

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	31 Nauta Terrace MALLACOOTA 3892 Lot: 7 PS: 600914
The application is for a permit to:	Use and Development of a Dwelling and an Outbuilding
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2024.23.1

You may look at the application and any documents that support the application free of charge at: <https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

You may also call 5153 9500 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, East Gippsland Shire. This can be done during office hours and is free of charge.

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 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.

The Responsible Authority will not decide on the application before:	Subject to the applicant giving notice
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If you object, the Responsible Authority will tell you its decision.

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 11068 FOLIO 451

Security no : 124112261911M
Produced 31/01/2024 12:39 PM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 600914F.
PARENT TITLES :
Volume 10285 Folio 821
Volume 10442 Folio 142 to Volume 10442 Folio 143
Created by instrument PS600914F 15/05/2008

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
ALYSSA ANNE HARRISON
ROGER HARRISON
AV959218T 15/08/2022

ENCUMBRANCES, CAVEATS AND NOTICES

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

AGREEMENT Section 173 Planning and Environment Act 1987
AE938224Q 07/03/2007

DIAGRAM LOCATION

SEE PS600914F 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: 31 NAUTA TERRACE MALLACOOTA VIC 3892

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

Delivered from the LANDATA System by Dye & Durham Terrain Pty Ltd

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 3

VOLUME 11068 FOLIO 451

Security no : 124110509764U
Produced 15/11/2023 10:49 AM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 600914F.
PARENT TITLES :
Volume 10285 Folio 821
Volume 10442 Folio 142 to Volume 10442 Folio 143
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SEE PS600914F FOR FURTHER DETAILS AND BOUNDARIES

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

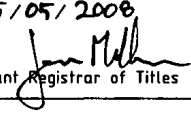
Additional information: (not part of the Register Search Statement)

Street Address: 31 NAUTA TERRACE MALLACOOTA VIC 3892

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

PLAN OF SUBDIVISION		STAGE No. 1	LTO USE ONLY EDITION 1	PLAN NUMBER PS 600914F
<p style="text-align: center;">LOCATION OF LAND</p> <p>PARISH: MALLACOOTA TOWNSHIP: _____ SECTION: _____ CROWN ALLOTMENT: 27 (PART) CROWN PORTION: _____</p> <p>TITLE REFERENCES: VOL 10442 FOL 142 VOL 10442 FOL 143 VOL 10285 FOL 821</p> <p>LAST PLAN REFERENCE: LOT 2 ON PS 348987E LOTS 1 & 2 ON PS 423546U</p> <p>POSTAL ADDRESS: GENOA - MALLACOOTA ROAD, (At time of subdivision) MALLACOOTA, 3892</p> <p>MGA 94 CO-ORDINATES: E 741 670 (Of approx. centre of land in plan) N 5839 990 ZONE: 55</p>		<p style="text-align: center;">COUNCIL CERTIFICATION AND ENDORSEMENT</p> <p>COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF: 156-2006-CRT</p> <p>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 7/02/2007 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.</p> <p>OPEN SPACE</p> <p>(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 ____/____/____</p> <p>Re-certified under Section 11(7) of the Subdivision Act 1988 Council Delegate _____ Council-seal _____ Date 5/4/07</p>		
VESTING OF ROADS AND/OR RESERVES				
IDENTIFIER	COUNCIL/BODY/PERSON			
RI ROAD	EAST GIPPSLAND SHIRE COUNCIL			
NOTATIONS				
<p>STAGING This is / is not a staged subdivision Planning Permit No 23/2006/P</p> <p>DEPTH LIMITATION 15.24m BELOW THE SURFACE</p>				
AREA OF LOT 14 IS BY DEDUCTION FOM TITLE DIMENSIONS UNDERLINED ARE NOT A RESULT OF THIS SURVEY				
SURVEY: THIS PLAN IS / IS NOT BASED ON SURVEY THIS SURVEY IS CONNECTED TO PERMANENT MARK No(s) 28, 36 & 45				
EASEMENT INFORMATION				LR USE ONLY
<p>LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)</p>				STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE 5, 5, 08
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1, E-3, E-7, E-8 & E-9	WAY & DRAINAGE	SEE DIAG.	LPI22651	LOT 4 ON LPI22651
E-2, E-3	SEWERAGE	3	PS423546U	EAST GIPPSLAND REGION WATER AUTHORITY & LAND IN PS423546U
E-4, E-6, E-7 & E-8	DRAINAGE	SEE DIAG.	THIS PLAN	EAST GIPPSLAND SHIRE COUNCIL
E-5, E-6, E-8 & E-9	SEWERAGE	2	THIS PLAN	EAST GIPPSLAND REGION WATER AUTHORITY
<p>Crowther & Sadler Pty. Ltd. LICENSED SURVEYORS & TOWN PLANNERS 162 MACLEOD STREET, BARNSDALE, VIC., 3675 TELEPHONE (03) 5152 5011</p>				LR USE ONLY PLAN REGISTERED TIME 12:35 pm DATE 15/05/2008  Assistant Registrar of Titles SHEET 1 OF 4 SHEETS
LICENSED SURVEYOR MICHAEL JOSEPH SADLER SIGNATURE DATE 30/3/2007 REF 12348 VERSION 2		DATE 5/4/2007 COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3		

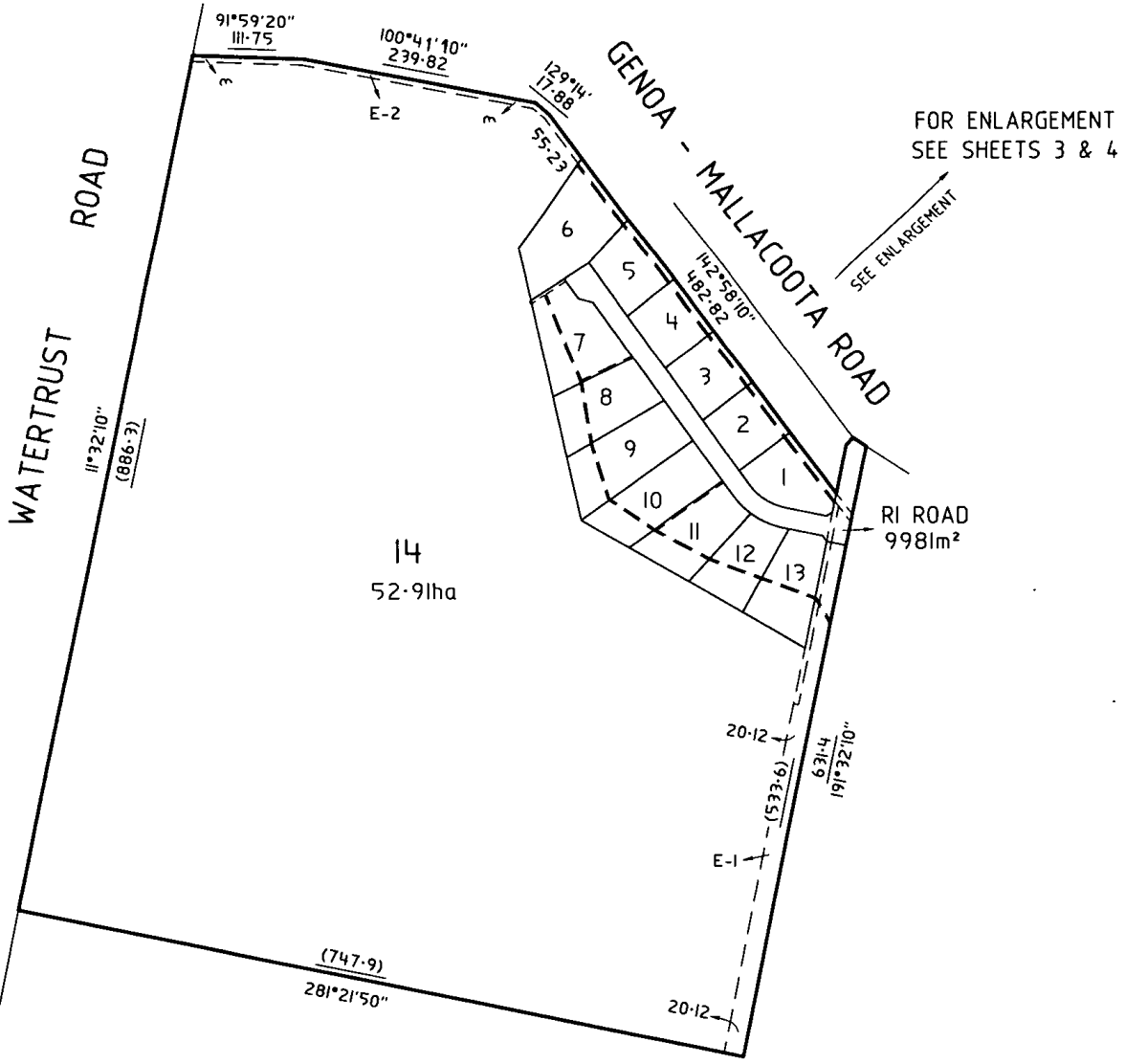
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PLAN OF SUBDIVISION

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STAGE No. 1 PLAN NUMBER
PS 600914F

MGA94 ZONE 55



Crowthier & Sadler Pty. Ltd.
 LICENSED SURVEYORS & TOWN PLANNERS
 152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
 TELEPHONE (03) 8182 8011

SHEET 2 OF 4 SHEETS

ORIGINAL SCALE

SHEET SIZE A3 SCALE 1:5000

50 0 50 100 150 200

LENGTHS ARE IN METRES

LICENSED SURVEYOR MICHAEL JOSEPH SADLER

SIGNATURE DATE 30/3/2007

REF 12348 VERSION 2

DATE 5/4/2007

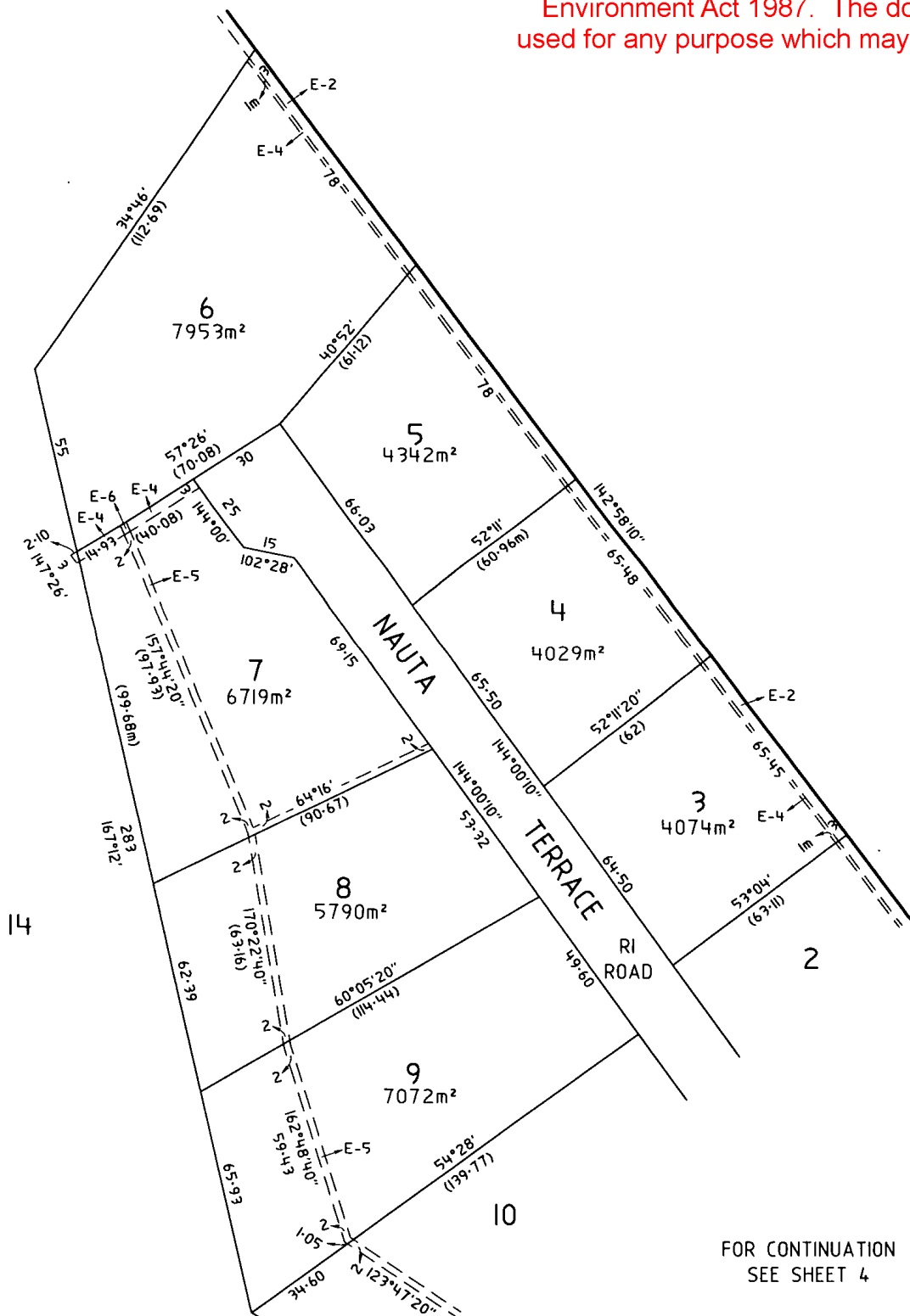
COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION

