construction of the access is required.</p>

Clause 53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved Measure	Requirement
AM 4.1	<p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with:</p> <ul style="list-style-type: none"> • A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. • Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. <p>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.</p> <p>Response: The proposed Lot 1 requires a non-combustible water tank containing a minimum of 5000 litres of water to be provided at the time of building a dwelling. The proposed Lot 2 requires a non-combustible water tank containing 10,000 litres and access requirements for the fire service if it is redeveloped. Both lots have directly access to a public road. For proposed Lot 1, as access is less than 30 metres and there is no requirement for fire brigade access to the firefighting water supply, no specification for the construction of the access is required.</p> <p>The subdivision meets the approved measures AM4.1 and the water supply and access objective (Clause 53.02-4.3) as required by Clause 53.02-4.4 AM5.2.</p>

Clause 53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

Approved Measure	Requirement
AM 5.2	<p>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</p> <ul style="list-style-type: none"> • Each lot satisfies the approved measure in AM2.1 • A building envelope for a single dwelling on each lot that complies with AM2.2 and provides defendable space in accordance with: <ul style="list-style-type: none"> ○ Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or ○ Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots. <p>The bushfire attack that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</p>

- **Defendable space wholly contained within the boundaries of the proposed subdivision. Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.**
- **Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.**
- **Water supply and vehicle access that complies with AM4.1.**

Response: The proposed two-lot subdivision can provide separation from the hazard in accordance with Column A of Table 2 to Clause 53.02-5, as detailed earlier in this report. It should be noted that the existing dwelling on Lot 2 has existing separation that corresponds with Column A Table 2. In addition, with appropriate site planning, future dwelling on Lot 1 is also able to achieve this. While there is no formal sharing of defendable space between the lots, it is acknowledged that each lot benefits from the defendable space created on the neighbouring lot.

The vegetation management requirements for the subdivision are detailed and apply to the property boundary.

Water supply and vehicle access

The proposed Lot 1 requires a non-combustible water tank containing a minimum of 5000 litres of water to be provided at the time of building a dwelling. The proposed Lot 2 requires a non-combustible water tank containing 10,000 litres and access requirements for the fire service if it is redeveloped. Both lots have directly access to a public road. For proposed Lot 1 as access is less than 30 metres and there is no requirement for fire brigade access to the firefighting water supply, no specification for the construction of the access is required.

These requirements will be achieved through the required Section 173 agreement relating to bushfire protection measures. Both lots have direct access to a public road. As access is less than 30 metres and there is no requirement for fire brigade access to the firefighting water supply, no specification for the construction of the access is required.

The subdivision meets the approved measures AM4.1 and the water supply and access objective (Clause 53.02-4.3) as required by Clause 53.02-4.4 AM5.2 except for the canopy separation where an unspecified AltM is proposed below.

Unspec AltM

Vegetation management requirements in accordance with Table 6 to implement (except permit 2 metre canopy separation

	<p>instead of 5 metre) and maintain the defensible space required under this approved measure.</p> <p>Response: Consistent with the BMO Schedule on the land, and the urbanisation of the area, it is proposed that tree canopy separation of 2 metres is appropriate. This is reflected on the Bushfire Management Plan.</p>
AM5.4	<p>A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.</p> <p>Response: This subdivision improves the current situation to the surrounding lots as it provides ongoing requirements for management of the vegetation. Under current conditions, the site has the potential to be overgrown with vegetation. No common property is proposed. Each lot will be able to be landscaped as the owner chooses, provided the vegetation management requirements for the areas of defensible space are undertaken.</p>

5.2 Expected Planning Permit Conditions

The following are expected to be the planning permit conditions:

Bushfire Management Plan not altered

The Bushfire Management Plan (Version 1, dated 09/08/2023) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Matters to be set out in Section 173 Agreement

To give effect to the requirements of Clause 44.06-4 of the East Gippsland Planning Scheme, and the above condition, the section 173 Agreement prepared in accordance with Clause 44.06-4 must specify the following:

- The occupation of a dwelling or dependent person's unit must not start on any lot until all of the bushfire mitigation measures specified on the Bushfire Management Plan endorsed under this permit have been implemented on the relevant lot to the satisfaction of the Responsible Authority.
- The bushfire mitigation measures which form part of the Section 173 Agreement and the planning permit and endorsed plans, including those relating to construction standards (BAL), defensible space, water supply and access must be maintained to the satisfaction of the Responsible Authority.

The Bushfire Management Plan endorsed under this permit must be included as an annexure to the agreement.

Maintenance of defensible space

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

5.3 Bushfire Management Plan

Refer to Appendix Four for the proposed Bushfire Management Plan. Below is an image of the proposed Bushfire Management Plan.

<p>Bushfire Management Plan Page 1 of 2 34 First Parade, Raymond Island 3880 <small>Version 1, 09/08/2023 Euca Planning Pty Ltd</small></p> <p>BUSHFIRE MITIGATION MEASURES</p> <p>Bushfire Construction Level for Lot 1 and 2</p> <ul style="list-style-type: none"> At the time of building a new dwelling on a lot, all construction works need to comply with a minimum BAL of BAL29 from AS 3959. <p>Defendable space for Lot 1 and 2</p> <p>At the time of building a new dwelling on a lot, the entire lot will be managed, managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> Grass must be short cropped and maintained during the declared fire danger period. All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period. Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building. Plants greater than 10 cm in height must not be placed within 3m of a window or glass feature of the building. Shrubs must not be located under the canopy of trees. Individual and clumps of shrubs must not exceed 5sq. metres in area and must be separated by at least 5 metres. Trees must not overhang or touch any elements of the building. The canopy of trees must be separated by at least 2 metres. There must be a clearance of at least 2 metres between the lowest tree branches and ground level. 	<p>Firefighting water supply for Lot 1</p> <p>At the time of building a new dwelling, provide 5,000 litres of effective water supply for firefighting purposes which must:</p> <ul style="list-style-type: none"> Be stored in an above ground water tank constructed of concrete or metal. Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal. Include a separate outlet for occupant use. <p>Firefighting water supply for Lot 2</p> <p>At the time of building a new dwelling on the lot, provide 10,000 litres of effective water supply for firefighting purposes which must:</p> <ul style="list-style-type: none"> Be stored in an above ground water tank constructed of concrete or metal. Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal. Include a separate outlet for occupant use. Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority. Be located within 60 metres of the outer edge of the approved building. The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed. Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting). Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling). <p>Access (Lot 2 only) – There are no access requirements for Lot 1</p> <p>Provide access for firefighting purposes which meets the following requirements:</p> <ul style="list-style-type: none"> All-weather construction. A load limit of at least 15 tonnes. A minimum trafficable width of 3.5 metres. Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. Curves must have a minimum inner radius of 10 metres. The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20% (11.3°) for no more than 50 metres.
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Bushfire Management Plan (Page 1) – Large version in Appendix Four.

6.0 References

Standards Australia (2018) Construction of Buildings in Bushfire Prone Areas. Standards Australia, North Sydney, NSW.

The State of Victoria Department of Environment, Land, Water and Planning (2022) NatureKit.

The State of Victoria Department of Environment, Land, Water and Planning (2015) Fire Operations Plan 2015/16-2017/18 Gippsland Region.

The State of Victoria Department of Planning and Community Development (2012) Regional Bushfire Planning Assessment – Gippsland Region.

