

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	35 Mount Lookout Road ELLASWOOD 3875 PtL: 1 LP: 201367
The application is for a permit to:	Two Lot Subdivision and Vegetation Removal (One Tree)
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
32.03-3	Subdivide land
44.01-5	Subdivide land
52.17	Remove, destroy or lop native vegetation
42.02-2	Remove, destroy or lop vegetation
The applicant for the permit is:	
	Crowther & Sadler Pty Ltd
The application reference number is:	5.2024.440.1

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

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

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

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

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

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

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April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>
Sent: Monday, 23 December 2024 10:15 AM
To: Planning Unit Administration
Subject: Planning Permit application
Attachments: CoT Vol 9785 Fol 749.pdf; 21045 Prop V1.pdf; 20145 Report.pdf; GRA.pdf; LCA.pdf; 21045 Access V1.pdf; Email from EGCMA 20241030.pdf; GHUSearchResult ID 27843.pdf

Planning Permit Application

A Planning Permit Application¹ has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Applicant name: Crowther & Sadler Pty Ltd

Business trading name: Crowther & Sadler Pty Ltd

Email address: contact@crowthersadler.com.au

Postal address : PO Box 722 Bairnsdale 3875

Work phone number: 5152 5011

Owner's name: Andrew & Melinda Johnson

Street number:

Street name:

Town:

Post code: 3875

Lot number: 1

Plan number: TP138162Q

Plan type: Title plan

Has there been a pre-application meeting: No

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?: No

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

Description of proposal - Describe the use, development or other matter which requires a permit. Two Lot
Subdivision and removal of vegetation

Existing conditions - Describe how the land is used and developed now: Residential - Single Dwelling

Estimated cost of development. Note: You may be required to verify this estimate. N/A

Title (must have been generated within the past 30 days: [CoT Vol 9785 Fol 749.pdf](#)

Site plan/floor - plan/elevations: [21045 Prop V1.pdf](#)

Planning report: [20145 Report.pdf](#)

1. Supporting information/reports: [GRA.pdf](#)

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

3. Supporting information/reports: [319_20241220_YA8.pdf](#)

4. Supporting information/reports: [21045 Access V1.pdf](#)

5. Supporting information/reports: [Email from EGCMA 20241030.pdf](#)

6. Supporting information /reports: [GHUSearchResult ID 27843.pdf](#)

Declaration: Yes

Privacy Statement: Yes



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

VOLUME 09785 FOLIO 749

Security no : 12412008257V
Produced 20/11/2024 04:31 PM

LAND DESCRIPTION

Lot 1 on Title Plan 138162Q (formerly known as part of Lot 1 on Plan of Subdivision 201367Y).
PARENT TITLE Volume 09640 Folio 469
Created by instrument N081748N 12/10/1987

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
ANDREW WILLIAM JOHNSON
MELINDA JANE JOHNSON
W855393T 21/06/2000

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP138162Q FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 35 MOUNT LOOKOUT ROAD ELLASWOOD VIC 3875

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

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Location of Land

Parish: WY-YUNG
 Township:
 Section:
 Crown Allotment: 73(PT)
 Crown Portion:

Last Plan Reference: LP201367Y
 Derived From: VOL 9785 FOL 749
 Depth Limitation: 15.24 m

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 19-07-2000
 VERIFIED: MP

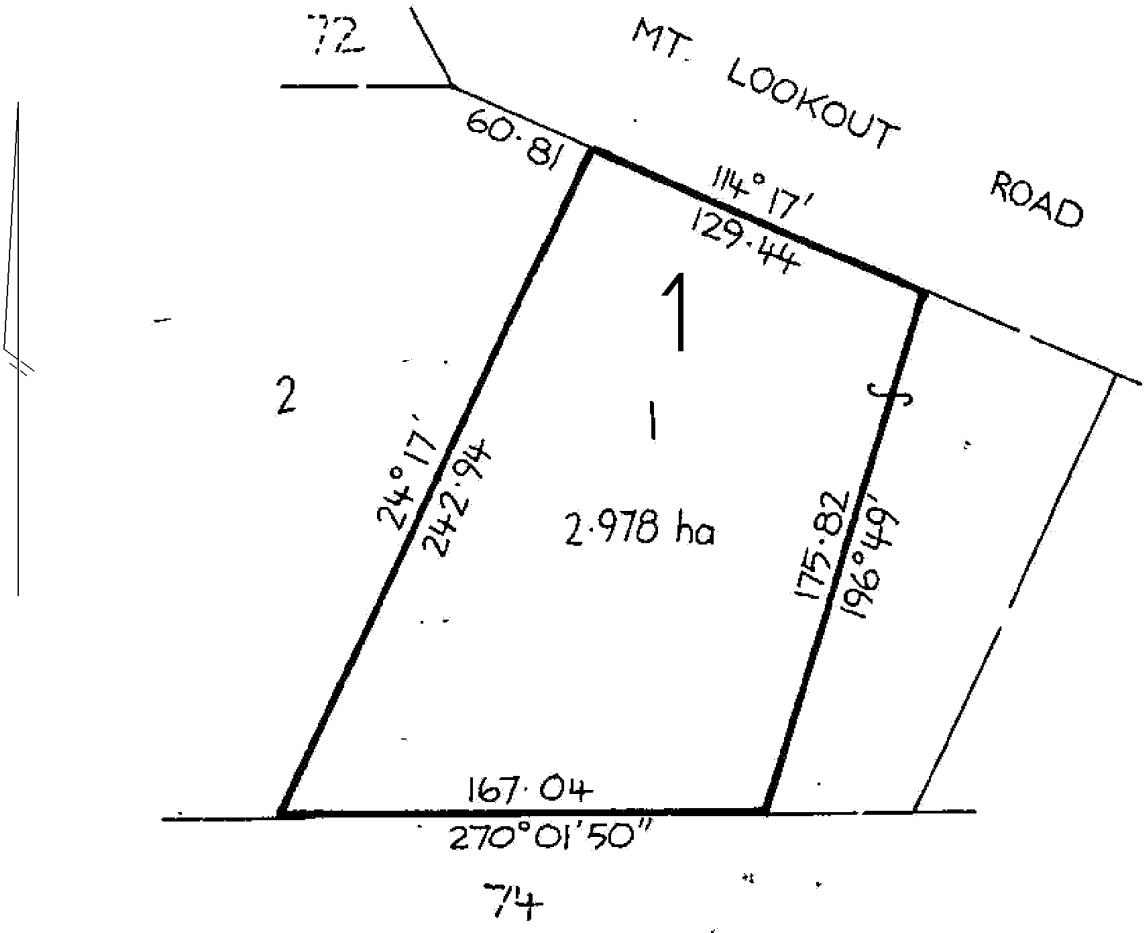


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = LOT 1 (PT) ON LP201367Y

Project No: 31224

3/12/2024

Crowther & Sadler Pty Ltd
P.O. Box 722
BAIRNSDALE VIC 3875

Attn: Aaron Hollow

Email:

Dear Aaron

**RE: PROPOSED 2 LOT SUBDIVISION (ALLOW 4 BEDROOMS)
35 MOUNT LOOKOUT ROAD, ELLASWOOD. VIC**

**WATER ENGINEER'S CERTIFICATION OF LAND CAPABILITY
ASSESSMENT AND ON SITE SOIL INVESTIGATION FOR
DOMESTIC EFFLUENT DISPOSAL SEPTIC TANK SYSTEM**

Further to our detailed inspection, at 11:30am on 3rd December, 2024, of the above site this is to certify that Andrew John Powell, on behalf of Chris O'Brien & Company Pty Ltd, has prepared this report to document our Land Capability Assessment (LCA) and soil percolation test data together with recommendations for a specific location within the above allotment for on-site containment of domestic effluent disposal.

The purpose of this particular land capability assessment (LCA) is to investigate an area for a "Land Application Area" (LAA) on the proposed allotment for a future dwelling and to investigate the existing treatment system in place on the existing dwelling. Due to the proximity of an existing natural water course, setbacks to this cause restrictions in the placement of the LAA for both allotments. The area where the LAA,s can be located is shown on our site plan, attached hereunder.

An area, measuring approx. 180sq.m being 15m x 12m has been allocated for both the existing dwelling and the proposed future dwelling allowing for a 4 bedroom dwelling in each case. Falls in the areas of both LAA,s are a maximum of about 8% towards the existing dam. The buffer zones are clear of any ephemeral waters. The area allocated for disposal field will not cause any detriment to the environment nor stormwater run-off quality within the precinct where the allotment is located.

A soil investigation pit was hand excavated. The soil consists of a damp grey and dark grey sandy loam (SL) topsoil containing some coarse grass roots moderately dispersed, underlain by damp - moist dark grey & grey fine sandy loam (FSL) between 180 – 450mm depth below existing grassed surface, underlain damp – moist grey loamy sand (LS) to 650mm depth at termination of the test pit. The field texture grade for this particular soil was identified with slight coherence, sand grains of medium size and can be sheared between thumb and forefinger to form a minimal ribbon.

DISCUSSION

For this particular site, should soil percolation testing have been undertaken we would expect the percolation rate to exceed 15mm/hr and be less than 500mm/hr. in this case absorption is largely by absorption through the upper soil strata and evapo-transpiration.

PHOTOGRAPHY

Several colour photographs have been attached to the rear of this report to illustrate the subject allotment terrain and the location of the area of the "On-Site Domestic-Wastewater" disposal field both proposed and existing. In addition, a test pit was hand excavated to 650mm depth, to investigate and illustrate the various soil horizons. The test pit, together with the tailings of excavated material, were photographed and have been attached as well. It is obvious, by observation of the photographs, with the sandy type soil conditions and the location of the natural water course, that a sub-surface drip irrigation bed system aided by a sand filter and pumps is appropriate.

DAILY FLOW & SEPTIC TANK CAPACITY

- The number of bedrooms in the existing dwelling and for the future dwelling are unknown. For the purposes of this report four (4) bedrooms has been adopted and as a consequence the estimated daily flow in accordance with EPA Publication dated May 2024: Guideline for onsite wastewater management: Table 4-3 (dwelling installed with full water-reduction fixtures and fittings) and AS/NZS 1547:2012 Table H1

$$\begin{aligned} &=(2 + 3 \times 1)150 \\ &=750 \text{ L/day (Reticulated Water Supply)} \end{aligned}$$

- Minimum septic tank capacity (C) in accordance with AS/NZS 1547:2012 Table J1

$$=3000 \text{ litres (Minimum Volume)}$$

SUB-SURFACE DRIP IRRIGATION BED – DESIGN AREA SIZING IN ACCORDANCE WITH AS/NZS 1547:2012 AND EPA PUBLICATION DARED MAY 2024

Reference is made to the Australian Standard code AS/NZS 1547:2012 "On site Domestic-wastewater Management" Appendix M and in particular Clause M3.1 & M6 for Shallow Sub-surface Drip Irrigation Beds. Refer Table M1, whereby the soil examined on site may be classified as a Soil Category 2: Sandy loams (Weakly Structured, Massive), the Design Irrigation Rate (DIR) for secondary treated effluent is approx. 5mm/day. Noteworthy is that the EPA Publication dated May 2024 "Guideline for onsite wastewater management" Table 4-8: Soil Categories and Recommended Maximum Design Loading/Irrigation Rates (DLR/DIR) for "Land Application Systems" makes direct reference to Table M1 in AS/NZS 1547:2012 and therefore the exact same DIR is recommended by the EPA. A sub-surface drip irrigation area has been determined by an water balance analysis. The water balance analysis forms part of this report.

AREA REQUIRED FOR SUB-SURFACE IRRIGATION SYSTEM

The appropriate absorption bed area for a subsoil irrigation system has been determined with a water balance analysis, which is attached to this report. A conservative DIR of 5.0 L/m²/day being adopted. According to the water balance a total area of **180sq.m** is required to adequately disperse 750L/day of wastewater generated by a **four (4) bedroom** dwelling supplied by Reticulated Water Supply. Area required for a **3 bedroom** dwelling is **145sq.m** and for **2 bedroom** dwelling **110sq.m**. With reference to our Site Layout Plan Drawing (A4 Size) where we show an area 18m x 12m where the proposed system can be located. A final layout of the proposed system will be produced once a residence for the proposed allotment is to be constructed.

