Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	**160 Orrs Road WY YUNG VIC 3875 Lot: 11 PS: 600907**
The application is for a permit to:	**Two lot subdivision**
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	**Matter for which a permit is required**
Clause 35.03-3	A permit is required to subdivide land.
Clause 44.01-5	A permit is required to subdivide land.
The applicant for the permit is:	**Development Solutions Victoria Pty Ltd**
The application reference number is:	**5.2025.244.1**

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**.**

Planning Permit Application

s47 Planning and Environment Act 1987; r13 Planning and Environment Regulations 2015

EAST GIPPSLAND SHIRE COUNCIL

Applicant Details:

Applicant name:	
Business trading name (if applicable):	DEVELOPMENT SOLUTIONS VICTORIA PTY LTD
Email address:	ADMIN@DEVSOLVIC.COM.AU
Postal address:	48 BAILEY STREET, BAIRNSDALE VIC
	Postcode: 3875
Preferred Phone number: 03 5152 4858	Secondary number:

Owners Details: (if not the applicant)

Owner name:	
Business trading name (if applicable):	
Postal address:	
	Postcode:

Description of the Land:

Street number: 160	Street name: ORRS ROAD
Town: WY YUNG	Postcode 3875

AND/OR

Lot Number: 11	Plan Number: 600907C
Other Legal Description: PLAN OF SUBDIVISION	

Other legal description may be a Crown Allotment reference, Volume/Folio, or other title descriptor.
If the proposal relates to multiple addresses/parcels, please attach a document with a list of the owner and land description details for each additional property.

Declaration in relation to Title Restrictions:

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	☐ No
Will the proposal result in a breach of a registered covenant restriction or agreement?	☐ Yes	☑ No

Existing conditions:
Describe how the land is currently used and developed:

CONTAINS AN EXISTING DWELLING AND ASSOCIATED FACILITIES

Planning Permit Application

s47 Planning and Environment Act 1987; r13 Planning and Environment Regulations 2015

Estimated cost of development:	$ NA

Note: You may be required to verify this estimate

Has there been a pre-application meeting: ☐ Yes ☑ No	Officer name:
Your application reference number: 25050	

Application requirements and supporting documents
Required:

- Title to each property subject to the application (must have been generated within the past 30 days)
- Full copy of Covenants or Section 173 agreements if applicable, and details of beneficiaries if there is a proposal which would contravene, alter, or end a covenant or restriction.
- Supporting documents which are mandatory requirements of the Planning Scheme (e.g. – Native Vegetation Removal Report, Bushfire Management Statement, Geotechnical report/waiver)
- Plans as relevant to the proposal

Suggested, or subject to requirements of the scheme

- A report responding to the relevant application requirements and the policies and objectives of the East Gippsland Planning Scheme
- Supporting information/reports which are commonly considered with similar applications (e.g. – Land Capability Assessment, Bushfire Management Statement, Geotechnical report/waiver)

If you need more space or have more information, please attach with this form.

Payment of Application Fees
This application has an associated cost to be confirmed by a senior planning officer in accordance with the *Planning and Environment (Fees) Regulations* 2016. An invoice will be generated once the application has been assessed to confirm it is complete.

Invoice Recipient (Payer): DEVELOPMENT SOLUTIONS VICTORIA PTY LTD		
Address 48 BAILEY STREET, BAIRNSDALE VIC		
		Postcode: 3875
Email Address: ADMIN@DEVSOLVIC.COM.AU	Phone Number: 03 5152 4858	

Privacy Statement
The East Gippsland Shire Council asks for details about you to make decisions on planning permit applications. The information you give to us on this form is used for your application and is required for Council to make its decision under the *Planning and Environment Act* 1987. Sometimes we may provide a copy of this application form to another person, but only if it is for a legitimate purpose that is related to the planning process, or we are allowed by law, or to protect people or property. If your information is put onto Council's website or provided to another person, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act* 2014. For instance, if requested by another person, after deciding that it is requested for a legitimate purpose, Council will obtain an undertaking from the recipient confirming how they will use your personal information and that they will destroy it once used.

You may ask for more information about Council's Privacy Policy by contacting our Privacy Officer on 03 5153 9500 or e-mail feedback@egipps.vic.gov.au .You can gain access to information you provided to us through the *Freedom of Information Act 1982*, more information about FOI is available on Council's website.

Planning Permit Application

s47 Planning and Environment Act 1987; r13 Planning and Environment Regulations 2015

Declarations:
I declare that I am the applicant and that all the information in this application is true and correct and the owner(s) (if not myself) has (have) been notified of the permit application. I confirm that I have authority to use the relevant documents. In the event that the giving of notice is required pursuant to Section 52 of the *Planning and Environment* Act 1987, I permit documents submitted as part of this application, including my full contact information, to be made available for public viewing on Council's website. In the event that the giving of notice is required pursuant to Section 52 of the *Planning and Environment Act* 1987, and I receive instructions to give notice to potentially affected parties, I confirm that I will destroy the instructions and personal information once the information is no longer necessary. I accept the East Gippsland Shire Council Privacy Statement.

Applicant signature:	
Name: COURTNEY CAMPBELL	Date: 21 / 07 / 2025

Contact Council

03 5153 9500

feedback@egipps.vic.gov.au

eastgippsland.vic.gov.au

PO Box 1618, Bairnsdale 3875

Customer Service Centres:

- **Bairnsdale:** 273 Main Street
- **Lakes Entrance:** 18 Mechanics Street
- **Mallacoota:** 70 Maurice Avenue
- **Omeo:** 179 Day Avenue
- **Orbost:** 1 Ruskin Street
- **Paynesville:** 55 Esplanade

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

VOLUME 11085 FOLIO 325

Security no : 124126297834Y
Produced 17/07/2025 11:43 AM

LAND DESCRIPTION

Lot 11 on Plan of Subdivision 600907C.
PARENT TITLE Volume 06647 Folio 284
Created by instrument PS600907C 14/08/2008

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

ENCUMBRANCES, CAVEATS AND NOTICES

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

AGREEMENT Section 173 Planning and Environment Act 1987
AF939419K 30/06/2008

DIAGRAM LOCATION

SEE PS600907C FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AZ255475M (E)	REMOVAL OF AGREEMENT	Registered	13/06/2025

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

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

Street Address: 160 ORRS ROAD WY YUNG VIC 3875

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

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PLAN OF SUBDIVISION

STAGE No. / LTO USE ONLY | EDITION 1 | PLAN NUMBER PS 600907C

LOCATION OF LAND

PARISH: WY YUNG
TOWNSHIP: —
SECTION: —
CROWN ALLOTMENT: 36[CI] (PART)

TITLE REFERENCES: VOL 6647 FOL 284

LAST PLAN REFERENCE: LOT 1 ON TP339382E

POSTAL ADDRESS: (At time of subdivision) 160 ORRS ROAD, LUCKNOW 3875

MGA 94 CO-ORDINATES: (Of approx. centre of land in plan) E 556 340 N 5817 660 ZONE: 55

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF: 84/2006/CRT

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

OPEN SPACE

(i) A requirement for public open space under Section 18 Subdivision Act 1988 ~~has~~ / has not been made.
(ii) ~~The requirement has been satisfied.~~
(iii) ~~The requirement is to be satisfied in stage~~

Council Delegate
~~Council seal~~

Date 21 / 1 / 08

~~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
ROAD R1	EAST GIPPSLAND SHIRE COUNCIL

NOTATIONS

STAGING This ~~is~~ / is not a staged subdivision
Planning Permit No 745/2005/P

DEPTH LIMITATION DOES NOT APPLY

LOTS 1 - 8 HAVE BEEN OMITTED FROM THIS PLAN

SURVEY. THIS PLAN IS / ~~IS NOT~~ BASED ON SURVEY

THIS SURVEY IS CONNECTED TO PERMANENT MARK No(s) 12 & 35

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	POWERLINE	SEE DIAG.	THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	SPI ELECTRICITY PTY LTD
E-2	DRAINAGE	3	THIS PLAN	EAST GIPPSLAND SHIRE COUNCIL

LR USE ONLY
STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT
RECEIVED ☑
DATE 11 / 8 / 08

LR USE ONLY
PLAN REGISTERED
TIME 9.34 AM
DATE 14/8/08
Assistant Registrar of Titles

SHEET 1 OF 4 SHEETS

Crowther & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 5152 5011

LICENSED SURVEYOR PAUL ANTHONY DWYER
SIGNATURE ..... DATE 22/ 11 / 06
REF 12234 VERSION 3

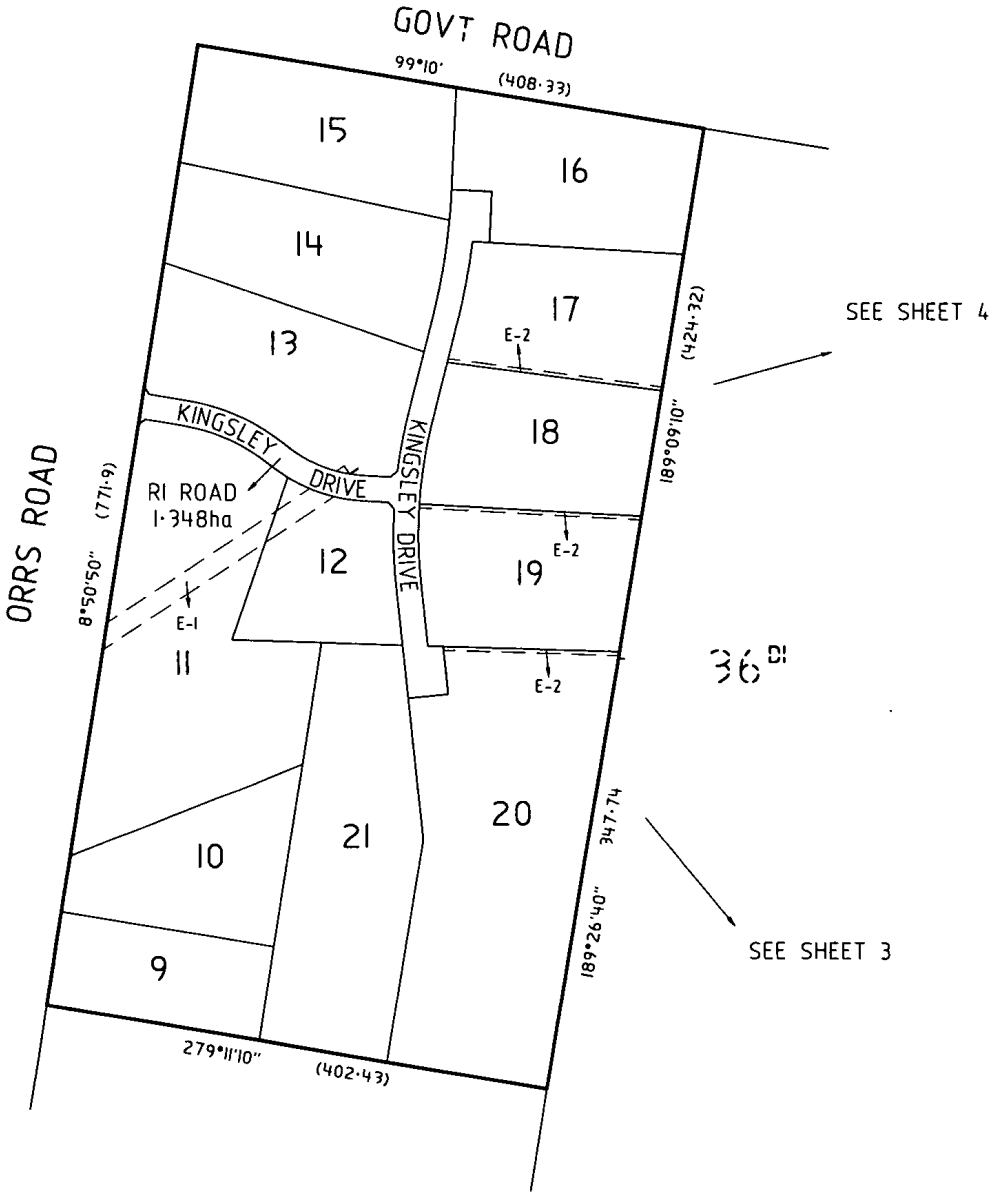
..... DATE / /
COUNCIL DELEGATE SIGNATURE

