

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

<b>The land affected by the application is located at:</b>	<b>2 Gilsenans Drive METUNG VIC 3904 Lot: 12 PS: 649974</b>
<b>The application is for a permit to:</b>	<b>Three Lot Subdivision and Vegetation Loss</b>
<b>A permit is required under the following clauses of the planning scheme:</b>	
<b>Planning Scheme Clause</b>	<b>Matter for which a permit is required</b>
32.03-3 (LDRZ)	Subdivide land.
42.01-2 (ESO)	Subdivide land.
42.01-2 (ESO)	Remove, destroy or lop any vegetation, including dead vegetation.
42.02-2 (VPO)	Remove, destroy or lop vegetation
43.02-3 (DDO)	Subdivide land.
44.06-2 (BMO)	Subdivide land.
52.02	Proceeding under Section 23 of the Subdivision Act 1988 to create an easement.
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation
<b>The applicant for the permit is:</b>	<b>Development Solutions Victoria Pty Ltd</b>
<b>The application reference number is:</b>	<b>5.2025.308.1</b>

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.

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

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

VOLUME 11606 FOLIO 565

Security no : 124127908246C  
Produced 09/09/2025 11:58 AM

Page 1 of 1

**LAND DESCRIPTION**

Lot 12 on Plan of Subdivision 649974L.  
PARENT TITLE Volume 11429 Folio 787  
Created by instrument PS649974L Stage 2 21/10/2015

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Joint Proprietors  
JEFFREY JOHN GRAY  
MARIA CIVITA ARMISTEAD  
AQ138948B 14/08/2017

**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 PS649974L 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: 2 GILSENANS DRIVE METUNG VIC 3904

**ADMINISTRATIVE NOTICES**

NIL

DOCUMENT END

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PS649974L

18/06/2013 12:42:00 PM

EDITION 2

PC

## PLAN OF SUBDIVISION

## LOCATION OF LAND

PARISH: BUMBERRAH  
 TOWNSHIP: \_\_\_\_\_  
 SECTION: \_\_\_\_\_  
 CROWN ALLOTMENT: 78 (PART)  
 CROWN PORTION: \_\_\_\_\_

TITLE REFERENCES: VOL 10665 FOL 221

LAST PLAN REFERENCE: LOT 2 ON PS509108T

POSTAL ADDRESS:  
(At time of subdivision) 365 ROSHERVILLE ROAD,  
METUNG, 3904MGA 94 CO-ORDINATES:  
(Of approx. centre of  
land in plan) E 575 650  
N 5808 040

ZONE: 55

## VESTING OF ROADS AND/OR RESERVES

IDENTIFIER COUNCIL/BODY/PERSON

RESERVE No. 1 &amp; 2

EAST GIPPSLAND SHIRE COUNCIL

COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF: 14212011/CRT

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

## OPEN SPACE

(i) A requirement for public open space under Section 18 Subdivision Act 1988  
has / has not been made.

(ii) The requirement has been satisfied.

(iii) The requirement is to be satisfied in stage

Council Delegate 

Council seal 

Date 21/03/2012

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

Council Delegate

Council seal

Date / /

## NOTATIONS

STAGING This is / is not a staged subdivision  
Planning Permit No 610/2002/P

DEPTH LIMITATION DOES NOT APPLY

## WATERWAY NOTATION:

LOT 1 AND RESERVE No.1 IN THIS PLAN MAY ABUT CROWN  
LAND THAT MAY BE SUBJECT TO A CROWN LICENCE TO USE

SURVEY: THIS PLAN IS / IS NOT BASED ON SURVEY

THIS SURVEY IS CONNECTED TO PERMANENT MARK No(s) 20

## LR USE ONLY

STATEMENT OF COMPLIANCE  
/ EXEMPTION STATEMENT

RECEIVED



DATE 18/06/2013

THIS IS A LAND  
VICTORIA  
COMPILED PLAN

FOR DETAILS SEE  
MODIFICATION TABLE  
HEREIN

SHEET 1 OF 2 SHEETS

## EASEMENT INFORMATION

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

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1, E-3	WATER SUPPLY	SEE DIAG.	PS340024N	EAST GIPPSLAND REGION WATER AUTHORITY & LAND IN PS340024N
E-2, E-3	POWERLINE	SEE DIAG.	PS340024N - SECTION 44 OF THE ELECTRICITY INDUSTRY ACT 1993	ELECTRICITY SERVICES VICTORIA
E-4	DRAINAGE	2	THIS PLAN	EAST GIPPSLAND SHIRE COUNCIL
E-5	DRAINAGE	2	THIS PLAN	EAST GIPPSLAND SHIRE COUNCIL
E-6	POWERLINE	2	THIS PLAN - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	AUSNET ELECTRICITY SERVICES PTY LTD

Crowther & Sadler Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
TELEPHONE (03) 5152 6011

LICENSED SURVEYOR ..... PAUL ANTHONY DWYER .....  
 SIGNATURE .....  ..... DATE 4/10/2011  
 REF 14884 VERSION 2

DATE 21/03/2012  
COUNCIL DELEGATE SIGNATURE

ORIGINAL SHEET SIZE A2

Printed 5/2/2026

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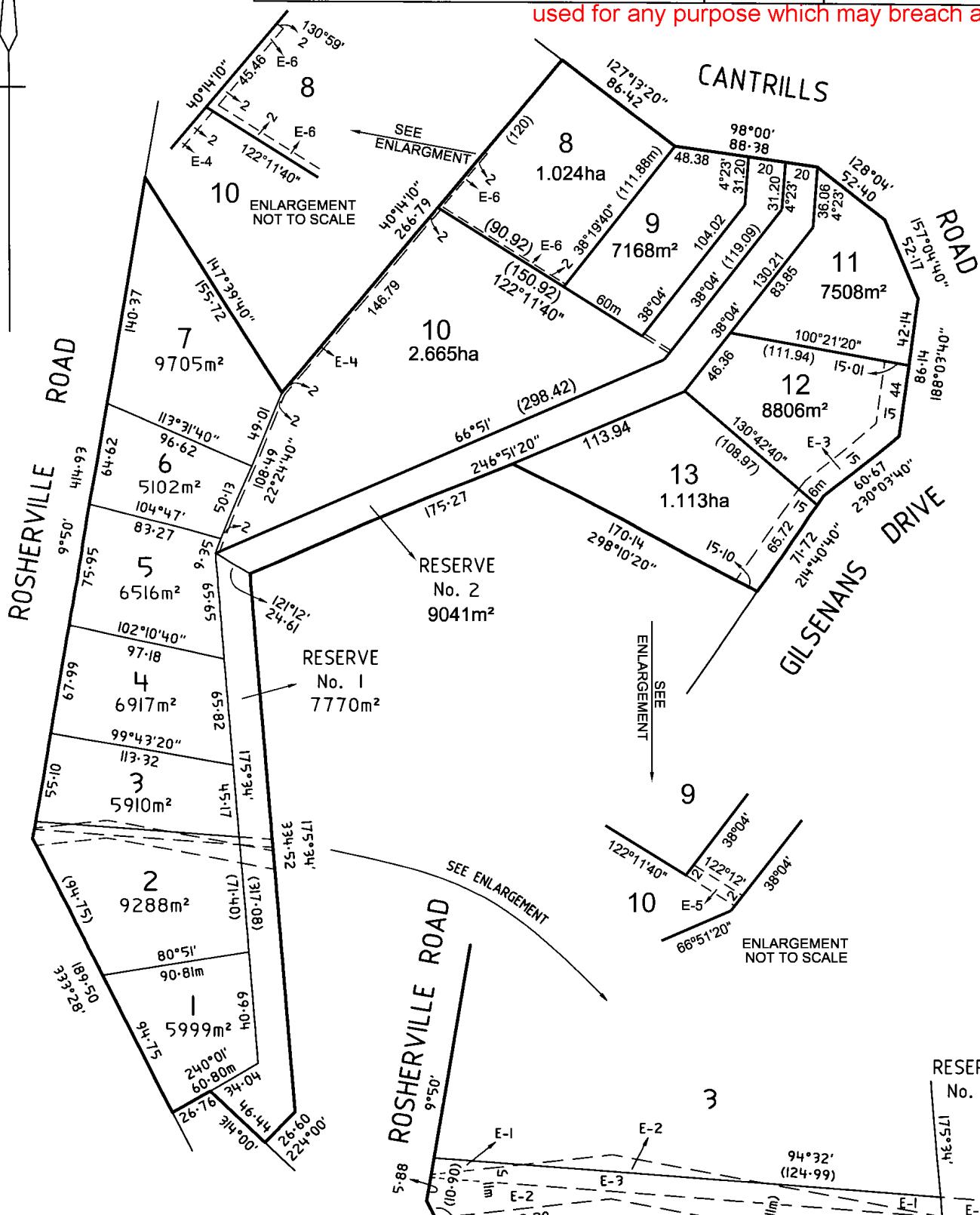
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STAGE NO. PLAN NUMBER  
PS 649974

## PLAN OF SUBDIVISION

MGA94 ZONE 55



Crowther &amp; Sadler Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
152 MACLEOD STREET, BAIRNSDALE, VIC., 3855

TELEPHONE (03) 5162 6011

SCALE OF ENLARGEMENT

1:1000

SHEET 2

*[Signature]*  
DATE: 21/10/2012  
COUNCIL DELEGATE SIGNATURE

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## ADVERTISED

# MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

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# PLAN NUMBER

PS649974L

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.  
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

Printed 5/02/2026

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**Kerry Stow**

**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 9 September 2025 1:14 PM  
**To:** Planning Unit Administration  
**Subject:** Planning Permit application  
**Attachments:** APPENDIX D Bushfire Planning Report.pdf; APPENDIX A Copy of Title.PDF; APPENDIX D Bushfire Management Plan.pdf; APPENDIX B Site Context & Proposed Subdivision Plan.pdf; 25043 Planning Submission .pdf; APPENDIX B Proposed Subdivision Plan.pdf; APPENDIX E Arborist Report.pdf; APPENDIX C Integrated Water Management.pdf; Letter to Council.pdf; APPENDIX A Plan of Subdivision.PDF; Planning\_Permit\_Application\_2025-09-09T13-14-12\_27618180\_0.pdf; attachment\_errors.txt; APPENDIX F Native Vegetation Information Management Report.pdf

### **Planning Permit Application**

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

**Business trading name:** DEVELOPMENT SOLUTIONS VICTORIA PTY LTD

**Email address:** ADMIN@DEVSOLVIC.COM.AU

**Postal address :** 48 BAILEY STREET, BAIRNSDALE VIC 3875

**Preferred phone number:** 0351524858

**Owner's name:** JEFFREY JOHN GRAY AND MARIA CIVITA ARMISTEAD

**Owner's postal address:** 48 BAILEY STREET, BAIRNSDALE VIC 3875

**Street number:** 2

**Street name:** GILSENANS DRIVE

**Town:** METUNG

**Post code:** 3904

**Lot number:** 12

**Plan number:** 649974L

**Other Legal Description:** VOLUME 11606, FOLIO 565

**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

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**Existing conditions :** EXISTING DWELLING AND OUTBUILDING

**Description of proposal :** THREE LOT SUBDIVISION AND VEGETATION LOSS

**Estimated cost of development:** 0

**Has there been a pre-application meeting:** No

**Your reference number:** 25043

**ExtraFile:** 6

**Declaration:** Yes

**Authority Check:** Yes

**Notice Contact Check:** Yes

**Notice check 2:** Yes

**Privacy Statement Acknowledge:** Yes

**2. Supporting information/reports:** [APPENDIX D Bushfire Planning Report.pdf](#), [APPENDIX D Bushfire Management Plan.pdf](#)

**Full copy of Title:** [APPENDIX A Copy of Title.PDF](#), [APPENDIX A Plan of Subdivision.PDF](#)

**Plans:** [APPENDIX B Site Context & Proposed Subdivision Plan.pdf](#), [APPENDIX B Proposed Subdivision Plan.pdf](#)

**Planning report:** [25043 Planning Submission .pdf](#)

**4. Supporting information/reports:** [APPENDIX E Arborist Report.pdf](#)

**1. Supporting information/reports:** [APPENDIX C Integrated Water Management.pdf](#)

**3. Supporting information/reports:** [APPENDIX F Native Vegetation Information Management Report.pdf](#)

**5. Supporting information/reports:** [Letter to Council.pdf](#)

Our Ref: 25043

9<sup>th</sup> February 2025

Andrew Bates  
East Gippsland Shire Council  
Acting Statutory Planning Coordinator  
PO Box 1618  
Bairnsdale Vic 3875

Dear Andrew,

**Re: Application for a Planning Permit  
2 Gilsenans Drive, Metung  
Three Lot Subdivision and Vegetation Loss**

Please find attached an application for planning permit with the following:

- Planning Submission
- Proposed Plan of Subdivision
- Current Copy of Title and Plan of Subdivision
- Integrated Water Management
- Bushfire Management Report
- Arborist Report
- Native Vegetation Information Management Report

Should you require any further information, please do not hesitate to contact our office on 03 5152 4858.

Regards



**Courtney Campbell**  
Development Solutions Victoria

SEP  
20  
25

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The logo for Development Solutions Victoria. It features the word 'DEVELOPMENT' in a large, bold, black sans-serif font, with 'SOLUTIONS' in a slightly smaller font below it. To the left of the text is a stylized graphic of four vertical bars of increasing height from left to right, with the first two being dark grey and the last two being orange.

APPLICATION FOR PLANNING PERMIT

## THREE LOT SUBDIVISION AND VEGETATION LOSS

2 GILSENANS DRIVE, METUNG  
MARIA AND JEFF GRAY  
REF: 25043

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4	Zones and Overlays	13
5	Planning Assessment	22
6	Conclusion	26

## APPENDIX

- A Copy of Title and Plan of Subdivision
- B Proposed Plan of Subdivision
- C Integrated Water Management
- D Bushfire Management Report
- E Arborist Report
- F Native Vegetation Information Management Report

## DOCUMENT REVISION

- 1 Draft Report DAC 05/09/2025
- 2 Final Report CMC 07/09/2025

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2 GLENANS DRIVE, METUNG

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## 1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of Maria and Jeff Gray, the owners of land and the applicants for this planning permit application for a three lot subdivision and vegetation loss at 2 Gilsenans Drive, Metung.

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

A planning permit is required for the proposed subdivision and vegetation loss under the provisions of the Low Density Residential Zone, Bushfire Management Overlay, Design and Development Overlay, Environmental Significance Overlay and the Vegetation Protection Overlay.

The proposed subdivision will create 2 vacant lots that can be developed with a dwelling in the future.

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

<b>Address</b>	2 Gilsenans Drive, Metung
<b>Site Description</b>	Lot 12 on Plan of Subdivision 649974L
<b>Title Particulars</b>	Vol 11606 Fol 565
<b>Site Area</b>	8,806m <sup>2</sup>
<b>Proposal</b>	Three Lot Subdivision and Vegetation Loss
<b>Planning Scheme</b>	East Gippsland Planning Scheme
<b>Zone</b>	Low Density Residential Zone
<b>Overlays</b>	Bushfire Management Overlay Design and Development Overlay – Schedule 11 Environmental Significance Overlay – Schedule 1-57 Vegetation Protection Overlay – Schedule 3
<b>Aboriginal Cultural Heritage</b>	Not identified as an area of Cultural Heritage Sensitivity
<b>Permit Triggers</b>	Clause 32.03-3 Low Density Residential Zone – Subdivision Clause 44.06-2 Bushfire Management Overlay – Subdivision Clause 43.02-3 Design and Development Overlay – Subdivision Clause 42.01-2 Environmental Significance Overlay – Subdivision Clause 42.02-2 Vegetation Protection Overlay – Permit requirement Clause 52.02 – Easements Restrictions and Reserves
<b>Notice</b>	Exemption available at Clause 44.06-7
<b>Referrals</b>	Clause 66.01, SP Ausnet, East Gippsland Water, DEECA and Country Fire Authority
<b>Planning Scheme requirements</b>	Municipal Planning Strategy – Clause 02 Settlement – Costal Settlement – Clause 02.03-1 Environmental and landscape values – Clause 02.03-2 Environmental risks and amenity – Clause 02.03-3 Built environment and heritage – Clause 02.03-5 Planning Policy Framework – Clause 10 Settlement – Clause 11 Environmental and landscape values – Clause 12 Environmental risks and amenity – Clause 13 Built environment and heritage – Clause 15 Low Density Residential Zone – Clause 32.03 Bushfire Management Overlay – Clause Design and Development Overlay – Clause 43.02 Environmental Significance Overlay – Clause 42.01 Vegetation Protection Overlay – Clause 42.02 Easements, Restrictions and Reserves – Clause 52.02 Decision Guidelines – Clause 56.07 Decision Guidelines – Clause 65.01 Decision Guidelines – Clause 65.02

## 2. SITE CONTEXT

### Site

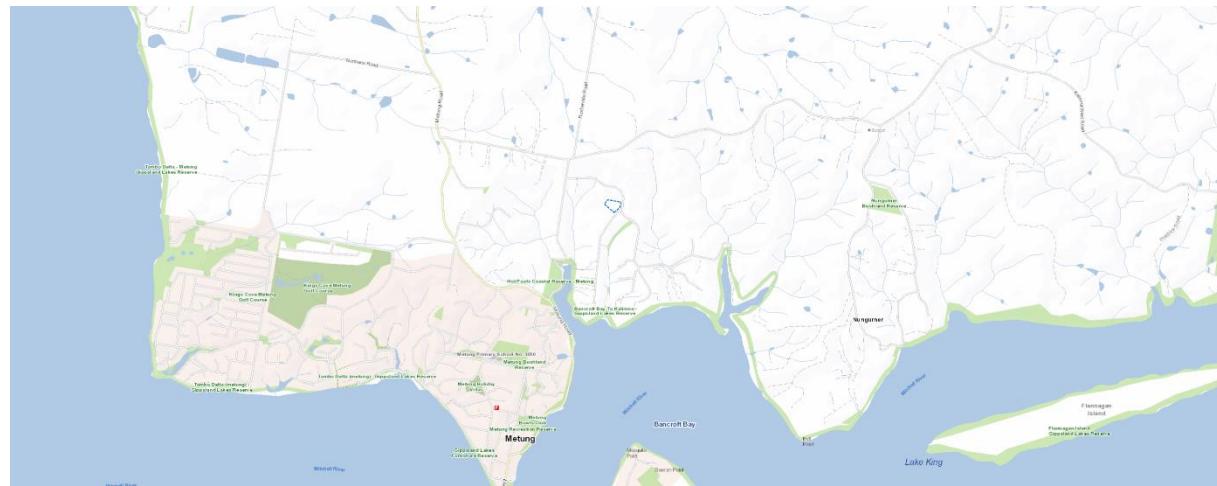
The subject site is located at 2 Gilsenans Drive, Metung. A copy of the Title and Plan of Subdivision is contained in **Appendix A**. The title is not affected by any restrictive covenants or agreements. There is an existing electricity easement extending along the eastern and southeastern boundaries.

The subject site is an irregular shaped allotment with a total area of approximately 8,806m<sup>2</sup> and contains an existing dwelling and outbuilding. The site is undulating in nature, contains landscaped gardens and scattered vegetation throughout.

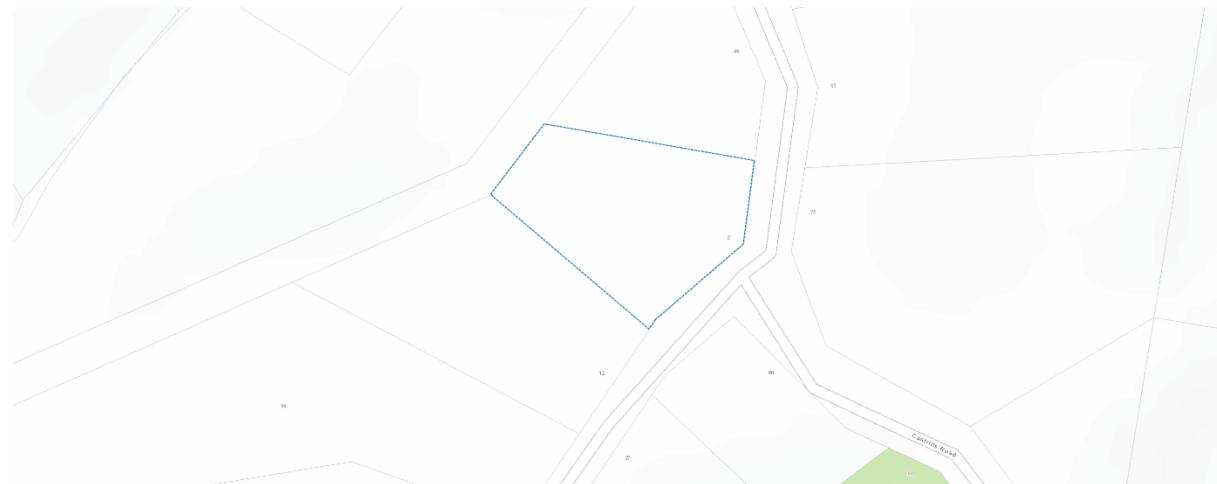
Access to the site is existing via a gravel crossover directly from Gilsenans Drive along the eastern boundary. Gilsenans Drive is a bitumen sealed road with grassed shoulders traversing in a north to south direction.