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STAGE No. 1 PLAN NUMBER PS 600914F

MGA94 ZONE 55



FOR CONTINUATION
SEE SHEET 4

Crowthier & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 6152 6011

SHEET 3 OF 4 SHEETS

ORIGINAL	SCALE
SHEET SIZE A3	SCALE 1:1250
	12.5 0 12.5 25 37.5 50
	LENGTHS ARE IN METRES

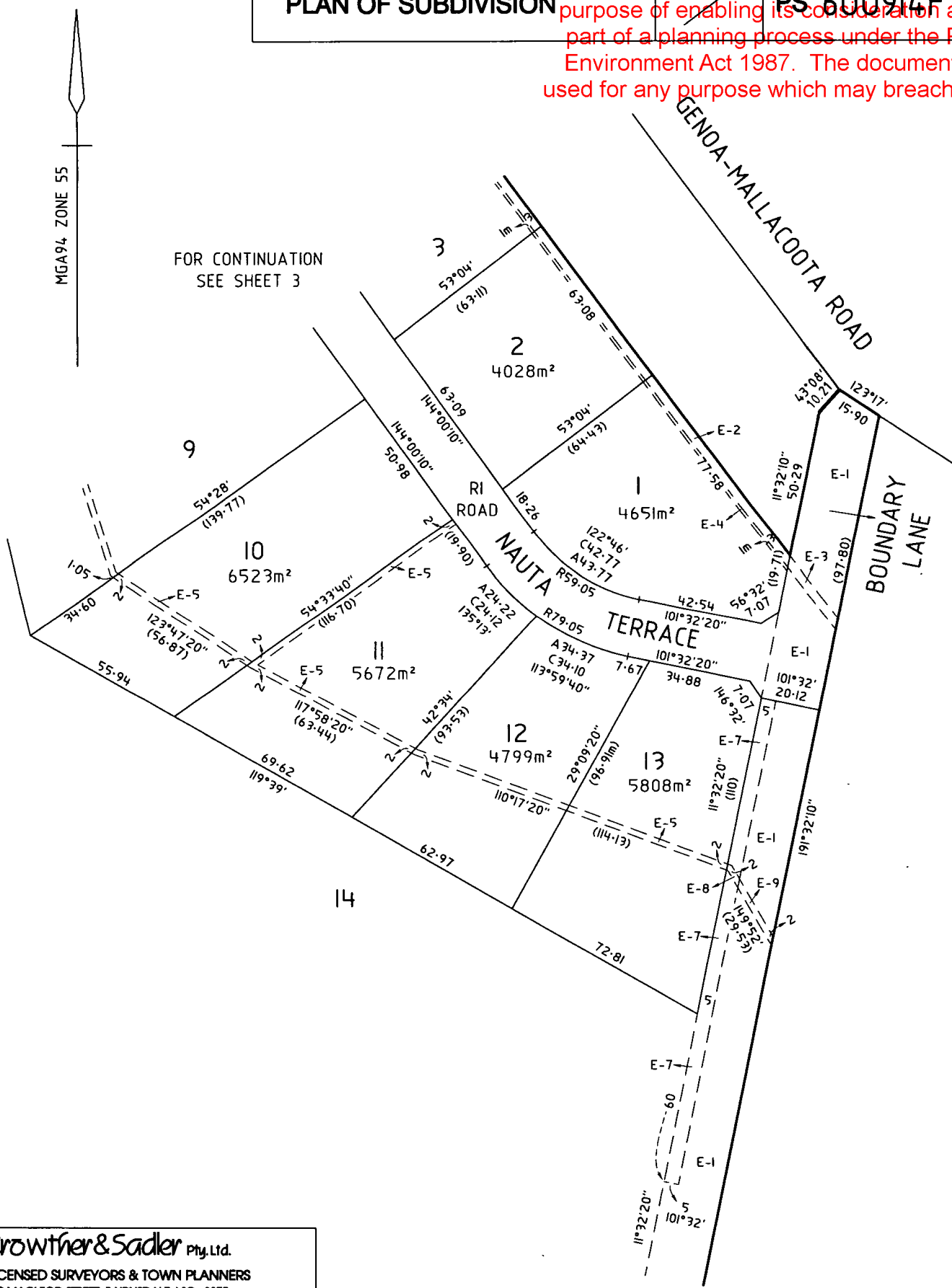
LICENSED SURVEYOR
SIGNATURE DATE 30/3/2007
REF 12348 VERSION 2
MICHAEL JOSEPH SADLER

DATE 5/4/2007
COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION

STAGE No. PLAN NUMBER
PS 600914F

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LICENSED SURVEYORS & TOWN PLANNERS
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 5162 6011

SHEET 4 OF 4 SHEETS

ORIGINAL	SCALE	12.5	0	12.5	25	37.5	50
SHEET SIZE	SCALE	LENGTHS ARE IN METRES					
A3	1:1250						

LICENSED SURVEYOR: MICHAEL JOSEPH SADLER
SIGNATURE: _____ DATE: 30/3/2007
REF: 12348 VERSION: 2

DATE: 5/4/2007
COUNCIL DELEGATE SIGNATURE: _____

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Section 181

APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MAKING OF A RECORDING OF AN AGREEMENT

Planning & Environment Act 1987

Privacy Collection Statement
The information from this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes in the Victorian Land Registry.

Lodged by:

Name: Warren, Graham & Murphy
Phone: 5155 1286
Address: 383 Esplanade, Lakes Entrance
Ref: GH:ab
Customer Code: 1716W

The Authority having made an agreement referred to in Section 181(1) of the **Planning and Environment Act 1987** requires a recording to be made in the Register for the land.

Land: Certificates of Title Volume 10442 Folio 142, Volume 10442 Folio 143 and Volume 10285 Folio 821

Authority: East Gippsland Shire Council, Corporate Centre, 273 Main Street, Bairnsdale, 3875

Section and Act under which agreement made: Section 173 of the Planning & Environment Act 1987

A copy of the Agreement is attached to this Application.

Signature for the Authority: *Araron Hollow*

Name of Officer: *ARARON HOLLOW, MANAGER DEVELOPMENT*
(full name)

Date: *09-01-2007*

AE938224Q



THIS AGREEMENT is made the 9th day of JANUARY 2007

BETWEEN EAST GIPPSLAND SHIRE COUNCIL of Corporate Centre, 273 Main Street, Bairnsdale ("the Council") of the first part and JOHN NAUTA of 15 Watertrust Road, Mallacoota ("the Owner") of the second part.

WHEREAS:

- A. Subject land means the land situated at 8 Boundary Lane, Mallacoota, Lot 1 PS423546U, Lot 2 PS423546U and Lot 2 PS348987E and any reference to the Subject Land in this Agreement includes any lot created by the subdivision of the Subject Land or any part of it.
- B. The Owner is the registered proprietors of the subject land and has made application to the Council as the responsible authority under the East Gippsland Planning Scheme ("the scheme") for a Permit for Subdivision for the land into 14 lots.
- C. The Council has granted Planning Permit Number 23/2006/P dated the 4th September 2006, ("the Permit") for the subject land for Subdivision of the land into 14 lots.
- D. Condition three of the Permit requires the Owner to enter into an Agreement with the Council in accordance with Section 173 of the Planning & Environment Act 1987 before the issue of a Statement of Compliance.
- E. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an Agreement under Section 173(1) of the Planning & Environment Act 1987.

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AE938224Q



NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement unless inconsistent with the context or subject matter "Owner" shall mean the person or persons entitled from time to time to be registered by the Registrar of Title as the proprietor or proprietors of an estate in fee simple of the subject land.

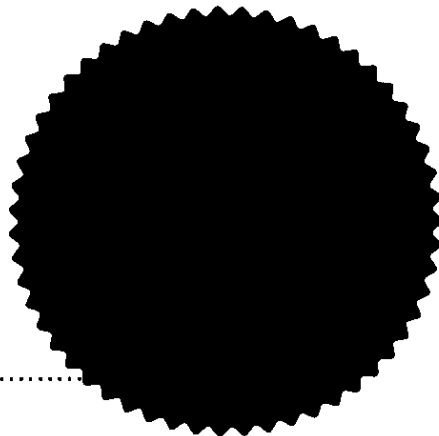
2. The Owner with the intent that his covenant hereunder shall run with the land hereby covenants and agrees that:
 - (a) Lot 14 can only be subdivided into a maximum of 17 lots.

 - (b) This Agreement will end if the subject land is rezoned.

3. The Agreement will bind the Applicant as the Owner and shall run with the land so that all successors in Title are bound by the Agreement. This Agreement will be prepared by the Applicant, at the Applicants' cost and to the satisfaction of the responsible Authority, and shall be registered on the Title in accordance with Section 181 of the Planning and Environment Act 1987.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the 2nd day of January 2008.