SAND FILTER

A sand filter, as mentioned above, is proposed for this project to produce treated effluent 20/30 Std. the sand filter proposed for this project shall be Single Pass Sand Filter measuring at least **15sq.m** (minimum) in surface area by 1400 – 1500mm depth (Refer "Domestic Wastewater Management Technical Guidelines" issued by Baw Baw Shire Council – March 2007 Edition). For a 3 bedroom dwelling **12sq.m** is required and for a 2 bedroom dwelling **9sq.m** is required.

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RESERVE AREA NOT REQUIRED

The allocation of a reserve area is not thought to be necessary on this site if a shallow sub-surface drip irrigation bed system is used. The design parameters used to determine the required size of the Land Application Area (LAA) have been suitably conservative. The soil is not sodic nor saline. Provided the LAA allocated is at least 180sq.m, if a sub-surface drip irrigation bed system fails it may be ripped out and another sub-surface drip irrigation bed system placed within the LAA area shown on the site plan.

PREPARATION OF THE SITE PRIOR TO COMMENCEMENT

The area upon which the shallow sub-surface drip irrigation bed is proposed for construction shall be protected from stormwater overland flow by establishing a shallow open earth vee-drain across the upstream sides of the LAA (effluent disposal field) curtailing around the ends – if required.

SUMMARY & CONDITIONS

The water balance yields a land application area (LAA) of 180sq.m. It is our professional opinion the area should be at least 180sq.m and the total length of drip irrigation pipe should be at least 240m which will be environmentally adequate and consistent with the above recommendations. Should bedrooms be less than 4 then the length of irrigation pipe can be reduced.

Based on the land capability assessment results, it is our opinion that the soil type and profile on this site are suitable for disposal of wastewater on site, by the use of a sand filter producing min. 20/30 grade effluent and an on-site disposal system using sub-surface drip irrigation such as Geoflow Wastewater™ or Netafirm disposal system.

From the test results it can be seen that a four (4) bedroom dwelling requires a disposal area of around 180sq.m (minimum) for a shallow sub-surface drip irrigation bed system.

Siting of the proposed wastewater disposal field envelope shall be within the area tested. Refer to attached site plan. The following factors shall be considered when positioning the proposed wastewater disposal field.

- 1) Standard siting guidelines as per the requirements of the East Gippsland Shire Council (EGSC) guidelines.
- 2) At least 3.0m (subject to agreement between EGSC and COB & Co. prior to commencement) up-slope and 1.5m down-slope of any title boundary/road reserve or building for secondary treatment and at least 6.0m up-slope and 3m down-slope for primary treatment.

The following additional conditions shall be observed in addition to those set out by the local Council.

1. The quality of wastewater used for sub-surface drip irrigation bed system must comply with the following limits.

Biochemical Oxygen Demand	Max: 20mg/l
Suspended Solids	Max: 30mg/l
Faecal coliforms	Max: 10 organisms per 100ml
Free chlorine	Max: 2mg/l Min 0.5mg/l

2. The system has been designed on a standard 600mm wide by 400mm layout (waste flow pipes are installed at 600mm centres with emitters spaced at 400mm along the waste flow pipes). The emitters are rated at 2.3l/hr.
3. The disposal field shall be sown with lawn grasses as soon as possible on completion of works. This will stabilize the soil and allow for the vegetation to take up the wastewater.

4. Only water from the septic tank is permitted to enter the disposal system. Stormwater run-off shall be prevented from entering the shallow sub-surface drip irrigation bed system area. We suggest an open earth vee-drain be constructed to 100mm depth along the high sides of this area or other approved method as approved by the Design Engineer.
5. Vehicles or heavy equipment shall not be permitted on the disposal field as damage to the pipe work may result.
6. Spikes, tent pegs, garden stakes etc. shall not be driven into the ground in the disposal field as damage to the pipe work may result.
7. An ongoing maintenance program shall be instigated to ensure that both the sand filter and the shallow sub-surface drip irrigation bed system are properly maintained and serviced to ensure proper operation.

CONCLUSION

Following the Land Capability Assessment on this site it is our professional opinion that construction of a 4 bedroom dwelling is achievable with the allotment suitable for on-site wastewater disposal utilizing a secondary treatment system which is highly unlikely to cause detriment to the environment. Our site inspection failed to find a satisfactory treatment system in place for the existing dwelling with a secondary treatment system also recommended for this sized in accordance with the number of bedrooms.

Adequate maintenance and checking of the proposed system should be established as part of the Council Permit Application approvals process.

Yours faithfully,

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

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LAND CAPABILITY ASSESSMENT AND SOIL PERCOLATION TESTING

Land Features	Land Capability Class Rating					Site Rating
	Very Good(1)	Good(2)	Fair(3)	Poor(4)	Very Poor(5)	

General Characteristics

Site Drainage	No visible signs of dampness	Moist soil, but no standing water in soil pit		Visible signs of dampness, such as moisture tolerant plants	Water ponding on surface	2
Runoff	None	Low	Moderate	High, need for diversionary structures	Very high, diversion not practical	2
Flood Levels	Never		<1 in 100	>1 in 100 and <1 in 20	<1 in 20	1
Proximity to watercourses	>60m				<60m	5
Slope%	0-2	2-8	8-12	12-20	>20	2
Landslip	No actual or potential failure		Low potential for failure	High potential for failure	Present or past failure	1
Groundwater (seasonal watertable depth(m))	>5	5-2.5	2.5-2.0	2.0-1.5	<1.5	1
Rock outcrop (% of land surface containing rocks >200mm)	0	<10%	10-20%	20-50%	>50%	1
Erosion potential	No erosion potential	Minor	Moderate	High	Severe erosion potential	1
Exposure	High sun and wind exposure		Moderate	Low sun and wind exposure		1
Landform	Hill crests, convex side slopes and plains		Concave sideslopes and footslopes		Floodplains and incised channels	1
Vegetation type	Turf or pasture				Dense forest with little undergrowth	1
Average Rainfall (mm/year)	<450	450-650	650-750	750-1000	>1000	3
Pan Evaporation (mm/yr)	<1500	1250-1500	1000-1250		<1000	2

Soil profile characteristics

Soil permeability category	2 and 3	4		5	1 and 6	1
Profile depth	>2m	1.5m-2m	1.5m-1m	1.0m-0.5m	<0.5m	2
Presence of mottling	None				Extensive	1

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Coarse fragments (%)	<10	10-20	20-40	>40	2	
pH	6-8		4.5-6	<4.5, >8	Not measured	
Emerson aggregate	4, 6, 8	5	7	2, 3	1	
Electrical conductivity (Ece)(Ds/m)	<0.3	0.3-0.8	0.8-2	2-4	>4	Not measured
Sodicity ESP%	<3		6-8	8-14	>14	3

INSTALLATION CONDITIONS

All installations shall comply with the AS/NZS 1547:2012 the, EPA Guideline to wastewater management May 2024, EPA Guideline to onsite wastewater effluent dispersal and recycling systems May 2024, the Victorian Water Supply and Sewerage Plumbing Regulations 1986 and AS 3500 National Plumbing and Drainage Code.

No septic tank or sand filter shall be installed closer than 1.5m to the foundations of any house, building or the boundary of the allotment.

Inlets and outlets of the septic tank must be baffled to avoid disturbing the contents of the septic tank.

Inspection openings of the septic tank shall be brought up to and permanently marked at surface level. Inspection openings shall be fitted with childproof airtight covers which are capable of being readily removed and replaced by one adult. Access opening covers shall not be cemented or otherwise fixed in position so as to be incapable of being readily removed for inspection purposes.

Food waste disposal units are not recommended for use with septic tank systems. **If used in household situation, a minimum extra allowance of 25% shall be made for additional sludge storage.**

Spa baths over 200 litre capacity are not to be connected to the primary septic tank but must be taken into account for effluent disposal calculations.

SITE PLAN

DESIGN RESPONSE PLAN

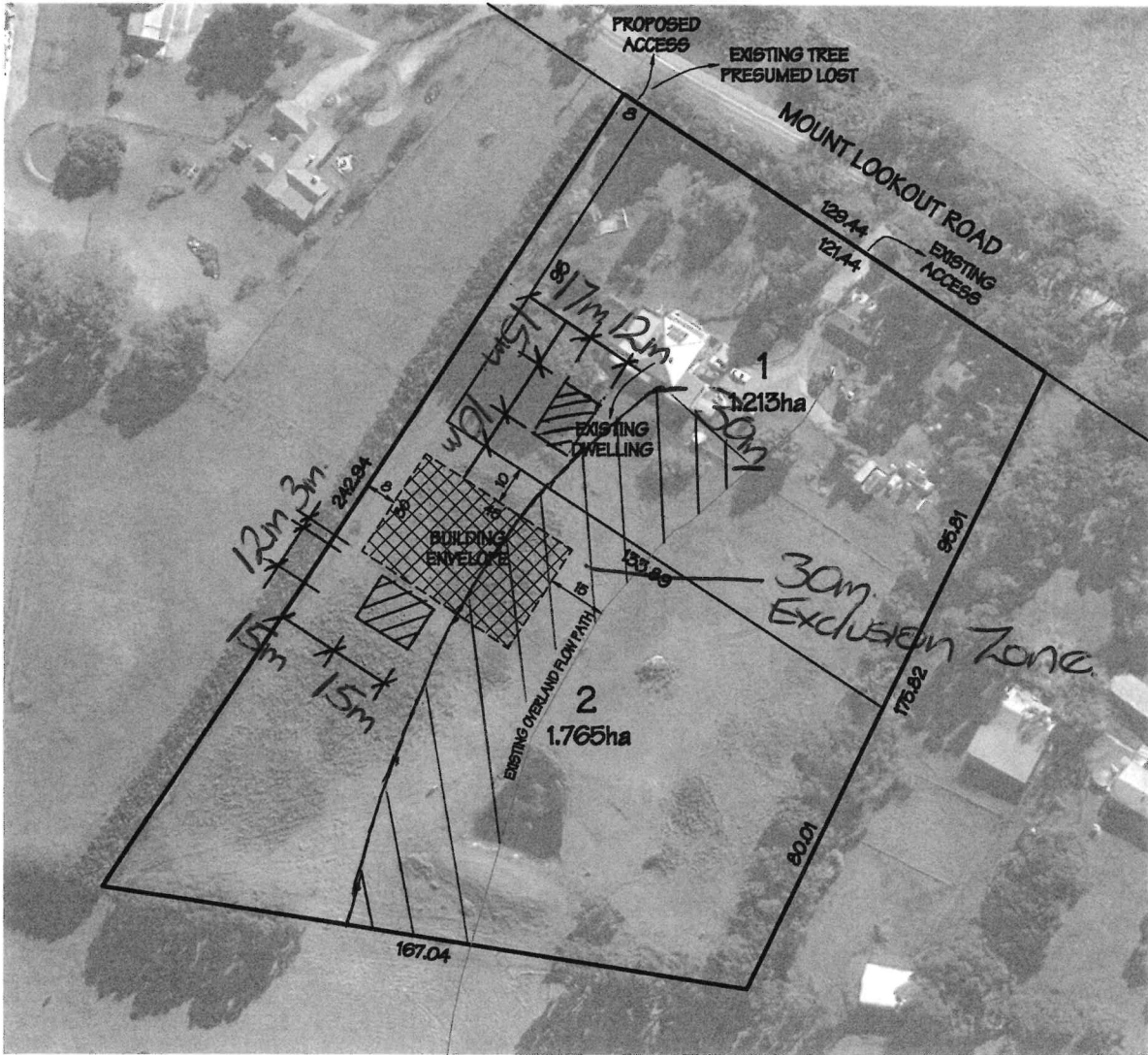
PARISH OF WY-YUNG
CROWN ALLOTMENT T3 (PART)
LOT 1 ON TP138162Q

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 PROPOSED
LAA.

MGA2020 ZONE 55



ANDREW & MELINDA JOHNSON
35 MOUNT LOOKOUT ROAD, ELLASWOOD

Crowthier & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS
182 MACLEOD STREET, BAIRNSDALE, VIC., 3875
P. (03) 5152 5011 E. contact@crowthiersadler.com.au

FILENAME: Y:\21000-21999\21000-21099\21045 Johnson\21045 Design Response V1.pro

NOTATIONS

AREAS ARE APPROXIMATE ONLY
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 1250

SURVEYORS REF.

