

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	19 Kings Cove Boulevard METUNG VIC 3904 Lot: 36 PS: 448622
The application is for a permit to:	Buildings and Works for a Dwelling and Outbuilding
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
42.02-2 (VPO)	Remove, destroy or lop vegetation.
44.01-2 (EMO)	Construct a building or construct or carry out works.
44.01-3 (EMO)	Remove, destroy or lop any vegetation.
The applicant for the permit is:	Latrobe Valley Drafting
The application reference number is:	5.2025.235.1

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
---	---

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

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>
Sent: Wednesday, 16 July 2025 10:24 AM
To: Planning Unit Administration
Subject: Amend a Planning Permit Application
Attachments: 19-Kings-Cove-Boulevard-Metung-(ID53057130)-Vicplan-Planning-Property-Report.pdf; title.pdf; title 2.pdf; Lv5101_19 Kings Blvd_Plans_P2.pdf; Lv5101_19 Kings Blvd_Report_P1.pdf; 25307 BAL 19 KINGS COVE BOULEVARD METUNG V1.0 (1).pdf; OWNERS PERMISSION.pdf; plan.pdf; Amend_a_Planning_Permit_Application_2025-07-16T10-24-04_26508205_0.pdf

Amend a Planning Permit Application

A request to "Amend a planning permit application" has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Applicant name: Susan Abbott

Business trading name: Latrobe Valley Drafting P/L

Email address: sue@lvdrafting.com.au

Postal address : P.O. Box 585, Moe 3825

Preferred phone number:

Secondary phone number: 0351262431

Owner's name:

Owner's postal address:

Street number: 19

Street name: Kings Cove boulevard

Town: Metung

Post code: 3904

Lot number: 36

Plan number: 448622Q

Addition owner/land description: [19-Kings-Cove-Boulevard-Metung-\(ID53057130\)-Vicplan-Planning-Property-Report.pdf](#)

Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?: Yes

Will the proposal result in a breach of a registered covenant restriction or agreement?: No

Description of proposal : single dwelling and outbuilding

Under which section of the Act is the amendment to the application made?: s50 Amendment by applicant before notice

Revised estimated cost of development: 850000

Existing conditions : Vacant land

Full copy of Title: [title.pdf](#)

Covenants agreements: [title 2.pdf](#)

Plans: [Lv5101_19 Kings Blvd_Plan_P2.pdf](#)

Planning report: [Lv5101_19 Kings Blvd_Report_P1.pdf](#)

ExtraFile: 3

1. Supporting information/reports: [25307 BAL 19 KINGS COVE BOULEVARD METUNG V1.0 \(1\).pdf](#)

2. Supporting information/reports: [OWNERS PERMISSION.pdf](#)

3. Supporting information/reports: [plan.pdf](#)

Invoice Payer: Latrobe Valey Drafting

Address for Invoice: P.O. Box 585, Moe 3825

Invoice Email: sue@lvdrafting.com.au

Primary Phone Invoice:

Invoice Secondary Phone: 0351262431

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes

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

Page 1 of 2

VOLUME 11127 FOLIO 465

Security no : 124124848956R
Produced 28/05/2025 02:36 PM

LAND DESCRIPTION

Lot 36 on Plan of Subdivision 448622Q.
PARENT TITLE Volume 10678 Folio 234
Created by instrument AG435359C 02/04/2009

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT AB707180A 20/11/2002
Expiry Date 31/12/2025

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
AB573238L 20/09/2002
AMENDMENT OF AGREEMENT AU625687D 28/07/2021

DIAGRAM LOCATION

SEE PS448622Q 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: 19 KINGS COVE BOULEVARD METUNG VIC 3904

ADMINISTRATIVE NOTICES

NIL

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

eCT Control
Effective from

DOCUMENT END

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Document Type	Plan
Document Identification	PS448622Q
Number of Pages (excluding this cover sheet)	6
Document Assembled	28/05/2025 14:36

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PLAN OF SUBDIVISION

STAGE No. /

LTO USE ONLY

PLAN NUMBER

EDITION 2

PS 4486220

LOCATION OF LAND

PARISH: BUMBERRAH

TOWNSHIP: —

SECTION: —

CROWN ALLOTMENT: 78^A, 81^A, 81^D, 81^E (PARTS) & PART OF FORMER GOVT. ROAD

CROWN PORTION: —

LTO BASE RECORD:

TITLE REFERENCES: Vol 10569 Fol 313

LAST PLAN REFERENCE/S: PS 434079N LOT D

POSTAL ADDRESS: HARDYS ROAD,
(At time of subdivision) METUNG, 3904

AMG Co-ordinates
(of approx centre of land in plan) E 573 700 N 5807 100 ZONE: 55

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF: 01/00083/57

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. 23 / 10 / 2001

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 of the 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 Seat

Date / /

Re-certified under Section 11(7) of the Subdivision Act 1988.

Council Delegate

Council Seat

Date 13 / 02 / 2002

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
RI RESERVE No 1	EAST GIPPSLAND SHIRE COUNCIL TXU ELECTRICITY LTD.

NOTATIONS

STAGING This is/is not a staged subdivision.
Planning permit No. 01/00299/DS

DEPTH LIMITATION 15.24 METRES BELOW THE SURFACE
APPLIES TO CROWN ALLOTMENT 81^A ONLY

LOT NUMBERS 1 TO 16, 18 TO 34 & 43 TO 77 HAVE BEEN OMITTED FROM THIS PLAN

SURVEY. THIS PLAN IS/IS NOT BASED ON SURVEY
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s)
IN PROCLAIMED SURVEY AREA No.

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	CARRIAGEWAY	30	INST. M22132T	VOL 9369 FOL 911, VOL 9369 FOL 912 & VOL 9369 FOL 913
E - 2	CARRIAGEWAY	SEE DIAG.	PS 420967K	LOT 2 ON PS 420967K
E - 3	WATER SUPPLY	3	THIS PLAN	EAST GIPPSLAND REGION WATER AUTHORITY & LAND IN THIS PLAN
E - 4	SEWERAGE	SEE DIAG.	THIS PLAN	EAST GIPPSLAND REGION WATER AUTHORITY & LAND IN THIS PLAN
E - 5	POWERLINE	3	THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	TXU ELECTRICITY LTD.
E-6	POWER SUPPLY	2	AC166314J	TXU ELECTRICITY PTY LTD

LTO USE ONLY

STATEMENT OF COMPLIANCE/
EXEMPTION STATEMENT

RECEIVED



DATE 25 / 9 / 02

LTO USE ONLY

PLAN REGISTERED

TIME 2.40

DATE 27 / 9 / 2002

/s/ A. R. M. Ford

Assistant Registrar of Titles

SHEET 1 OF 5 SHEETS

Crowther & Sadler Pty Ltd

LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, 3875
TELEPHONE (03) 5152 5011

LICENSED SURVEYOR (PRINT) MICHAEL JOSEPH SADLER

SIGNATURE DATE / /

REF 9803

VERSION 3

DATE / /

COUNCIL DELEGATE SIGNATURE

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PLAN NUMBER

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SEE SHEET 3

SEE
ENLARGEMENT

ROAD

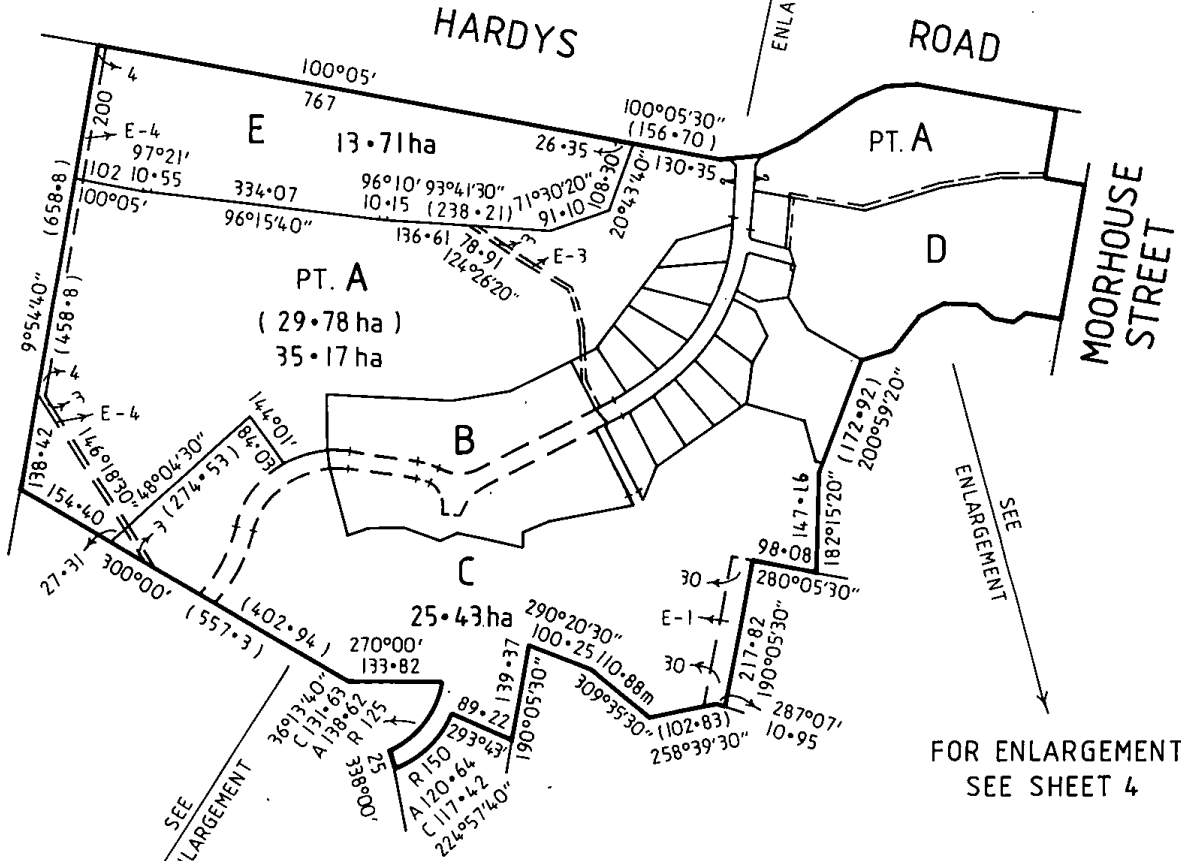
MOORHOUSE
STREET

FOR ENLARGEMENT
SEE SHEET 4

FOR ENLARGEMENT
SEE SHEET 5

818

AMG ZONE 55



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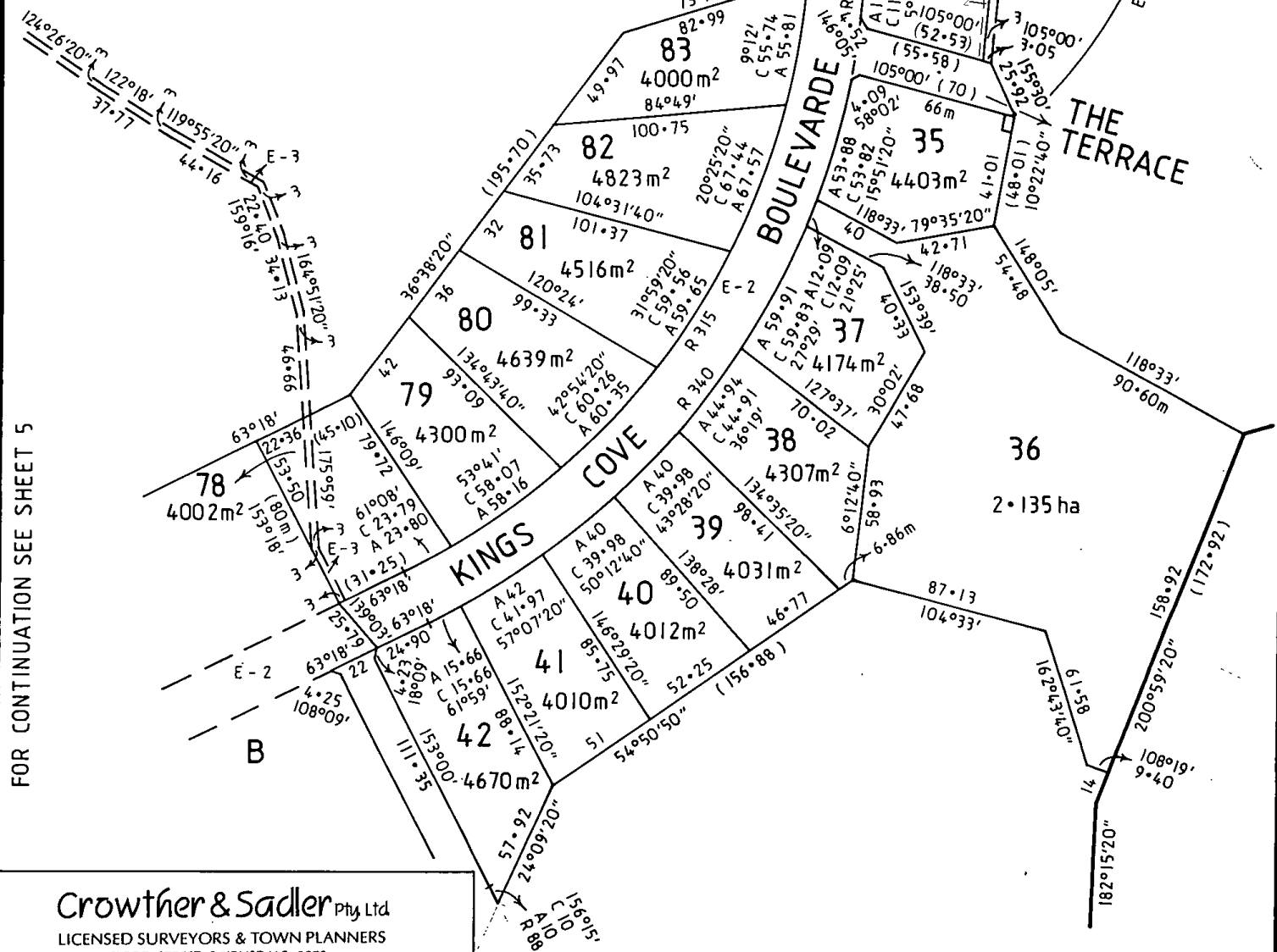
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SCALE 1:250

AMG ZONE 55



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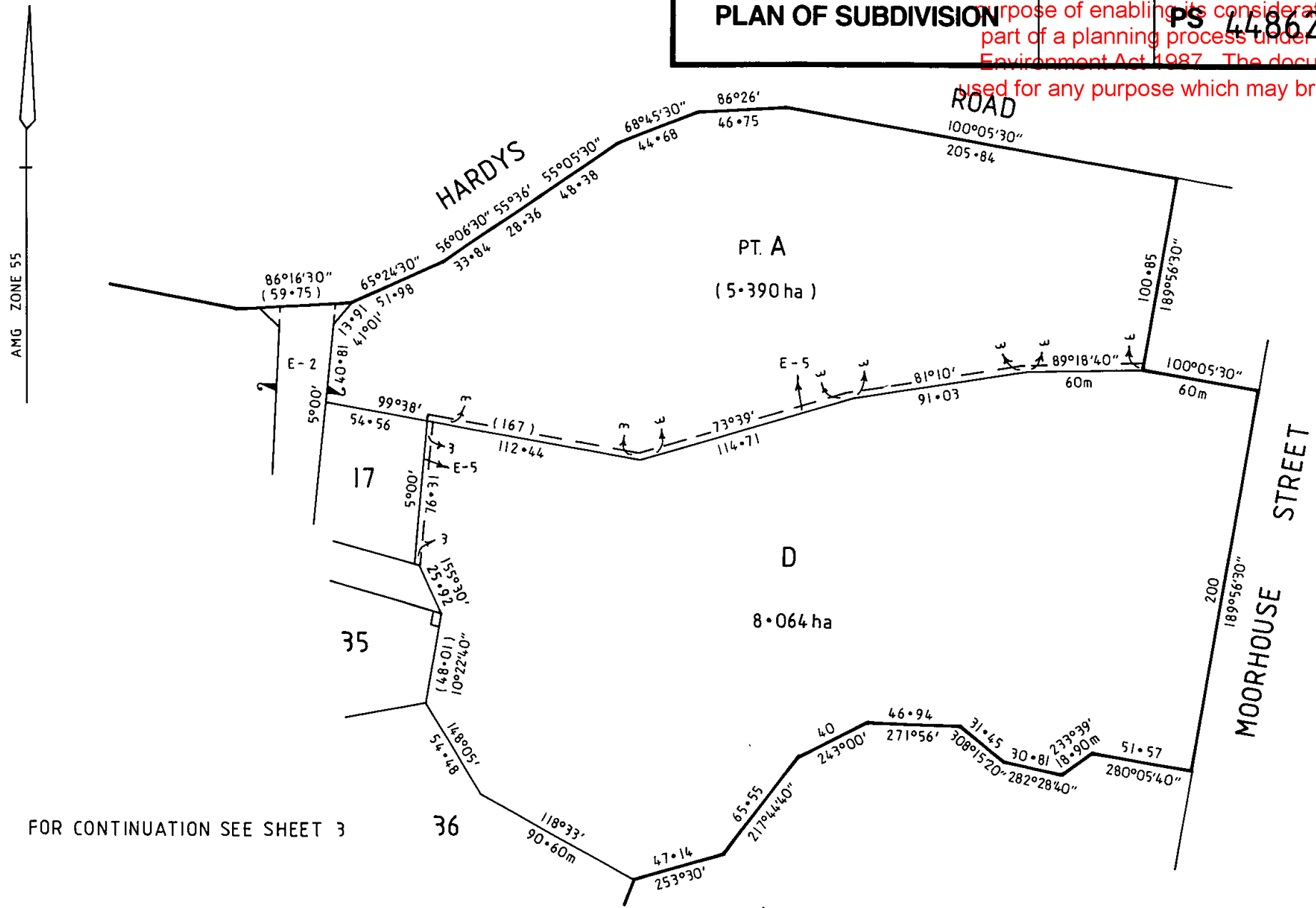
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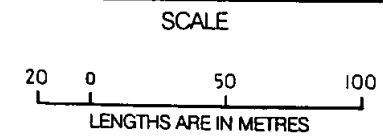
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PLAN NUMBER



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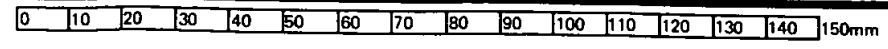
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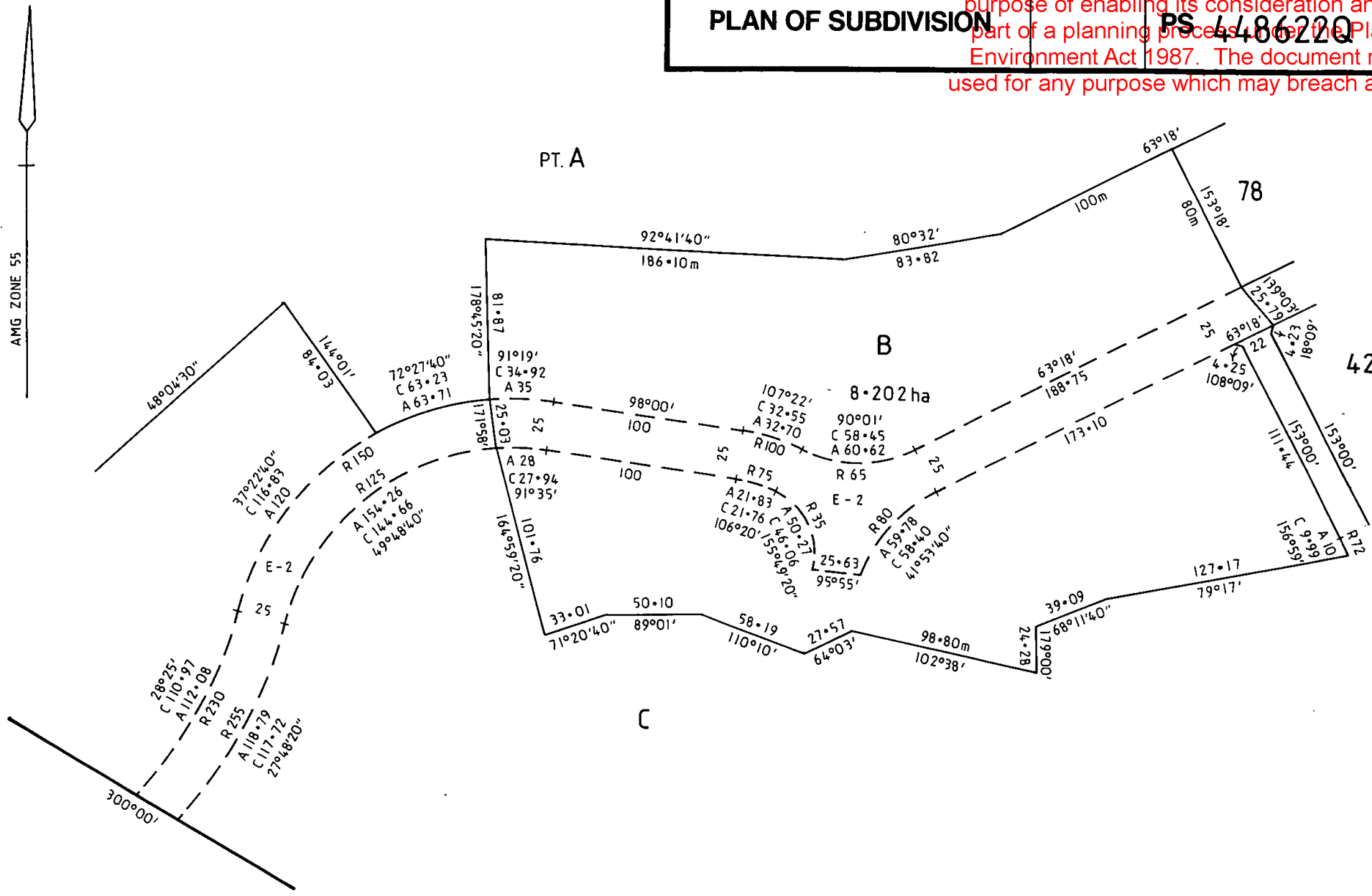


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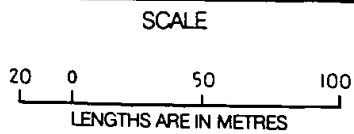
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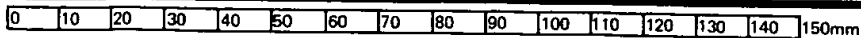
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MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

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PLAN NUMBER
PS448622Q

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT 17	E-6	CREATION OF EASEMENT	AC166314J	30/06/2003		2	W.S.



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TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by: **DEACONS**
Name:
Phone:
Address: **1724X**
Ref:
Customer Code:



AB707180A



MADE AVAILABLE
Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed-

- together with any easements created by this transfer;
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land:

Certificate of Title Volume 10678 Folio 234

Estate and Interest:

All its estate in fee simple

Consideration:

\$145,000.00

Transferor:

STORTH RYES PTY. LTD. (A.C.N. 006 383 179)

Transferee:

PETER NICHOLAS DOOGAN and BARBARA ANNE DOOGAN both of 35 Corcoran Road, Bunyip, 3815.

Directing Party:

Nil

Creation and/or Reservation of easement and/or Covenant

"The Transferee with the intent that the benefit of this covenant shall until the 31st December, 2025 be attached to and run at law and in equity with the whole of the land comprised in Plan of Subdivision No. PS448622Q (other than the land hereby transferred) and that the burden thereof shall be annexed to and run at law and in equity with the land hereby transferred and each and every part thereof and that the same shall be noted and appear on every Certificate of Title for the said lot and every part thereof as an encumbrance affecting the same DOTH HEREBY COVENANT with the Transferor and other the registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision (other than the land hereby transferred) that the Transferee will not:-

- (a) permit the land hereby transferred or any part thereof to be used for the purpose of commercial breeding, or boarding of or training kennels or cages for cats, dogs or birds, or the keeping of

Approval No. 8900112A	ORDER TO REGISTER Please register and issue title to	STAMP DUTY USE ONLY
T2		Original Transfer of Land Stamped with: \$4,360.00 Trn: 1404723 18-NOV-2002 SRD Victoria Duty, SJK1
Page 1 of 2	Signed	Cust. Code



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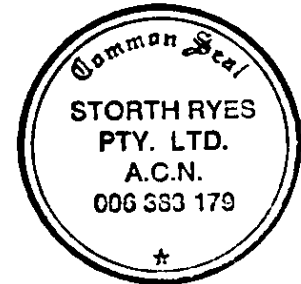
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poultry, or for the parking garaging or servicing of any motor vehicle in excess of five tonnes gross vehicle mass (GVM) except for the purpose of loading or unloading goods unless the vehicle is a construction vehicle engaged on construction works thereon or unless the vehicle is a boat caravan or similar vehicle and is screened from view from the roadways and adjoining properties;


- (b) construct or externally alter or allow to be constructed or externally altered on the land hereby transferred any building or structure (including fences) other than in accordance with plans and specifications previously submitted to and approved in writing by the Transferor, Storth Ryes Pty. Ltd., or its nominee;
- (c) permit or authorise any part of the land hereby transferred to be used for the purposes of the drying of clothes, storage or garbage, or housing of gas, fuel or water tanks, or similar uses unless such areas are reasonably screened from public view."


Dated:

11/11/02




THE COMMON SEAL of STORTH RYES PTY. LTD.)
(A.C.N. 006 383 179) was hereunto affixed in accordance)
with its Articles of Association in the presence of:)

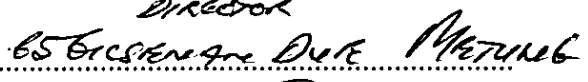

.....
Signature of Director


.....
Full Name of Director

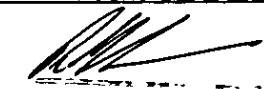

.....
Address of Director


.....
Signature of Secretary


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Full Name of Secretary



.....
Address of Secretary

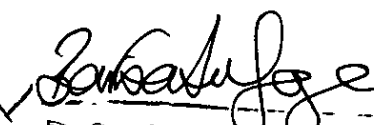
SIGNED by the said PETER NICHOLAS DOOGAN)
in the presence of:)

X 
.....
WITNESS

SIGNED by the said BARBARA ANNE DOOGAN)
in the presence of:)

X 
.....
WITNESS

X 
.....
P N DOOGAN

X 
.....
B A DOOGAN

Approval No. 8900112A

T2

Page 2 of 2



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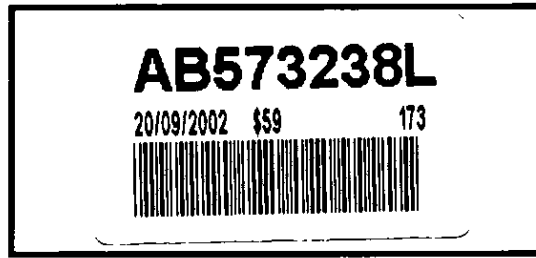
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LODGED BY Warren, Graham & Murphy,

CODE 1716W VICTORIA



**APPLICATION BY A RESPONSIBLE AUTHORITY under Section 181
Planning and Environment Act 1987 for ENTRY OF A
MEMORANDUM OF AGREEMENT under Section 173 of that Act.**

IX Agreement

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a Memorandum of Agreement be entered on the Certificate of Title to the land referred to.

LAND	Certificate of Title Volume 40569 Folio 313 <i>CANC Now = Vol 10678 Fol 232-251 (B1)</i> <i>(WH)</i>
ADDRESS OF LAND	15 Hardys Road, Metung, Victoria 3904
RESPONSIBLE AUTHORITY	East Gippsland Shire Council <i>22 NOV 2002</i> <i>with consent of</i> <i>Current Practitioner for</i> <i>Applicant</i>
PLANNING SCHEME	East Gippsland Planning Scheme
AGREEMENT DATE	The <i>28th</i> day of <i>AUGUST</i> 2002
AGREEMENT WITH	Storth Ryes Pty. Ltd. (ACN 006 383 179)

A copy of the Agreement is attached to this Application

Signature of the Responsible Authority

Name of Officer

Date

[Signature]
.....
JOHN TRAA. STATUTORY PLANNER
06/09/2002
.....

1209/2002



DAB573238L-1-0

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20/09/2002 \$59 173



EAST GIPPSLAND SHIRE COUNCIL

Council

- and -

STORTH RYES PTY LTD (A.C.N. 006 383 179)

the Owner

**Agreement under Section 173 of the Planning and
Environment Act 1987**

Subject Land: 15 Hardys Road, METUNG VIC 3904
PLAN OF SUBDIVISION 448622Q (Stage Two)



DAB573238L-2-8

AB573238L

20/09/2002 \$59 173



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DAB573238L-3-6

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PLANNING AND ENVIRONMENT ACT 1987 SECTION 173 AGREEMENT

THIS AGREEMENT is made the **28** day of **AUGUST** 2002

BETWEEN

EAST GIPPSLAND SHIRE COUNCIL of 273 Main Street, Bairnsdale

("Council")

- and -

STORTH RYES PTY LTD (A.C.N. 006 383 179)

("the Owner")

INTRODUCTION

- A. The Council is the Responsible Authority for the Planning Scheme under the Act.
- B. The Owner is the registered proprietor of the Subject Land.
- C. It is a condition of planning Permit Number 01/00299/DS (Amended) ("the Planning Permit") that the Owner enter into this Agreement to develop and use the land in accordance with the Endorsed Plans and conditions of the Planning Permit. A copy of the Planning Permit is attached to this Agreement and marked "A".
- D. The parties enter into this Agreement:
 - (a) to give effect to the requirements of the Planning Permit; and
 - (b) to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

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IT IS AGREED:



1. DEFINITIONS

In this Agreement the words and expressions set out in this clause have the following meanings unless the context admits otherwise:

- 1.1. **“the Act”** means the Planning and Environment Act 1987.
- 1.2. **“this Agreement”** means this agreement and any agreement executed by the parties expressed to be supplemental to this agreement.
- 1.3. **“the Endorsed Plan”** means the plan, endorsed with the stamp of the Council that forms part of the Planning Permit. A copy of the plan, as at the date of this Agreement, is attached to this Agreement and marked with the letter “B”.
- 1.4. **“Owner”** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple of the Subject Land or any part of it and includes a Mortgagee-in-possession.
- 1.5. **“Planning Permit”** means the Planning Permit referred to in recital C. of this Agreement.
- 1.6. **“Planning Scheme”** means the East Gippsland Planning Scheme and any other planning scheme which applied to the Subject Land.
- 1.7. **“Subject Land”** means the land situated at 15 Hardys Road, Metung being Lot D on Plan of Subdivision No. 434079N and being the land described in Certificate of Title Volume 10569 Folio 313 and any reference to the Subject Land in this Agreement will include a reference to any lot created by the subdivision of the Subject Land or any part of it.

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- 1.8. **"Mortgagee"** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as Mortgagee of the Subject Land or any part of it.

2. INTERPRETATION



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In this Agreement unless the context admits otherwise:

- 2.1. The singular includes the plural and vice versa.
- 2.2. A reference to a gender includes a reference to each other gender.
- 2.3. A reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
- 2.4. If a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 2.5. A reference to an Act, Regulation or the Planning Scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or Planning Scheme.
- 2.6. The introductory clauses to this Agreement are and will be deemed to form part of this Agreement.
- 2.7. The obligations of the Owner under this Agreement, will take effect as separate and several covenants which are annexed to and run at law and equity with the Subject Land PROVIDED THAT if the Subject Land is subdivided, this Agreement must be read and applied so that each subsequent owner of a lot is only responsible for those covenants and obligations which relate to that owner's lot.

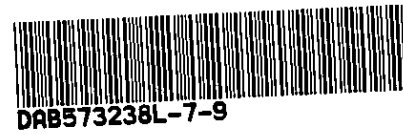
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3. SPECIFIC OBLIGATIONS OF THE OWNER

The Owner covenants and agrees that:



3.1. Development in accordance with Planning Permit

the Subject Land shall only be developed in accordance with the Endorsed Plans and conditions of the Planning Permit or any subsequent amendment to the permit approved by the Council.

3.2. Condition 11 of the Planning Permit No. 01/00299/DS (Amended) requires that:

- (a) The development of each lot approved by this permit will only be carried out in accordance with the requirements of a Soil and Water Management Plan.
- (b) Each lot will be developed and used for the purpose of a single dwelling and associated outbuildings in accordance with the document "*Kings Cove – Metung- Guidelines for Construction, Siting of, External Alterations and Additions to Buildings and Structures on Kings Cove Stages 2 to 9, Low Residential Zone*", dated December, 2001 (or as amended) (The Document). A copy of the Document is attached hereto and marked "C".
- (c) Any amendment to The Document will be to the satisfaction of the Responsible Authority.
- (d) No lot created within Stage 1B will have vehicular access to Archibald Drive.
- (e) The provision of access to and development of the proposed Public Open Space Reserve shall be to the satisfaction of the responsible authority.