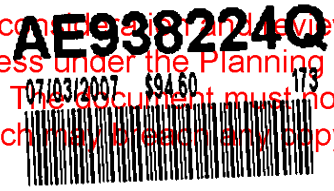


.....
ACTING Chief Executive

.....
Witness

ADVERTISED

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SIGNED SEALED and DELIVERED

by the said JOHN NAUTA in the presence of:

) JN
) Y JNK

Witness: [Signature] (witness)
Grant COLLEBURN

ADVERTISED

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DATED

9/1/2009

2009

AE938224Q

07/03/2007 \$94.60 173



EAST GIPPSLAND SHIRE COUNCIL

-and-

JOHN NAUTA

SECTION 173 AGREEMENT

WARREN, GRAHAM & MURPHY
Solicitors
383 Esplanade
LAKES ENTRANCE VIC 3909

TEL: 5155 1286
REF: GRW:ab (ellis.173agreement)
DX: 90901

Planning Report

Use and Development of a Dwelling and Outbuilding 31 Nauta Terrace, Mallacoota

Our reference – 20698

1 December 2023



FS 520900

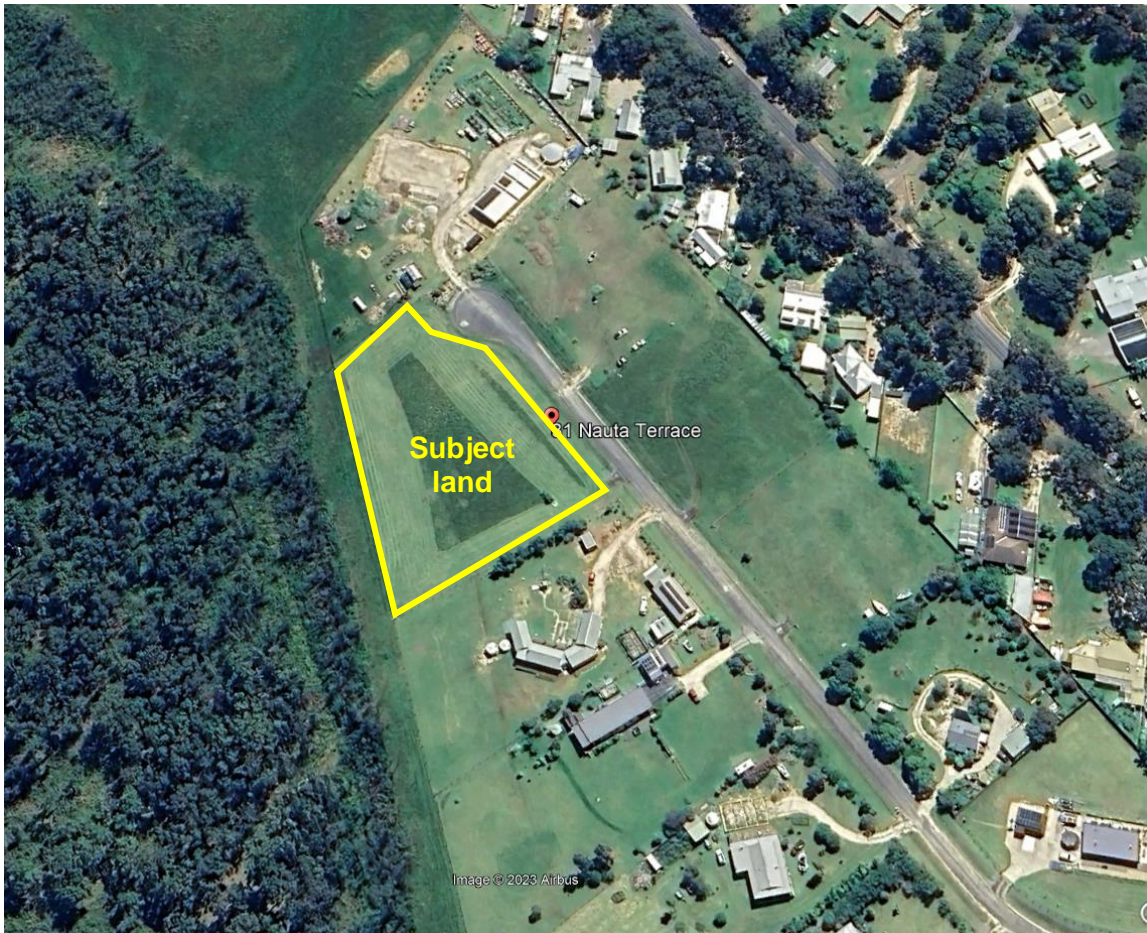


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	Application Form	
	Proposed Site, Floor and Elevations (<i>Green Line Building Design</i>)	
	Bushfire Hazard Site Assessment (Version 2)	
	Bushfire Management Plan (Version 1)	
	Copy of Title (Lot 7 on PS 600914)	

1. Introduction

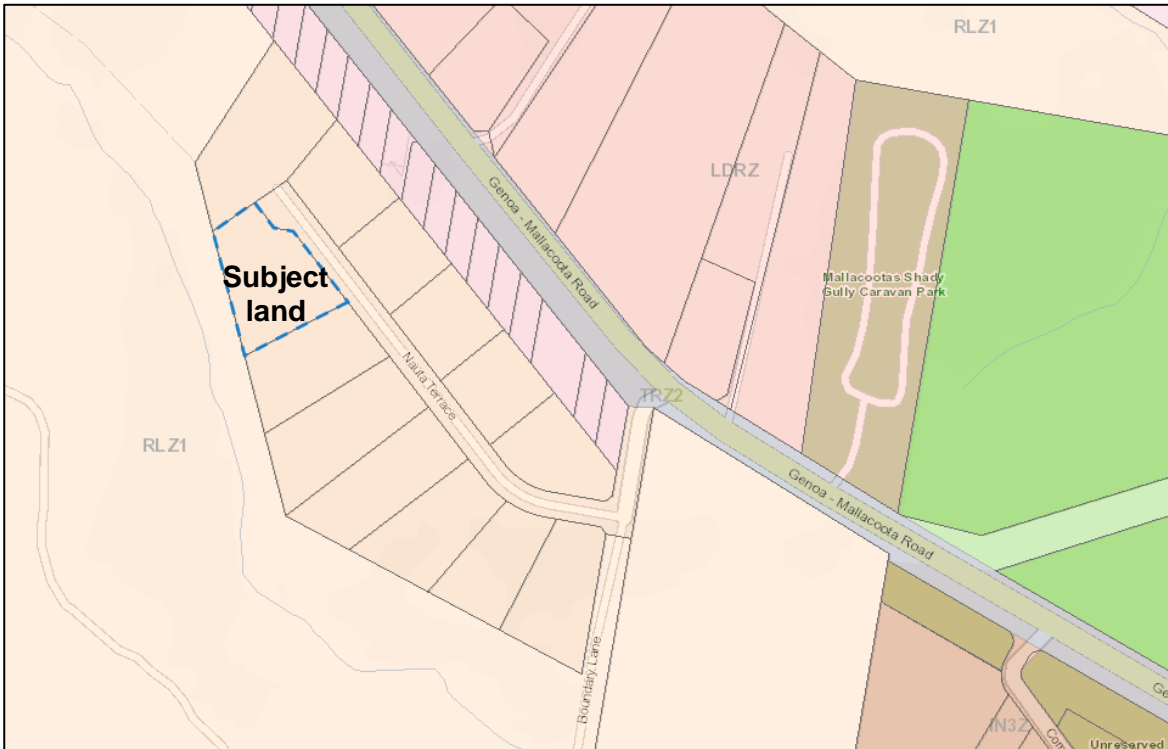
This Planning Report is prepared in support of a proposed use and development of a dwelling at 31 Nauta Terrace, Mallacoota. The Report addresses the provisions of the Rural Living Zone 1, Bushfire Management Overlay and Significant Landscape Overlay as contained within the East Gippsland Planning Scheme.



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

2. Subject Land & Surrounding Context

Formally known as Lot 7 on PS600914 or more commonly known as 31 Nauta Terrace, Mallacoota, the subject land has a gentle fall from Nauta Terrace to the rear of the lot. It is devoid of development, has an area of 6719 square metres and is within a small Rural Living precinct within the Mallacoota Township.



Locality and planning scheme zone mapping (Source: VicPlan)



Image of the subject land

The subject land is afforded vehicle access from Nauta Terrace via a vehicle crossover in the south-eastern corner of the allotment.

A reticulated sewerage easement is located within the western part of the land and runs north-south through the subject land.



Image of the subject land and vehicle crossing

North of the subject land is a Rural Living Zoned property developed with a dwelling and outbuildings, to the east of the subject land are two vacant Rural Living Zoned lots, to the south is a property developed with a dwelling and associated outbuildings and west of the site is a large property developed with a dwelling and outbuilding and containing significant areas of native vegetation.

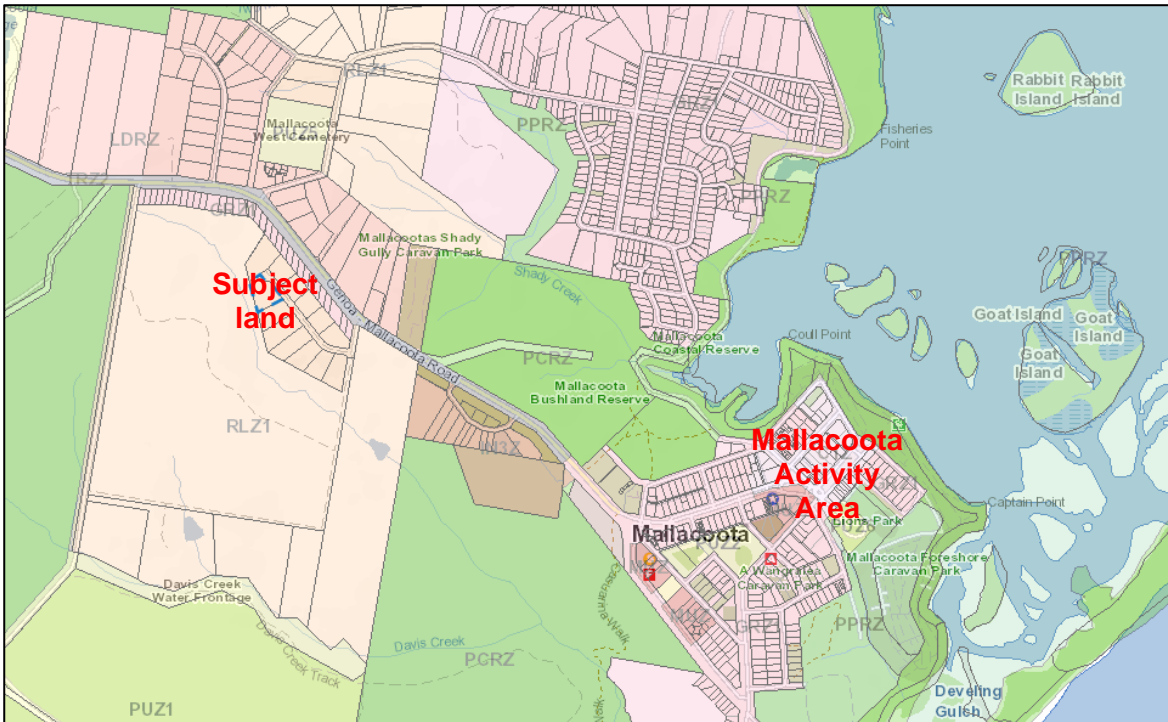


Image of the southern neighbouring property



Image of the northern neighbouring property

Despite the subject land zoning of Rural Living, the land is well located, close to the Mallacoota Activity Area.