Details of the site are depicted in the photographs provided below.

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



**Figure 1 – Locality Plan –2 Gilsenans Drive, Metung (source: mapshare.vic.gov.au)**



**Figure 2 – Locality Plan – 2 Gilsenans Drive, Metung (source: mapshare.vic.gov.au)**

## Surrounds

The land surrounding the site comprises predominantly residential development.

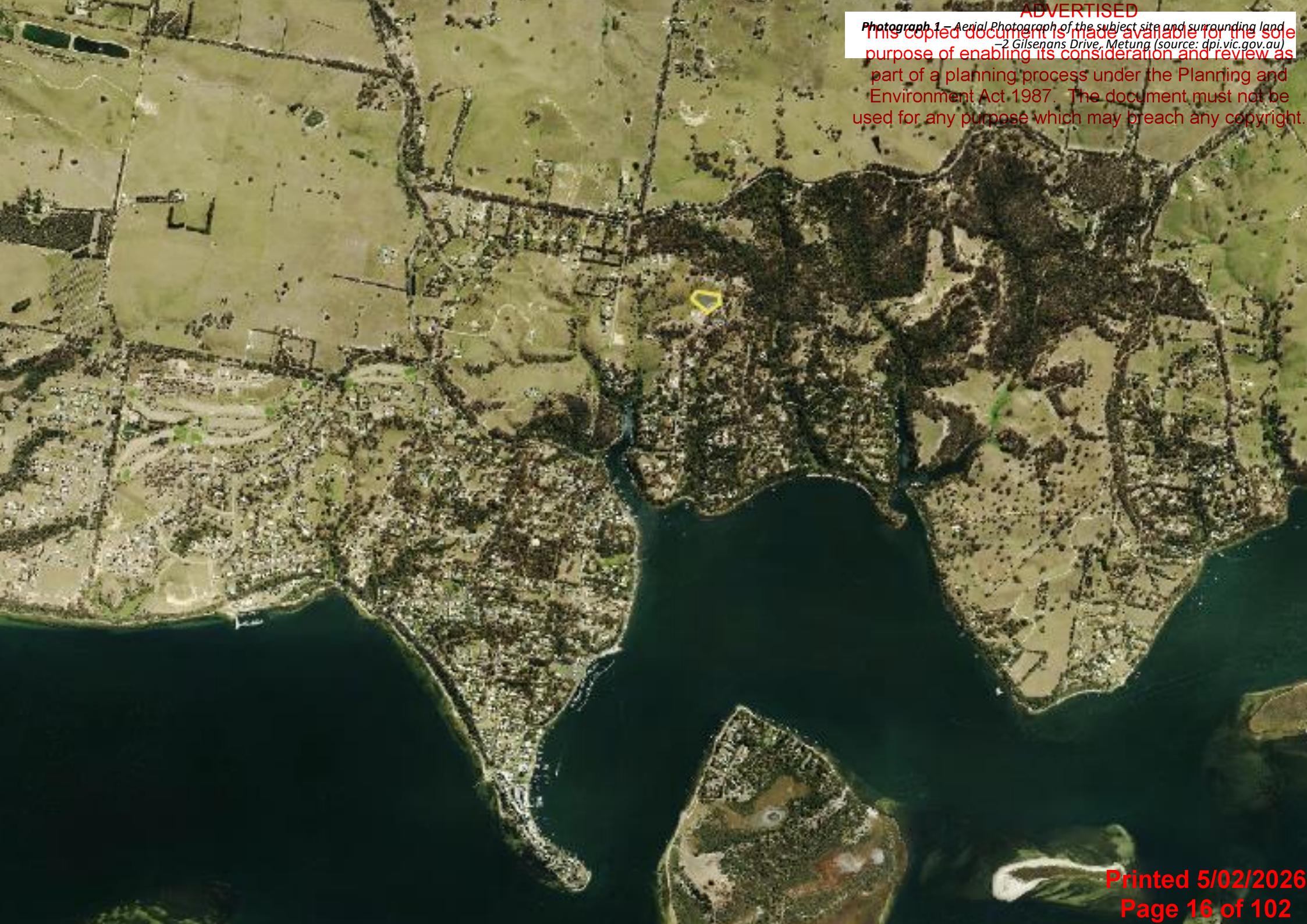
Adjoining the northern boundary of the subject site is land containing an existing dwelling and outbuilding. Adjoining the eastern boundary is Cantrills Road and further residential development. Adjoining the southern portion of the eastern boundary is Gilsenans Drive and further residential development. Adjoining the southern boundary is land containing an existing dwelling and associated facilities. Adjoining the western boundary is a reserve.

The site is located approximately 3.6 kilometres northeast of Metung and 28 kilometres southeast of the central business district of Bairnsdale.

Metung is a small village located on the Gippsland Lakes, centrally between Bairnsdale and Lakes Entrance. Metung is a significant fishing village with a focus on tourism and water sports. Metung has a suitable level of community and commercial services and facilities to support the existing residential component.

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





**ADVERTISED**  
*Photograph 1 – Aerial Photograph of the subject site and surrounding land*  
–2 Gilsenans Drive, Metung (source: dpi.vic.gov.au)  
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**Photograph 2** – Subject site at 2 Gilsenans Drive, Metung.



**Photograph 4** – Northern portion of the subject site and access to proposed Lots 2 & 3 from Cantrills Road.



**Photograph 6** – Proposed Lot 1 facing northeast showing existing outbuilding.



**Photograph 3** – Existing gravel driveway access to Lot 1 at subject site.



**Photograph 5** – Existing dwelling on proposed Lot 1 of the subject site facing northwest.



**Photograph 7** – Proposed Lot 1 facing northeast.



**Photograph 8** – Proposed Lot 1 facing east.



**Photograph 10** – Proposed Lot 2 facing west.



**Photograph 12** – Proposed Lot 3 facing east.



**Photograph 9** – Proposed Lot 1 facing west.



**Photograph 11** – Proposed Lot 2 facing northwest.



**Photograph 13** – Proposed Lot 3 facing north along the northern boundary.



**Photograph 14** – Neighbouring property along the southern boundary at 12 Gilsenans Drive, Metung.



**Photograph 16** – Property opposite the subject site at 80 Cantrills Road, Metung.



**Photograph 18** – Gilsenans Drive facing south.



**Photograph 15** – Neighbouring property adjoining the northern boundary at 48 Cantrills Road, Metung.



**Photograph 17** – Gilsenans Drive facing north.



**Photograph 19** – Intersection of Gilsenans Drive and Cantrills Road.

### 3. THE PROPOSAL

This application seeks approval for the subdivision of the land into three lots and vegetation loss under the provisions of the Low Density Residential Zone, Bushfire Management Overlay, Design and Development Overlay, Environmental Significance Overlay and the Vegetation Protection Overlay. A proposed plan of subdivision is provided in **Appendix B**.

#### Lot 1

The proposed Lot 1 will be irregular in shape and will be approximately 4,074m<sup>2</sup> in area. This lot comprises the southern portion of the site and will contain the existing dwelling and outbuilding.

Access to this lot is existing via a gravel crossover and driveway along the southeastern boundary, directly from Gilsenans Drive which will remain unchanged.

#### Lot 2

The proposed Lot 2 will be a battle axe shaped allotment and will be approximately 2,000m<sup>2</sup>. This lot will comprise the northwestern portion of the site and will be vacant land. This lot will contain the proposed carriageway, powerline

and water supply easements in the eastern portion of the site.

Access is addressed below.

#### Lot 3

The proposed Lot 3 will be irregular in shape and will be approximately 2,732m<sup>2</sup> in area. This lot will comprise the northern portion of the site and will be vacant land. This lot will contain an existing powerline and water supply easement along the eastern boundary.

Access for Lot 2 and 3 will be provided via a shared crossover along the eastern boundary directly from Cantrills Road as identified on the proposed plan of subdivision. The carriageway easement will be in favour of Lot 3. The purpose of the easement is to minimise vegetation loss within the road reserve.

#### Services

The subject site has access to an appropriate level of services including reticulated water, sewerage, electricity, telecommunications, drainage and a good quality road network. Each of the proposed allotments will be connected to all available services.

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

Some minor earthworks will be required for the provision of services and the construction of a crossover that will provide access to the proposed carriageway easement facilitating access to the proposed Lots 2 and 3.

There is no vegetation on the subject site that requires removal however, there is one tree identified as tree 7 within the road reserve that will be impacted by the proposed access. The encroachment on the root protection zone will be greater than 10% and as such is presumed lost. An arborist report is contained in **Appendix E** which provides a summary of the existing vegetation, including individual identification and health status.

A Native Vegetation Information Management Report is contained in **Appendix F** which provides the owner will be required to purchase an offset to the value of 0.008 General Habitat Units.

A works on a road reserve permit will be applied for prior to any works occurring.

The proposed subdivision can achieve a BAL 29 rating. A Bushfire Management Report is contained in **Appendix D**.

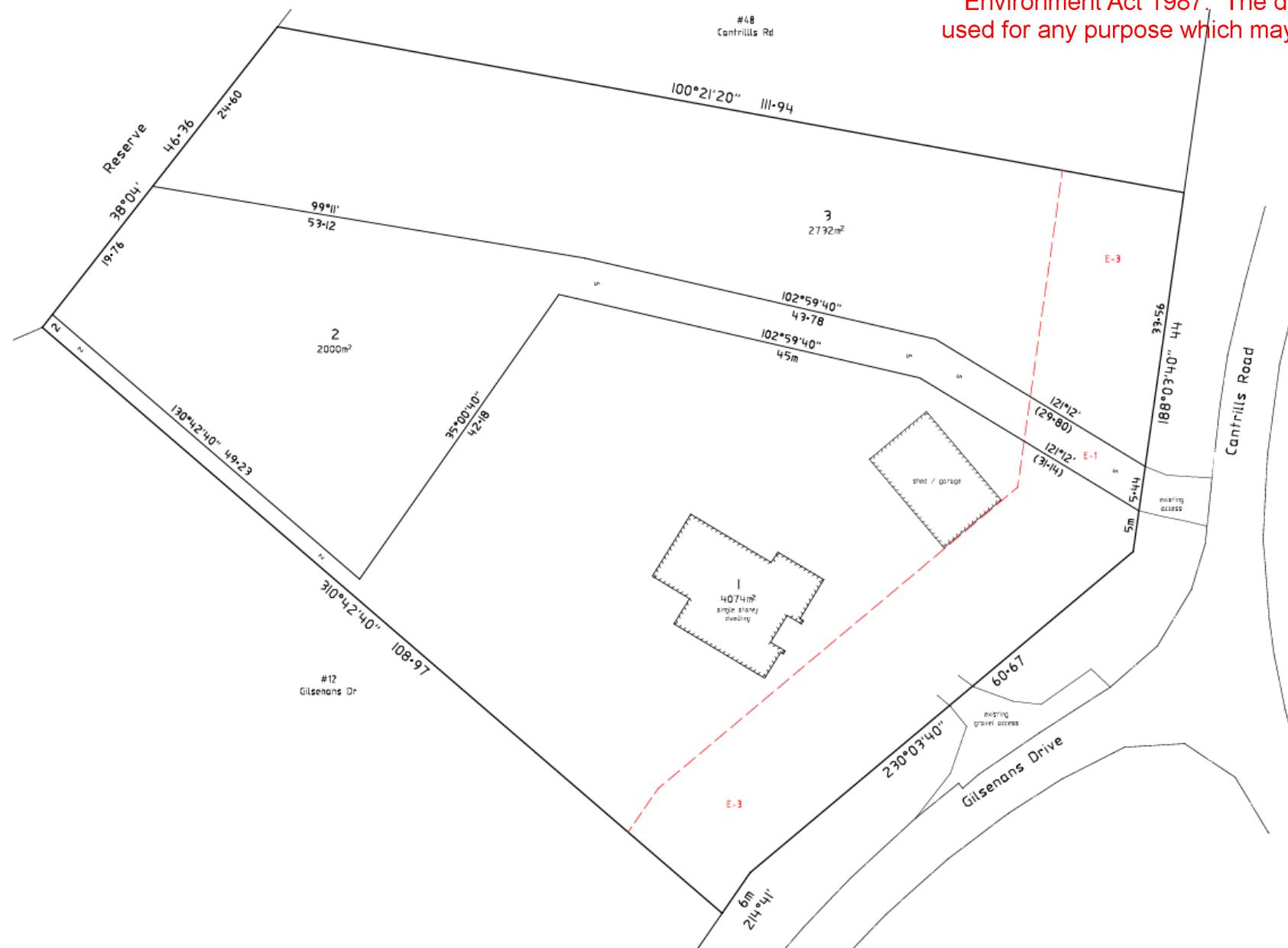


Figure 3 – Proposed Subdivision Plan – One Plan

## 4. ZONES AND OVERLAYS

### Low Density Residential Zone

The purpose of the Low-Density Residential Zone is:

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

An extract of the Low-Density Residential Zone Map is provided in **Figure 4**.

Clause 32.03-3 provides a permit is required to subdivide land. Each lot must be at least 0.2 of a hectare as there is reticulated sewerage available. The proposed lots will all exceed 0.2 hectare.

The relevant decision guidelines of the Low-Density Residential Zone are addressed in Section 5 of this submission.

The relevant provisions of Clause 56.07-1 to 56.07-4 Integrated Water Management are addressed in **Appendix C**.

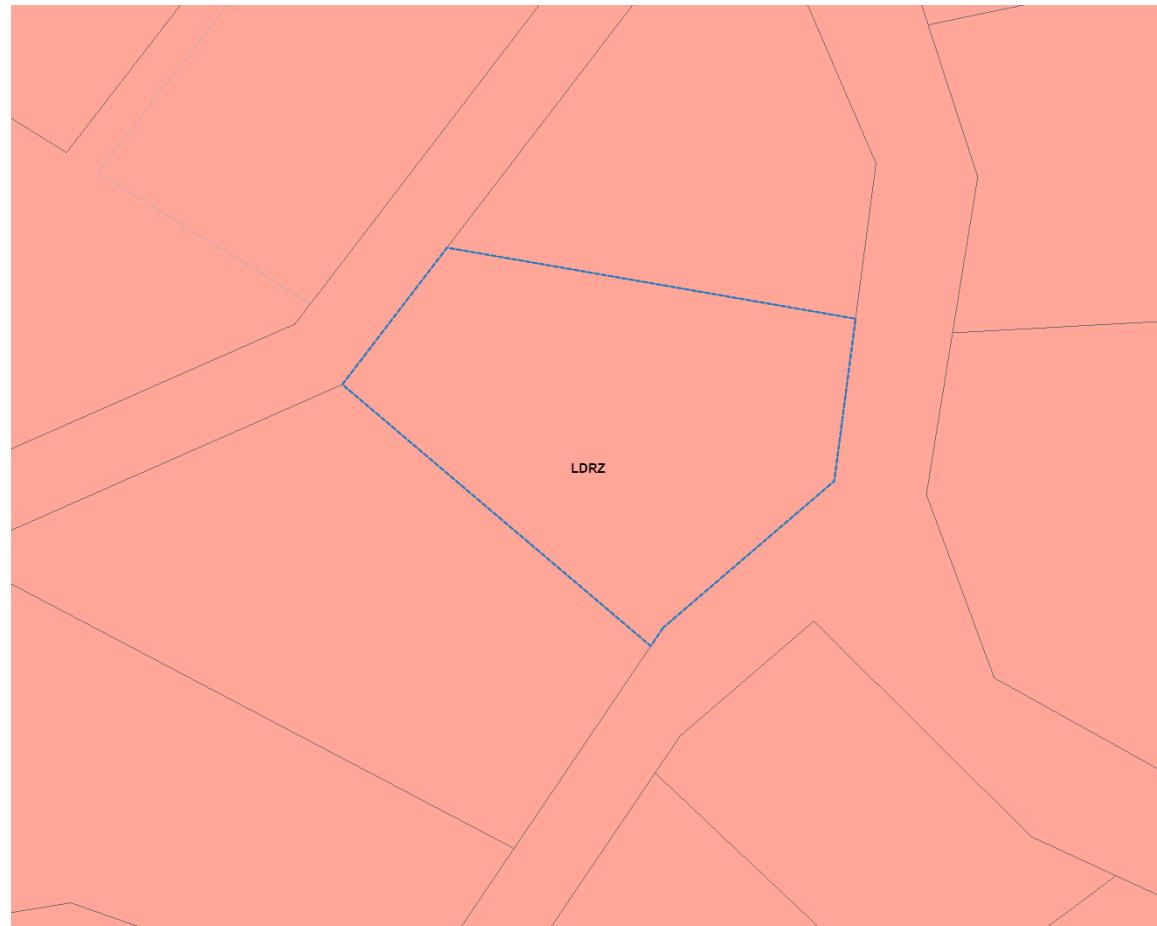


Figure 4 – Zoning Map – (source - mapshare.vic.gov.au)

## 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 5**.

Clause 44.06-2 provides a permit is required to subdivide land.

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 subdivision will require planning approval under the provisions of the Bushfire Management Overlay and Clause 53.02 and as such the relevant decision guidelines are addressed below in Section 5.

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

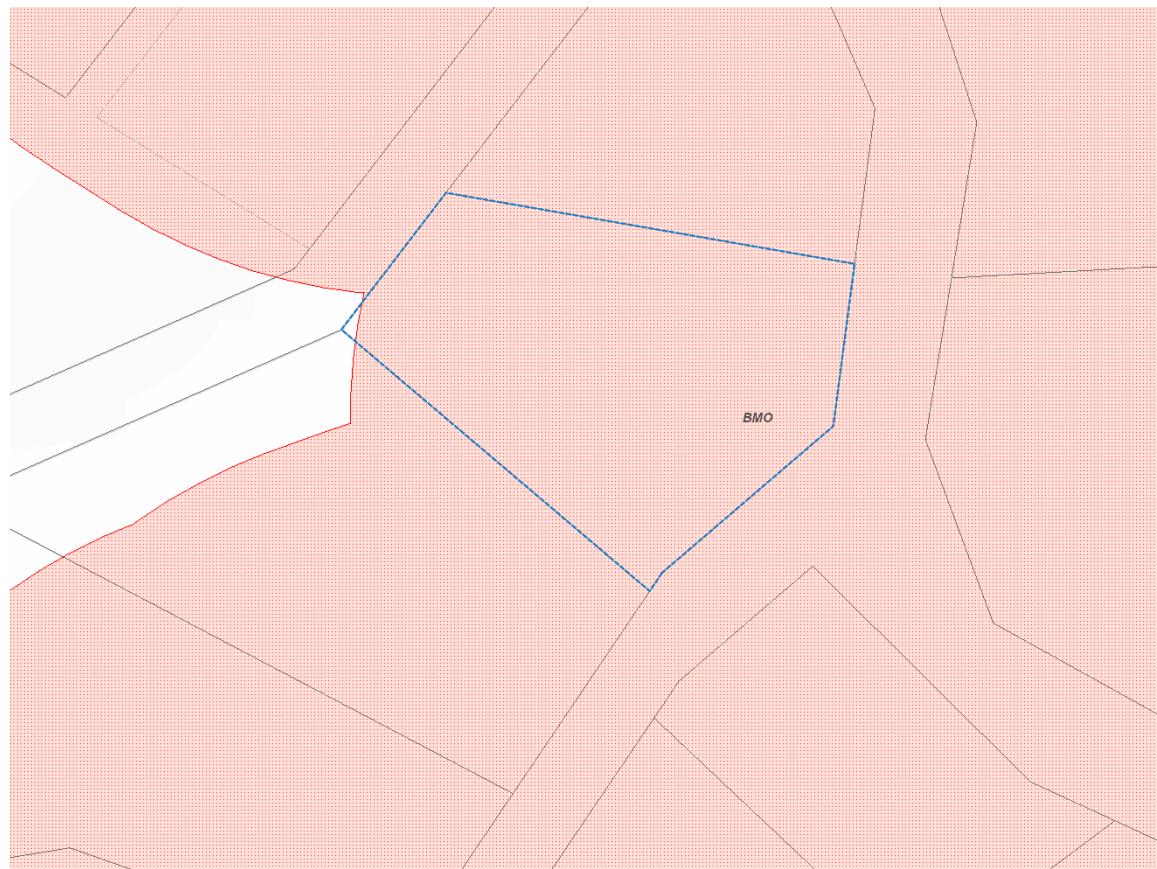


Figure 5 – Bushfire Management Overlay – (source - mapshare.vic.gov.au)

## 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 6**.

Clause 43.02-3 – Provides a permit is required to subdivide land.

