

conContact: Planning Department  
Email: [planning@egipps.vic.gov.au](mailto:planning@egipps.vic.gov.au)  
Our Ref: 5.2021.578.1  
Your Ref: 19395

**Corporate Centre**  
273 Main Street (PO Box 1618)  
Bairnsdale Victoria 3875  
**Telephone:** (03) 5153 9500  
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**Residents' Info Line:** 1300 555 886  
**Facsimile:** (03) 5153 9576  
**Email:** [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
**ABN** 81 957 967 765

20 December 2024

Crowther & Sadler Pty Ltd  
PO Box 722  
BAIRNSDALE VIC 3875

**Email:** [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

Dear Sir or Madam

## GRANT OF A PLANNING PERMIT

**Application:** 5.2021.578.1  
**Proposal:** Multi-lot subdivision, buildings and works (roadworks), removal of native vegetation and creation of access to a road in a Transport Zone 2  
**Property Address:** 121 Princes Highway LAKES ENTRANCE 3909  
**Property Title** Lot: G PS: 328995

The Responsible Authority has completed its assessment of the above application and has issued a planning permit for the proposed development.

A copy of planning permit number 5.2021.578.1 is enclosed.

Your attention is drawn to the conditions of the permit. Please read these conditions carefully, and check whether there are any actions you need to take prior to acting on the permit, including submission of additional and/or amended plans.

Please note that this permit is not a building permit, and if the proposal involves the construction or alteration of a building, you may need to obtain a separate building permit.

Yours sincerely



**MARTIN RICHARDSON**  
**Manager Planning and Development**

**PLANNING PERMIT**

Permit No: 5.2021.578.1  
 Planning Scheme: East Gippsland  
 Responsible Authority: East Gippsland Shire

**ADDRESS OF THE LAND:**

121 Princes Highway LAKES ENTRANCE 3909  
 Lot: G PS: 328995

**THE PERMIT ALLOWS:**

Planning Scheme Clause	Matter for which the permit has been granted
32.08-3 (GRZ1)+	Subdivide land
43.02-3 (DDO)	Subdivide land
44.01-2 (EMO)*	Construct a building or construct or carry out works
44.01-3 (EMO)*	Remove any vegetation
44.01-5 (EMO)*	Subdivide land
52.17-1	Remove native vegetation
52.29-2*	Create or alter access to a road in a Transport Zone 2
52.29-2*	Subdivide land adjacent to a road in a Transport Zone 2

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:****Operation of the Permit**

- At all times what the permit allows must be carried out generally in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority, unless with the written consent of the responsible authority.

**s173 Legal Agreement**

- Prior to the issue of a statement of compliance, the owner(s) shall enter into an agreement with the responsible authority pursuant to section 173 of the Planning and Environment Act 1987 ('the Act') and make application to the Registrar of Titles to have the agreement registered on the title to the land under section 181 of the Act. The owner(s) must pay all reasonable costs of the preparation, execution and registration of the agreement and any subsequent amendment, removal or other dealing associated with the agreement. The agreement will stipulate that:
  - Any future dwelling on each lot must be connected to a rainwater tank as per the endorsed Stormwater Management Plan. The rainwater tank must be plumbed to all toilets and laundries in the dwelling/s.
  - All stormwater treatment assets as required by the endorsed Stormwater Management Plan must be maintained in good working order.
  - At all times, vehicle access over reserves in the subdivision is prohibited.

**Telecommunications – Mandatory Conditions**

- The owner of the land must enter into an agreement with:
  - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

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4. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
  - a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the item; and
  - b. a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

#### **Fire Management conditions**

##### **Subdivision plan not to be altered**

5. The subdivision as shown on Version 14 of the proposed subdivision supplied from Crowther & Sadler dated 28/08/2024 must not be altered without the consent of CFA.

#### **Hydrants**

6. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
  - a. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
  - b. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

#### **Roads**

7. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
  - a. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
  - b. Curves must have a minimum inner radius of 10 metres.
  - c. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

#### **Catchment and Drainage conditions**

8. Prior to certification of the plan of subdivision, amended flood modelling must be provided for the subdivision layout proposed in Crowther and Sadler Ref. 19395, Version 14, drawn 28 August 2024 that:
  - a. Includes the proposed earthworks and waterway realignment for the area between Lots 14 and 15, as well as the proposed road alignment.
  - b. Clarifies the 1% Annual Exceedance Probability (AEP) flood extent, height, depth and velocity associated with the proposed subdivision, with particular regard to the provision of safe vehicle access to all lots.
  - c. Demonstrates that all lots will be flood free in a 1% AEP flood event.
9. Prior to certification of the plan of subdivision, a Waterway Management Plan (WMP) must be prepared in consultation with the East Gippsland Catchment Management Authority and to the satisfaction of the Responsible Authority. The WMP must include:
  - a. Details of existing environmental values.