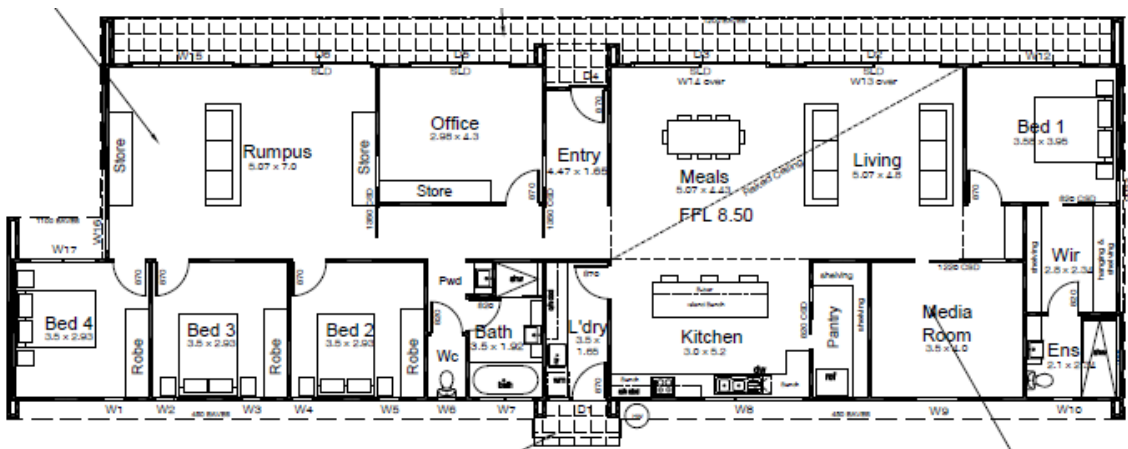


Location plan demonstrating the proximity of the subject land to the Mallacoota Activity Area (Source: VicPlan)

3. The Application & Proposal

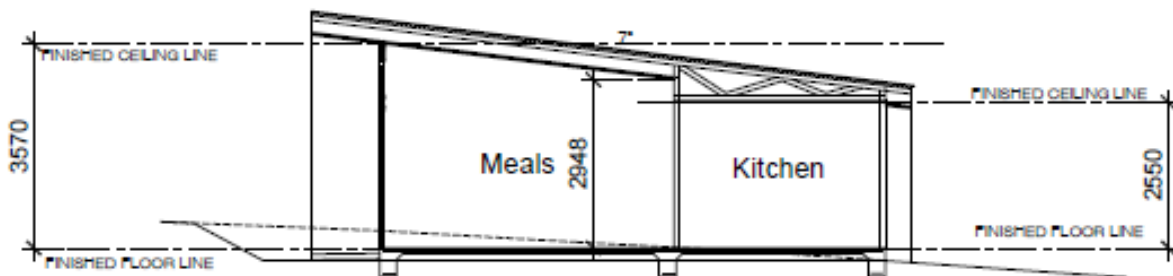
It is proposed to use and develop the subject land for the purposes of a dwelling and associated outbuilding. The proposed dwelling will be sited centrally on the lot with the proposed outbuilding located within the south-eastern part of the property. It is proposed to site the dwelling 8 metres from the Nauta Terrace road reserve boundary, allowing for a northern dwelling orientation and avoiding the sewer easement within the western part of the land.

The proposed single storey dwelling will consist of four bedrooms, bathroom, laundry, rumpus room, office, media room and open plan meals/living/kitchen area.



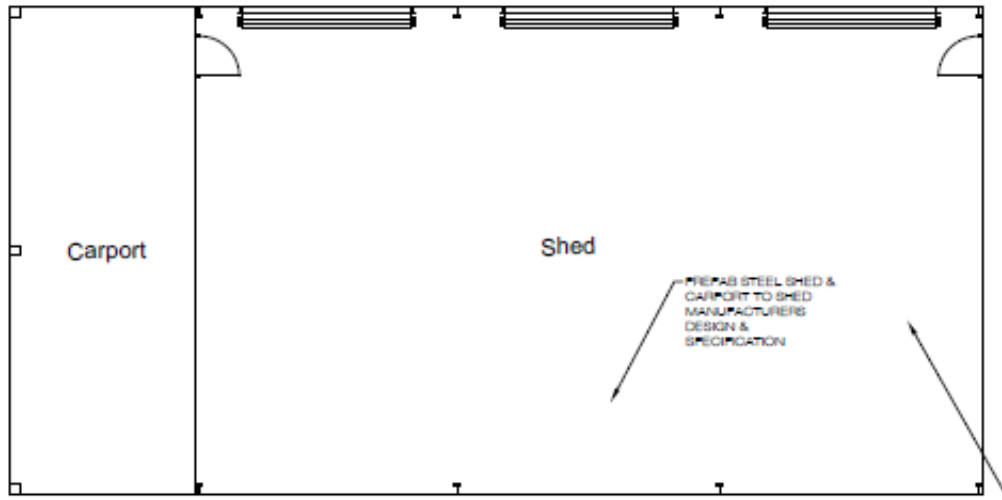
Proposed floor plan (Source: Green Line Building Design)

The dwelling is proposed to be constructed in Colorbond Corri Wall and Hardies (or similar) grooved panel cladding. The wall height will be 2.7 metres with an overall height of 3.57 metres. A skillion roof design will allow for the northern elevation to incorporate significant glazing providing for an energy efficient dwelling design.



Proposed sectional plan showing the roof profile (Source: Green Line Building Design)

Access to the outbuilding will be provided from the existing crossover within the south-east.



Proposed carport and shed floor plan (Source: Green Line Building Design)

The proposed carport and shed are proposed to be 20 metres in width and 10 metres in length, equating to 200 square metres. The shed will be constructed in Colorbond, will have a wall height of 3.6 metres and an overall height of 4.97 metres.

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

Planning Scheme Clause No.	Description of what is proposed
35.03-1 Rural Living Zone	Use
35.03-4 Rural Living Zone	Buildings and works (Section 2 use)
42.03-2 Significant Landscape Overlay	Buildings and works
44.06-2 Bushfire Management Overlay	Buildings and works (accommodation)

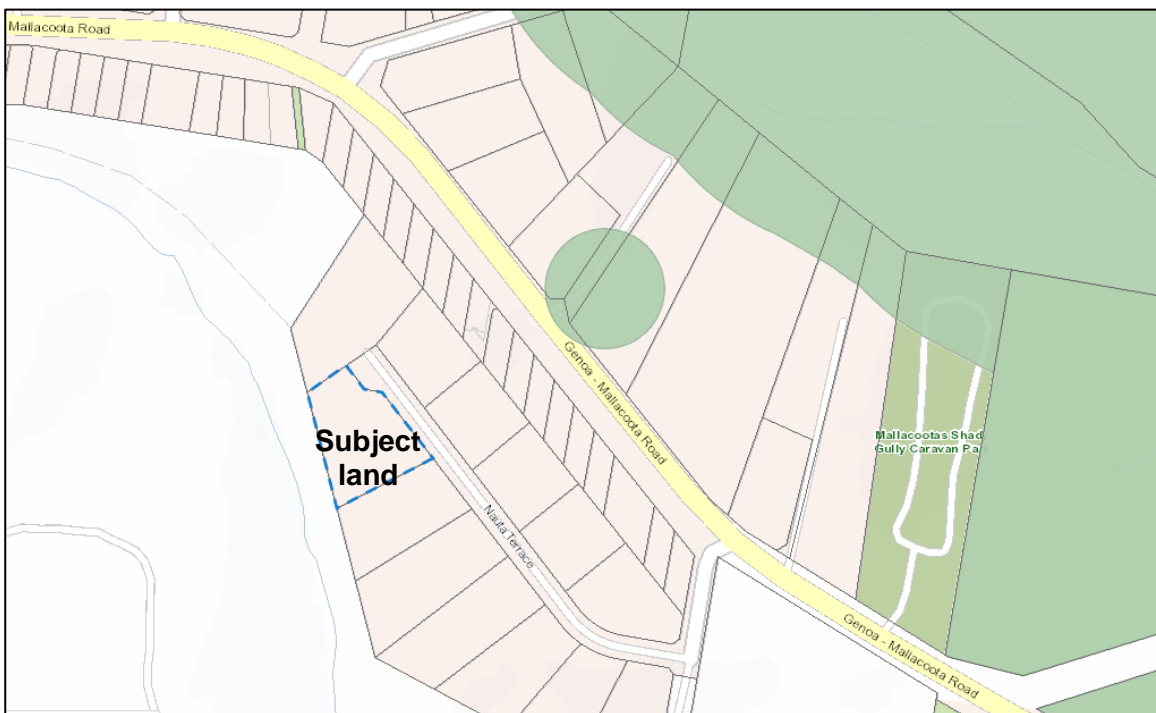
Referral of the application must be undertaken pursuant to Clause 55 of the Act to the Country Fire Authority who are a recommending referral authority.

4. Cultural Heritage

The proposal does not trigger any mandatory requirements to provide a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.

Pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2018*, a CHMP is required for an activity if:

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



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

The subject land is within an area of cultural heritage sensitivity. Therefore, there is no mandatory requirement to provide a CHMP in support of the application.

5. Planning Policy

5.1 Planning Policy Framework

As sought by Clause 11.01-1S Settlement the proposed development of this vacant, serviced allotment within the settlement boundary of Mallacoota will assist to reduce urban sprawl, encourages infill development and reduces the pressure to provide for residential growth outside of the current settlement boundaries.

To plan for sustainable coastal settlement is the objective of Clause 11.03-4S Coastal settlement. The proposed development of a dwelling at 31 Nauta Terrace, Mallacoota supports the proposal as the subject land is within the settlement boundary, avoids linear urban sprawl and provides for infill development that can be connected to reticulated sewerage.

Clause 11.03-4L-10 Mallacoota provides for a development that reflects the coastal character of the town. The proposed dwelling will be single storey in height and the use of appropriate materials common within the town reflects the coastal character.

Clause 12.05-1L Environmentally sensitive areas and Clause 12.05-2L applies to the subject land as the property is within the Significant Landscape Overlay. The proposed development of this vacant land parcel does not require the removal of vegetation and the proposed height, materials and light weight construction will be below the prevailing tree canopy and does not adversely affect the landscape qualities or environmental qualities of the area.

The land is contained within the Bushfire Management Overlay as such Clause 13.02-1S Bushfire planning is relevant to the application. The proposed development of a dwelling has had regard to the policy by siting the dwelling as far as possible away from the fire threat from the west, will provide for defensible space within the boundaries of the land allowing for appropriate and manageable defensible space and will provide for a construction level of BAL-29.

Being within the Rural Living Zone, Clause 15.01-6S Design for rural areas applies. The proposed dwelling and outbuilding are of simple form, of an appropriate height being single storey and will utilise materials that are common within the landscape.

The development of this large and attractive land parcel with a dwelling will reduce the pressure for township expansion and encourages infill development within the settlement boundary as sought within Clause 16.01-1S Housing.

5.2 Municipal Planning Strategy

Council has developed strategic directions within the Municipal Planning Strategy to guide the use and development of land within the Shire.

Within Clause 02.03-1 Coastal Towns, the relevant direction for Mallacoota is to provide for minor expansion of the town. This proposed infill development of a large vacant lot within the settlement boundary will avoid pressure on the need to provide for town expansion.

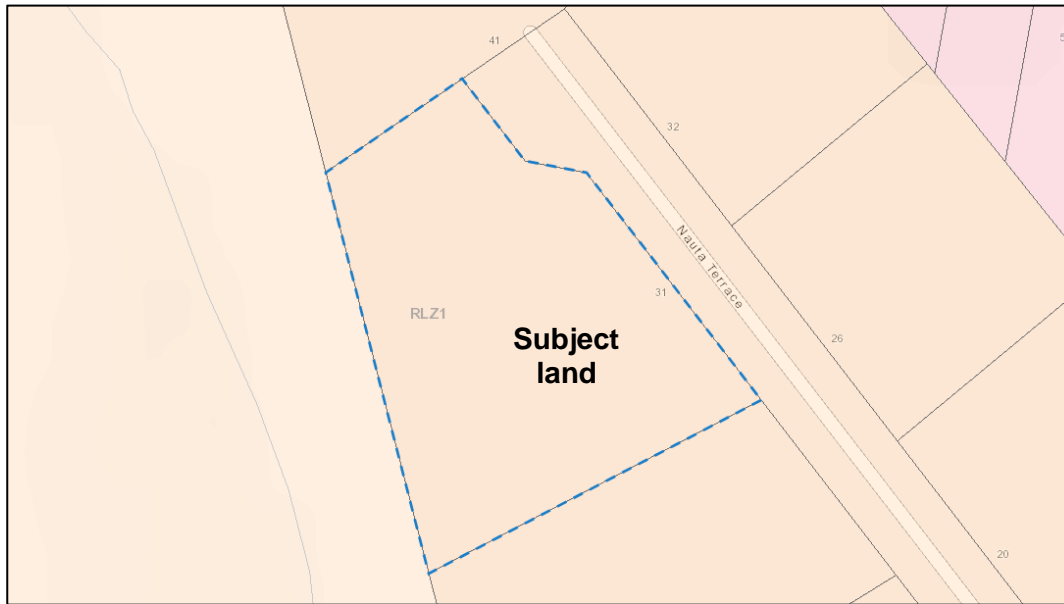
Clause 02.03-2 Environmental and landscape values strategic directions have been respected by the proposal. The development has no need to remove native vegetation to facilitate the dwelling and the development can be connected to reticulated sewerage. The building design is simple, modest in scale and will use building materials that will not detract from the landscape character of the area.

