

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	1/542A Lake Tyers Beach Road LAKE TYERS BEACH 3909 Lot: 1 PS: 802736
The application is for a permit to:	Development of a Dwelling
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
43.02-2 (DDO)	Construct a building or construct or carry out works
44.01-2 (EMO)	Construct a building or construct or carry out works
44.06-2 (BMO)	Construct a building or construct or carry out works
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2024.390.1

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

Applicant Details:

Name:								
Business trading name: (if applicable) DEVELOPMENT SOLUTIONS VICTORIA PTY LTD								
Email address:								
Postal address: 48 BAILEY STREET BAIRNSDALE								
				Postcode	3	8	7	5
Phone number: Home:		Work:		Mobile:				

Owners Details: (if not the applicant)

Name: HARRIET ELIZABETH COPELAND								
Business trading name: (if applicable) DEVELOPMENT SOLUTIONS VICTORIA PTY LTD								
Email address:								
Postal address: 48 BAILEY STREET, BAIRNSDALE								
				Postcode	3	8	7	5
Phone number: Home:		Work:		Mobile:				

Description of the Land:

Street number: 1/542A		Street name: LAKE TYERS BEACH ROAD								
Town: LAKE TYERS						Postcode	3	9	0	9
Legal Description:										
Lot Number: 1		<input type="checkbox"/> Lodged plan <input type="checkbox"/> Title plan <input checked="" type="checkbox"/> Plan of Subdivision			Number: 802736C					
Crown Allotment Number:					Section Number:					
Parish/Township Name:										
Has there been a pre-application meeting: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							Officers name:			
Your reference number: 24133										

Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

When submitting documents to Council you are confirming that you have authority to use those documents. In the event that the giving of notice is required pursuant to Section 52 of the Planning and Environment Act 1987, you permit documents submitted as part of this application, including your full contact information to be made available for public viewing on Council's website

When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail feedback@egipps.vic.gov.au

East Gippsland Shire Council

273 Main Street (PO Box 1618)
 Bairnsdale VIC 3875
 Website www.eastgippsland.vic.gov.au
 Email feedback@egipps.vic.gov.au
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Telephone: (03) 5153 9500
 Fax: (03) 5153 9576
 National Relay Service: 133 677
 ABN: 81 957 967 765

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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the proposal result in a breach of a registered covenant restriction or agreement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description of proposal: Describe the use, development or other matter which needs a permit: DEVELOPMENT OF A DWELLING <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
Existing conditions: Describe how the land is used and developed currently: VACANT LAND <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
Estimated cost of development: Note: You may be required to verify this estimate	\$ 650,000

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

Please make sure that:

- Form is filled in fully and signed
- The correct fee is paid or payment enclosed
- Attached any supporting information or documents
 - **Required** - Title (must have been generated within the past 30 days)
 - Covenants or Section 173 agreements
 - Site plan/floor - plan/elevations
 - Planning report
 - Supporting information/reports (e.g. – Land Capability Assessment, Bushfire Management Statement, Geotechnical report/waiver)

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East Gippsland Shire Council

273 Main Street (PO Box 1618)
Bairnsdale VIC 3875
Website www.eastgippsland.vic.gov.au
Email feedback@egipps.vic.gov.au
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Declaration:

I declare that I am the applicant and that all the information in this application is true and correct and the owner (if not myself) has 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.

Applicant signature	
Name: DEVELOPMENT SOLUTIONS VICTORIA PTY LTD	Date: 18th November 2024

Office Use Only:
Reference Number: AP/D/PP/_____ Method of Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Credit Card <input type="checkbox"/> Eftpos
Amount Paid: \$_____ Receipt Number: _____ Receipt Date: ____/____/_____

Submitting your application:

Electronic	Fax to 03 5153 9576 Email to planning@egipps.vic.gov.au
Mail	Post the signed, completed form together with any applicable fees or copies of any documentation to: PO Box 1618 BAIRNSDALE VIC 3875.
In Person	Bring the completed form and supporting documents to any of the following locations; Service Centre Opening Hours: 8:30am to 5:00pm. Monday to Friday. Mallacoota Service Centre Opening Hours: Monday and Tuesday 10.00am to 2.00pm Wednesday, Thursday, Friday 2.00pm to 5.00pm

Bairnsdale Corporate Centre: 273 Main Street. Bairnsdale Service Centre: 24 Service Street. Bairnsdale Business Centre: 34 Pyke Street. Lakes Entrance Service Centre: 18 Mechanics Street. Omeo Service Centre: 179 Day Avenue. Orbost Service Centre: 1 Ruskin Street. Paynesville Service Centre: 55 The Esplanade.	Mallacoota Service Centre: 70 Maurice Avenue
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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 12085 FOLIO 648

Security no : 124119141344S
Produced 18/10/2024 02:16 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 802736C.
PARENT TITLE Volume 11103 Folio 200
Created by instrument PS802736C 30/05/2019

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
HARRIET ELIZABETH COPELAND
AY175987L 05/07/2024

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT AG337022M 09/02/2009
Expiry Date 01/01/2030

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

DIAGRAM LOCATION

SEE PS802736C FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY159782W (E)	NOMINATION OF ECT TO LC	Completed	01/07/2024
AY175987L (E)	TRANSFER	Registered	05/07/2024

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

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

Street Address: UNIT 1 542A LAKE TYERS BEACH ROAD LAKE TYERS BEACH VIC 3909

ADMINISTRATIVE NOTICES

NIL

eCT Control 20726L HIBBERT & HODGES LAWYERS
Effective from 05/07/2024

DOCUMENT END



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PLAN OF SUBDIVISION

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EDITION 1 PS 802736C

LOCATION OF LAND

PARISH: COLQUHOUN
TOWNSHIP: EAST CUNNINGHAME
SECTION: _____
CROWN ALLOTMENT: 6 (PART)
CROWN PORTION: _____
TITLE REFERENCE: VOL III03 FOL 200
LAST PLAN REFERENCE: LOT 5 - PS620094F
POSTAL ADDRESS: 542A LAKE TYERS BEACH ROAD,
 (at time of subdivision) LAKE TYERS BEACH, 3909
MGA CO-ORDINATES: E: 595 130 ZONE: 55
 (of approx centre of land N: 5809 245 GDA 94
 in plan)

Council Name: East Gippsland Shire Council
 Council Reference Number: PS802736C
 Planning Permit Reference: 386/2016/P
 SPEAR Reference Number: S099649B

Certification

This plan is certified under section 6 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made

Digitally signed by: Aaron David Hollow for East Gippsland Shire Council on 04/07/2017

Statement of Compliance issued: 04/10/2018

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

NOTATIONS

NOTATIONS

DEPTH LIMITATION 15.24 METRES BELOW THE SURFACE

SURVEY:
 This plan is based on survey.

STAGING:
 This is not a staged subdivision.
 Planning Permit No. 386/2016/P

This survey has been connected to permanent marks No(s). 176 & 178

In Proclaimed Survey Area No.

NOTATIONS

EASEMENT INFORMATION

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

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of

Crowthor & Sadler Pty. Ltd.
 LICENSED SURVEYORS & TOWN PLANNERS
 162 MACLEOD STREET, BAIRNSDALE, VIC., 3875
 P. (03) 6162 5011 E. contact@rowthorsadler.com.au

SURVEYORS FILE REF: 17175

Digitally signed by: Michael Joseph Sadler, Licensed Surveyor,
 Surveyor's Plan Version (1),
 03/03/2017, SPEAR Ref: S099649B

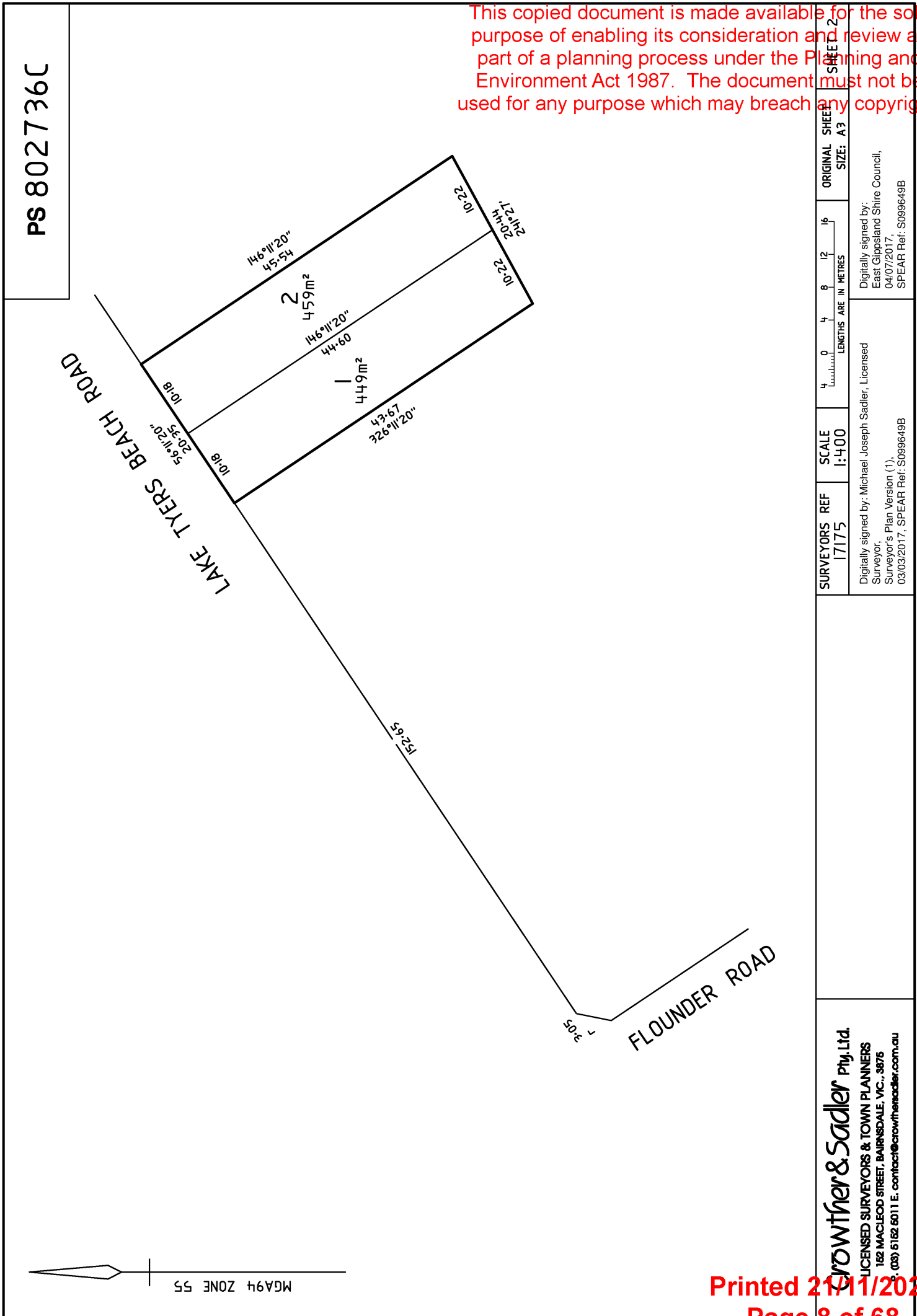
ORIGINAL SHEET SIZE: A3 SHEET 1 OF 2 SHEETS

PLAN REGISTERED
 TIME: 3:55 PM DATE: 30/11/2024
 LSW Assistant Registrar of Titles

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PS 802736C



SURVEYORS REF 17175	SCALE 1:400	LENGTHS ARE IN METRES 0 4 8 12 16	ORIGINAL SHEET SIZE: A3	SHEET 2
Digitally signed by: Michael Joseph Sadler, Licensed Surveyor, Surveyor's Plan Version (1), 03/03/2017, SPEAR Ref: S099649B		Digitally signed by: East Gippsland Shire Council, 04/07/2017, SPEAR Ref: S099649B		

Digitally signed by: Michael Joseph Sadler, Licensed Surveyor, Surveyor's Plan Version (1), 03/03/2017, SPEAR Ref: S099649B

crowther & Sadler Pty. Ltd.
 LICENSED SURVEYORS & TOWN PLANNERS
 162 MACLEOD STREET, BAIRNSDALE, VIC., 3875
 P: (03) 5182 6011 E: contact@crowthersadler.com.au

Prepared by: Michael J Sadler, Licensed Surveyor 22/05/2019.



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TRANSFER OF LAND

Section 45, Transfer of Land Act 1958



Lodged by: Commonwealth Bank of Australia
 Name: 130 Bourke Street Melbourne
 Phone: 1300 433 760
 Address: Melbourne
 Ref: Ref: 226198404
 Customer Code: EM 00000000000000000000

The collector and registrar Land

AG387022M



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MADE AVAILABLE / CHANGE CONTROL
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: (volume and folio reference)
Certificate of Title Volume **11103** Folio **200**

Estate and Interest: (e.g. "all my estate in fee simple")
All its estate in fee simple

Consideration:
\$150,000.00

Transferor: (full name)
MARIE ANNE TANNER and BRIAN JOHN BRODRIBB

Transferee: (full name and address including postcode)
JASON DAVID CARSTAIRS and KATHERINE EMILY CARSTAIRS

Directing Party: (full name)

Creation and/or Reservation and/or Covenant:

"The Transferees with the intent that the benefit of this covenant shall be attached to and run at Law and in equity with the whole of the land comprised in Plan of Subdivision No. PS620094F (other than the land hereby transferred) and each and every part thereof until the 1st January 2030 and that the burden of this covenant will be annexed to and run at law and in equity with the land hereby transferred and each and every part thereof until the 1st January 2030 and be set out as an encumbrance at the foot of the Certificate of Title to be issued pursuant to this Transfer HEREBY for themselves their respective heirs executors administrators and transferees COVENANTS with the said MARIE ANNE TANNER and BRIAN JOHN BRODRIBB their successors and transferees and other the registered proprietors for the time being of the whole of the land comprised in the said Plan of Subdivision and each and every part thereof (other than the land hereby transferred) that the transferee will not prior to 1st January 2030:-

A. Erect place permit licence or authorise on the said land any building being a single dwelling house unless built only of new materials and unless such building contains a floor area of not less than one hundred and twenty (120) square metres within the

Continued on T2 Page 2.

Approval No. 2177058A

ORDER TO REGISTER

Please register and issue title to

T2



Signed

Cust. Code:

STAMP DUTY USE ONLY	
This stamp is	ABN 63 123 123 124 4070 - AP 183
SRO	Victorian Duty \$..... 150,000
Property	Consideration / Advance \$.....
	Victorian Assets %..... Section.....
NOTE	Original / Counterpart / Copy / Upstamp
TO BE	Transaction No: 376872009
	Effective Date: 4/2/09
	No 11

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Printed 21/11/2024

Page 10 of 68

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[Details continued]

outer walls thereof calculated by excluding the area of any carport, garage, terrace, pergola or veranda and has an external wall area of at least 75% brick, brick veneer, masonry, stone, glass, timber or composite weatherboard and having a roof of slate, claytile, cement tile, zinculume or colour bonded material;

- B. Erect place permit licence or authorise on the said lot any outbuilding built with other than new materials of the same type as the main dwelling hour;
- C. Use or permit the use of the said land for any service industrial offensive or noxious purpose;
- D. Use or permit to be used the said land or any part thereof for the purpose of parking, garaging or servicing of any motor vehicle in excess of five (5) tonnes;
- E. Use or permit the use of the said land or any building thereon for the purpose of commercial breeding, boarding or training kennels for cats, dogs or to keep poultry in excess of twenty (20) birds or for pig farming.