21045

VERSION 1 - DRAWN 22/11/2024

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Nominated Area Water Balance For Soil Category 2 – Secondary Treatment

Site Address:35 Mt Lookout Rd Ellaswood				
Notes:	MAV Model LCA			
Input Data			Notes	
Design Wastewater Flow	Q	750	L/day	Based on 4 bedrooms (5 persons) @ 150L/p/day From EPA Publication 891.4 – July 2016
Design DIR	DIR	5	mm/day	Assumes loamy topsoils without impeded vertical drainage, refer Table 5.1 A4 AS/NZS 1547:2012
Nominated Land Application Area	L	180	Sq.m	Used for iterative purposes (if desired) to determine storage requirements for nominated areas
Crop Factor	C	0.6-0.85	unitless	Estimates evapotranspiration as a fraction of pan evaporation, varies with season and crop type
Retained Rainfall	Rf	0.8	unitless	Proportion of rainfall that remains on site and infiltrates allowing for any runoff
Rainfall Data	Bairnsdale Station 085279 mean monthly			
Evaporation Data	East Sale Station 085072 mean monthly			

Parameters	Symbol	Formula	Units	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Days in month	D	\	Days	31	28	31	30	31	30	31	31	30	31	30	31	365
Rainfall	R	\	mm/month	49.7	46.1	46.5	56.5	44.0	62.7	48.2	36.0	50.2	59.9	77.4	60.4	636.9
Evaporation	E	\	mm/month	201.5	162.4	136.4	84.0	52.7	42.0	46.5	68.2	93.0	124.0	153.0	186.0	1349.7
Crop Factor	C			0.85	0.85	0.7	0.7	0.6	0.6	0.6	0.6	0.7	0.7	0.85	0.85	
OUTPUTS																
Evapotranspiration	ET	E x C	mm/month	171.28	138.04	95.48	58.8	31.62	25.2	27.9	40.92	65.1	86.8	130.05	158.1	1029.3
Percolation	B	DIR)xD	mm/month	155	140	155	150	155	150	155	155	150	155	150	155	1825
Outputs		ET+B	mm/month	326.28	278.04	250.48	208.8	186.62	175.2	182.9	195.92	215.1	241.8	280.05	313.1	2854.3
INPUTS																
Retained Rainfall	RR	RxRf	mm/month	39.76	36.88	37.2	45.2	35.2	50.16	38.56	28.8	40.16	47.92	61.92	48.32	510.1
Effluent Irrigation	W	(QxD)/L	mm/month	129.17	116.67	129.17	125	129.17	125	129.17	129.17	125	129.17	125	129.17	1520.86
Inputs		RR + W	mm/month	168.93	153.53	166.37	170.2	164.37	175.16	167.73	157.97	165.16	177.09	186.92	177.49	2030.96
LAND AREA FOR ZERO STORAGE																
Maximum effluent Application for Zero Storage	X	(ET+B)-RR	mm/month	286.52	241.16	213.28	163.6	151.42	125.04	144.34	167.12	174.94	193.88	218.13	264.78	
Effluent Produced	Y	Q*D	L/month	23250	21000	23250	22500	23250	22500	23250	23250	22500	23250	22500	23250	
Maximum area required for zero storage		Y/X	Sq.m	81.15	87.08	109.01	137.53	153.55	179.94	161.08	139.12	128.62	119.92	103.15	87.81	
LAND AREA REQUIRED FOR ZERO STORAGE			Sq.m	82	88	109	138	154	180	162	140	129	120	104	88	
MINIMUM AREA REQUIRED FOR ZERO STORAGE m2				180	This is based on the worst months of the year, so the balance overestimates the area/storage requirements and is hence conservative for all other months.											

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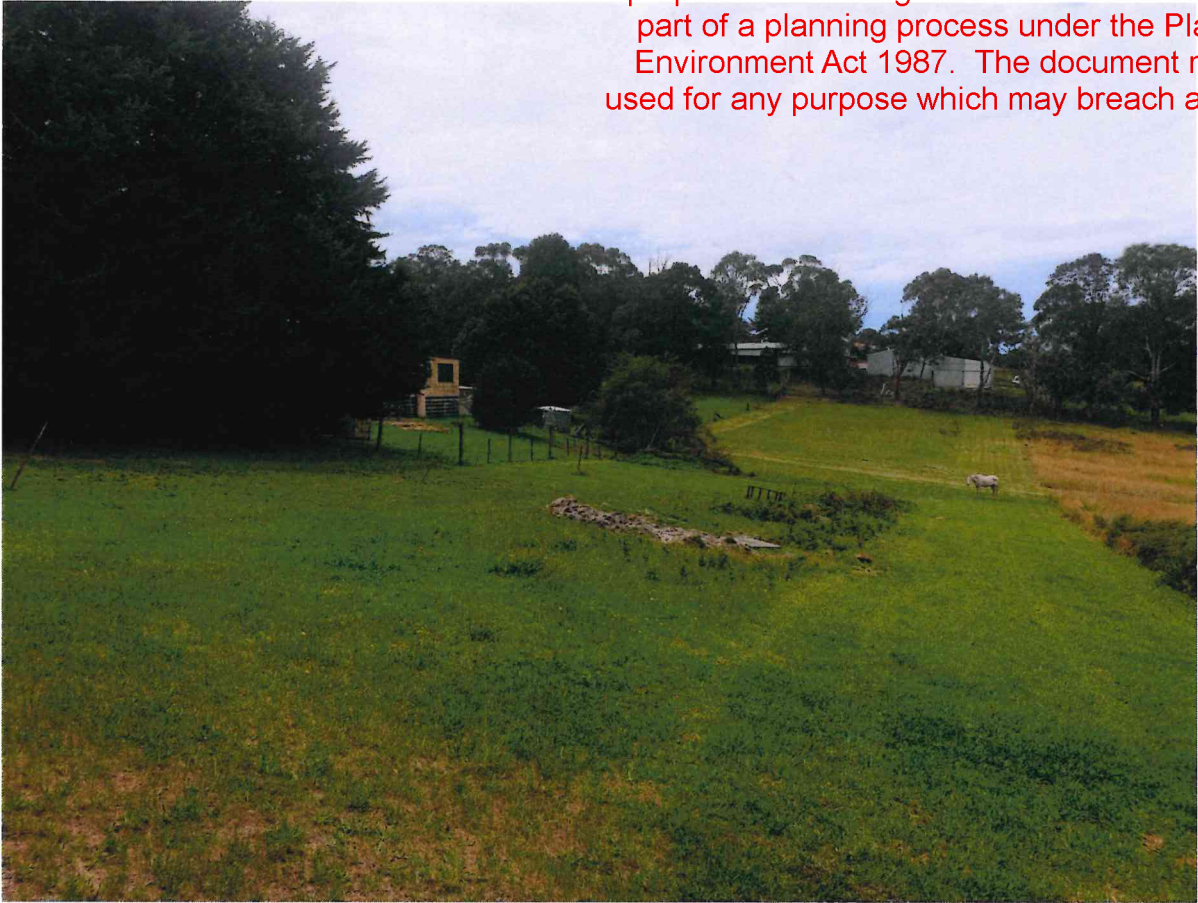
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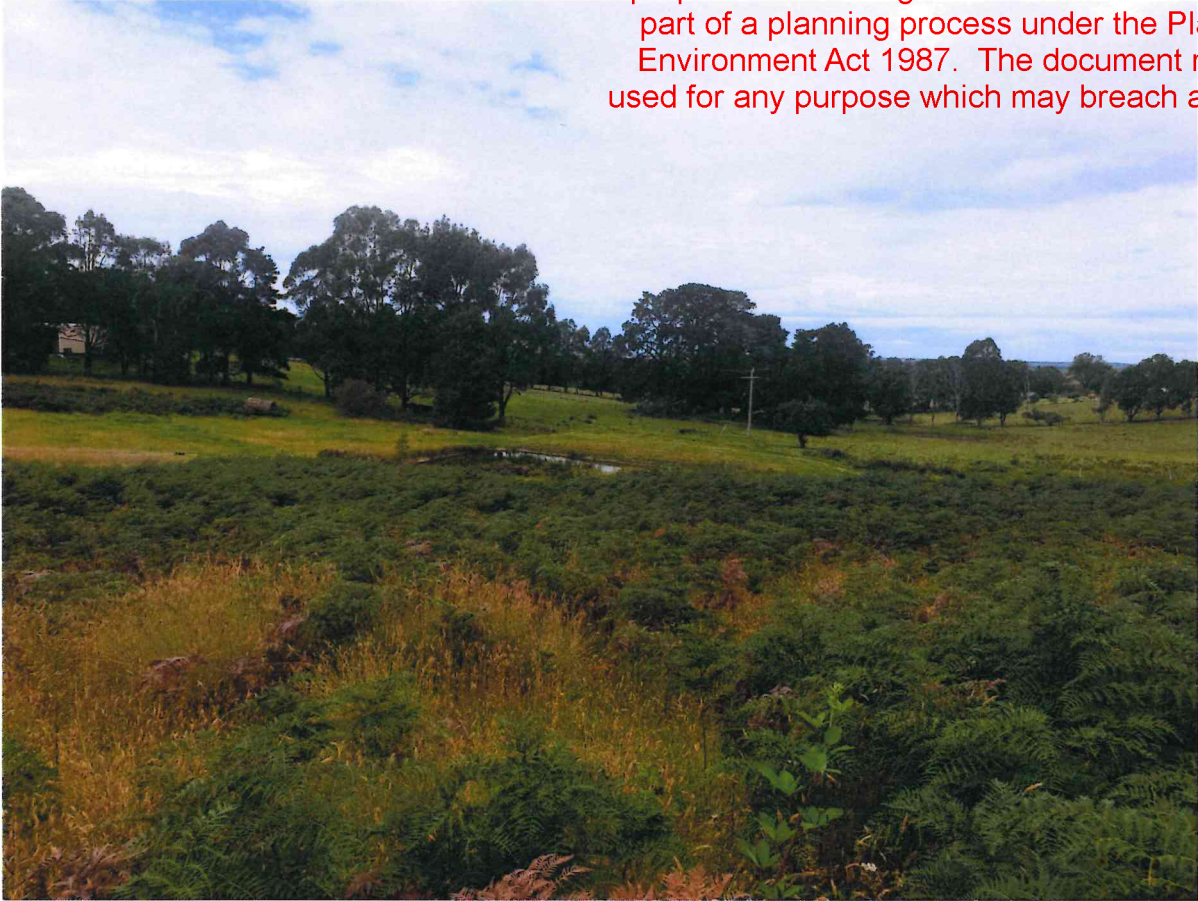
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Crowther & Sadler Pty Ltd
P.O Box 722
BAIRNSDALE Vic 3875

Attn: Aaron Hollow

Email:

Dear Aaron,

**RE: GRA Waiver for Proposed 2 Lot Subdivision
35 Mount Lookout Road, Ellaswood**

Chris O'Brien & Company Pty Ltd have been engaged by Aaron Hollow of Crowther & Sadler Pty Ltd to determine whether or not a full Geotechnical risk assessment report is required for a proposed 2 lot subdivision at 35 Mount Lookout Road, Ellaswood Vic 3875. 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 3rd December 2024.

35 Mount Lookout Road is located on the south western side of the road with access to the allotment from about the middle of the front boundary. The allotment has a dwelling along with numerous sheds already constructed. Services for the existing residence are all accessed from Mount Lookout Road. The existing allotment has a significant number of trees with a number also in the road reserve with trees and shrubs also lining the title boundaries. The remainder of the allotment has a good cover of grass and displayed falls to a maximum of about 1 in 8 towards the existing watercourse and dam. No visible signs of erosion were found during the site investigation. Photos of our findings are attached to this report.

It is proposed to subdivide the southern section of the allotment creating a battle axe block with access down the western boundary. For the creation of the proposed subdivision a connection to all available services will need to be provided to both allotments with sewer to be via an on-site domestic wastewater treatment system with the existing dwelling

requiring a new system to be installed. A new access from Mount Lookout road will be required at the western end of the allotment with the crossover to be in accordance to council standards. Connection of the services and the creation of the crossover will require some minor earthworks, trenching works as well as the placement and compaction of materials. Some vegetation removal will also be required for these works. During these works protection barriers such as silt fences must be placed on the downslope side of the works to protect all downslope assets from any silt run-off and these protection barriers are to remain in place until all works have been completed. Provided this is done, no environmental risks are expected from these works.