The subject land is well setback from coastal areas and is elevated, ensuring the development will not be detrimentally impacted by future sea level rise or erosion. Sensible siting of the proposed dwelling maximises the distance from the fire threat to the west and allows defensible space to be established within the property boundaries ensuring the defensible space can be maintained by the landowner, consistent with the strategic directions within Clause 02.03-3 Environmental risks and amenity.

6. Planning Elements

6.1 Rural Living Zone (Schedule 1)

The use and development of a dwelling on the subject land is consistent with the purposes of the Rural Living Zone (Schedule 1) allowing residential use in a rural environment.



Planning scheme zone mapping (Source: VicPlan)

As the land is less than 1 hectare, a planning permit is required to use the land for the purposes of a dwelling.

In accordance with Clause 35.03-2 Use of a dwelling the requirements will be met:

- Access is provided from an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling will be connected to reticulated sewerage.
- The dwelling will be connected to a potable water supply.
- Reticulated electricity is available for connection to the dwelling.

In accordance with Clause 35.03-4 a permit is required to construct a building associated with a Section 2 use.

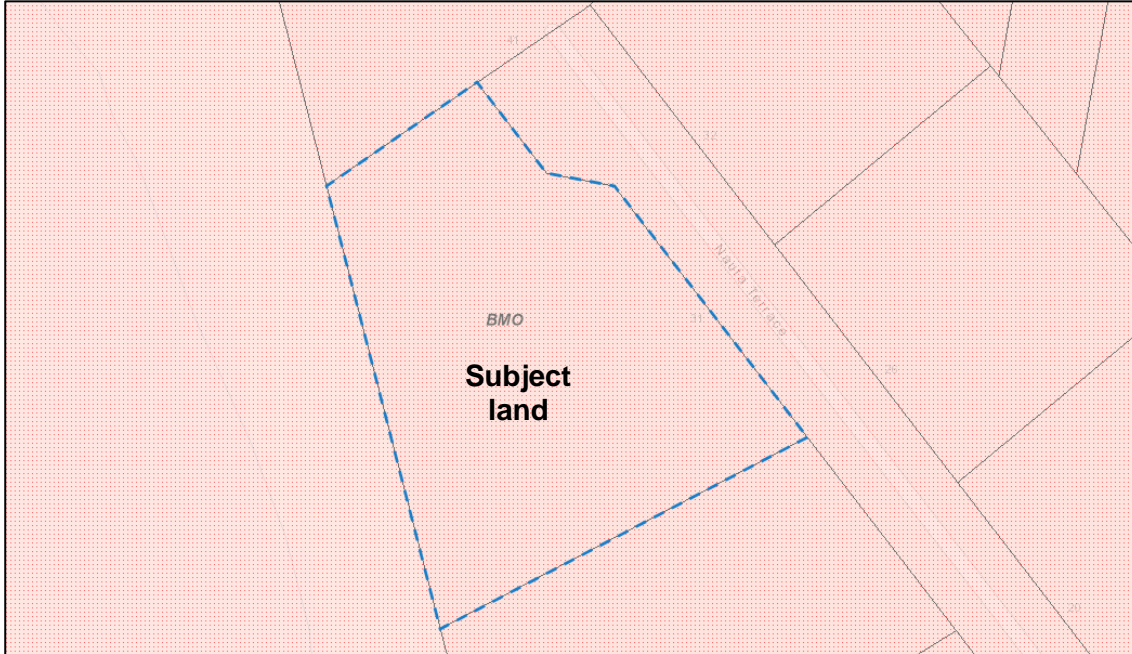
Decision Guidelines:

The proposed development forwards the decision guidelines:

- Strong support for the proposed use and development of a dwelling is found within the Municipal Planning Strategy and Planning Policy Framework.
- Connection will occur to reticulated sewerage ensuring the land is able to accommodate a dwelling.
- Adjoining uses are rural living lifestyle properties, and the dwelling has been sited to ensure neighbouring properties amenity is maintained.
- No native vegetation has to be removed to facilitate the development.
- There will be little adverse amenity impacts to neighbours as a result of a residential dwelling development.
- It is considered that the simple design, modest height and use of materials seen within the locale will not distract from the natural environment of the area.
- Connection to all available services is available and can be achieved.
- No traffic management measures need to be undertaken.

6.2 Bushfire Management Overlay

The subject land is contained within the Bushfire Management Overlay.



Planning scheme overlay mapping (Source: VicPlan)

Relevant purposes of the Bushfire Management Overlay are met with the risk to people and property able to be reduced to an acceptable level.

In accordance with Clause 44.06-3 the application is supported with a bushfire hazard site assessment and a bushfire management statement.

In accordance with Clause 44.06-3 the application meets the requirements of Clause 53.02-3.

An assessment of the proposed dwelling against the requirements of Clause 53.02-3 of the planning scheme has been undertaken.

CLAUSE 53.02-3 DWELLINGS IN EXISTING SETTLEMENTS – BUSHFIRE PROTECTION OBJECTIVE

Objective

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.

Approved Measures

AM 1.1

A building is sited to ensure the site best achieves the following:

- 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 service vehicles.

Response:

The most significant fire threat for the property is from the forest vegetation on the adjoining property to the west. The dwelling has been positioned to the east of the site to ensure the maximum separation distance between the building and bushfire hazard.

The subject land has an existing vehicle crossover to the south-eastern part of the site, which provides access to the property. The proposed dwelling will be 36 metres from the vehicle crossing and a flat driveway will provide access to the dwelling. Fire authority vehicles may alternatively elect to park within Nauta Terrace, given the dwelling has a minimal setback from the street frontage.

The proposed vehicle crossing and driveway provides occupants and emergency services vehicles easy and convenient access.



Subject land existing vehicle crossing

AM 1.2

A building provides the defensible space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defensible space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defensible space.

A building is constructed to the bushfire attack level:

- That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or
- The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all the following apply.
 - A private bushfire shelter (a Clause 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.
 - A minimum bushfire attack level of BAL 12.5 is provided in all circumstances.

AM 1.2

Response:

Within the surrounding 150 metre assessment area, a large proportion of the land is considered to be low-threat or modified having regard for the residential context however, there is an area of vegetation classified as Forest to the west (upslope) and grassland to the north (upslope). Land to the south and east predominantly comprises low threat vegetation.

Table 1 to Clause 53.02-5 prescribes that defendable space be provided for 50 metres or to the property boundaries, whichever is the lesser for low-threat vegetation with minimum construction standard of BAL 12.5.

The vegetation within the Forest classification is approximately 46m to the nearest part of the dwelling. The separation distance from the classifiable vegetation exceeds the required minimum separation distance of 25 meters required for Column C to Table 1. The proposed dwelling will be setback 32.6m from the western boundary, which almost satisfies the separation distance of 35m prescribed for Column B.

The additional cleared area on the adjoining land to the west provides additional separation from classifiable vegetation, which is maintained to a low-threat condition by the adjoining owner as a fire break. This provides further protection from the threat.

The proposed dwelling will be constructed to BAL-29 standard. The defendable space is prescribed within the Bushfire Management Plan to the property boundaries, having regard for the presence of the nearby Forest and Grassland vegetation, and to maximise protection to the building. Providing defendable space to the property boundaries also ensures that the owners of the land have the ability to manage and maintain the area on an ongoing basis.

Vegetation on site will be managed in accordance with requirements of Table 6 to Clause 53.02-5 as prescribed on the Bushfire Management Plan.

AM 1.3

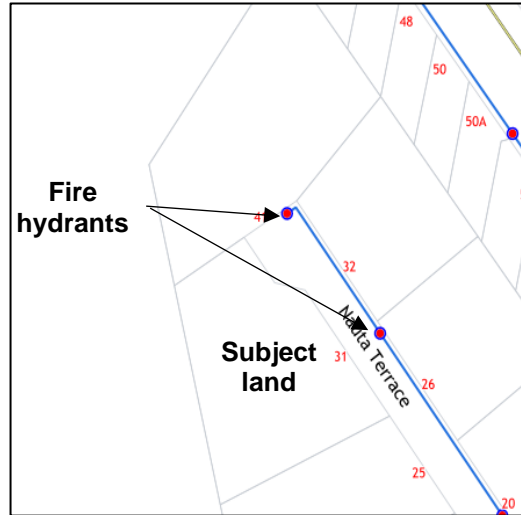
A building is provided with:

- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

Response:

Given the site is 6,719m² in area the accompanying Bushfire Management Plan prescribes the need for a static water supply of 10,000 litres, to be installed within close proximity of the proposed dwelling, shed and driveway and will be fitted with fire authority fittings, as specified on the Bushfire Management Plan.

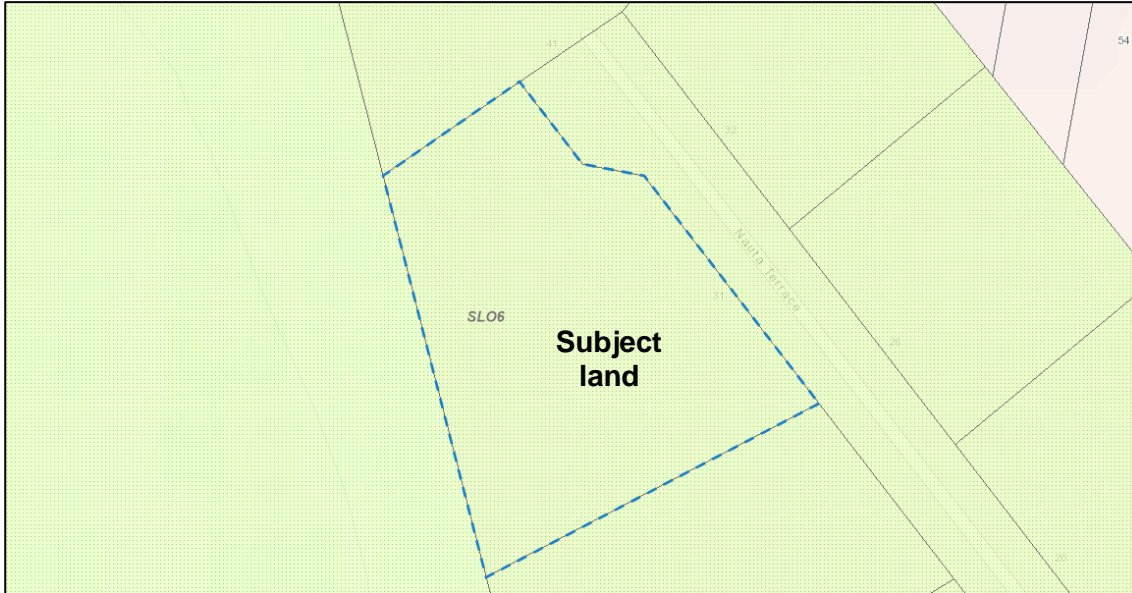
It is also noted that there are two hydrants available within Nauta Terrace close to the subject land to the north and east, and both are within 120 metres of the rear of the proposed dwelling.



Vehicle access and design will be in accordance with Table 5 to Clause 53.02-5, given that access to the water supply is required under AM 1.3. The length of access is less than 30m, and the driveway enables fire authority vehicle to easily access the 10,000L water tank adjoining the proposed shed.

6.3 Significant Landscape Overlay

The land is contained within the Significant Landscape Overlay. Schedule 6 to the Overlay relates to *Mallacoota Inlet and Surrounds*.