ORIGINAL SHEET SIZE A3

PLAN OF SUBDIVISION

STAGE No. | PLAN NUMBER PS 600907C

MGA94 ZONE 55



Crowther & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 5152 5011

SHEET 2 OF 4 SHEETS

ORIGINAL SHEET SIZE A3 | SCALE 1:4000 | SCALE 40 0 40 80 120 160 LENGTHS ARE IN METRES

LICENSED SURVEYOR PAUL ANTHONY DWYER
SIGNATURE ..... DATE / /
REF 12234 VERSION 3

..... DATE / /
COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION

STAGE No. | PLAN NUMBER PS 809076

MGA94 ZONE 55

CONTINUED ON SHEET 4

KINGSLEY DRIVE

R1 ROAD

ORRS ROAD

SEE ENLARGEMENT

ENLARGEMENT SCALE 1:1000

9	1·299ha
10	1·636ha
11	4·159ha
12	1·300ha
19	1·830ha
20	4·644ha
21	3·101ha

Crowther & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 5152 5011

ORIGINAL SHEET SIZE A3 | SCALE 1:2000 | SCALE 20 0 20 40 60 80 LENGTHS ARE IN METRES

LICENSED SURVEYOR PAUL ANTHONY DWYER
SIGNATURE ..... DATE / /
REF 12234 VERSION 3

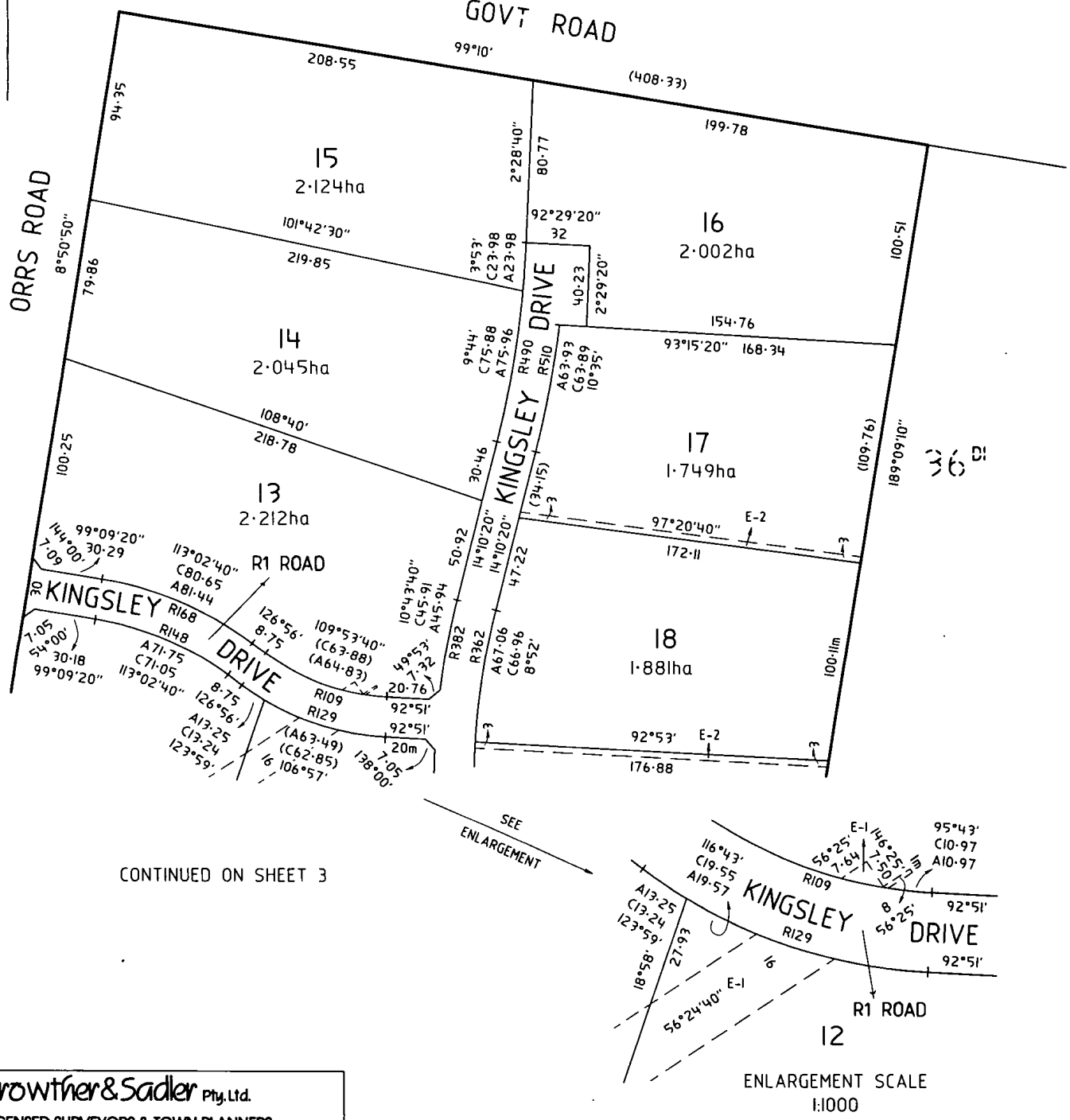
SHEET 3 OF 4 SHEETS

DATE / /
COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION

STAGE NO. | PLAN NUMBER PS 809907C

MGA94 ZONE 55



ENLARGEMENT SCALE
1:1000

Crowther & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
TELEPHONE (03) 5152 5011

SHEET 4 OF 4 SHEETS

ORIGINAL SHEET SIZE	SCALE	SCALE
A3	1:2000	20 0 20 40 60 80 LENGTHS ARE IN METRES

LICENSED SURVEYOR PAUL ANTHONY DWYER
SIGNATURE ..... DATE / /
REF 12234 VERSION 3

DATE / /
COUNCIL DELEGATE SIGNATURE

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AF939419K

30/06/2008 $97 173

OFFICE OF TITLES L.J.E. VICTORIA

Titles Office Use Only

Lodged by: Wards Barristers & Solicitors Pty Ltd
DX 82203 Bairnsdale
Code: 3556G

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 the Act.

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 the Agreement be entered on the Certificate(s) of Title to the land referred to.

LAND LOTS 11 13 14 & 15 ON PS600907C BEING PART OF

Certificate of Title Volume 6647 Folio 284 NOW = 11085-325, 327, 328 & 329 LTE 15/8/08

AMENDED
16 JUL 2008

ADDRESS OF THE LAND

160 Orrs Road, Lucknow 3875

With the consent of
Australian Legal Practitioner for ~~AUTHORITY~~
(BY PHONE)

RESPONSIBLE AUTHORITY

East Gippsland Shire Council, 273 Main Street, Bairnsdale 3875

PLANNING SCHEME

East Gippsland Shire Planning Scheme

AGREEMENT DATE
27/05/2008

AGREEMENT WITH
DUMELL HOLDINGS PTY LTD

A copy of the Agreement is attached to this Application.

Signature for the Responsible Authority .....

Name of Officer AARON HOLLOW, MANAGER DEVELOPMENT

Date 26/6/2008

Date 27 / 5 /2008

Agreement under Section 173 of the Planning and Environment Act 1987

Subject Land:
160 Orrs Road, Lucknow

East Gippsland Shire Council
and

Dumell Holdings Pty Ltd - A.C.N. 006 835 374

Table of Contents

1. **DEFINITIONS** 2

2. **INTERPRETATION** 2

3. **SPECIFIC OBLIGATIONS OF THE OWNER** 3

4. **FURTHER OBLIGATIONS OF THE OWNER** 3

   4.1 Notice and Registration 3
   4.2 Further actions 3
   4.3 Council's Costs to be Paid 4

5. **AGREEMENT UNDER SECTION 173 OF THE ACT** 4

6. **OWNER'S WARRANTIES** 4

7. **SUCCESSORS IN TITLE** 4

8. **GENERAL MATTERS** 5

   8.1 Notices 5
   8.2 Service of Notice 5
   8.3 No Waiver 5
   8.4 Severability 5
   8.5 No Fettering of Council's Powers 5

9. **COMMENCEMENT OF AGREEMENT** 6

Agreement under Section 173 of the Planning and Environment Act 1987

DATE / /2008

BETWEEN

EAST GIPPSLAND SHIRE COUNCIL
of Corporate Centre, 273 Main Street, Bairnsdale

(Council)

AND

DUMELL HOLDINGS PTY LTD
A.C.N. 006 835 374
of 120 Macleod Street, Bairnsdale

(Owner)

RECITALS

A. Council is the Responsible Authority pursuant to the Act for the Planning Scheme.

B. The Owner is or is entitled to be the registered proprietor of the Subject Land.

C. On 2nd May 2006 Council issued Planning Permit No. 745/2005/P/A and was amended on 3 January 2007 (**"Planning Permit"**) allowing the Subject Land to be subdivided into 21 lots in accordance with the Endorsed Plan. Condition 34 of the Planning Permit requires the Owner to enter into this Agreement to provide for the matters set out in that condition. A copy of the Planning Permit is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.

D. Condition 34 of the Planning Permit provides that:

> Section 173 Agreement. Before the issue of a Statement of Compliance, the owner of the land must enter into an agreement with Council in accordance with Section 173 of the Planning and Environment Act 1987 which will covenant that:
>
> The Owners of lots 1, 8, 13, 14, 15 will not have any access to Orrs Road and the Owners of lot 11 will only have the one existing access to Orrs Road.
>
> The Agreement will bind the Applicant as the Owner and must run with the land so that all successors in Title are bound by the Agreement. This Agreement will be prepared at the Applicant's expense 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. "

E. As at the date of this Agreement, the Subject Land is encumbered by Mortgage No. X798897C in favour of the Mortgagee. The Mortgagee has consented to the Owner entering into this Agreement with respect to the Subject Land.

F. The parties enter into this Agreement:

F.1 to give effect to the requirements of the Planning Permit; and

F.2 to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

THE PARTIES AGREE

1. DEFINITIONS

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

Act means the *Planning and Environment Act* 1987.

Agreement means this agreement and any agreement executed by the parties expressed to be supplemental to this agreement.

Endorsed Plan means the plan endorsed with the stamp of Council from time to time as the plan which forms part of the Planning Permit. A copy of the Endorsed Plan is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.

lot means a lot on the Endorsed Plan.

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.

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.

party or parties means the Owner and Council under this Agreement as appropriate.

Planning Scheme means the East Gippsland Planning Scheme and any other planning scheme that applies to the Subject Land.

Subject Land means the land situated at 160 Orrs Road, Lucknow being the land referred to in Certificate of Title Volume 6647 Folio 284 and any reference to the Subject Land in this Agreement includes any lot created by the subdivision of the Subject Land or any part of it.

2. INTERPRETATION

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 term used in this Agreement has its ordinary meaning unless that term is defined in this Agreement. If a term is not defined in this Agreement and it is defined in the Act it has the meaning as defined in the Act.

2.6 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.

2.7 The introductory clauses to this Agreement are and will be deemed to form part of this Agreement.

2.8 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.

3. SPECIFIC OBLIGATIONS OF THE OWNER

The Owner covenants and agrees that once the subdivision authorised by the Planning Permit is registered:

3.1 lots 1, 8, 13, 14 and 15 must not be accessible via Orrs Road; and

3.2 lot 11 must not be accessible via Orrs Road except via the access that already exists,

to the satisfaction of Council.

4. FURTHER OBLIGATIONS OF THE OWNER

4.1 *Notice and Registration*

The Owner further covenants and agrees that the Owner will bring this Agreement to the attention of all prospective purchasers, lessees, mortgagees, chargees, transferees and assigns.

4.2 *Further actions*

The Owner further covenants and agrees that:

4.2.1 the Owner will do all things necessary to give effect to this Agreement;

4.2.2 the Owner will make 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 for this to be done including signing any further agreement, acknowledgment 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 ***Council's Costs to be Paid***

The Owner further covenants and agrees that the Owner will immediately pay to Council, Council's reasonable costs and expenses (including legal expenses) of and incidental to the preparation, drafting, review, finalisation, engrossment, execution, registration and enforcement of this Agreement which are and until paid will remain a debt due to Council by the Owner.

5. AGREEMENT UNDER SECTION 173 OF THE ACT

Council and the Owner agree that without limiting or restricting the respective powers to enter into this Agreement and, insofar as it can be so treated, this Agreement is made as a Deed pursuant to Section 173 of the Act, and the obligations of the Owner under this Agreement are obligations to be performed by the Owner as conditions subject to which the Subject Land may be used and developed pursuant to the Planning Permit.

6. OWNER'S 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 affected by this Agreement.

7. SUCCESSORS IN TITLE

Without limiting the operation or effect that 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 by hand delivery or prepaid post.