Dated: 12.1.09

Execution and attestation:

Signed by the said **MARIELANNE TANNER**)
 in the presence of:)
)
 Witness:.....)

Signed by the said **BRIAN JOHN BRODRIBB**)
 in the presence of:)
)
 Witness)

Signed by the said **JASON DAVID CARSTAIRS**)
 and **KATHERINE EMILY CARSTAIRS** in the presence of:)
)
 Witness:....)

Approval No. 2177058A

T2 Page 2



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AG337022M

09/02/2009 \$485 45



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Reference No: B24344

Project No: 240724

25/07/2024

TDH Design
NICHOLSON Vic 3882

Attn: Tom Hardy

Email:

Dear Tom,

**RE: Proposed Dwelling & Swimming Pool (Earthworks > 1m)
542 Lake Tyers Beach Road, Lake Tyers Beach**

Chris O'Brien & Company Pty Ltd have been engaged by Tom Hardy of TDH Design to determine whether or not a full Geotechnical risk assessment report is required for the proposal to construct a new dwelling & swimming pool (earthworks > 1m) at 542 Lake Tyers Beach Road, Lake Tyers Beach Vic 3909. An erosion management overlay exists over the property.

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

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

The site was inspected by Andrew Powell on the 25th July 2024

Inspection of the allotment confirmed no erosion problems currently exist. The allotment is clear of any significant vegetation and has an excellent cover of grass. The allotment falls mostly towards the north with maximum falls of about 1 in 40 observed. Photos of the site showing what is described are attached to this report.

Worked required for the proposed development will require some minor earthworks for the dwelling and excavation of shallow footings, however earthworks greater than 1m will be required for the swimming pool. During any earthworks it is recommended that protection barriers such as silt fences are placed on the downslope side of all works to protect all downslope assets. Provided this is done we expect no environmental risks from these works. Batters created for the pool will be stabilised once the swimming pool has been placed.

TDH Design

Proposed Development at 542 Lake Tyers Beach Road, Lake Tyers Beach

Project No. 240724

Page 2 of 6

Stormwater created from the proposed development will be directed to the legal point of discharge via a system of underground pipes with no environmental risks expected from this source.

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

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

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TDH Design

Proposed Development at 542 Lake Tyers Beach Road, Lake Tyers Beach

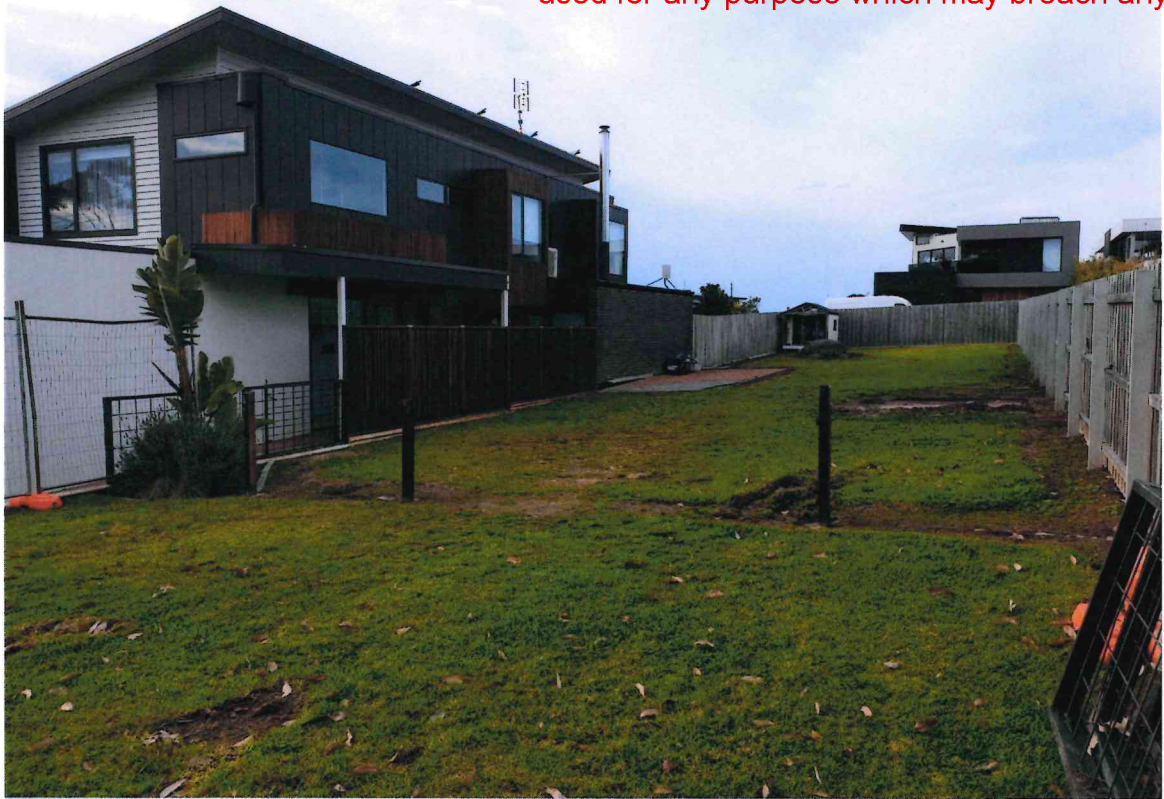
Photos below show the general layout of the allotment



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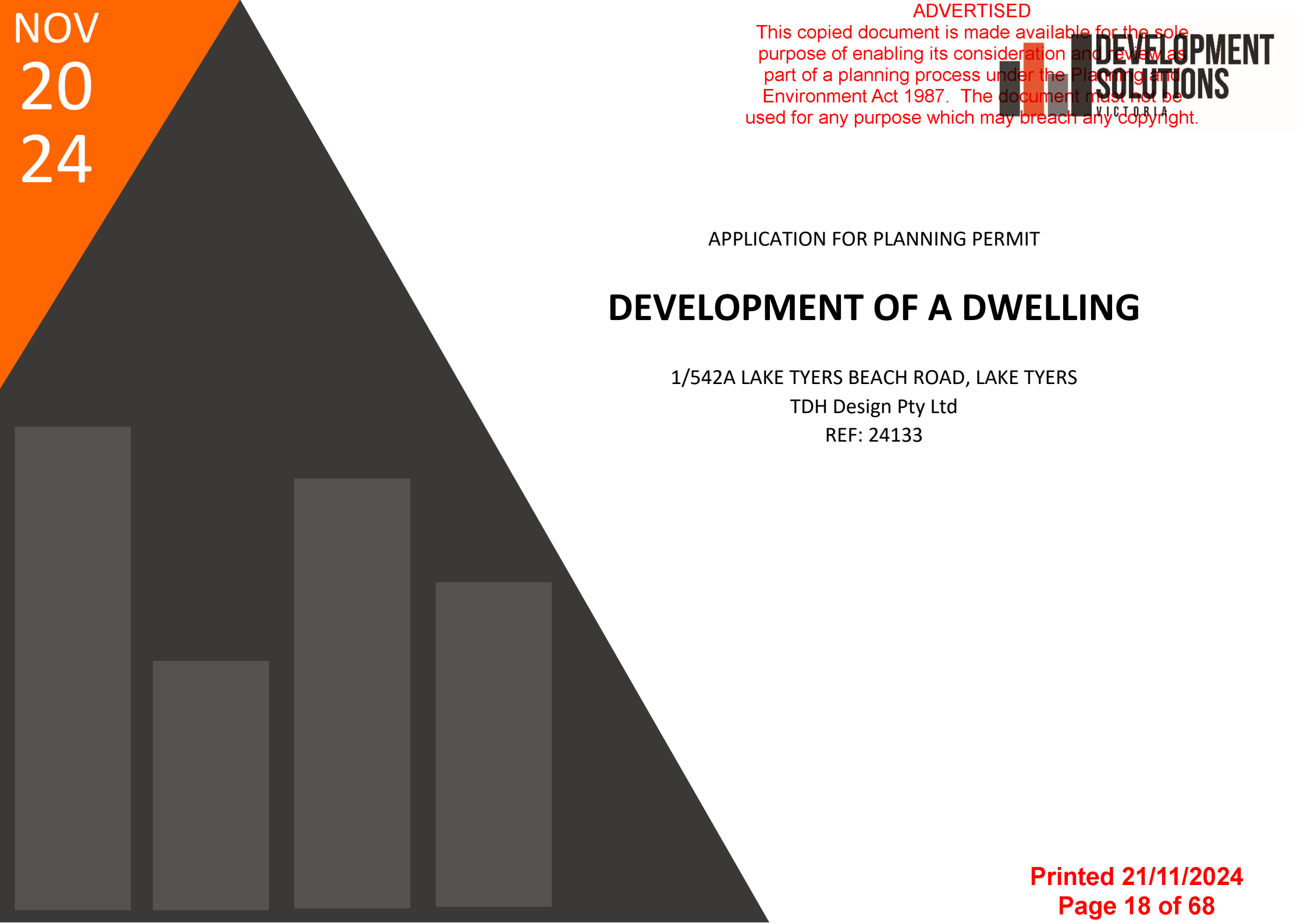


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NOV
20
24

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TDH DEVELOPMENT SOLUTIONS
VICTORIA

APPLICATION FOR PLANNING PERMIT

DEVELOPMENT OF A DWELLING

1/542A LAKE TYERS BEACH ROAD, LAKE TYERS

TDH Design Pty Ltd

REF: 24133

CONTENTS

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APPENDIX

A	Copy of Title and Plan of Subdivision
B	Proposed Development Plans
C	Geotechnical Risk Assessment Waiver
D	Bushfire Management Report

DOCUMENT REVISION

1	Draft Report	DAC	07/11/2024
2	Final Report	CMC	08/11/2024

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1/542, LAKE TYERS BEACH ROAD, LAKE TYERS



1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of Tom Hardy, the applicant for this planning permit application for the development of a dwelling at 1/542A Lake Tyers Beach Road, Lake Tyers.

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 proposal is seeking approval for a dwelling that will be in keeping with the character of the area.

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

Address	1/542A, LAKE TYERS BEACH ROAD, LAKE TYERS
Site Description	Lot 1 on Plan of Subdivision 802736C
Title Particulars	Vol 12085 Fol 648
Site Area	449m ²
Proposal	Development of a Dwelling
Planning Scheme	East Gippsland Planning Scheme
Zone	General Residential Zone – Schedule 1 (GRZ1)
Overlays	Design and Development Overlay – Schedule 11 (DDO11) Erosion Management Overlay (EMO) Bushfire Management Overlay (BMO)
Aboriginal Cultural Heritage	Identified as an area of Cultural Heritage Sensitivity
Permit Triggers	Clause 44.06-2 Bushfire Management Overlay - Buildings and Works Clause 43.02-2 Design and Development Overlay - Buildings and Works Clause 44.01-2 Erosion Management Overlay - Buildings and Works
Referrals	No referrals required
Notice	Exempt from notice at Clause 44.06-7 and 44.01-7
Work Authority Licence	No work authority licence on or immediately surrounding the site
Planning Scheme requirements	Municipal Planning Strategy – Clause 02 Settlement – Coastal settlements – 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 Housing – Clause 16 Bushfire Management Overlay – Clause 44.06 Design and Development Overlay – Clause 43.02 Erosion Management Overlay – Clause 44.01 Decision guidelines – Clause 65

2. SITE CONTEXT

Site

The subject site is located at 1/542A Lake Tyers Beach Road, Lake Tyers. A copy of the Title and Plan of Subdivision is contained in **Appendix A**. The title is affected by restrictive Covenant AG337022M.

Covenant AG337022M

The Covenant provides restrictions on building size, materials and uses of the land. The proposed dwelling does not contravene any condition set out in the above-mentioned covenant.

The site is rectangular in shape with a total area of approximately 449m² and is currently vacant land.

The site is relatively flat and does not contain any vegetation. Details of the site are depicted in the photographs provided below.

Access to the site is existing via a concrete crossover and gravel driveway along the northern boundary connecting directly to Lake Tyers Beach Road. Lake Tyers Beach Road is a bitumen sealed road, traversing in a northeast to southwest direction.

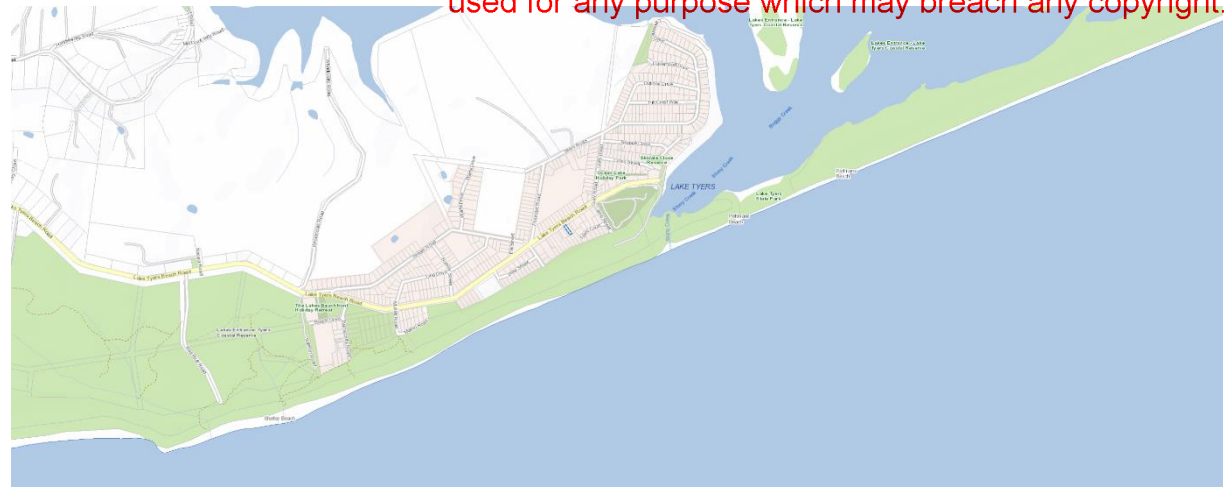


Figure 1 – Locality Plan – 1/542A Lake Tyers Beach Road, Lake Tyers (source: mapshare.vic.gov.au)

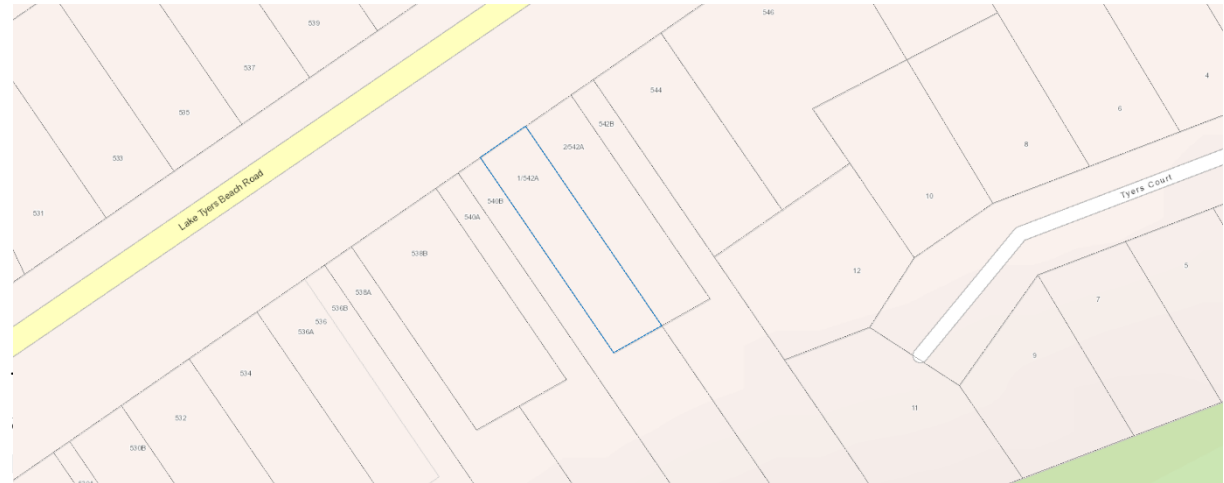


Figure 2 – Locality Plan – 1/542A Lake Tyers Beach Road, Lake Tyers (source: mapshare.vic.gov.au)

Surrounds

The land in this locality is a combination of public and residential land.