Planning scheme overlay mapping (Source: VicPlan)

In accordance with Schedule 6 of the Overlay, the Landscape character objectives to be achieved at sub-clause 2.0 will be met through the following:

- There will be no impact on the dominant forests of the area, as no vegetation has to be removed.
- The subject land will not be visible from Mallacoota Inlet.
- The proposed dwelling has a low overall height and will not be a dominant structure within the skyline. Views of the skyline are shielded by significant vegetation along Genoa-Mallacoota Road and the vegetated backdrop to the west of the subject land.
- The dwelling location and siting avoids disruption of locally significant views.
- Within reason given the need to ensure bushfire risk is managed, the property can provide for some landscaping.

Decision Guidelines:

The proposed development will achieve the relevant decision guidelines:

- No vegetation is required to be removed to provide for the development.
- Low building forms will be utilised with the design and given the slope of the land cut and fill of the landform has been minimised.
- The constraints of the Bushfire Management Overlay do not allow for extensive revegetation to be undertaken on the land, although there is the ability to provide for some landscaping of the property.

- The dwelling and outbuilding have been separated to avoid the dominance of structures.
- The height of the dwelling will be below the dominant tree canopy height of the area.
- No waterways are located on the subject land ensuring waterway health of the area is maintained.
- The dwelling and outbuilding will not be seen as a dominant structure from Genoa-Mallacoota Road as the property is well setback behind residential development.

7. Conclusion

The proposed use and development of a dwelling at 31 Nauta Terrace, Mallacoota is considered to accord with all relevant provisions of the Rural Living Zone 1, Bushfire Management Overlay and Significant Landscape Overlay of the East Gippsland Planning Scheme. The proposal is consistent with Planning Policy Framework and Municipal Planning Strategy, is respectful of the environment and landscape values and provides for a dwelling where the risk from bushfire can be reduced to acceptable level.

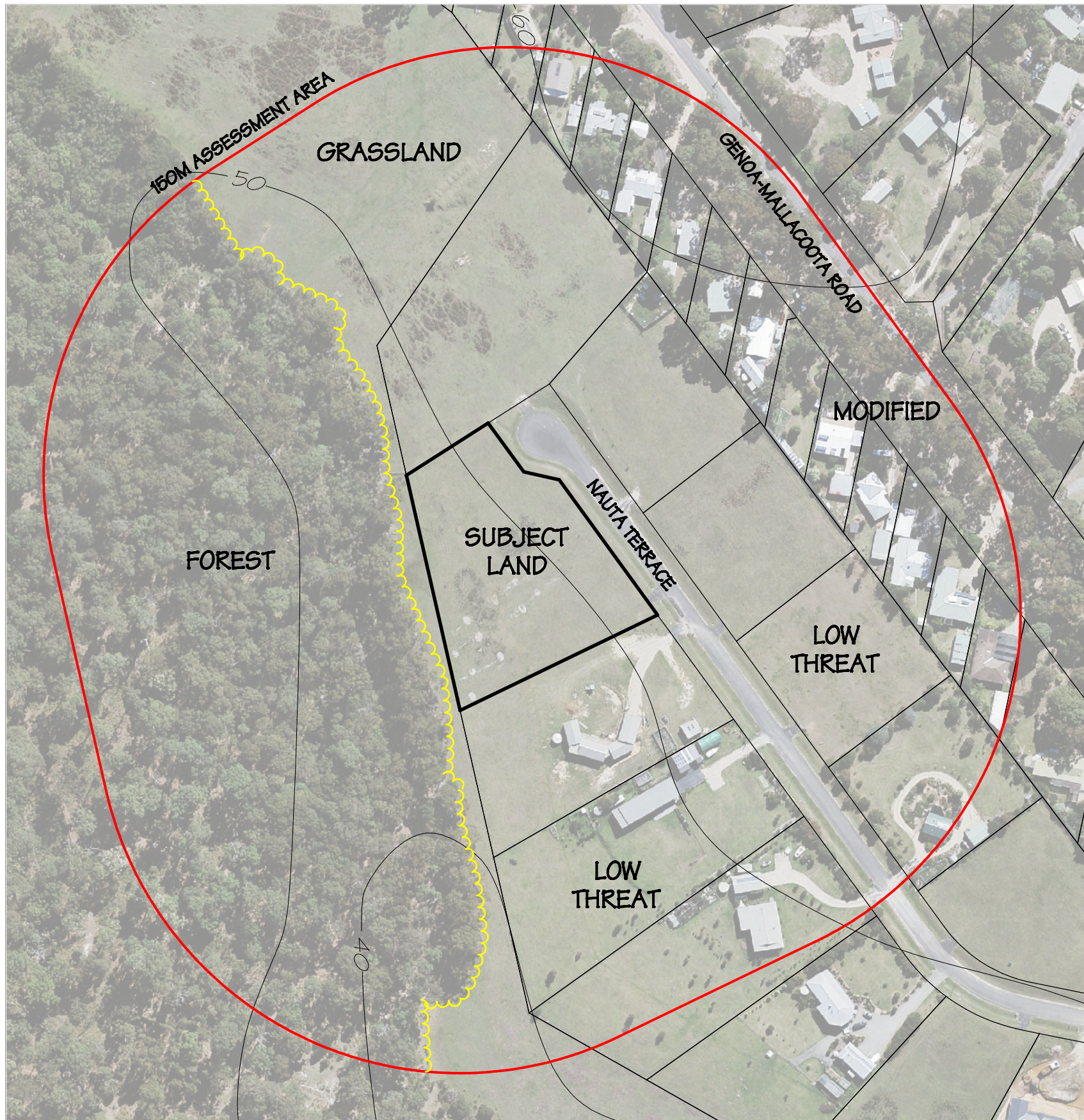
For these reasons we respectfully request that Council consider the merits of the application favourably and resolve to issue a Planning Permit.

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BUSHFIRE HAZARD SITE ASSESSMENT

PARISH OF MALLACOOTA
CROWN ALLOTMENT 27 (PART)

LOT 7 ON PS600914F



MGA94 ZONE 55

BAL 29	NORTH	EAST	SOUTH	WEST
SLOPE	UPSLOPE	N/A	N/A	UPSLOPE
VEG TYPE	GRASSLAND	MODIFIED	LOW THREAT	FOREST
DEFENDABLE SPACE	19m	50m/PB	50m/PB	35m

*SEPARATION DISTANCES DERIVED FROM
TABLE 1 COLUMN C CLAUSE 53.02-5

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LICENSED SURVEYORS & TOWN PLANNERS
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P. (03) 5152 5011 E. contact@crowthersadler.com.au

ROGER & ALYSSA HARRISON

31 NAUTA TERRACE, MALLACOOTA

SCALE (SHEET SIZE A3)

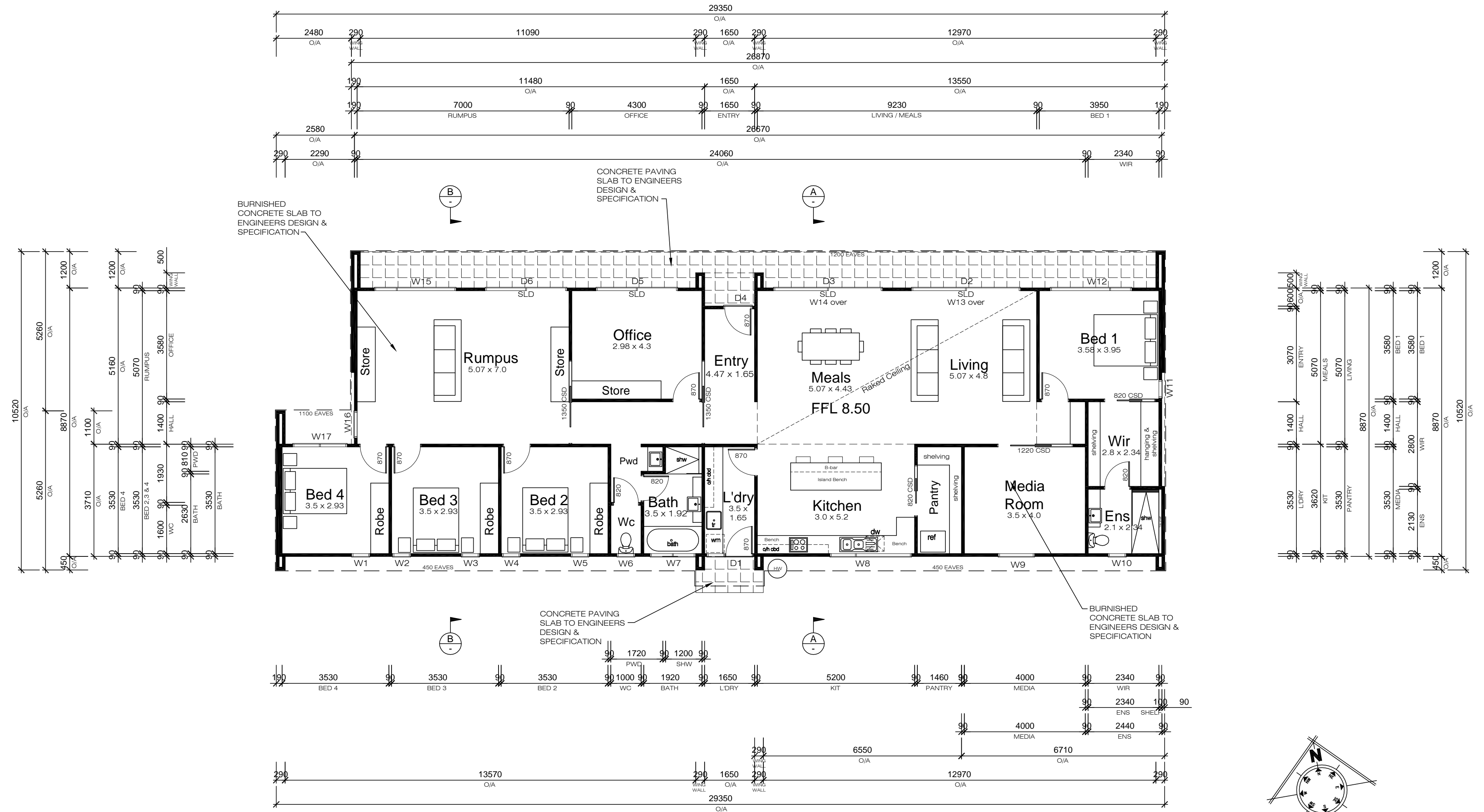
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1 : 2000

20698

VERSION 2 - DRAWN BY

AREAS:	m2	Sq
PROPOSED RESIDENCE:	246.3	26.5 sq
PROPOSED SHED:	200	21.5 sq
TOTAL RESIDENCE:	446.3	48 sq



Floor Plan

Scale - 1:100

Project: Residence and Shed		Client: Roger and Alyssa Harrison	
Ash Foote	Issue: Draft	Address: 31 Nauta Terrace Mallacoota	
Date: 12.8.23	Sheet No: 2 of X		