8.2 *Service of Notice*

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 7 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*

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

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council to make 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.

9. COMMENCEMENT OF AGREEMENT

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

SIGNED, SEALED AND DELIVERED as a Deed by the parties on the date set out at the commencement of this Agreement.

The Common Seal of the East Gippsland Shire Council was hereunto affixed on the ...20.. day of ...JUNE..... 2008, in the presence of:

..... Chief Executive

..... Witness

The Common Seal of Dumell Holdings Pty Ltd was hereunto affixed in accordance with the Company's Constitution in the presence of:

Common Seal
DUMELL HOLDINGS PTY. LTD.
A.C.N.
006 835 374

.....Director
Name: ANTHONY BERNARD WARD
Address: 160 Orrs Road, Lucknow

.....Director
Name: SHARON MAREE WARD
Address: 160 Orrs Road, Lucknow

Mortgagee's Consent

Australia and New Zealand Banking Group Limited as Mortgagee of registered mortgage No. X798897C 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.

.....

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
MORTGAGE OPERATIONS
530 COLLINS ST. MELB.
A.C.N. 005 357 522

dbm GEOTECH

17 July 2025

LAND CAPABILITY ASSESSMENT

PROPOSED DEVELOPMENT
160 ORRS ROAD,
WY YUNG, VICTORIA, 3875

Prepared for:
Development Solutions Victoria
Bairnsdale, VIC, 3875

Report Number: 25190_LCA

dbm Geotech Consulting Pty Ltd
Kilcunda, Victoria, 3995
ABN 69 666 900 643
www.dbmgeotech.com.au

CONTENTS

SUMMARY 1
1.0 INTRODUCTION 2
2.0 DESCRIPTION OF THE DEVELOPMENT 2
3.0 SITE AND SOIL ASSESSMENT 2
4.0 SYSTEM SELECTION AND DESIGN 7
5.0 MONITORING, OPERATION AND MAINTENANCE 12
6.0 CONCLUSION 13
7.0 REFERENCES 14
8.0 LIMITATIONS 14

Figures

Figure 1: Site Plan

Figure 2 - 4: Site Photos

Appendices

Appendix A

Reports of Boreholes

Water balance calculations

Appendix B

Limitations

SUMMARY

Location:

Address: 160 Orrs Road, Wy Yung, Victoria, 3875

SPI: 11\PS600907

Land Features:

Slope of land: 5-12%

Aspect: north-westerly

Evaporation: 1238mm

Distance to surface water: Open stormwater drain in NW corner of site

Flooding: > 1in 100 years

Rainfall: 657mm

Soil Properties:

Soil texture (limiting layer): Fine Sandy Loam 2a

Permeability: 1.4 - 3.0 mm/day

Treatment System:

EPA Approved Secondary Treatment

Land Application system:

Sub-Surface Drip Irrigation

Design Loading rate (DLR):

Sub-surface irrigation: 5.0 mm/day;

Land Application Area minimum size

Design Flow Rate	Subsurface irrigation
3-bedroom dwelling – 600L/day	230 m^2
4-bedroom dwelling – 750L/day	290 m^2
5-bedroom dwelling – 900L/day	350 m^2

Site Constraints:

High Permeability Sandy Soils, Rainfall Run-On, Waterway

Special Conditions / Mitigation Measures:

Fine Sandy Loam: Treat wastewater to secondary level and dispose of via sub-surface irrigation.

Rainfall Run-On: Ensure that upslope stormwater is diverted away from the Land Application Area

Waterway: Locate Land Application Area a minimum 30m from open swale drain.

Key Buffer Distances:

Site boundaries and buildings:	1.5m downslope; 3.0m upslope
Waterway (potable):	100m
Waterway (non-potable):	30m

Management:

Desludging primary tank: every **3 years**

Quarterly servicing of treatment plant and inspection of effluent dispersal area.

1.0 INTRODUCTION

Development Solutions Victoria has engaged DBM Geotech Consulting Pty Ltd (DBM Geotech) to undertake a Land Capability Assessment for the proposed subdivision at 160 Orrs Road, Wy Yung. The field investigation and report have been undertaken and prepared by suitably experienced consultants.

This report will accompany an application for a planning permit to sub-divide the land at 160 Orrs Road, Wy Yung into 2 Lots. The report provides information about the site and soil conditions. It also provides a Land Capability Assessment (LCA) for the site and includes a conceptual design for a suitable onsite wastewater management system on the proposed new allotments, including recommendations for monitoring and management requirements.

2.0 DESCRIPTION OF THE DEVELOPMENT

The site is a small rural allotment of approximately 4.16 hectares. Plans indicate that the land will be subdivided into two lots. Lot 1 comprises the existing dwelling and will be 2.16 Hectares in area and Lot 2 will be a vacant lot with an area of 2 Hectares. The land at Lot 2 slopes down to the northwest at a variable gradient between 5% and 12%. The closest waterbody is an open stormwater drain located along the roadside, adjacent to the northern and northwestern site boundaries.

Site Address: 11\PS600907; 160 Orrs Road, Wy Yung, Victoria, 3875 (Figure 1)

Council Area: East Gippsland Shire Council

Zoning: RLZ1 – Rural Living Zone – Schedule 1

Domestic Water Supply: Mains water

Anticipated Wastewater Load: Assume a residence with full water-reduction fixtures at maximum occupancy. Wastewater generation = 150 L/person/day; Table 4.3 of EPA Guidelines 2024 (1).

Availability of Sewer: The area is unsewered and unlikely to be sewered within the next 10-20 years.

3.0 SITE AND SOIL ASSESSMENT

3.1 SITE ASSESSMENT

DBM Geotech undertook a site investigation on the 30 June 2025. Table 1 summarises the key features of the site in relation to effluent management proposed for the site.

NOTE:

- The site is not in a special water supply catchment area.
- The risk of effluent transport offsite is low.

Figure 1 attached provides a site plan and indicates the location of the proposed dwelling. Site photos are shown in Figures 2 - 4.

Table 1: Site Assessment

Characteristic	Level of Constraint		
	Nil or Minor	**Moderate**	**Major**
Aspect	North / North-East / North-West	East / West / South-East / South-West	South
Climate	Excess of evaporation over rainfall in the wettest months	Rainfall approximates to evaporation	Excess of rainfall over evaporation in the wettest months
Erosion	Nil or minor	Moderate	Severe
Exposure To Sun and Wind	Full sun and/or high wind or	Dappled light	Heavily shaded and little wind
Fill (Imported)	No fill or minimal fill, or fill is good quality topsoil	Moderate coverage and fill is good quality	Extensive poor-quality fill and variable quality fill
Flood Frequency (ARI)	Less than 1 in 100 years	Between 100 and 20 years	More than 1 in 20 years
Groundwater Bores	No bores onsite or on neighbouring properties	Setback distance from bore complies with requirements in EPA Guidelines 2024	Setback distance from bore does not comply with requirements in EPA Guidelines 2024
Usable Land Area for LAA	Exceeds LAA and duplicate LAA and buffer distance requirements	Meets LAA and duplicate LAA and buffer distance requirements	Insufficient area for LAA
Landslip	Nil	Minor to moderate	High or Severe
Slope Form	Convex or divergent side-slopes	Straight side-slopes	Concave or convergent side-slopes
Slope Gradient (%)			
(a) For Absorption Trenches and Beds	<6%	6-15%	>15%
(b) For Subsurface Irrigation	<10%	10-30%	>30%
Soil Drainage (Qualitative)	No visible signs or likelihood of dampness, even in wet season	Some signs or likelihood of dampness	Wet soil, moisture-loving plants, standing water in pit; water ponding on surface, soil pit fills with water

Table 1: Site Assessment

Characteristic	Level of Constraint		
	Nil or Minor	Moderate	Major
Stormwater Run-On	Low likelihood of stormwater run-on	Moderate likelihood of stormwater run-on	High likelihood of inundation by stormwater run-on
Surface Waters - Setback Distance (m)	Setback distance complies with requirements in EPA Guidelines 2024		Setback distance does not comply with requirements in EPA Guidelines 2024
Vegetation Coverage Over the Site	Plentiful vegetation with healthy growth and good potential for nutrient uptake	Limited variety of vegetation	Sparse vegetation or no vegetation
Performance of the Existing System Onsite	Performing well and meets the required setback distances to new site boundaries	Performing well but doesn't meet current EPA requirements	Existing system has failed, and effluent is flowing overland across the site.

3.2 SITE ASSESSMENT RESULTS

Moderate or major site constraints were identified in the site assessment. These constraints listed in Table 2 along with mitigation measures for controlling the risks identified at the site.

Based on the most constraining site features, the overall land capability of the site to sustainably manage all effluent onsite is satisfactory. The proposed effluent management area is located above the 1:100 flood level and by using secondary treatment, there will be suitable protection of surface waters and groundwater.

Table 2: Site Constraints

Constraint	Proposed mitigation measure
Climate	None required as the site is situated on a hillside with high permeability soils.
Slope Form / Gradient	Adopt secondary treatment with sub-surface irrigation or absorption trenches.
Stormwater run-on	Stormwater run-on was observed in three locations at the site as shown in Figure 1. Along the north of the site a culvert directs stormwater from the road onto the property and at two locations along the east boundary stormwater from the neighbouring property drains on Lot 2. Given the high permeability of the soils at the site the stormwater run-on risk is considered to be low. However, we recommend that any stormwater is diverted to ensure that it does not impact the proposed effluent disposal field.

3.3 PERFORMANCE OF THE EXISTING SYSTEM AT THE SITE

The existing dwelling currently disposes of secondary treated effluent via surface irrigation on the western side of the existing dwelling (Figure 1). The existing system was observed to be performing correctly and is being serviced frequently at the recommended service intervals by a suitably qualified maintenance contractor.

3.4 SOIL ASSESSMENT

The site's soils have been assessed for their suitability for onsite wastewater management by a combination of soil survey and desktop review of published soil survey information as outlined below.

A soil survey was carried out at the site to determine suitability for application of treated effluent. Soil investigations were conducted at six locations as shown in Figure 1. The investigation was carried out using a vehicle-mounted push tube sampler to depths of 1.5m below ground level. In addition, samples were collected and tested for pH, EC and dispersive soils. A summary of the soil properties for the different soil types encountered are presented in Table 3. Full profile descriptions of the soils are provided in Appendix A.

Table 3: Soil Properties Summary

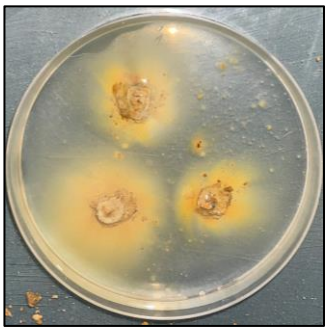
Soil Texture	Fine Sandy Loam	Fine Sandy Clay Loam
Depth Range	0.0m – 0.5m	0.5m – 1.0m
Soil Category	2a	4a
EC (ECe) (dS/m)	0.034	0.325
pH	5.84	6.67
Soil Dispersion	Non - Dispersive	Dispersive
		
Estimated Soil Permeability Ksat (m/day)	>3.0 m/day	0.5 – 1.5 m/day
Design Loading Rate		
(a) Sub-Surface	5.0 mm/day	3.5 mm/day
(b) Absorption Trenches	50.0 mm/day	30.0 mm/day

Table 4 provides a risk assessment based on the physical and chemical characteristics of each soil type.

Table 4: Soil Risk Assessment

Characteristic	Level of Constraint		
	Nil or Minor	**Moderate**	**Major**
Electrical Conductivity (ECe) (dS/m)	<0.8	0.8 - 2	>2
Dispersive Soils	Non-Dispersive (4, 5, 6, 8)	7	Dispersive (1, 2, 3)
Gleying	Nil	Some evidence of greenish grey / black or bluish grey soil colours	Predominant greenish grey / black, bluish grey / black colours
pH (Favoured Range for Plants)	5.5 - 8 is the optimum range for a wide range of plants; 4.5 - 5.5 suitable for many acid-loving plants		<4.5, >8
Rock Fragments (Size & Volume %)	0 – 10%	10 – 20 %	>20%
Soil Depth to Rock or other Impermeable Layer; Trenches (Irrigation/Mounds)	**>1.2 m** (>0.7m)	**1.2 – 0.9 m**	**<0.9 m** (<0.7m)
Soil Structure (Pedality)	Highly or Moderately Structured	Weakly-Structured	Structureless, Massive or Hardpan
Soil Category (Indicative Permeability)	Cat. 2b, 3a, 3b, 4a	Cat. 4b, 4c, 5a	Cat. 1, 2a, 5b, 5c, 6
Depth to Watertable	>1.5 m	1.0 – 1.5 m	<1.0 m

3.5 SOIL ASSESSMENT RESULTS

The soils across the site were typically categorised as Fine Sandy Loam, with variable depths to Fine Sandy Clay Loam. Considering the physical characteristics of the subsoil in the area of the site, effluent application via sub surface irrigation is a suitable and viable disposal system for this site.