7.0 Appendices

Appendix One – Bushfire Hazard Landscape Assessment

Appendix Two – Bushfire Hazard Site Assessment

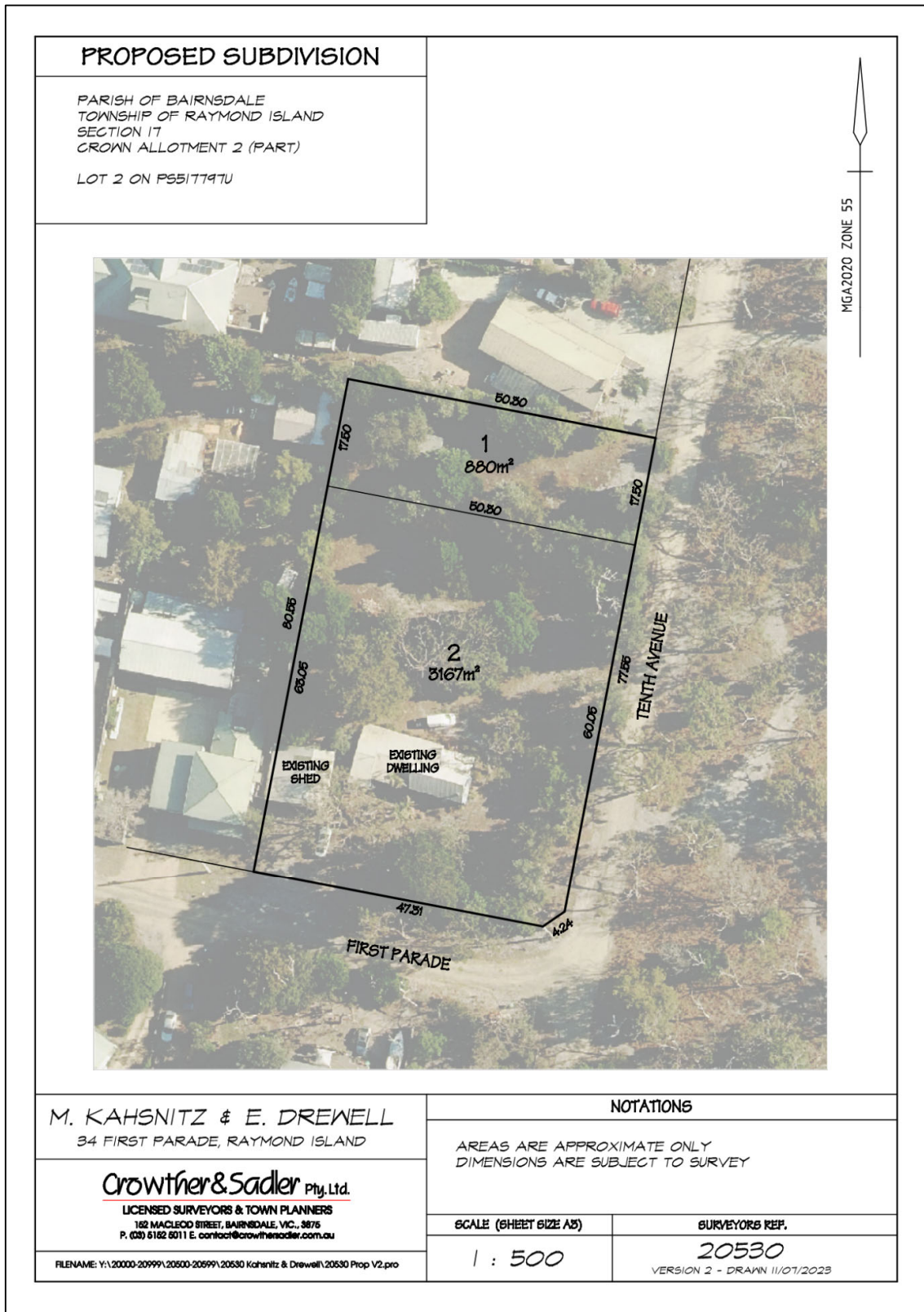
Appendix Three – Proposed Plan of Subdivision

Appendix Four – Proposed Bushfire Management Plan



[illegible]

Appendix Three – Proposed Plan of Subdivision



Appendix Four – Proposed Bushfire Management Plan

<p>Bushfire Management Plan Page 1 of 2 34 First Parade, Raymond Island 3880 <small>Version 1, 09/08/2023 Euca Planning Pty Ltd</small></p>	<p>BUSHFIRE MITIGATION MEASURES</p> <p>Bushfire Construction Level for Lot 1 and 2</p> <ul style="list-style-type: none"> At the time of building a new dwelling on a lot, all construction works need to comply with a minimum BAL of BAL29 from AS 3959. <p>Defendable space for Lot 1 and 2</p> <p>At the time of building a new dwelling on a lot, the entire lot will be managed, managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> Grass must be short cropped and maintained during the declared fire danger period. All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period. Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building. Plants greater than 10 cm in height must not be placed within 3m of a window or glass feature of the building. Shrubs must not be located under the canopy of trees. Individual and clumps of shrubs must not exceed 5sq. metres in area and must be separated by at least 5 metres. Trees must not overhang or touch any elements of the building. The canopy of trees must be separated by at least 2 metres. There must be a clearance of at least 2 metres between the lowest tree branches and ground level. <p>Firefighting water supply for Lot 1</p> <p>At the time of building a new dwelling, provide 5,000 litres of effective water supply for firefighting purposes which must:</p> <ul style="list-style-type: none"> Be stored in an above ground water tank constructed of concrete or metal. Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal. Include a separate outlet for occupant use. <p>Firefighting water supply for Lot 2</p> <p>At the time of building a new dwelling on the lot, provide 10,000 litres of effective water supply for firefighting purposes which must:</p> <ul style="list-style-type: none"> Be stored in an above ground water tank constructed of concrete or metal. Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal. Include a separate outlet for occupant use. Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority. Be located within 60 metres of the outer edge of the approved building. The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed. Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting). Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling). <p>Access (Lot 2 only) – There are no access requirements for Lot 1</p> <p>Provide access for firefighting purposes which meets the following requirements:</p> <ul style="list-style-type: none"> All-weather construction. A load limit of at least 15 tonnes. A minimum trafficable width of 3.5 metres. Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. Curves must have a minimum inner radius of 10 metres. The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
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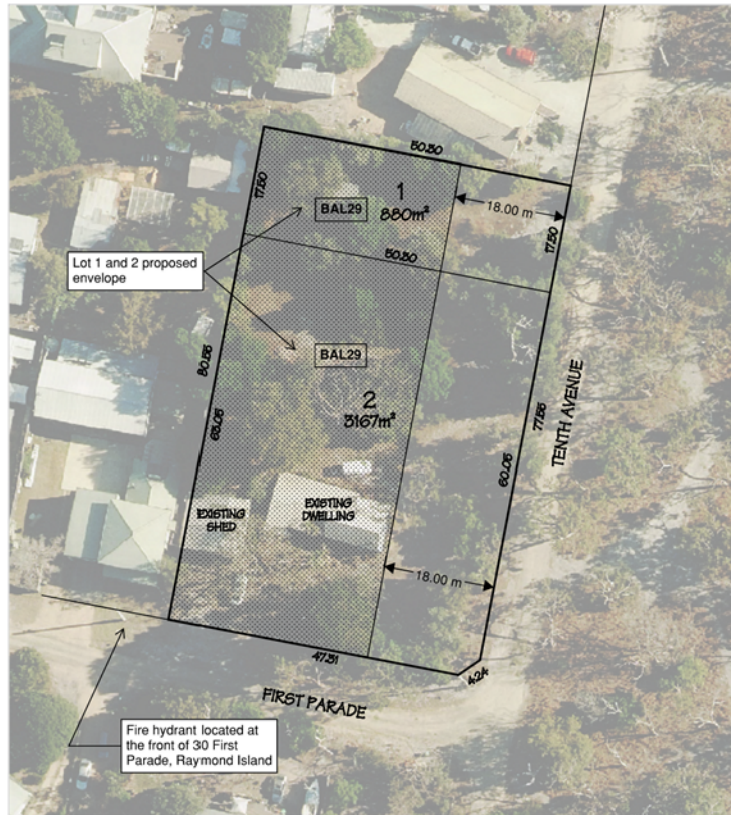
Bushfire Management Plan Page 2 of 2