Job No.
23-006

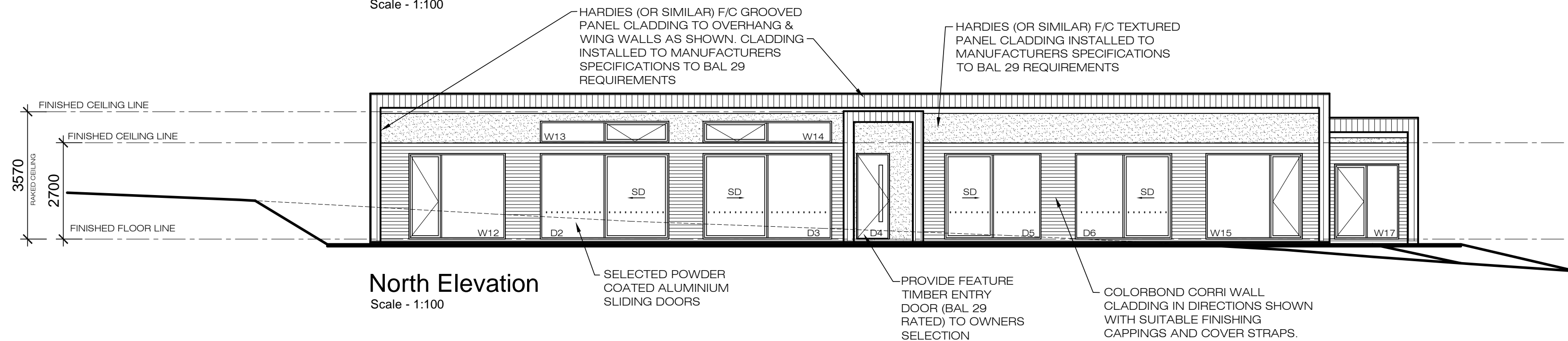
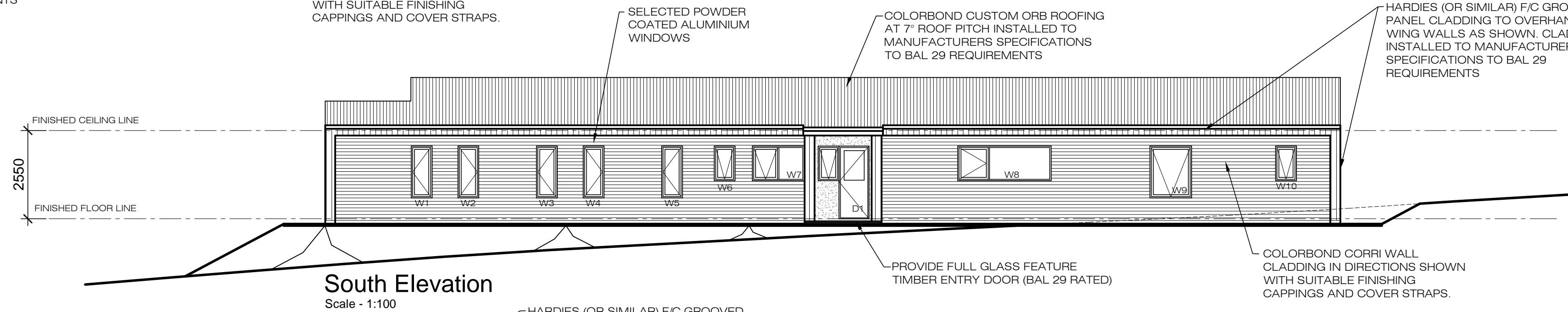
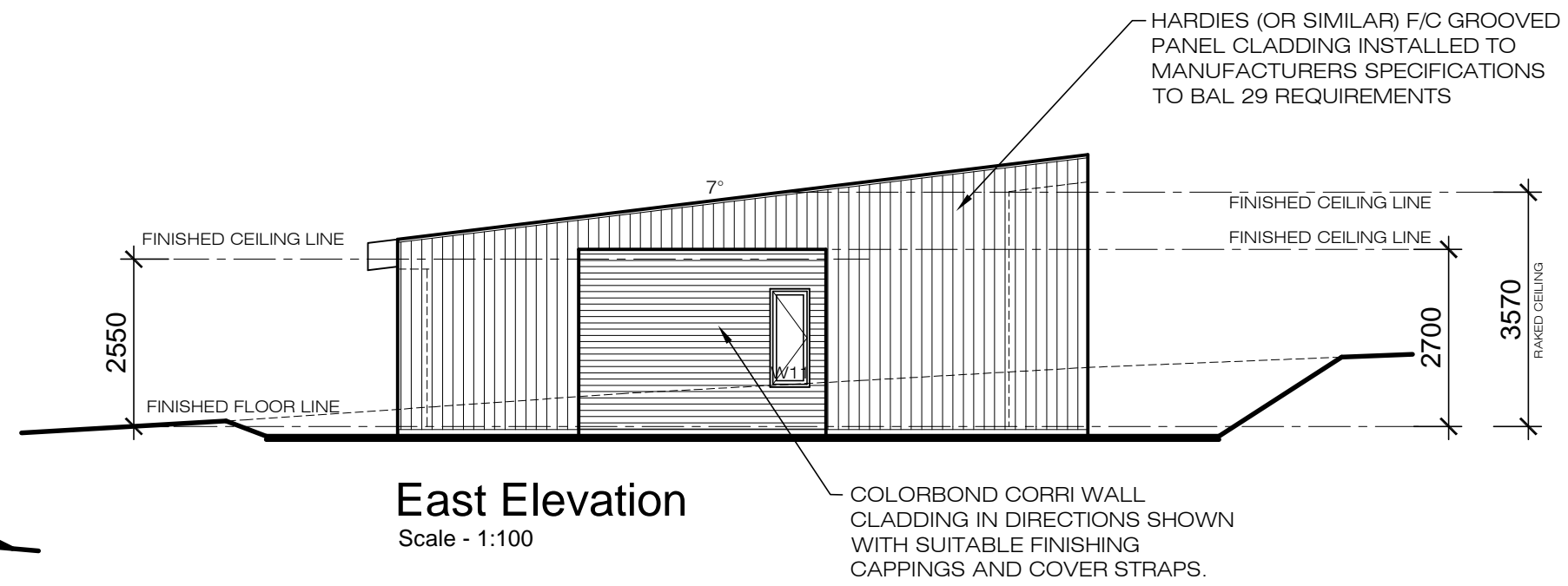
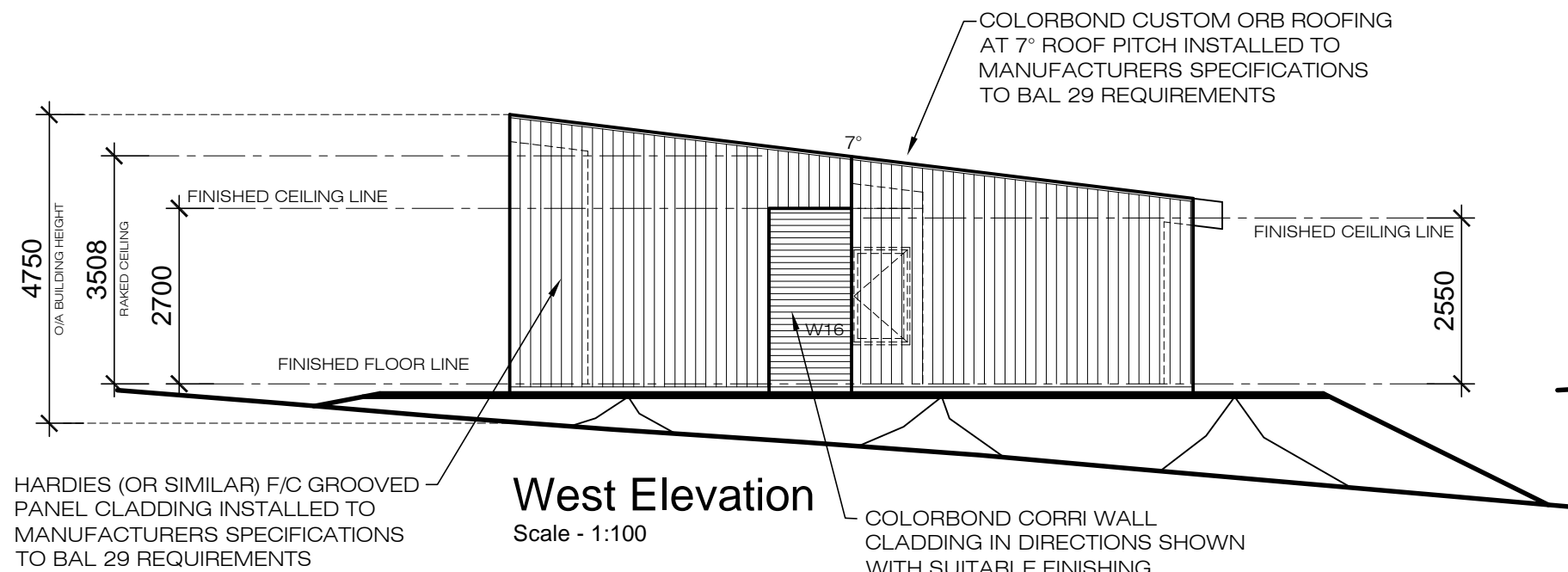
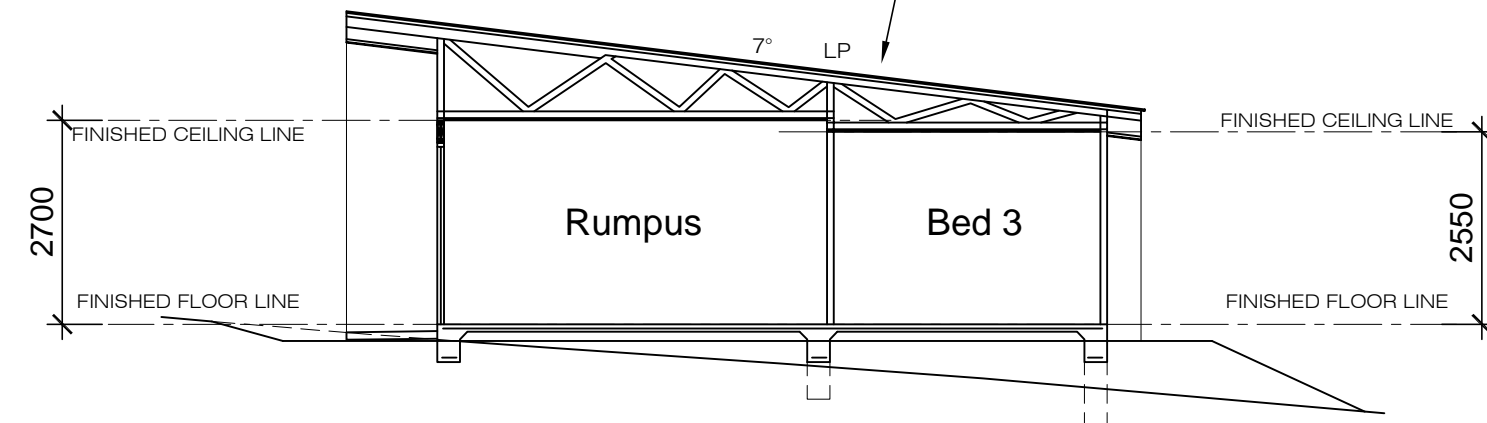
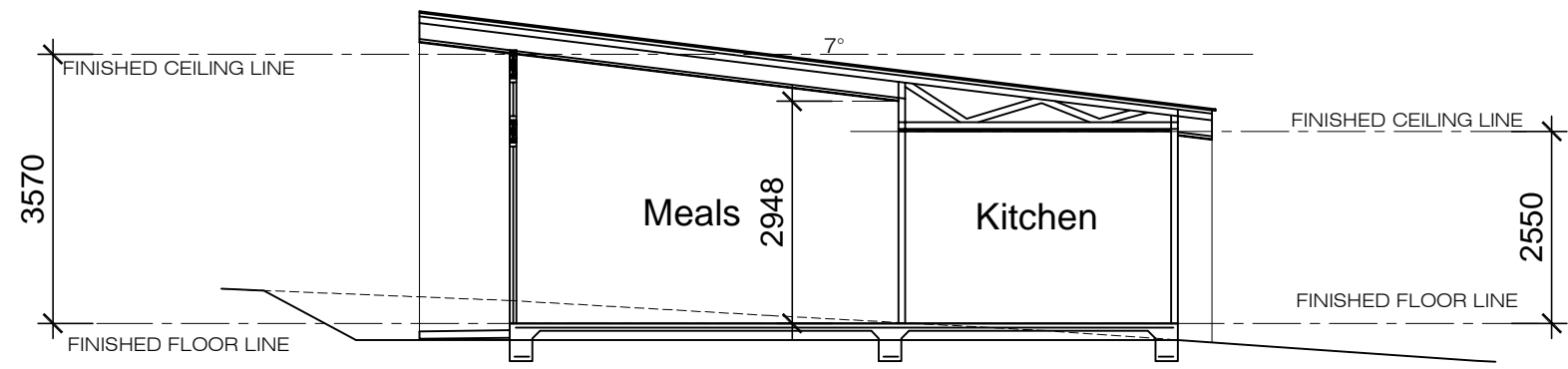
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Date	Amendments	Issue