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- (f) A copy of Planning Permit 01/00299/DS (Amended) will be attached to and will form part of the Contract of Sale for every lot.
- (g) Landscaping works around private residences will have regard to the Storth Ryes Landscape Concept Report, which encourages the use of indigenous plant species and recommends appropriate planting objectives and plant lists for site conditions. Known weed or invasive "pest" plants will not be encouraged.
- (h) This Agreement will bind the Owner and must run with the land so that all successors in the title are bound by this Agreement.

3.3. Council's Costs to be Paid

This Agreement will be prepared at the Owner's cost and to the satisfaction of the responsible authority, and must be registered on title in accordance with Section 181 of the Planning and Environment Act 1987.

The Owner must pay to the Council, the Council's reasonable costs and expenses (including legal expenses) of and incidental to the preparation, drafting, finalisation, engrossment, execution, registration and enforcement of this Agreement and until those costs are paid they will remain a debt of the Owner to the Council.

4. FURTHER OBLIGATIONS OF THE OWNER

The Owner further covenants and agrees that:



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4.1. Notice and Registration

the Owner will bring this Agreement to the attention of all prospective purchasers, mortgagees, transferees and assigns;

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4.2. Further actions

- 4.2.1. the Owner will do all things necessary, including signing any further agreements, undertakings, covenants and consents, approvals or other documents necessary for the purpose of ensuring that the Owner carries out the Owner's covenants under this Agreement and to enable the Council to enforce the performance by the Owner of such covenants and undertakings;
- 4.2.2. the Owner will consent to the Council making application to the Registrar of Titles to make a recording of this Agreement in the Register on the Certificate of Title of the Subject Land in accordance with Section 181 of the Act and do all things necessary to enable the Council to do so including signing any further agreement, acknowledgement or document or procuring the consent to this Agreement of any mortgagee or caveator to enable the recording to be made in the Register under that Section;

4.3. Exemption

The Owner will exempt the Council, its employees, contractors and agents from and against all costs, expenses, losses or damages whatsoever which they or any of them may sustain incur or suffer, or be or become liable for or in respect of any suit, action, proceeding, judgment or claim brought by any person whatsoever arising from or referable to this Agreement or any non-compliance thereof.

5. AGREEMENT UNDER SECTION 173 OF THE ACT

The Council and the Owner agree that without limiting or restricting their respective powers to enter into this Agreement and, insofar as it can be so treated, this Agreement is made pursuant to Section 173 of the Act.

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6. OWNERS WARRANTIES

Without limiting the operation or effect which this Agreement has, the Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Subject Land which may be effected by this Agreement.

7. SUCCESSORS IN TITLE

Without limiting the operation or effect which this Agreement has, the Owner must ensure that, until such time as a memorandum of this Agreement is registered on the title to the Subject Land, successors in title shall be required to:

- 7.1. give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
- 7.2. execute a deed agreeing to be bound by the terms of this Agreement.

8. GENERAL MATTERS

8.1. Notices

A notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- 8.1.1. by delivering it personally to that party;
- 8.1.2. by sending it by prepaid post addressed to that party at the address set out in this Agreement or subsequently notified to each party from time to time; or
- 8.1.3. by sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party hand delivery or prepaid post.

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8.2. A notice or other communication is deemed served:

8.2.1. if delivered, on the next following business day;

8.2.2. if posted, on the expiration of two business days after the date of posting; or

8.2.3. if sent by facsimile, on the next following business day unless the receiving party has requested retransmission before the end of that business day.

8.3. **No Waiver**



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Any time or other indulgence granted by the Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by the Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of the Council in relation to the terms of this Agreement.

8.4. **Severability**

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.

8.5. **No Fettering of the Council's Powers**

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Subject Land or relating to any use or development of the Subject Land.

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9. COMMENCEMENT OF AGREEMENT

Unless otherwise provided in this Agreement, this Agreement commences from the date of this Agreement.

10. ENDING OF AGREEMENT

This Agreement may be ended wholly or in part or as to any part of the land by the Responsible Authority with the approval of the Minister or by agreement between the Responsible Authority and all persons who are bound by the agreement.

EXECUTED by the parties on the date set out at the commencement of this Agreement.

The **COMMON SEAL** of **EAST GIPPSLAND**)

SHIRE COUNCIL was affixed on behalf of)

Council by authority of the Chief Executive)

Officer on the 28th day of August .)

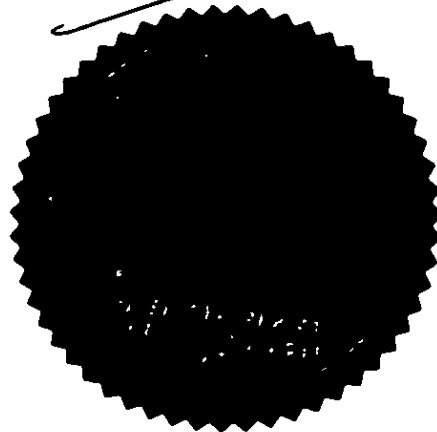
2002 in exercise of the power delegated)

under Administrative Procedures (Use of)

Common Seal) Local Law in the presence of)

..... M. Bennett

.....



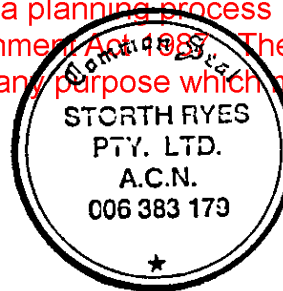
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The **COMMON SEAL** of **STORTH RYES**)
PTY LTD (A.C.N. 006 383 179) was)
 Hereunto affixed in accordance with its)
 Constitution in the presence of:-



[Signature]

 Signature

[Signature]

 Signature

Matthew Richard Wilson

 Full Name

THOMAS EAGER

 Full Name

Level 1, 63 The Esplanade, Pymbyrne

 Usual Address

74 MAIN ST. BARNSDALE

 Usual Address

DIRECTOR

 Office Held

SECRETARY

 Office Held

Mortgagee's Consent



Gippsland Secured Investments as Mortgagee of Registered Mortgages Numbered W348833Y and X256305M consents to the Owner entering into this Agreement and in the event that the Mortgagee becomes Mortgagee-in-possession, agrees to be bound by the covenants and conditions of this Agreement.

[Signature]

 For and on behalf of the Mortgagee, G.S.I.



AB573238L



PLANNING PERMIT

Permit No:
Planning Scheme:
Responsible Authority:

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Form 4.4
01/00299/DS (AMENDED)
EAST GIPPSLAND
East Gippsland Shire

ADDRESS OF THE LAND

15 Hardys Road, METUNG VIC 3904
Lot 2 LP 420967)

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THE PERMIT ALLOWS

The land to be subdivided into 68 Lot (Stages 2, 3, 4, 5 & 6) in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Subdivision not altered

1. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

Engineering requirements

2. The applicant shall engage a suitably qualified consultant to undertake the preparation of detailed engineering design, drawings, documentation and specifications for the construction of road and drainage works and for the provision of services, all to the satisfaction of Council and meeting the requirements of the relevant service authorities.
3. Infrastructure shall be designed in accordance with standard engineering principles and practices. Full and detailed calculations shall be provided. The design shall provide for the following minimum requirements.

Roads, Pavement and Access

(a) Investigation shall be undertaken to determine existing site conditions to determine design requirements. All reports and full details of all investigations undertaken shall be provided with designs submitted to Council for approval. Full and detailed calculations supporting all aspects of design shall be provided.

(b) Pavement design shall be undertaken in accordance with accepted engineering practice. Pavement design for collector roads shall also take into consideration traffic that may be generated from the potential for future development to the south-west of the subject site. Supporting calculations for pavement design including the provision of geotechnical reports shall be provided.

(c) The cul-de-sac or turning heads of proposed new roads shall be constructed and sealed to provide sufficient space for the manoeuvring of all service and emergency vehicles. "T" or "Y" shaped turning heads are acceptable. Provision of suitable area for vehicles to perform a 3 point turn will be acceptable.

(d) A driveway crossover or culvert shall be constructed for all allotments to Council's satisfaction and in accordance with Council requirements. Crossing places shall incorporate features to prevent erosion which may include but not be limited to suitable stone pitching in the invert or energy dissipation devices. Proposed details of design and construction for crossovers shall be provided.

Drainage

(e) The stormwater drainage system shall be designed in accordance with standard engineering practice to provide for the collection of all stormwater

runoff, resulting from a storm having an ARI of 1 in 20 Years, and concentrated by buildings, pavements, and/or siteworks to avoid damage or inundation to any property. Each allotment shall be provided with a connection to the drainage system. Connections to the drainage system shall be in accordance with Council requirements. Pipes through the council verge area shall be constructed of steel or concrete, not PVC.

(f) The stormwater drainage system shall incorporate measures to ensure the quality of stormwater discharging from the development is maintained. The drainage system shall provide such water quality measures as considered necessary which may include, but not be limited to, the provision of sediment traps, wetlands, detention basins, Gross Pollutant Traps and drainage pits incorporating litter baskets.

(g) Drains shall incorporate features to prevent erosion which may include but not be limited to suitable stone pitching in the invert or energy dissipation devices placed at regular intervals along the length of the drain.

(h) Where a proposed drainage system submitted to Council for approval indicates that construction of drains will be on private property easements for drainage purposes and meeting the requirements of Council for access and maintenance purposes shall be vested in Council free of charge.

(i) Outlets shall incorporate an energy dissipation devices to prevent any erosion.

Earthworks

(j) With the exception of roadside drainage structures roadside verges shall have a batter slope no greater than 8 horizontal to 1 vertical.

(k) All earthworks associated with the development shall be stabilised in accordance with standard engineering design and practices against erosion and failure. No earthworks may encroach across neighbouring property boundaries.

Services

(l) Design for the installation of services shall meet the requirements of the relevant authorities and shall be approved by those authorities.

Signage and Traffic Control

(m) The design shall address and include all applicable and statutory signage and traffic control requirements. Design drawings and specifications shall provide for the installation of appropriate signage and pavement markings conforming with the requirements of AS 1742 Manual of uniform traffic control devices. Provision of necessary signage and pavement marking shall be undertaken by the developer

Documentation

(n) All documentation for the construction of infrastructure shall include adequate provision for:

(i) maintenance and repair of damage to existing infrastructure damaged as a result of works associated with this development

(ii) quality assurance and testing procedures

(iii) provision for adequate notification and inspections by Council representatives at various key stages of the works

(iv) works to be undertaken with due regard to environmental requirements.

(o) An agreement shall be entered into which shall be noted on title requiring the property being developed as a golf course to accept all stormwater runoff

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from the development. This agreement shall be a continuing agreement and binding on all future registered proprietors of that property.

Supervision of Works

(p) An appropriately qualified and registered practitioner to the satisfaction of the Responsible Authority must supervise all stages of works to be constructed on the site. Copies of all test results certified by a NATA accredited laboratory shall be provided with a certification by a Chartered Professional Engineer that all works have been constructed in accordance with approved plans and specifications will be required.

4. Any portion of Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development shall be repaired/reinstated to Council's satisfaction at the developer's expense.
5. No works shall commence until such time as all necessary approvals from Council and relevant service authorities have been obtained.
6. Construction works on the subject land may only be conducted between the hours of 7.00 am to 6.00 pm Monday to Saturday (inclusive).
7. During and after construction works, the site must be managed to minimise dust generation and movement causing loss of amenity to the surrounding neighbourhood to the satisfaction of the responsible authority.
8. All earthworks associated with the proposal must be undertaken in accordance with the provisions of Environment Protection Authority (EPA) Publication No. 275 "Construction Techniques for Sediment and Pollution Control" (Copy available from EPA, Traralgon).
9. Prior to the issue of a Statement of Compliance the applicant shall pay to the Council an amount of money equal to 0.75% of the estimated cost of the engineering works plus 2.5% of the actual cost of the engineering works for checking of plans and specifications and for on-site supervision of the engineering works respectively in accordance with Clause 8 and 9 of the Subdivision (Permit and Certification Fees) Regulations.

Tree removal

10. Trees that do not fit the category of being "planted" as part of the initial development require a separate planning permit for removal unless exempted by provisions of the East Gippsland Planning Scheme.

173 agreement

11. Prior to the issue of a Statement of Compliance, the applicant must enter into an Agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority to covenant that:
 - the development of each lot approved by this permit will only be carried out in accordance with the requirements of a Soil and Water Management Plan.
 - each lot will be developed and used for the purpose of a single dwelling and associated outbuildings in accordance with the document "Kings Cove - Metung - Guidelines for Construction, Siting of, External Alterations and Additions to Buildings and Structures on Kings Cove Stages 2 to 9, Low Density Residential Zone", dated December 2001 (or as amended) (The Document).
 - Any amendment to The Document will be to the satisfaction of the Responsible Authority.
 - no lot created within Stage 1B will have vehicular access to Archibald Drive.

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- the provision of access to and development of the proposed Public Open Space Reserve shall be to the satisfaction of the responsible authority.
- a copy of this permit will be attached to and will form part of the contract of sale for every lot.
- landscaping works around private residences will have regard to the Storth Ryes Landscape Concept Report, which encourages the use of indigenous plant species and recommends appropriate planting objectives and plant lists for site conditions. Known weed or invasive "pest" plants will not be encouraged.
- the agreement may be ended wholly or in part or as to any part of the land by the responsible authority with the approval of the responsible authority with the approval of the Minister or by agreement between the responsible authority and all persons who are bound by the agreement.
- the agreement will bind the owner(s) and must run with the land so that all successors in the title are bound by the agreement.
- this agreement will be prepared at the owner's cost and to the satisfaction of the responsible authority, and must be registered on title in accordance with Section 181 of the Planning and Environment Act 1987.

Construction of dwellings

12. The development of lots approved by this permit for the purpose of a dwelling will be exempt from the need to obtain a separate planning permit provided:
 - all buildings are constructed wholly within approved building envelopes;
 - all construction and site development works are carried out strictly in accordance with the approved Soil and Water Management Plan, to the satisfaction of the responsible authority, and
 - the requirements of Clause 32.03-2 (Use for one or two dwellings or a dependent persons unit) can be met.

Street Names

13. Street names must be to the satisfaction of the responsible authority.

Landscaping

14. Prior to the issue of a Statement of Compliance, the subject land must be landscaped and planted in accordance with the requirements of the "Storth Ryes Landscape Concept Report" prepared by Murphy Design Group and dated April 2000. Specifically the following requirements must be met:
 - Section 1.13 Other Roads
 - Section 1.15 Pedestrian Walkways
 - Section 1.16 Boundaries
15. Plans detailing the landscaping and streetscaping treatments, consistent with the "Storth Ryes Landscape Concept Report" and the Typical Landscape treatments contained in this report, and must be prepared by an appropriately qualified person and approved by the responsible authority prior to the commencement of any landscaping works.



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East Gippsland Water

The owner/applicant must:

16. Enter into an agreement under the Water Act for the provision of water supply works.

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17. Meet the cost of the necessary water mains extension.
18. Pay a headworks and distribution charge at a level determined by the Authority at the time of payment. As a guide the level applicable on 18/7/01 is \$2,000 per lot created by the subdivision.
19. Enter into an agreement under the Water Act for the provision of sewerage works.
20. Meet the cost of the necessary sewer mains extension.
21. Pay an outfall and disposal charge at a level determined by the Authority at the time of payment. As a guide, the level of charge on 18/7/01 is \$2,100 per lot created by the subdivision.
22. Provide easements as necessary.
23. Connect development to Authority's water and sewerage services to the satisfaction of the Authority.

TXU Electricity Ltd

The applicant must:



24. Enter into an agreement with TXU Electricity Ltd for supply of electricity to each lot on the endorsed plan.
25. Enter into an agreement with TXU Electricity Ltd for the rearrangement of the existing electric supply system.
26. Enter into an agreement with TXU Electricity Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by TXU Electricity Ltd.
27. Provide easements satisfactory to TXU Electricity Ltd for the purpose of "Electricity (power lines)" in the favour of TXU Electricity Ltd pursuant to Section 44 of the Electricity Industry Act 1993, where easements have not been otherwise provided, for all existing TXU Electricity Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
28. Obtain for the use of TXU any other easement external to the subdivision required to service the lots.
29. Adjust the position of any existing TXU Electricity Ltd easement to accord with the position of the electricity line(s) as determined by survey.
30. Set aside on the plan of subdivision for the use of TXU, reserves satisfactory to TXU where any electric substation (other than a pole mounted type) is required to service the subdivision.
31. Provide survey plans for any electric substation required by TXU Electricity Ltd and for associated power lines and cables and execute leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. TXU Electricity Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under section 88(2) of the Transfer of Land Act prior to the registration of the plan of subdivision.

Telstra

32. The applicant shall enter into an agreement with Telstra or other licensed Telecommunications carrier for the satisfactory provision of telephone cable reticulation one metre into each lot created.
33. The applicant shall set aside on the plan of subdivision reserve/s satisfactory to Telstra, for telecommunication/s substations if required.

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Certification

34. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of the Act.

DNRE

35. Prior to any works commencing on the development of the subdivision, the Soil and Water Management Plan prepared for the works shall be referred to DNRE for comment.
36. The siting of building envelopes on individual allotments shall be established so as to ensure minimal vegetation removal and the Envelope Plan shall be submitted to DNRE for comment prior to certification of each stage of the subdivision.

CFA

37. All roads must be designed, constructed and maintained for a load capacity of at least 15 tonnes.
38. There must be no obstructions within one metre of the formed width of roads at any time and there must be four metres height clearance above all roads to allow fire vehicle access.
39. The amount and location of parking facilities must be determined in such a manner as to encourage users not to impede access of emergency vehicles.
40. Adequate provisions for turning of brigade vehicles must be provided in dead end roads and cul-de-sacs. This may be through either the provision of a court bowl with a trafficable area of minimum 10 metres radius or a "wy" or "tee" head with formed road surface of each leg being of at least 8 metres length from the centre point of the head and four metres width.
41. The water reticulation plan must be approved by the CFA prior to commencement of construction.
42. There must be a hydrant within 120 metres from the outer edge of building envelope.
43. Fire hydrants must be clearly identified in accordance with the Fire Service Guideline – Identification of Hydrants for Fire Fighting Purposes.
44. Areas of public open space must be managed in a minimum fuel condition during the fire danger period.

Time

45. The permitted approval for subdivision will expire if the subdivision is not started or completed within five years of the date of this permit.
46. The permitted approval for buildings and works associated with the development of dwellings, including vegetation removal within approved building envelopes, will expire if one of the following circumstances applies:
 - The building or works is not started within fifteen years of the date of this permit.
 - The building or works is not completed within two years of commencement on each lot within the subdivision.

This applies only to the construction of dwellings and the removal of vegetation within approved building envelopes and as permitted in line with the requirements specified in Condition 7 of this permit.

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Notes:

East Gippsland Water

The payment of headworks and outfall charges will be at the time of sale/settlement of each lot, or all outstanding monies to be paid in full within two years from the date of issue of Statement of Compliance for the subdivision by the Authority, whichever occurs first.

TXU

It is recommended that, at an early date the applicant commences negotiations with TXU Electricity Ltd in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay.

Arrangements for supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.

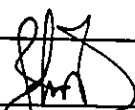
Prospective purchasers of lots on this plan should contact the TXU Electricity Ltd Bairnsdale office to determine the availability of a supply of electricity. Financial contributions may be required.

Permit amended to include a range of extra conditions controlling development of the subdivision.

Date Issued: 19 October, 2001

Amended on: 4 February, 2002

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**Signature for the
Responsible Authority**

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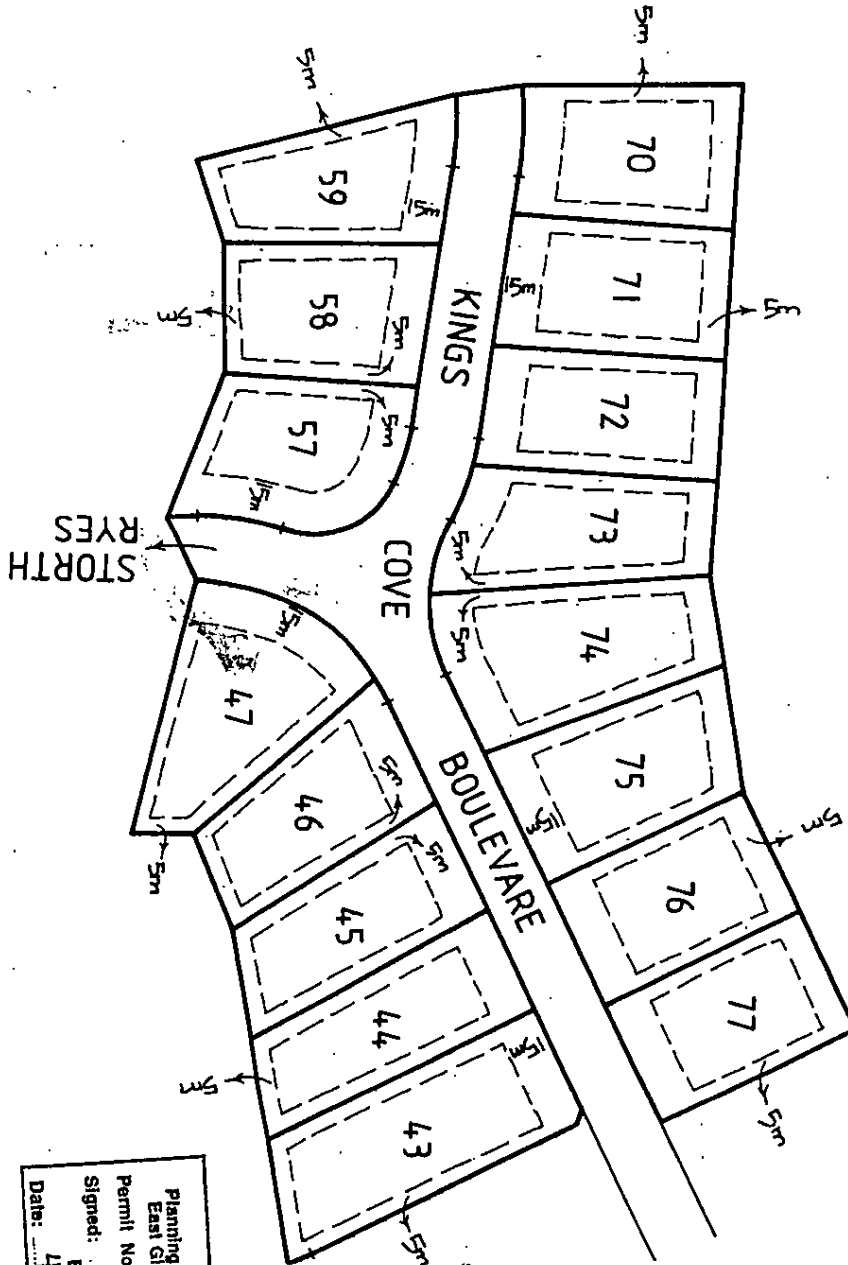
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BUILDING ENVELOPE DIAGRAM
"KINGS COVE" DEVELOPMENT
STAGE 3

REF: 9804-1
SCALE: 1:2000 (A3)



Endorsed Plan
Planning and Environment Act 1987
East Gippsland Planning Scheme

Permit No.: 01002791/DS

Signed: [Signature]
East Gippsland Shire

Date: 4/2/02 Page 2 of 2



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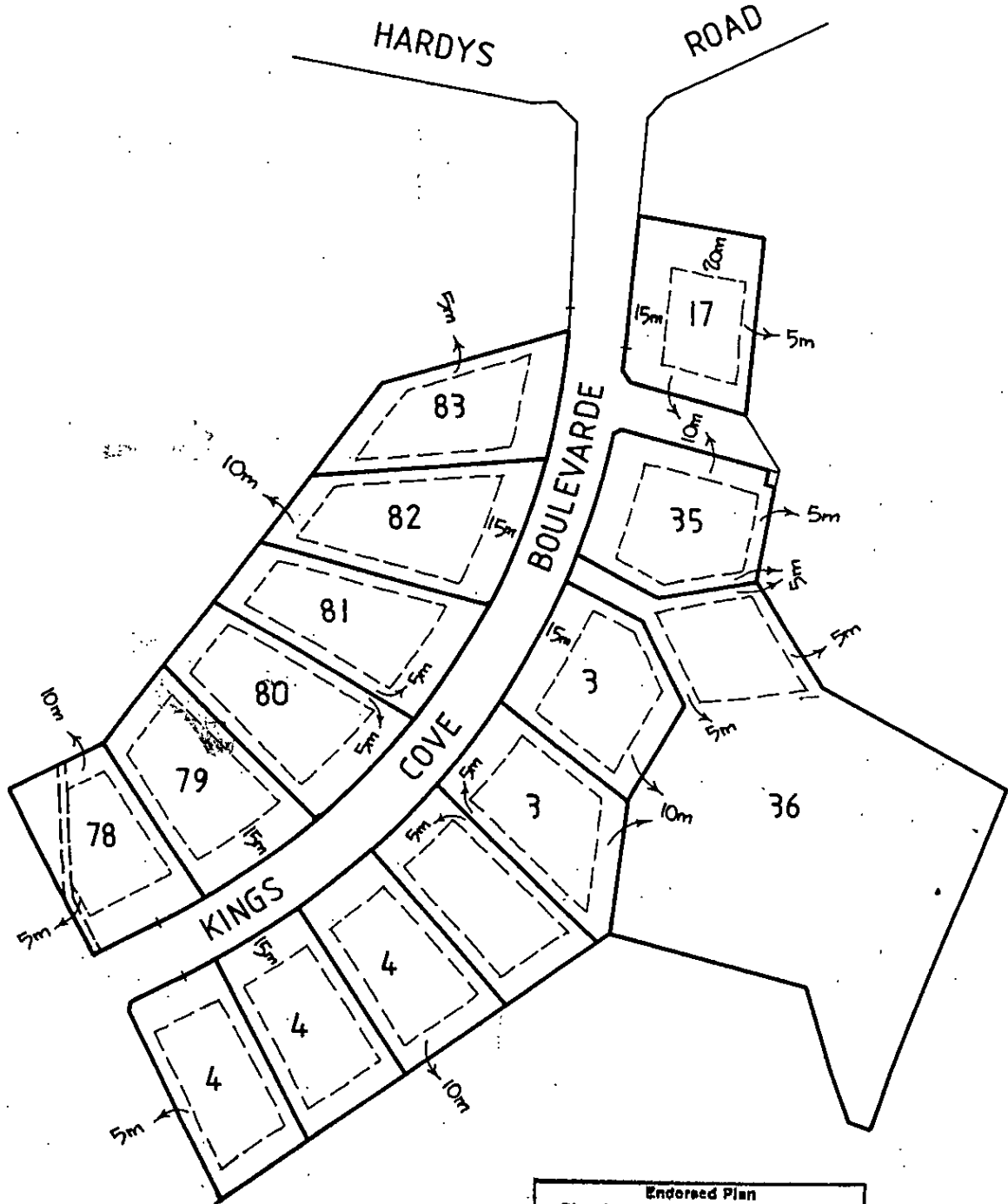
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BUILDING ENVELOPE DIAGRAM

'KINGS COVE' DEVELOPMENT
STAGE 2

REF NO.: 9803-1
SCALE: 1:2000 (A3)



Endorsed Plan	
Planning and Environment Act 1987	
East Gippsland Planning Scheme	
Permit No.:	91/90279/03
Signed:	[Signature]
	East Gippsland Shire
Date:	4/2/02 Page 1 of 1



DAB573238L-22-8

Crowther & Sadler Pty Ltd
LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, 3675
TELEPHONE (03) 3152 5111

Printed 24/09/2025

PLAN OF SUBDIVISION

STAGE No.

LTO USE ONLY

PLAN NUMBER

EDITION

PS 4486220

LOCATION OF LAND

PARISH: BUMBERRAH

TOWNSHIP: —

SECTION: —

CROWN ALLOTMENT: 78^A, 81^A, 81^D, 81^E (PARTS) & PART OF FORMER GOVT. ROAD

CROWN PORTION: —

LTO BASE RECORD:
TITLE REFERENCES:

LAST PLAN REFERENCE/S: PS 434079N LOT D

POSTAL ADDRESS: HARDYS ROAD,
(At time of subdivision) METUNG, 3904

AMG Co-ordinates E 573 700 ZONE: 55
(of approx centre of land N 5807 100 in plan)

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF:

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 of the 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 / /

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
RI RESERVE No 1	EAST GIPPSLAND SHIRE COUNCIL TXU ELECTRICITY LTD.

NOTATIONS

STAGING This is/ is not a staged subdivision.
Planning permit No. 01/00299/DS

DEPTH LIMITATION 15.24 METRES BELOW THE SURFACE
APPLIES TO CROWN ALLOTMENT 81^A ONLY

LOT NUMBERS 1 TO 16, 18 TO 34 & 43 TO 77 HAVE BEEN OMITTED FROM THIS PLAN

AB573238L

20/09/2002 \$59 173



DAB573238L-23-1

SURVEY THIS PLAN IS/IS NOT BASED ON SURVEY
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s)
IN PROCLAIMED SURVEY AREA No.

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	CARRIAGEWAY	30	INST. M22132T	VOL 9369 FOL 911, VOL 9369 FOL 912 & VOL 9369 FOL 913
E - 2	CARRIAGEWAY	SEE DIAG.	PS 420967K	LOT 2 ON PS 420967K
E - 3	WATER SUPPLY	3	THIS PLAN	EAST GIPPSLAND REGION WATER AUTHORITY & LAND IN THIS PLAN
E - 4	SEWERAGE	SEE DIAG.	THIS PLAN	EAST GIPPSLAND REGION WATER AUTHORITY & LAND IN THIS PLAN
E - 5	POWERLINE	3	THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	TXU ELECTRICITY LTD.