Moderate or major soil constraints were identified in the soil assessment. These constraints listed in Table 5 along with mitigation measures for controlling the risks identified at the site.

Table 5: Soil Assessment Migration Measures

Constraint	Proposed mitigation measures
Dispersive Soils	Treat wastewater to secondary level and dispose of via sub-surface irrigation. Apply liquid gypsum to the system on commission and as required.
Soil Structure/ Category	Treat wastewater to secondary level and dispose of via sub-surface irrigation.

3.6 OVERALL LAND CAPABILITY RATING

For the soil in the proposed subdivision area, no features present a moderate or major constraint that cannot be mitigated.

Based on the results of the site and soil assessment tabled above and provided in the Appendices, the overall land capability of the proposed effluent management area is constrained. However, the effluent management systems can be designed, installed and maintained in ways which will mitigate these factors.

4.0 SYSTEM SELECTION AND DESIGN

The following sections provide an overview of a suitable onsite wastewater management systems for each new allotment with sizing and design considerations and justification for its selection. Detailed design for the system should be undertaken at the time of the building application and submitted to Council.

4.1 TARGET EFFLUENT QUALITY

Based on the site constraints a secondary treatment system is recommended at this site. The secondary effluent quality required is:

- Biochemical Oxygen Demand, less than 20 mg/L;
- Total Suspended Solids, less than 30 mg/L;

The property owner has the responsibility for the final selection of the secondary treatment system and will include the details of it in the Septic Tank Permit to Install application form for Council approval.

4.2 EFFLUENT MANAGEMENT OPTIONS

A range of possible land application systems have been considered, such as absorption trenches, evapo-transporation/absorption (ETA) beds, subsurface irrigation, and mounds.

The preferred system at this site is shallow pressure compensated drip irrigation. This system is considered suitable to overcome the site constraints and ensure that that the risk of effluent being transported off-site will be negligible.

A detailed irrigation system design is beyond the scope of this report however a general description of the system is provided here for the information of the client and council.

4.2.1 DESCRIPTION OF IRRIGATION SYSTEM

Sub-surface irrigation comprises a network of drip-irrigation lines that are specially design for use with wastewater. The pipe contains pressure compensating emitters (drippers) that employ a biocide to prevent build-up of slimes and inhibit root penetration. The lateral pipes are usually 0.6m to 1.0m apart, installed parallel along the contour. Installation depth is 100-150mm in accordance with AS1547:2012. It is critical that the irrigation pump be sized properly to ensure adequate pressure and deliver rate to the irrigation network.

A filter is installed in the main line to remove fine particulates that could block the emitters. This must be cleaned regularly (typically monthly) following manufacturer's instructions. Vacuum breakers should be installed at the high point/s in the system to prevent air and soil being sucked back into the drippers when the pump shuts off. Flushing valves are an important component and allow periodic flushing of the lines, which should be done at six monthly intervals.

4.3 SIZING THE IRRIGATION SYSTEM

To determine the necessary size of the Land Application Area, water and nutrient balance modelling has been undertaken and is provided in the below sections.

4.3.1 WASTEWATER LOADING RATE

In sizing the effluent dispersal field envelope one of the key input parameters is the volume of wastewater expected at the site. Table 4.1 of EPA Guidelines 2024 (1) has been used to size the volume of wastewater generated per allotment. We have adopted a loading rate of **150** L/person/day assuming WELS scheme water fixtures with town water supply.

4.3.2 SIMPLE HYDRAULIC EQUATION

The formular for sizing is expressed as follows:

A = Q/DLR

A = Area of subsurface irrigation required (m^2)
Q = daily flow (L/day) – 600 - 900L/day, based on a 3 – 5 bedroom dwelling, EPA 2024(1)
DLR = Design Loading Rate (mm/day) – 5.0 mm/day sub-surface irrigation;

4.3.3 DETAILED MONTHLY WATER BALANCE

Water balance modelling has been undertaken using the method and water balance tool in the Victorian Land Capability Assessment Framework (2014) and EPA, 2024. The water balance can be express by the following equation:

Precipitation + Effluent Applied = Evapotranspiration + Percolation

The assumptions and parameters adopted for the water balance calculation are:

- Retained Rainfall of 0.9 was adopted as the site has minor fall across the effluent application area.
- A design irrigation rate of 5.0mm/day for Fine Sandy Loam soil was adopted.
- Crop factors for Pasture from section 4.4.2.3 of EPA 2024 (1) were used.
- Rainfall and evaporation data – See Table 6

Table 6: Rainfall and Evaporation Data

Average Rainfall (mm) – Nicholson (Station No. 084025)												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	**Total**
53.8	44.2	55.6	52.6	53	59.4	46.6	45.6	52.4	65.4	64.3	64.1	**657**
Evaporation (mm) – Bairnsdale Waterworks (BoM – Australian Water Outlook)												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	**Total**
172.7	143.7	119.7	81.5	53.2	41.5	47	64.8	89.3	118.8	138.1	167.9	**1238.2**

4.3.4 NITROGEN BALANCE

The Nitrogen balance can be expressed by the following equation:

Daily N load (nitrogen concentration * hydraulic load) * 0.8 = N Uptake by plants

Data used in the N balance includes:

- Nitrogen effluent concentration (secondary treated system): 25 mg/L from Table 57 EPA Publication 2024 (2);
- Allow 20% loss through denitrification, volatilization, microbial digestion and other processes;
- N uptake by plants of 220 kg/ha/year from Section 4.4.3.3 of the EPA Guidelines 2024 (2)

4.3.5 PHOSPHORUS BALANCE

The Phosphorus balance can be express by the following equation:

Daily P load (phosphorus concentration * hydraulic load) = P Uptake by plants + P Adsorption

Data used in the N balance includes:

- Phosphorus effluent concentration (secondary treated system): 6 mg/L
- P uptake by plants of 30 kg/ha/year 4.4.3.3 of the EPA Guidelines 2024 (2);
- P adsorption = 75 mg/kg (sand) * 1.0m (soil depth) * 1.8 kg/m^3 (soil density) – from Table 2.3 Water NSW (2023) - Designing and Installing On-Site Wastewater Systems.

4.3.6 SUMMARY AND ADOPTED CALCULATION METHOD

The sub-surface irrigation area required to satisfy the water, and nutrient calculations are provided in Table 7 and the full calculations are shown in Appendix A. Our calculations for Table 7 are based on a 5-bedroom dwelling (900 L/day).

Table 7: Land Application Area

Calculation Method	Subsurface Irrigation Area
Simple Hydraulic equation	180 m^2
Monthly Water Balance	223 m^2
Nitrogen Balance	299 m^2
Phosphorus Balance	**346 m^2**

The results indicated the Phosphorous Balance equation is the limiting factor at the site. Table 22 of EPA 2024 provides guidance on the suitability of each calculation method. For high permeability soils (category 1-2) like this site the Nutrient Balance calculations (Nitrogen and Phosphorus) are considered the most suitable method to size the effluent dispersal system. Accordingly, the Phosphorus Balance is considered the most critical factor, and an effluent disposal area has been sized based of this.

4.3.7 EFFLUENT DISPERSAL FIELD SIZING

The nominated area method is used to calculate the area required to balance all inputs and outputs to the water balance. As a result of these calculations a minimum land application area required for sub-surface irrigation is shown in Table 8. The full water balance calculation is shown in Appendix A.

Table 8: Land Application Area

Number of Bedrooms*	Total Daily wastewater flow (L/day)	Required LAA Size - Sub-Surface Irrigation
3	600	230 m^2
4	750	290 m^2
5	900	350 m^2

***In accordance with EPA Guidelines 2024 any room such as a study, library or sunroom that can be closed off with a door, shall be treated as a bedroom.**

4.4 SITING AND CONFIGURATION OF THE IRRIGATION SYSTEM

Given the size of the proposed lot, we have not provided an exact location for the potential wastewater disposal. We consider that treated effluent can be located anywhere on the site except for the northwest corner as this area has stormwater from the road flowing onto the property and is close to roadside swale drains.

We recommend that DBM Geotech review the exact effluent field location prior to building permit application to ensure that appropriate setback distances are maintained.

Whilst there is ample area for application of the effluent, it is important that appropriate buffer distances be maintained. It is important to note that buffers are measured as the overland flow path for run-off water from the effluent irrigation area.

It is recommended that the owner consult a wastewater contractor familiar with effluent system construction to construct the system, and an appropriately registered plumbing/drainage practitioner to install the system.

4.5 STORMWATER RUN-ON MEASURES

Stormwater run-on from the upslope neighbouring lot currently drains directly onto the proposed subdivided lot (Lot 2). We recommend that this is diverted to ensure that it does not impact the proposed effluent disposal field. Stormwater run-on from buildings and significant rainstorm events pose a risk to the effluent disposal field. Stormwater run-on should be mitigated by the following:

- Diversion of roof and road drainage away from the effluent dispersal area.
- Diversion of upslope stormwater along the eastern boundary away from the proposed land application area.

4.6 BUFFER DISTANCES

Setback buffer distances from EDRS systems are required to help prevent human contact, maintain public amenity and protect sensitive environments. The relevant buffer distances for this site, taken from Table 4-10 of the EPA Guidelines 2024 (1) are provided in Table 8.

Table 8: Secondary Treatment buffer distances

Site Feature	Setback Distance (m)
Building / Allotment Boundaries / Swimming Pool / Water and Gas Pipes	3m – Up-slope 1.5m – Down-slope
Services	3m – Closed stormwater drain 30m – Open stormwater drain
Surface Waters	100m – Up-slope from watercourses in a potable water supply catchment 30m – Up-slope from non-potable watercourses 20m – Up-slope from drainage lines 15m – Up-slope of cutting/escarpment
Groundwater bores	20m – Category 2b to 6 soils
Soil depth	1.5m – Depth to Watertable 0.6m – Depth to hydraulic limiting layer

5.0 MONITORING, OPERATION AND MAINTENANCE

Maintenance is to be carried out in accordance with the EPA Certificate of Approval of the selected secondary treatment system and Council's permit conditions. The treatment system will only function adequately if appropriately and regularly maintained.

To ensure the treatment system functions adequately, residents must:

- Have a suitably qualified maintenance contractor service the secondary treatment system at the frequency required by Council under the permit to use;
- Use household cleaning products that are suitable for septic tanks;
- Keep as much fat and oil out of the system as possible; and
- Conserve water (AAA rated fixtures and appliances are recommended).
- Do not discharge your unwanted and expired medicine into your OWMS.
- Avoid use of products containing PFAS (Per-and Polyfluoroalkyl substances)

To ensure the land application system functions adequately, residents must:

- Regularly harvest (mow) vegetation within the EDRS and remove this to maximise uptake of water and nutrients;
- Monitor and maintain the subsurface irrigation system following the manufacturer's recommendations, including flushing the irrigation lines;
- Regularly clean in-line filters;
- Not erect any structures and paths over the EDRS;
- Avoid vehicle and livestock access to the EDRS, to prevent compaction and damage; and
- Ensure that the EDRS is kept level by filling any depressions with good quality topsoil (not clay).

6.0 CONCLUSION

As a result of our investigations, we conclude that sustainable onsite wastewater management is feasible with appropriate mitigation measures, as outlined, for the proposed subdivision of 160 Orrs Road, Wy Yung into two allotments.

Specifically, we recommend the following for any new wastewater system at the site:

- Secondary treatment of wastewater by an EPA-accredited treatment system;
- Land application of treated effluent via subsurface irrigation (which may be subdivided into two or more evenly sized zones using an indexing or sequencing valve);
- Installation of water saving fixtures (minimum 4 star WELS) and appliances (minimum 3 star WELS) in the new residence to reduce the effluent load;
- Use of low phosphorus and low sodium (liquid) detergents to improve effluent quality and maintain soil properties for growing plants; and
- Operation and management of the treatment and disposal system in accordance with manufacturer's recommendations, the EPA Certificate of Approval, the EPA Guidelines 2024 and the recommendations made in this report.

7.0 REFERENCES

Environment Protection Authority (2024) (1). Guideline for onsite wastewater management (GOWM).