The decision guidelines of Clause 43.02-6 and the schedule are addressed in Section 5 of this submission.



Figure 6 – Design and Development Overlay – (source - mapshare.vic.gov.au)

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## Design and Development Overlay – Schedule 11 continued:

The design objectives of the Schedule include:

- *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)*

## Environmental Significance Overlay – Schedule 1-57

The purpose of the Environmental Significance Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

An extract of the Environmental Significance Overlay Map is provided in **Figure 7**.

Schedule 1 of the Environmental Significance Overlay provides the following statement of environmental significance:

*“The overlay areas comprise Sites of Biological Significance containing specific values as listed in Table 1 below and representing either: rare or threatened species; restricted, rare or threatened vegetation communities; vegetation which is important as a corridor; high species richness; or other unusual biological features. The sites include suitable habitat for either the local population or the local occurrence of a species or community.”*

The environmental objective to be achieved is:

*“To ensure that development occurs so as not to adversely impact upon the environmental values of the site or any other value that may be identified within the overlay area. To conserve and enhance the environmental sustainability and ecological integrity of these values.”*

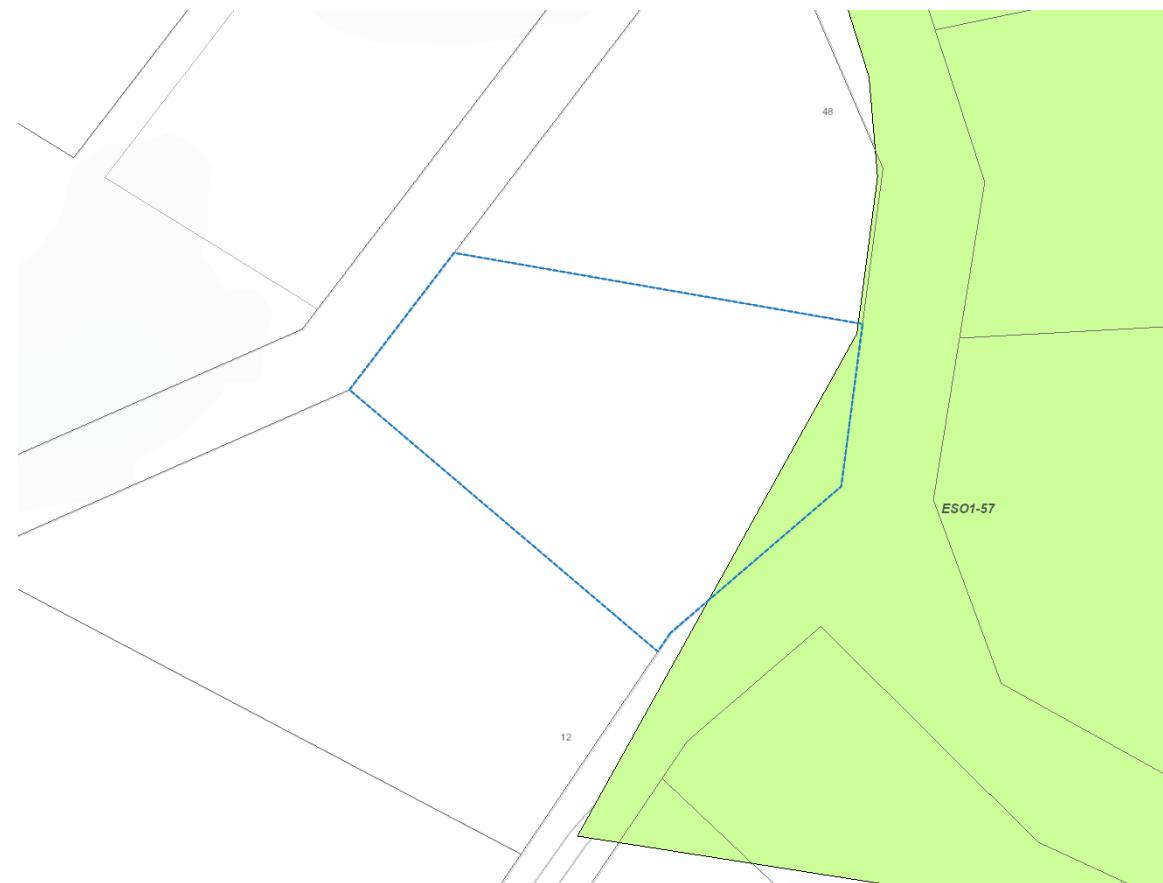


Figure 7 – Environmental Significance Overlay – (source - mapshare.vic.gov.au)

## Environmental Significance Overlay – Schedule 1-57 continued

Schedule 1-57 specifically relates to Nungurner Road and the protection of the White-bellied Sea eagle and Limestone Box Forest as shown in the extract to the right in **Figure 8**.

It is noted that a small area in the eastern most portion of the site is affected by the overlay in addition to the road reserve.

PS Map Ref	Site Ref No.	Site Name	Statement of Environmental Significance	Management Practices
ESO1-57	16A01178	Nungurner Road	White-bellied Sea-eagle ( <i>Haliaeetus leucogaster</i> ) Limestone Box Forest	Encourage landholders to exclude stock by fencing vegetation remnants.  Develop and encourage application of an appropriate weed control program and fire regimes.  Location of White-bellied Sea-eagle nests are to remain confidential.  Encourage landholder not to disturb site whilst breeding is occurring and be involved in monitoring and protecting site.

Figure 8 – Environmental Significance Overlay Schedule 1-57– (source - [mapshare.vic.gov.au](http://mapshare.vic.gov.au))

### Vegetation Protection Overlay – Schedule 3

The purpose of the Vegetation Protection Overlay is:

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

An extract of the Vegetation Protection Overlay Map is provided in **Figure 9**.

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

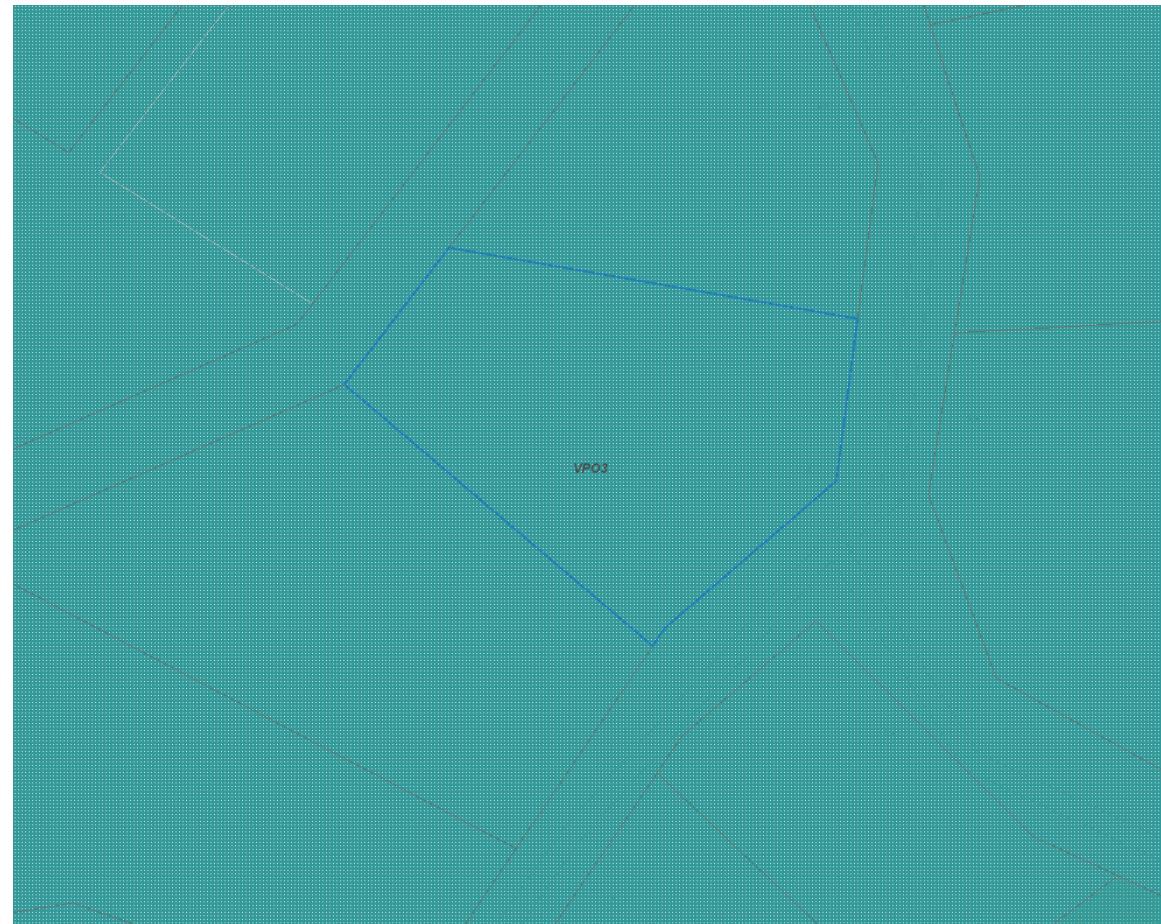


Figure 9 – Vegetation Protection Overlay – (source - mapshare.vic.gov.au)

### Vegetation Protection Overlay – Schedule 3 continued:

Statement of nature and significance of vegetation to be protected.

- *The Nungurner-Metung area is located on the shores of the Gippsland Lakes and comprises large areas of remnant native vegetation and tree-lined roadsides. Much of the area constitutes a Site of Biological Significance, whilst significant areas of native vegetation are also located within the built-up areas.*
- *Vegetation contributes significantly towards aesthetic values of the area and provides for a unique character in a lakeshore setting, resulting in a highly attractive area to both local residents and visitors.*
- *Remnant native vegetation throughout the area, including important examples of coastal vegetation, Gippsland Coastal Grey Box and Box - Ironbark communities, is of high conservation value and provides important fauna habitat.*
- *Remnant native vegetation plays an important role in stabilising the often highly erodible dissected gullies characteristic of the area.*

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

Vegetation protection objectives to be achieved include:

*The Nungurner-Metung Vegetation Protection Overlay seeks to conserve high conservation value vegetation and vegetation with high aesthetic and landscape value.*

The overlay objective is to ensure that development occurs so as:

- *To conserve areas of high conservation value vegetation by minimising the extent of vegetation loss.*
- *To preserve existing trees and other vegetation where it contributes to high landscape and aesthetic values of the area.*
- *To conserve and enhance fauna habitat and habitat corridors by minimising the extent of vegetation loss and encouraging regeneration of indigenous species.*
- *To reduce the risk of soil erosion and degradation of water quality by minimising the extent of vegetation loss.*

## Aboriginal Cultural Heritage

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

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

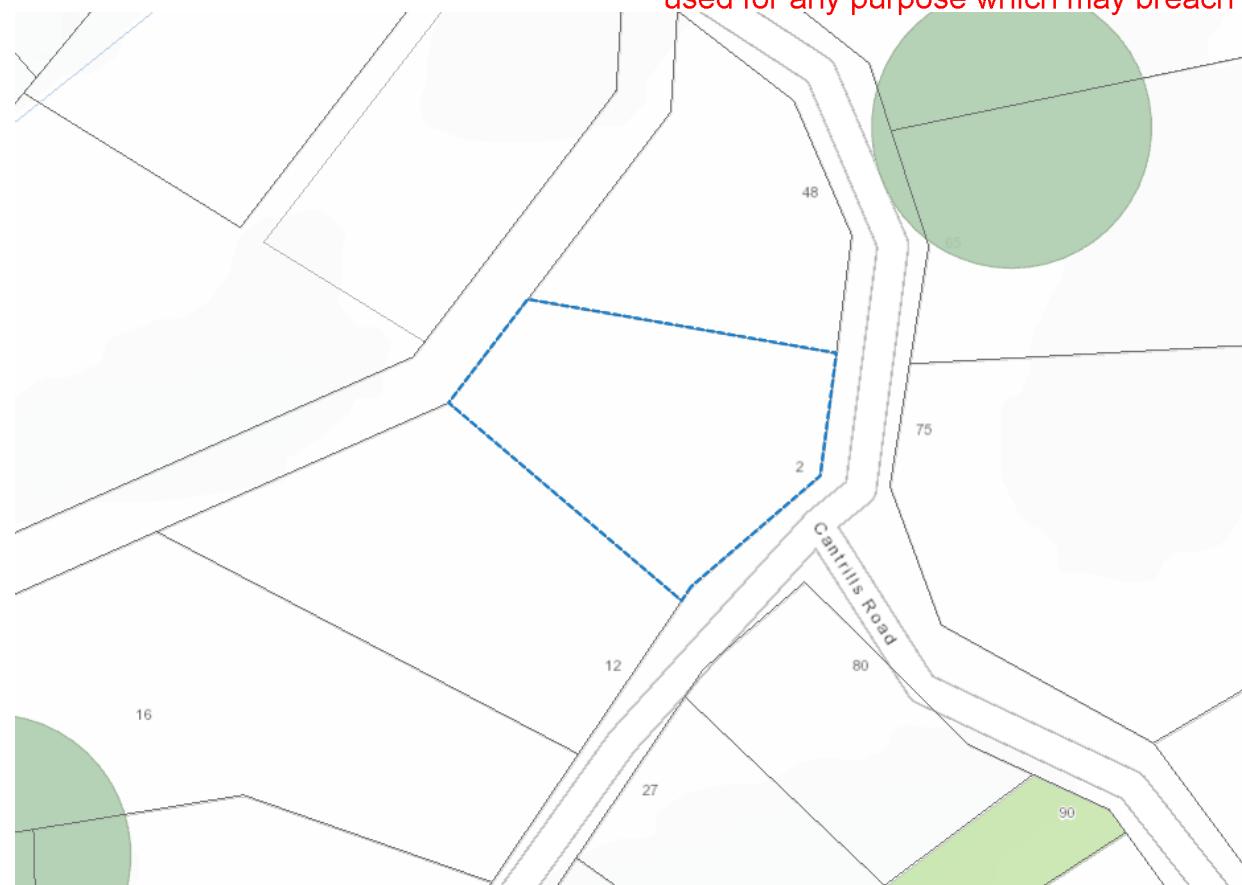


Figure 10 – Aboriginal Cultural Heritage Overlay – (source - mapshare.vic.gov.au)

## 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 subdivision and vegetation loss 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 two additional vacant parcels of land that can be developed in the future with a residential dwelling that can be respectful of the existing surrounding development and the environment.
- The proposal will contribute to a high standard of environmental sustainability, urban design and amenity by designing the lot layout to meet the constraints of the land reducing any potential negative environmental implications as sought to achieve by the relevant clauses including **Clause 02.03** and **Clause 11**.
- **Clause 02.03-1** identifies Metung as a coastal settlement. Metung is a key destination for visitors to the Gippsland Lakes system and a significant boating hub with a strong residential community.
- The proposed subdivision will result in two vacant allotments that can adequately

accommodate a residential dwelling in the future. The subject site is currently connected to all available services and the proposed vacant lots being created will be connected to all available services and infrastructure including reticulated water, sewerage, electricity, telecommunications and a good quality road network.

- The proposal meets the objectives of **Clause 16** by providing two additional vacant allotments that can be developed with a dwelling in the future which in turn will support housing for the area. **Clause 16.01-2S** recognises the need to ensure land supply is sufficient to meet demand. The proposed subdivision will create two additional vacant lots within an existing low density residential area of Metung.
- The proposal is consistent with the decision guidelines of the Low Density Residential Zone at **Clause 32.08-12** which seeks to accommodate low-density residential development on lots capable of treating and retaining all wastewater in the absence of reticulated sewerage.
- The subject site and proposed vacant lots have access to a reticulated sewerage connection.
- The proposed subdivision creates two additional vacant allotments that can be developed in the future with a residential

- The proposed subdivision has been designed to be site responsive including avoiding and minimising vegetation removal where possible. Access will be provided to each allotment. Lot 1 has existing access which will remain and the proposed Lot 2 and 3 will be provided by a shared crossover and a carriageway easement.
- **Schedule 11** to the Design and Development Overlay refers to residential development in coastal settlements – Metung. The design objectives of the schedule are outlined in Section 4 of this submission which seek to protect the vegetated character of the area and to ensure that development is suitably integrated with the landscape.
- The proposed subdivision will result in two vacant allotments being created that can be developed with a residential dwelling in the future. The size of the proposed allotments ensures suitable area for future development to incorporate water sensitive urban design principles and landscaping.
- The proposal is generally consistent with the decision guidelines of the Environmental Significance Overlay at **Clause 42.01-5** which seeks to identify areas

defendable space, install a 10,000 litre water tank dedicated for CFA use and provide appropriate access to any dwelling and water supply that is constructed to meet the requirements for emergency service vehicles. All approved bushfire protection measures have been incorporated into the proposal. Building envelopes are identified within the Bushfire Management Report. **Clause 44.06-4** provides the application must meet the requirements of **Clause 53.02**. All of the approved measures set out in Clause 53.02-4 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 subdivision will result in two vacant allotments being created that can be developed with residential dwellings in the future. Any future dwelling constructed will need to comply with the Design and Development Overlay requirements, including height restrictions, ensuring that there is no negative impact on the area's amenity or neighbourhood character. The

area does contain dwellings of various styles, setbacks and heights.

- The proposed subdivision has been designed to be site responsive including avoiding and minimising vegetation removal where possible. Access will be provided to each allotment. Lot 1 has existing access which will remain and the proposed Lot 2 and 3 will be provided by a shared crossover and a carriageway easement.
- **Schedule 11** to the Design and Development Overlay refers to residential development in coastal settlements – Metung. The design objectives of the schedule are outlined in Section 4 of this submission which seek to protect the vegetated character of the area and to ensure that development is suitably integrated with the landscape.
- The proposed subdivision will result in two vacant allotments being created that can be developed with a residential dwelling in the future. The size of the proposed allotments ensures suitable area for future development to incorporate water sensitive urban design principles and landscaping.
- The proposal is generally consistent with the decision guidelines of the Environmental Significance Overlay at **Clause 42.01-5** which seeks to identify areas

considered an appropriate response particularly given the bushfire hazards associated with the site.

- The proposal is generally consistent with the decision guidelines of the Vegetation Protection Overlay at **Clause 42.02** and Native Vegetation at **Clause 52.17** which both seek to protect significant vegetation, minimise its loss during development, and preserve existing trees and plant life. The objectives recognise vegetation protection areas as places of special significance and natural beauty, emphasise the importance of maintaining and enhancing habitats for indigenous fauna, and encourage the regeneration of native vegetation.
- As the proposed subdivision will result in the presumed loss of one tree within the road reserve, a Native Vegetation Removal Report is contained in **Appendix F** that concludes an offset will be required to the value of 0.008 General Habitat Units.
- **Schedule 3** of the Vegetation Protection Overlay refers to Nungurner - Metung Vegetation Protection Area. The statement of nature and significance of vegetation to be protected and vegetation protection objectives to be achieved are contained in Section 4.
- The proposed subdivision has been designed to firstly avoid the removal of

vegetation. It is not considered possible to undertake any development on the site without potential impact to the roadside vegetation. The subdivision has been designed to ensure the minimal impact possible by having the proposed Lots 2 and 3 share a single point of access to the road reserve. Additionally, the Arborist Report confirms that this point of access is unlikely to result in the removal of the tree, however given the impact is 10 percent, it is considered consequential loss and as such an offset provided.

- This submission has addressed the decision guidelines of **Clause 52.02** easements, restrictions and reserves which provides a permit is required to create an easement under Section 24A of the *Subdivision Act 1988*. The purpose of the proposed carriageway easement is to enable a shared access point without widening the proposed crossover which would inevitably result in further vegetation loss. The proposed easement would be in favour of proposed Lot 3 and is identified on the proposed plan of subdivision.
- This submission has addressed the decision guidelines of **Clause 65.01** and the proposed subdivision supports orderly planning of the area whilst taking into consideration the potential effect on the

---

- The proposed subdivision will support residential development in an appropriate location with minimal negative impact on the natural environmental qualities of the area. The subject site is currently connected to all available services and the proposed vacant lots being created will be connected to these.