Storm water created from the proposed subdivision will need to be limited to flows not exceeding pre-development flows with stormwater from any proposed buildings directed to the legal point of discharge via on-site detention system such as a water tank. Outlets to any water tank must be provided with approved rock beaching. Provided this is done, no environmental risks are expected from this source.

We therefore suggest that a full geotechnical risk assessment report is not required for this development. As long as normal precautions are taken during any earthworks and proper treatment of storm water overflow is done, 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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Photos below shows Mount Lookout Road & Existing & Proposed Access Point



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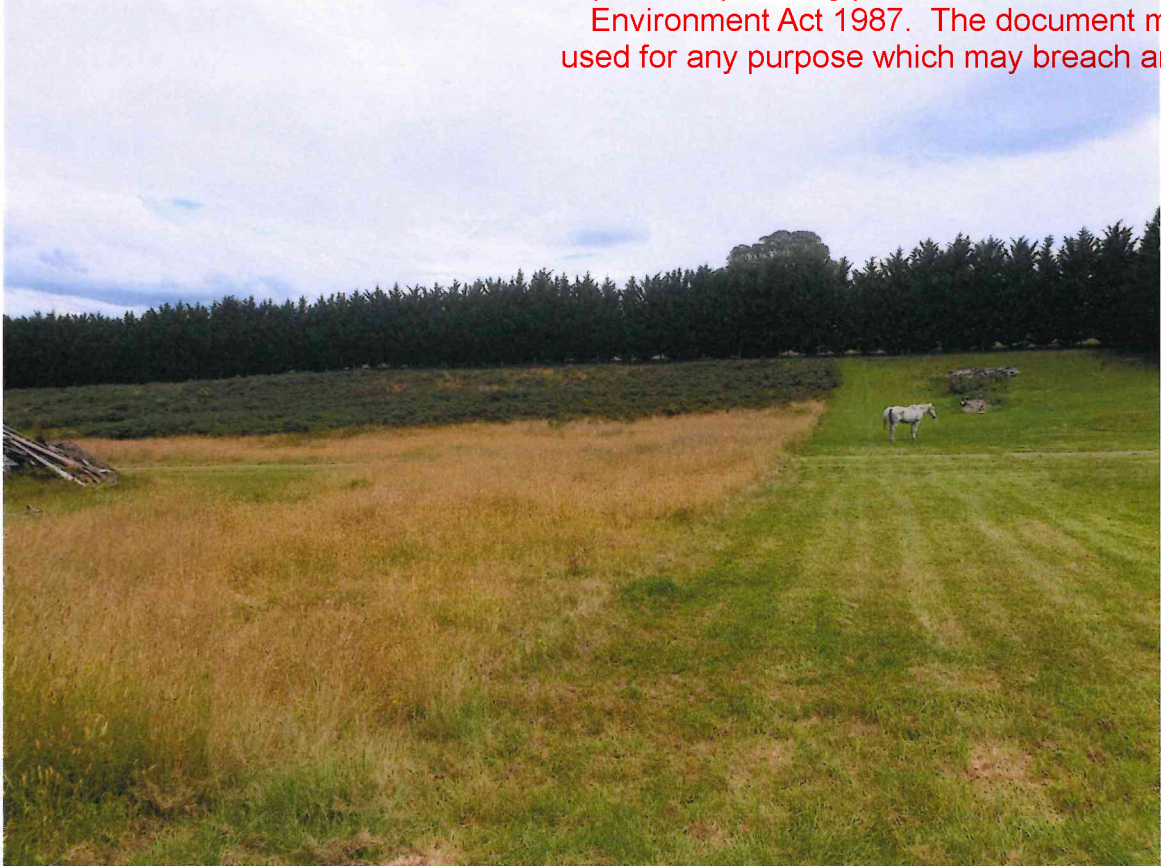


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Photos below show general lot layout.



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Report of available native vegetation credits

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

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

Date and time: 20/12/2024 10:51

Report ID: 27843

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)	
0.007	0.336	0	CMA	East Gippsland
			or LGA	East Gippsland Shire

Details of available native vegetation credits on 20 December 2024 10:51

These sites meet your requirements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-0115	2.914	0	West Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets
BBA-2323	6.019	86	East Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets, Ethos, VegLink
BBA-2843	15.103	903	East Gippsland	East Gippsland Shire	Yes	Yes	No	VegLink
TFN-C0486	0.039	96	North East	East Gippsland Shire	Yes	Yes	No	Contact NVOR, TFN
TFN-C0698	0.087	16	West Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets, Ecocentric, Ethos, VegLink
TFN-C1621	1.387	1	East Gippsland	East Gippsland Shire	Yes	Yes	No	TFN
VC_CFL-3720_01	1.876	244	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR
VC_CFL-3724_01	0.031	105	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR
VC_CFL-3767_01	19.877	1585	East Gippsland	East Gippsland Shire	Yes	Yes	No	Ethos, VegLink
VC_CFL-3767_01	0.610	0	East Gippsland	East Gippsland Shire	Yes	Yes	Yes	VegLink

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

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
----------------	-----	----	-----	-----	------------	--------	-------------	-----------

There are no sites listed in the Native Vegetation Credit Register that meet your offset requirements when applying the alternative arrangements as listed in section 11.2 of the Guidelines for the removal, destruction or lopping of native vegetation.

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

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
VC_CFL-3777_01	14.388	531	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR

LT - Large Trees

CMA - Catchment Management Authority

LGA - Municipal District or Local Government Authority

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Next steps

If applying for approval to remove native vegetation

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

If you have approval to remove native vegetation

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

Broker contact details

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

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

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

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

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

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Richard Hoxley - Crowther & Sadler

From: Adam Dunn
Sent: Wednesday, 30 October 2024 10:17 AM
To: Richard Hoxley - Crowther & Sadler
Cc: Crowther & Sadler
Subject: RE: 35 Mount Lookout Road, Ellaswood

OFFICIAL

Hi Richard,

Thanks for the email summarising our discussion regarding 35 Mount Lookout Rd Ellaswood.

The EGCMA agrees that the designated waterway is minor in nature, does not require a Waterway Management Plan and that development should be set back a suitable distance to ensure it is not impacted by the overland flow that is likely to occur.

If you structure your subdivision proposal on the basis outlined below the EGCMA is unlikely to object should East Gippsland Shire refer the application.

If you have any other questions or need further information please let me know.

Regards,

Adam

Adam Dunn

Executive Manager Statutory Planning

From: Richard Hoxley - Crowther & Sadler
Sent: Friday, 25 October 2024 2:49 PM
To: Adam Dunn
Cc: Crowther & Sadler
Subject: 35 Mount Lookout Road, Ellaswood

Good afternoon Adam,

Re: Proposed Two Lot Subdivision

Further to our discussion this morning I would like to seek confirmation of your verbal advice in respect to the proposed subdivision and consideration of the "designated waterway" that is shown to extend through the property.

As discussed there does not appear to be an obvious channel for the conveyance of runoff north of the existing dam. It is understood the "designated waterway" would be better described as an overland flow path and

therefore would not constitute a waterway. This being the case the 30 metres setback (buffer) that would otherwise be required for any development would not otherwise apply in this case, although any future buildings or works should be constricted clear of the overland flow path (10-15 metres either side).

It is understood that in the absence of a defined waterway on the land, the EG CMA would not be requiring a waterway management plan in response to the subdivision.

We appreciate your time taken to discuss this matter and look forward to receiving your response.



Regards

Richard Hoxley
Principal Planner

Crowther & Sadler Pty. Ltd.
LICENSED SURVEYORS & TOWN PLANNERS

152 Macleod Street, Bairnsdale
PO Box 722, Bairnsdale, Vic, 3875
P: 5152 5011 F: 5152 5705

Planning Report

Two Lot Subdivision and Removal of Native
Vegetation (One Tree)
35 Mount Lookout Road, Ellaswood

Our reference – 21045

December 2024



FS 520900



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	Design Response (Version 1)	
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	Native Vegetation Removal Report ID: 319_20241220_YA8	
	Email 30/10/2024 from East Gippsland Catchment Management Authority	
	Land Capability Assessment (<i>Chris O'Brien & Company</i>)	
	Geotechnical Risk Assessment Waiver (<i>Chris O'Brien & Company</i>)	
	Copy of Title (Lot 1 on TP138162)	

Note: Applicable Planning Application fee is \$2,086.20

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1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision and removal of native vegetation (one tree) at 35 Mount Lookout Road, Ellaswood. The Report addresses the provisions of the Low Density Residential Zone, Vegetation Protection Overlay 1, Erosion Management Overlay, Clause 52.17 Native Vegetation and Clause 53.01 Public Open Space Contribution as contained within the East Gippsland Planning Scheme.



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

2. Subject Land & Surrounding Context

Formally known as Lot 1 on TP138162 or more commonly known as 35 Mount Lookout Road, Ellaswood, the subject land is a large Low Density Residential Zoned property.

The subject land is developed with a dwelling and a number of outbuildings within the northern part of the site close to Mount Lookout Road. Existing vehicle access to the dwelling and outbuildings is obtained centrally on the property by a driveway that leads to Mount Lookout Road which is a sealed rural road with table drains.

A dam is located within the southern part of the property and collects overland drainage flow that runs down the slope from north to south. There are no discernible waterways on the subject site which has been confirmed by East Gippsland Catchment Management Authority as an overland flow path (despite the cadastral mapping showing a waterway on the property).



View south of the southern part of the subject land

Directly north of the property is a dense stand of native vegetation within the road reserve and across Mount Lookout Road is a vacant large Low Density Residential Zoned property.

To the east is an access strip to the rear southern property that is currently vacant. Further east is a Low Density Residential Zone property developed with a dwelling and outbuildings.

West of the subject land is a larger Rural Living Zoned property developed by a dwelling and outbuildings and is used for equine purposes. The broader area is a quickly developing Low Density Residential Growth area which is a short distance north of Bairnsdale.

“Battle-axe” shaped lots are also quite common in the locality and generally result in lots larger than 0.4 being the minimum lot size under the Low Density Residential Zone.

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Aerial image of the wider area close to the subject land that has seen rapid growth of recent times with significant subdivisions occurring and development of dwellings (Source: Google Earth)

The subject land is approximately six kilometres from the Bairnsdale Activity Area which provides for retail services, employment nodes, medical and educational facilities.

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3. The Application & Proposal

The application seeks approval to subdivide the subject land into two lots.

Proposed Lot 1 is to contain the existing dwelling 1 and retains an area of 1.213 hectares. Lot 1 will retain the existing access from Mount Lookout Road.

Proposed Lot 2 will take up the souther portion of the property with access to be established from Mount Lookout Road at the north-west corner of the property and extending down the westerns side. Lot 2 will have an area of 1.765 hectares.

As the subject land is not able to be connected to reticulated sewerage the new lot will require onsite disposal and management of wastewater. A Land Capability Assessment accompanies the application and confirms that the new lot is capable of onsite wastewater disposal.