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- b. Details of any initial stabilisation and vegetation works.
  - c. A landscape plan for revegetation of land within a 30-metre buffer either side of the waterway, including a species list and proposed density of the plantings. The vegetation must be representative of the Ecological Vegetation Class for the site. Any area required to be cleared of vegetation to create defensible space must not encroach into the required revegetation within the waterway buffer.
  - d. A maintenance activities schedule detailing the establishment and ongoing maintenance requirements, frequency of maintenance activities and handover benchmarks.
10. Prior to certification of the plan of subdivision, an amended Stormwater Management Plan (SMP) must be developed in consultation with the East Gippsland Catchment Management Authority and to the satisfaction of the Responsible Authority. The SMP must:
- a. Demonstrate that all stormwater discharge from the subdivision will meet the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999), and must quantify the reduced loads of sediment, nutrient and gross pollutants in kg/year.
  - b. Include a plan showing the location of all stormwater treatment assets and how the subdivision will drain to each stormwater treatment asset.
  - c. Include a maintenance schedule to identify what actions are required to ensure that the water quality treatment assets are maintained in perpetuity and who is the responsible party for each action.
11. Before any works associated with the subdivision start, a detailed drainage management plan (DMP) to the satisfaction of the responsible authority must be submitted to and be approved by the responsible authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in accordance with the SMP, WMP, and standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:
- a. Drainage infrastructure, including swale drains and culverts, piping/drains and pits.
  - b. Any modification to the terrain, such as filling and excavation.
  - c. Easements and legal points of discharge.
  - d. Methods of on-site detention, Water Sensitive Urban Design including the provision of rainwater tanks, rain gardens sediment traps, wetlands, detention basins.
  - e. 1% and 20% AEP rainfall event flow paths over the subdivision and immediate surrounding area.
  - f. Southern reserves (adjacent to Princes Highway) shaped with a shallow swale drain to direct sheet flow from upslope into the piped road drainage system.
12. During construction, all earthworks associated with the construction of the drainage must be stabilised to protect against erosion and failure and must not encroach onto other properties.
13. Before the issue of a statement of compliance for the subdivision, the works described in the Waterway Management Plan and Stormwater Management Plan must be completed to the satisfaction of the responsible authority in consultation with the East Gippsland Catchment Management Authority.
14. Before the issue of a statement of compliance, all drainage works and requirements must be undertaken and completed to the satisfaction of the responsible authority.

### **Roads and Services**

15. Before the commencement of works, a road construction plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit and must not be altered unless with the written consent of the responsible authority. The plans must be drawn to scale with dimensions. The plans must show:

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- a. Fully sealed pavement for new internal road, with a minimum trafficable width of 6.7metres and mountable kerb and channel on both sides.
- b. A road longitudinal section.
- c. At least 6 pavement cross-sections including in the vicinity of lots 18 and 19 clearly showing the size and number of gabions required on the downslope of the road cross section.
  - i. The road cross sections are to show a safety barrier on the top of the gabions for pedestrian safety.
- d. Fully asphalted pavement with a turning area with a minimum radius of ten metres.
- e. Details of erosion protection works.
- f. Rock beaching work must be shown at all pipe outlet locations to the creek.
- g. An intersection design at the Princes Highway.
- h. Verge areas with a width sufficient for the construction of drainage infrastructure, services and for pedestrian access.
- i. Concrete footpaths a minimum of 1.5 metres wide on one side of the internal road and connection to the existing footpath within the Princes Highway road reserve.
- j. Street lighting (using LED technology).
- k. Statutory signage and traffic control devices and line marking as appropriate.

The documentation for the road works must include provision for maintenance and repair of damage to any existing road and drainage infrastructure.

The works must be subject to a twelve-month defects liability period.

The responsible authority may consent in writing to variations to these requirements.

16. Before the issue of statement of compliance, all road works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.
17. During construction and maintenance activities, adequate steps must be taken to stop soil erosion and the movement of sediment off site and into drainage lines, watercourses and onto adjoining land to the satisfaction of the Responsible Authority. Methods include but are not limited to:
  - a. Control of on-site drainage by intercepting and redirecting run-off in a controlled manner to stabilised vegetated areas on site.
  - b. Installation of sediment control structures such as sediment basins, sediment fences and sediment traps when construction commences and maintaining them until the site is stabilised.
  - c. Re-vegetating all disturbed areas as quickly as possible or within 14 days after construction works are completed.
18. Cut batters must be no steeper than 1 in 1.5 and fill batters no steeper than 1 in 2 unless retained by structural means. When completed, all batters must have a layer of topsoil, 50mm minimum thickness, spread over them and sown with a suitable grass and clover mixture, or mulched and planted with ground cover plants to the satisfaction of the Responsible Authority.

