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NOTICE OF AN APPLICATION FOR PLANNING PERMIT 1987. The document must not be used for any purpose which may breach any copyright.

The land affected by the application is located at:	1304 Bruthen-Buchan Road BUCHAN SOUTH VIC 3885 Lot: 2 PS: 506630			
The application is for a permit to:	Two lot subdivision (dwelling excision)			
A permit is required under the following clauses of the planning scheme:				
Planning Scheme Clause	Matter for which a permit is required			
35.07-3 (FZ)	Subdivide land.			
44.06-2 (BMO)	Subdivide land.			
The applicant for the permit is:	Crowther & Sadler Pty Ltd			
The application reference number is:	5.2025.392.1			

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

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

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

An objection must

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

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

The Responsible Authority will not decide on the application before:	Subject to the applicant giving notice
--	--

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

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April McDonald

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From: Snapforms Notifications <no-reply@snapforms.com.au>

Sent: Friday, 28 November 2025 10:42 AM

To: Planning Unit Administration **Subject:** Planning Permit application

Attachments: 21378 Prop V1.pdf; 21378 BHSA V1.pdf; 21378 CoT Vol_10702_Fol_616.pdf;

Planning_Permit_Application_2025-11-28T10-42-08_29180646_0.pdf;

attachment_errors.txt; 21378 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:

Applicant name: Crowther & Sadler

Business trading name: Crowther & Sadler Pty Ltd

Email address: contact@crowthersadler.com.au

Postal address: PO Box 722 Bairnsdale 3875

Preferred phone number: 0351525011

Owner's name:

Street number: 1304

Street name: Bruthen-Buchan Road

Town: Buchan South

Post code: 3885

Lot number: 2

Plan number: PS506630V

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

Existing conditions: Agriculture - Grazing

Description of proposal: Two lot subdivision (dwelling excision)

Estimated cost of development: 0

Has there been a pre-application meeting: Yes

Officer's name: Hamish McIntosh

Your reference number: 21378

ExtraFile: 1

Invoice Payer: Crowther & Sadler Pty Ltd

Address for Invoice: PO Box 722 Bairnsdale 3875

Invoice Email: contact@crowthersadler.com.au

Primary Phone Invoice: 0351525011

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes

Plans: 21378 Prop V1.pdf

1. Supporting information/reports: 21378 BHSA V1.pdf

Planning report: 21378 Report.pdf

Full copy of Title: 21378 CoT Vol_10702_Fol_616.pdf

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Environment Act 1987. The document must not be



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection patholic Configuration Control of C

REGISTER SEARCH STATEMENT (Title Seatech) for pan preproser which may breach அவரு reopyright. Land Act 1958

VOLUME 10702 FOLIO 616

Security no : 124130155114D Produced 24/11/2025 10:38 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 506630V. PARENT TITLE Volume 09429 Folio 632 Created by instrument PS506630V 29/01/2003

REGISTERED PROPRIETOR

Estate Fee Simple TENANTS IN COMMON

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 PS506630V 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: 1304 BRUTHEN-BUCHAN ROAD BUCHAN SOUTH VIC 3885