LTO USE ONLY

STATEMENT OF COMPLIANCE/
EXEMPTION STATEMENT

RECEIVED ☐

DATE / /

LTO USE ONLY

PLAN REGISTERED

TIME

DATE / /

Assistant Registrar of Titles

SHEET 1 OF 5 SHEETS

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LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, 3875
TELEPHONE (03) 5152 5011

LICENSED SURVEYOR (PRINT) MICHAEL JOSEPH SADLER

SIGNATURE *Michael Joseph Sadler* DATE 4 / 2 / 2002

REF 9803

VERSION 3

DATE / /

COUNCIL DELEGATE SIGNATURE

ORIGINAL SHEET SIZE

A3

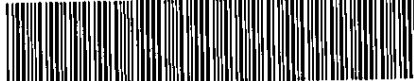
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PLAN OF SUBDIVISION

STAGE No

PLAN NUMBER

PS 448622Q



AB573238L-24-5

FOR ENLARGEMENT
SEE SHEET 3

SEE
ENLARGEMENT

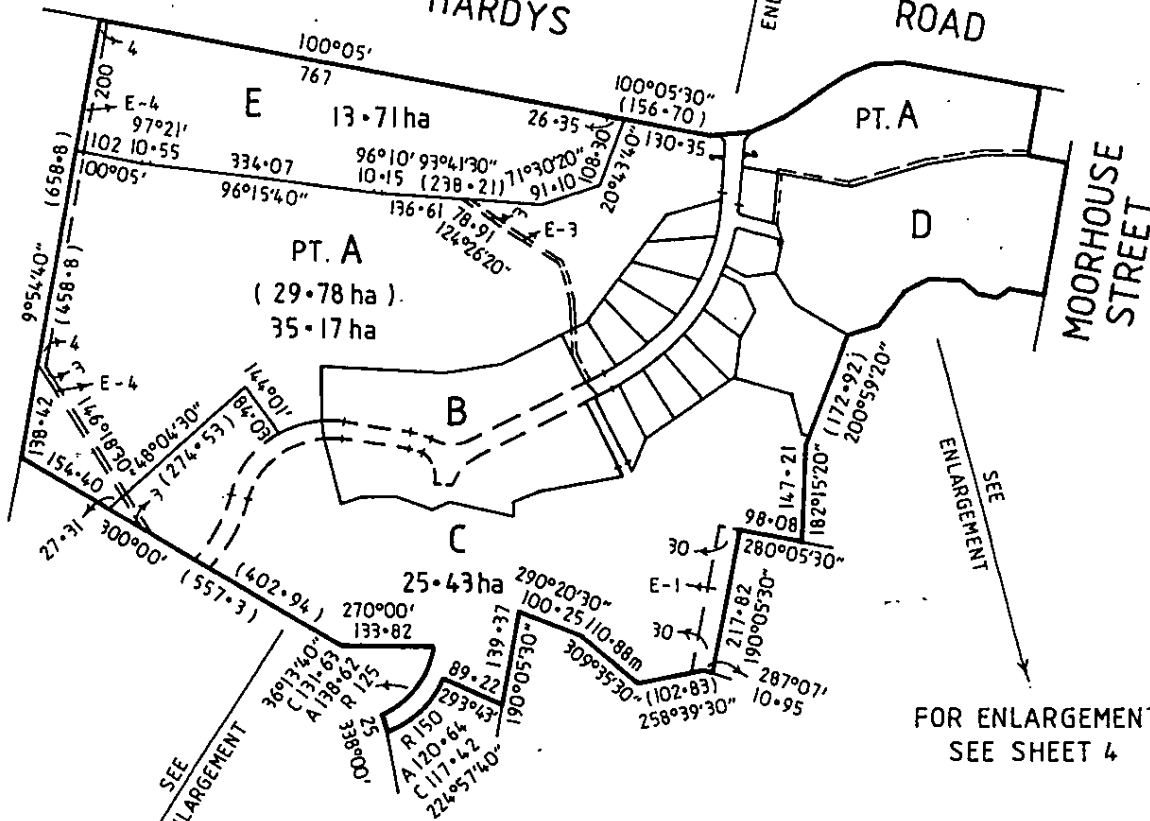
HARDYS

ROAD

PT. A

MOORHOUSE
STREET

81B

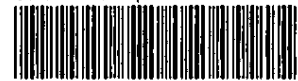


FOR ENLARGEMENT
SEE SHEET 4

FOR ENLARGEMENT
SEE SHEET 5

AB573238L

20/09/2002 \$59 173



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LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, 3875
TELEPHONE (03) 5152 5011

80 0 200 400
LENGTHS ARE IN METRES

ORIGINAL
SCALE SHEET
1:8000 SIZE
A3

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DATE / /

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PLAN OF SUBDIVISION

STAGING PLAN NUMBER
PS 448622Q



DAB573238L-25-9

ENLARGEMENT
SCALE 1:250

RESERVE
No. 1
28m²

AMG ZONE 55

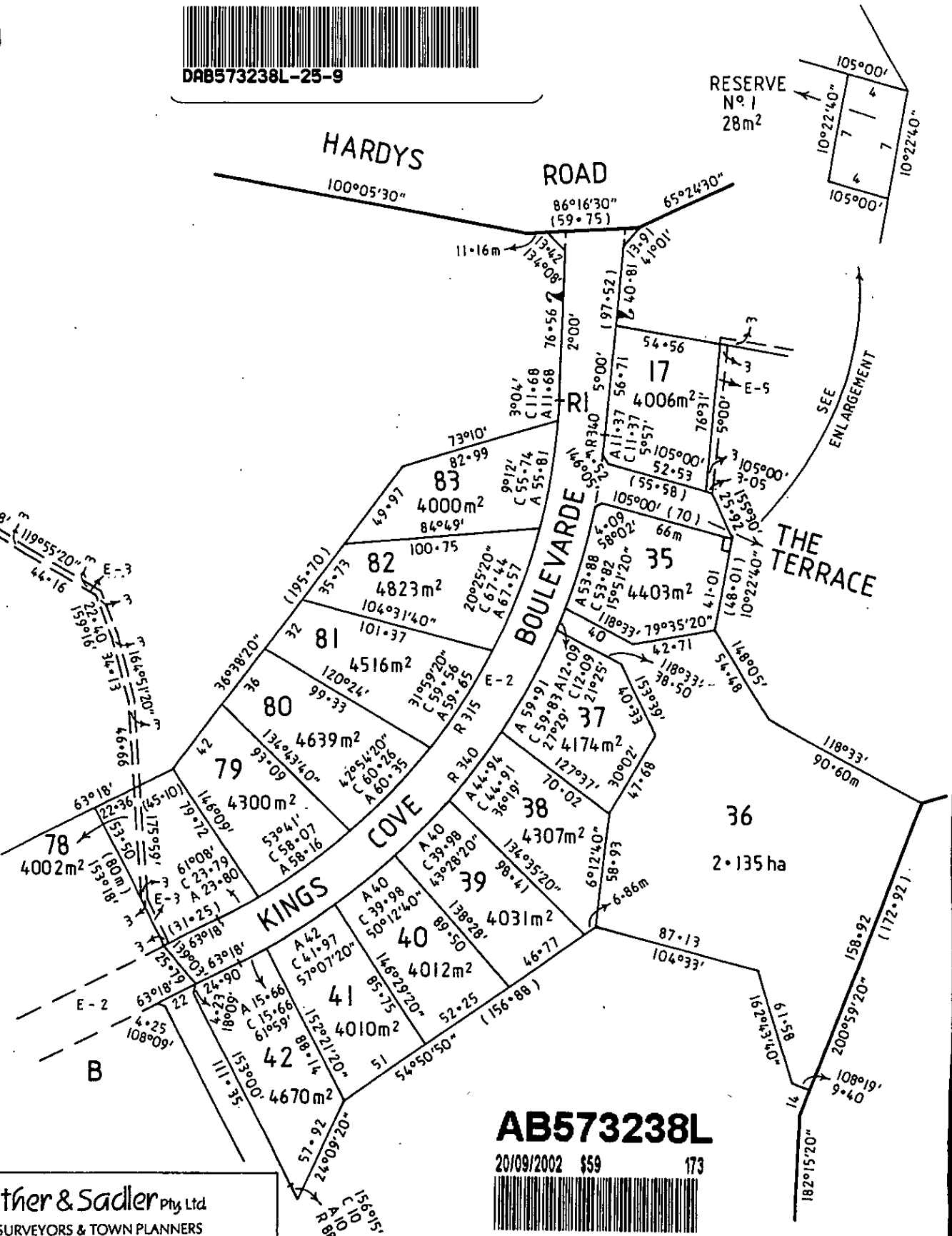
HARDYS ROAD

ROAD

SEE ENLARGEMENT

THE TERRACE

FOR CONTINUATION SEE SHEET 5

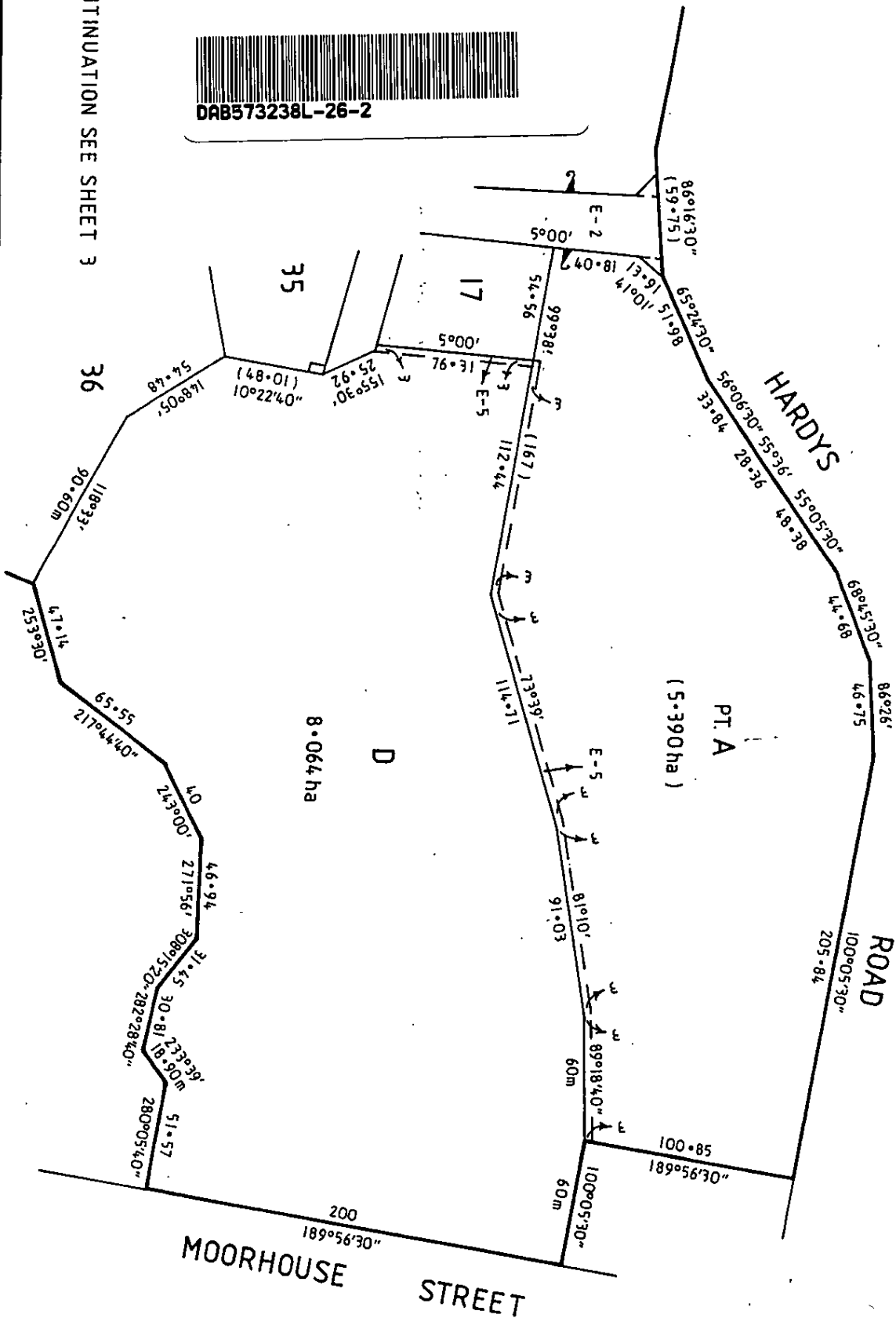


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PLAN OF SUBDIVISION

STAGE No.

PLAN NUMBER

PS 448622Q

AB573238L

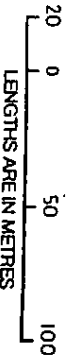
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152 MACLEOD STREET, BAIRNSDALE, 3075
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SCALE



ORIGINAL SCALE

1:2000

SHEET SIZE

A3

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DATE 4 / 2 / 2002
VERSION 3

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DATE / /
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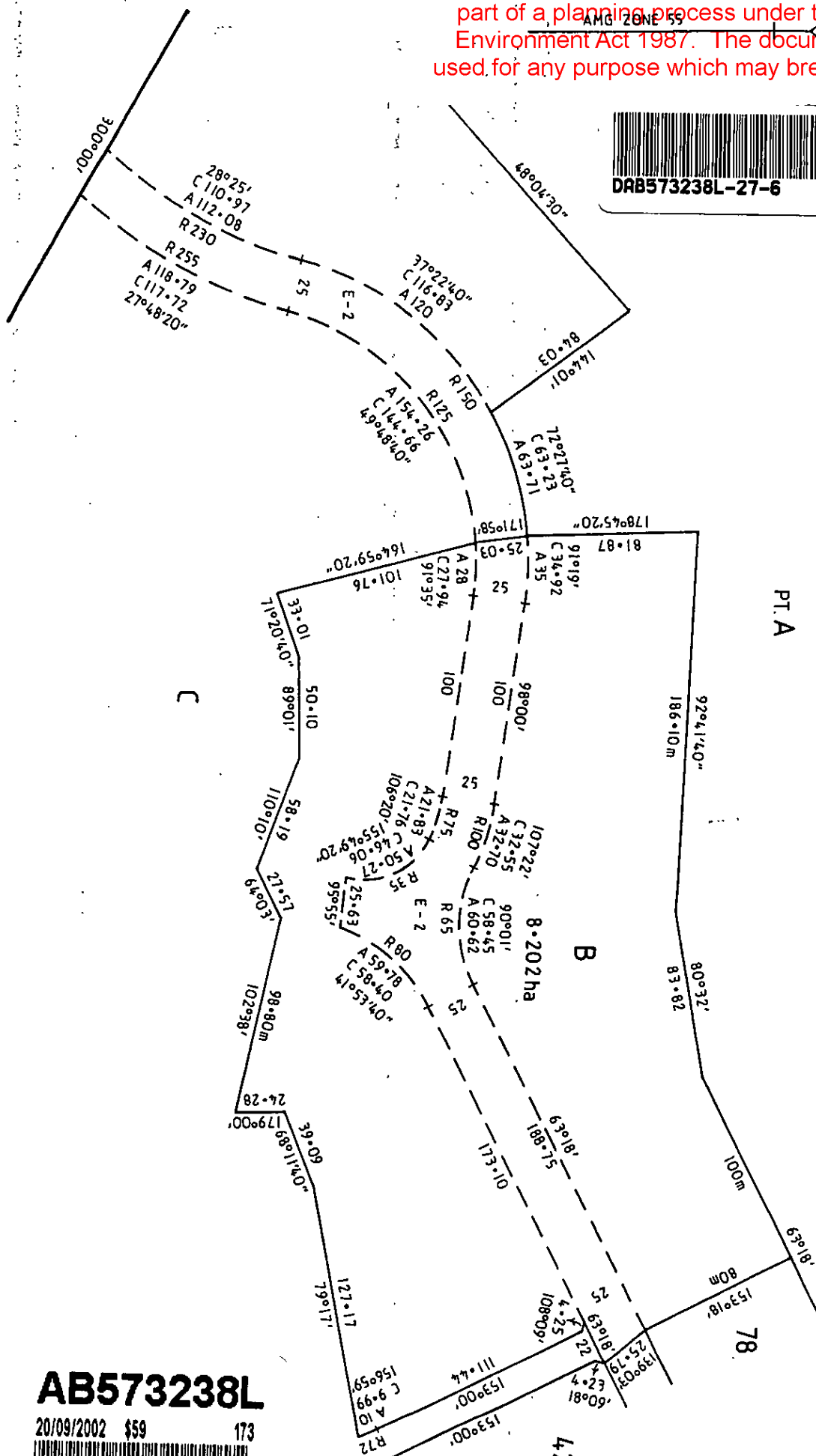


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PLAN NUMBER

FOR CONTINUATION SEE SHEET 3

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LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, 3875
TELEPHONE (03) 5152 5011

SCALE

20 0 50 100

LENGTHS ARE IN METRES

ORIGINAL

1:2000
A3

LICENSED SURVEYOR (PRINT).....MICHAEL JOSEPH SADLER
SIGNATURE.....*Michael J. Sadler*
DATE 4 / 2 / 2011

REF 98013

VERSION 3

DATE 4 / 2 / 2002

SHEET 5 OF 5 SHEETS

DATE / /
COUNCIL DELEGATE SIGNATURE

KING'S COVE - METUNG

AB573238L-28-0

GUIDELINES FOR CONSTRUCTION, SITING OF, EXTERNAL ALTERATION AND ADDITIONS TO BUILDING AND STRUCTURES ON "KING'S COVE"
STAGE 2 – LOT 17, 35-42, 78-83
"LOW DENSITY RESIDENTIAL ZONE"

These guidelines are designed to protect the interests of all owners of property in the development and are not intended to be restrictive.

The subject land forms part of a quality residential land development.

For the protection of the purchaser's interest it is desirable that certain controls be implemented in relation to: the nature and type of construction; the preservation of the environment; the aesthetic appearance; and the general amenity of the development. Design of buildings, landscaping, fencing, paving, and all the elements of a high quality living environment, should be guided to establish visual continuity and compatibility throughout the development.

1.0 INTRODUCTION

"King's Cove" is an integrated Residential Resort and Marina development owned by Storth Ryes Pty. Ltd. ("Storth Ryes"). Storth Ryes administers these guidelines, for the benefit of existing and new land owners, through an Architectural Review Committee established by it and consisting of representatives nominated by Storth Ryes.

2.0 DESIGN CONFORMITY

Written application for approval of the design, external finishes and siting of all buildings (and external alterations and additions to buildings) at King's Cove must be made by the allotment owner to the Architectural Review Committee, or its nominee, prior to work commencing or applying for a building permit. These guidelines are intended to provide the criteria for assessment of the application.

2.1 Approval Procedure.

The initial step required is for each designer or builder to provide to the Architectural Review Committee a plan showing the contours of the site and proposed siting of the buildings together with a schematic presentation of the structure including: floor plans; elevations; materials and colours proposed. Once general agreement is reached and prior to lodgement of an application for a building permit from the East Gippsland Shire or its nominated subcontractor, the documents required for such application shall be lodged with the Architectural Review Committee for a final conformity assessment against these guidelines. Representations to the Architectural Review Committee in support of the proposed construction may be made by the applicants or their representatives.

The application and all supporting documents should be forwarded to the Architectural Review Committee at the following address:-

King's Cove Project Manager
 PO Box 326
 METUNG VIC 3904

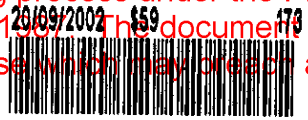
The documents, together with a written assessment of conformity and approval, conditional approval or refusal of the proposal, shall be forwarded or given to the applicant as soon as practical and normally within 14 days of lodgement.

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AB573238L



3.0 BUILDING GUIDELINES

3.1 Building Envelopes

Designated Building Envelopes form part of the guidelines and the permitted use of the land under the zoning. These building envelopes, which are designed to maximise views whilst enabling vegetation corridors between buildings, are required by agreement between Storth Ryes and the Responsible Authority. The building envelope positions are designated as part of the Soil and Water Management Plan agreed between Storth Ryes and the Responsible Authority under the zone overlay. The minimum setback from the allotment boundaries are prescribed in the designated building envelopes.

3.2 Soil and Water Management Plan

The permitted use of the land under the zoning is also governed by the Soil and Water Management Plan as approved by the Responsible Authority. The construction of civil works and buildings and associated structures must comply with the Soil and Water Management Plan, in order to protect the subject land, adjacent land and the Gippsland Lakes waterways.

Annexed hereto and marked "A" is the Kings Cove – Stage 2 Soil and Water Management Plan Specifications for Construction of Dwellings.

3.3 Building Types Permitted

A single dwelling is permitted within the zone under the relevant incorporated plan overlay for King's Cove (formerly Storth Ryes).

Any dwelling erected on the site shall have a total floor area of not less than one hundred and seventy (170) square metres within the outer walls thereof calculated by excluding the area of any carport, garage, terrace, pergola or verandah and must be built only of new materials.

All outbuildings exposed to public view from the street, reserve, adjoining allotments or the lake shall be designed, constructed and maintained in all ways similar to the principal building on the lot. Garages and carports shall preferably be incorporated into the main roof structure. Where detached garages or carports are permitted they shall also be constructed of the same approved materials as stipulated for the dwelling and be part of an overall integrated design. Each lot shall make a provision for fully enclosed and covered parking for not less than two motor vehicles unless otherwise agreed to in writing by the Architectural Review Committee.

Innovative house plans that meet the requirements of 3.4 Building Form, set out below, but use materials other than those specified will be considered for approval if appropriately submitted to the Architectural Review Committee for assessment.

3.4 Building Form

Simple clear forms will be preferred for all structures. Unduly fragmented or flamboyant forms will not be preferred where they impact on adjoining properties or the amenity of the subject land when viewed from offsite. Sun protection of walls, openings and terraces shall preferably be achieved by roof overhangs, verandahs, pergolas or other structurally integrated elements of the building.

As stipulated by agreement between Storth Ryes and the Responsible Authority, the construction of dwelling shall conform to the following:

Buildings should be designed to minimise visual impacts, erosion and fire hazard.

Buildings should be designed with floor levels and roofs that sit in sympathy with the prevailing ground slopes.

Pergolas, decks and shading devices may be used to soften the interface between buildings and surrounding vegetation.

Split level buildings shall be encouraged on sloping land to reduce the height of the building.



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3.5 External Finishes and Colours

The objective is to provide a level of finish and colours which are compatible with the natural environment of King's Cove. They should reflect the colour and texture of the coastal setting and take account of durability and weathering characteristics. The following list of suitable finishes and colours are considered desirable but not definitive:

- Walls: Brick or masonry-rendered or bagged and painted in colours suited to the coastal environment.
Stone.
Timber and/or composite weatherboards – treated or painted in colours suited to the coastal environment.
Glass – clear, grey or smoked (non-reflective).
Sheeting Materials – Harditex and similar manufactured sheeting materials suitably coated and painted.
Colourbonded metal in corrugated patterns
- Roof: Colourbonded Metal – in colours suited to the coastal environment.
Glass – or Polygal, Laserlight, Sailcloth and similar products.
- Trim: Timber, aluminium, sheeting materials and steelwork in colours suited to the coastal environment.

The above is not intended to be comprehensive and other colours and combinations would be considered against the objectives of suiting the coastal setting of the subject land.

3.6 Service Areas

Areas used for the purpose of drying or airing clothes shall be reasonably screened from public view from the street, reserves, adjoining allotments and the lake. Storage tanks shall be mounted at ground level and reasonably concealed from public view. Refuse storage areas shall be totally screened from public view.

3.7 Vehicle Driveways/Paved Areas

Vehicle driveways and other paved areas exposed to public view should be constructed of clay brick, masonry pavers, crushed stone, stone sheeted bitumen, hot mix, patterned and coloured concrete, exposed aggregate concrete or formed quality gravel surface. Adequate drainage and erosion protection measures must be incorporated in line with the Soil and Water Management Plan.

3.8 Alterations and Additions

The guidelines (as amended) shall also apply to all external structural alterations and additions to external surfaces of buildings and structures on the development. Such works shall involve the same application and approval procedure as applies to initial building construction.

3.9 Builders' Site Refuge Guidelines

Lot owners shall ensure that any builder of a residence on a lot complies with the Builders' Site Refuge Guidelines contained in Schedule B of these Guidelines.

3.10 Requirement of Certificate of Occupancy or approval of the Architectural Review Committee

No allotment of the development shall be occupied for residential purposes either temporarily or permanently until a Certificate of Occupancy is issued for the dwelling erected on the site or until such occupancy is otherwise approved by the Architectural Review Committee.



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4 Landscaping

4.1 General

To enhance the amenity of King's Cove and to improve the aesthetic environment, owners of lots shall be required to landscape their properties within 12 months of entering into occupation and obtaining a certificate of occupancy. The plans for such landscaping shall be prepared by a competent landscape designer and submitted to the Architectural Review Committee for a conformity assessment at the same time as plans are presented for the buildings. Lot owners will lodge a Bank Guarantee or cash bond of satisfactory performance for the sum of \$2,000.00 with Storth Ryes or its nominee. The guarantee will be released when the agreed landscaping has been completed.

The use of native species of trees and shrubs is favoured, however, other varieties will be permitted. It is desired that some indigenous trees shall be planted on each site particularly on the setback areas. Landscape plans need to incorporate general schematic layouts only with main species listed and larger trees shown on the plan. Trees which exist on the site either naturally or as part of landscaping works by the developer cannot be removed without the permission of the Architectural Review Committee.

4.2 Maintenance

Maintenance and landscaping of all ground slopes shall be the responsibility of the lot owners. Treatment of the ground slopes incorporating terracing and or retaining walls, including proposed landscaping, shall be incorporated into the landscape plan for approval. The landscape plan shall take account of the Soil and Water Management Plan requirements, maintain vegetative cover on slopes and providing measures to avoid any erosion of the subject land during and following construction.

Where a retaining structure is required to support a swimming pool or to form a terrace, such structure shall preferably include sloping landscaped or stone pitched banks as a means of level transition and shall deal with drainage to avoid erosion.

4.3 Maintenance prior to construction

Maintenance prior to construction of the dwelling and/or site shall be the responsibility of the lot owners who shall be required to ensure that grass height does not exceed 200 millimetres at any time and that the lot is maintained generally in keeping with the overall maintenance of the King's Cove Development. To assist lot owners, Storth Ryes proposes to engage a sub contractor to provide grass cutting and like maintenance services at a reasonably competitive cost, which services will be available to lot owners.

In the event that such maintenance of the dwelling and/or site not being carried out in a timely manner by Lot owners, Storth Ryes shall be entitled to engage a subcontractor for the purpose of effecting the required grass cutting or maintenance works and the Lot owner shall reimburse Storth Ryes for any expenses reasonably incurred by Storth Ryes in so doing.

5 Fences

In principle it is considered that a parklike appearance is appropriate and that solid fences be kept to a minimum subject to the requirements of screening service areas, pools and other outdoor living areas. The use of screen planting areas to define boundaries is most desirable.

Post and wire fencing will be erected by Storth Ryes on most allotment boundaries excluding the street frontage and within 15 metres of the main street frontage which will be unfenced. Boundaries within the more vegetated areas may not be fenced to avoid disturbing the existing cover. No solid fence shall be built within 15 metres of front or rear boundaries or within 5 metres of a side boundary.

Where a solid fence is sought, the preferred materials shall be brush panel, stone, bagged and painted masonry or brickwork, hardwood or treated pine pickets of 75mm x 20mm with 20mm spacings. The planting of landscaping to soften such fences will be preferred. Front boundaries are preferred to be left unfenced. Where the owner seeks greater screening cover than planting alone can provide, fences will

need to be setback 15 metres from the front boundary and significant planting incorporated into the setback area within the landscape plan.

6 Liability

Storth Ryes Pty. Ltd. and its successors and associated companies, Riviera Properties Limited and its successors and the Responsible Authority, shall each be free from any liabilities and claims for damages and/or suits of any kind as a result of or arising out of the enforcement or implementation of all or any of these guidelines or any matters associated with the same or any application for approval hereunder or the decision made.



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SCHEDULE A

Kings Cove – Stage 2 Soil and Water Management Plan

Specifications for Construction of Dwellings

December, 2001

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20/09/2002 \$59 173



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Our Ref #: 1046

Your Ref #:

13 December, 2001

Mr Michael Sadler
Crowther And Sadler Surveyors
152 Macleod Street,
BAIRNSDALE VIC 3875



DAB573238L-34-3

Dear Michael,

**Kings Cove, Metung
Stage 2, Kings Cove Boulevard
Soil and Water Management Plan**

Please find enclosed, for your records, a copy of the Kings Cove Stage 2 Soil and Water Management Plan.

The Plan conforms with the requirements of East Gippsland Shire planning permit 01/00299/DS.

A separate copy has been provided directly to Storth Ryes Pty Ltd.

Should you require any further information, please contact me on 5152 6298

Yours faithfully,

ERIC SJERP

Environmental Manager

Encl.

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20/09/2002 \$59 173



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KINGS COVE – Stage 2
Soil and Water Management Plan
Specifications for Construction
of Dwellings
December 2001

AB573238L

20/09/2002 \$59 173



Prepared by:

Crossco Australia Pty Ltd
Engineering and Environmental Consultants
152 Macleod Street, PO Box 858
Bairnsdale VIC 3875
Tel. 03-5152 6298
Fax. 03-5152 5705
consult@crossco.net.au
www.crossco.net.au



DAB573238L-35-7

Crossco Australia Pty. Ltd.

ABN 13 300 598 528

152 Macleod Street,

P.O. Box 858, Bairnsdale Vic., 3875

Telephone: (03) 5152 6298

Facsimile: (03) 5152 5705

Email: consult@crossco.net.au

Website: www.crossco.net.au

Printed 24/09/2025

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KINGS COVE – Stage 2
Soil and Water Management Plan
Specifications for Construction of Dwellings

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2. RESPONSIBILITY FOR COMPLIANCE	2
3. SITE-SPECIFIC REQUIREMENTS.....	2
4. STORMWATER DISCHARGE AND DRAINAGE LINE PROTECTION.....	3
5. INSTALLATION SEQUENCE.....	4

TABLES

TABLE 1: KINGS COVE STAGE 2 LOT NUMBERS AND EROSION CONTROL REQUIREMENTS	3
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FIGURES

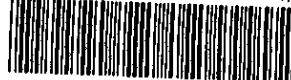
DRAWING 1: KING COVE – STAGE 2: DWELLING SOIL & WATER MANAGEMENT PLAN	AT REAR
DRAWING 2: TYPICAL SILT FENCE	AT REAR



DB573238L-36-1

AB573238L

20/09/2002 \$59 173



Document Information: 1046 kings cove stage 2 soil & water.doc
 Issued: 13th December, 2001

1. BACKGROUND and OBJECTIVE

This Soil and Water Management Plan outlines the minimum erosion control requirements necessary for the construction of dwellings on allotments within Stage 2, Kings Cove Boulevard of the Kings Cove subdivision in Metung, Victoria.

The objective of this Plan is to prevent soil erosion and control sedimentation by adoption of the following key principles:

- Implementation of sensible site planning and compliance with construction specifications
- Diversion of up-slope water from the construction site
- Minimisation of site disturbance
- Rationalisation of movement by construction vehicles
- Installation of sediment traps/controls along low-side of construction site
- Rationalisation of stockpile location
- Protection of stockpiles from erosion
- Minimise waste from wash-down and tile/brick cutting
- Minimisation of stormwater runoff from the construction site
- Reduce the erosive energy of stormwater leaving or diverted around the construction site
- Minimisation of building waste and debris
- Regular maintenance of all erosion control structures
- Prompt rehabilitation of all disturbed areas



A typical dwelling construction site, together with specific erosion control requirements are illustrated on Drawing 1. These controls should be adopted for development of all dwellings within Stage 2 at Kings Cove based on site specific details listed in Table 1.

2. RESPONSIBILITY FOR COMPLIANCE

Compliance with the erosion control techniques specified by this Plan (and accompanying drawings) is a mandatory requirement of East Gippsland Shire Council's Planning Permit 01/00299/DS for development of dwellings within Stage 2 at Kings Cove.

It is the land/dwelling owners responsibility to ensure all contractors engaged in the construction of a dwelling(s) on any allotment within Stage 2 at Kings Cove are aware of the need to implement the erosion controls specified by this Plan.

It is the individual responsibility of the builder and all sub-contractors to implement and maintain the various erosion control structures.

3. SITE-SPECIFIC REQUIREMENTS

This Soil and Water Management Plan stipulates erosion control requirements which can be adopted for all building envelopes within Stage 2 at Kings Cove. The location and orientation of each individual erosion control structure will vary depending on the relative position of the dwelling, access to the construction site, the direction and steepness of the land, and drainage conditions.

Site disturbance should, at all times, be kept to a minimum on all allotments by limiting the extent of cut and fill, limiting the steepness of batter slopes, and prompt rehabilitation of all disturbed sites.

Table 1 lists the different site-specific conditions prevailing across Stage 2 at Kings Cove.

The builder must establish the erosion control requirements in accordance with Table 1.

Table 1. Kings Cove Stage 2 Lot numbers and erosion control requirements

Allotment No.	Landscape Type	Stage	Erosion Control Requirements
All Allotments (ie. 17, 35-42, 78-83)	i) Gently sloping or ii) Gently sloping with steeper escarpment		<ul style="list-style-type: none"> Implement all erosion control structures. Construct silt fences on ALL down slope sides of construction site. Cut & fill batters > 3.0 m long and steeper than 1H in 3V should be structurally retained. Construct silt fence on down slope side of construction site. Establish cut-off drains across high side of construction site. Utilise craneage and pumping for construction on steep erosion-prone slopes. Stormwater discharged on-site should exit via energy dissipater with silt fence across drainage line. Avoid stormwater discharge down steep slopes.
Lots 78 to 83 inclusive	Gently sloping		<ul style="list-style-type: none"> All stormwater must be drained to the surface drain located immediately below the north-western (rear) boundary of the lots.
Lot 17 and Lots 35 to 42 inclusive	Gently sloping Gently sloping with steeper escarpment		<ul style="list-style-type: none"> All stormwater must be drained to the drain fronting the allotments along Kings Cove Boulevard.



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4. STORMWATER DISCHARGE and DRAINAGE LINE PROTECTION

All stormwater from dwellings and associated access must be drained to an appropriate discharge point as specified below and in Table 1.

For Lots 78-83, Stage 2 Kings Cove, all stormwater must be drained to the surface drain located immediately below the north-western (rear) boundary of the lots.

For Lots 17, 35-42, Stage 2 Kings Cove, all stormwater must be drained to the drain fronting the allotments along Kings Cove Boulevard.

For Lots 36-42, stormwater should not be drained downslope in a south-eastern direction over the steep escarpment along the south-eastern (rear) of these allotments.

Particular care must be taken to protect all drainage lines, gullies and steep erosion-prone slopes. Stormwater discharged onsite (from buildings and driveways etc) must be suitably baffled to dissipate erosive energy. Where there is a threat of erosion, energy dissipaters consisting of rock aggregate (100 mm ALD) securely laid over needle-punched geotextile fabric, should be constructed at stormwater outlet points. Stormwater should exit over the aggregate and onto stable grassed areas. A silt fence should be constructed across the drainage line immediately below the stormwater outlet point during construction activities.

Early connection of stormwater lines and onsite storage for subsequent reuse is encouraged.

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5. INSTALLATION SEQUENCE

Forward planning can minimise the number of erosion control structures required and their potential interference with the building process.

Installation of erosion control structures in an appropriate sequence will maximise the effect of the structures in preventing erosion and sediment movement, and further reduce the interference to builders.

The following sequence should be adopted:

1. Establish a single entry-exit point and 'parking' spot for all vehicles involved in construction activities
2. Peg-out the limits of the dwelling
3. Determine the limits of disturbance / earthworks (ie cut and fill)
4. Install sediment fences along the low side of the site immediately below the limit of disturbance, leaving sufficient room for construction activities and stockpiles. Sediment fence detail is shown in Drawing 2.
5. Install a cut-off drain above the upper limit of the cut batter to divert up-slope water around the site.
6. Stabilise cut-off drains and discharge points to dissipate erosive energy of water
7. Remove any remaining vegetation (confirming for planning approval if required)
8. Strip and stockpile topsoil within the sediment fence perimeter
9. Rehabilitate all disturbed areas (including cut and fill batters) not subject to further construction activity with erosion control matting and suitable fast growing grass species
10. Install on-site building waste and litter receptacles (ie mini skips etc)
11. Undertake construction activity
12. Minimise erosive potential of stormwater generated from the site and dwelling roofs. This will include the need to install and connect roof downpipes and stormwater drainage lines to discharge points.
13. Continue to maintain all erosion and sediment control structures, including regular removal of accumulated sediment.
14. Stabilise and rehabilitate all remaining disturbed slopes (cut and fill batters, service trenches) with suitable fast growing grass species.