#### **Asset Recording, Management, and Repair**

19. Before the issue of statement of compliance, the existing crossover to the property must be removed and any damage caused through construction activity must be repaired/reinstated generally consistent with the adjacent verge, to the satisfaction of the relevant road authority.
20. Before the issue of statement of compliance any damage or defects as a result of faulty work must be rectified to the satisfaction of the responsible authority.

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21. Before the issue of statement of compliance, “As Built” plans and survey data must be provided in AutoCAD electronic format to Geocentric Datum Australia MGA 2020 spatial coordinates for translation into the Council’s GIS. Datum unless otherwise agreed by Council, levels should be related to Australian Height Datum (AHD). Plans should include detail of any permanent survey marks and their respective numbers/identification, and any temporary benchmarks relevant to the works.
22. Prior to sealing of the pavement, the applicant must undertake CCTV verification of all underground drainage assets in accordance with the ‘Infrastructure Design Manual’ and to the satisfaction of the Responsible Authority. Sealing works cannot commence until the Responsible Authority has reviewed the CCTV footage and provided consent for sealing works to proceed.
23. Before the issue of statement of compliance, the “As Built” plans, survey and design data and a Schedule of Quantities and Prices is to be provided to the satisfaction of the responsible authority.

#### **Waste management**

24. Before the issue of statement of compliance, a concreted kerbside bin collection pad for ten (10) standard 240 litre bins must be constructed along the road kerb within reasonable distance to both common property accesses, to the satisfaction of the responsible authority.

#### **Landscaping**

25. Before the certification of the plan of subdivision, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:
  - a) be prepared to the satisfaction of the responsible authority
  - b) be prepared by a suitably qualified person
  - c) have plans drawn to scale with dimensions
  - d) be submitted to the responsible authority in electronic form
  - e) include the following:
    - i. layout of landscaping and planting within all proposed reserves consistent with the WMP;
    - ii. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
    - iii. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
    - iv. Detail of any earthworks proposed, including for drainage in accordance with the drainage management plan;
    - v. Footpath connection to existing shared use path within the Princes Highway Road reserve;
    - vi. Fencing of lots adjoining reserves, considering bushfire mitigation, noise attenuation, and street surveillance; and
    - vii. Hardscape features to prevent unauthorized vehicle access to reserves.

The responsible authority may consent in writing to vary any of these requirements.

26. Within twelve months of completion of the development, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority. The responsible authority may consent in writing to vary this requirement.

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27. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.
28. Before the statement of compliance, a financial contribution as agreed with the responsible authority, is to be paid at a rate of one street tree per lot to the satisfaction of the responsible authority unless otherwise with the written consent of the responsible authority.

### **Construction Management**

29. Before the commencement of any works associated with the subdivision start, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
- Location of any temporary construction works office and machinery storage area;
  - The construction works access way;
  - Details of construction days and hours;  
7am - 6pm Monday to Friday  
7am - 1pm Saturday  
Public Holidays; only as approved by Council
  - Vehicle and machinery exclusion zones;
  - Location and management requirements of stockpiled soil;
  - Measures and techniques to protect drainage lines and watercourses from sediment runoff from disturbed or under construction areas;
  - Measures and methods to be employed to protect sites of conservation importance, native vegetation and areas of archaeological significance;
  - Measures and techniques to manage dust control;
  - A note that Dewatering of sedimentation/retention basins during construction is prohibited without the prior approval of the Responsible Authority;
  - The location of a machinery and vehicle wash down area and requirements for the ongoing use of the of the machinery and vehicle wash down area by contractors;
  - Location and management of litter storage areas, construction waste areas and chemical storage areas; and
  - Methods of ensuring all contractors are informed of the requirements of the construction management plan and persons responsible for ensuring the construction management plan is adhered to.
30. All construction works and requirements of the construction management plan must be undertaken and completed in accordance with the endorsed construction management plan to the satisfaction of the Responsible Authority.
31. All earthworks associated with the development must be stabilised in accordance with standard engineering design and practices against erosion and failure. All earthworks or retaining structures must not encroach across neighbouring property boundaries to the satisfaction of the Responsible Authority.
32. No vegetation is to be removed, lopped or cleared outside of the construction zone without the prior approval of the Responsible Authority.