## 6. CONCLUSION

This submission is in support of a planning permit application for a three lot subdivision and vegetation loss at 2 Gilsenans Drive, Metung.

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

- The proposal is consistent with the objectives and strategies outlined in the Municipal Planning Strategy and the Planning Policy Framework.
- The proposal is consistent with the objectives of the Low Density Residential Zone, Bushfire Management Overlay, Environmental Significance Overlay and the Vegetation Protection Overlay.
- The proposed subdivision will provide two new vacant allotments that can be developed with a residential dwelling in the future.
- The design of the subdivision is site responsive and consistent with the surrounding lot layout.

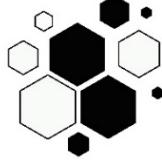
It is requested that a planning permit be granted for this subdivision.

**Development Solutions Victoria**

### Disclaimer:

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## **Euca Planning**

Bushfire Specialists



# **Bushfire Planning Report Version 1.0**

Including Bushfire Management Statement

Lot 12 PS649974

2 Gilsenans Drive Metung 3904

Traditionally the land of Gunaikurnai People

June 30th, 2025

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**Euca Planning Pty Ltd**

PO Box 570, Warragul 3820.

Phone: 0418 597 662 Email: [info@eucaplanning.com.au](mailto:info@eucaplanning.com.au)

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.

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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](http://www.cfa.vic.gov.au) or through your local CFA Regional office.

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## Version Control

	Name	Date Completed	Comments
<b>Field Assessment</b>	Olivia Zagami	25 June 2025	
<b>Mapping</b>	Deanne Smith	30 June 2025	
<b>Initiate report</b>	Deanne Smith	30 June 2025	
<b>Draft report</b>	Deanne Smith	30 June 2025	
<b>Final</b>	Deanne Smith	30 June 2025	

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## Executive Summary

This report has been prepared to accompany a planning permit application for a three-lot subdivision at 2 Gilsenans Drive Metung. 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 proposed three lot subdivision at 2 Gilsenans Drive Metung. The site is within the Low Density Residential Zone (LDRZ) and is a subdivision so requires a Pathway 2 application to meet the objectives and approval measures of Clause 53.02 of the East Gippsland Planning Scheme. As such a Pathway 2 style response has been adopted for this report.

This report includes the following components:

- An **Assessment against Clause 13.02-1S** of the East Gippsland Planning Scheme.
- A **Bushfire Hazard Landscape Assessment** that considers the landscape risk and whether the Clause 53.02 modelled fire assumptions are adequate.
- A **Bushfire Hazard Site Assessment** considering localised hazards, defendable space and the bushfire attack level.
- A **Bushfire Management Statement** that outlines the design response to the relevant approval measures in Clause 53.02 from the East Gippsland Planning Scheme.
- A **Bushfire Management Plan** that spatially represents the bushfire mitigation measures.

The development site is in Metung, a coastal town. The site is located near other established dwellings, and currently developed with one dwelling and outbuilding on the proposed Lot 1. The land is accessed by a public road, Gilsenans Drive which runs the eastern perimeter. The proposed development is surrounded by forest to the north, woodland to the east and west, grassland and low threat vegetation to the south.

The Bushfire Management Statement demonstrates that the defendable space objectives can be met for Column C of Table 2 to Clause 53.02-5 with the entire of lot 2 and 3 managed as defendable space. Access will be provided for all new lots. Water supply is not required to be provided until such time as a new dwelling is built.

Due to the bark hazard of the woodland and forest, the proposed development is expected to be affected by moderate ember attack in the event of a bushfire, and radiant heat due to the proximity to the vegetation. A BAL of 29 is deemed appropriate considering the distance from the unmanaged vegetation.

The site can meet the approval measures within clause 53.02 for Column C separation, a BAL of 29, based on an FFDI of 100 and a flame temperature of 1090K.

## 1.0 Introduction

This Bushfire Management Statement (BMS) has been prepared to enable the applicants 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 Planning (known from this point on as Clause 53.02).

The statement contains three components:

- 1 An **assessment against Clause 13.02-1S** of the East Gippsland Planning Scheme.
- 2 A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site.
- 3 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.
- 4 A **bushfire management statement** describing how the proposed development responds to the requirements of Clause 44.06 and 53.02.
- 5 A **bushfire management plan** that details the bushfire mitigation measures.

### 1.1 Application Details

Municipality	East Gippsland
Title Description	Lot 12 PS649974
Overlays	Bushfire Management Overlay (BMO) Design and Development Overlay – Schedule 11 (DDO11) Environmental Significance Overlay – Schedule 1-57 (ESO1-57) Vegetation Protection Overlay – Schedule 3 (VPO3)
Zoning	Low Density Residential Zone (LDRZ)

### 1.2 Site Description

Site shape	Irregular
Site area	The property has a road frontage to Cantrills Road of approximately 116 metres, and a property depth of approximately 111 metres.
Site Dimensions	Approximately 8806 m <sup>2</sup> Lot 1 4035m <sup>2</sup> / Lot 2 2008m <sup>2</sup> / Lot 3 2763m <sup>2</sup>
Existing use and siting of buildings and works on and near the land	Existing dwelling and shed Subdivision application for 48 Cantrills Road being lodged
Existing vehicle arrangements	From Gilsenans Drive
Nearest fire hydrant	Not applicable but exist in Gilsenans Drive
Private bushfire shelter	Not proposed
Any other site features relevant to bushfire risk	Designated bushfire prone area. Presence of forest and woodland in the immediate area, scattered through low density residential density and broader landscape. Area of Metung has significant vegetation with existing dwellings and outbuilding on larger lots.

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### 1.3 Site Location

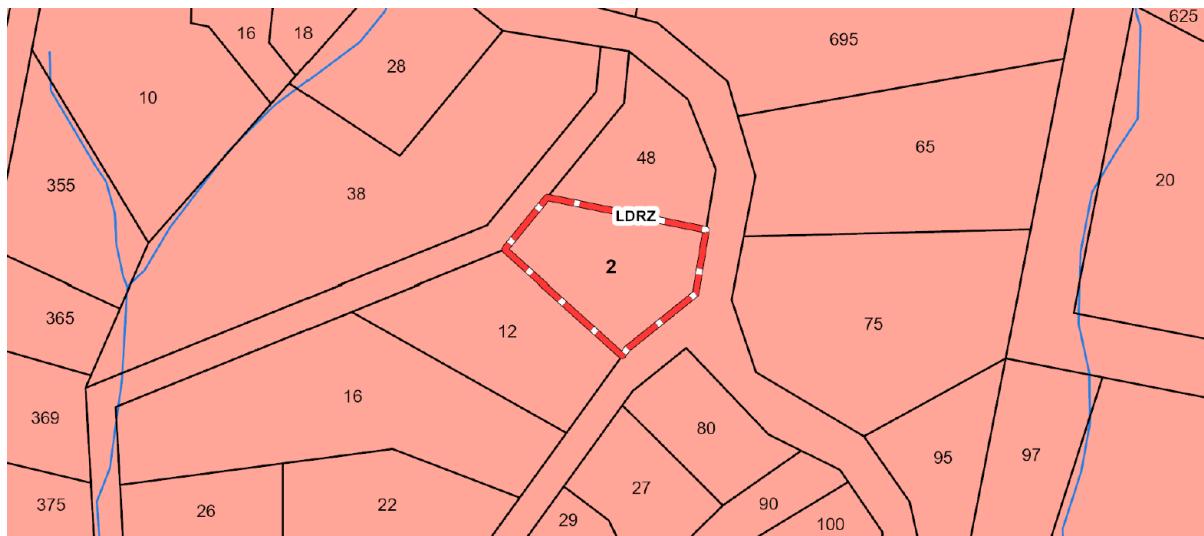


Figure One – Property Location – identified with the blue dashes central to the map (VicPlan, 2025)



Figure Two – Property Location – 2 Gilsenans Drive Metung (LandChecker, 2025)

## 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 planning 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.*

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- 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 13.02-1S 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 metre under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 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, 2018) 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

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*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 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018).*

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:*

*... Subdivisions of more than 10 lots  
....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.*

The use and development control does not specifically apply to this proposal as the subdivision is only 3 lots, and no dwelling is proposed. However, the ultimate intent of the new lot will be to develop a dwelling and this report demonstrates that the lot meets Clause 13.02-1S including the long-term intent of the use and development control without jeopardization of the safety of the existing dwelling.

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 Metung is also in the BPA and partly BMO reflecting the moderate to high bushfire hazard that can be expected from the vegetation connecting to and distributed through the area, particularly along the coastal interface.

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"> <li>- This proposal provides for two new lots that can accommodate a dwelling that responds to the risk of bushfire through siting and construction in an urbanised area.</li> <li>- The proposal can be undertaken in a manner that will maintain the safety of the existing residents in the established lots with the establishment of defendable space across the land.</li> </ul>
Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where	<ul style="list-style-type: none"> <li>- The lot has existed for many years and is part of an estate with many lots containing established dwellings. The</li> </ul>

human life can be better protected from the effects of bushfire.	<p>existing dwelling was approved under the BMO.</p> <ul style="list-style-type: none"> <li>- The overall design can respond to the vegetation corridors.</li> <li>- The existing road network facilitates reasonable egress towards Metung and Swan Reach Townships.</li> <li>- Access and egress are facilitated from Gilsenans Drive and Cantrills Road.</li> </ul>
Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.	<ul style="list-style-type: none"> <li>- An application to develop land needs to articulate how the design responds to the identified bushfire risk.</li> <li>- The subdivision has considered fire brigade access to all lots.</li> <li>- Building envelopes minimise the exposure of future dwellings.</li> <li>- The vegetation is expected to yield less than 29kW/m<sup>2</sup> of radiant heat which is acceptable in this location.</li> </ul>

#### Bushfire hazard identification and assessment

<i>Identify bushfire hazard and undertake appropriate risk assessment by:</i>	<i>Response</i>
Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.	<ul style="list-style-type: none"> <li>- The East Gippsland Planning Scheme relies on the planning proposal to respond to bushfire based on current assessment methods.</li> <li>- Clauses 13.02-1S, 44.06 and 53.02 are to be considered for proposal.</li> <li>- 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.</li> <li>- The assessment method aligns with AS3959, and is provided in this report (see Section 4).</li> </ul>
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.	<ul style="list-style-type: none"> <li>- Consistent with the revised Clause 13.02-1S, the planning proposal responds to the Bushfire Prone Area and the Bushfire Management Overlay.</li> <li>- This report demonstrates that sufficient setbacks from the vegetation can be achieved to meet Column C of Table 2 of Clause 53.02. This is an appropriate benchmark for this development given the increase in safety it delivers for the existing residents with an increased level</li> </ul>

Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard	<ul style="list-style-type: none"> <li>- The BMO applies to the 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.</li> </ul>
<p>Considering and assessing the bushfire hazard on the basis of:</p> <ul style="list-style-type: none"> <li>• Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site;</li> <li>• Local conditions - meaning conditions in the area within approximately 1 kilometre from a site;</li> <li>• Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and,</li> <li>• The site for the development</li> </ul>	<ul style="list-style-type: none"> <li>- An assessment of Clause 13.02 is provided in Section 3.0 of this report.</li> <li>- As it is a three-lot subdivision in the BMO four scales of consideration are applied - Landscape conditions and local site conditions within Section 3.0 of this report.</li> <li>- Neighbourhood and local conditions are considered in Figure 3(a) and Figure 3(b).</li> <li>- The site conditions are considered through the Bushfire Hazard Site Assessment within Section 4.0 of this report.</li> </ul>
Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.	<ul style="list-style-type: none"> <li>- It is expected that this development would be referred to CFA for consideration as it is in the Bushfire Management Overlay.</li> </ul>
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	<ul style="list-style-type: none"> <li>- The content of this report provides a solid foundation for the design and subsequent approval of the planning proposal, with regard to bushfire risk.</li> <li>- 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.</li> </ul>
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.	<ul style="list-style-type: none"> <li>- 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.</li> <li>- This report demonstrates that the risk of bushfire should not be a reason for refusal.</li> </ul>

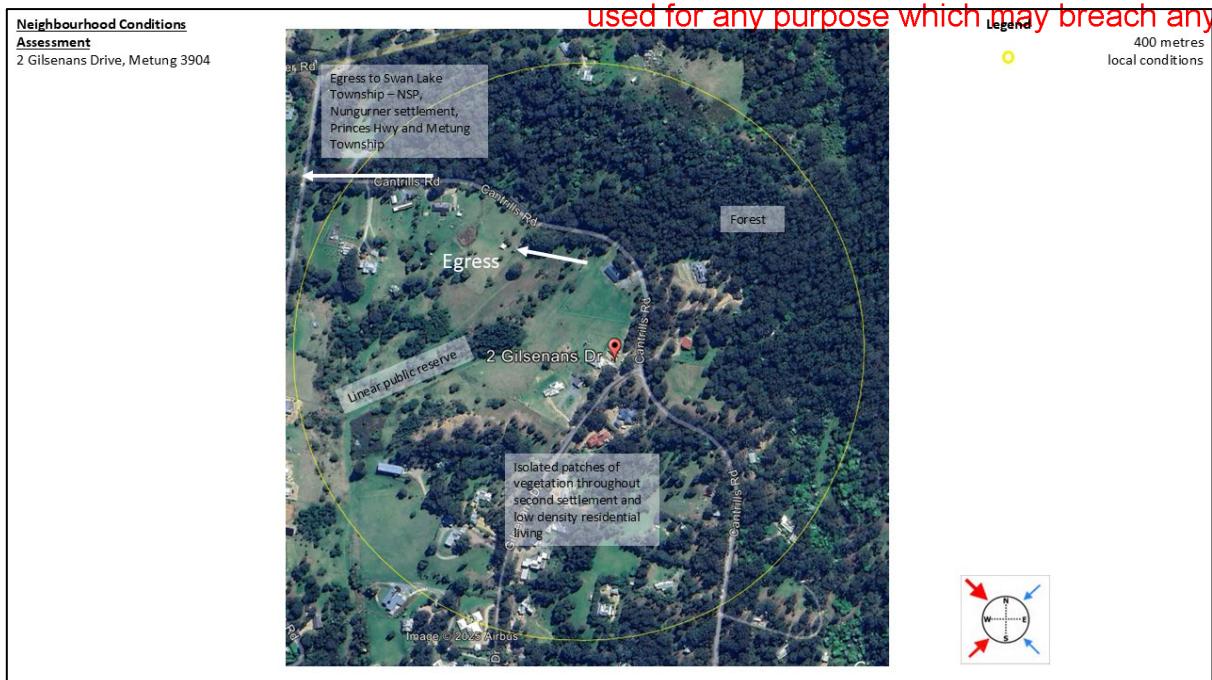


Figure Three (a) – Neighbourhood conditions within 400m

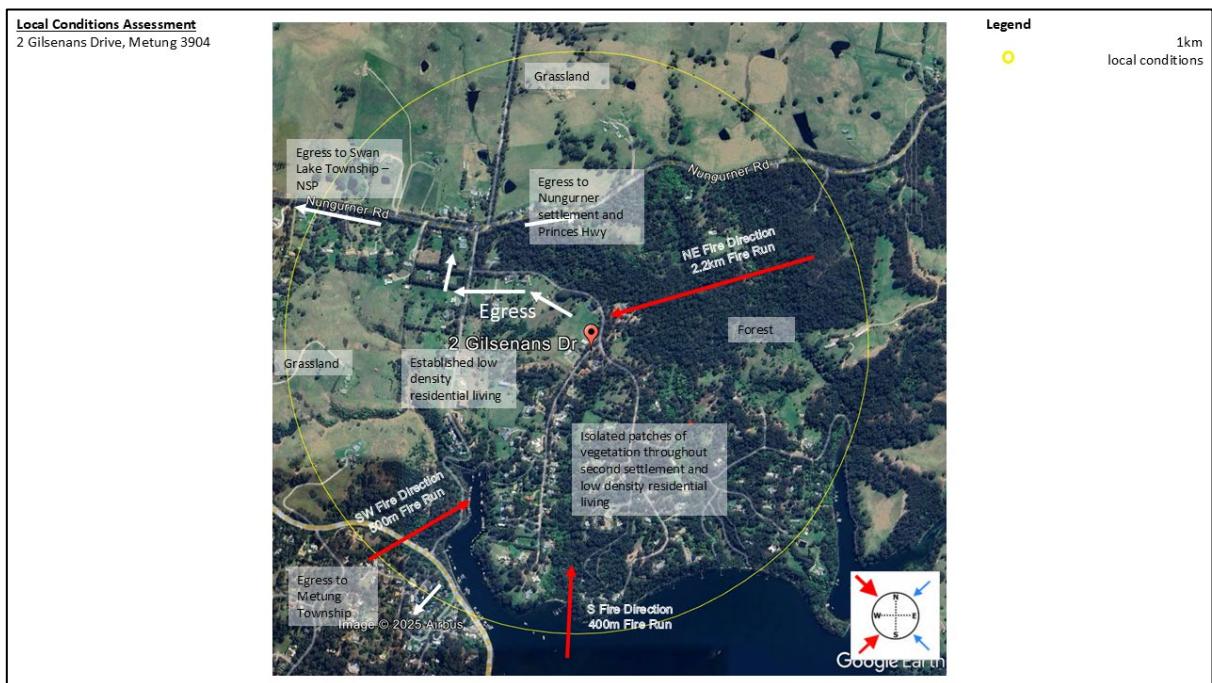


Figure Three (b) – Local conditions within 1km

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, 2018).	<ul style="list-style-type: none"> <li>- Recognising the land is an established lot in an area that is at high risk from bushfire, development of land by subdivision should only proceed where all elements of the BMO are achieved.</li> <li>- This report demonstrates that this goal is achieved including the provision of the greatest separation from the hazard and an increased level of construction.</li> <li>- The new lots have sitings that has been assessed as having a radiant heat flux of less than 29kW/m<sup>2</sup> under AS3959 from interrupted tracts of vegetation which are likely to present lower radiant heat flux.</li> </ul>
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, 2018) where human life can be better protected from the effects of bushfire	<ul style="list-style-type: none"> <li>- The nature of the settlement of Metung provides ready access with a 7-minute drive to Swan Reach township that has BAL-LOW (NSP-PLR).</li> </ul>
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.	<ul style="list-style-type: none"> <li>- The establishment and maintenance of defendable space will accompany the build of any dwelling on either lot. The increased level of vegetation management will reduce the risk of bushfire to the existing residents.</li> </ul>
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.	<ul style="list-style-type: none"> <li>- Any new dwelling will implement the current regulations pertaining to bushfire construction. A Section 173 Agreement will ensure this occurs.</li> </ul>
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	<ul style="list-style-type: none"> <li>- An assessment is provided in Section 3.0 and 4.0 of this report.</li> <li>- As it is an existing dwelling and a three lot subdivision in the BMO, four scales of consideration are applied: and contained in this report.</li> <li>- The site conditions are best considered through the Bushfire Hazard Site Assessment methodology.</li> </ul>
Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.	<ul style="list-style-type: none"> <li>- The proposal is an existing lot in an established lifestyle residential area</li> <li>- This proposal increases the resilience by providing two smaller developments both likely to be developed with new resilient dwellings, and provides for a</li> </ul>

<p>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.</p>	<p>- The proposal is a statutory planning application only.</p>
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#### 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 other than grassland requires removal for bushfire protection.

#### 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, and for subdivisions of 10 or more lots. Neither of these apply to this situation. This report does provide evidence that the proposal achieves no net increase in bushfire risk.

#### 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 roadside and the neighbourhood are managed.
AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018).	This is relevant through the derivation of Bushfire Attack Levels and is considered when referring to the BAL. Current standard is AS3959-2018.
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.
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 Landscape Assessment

The Bushfire Hazard Landscape Assessment includes a plan that describes the bushfire hazard of the general locality surrounding the site (Figure Four).