The boundaries of the site are delineated with a combination of fencing, including timber paling fencing along the western and southern boundaries, a combination of brick, timber and temporary fencing along the eastern boundary and temporary fencing along the northern boundary.

Adjoining the northern boundary of the subject site is Lake Tyers Beach Road and further existing residential development. Adjoining the eastern and southern boundaries comprises of existing residential development. Adjoining the western boundary contains a driveway and further residential development.

Lake Tyers Beach is a small residential community adjoining Lake Tyers and the Ninety Mile Beach. Lake Tyers is a popular fishing location east of Lakes Entrance. Lakes Entrance is one of the main East Gippsland towns with a strong residential and tourism focus. Lakes Entrance has a high level of community and commercial services and facilities.

The subject site in relation to Lake Tyers is shown in the aerial photograph below.



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Photograph 1 - Aerial Photograph of the subject site and surrounding land
1/542A Lake Tyers Beach Road, Lake Tyers (source: dpi.vic.gov.au)





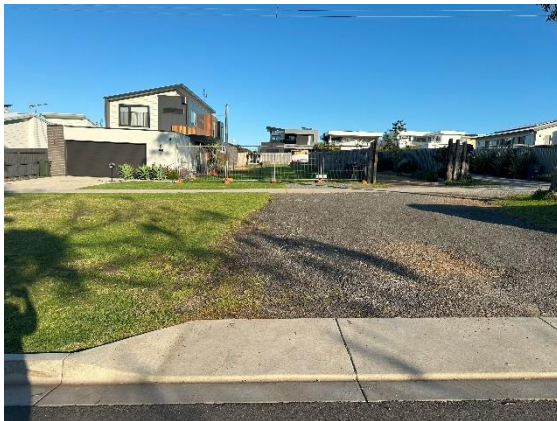
Photograph 2 – Subject site at 1/542A, Lake Tyers Beach Road, Lake Tyers.



Photograph 4 – Western boundary of the subject site facing southwest



Photograph 6 – Entry to the subject site facing northeast showing concrete footpath.



Photograph 3 – Existing driveway access to subject site at 1/542A, Lake Tyers Beach Road, Lake Tyers.



Photograph 5 – Subject site facing north showing Lake Tyers Beach Road.



Photograph 7 – Neighbouring property adjoining the western boundary at 540B Lake Tyers Beach Road, Lake Tyers.



Photograph 8 – Neighbouring property adjoining the eastern boundary at 542B Lake Tyers Beach Road, Lake Tyers.



Photograph 10 – Lake Tyers Beach Road facing northeast.



Photograph 9 – Neighbour opposite subject site at 541 Lake Tyers Beach Road, Lake Tyers.



Photograph 11 – Lake Tyers Beach Road facing southwest.

3. THE PROPOSAL

This application seeks approval for development of a dwelling. The proposed development plans are contained in **Appendix B**.

The proposed dwelling will be centrally located on the site with a setback of approximately 6 metres to the northern boundary being Lake Tyers Beach Road, 200mm to the eastern boundary and 2 metres to the western boundary.

The proposal will have a total site coverage of approximately 237m² including the driveway. The proposed dwelling will have a building footprint of approximately 180m² and will be a double storey dwelling. The overall height of the proposed dwelling will be 8.1 metres.

The finished materials and colours of the proposed dwelling will include a combination of rendered lightweight cladding, James Hardie Oblique fibre cement cladding, metal wall cladding in the Colorbond colour Surfemist, rendered Hebel panel in the colour cotton grey, stone cladding, rendered brick veneer and vertical timber slats. The roof will be Colorbond metal sheeting in the Colorbond colour Surfemist. An extract from the plans of the proposed colour and material finishes and

elevations are provided below and in **Appendix B**.

Vehicle access to the site is existing via a concrete crossover and gravel driveway directly from Lake Tyers Beach Road along the northern boundary, however, will be upgraded to concrete as indicated on the proposed development plans.

The proposed dwelling will connect to all available services including reticulated water, sewerage, electricity, telecommunications and the existing road network.

Drainage from the proposed development will be directed to the legal point of discharge to the satisfaction of the responsible authority

Minor earthworks will be required to create a level building surface for the proposed dwelling, with earthworks exceeding 1 metre in depth required for the installation of the proposed swimming pool. A Geotechnical Risk Assessment waiver is contained in **Appendix C**.

The subject site can achieve a BAL 12.5 rating, a Bushfire Management Report is contained in **Appendix D**.

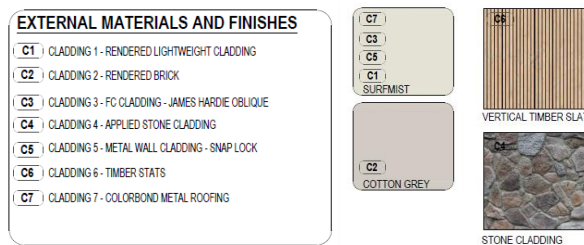


Figure 3 – Finished colors – Tom Hardy Designs

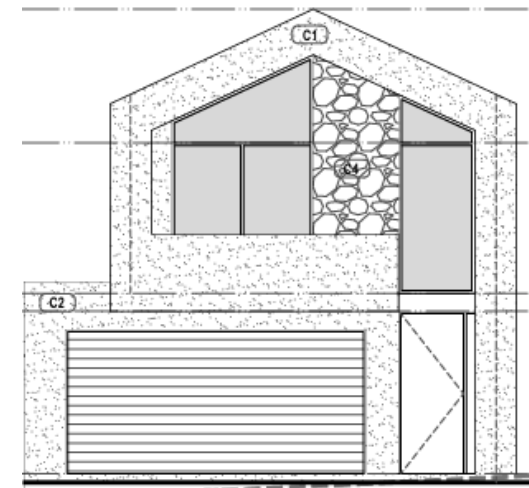


Figure 4 – North elevation – Tom Hardy Designs

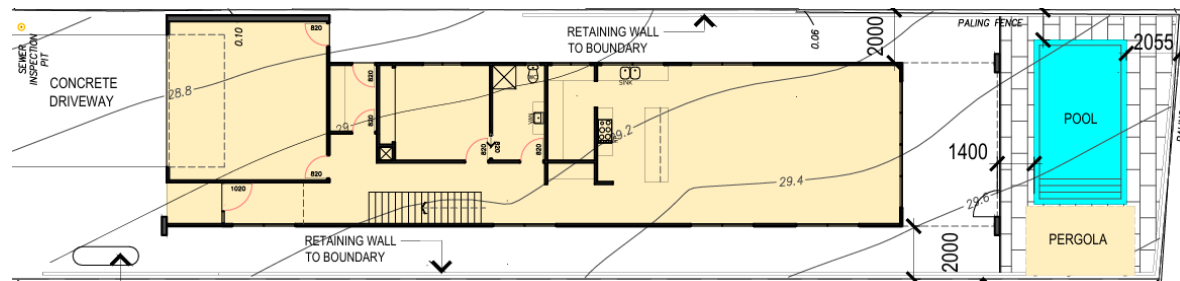


Figure 5 – Site plan – Tom Hardy Designs

4. ZONES AND OVERLAYS

General Residential Zone – Schedule 1

The purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

An extract of the General Residential Zone Map is provided in **Figure 6**.

A permit is not required for the use and development of one dwelling on a lot under the provisions of the General Residential Zone.

Clause 32.08-4 provides the minimum garden area for an allotment between 400 and 500m² is 25%. The proposal meets the garden area requirement.

As such a permit is not required, this is not addressed further.

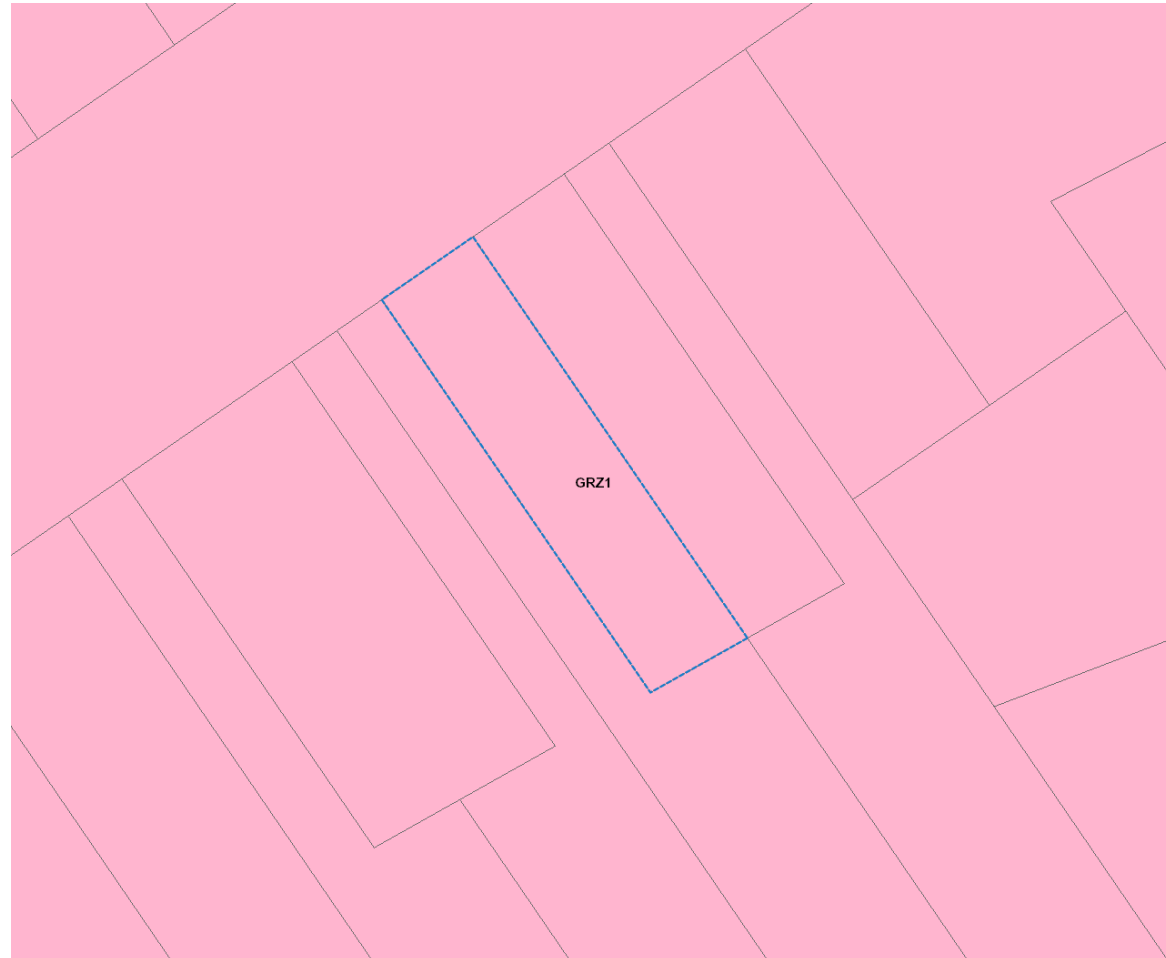


Figure 6 – Zoning Map – (source - mapshare.vic.gov.au)

Bushfire Management Overlay

The purpose of the Bushfire Management Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

An extract of the Bushfire Management Overlay map is provided in **Figure 7**.

Clause 44.06-2 provides a permit is required to construct a building or construct or carry out works associated with accommodation.

Clause 44.06-4 provides an application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay must specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02. There is no schedule applicable to the subject site.

The proposed dwelling requires planning approval under the provisions of the Bushfire Management Overlay and Clause 53.02-3.1 and as such the decision guidelines are addressed below in Section 5.

A Bushfire Management Report is contained in **Appendix D**.



Figure 7 – Bushfire Management Overlay – (source - mapshare.vic.gov.au)

Design and Development Overlay – Schedule 11

The purpose of the Design and Development Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

An extract of the Design and Development Overlay Map is provided in **Figure 8**.

Clause 43.02-2 – Buildings and works provides a permit is required to construct a building or construct or carry out works. The schedule provides a permit is required for: a building height greater than 7.5 metres, if the total building footprint exceeds 300m² and if the slope of the land is greater than 15 percent.

The proposed dwelling will exceed 7.5 metres in height and as such a permit is required, the relevant decision guidelines are addressed in Section 5 of this submission.