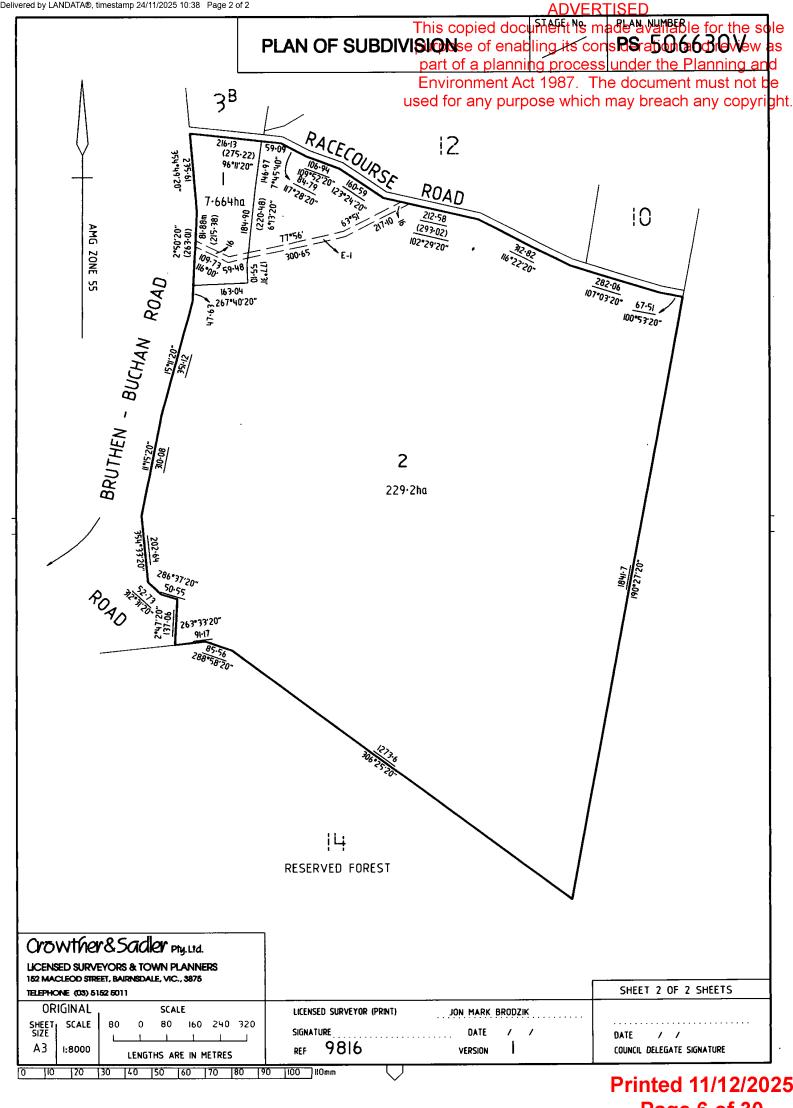
ADMINISTRATIVE NOTICES

NIL

eCT Control 21210T WARREN GRAHAM AND MURPHY PTY LTD Effective from 26/05/2020

DOCUMENT END

Delivered by LANDATA®, timestamp 24/11/2025 10:38 Page 1 of 2 STARE Copied Government is made available to purpose of EDITION siconside Sat 50406 200 a PLAN OF SUBDIVISION planning process under the Planning and council CERTIFICATION and ENDORSEMENT must not be used for any purpose which may breach any copyright. **LOCATION OF LAND** COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF: 02/00031/SD PARISH: NOWA NOWA TOWNSHIP: I. This plan is certified under Section 6 of the Subdivision Act 1988. SECTION: This plan is certified under Section II(7) of the Subdivision Act 1988. CROWN ALLOTMENT: Date of original certification under Section 6 **CROWN PORTION:** 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988. LTO BASE RECORD: VICMAP DIGITAL PROPERTY .(RURAL) OPEN SPACE TITLE REFERENCES: VOL 9429 FOL 632 A requirement for public open space under Section 18 Subdivision Act 1988 has / has not been made. LAST PLAN REFERENCE: The requirement has been satisfied. (iii) The requirement is to be satisfied in stage POSTAL ADDRESS: Council Delegate (At time of subdivision) BRUTHEN-BUCHAN ROAD, BUCHAN 3885 Council seal AMG CO-ORDINATES: (Of approx. centre of 599 400 Date 14/11 / 2002 **ZONE: 55** 5837 200 Re-certified under Section II(7) of the Subdivision Act 1988 land in plan) Council-Delegate Council seal **VESTING OF ROADS AND/OR RESERVES** COUNCIL/BODY/PERSON **IDENTIFIER NOTATIONS** NII NII STAGING This is / is not a staged subdivision Planning Permit No 01/00472/DS DEPTH LIMITATION 15m BELOW THE SURFACE DIMENSIONS UNDERLINED ARE NOT A RESULT OF THIS SURVEY AREA OF LOT 2 IS BY DEDUCTION FROM TITLE THIS PLAN IS / IS NOT BASED ON SURVEY SURVEY: THIS SURVEY IS CONNECTED TO PERMANENT MARK No(s) IN PROCLAIMED SURVEY AREA No **EASEMENT** INFORMATION LTO USE ONLY STATEMENT OF COMPLIANCE R - Encumbering Easement (Road) **LEGEND** E - Encumbering Easement / EXEMPTION STATEMENT A - Appurtenant Easement RECEIVED Easement Reference Width Purpose Origin Land Benefited/In Favour Of (Metres) THIS PLAN -SECTION 88 OF THE TXU ELECTRICITY LTD **POWERLINE** E-I 7///03 DATE ELECTRICITY INDUSTRY ACT 2000. LTO USE ONLY PLAN REGISTERED TIME: 17:30 DATE 29/ / 103 Helen hyphory Assistant Registrar of Titles SHEET I OF 2 SHEETS JON MARK BRODZIK LICENSED SURVEYOR (PRINT) Crowther&Sadler Philid DATE 141 11 12002 DATE 6 13 12002 LICENSED SURVEYORS & TOWN PLANNERS COUNCIL DELEGATE SIGNATURE 152 MACLEOD STREET, BAIRNSDALE, VIC., 3875 9816 VERSION ORIGINAL SHEET SIZE TELEPHONE (03) 5152 5011 Page 5 of