Environment Protection Authority (2024) (2). Guideline for onsite wastewater effluent dispersal and recycling systems (EDRS).

Municipal Association of Victoria, Department of Environment and Sustainability and EPA Victoria (2014) Victorian Land Capability Assessment Framework.

Standards Australia / Standards New Zealand (2012). AS/NZS 1547:2012 On-site domestic-wastewater management.

8.0 LIMITATIONS

Your attention is drawn to the document – 'Limitations' which is included in Appendix B of this report. The statements presented in this document are intended to advise you of what your realistic expectations of this report should be. The document is not intended to reduce the level of responsibility accepted by DBM Geotech, but rather to ensure that all parties who may rely on this report are aware of the responsibilities each assumes is so doing.

DBM Geotech

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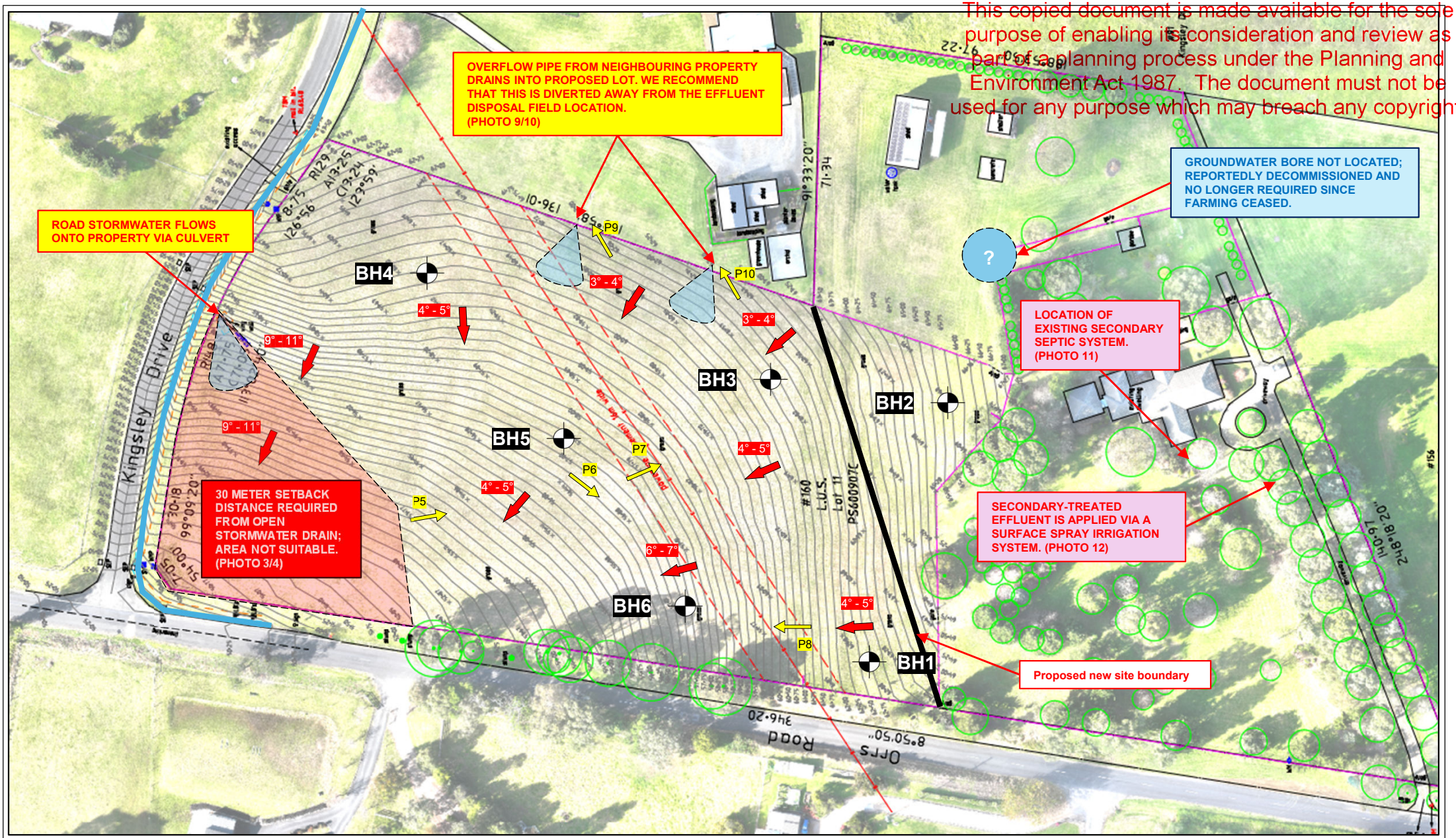
ABN 69 666 900 643



Not to scale

LEGEND:

- BOREHOLE
- SLOPE ANGLE
- SITE PHOTO DIRECTION
- WATERWAY

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FIGURE DETAILS:
Figure 1 – Site Plan

CLIENT:
Development Solutions Victoria

SITE ADDRESS:
160 Orrs Road, Wy Yung

JOB NUMBER:
25190

Photo 1 – Looking S

Photo 2 – Looking NW

Photo 3 – Looking NW

Photo 4 – Looking S

FIGURE DETAILS:
Figure 2 – Site Photos

CLIENT:
Development Solutions Victoria

SITE ADDRESS:
160 Orrs Road, Wy Yung

JOB NUMBER:
25190

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Photo 5 – Looking SE

Photo 6 – Looking SW

Photo 7

Photo 8

FIGURE DETAILS:
Figure 3 – Site Photos

CLIENT:
Development Solutions Victoria

SITE ADDRESS:
160 Orrs Road, Wy Yung

JOB NUMBER:
25190

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Photo 9

Photo 10

Photo 11

Photo 12

FIGURE DETAILS:
Figure 4 – Site Photos

CLIENT:
Development Solutions Victoria

SITE ADDRESS:
160 Orrs Road, Wy Yung

JOB NUMBER:
25190

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Appendix A

Reports of Boreholes

Water Balance Calculations

DBM GEOTECH

REPORT OF BOREHOLE: BH1

Job No	: 25190	Easting	: 556194.47	Sheet	: 1 OF 1
Client	: . Owner / Designer	Northing	: 5817528.00	Logged	: Sam Young
Project	: 160 Orrs Road, Wy Yung	UTM	: 55H	Logged Date	: 30/06/2025
Location	: 160 Orrs Road, Wy Yung VIC, Australia	Drill Rig	: Push Tube	Checked	:
Contractor	: DBM Geotech	Inclination	:	Checked Date	: 02/07/2025

Drilling Method	Water	Depth (m)	Graphic Log	Classification Code	Material Description	Moisture	Consistency/Density	Samples	Testing	Shear Strength
				SM	Silty SAND SM: brown, medium dense, fine grained, trace low plasticity clay, dry, category 2a - fine sandy loam.	D	MD			
		0.3		SM	Orange brown.					
		0.7		SM	Light brown orange - light brown yellow with depth.					
					BH1 Terminated at 1.5m					

DBM GEOTECH

REPORT OF BOREHOLE: BH2

Job No	: 25190	Easting	: 556194.47	Sheet	: 1 OF 1
Client	: . Owner / Designer	Northing	: 5817528.00	Logged	: Sam Young
Project	: 160 Orrs Road, Wy Yung	UTM	: 55H	Logged Date	: 30/06/2025
Location	: 160 Orrs Road, Wy Yung VIC, Australia	Drill Rig	: Push Tube	Checked	:
Contractor	: DBM Geotech	Inclination	:	Checked Date	: 02/07/2025

Drilling Method	Water	Depth (m)	Graphic Log	Classification Code	Material Description	Moisture	Consistency/Density	Samples	Testing	Shear Strength
		0.3		SM	Silty SAND SM: brown, medium dense, fine grained, trace low plasticity clay, dry, category 2a - fine sandy loam.	D	MD			
		0.5		SM	Orange brown.					
		1		CL-Cl	Sandy CLAY CL-Cl: stiff, low to medium plasticity, mottled orange grey, fine grained sand, moist, category 4a - fine sandy clay loam.	M	St			
				SM	Silty SAND SM: yellow light brown, dense to very dense, fine grained, trace low plasticity clay, dry, weakly cemented, category 2a - fine sandy loam.	D	D-VD			
					BH2 Refusal at 1.25m (Practical refusal on VERY DENSE WEAKLY CEMENTED SANDS)					

DBM GEOTECH

REPORT OF BOREHOLE: BH3

Job No	: 25190	Easting	: 556194.47	Sheet	: 1 OF 1
Client	: . Owner / Designer	Northing	: 5817528.00	Logged	: Sam Young
Project	: 160 Orrs Road, Wy Yung	UTM	: 55H	Logged Date	: 30/06/2025
Location	: 160 Orrs Road, Wy Yung VIC, Australia	Drill Rig	: Push Tube	Checked	:
Contractor	: DBM Geotech	Inclination	:	Checked Date	: 02/07/2025

Drilling Method	Water	Depth (m)	Graphic Log	Classification Code	Material Description	Moisture	Consistency/Density	Samples	Testing	Shear Strength
				SM	Silty SAND SM: brown, medium dense, fine grained, trace low plasticity clay, dry, category 2a - fine sandy loam.	D	MD			
		0.3		SM	Orange brown.					
		0.8		SM	Light brown orange - light brown yellow with depth.					
					BH3 Terminated at 1.5m					

DBM GEOTECH

REPORT OF BOREHOLE: BH4

Job No	: 25190	Easting	: 556194.47	Sheet	: 1 OF 1
Client	: . Owner / Designer	Northing	: 5817528.00	Logged	: Sam Young
Project	: 160 Orrs Road, Wy Yung	UTM	: 55H	Logged Date	: 30/06/2025
Location	: 160 Orrs Road, Wy Yung VIC, Australia	Drill Rig	: Push Tube	Checked	:
Contractor	: DBM Geotech	Inclination	:	Checked Date	: 02/07/2025

Drilling Method	Water	Depth (m)	Graphic Log	Classification Code	Material Description	Moisture	Consistency/Density	Samples	Testing	Shear Strength
				SM	Silty SAND SM: brown, medium dense, fine grained, trace low plasticity clay, dry, category 2a - fine sandy loam.	D	MD			
		0.3		SM	Orange brown.					
		0.9		SM	Moderately cemented.					
		1		CL-CI	Sandy CLAY CL-CI: stiff, low to medium plasticity, mottled orange grey, fine grained sand, moist, category 4a - fine sandy clay loam.	M	St			
		1.2		SM	Silty SAND SM: yellow light brown, dense to very dense, fine grained, trace low plasticity clay, dry, weakly cemented, category 2a - fine sandy loam.	D	D-VD			
					BH4 Refusal at 1.3m (Practical refusal on VERY DENSE WEAKLY CEMENTED SANDS)					

DBM GEOTECH

REPORT OF BOREHOLE: BH5

Job No	: 25190	Easting	: 556194.47	Sheet	: 1 OF 1
Client	: . Owner / Designer	Northing	: 5817528.00	Logged	: Sam Young
Project	: 160 Orrs Road, Wy Yung	UTM	: 55H	Logged Date	: 30/06/2025
Location	: 160 Orrs Road, Wy Yung VIC, Australia	Drill Rig	: Push Tube	Checked	:
Contractor	: DBM Geotech	Inclination	:	Checked Date	: 02/07/2025

Drilling Method	Water	Depth (m)	Graphic Log	Classification Code	Material Description	Moisture	Consistency/Density	Samples	Testing	Shear Strength
				SM	Silty SAND SM: brown, medium dense, fine grained, trace low plasticity clay, dry, category 2a - fine sandy loam.	D	MD			
		0.3		SM	Orange brown.					
		0.5		SM	Moderately cemented .					
		0.6		SM	Silty SAND SM: orange - redbrown with depth, medium dense to dense, medium grained, dry, category 1 - sand.		MD-D			
					BH5 Terminated at 1.5m					

DBM GEOTECH

REPORT OF BOREHOLE: BH6

Job No	: 25190	Easting	: 556194.47	Sheet	: 1 OF 1
Client	: . Owner / Designer	Northing	: 5817528.00	Logged	: Sam Young
Project	: 160 Orrs Road, Wy Yung	UTM	: 55H	Logged Date	: 30/06/2025
Location	: 160 Orrs Road, Wy Yung VIC, Australia	Drill Rig	: Push Tube	Checked	:
Contractor	: DBM Geotech	Inclination	:	Checked Date	: 02/07/2025