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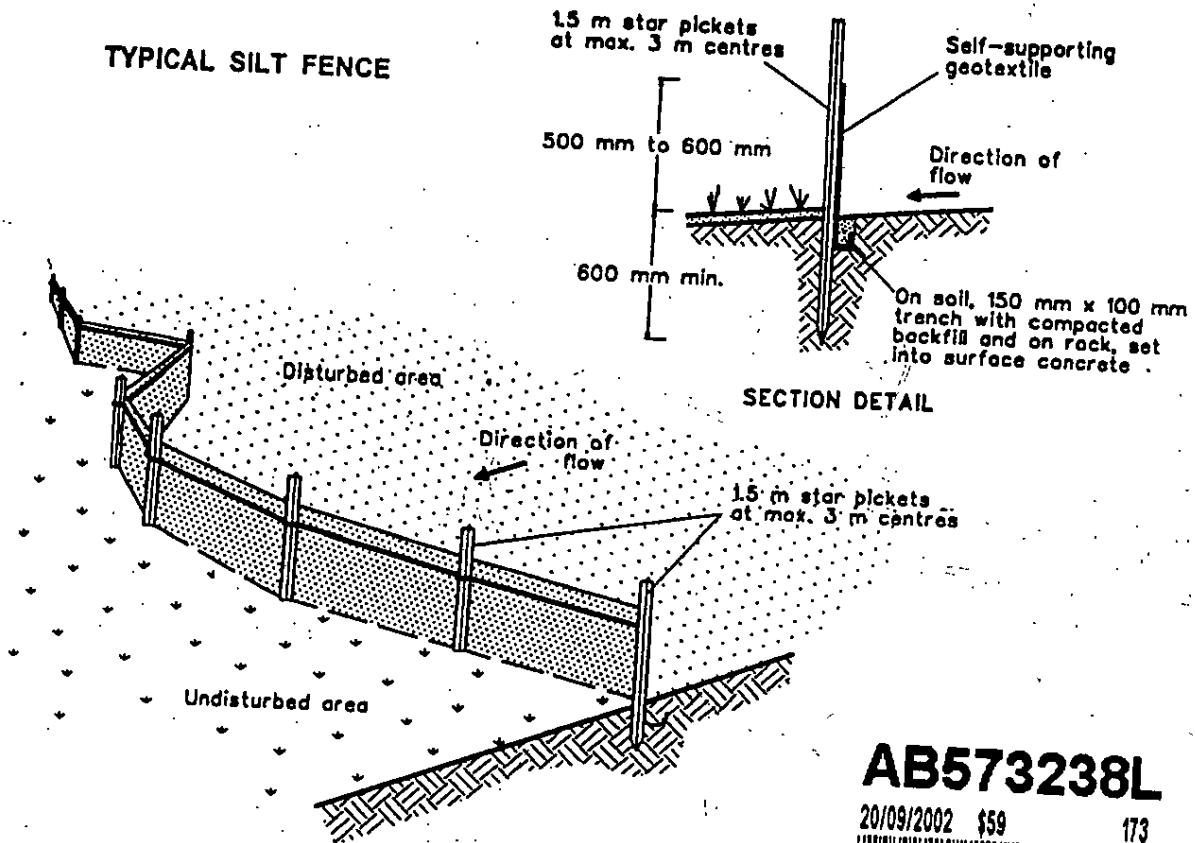
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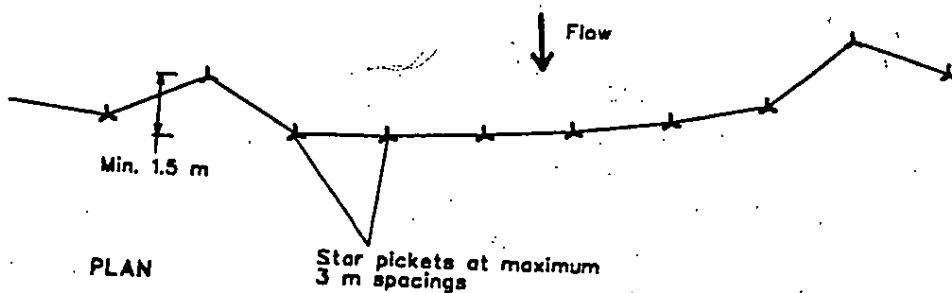
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TYPICAL SILT FENCE



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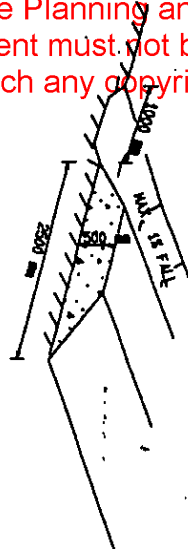
PLAN

Construction Notes

1. Construct sediment fence at limit of disturbance
2. Drive 1.5 metre long star picket into ground, 3 metres apart.
3. Dig a 150mm deep trench along the upslope line of the fence for the bottom of the fabric to be entrenched.
4. Backfill trench over base of fabric.
5. Fix self-supporting geotextile to upslope side of posts with wire ties or as recommended by geotextile manufacturer.
6. Join sections of fabric at a support post with a 150mm overlap.

Drawing 2

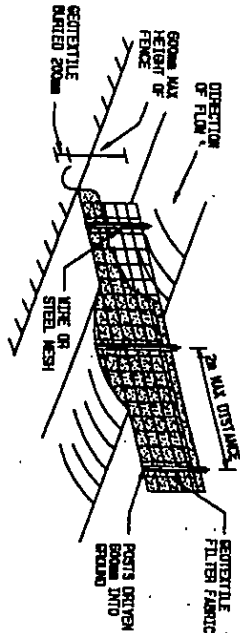
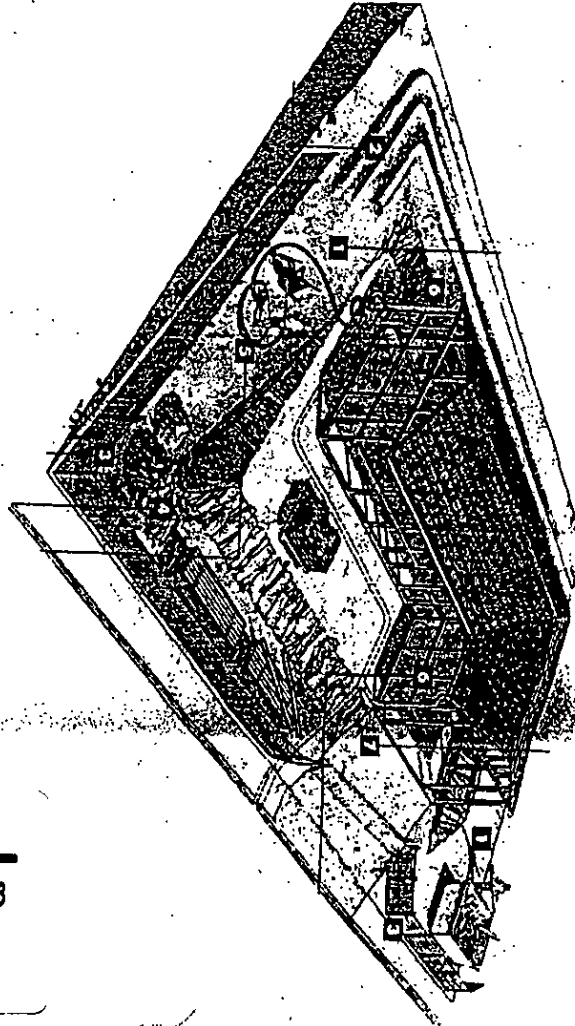
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DIVERSION BANK & CHANNEL



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SILT FENCE ON DRAINAGE LINE

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General Notes

Drawing 1 must be read in conjunction with Kings Cove - Stage 2, Soil and Water Management Plan, Specifications for Construction of Dwellings, December 2001.

1. Restrict cut & fill to minimum necessary and stabilise all disturbed slopes promptly. Establish on-site building waste and filter receptacles
 2. Establish a cut-off drain above the upper limit of the cut better to divert up-slope water around the site
 3. Install sediment fences along the low side of site immediately below the limit of disturbance, leaving sufficient room for construction activities and stockpiles
- Sediment fence detail is shown in Drawing 2

4. Strip and stockpile topsoil within sediment fence perimeter
5. Minimise waste from wash-down and tile/brick cutting
6. Minimise erosive potential of stormwater generated from the site and dwelling roofs. This will include the need to install and connect roof downpipes and stormwater drainage lines to discharge points as follows:
 - Stage 2, Lots 78 to 83 inclusive, to the surface drain located immediately below the north-western (rear) boundary of the lots
 - Stage 2, Lot 17 and lots 35 to 42 inclusive to the drain fronting the allotments along Kings Cove Boulevard
7. Establish a single entry-exit point and parking spot for all vehicles involved in construction activities

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SCHEDULE B

BUILDERS' SITE REFUSE GUIDELINES

1. All Owners have an obligation to keep the whole of "King's Cove" tidy.
2. It is an Owner's responsibility during the construction phase of a Residence on a Lot to inform the builder of the contents of these Builders' Site Refuse Guidelines.
3. All building materials and fittings must be stored within the property boundaries of a Lot at all material times and no building materials are permitted to be stored on the nature strip of a Lot.
4. Builders must provide a lockable 2 metre square bin on a Lot for the storage of all site refuse generated by that Lot and keep all such site refuse within such bin.
5. The "King's Cove Architectural Review Committee will impose a non-littering requirement as a standard clause of any approval granted by the Architectural Review Committee in respect of building works. The builder will be required to be diligent in the control of all site litter and to protect adjoining lots and verges from use by on site construction workers and sub-contractors of the Lot.
6. The owner must ensure that a sign is erected on the Lot during the construction phase of the Residence specifying the builder's obligations in relation to these Builders' Site Refuse Guidelines.
7. An Owner and their builder must comply with any litter notice issued by or on behalf of the Architectural Review Committee specifying breaches of the Builders' Site Refuse Guidelines and rectify such breaches, failing which an Owner and their builder will be exposed to prosecution by East Gippsland Shire Council under the Litter Control Act.



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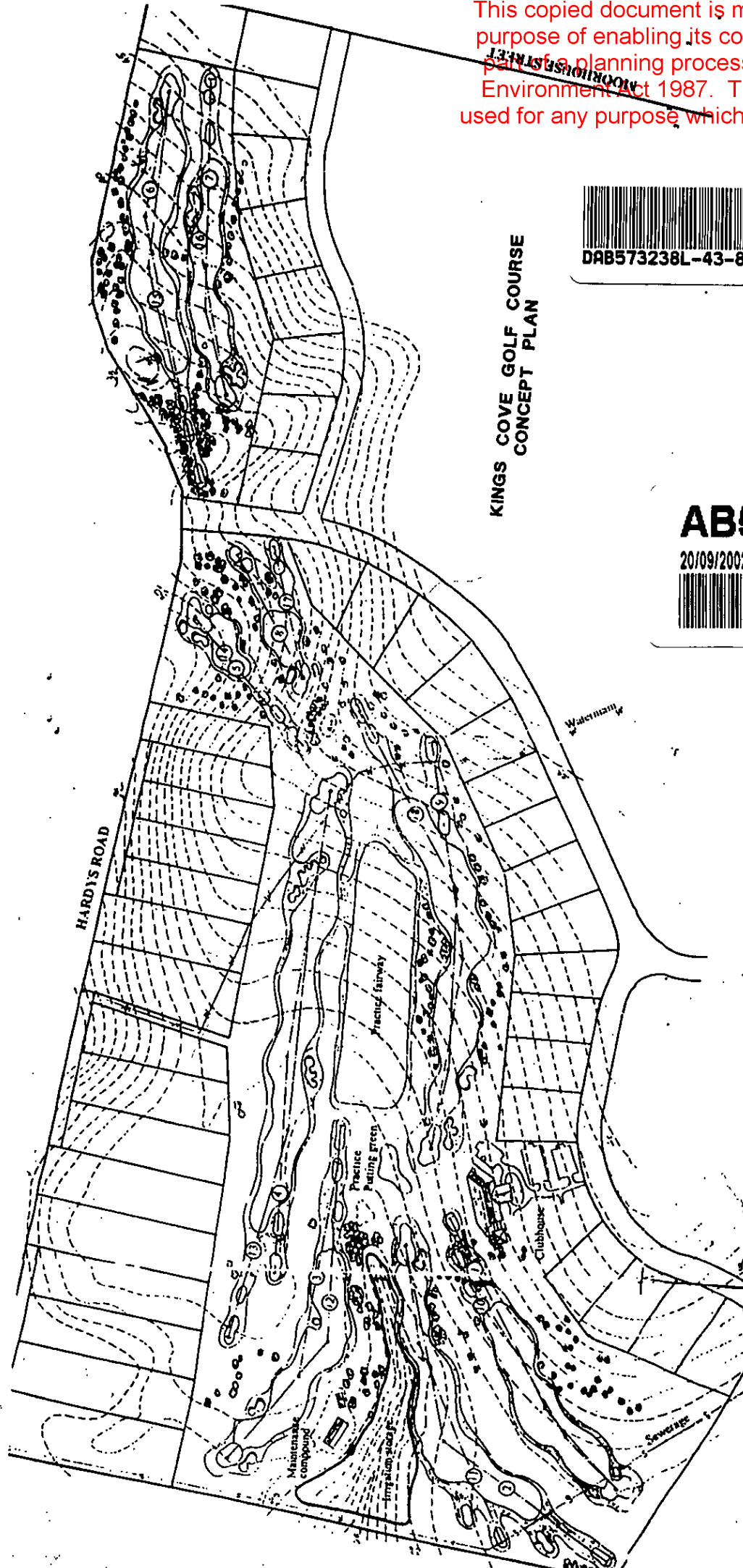
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KINGS COVE GOLF COURSE
CONCEPT PLAN



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KING'S COVE, METUNG

STAGE 2

SUMMARY OF SEWER STRATEGY

Storth Ryes Pty. Ltd. shall design and construct suitable sewer mains for the collection and disposal of all household wastewater. At the completion of the development phase such mains shall be handed over to East Gippsland Regional Water Authority (EGW) for the ongoing maintenance and management.

To service King's Cove Stage 2 there are two distinct catchments namely lots 39 – 42 and lots 17, 35 – 38, 78 – 83.

Lots 39 – 42 shall be adequately commanded by a modified gravity sewer laid in the abutting road reserve. Each allotment shall be serviced by a 100mm diameter property branch sewer installed to just inside the property boundary.

Lots 17, 35 – 38, 78 – 83 shall be serviced by a low pressure sewer rising main installed in King's Cove Boulevard. This small diameter rising main shall be capable of receiving sewage pumped from a packaged grinder pumping station to be installed on each allotment in conjunction with home development. A conventional property drain designed to collect wastes from all fixtures can be plumbed to discharge to the station. The packaged grinder pumping station shall be supplied and installed for the home builder by EGW upon payment of the appropriate purchase price at the time (in December 2001 this was approximately \$7,300.00). Electricity supply to the pump station shall be from the home supply. Electricity supply costs shall be the homeowners responsibility. EGW shall be responsible for the ongoing maintenance and replacement of the pumping stations.

Standard EGW sewerage rating structure shall apply to all allotments.

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Environment One Pressure Sewer
"An equivalent level of service"

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02 - A BRIEF DESCRIPTION OF THE PROPOSED PRESSURE SEWER TECHNOLOGY

1. Introduction

Gravity sewers have been around since sewers were first developed. But networked pressure sewers are a relatively new concept. They were conceived and developed by the same people who later formed Environment One (EOne) Corporation in the USA. The first genuine network of pressure sewers was installed and thoroughly studied in Albany, New York in the late 1960s. It was from these studies that EOne developed the design rules that have allowed the subsequent installation of literally thousands of pressure sewer networks. Today 140,000+ EOne positive displacement grinder pumps have been installed.

Although virtually unknown in Australia, low pressure sewerage is a robust cost effective alternative to gravity sewerage, especially in the more difficult to sewer areas.

2. Description of System

EOne low-pressure sewers (LPS) consist of a network of pressure pipe, much like a water pipe network flowing but flowing away from houses, and EOne grinder pumps, which are installed serving all the properties throughout the collection system. Depending on local factors each pump unit may serve one or two residences or several home units or townhouses, or larger facilities. Upstream from the grinder pumps, conventional house drains from within the residence are connected to the unit inlet.

The Pressure Network

The pressure pipe network consists of black MDPE polyethylene SDR11, PE80, PN12.5 pipe. The pipe network is completely sealed through the use of electrofusion welding techniques for jointing. All branch lines and at other suitable locations, isolation valves have been located. Dead ends and other appropriate locations have flushing points. Air valves are used as required. The installation of the pressure network is not dissimilar to the easy installation of irrigation pipe. Depending on the topography, size of the system and planned rate of buildout, appurtenances may include isolation valves, flushing points, air release valves at significant high points, and check and stop valves on the house laterals at the junction of each house connection with the low pressure sewer main.

The pumps discharge a finely ground slurry into small-diameter pressure piping. In a completely pressurised collection system, all the piping downstream from the grinder pump (including laterals and mains) will normally be under low pressure (45m or less). Pipe sizes will start at 40mm for house connections (compared to 100mm in gravity systems) and will be proportionally smaller than the equivalent gravity pipeline throughout the system. All pipes are arranged as branch networks without loops.

The Grinder Pump

The semi-positive displacement pump in the grinder pump station has a nearly vertical H-Q curve. The pump delivers 0.75 L/s at 0m head and 0.47 L/s at 45m. This is the best type of pump for successful parallel operation of many pumps into a system of common pressure mains. Since each pump will be located at different point along common low pressure mains and at various elevations, each pump should operate in an efficient and predictable manner, whether one pump or numerous pumps are operating at any given moment; the pumps in such a system do not have a single fixed "operating point", but must operate consistently over a wide range of heads that are continually, and often rapidly, changing.

The Environment One grinder pump has the capability of operating above the LPS system design criteria of 45m. Based on the maximum daily number of pumps operating simultaneously versus the number of pumps connected to the system at the design pressure of 45m, the capability to operate significantly above the system's design pressure is mandatory in order for the system to operate properly during the approximately bimonthly peaks when the "absolutely maximum" numbers of pumps are operating. This feature also ensures that pumping will continue under those



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conditions when higher-than-normal pressure occurs in the pipeline. With centrifugal type pumps under higher-than-normal pressure conditions, non-delivery or inadequate delivery from some pumps may result. Positive displacement pumps are, therefore, more reliable in pumping every time.

3. Motor Selection

A grinder pump station is an electromechanical system that depends on electric power for its operating, control and alarm functions. The design and selection of Environment One's pump, motor, grinder and level-sensing controls were accomplished by optimising the wastewater transport function of the unit within the necessary constraints for unattended, trouble-free operation in a residential environment.

The one model grinder pump core is common to all models of Environment One grinder pump stations (models GP 2010i 1500, GP2010i 2000, GP 2014i, GP 2015i and GP 2016i). This central core contains all of the working and control elements of the unit and is powered by a 4-pole, 0.75kw, 240v, 1,425 rpm capacitor start, thermally protected induction, single-phase motor. Each of these motor features was carefully considered in the design of the grinder pump station.

4. System Operation

Low pressure sewer systems have become feasible with the availability of the Environment One grinder pump, the reliability of which has been proven in more than 25 years of service. The grinder pump station provides holding capacity, reliable grinding and pressure transport of a fine slurry to an existing gravity sewer, pump station or directly to a wastewater treatment plant.

In operation, the grinder pump station will handle sewage and many items that should not, but often do, appear in domestic wastewater. For example, plastic, wood, rubber and light metal objects can be routinely handled without jamming the grinder or clogging the pump or piping system. Transporting sewage several thousand metres to a discharge point at a higher elevation is possible as long as the sum of the static and friction losses does not exceed design limits of 45m TDH. In fact, higher heads can be sustained without threat to the pump or the system providing the pressure is not sustained.

The grinder pump is actuated when the depth of the sewage in the tank reaches a predetermined "turn on" level, and pumping continues until the "turn off" level is reached. The pump's running time is short, power consumption is low, and long pump life is ensured. The unit is protected against backflow from discharge lines by an integral check valve. Several grinder pump station models are available to satisfy various total and peak demand conditions.

Deposits of solids or air accumulation will be purged from the line since the pump continues to produce an essentially constant flow, even though the cross section will provide the scouring action needed to correct such conditions as soon as they start to appear. Occasionally during "normal" operation, there will be short periods when higher-than-design pressures will be experienced. These can result from a variety of causes including solids buildup (obstructions) or air bubbles.

These higher-than-expected pressure conditions are transitory occurrences. The only requirement is that no damage be done to the pumping equipment, pipelines or appurtenances during these occasional short periods. Environment One grinder pumps are driven by motors rated for continuous operation at 40C above ambient temperature. They can operate at 50 percent above rated pressure for at least 5 minutes without excessive temperature rise. Based on the Albany, New York, demonstration project, for this type of overload to last even as long as one minute would be rare. The greatest pressure the pumps can generate is 98m. As the piping and appurtenances are rated at a minimum operating pressure of >125m, there is no possibility of damage occurring to them.

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EAST GIPPSLAND SHIRE COUNCIL

- and -

STORTH RYES PTY LTD
(A.C.N. 006 383 179)

AGREEMENT UNDER SECTION 173
OF THE PLANNING AND ENVIRONMENT
ACT 1987



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WARREN GRAHAM & MURPHY,
Solicitors,
119 Main Street,
BAIRNSDALE VIC 3875

REF: ACT;act4662/01 (Stage 2)

TEL: (03) 51522 661

D.X.: 82201, Bairnsdale

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 02 December 2024 11:38 AM

PROPERTY DETAILS

Address: **19 KINGS COVE BOULEVARD METUNG 3904**
 Lot and Plan Number: **Lot 36 PS448622**
 Standard Parcel Identifier (SPI): **36\PS448622**
 Local Government Area (Council): **EAST GIPPSLAND**
 Council Property Number: **82145**
 Planning Scheme: **East Gippsland**
 Directory Reference: **Vicroads 690 B3**

www.eastgippsland.vic.gov.au

[Planning Scheme - East Gippsland](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
 Urban Water Corporation: **East Gippsland Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
 Legislative Assembly: **GIPPSLAND EAST**

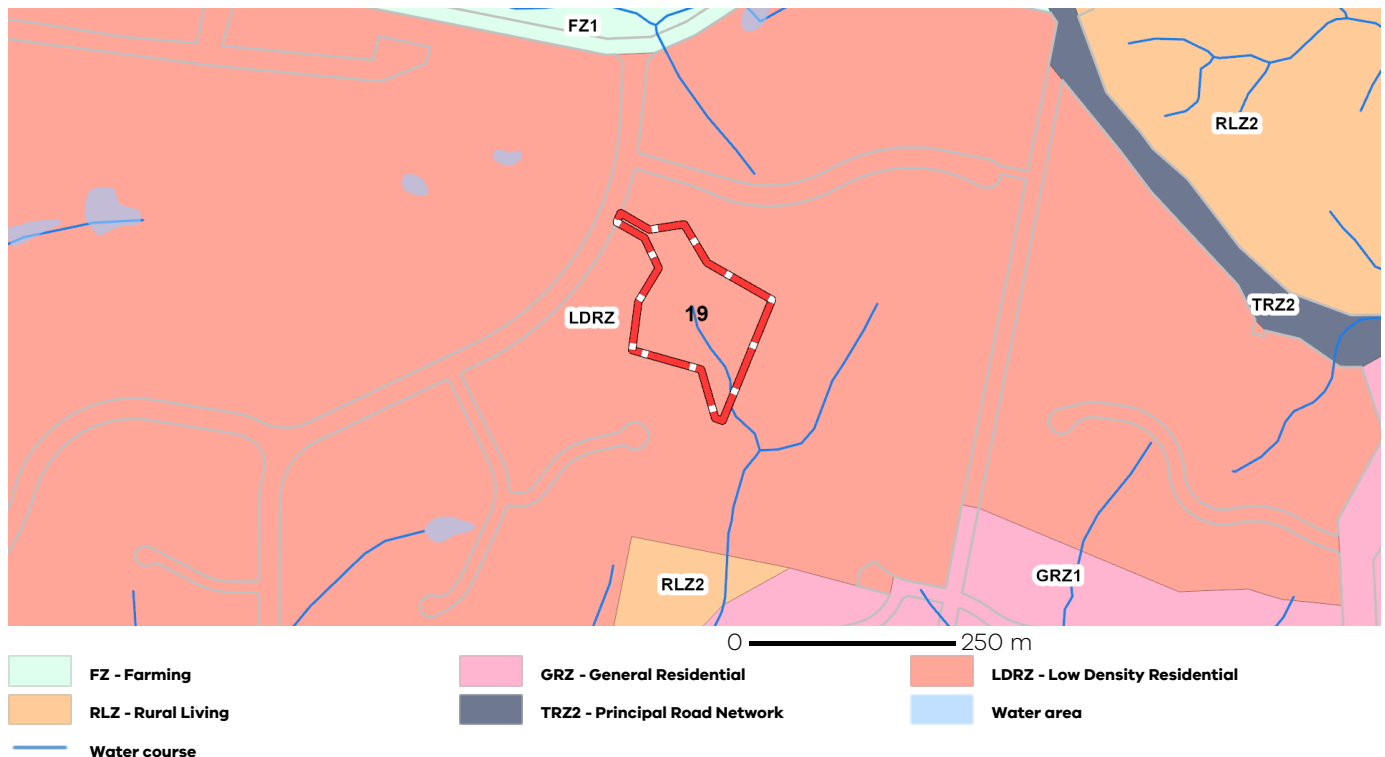
OTHER

Registered Aboriginal Party: **Gunaikurnai Land and Waters
Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)
[SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

PLANNING PROPERTY REPORT

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Planning Overlays

[EROSION MANAGEMENT OVERLAY \(EMO\)](#)

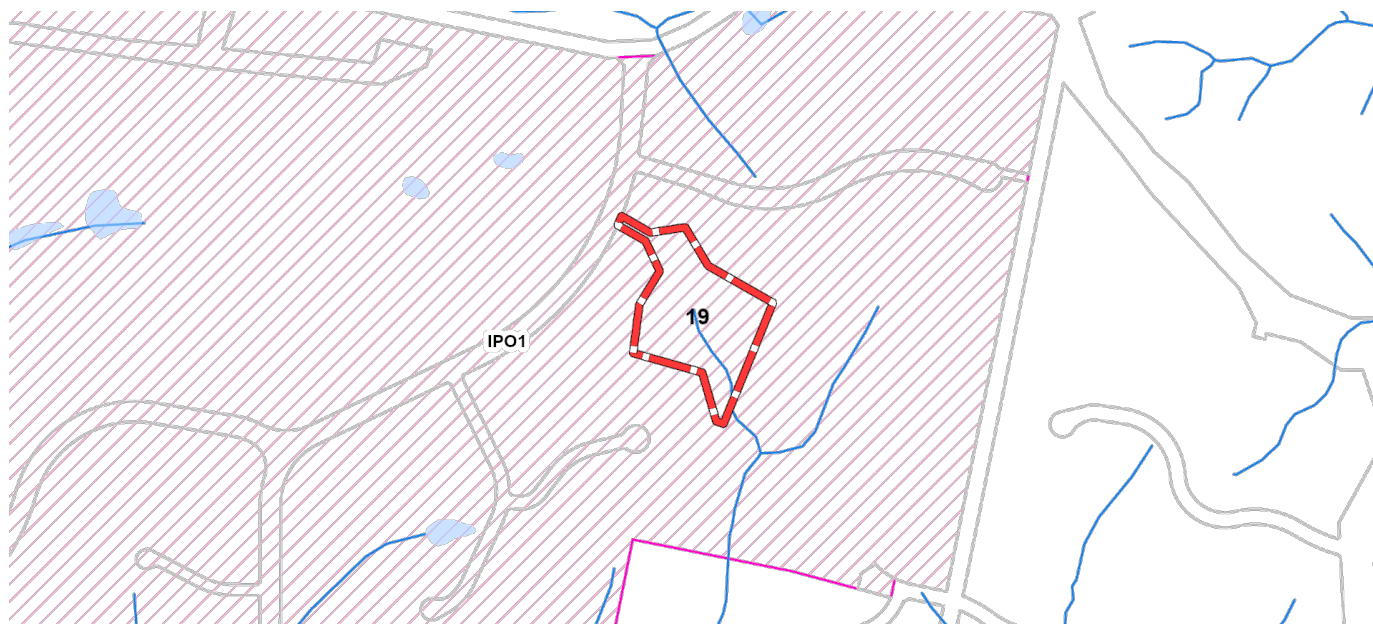
[EROSION MANAGEMENT OVERLAY SCHEDULE \(EMO\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

[INCORPORATED PLAN OVERLAY \(IPO\)](#)

[INCORPORATED PLAN OVERLAY - SCHEDULE 1 \(IPO1\)](#)



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PLANNING PROPERTY REPORT: 19 KINGS COVE BOULEVARD METUNG 3904

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Planning Overlays

VEGETATION PROTECTION OVERLAY (VPO)

VEGETATION PROTECTION OVERLAY - SCHEDULE 3 (VPO3)



VPO - Vegetation Protection Overlay **Water area** **Water course**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

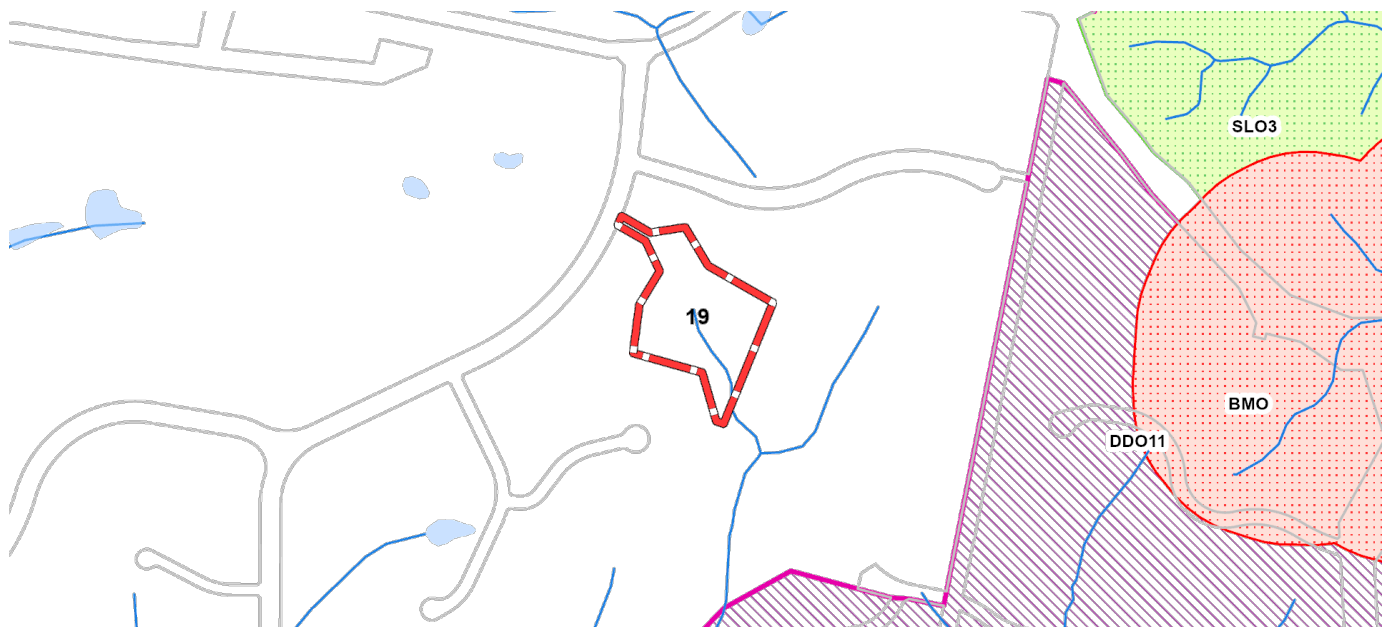
OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

BUSHFIRE MANAGEMENT OVERLAY (BMO)

DESIGN AND DEVELOPMENT OVERLAY (DDO)

SIGNIFICANT LANDSCAPE OVERLAY (SLO)



BMO - Bushfire Management Overlay **DDO - Design and Development Overlay** **SLO - Significant Landscape Overlay**
Water area **Water course**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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PLANNING PROPERTY REPORT: 19 KINGS COVE BOULEVARD METUNG 3904

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Further Planning Information

Planning scheme data last updated on 27 November 2024.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit

<https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

PLANNING PROPERTY REPORT

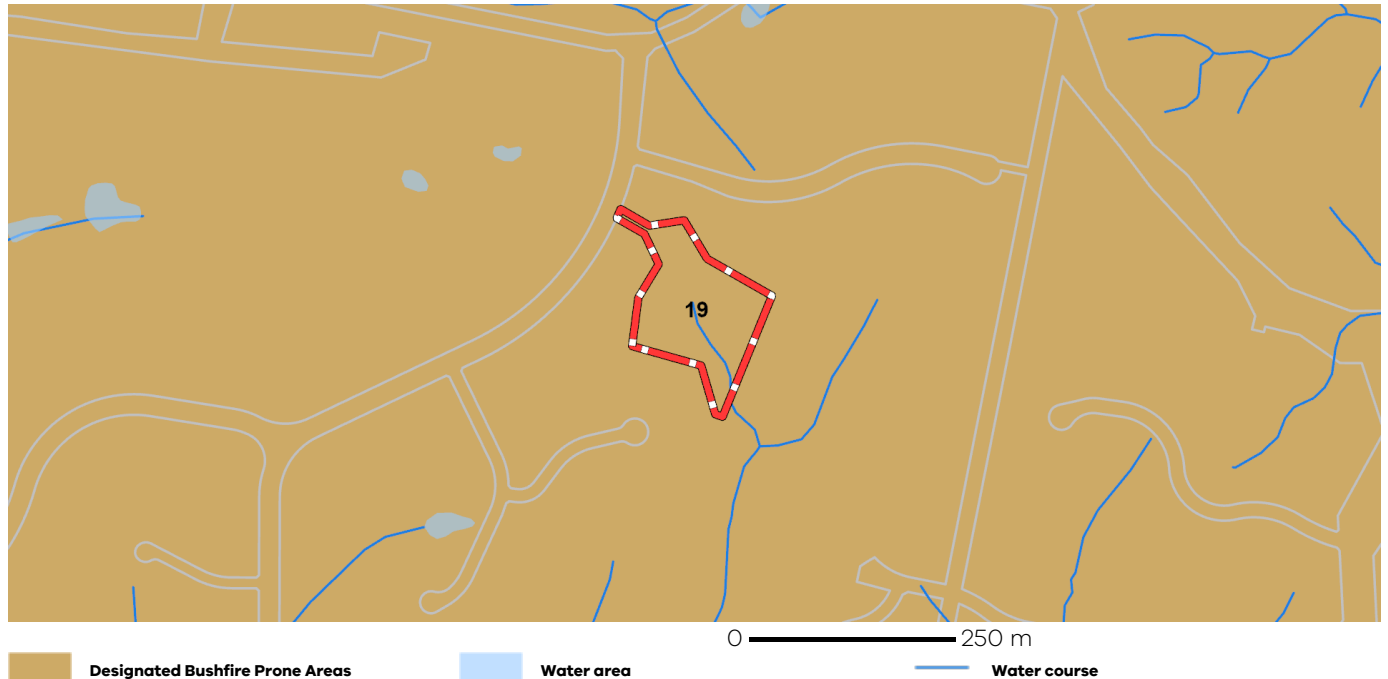
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Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://environment.vic.gov.au)

CHRIS O'BRIEN & COMPANY PTY LTD

CONSULTING CIVIL & STRUCTURAL ENGINEERS

Reference No: B25314

Project No: 70925

18/09/2025

Latrobe Valley Drafting
P.O Box 585
MOE Vic 3825

Attn: Ella Trevorrow

Email:

Dear Ella,

**RE: GRA Waiver for Proposed New Dwelling
19 Kings Cove Boulevard, Metung**

Chris O'Brien & Company Pty Ltd have been engaged by Ella Trevorrow of Latrobe Valley Drafting to determine whether or not a full Geotechnical risk assessment report is required for a proposed new dwelling at 19 Kings Cove Boulevard, Metung Vic 3904. An erosion management overlay exists over part of the property.