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Planning Report

Two Lot Subdivision (Dwelling Excision)

1304 Bruthen-Buchan Road, Buchan

Our reference – 21378

28 November 2025



East Gippsland Shire Council

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	Prop	osed Subdivision Plan (Version 1)	
	Bushfire Hazard Site Assessment (Version 1)		
	Copy	y of Title (Lot 2 on PS506630V)	

Note: Applicable Planning Application fee is \$1,496.10 - Class 20

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1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision (dwelling excision) at 1304 Bruthen-Buchan Road, Buchan. The Report addresses the provisions of the Farming Zone 1 and Bushfire Management Overlay as contained within the East Gippsland Planning Scheme.



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

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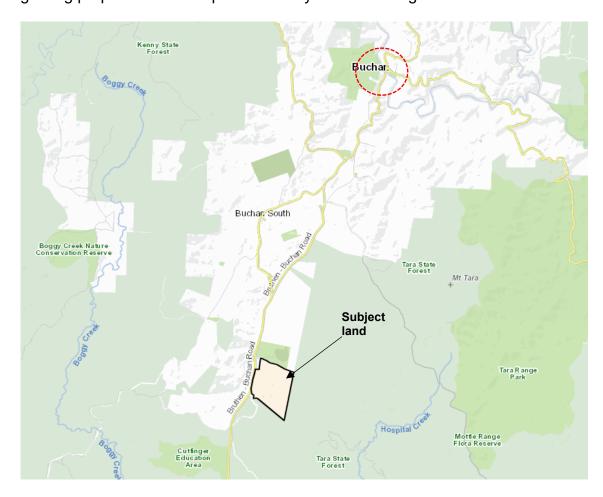
2. Subject Land & Surrounding Context

Formally known as Lot 2 on PS506630 or otherwise known as 1304 Bruthen-Buchan Road, Buchan the subject land is a substantial property of approximately 230 hectares used for the purposes of livestock grazing.

The subject land is located approximately 12km north of the Bruthen-Nowa Nowa Road and approximately 14 kilometres south from the Buchan township.

The eastern and southern boundaries pf the subject land adjoins the Tara State Forest that forms part of an extensive area of forested Crown land that extends north and east to the State boarder

Land on the west side of Bruthen-Buchan Road is comprised of multiple freehold grazing properties that are predominantly cleared of vegetation.



Developed in the south-western part of the subject land is an existing dwelling and agricultural shedding setback approximately 150 metres from Bruthen-Buchan Road. Access to the dwelling is obtained from a gravel driveway which extends from Bruthen-Buchan Road which is a sealed principal road.

A second access to the subject land is located approximately 290m north.

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Aerial image of the existing dwelling, shedding and dwelling access driveway (Source: Google Earth)



View across subject land from north side of the existing dwelling



View from driveway across subject land on west side of the existing dwelling

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View existing dwelling and surrounding garden



Existing northern access from Bruthen Buchan Road

Two access gates are also located on the northern boundary taking access from Racecourse Road.



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View eastern access from Racecourse Road



View central access gate from Racecourse Road

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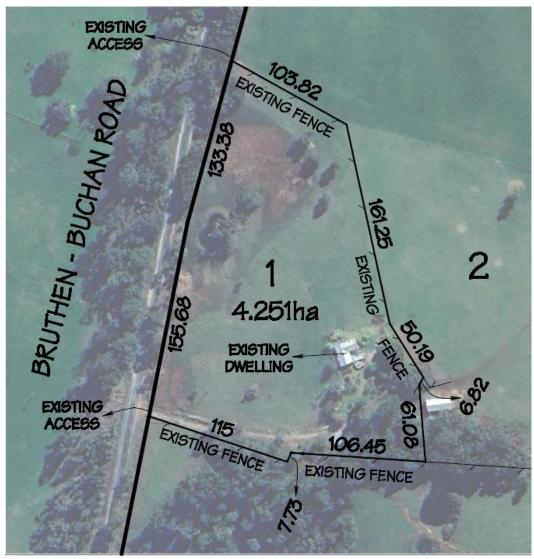
3. The Application & Proposal

The application seeks approval for a two lot subdivision for the purpose of excising the existing dwelling.