Drilling Method	Water	Depth (m)	Graphic Log	Classification Code	Material Description	Moisture	Consistency/Density	Samples	Testing	Shear Strength
				SM	Silty SAND SM: brown, medium dense, fine grained, trace low plasticity clay, dry, category 2a - fine sandy loam.	D	MD			
		0.3		SM	Orange brown.					
		0.6		SM	Moderately cemented .					
		0.7		SM	Silty SAND SM: orange - redbrown with depth, medium dense to dense, fine grained, dry, weakly cemented, category 2a - fine sandy loam.		MD-D			
					BH6 Refusal at 1.4m (Practical refusal on VERY DENSE WEAKLY CEMENTED SANDS)					

Victorian Land Capability Assessment Framework

Please read the attached notes before using this spreadsheet

Nitrogen Balance

Site Address:	**160 Orrs Road, Wy Yung, Victoria, 3875**

SUMMARY - LAND APPLICATION AREA REQUIRED BASED NITROGEN BALANCE	**299**	m^2

INPUT DATA[1]

Wastewater Loading		
Hydraulic Load	900	L/day
Effluent N Concentration	25	mg/L
% N Lost to Soil Processes (Geary & Gardner 1996)	0.2	Decimal
Total N Loss to Soil	4500	mg/day
Remaining N Load after soil loss	18000	mg/day

Nutrient Crop Uptake					
Crop N Uptake	220	kg/ha/yr	which equals	60.27	$mg/m^2/day$

NITROGEN BALANCE BASED ON ANNUAL CROP UPTAKE RATES

Minimum Area required with zero buffer		
Nitrogen	299	m^2

Determination of Buffer Zone Size for a Nominated Land Application Area (LAA)		
Nominated LAA Size	299	m^2
Predicted N Export from LAA	0.00	kg/year
Minimum Buffer Required for excess nutrient	0	m^2

CELLS

	Please enter data in blue cells
XX	Red cells are automatically populated by the spreadsheet
XX	Data in yellow cells is calculated by the spreadsheet, DO NOT ALTER THESE CELLS

NOTES

[1] Model sensitivity to input parameters will affect the accuracy of the result obtained. Where possible site specific data should be used. Otherwise data should be obtained from a reliable source such as:

- *EPA Guidelines for Effluent Irrigation*
- *Appropriate Peer Reviewed Papers*
- *Environment and Health Protection Guidelines: Onsite Sewage Management for Single Households*
- *USEPA Onsite Systems Manual*

Victorian Land Capability Assessment Framework

Phosphorus Balance

Site Address: 160 Orrs Road, Wy Yung, Victoria, 3875

SUMMARY - LAND APPLICATION AREA REQUIRED BASED POSHPOURUS BALANCE 346 m^2

INPUT DATA

Wastewater Loading				**Nutrient Crop Uptake**							
Hydraulic Load		900	L/day	Crop P Uptake		30	kg/ha/yr	which equals	8.22	$mg/m^2/day$
Effluent P Concentration		6	mg/L	**Nutrient Soil Adsorption**							
Total P Load		5400	mg/day	Soil Uptake	75	mg/kg	based on Soil Category		5	Light Clay
				Bulk Density	1800	kg/m^3				
				Soil depth	1	m				
				P Adsorptio	135000	mg/kg		which equals	1350	kg/ha
							Assume LAA design life		50	years
				P Adsorption		27	kg/ha/yr	which equals	7.40	$mg/m^2/day$
				Nutrient Crop Uptake and Soil Adsorption						
									15.62	$mg/m^2/day$

PHOSPHORUS BALANCE BASED ON ANNUAL CROP UPTAKE RATES

Minimum Area required with zero buffer			**Determination of Buffer Zone Size for a Nominated Land Application Area (LAA)**		
Phosphorus	346	m^2	Nominated LAA Size	350	m^2
			Predicted P Export from LAA	-1.05	kg/year
			Minimum Buffer Required for excess nutrient	0	m^2

CELLS

	Please enter data in blue cells
XX	Red cells are automatically populated by the spreadsheet
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Victorian Land Capability Assessment Framework
Sub-surface Irrigation DLR = 5.0mm/day

Please read the attached notes before using this spreadsheet

Irrigation area sizing using Nominated Area Water Balance for Zero Storage

Site Address:	**160 Orrs Road, Wy Yung, Victoria, 3875**		
Date:	30-Jun-25	**Assessor:**	Samuel Young

INPUT DATA

Design Wastewater Flow	Q	900	L/day	Based on 5 bedroom home, 150L/day loading rate
Design Irrigation Rate	DIR	5.0	mm/day	Based on soil texture class/permeability and derived from Table 4.8 in the EPA 2024
Nominated Land Application Area	L	285	m^2	
Crop Factor	C	0.8	unitless	Estimates evapotranspiration as a fraction of pan evaporation; varies with season and crop type[2]
Rainfall Runoff Factor	RF	0.9	unitless	Proportion of rainfall that remains onsite and infiltrates, allowing for any runoff
Mean Monthly Rainfall Data	Nicholson (084025)			BoM Station and number
Mean Monthly Pan Evaporation Data	Bairnsdale Waterworks (84100)			Synthetic Pan Evaporation from BOM Australian Water Outlook (-38.68;146.1)

Parameter	Symbol	Formula	Units	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Days in month	D		days	31	28	31	30	31	30	31	31	30	31	30	31	**365**
Rainfall	R		mm/month	53.8	44.2	55.6	52.6	53	59.4	46.6	45.6	52.4	65.4	64.3	64.1	**657.00**
Evaporation	E		mm/month	172.7	143.7	119.7	81.5	53.2	41.5	47	64.8	89.3	118.8	138.1	167.9	**1238.2**
Crop Factor	C		unitless	0.80	0.80	0.70	0.70	0.60	0.60	0.60	0.60	0.70	0.80	0.80	0.80	
OUTPUTS																
Evapotranspiration	ET	ExC	mm/month	138	115	84	57	32	25	28	39	63	95	110	134	**920.21**
Percolation	B	DIRxD	mm/month	155.0	140	155.0	150.0	155.0	150.0	155.0	155.0	150.0	155.0	150.0	155.0	**1825.0**
Outputs		ET+B	mm/month	293.2	254.96	238.8	207.1	186.9	174.9	183.2	193.9	212.5	250.0	260.5	289.3	**2745.2**
INPUTS																
Retained Rainfall	RR	RxRF	mm/month	48.42	39.78	50.04	47.34	47.7	53.46	41.94	41.04	47.16	58.86	57.87	57.69	**591.3**
Applied Effluent	W	(QxD)/L	mm/month	97.9	88.4	97.9	94.7	97.9	94.7	97.9	97.9	94.7	97.9	94.7	97.9	**1152.6**
Inputs		RR+W	mm/month	146.3	128.2	147.9	142.1	145.6	148.2	139.8	138.9	141.9	156.8	152.6	155.6	**1743.9**
STORAGE CALCULATION																
Storage remaining from previous month			mm/month	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Storage for the month	S	(RR+W)-(ET+B)	mm/month	-146.8	-126.8	-90.9	-65.0	-41.3	-26.7	-43.4	-54.9	-70.6	-93.3	-107.9	-133.7	
Cumulative Storage	M		mm	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Maximum Storage for Nominated Area	N		mm	0.00												
	V	NxL	L	0												
LAND AREA REQUIRED FOR ZERO STORAGE			m^2	114	117	148	169	200	222	198	183	163	146	133	120	

MINIMUM AREA REQUIRED FOR ZERO STORAGE: 223.0 m^2

CELLS

	Please enter data in blue cells
XX	Red cells are automatically populated by the spreadsheet
XX	Data in yellow cells is calculated by the spreadsheet, DO NOT ALTER THESE CELLS

NOTES

[1] This value should be the largest of the following: land application area required based on the most limiting nutrient balance or minimum area required for zero storage

[2] Values selected are suitable for mixture of grass and eucalyptus trees

Appendix B

Limitations

LIMITATIONS

This Document has been provided by DBM Geotech Consulting Pty Ltd (DBM Geotech) subject to the following limitations:

This Document has been prepared for the particular purpose outlined in DBM Geotech's proposal and no responsibility is accepted for the use of this document, in whole or in part, in other contexts for any other purpose.

This Document is provided for use solely by DBM Geotech's Client and persons acting on the Client's behalf, such as its professional advisers. No responsibility whatsoever for the contents of this Document will be accepted to any person other than the Client. Any use which a third party makes of this Document, or any reliance on or decisions to be made on it, is the responsibility of such third parties. DBM Geotech accepts no responsibility for damages, if any, suffered by any third party as a result of decision made or actions based on this Document.

The scope and the period of DBM Geotech's Services are as described in DBM Geotech's proposal and are subject to restrictions and limitations. DBM Geotech did not perform a complete assessment of all possible conditions or circumstances that may exist at the site referenced in the Document. If a service or other work is not expressly referred to in this Report, do not assume that it has been provided or performed. If a matter is not addressed in this Report, do not assume that any determination has been made by DBM Geotech in regards to it.

Conditions may exist which were undetectable given the limited nature of the enquiry DBM Geotech was retained to undertake. Variations in conditions may occur between investigation locations, and there may be special conditions pertaining to the site which have not been revealed by the investigation and which have not therefore been taken into account in the Document. Accordingly, additional studies and actions may be required.

DBM Geotech accepts no responsibility for and makes no representation as to the accuracy or completeness of the information provided to it by or on behalf of the Client or sourced from any third party. DBM Geotech has assumed that such information is correct unless otherwise stated and no responsibility is accepted by DBM Geotech for incomplete or inaccurate data supplied by its Client or any other person for whom DBM Geotech is not responsible. DBM Geotech has not taken account of matters that may have existed when the Report was prepared but which were only later disclosed to DBM Geotech.

Having regard to the matters referred to in the previous paragraphs on this page in particular carrying out the Service has allowed DBM Geotech to form no more than an opinion as to the actual conditions at any relevant location. That opinion is necessarily constrained by the extent of the information collected by DBM Geotech or otherwise made available to DBM Geotech. Further, the passage of time may affect the accuracy, applicability or usefulness of the opinions, assessments or other information in this Document. This Document is based upon the information and other circumstances that existed and were known to DBM Geotech when the Services were performed and this Document was prepared. DBM Geotech has not considered the effect of any possible future development included physical changes to any relevant location or change to any laws or regulations relevant to such location.

By date, or revision, the Document supersedes any prior report or other document issued by DBM Geotech dealing with any matter that is addressed in the Document.

JULY
20
25

APPLICATION FOR PLANNING PERMIT

TWO LOT SUBDIVISION

160 ORRS ROAD, WY YUNG

REF: 25050

CONTENTS

1	Introduction	4
2	Site Context	5
3	The Proposal	12
4	Zones and Overlays	13
5	Planning Assessment	17
6	Conclusion	19

APPENDIX

A	Copy of Title and Plan of Subdivision
B	Proposed Plan of Subdivision
C	Land Capability Assessment

DOCUMENT REVISION

1	Draft Report	DAC	17/07/2025
2	Final Report	CMC	19/07/2025

1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of the owners of land and the applicants for this planning permit application for the two lot subdivision at 160 Orrs Road, Wy Yung.

This submission and supporting documentation provide details of the subject site, relevant planning controls and policies and delivers an assessment against the provisions of the East Gippsland Planning Scheme.

The proposed two lot subdivision requires planning approval under the provisions of the Rural Living Zone and the Erosion Management Overlay.

The purpose of this subdivision is to create one additional vacant allotment that can be developed with a residential dwelling in the future.

The proposal is consistent with the objectives of the East Gippsland Planning Scheme, is an appropriate subdivision in this location and will result in a positive planning outcome.

Address	160 Orrs Road, Wy Yung
Site Description	Lot 11 on Plan of Subdivision 600907C
Title Particulars	Vol 11085 Fol 325
Site Area	4.159 hectares
Proposal	Two Lot Subdivision
Planning Scheme	East Gippsland Planning Scheme
Zone	Rural Living Zone - Schedule 1
Overlays	Erosion Management Overlay Vegetation Protection Overlay – Schedule 1
Aboriginal Cultural Heritage	Not identified as an area of Cultural Heritage Sensitivity
Permit Triggers	Clause 35.03-3 Rural Living Zone – Subdivision Clause 44.01-5 Erosion Management Overlay – Subdivision
Notice	Exempt from notice and review at Clause 44.01-7
Referrals	No referrals required
Work Authority Licence	Not Applicable
Planning Scheme requirements	Municipal Planning Strategy – Clause 02 Settlement – Clause 02.03-1 Environmental and landscape values – Clause 02.03-2 Environmental risks and amenity – Clause 02.03-3 Built environment and heritage – Clause 02.03-5 Planning Policy Framework – Clause 10 Settlement – Clause 11 Environmental and landscape values – Clause 12 Environmental risks and amenity – Clause 13 Erosion and landslip – Clause 13.04-2S Built environment and heritage – Clause 15 Rural Living Zone – Clause 35.03 Erosion Management Overlay – Clause 44.01 Decision guidelines – Clause 65.01 Decision guidelines – Clause 65.02

2. SITE CONTEXT

Site

The subject site is located at 160 Orrs Road, Wy Yung. A copy of the Title and Plan of Subdivision is contained in ***Appendix A.*** The title is affected by Section 173 Agreement registered as AF939419K. There is a powerline easement in the northern portion of the subject site.