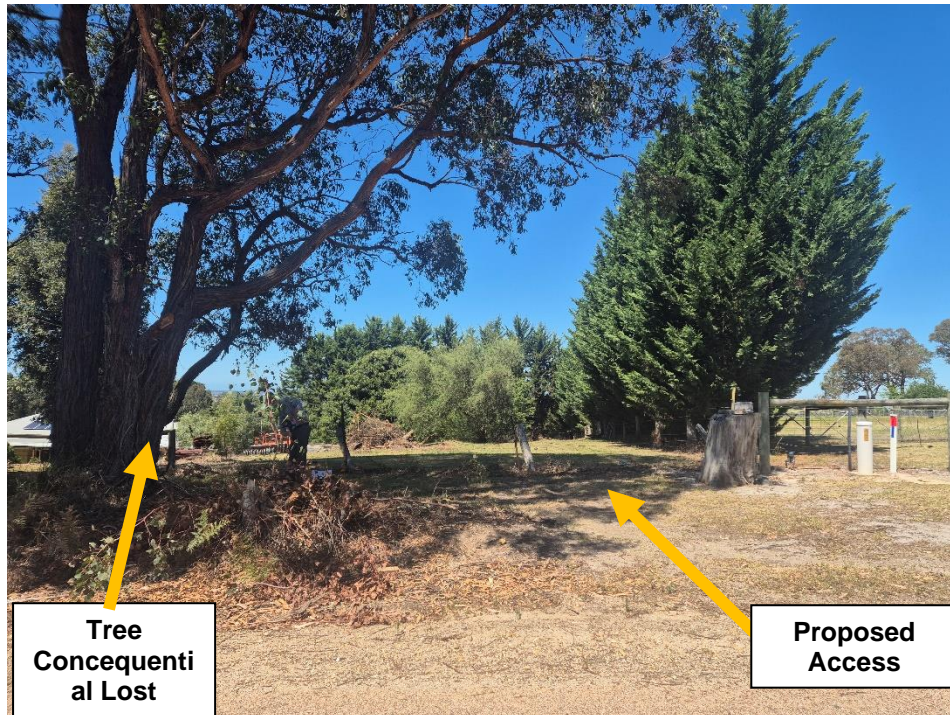
The location of the proposed new accessway has been carefully considered to minimise the impact vegetation in the road reserve and to provide appropriate sightlines for egress traffic from the new allotment.



Proposed plan of subdivision

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The construction of a vehicle crossing for access to Lot 2 will take up more than 10 percent of the Tree Protection Zone of a mature eucalyptus tree. The vehicle crossing does not require the tree to be removed however the extent of encroachment of the vehicle crossing within the TPZ is greater than 10% of the total area of the Tree Protection Zone and therefore the tree is assumed lost.

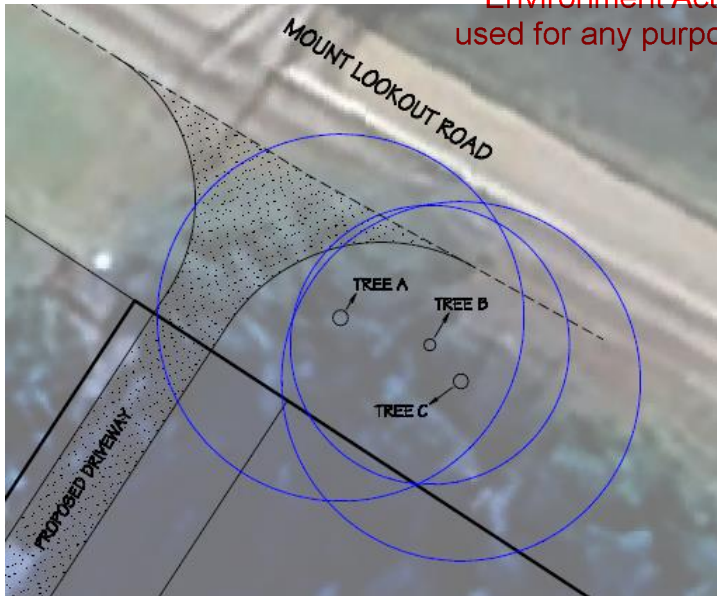


View south towards proposed access to Lot 2

The following table provides detail on the existing vegetation located within proximity to the proposed vehicle access and is to be read in conjunction with the accompanying Access Plan (Version 1).

Tree Ref Based off Field Data	ID as per NVRR 319_20241220_YA8	Circumference (in cm) at Breast Height (1.3m above ground level)	DBH (cm)	TPZ (m)	% TPZ Impacted
A	Zone A	210.5	67	8.04	22.66%
B	-	160.22	51	6.12	2.54%
C	-	206	65.57	7.87	1.02%

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Extract from Access Diagram (Version 1)
 'Blue' represents calculated TPZ

Vegetation offsets will be provided to accommodate the assumed vegetation loss consistent with the provisions of Clause 52.17 however the tree in question is not expected to be physically removed as part of the project.

It is anticipated that the standard Condition will be imposed on permit triggering the need to offset 0.007 general habitat units with a minimum strategic biodiversity score of 0.336 with the East Gippsland Catchment Management or East Gippsland Shire Local Government Area.

Given that the vegetation is located within the road reserve it is anticipated that the Application will be referred to Council's Land Manager as part of the planning process.

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

Planning Scheme Clause No.	Description of what is Proposed
32.03-3 Low Density Residential Zone	Subdivision
42.02-2 Vegetation Protection Overlay 1	Remove of a native tree
44.01-5 Erosion Management Overlay	Subdivision
52.17 Native Vegetation	Removal of native vegetation

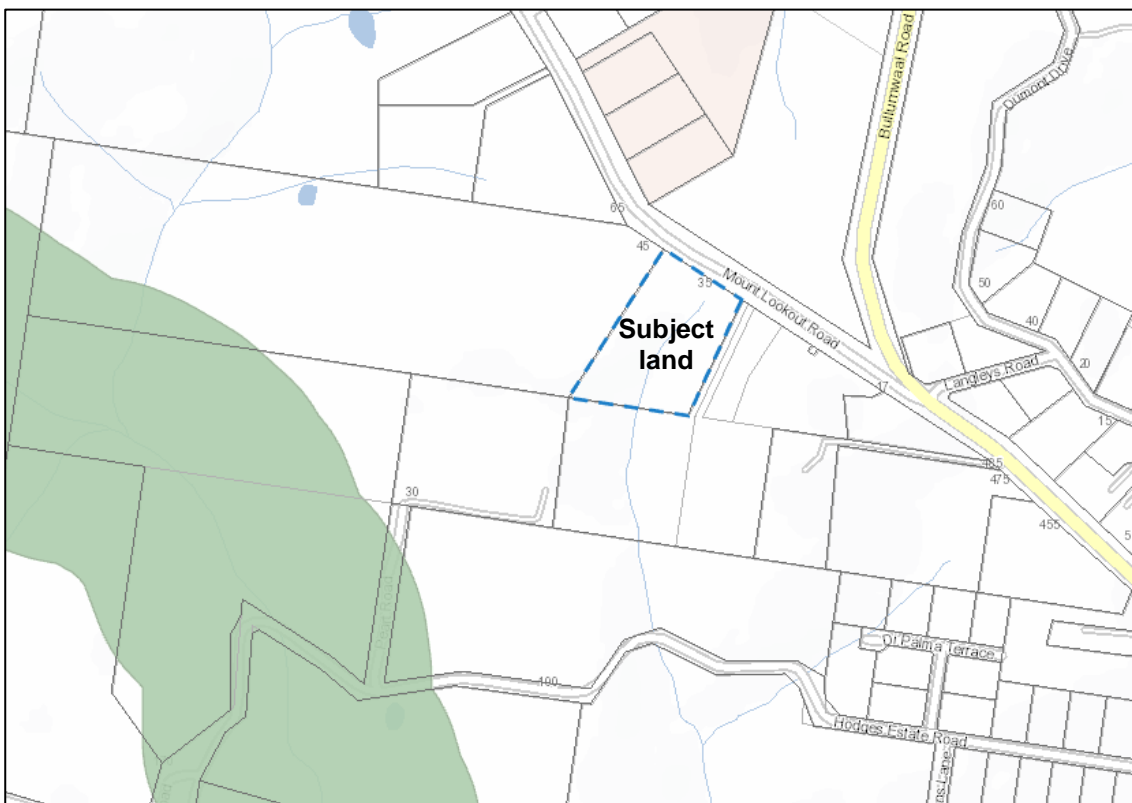
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The application is required to be referred to the Secretary to the Department of Environment, Energy and Climate Action pursuant to section 55 of the *Planning and Environment Act 1987*.

4. Cultural Heritage

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

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



Extract from Cultural Heritage Sensitivity mapping, showing culturally sensitivity areas in dark green (Source: VicPlan)

The subject land is not within an area of cultural heritage sensitivity and a two lot subdivision is not a high impact activity. As such a CHMP is not required for the proposed subdivision.

5. Planning Policy

5.1 Planning Policy Framework

Subdivision of the property into two lots will assist to support the sustainable development of the regional centre of Bairnsdale given future occupants of the vacant allotment will be dependent on the services of the town consistent with Clause 11.01-1S Settlement.

As sought within Clause 11.01-1L-01 East Gippsland settlements the proposed subdivision will provide for lot sizes appropriate for onsite treatment and disposal of wastewater.

All care has been undertaken with the design of the proposed subdivision to avoid and minimise native vegetation removal as required by Clause 12.01-2S Native vegetation management. The Mount Lookout Road reserve to the immediate north of the property contains dense native vegetation and the only area viable to create an access to the new vacant allotment and minimise native vegetation loss will necessitate the assumed loss of one native tree. The native tree is considered a assumed loss due to encroachment of the driveway within more than 10 percent of the tree protection zone. It is considered that the proposed subdivision balances the need to protect native vegetation and developing residentially zoned land in accordance with Clause 12.01-2S Native Vegetation Management.

The cadastral mapping shows a designated waterway on the property however, there is no discernible waterway on the subject land. This matter has been discussed with East Gippsland Catchment Management Authority that confirms the mapped watercourse is for overland water flows as such Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs does not apply to the application.

Consistent with Clauses 13.04-2S and Clause 13.04-2L Erosion the application is supported by a geotechnical risk assessment waiver that advises the land has a low risk of erosion and the application will pose little risk to the environment.

The proposed subdivision will provide for a large and vacant Low Density Residential lot that will suit a variety of dwelling and household types and all attempts have been undertaken to minimise native vegetation loss and protect habitat for native flora and fauna within the road reserve as sought within Clause 15.01-3S Subdivision design.

The existing neighbourhood character sees lots generally above 4000 square metres within the Low Density Residential Zone area. The proposed subdivision will be consistent with the prevailing neighbourhood character (Clause 15.01-5S Neighbourhood character).

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The subject land is located approximately 6 kilometres from the Bairnsdale Activity Area and is within the northern Low Density growth area north of Bairnsdale. Being located close to the East Gippsland Regional Centre the proposed allotments are not remote from services and facilities of a larger settlement. A Land Capability Assessment provides confidence that the new lot to be created can undertake onsite disposal and treatment of wastewater (Clause 16.01-3L-01).

The proposed new access to Mount Lookout Road will maintain the efficiency and safety of the road system, as appropriate sight lines are provided for, allowing vehicles to egress safely from the proposed new allotment in accordance with Clause 18.02-4L-01 Roads.

5.2 Municipal Planning Strategy

There is no waterway on the subject land as agreed by the Catchment Management Authority (it provides for overland water flow) as such the subdivision of the land does not detrimentally impact the biodiversity of waterways as identified in Clause 02.03-2 Environmental and landscape values.

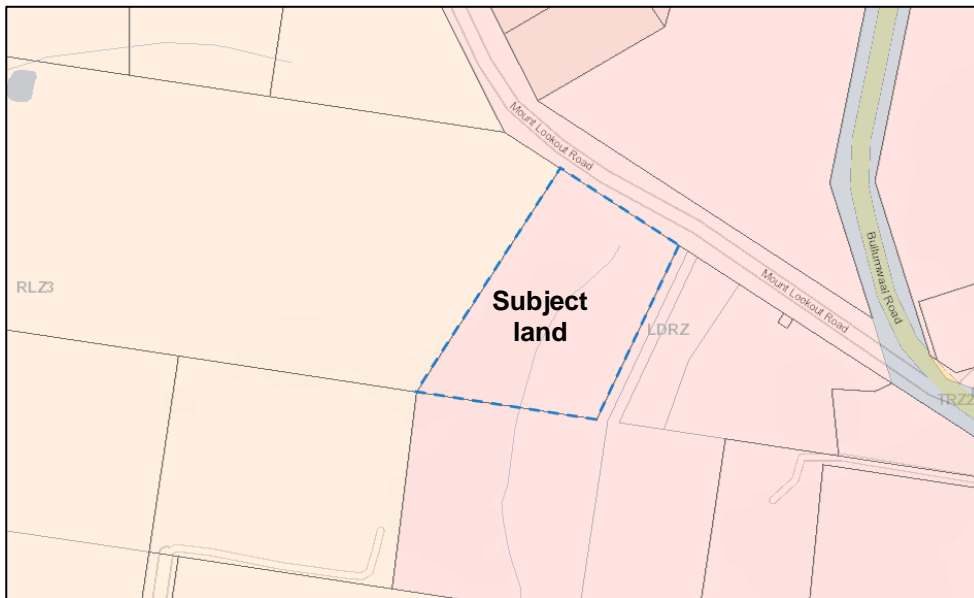
A geotechnical risk assessment waiver provides confidence that the land does not have erodible characteristics and the proposed development will not create erosion issues (Clause 02.03-3 Environmental risks and amenity).