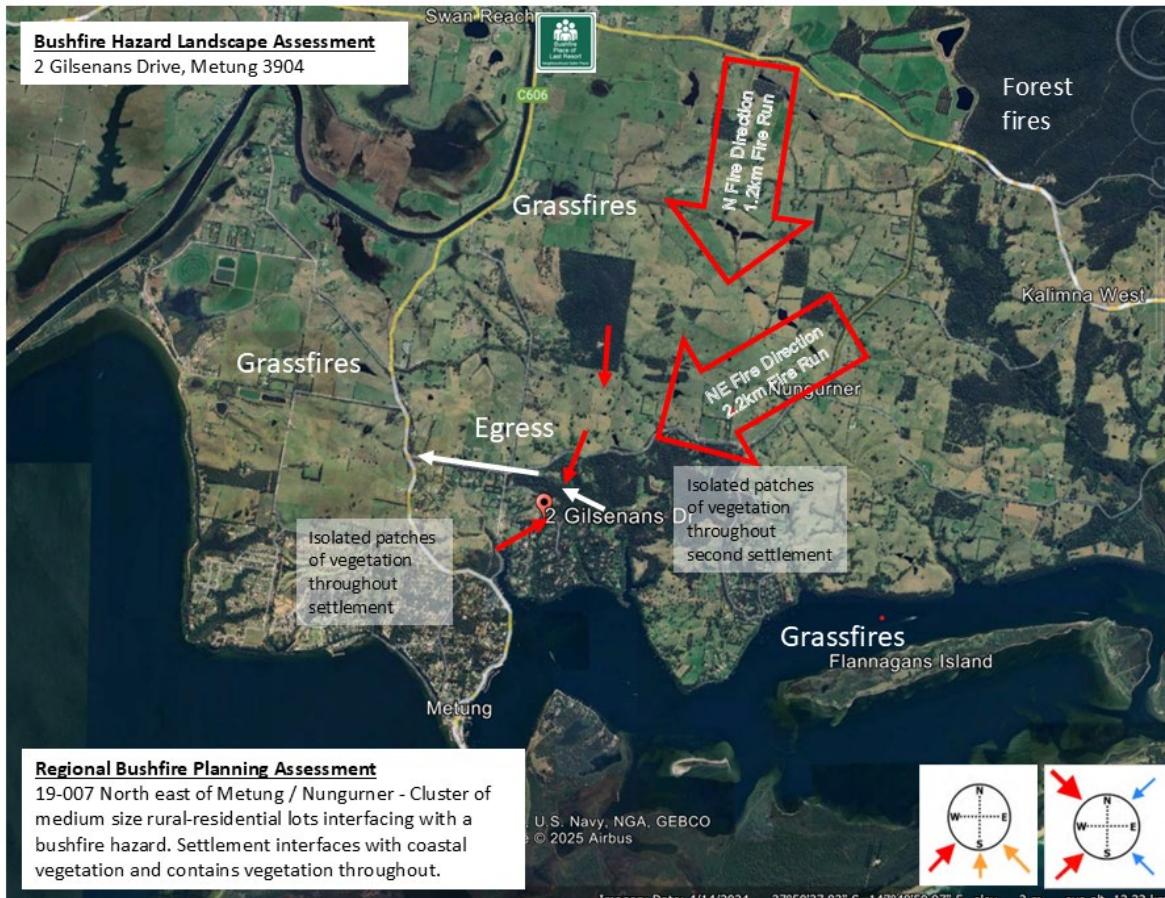


Figure Four – Bushfire Hazard Landscape Assessment - Overall subdivision level

The landscape risk of a site is an important consideration when mitigating bushfire hazards. The landscape risk is the combination of several elements in the surrounding landscape. These relate to the vegetation extent, the area available to a landscape bushfire, the orientation of the ridgelines and the steepness of the terrain, the accessibility to low threat areas and the quality of the road networks surrounding the site.

This development site is positioned in the secondary settlement of Metung, with access to the local road network. The topography of the surrounding landscape is undulating and will experience minor ember attack, minor radiant heat and localised ignitions associated with the landscape fire. The development site will experience landscape fire scenarios that are within the assumptions of the Bushfire Management Overlay. The development site will experience short-duration fire from the northeast, south and southwest and could experience convection column collapse from the north.

The site is considered '**Landscape Type 3**' as defined by DELWP guidance:

- *The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.*

- *Bushfire can approach from more than one aspect.*
- *The site is located in an area that is not managed in a minimum fuel condition.*
- *Access to an appropriate place that provides shelter from bushfire is not certain.*

### 3.1 Regional Bushfire Planning Assessment

The Regional Bushfire Planning Assessment (RBPA) for the Gippsland Region (2012) provides a high-level analysis of locations where the bushfire hazard may impact on planning objectives. The RBPA provides information where a range of land use planning matters intersect with a bushfire hazard to influence the level of risk to life and property from bushfire. This information is required to be used as part of strategic land use and settlement planning at the regional, municipal and local levels.

*“The RBPA is not a statutory planning provision and does not directly translate into planning schemes. However, it complements planning scheme provisions such as the Bushfire Management Overlay (BMO) by providing spatial and qualitative information from a variety of sources which together can inform considerations about where bushfire should be assessed early in the strategic planning process.” RBPA – Gippsland Region (2012)*

**19-007 North east of Metung / Nungurner** - Cluster of medium size rural-residential lots interfacing with a bushfire hazard. Settlement interfaces with coastal vegetation and contains vegetation throughout.

### 3.2 Vegetation Extent in the Broader Landscape

The vegetation in the broader landscape is grassland with isolated patches of retained forest and woodland. The grassland occurs as grazing land. An indication of the Ecological Vegetation Classes in the landscape is provided below (site central to image).



Figure Five – NatureKit Map of surrounds with subject site central to the image showing, Plains Grassy Forest (pale orange), Limestone Box Forest (pale yellow), Warm Temperate Rainforest (black), Shrubby Damp Forest (green), (NatureKit, 2025).

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### 3.3 Topography

The topography of the surrounding landscape is typical of this area of Metung. The terrain comprises gentle undulations and predominance of flatter land in the outer reaches. The area has heavily vegetated terrain, particularly in gullies.

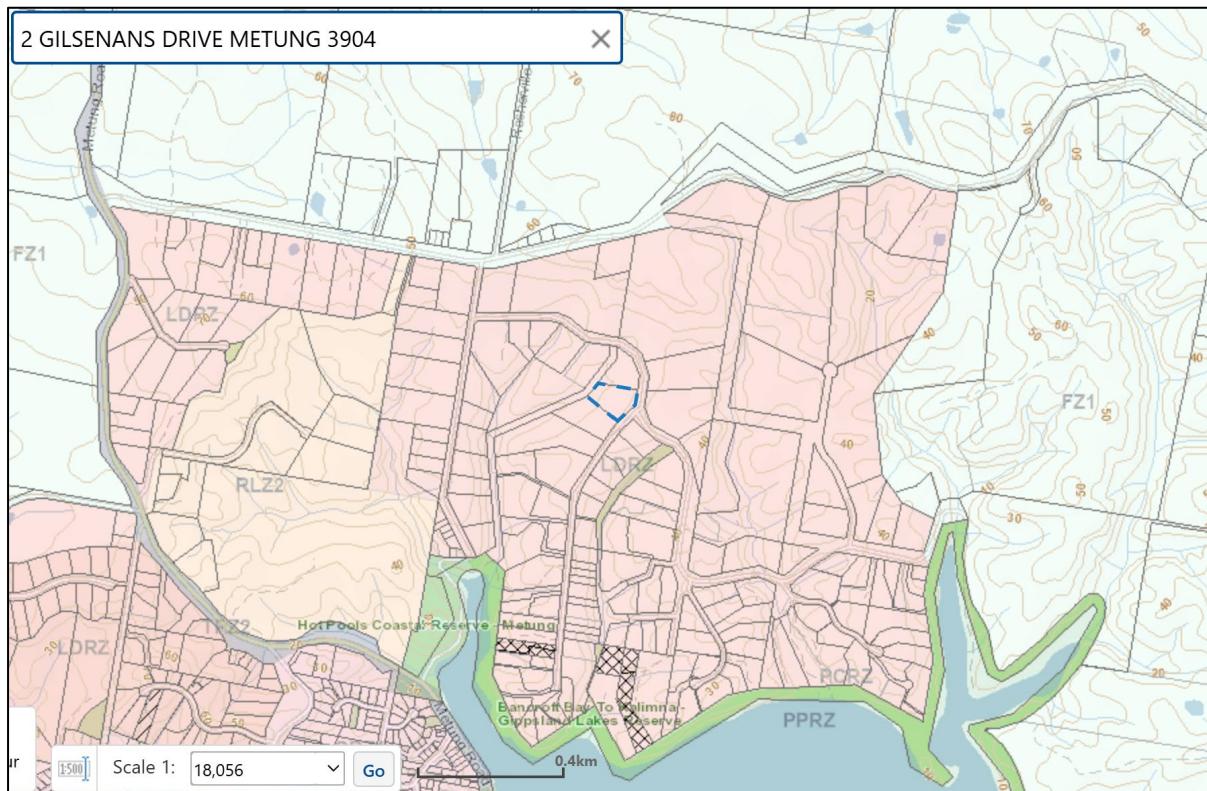


Figure Six – Topography of area around the site (VicPlan, 2025)

### 3.4 Surrounding Road Network

The planning proposal site has frontage to Gilsenans Drive. This access is a one-way road, and the development site is located towards the start of the road connecting to Cantrills Road which is a local road network connecting to the broader street networks providing egress to Metung township and Swan Reach Township with a NSP in the broader landscape (Swan Reach).

### 3.5 Bushfire History of the Area

There is limited historical bushfire analysis for this area of Metung. This is typical given the large expanses of grazing and cultivated land in the broader area and the high population of people moving into and around the area who can alert fire authorities and enable quick suppression. However, it is noted that there are several fires that have occurred within the more heavily vegetated areas in previous years.

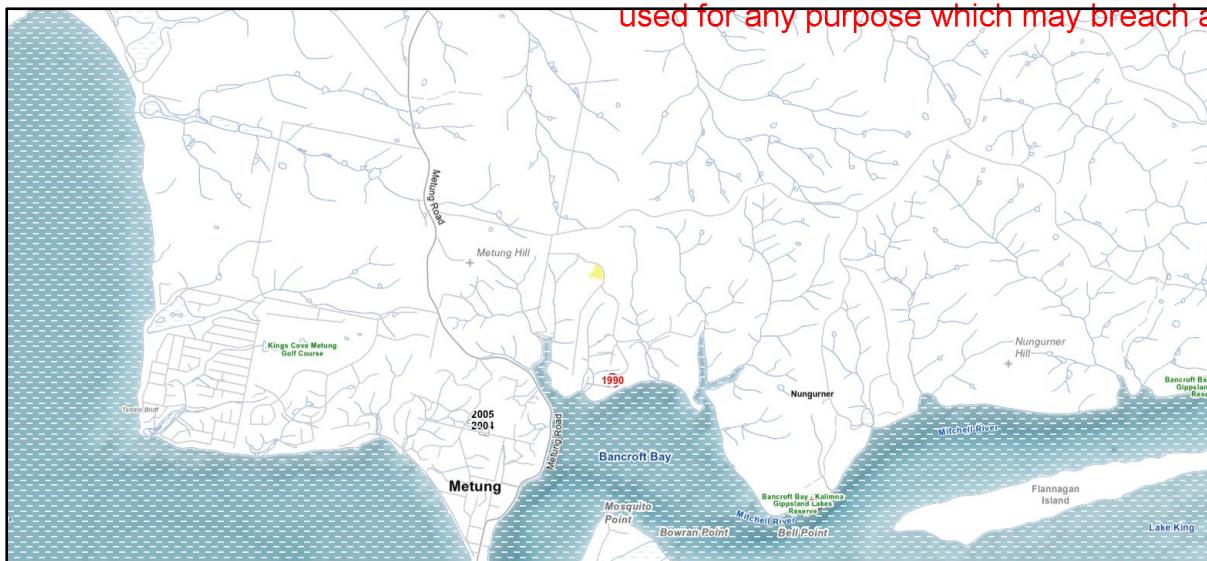


Figure Seven – Fire History Map of Planning burns 1970-present and bushfires 1900-present (NatureKit, 2025)

### 3.6 Bushfire Scenarios

The development site is at an increased risk from bushfire due to the scattering of vegetation, and the age of some of the existing dwellings. Consideration of the potential bushfire behaviour local to the development site has been undertaken in refining the options and to inform the building envelopes location, siting, extent of vegetation management and building construction levels.

#### Scenario 1 – Bushfire from the north

A fire approaching from the north has the potential for a short, isolated fire run of 1.2 kilometres through a heavily vegetated patch of forest. With the assistance of northerly warm winds this fire may cause grassfire and spreading embers to parts of scenario 2. This fire is not a landscape fire (but may eventuate from one further to the north) and may block the egress from the site. Early evacuation is recommended.

#### Scenario 2 –Bushfire from the northeast

A fire approaching from the north-east has the potential for a 2.2-kilometre fire run through forested terrain that has a mix of grassed areas and maintained residential lots. A fire from this direction would bring embers to the development site and ignite localised fuels providing radiant heat. Existing dwellings between the fire run and the development site may propagate the fire depending on their level of maintenance. This fire is not a landscape fire and may block the egress from the site. Early evacuation is recommended.

#### Scenario 3 – Bushfire from the north

A fire approaching from the south approximately 400 metres and southwest approximately 500 metres has the potential for a short, isolated fire run through a heavily vegetated patch of forest. With the assistance of coastal channel winds this fire will spread embers and cause more localised ignitions close to the property. This fire is more likely to spread from lot to lot via the spread of vegetation more than any other mechanism. This fire is not a landscape fire and may block the egress from the site. Early evacuation is recommended.

## 4.0 Bushfire Hazard Site Assessment

The Bushfire Hazard Site Assessment 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, 2018) excluding paragraph (a) of section 2.2.3.2 (Vegetation exclusions). Refer to Figure Eight. Distances are detailed in Table 1 and Table 2.

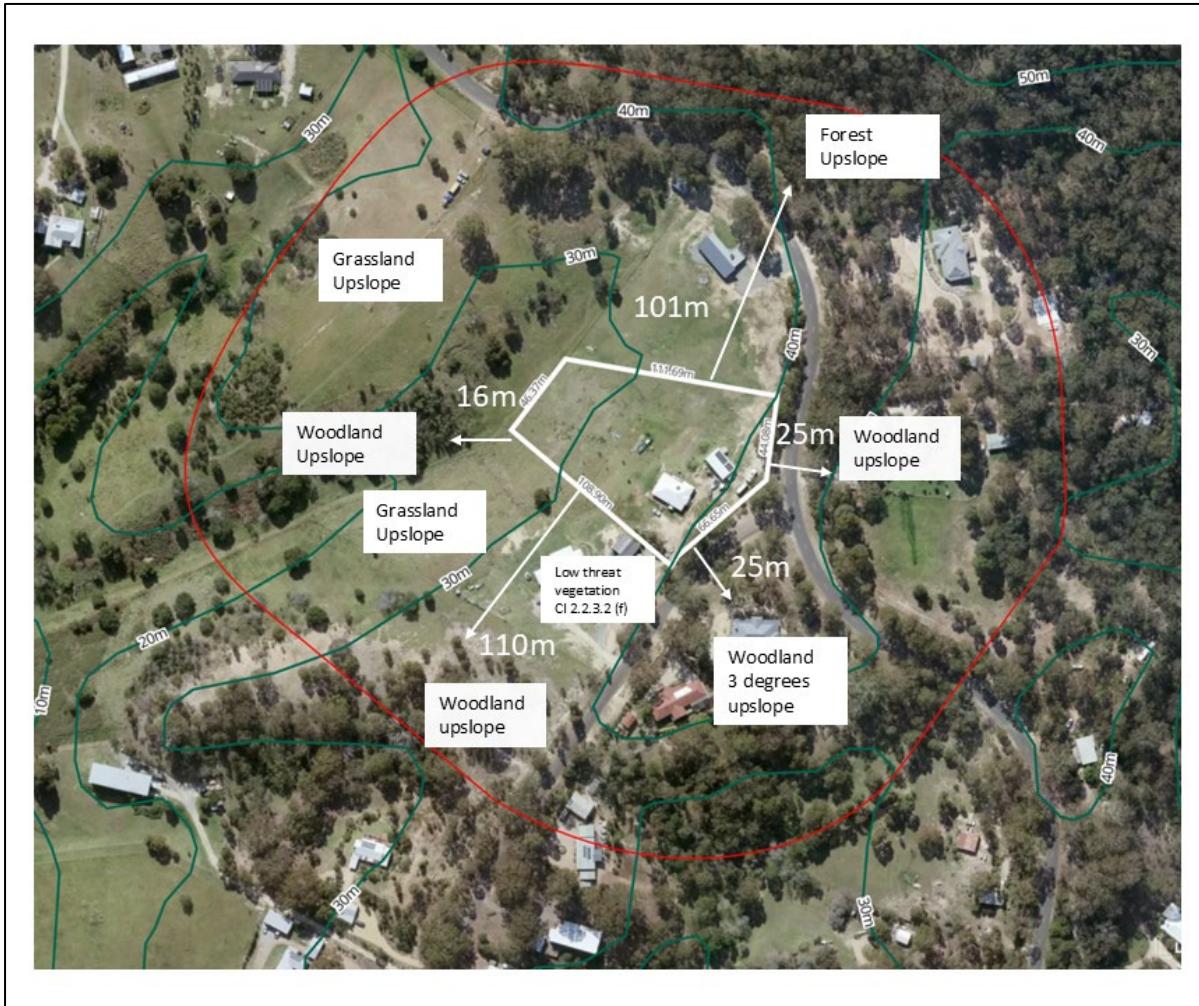


Figure Eight – Bushfire Hazard Site Assessment

### 4.1 Vegetation

The vegetation within the 150-metre assessment area was classified according to AS 3959, Practice Note 65 (DTPLI 2014) and the Overall Fuel Hazard Assessment Guide (DSE, 2010).

The Bushfire Hazard Site Assessment has been conducted to deliver the 'Bushfire hazard identification and assessment' strategy outlined in Clause 13.02-1S of the Scheme. This report demonstrates that the application meets the objective of Clause 13.02-1S '*To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life*' by avoiding the bushfire hazard using maximum separation, and implementing bushfire mitigation measures that respond to the planning zone, the neighbourhood and site context, and the outcome of the assessment.

The Standard AS 3959 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. Information gained from the Ecological Vegetation Classes (Figure Five) reinforces the vegetation classification chosen, and provides an indication of connectivity within the greater landscape.

The forms of classifiable vegetation identified on this site are described below.

#### **Vegetation Classification: Forest**

##### **AS3959:2018 Definition:**

*Open forest—Trees up to 30 m high; 30%–70% foliage cover (may include understorey of sclerophyllous low trees or shrubs). Typically dominated by eucalypts, melaleuca or callistemon (may include riverine and wetland environments) and callitris. Includes eucalypt plantations*

##### **Site Description:**

The site has a small patch of forest to the north that is 101 metres from the subdivision. Within the assessment area, the forest is upslope.



Image – Forest north of the subdivision and Cantrills Road (site inspection, 2025)

**Vegetation Classification: Woodland****AS3959:2018 Definition:**

*Woodland— Trees up to 30m high; 10-30% foliage cover dominated by eucalypts and/or callistris with a prominent grassy understorey. May contain isolated shrubs.*

**Site Description:**

The site has woodland to the east though some lots that are heavily treed, with the woodland area being flat/upslope and is separated by the road (approximately 25 metres). To the south-east, beyond the road, the woodland has a 3° downslope and is separated by the road (approximately 25 metres). In the west there is a vegetation reserve that has struggled to grow the planted vegetation since its establishment many years ago. There is a mix of trees and shrubs, along with areas of mown grass and maintained break along the edge of the linear reserve. Given the mix of trees and shrubs, it is classified as 'woodland' as shrub would underestimate it long-term and 'forest' is unlikely to eventuate as it has not yet. The type of tree species present, typically die, fall over and rot around 8-10 years of age. In the south, woodland on private land is approximately 110 metres distant.



Image – Woodland in the linear reserve (site inspection, 2025)



Image – Woodland through the properties east and south-east (site inspection, 2025)

**Vegetation Classification: Grassland****AS3959:2018 Definition:**

*Sown pasture—All forms, including situations with shrubs and trees, if the overstorey foliage cover is less than 10%.*

**Site Description:**

The land has grassland on the southern adjacent property but only abutting the south-west of the site. There is grassland upslope, running along the contour.



Image – Grassland on the site and south (site inspection, 2025)

**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, gold 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.

**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 existing dwelling has low threat vegetation located around it in the defendable space areas. The property to the south also has low threat vegetation around the dwelling. This is consistent with all dwellings being approved under the BMO.



Image – Low threat vegetation around the existing dwelling on future Lot 1 (site inspection, 2025)

## 4.2 Topography

The topography of the site and the surrounding area is characterised by the decline to the coastal flats and the water in the southeast, and ridge lines from the drainage lines.



Figure Nine – Topography local to the site (Landchecker, 2025)

## 4.3 Separation from the Hazard 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 metre squared. The BAL is also the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire.