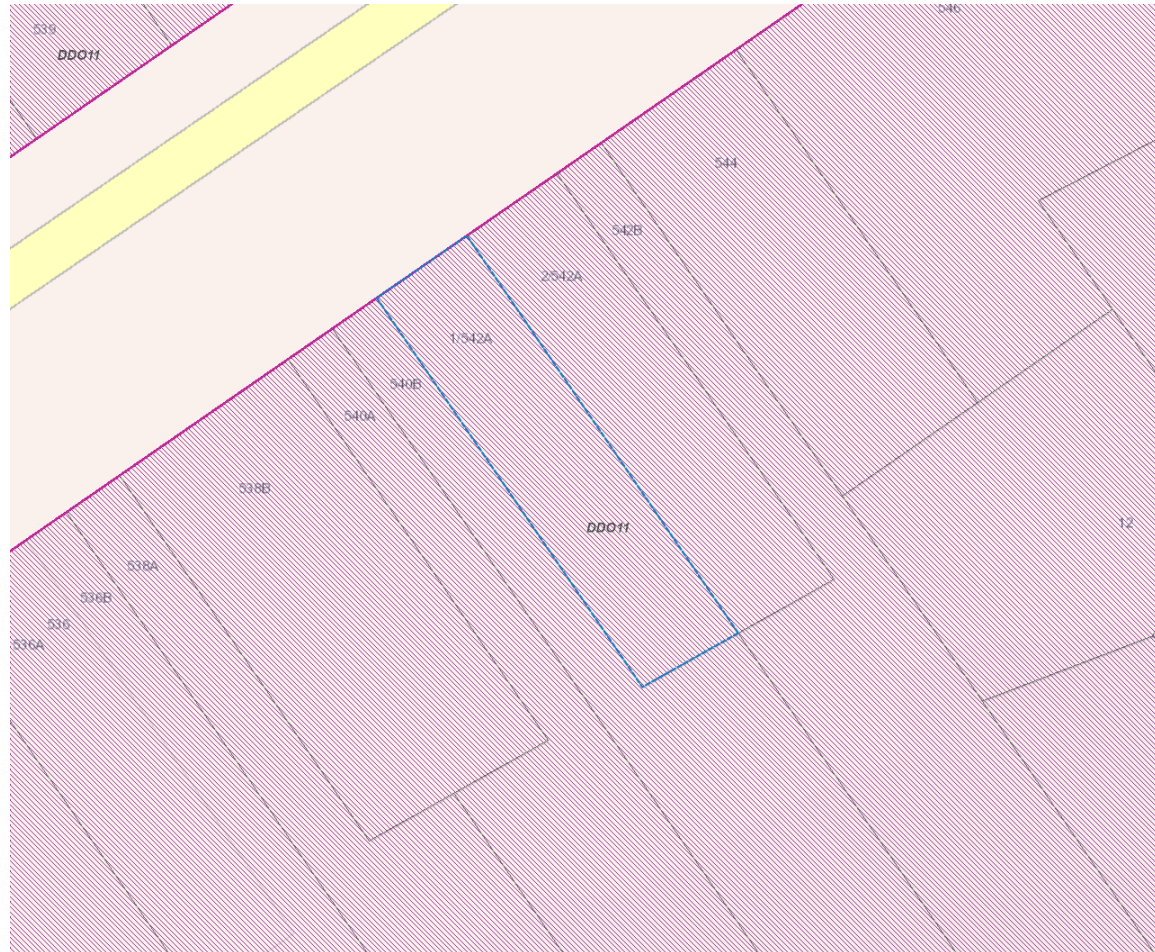


Figure 8 – Design and Development Overlay – (source - mapshare.vic.gov.au)

Design and Development Overlay – Schedule 11 continued:

Schedule 11 to the Design and Development Overlay relates to Residential Development in Coastal Settlements and contains the following design objectives:

- *To protect and manage the township character of coastal settlements.*
- *To ensure that the height and visual bulk of new development is compatible with the coastal neighbourhood setting.*
- *To ensure that new development is designed to minimise visual impacts on the natural landscape.*
- *To ensure that new development is visually and physically integrated with the site and surrounding landscape.*
- *To ensure that new development is sited and designed to be visually unobtrusive through and above the surrounding tree canopy when viewed from nearby streets, lakes, coastal areas, or other distant viewpoints.*
- *To protect the vegetated character of the landscape, particularly where it is a*

dominant visual and environmental feature.

- *To ensure that the scale and character of existing development in areas fronting Marine Parade in Marlo and on the lake frontage at Newlands Arm is preserved and that any new development should be consistent with the prevailing development form and height to retain the existing character and view corridors.*
- *To ensure that the subdivision of land within the Newlands Arm Estate is consistent with the Newlands Arm Estate Restructure Plan, Version 7 (March 2017).*

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 9**.

Clause 44.01-2 provides a permit is required to construct a building or construct or carry out works. The schedule provides a permit is not required for the development of a dwelling however is required for earthworks that exceed 1 metre in depth. The proposed earthworks associated with the swimming pool will exceed 1 metre in depth and as such the relevant decision guidelines are addressed in Section 5.

A Geotechnical Risk Assessment Waiver is provided in **Appendix C**.

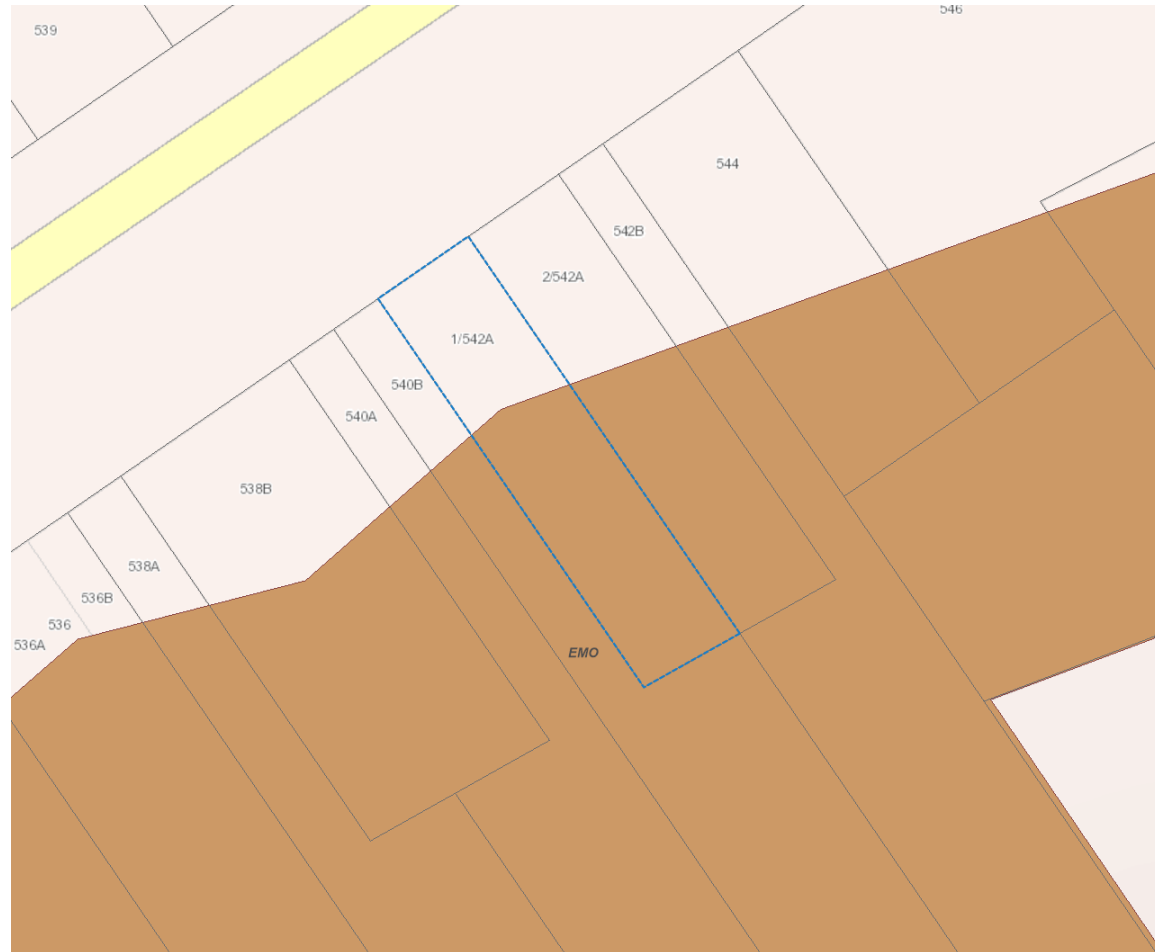


Figure 9 – Erosion Management Overlay – (source - mapshare.vic.gov.au)

Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is recognised as being within an area of Aboriginal Cultural Heritage Sensitivity.

The development of a dwelling is an exempt activity, and as such a Cultural Heritage Management Plan is not required.

An extract of the Aboriginal Cultural Heritage Map is provided to the right in **Figure 10**.

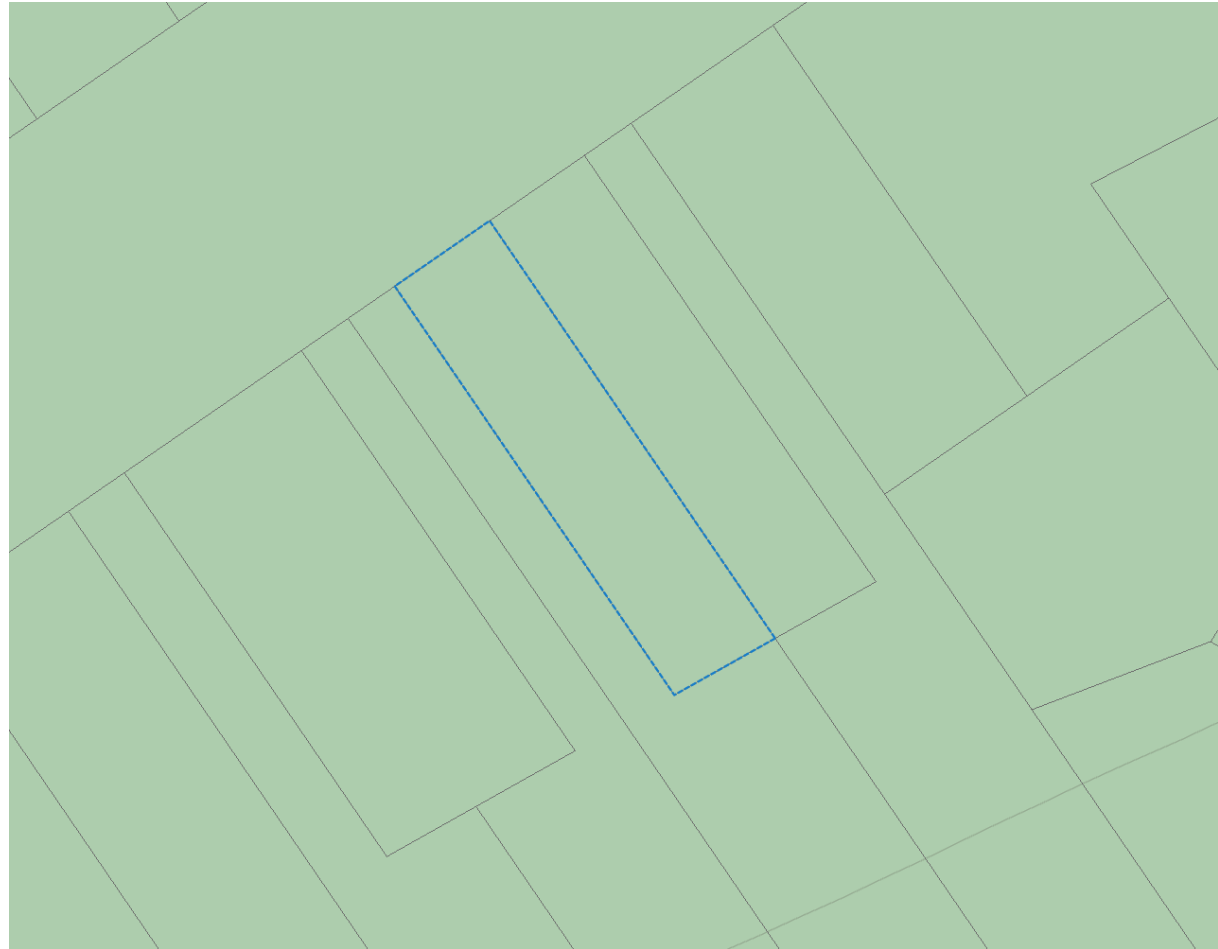


Figure 10 – Aboriginal Cultural Heritage Map – (source - mapshare.vic.gov.au)

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 development 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 for an appropriate 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, urban design and amenity by designing a dwelling 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**.
- **Clause 02.03-1** identifies Lake Tyers Beach as a coastal settlement. Lake Tyers Beach is a beautiful coastal community with rich environmental features, attracting both permanent residents and tourists.
- The proposed dwelling will connect to all available services and infrastructure including reticulated water, sewerage,

electricity, telecommunications and a good quality road network.

- **Clause 13.04-2S** requires consideration of erosion and landslip. The subject site and proposed development are within an area identified as being susceptible to erosion. Earthworks exceeding one metre in depth will be required for the proposed swimming pool. All preventative measures will be undertaken during the construction phase to ensure no erosion hazards occur. A Geotechnical Risk Assessment Waiver is contained in **Appendix C**.
- The proposal meets the objectives of **Clause 16** by providing an additional dwelling within an existing, mostly developed general residential area that will in turn support housing for the community.
- **Clauses 02.03-3, 13.01-1S** and **44.06** require consideration of bushfire hazards and implications as a result of any proposed development. A Bushfire Management Report is provided in **Appendix D** which concludes the subject site can achieve a BAL12.5 rating. The proposed dwelling will be constructed to the requirements of the BAL12.5 rating. All approved bushfire protection measures have been incorporated into the proposal including defensible space for the entire allotment and a 2,500 litre water tank is to be located

in the northern portion along the western boundary. **Clause 44.06-4** provides the application must meet the requirements of **Clause 53.02**. All of the approved measures set out in Clause 53.02-3 have been incorporated into the proposal and it is concluded the risks can be reduced to an acceptable level.

- The proposal is consistent with the decision guidelines of the Design and Development Overlay at **Clause 43.02-6** which seeks to identify areas which are affected by specific requirements relating to the design and built form of new development.
- The proposed dwelling will result in an appropriate development that will be used for residential purposes that is not inconsistent with the surrounding residential development. The proposed development will not be visually obtrusive and will be appropriately setback from the Lake Tyers Beach Road.
- The subject site and proposed development are located approximately 170 metres north of Lake Tyers Beach. The proposed development is unlikely to be visible from the water, particularly given the existing dense vegetation south of the site within the foreshore reserve and the existing residential development surrounding.

- The proposed colours of the dwelling have been selected to ensure the development is not visually obtrusive and will be well integrated with the surrounding development and environment. The proposed colours are low reflective and muted in toning. A visual description of the proposed colours is provided within the development plans and in Section 3 of this submission.
- The area contains dwellings and associated buildings of various styles and heights.
- The proposal does not contravene any condition set out in the restrictive covenant AG337022M registered on title.
- **Schedule 11** refers to residential development in coastal settlements.
- The application is seeking approval for the development of a double storey dwelling. The dwelling will exceed 7.5 metres high, however the roof form of the proposed development will be below the prevailing tree canopy. No additional planting is proposed particularly given the bushfire hazards associated with the site. Earthworks will be required for the proposed swimming pool and will exceed 1 metre in depth. No vegetation is required to be removed.
- 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.
- The proposal requires earthworks that will exceed 1 metre in depth to facilitate the proposed development of a swimming pool. Disturbed ground will be appropriately battered and stabilised by the pool structure.
- Access to the site is existing directly from Lake Tyers Beach Road and will be upgraded to concrete as identified on the proposed development plans.
- A Geotechnical Risk Assessment waiver is contained in **Appendix C** that concludes the proposal is unlikely to contribute or cause additional erosion hazards. It is recommended that silt fences be placed during earthworks on the downslope side of works to protect downstream assets.
- This submission has addressed the decision guidelines of **Clause 65**, and the proposed development supports orderly planning of the area whilst taking into consideration the potential effect on the environment, human health and the amenity of the area.
- Access to the site is existing and will be upgraded as indicated on the proposed development plans, there will be no negative impact on the existing road network. The increased traffic as a result of the proposal is unlikely to generate any 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.

6. CONCLUSION

This submission is in support of a planning permit application for the development of a dwelling at 1/542 Lake Tyers Beach Road, Lake Tyers.

The relevant provisions of the East Gippsland Planning Scheme have been addressed and it has been ascertained that the proposed development 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 Bushfire Management Overlay, Design and Development Overlay and the Erosion Management Overlay.
- The risks associated with erosion and bushfire can be reduced to an acceptable level.
- The design of the proposal is in keeping with the existing character of the area.