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6. Planning Elements

6.1 Low Density Residential Zone

The subject land is contained within the Low Density Residential Zone under the East Gippsland Planning Scheme.



Planning scheme zone mapping (Source: VicPlan)

Clause 32.03-3 requires that each lot must be 0.4 hectares where reticulated sewerage is not connected. The proposed subdivision will create two lots, each with an area greater than .04ha.

A design response has been submitted with the application demonstrating a possible building envelope and a Land Capability Assessment accompanies the application that demonstrates the proposed new vacant lot is able to retain and manage wastewater within the boundaries of the new lot as required by Clause 32.03-5 of the zone provisions.

Decision Guidelines

The proposed subdivision responds well to the decision guidelines of the zone.

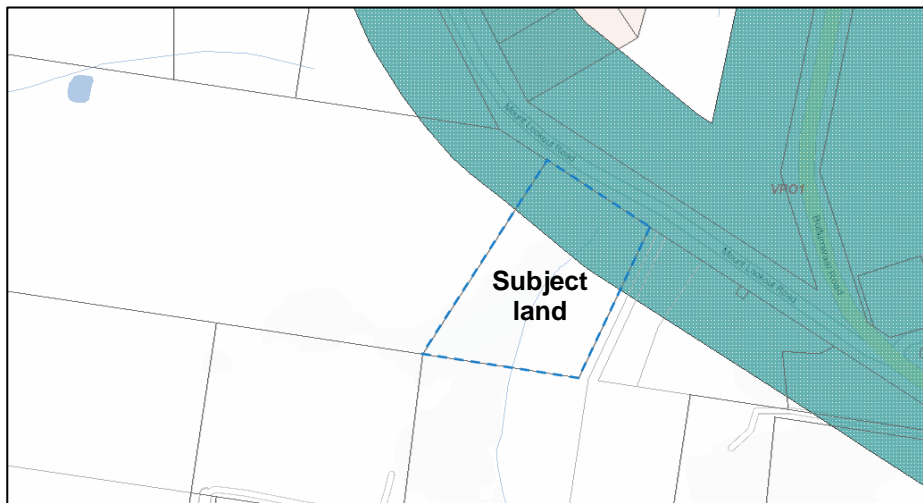
- The proposed subdivision will result in the assumed loss of one native tree within the Mount Lookout Road reserve as more than 10 percent of the tree protection zone will be impacted by the proposed access driveway. The driveway location has been located to minimise native vegetation removal and is considered to provide an acceptable balance between protecting the natural environment and providing for development of a residentially zoned property.
- The waterway as expressed on the cadastral mapping is not a waterway but an overland flow path. The subdivision will not have a detrimental impact to any waterway.

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- Utility services to the newly created lot are available, including water, electricity and telecommunications.
- A Land Capability Assessment confirms that the new lot to be created has the capability to retain and manage wastewater within the new allotment.

6.2 Vegetation Protection Overlay 1

The property is partly subject to the Vegetation Protection Overlay 1 along the Mount Lookout Road frontage.



Planning scheme overlay mapping (Source: VicPlan)

Schedule 1 to the Overlay is the Tambo-Bairnsdale Roadside Vegetation Protection Network.

The assumed loss of one native tree is considered to satisfy the vegetation protection objectives and addresses the decision guidelines:

- The location of the access to the new allotment avoids the significant vegetation within the road reserve abutting the subject land.
- Vegetation removal within the road reserve has been minimised to that of a single tree.
- The tree is presumed lost and is not going to be physically removed.
- Landscape and aesthetic values associated within the locality will remain.
- There is no ability to maintain the tree and develop an additional lot on a residential zoned property.
- Environmental losses resulting from the tree removal will be offset in accordance with the *guidelines for the removal, destruction and lopping of native vegetation*.

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6.3 Erosion Management Overlay

Part of the southern area of the subject land is contained within the Erosion Management Overlay.



Planning scheme overlay mapping (Source: VicPlan)

The Schedule to the Overlay is management of geotechnical hazard. In accordance with sub-clause 4.0 of the Schedule a geotechnical risk assessment waiver is submitted that demonstrates a geotechnical risk assessment is not relevant to the assessment of the application.

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6.4 Clause 52.17 Native Vegetation

Planning approval is required at Clause 52.17-1 for the assumed loss of one native tree within proximity to the proposed vehicle crossing to Lot 2. The tree is assumed lost as part of the proposal as its Tree Protection Zone (TPZ) will be encroached by more than 10%.

The tree in question is not expected to be physically removed to facilitate construction of the vehicle crossing however it has been considered against the native vegetation controls and will be offset to account for its assumed loss.

Application Requirements

Information including plans and photos accompany the application in accordance with the application requirements specified within the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation, December 2017* ('the Guidelines').

Accompanying the Application is a Native Vegetation Removal Report (NVRR ID: 319_20241220_YA8) which confirms the assessment pathway (Basic Assessment Pathway), details of the tree assumed lost, mapping and offset requirements, along with other details required by Table 4 of the Guidelines.

The extent of vegetation being considered under the provisions of Clause 52.17 is limited to the assumed loss of 1 tree from within the adjoining road reserve which is identified as 'Zone A' within NVRR ID: 319_20241220_YA8.



View south towards tree assumed lost (Zone A)
Date of photography 19/12/2024

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'Zone A'
Tree Assumed Lost

*View south towards tree assumed lost (Zone A)
Date of photography 19/12/2024*

The tree assumed lost forms part of a native vegetation patch having regard for the overlapping of canopies and the presence of more than 25% native understorey coverage. However, the proposed vehicle crossing is located clear of the native vegetation patch where the understorey is dominated by non-native grasses (>25% non-native coverage).



Groundcover in proximity to proposed vehicle crossing

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As only one canopy tree is being considered against the provisions of Clause 52.17, it has been mapped within the NVRP as a scattered tree consistent with the *Applicant Guide, Applications to remove, destroy or lop native vegetation (December 2017)*.

To compensate for the assumed loss of vegetation, a third-party offset will be secured to ensure no net loss of biodiversity occurs in accordance with the requirements of Clause 52.17-5. Search results from the Native Vegetation Credit Register provided in support of the Application confirm the availability of the required offsets on the current market with all necessary attributes (Report ID: 27843).

In response to the application requirements specified at Table 4 of the *Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)* ('the Guidelines') we offer the following response.

	Application Requirement	Response/Comment
1.	Vegetation to be removed	The accompanying Native Vegetation Removal Report includes adequate information to address this Application Requirement. The extent of vegetation being considered under the provisions of Clause 52.17 includes the assumed loss of 1 tree. A total offset amount required to compensate the assumed loss is 0.007 general habitat units with a minimum strategic biodiversity value of 0.336 within the East Gippsland Catchment Management Authority or East Gippsland Shire Council areas.
2.	Topographic and land information	The landform within proximity to the tree assumed lost is relatively flat in grade. There are no drainage lines or water courses located within proximity to the tree in question.
3.	Photographs	Photographs of the existing vegetation included within this report are recent having been taken on 19 December 2024.
4.	Past Removal	There are no records on Council's Online Register of any removal of native vegetation within the Road Reserve within the last 5 years.
5.	Avoid and minimise statement	See later section of Report.

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6.	Property Vegetation Plan	Not applicable.
7.	Defendable space statement	Not applicable.
8.	Native Vegetation Precinct Plan	The Application is not being made under the provisions of Clause 52.16.
9.	Offset statement	<p>As a Permit is required to remove native vegetation, the biodiversity impacts from the removal must be offset in accordance with the Guidelines. It is anticipated that the standard Conditions will be imposed on Permit which specify the offset requirement and the timing to secure the offset.</p> <p>There is no ability to provide a first party offset in this instance given the subject land does not contain the necessary attributes and is intended for residential development. It is therefore necessary that vegetation offsets be achieved through third party arrangements.</p> <p>A search statement from the Native Vegetation Credit Register has been provided in support of the proposal which confirms suitable offsets are available to compensate for the assumed loss of native vegetation.</p>

In response to the decision guidelines specified at Table 6 of the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) ('the Guidelines') we offer the following response.

	Decision Guidelines	Response/Comment
1.	Efforts to avoid and minimise vegetation removal to be commensurate with the biodiversity and other values.	<p>Efforts to avoid and minimise impacts to native vegetation are considered commensurate to the biodiversity values of the area.</p> <p>The subdivision has been specifically designed to maximise the retention of the roadside vegetation by ensuring frontage to Lot 2 corresponds with the existing gap in roadside vegetation.</p> <p>The extent of loss is limited to the assumed loss of one tree and the design of the accessway and servicing has otherwise enabled the retention of the vegetated roadside corridor.</p>

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2.	Water courses, land degradation and groundwater.	<p>The tree in question is considered to play a minimal role in protecting water quality and preventing land degradation given its location. The tree is not close to a waterway and is not contained on steep land.</p> <p>The remaining vegetation provided within the adjoining road reserve along Mount Lookout Road will not be impacted.</p>
3.	Identified landscape values.	<p>Whilst the tree has some limited aesthetic value it is not considered to have a high environmental value having regard for the NVIM mapping and associated scores (Basic Assessment Pathway).</p>
4.	Aboriginal Heritage Act 2006.	<p>The vegetation earmarked for removal is not identified as being protected under the <i>Aboriginal Heritage Act 2006</i>.</p>
5.	Defendable space.	<p>The vegetation is not being removed for the purpose of defendable space.</p>
6.	Property Management Plan.	<p>There is no Property Management Plan applying to the subject land.</p>
7.	Offsets	<p>There is the ability to obtain and secure vegetation offsets which meet the offset requirements in accordance with the Guidelines. This has been demonstrated through the inclusion of a search statement from the Native Vegetation Credit Register.</p>
8.	Clause 52.16	<p>N/A</p> <p>The Application is not being made under the provisions of Clause 52.16.</p>
9.	Impacts on biodiversity	<p>The vegetation being considered under Clause 52.17 is limited to the assumed loss of one tree which is not otherwise required to be removed and is not within an endangered Ecological Vegetation Class.</p> <p>The assumed loss is limited in extent and will not require a Species Offset. The Native Vegetation Removal Report identified the Application as a Basic Assessment Pathway.</p>

Avoid & Minimise Statement

The subject land is contained within the Low Density Residential Zone which anticipates residential occupation of the land similarly to that established within the surrounding context. The Vegetation Protection Overlay – Schedule 1 also encumbers the front portion of the subject land and adjoining roadside vegetation which pertains to the “*Tambo-Bairnsdale Roadside Vegetation Protection Network*”.

Strategic documentation such as the Bairnsdale Growth Strategy specifically nominates the area for low density residential infill development. The zoning of the land and the presence of servicing within the area including power, water and telecommunications further enhances this expectation.

Whilst the adjoining road reserve along Mount Lookout Road is generally well vegetated, access needs to be established for safe egress and access to the land.

The location of the proposed driveway access was deliberately chosen to avoid significant vegetation loss elsewhere along the subject land’s frontage and takes advantage of a partially clear area of the road reserve.

If the proposed access was nominated anywhere else along the property frontage it would have triggered direct and more substantial impacts to native vegetation within the roadside corridor. There are no other ‘gaps’ established along the property frontage except for the existing driveway to Lot 1.



Looking in a easterly direction along vegetated road reserve fronting the subject land

The subdivision nominates each allotment greater than 4,000m² (0.4ha) in area in direct response to the requirements of the Low Density Residential Zone which prescribes a minimum lot area of 0.4ha for land not serviced by reticulated sewer. Retaining both allotment above 0.4ha also ensures there is no assumed vegetation losses invoked by the proposal as a result of the site area exemption prescribed at Clause 52.17-7 *Table of Exemptions*.

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Spatially the Low Density Residential Zone enables the site to cater for a higher allotment yield however the proposal has been restricted to a two lot subdivision only which avoids pressure on the sites environmental values.