34 First Parade, Raymond Island 3880

Version 1, 09/08/2023 Euca Planning Pty Ltd

PROPOSED SUBDIVISION

PARISH OF BAIRNSDALE
TOWNSHIP OF RAYMOND ISLAND
SECTION 17
CROWN ALLOTMENT 2 (PART)
LOT 2 ON PS517747U



MGA2020 ZONE 55

M. KAHSNITZ & E. DREWELL
34 FIRST PARADE, RAYMOND ISLAND

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FILENAME: Y:\20000-20999\20530-20599\20530 Kahsnitz & Drewell\20530 Prop V2.pro

NOTATIONS

AREAS ARE APPROXIMATE ONLY
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 500

SURVEYORS REF.

20530

VERSION 2 - DRAWN 11/07/2023

DEFENDABLE SPACE FOR LOT 1 & 2

AT THE TIME OF BUILDING A NEW DWELLING ON A LOT, THE ENTIRE LOT WILL BE MANAGED, MANAGED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

- GRASS MUST BE SHORT CROPPED AND MAINTAINED DURING THE DECLARED FIRE DANGER PERIOD.
- ALL LEAVES AND VEGETATION DEBRIS MUST BE REMOVED AT REGULAR INTERVALS DURING THE DECLARED FIRE DANGER PERIOD.
- WITHIN 10m OF A BUILDING, FLAMMABLE OBJECTS MUST NOT BE LOCATED CLOSE TO THE VULNERABLE PARTS OF THE BUILDING.
- PLANTS GREATER THAN 10cm IN HEIGHT MUST NOT BE PLACED WITHIN 3m OF A WINDOW OR GLASS FEATURE OF THE BUILDING.
- SHRUBS MUST NOT BE LOCATED UNDER THE CANOPY OF TREES.
- INDIVIDUAL AND CLUMPS OF SHRUBS MUST NOT EXCEED 5m² IN AREA AND MUST BE SEPARATED BY AT LEAST 5m.
- TREES MUST NOT OVERHANG OR TOUCH ANY ELEMENTS OF THE BUILDING.
- THE CANOPY OF TREES MUST BE SEPARATED BY AT LEAST 2m.
- THERE MUST BE A CLEARANCE OF AT LEAST 2m BETWEEN THE LOWEST TREE BRANCHES AND GROUND LEVEL.

ACCESS (LOT 2 ONLY) - THERE ARE NO ACCESS REQUIREMENTS FOR LOT 1

PROVIDE ACCESS FOR FIREFIGHTING PURPOSES WHICH MEETS THE FOLLOWING REQUIREMENTS:

- ALL-WEATHER CONSTRUCTION.
- A LOAD LIMIT OF AT LEAST 15 TONNES.
- A MINIMUM TRAFFICABLE WIDTH OF 3.5m.
- BE CLEAR OF ENCROACHMENTS FOR AT LEAST 0.5 METRES ON EACH SIDE AND AT LEAST 4 METRES VERTICALLY.
- CURVES MUST HAVE A MINIMUM INNER RADIUS OF 10m.
- THE AVERAGE GRADE MUST BE NO MORE THAN 1 IN 7 (14.4%) (8.1°) WITH A MAXIMUM GRADE OF NO MORE THAN 1 IN 5 (20%) (11.3°) FOR NO MORE THAN 50m.

FIREFIGHTING WATER SUPPLY FOR LOT 1

AT THE TIME OF BUILDING A NEW DWELLING, PROVIDE 5,000 LITRES OF EFFECTIVE WATER SUPPLY FOR FIREFIGHTING PURPOSES WHICH MUST:

- BE STORED IN AN ABOVE GROUND WATER TANK CONSTRUCTED OF CONCRETE OR METAL.
- ALL FIXED ABOVE-GROUND WATER PIPES AND FITTINGS REQUIRED FOR FIRE FIGHTING PURPOSES MUST BE MADE OF CORROSIVE RESISTANT METAL.
- INCLUDE A SEPERATE OUTLET FOR OCCUPANT USE.

FIREFIGHTING WATER SUPPLY FOR LOT 2

AT THE TIME OF BUILDING A NEW DWELLING ON THE LOT, PROVIDE 10,000 LITRES OF EFFECTIVE WATER SUPPLY FOR FIREFIGHTING PURPOSES WHICH MUST:

- BE STORED IN AN ABOVE GROUND WATER TANK CONSTRUCTED OF CONCRETE OR METAL.
- HAVE ALL FIXED ABOVE-GROUND WATER PIPES AND FITTINGS REQUIRED FOR FIREFIGHTING PURPOSES MADE OF CORROSIVE RESISTANT METAL.
- INCLUDE A SEPERATE OUTLET FOR OCCUPANT USE.
- BE READILY IDENTIFIABLE FROM THE BUILDING OR APPROPRIATE IDENTIFICATION SIGNS TO THE SATISFACTION OF THE RELEVANT FIRE AUTHORITY.
- BE LOCATED WITHIN 60m OF THE OUTER EDGE OF THE APPROVED BUILDING.
- THE OUTLET/S OF THE WATER TANK MUST BE WITHIN 4m OF THE ACCESSWAY AND UNOBSTRUCTED.
- INCORPORATE A SEPERATE BALL OR GATE VALVE (BRITISH STANDARD PIPE (BSP 65 MILLIMETRE) AND COUPLING (64 MILLIMETRE CFA 3 THREAD PER INCH MALE FITTING).
- ANY PIPEWORK AND FITTINGS MUST BE A MINIMUM OF 65 MILLIMETRES (EXCLUDING THE CFA COUPLING).

PLAN REF.