AF939419K

The agreement provides restrictions associated with access, specifically that this lot cannot create access to Orrs Road.

The site is irregular in shape with a total area of approximately 4.159 hectares and contains an existing dwelling and associated facilities.

The site is undulating in nature and contains scattered vegetation and landscaped gardens throughout. Details of the site are depicted in the photographs provided below.

Access is existing in the southern portion of the western boundary via a bitumen crossover and gravel driveway connecting directly to Orrs Road. Orrs Road is a bitumen sealed road with grassed shoulders and swale drains traversing in a north to south direction adjoining the western boundary of the subject site.

Kingsley Drive is also a bitumen sealed road with grass shoulders and swale drains, traversing in an east to west direction adjoining the northern boundary of the subject site.

The subject site in relation to Wy Yung as well as the surrounding land, is shown in the locality plans in ***Figure 1*** and ***Figure 2***.

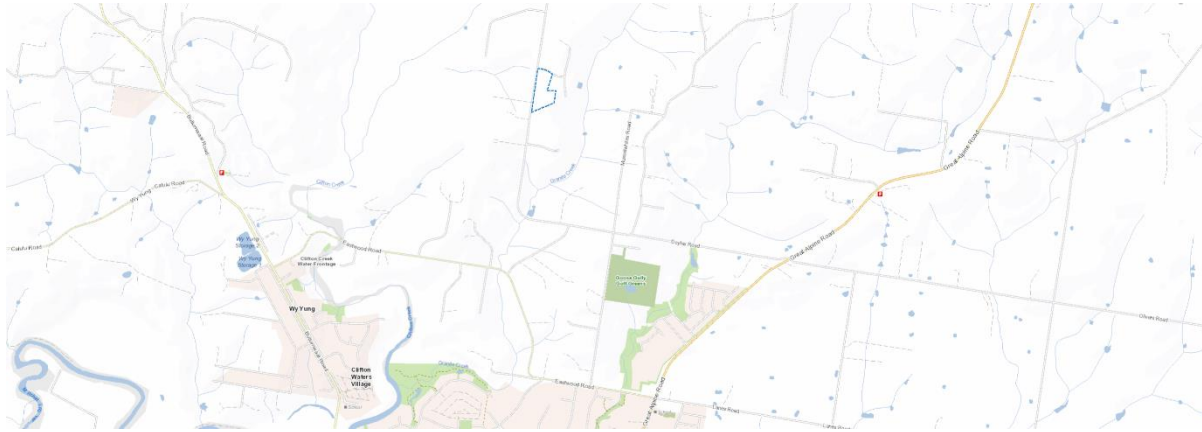


Figure 1 – *Locality Plan – 160 Orrs Road, Wy Yung (source: mapshare.vic.gov.au)*

Figure 2 – *Locality Plan – 160 Orrs Road, Wy Yung (source: mapshare.vic.gov.au)*

Surrounds

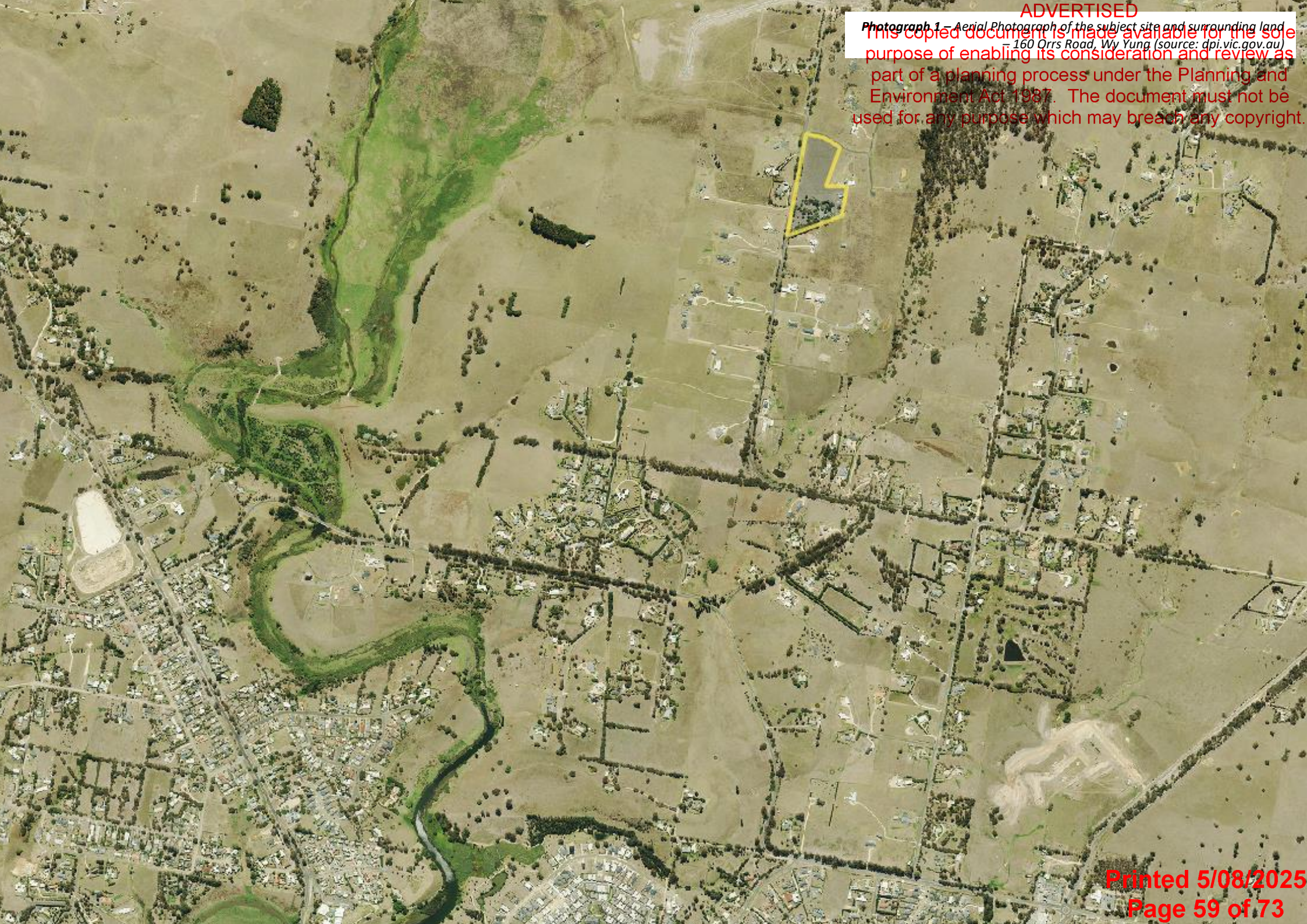
The land in this locality is mostly developed rural residential allotments.

Adjoining the northern boundary of the subject site is Kingsley Drive and land containing an existing dwelling and associated facilities. Adjoining the eastern and southern boundaries is existing residential development and associated facilities. Adjoining the western boundary is Orrs Road and further existing residential dwellings and associated facilities.

The boundaries of the subject site are delineated with post and wire fencing.

Wy Yung is considered a suburb of Bairnsdale located approximately 4.5 kilometres north of Bairnsdale central business district. Wy Yung has minimal community and commercial facilities and services however, a full suite of services is available in Bairnsdale.

The subject site in relation to Wy Yung is shown in the aerial photograph below.



Photograph 1 *– Aerial Photograph of the subject site and surrounding land – 160 Orrs Road, Wy Yung (source: dpi.vic.gov.au)*

Photograph 2 – *Subject site and existing access at 160 Orrs Road, Wy Yung.*

Photograph 4 – *Existing dwelling on proposed Lot 1 facing east.*

Photograph 6 – *Existing agricultural building on proposed Lot 1 facing northeast.*

Photograph 3 – *Existing driveway access to proposed Lot 1 facing northeast.*

Photograph 5 – *Existing outbuildings and shipping container on proposed Lot 1 facing north.*

Photograph 7 – *Existing agricultural building facing northeast.*

Photograph 8 – *Proposed Lot 1 facing east.*

Photograph 10 – *Proposed Lot 1 facing west.*

Photograph 12 – *Proposed Lot 2 facing east.*

Photograph 9 – *Proposed Lot 1 facing south.*

Photograph 11 – *Proposed Lot 2 facing northeast.*

Photograph 13 – *Proposed Lot 2 facing south along the eastern boundary.*

Photograph 14 – *Proposed Lot 2 facing south along the western boundary.*

Photograph 16 – *Neighbouring property directly opposite the northern boundary at 15 Kingsley Drive, Wy Yung.*

Photograph 18 – *Neighbouring property adjoining the eastern boundary at 91 Kingsley Drive, Wy Yung.*

Photograph 15 – *Proposed Lot 2 facing west.*

Photograph 17 – *Neighbouring property adjoining the eastern boundary at 99 Kingsley Drive, Wy Yung.*

Photograph 19 – *Neighbouring property adjoining the southern boundary at 156 Orrs Drive, Wy Yung.*

Photograph 20 – *Neighbouring property directly opposite the western boundary at 159 Orrs Drive, Wy Yung.*

Photograph 22 – *Orrs Road facing north.*

Photograph 24 – *Kingsley Drive facing east.*

Photograph 21 – *Neighbouring properties directly opposite the western boundary at 171 and 175 Orrs Road, Wy Yung.*

Photograph 23 – *Orrs Road facing south.*

Photograph 25 – *Kingsley Drive facing west.*

3. THE PROPOSAL

This application seeks approval for the subdivision of land into two lots under the provisions of the Rural Living Zone and the Erosion Management Overlay. A proposed plan of subdivision is provided in ***Appendix B*** and ***Figure 3.***

Lot 1

The proposed Lot 1 will be an irregular shaped allotment and will be approximately 2.159 hectares in area. This lot comprises the southern portion of the site and will contain the existing dwelling and associated facilities. Access to this lot is existing in the southern portion of the western boundary via a bitumen crossover and gravel driveway directly from Orrs Road.

Lot 2

The proposed Lot 2 will be an irregular shaped allotment and will be 2 hectares in area. This lot comprises the northern portion of the site and will be vacant land suitable for future residential development. This lot will contain an existing powerline easement as indicated on the proposed plan of subdivision. Access to this lot will need to be constructed however, there is an existing gate in the eastern portion of the northern boundary adjoining Kingsley Drive.

Services

The subject site has access to an appropriate level of services including electricity, reticulated water, telecommunications and a good quality road network. Both of the proposed allotments will be connected to all available services. Proposed Lot 1 is currently connected to all available services which will remain unchanged.

Wastewater from the existing dwelling is treated and retained on site via a secondary treatment system located to the west of the existing dwelling. The existing system is a suitable distance from the boundaries of proposed Lot 2. Wastewater for proposed Lot 2 will be required to be treated and retained within the allotment boundaries via a secondary treatment septic system as recommended in the Land Capability Assessment contained in ***Appendix C***.

It is requested that formal drainage plans be a requirement on any planning permit to be granted.

The subject site does not require the removal of any vegetation to facilitate the proposed subdivision, and no earthworks are required beyond the provision of services and construction of the access for proposed Lot 2.