The purpose of the proposed subdivision is to provide land tenure for a third generation family members that are actively working the farm. The subdivision will ensure farming experience and skills can be utilised to manage the farming enterprise while also allowing for population retention within the Buchan district. Establishing permanent land tenure for family members working the property allows for confidence to reinvest within the farming operation.

Proposed lot 1 will be 4.251 hectares and is an appropriate size to offer an alternative dwelling site capable of providing defendable space within the lot boundaries should the existing dwelling ever be replaced.

Lot 2 being the balance of the land will retain 224.77 hectares.



Enlargement of proposed lot 1

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The proposed boundaries for the most part adopt existing fences and will otherwise avoid native vegetation. The southern boundary of lot 1 aligns with existing fencing.



View west existing fence on south side of driveway



View eastern section existing fence forming southern boundary of Lot 1



View existing fenceline to form eastern boundary of Lot 1

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Proposed alignment of southern section of eastern boundary to southern boundary to avoid native vegetation



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

Planning Scheme Clause	Matter for which a Permit is required		
35.07-3 Farming Zone	Subdivide land		
44.06-2 Bushfire Management Overlay	Subdivide land		

The application is required to be referred to the relevant fire authority pursuant to section 55 of the *Planning and Environment Act 1987*.

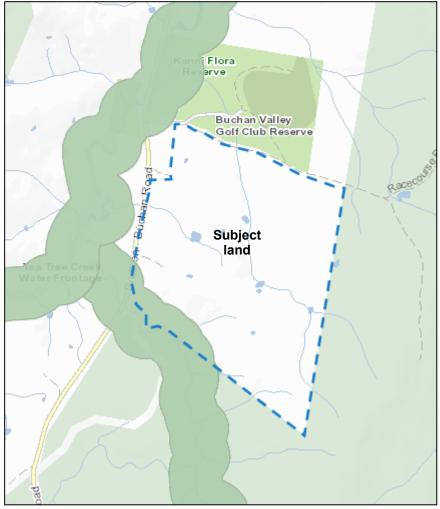
The subject land is located within a Declared Water Supply Catchment Area being Boggy Creek (Nowa Nowa) requiring referral to the relevant water board in accordance with section 55 of the *Planning and Environment Act 1987*.

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4. Cultural Heritage

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

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



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

The subject land is partly within an area of cultural heritage sensitivity however, the subdivision of land in the Farming Zone into two lots is not a high impact activity and as such, a CHMP is not required for the proposed subdivision.

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5. Planning Policy

5.1 Planning Policy Framework

Clause 12.01-2S Native Vegetation Management has been considered in the subdivision design. The subdivision boundary has adopted existing fencing and access to both allotments exists allowing the avoidance of native vegetation removal.

The proposed subdivision to excise the existing dwelling on the subject land is respectful of the waterways on the property. All waterways on the site will remain with the balance allotment providing for waterways to remain within single ownership allowing for appropriate waterway management consistent with Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs.

Contained within the Bushfire Management Overlay Clause 13.02-1S Bushfire planning is relevant to the application. Lot 1 is a size that should a replacement dwelling be required in the future sufficient area is afforded to provide for a new dwelling that can accommodate defendable space ensuring the risk from a bushfire event can be mitigated. In the event a new dwelling is to be developed on Lot 2 there is more than adequate area to allow for defendable space.

As sought within Clause 14.01-1S Protection of agricultural land, the proposed subdivision responds positively to the objective and strategies:

- Proposed lot 1 to contain the existing dwelling has been minimised in area to ensure the balance lot is provided with the maximum area available for livestock farming.
- The subject land is not identified as farmland of strategic significance. Soil structure and lack of year-round water supply do not lead to the property being classified as land of strategic significance.
- The proposed subdivision will allow for the continuation of primary production on lot 2 and on adjacent land. Agricultural production on lot 2 is livestock grazing which is a relatively benign activity in comparison to more intensive uses such as crop raising or intensive animal production, reducing the potential land use conflict. Proposed lot 1 and the existing dwelling are well setback from adjacent land that undertakes primary production allowing the continuation of agricultural activities in the area.
- The proposal will not result in adverse impacts to the local environment avoiding disruption of waterways and native vegetation losses.