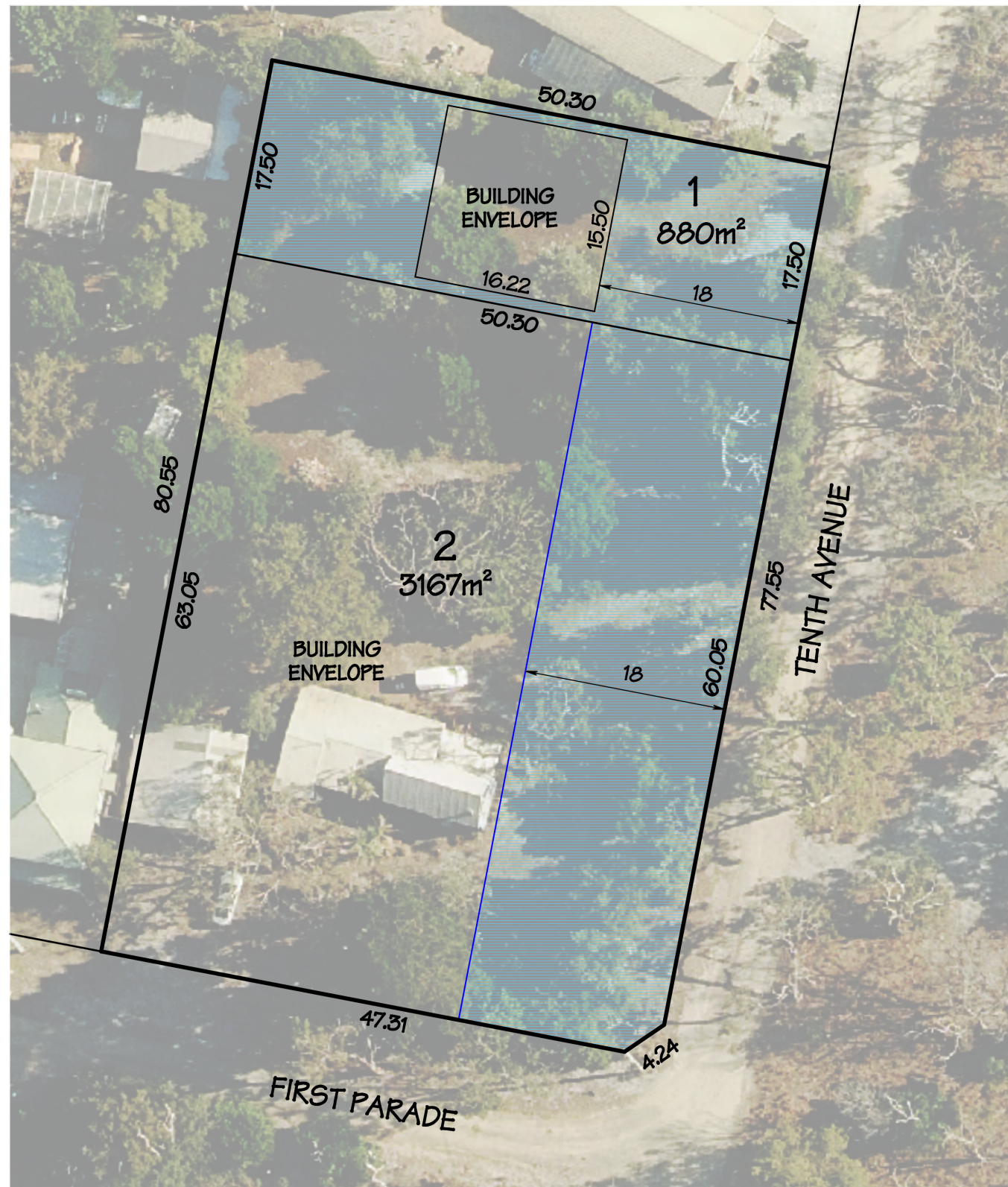
20530-BMP
VERSION 1 - DRAWN 29/08/2023

SCALE (SHEET SIZE A3)

1 : 500

BUSHFIRE CONSTRUCTION LEVEL FOR LOT 1 & 2

AT THE TIME OF BUILDING A NEW DWELLING ON A LOT, ALL CONSTRUCTION WORKS NEED TO COMPLY WITH A MINIMUM BAL OF BAL29 FROM AS 3959.



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FILENAME: Y:\20000-20999\20500-20599\20530 Kahsnitz & Drewell\20530 BMP V1.pro

BUSHFIRE MANAGEMENT PLAN

PARISH OF BAIRNSDALE
TOWNSHIP OF RAYMOND ISLAND
SECTION 17
CROWN ALLOTMENT 2 (PART)



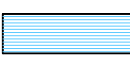





LOT 2 ON PS517797U

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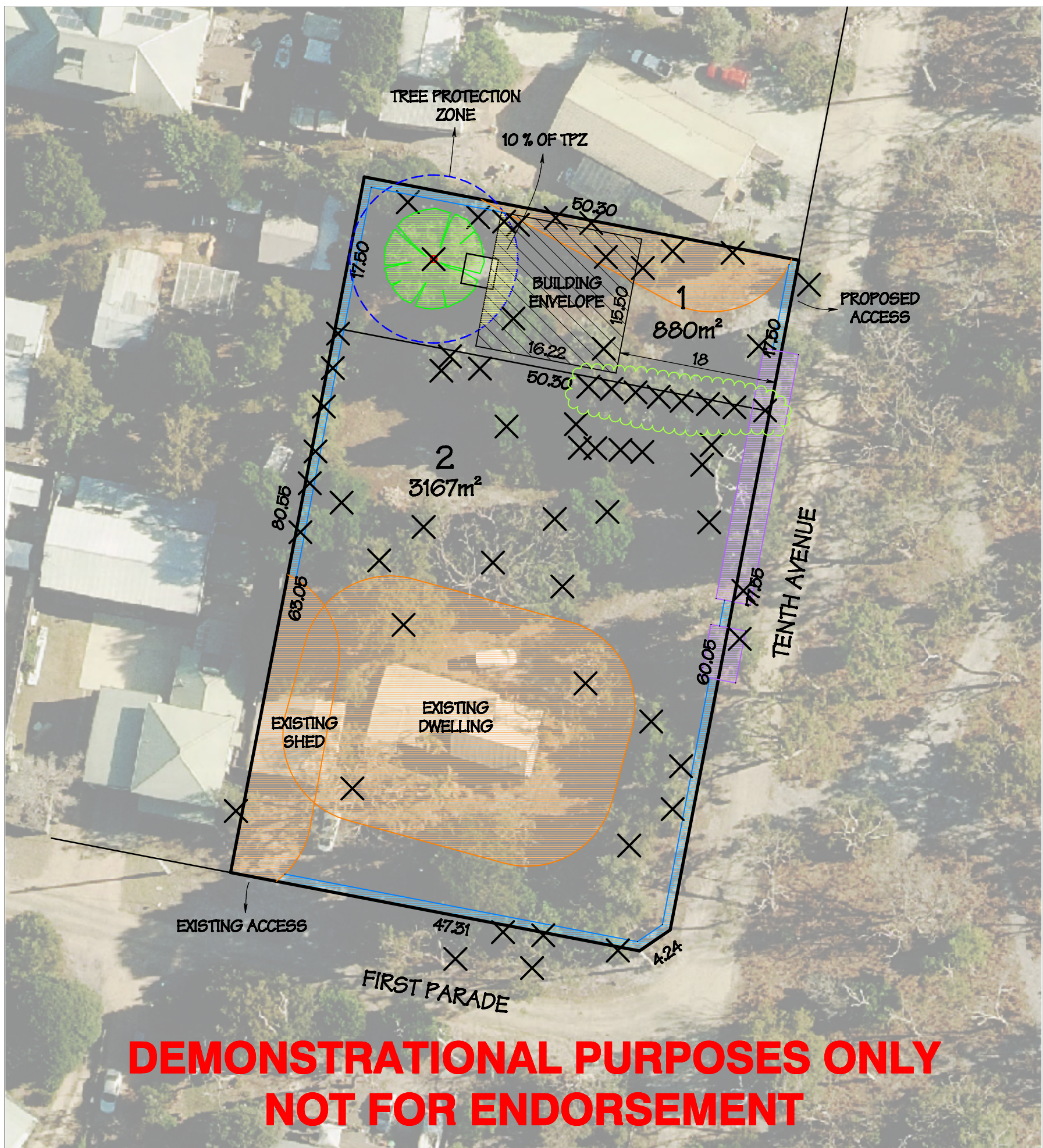
DESIGN RESPONSE