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. In this case, it is not appropriate to apply a reduction as no facades are entirely 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.

An assessment of the site conditions without modification was made and informs the BAL assessment. As this is a three-lot subdivision, the ability for each site to achieve a dwelling site with a BAL29 defendable space, is required by Clause 44.06 however cognoscente of the intent of Clause 13.02-1S it is demonstrated that all dwellings maximise separation from the hazard. The defendable

space required extends across all the land, thus ensuring that the land is maintained in a low threat vegetation state into the future benefiting each lot and the surrounding lots.

Table 1 – Separation from the Hazard Assessment (without modification)

Orientation	Classified vegetation	Average slope under classifiable vegetation	Separation distance	Separation achieved
North	Forest	Upslope	101 metres	Column A
East	Woodland	Upslope	25 metres	Column B
South	Woodland	3 degrees downslope	25 metres	Column B
	Grassland	Upslope	0 metres	<Column D
	Low threat vegetation	Not applicable	Not applicable	Table 2 to Clause 53.02
West	Grassland	Upslope	0 metres	<Column D
	Woodland	Upslope	16 metres	Column C

Table 2 – Defendable Space determination for Lots 2 and 3

Orientation	Highest threat vegetation	Average slope under classifiable vegetation	Separation distance currently	Separation achieved
North	Forest	Upslope	101 metres	Column A Provided by 48 Cantrills
East	Woodland	Upslope	25 metres	Column A – Lot 1 provides onsite setback
South	Woodland	Upslope	110 metres	Column C – 16m onsite setback
West	Woodland	Upslope	16 metres	Column C – 16m onsite setback

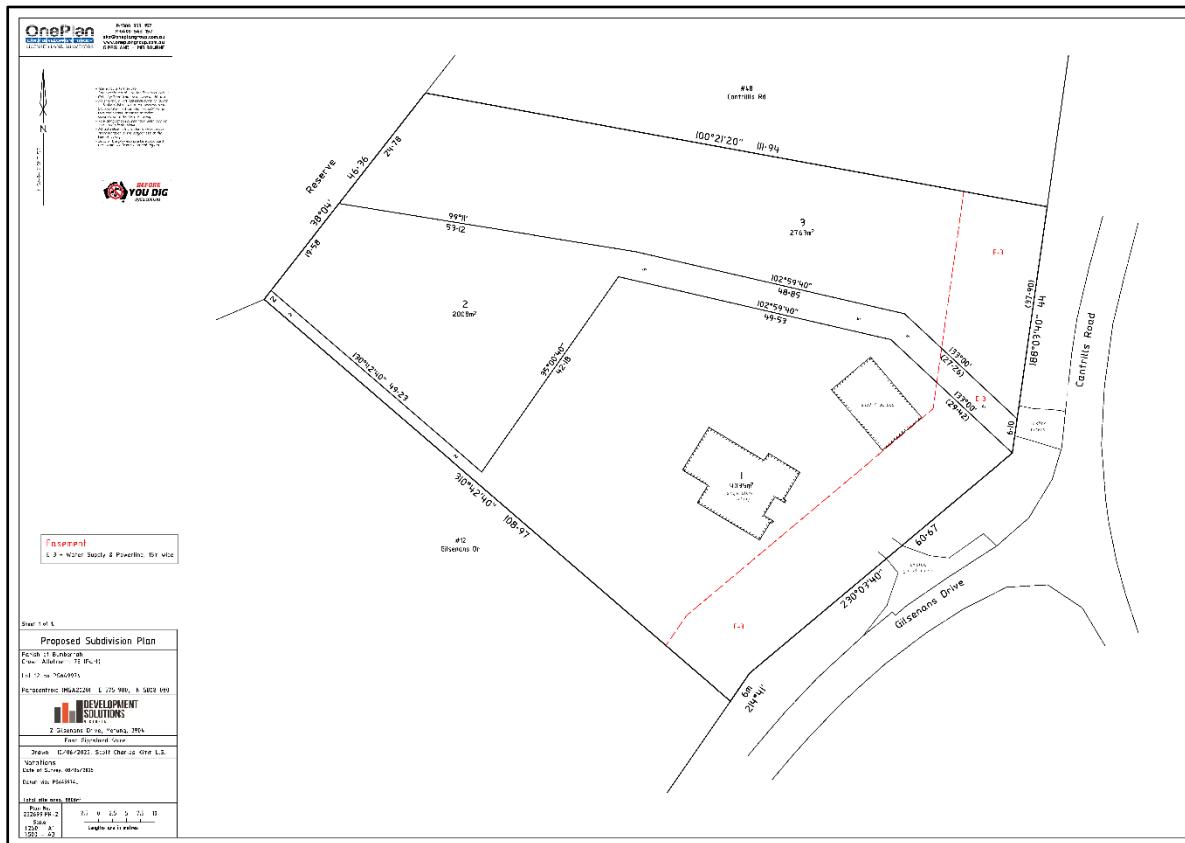
Assumptions:

- Lot 1 will remain managed as Low Threat Vegetation.
- The linear reserve to the west will continue to be woodland (or less) and not achieve forest levels. Applying Column C, Woodland is deemed appropriate with BAL29 construction.
- The abutting road reserve in the east is not relied on so Column C, Woodland, is applied within the subdivision.
- The application for subdivision to the north will proceed thus removing the small patch of grassland.
- The woodland to the south is proximal to the exiting dwelling (Lot 1) so the setback for Lot 2 is derived from grassland on its southern boundary.

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## 5.0 Bushfire Management Statement

Below is an image of the proposed Plan of Subdivision.



## 5.1 Design Response Against Clause 53.02

In accordance with Clause 44.06 Bushfire Management Overlay a response is provided 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 Specification of relevant clauses

Clause	Approved Measure	Achieved	Justification
<b>Clause 53.02-3</b>	AM 1.1	Not applicable	
<b>Dwelling in existing settlements – Bushfire protection objective</b>	AM 1.2	Not applicable	
	AM 1.3	Not applicable	
<b>Clause 53.02-4.1 Landscape, siting and design objectives</b>	AM 2.1	Applicable	Subdivision
	AM 2.2	Applicable	As required by AM5.2
	AM 2.3	Not applicable	Subdivision only, no new buildings
<b>Clause 53.02-4.2 Defendable space and construction objectives</b>	AM 3.1	Not applicable	Addressed through AM5.1
	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	
<b>Clause 53.02-4.3 Water supply and access objectives</b>	AM 4.1	Applicable	As required by AM5.2
	AM 4.2	Not applicable	
<b>Clause 53.02-4.4 Subdivision objectives</b>	AM 5.1	Not applicable	
	AM 5.2	Applicable	Low Density Residential Zone (LDRZ)
	AM 5.3	Not applicable	Less than 10 lots
	AM 5.4	Applicable	Limited relevance
	AltM 5.5	Not applicable	Less than 10 lots

The following part of the application outlines each of the relevant clauses and provides justification as to how this design responds to the requirements.

### Clause 53.02-4.1 Bushfire Protection objective

#### Landscape, siting and design objective

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

Approved Measure	Requirement
AM 2.1	<p><b>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</b></p> <p><b>Response:</b> This site is positioned in the north-eastern reaches of Metung. This proposal is a simple infill subdivision in an established settlement. The subdivision increases the opportunity for two dwellings to be located in close proximity to existing dwellings. The site will experience moderate ember attack, radiant heat and localised ignitions associated with interrupted runs of fire and scattered vegetation. These scenarios are detailed earlier in this report, and will bring fire to the locality however fire at the site is unlikely to be of a landscape scale, rather from localised neighbourhood fires particularly from the west and south and landscape fires in the far north. It is noted that site has reasonable access, an ability to achieve a separation from the hazard commensurate to Column C of Table 2; has proximity to a township settlement. Clear farming exists between this area of Metung and the northern forested ranges where landscape fires can eventuate. The landscape bushfire scenarios are within the scope of the Bushfire Management Overlay assumptions.</p>
AM 2.2	<p><b>A building is sited to ensure the site best achieves the following:</b></p> <ul style="list-style-type: none"> <li>• <b>The maximum separation distance between the building and the bushfire hazard</b></li> <li>• <b>The building is in close proximity to a public road</b></li> <li>• <b>Access can be provided to the building for emergency services vehicles</b></li> </ul> <p><b>Response:</b> There is an ability to locate buildings to achieve maximum separation distance from the hazard from the west (Column C, Woodland). In the east the siting achieves maximum separation from the vegetation to the east of the road, but given the abutting road reserve is not able to be relied on for defendable space (it has a few too many trees) then Column C (Woodland) is applied to the east. There is siting opportunity on each lot to site a building that would achieve Column C of Table 2 to Clause 53.02-5. The assignment of BAL29 construction is appropriate given the retained trees through the settlement and would be a typical response at the lot level to 'modified vegetation'. The existing dwelling will have defendable space enacted through its original planning permit, so the defendable space for Lots 2 and 3 will be provided across their entirety to ensure that any siting is compliant. All lots directly access a public road. As access is less than 100 metres and access to the firefighting water supply is required, there is a specification for the construction of the access is required. Turning specification is included in case the driveway is longer than 100 metres.</p>

#### Clause 53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved Measure	Requirement
AM 4.1	<p><b>A building used for a dwelling (including an extension or alteration to a dwelling), a small second dwelling, industry, office or retail premises is provided with:</b></p> <ul style="list-style-type: none"> <li>• A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.</li> <li>• Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</li> </ul> <p><b>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.</b></p> <p><b>Response:</b> Lots 2 and 3 require a non-combustible water tank containing a minimum of 10,000 litres of water to be provided at the time of building a dwelling. These requirements will be achieved through the required Section 173 agreement relating to bushfire protection measures. Both lots directly access a public road. There is a requirement for fire brigade access to the firefighting water supply, specification for the construction of the access is required.</p> <p>The subdivision meets the approved measures AM4.1 and the water supply and access objective (Clause 53.02-4.3) as required by Clause 53.02-4.4 AM5.2.</p>

#### Clause 53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

Approved Measure	Requirement
AM 5.2	<p><b>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</b></p> <ul style="list-style-type: none"> <li>• Each lot satisfies the approved measure in AM2.1</li> <li>• A building envelope for a single dwelling on each lot that complies with AM2.2 and provides defendable space in accordance with: <ul style="list-style-type: none"> <li>○ Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</li> <li>○ Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.</li> </ul> </li> </ul>

**The bushfire attack that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.**

- Defendable space wholly contained within the boundaries of the proposed subdivision. Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.
- Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.
- Water supply and vehicle access that complies with AM4.1.

**Response:** Lot 1 is already developed with a dwelling that would have been approved under the BMO so it is not burdened through this bushfire management plan. The 2m strip of lot retention to the public reserve (open space) is not seen to require defendable space by virtue of its use. 48 Cantrills Road provides the separation from the forest in the north. Lot 2 and 3 can provide separation from the hazard in accordance with Column C of Table 2 to Clause 53.02-5, as detailed earlier in this report. It should be noted that low threat vegetation has been used to apply defendable space to the entire lot and given the inter-relationships of the lots. It is demonstrated that a future dwelling site on either lot can be achieved and be exposed to a radiant heat flux of less than  $29\text{ kW/m}^2$ . Defendable space is wholly contained within the boundaries of the proposed subdivision due to assigning a Column C separation to the east so that no reliance on the road reserve is applied. This enables a potential  $29\text{ kW/m}^2$  to be responded to, however fire runs are limited and more akin to a 'modified vegetation' style of impact. The assessment relies on:

- a) defendable space on Lot 1 continuing from the existing planning permit for the dwelling
- b) defendable space on the entirety of Lot 2 and Lot 3
- c) defendable space to be applied as part of the pending subdivision at 48 Cantrills Road (northern neighbour).

The vegetation management requirements for the subdivision are detailed and apply to the property boundary.

#### Water supply and vehicle access

Lots 2 and 3 require a non-combustible water tank containing a minimum 10,000 litres of water to be provided at the time of building a dwelling. These requirements will be achieved through the required Section 173 agreement relating to bushfire protection measures. Both lots directly access a public road. There is requirement for fire brigade access to the firefighting water supply, specification for the construction of the access is required.

	<p>The subdivision meets the approved measures AM4.1 and the water supply and access objective (Clause 53.02-4.3) as required by Clause 53.02-4.4 AM5.2.</p>
<b>AM5.4</b>	<p><b>A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.</b></p> <p><b>Response:</b> This subdivision improves the current situation to the surrounding lots as it provides ongoing requirements for management of the vegetation and has considered the pending subdivision on the property to the north.</p>

## 5.2 Expected Planning Permit Conditions

The following are expected to be the planning permit conditions and only enable the BMO exemption for Lots 2 and 3.

### **Bushfire Management Plan not altered**

The Bushfire Management Plan (Version 1, dated 30/06/2025) 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.

### **Matters to be set out in Section 173 Agreement**

To give effect to the requirements of Clause 44.06-4 of the East Gippsland Planning Scheme, and the above condition, the section 173 Agreement prepared in accordance with Clause 44.06-4 must specify the following:

- The occupation of a dwelling or small second dwelling must not start on any lot until all of the bushfire mitigation measures specified on the Bushfire Management Plan endorsed under this permit have been implemented on the relevant lot to the satisfaction of the Responsible Authority.
- The bushfire mitigation measures which form part of the Section 173 Agreement and the planning permit and endorsed plans, including those relating to construction standards (BAL), defendable space, water supply and access must be maintained to the satisfaction of the Responsible Authority.

The Bushfire Management Plan endorsed under this permit must be included as an annexure to the agreement.

### **Maintenance of defendable space**

Before the Statement of Compliance is issued under the Subdivision Act 1988 defendable space on every lot in the subdivision must be implemented and maintained as specified on the Bushfire Management Plan, unless otherwise agreed in writing by the CFA and the Responsible Authority.

## 5.3 Bushfire Management Plan

Refer to Appendix One for the proposed Bushfire Management Plan.

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## 6.0 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 (2025) NatureKit.

The State of Victoria Department of Environment, Land, Water and Planning (2015) Fire Operations Plan 2015/16-2017/18 Gippsland Region.

The State of Victoria Department of Planning and Community Development (2012) Regional Bushfire Planning Assessment – Gippsland Region.

## 7.0 Appendices

### Appendix One – Proposed Bushfire Management Plan

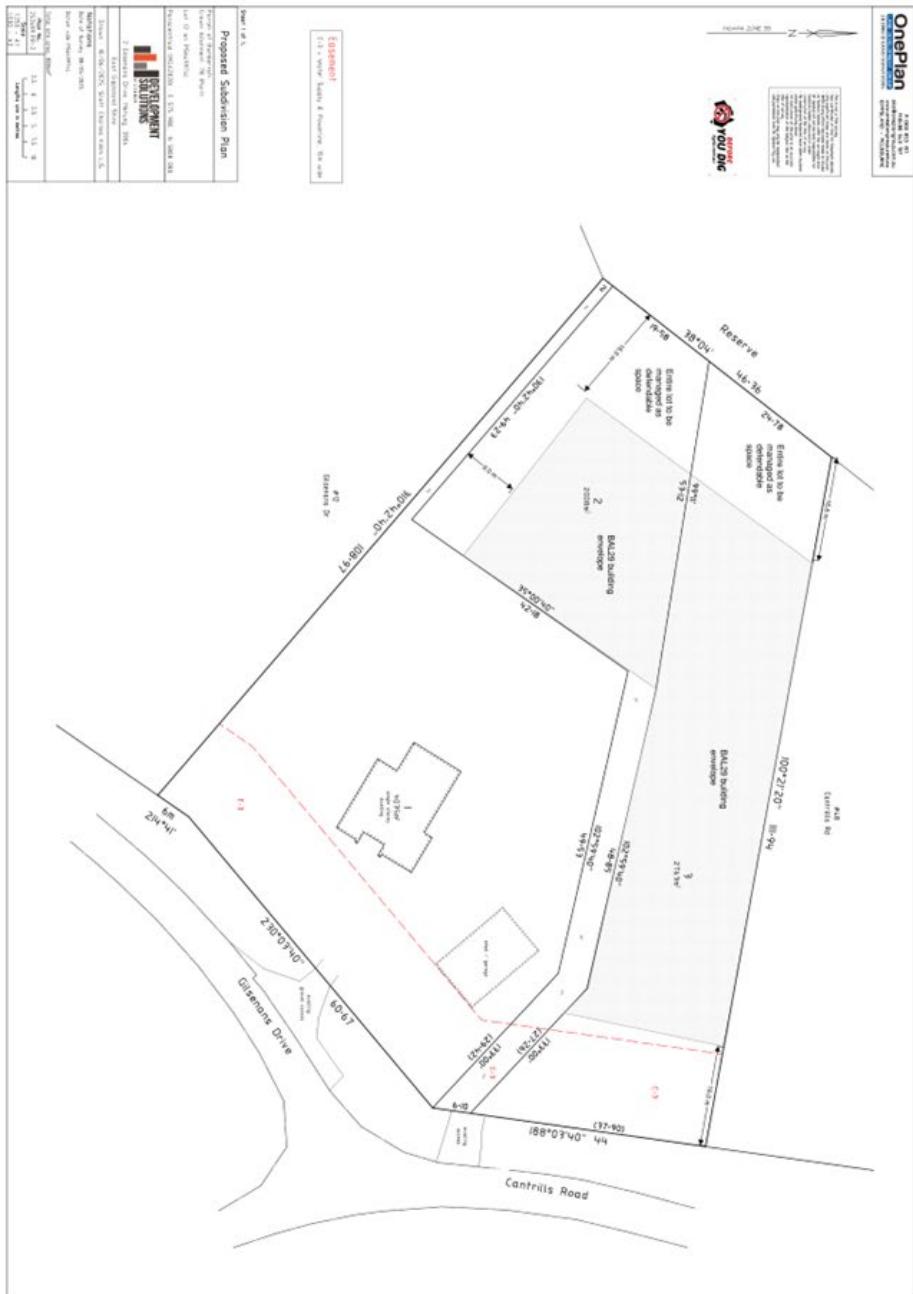
<b>Bushfire Management Plan Page 1 of 2</b>	<b>2 Gilsenans Drive Metung 3904</b>	<b>Version 1, 30/06/2025 Euca Planning Pty Ltd</b>
<b>BUSHFIRE PROTECTION MEASURES – APPLIES TO LOT 2 AND 3 ONLY</b>		
<p><b>Mandatory Condition</b> The bushfire protection measures forming part of this permit or shown on 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.</p> <p><b>Construction Standard</b> Building design and all construction works need to comply with a minimum BAL of BAL29 from AS 3959.</p> <p><b>Defendable space</b> Defendable space extending around the dwelling for the entire lot will be managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>Grass must be short cropped and maintained during the declared fire danger period.</li> <li>All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.</li> <li>Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.</li> <li>Plants greater than 10 cm in height must not be placed within 3m of a window or glass feature of the building.</li> <li>Shrubs must not be located under the canopy of trees.</li> <li>Individual and clumps of shrubs must not exceed 55g. metres in area and must be separated by at least 5 metres.</li> <li>Trees must not overhang or touch any elements of the building.</li> <li>The canopy of trees must be separated by at least 5 metres.</li> <li>There must be a clearance of at least 2 metres between the lowest tree branches and ground level.</li> </ul>		
<p><b>Firefighting water supply</b> The following requirements apply:</p> <ul style="list-style-type: none"> <li>An effective capacity of 10,000 litres.</li> <li>Be stored in an above ground water tank constructed of concrete or metal.</li> <li>Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosion resistant metal.</li> <li>Include a separate outlet for occupant use.</li> <li>Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.</li> <li>Be located within 60 metres of the outer edge of the approved building.</li> <li>The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.</li> <li>Incorporate a separate ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).</li> <li>Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).</li> </ul> <p><b>Access</b> Access is required, and the following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>All-weather construction.</li> <li>A load limit of at least 15 tonnes.</li> <li>Provide a minimum trafficable width of 3.5 metres.</li> <li>Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.</li> <li>Curves must have a minimum inner radius of 10 metres.</li> <li>The average grade must be no more than 1 in 7 (14.4% / 8.1°) with a maximum grade of no more than 1 in 5 (20% / 11.1%) for no more than 50 metres.</li> <li>Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.</li> <li>A turning area for fire fighting vehicles must be provided close to the building and water supply by one of the following: <ul style="list-style-type: none"> <li>A turning circle with a minimum radius of eight metres.</li> <li>A driveway encircling the dwelling.</li> <li>The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.</li> </ul> </li> </ul>		

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Bushfire Management Plan Page 2 of 2

2 Gilsenans Drive Metung 3904

Version 1, 30/06/2025 Euca Planning Pty Ltd



# Bushfire Management Plan Page 1 of 2

2 Gilsenans Drive Metung 3904

Version 1, 30/06/2025 Euca Planning Pty Ltd

## BUSHFIRE PROTECTION MEASURES – APPLIES TO LOT 2 AND 3 ONLY

### 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 BAL29 from AS 3959.

### 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.

### Firefighting water supply

The following requirements apply:

- An effective capacity of 10,000 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.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

### Access

Access is required, and the following design and construction requirements apply:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20% (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
- A turning area for fire fighting vehicles must be provided close to the building and water supply by one of the following:
  - A turning circle with a minimum radius of eight metres.
  - A driveway encircling the dwelling.
  - The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.