The proposed subdivision ensures the protection of the water catchment, natural drainage corridors will be contained within proposed lot 2 allowing for management of the waterways by a single landowner as sought within Clause 14.02-1S Catchment management and planning.

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Consistent with Clause 18.02-4S Roads the existing access to proposed lot 1 will continue to afford good sightlines north and south along Bruthen-Buchan Road and the splayed access allows for easy turning movements. Access to proposed lot 2 exists and allows for good sight lines and turning manoeuvres on and off Bruthen-Buchan Road.

5.2 Municipal Planning Strategy

Clause 02.03-2 Environmental and landscape values have been respected by the proposed subdivision. Proposed lot 1 will adopt existing fencelines avoiding native vegetation removal, waterways will all be contained within lot 2 allowing for single landowner management and wildlife corridors and vegetated areas on the property will not be disrupted.

Clause 02.03-3 Environmental risks and amenity advises that East Gippsland is subject to bushfire risk. Lot 1 has been developed to ensure there is adequate area for a replacement dwelling with defendable space should it be required thereby providing a subdivision which is resilient to bushfire risk.

The subdivision will allow for water quality within the catchment to be maintained, with waterways on the subject land remaining undisrupted, the land given its environmental characteristics does not form high quality agricultural land, existing productive agricultural land will remain with the balance allotment and subdividing the land does not provide an opportunity to introduce inappropriate development as sought within Clause 02.03-4 Natural resource management.

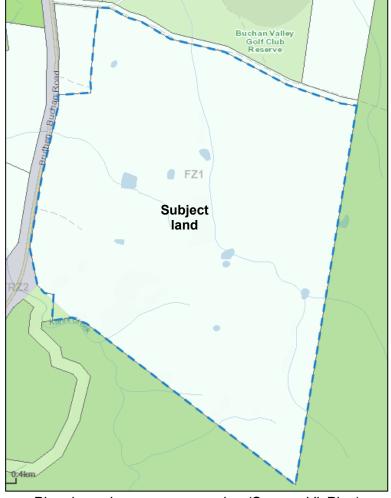
Clause 02.03-6 Economic development notes that one traditional major industry within the region is agriculture. The proposed subdivision will not result in a loss of productive agricultural land and allows the existing cattle enterprise to continue to operate.

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6. Planning Elements

6.1 Farming Zone 1

The subject land is contained within Farming Zone 1 under the East Gippsland Planning Scheme.



Planning scheme zone mapping (Source: VicPlan)

The proposed subdivision meets the purposes of the zone by lot 2 retaining an area of more than 225ha that will enable the established agricultural activity to continue. Productive agricultural land will be retained and excising the dwelling will not adversely affect the use of land for agriculture.

Clause 35.07-3 Subdivision provides the ability for a permit to be granted to create smaller lots than 40 hectares if the subdivision creates a lot for a dwelling and is only a two lot subdivision.

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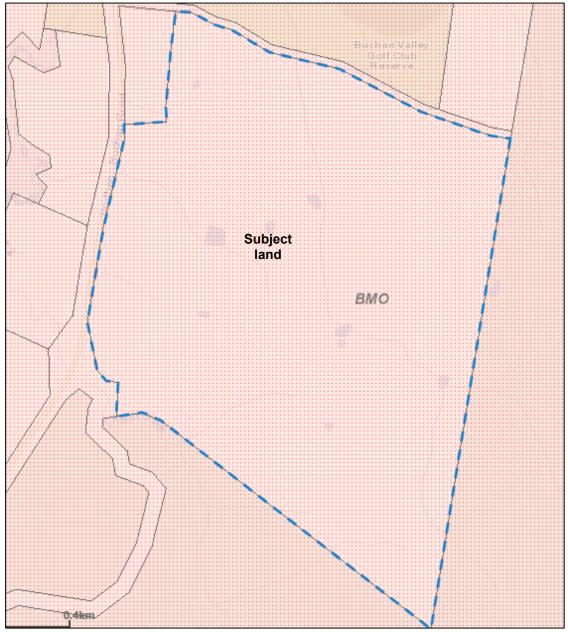
A review of the decision guidelines has been undertaken, and the following response is to the decision guidelines is provided:

- The East Gippsland Regional Catchment Strategy is respected by the proposed subdivision. Native vegetation on the subject land will be retained and will not be impacted by the subdivision. Waterways on the property will be maintained within proposed lot 2 allowing for management by a single landowner.
- The excised dwelling on proposed lot 1 is of a sufficient area to accommodate existing wastewater management needs.
- Excising the existing dwelling from the property will continue to allow the agricultural productive area of the property on lot 2 to be sustainably managed for livestock production.
- Excising the dwelling will be compatible with the livestock production on proposed lot 2 as livestock production is a relatively benign agricultural activity within the rural context as opposed to vegetable growing or intensive agricultural production such as feedlots.
- Agricultural production on the subject land will be maintained by the subdivision as existing land in agricultural production is retained within lot 2.
- There will be no adverse effect on soil quality as a result of the proposal.
- Land to be incorporated within proposed lot 1 does not form part of the property used for agricultural production and as such will not be lost to agriculture.
- Proposed lot 2 is capable of sustaining agricultural production as is demonstrated by the current livestock business.
- Access to stock dams, fence infrastructure, shedding and internal access tracks will remain within proposed lot 2 assisting with agricultural production.
- Environmental issues associated with the proposal are limited as native vegetation on the property will be maintained and waterways will not be disrupted.

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6.2 Bushfire Management Overlay

The whole of the subject land is contained within the Bushfire Management Overlay.



Planning scheme overlay mapping (Source: VicPlan)

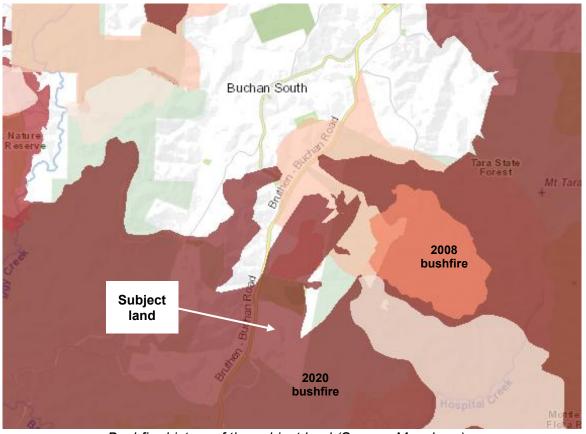
In accordance with Clause 44.06-3 the application is supported by a bushfire hazard landscape assessment, bushfire hazard site assessment and bushfire management statement.

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Bushfire Hazard Landscape Assessment

The subject land is located within the northern part of East Gippsland Shire, approximately 11.5 kilometres from the township of Buchan.

In considering the broader surrounding landscape of the subject land an assessment has been undertaken and is included below.



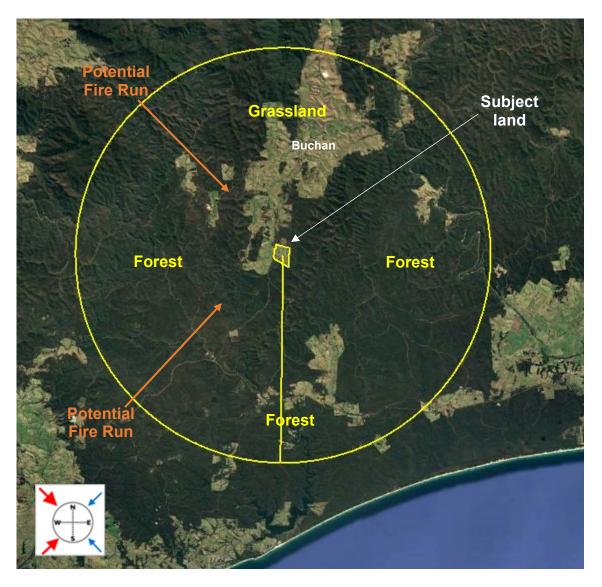
Bushfire history of the subject land (Source: Mapshare)

The Bushfire Hazard Landscape Assessment identifies that the subject land is located within undulating terrain, has recent fire history with the opportunity for long uncontrolled fire runs in the wider Crown land landscape.

The subject land is considered to be within a Broader Landscape Type 3 as a bushfire could approach the subject land from a number of directions.

Egress from the subject land northwards along Bruthen-Buchan Road avoids forested areas and allows access to Buchan (approx. 14km) which contains a neighbourhood safer place.