PARISH OF BAIRNSDALE
TOWNSHIP OF RAYMOND ISLAND
SECTION 17
CROWN ALLOTMENT 2 (PART)

LOT 2 ON PS517797U

-  SHED TO BE REMOVED
-  10M OFFSET FROM EXISTING DWELLING ESTABLISHMENT PRIOR TO 10 SEPTEMBER 2006
-  1M OFFSET FROM EXISTING BOUNDARY
-  2M OFFSET FROM EXISTING BOUNDARY
-  TREE
-  TREE TO BE RETAINED (>70CM DBH)
-  18M SETBACK FROM BUSHFIRE RISK
-  ROW OF PLANTED VEGETATION

MGA2020 ZONE 55



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FILENAME: Y:\20000-20999\20500-20599\20530 Kahsnitz & Drewell\20530 Design Response V1.pro

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VERSION 1 - DRAWN 29/08/2023

Printed 23/10/2023
Page 75 of 97

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report **is not an assessment by DELWP** of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

Date of issue: 23/08/2023
Time of issue: 10:16 am

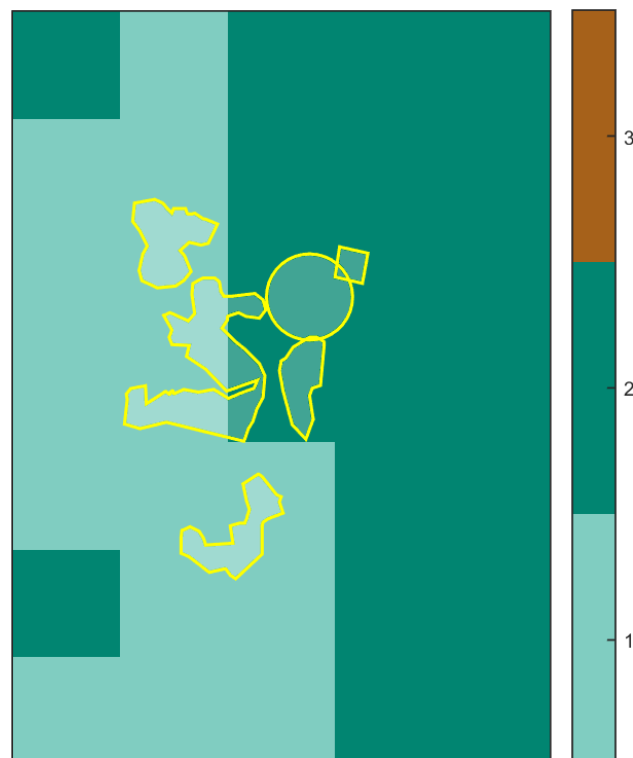
Report ID: GEN_2023_616

Project ID	featureclass_combined
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Assessment pathway

Assessment pathway	Intermediate Assessment Pathway
Extent including past and proposed	0.155 ha
Extent of past removal	0.000 ha
Extent of proposed removal	0.155 ha
No. Large trees proposed to be removed	1
Location category of proposed removal	Location 2 The native vegetation is in an area mapped as a wetland designated under the Convention on Wetlands of International Importance (the Ramsar Convention); and a wetland listed in the Directory of Important Wetlands of Australia. Removal of less than 0.5 hectares of native vegetation in this location will not have a significant impact on any habitat for a rare or threatened species.

1. Location map



Native vegetation removal report

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Offset requirements if a permit is granted

Any approval granted will include a condition to obtain an offset that meets the following requirements:

General offset amount¹	0.068 general habitat units
Vicinity	East Gippsland Catchment Management Authority (CMA) or East Gippsland Shire Council
Minimum strategic biodiversity value score ²	0.637
Large trees	1 large tree

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

Appendix 1 includes information about the native vegetation to be removed

Appendix 2 includes information about the rare or threatened species mapped at the site.

Appendix 3 includes maps showing native vegetation to be removed and extracts of relevant species habitat importance maps

¹ The general offset amount required is the sum of all general habitat units in Appendix 1.

² Minimum strategic biodiversity score is 80 per cent of the weighted average score across habitat zones where a general offset is required

Native vegetation removal report

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Next steps

Any proposal to remove native vegetation must meet the application requirements of the Intermediate Assessment Pathway and it will be assessed under the Intermediate Assessment Pathway.

If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. Council will refer your application to DELWP for assessment, as required. **This report is not a referral assessment by DELWP.**

This *Native vegetation removal report* must be submitted with your application for a permit to remove, destroy or lop native vegetation.

Refer to the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) for a full list of application requirements. This report provides information that meets the following application requirements:

- The assessment pathway and reason for the assessment pathway
- A description of the native vegetation to be removed (met unless you wish to include a site assessment)
- Maps showing the native vegetation and property
- The offset requirements determined in accordance with section 5 of the Guidelines that apply if approval is granted to remove native vegetation.

Additional application requirements must be met including:

- Topographical and land information
- Recent dated photographs
- Details of past native vegetation removal
- An avoid and minimise statement
- A copy of any Property Vegetation Plan that applies
- A defensible space statement as applicable
- A statement about the Native Vegetation Precinct Plan as applicable
- An offset statement that explains that an offset has been identified and how it will be secured.

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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 the Victoria Planning Provisions and Victorian planning schemes 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 the Victoria Planning Provisions and Victorian planning schemes.

Appendix 1: Description of native vegetation to be removed

All zones require a general offset, the general habitat units each zone is calculated by the following equation in accordance with the Guidelines:

$$\text{General habitat units} = \text{extent} \times \text{condition} \times \text{general landscape factor} \times 1.5, \text{ where the general landscape factor} = 0.5 + (\text{strategic biodiversity value score}/2)$$

The general offset amount required is the sum of all general habitat units per zone.