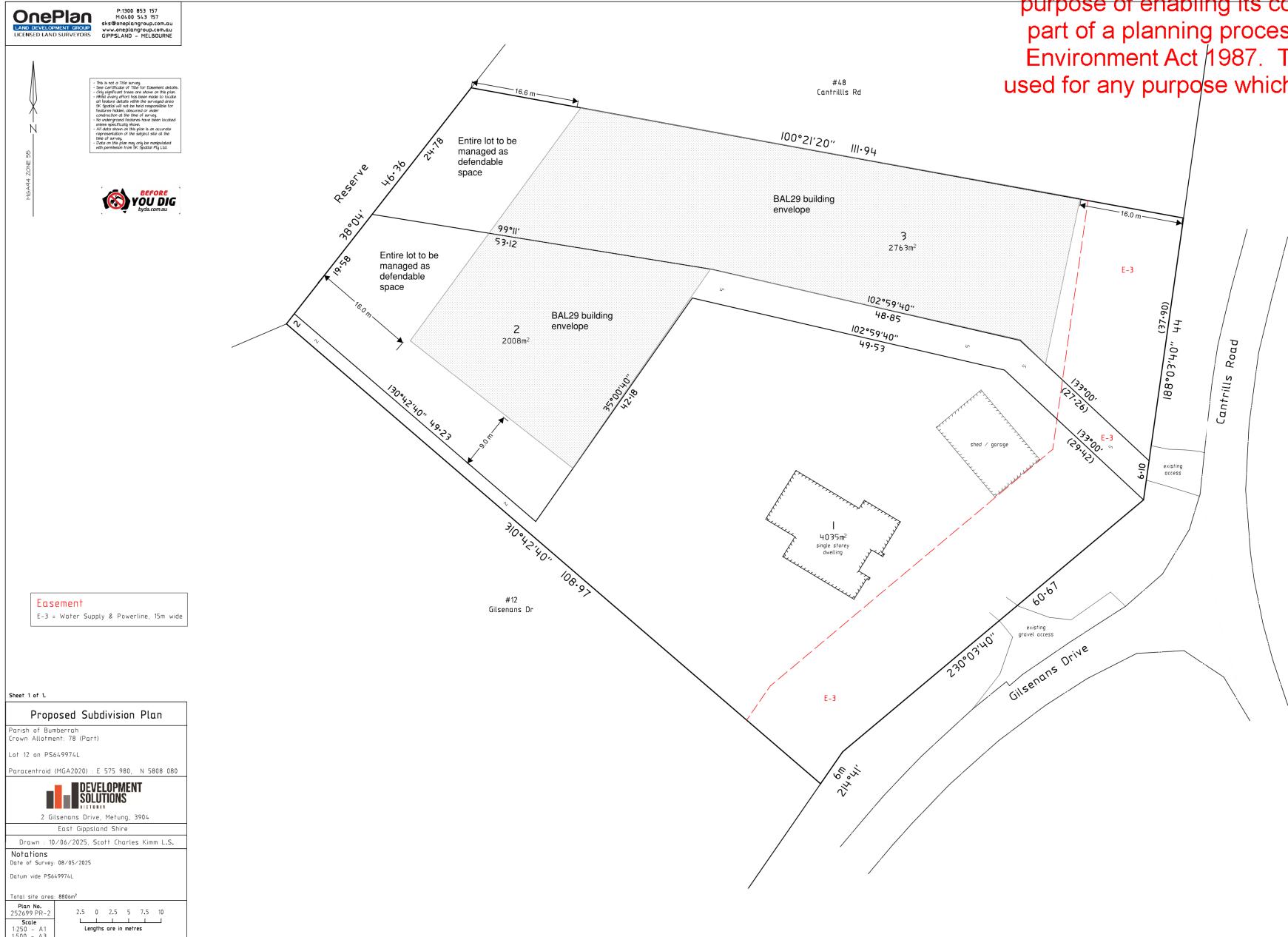
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# Bushfire Management Plan Page 2 of 2

## 2 Gilsenans Drive Metung 3904

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## APPENDIX C

### Clause 56.07-1 to 56.07-4

### Integrated Water Management

## CLAUSE 56.07-1 to 56.07-4

### Integrated Water Management

Clause 56.07-1 Drinking water supply objectives	<b>To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.</b>
<b>Response:</b>	<p>The subject site is currently connected to the reticulated water supply network. The proposed vacant lots being created will also be connected to the reticulated water supply network which provides for an appropriate drinking water supply. The size of the proposed vacant lots will encourage the inclusion of a water tank with any future residential development. It is common practice for Council to include a condition on any planning permit to require a Section 173 Agreement ensuring that any future dwelling development on the lot include a water tank.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
Clause 56.07-2 Reused and recycled water objective	<b>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</b>
<b>Response:</b>	<p>A reuse and recycle water supply is not available to the subject site at this time. Water supply to proposed allotments will be via the existing reticulated water system. Proposed Lot 1 is currently connected to the reticulated water system. This will remain unchanged. It is anticipated that a requirement for future dwellings to have water tanks connected to toilets for flushing will be a requirement on any planning permit to be issued.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
Clause 56.07-3 Waste water management objective	<b>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</b>
<b>Response:</b>	<p>The subject site is currently connected to the reticulated sewer network. The proposed vacant lots being created will be connected to the existing sewer network. The additional allotments are considered unlikely to exceed the capacity of the services in this location.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>

<b>Clause 56.07-4</b> <b>Stormwater management objectives</b>	<p><b>To minimise damage to properties and inconvenience to residents from stormwater.</b></p> <p><b>To ensure that the street operates adequately during major storm events and provides for public safety.</b></p> <p><b>To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.</b></p> <p><b>To encourage stormwater management that maximises the retention and reuse of stormwater.</b></p> <p><b>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</b></p>
<b>Response:</b>	<p>It is expected that any planning permit to be issued would include requirements for the construction and management of drainage for the vacant lots being created.</p> <p>The impact on receiving waters is likely to be minimal particularly given the size of the proposed vacant allotments being created and the likely inclusion of a water tank for any future development. The proposed vacant lots being created are expected to be able to be drained to the satisfaction of the responsible authority. Stormwater from the existing dwelling and outbuilding on proposed Lot 1 is appropriately managed with no known issues and will remain unchanged.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>



TREEPLOTTER™

INVENTORY

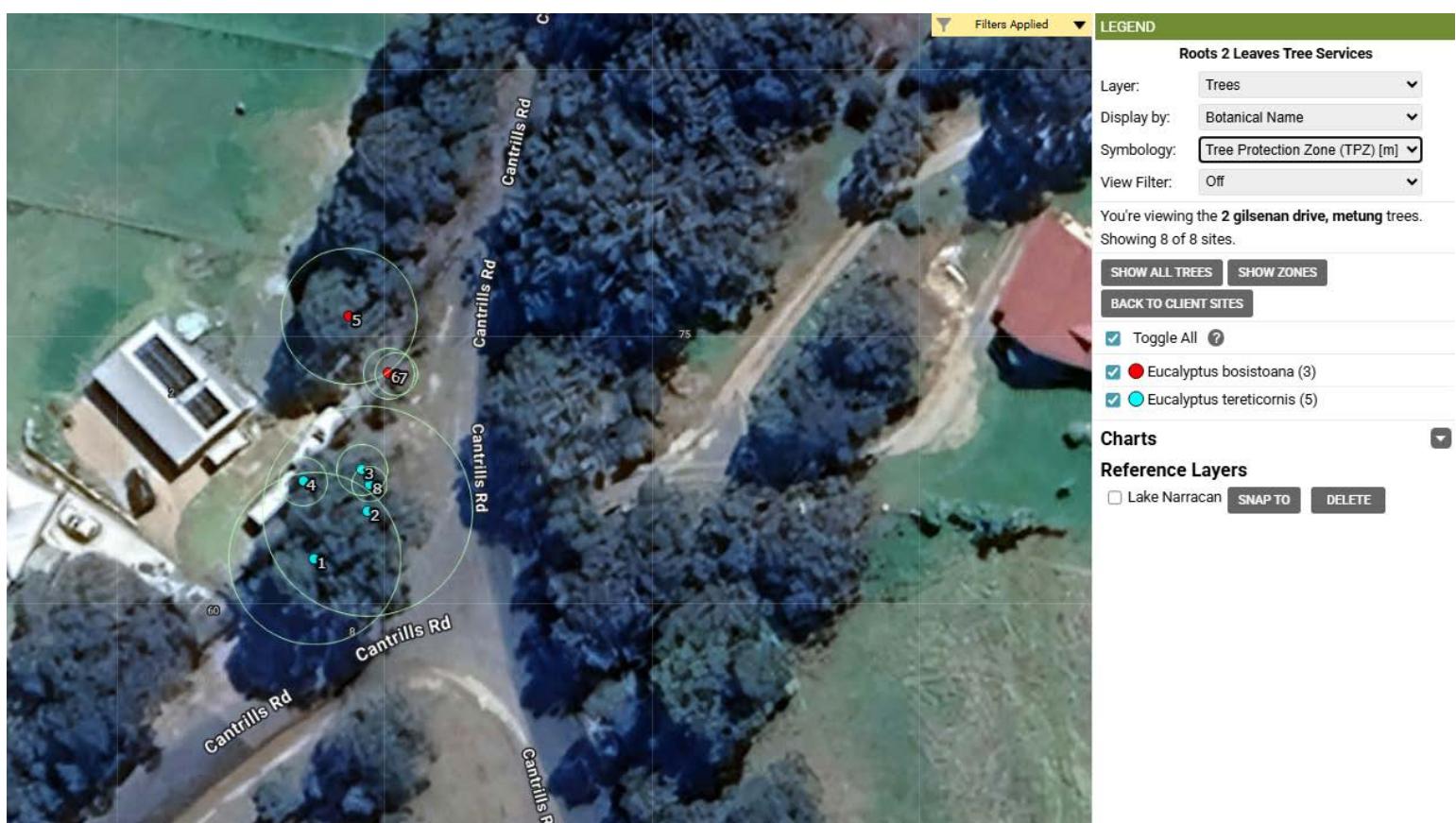
# Tree Summary Report

## Roots 2 Leaves Tree Services

August 22, 2025 |  
Total Tree Count: 8

### Filters Applied

**Client Site Filter:**  
(Client Site=2 gilsenan drive, metung)



# Forest Red Gum Tree ID #1

1 Cantrills Road

## Tree Details

Botanical Name:	Eucalyptus tereticornis
Common Name:	Forest Red Gum
Genus:	Myrtaceae
Health:	Fair
Structure:	Fair
Status:	Alive
DBH [cm]:	81
Tree Height (Estimated) [m]:	13
Canopy Spread [m]:	7
Tree Protection Zone (TPZ) [m]:	9.72
Structural Root Zone (SRZ) [m]:	3.17
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	21/08/2025
Observation Comments:	Pittosporum understory, minor deadwood, council tree
Notes:	

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## Tree Location

Address: 1 Cantrills Road

City: Metung

Longitude: 147.864556

Latitude: -37.871827

## Photos



image.jpg

21/08/2025

# Forest Red Gum Tree ID #2

1 Cantrills Road

## Tree Details

Botanical Name:	Eucalyptus tereticornis
Common Name:	Forest Red Gum
Genus:	Myrtaceae
Health:	Fair
Structure:	Poor
Status:	Alive
DBH [cm]:	98.74
Tree Height (Estimated) [m]:	13
Canopy Spread [m]:	10
Tree Protection Zone (TPZ) [m]:	11.85
Structural Root Zone (SRZ) [m]:	3.38
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	21/08/2025
Observation Comments:	Pittosporum, box thorn, saltbush understory, minor deadwood, council tree
Notes:	

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Address: 1 Cantrills Road

City: Metung

Longitude: 147.864624

Latitude: -37.871779

## Photos



image.jpg

21/08/2025

## Tree Details

Botanical Name:	Eucalyptus tereticornis
Common Name:	Forest Red Gum
Genus:	Myrtaceae
Health:	Fair
Structure:	Fair
Status:	Alive
DBH [cm]:	24
Tree Height (Estimated) [m]:	7
Canopy Spread [m]:	4
Tree Protection Zone (TPZ) [m]:	2.88
Structural Root Zone (SRZ) [m]:	1.94
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	21/08/2025
Observation Comments:	land owners tree
Notes:	

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## Tree Location

Address: 1 Cantrills Road

City: Metung

Longitude: 147.864617

Latitude: -37.871737

## Photos

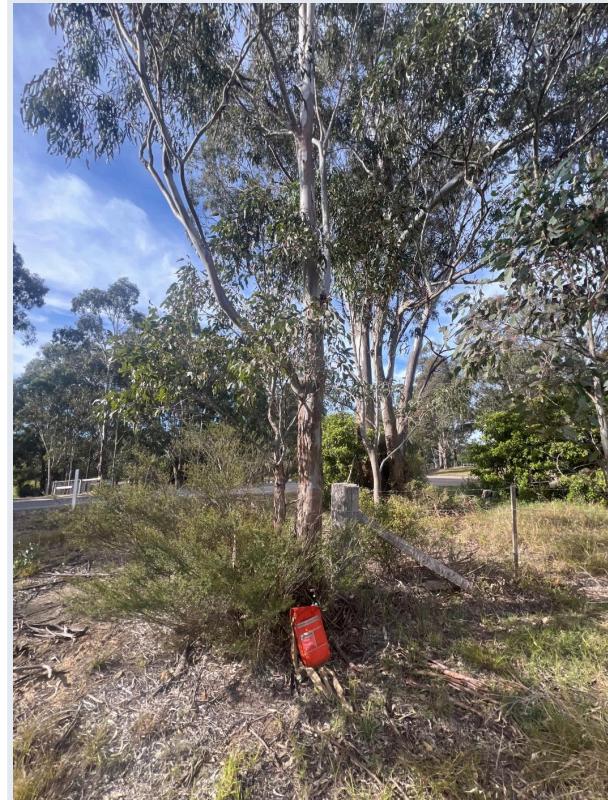


image.jpg

21/08/2025

## Tree Details

Botanical Name:	Eucalyptus tereticornis
Common Name:	Forest Red Gum
Genus:	Myrtaceae
Health:	Fair
Structure:	Fair
Status:	Alive
DBH [cm]:	23
Tree Height (Estimated) [m]:	5
Canopy Spread [m]:	4
Tree Protection Zone (TPZ) [m]:	2.76
Structural Root Zone (SRZ) [m]:	1.94
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	21/08/2025
Observation Comments:	land owners tree
Notes:	

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## Tree Location

Address:	2 Gilsenans Drive
City:	Metung
Longitude:	147.864541
Latitude:	-37.871749

## Photos



image.jpg  
21/08/2025

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## Tree Details

Botanical Name:	Eucalyptus bosistoana
Common Name:	Coast grey box
Genus:	
Health:	Good
Structure:	Fair
Status:	Alive
DBH [cm]:	64
Tree Height (Estimated) [m]:	10
Canopy Spread [m]:	7
Tree Protection Zone (TPZ) [m]:	7.68
Structural Root Zone (SRZ) [m]:	2.85
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	22/08/2025
Observation Comments:	land owners tree
Notes:	

## Tree Location

Address: 2 Gilsenans Drive

City: Metung

Longitude: 147.864600

Latitude: -37.871582

## Photos



image.jpg

22/08/2025

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## Tree location

Address: 2 Gilsenans Drive

City: Metung

Longitude: 147.864651

Latitude: -37.871640

## Tree Details

Botanical Name:	Eucalyptus bosistoana
Common Name:	Coast grey box
Genus:	
Health:	Fair
Structure:	Fair
Status:	Alive
DBH [cm]:	24
Tree Height (Estimated) [m]:	6
Canopy Spread [m]:	3
Tree Protection Zone (TPZ) [m]:	2.88
Structural Root Zone (SRZ) [m]:	1.88
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	22/08/2025
Observation Comments:	Located on council land, young tree. Readily replaceable
Notes:	

## Photos



image.jpg

22/08/2025

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## Tree Details

Botanical Name:	Eucalyptus bosistoana
Common Name:	Coast grey box
Genus:	
Health:	Fair
Structure:	Fair
Status:	Alive
DBH [cm]:	20
Tree Height (Estimated) [m]:	6
Canopy Spread [m]:	3
Tree Protection Zone (TPZ) [m]:	2.4
Structural Root Zone (SRZ) [m]:	1.79
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	22/08/2025
Observation Comments:	Located on council land, young tree. Readily replaceable
Notes:	

## Tree Location

Address: 2 Gilsenans Drive

City: Metung

Longitude: 147.864660

Latitude: -37.871640

## Photos



image.jpg

22/08/2025

# Forest Red Gum Tree ID #8

1 Cantrills Road

## Tree Details

Botanical Name:	Eucalyptus tereticornis
Common Name:	Forest Red Gum
Genus:	Myrtaceae
Health:	Fair
Structure:	Fair
Status:	Alive
DBH [cm]:	9
Tree Height (Estimated) [m]:	6
Canopy Spread [m]:	3
Tree Protection Zone (TPZ) [m]:	2
Structural Root Zone (SRZ) [m]:	1.31
Useful Life Expectancy:	40+ years
Risk Rating:	
Priority of Works:	
Recommended Works:	
Last Modified:	22/08/2025
Observation Comments:	Located on council land, young tree. Readily replaceable
Notes:	

ADVERTISED

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## Tree Location

Address: 1 Cantrills Road

City: Metung

Longitude: 147.864626

Latitude: -37.871752

## Photos



image.jpg

22/08/2025

# Native Vegetation Removal Report

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NVRR ID: 319\_20250905\_MPQ

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:** 05/09/2025

**Local Government Area:** EAST GIPPSLAND SHIRE

### Regulator Notes

Removal polygons are located:

**Registered Aboriginal Party:** Gunaikurnai  
**Coordinates:** 147.86464, -37.87163  
**Address:** 2 GILSENANS DRIVE METUNG 3904

## Summary of native vegetation to be removed

Assessment pathway	Basic Assessment Pathway		
<b>Location category</b>	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.		
<b>Total extent including past and proposed removal (ha)</b>	<b>0.031</b>	<i>Extent of past removal (ha)</i>	0
<i>Includes endangered EVCs (ha): 0</i>		<i>Extent of proposed removal - Patches (ha)</i>	0.000
		<i>Extent of proposed removal - Scattered Trees (ha)</i>	0.031
<b>No. Large Trees proposed to be removed</b>	<b>0</b>	<i>No. Large Patch Trees</i>	0
		<i>No. Large Scattered Trees</i>	0
<b>No. Small Scattered Trees</b>	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 <sup>1</sup>	0.008 General Habitat Units
Minimum strategic biodiversity value score <sup>2</sup>	0.56
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.

The subject site is undulating in nature and slopes generally to the west to southwest. There is no evidence of any existing erosion on the site or on the surrounding land. The vegetation presumed lost is located within the adjoining road reserve along Cantrills Road. Only the minimum amount of vegetation required to be removed to facilitate access to the proposed vacant lots will be removed. A Tree Summary Report has been undertaken by Roots 2 Leaves which identifies the species, health status and size of vegetation.

### 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.

The location of the proposed crossover and inclusion of a carriageway easement has been selected to ensure only the minimal amount of vegetation removal will be undertaken. The impact on tree 7 is inevitable to enable access for the proposed vacant lots being created by the proposed subdivision. The value of the native vegetation being removed is not considered to be highly significant.

### 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?

No

### Application Requirement 7 - Defendable space statement

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

- Describes the bushfire threat; and
- 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 defendable space is within the Bushfire Management Overlay (BMO), and in accordance with the 'Exemption to create defendable space for a dwelling under Clause 44.06 of local planning schemes' in Clause 52.12-5.

Not applicable.

### **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?

No

### **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.

There are several third party offsets available for purchase (evidence provided) and an Offset Report is provided.