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

Development Solutions Victoria

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Euca Planning
Bushfire Specialists



Bushfire Planning Report Version 1.1 (Including Bushfire Management Statement)

Lot 1 PS802736
1/542A Lake Tyers Beach Road
Lake Tyers Beach 3909
Traditionally the land of Gunaikurnai People

November 1st, 2024

Euca Planning Pty Ltd

PO Box 570, Warragul 3820.

Director & Principal Consultant: Deanne Smith

Qualifications/Accreditations:

- Masters of Planning (Professional) – Deakin University
- Postgraduate Diploma in Bushfire Planning and Management – The University of Melbourne (2017)
- Graduate Diploma of Applied Science (Agricultural Studies) – Charles Sturt University
- Graduate Certificate in Public Sector Management – Flinders University
 - Bachelor of Science – University of Melbourne (1996)
- Memberships
 - Member of Planning Institute of Australia (MPIA)
- Corporate Bronze Member of Fire Protection Association of Australia

Acknowledgement of Country

Euca Planning would like to acknowledge the Gurnaikurnai people as the Traditional owners of the unceded land that we conduct our business on. We pay our Respects to their Elders past, present, and future.

Disclaimer

This report has been made with careful consideration and with the best information available to Euca Planning Pty Ltd at the time of writing. Before relying on information in this report, users should evaluate the accuracy, completeness and relevance of the information provided for their purposes. Euca Planning Pty Ltd do not guarantee that it is without flaw or omission of any kind and therefore disclaim all ability for any error, loss or other consequence that may arise from you relying on any information in this report.

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

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

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Version Control

	Name	Date Completed	Comments
Field Assessment	Courtney Campbell	16 October 2024	
Mapping	Deanne Smith	31 October 2024	
Draft	Charisma Langbid	27 September 2024	
Final	Deanne Smith	1 November 2024	
Revision	Deanne Smith	18 November 2024	Remove drafting notes

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Executive Summary

This report has been prepared to accompany a planning permit application for a development of a dwelling at 1/542A Lake Tyers Beach Road Lake Tyers Beach. The site is within the Bushfire Management Overlay (BMO) and is required to demonstrate that the development has regard for the surrounding bushfire hazards.

This report presents a comprehensive assessment of the hazards and suggests mitigation measures to improve the protection of life and property for the development of a dwelling at 1/542A Lake Tyers Beach Road Lake Tyers Beach. The site is within the General Residential Zone (GRZ) and as such can elect to undertake a Pathway 1 application to meet the objectives and approval measures of Clause 53.02 of the East Gippsland Shire Planning Scheme.

This report includes the following components:

- A **Clause 13.02-1S assessment** considering the intent of the East Gippsland Planning Scheme.
- A **Bushfire Hazard Site Assessment** considering localised hazards, defensible space and the bushfire attack level.
- A **Bushfire Management Statement** detailing the design response to the relevant approval measures in Clause 53.02 from the East Gippsland Planning Scheme.
- The **Bushfire Management Plan** that responds to the site and the proposed development, including the standard CFA permit conditions.

The development site is located in the township area of the Lake Tyers Beach. The proposed development is on a lot that is vacant. The immediate surrounds of the development area can be classified as scrub, woodland and low threat vegetation. The Bushfire Management Statement demonstrates that the defensible space objectives can be met for a site classification with a BAL of 12.5. Water supply will be provided; and access for emergency services vehicles will be available from Lake Tyers Beach Road.

Due to the proximity to scrub the proposed development is expected to be affected by minimal ember attack and radiant heat in the event of a bushfire. Achieving a separation of Column A and BAL of 12.5 is deemed appropriate considering the distance that can be established from the vegetation. The siting of the proposal achieves the best separation from the hazard.

The site can meet the approval measures within Clause 53.02 for a separation from the hazard of Column A, BAL of 12.5 based on an FFDI of 100 and a flame temperature of 1090K.

1.0 Introduction

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

The statement contains these components:

- A **Clause 13.02-1S assessment** considering the intent of the East Gippsland Planning Scheme.
- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard has been prepared in accordance with Section 2.2.3 to 2.2.5 of *AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia)* and is supported by photographs to assist in describing the bushfire hazard.
- A **bushfire management statement (BMS)** describing how the proposed development responds to the requirements of Clause 44.06 and 53.02.
- A **bushfire management plan (BMP)** that responds to the site and the proposed development, including the standard CFA permit conditions.

1.1 Application Details

Municipality	East Gippsland
Title description	Lot 1 PS802736
Overlays	Bushfire Management Overlay (BMO) Design and Development Overlay – Schedule 11 (DDO11) Erosion Management Overlay Schedule (EMO)
Zoning	General Residential Zone – Schedule 1 (GRZ1)

1.2 Site Description

Site shape	Irregular Rectangle
Site Dimensions	The property has a road frontage to Lake Tyers Beach Road of approximately 10 metres and a property depth of approximately 44 metres.
Site area	Approximately 449m ²
Existing use and siting of buildings and works on and near the land	Vacant site near coastal reserve Developed sites adjacent
Existing vehicle arrangements	From Lake Tyers Beach Road
Nearest fire hydrant	Lake Tyers Beach Road
Private bushfire shelter	Not proposed
Any other site features relevant to bushfire risk	Scattered vegetation throughout the settlement, coastal reserve

1.3 Site Location



Figure One – Property Location – identified with the blue dashes central to the map (VicPlan, 2024)



Figure Two – Property Location – 1/542A Lake Tyers Beach Road Lake Tyers Beach (Vicplan, 2024)

2.0 Planning Policy Framework

2.1 Planning Policy Framework

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

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

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

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

[Emphasis added]

Clause 13.02-1S includes a number of strategies to achieve that objective.

Broadly these strategies include:

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

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

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.*

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

Identify bushfire hazard and undertake appropriate risk assessment by:

- *Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.*

- *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.*
- *Considering and assessing the bushfire hazard on the basis of:*
 - *Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;*
 - *Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;*
 - *Neighbourhood conditions – meaning conditions in the area within 400 metres of a site; and*
 - *The site for the development.*
- *Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.*
- *Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.*
- *Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.*

Importantly in relation to settlement planning, clause 13.02-15 includes the following requirements:

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- *Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metres under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*
- *Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.*
- *Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.*
- *Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.*
- *Assessing and addressing the bushfire hazard posed to the settlement*

and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighborhood and site scale, including the potential for neighborhood-scale destruction.

- *Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighborhood basis.*
- *Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009.*

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

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

... Accommodation

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

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

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

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

2.2 Planning Policy Framework Assessment

2.2.1 Objective

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

2.2.2 Application

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

Bushfire Prone Area and Bushfire Management Overlay

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

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

2.2.3 Strategies

Protection of human life

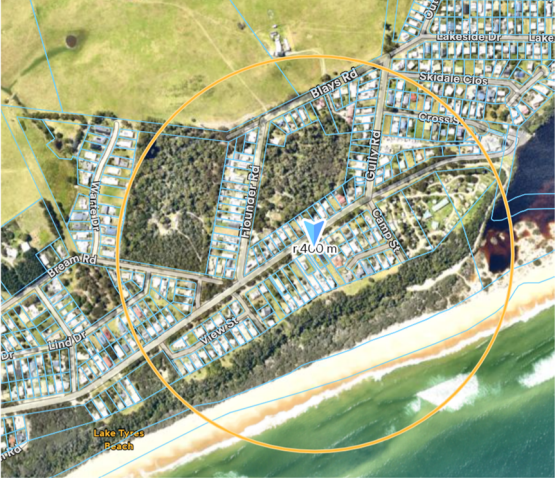

<i>Give priority to the protection of human life by:</i>	<i>Response</i>
Prioritising the protection of human life over all other policy considerations	<ul style="list-style-type: none"> - This proposal provides for a development of a dwelling that responds to the risk of bushfire through siting and construction. - The proposal can be undertaken in a manner that provide safety to the residents
Directing population growth and development to low risk locations and ensuring the availability of, and safe	<ul style="list-style-type: none"> - The lot has existed for many years and is part of an estate with many lots containing established dwellings.

<p>access to, areas where human life can be better protected from the effects of bushfire.</p>	<ul style="list-style-type: none"> - Existing dwellings exist adjacent to this development and the dwelling is sited in an area of the site that is substantially cleared. - The overall design can respond to the public land by setback from the boundaries and establishment of defensible space between the dwelling and the boundary. - The existing road network facilitates safe egress. - Access and egress are facilitated in two directions.
<p>Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.</p>	<ul style="list-style-type: none"> - An application to develop land needs to articulate how the design responds to the identified bushfire risk. - The dwelling has been designed and sited to respond to bushfire with the assessment of the bushfire risk being undertaken to ensure the dwelling maximises the separation from the hazard and achieves a radiant heat exposure no greater than 12.5kW/m².

Bushfire hazard identification and assessment

<i>Identify bushfire hazard and undertake appropriate risk assessment by:</i>	<i>Response</i>
<p>Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.</p>	<ul style="list-style-type: none"> - The East Gippsland Planning Scheme relies on the planning proposal to respond to bushfire based on current assessment methods. - Clauses 13.02-1S, 44.06 and 53.02 are to be considered for proposal. - Clause 71.02-3 <i>Integrated Decision Making</i> strengthens the importance of bushfire planning as an appropriate tool to reconcile potential conflicts in design and vision. - The assessment method aligns with AS3959-2018 and is provided in this report (see Section 4).
<p>Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.</p>	<ul style="list-style-type: none"> - Consistent with the revised Clause 13.02-1S, the planning proposal responds to the Bushfire Prone Area and the Bushfire Management Overlay. - This report demonstrates that sufficient setbacks from the vegetation can be achieved to meet Column A of Table 1 of Clause 53.02, which is an appropriate benchmark for this development. - Detailed design and consideration of the

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	<p>development application is reinforced by the preliminary planning drawings.</p>
<p>Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard</p>	<ul style="list-style-type: none"> - The BMO does apply to this land recognising that the land is in an area of high bushfire hazard. The BMO is addressed in Sections 3 to 5 of this report.
<p>Considering and assessing the bushfire hazard on the basis of:</p> <ul style="list-style-type: none"> • Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site; • Local conditions - meaning conditions in the area within approximately 1 kilometre from a site; • Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and, • The site for the development 	<ul style="list-style-type: none"> - An assessment of Clause 13.02 is provided in Section 3.0 of this report. - As it is a dwelling in an established area the site conditions are considered through the Bushfire Hazard Site Assessment. - The landscape considerations show that BAL12.5 is sufficient in this neighbourhood with limited fire runs. - The neighbourhood is well managed with two Council managed reserves and small housing lots. Falling within the 400 metres. Coastal beach is to the south.  <ul style="list-style-type: none"> - Within 1km there is a grassland break to the broader northern forest. Fire direction is likely from the south-west with shelter being sought adjacent the lake.  <p style="text-align: center;">s</p>

Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.	- It is expected that this development would be referred to CFA for consideration as it is in the Bushfire Management Overlay.
Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures	- The content of this report provides a solid foundation for the design and subsequent approval of the planning proposal, with regard to bushfire risk. - Assessing the site-based bushfire risk and including appropriate bushfire protection measures (e.g. managed land, BALs, separation from the hazard) enables the achievement of the direction of the Planning Scheme.
Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied, or bushfire protection measures can be adequately implemented.	- This element of the revised Clause 13.02-1S is the most important element and empowers the Responsible Authority to not approve a permit application until it is satisfied with the bushfire protection measures being implemented. - This report demonstrates that the risk of bushfire should not be a reason for refusal.

Settlement Planning

<i>Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:</i>	<i>Response</i>
Directing population growth and development to low-risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metres under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).	- The building has a siting that has been assessed as having a radiant heat flux of less than 12.5kW/m ² under AS3959-2018.
Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire	- The nature of the settlement of Lake Tyers Beach, provides ready access with a 5 minute drive to areas of the protection in Lake Tyers, but better protection (BAL-LOW) is a short drive to Lakes Entrance prior to a westerly fire occurring.
Ensuring the bushfire risk to existing and future residents, property and	- The establishment and maintenance of defendable space will accompany

community infrastructure will not increase as a result of future land use and development.	the approval of a dwelling.
Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.	- The proposed building and works will implement the current regulations pertaining to bushfire construction. This measure has been implemented in the design of the building and will be carried out through to the completion of the building.
Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.	- An assessment is provided in Section 3.0 and 4.0 of this report. - As it is a dwelling in the BMO on the Lake Tyers Beach two scales of consideration are applied: Landscape conditions and site conditions. - The site conditions are best considered through the Bushfire Hazard Site Assessment methodology.
Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.	- The proposed single dwelling is in a vacant lot in an established General residential area.
Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS3959-2018.	- The proposal is a statutory planning application only.

Areas of high biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are of high biodiversity conservation value.

Assessment of the development

- No vegetation removal is required

Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for accommodation.

Assessment of the proposal's response: As the proposal is to develop a dwelling, and 'dwelling' is a nested term in the 'single dwelling' of Clause 13.02-1S is relevant.

When assessing a planning permit application for the above uses and development:	Response
Consider the risk of bushfire to people, property and community infrastructure.	Consistent with Clause 13.02-1S, Clause 53.02 of the Scheme has been used as a guide and is supported by a landscape analysis that demonstrates that the risk to people, property and the asset can be appropriately mitigated by its inherent design features in this specific location – specifically siting, separation from the hazard, building construction, and defensible space.
Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.	The development provides a siting that achieves Column A separation from the hazard in all directions, and the design of the dwelling is in accordance with BAL12.5 of AS3959.
Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.	No vegetation is proposed for removal

2.2.4 Policy Guidelines

Planning must consider as relevant:	Response
Any relevant approved State, regional and municipal fire prevention plan.	Fire prevention measures of the East Gippsland Shire Municipal Fire Prevention Plan ensure the roadsides and the fire breaks in the area are managed. Management of the public land occurs as part of the township protection.
AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).	This is relevant through the derivation of Bushfire Attack Levels, and is considered when referring to BAL12.5.
Building in bushfire-prone areas - CSIRO & Standards Australia (SAA HB36-1993, May 1993).	This is the handbook to AS3959 and does not need to be considered directly by the planning proposal. 2018 is the current standard
Any Bushfire Prone Area map prepared under the Building Act 1993 or regulations made under that Act.	The updated Bushfire Prone Area map has been considered in this report.

3.0 Bushfire Hazard Site Assessment

The Bushfire Hazard Site Assessment (Figure Four) includes a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard is prepared in accordance with AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2 (Vegetation exclusions).



Figure Three – Bushfire Hazard Site Assessment

3.1 Vegetation

The vegetation in the broader landscape is woodland, grassland and scrub (see Figure 4).