Native vegetation to be removed

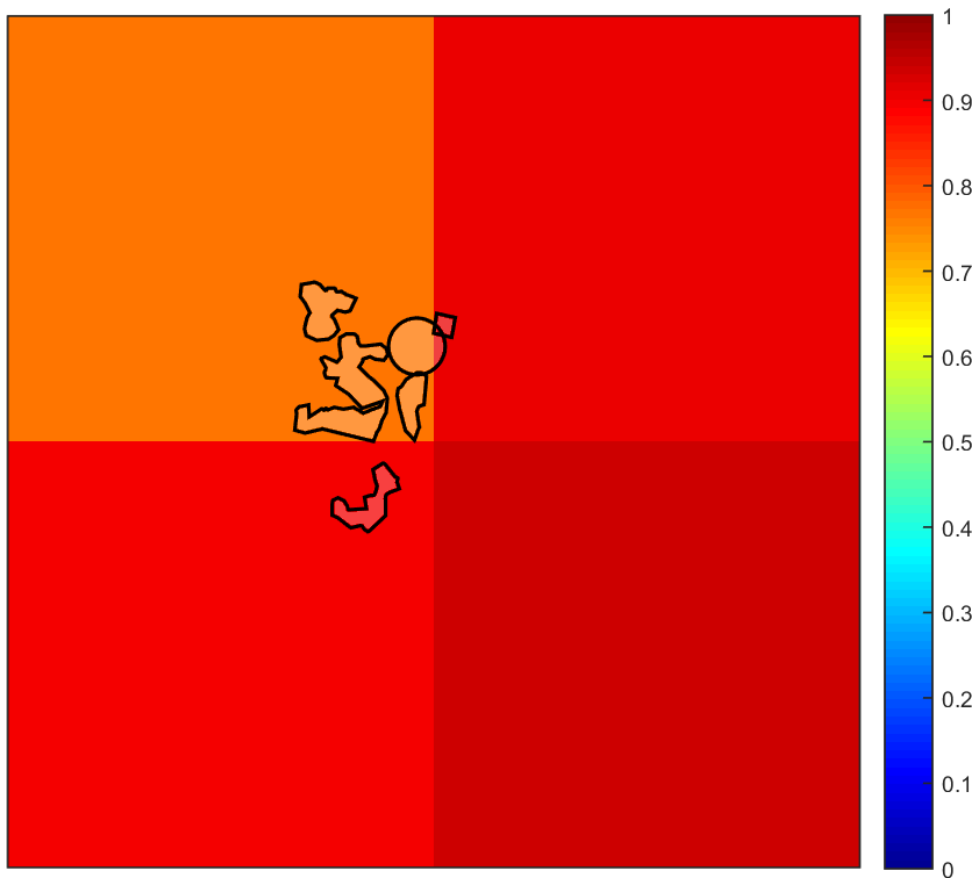
Information provided by or on behalf of the applicant in a GIS file						Information calculated by EnSym						
Zone	Type	BioEVC	BioEVC conservation status	Large tree(s)	Partial removal	Modelled Condition score	Polygon Extent	Extent without overlap	SBV score	HI score	Habitat units	Offset type
2-A	Patch			0	no	0.410	0.005	0.005	0.910		0.003	General
3-A	Patch			0	no	0.350	0.058	0.058	0.770		0.027	General
4-A	Patch			0	no	0.350	0.015	0.015	0.770		0.007	General
5-A	Patch			0	no	0.370	0.022	0.022	0.900		0.012	General
1-A	Patch			1	no	0.350	0.024	0.024	0.770		0.011	General
6-A	Scattered Tree			0	no	0.200	0.031	0.031	0.788		0.008	General

Appendix 2: Information about impacts to rare or threatened species' habitats on site

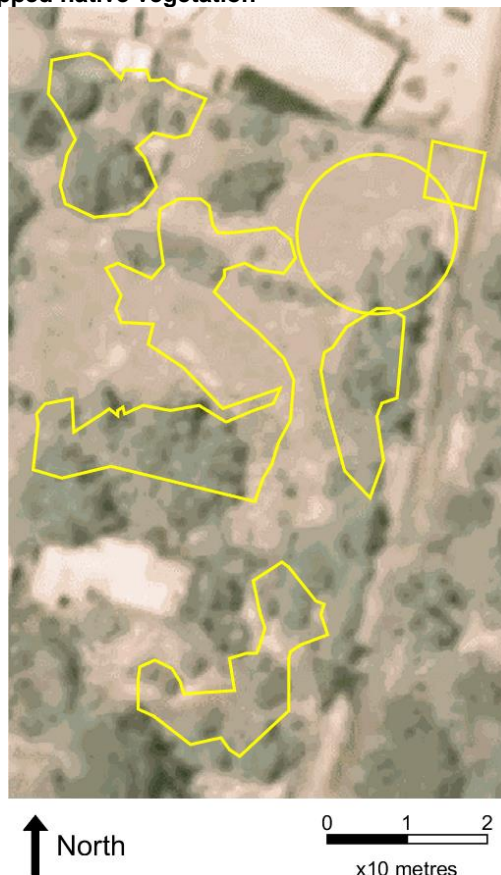
This is not applicable in the Intermediate Assessment Pathway.

Appendix 3 – Images of mapped native vegetation

2. Strategic biodiversity values map



3. Aerial photograph showing mapped native vegetation



4. Map of the property in context



Yellow boundaries denote areas of proposed native vegetation removal.

Report of available native vegetation credits

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

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

Date and time: 24/08/2023 09:47

Report ID: 20505

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)	
0.068	0.637	1	CMA	East Gippsland

Details of available native vegetation credits on 24 August 2023 09:47

These sites meet your requirements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-2323	14.848	86	East Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets, Ethos, VegLink
BBA-2843	15.103	903	East Gippsland	East Gippsland Shire	Yes	Yes	No	VegLink
TFN-C1621	1.387	1	East Gippsland	East Gippsland Shire	Yes	Yes	No	TFN
VC_CFL-3720_01	1.876	244	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR
VC_CFL-3767_01	22.349	1615	East Gippsland	East Gippsland Shire	Yes	Yes	No	Ethos, VegLink

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

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

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

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

Next steps

If applying for approval to remove native vegetation

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

If you have approval to remove native vegetation

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

Broker contact details

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

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

Disclaimer

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

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

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

Our ref: 20530_{AMP}

3 October 2023

Senior Land Use Planner
East Gippsland Shire Council
Via Email: planning@egipps.vic.gov.au

Attention: Susan Fitton

Dear Susan,

**Re: Planning Application 5.2023.356.1
Two Lot Subdivision & Removal of Native Vegetation
34 First Parade, Raymond Island**

We refer to Council's recent additional information request dated 27 September 2023 pertaining to the vegetation removal element of the project and provide the following information in response.

A significant proportion of the vegetation contained within the subject land is already exempt from the need for a planning permit for removal under today's conditions. The relevant exemptions include:

- The removal, destruction or lopping of any vegetation within 10.0 metres of existing dwellings (Clause 52.12-1);
- The removal, destruction or lopping of any vegetation, except trees, within 50.0 meters of existing dwellings (Clause 52.12-1);
- Removal, destruction or lopping of native vegetation for boundary fencing (Clause 52.17-7).

Design Response Plan (Version 1) as submitted in support of the Application provides detail on these exemptions highlighting the vegetation that can be removed today without triggering the need for planning approval.

The proposed subdivision will result in the creation of allotments which are both less than 4000m² in area which will invoke the site area exemption listed at Clause 52.17-7. This has the impact of triggering the need to provide vegetation offsets for any native vegetation on the site which is not otherwise already exempt from the need for planning approval for removal.

Native Vegetation Removal Report (GEN_2023_616) ('NVR') therefore nominates all native vegetation on the site that is not otherwise already exempt from needing planning approval for removal. The data within this report sets out the criteria to ensure the presumed native vegetation losses will be appropriately offset.



FS 520900



Whilst the native vegetation controls presume the total loss of site native vegetation and trigger the need for associated offsets, the three-step approach has been implemented to avoid and minimise physical impacts to site vegetation consistent with Clause 12.01-2S *Native vegetation management*.

The Plan of Vegetation Removal nominates the vegetation which is to be physically removed to accommodate the proposed subdivision. This selective loss ensures that there is sufficient cleared area to accommodate future development that responds appropriately to the bushfire threat whilst carefully balancing the environmental and aesthetic values of the land.

Once the subdivision has been completed the native vegetation contained on the land will ultimately be presumed lost and will not require planning permission for removal under the provisions of Clause 52.17. Despite this, some level of protection will be afforded having regard to the sites inclusion within the Vegetation Protection Overlay – Schedule 2.

We believe the necessary information required to address the matter of vegetation was included within the original Planning Application and suggest that Council may have simply overlooked the presumption of vegetation losses incurred by the native vegetation controls at Clause 52.17.

We feel it is not necessary to amend the NVRr to match the Plan of Vegetation Removal given the subdivision will result in a total presumption of native vegetation loss across the site which is not otherwise presumed lost under the current circumstances.