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A review of the local conditions within one kilometre of the existing dwelling identifies grassland vegetation to the north, east and west which is managed through active farming/livestock grazing. To the south of the existing dwelling is forest vegetation within Crown land with grassland vegetation in the intervening area.

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Local conditions 1km from the existing dwelling (Source: Google Earth)

BUSHFIRE MANAGEMENT STATEMENT

CLAUSE 53.02-4.4 SUBDIVISION OBJECTIVES

Clause 53.02-4.4 Objective

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 Measures

AM 5.1

An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:

- The defendable space in accordance with Column A, B or C of Table 2 to Clause 53.02 5.
- The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3

Response:

The surrounding environment varies to the east is grassland vegetation on an upslope. The northern aspect is downslope >5-10 with grassland vegetation. The southern aspect is upslope with forest vegetation. To the west is grassland vegetation with a downslope >5-10.

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The predominant bushfire risk is from the north-west and south-west, however it is reduced by intervening managed grassland vegetation. Similarly to the east is a larger area of forest vegetation that could result in ember attack.

In this case the dwelling excision will not alter the manner the existing subject land is used and developed. Lot 1 is capable of providing a replacement dwelling if required with a separation distance to all aspects of 48m consistent with Table 2, Column A.

Proposed lot 2 has the ability to accommodate a dwelling if required with the prescribed defendable space under Column A within Table 2 of 48m.

Given the broader landscape particularly to the east and south with extensive Crown land containing forest vegetation there is a risk of ember attack. Should a new dwelling be constructed in the future on either lot it is recommended the dwelling be constructed to a BAL 29 standard to mitigate risk.

Vegetation management requirements in Table 6 would need to be implemented to maintain the defendable space. The management of vegetation would not be onerous.

A static water supply of 10,000 litres would need to be provided for both dwellings and vehicle access design and construction would need to comply with Table 5 to Clause 53.02-5.

AM 5.2

An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:

- Each lot satisfies the approved measure in AM2.1
- A building envelope for a single dwelling on each lot that complies with **AM 2.2** and provides defendable space in accordance with:
 - Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or
 - Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.

The bushfire attack level 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 AM 4.1.

Response:

N/A - The subject land is zoned Farming Zone and AM 5.1 applies.

AM 5.3

An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.

Response:

Crowther & Sadler Ptultd

N/A – Only two lots are proposed.

21378 Report

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AM 5.4

A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Response:

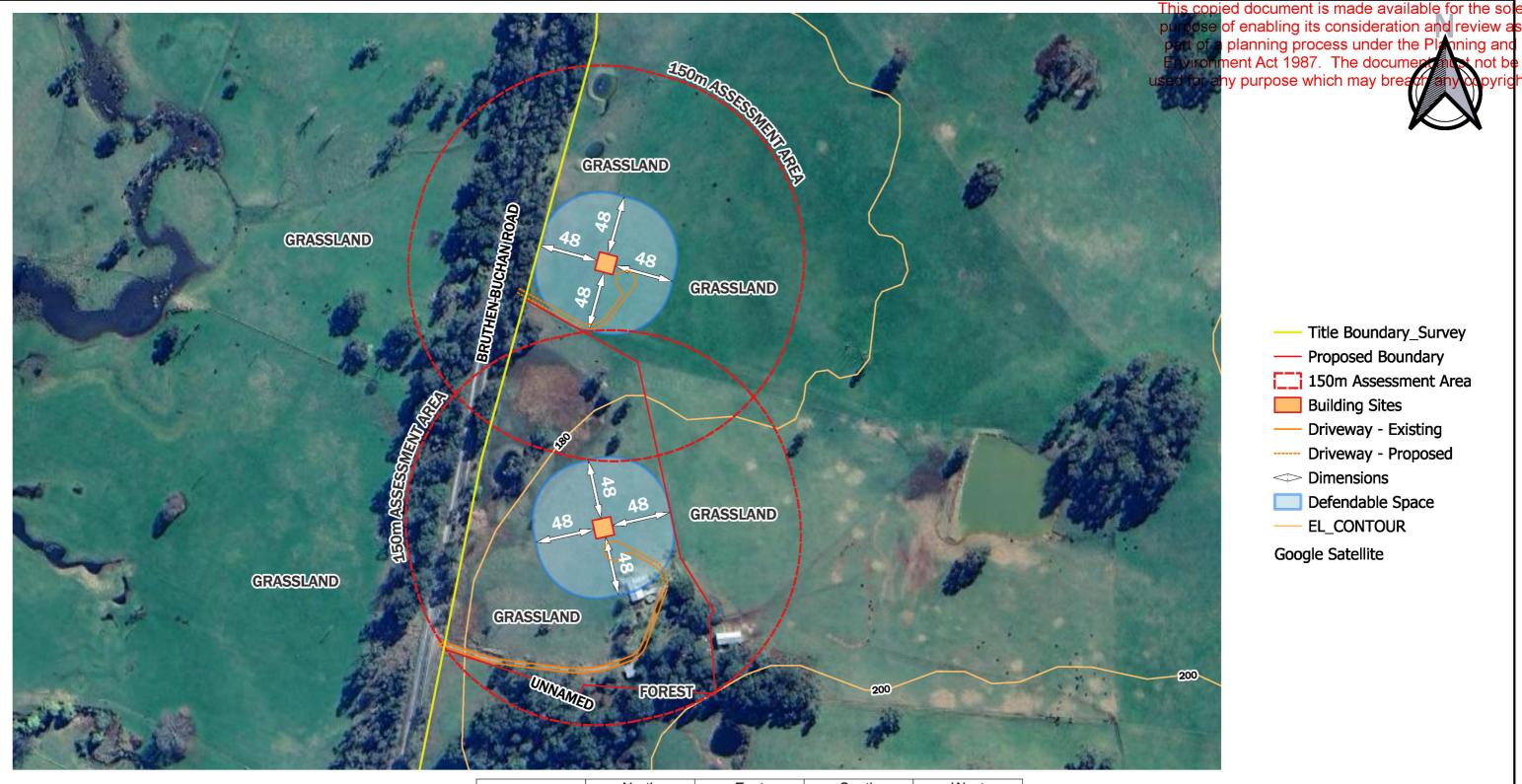
No public open space or communal areas will be developed.