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

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

The site was inspected by Andrew Powell on the 18th September 2025.

19 Kings Cove Boulevard is located in an area known as Kings Cove which is north west of the main Metung village. The allotment is a large battleaxe block with only an area at the northern end of the allotment suitable to construct a dwelling. A ridge line occurs to separate the areas with land to the north of the ridge falling to the north and land to the south falling steeply in that direction. An access track has been formed to gain access to the bottom of the allotment with this being cut into the embankment forming batters to about 2.5m in height with these batters showing no signs of any erosion occurring. The northern section of the allotment has falls of about 1 in 12 average, has a reasonable cover of grass and has some significant vegetation with this mostly being on the boundaries leaving a clear area in the centre of the allotment. Existing services are available to the allotment from Kings Cove Boulevard with the existing open drain serving as an outlet for stormwater drainage. Reference has also been made to the soil and water management plan prepared by Crossco Australia Pty Ltd in December 2001 with recommendations made in this document implemented into the conditions set out in this document. Care in the location of the dwelling has also taken place with consideration to the conditions in the Crossco report. Photos of our findings are attached to this report.

For the construction of the proposed dwelling the following conditions need to be strictly adhered to.

1. The provision of protection barriers such as silt fences must be placed on the downslope side of all proposed earthworks and any vegetation removal required with these protection barriers to remain in place until all batters have been retained or stabilised with the protection barrier to the south of the dwelling to remain in place until all works have been completed onsite.
2. Diversion drains are to be constructed to ensure no stormwater enters the cut area for the dwelling from external sources. As most of this land falls to the north this should be easily achieved.
3. All cut batters greater than 1m in height must be retained by a retaining structure with cut batters for heights less than 1m note to be any steeper than 1 in 2.
4. All stormwater from the proposed dwelling roof is to be directed towards the proposed water tank with the drainage and overflow from this tank to be drained via an underground pipe system to the open drain in Kings Cove Boulevard. Any drainage outlet into the street system must be treated with approved rock beaching to EGSC approval. The roof area from the new garage must also connect into this underground drainage system.
5. Rain water tank is to be plumbed into the proposed dwelling for re-use to minimise the flow from the site to the open drain at the front.
6. No excavated material is to be stockpiled onsite and must be directly loaded into trucks and taken offsite. Only topsoil which can be re-used can be stockpiled onsite.
7. Any stormwater structures which collect surface water are to be fitted with approved litter baskets and silt collection devices.
8. Any disturb areas not being retained by structures must be rehabilitated as soon as possible to minimise silt run-off. Batters and disturbed areas are to be rehabilitated using an erosion control matting and a fast growing grass species.

It is recommended that this report is read in conjunction with the soil and water management report produced by Crossco Australia Pty Ltd dated December 2001. All of the above conditions must be strictly adhered to and provided this is done we expect no environmental risks from the work to be undertaken.

We highly recommend the builder has a site management plan in place for the duration of the site construction.

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

Yours faithfully,

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

Latrobe Valley Drafting

Proposed New Dwelling at 19 Kings Cove Boulevard, Metung

Project No. 70925

Page 3 of 9

Photos below show site access from Kings Cove Boulevard along with services.





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Proposed New Dwelling at 19 Kings Cove Boulevard, Metung

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Photos below show track existing batters and slopes.



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Proposed New Dwelling at 19 Kings Cove Boulevard, Metung

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Proposed New Dwelling at 19 Kings Cove Boulevard, Metung

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Photos below show building area.





Saturday, 8th of February 2025

To whom it may concern,

I, _____, shared title holders of 19 Kings Cove
Boulevard Metung 3904, give _____ permission to
build on and develop the above mentioned address.

19 Kings Cove Boulevard Metung VIC 3904

Proposed Dwelling, Garage and Outbuilding within Low Density Residential Zone

July 2025

Produced by:



Unit 6, 1F Moore Street, Moe
P.O. Box 585, Moe
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7	Clause 42.02 – Vegetation Protection Overlay	13
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Attachment Schedule

PAGE NO.	TITLE	REFERENCE
1	Title & Title Plan	-
2	Site Plan	Lv5101-003A
3	Enlarged Site Plan	Lv5101-003B
4	Ground Floor Plan	Lv5101-004
5	First Floor Plan	Lv5101-005
6	Elevations	Lv5101-006
7	Elevations	Lv5101-007
8	Garage Plans	Lv5101-008
9	BAL Requirements	Lv5101-BAL

1 Background

Address:	19 Kings Cove Boulevard Metung VIC 3904
Lot Number:	Lot 36 PS448622
Council Property Number:	82145
Lot Size:	2.135ha
Planning Zone	Low Density Residential Zone (LDRZ)
Planning Overlays:	Erosion Management Overlay (EMO), Incorporated Plan Overlay (IPO1), Vegetation Protection Overlay (VPO3)
Proposal:	Proposed Dwelling, Garage and Outbuilding within Low Density Residential Zone

The proposed site is located within **East Gippsland** Shire. Please refer to the **East Gippsland** Planning Scheme when reading this report.

2 Introduction

Latrobe Valley Drafting Pty Ltd acts on behalf of _____ regarding this application for a proposed dwelling, garage and outbuilding at 19 Kings Cove Boulevard Metung. Jobi and Naomi are not the current owners but have permission from the owners, Terry and Mary Anne Laybourne, for this application and to build on and reside at this property (refer attached letter). They wish to apply for a permit for a double storey dwelling on the property with an associated detached garage and a separate outbuilding.

The property is currently vacant with moderate coverage of planted native trees.

We now wish to submit for a new planning application for the proposed dwelling, garage and outbuilding at 19 Kings Cove Boulevard Metung.

3 Site & Context Description

The site is located within a Low Density Residential Zone as shown in Figure 4. The site is 2.135 hectares in size and is surrounded by existing occupied sites of the same zoning (refer to Figure 1 for the aerial photo). It is located approximately 3km north-west of the township of Metung (3.2km, 5-minute drive). Kings Cove Boulevard itself is a sealed road that comes off Hardys Road to the north. The site has a moderate coverage of planted native vegetation, with minimal to no undergrowth. These trees were planted approximately 12 years ago, with the site previously being mostly paddocks with maintained grassland; refer to Figures 2 & 3 below.

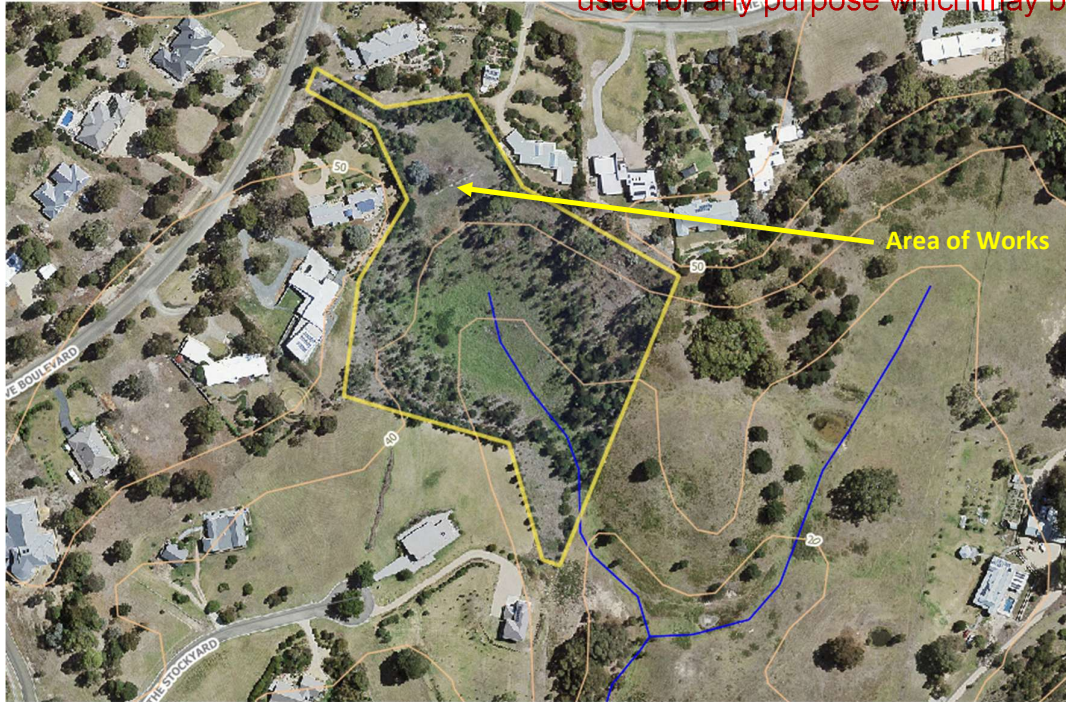


Figure 1: Aerial image showing the proposed site highlighted in yellow and the surrounding area – (may not be up to date)



Figure 2: Aerial image showing the proposed site as it was on 14/05/2005.



Figure 3: Aerial image showing the proposed site as it was on 5/11/2013.

4 Clause 32.03 – Low Density Residential Zone

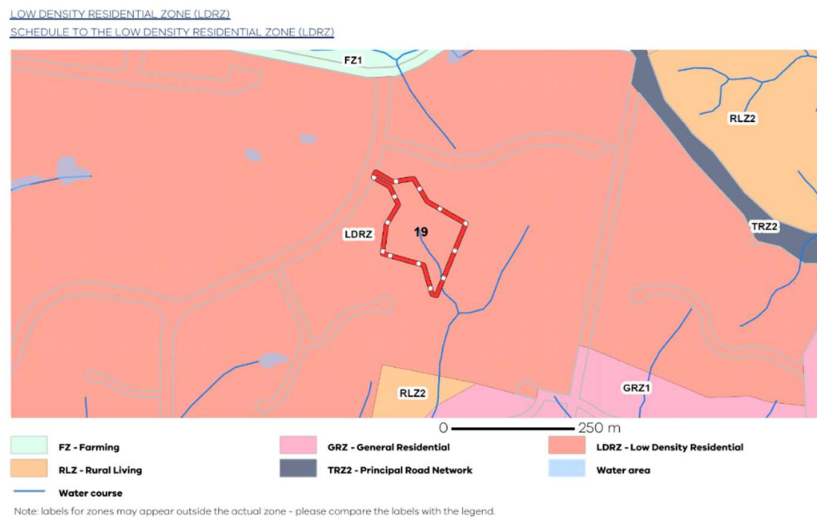


Figure 4: Location area & zoning map – Low Density Residential Zone

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

32.03-1 Table of uses

32.03-1

14/01/2025
VC237**Table of uses**

Section 1 - Permit not required	
Use	Condition
Dwelling (other than Bed and breakfast)	<p>Must be the only dwelling on the lot.</p> <p>Must meet the requirements of Clause 32.03-2.</p>

Planning Permit is not required for a dwelling and associated outbuildings for this zone, as it meets the conditions of Section 1.

32.03-2 Use of land for a dwelling

A lot used for one or two dwellings or a small second dwelling must meet the following requirements:

Requirement to be met:	Response:
<i>Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.</i>	Reticulated sewerage is available for this site and therefore the proposal will be connected to this.
<i>Each dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity.</i>	Reticulated potable water supply is available for this site and therefore the proposal will be connected to this supply.
<i>Each dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy supply.</i>	Reticulated electricity supply is available for this site and therefore the proposal will be connected to this supply.

32.08-4 Building and Works

A permit is required to construct or carry out any of the following:

- *A building or works associated with a use in Section 2 of Clause 32.03-1.*
- *An outbuilding which has dimensions greater than those specified in a schedule to this zone (none specified in the schedule).*

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

Response:

Planning Permit is not required for a dwelling and associated outbuildings for this zone.

5 Clause 44.01 – Erosion Management Overlay

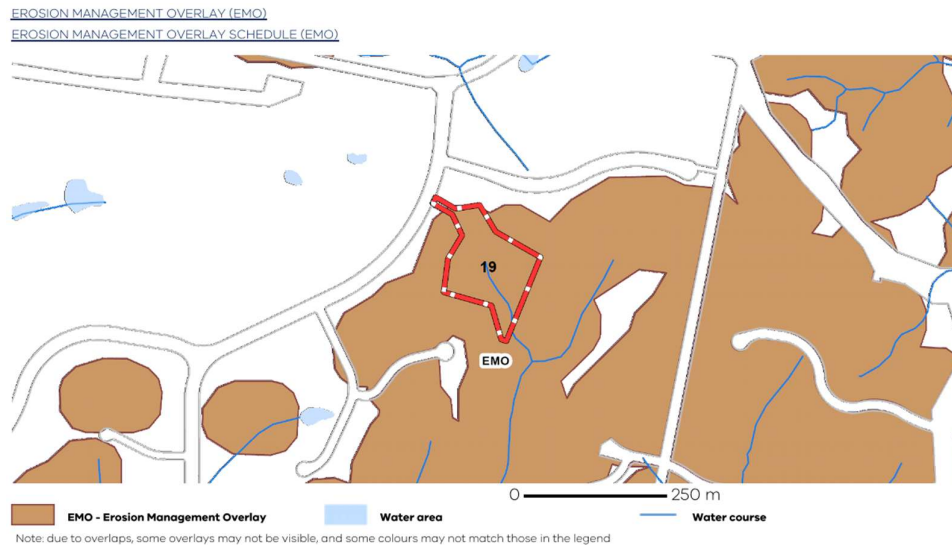


Figure 5: Erosion Management Overlay – (EMO)

Purpose

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

44.01-1 Erosion management objectives and statement of risk

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

Schedule to Clause 44.01 Erosion Management Overlay

Management of Geotechnical Hazard

1.0 Erosion management objectives to be achieved

- To ensure that applications for the development of land subject to high or very high geotechnical hazard are accompanied by expert geotechnical risk assessments.
- To ensure that development is designed and carried out in accordance with the recommendations of expert geotechnical risk assessments.
- To ensure that development does not increase the risk of geotechnical hazard to life or property.
- To encourage the rehabilitation of land affected by geotechnical hazard.

2.0 Statement of risk

None specified.

3.0 Permit requirement

A permit is not required to:

- **Construct a dwelling, including a replacement dwelling or a small second dwelling.**
- Construct or carry out works ancillary to an existing dwelling including domestic swimming pools or spas (and associated mechanical and safety equipment).
- **Construct a non-habitable building with a gross floor area that does not exceed 200 square metres.**
- Alter or extend existing buildings.
- **Construct or carry out works associated with water tanks, bores, wind turbines or solar energy facilities associated with accommodation or agriculture uses.**
- Undertake agricultural activities such as ploughing, grazing and slashing of substantially cleared areas maintained for pasture or crop raising.
- Construct or carry out works associated with advertising structures.
- Construct or carry out works associated with a jetty.
- **Construct or carry out earthworks that result in a modified ground surface that is less than one metre above or below the natural ground level.**
- **Construct any structures necessary to prevent soil erosion, or to ensure soil conservation or reclamation.**
- Construct or carry out buildings and works generally in accordance with the approved Brookfield Lakes Development Plan.
- Undertake buildings or works carried out by or on behalf of a public authority, government department or municipal council.
- **Remove, destroy or lop vegetation if any of the following apply:**
 - The cutting of reasonable amounts of firewood and fencing timber for personal use by the owner or occupier of the subject land.
 - Removal of the minimum extent of vegetation necessary for the establishment and maintenance of fences.
 - Removal of vegetation on a lot in a residential zone with a lot area no larger than 0.4 hectares and where the slope of the site of vegetation removal does not exceed 20 per cent.
 - Removal of no more than five trees on a lot in a rural zone where the slope of the site of vegetation removal does not exceed 20 per cent.
 - **Pruning or lopping of vegetation where no more than one-third of the foliage is removed from any individual plant and the trunk is not pruned or lopped.**
 - Vegetation removal carried out by or on behalf of a public authority, government department or municipal council.

Response:

A permit is not required to **construct a dwelling with associated outbuildings and water tanks, to construct any structures necessary to prevent soil erosion, or to ensure soil conservation or reclamation**, and for any **pruning or lopping of vegetation where no more than one-third of the foliage is removed from any individual plant and the trunk is not pruned or lopped**, however a permit is required to **carry out earthworks that result in a modified ground surface that is more than one metre above or below the natural ground level** (which is applicable in this application for the excavation required for the dwelling), and for any removal or lopping of vegetation not complying with the above-mentioned conditions (vegetation will be removed/lopped within the 10m bushfire maintenance zone).

The location of the dwelling has been chosen to maximise the area cleared of vegetation for private open space, in addition to enabling a second storey design whilst minimising the height out of the ground, and providing a good view of the landscape below. The earthworks required for the dwelling result in a modified ground surface that is more than one metre above or below the natural ground level, as mentioned above. For the construction of the dwelling, there will be one large gum tree removed, as shown on the site plan, Lv5105-003B.

The location of the garage has been chosen for proximity to the dwelling, as well as maximising the area cleared of vegetation for private open space and being located in an area with slightly less vegetation than other areas along that boundary to reduce vegetation removal. The earthworks required for the garage will result in a modified ground surface less than one metre above or below the natural ground level, which is an exemption in this overlay. For the construction of the garage, several native trees will be removed. The large gum tree to the south will be lopped/pruned no more than one-third of the foliage, to comply with the requirements of this overlay.

The location of the shed has been chosen for proximity to the larger part of the site which will require regular vegetation maintenance (the shed will house gardening equipment/machinery). Levels to the shed are yet to be confirmed on site, however it is assumed that the earthworks required for the shed will result in a modified ground surface that is more than one metre above or below the natural ground level. For the construction of the shed, several native trees will be removed, as shown on the site plan, Lv5105-003A.

Erosion protection measures for all three buildings will be designed by a suitably qualified engineer at construction stage.

4.0 Application requirements

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of responsible authority:

Requirement to be met:	Response:
<p><i>A Site and Surrounds Plan must be drawn to scale with dimensions and show:</i></p> <ul style="list-style-type: none"> ○ <i>Details of the land and adjoining land including areas of existing erosion, topography, waterways, vegetation, all existing development, retaining walls, drainage, other infrastructure and any other relevant site and locality features.</i> ○ <i>All proposed development including details of excavations and fill, vegetation removal,</i> 	<p>Refer to attached architectural drawings.</p>

<p><i>driveways, retaining walls and effluent disposal systems.</i></p> <ul style="list-style-type: none"> ○ <i>Details of any existing and/or proposed building envelopes on the land.</i> 	
<p><i>A geotechnical risk assessment which is to include as appropriate:</i></p> <ul style="list-style-type: none"> ○ <i>Details of the date and methodology of the geotechnical assessment undertaken.</i> ○ <i>Details of the geotechnical hazards relevant to the proposed development and to adjoining land.</i> ○ <i>Recommendations about measures to be taken to manage geotechnical hazards including but not limited to:</i> <ul style="list-style-type: none"> ▪ <i>The suitability of the land for the proposed development.</i> ▪ <i>Measures to manage geotechnical hazard during the development period.</i> ▪ <i>Limitations to excavations and fill.</i> ▪ <i>Soil rehabilitation techniques for disturbed areas.</i> ▪ <i>Drainage design and capacity.</i> ▪ <i>Footings and foundation design including any required retaining walls.</i> ▪ <i>The design of structural elements including load bearing capacities.</i> ▪ <i>Any other measures required to be undertaken on- or off-site to manage geotechnical hazard.</i> ○ <i>Recommendations to minimise the residual risk to life and property after the development is completed.</i> 	Will be supplied if requested.
<p><i>If a suitably qualified and experienced geotechnical practitioner demonstrates to the satisfaction of the responsible authority that a geotechnical risk assessment is not relevant to the assessment of an application, the responsible authority may reduce or waive the requirement for a geotechnical risk assessment.</i></p>	

6 Clause 43.03 – Incorporated Plan Overlay



Figure 6: Incorporated Plan Overlay – (IPO1)

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require:
 - The form and conditions of future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.
 - A planning scheme amendment before the incorporated plan can be changed.
- To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

Schedule 1 to Clause 43.03 Incorporated Plan Overlay

Storth Ryes, Metung (now known as Kings Cove Metung P/L, which is in liquidation)

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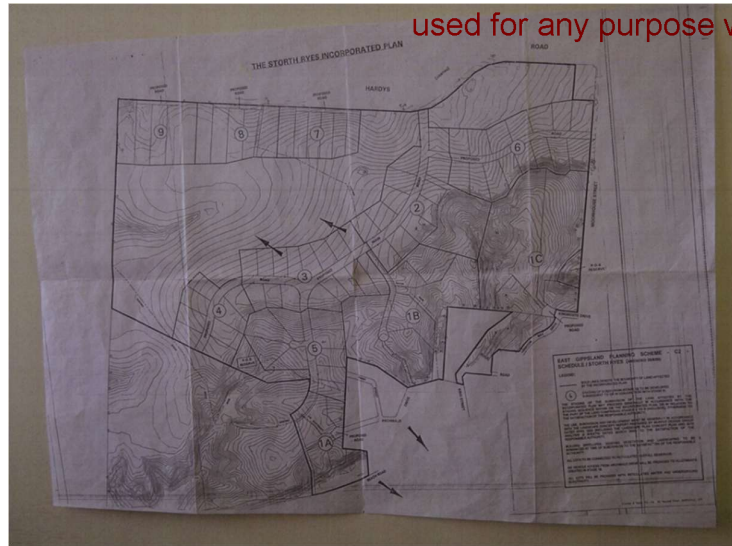


Figure 7: Storth Ryes Incorporated Plan as found at:

<https://www.eastgippsland.vic.gov.au/building-and-development/incorporated-documents>

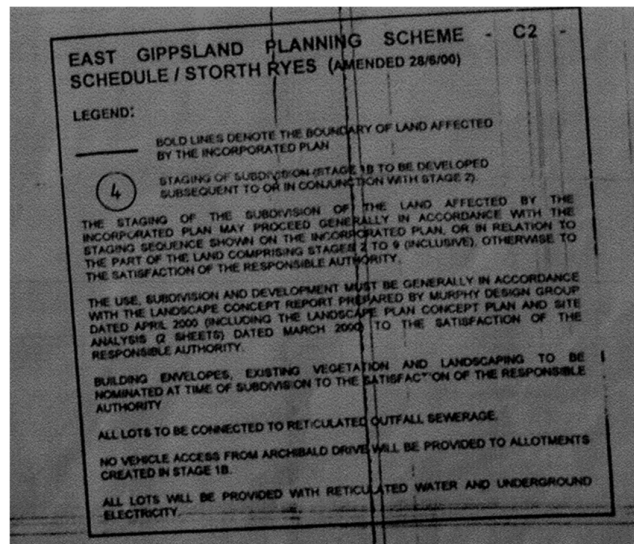


Figure 8: Close up of Storth Ryes Incorporated Plan as found at:

<https://www.eastgippsland.vic.gov.au/building-and-development/incorporated-documents>

Response:

The proposed development complies with the requirements as listed on the incorporated plan above. The approved planning permit for the residential development of Storth Ryes/Kings Cove outlines further requirements for the site, but also includes a statement as follows:

"The development of lots approved by this permit for the purpose of a dwelling will be exempt from the need to obtain a separate planning permit provided:

- *all buildings are constructed wholly within approved building envelopes;*
- *all construction and site development works are carried out strictly in accordance with the approved Soil and Water Management Plan, to the satisfaction of the responsible authority, and*
- *the requirements of Clause 32.03-2 (Use for one or two dwellings or a dependent persons unit) can be met."*

Construction of dwellings

12. The development of lots approved by this permit for the purpose of a dwelling will be exempt from the need to obtain a separate planning permit provided:
- all buildings are constructed wholly within approved building envelopes;
 - all construction and site development works are carried out strictly in accordance with the approved Soil and Water Management Plan, to the satisfaction of the responsible authority, and
 - the requirements of Clause 32.03-2 (Use for one or two dwellings or a dependent persons unit) can be met.

Figure 9: Clause 12 from Instrument AB573238L: Planning Permit for 15 Hardys Road Metung

The proposed outbuilding (for use as a garden shed) is proposed to be outside of the building envelope. The proposed location is for proximity to the larger part of the site which will require regular vegetation maintenance.

Therefore, a **permit is required** for the proposed development under this overlay.

Requirements of Clause 32.03-2 have been met as mentioned previously mentioned in this report.

See below for response to the Soil and Water Management Plan.

Kings Cove – Stage 2: Soil and Water Management Plan

Table 1. Kings Cove Stage 2 Lot numbers and erosion control requirements

Allotment No.	Landscape Type	Stage	Erosion Control Requirements
All Allotments (ie. 17, 35-42, 78-83)	i) Gently sloping or ii) Gently sloping with steeper escarpment		<ul style="list-style-type: none"> • Implement all erosion control structures. • Construct silt fences on ALL down slope sides of construction site. • Cut & fill batters > 3.0 m long and steeper than 1H in 3V should be structurally retained. • Construct silt fence on down slope side of construction site. • Establish cut-off drains across high side of construction site. • Utilise craneage and pumping for construction on steep erosion-prone slopes. • Stormwater discharged on-site should exit via energy dissipater with silt fence across drainage line. • Avoid stormwater discharge down steep slopes.
Lots 78 to 83 inclusive	Gently sloping		<ul style="list-style-type: none"> • All stormwater must be drained to the surface drain located immediately below the north-western (rear) boundary of the lots.
Lot 17 and Lots 35 to 42 inclusive	Gently sloping Gently sloping with steeper escarpment		<ul style="list-style-type: none"> • All stormwater must be drained to the drain fronting the allotments along Kings Cove Boulevard.

Figure 10: Table 1 from Instrument AB573238L: Soil and Water Management Plan

The proposal will implement all erosion control measures as detailed in the Soil and Water Management Plan. Any erosion control measures required to be engineered will be designed by an appropriately qualified engineer at construction stage. All stormwater will be drained as required to the drain fronting the allotment as specified, designed by an appropriately qualified engineer at construction stage.

7 Clause 42.02 – Vegetation Protection Overlay

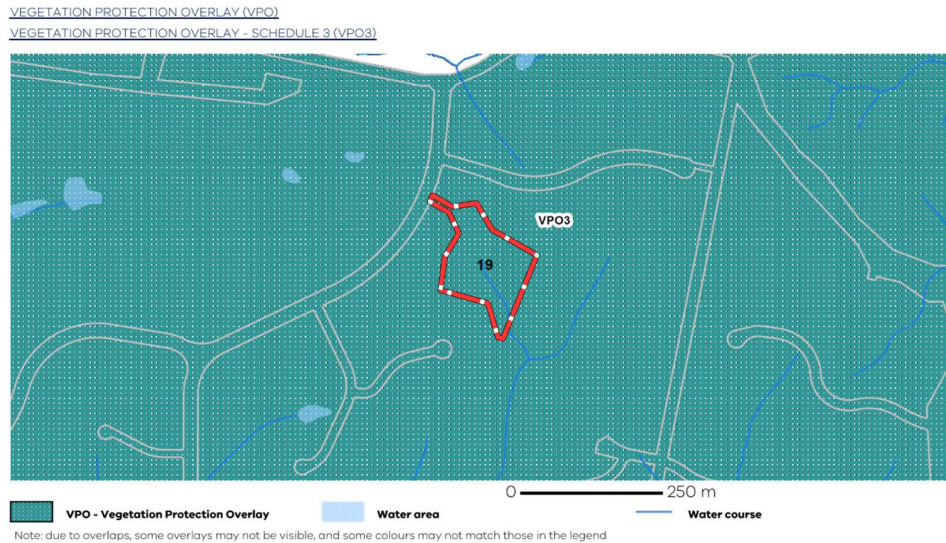


Figure 11: Vegetation Protection Overlay – (VPO3)

Purpose

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

44.01-1 Vegetation significance and objectives

A schedule to this overlay may contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

44.01-2 Permit requirement

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16. (Not applicable)

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The requirement to obtain a permit does not apply to:	
Fire protection	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> ■ fire fighting; ■ planned burning; ■ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ■ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ■ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ■ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> - section 87 of the <i>Fire Rescue Victoria Act 1958</i>; - section 65 of the <i>Forests Act 1958</i>; or - section 41 of the <i>Country Fire Authority Act 1958</i>. ■ keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ■ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>

Figure 12: Table of Exemptions for the Vegetation Protection Overlay – (VPO3)

Schedule 3 to Clause 42.02 Vegetation Protection Overlay NUNGURNER-METUNG VEGETATION PROTECTION AREA

1.0 Statement of nature and significance of vegetation to be protected

The Nungurner-Metung area is located on the shores of the Gippsland Lakes and comprises large areas of remnant native vegetation and tree-lined roadsides. Much of the area constitutes a Site of Biological Significance, whilst significant areas of native vegetation are also located within the built up areas.

Vegetation contributes significantly towards aesthetic values of the area and provides for a unique character in a lakeshore setting, resulting in a highly attractive area to both local residents and visitors.

Remnant native vegetation throughout the area, including important examples of coastal vegetation, Gippsland Coastal Grey Box and Box - Ironbark communities, is of high conservation value and provides important fauna habitat.

Remnant native vegetation plays an important role in stabilising the often highly erodible dissected gullies characteristic of the area.

Conservation and enhancement of this area is generally important to, and supported by, the local community.

Background documents

Gippsland Lakes Coastal Action Plan, (Gippsland Coastal Board, 1999).