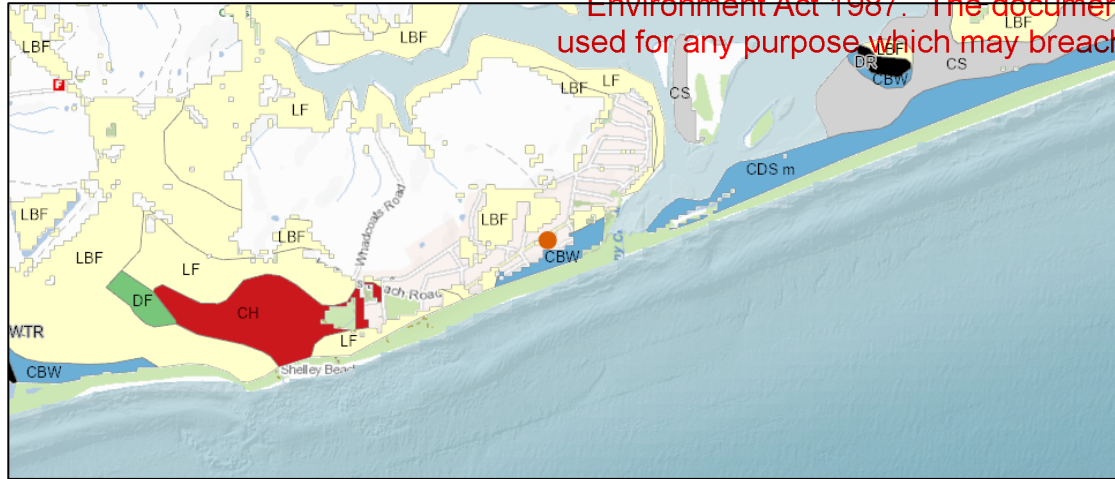


Figure Four – NatureKit Map of surrounds with subject site central to the image with orange dot showing, Lowland Forests (pale orange), Coastal Scrubs Grasslands and Woodlands (blue), Rainforests (black), Salt-tolerant and/or succulent Shrublands (blue/grey), Heathlands (red) and Damp Forest (green) (Naturekit, 2024)

The vegetation within the 150-metre assessment area was classified according to AS3959:2018, Technical Guide: Planning Permit Applications Bushfire Management Overlay (i.e DELWP 2017) and the Overall Fuel Hazard Assessment Guide (DSE, 2010). The Standard AS3959 approach uses a generalised description of vegetation based on the AUSLIG Australian Natural Resources Atlas” No.7 Native Vegetation classification system. According to this method, vegetation can be classified into seven categories. Each category indicates a particular type of fire behaviour and these categories or classifications are then used to determine bushfire intensity.

Vegetation Classification: Woodland

AS3959:2018 Definition:

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



Site Description:

The site has a woodland reserve that is on flat land approximately 80 metres north.

Image – Typical Woodland as it abuts the dwellings to the north

Vegetation Classification: Scrub

AS3959:2018 Definition:

Open scrub – Shrubs greater than 2 m high; 10-30% foliage cover with a mixed species composition.

Site Description:

The site has scrub in the south approximately 64 metres from the dwelling. The scrub is flat then has a steep slope of up to 30 degrees before reaching the flat sands.

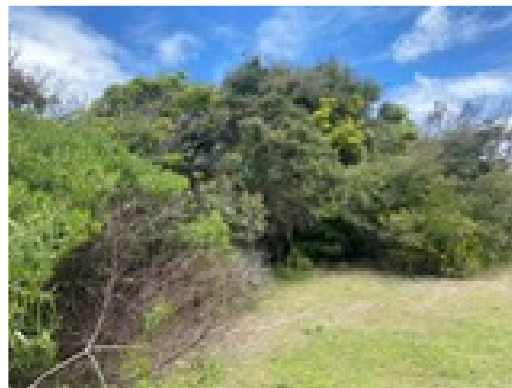


Image – Scrub in the coastal reserve to the south

Vegetation Classification: Excludable and Low threat vegetation

AS3959:2018 Definition:

2.2.3.2 Exclusions – Low threat vegetation and non-vegetated areas

The following vegetation shall be excluded from a BAL assessment:

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

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NOTES:

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

Site Description

The proposed dwelling has low threat vegetation located in all directions. The development of many homes with defensible space conditions is leading to the situation. There is a mown break between settlement and the coastal scrub.



Images – Low threat veg (cl.2.2.3.2(f)), mown southern grassbreak and adjacent developed property

3.2 Topography

The topography of the site and the surrounding area is characterised by the flat development area and the steep coastal drop.

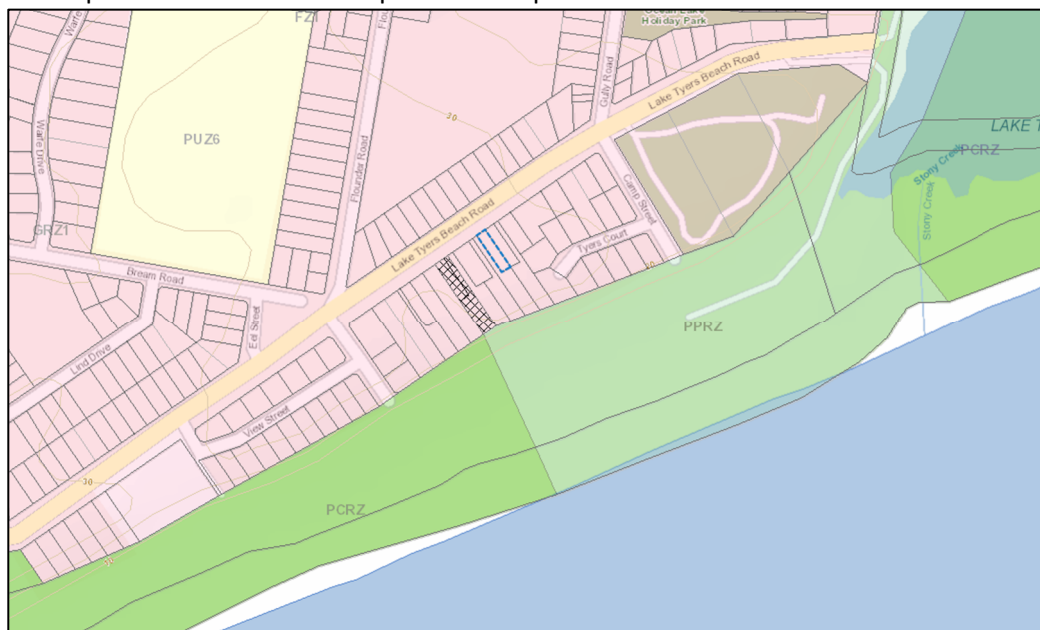


Figure Five – Topography of area around the site (VicPlan, 2024)

3.3 Separation and Bushfire Attack Level for the Proposed Development

The bushfire attack level (BAL) is a means of measuring the severity of a building’s potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per meter squared. The BAL is also the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire. The maximum separation from the hazard determines siting, and all attempts should be made to derive the greatest separation.

The highest BAL determines the construction requirements for the dwelling. A reduction of one BAL level may be applied if facades of the house are shielded from the bushfire hazard. The BAL for this site has been calculated using a Forest Fire Danger Index (FFDI) of 100 and a Flame Temperature of 1090K. These parameters are in accordance with the risk parameters set in Clause 53.02.

Table 1 – BAL Assessment (without creation of defensible space)

Orientation	Classified vegetation	Slope under classifiable vegetation	Separation distance	Separation from the hazard achieved
North	Woodland	Flat	80 metres	Column A BAL12.5
East	Low threat vegetation	Not applicable	Not applicable	Table 1 BAL12.5
South	Scrub	30 degrees downslope	64 metres	10kw/m2 (better than Column A)
West	Low threat vegetation	Not applicable	Not applicable	Table 1 BAL12.5

Table 2 – BAL determination – with implementation of defensible space for Column A of Table 1 to Clause 53.02 (BAL12.5)

Orientation	Highest threat vegetation	Slope under classifiable vegetation	Defensible space required
North	Woodland	Flat	33 metres
East	Low threat vegetation	Not applicable	50 metres or to the property boundary
South	Scrub	30 degrees downslope	56.5 metres (refer Appendix 2)
West	Low threat vegetation	Not applicable	50 metres or to the property boundary

The BAL determination has been made based on the following assumptions:

- The vegetation onsite will be managed to defensible space requirements.
- The adjacent lots contain existing dwellings are low threat vegetation.
- Given the presences of low threat vegetation, it is appropriate and achievable for the dwelling to meet the requirements of BAL12.5.

4.0 Bushfire Management Plan

A Bushfire Management Plan is provided in Appendix One for endorsement with the planning permit.

4.1 Proposed Planning Permit Conditions

The following are the expected planning permit conditions.

- The Bushfire Management Plan [Ver.1 1/11/2024], included in the Bushfire Management Statement prepared by Euca Planning P/L, must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority
- The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

4.2 Design Response Against Clause 53.02

A selection of the sub clauses and associated objectives, approved measures (AM), alternative measures (AltM) and decision guidelines applies to this application. Table 3 details which clauses are relevant to this application and the following pages demonstrate how the requirements have been met for each relevant standard.

Table 3 – Relevant Subclauses

Clause	Approved Measure	Achieved	Justification
Clause 53.02-3 Dwelling in existing settlements – Bushfire protection objective	AM 1.1	Applicable	The siting of the dwelling is limited by the lot size and orientation. The dwelling is able to achieve its best defendable space by being located central to the lot. Emergency vehicles can easily access the dwelling and from Lake Tyers Beach Road.
	AM 1.2	Applicable	The dwelling is provided with the defendable space in accordance with Table 1 to Clause 53.02-5 and Table 6.
	AM 1.3	Applicable	The dwelling will be provided with a static water supply for property protection purposes specified in Table 4 to Clause 53.02-5, located at the front of the dwelling.
Clause 53.02-4.1 Landscape, siting and design objectives	AM 2.1	Not applicable	The dwelling is in an existing settlement as described in Clause 53.02.

	AM 2.2	Not applicable	The dwelling is in an existing settlement as described in Clause 53.02.
	AM 2.3	Not applicable	The dwelling is in an existing settlement as described in Clause 53.02.
Clause 53.02-4.2 Defendable space and construction objectives	AM 3.1	Not applicable	
	AM 3.2	Not applicable	
	AltM 3.3	Not applicable	
	AltM 3.4	Not applicable	
	AltM 3.5	Not applicable	
	AltM 3.6	Not applicable	
Clause 53.02-4.3 Water supply and access objectives	AM 4.1	Applicable	The land is in a reticulated area.
	AM 4.2	Not applicable	
Clause 53.02-4.4 Subdivision objectives	AM 5.1	Not applicable	
	AM 5.2	Not applicable	
	AM 5.3	Not applicable	
	AM 5.4	Not applicable	
	AltM 5.5	Not applicable	

Clause 53.02-3 Dwellings in existing settlements - Bushfire Protection objective

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

Approved Measure	Requirement
AM 1.1	<p>A building is sited to ensure the site best achieves the following:</p> <ul style="list-style-type: none"> • The maximum separation distance between the building and the bushfire hazard • The building is in close proximity to a public road • Access can be provided to the building for emergency services vehicles. <p>Response: The site is an existing lot in the coastal township of Lake Tyers Beach. The land is vacant and the proposed dwelling is to be located central to the lot to best achieve the maximum separation distance between the dwelling and the vegetation within the lot’s constraints.</p> <p>Lake Tyers Beach Road is maintained road that provides movement through the area. Access can be provided to the dwelling for emergency vehicles from Lake Tyers Beach Road. Hydrants are in Lake Tyers Beach Road.</p>
AM 1.2	<p>A building provides the defendable space in accordance with Column A, B, C, D or E of Table 1 to Clause 53.02-3 and Table 6 to Clause 53.02-3. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or</p>

continue to be managed in that condition as part of the defensible space.

A building is constructed to the bushfire attack level:

- That corresponds to the defensible space provided in accordance with Table 1 to Clause 53.02-3, or
- The next lower bushfire attack level that corresponds to the defensible space provided in accordance with Table 1 to Clause 53.02-3 where all of the following apply:
 - A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.
 - A minimum bushfire attack level of BAL12.5 is provided in all circumstances.

Response: The land is vacant, and the dwelling can achieve BAL12.5. Flamesol calculations (Appendix Two) for the scrub in the south indicate the dwelling will be exposed to less than 12.5kW/m² and the adjacent land to the south can be relied on for defensible space.

AM 1.3

A building is provided with:

- A static water supply for firefighting and property protection purposes specified in Table 4 to Clause 53.02-3. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-3.

Response: The dwelling will be provided with a new static water supply by a concrete or metal water tank located forward of the dwelling that has a minimum of 2500 litres of water. Firefighting vehicles can access the property from Lake Tyers Beach Road and can access a hydrant within 120 metres of the dwelling (55 metres to the west outside 535-537 Lake Tyers Beach Road).

5.0 References

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

The State of Victoria Department of Environment, Land, Water and Planning (2024) NatureKit.

The State of Victoria (2024) VicPlan

The State of Victoria Technical Guide: Planning Permit Applications Bushfire Management Overlay (DELWP 2017)

6.0 Appendices

Appendix One – Bushfire Management Plan

Bushfire Management Plan Page 1 of 2
 1/542A Lake Tyers Beach Road, Lake Tyers Beach 3909
 Version 1, 1/11/2024 Euca Planning Pty Ltd

BUSHFIRE PROTECTION MEASURES

Mandatory Condition
 The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed

Construction Standard
 Building design and all construction works need to comply with a minimum BAL of BAL12.5 from AS 3959.

Firefighting water supply
 The following requirements apply:

- An effective capacity of 2.500 litres
- Be stored in an above ground water tank constructed of concrete or metal
- Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Access
 No access is required

Defendable space
 Defendable space extending around the dwelling for the entire lot will be managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 cm in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Bushfire Management Plan Page 2 of 2
 1/542A Lake Tyers Beach Road, Lake Tyers Beach 3909
 Version 1, 1/11/2024 Euca Planning Pty Ltd

AREAS:
 GROUNDED FLOOR: 161sq
 GRASS: 38sq
 FIRST FLOOR: 195sq
 INC (ENCLOSURE): 48sq
 SITE AREA: 488sq
 TOTAL SITE COVERAGE (INC GROUNDED FLOOR): 237sq (52.8%)

10.18m 56°11'20"
43.67m 326°11'20"
44.60m 146°11'20"
10.22m 241°27'

LAKE TYERS BEACH ROAD

ADJOINING DOUBLE STOREY DWELLING

BAL12.5

POOL

PERGOLA

CONCRETE DRIVEWAY

ENTIRE LOT TO BE MANAGED AS DEFENDABLE SPACE

SEE SITE PLAN FOR WATER TANK REFER TO BUSHFIRE MANAGEMENT PLAN

SEE DIMENSIONS HAVE BEEN ESTABLISHED BY SURVEY AND REFER TO LAND SURVEYORS DRAWINGS FOR ALL DETAILS

SITE PLAN

TOWN PLANNING

SCALE: AS SHOWN	DRAWING NUMBER: TP.01
SHEET: A3	ISSUE: PLANNING
DATE: 11/11/2024	REVISION: A

PROJECT: PROPOSED DOUBLE STOREY DWELLING
 PROJECT NUMBER: 1/542A LAKE TYERS BEACH RD LAKE TYERS
 CLIENT: J REGGARD
 JOB NUMBER: 0461_24

Appendix Two – Flamesol Calculations
Vegetation Height is 3m



Calculated November 1, 2024, 3:05 pm (MDC v.4.9)

1/542A Lake Tyers Beach Road Lake Tyers Beach

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	100	Rate of spread	33.01 km/h
Vegetation classification	Scrub	Flame length	30.13 m
Understorey fuel load	25 t/ha	Flame angle	50 °, 58 °, 64 °, 68 °, 70 ° & 79 °
Total fuel load	25 t/ha	Elevation of receiver	11.54 m, 12.77 m, 13.54 m, 13.96 m, 14.15 m & 14.79 m
Vegetation height	m	Fire intensity	426,481 kW/m
Effective slope	30 °	Transmissivity	0.848, 0.821, 0.791, 0.766, 0.755 & 0.7
Site slope	0 °	Viewfactor	0.6177, 0.4623, 0.315, 0.2142, 0.1737 & 0.0469
Flame width	100 m	Minimum distance to < 40 kW/m ²	24.1 m
Windspeed	45 km/h	Minimum distance to < 29 kW/m ²	31.3 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m ²	42.8 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m ²	56.5 m
		Minimum distance to < 10 kW/m ²	64.90000000000001 m

Rate of Spread - Catchpole et al. 1998

Flame length - Byram, 1959

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire Management Plan Page 1 of 2

1/542A Lake Tyers Beach Road, Lake Tyers Beach 3909

Version 1, 1/11/2024 Euca Planning Pty Ltd

BUSHFIRE PROTECTION MEASURES

Mandatory Condition

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed

Construction Standard

Building design and all construction works need to comply with a minimum BAL of BAL12.5 from AS 3959.