A copy of the proposed subdivision is provided below and within ***Appendix B.***

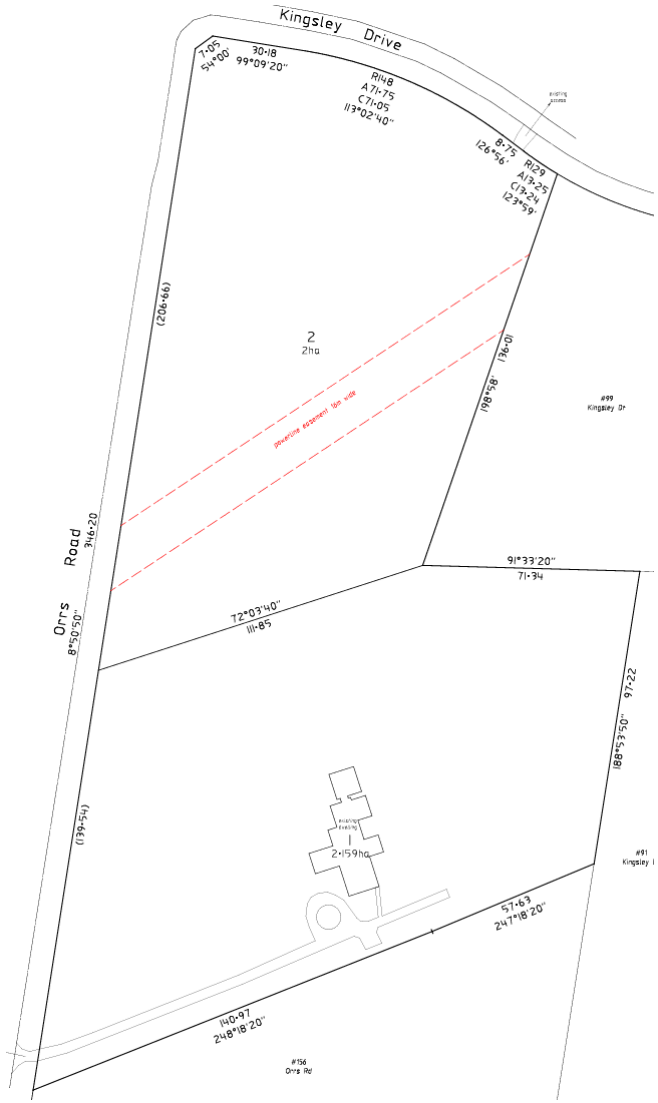


Figure 3 *– Proposed subdivision plan – One Plan*

4. ZONES AND OVERLAYS

Rural Living Zone Schedule 1

The purpose of the Rural Living Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

An extract of the Rural Living Zone Map is provided in ***Figure 4***.

Clause 35.03-3 of the Rural Living Zone provides a permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. The schedule provides a minimum lot area of 2 hectares. A permit may be granted to create smaller lots if the number of lots is no more than the number the land could be subdivided into in accordance with a schedule to the zone.

The proposed lots will each be 2 hectares or greater. The relevant decision guidelines of Clause 35.03 of the Rural Living Zone are addressed in Section 5 of this submission.

Figure 4 – *Rural Living Zone – (source - mapshare.vic.gov.au)*

Erosion Management Overlay

The purpose of the Erosion Management Overlay is:

- *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.*

An extract of the Erosion Management Overlay Map is provided in ***Figure 5***.

Clause 44.01-5 of the Erosion Management Overlay provides a permit is required to subdivide land. As such, the decision guidelines are addressed in Section 5 of this submission.

The Schedule to the Erosion Management Overlay requires a Geotechnical Risk Assessment or waiver be provided. Given the small amount of area covered by the Erosion Management Overlay we have sought an exemption from Council for the need to provide a Geotechnical Risk Assessment waiver.

The relevant decision guidelines at Clause 44.01-8 are addressed below in Section 5.

Figure 5 – *Erosion Management Overlay – (source - mapshare.vic.gov.au)*

Vegetation Protection Overlay – Schedule 1

The purpose of the Vegetation Protection Overlay is:

- *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.*

An extract of the Vegetation Protection Overlay Map is provided in ***Figure 6***.

The proposal is not seeking to remove, destroy or lop any vegetation. As such a permit is not required under the provisions of the Vegetation Protection Overlay. This is not addressed further.

Figure 6 – *Vegetation Protection Overlay – (source - mapshare.vic.gov.au)*

Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is not recognised as being within an area of Aboriginal Cultural Heritage Sensitivity and as such a Cultural Heritage Management Plan is not required. This is not addressed further.

5. PLANNING ASSESSMENT

This proposal has been assessed against the objectives and standards of applicable clauses of the East Gippsland Planning Scheme and it is considered that the proposed subdivision is appropriate for the following reasons:

- The proposal meets the objectives of the Municipal Planning Strategy at **Clause 02** and the Planning Policy Framework at **Clause 10** providing an additional vacant parcel of land that can be developed in the future with a residential dwelling that can be respectful of the existing surrounding development and the environment.
- The proposal will contribute to a high standard of environmental sustainability, design and amenity by designing a lot layout to meet the constraints of the land reducing any potential negative environmental implications as sought to achieve by the relevant clauses including **Clause 02.03** and **Clause 11**. The site does contain some scattered vegetation however no vegetation is required to be removed to facilitate the proposed subdivision. It is noted all existing vegetation will be contained in proposed Lot 1.
- **Clause 02.03-1** identifies Bairnsdale as a growth area town and encourages development on fully serviced residential land. Wy Yung is considered a suburb of Bairnsdale. The proposed subdivision will result in one additional vacant allotment that can adequately accommodate a residential dwelling in the future. The subject site has access to a suitable level of services. The proposed lots will be connected to all available services and infrastructure including electricity, telecommunications and a good quality road network. Wastewater will be treated and retained within the allotment boundaries.
- **Clause 13.04-2S** requires consideration of erosion and landslip. The subject site contains a small area identified as being susceptible to erosion. All standard preventative measures will be undertaken during the construction phase of the proposed subdivision to ensure no erosion hazards occur.
- The proposal meets the objectives of **Clause 16** by providing one additional vacant allotment that can be developed with a dwelling in the future which in turn will support housing for the area**. Clause 16.01-2S** recognises the need to ensure land supply is sufficient to meet demand. The proposed subdivision will create one additional vacant lot within an existing rural living area in Wy Yung.
- The proposal is consistent with the decision guidelines of the Rural Living Zone at **Clause 35.03-5** which seeks to provide for residential use in a rural environment.
- The proposed subdivision has been designed to meet the constraints of the land and provide a suitable lot layout that is consistent with the surrounding allotments. The proposal will result in one vacant allotment that can be developed with a residential dwelling in the future. The subject site does contain scattered vegetation however, no vegetation is required to be removed to facilitate the proposed subdivision. All existing vegetation will be retained on proposed Lot 1.
- Access to proposed Lot 1 is existing and will remain unchanged via a bitumen crossover and driveway in the southern portion of the western boundary directly to Orrs Road. Access to proposed Lot 2 will require construction and is proposed to be located in the eastern portion of the northern boundary directly to Kingsley Drive.
- The subject site has a suitable level of services including reticulated water, electricity, telecommunications and the existing road network. Wastewater will be treated and retained within the allotment boundaries via standard septic system as

recommended in the Land Capability Assessment contained in ***Appendix C.***

- The proposal is consistent with the decision guidelines of the Erosion Management Overlay at **Clause 44.01** which seeks to protect areas prone to erosion, landslip, other land degradation.
- No earthworks are required to facilitate the proposed subdivision beyond provision of services and the construction of access to proposed Lot 2.
- Previous correspondence from Council confirms the subject site is exempt from needing to provide a Geotechnical Risk Assessment waiver given the small amount affecting the land.
- This submission has addressed the decision guidelines of **Clause 65.01** and the proposed subdivision supports orderly planning of the area whilst taking into consideration the potential effect on the environment, human health and the amenity of the area. The proposal does not require the removal of any native vegetation and there will be no negative impact on the existing road network.
- There are no factors of this proposal that are likely to cause or contribute to land degradation, salinity or reduce water quality.
- This submission has addressed the decision guidelines of **Clause 65.02** and it is concluded the proposed subdivision is suitable in this location and the subject site can adequately accommodate a future residential dwelling that will in turn support the community by providing for additional housing.

6. CONCLUSION

This submission is in support of a planning permit application for a two lot subdivision at 160 Orrs Road, Wy Yung.

The relevant provisions of the East Gippsland Planning Scheme have been addressed and it has been ascertained that the proposed subdivision is appropriate in this location. It is requested that the proposal be supported for the following reasons:

- The proposal is consistent with the objectives and strategies outlined in the Municipal Planning Strategy and the Planning Policy Framework.
- The proposal is consistent with the objectives of the Rural Living Zone and Erosion Management Overlay.
- The lot layout is consistent with the character of the area.
- The proposed subdivision will provide for appropriate allotments and the vacant lot being created can be developed with am residential dwelling in the future.

It is requested that a planning permit be granted for this subdivision.

Development Solutions Victoria

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- This is not a Title survey.
- See Certificate of Title for Easement details.
- All data shown on this plan is an accurate representation of the subject site at the time of survey.
- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.

N
MGA2020 ZONE 55

BEFORE YOU DIG byda.com.au

Kingsley Drive

7.05
54°00'

30.18
99°09'20"

R148
A71.75
C71.05
113°02'40"

existing access

8.75
126°56'

R129
A13.25
C13.24
123°59'

existing x-over

(206.66)

2
2ha

198°58' 136.01

#99
Kingsley Dr

powerline easement 16m wide

Orrs Road

346.20

8°50'50"

91°33'20"
71.34

72°03'40"
111.85

188°53'50" 97.22

(139.54)

existing dwelling
2.159ha

#91
Kingsley Dr

57.63
247°18'20"

140.97
248°18'20"

existing bitumen x-over

#156
Orrs Rd

Sheet 1 of 1.

Proposed Subdivision Plan

Parish of Wy Yung
Crown Allotment: 36C1 (Part)
Lot 11 on PS600907C

Paracentroid (MGA2020) : E 556 170, N 5817 620

DEVELOPMENT SOLUTIONS VICTORIA

160 Orrs Road, Wy Yung, 3875

East Gippsland Shire

Drawn : 17/06/2025, Scott Charles Kimm L.S.

Notations
Date of Survey: 12/06/2025

Datum vide PS600907C

Total site area: 4.159ha

Plan No.
252722 PR-2

Scale
1:500 - A1
1:1000 - A3

5 0 5 10 15 20
Lengths are in metres

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N
MGA2020 ZONE 55

- This is not a Title survey.
- See Certificate of Title for Easement details.
- Only significant trees are shown on this plan.
- Whilst every effort has been made to locate all feature details within the surveyed area SK Spatial will not be held responsible for features hidden, obscured or under construction at the time of survey.
- No underground features have been located unless specifically shown.
- All data shown on this plan is an accurate representation of the subject site at the time of survey.
- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.

BEFORE YOU DIG
byda.com.au

LEGEND
- top of bank
- toe of bank
- SEP - side entry pit
- edge of bitumen
- centre-line of bitumen
- sign - sign
- LB - letterbox
- EP - electricity pit
- E - overhead powelines
- TP - telstra pit
- SV - stop valve
- FH - fire hydrant
- WMP - water marker post
- WM - water meter
- fencing

Kingsley Drive
R148
A71.75
C71.05
113°02'40"
30.18
99°09'20"
7.05
54°00'
R129
A13.25
C13.24
123°59'
8.75
126°56'
existing access
existing x-over
TBM nail in bit. RL63.40
57.64m
wing wall
gate
FH
WMP
SEP
sign
LB's
linemarking
grass
stump
existing bitumen x-over
TP
EP
WM
Orrs Road
346.20
8°50'50"
(206.66)
(139.54)
2
2ha
powertime easement 16m wide
72°03'40"
111.85
91°33'20"
71.34
198°58'
136.01
188°53'50"
97.22
57.63
247°18'20"
140.97
248°18'20"
2.159ha
#99 Kingsley Dr
#91 Kingsley Dr
#156 Orrs Rd
driveway
landscaping
shed
greenhouse
orchid
planter boxes
pool
dwelling
water tank
concrete
shelter
garden
outbuilding
existing dwelling

Sheet 1 of 1.

Site Context & Proposed Subdivision Plan

Parish of Wy Yung
Crown Allotment: 36C1 (Part)
Lot 11 on PS600907C

Paracentroid (MGA2020) : E 556 170, N 5817 620

DEVELOPMENT SOLUTIONS VICTORIA

160 Orrs Road, Wy Yung, 3875

East Gippsland Shire

Drawn : 17/06/2025, Scott Charles Kimm L.S.

Notations
Date of Survey: 12/06/2025

Datum vide PS600907C
Levels are to AHD (Australian Height Datum)
vide WY YUNG PM 12 - RL 22.298m
Contour interval: 0.25m
Total site area: 4.159ha

Plan No. 252722 SCPR-2

Scale
1:500 - A1
1:1000 - A3

5 0 5 10 15 20
Lengths are in metres