3.0 Permit requirement

A permit is required to remove, destroy or lop any vegetation. This does not apply in the following circumstances:

- *For vegetation that is dead or less than 2 metres in height or less than 10 years old.*
- *To the minimum extent of vegetation necessary for the maintenance of existing fences.*
- *For the removal or lopping of the minimum extent of vegetation necessary for regular maintenance carried out by or on behalf of a public authority, government department or municipal council.*
- *For the removal, destruction or lopping of any vegetation deemed unsafe by a suitably qualified arborist and/or to the satisfaction of the responsible authority.*
- *For activities conducted on public land by or on behalf of the Department of Sustainability and Environment under the relevant provisions of the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Land Act 1958, the Crown Land (Reserves) Act 1978 or the Forests Act 1958.*

All applications to remove, destroy or lop any vegetation should demonstrate how any relevant Decision Guidelines have been incorporated so as to avoid or minimise impact to high conservation value vegetation and high landscape values.

An application must also be accompanied by the following information, as appropriate:

- *Description of the purpose for which the removal, destruction or lopping of vegetation is to be undertaken.*
 - *Detailed scale map of the subject land indicating north and showing:*
 - *Property boundaries and dimensions.*
 - *Area where removal of vegetation is to be undertaken, existing cleared area, and area to be retained as vegetation.*
 - *Type and condition of vegetation that is proposed to be removed or cleared.*
 - *All waterways and drainage lines, including permanent and temporary streams, and wetlands.*
 - *Adjacent roads and any unused road easements.*
- *Any native fauna known to be present on or near the subject land.*

Response:

As the proposal includes the removal of some planted native vegetation for the construction of the dwelling & outbuildings, which falls outside of the permitted conditions, a permit is required.

Removal of vegetation for fire protection will be undertaken within a 10m radius of the dwelling to ensure there is no flammable vegetation within vulnerable areas of the building as recommended in the BAL assessment. The areas of removal of vegetation are shown on the site plan, Lv5105-003B.

For the construction of the dwelling, there will be one large gum tree removed, as shown on the site plan, Lv5105-003B.

For the construction of the garage, several native trees will be removed. The large gum tree to the south will be lopped/pruned no more than one-third of the foliage, to comply with the requirements of the Erosion Management Overlay.

For the construction of the shed, several native trees will be removed, as shown on the site plan, Lv5105-003A.

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Guideline & Response

The extent to which the vegetation sought to be removed or cleared contributes towards the need to:

- *Conserve and enhance areas of high conservation value vegetation.*
- *Conserve and enhance fauna habitat and habitat corridors.*
- *Protect and enhance the visual amenity and landscape quality of the area.*
- *Minimise the risk of soil erosion, sedimentation and degradation of water quality.*

The vegetation proposed for removal comprises a number of native tree species planted approximately 12 years ago, primarily for landscaping purposes. These trees are not considered remnant vegetation and do not form part of a naturally occurring ecological community. They are located in a previously cleared residential allotment and do not contribute to the structural or floristic integrity of the surrounding remnant vegetation.

Although the site is within a designated Vegetation Protection Overlay, the specific vegetation proposed for removal:

- Is not remnant or old-growth vegetation and was established in a managed, residential context.
- Does not provide critical habitat for threatened species nor form part of mapped high-value habitat corridors within the overlay.
- Is not connected to significant roadside vegetation or broader patches of native bushland that characterise the most sensitive parts of the overlay area.

Therefore, while the site is subject to heightened environmental controls due to its broader landscape setting, the vegetation proposed for removal makes a low individual contribution to the area's overall conservation value. The proposal is consistent with the intent of the overlay, which allows for the reasonable development of residential properties, provided that impacts are managed and minimised.

The need to assess alternative options regarding the removal of vegetation, to better achieve the Overlay objectives.

During the design phase, several alternatives were considered to ensure alignment with the VPO objectives, including reviewing the siting of the proposed dwelling to reduce impacts on existing vegetation. The current proposed position reflects a balance between minimising vegetation loss, maximising open space, enabling a two-storey design with minimal above ground heights, and obtaining a good view of the surrounding landscape.

The need to undertake revegetation with appropriate indigenous species to offset any loss of environmental values resulting from the works or development.

As mentioned previously, the vegetation to be removed was planted by the owners of the site approximately 12 years ago as part of post-subdivision landscaping and do not constitute as remnant native vegetation; it was not naturally occurring prior to subdivision and was intentionally planted. The vegetation does not hold the same ecological or biodiversity values as long-established, self-sustaining vegetation communities that underpin the need for formal revegetation or biodiversity offsets.

The Municipal Planning Strategy and the Planning Policy Framework.

Municipal Planning Strategy:

Clause 02.03-1 (Natural Resource Management – Biodiversity):

The proposal avoids the removal of remnant or significant native vegetation and minimises ecological disturbance, thereby supporting biodiversity conservation.

Clause 02.03-5 (Built Environment and Heritage):

The design ensures that development is compatible with the landscape character and environmental values of the local area, with a landscape response that complements the surrounding natural setting.

Clause 02.04 (Strategic Directions):

The dwelling is located within an established residential area and reflects strategic direction to accommodate growth within serviced settlements while protecting the environmental qualities that define the region.

Planning Policy Framework:

Clause 12.01-1S (Protection of Biodiversity):

The development avoids impacts on biodiversity by not removing remnant vegetation or high-value ecological communities, and includes voluntary planting of indigenous species to support local flora and fauna.

Clause 12.01-2S (Native Vegetation Management):

The proposal minimises vegetation loss by retaining trees where feasible and removing only young, planted vegetation that does not qualify as remnant under relevant definitions. Offset requirements do not apply, but landscaping will enhance site resilience.

Clause 15.01-5S (Neighbourhood Character):

The proposed dwelling has been designed to respect the vegetated and natural character of the Metung area, with architectural and landscape responses that integrate into the coastal and bushland setting.

Clause 12.05-2S (Landscapes):

By avoiding removal of significant landscape features and incorporating indigenous landscaping, the development supports the protection of the natural landscape character of the Nungurner–Metung VPO.

The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.

The proposed development responds appropriately to the Vegetation Protection Overlay by avoiding the removal of remnant or ecologically significant vegetation identified in the overlay's statement of nature and significance. The vegetation proposed for removal comprises native species planted approximately 12 years ago as part of landscaping and does not contribute to the area's remnant

vegetation network, habitat corridors, or primary erosion control functions. To ensure site stability, engineering measures will be incorporated into the design to manage erosion and protect the integrity of the landscape. The proposal aligns with the overlay objectives by protecting significant vegetation, maintaining landscape aesthetics, and supporting the environmental values of the Nungurner–Metung area.

The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.

The proposed buildings will have minimal effect on the nature and type of vegetation intended to be protected under the Vegetation Protection Overlay. The vegetation to be removed does not include remnant native vegetation or communities of high conservation value, such as Coastal Grey Box or Box–Ironbark woodlands, which are the focus of protection under the overlay. Instead, the trees affected are non-remnant, planted native species with limited ecological significance. The building footprint has been designed to avoid impacts on any significant vegetation. As such, the development will not compromise the values the overlay seeks to protect.

The role of native vegetation in conserving flora and fauna.

Most of the site is covered with planted native vegetation that will be retained to conserve existing flora and fauna; the area of vegetation proposed for removal is minimal in comparison and consists of non-remnant, planted species with limited habitat value. The large area of remaining indigenous landscaping will continue to support local biodiversity and ecological function.

The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.

The vegetation proposed for removal is not rare and does not form part of a recognised wildlife corridor.

The need to retain vegetation which prevents or limits adverse effects on ground water recharge.

Most of the site's vegetation will be retained, ensuring its role in limiting adverse effects on groundwater recharge is maintained, and engineering will be undertaken to design a suitable solution that supports site stability and sustainable water management as per the Soil and Water Management Plan of the site.

The need to retain vegetation:

- Where ground slopes exceed 20 percent.
- Within 30 metres of a waterway or wetland.
- On land where the soil or subsoil may become unstable if cleared.
- On land subject to or which may contribute to soil erosion, slippage or salinisation.
- In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
- Which is of heritage or cultural significance.

Most of the vegetation of the area of the site with a slope exceeding 20 percent will be retained. All vegetation within 30m of the waterway is to be retained. Any land where soil may become unstable when cleared, or contribute to soil erosion, will have erosion control measures designed by an engineer. There are no areas of heritage or cultural significance that will be affected by the proposed removal of vegetation.

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

As mentioned previously, the removal of vegetation for fire protection will be undertaken within a 10m radius of the dwelling to ensure there is no flammable vegetation within vulnerable areas of the

building as recommended in the BAL assessment. The areas for removal of vegetation are shown on the site plan, Lv5105-003B.
<i>Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.</i>
N/A
<i>Whether the application includes a land management plan or works program.</i>
N/A
<i>Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.</i>
As mentioned previously, most of the site is covered with planted native vegetation that will be retained.

8 Conclusion

This report has addressed the relevant planning controls and requirements associated with the proposed construction of a dwelling, water tank, and associated outbuildings (garage and shed) at 19 Kings Cove Boulevard, Metung. The proposal has been assessed against all applicable planning policies and overlay provisions, with each requirement appropriately addressed. The development has been designed to respect the surrounding residential context and neighbourhood character. Overall, the proposal represents a considered and suitable response to the applicable policy framework and planning objectives.

9 Photographic Survey



Image 1: View of cleared area, looking towards driveway (north).



Image 2: View of proposed dwelling site at top of access track (looking west)



Image 3: View of cleared area, looking south towards top of access track.



Image 4: View of cleared area, looking north from access track.



Image 5: Aerial view of proposed site, access track to the south is at the top of the image, with the driveway to the north visible at the bottom right of the image.



Image 6: View of cleared area & side boundary vegetation, looking towards driveway (north).

- END OF REPORT -



Keystone Alliance Bushfire Assessments BAL Assessment Report

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Bushfire Attack Level Assessment Report

Prepared by Paul Apostolos Oikonomidis



Post Graduate Diploma in Bushfire Protection

Western Sydney University

Assessing properties in bushfire prone areas since 2010

AS 3959 BAL Assessment Report

This report has been prepared by a Certified Practitioner using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959 – 2018 and VPP Clause 53.02 Bushfire Planning. All enquiries related to the information and conclusions presented in this report must be made to the Certified Practitioner.

Property Details and Description of Works				
Address Details	Address 19 KINGS COVE BOULEVARD METUNG 3904			State VIC
	Lot 36 PS448622			
Local government area	EAST GIPPSLAND			
Main BCA class of the building	Class 1a	Use(s) of the building	Residence	
Description of the building or works	Proposal is for the construction of a <i>habitable building</i> .			
Report Details				
Report / Job Number 25307	Report Version 1.0	Assessment Date 9 May 2025	Report Date 12 May 2025	
Practitioner Contact Details 0450 770 778 or paul@keystonealliance.com.au				
<div>Keystone Alliance</div> <div></div> <div>KEYSTONE ALLIANCE •</div>		<div></div> <div>BUSHFIRE ASSESSMENTS</div>		
Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.				

Site

Assessment & Site Plans

The assessment of this site / development was undertaken on 9 May 2025 by a Certified Practitioner for the purpose of determining the Bushfire Attack Level in accordance with the Victorian Planning Provisions and AS 3959 - 2018 Simplified Procedure (Method 1) and the VPP Clause 53.02.



Vegetation Classification All vegetation within 150m of the site / proposed development was classified in accordance with Clause 2.2.3 of AS 3959-2018 & VPP Clause 53.02 Bushfire Planning. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified in Photos ID's & Plots Pgs. 3 & 4.

Photo ID:	North	Plot:	1	Vegetation Classification or Exclusion Clause	Description / Justification for Classification
				Excludable – Clause 2.2.3.2(f)	Adjacent residential property maintains vegetation to low fuel levels



Photo ID:	East	Plot:	2	Vegetation Classification or Exclusion Clause	Description / Justification for Classification
				Excludable – Clause 2.2.3.2(f)	Adjacent residential property maintains vegetation to low fuel levels



Photo ID:	South East	Plot:	3	Vegetation Classification or Exclusion Clause	Description / Justification for Classification
				Modified	Vegetation within property boundaries is maintained to low fuel levels, but not low threat.



Photo ID:	South West	Plot:	4	Vegetation Classification or Exclusion Clause	Description / Justification for Classification
				Modified	Vegetation within property boundaries is maintained to low fuel levels, is of low threat.



Photo ID:

West

Plot:

5

*Vegetation Classification or
Exclusion Clause*

Description / Justification for Classification

Excludable – Clause 2.2.3.2(f)

*Adjacent residential property maintains
vegetation to low fuel levels.*



Relevant Fire Danger Index

The fire danger index for this site has been determined in accordance with table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

Fire Danger Index

FDI 40 ☐

Table 2.7

FDI 50 ☐

Table 2.6

FDI 80 ☐

Table 2.5

FDI 100 ☒

Table 2.4

Potential Bushfire Impacts

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below.

Plot	Vegetation Classification	Slope °	Effective Slope	Separation (m)	BAL
1	Excludable – Clause 2.2.3.2(f)	N/A	N/A	N/A	BAL – LOW
2	Excludable – Clause 2.2.3.2(f)	N/A	N/A	N/A	BAL – LOW
3	Modified	N/A	N/A	N/A	BAL – 29
4	Modified	N/A	N/A	N/A	BAL – 29
5	Excludable – Clause 2.2.3.2(f)	N/A	N/A	N/A	BAL – LOW

Table 1: BAL Analysis

Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

Determined Bushfire Attack Level

BAL – 29

The BAL for this site is: **BAL – 29**

The construction requirements for the building as in *Appendix 1 Proposal's site plan* is with a **BAL – 29**.

Statement:

I have taken all reasonable steps to ensure that the information provided in this assessment is accurate and reflects the conditions on and around the site and allotment on the date of this assessment.

Signed by Assessor

Apostolos Paul Oikonomidis

Appendix 1: Plans and Drawings

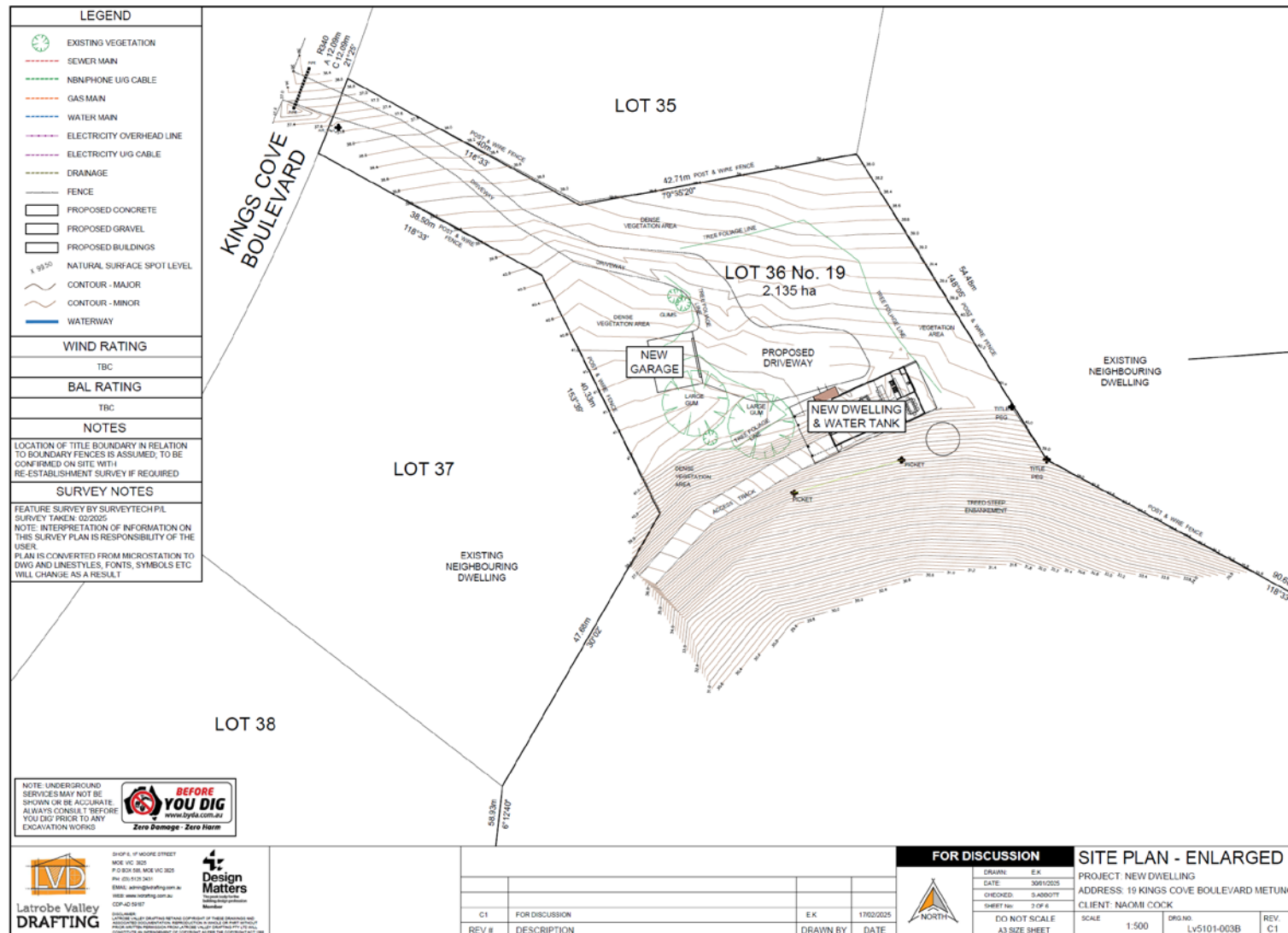
Plans and drawings relied on to determine the bushfire attack level

Drawing / Plan Description Site Plan by - Latrobe Valley Drafting

Job Number -

Revision -

Date of Revision -



Appendix 2: Additional Information / Advisory Notes

Vegetation to the southeast & southwest of the site has been identified as **'modified vegetation'**

DELWP's Sep2017 Technical Guide notes that modified vegetation can occur where fuel loads are high but the vegetation is modified because of urban development, gardens, the way the vegetation is configured (for example, limited or no understorey), or because the fuel loads are different from the fuel loads assumed by AS3959-2018 but the vegetation cannot be excluded as it is not low-threat or low-risk.

"Modified Vegetation" the construction requirements are with a BAL 29 as in Victoria's Planning Provisions Clause 53.02-5 Table 1 & 2 defensible space and construction.

Notes / Recommendations

For the proposal to comply with a **BAL – 29** an area of maintained vegetation from the property boundary an area will need to be provided in the declared fire danger period to be managed around the building **50m or to property boundary whichever is lesser as in Figure 1 below**, to 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 period.
- Within 10 metres of a building, flammable objects must not be located close to vulnerable parts of the building.
- Plant greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual clumps of shrubs must not exceed 5m² 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.

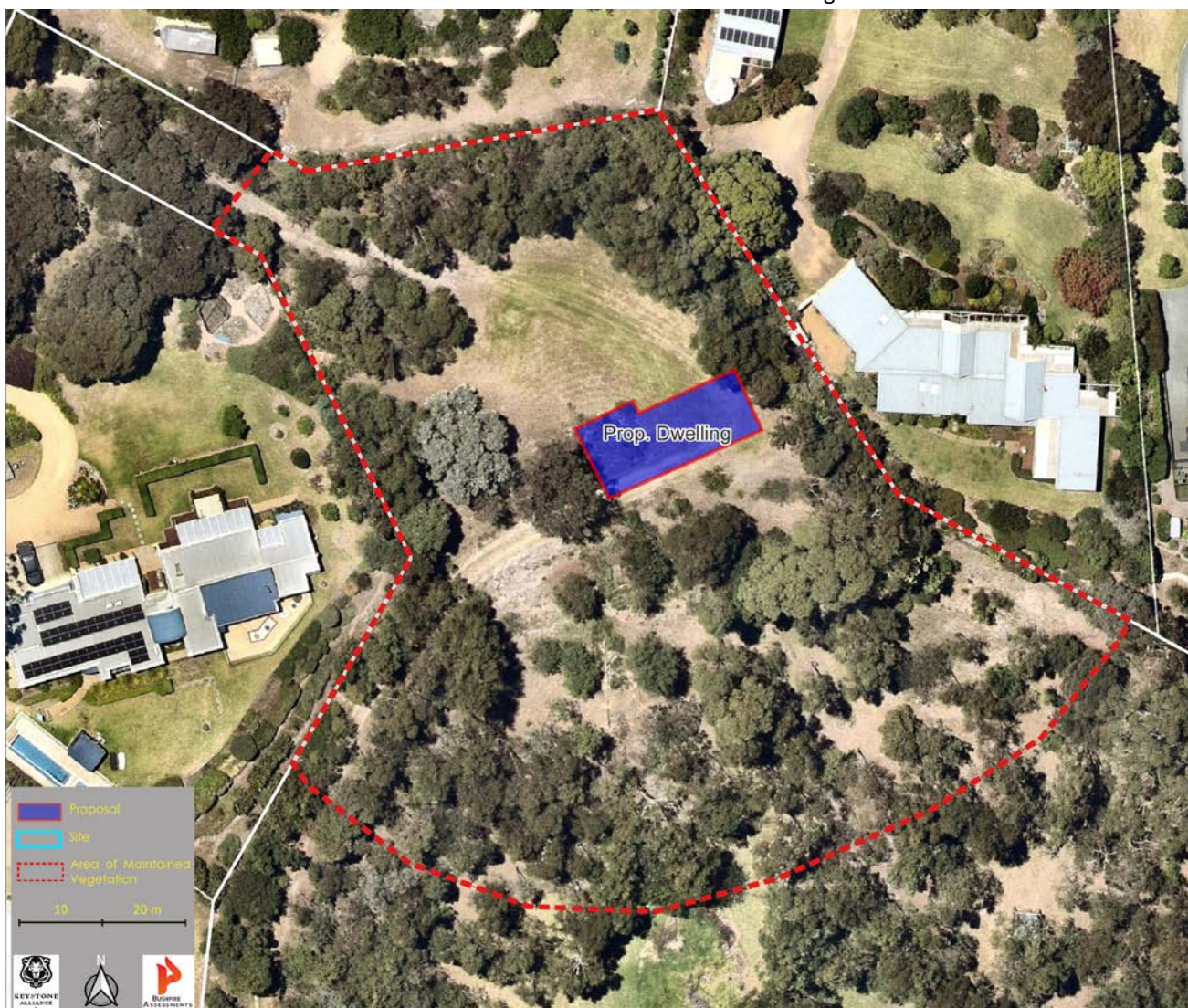
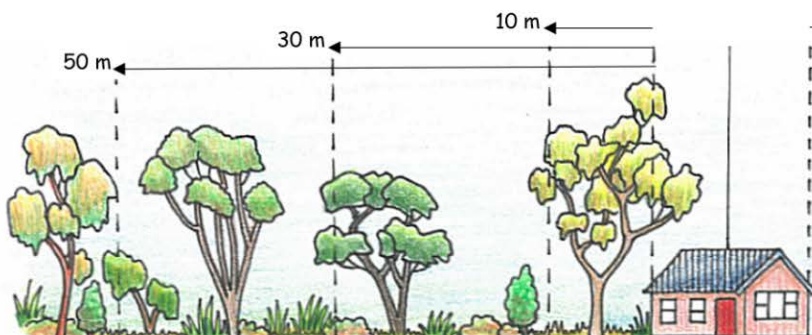


Figure 1

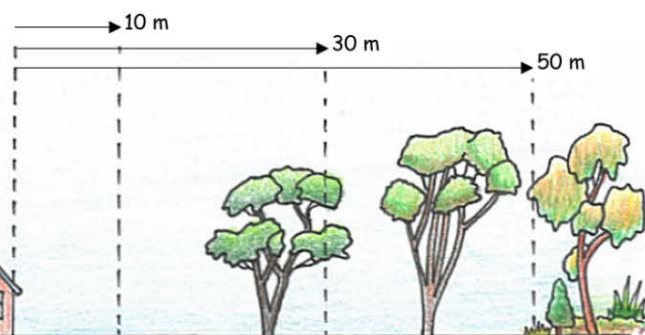
10-30 & 10-50 Rule For buildings constructed before Sep. 2009

Specific exemptions apply in clause 52.12 of Victorian planning schemes that allow you to clear vegetation around your property to create or maintain defensible space for bushfire protection without a planning permit as seen in the DEWLP website.

Rule not used




Rule used





<https://www.planning.vic.gov.au/policy-and-strategy/bushfire/your-property/vegetation-removal-for-bushfire-protection>


<https://www.planning.vic.gov.au/policy-and-strategy/bushfire/your-property/vegetation-removal-for-bushfire-protection#Where the rules apply>


LEGEND


 EXISTING VEGETATION


 SEWER MAIN


 NBN/PHONE U/G CABLE


 GAS MAIN


 WATER MAIN


 ELECTRICITY OVERHEAD LINE


 ELECTRICITY U/G CABLE


 DRAINAGE


 FENCE


 PROPOSED CONCRETE


 PROPOSED GRAVEL


 PROPOSED BUILDINGS


 NATURAL SURFACE SPOT LEVEL

 CONTOUR - MAJOR

 CONTOUR - MINOR

 WATERWAY

 VEGETATION TO BE REMOVED

 SITE CUT/BATTERS

WIND RATING

N2

BAL RATING

BAL 29

NOTES

LOCATION OF TITLE BOUNDARY IN RELATION TO BOUNDARY FENCES IS ASSUMED; TO BE CONFIRMED ON SITE WITH RE-ESTABLISHMENT SURVEY IF REQUIRED


SURVEY NOTES

FEATURE SURVEY BY SURVEYTECH P/L
SURVEY TAKEN: 02/2025
NOTE: INTERPRETATION OF INFORMATION ON THIS SURVEY PLAN IS RESPONSIBILITY OF THE USER.
PLAN IS CONVERTED FROM MICROSTATION TO DWG AND LIFESTYLES, FONTS, SYMBOLS ETC WILL CHANGE AS A RESULT

NOTE: UNDERGROUND SERVICES MAY NOT BE SHOWN OR BE ACCURATE. ALWAYS CONSULT 'BEFORE YOU DIG' PRIOR TO ANY EXCAVATION WORKS



BEFORE
YOU DIG
www.byda.com.au
Zero Damage - Zero Harm



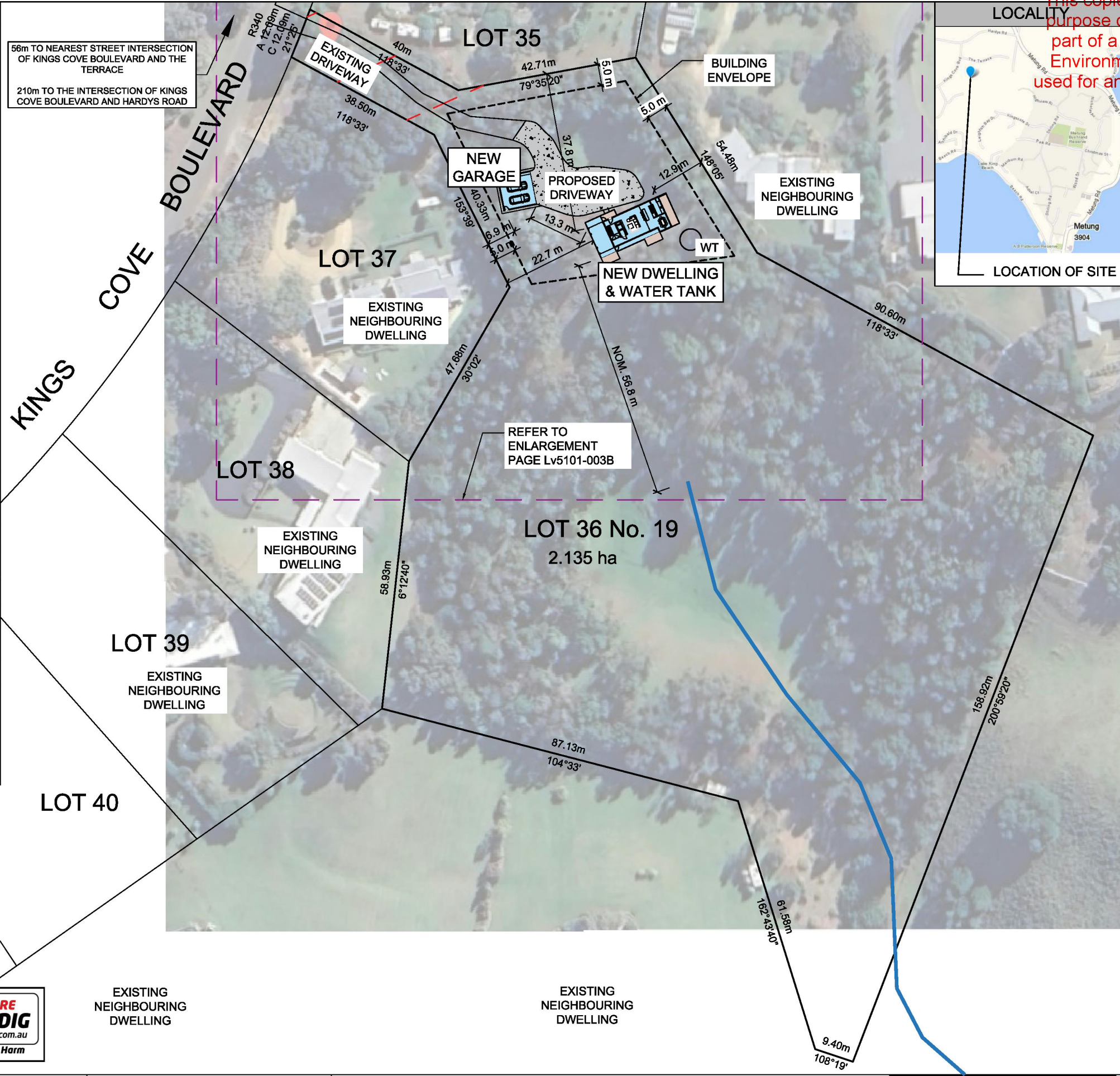
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PLANNING COMPLIANCE

32.03 LOW DENSITY RESIDENTIAL ZONE
PERMIT REQUIREMENTS FOR A DWELLING:
MUST BE THE ONLY DWELLING ON THE LOT.
COMPLIES.
MUST MEET THE REQUIREMENTS OF CLAUSE 32.03-2:
USE FOR A DWELLING:
MUST BE CONNECTED TO RETICULATED SEWERAGE,
POTABLE WATER SUPPLY AND RETICULATED
ELECTRICITY SUPPLY IF AVAILABLE
DWELLING TO BE CONNECTED TO RETICULATED
WATER, SEWER & ELECTRICITY. COMPLIES.

43.03 INCORPORATED PLAN OVERLAY
"TO EXEMPT AN APPLICATION FROM NOTICE AND REVIEW IF IT IS GENERALLY IN ACCORDANCE WITH AN INCORPORATED PLAN."
THE RELEVANT 'STORTH RYES' (NOW 'KINGS COVE METUNG P/L' PLANNING PERMIT STATES THAT "THE DEVELOPMENT OF LOTS APPROVED BY THIS PERMIT FOR THE PURPOSE OF A DWELLING WILL BE EXEMPT FROM THE NEED TO OBTAIN A SEPARATE PLANNING PERMIT PROVIDED:

- ALL BUILDINGS ARE CONSTRUCTED WHOLLY WITHIN APPROVED BUILDING ENVELOPES;
- ALL CONSTRUCTION AND SITE DEVELOPMENT WORKS ARE CARRIED OUT STRICTLY IN ACCORDANCE WITH THE APPROVED SOIL AND WATER MANAGEMENT PLAN, TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY, AND
- THE REQUIREMENTS OF CLAUSE 32.03-2 (USE FOR ONE OR TWO DWELLINGS OR A DEPENDENT PERSONS UNIT) CAN BE MET."

THE PROPOSAL WILL COMPLY WITH THE ABOVE REQUIREMENTS.

44.01 EROSION MANAGEMENT OVERLAY
SCHEDULE STATES THAT A PERMIT IS NOT REQUIRED TO:


- CONSTRUCT A DWELLING.
- CONSTRUCT A NON-HABITABLE BUILDING WITH A GROSS FLOOR AREA THAT DOES NOT EXCEED 200m².
- CONSTRUCT OR CARRY OUT WORKS ASSOCIATED WITH WATER TANKS ASSOCIATED WITH ACCOMMODATION.
- CONSTRUCT OR CARRY OUT EARTHWORKS THAT RESULT IN A MODIFIED GROUND SURFACE THAT IS LESS THAN ONE METRE ABOVE OR BELOW THE NATURAL GROUND LEVEL.
- REMOVE, DESTROY OR LOP VEGETATION

A PERMIT IS NOT REQUIRED TO CONSTRUCT A DWELLING WITH ASSOCIATED GARAGE AND WATER TANK.
A PERMIT IS REQUIRED TO CARRY OUT EARTHWORKS THAT EXCEED THE ABOVE REQUIREMENTS.