Firefighting water supply

The following requirements apply:

- An effective capacity of 2,500 litres
- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Access

No access is required

Defendable space

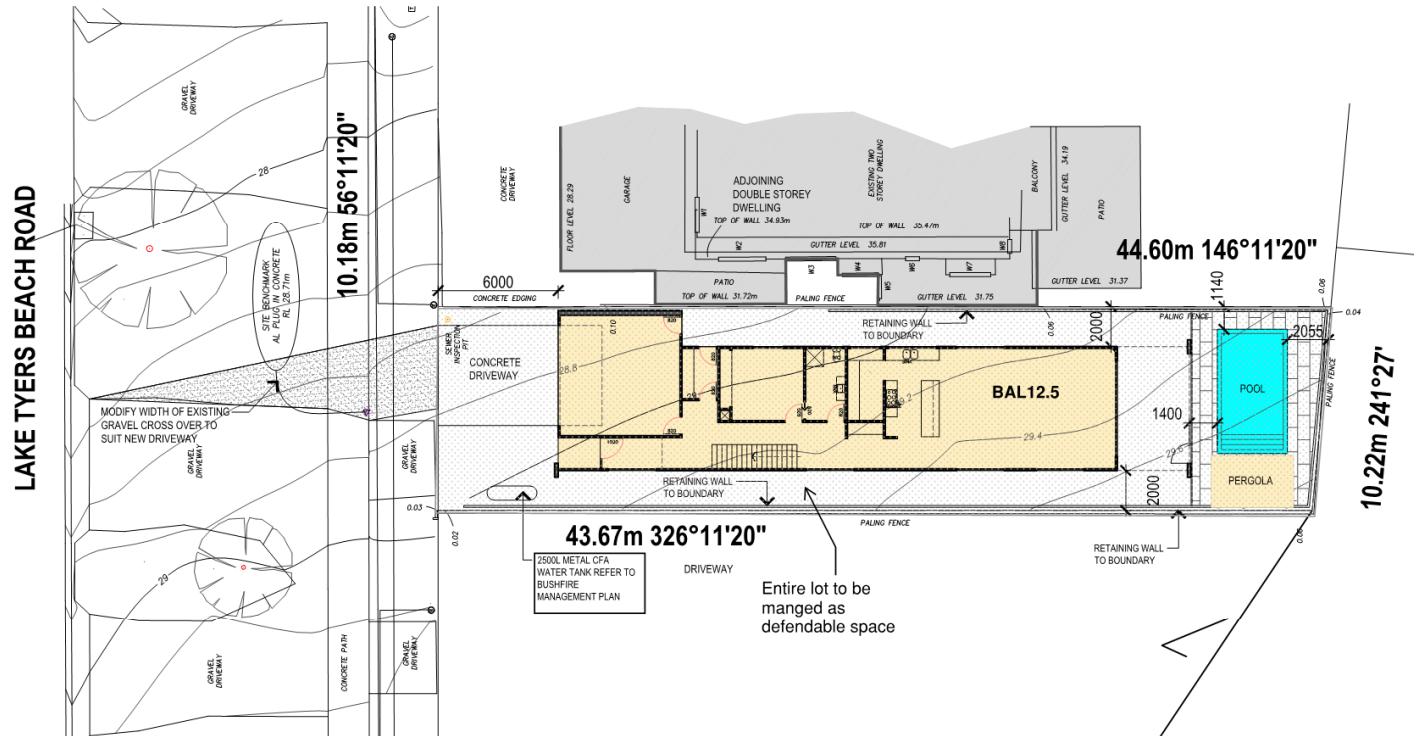
Defendable space extending around the dwelling for the entire lot will be managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 cm in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

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AREAS:	
GROUND FLOOR:	141m ²
GARAGE:	39m ²
FIRST FLOOR (INC BALCONIES):	193m ²
SITE AREA: 449m ²	
TOTAL SITE COVERAGE (INC DRIVEWAY):	237m ² (52.8%)

Bushfire Management Plan Page 2 of 2
 1/542A Lake Tyers Beach Road, Lake Tyers Beach 3909
 Version 1, 1/11/2024 Euca Planning Pty Ltd



SITE BOUNDARIES HAVE BEEN RE-ESTABLISHED BY A LICENSED LAND SURVEYOR REFER TO LAND SURVEYORS DRAWINGS FOR ALL DETAILS

SITE PLAN

SCALE 1:200

ISSUE:	REVISION:	AMENDMENT:	DATE:
PRELIM PLANNING	A	FOR REVIEW ISSUED FOR APPLICATION	15.07.24 26.09.24

PROJECT:
PROPOSED DOUBLE STOREY DWELLING
 PROJECT ADDRESS:
1/542 A LAKE TYERS BEACH RD LAKE TYERS

CLIENT:
J REGGADO
 JOB NUMBER:
0442 24

DRAWING TITLE:
SITE PLAN

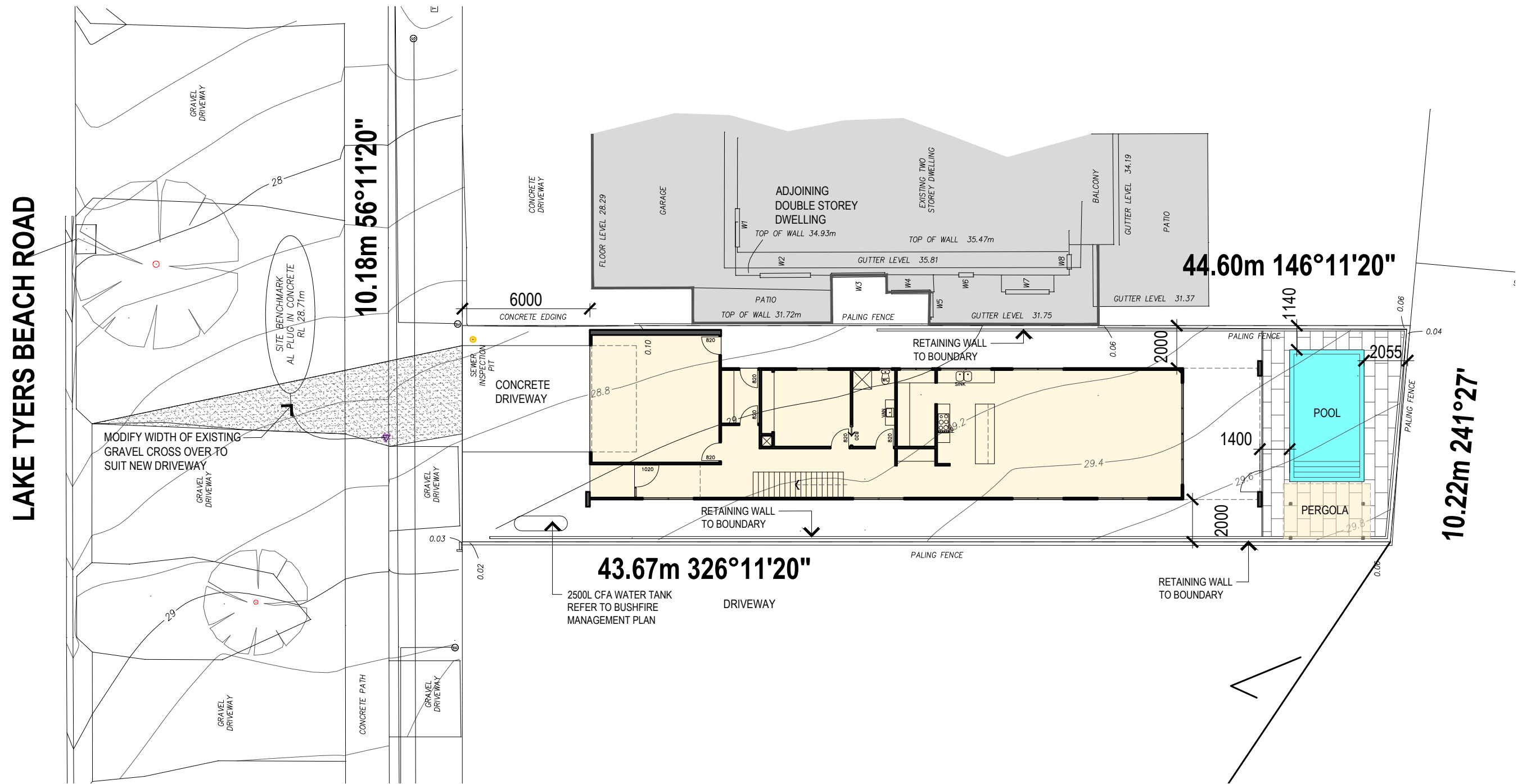
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ISSUE: PLANNING	
REVISION: A	

TOWN PLANNING

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TOWN PLANNING

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1/542 A LAKE TYERS BEACH RD LAKE TYERS

CLIENT:
J REGGARDO
 JOB NUMBER:
0442_24

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SITE PLAN

SCALE: AS SHOWN
 SHEET: A3
 DRAWN: TH

DRAWING NUMBER:
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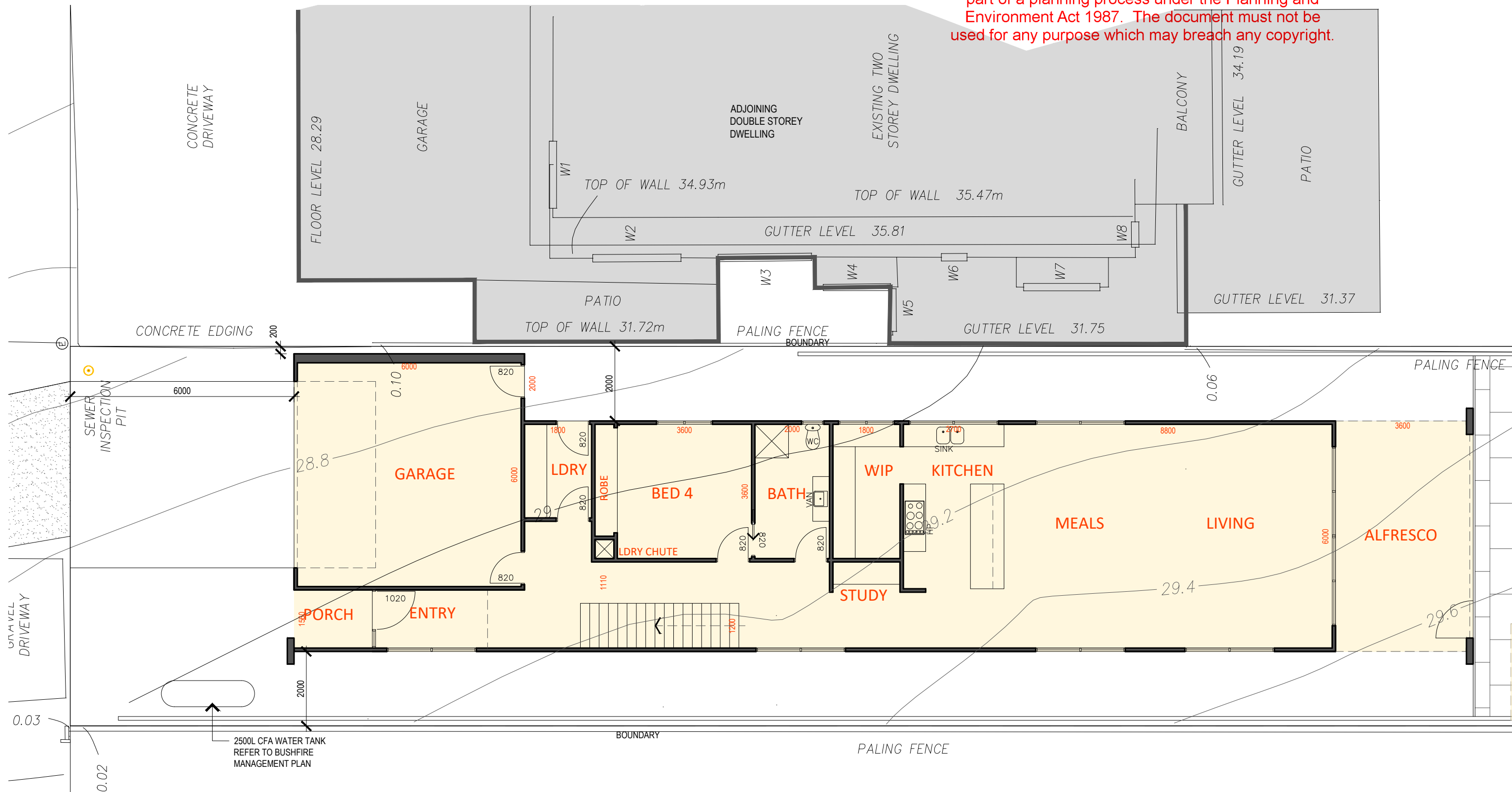
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GROUND FLOOR PLAN