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Po Box 408
 Pambula NSW 2549
 Ph- 0437 678 890
 Email- ash@greenlinebuildingdesign.com.au
 Building Practitioner DP-AD 32870





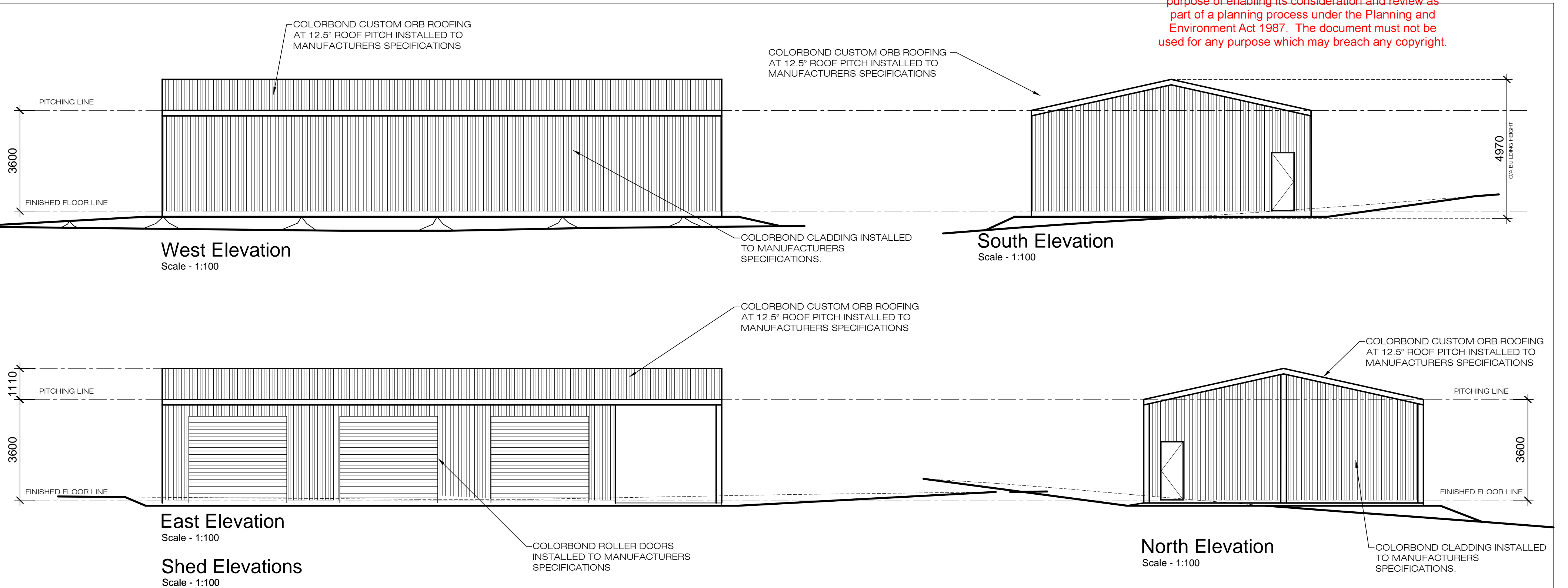
Elevations
Scale - 1:100

Project: Residence and Shed		Client: Roger and Alyssa Harrison	
Drawn By: Ash Foote	Issue: Draft	Address: 31 Nauta Terrace Mallacoota	
Date: 12.8.23	Sheet No: 3 of X		

Job No.
23-006
To be printed at A2

Date	Amendments	Issue

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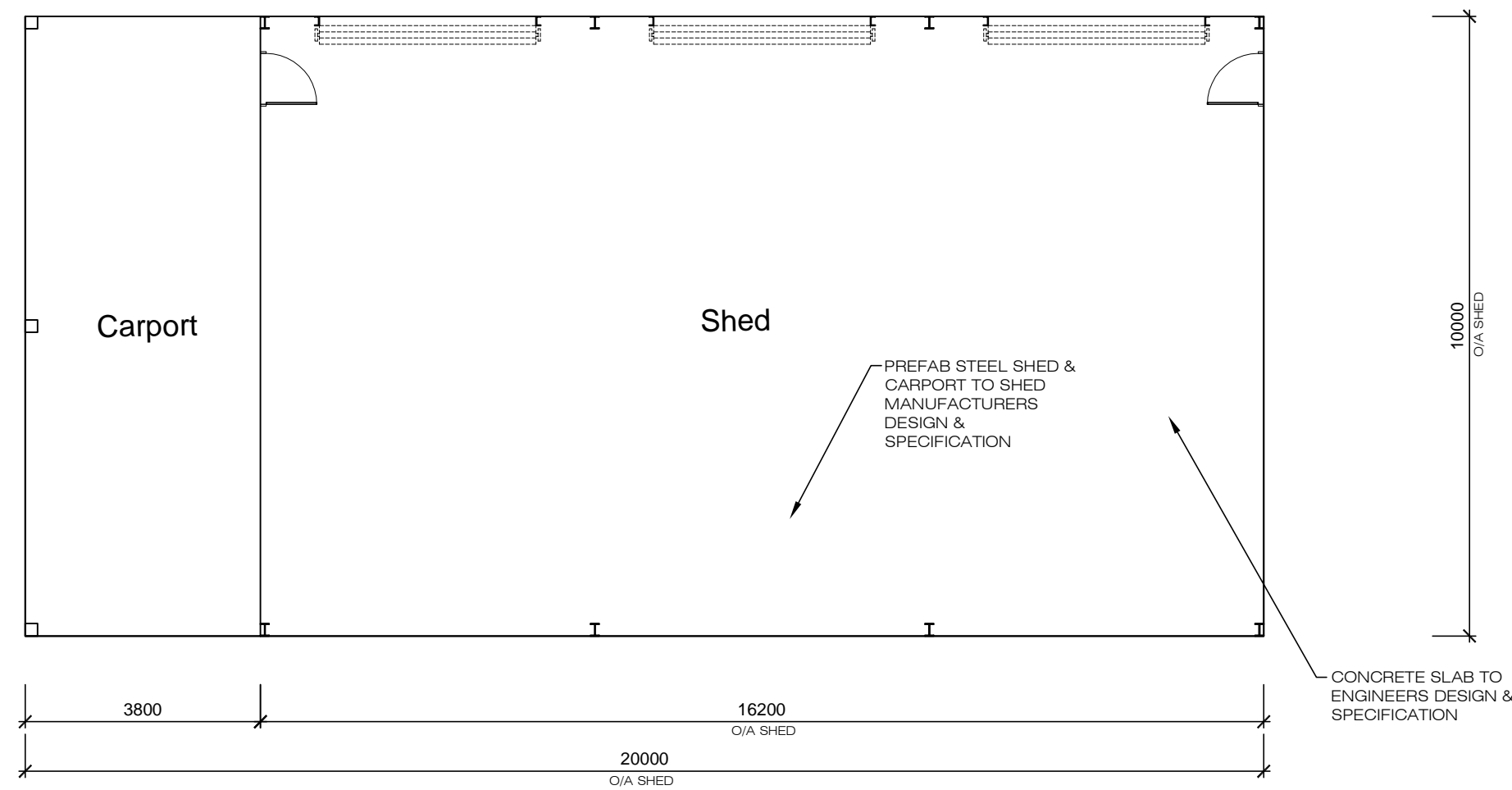
West Elevation
 Scale - 1:100

South Elevation
 Scale - 1:100

East Elevation
 Scale - 1:100

North Elevation
 Scale - 1:100

Shed Elevations
 Scale - 1:100



Shed Floor Plan
 Scale - 1:100

Project: Residence and Shed		Client: Roger and Alyssa Harrison	
Drawn By: Ash Foote	Issue: Draft	Address: 31 Nauta Terrace Mallacoota	
Date: 12.8.23	Sheet No: X of X		

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23-006
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VEGETATION (AND OTHER FLAMMABLE MATERIALS) WILL BE MODIFIED AND 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 10 CENTIMETRES 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 5m.
- THERE MUST BE A CLEARANCE OF AT LEAST 2m BETWEEN THE LOWEST TREE BRANCHES AND GROUND LEVEL.

VEHICLE ACCESS

VEHICLE ACCESS TO THE DWELLING MUST BE PROVIDED FOR FIRE FIGHTING PURPOSES WHICH MEETS THE FOLLOWING REQUIREMENTS;

- MUST BE CONSTRUCTED SO THAT THEY ARE ACCESSIBLE IN ALL WEATHER CONDITIONS AND CAPABLE OF ACCOMMODATING A VEHICLE OF 15 TONNES FOR THE TRAFFICABLE WIDTH.
- HAVE A MINIMUM TRAFFICABLE WIDTH OF 3.5 METRES OF ALL-WEATHER CONSTRUCTION.
- 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 OF NO MORE THAN 1 IN 5 (20%) (11.3°) FOR NO MORE THAN 50m.
- BE CLEAR OF ENCROACHMENTS FOR AT LEAST 0.5m ON EACH SIDE AND 4m ABOVE THE ACCESSWAY.
- DIPS MUST HAVE NO MORE THAN A 1 IN 8 (12.5%) (7.1°) ENTRY AND EXIT ANGLE.

WATER SUPPLY

PRIOR TO OCCUPANCY OF A DWELLING, INSTALL 10,000 LITRES OF EFFECTIVE WATER SUPPLY FOR FIRE FIGHTING PURPOSES THAT MUST COMPLY WITH THE FOLLOWING REQUIREMENTS 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 SEPARATE OUTLET FOR OCCUPANT USE.
- INCORPORATE A SEPARATE BALL OR GATE VALVE (BRITISH STANDARD PIPE (BSP) 65mm) AND COUPLING (64 mm CFA 3 THREAD PER INCH MALE FITTING).
- 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 BE UNOBSTRUCTED.
- BE READILY IDENTIFIABLE FROM THE BUILDING OR APPROPRIATE IDENTIFICATION SIGNAGE TO THE SATISFACTION OF CFA MUST BE PROVIDED.
- ANY PIPEWORK AND FITTINGS MUST BE A MINIMUM OF 65 mm (EXCLUDING THE CFA COUPLING).

CONSTRUCTION

THE CONSTRUCTION OF A DWELLING MUST BE DESIGNED & CONSTRUCTED TO A MINIMUM BUSHFIRE ATTACK LEVEL BAL-29 IN ACCORDANCE WITH AS 3959-2018

MGA94 ZONE 55



ROGER & ALYSSA HARRISON
31 NAUTA TERRACE, MALLACOOTA

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FILENAME: Y:\20000-20999\20600- 20699\20698 Harrison\20698 BMP V1.pro

BUSHFIRE MANAGEMENT PLAN

PARISH OF MALLACOOTA
CROWN ALLOTMENT 27 (PART)

LOT 7 ON PS600914F

PLAN REF.

20698-BMP

VERSION 1 - DRAWN 02/11/2023

SCALE (SHEET SIZE A3)

1 : 800