In the event a future landowner had a desire to remove any native vegetation, further consideration and approval would need to be provided under the provisions of Clause 52.17. The calculation for any offset for such removal would also need to consider cumulative impacts, if it were to occur within a five-year period.

The Application has considered the assumed loss of one tree as the proposed vehicle crossing will impact its TPZ by more than 10%. However, the tree itself is not expected to be physically removed as part of the proposal.

There is limited alternative locations for access from Mount Lookout Road further to the west to reduce the impact on the trees TPZ, having regard for the location of existing servicing including a water metre as positioned on the north western corner of the site.



Existing water metre

On balance the assumed loss of the tree in question is considered a reasonable response given the remainder of the vegetation within the road reserve will otherwise be retained and not adversely impacted by the proposal.

Ultimately the subdivision has sought to balance the anticipated further residential use of the land with the environmental values of the site by avoiding direct vegetation losses within the road reserve.

The assumed loss of one tree that qualifies as a Basic Assessment Pathway is considered to be appropriate having regard to the residential context of the area and inclusion of the land within the Low Density Residential Zone.

6.5 Clause 53.01 Public Open Space Contribution

Clause 53.01-1 advises that a subdivision of land into two lots and where Council considers it unlikely that each lot will be further subdivided is exempt from public open space requirements.

We have formed the view that both lots are unlikely to be further subdivided:

- Lot 1 contains significant established development infrastructure (dwelling and sheds) dispersed widely over proposed lot 1 and a further subdivision of the lot would require significant infrastructure removal.
- The road reserve adjoining the subject land contains significant native vegetation and is contained within a Vegetation Protection Overlay 1. Additional accessways would prove to be challenging given the presence of the native vegetation and if an internal road were considered vegetation removal would be extensive given the likely need to provide for turning lanes and/or sight line clearances.
- Lot 2 has constrained areas for dwelling siting mindful for the need to avoid overland flow paths.

7. Conclusion

The proposed two lot subdivision and removal of native vegetation (assumed loss of one tree) at 35 Mount Lookout Road, Ellaswood is considered to accord with all relevant provisions of the Low Density Residential Zone, Vegetation Protection Overlay 1, Erosion Management Overlay, Clause 52.17 Native Vegetation and Clause 53.01 Public Open Space Contribution of the East Gippsland Planning Scheme. The proposal is consistent with the Planning Policy Framework and Municipal Planning Strategy and has been designed to address the opportunities and constraints of the property.

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

Native Vegetation Removal Report

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NVRR ID: 31920241220_YA8

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the [Guidelines for the removal, destruction or lopping of native vegetation](#) (the Guidelines). This report is **not an assessment by DEECA** of the proposed native vegetation removal. Offset requirements have been calculated using modelled condition scores.

Report details

Date created: 20/12/2024

Local Government Area: EAST GIPPSLAND SHIRE

Registered Aboriginal Party: Gunaikurnai

Coordinates: 147.59433, -37.78059

Address:

Summary of native vegetation to be removed

Assessment pathway	Basic Assessment Pathway		
Location category	Location 1 The native vegetation extent map indicates that this area is not typically characterised as supporting native vegetation. It does not meet the criteria to be classified as Location Category 2 or 3. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.		
Total extent including past and proposed removal (ha) <i>Includes endangered EVCs (ha): 0</i>	0.031	<i>Extent of past removal (ha)</i>	0
		<i>Extent of proposed removal - Patches (ha)</i>	0.000
		<i>Extent of proposed removal - Scattered Trees (ha)</i>	0.031
No. Large Trees proposed to be removed	0	<i>No. Large Patch Trees</i>	0
		<i>No. Large Scattered Trees</i>	0
No. Small Scattered Trees	1		

Offset requirements if approval is granted

Any approval granted will include a condition to secure an offset, before the removal of native vegetation that meets the following requirements:

General Offset amount ¹	0.007 General Habitat Units
Minimum strategic biodiversity value score ²	0.336
Large Trees	0
Vicinity	East Gippsland CMA or EAST GIPPSLAND SHIRE LGA

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

The availability of third-party offset credits can be checked using the Native Vegetation Credit Register (NVCR) Search Tool - <https://nvcr.delwp.vic.gov.au>

1. The General Offset amount required is the sum of all General Habitat Units in Appendix 1.

2. Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required.

Application requirements

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Application Requirement 1 - Native vegetation removal information

If the native vegetation removal is mapped correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 1.

Application Requirement 2 - Topographical and land information

This statement describes the topographical and land features in the vicinity of the proposed works, including the location and extent of any ridges, hilltops, wetlands and waterways, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

Application Requirement 3 - Photographs of the native vegetation to be removed

Application Requirement 3 is not addressed in this Native Vegetation Removal Report. All applications must include recent, timestamped photos of each Patch, Large Patch Tree and Scattered Tree which has been mapped in this report.

Application Requirement 4 - Past removal

If past removal has been considered correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 4.

Application Requirement 5 - Avoid and minimise statement

This statement describes what has been done to avoid and minimise impacts on native vegetation and associated biodiversity values.

Application Requirement 6 - Property Vegetation Plan

This requirement only applies if an approved Property Vegetation Plan (PVP) applies to the property
Does a PVP apply to the proposal?

Application Requirement 7 - Defendable space statement

Where the removal of native vegetation is to create defendable space, this statement:

- Describes the bushfire threat; and

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- Describes how other bushfire risk mitigation measures were considered to reduce the amount of native vegetation proposed for removal (this can also be part of the avoid and minimise statement).

This statement is not required if, If the proposed defensible space is within the Bushfire Management Overlay (BMO), and in accordance with the 'Exemption to create defensible space for a dwelling under Clause 44.06 of local planning schemes' in Clause 52.12-5.

Application Requirement 8 - Native Vegetation Precinct Plan

This requirement is only applicable if you are removing native vegetation from within an area covered by Native Vegetation Precinct Plan (NVPP), and the proposed removal is not identified as 'to be removed' within the NVPP.

Does an NVPP apply to the proposal?

Application Requirement 9 - Offset statement

This statement demonstrates that an offset is available and describes how the required offset will be secured. The Applicant's Guide provides information relating to this requirement.

Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in the Guidelines. If you wish to remove the mapped native vegetation you are required to apply for approval from the responsible authority (e.g. local Council). This Native vegetation removal report must be submitted with your application and meets most of the application requirements. The following requirements need to be addressed, as applicable.

Application Requirement 3 - Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed **must be provided** with the application. All photographs must be clear, show whether the vegetation is a Patch of native vegetation, Patch Tree or Scattered Tree, and identify any Large Trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Application Requirement 6 - Property Vegetation Plan

If a PVP is applicable, it must be provided with the application.

Appendix 1: Description of native vegetation to be removed

General Habitat Units for each zone (Patch, Scattered Tree or Patch Tree) are calculated by the following equation in accordance with the Guidelines

General Habitat Units = extent without overlap x condition score x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The General Offset amount required is the sum of all General Habitat Units per zone.



Native vegetation to be removed

Information provided by or on behalf of the applicant			Information calculated by NVR Map							
Zone	Type	DBH (cm)	EVC code (modelled)	Bioregional conservation status	Large Tree(s)	Condition score (modelled)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
A	Scattered Tree	67	EGL_0877	Depleted	-	0.200	0.031	0.031	0.420	0.007

Appendix 2: Images of mapped native vegetation

1. Property in context



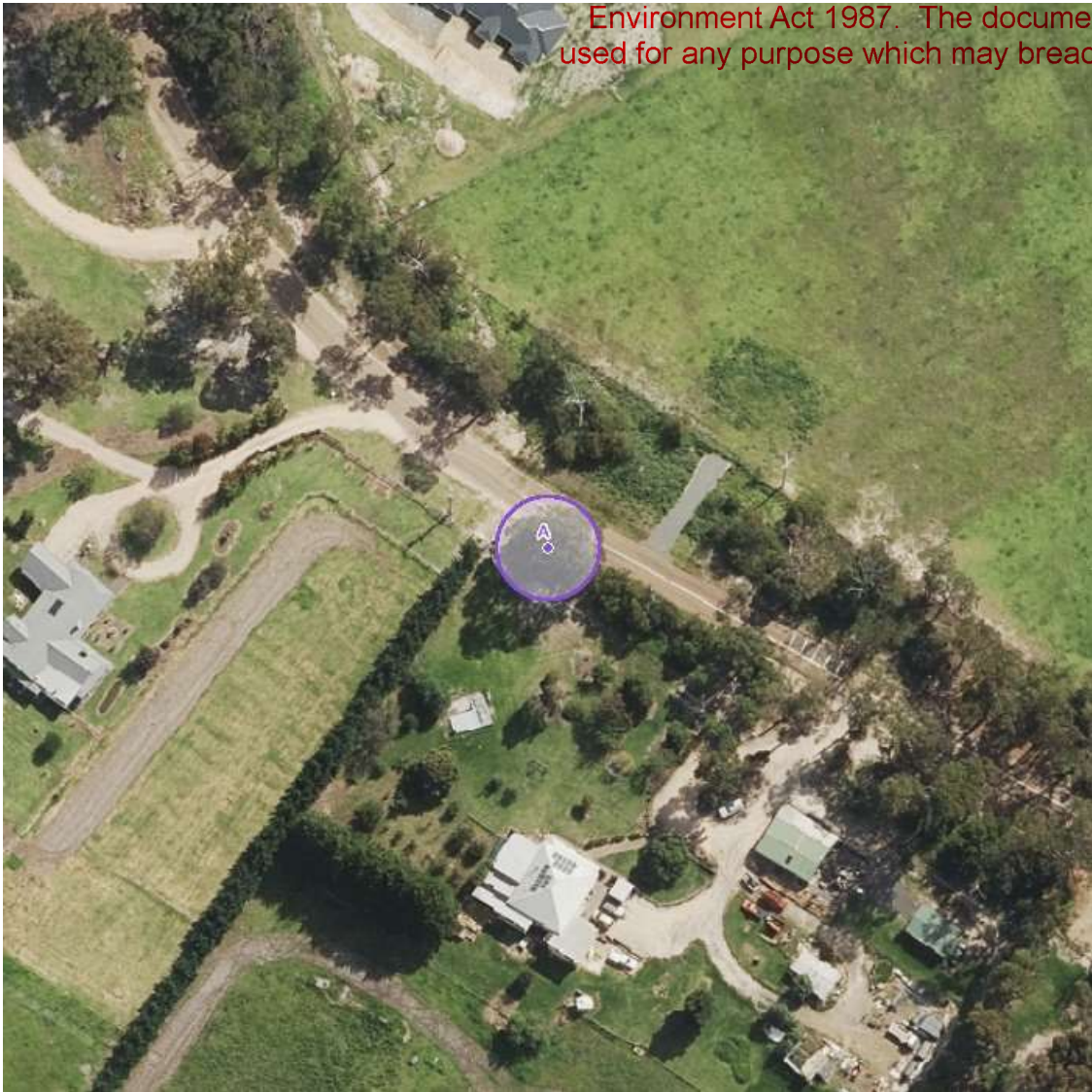
-  Proposed Removal
-  Property Boundaries