Equally, amending the Plan of Vegetation Removal to match the NVRr would result in the unnecessary removal of site vegetation that goes above and beyond that actually required at the present time as part of the subdivision.

The following comments have been provided in direct response to each item included within Council's additional information request:

- The native tree to be retained in the rear of Lot 1 has been included within the NVRr as it is presumed lost as part of the proposal due to the site area exemption listed at Clause 52.17-7.
- Given the NVRr and Plan of Vegetation Removal have been provided to satisfy separate provisions, we do not see any benefit in superimposing them over one another.
- Whilst native vegetation within Lot 2 is not proposed to be immediately removed, it is presumed lost as part of the proposal and therefore needs to be included within the NVRr for the calculation of native vegetation offsets.
- The trees labelled with a black X 'tree to be retained' are native trees however they have not all been shown on the NVRr as some of them are already exempt from needing planning approval for removal under Clause 52.17-7 and/or Clause 52.12-1.

- The trees labelled with an orange X 'native tree to be removed' as shown on the Plan of Vegetation Removal have not all been shown on the NVRR as some of them are also exempt from needing planning approval for removal.

We have enclosed a Photo Key Plan (Version 1) together with the associated photographs for your further information. Whilst the Plan was submitted in support of the original planning application, we believe that the associated photographs may have been omitted and we therefore wanted to ensure that you are in receipt.

We acknowledge the matter of the intertwining vegetation controls can be quite involved and therefore advise that we would be pleased to meet over a zoom meeting should any further clarification be required.

We trust that the enclosed information will satisfy Council's additional information request and enable the further processing and assessment of the application.

We look forward to hearing from you in due course.

Yours faithfully,



AMIE INGWERSEN
Natural Resource Planner

Encl: Photo Key Plan (V1) with photos

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PHOTO KEY PLAN

PARISH OF BAIRNSDALE
TOWNSHIP OF RAYMOND ISLAND
SECTION 17
CROWN ALLOTMENT 2 (PART)

LOT 2 ON PS517797U

✕ TREE

MGA2020 ZONE 55



M. KAHSNITZ & E. DREWELL
34 FIRST PARADE, RAYMOND ISLAND

Crowther & Sadler Pty.Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
P. (03) 5162 5011 E. contact@crowthersadler.com.au

FILENAME: Y:\20000-20999\20500-20599\20530 Kahsnitz & Drewell\20530 Photo Key Plan V1.pro

NOTATIONS

AREAS ARE APPROXIMATE ONLY
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 500

SURVEYORS REF.

20530

VERSION 1 - DRAWN 29/08/2023

Our ref: 20530

Planning Application Two Lot Subdivision & Vegetation Removal 34 First Prade, Raymond Island

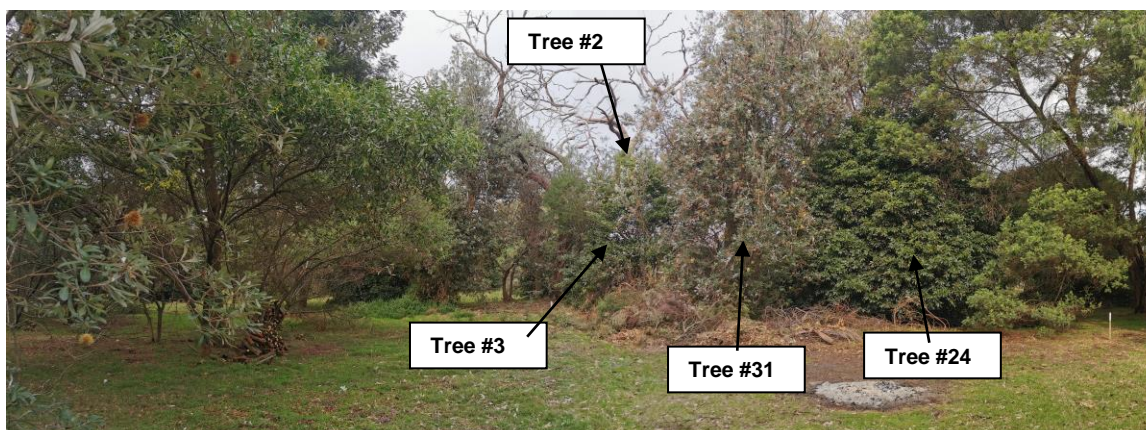
The following table provides detail on the larger trees contained within the subject land which will be presumed lost as part of the proposal. This document is to be read in conjunction with Photo Key Plan (Version 1).

Tree #	Circumference at Breast Height	DBH (cm)	TPZ (m)	% TPZ Impacted	Comment
1.	177	56.34	4.36	100%	Presumed Lost (site area exemption)
2.	161	51.25	6.15	100%	Dead tree presumed Lost (site area exemption)
3.	123	39.15	4.7	100%	Presumed Lost (site area exemption)
4.	240	76.39	9.17	10%	Tree to be retained - Presumed Lost (site area exemption)
25.	53	16.87	2.02	100%	Presumed Lost (site area exemption)

Note: The Tree #'s prescribed above match those on the Photo Key Plan (V1)
The Benchmark size for a large tree within is 70cm DBH



Looking in a north east direction towards trees forming part of Patch (Patch 3-A)



Looking in a southerly direction towards trees forming part of patch (Patch 3-A)



Looking in southerly direction towards tree in patch 1-A with patch 3-A in the background

Photographs of Trees Directly Impacted or Presumed Lost Date of Photography 30/06/2023 & 18/08/2023	
Tree #1	Tree #2
Tree #3	Tree #4
	 To be offset but physically retained



Tree #'s 15, 16 &17		Tree # 18	
			
Trees #19			
			
Trees # 21			
			

Tree # 24	Tree # 25
	
Tree # 28	Tree # 29
	
Tree # 30	Tree # 31
	

Photographs of Trees Presumed Lost and/or not requiring consideration under Clause 52.17