## 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)**

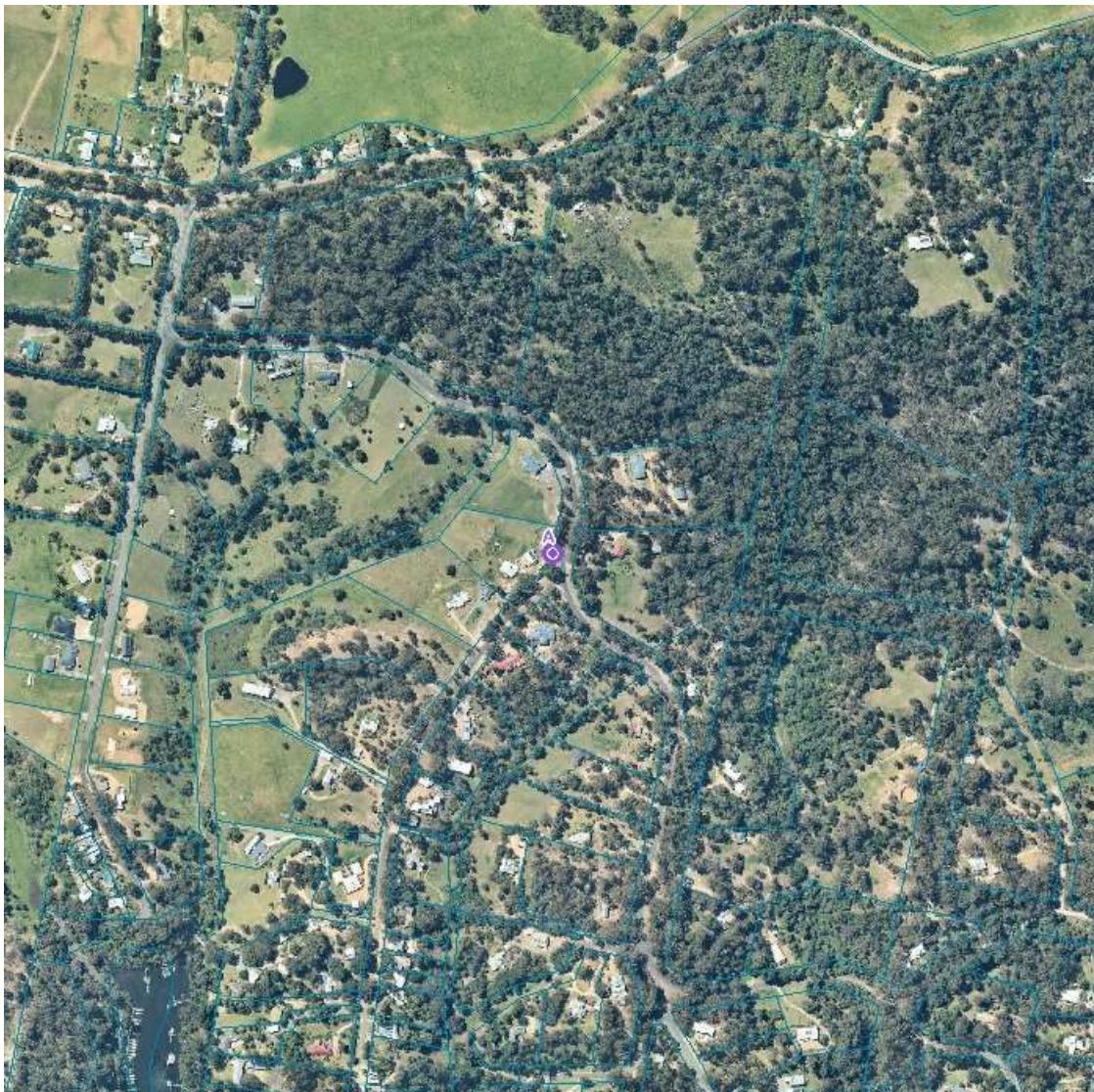
The General Offset amount required is the sum of all General Habitat Units per zone.

### 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	20	GipP0151	Vulnerable	-	0.200	0.031	0.031	0.700	0.08

## Appendix 2: Images of mapped native vegetation

### 1. Property in context



- Proposed Removal
- Property Boundaries



200 m

**2. Aerial photograph showing mapped native vegetation**



Proposed Removal



30 m

### 3. Location Risk Map



Proposed Removal

Location 1

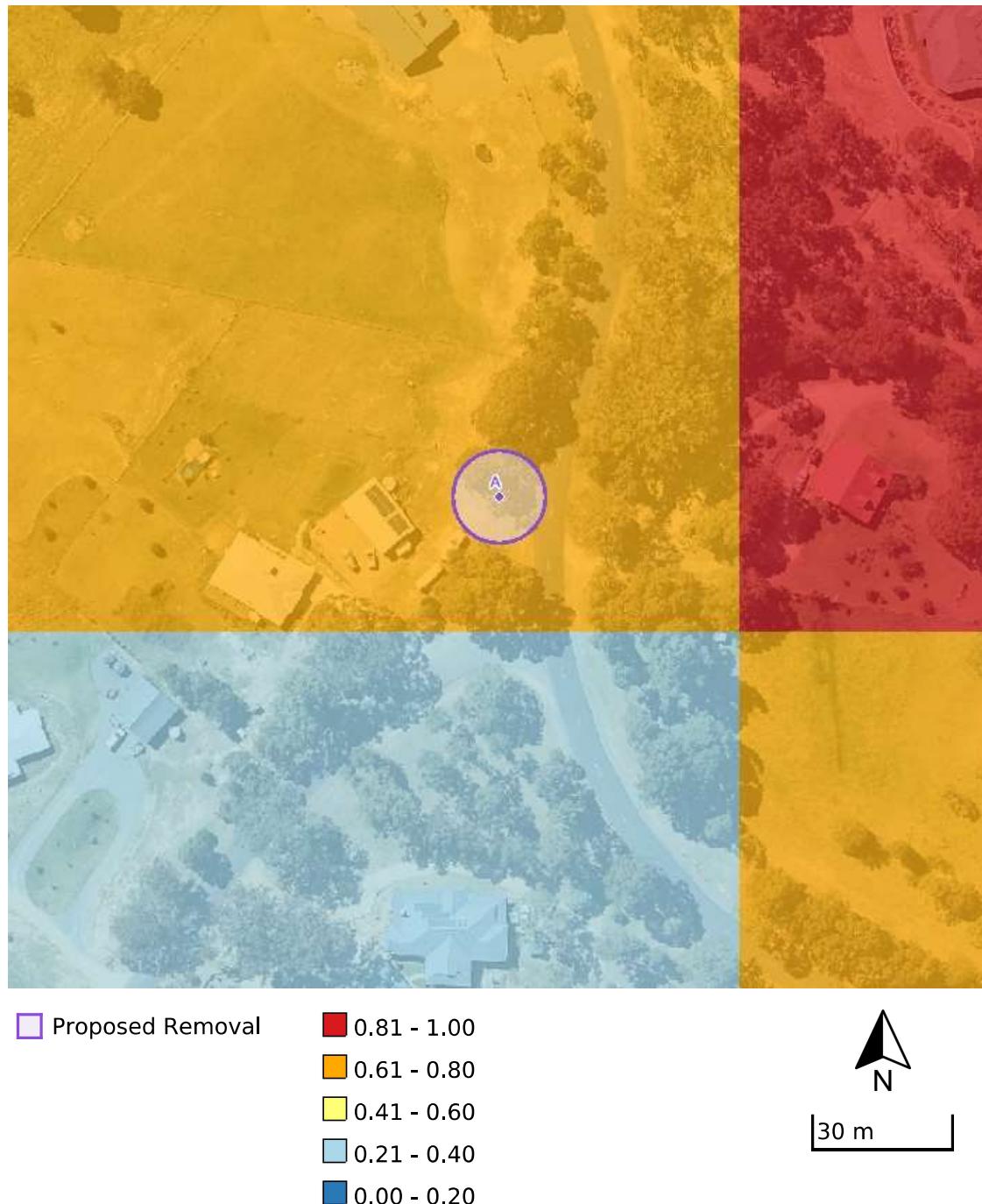
Location 2

Location 3



30 m

#### 4. Strategic Biodiversity Value Score Map



## 5. Condition Score Map



Proposed Removal

- 0.81 - 1.00
- 0.61 - 0.80
- 0.41 - 0.60
- 0.21 - 0.40
- 0.00 - 0.20



30 m

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## 6. Endangered EVCs

Not Applicable

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# Amend a Planning Permit Application

**s50 & s57A Planning and Environment Act 1987; r13 Planning and Environment Regulations 2015**

**Applicant Details:**

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

**Owners Details: (if not the applicant)**

Owner name: JEFFREY JOHN GRAY AND MARIA CIVITA ARMISTEAD		
Business trading name (if applicable): DEVELOPMENT SOLUTIONS VICTORIA PTY LTD		
Postal address: 48 BAILEY STREET, BAIRNSDALE		
		Postcode: 3875

**Description of the Land:**

Street number: 2	Street name: GILSENANS DRIVE
Town: METUNG	Postcode 3909

**AND/OR**

Lot Number: 12	Plan Number: 649974L
Other Legal Description: VOL 11606 FOL 565	

Other legal description may be a Crown Allotment reference, Volume/Folio, or other title descriptor.  
 If the proposal relates to multiple addresses/parcels, please attach a document with the details of the additional land included, including Ownership detail.

**Declaration in relation to Title Restrictions:**

Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the proposal result in a breach of a registered covenant restriction or agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**Description of proposal:**

Describe the use, development or other matter which needs a permit:

3 LOT SUBDIVISION

# Amend a Planning Permit Application

s50 & s57A Planning and Environment Act 1987; r13 Planning and Environment Regulations 2015

**Amendment Type:**

Under which section of the Act is the amendment to the application made? (one answer only)

<input type="checkbox"/> s50 Amendment by applicant before notice	<input checked="" type="checkbox"/> s57A Amendment by applicant after notice is given
Revised estimated cost of development: <i>Note: You may be required to verify this estimate</i>	\$ N/A

**Existing conditions:**

Describe how the land is used and developed currently:

EXISTING DWELLING AND ASSOCIATED FACILITIES

**Required supporting documents (if the amendment to the application affects the existing documents)**

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

**Suggested supporting documents, or subject to requirements of the scheme**

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

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

**Payment of Application Fees**

For a s50 application, no additional fees are payable unless the amendment introduces a matter not already covered by the original application.

For a s57A application, a fee of 40 percent of the original application fee amount is payable. The amount will be to be confirmed by a senior planning officer in accordance with the *Planning and Environment (Fees) Regulations 2016*. An invoice will be generated once the amended application has been assessed to confirm it is complete.

# Amend a Planning Permit Application

**s50 & s57A Planning and Environment Act 1987; r13 Planning and Environment Regulations 2015**

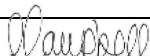
## Privacy Statement

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

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

## Declarations:

- I declare that I am the applicant and that all the information in this application is true and correct and the owner(s) (if not myself) has (have) been notified of the amendment to 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 or 57B of the *Planning and Environment Act 1987*, I permit documents submitted as part of this application, including my full contact information, to be made available for public viewing on Council's website.
- In the event that the giving of notice is required pursuant to Section 52 or 57B of the *Planning and Environment Act 1987*, and I receive instructions to give notice to potentially affected parties, I confirm that I will destroy the instructions and personal information once the information is no longer necessary.
- I accept the East Gippsland Shire Council Privacy Statement.

Applicant signature: 

Name: COURTNEY CAMPBELL

Date: 23 / 09 / 2025

## Contact Council



03 5153 9500



[feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)



[eastgippsland.vic.gov.au](http://eastgippsland.vic.gov.au)



PO Box 1618, Bairnsdale 3875

## Customer Service Centres:

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

Our Ref: 25043

23<sup>rd</sup> September 2025

Petra Wood  
East Gippsland Shire Council  
Statutory Planning Officer  
PO Box 1618  
Bairnsdale Vic 3875

Dear Petra,

**Re: Planning Permit 5.2025.308.1  
2 Gilsenans Drive, Metung  
3 Lot Subdivision and Creation of a Carriageway Easement**

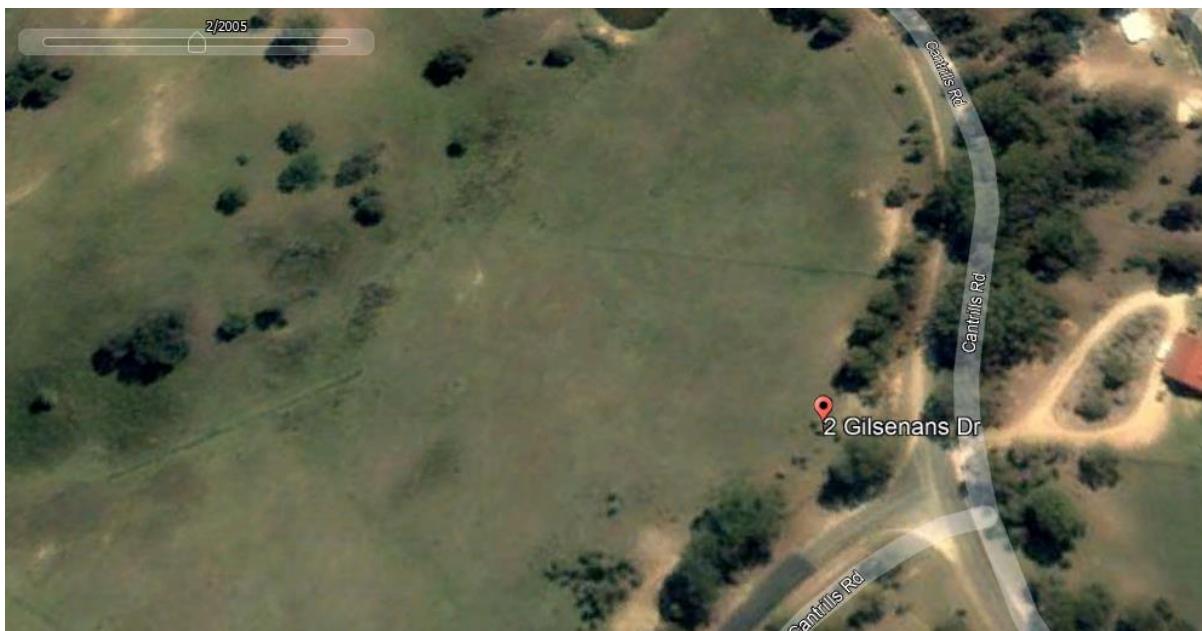
Following the recent lodgement of our planning permit application on 9 September 2025, we wish to bring to Council's attention that the proposed vegetation removal within the Council road reserve is exempt from the need to obtain planning approval under the provisions of Clause 52.12-2 of the East Gippsland Planning Scheme.

Clause 52.12-2 provides an exemption for the removal of native vegetation for bushfire protection purposes along an existing fence line, subject to the following requirements being met:

- *The fence must be located in an area that is designated as a bushfire prone area under the Building Act 1993.*
- *The fence must have been constructed before 10 September 2009.*
- *The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.*

We can confirm that both the vegetation and the boundary fence in question are located within an area covered by the Bushfire Management Overlay under the East Gippsland Planning Scheme and are also situated within a bushfire prone area as defined by the *Building Act 1993*.

Although we are unable to provide direct photographic evidence confirming the fence's existence prior to 10 September 2009, it is understood that subdivision activity within Metung occurred well after the original fencing was established. The site was historically used as grazing land for sheep and cattle, which strongly indicates that the fence pre-dates more recent subdivision. This position is further supported by available aerial imagery from Google Earth, which demonstrates the fence's position prior to 2009.



(Source: Google Earth – February 2005)

Further to this, we can also confirm that the vegetation proposed to be removed is within 1 metre of the fence line, and in some areas, vegetation is almost directly over the fence, as seen below:



In view of the above, we consider that the proposed vegetation removal satisfies all criteria set out under Clause 52.12-2, and as such, qualifies for an exemption from native vegetation assessment and offset requirements.

We respectfully request that Council assess the application accordingly, without the application of offset conditions at the time of a planning permit being granted. In addition, given the minor nature of the changes, we kindly request a waiver of any amendment fees.

Should any further information be required, please don't hesitate to contact our office on 5152 4858.

Regards,



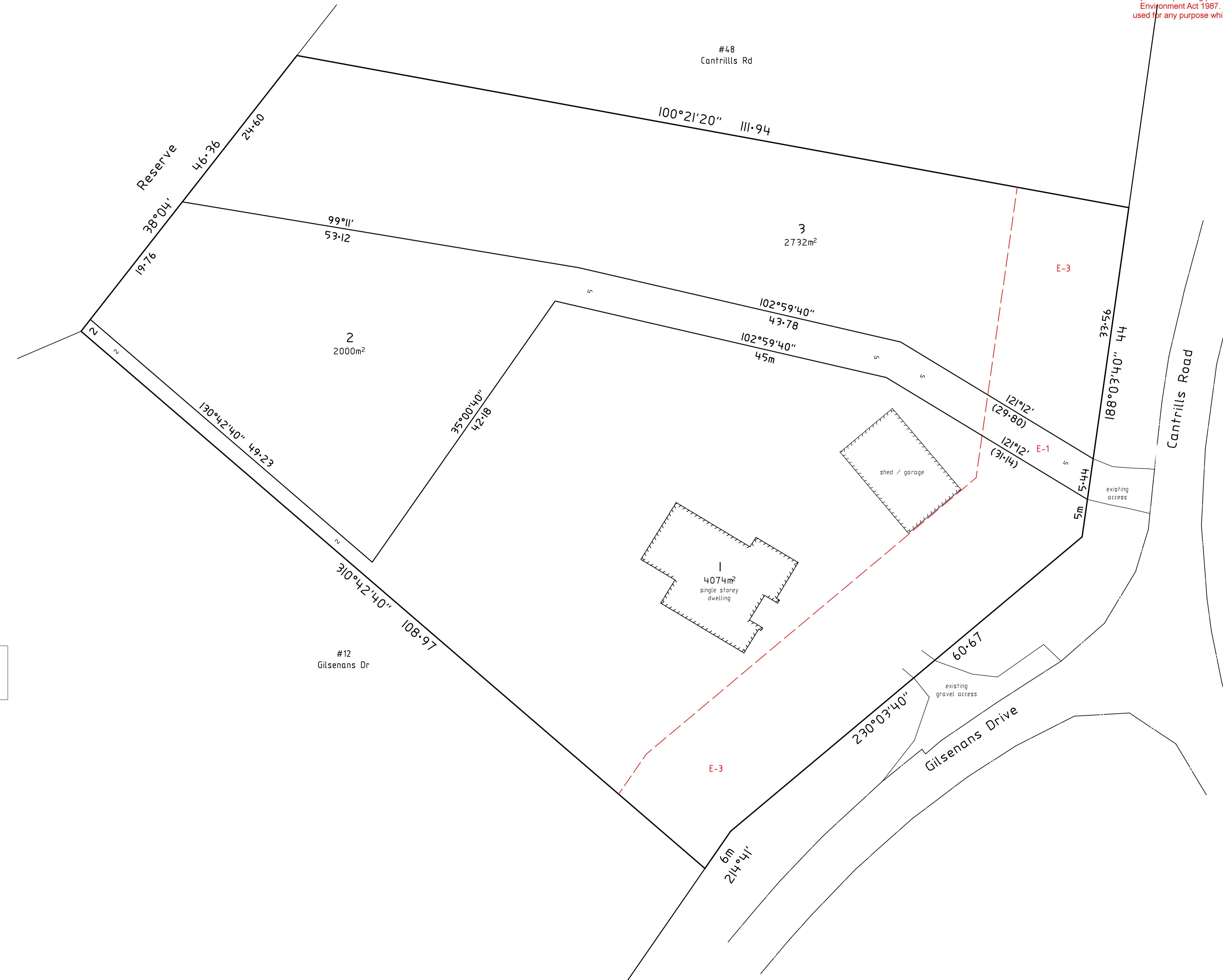
**Courtney Campbell**

**Development Solutions Victoria**

MGA44 ZONE 55



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



Sheet 1 of 1.

Proposed Subdivision Plan	
Parish of Bumberrah	
Crown Allotment: 78 (Part)	
Lot 12 on PS649974L	
Paracentroid (MGA2020) : E 575 980, N 5808 080	
<b>DEVELOPMENT SOLUTIONS VICTORIA</b>	
2 Gilsenans Drive, Metung, 3904	
East Gippsland Shire	
Drawn : 12/08/2025, Scott Charles Kimm L.S.	
<b>Notations</b>	
Date of Survey: 08/05/2025	
Datum vide PS649974L	
Total site area: 8806m <sup>2</sup>	
Plan No. 252699 PR-4	2.5 0 2.5 5 7.5 10
Scale 1:250 - A1	Lengths are in metres
1:500 - A3	