It is considered that if a replacement dwelling is required on lot 1 and if needed a new dwelling on lot 2 both properties can be developed with dwellings that can be resilient to bushfire risk.

7. Conclusion

The proposed two lot subdivision (dwelling excision) at 1304 Bruthen-Buchan Road, Buchan is considered to accord with all relevant provisions of the Farming Zone 1 and Bushfire Management Overlay of the East Gippsland Planning Scheme. The proposal is consistent with the Planning Policy Framework and Municipal Planning Strategy and will result in a positive farming outcome.

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



1304 BRUTHEN - BUCHAN ROAD, BUCHAN

Crowther& Sadler Pty Ltd.

LICENSED SURVEYORS & TOWN PLANNERS

152 MACLEOD STREET, BAIRNSDALE, VIC., 3875 P. (03) 5152 5011 E. contact@crowthersadler.com.au

		North	East	South	West
	Slope	Downslope >5°- 10°	Upslope	Upslope	Downslope >5°- 10°
	Veg Type	Grassland	Grassland	Forest	Grassland
	Separation Distances	25m	19m	48m	25m

SCALE (SHEET SIZE A3)

1:3,000

SURVEYORS REF.

21378 VERSION 1 - DRAWN 14/11/2025

BUSHFIRE HAZARD SITE ASSESSMENT

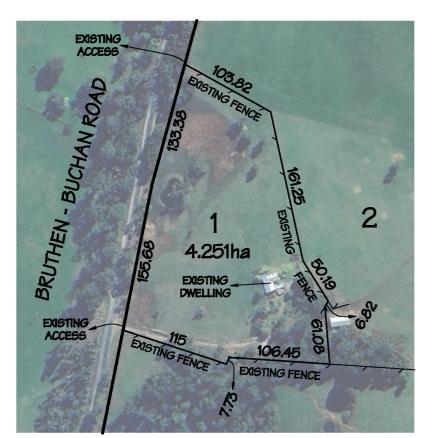
PARISH OF NOWA NOWA CROWN ALLOTMENT 9 (PART)

LOT 2 ON PS506630V

Printed 11/12/2025

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59.09 SEE ENLARGEMENT





PROPOSED SUBDIVISION

PARISH OF NOWA NOWA CROWN ALLOTMENT 9 (PART)

LOT 2 ON PS506630Y

SCALE (SHEET SIZE A3) SURVEYORS REF. 21378 1:10,000 VERSION I - DRAWN 14/11/2025

1304 BRUTHEN - BUCHAN ROAD, BUCHAN

Crowther & Sadler Pty. Ltd.

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