42.02 VEGETATION PROTECTION OVERLAY
A PERMIT IS REQUIRED TO REMOVE, DESTROY OR LOP ANY VEGETATION. THIS DOES NOT APPLY IN THE FOLLOWING CIRCUMSTANCES:


- FOR VEGETATION THAT IS DEAD OR LESS THAN 2 METRES IN HEIGHT OR LESS THAN 10 YEARS OLD.
- TO THE MINIMUM EXTENT OF VEGETATION NECESSARY FOR THE MAINTENANCE OF EXISTING FENCES.
- FOR THE REMOVAL OR LOPPING OF THE MINIMUM EXTENT OF VEGETATION NECESSARY FOR REGULAR MAINTENANCE CARRIED OUT BY OR ON BEHALF OF A PUBLIC AUTHORITY, GOVERNMENT DEPARTMENT OR MUNICIPAL COUNCIL.
- FOR THE REMOVAL, DESTRUCTION OR LOPPING OF ANY VEGETATION DEEMED UNSAFE BY A SUITABLY QUALIFIED ARBORIST AND/OR TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.

THE ONLY VEGETATION TO BE REMOVED IS THAT WITHIN THE AREA FOR CONSTRUCTION OF THE DWELLING/OUTBUILDINGS AND THE SURROUNDING 10m FOR BUSHFIRE MAINTENANCE.



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P2	FOR PLANNING	SLA	16/07/2025
P1	FOR PLANNING	EJT	09/07/2025
REV #	DESCRIPTION	DRAWN BY	DATE

FOR PLANNING



NORTH

DRAWN: EJT
DATE: 30/01/2025
CHECKED: S.ABBOTT
SHEET No: 1 OF 9

DO NOT SCALE
A3 SIZE SHEET

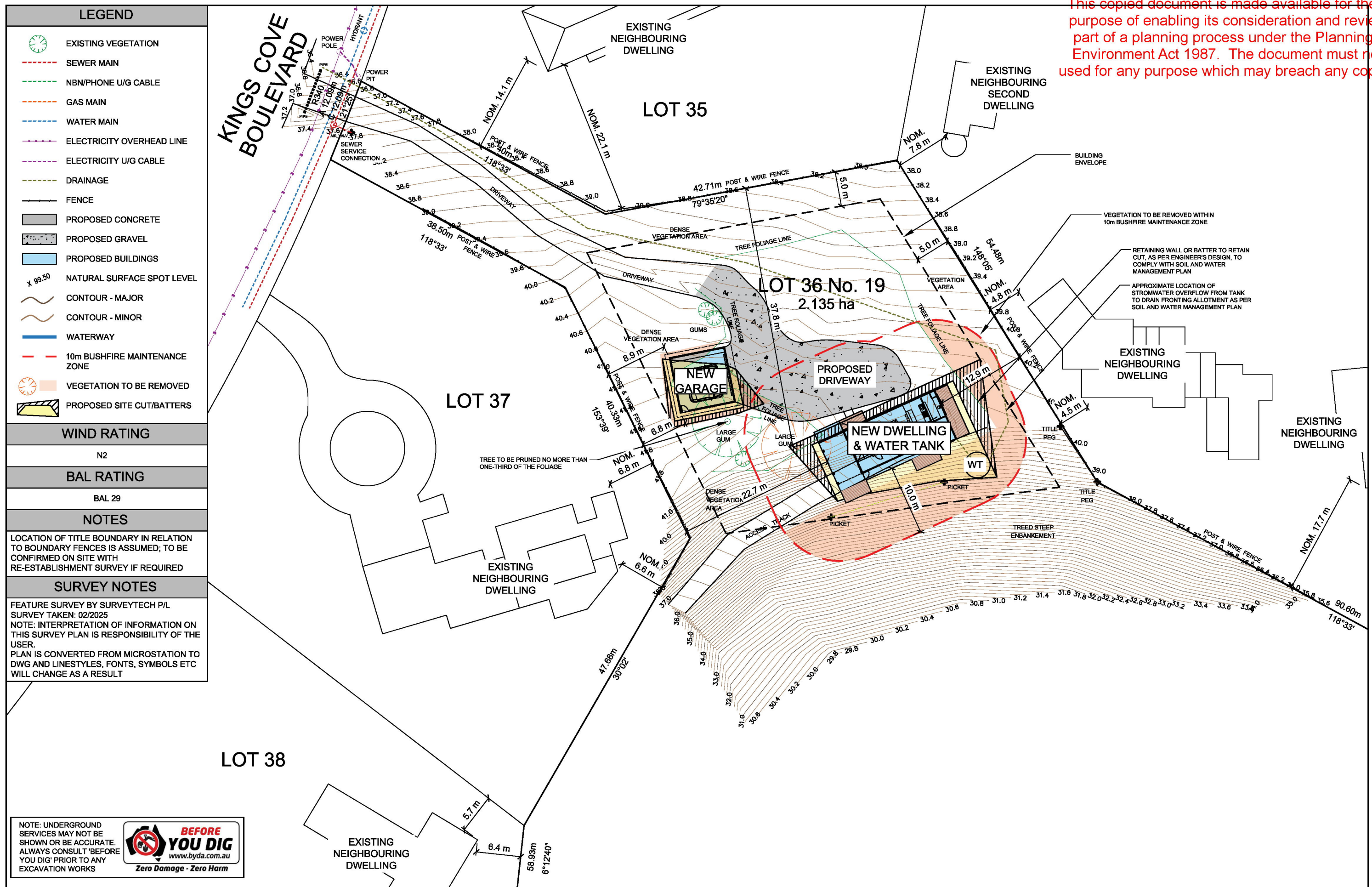
SITE PLAN

PROJECT: NEW DWELLING/GARAGE/OUTBUILDING
ADDRESS: 19 KINGS COVE BOULEVARD METUNG

SCALE 1:1000
DRG.NO. 1531122
REV. 1

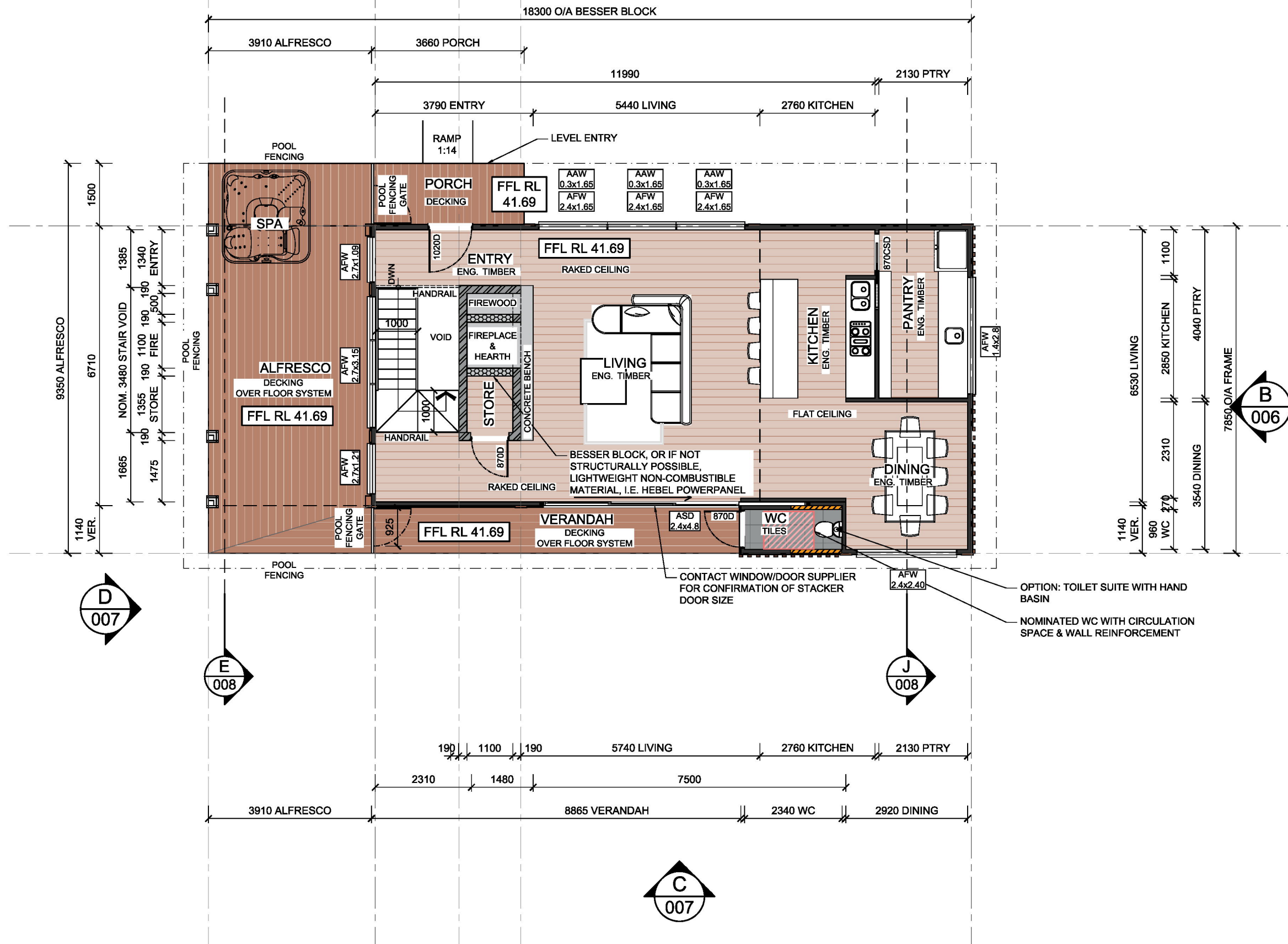
Printed 24/09/2025
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AREA ANALYSIS	
GROUND FLOOR HABITABLE AREA	135.5m ²
FIRST FLOOR HABITABLE AREA	102.9m ²
ALFRESCO	36.6m ²
FRONT PORCH	5.5m ²
SIDE PORCH	15.7m ²
VERANDAH	10.1m ²
BALCONIES	17.8m ²
TOTAL LIVING AREA	238.4m ²
TOTAL AREA	323.9m ²
TOTAL SQ	34.9sq
TYPICAL CONSTRUCTION	
FRAME:	90mm THICKNESS
CLADDING:	CORRUGATED IRON & TIMBER TRIM
EAVES:	600mm U.N.O
DOORS:	2040x870 U.N.O
LEGEND	
	90mm TIMBER STUD FRAME
	190mm BESSER BLOCK
	WALL REINFORCEMENT FOR FUTURE INSTALLATION OF GRABRAILS
BAL RATING	
BAL 29	
WIND RATING	
N2	

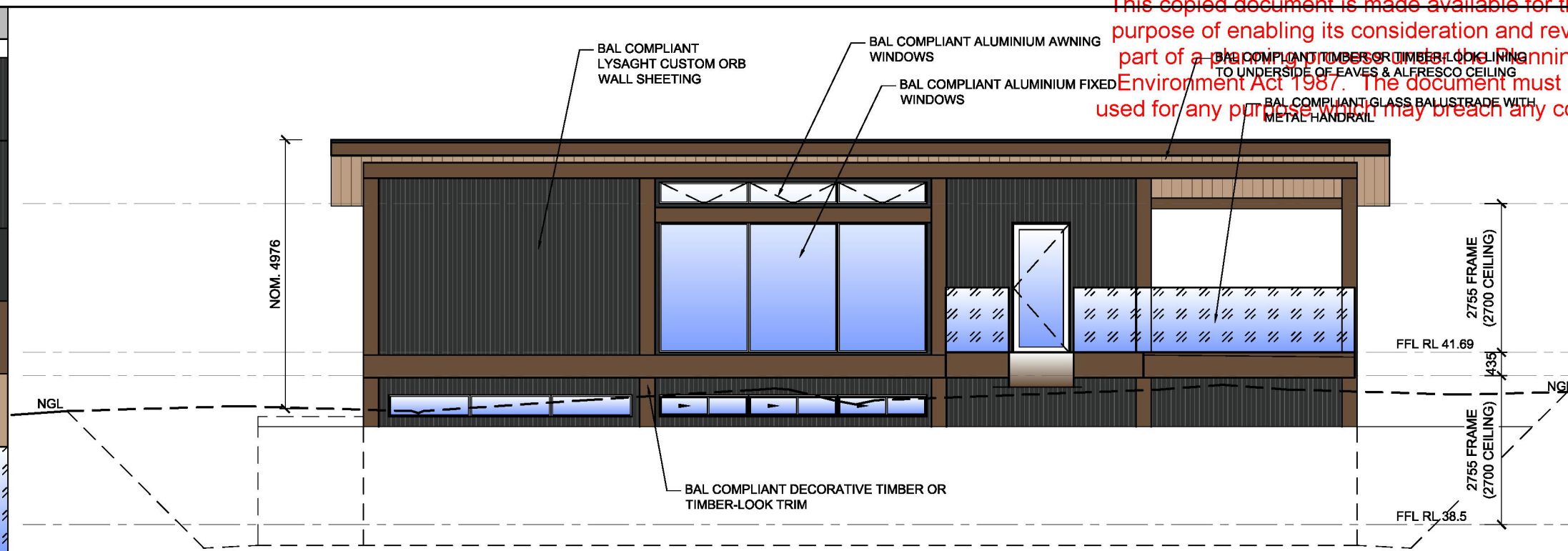


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P1	FOR PLANNING	EJT	09/07/2025
REV #	DESCRIPTION	DRAWN BY	DATE

FOR PLANNING		FIRST FLOOR PLAN	
DRAWN:	EJT	PROJECT:	NEW DWELLING/GARAGE/OUTBUILDING
DATE:	30/01/2025	ADDRESS:	19 KINGS COVE BOULEVARD METUNG
CHECKED:	S.ABBOTT	SCALE	1:100
SHEET No:	4 OF 9	DRG. NO.	103-01-005
DO NOT SCALE	A3 SIZE SHEET	REV.	

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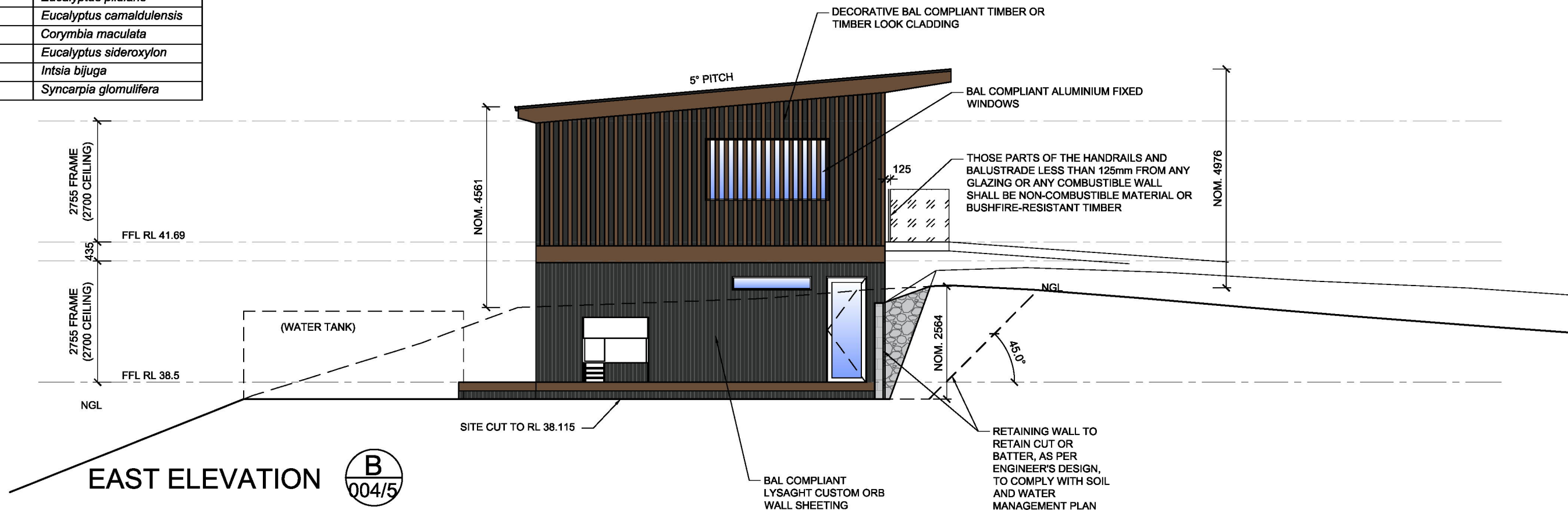
COLOUR & MATERIAL LEGEND		
ITEM	MATERIAL/COLOUR	
ROOF, FASCIA, GUTTERS & FLASHINGS	LYSAGHT CUSTOM ORB ROOF SHEETING, LYSAGHT NOVALINE FASCIA, LYSAGHT QUAD OR SIMILAR GUTTERS, METAL FLASHINGS TO SUIT COLOUR: COLORBOND MONUMENT	
ARCHITECTURAL CLADDING	LYSAGHT CUSTOM ORB CORRUGATED (OR SIMILAR) SHEET METAL CLADDING COLOUR: COLORBOND MONUMENT	
PROPOSED WINDOWS	ALUMINIUM COLOUR: COLORBOND MONUMENT OR BLACK	
FEATURE/DECORATIVE TIMBER	BAL COMPLIANT TIMBER OR TIMBER-LOOK TRIM COLOUR: STAINED/NATURAL LOOK	
EAVE LINING	BAL COMPLIANT TIMBER OR TIMBER-LOOK PANNELLING/LINING COLOUR: STAINED/NATURAL LOOK	
BARRIERS	GLASS WITH METAL HANDRAIL THOSE PARTS OF THE HANDRAILS AND BALUSTRADE LESS THAN 125mm FROM ANY GLAZING OR ANY COMBUSTIBLE WALL SHALL BE NON-COMBUSTIBLE MATERIAL OR BUSHFIRE-RESISTANT TIMBER	



NORTH ELEVATION

A
004/5

AS 3959-2018 TABLE F1 BUSHFIRE-RESISTANT SPECIES	
STANDARD TRADE NAME	BOTANICAL NAME
Ash, silvertop	<i>Eucalyptus sieberi</i>
Blackbutt	<i>Eucalyptus pilularis</i>
Gum, red, river	<i>Eucalyptus camaldulensis</i>
gum, spotted	<i>Corymbia maculata</i>
Ironbark, red	<i>Eucalyptus sideroxylon</i>
Kwila (Merbau)	<i>Intsia bijuga</i>
Turpentine	<i>Syncarpia glomulifera</i>



EAST ELEVATION

B
004/5


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 WEB: www.lvdrafting.com.au
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<div><div><div>2000</div><div>0</div><div>2000</div><div>4000</div><div>6000</div><div>8000</div><div>10000</div></div><div>SCALE 1:100</div></div>			
P1	FOR PLANNING	EJT	09/07/2025
REV #	DESCRIPTION	DRAWN BY	DATE

FOR PLANNING

DRAWN: EJT
 DATE: 30/01/2025
 CHECKED: S.ABBOTT
 SHEET No: 5 OF 9

ELEVATIONS

PROJECT: NEW DWELLING/GARAGE/OUTBUILDING
 ADDRESS: 19 KINGS COVE BOULEVARD METUNG

DO NOT SCALE
 A3 SIZE SHEET

SCALE 1:100

DRG. NO. 19-01-001
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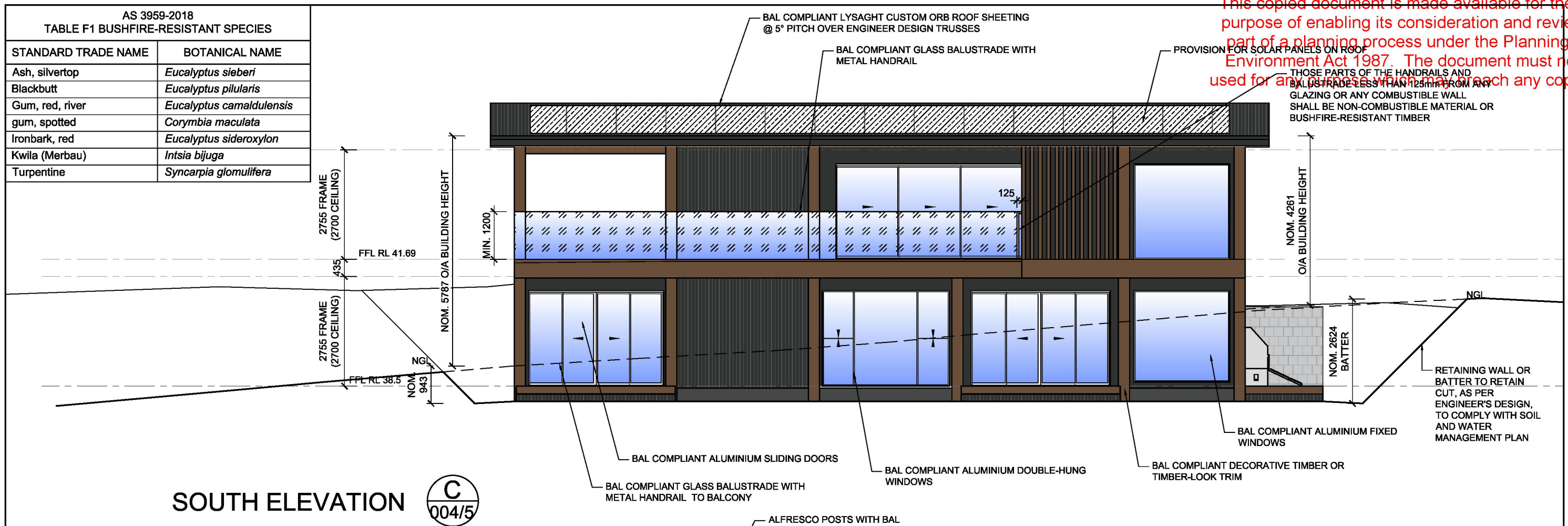
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Page 115 of 118

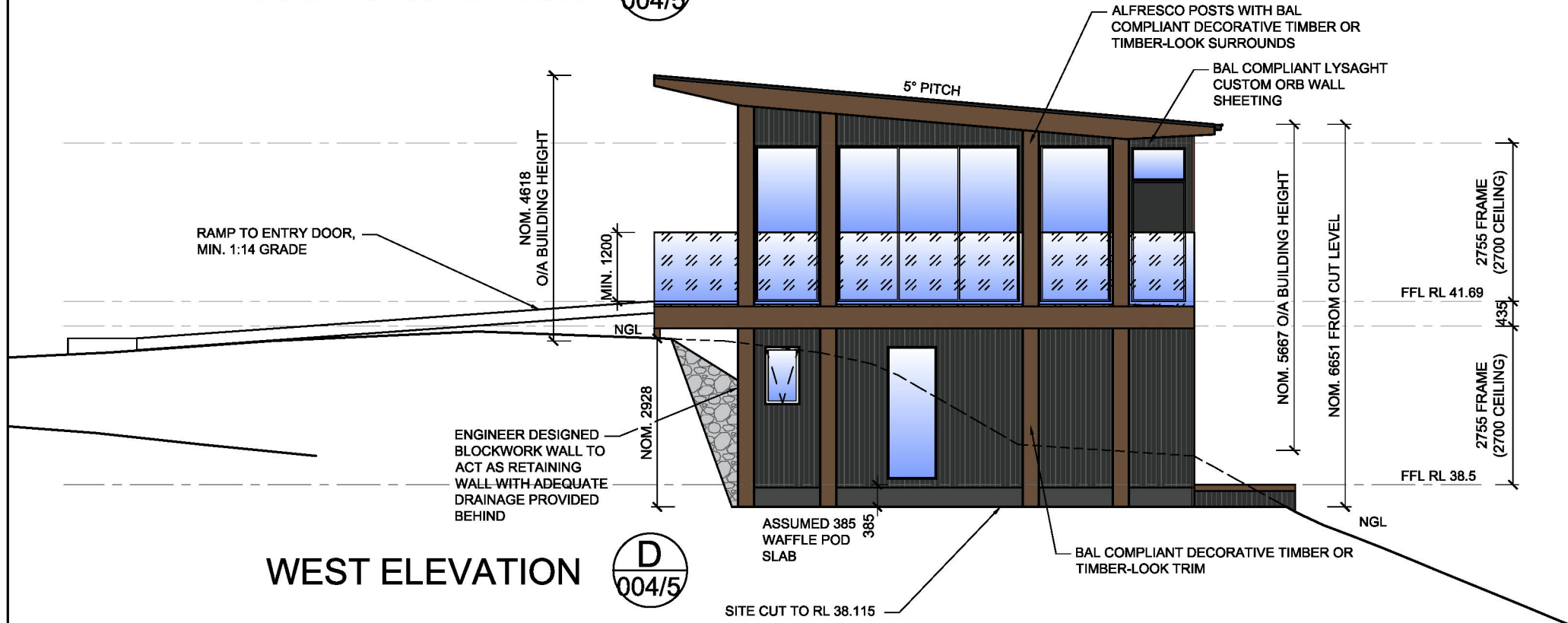
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AS 3959-2018 TABLE F1 BUSHFIRE-RESISTANT SPECIES	
STANDARD TRADE NAME	BOTANICAL NAME
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gum, spotted	<i>Corymbia maculata</i>
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Kwila (Merbau)	<i>Intsia bijuga</i>
Turpentine	<i>Syncarpia glomulifera</i>

SOUTH ELEVATION

C
004/5

WEST ELEVATION

D
004/5

COLOUR & MATERIAL LEGEND

ITEM	MATERIAL/COLOUR	
ROOF, FASCIA, GUTTERS & FLASHINGS	LYSAGHT CUSTOM ORB ROOF SHEETING, LYSAGHT NOVALINE FASCIA, LYSAGHT QUAD OR SIMILAR GUTTERS, METAL FLASHINGS TO SUIT COLOUR: COLORBOND 'MONUMENT'	
ARCHITECTURAL CLADDING	LYSAGHT CUSTOM ORB CORRUGATED (OR SIMILAR) SHEET METAL CLADDING COLOUR: COLORBOND MONUMENT	
PROPOSED WINDOWS	ALUMINIUM COLOUR: COLORBOND MONUMENT OR BLACK	
FEATURE/DECORATIVE TIMBER	BAL COMPLIANT TIMBER OR TIMBER-LOOK TRIM COLOUR: STAINED/NATURAL LOOK	
EAVE LINING	BAL COMPLIANT TIMBER OR TIMBER-LOOK PANNELLING/LINING COLOUR: STAINED/NATURAL LOOK	
BARRIERS	GLASS WITH METAL HANDRAIL THOSE PARTS OF THE HANDRAILS AND BALUSTRADE LESS THAN 125mm FROM ANY GLAZING OR ANY COMBUSTIBLE WALL SHALL BE NON-COMBUSTIBLE MATERIAL OR BUSHFIRE-RESISTANT TIMBER	///


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REV #	DESCRIPTION	DRAWN BY	DATE

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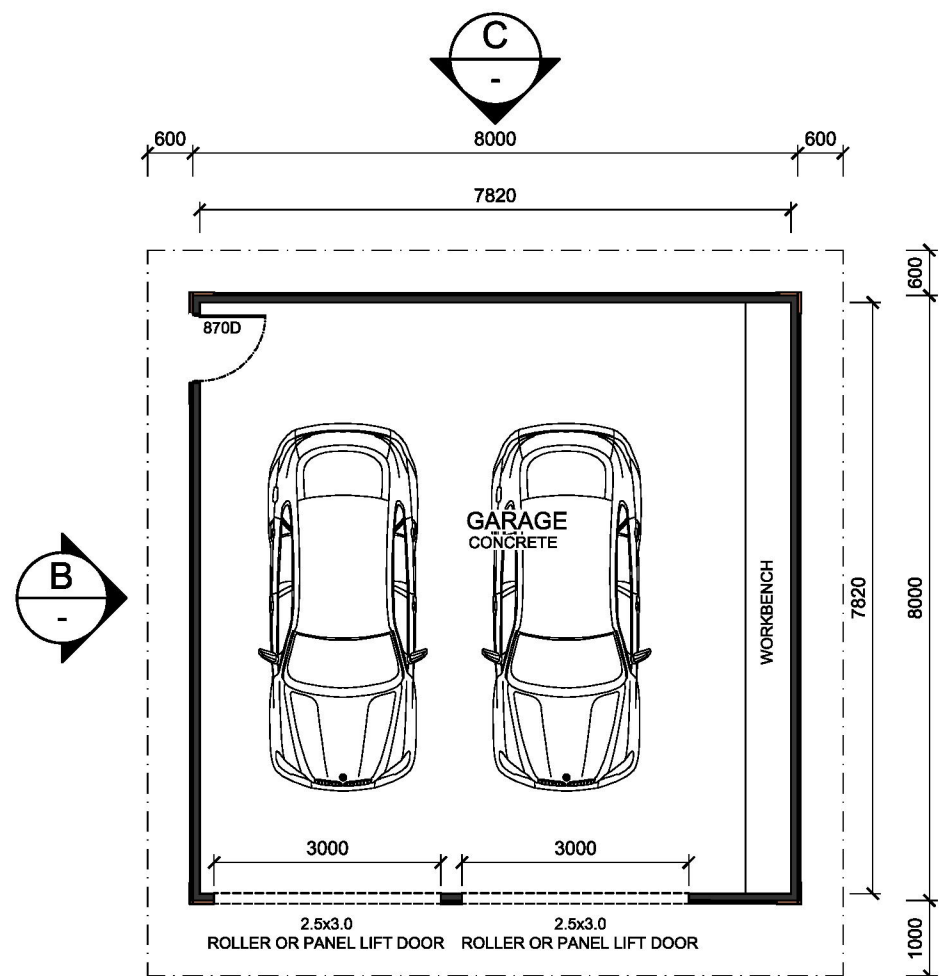
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 SHEET No: 6 OF 9

ELEVATIONS

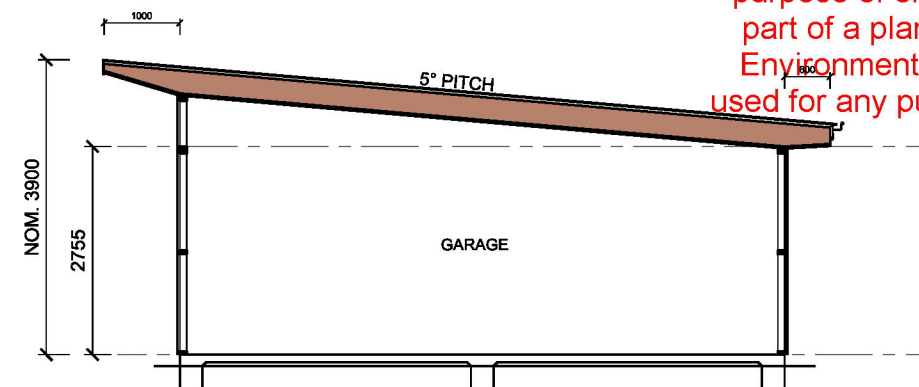
PROJECT: NEW DWELLING/GARAGE/OUTBUILDING
 ADDRESS: 19 KINGS COVE BOULEVARD METUNG

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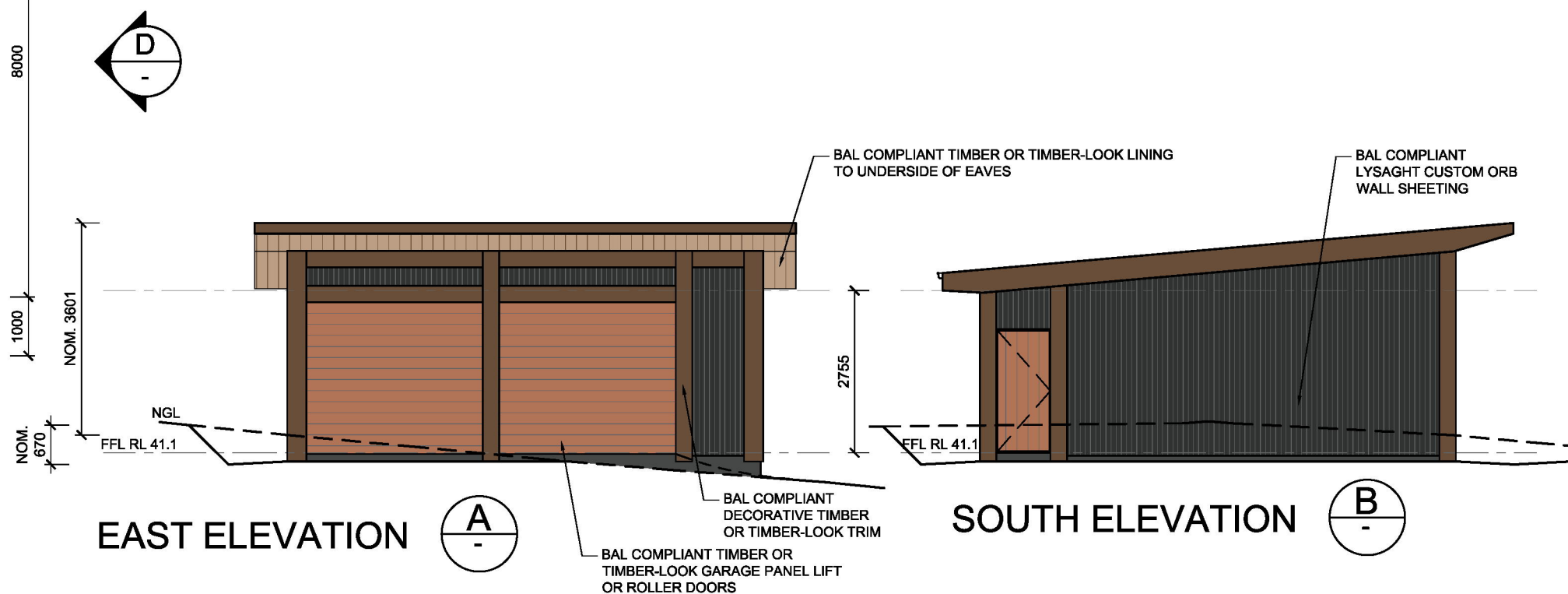
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FLOOR PLAN