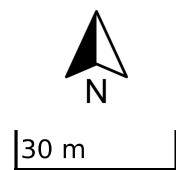
200 m

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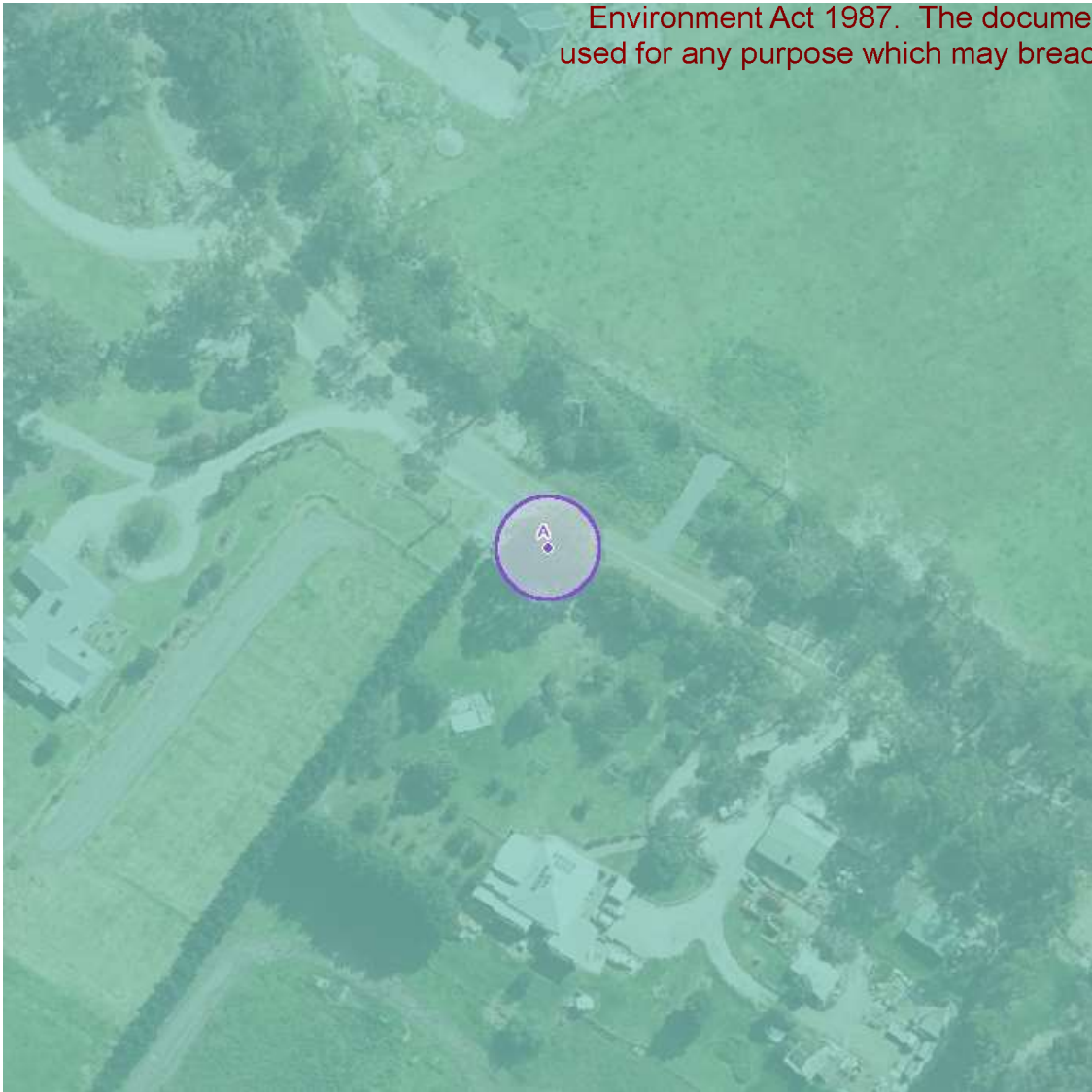
2. Aerial photograph showing mapped native vegetation



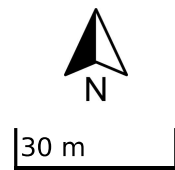
□ Proposed Removal



3. Location Risk Map

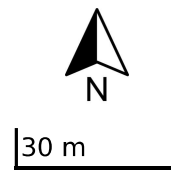
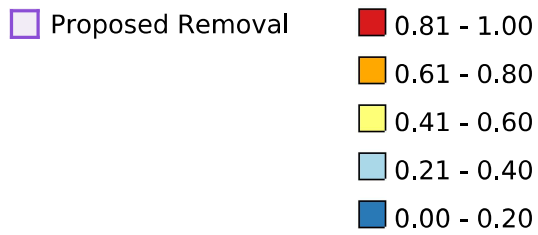
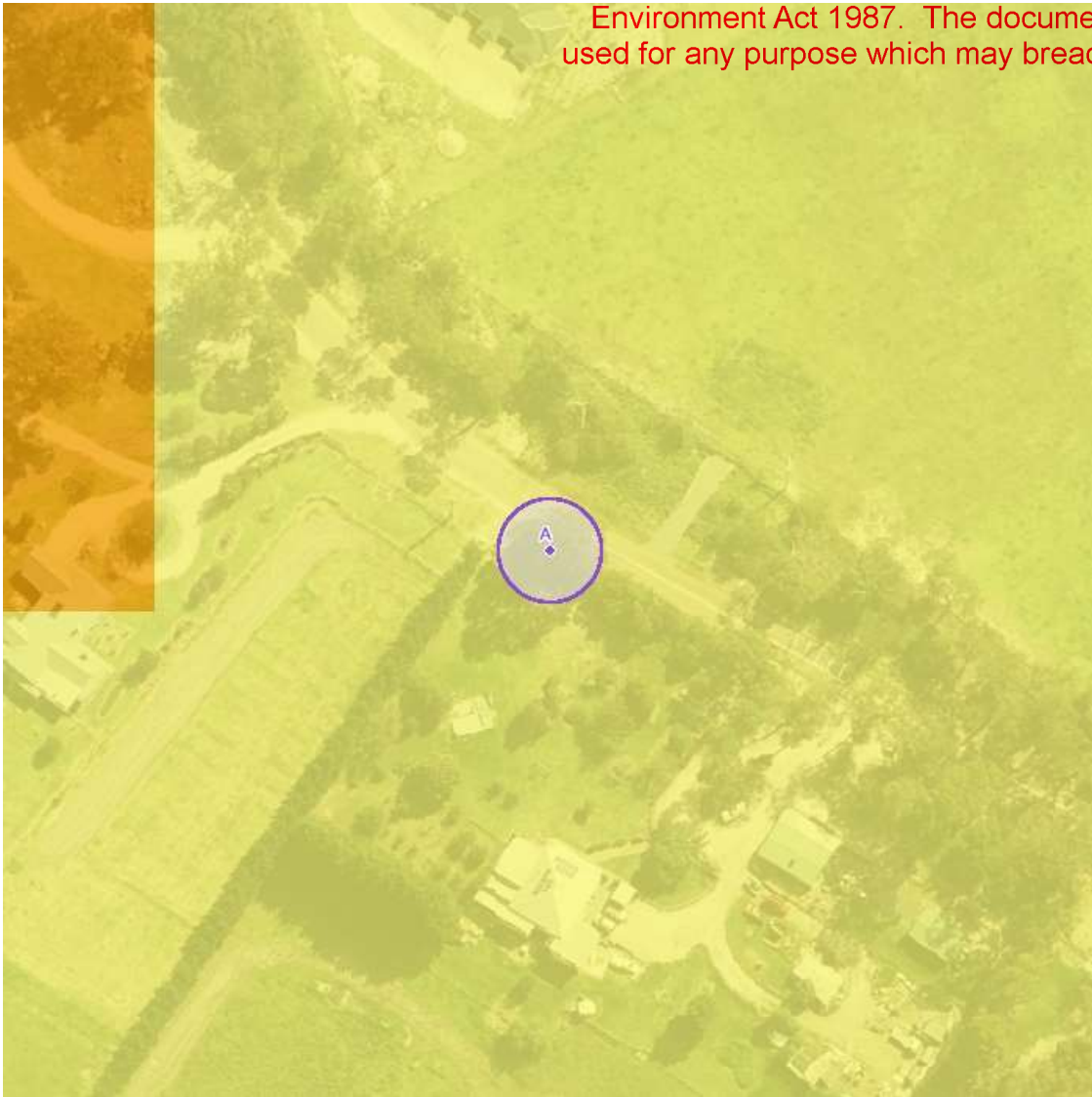


- Proposed Removal
- Location 1
- Location 2
- Location 3



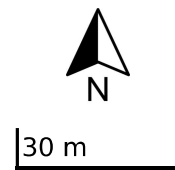
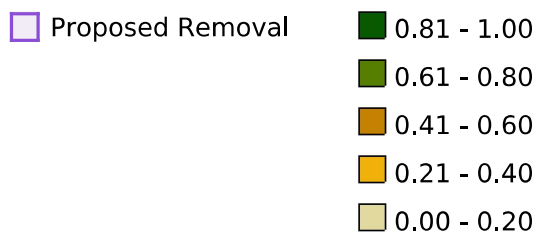
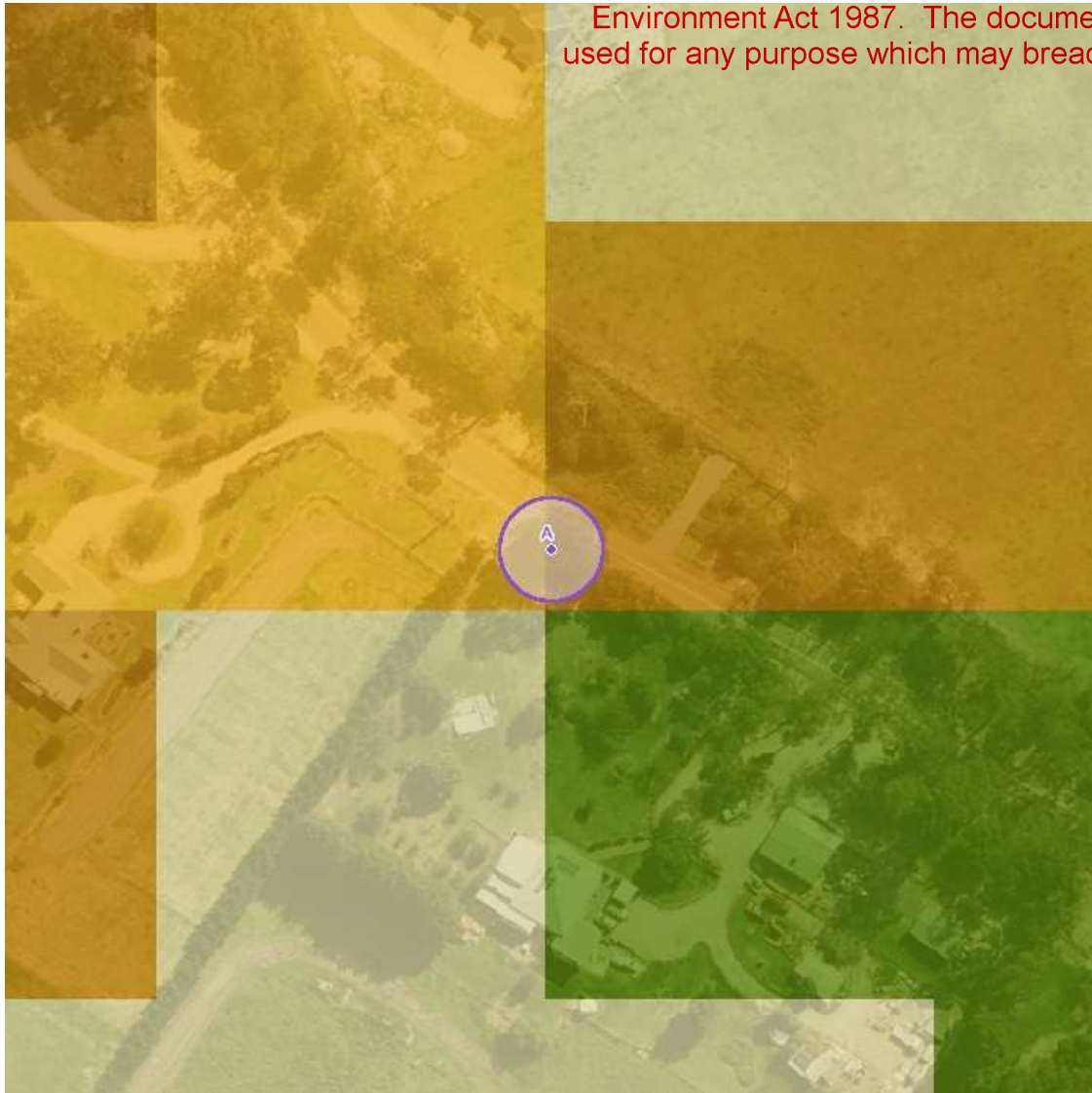
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4. Strategic Biodiversity Value Score Map



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5. Condition Score Map



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6. Endangered EVCs

Not Applicable

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ACCESS DIAGRAM

PARISH OF WY-YUNG
 CROWN ALLOTMENT 73 (PART)
 LOT 1 ON TP138162Q

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PROPOSED SUBDIVISION

PARISH OF WY-YUNG
CROWN ALLOTMENT 73 (PART)

LOT 1 ON TP138162Q

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