SCALE 1:100

TOWN PLANNING

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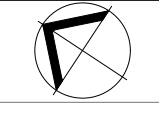
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DRAWING NUMBER:
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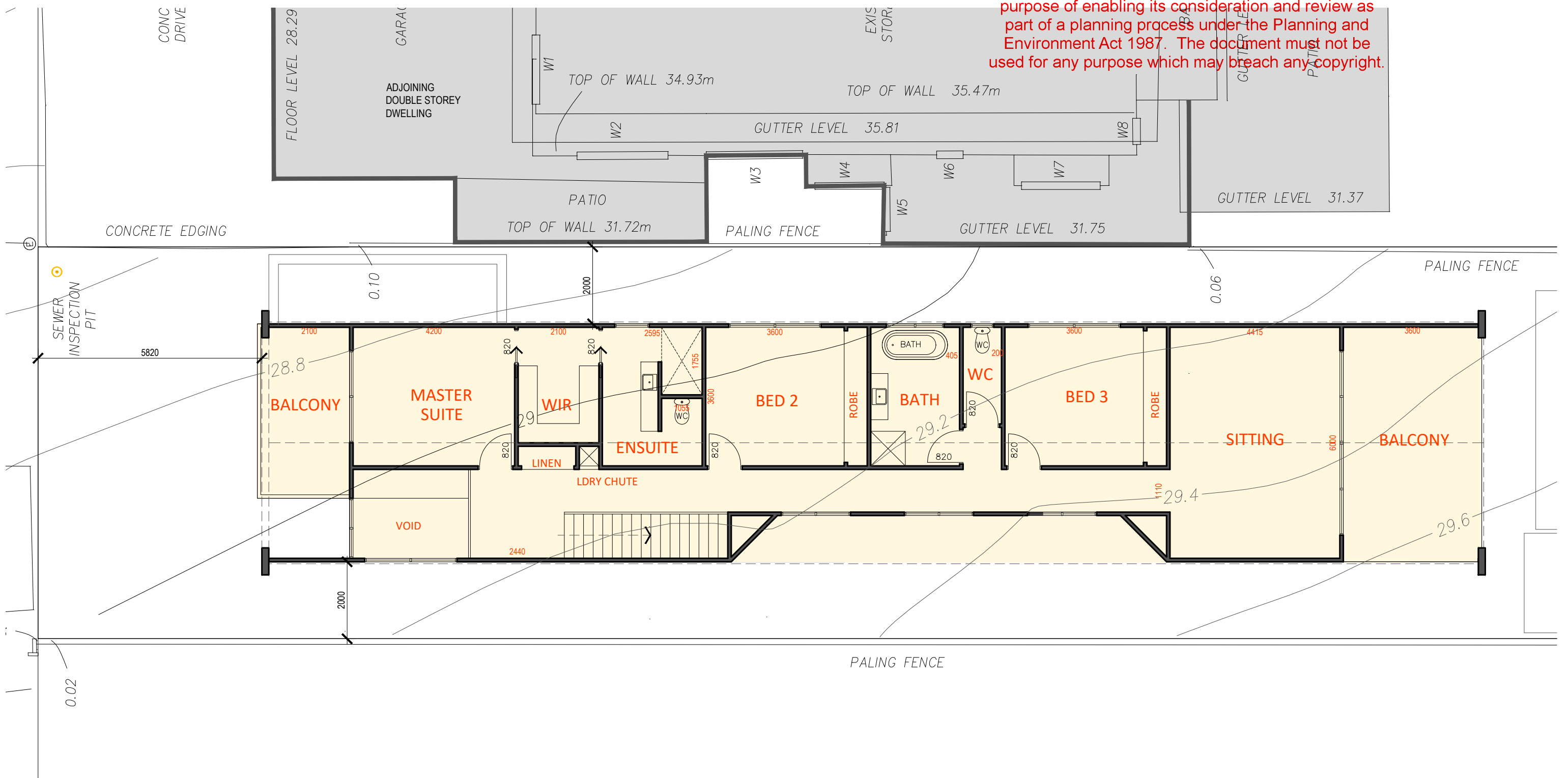


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FIRST FLOOR PLAN

SCALE 1:100

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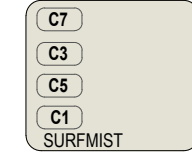
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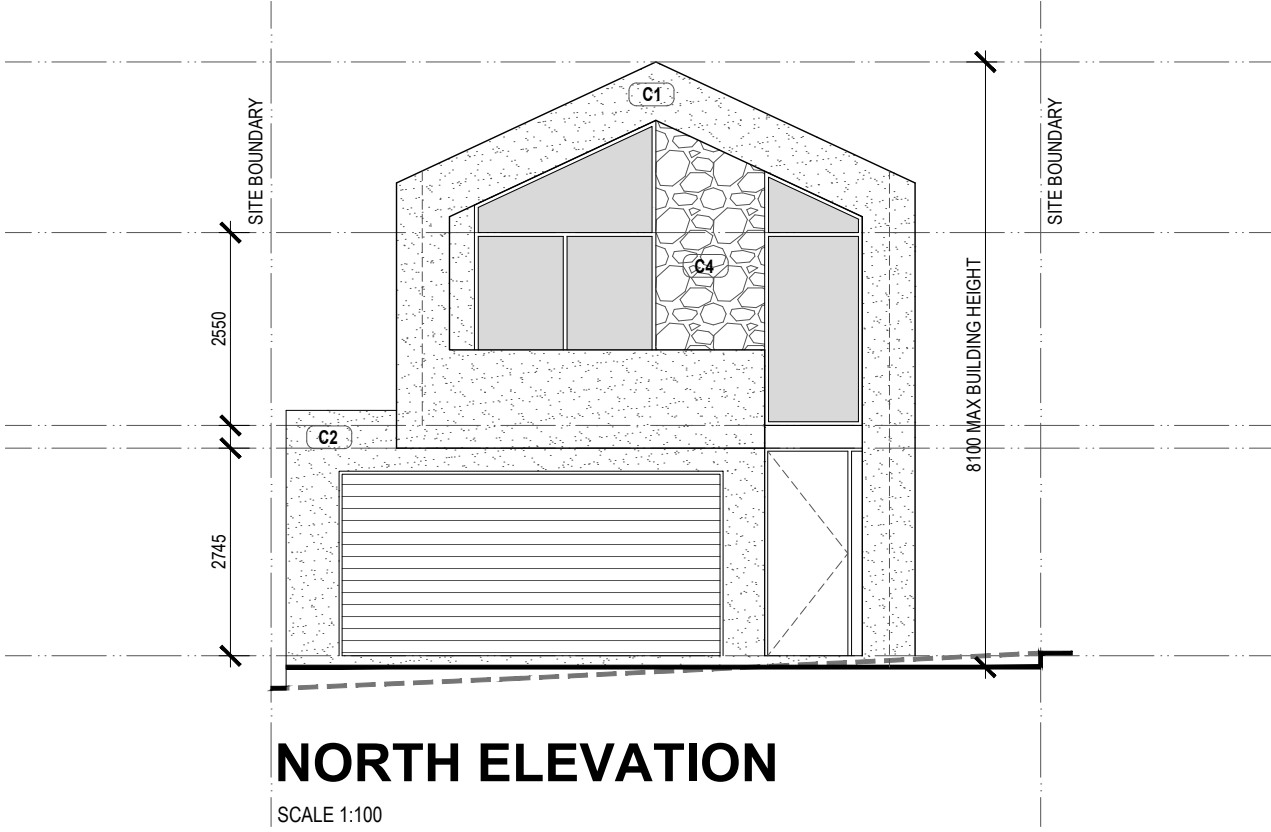
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- C2 CLADDING 2 - RENDERED BRICK
- C3 CLADDING 3 - FC CLADDING - JAMES HARDIE OBLIQUE
- C4 CLADDING 4 - APPLIED STONE CLADDING
- C5 CLADDING 5 - METAL WALL CLADDING - SNAP LOCK
- C6 CLADDING 6 - TIMBER SLATS
- C7 CLADDING 7 - COLORBOND METAL ROOFING



VERTICAL TIMBER SLATS

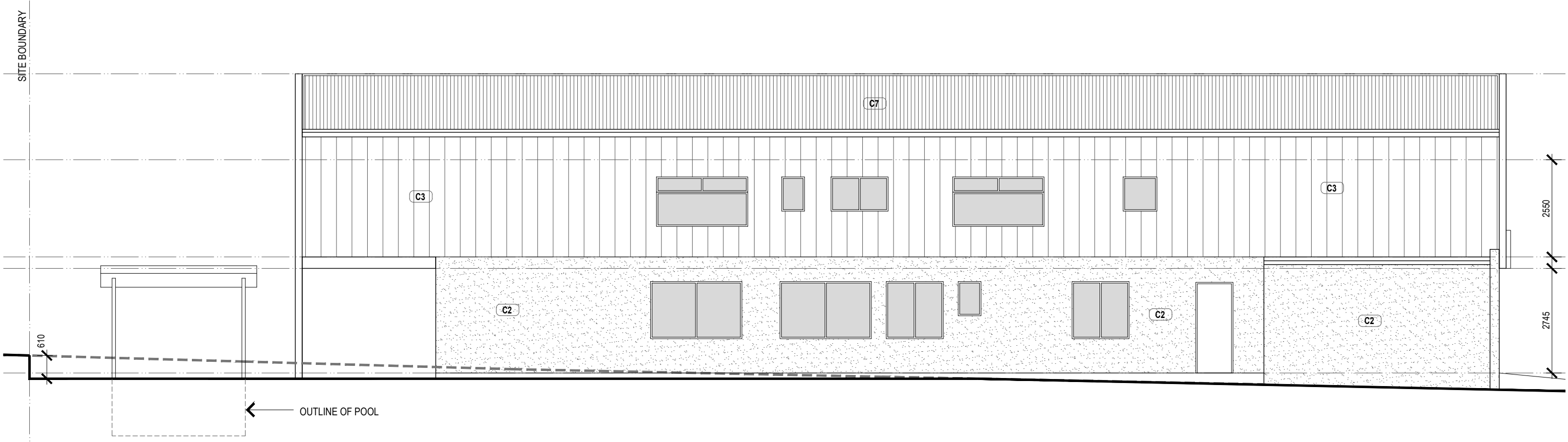


STONE CLADDING



NORTH ELEVATION

SCALE 1:100



EAST ELEVATION

SCALE 1:100

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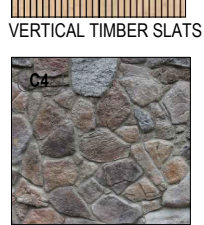
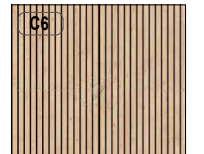
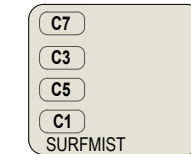
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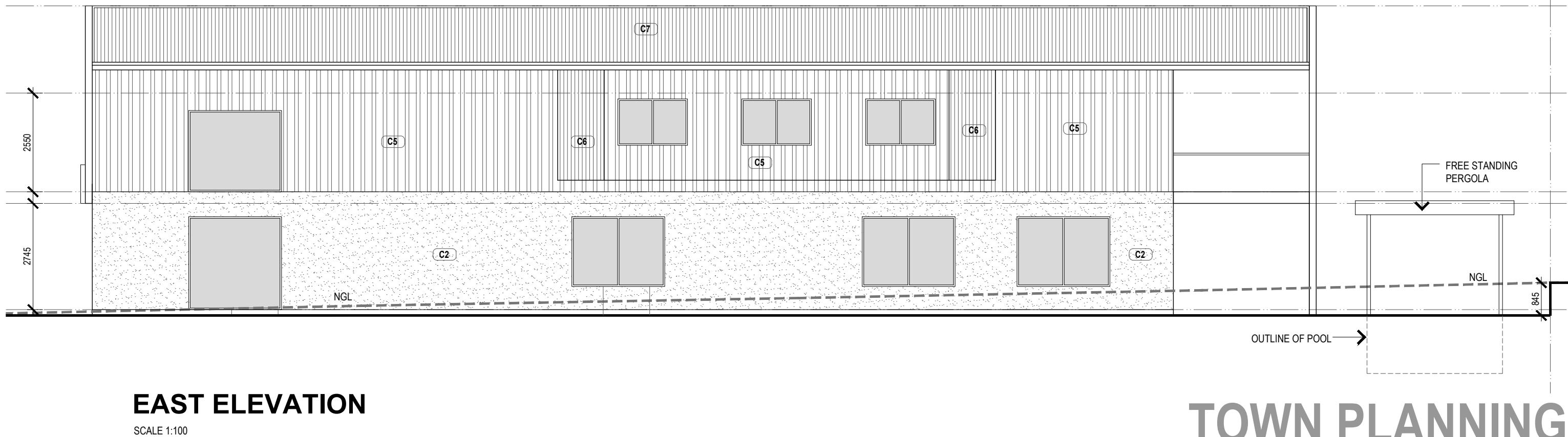
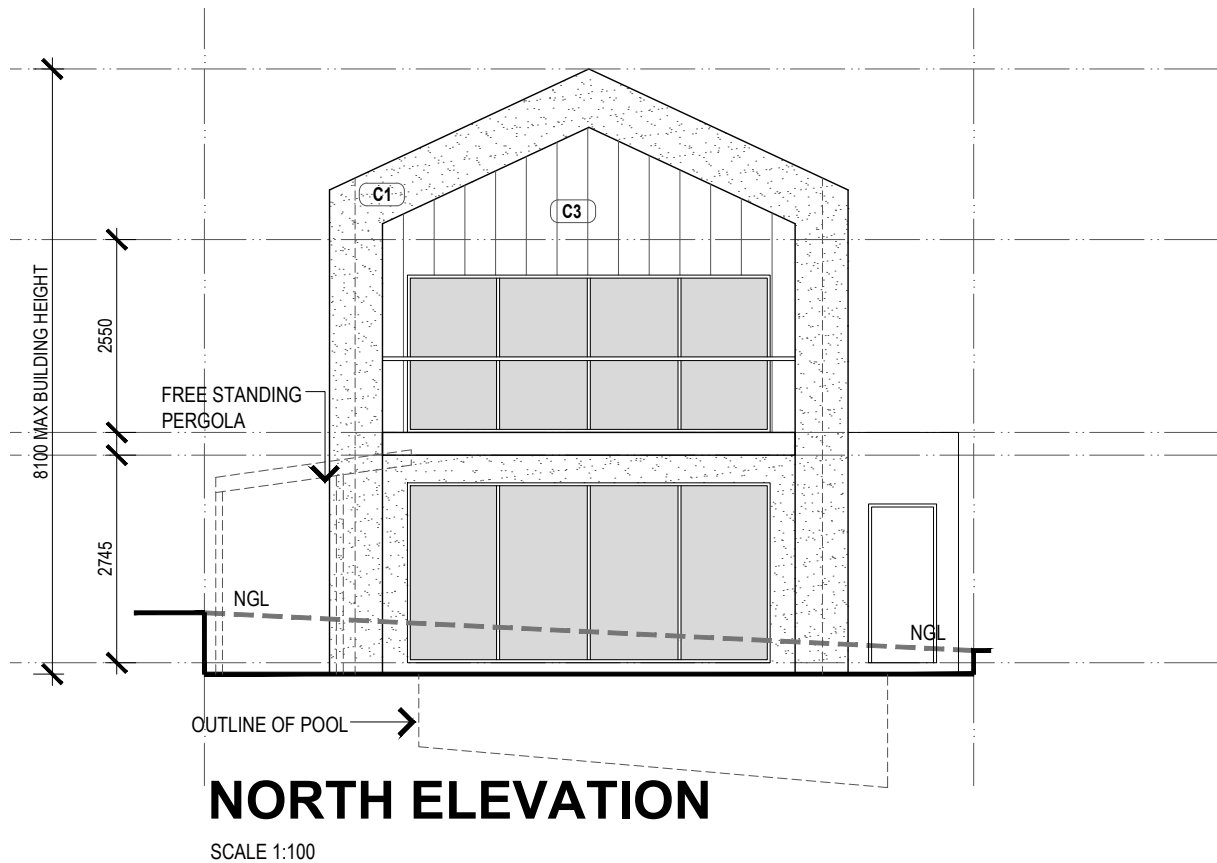
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STONE CLADDING



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