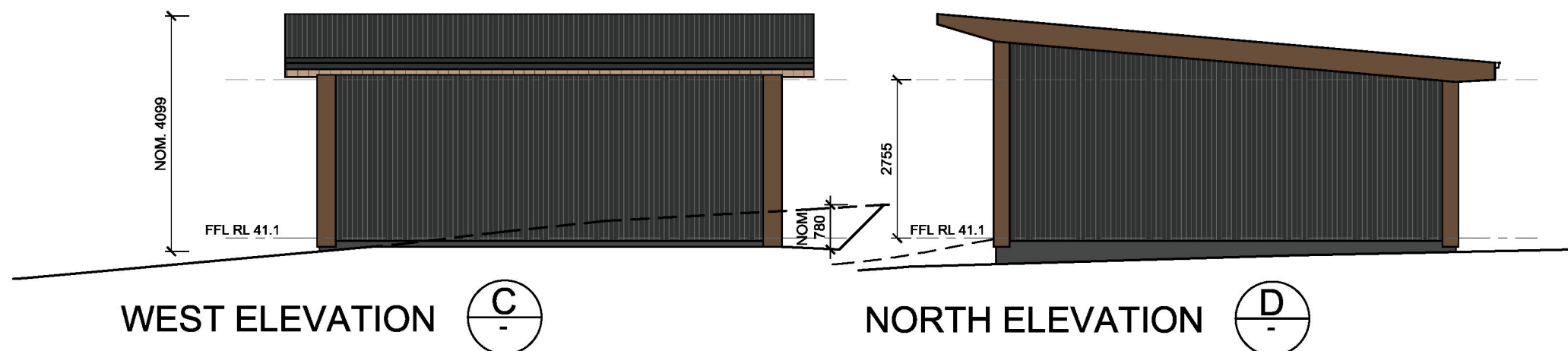


PRELIMINARY SECTION



EAST ELEVATION

SOUTH ELEVATION



WEST ELEVATION

NORTH ELEVATION

AREA ANALYSIS	
GARAGE	64m ²
TYPICAL CONSTRUCTION	
FRAME:	90mm THICK TIMBER STUD FRAME
CLADDING:	CORRUGATED IRON & TIMBER TRIM
EAVES:	600/1000mm U.N.O
DOORS:	2040x870 U.N.O

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FOR PLANNING



DRAWN:	EJT
DATE:	30/01/2025
CHECKED:	S.ABBOTT
SHEET No:	7 OF 9

GARAGE PLANS

PROJECT: NEW DWELLING/GARAGE/OUTBUILDING
ADDRESS: 19 KINGS COVE BOULEVARD METUNG

DO NOT SCALE A3 SIZE SHEET	SCALE 1:100	DRG. NO. 19K01005	REV.
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BAL CONSTRUCTION REQUIREMENTS

BUSHFIRE ATTACK LEVEL: 29

REFER TO SECTION 3 & SECTION 7 OF AS 3959-2018 (CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS)

SECTION 7 - CONSTRUCTION REQUIREMENTS FOR BAL 29

- 7.2 SUB-FLOOR SUPPORTS
THIS STANDARD DOES NOT PROVIDE CONSTRUCTION REQUIREMENTS FOR SUBFLOOR SUPPORTS WHERE THE SUBFLOOR SPACE IS ENCLOSED WITH:
- a. A WALL THAT CONFORMS WITH CLAUSE 7.4, EXCEPT THAT STARKING IN NOT REQUIRED WHERE SPEC. IN CLAUSE 7.4.1(c) OR
 - b. A MESH OR PERFORATED SHEET WITH A MAXIMUM APERTURE OF 2mm, MADE OF CORROSIVE RESISTANT STEEL, BRONZE OR ALUMINIUM; OR
 - c. A COMBINATION OF ITEMS (a) AND (b)

WHERE THE SUBFLOOR SPACE IS ENCLOSED, THE SUPPORT POSTS, COLUMNS, STUMPS, PIERS AND POLES SHALL BE –

1. OF NON-COMBUSTABLE MATERIAL; OR
2. OF BUSHFIRE-RESISTING TIMBER; OR
3. A COMBINATION OF ITEMS (1) AND (2)

7.3 FLOORS
7.3.1 GENERAL
THIS STANDARD DOES NOT PROVIDE CONSTRUCTION REQUIREMENTS FOR CONCRETE SLABS ON GROUND.

- 7.3.2 ELEVATED FLOORS
7.3.2.1 ENCLOSED SUBFLOOR SPACE
THIS STANDARD DOES NOT PROVIDE CONSTRUCTION REQUIREMENTS FOR ELEVATED FLOORS, INCLUDING BEARERS AND JOISTS AND FLOORING, WHERE THE SUBFLOOR SPACE IS ENCLOSED WITH:
- a. A WALL THAT CONFORMS WITH CLAUSE 7.4; EXCEPT THAT STARKING IN NOT REQUIRED WHERE SPEC. IN CLAUSE 7.4.1(C) OR
 - b. A MESH OR PERFORATED SHEET WITH A MAXIMUM APERTURE OF 2mm, MADE OF CORROSIVE RESISTANT STEEL, BRONZE OR ALUMINIUM; OR
 - c. A COMBINATION OF ITEMS (a) AND (b).

- 7.3.2.2 UNENCLOSED SUBFLOOR SPACE
WHERE THE SUBFLOOR SPACE IN UNENCLOSED, THE BEARERS, JOISTS AND FLOORING, LESS THAN 400mm ABOVE THE FINISHED GROUND LEVEL, SHALL BE ONE OF THE FOLLOWING:
- a. MATERIALS THAT CONFORM WITH THE FOLLOWING:
 - BEARERS AND JOISTS SHALL BE:
 - NON-COMBUSTIBLE; OR
 - BUSHFIRE-RESISTANT TIMBER; OR
 - A COMBINATION OF THE ABOVE ITEMS.
 - FLOORING SHALL BE:
 - NON-COMBUSTIBLE; OR
 - BUSHFIRE-RESISTANT TIMBER; OR
 - TIMBER (OTHER THAN BUSHFIRE-RESISTING TIMBER), PARTICLEBOARD OR PLYWOOD FLOORING WHERE THE UNDERSIDE IS LINED WITH SARKING-TYPE MATERIAL OR MINERAL WOOL INSULATION; OR
 - A COMBINATION OF ANY OF THE ABOVE ITEMS.
 - b. A SYSTEM CONFORMING WITH AS1530.8.1

- 7.4 WALLS
7.4.1 GENERAL
THE EXPOSED COMPONENTS OF AN EXTERNAL WALLS SHALL BE AS FOLLOWS:
- a. NON-COMBUSTIBLE MATERIAL INCLUDING THE FOLLOWING PROVIDED THE MINIMUM THICKNESS IS 90mm:
 - FULL MASONRY OR MASONRY VENEER WALLS WITH AN OUTER LEAF OF CLAY, CONCRETE, CALCIUM SILICATE OR NATURAL STONE
 - PRECAST OR IN SITU WALLS OF CONCRETE OR AERATED CONCRETE
 - EARTH WALL INCLUDING MUD BRICK OR
 - b. TIMBER LOGS OF A SPECIES WITH A DENSITY OF 680kg/m3 OR GREATER AT A 12% MOISTURE CONTENT; OF A MINIMUM NOMINAL OVERALL THICKNESS OF 90mm AND A MINIMUM THICKNESS OF 70mm; OR
 - c. CLADDING THAT IS FIXED EXTERNALLY TO A TIMBER-FRAMED OR STEEL-FRAMED WALL AND IS:
 - FIBRE-CEMENT A MINIMUM OF 6mm IN THICKNESS; OR
 - BUSHFIRE-RESISTING TIMBER; OR
 - STEEL SHEET OR
 - A COMBINATION OF ANY OF THE ABOVE ITEMS FROM 7.4.1

7.4.2 JOINTS
ALL JOINTS IN THE EXTERNAL SURFACE MATERIAL OF WALLS

SHALL BE COVERED, SEALED, OVERLAPPED, BACKED OR BUTT-JOINTED

7.4.3 VENTS AND WEEPHOLES
EXCEPT FOR EXCLUSIONS PROVIDED IN CLAUSE 3.6, VENTS AND WEEPHOLES IN EXTERNAL WALLS SHALL BE SCREENED WITH A MESH MADE OF CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM.

7.5 EXTERNAL GLAZED ELEMENTS, ASSEMBLIES AND DOORS
6.5.1 BUSHFIRE SHUTTERS
WHERE FITTED, BUSHFIRE SHUTTERS SHALL CONFORM WITH CLAUSE 3.7 AND BE MADE FROM:

- a. NON-COMBUSTIBLE MATERIAL; OR
- b. BUSHFIRE-RESISTING TIMBER; OR
- c. A COMBINATION OF ANY OF THE ITEMS (a), (b) OR (c)

7.5.2 SCREENS FOR WINDOWS AND DOORS
WHERE FITTED, SCREENS FOR WINDOWS AND DOORS SHALL HAVE A MESH OR PERFORATED SHEET MADE OF CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM. THE FRAME SUPPORTING THE MESH OR PERFORATED SHEET SHALL BE MADE FROM:

- a. METAL; OR
- b. BUSHFIRE-RESISTING TIMBER; OR

- 7.5.3 WINDOWS AND SIDELIGHTS
WINDOW ASSEMBLIES SHALL:
- a. BE COMPLETELY PROTECTED BY A BUSHFIRE SHUTTER CONFORMING WITH CLAUSE 3.7 AND CLAUSE 7.5.1; OR
 - b. CONFORMING WITH THE FOLLOWING:
 - BUSHFIRE-RESISTING TIMBER; OR
 - METAL; OR
 - METAL-REINFORCED uPVC. THE REINFORCING MEMBERS SHALL BE MADE FROM ALUMINIUM, STAINLESS STEEL, OR CORROSIVE-RESISTANT STEEL.
- HARDWARE: EXTERNALLY FITTED HARDWARE THAT SUPPORTS THE SASH IN ITS FUNCTIONS OF OPENING AND CLOSING SHALL BE METAL, TRIMS OR OTHER COMPONENTS MAY USE MATERIAL OTHER THAN METAL.*
- GLAZING: GLAZING SHALL BE TOUGHENED GLASS A MINIMUM OF 5mm IN THICKNESS, OR GLASS BLOCKS WITH NO RESTRICTION ON GLAZING METHODS.
- NOTE: WHERE DOUBLE-GLAZED ASSEMBLIES ARE USED ABOVE, THE REQUIREMENTS APPLY TO THE EXTERNAL PANE OF THE GLAZED ASSEMBLY ONLY.
- SEALS AND WEATHER STRIPS: THERE ARE NO SPECIFIC REQUIREMENTS FOR SEALS AND WEATHER STRIPS AT THE BAL LEVEL.
 - SCREENS: GLAZING LESS THAN 400mm FROM THE GROUND or LESS THAN 400mm ABOVE DECKS, CARPORT ROOFS, AWNINGS AND SIMILAR ELEMENTS OR FITTINGS LESS THAN 18° ANGLE TO THE HORIZONTAL AND EXTRUDING MORE THAN 110mm FROM THE WINDOW FRAME, THE GLAZING SHALL BE SCREENED EXTERNALLY WITH A SCREEN THAT CONFORMS WITH CLAUSE 3.6 & 7.5.2
 - THE OPENABLE PORTIONS OF WINDOWS SHALL BE SCREENED INTERNALLY OR EXTERNALLY WITH SCREENS THAT CONFORM WITH CLAUSE 3.6 AND CLAUSE 7.5.2.

- 7.5.4 DOORS - SIDE-HUNG EXTERNAL DOORS (INCLUDING FRENCH DOORS, PANEL FOLD AND BO-FOLD DOORS)
SIDE HUNG EXTERNAL DOORS, INCLUDING FRENCH DOORS, PANEL FOLD AND BI-FOLD DOORS, SHALL:
- a. BE COMPLETELY PROTECTED BY BUSHFIRE SHUTTERS THAT CONFORM WITH CLAUSE 3.7 AND CLAUSE 7.5.1; OR
 - b. BE COMPLETELY PROTECTED EXTERNALLY BY SCREENS THAT CONFORM WITH CLAUSE 3.6 AND CLAUSE 7.5.2; OR
 - c. CONFORM WITH THE FOLLOWING:
 - DOOR PANEL MATERIAL:
 - NON-COMBUSTIBLE; OR
 - SOLID TIMBER, LAMINATED TIMBER OR RECONSTITUTED TIMBER, HAVING A MINIMUM THICKNESS OF 35mm FOR THE FIRST 400mm ABOVE THE THRESHOLD; OR
 - HOLLOW CORE, SOLID TIMBER, LAMINATED TIMBER OR RECONSTITUTED TIMBER WITH A NON-COMBUSTIBLE KICKPLATE ON THE OUTSIDE FOR THE FIRST 400mm ABOVE THE THRESHOLD; OR
 - FOR FULLY FRAMED GLAZED DOOR PANELS, THE FRAMING SHALL BE MADE FROM METAL OR BUSHFIRE RESISTING TIMBER OR A TIMBER SPECIES AS A SPECIFIED IN PARAGRAPH E2, APPENDIX E OR uPVC.
 - DOOR FRAME MATERIAL:
 - BUSHFIRE RESISTING TIMBER; OR
 - METAL; OR
 - METAL REINFORCED uPVC
- THE REINFORCING MEMBERS SHALL BE MADE FROM ALUMINIUM, STAINLESS STEEL, OR CORROSIVE-RESISTANT STEEL.
- HARDWARE: EXTERNALLY FITTED HARDWARE THAT SUPPORTS THE PANEL IN ITS FUNCTIONS OF OPENING AND CLOSING SHALL BE METAL. TRIMS OR OTHER COMPONENTS MAY BE USE MATERIALS OTHER THAN METAL
 - GLAZING: WHERE DOORS INCORPORATE GLAZING, THE GLAZING SHALL BE TOUGHENED GLASS A MINIMUM OF 6mm IN THICKNESS
 - SEALS AND WEATHER STRIPS: WEATHER STRIPS, DRAUGHT EXCLUDERS OR DRAUGHT SEALS SHALL BE INSTALLED.
 - SCREENS: THERE ARE NO REQUIREMENTS TO SCREEN THE OPENABLE PART OF THE DOOR AT THIS BAL LEVEL.
 - DOORS SHALL BE TIGHT-FITTING TO THE DOOR FRAME AND

TO AN ABUTTING DOOR, IF APPLICABLE.

- 7.5.5 DOORS - SLIDING DOORS
SLIDING DOOR SHALL:
- a. COMPLETELY PROTECTED BY BUSHFIRE SHUTTER THAT CONFORMS WITH CLAUSE 3.7 AND CLAUSE 7.5.1; OR
 - b. BE COMPLETELY PROTECTED EXTERNALLY BY SCREENS THAT CONFORM WITH CLAUSE 3.6 AND CLAUSE 7.5.2; OR
 - c. CONFORM WITH THE FOLLOWING:
 - FRAME MATERIAL: THE MATERIAL FOR DOOR FRAMES, INCLUDING FULLY FRAMED GLAZED DOORS SHALL BE -
 - BUSHFIRE-RESISTING TIMBER
 - METAL; OR
 - METAL-REINFORCED uPVC AND THE REINFORCING MEMBERS SHALL BE MADE FROM ALUMINIUM, STAINLESS STEEL, OR CORROSIVE-RESISTANT STEEL.
 - HARDWARE: EXTERNALLY FITTED HARDWARE THAT SUPPORTS THE PANEL IN ITS FUNCTIONS OF OPENING AND CLOSING SHALL BE METAL. TRIMS OR OTHER COMPONENTS MAY BE USE MATERIALS OTHER THAN METAL
 - GLAZING: WHERE DOORS INCORPORATE GLAZING, THE GLAZING SHALL BE TOUGHENED GLASS A MINIMUM OF 5mm IN THICKNESS.
 - SEALS AND WEATHER STRIPS: THERE ARE NO SPECIFIC REQUIREMENTS FOR SEALS AND WEATHER STRIPS AT THIS BAL LEVEL.
 - SCREENS: THERE IS NO SPECIFIC REQUIREMENT TO SCREEN THE OPENABLE PART OF THE SLIDING DOOR AT THIS BAL LEVEL.
 - SLIDING PANELS: SLIDING PANELS SHALL BE TIGHT-FITTING IN THE FRAMES.

- 7.5.6 DOORS - VEHICLE ACCESS DOORS (GARAGE DOORS)
THE FOLLOWING APPLIES TO VEHICLE ACCESS DOORS:
- a. VEHICLE ACCESS DOORS SHALL BE MADE FROM
 - NON-COMBUSTIBLE MATERIAL; OR
 - BUSHFIRE-RESISTING TIMBER (SEE APPENDIX F); OR
 - FIBRE-CEMENT SHEET, A MIN OF 6mm THICK; OR
 - A COMBINATION OF ANY OF ITEMS ABOVE
 - b. ALL VEHICLE ACCESS DOORS SHALL BE PROTECTED WITH SUITABLE WEATHER STRIPS, DRAUGHT EXCLUDERS, DRAUGHT SEALS OR BRUSHES. DOOR ASSEMBLIES FITTED WITH GUIDE TRACKS DO NOT NEED EDGE GAP PROTECTION.
 - c. WEATHER STRIPS, DRAUGHT EXCLUDERS, DRAUGHT SEALS OR BRUSHES TO PROTECT EDGE GAPS OR THRESHOLDS SHALL BE MANUFACTURED FROM MATERIALS HAVING A FLAMMABILITY INDEX NOT EXCEEDING 5.
 - d. VEHICLE ACCESS DOORS WITH VENTILATION SLOTS SHALL BE PROTECTED IN ACCORDANCE WITH CLAUSE 3.6.

- 7.6 ROOFS (INCLUDING PENETRATIONS, EAVES, FASCIAS AND GABLES AND GUTTERS AND DOWNPIPES)
7.6.1 GENERAL
THE FOLLOWING APPLIES TO ALL TYPES OF ROOFS AND ROOFING SYSTEMS:
- a. ROOF TILES, ROOF SHEETS AND ROOF-COVERING ACCESSORIES SHALL BE NON-COMBUSTIBLE
 - b. THE ROOF/WALL AND ROOF/ROOF JUNCTION SHALL BE SEALED OR OTHERWISE PROTECTED IN ACCORDANCE WITH CLAUSE 3.6.
 - c. ROOF VENTILATION OPENINGS, SUCH AS GABLES AND ROOF VENTS, SHALL BE FITTED WITH EMBER GUARDS MADE OF NON-COMBUSTIBLE MATERIAL OR A MESH OR PERFORATED SHEET CONFORMING WITH CLAUSE 3.6 AND MADE OR CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM.
 - d. A PIPE OR CONDUIT THAT PENETRATES THE ROOF COVERING SHALL BE NON-COMBUSTIBLE
 - e. ONLY EVAPORATIVE COOLERS MANUFACTURED IN ACCORDANCE WITH AS/NZS 60335.2.98 SHALL BE USED. EVAPORATIVE COOLERS WITH AN INTERNAL DAMPER TO PREVENT THE ENTRY OF EMBERS INTO THE ROOF SPACE NEED NOT BE SCREENED EXTERNALLY.

- 7.6.2 TILED ROOFS
TILED ROOFS SHALL BE FULLY SARKED. THE SARKING SHALL:
- a. BE LOCATED ON TOP OF THE ROOF FRAMING, EXCEPT THAT THE ROOF BATTENS MAY BE FIXED ABOVE THE SARKING;
 - b. COVER THE ENTIRE ROOF AREA INCLUDING RIDGES AND HIPS; AND
 - c. EXTEND INTO GUTTERS AND VALLEYS

- 7.6.3 SHEET ROOFS
SHEET ROOFS SHALL:
- a. BE FULLY SARKED IN ACCORDANCE WITH CLAUSE 7.6.2, EXCEPT THAT THE FOIL-BACKED INSULATION BLANKETS MAY BE INSTALLED OVER THE BATTENS; OR
 - b. HAVE ANY GAPS SEALED AT THE FASCIA OR WALL LINE, HIPS AND RIDGES BY:
 - A MESH OR PERFORATED SHEET THAT CONFORMS WITH CLAUSE 3.6 AND THAT IS MADE OF CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM; OR
 - MINERAL WOOL; OR
 - OTHER NON-COMBUSTIBLE MATERIAL; OR
 - A COMBINATION OF ANY OF THE ITEMS LISTED ABOVE.
- (SARKING IS USED AS A SECONDARY FORM OF EMBER PROTECTION FOR THE ROOF SPACE TO ACCOUNT FOR MINOR GAPS THAT MAY DEVELOP IN SHEET ROOFING)

7.6.4 VERANDAH, CARPORT AND AWNING ROOF
THE FOLLOWING APPLIES TO VERANDAH, CARPORT AND AWNING

- ROOFS:
- a. A VERANDAH, CARPORT OR AWNING ROOF FORMING PART OF THE MAIN ROOF SPACE SHALL MEET ALL THE REQUIREMENTS OF THE MAIN ROOF, AS SPECIFIED IN CLAUSES 7.6.1 TO 7.6.6.
 - b. A VERANDAH, CARPORT OR AWNING ROOF SEPARATED FROM THE MAIN ROOF SPACE BY AN EXTERNAL WALL AND CONFORMING WITH CLAUSE 7.4 SHALL HAVE A NON-COMBUSTIBLE ROOF COVERING, AND COMPLETE SUPPORT STRUCTURE SHALL BE:
 - OF NON-COMBUSTIBLE MATERIAL; OR
 - BUSHFIRE-RESISTING TIMBER (SEE APPENDIX F); OR
 - TIMBER RAFTERS LINED ON THE UNDERSIDE WITH FIBRE-CEMENT SHEETING A MINIMUM OF 6mm IN THICKNESS, OR WITH MATERIAL CONFORMING WITH AS 1530.1;

- 7.6.5 ROOF PENETRATIONS
THE FOLLOWING APPLIES TO ROOF PENETRATIONS:
- a. ROOF PENETRATION, INCLUDING ROOF LIGHTS, ROOF VENTILATORS, ROOF-MOUNTED EVAPORATIVE COOLING UNITS, AERIALS, VENT PIPES AND SUPPORTS FOR SOLAR COLLECTORS OR THE LIKE, SHALL BE SEALED. THE MATERIAL USED TO SEAL THE PENETRATION SHALL BE NON-COMBUSTIBLE.
 - b. OPENINGS IN VENTED ROOF LIGHTS, ROOF VENTILATORS OR VENT PIPES SHALL CONFORM WITH CLAUSE 3.6 AND BE MADE OF CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM.
- THIS APPLIANCE DOES NOT APPLY TO A ROOM SEALED GAS APPLIANCE.
- IN THE CASE OF GAS APPLIANCE FLUES, EMBER GUARDS SHALL NOT BE FITTED.
- c. ALL OVERHEAD GLAZING SHALL BE GRADE A SAFETY GLASS CONFORMING WITH AS1288.
 - d. GLAZED ELEMENTS IN ROOF LIGHTS AND SKYLIGHTS MAY BE OF POLYMER, PROVIDING A GRADE A SAFETY GLASS DIFFUSER, CONFORMING WITH AS1288, IS INSTALLED UNDER THE GLAZING. WHERE GLAZING IS AN INSULATING GLAZING UNIT, GRADE A SAFETY GLASS OF MINIMUM 4mm THICKNESS SHALL BE USED IN THE OUTER PANE OF THE IGU.
 - e. FLASHING ELEMENTS OF TUBULAR SKYLIGHTS SHALL BE NON-COMBUSTIBLE. HOWEVER, THEY MAY BE OF AN ALTERNATE MATERIAL, PROVIDED THE INTEGRITY OF THE FOOF COVERING IS MAINTAINED BY AN UNDER-FLASHING MADE OF NON-COMBUSTIBLE MATERIAL
 - f. EVAPORATIVE COOLING UNITS SHALL BE FITTED WITH NON-COMBUSTIBLE BUTTERFLY CLOSERS AS CLOSE AS PRACTICABLE TO THE ROOF LEVEL, OR THE UNIT SHALL BE FITTED WITH NON-COMBUSTIBLE COVERS WITH A MESH OR PERFORATED SHEET WITH A MAXIMUM APERTURE OF 2mm, MADE OF CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM.
 - g. EXTERNAL SINGLE PANE GLAZED ELEMENTS OF ROOF LIGHTS AND SKYLIGHTS, WHERE THE PITCH OF THE GLAZED ELEMENT IS 18 deg OR LESS THAN THE HORIZONTAL, SHALL BE PROTECTED WITH EMBER GUARDS MADE FROM A MESH OR PERFORATED SHEET WITH A MAX APERTURE OF 2mm, MADE OF CORROSION-RESISTANT STEEL, BRONZE OR ALUMINIUM
 - h. EAVES LIGHTING SHALL BE ADEQUATELY SEALED AND NOT COMPROMISE THE PERFORMANCE OF THE ELEMENT .

- 7.6.6 EAVES LINING, FASCIA AND GABLES
THE FOLLOWING APPLIES TO EAVE LINING, FASCIA AND GABLES:
- a. GABLES SHALL CONFORM WITH CLAUSE 7.4
 - b. FACIAS AND BARGEBOARDS SHALL:
 - FIRE RESISTING TIMBER (SEE APPENDIX F); OR
 - WHERE MADE FROM METAL, BE FIXED AT 450mm CENTERS;
- OR
- BE A COMBINATION OF ABOVE
 - c. EAVE LININGS SHALL BE:
 - FIBRE-CEMENT SHEET, A MIN 4.5mm THICK; OR
 - BUSHFIRE-RESISTING TIMBER (SEE APPENDIX F); OR
 - BE A COMBINATION OF ABOVE
 - d. EAVES PENETRATIONS SHALL BE PROTECTED THE SAME AS FOR ROOF PENETRATIONS, AS SPECIFIED IN CLAUSE 7.6.5.
 - e. EAVES VENTILATION OPENINGS SHALL BE FITTED WITH EMBER GUARDS IN ACCORDANCE WITH CLAUSE 3.6 AND MADE OF CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM.
 - f. JOINTS IN EAVES LININGS, FASCIAS AND GABLES MAY BE SEALED WITH PLASTIC STRIPS OR TIMBER STORM MOULDS.

7.6.7 GUTTERS AND DOWNPIPES
THIS STANDARD DOES NOT PROVIDE MATERIAL REQUIREMENTS FOR:

- a. GUTTERS, WITH THE EXCEPTION OF BOX GUTTERS; AND
- b. DOWNPIPES.

IF INSTALLED, GUTTER AND VALLEY LEAF GUARDS SHALL BE NON-COMBUSTIBLE.

BOX GUTTERS SHALL BE NON-COMBUSTIBLE AND FLASHING AT THE JUNCTION WITH THE ROOF WITH NON-COMBUSTIBLE MATERIAL.

7.7 VERANDHA, DECKS, STEPS AND LANDINGS
7.7.1 GENERAL
DECKING MAY BE SPACED
THERE IS NO REQUIREMENT TO ENCLOSE THE SUBFLOOR SPACES OF VERANDAS, DECKS, STEPS, RAMPS OR LANDINGS.

7.7.2 ENCLOSED SUBFLOOR SPACES OF VERANDAHs, DECKS, STEPS, RAMPS AND LANDINGS
7.7.2.1 MATERIALS TO ENCLOSE A SUBFLOOR SPACE

THE SUBFLOOR SPACES OF VERANDAHs, DECKS, STEPS, RAMPS AND LANDINGS ARE DEEMED TO BE 'ENCLOSED' WHEN -
a. THE MATERIAL USED TO ENCLOSE THE SUBFLOOR SPACE CONFORMS WITH CLAUSE 7.4, EXCEPT THAT STARKING IS NOT REQUIRED WHERE SPECIFIED IN CLAUSE 7.4.1(b); AND
b. ALL OPENINGS ARE PROTECTED IN ACCORDANCE WITH CLAUSE 3.6 AND MADE OF CORROSIVE-RESISTANT STEEL, BRONZE OR ALUMINIUM.

7.7.2.2 SUPPORTS
THIS STANDARD DOES NOT PROVIDE CONSTRUCTION REQUIREMENTS FOR SUPPORT POSTS, COLUMNS, STUMPS, STRINGERS, PIERS AND POLES.

7.7.2.3 FRAMING
THIS STANDARD DOES NOT PROVIDE CONSTRUCTION REQUIREMENTS FOR THE FRAMING OF VERANDAHs, PERGOLAS, DECKS, RAMPS OR LANDINGS (I.E. BEARERS AND JOISTS)

7.7.2.4 DECKING, STAIR TREADS AND THE TRAFFICABLE SURFACES OF RAMPS AND LANDINGS
DECKING STAIR TREADS AND THE TRAFFICABLE SURFACES OF RAMPS AND LANDINGS SHALL BE MADE FROM:

- a. NON-COMBUSTIBLE MATERIAL; OR
- b. BUSHFIRE-RESISTANT TIMBER; OR
- c. A COMBINATION OF ANY OF THE ITEMS (a) AND (B)

7.7.3 UNENCLOSED SUBFLOOR SPACES OF VERANDAHs, DECKS, STEPS, RAMPS AND LANDINGS
7.7.3.1 SUPPORTS
SUPPORT POSTS, COLUMNS, STUMPS, STRINGERS, PIERS AND POLES SHALL BE MADE FROM:

- a. NON-COMBUSTIBLE MATERIAL; OR
- b. BUSHFIRE-RESISTING TIMBER; OR
- c. A COMBINATION OF ANY OF THE ITEMS (a) AND (b)

7.7.3.2 FRAMING

FRAMING OF VERANDAHs, DECKS RAMPS OF LANDINGS (I.e BEARERS AND JOISTS) SHALL BE:

- a. NON-COMBUSTIBLE MATERIAL; OR
- b. BUSHFIRE-RESISTING TIMBER; OR
- c. A COMBINATION OF ANY OF THE ITEMS (a) AND (b)

7.7.3.4 DECKING, STAIR TREADS AND THE TRAFFICABLE SURFACES OF RAMPS AND LANDINGS
DECKING STAIR TREADS AND THE TRAFFICABLE SURFACES OF RAMPS AND LANDINGS SHALL BE MADE FROM:

- a. NON-COMBUSTIBLE MATERIAL; OR
- b. BUSHFIRE-RESISTANT TIMBER; OR
- c. A COMBINATION OF ANY OF THE ITEMS (a) AND (b)

7.7.4 BALUSTRADES, HANDRAILS OR OTHER BARRIERS
THOSE PARTS OF THE HANDRAILS AND BALUSTRADE LESS THAN 125mm FROM ANY GLAZING OR ANY COMBUSTIBLE WALL SHALL BE:

- a. NON-COMBUSTIBLE MATERIAL; OR
- b. BUSHFIRE-RESISTANT TIMBER; OR
- c. A COMBINATION OF ANY OF THE ITEMS (a) AND (b)

THOSE PARTS OF THE HANDRAILS AND BALUSTRADE 125mm OR MORE FROM THE BUILDING HAVE NO REQUIREMENTS

6.7.5 VERANDAH POSTS
VERANDAH POSTS SHALL BE:

- a. NON-COMBUSTIBLE MATERIAL; OR
- b. BUSHFIRE-RESISTANT TIMBER; OR
- c. A COMBINATION OF ANY OF THE ITEMS (A) AND (B)

6.8 WATER AND GAS SUPPLY PIPES
ABOVE GROUND, EXPOSED WATER SUPPLY PIPES SHALL BE METAL.
EXTERNAL GAS PIPES AND FITTINGS ABOVE GROUND SHALL BE OF STEEL OR COPPER CONSTRUCTION HAVING A MINIMUM WALL THICKNESS IN ACCORDANCE WITH GAS REGULATIONS OR 0.9mm WHICHEVER IS GREATER. THE METAL PIPE SHALL EXTEND A MINIMUM OF 400mm WITHIN THE BUILDING AND 100mm BELOW GROUND.



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FOR PLANNING			
P1	FOR PLANNING	EJT	09/07/2025
REV #	DESCRIPTION	DRAWN BY	DATE

FOR PLANNING		BAL REQUIREMENTS		
	DRAWN: EJT	PROJECT: NEW DWELLING/GARAGE/OUTBUILDING ADDRESS: 19 KINGS COVE BOULEVARD METUNG		
	DATE: 30/01/2025			
	CHECKED: S.ABBOTT			
	SHEET No: 9 OF 9			
	DO NOT SCALE A3 SIZE SHEET	SCALE 1:100	DRG.NO. LPS 101	REV. 01

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