Date of Photography 30/06/2023 & 18/08/2023

Tree #7




Trees # 20



Tree # 22 & 23



Trees #26	Trees #27
	
Tree # 32	Tree #'s 33 &34
	

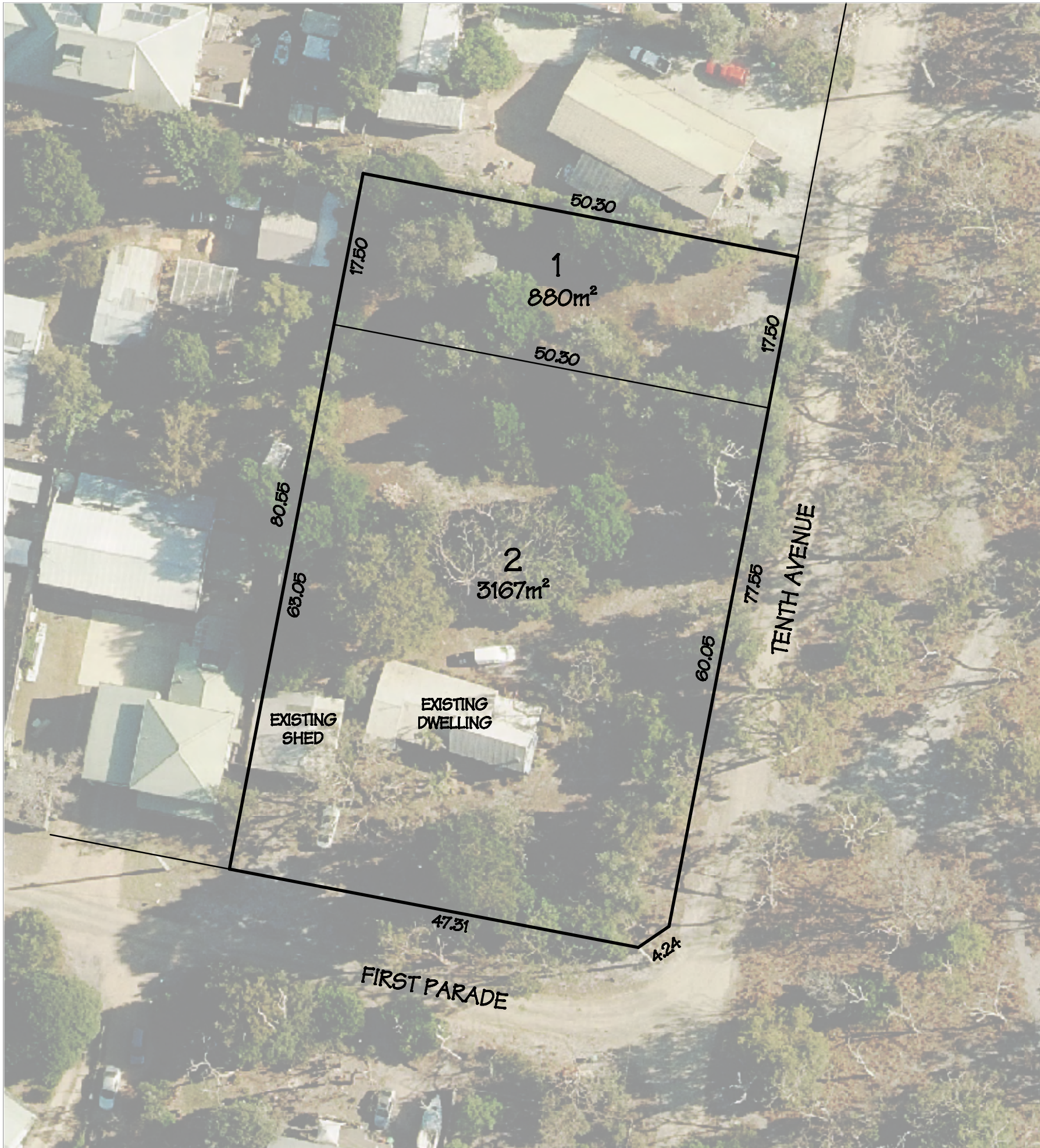
PROPOSED SUBDIVISION

PARISH OF BAIRNSDALE
TOWNSHIP OF RAYMOND ISLAND
SECTION 17
CROWN ALLOTMENT 2 (PART)

LOT 2 ON PS517797U

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MGA2020 ZONE 55



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SCALE (SHEET SIZE A3)

1 : 500

SURVEYORS REF.

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VERSION 2 - DRAWN 11/07/2023

PLAN OF VEGETATION REMOVAL

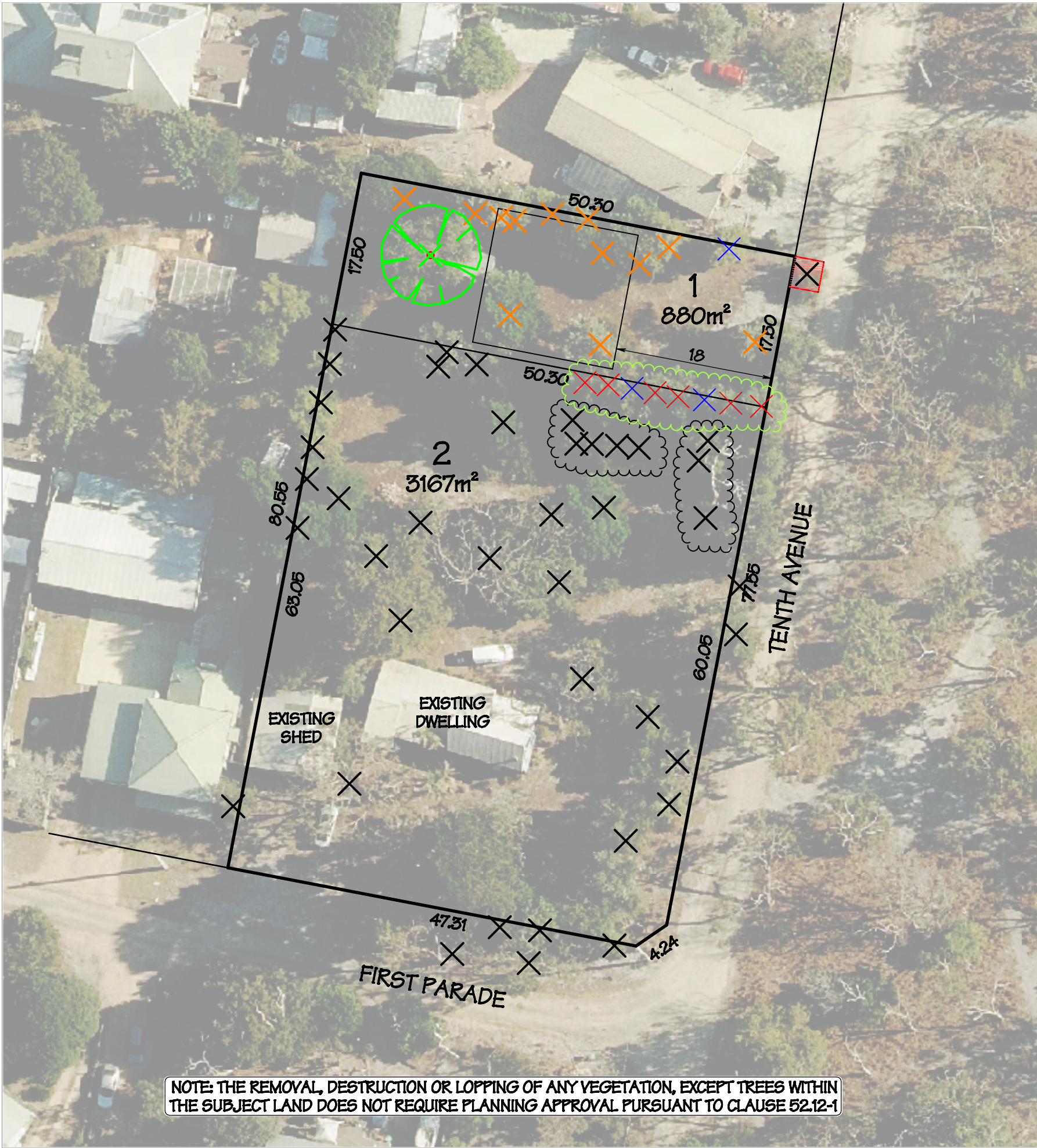
PARISH OF BAIRNSDALE
TOWNSHIP OF RAYMOND ISLAND
SECTION 17
CROWN ALLOTMENT 2 (PART)

LOT 2 ON PS517797U

- X TREE TO BE RETAINED
- X NATIVE TREE TO BE RETAINED
- ▢ PATCH OF VEGETATION TO BE REMOVED
- X PLANTED TREES TO BE REMOVED
- X NATIVE TREE TO BE REMOVED
- X PLANTED TREE TO BE RETAINED

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NOTATIONS

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DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 500

SURVEYORS REF.

20530

VERSION 1 - DRAWN 25/08/2023