### **Native Vegetation Removal Conditions**

#### **Notification of Permit Conditions**

33. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

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## Native vegetation offsets

### Offset requirement

34. To offset the removal of 0.313 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:

#### General offset

A general offset of 0.114 general habitat units:

- a. located within the East Gippsland Catchment Management Authority boundary or East Gippsland Shire Council municipal district  
with a minimum strategic biodiversity score of at least 0.210.

The offset(s) secured must provide protection of at least two (2) large trees.

### Offset evidence and timing

35. Before any native vegetation is removed and prior to the issue of the Statement of Compliance, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. This evidence is credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment, and Climate Action.

### Operation and Expiry of the Permit

36. This permit will operate from the issued date of this permit.
37. This permit as it relates to development (subdivision, earthworks, roadworks and vegetation removal) will expire if one of the following circumstances applies:
- a. The works are not started within 2 years of the issued date of this permit.
- b. The vegetation removal has not started within 2 years of the issued date of this permit.
- c. The plan of subdivision has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.
- d. The works are not completed within 7 years of the issued date of this permit.
- e. The vegetation removal is not completed within 7 years of the issued date of this permit.
- f. A statement of compliance is not issued within 5 years of the date of certification.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

### Ausnet Electricity Services Pty Ltd conditions

38. The Plan of Subdivision must be submitted for certification and referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.
39. The applicant must –
- a. Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
- b. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.

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- c. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
- d. Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- e. Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- f. Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
- g. Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- h. Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- i. Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- j. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- k. Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

#### **East Gippsland Water Conditions**

- 40. Extend water supply infrastructure to the satisfaction of East Gippsland Water.
- 41. Extend sewerage infrastructure to the satisfaction of East Gippsland Water.
- 42. Submit design, construction, commissioning, and as constructed documentation on all proposed infrastructure, or alterations to existing infrastructure, for written approval by East Gippsland Water.
- 43. Pay applicable development planning charges.
- 44. Place easement(s) on the plan of subdivision over existing/proposed infrastructure, to the satisfaction of East Gippsland Water.

#### **Department of Transport and Planning conditions**

- 45. The proposed intersection at the Princes Highway and the subdivisional road into the development must be constructed with a basic left turn lane (BAL) and a channelised right turn treatment (CHR) generally in accordance with the Austroads Guidelines and to the satisfaction of the Head, Transport for Victoria.

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46. Provide Disability Discrimination Act (DDA) compliant footpath crossings which includes a splitter island at the intersection with the Princes Highway and the development to the satisfaction of the Head, Transport for Victoria.
47. The existing Arterial Road Pavement and Surrounds must be upgraded to include the new intersection and bus stop at no cost and to the satisfaction of the Head, Transport for Victoria. These works include, but are not limited to:
- Pavement reconstruction
  - Pavement Asphaltting IRe-Sealing
  - Drainage Works
  - Street Lighting
  - Line Marking
  - Signage
48. The intersection must be upgraded with V3 roadway lighting to the satisfaction of the Head, Transport for Victoria.
49. Prior to design plans beginning, the applicant's consultants must attend a pre-design meeting with the Department of Transport and Planning (Gippsland Region). Pre-Design meeting requests must be submitted via email: [nirw.eastern@transport.vic.gov.au](mailto:nirw.eastern@transport.vic.gov.au)
50. Prior to construction beginning on site, an Application for External Works - Functional Design Review, including Gippsland Region Developer Funded Detailed Functional Layout Checklist, for the Princes Highway and the subdivisional road must be submitted and endorsed by the Head, Transport for Victoria. The application must be generally in accordance with the External works Review and Certification process as outlined on the VicRoads Website.
51. Prior to Certification, an Application for External Works - Detailed Design Review, including Gippsland Regions Developer Funded Detail Design Checklist, for the Princes Highway and the subdivisional road must be submitted and endorsed by the Head, Transport for Victoria. The application must be generally in accordance with the External works Review and Certification process as outlined on the VicRoads Website.
52. Prior to the construction of the bus stop, the Bus Infrastructure Team must be contacted to ascertain the requirements of the construction of the relocated bus stop including any temporary bus stop location. The new location of the bus stop must be compatible with the surrounding infrastructure and the Department of Transport and Planning requirements.
- Contact email ([bus.stop.relocations@transport.vic.gov.au](mailto:bus.stop.relocations@transport.vic.gov.au)).
53. The construction of the bus stop must comply with the *Disability Standards for Accessible Public Transport 2002 Act* and *Disability Discrimination Act (DDA)* at no cost and to the satisfaction of the Head, Transport for Victoria.
54. Within 2 months of the construction of bus stop, a safety audit of the bus stop must be prepared by a suitably qualified auditor at no cost to and to the satisfaction of the Head, Transport for Victoria. The audit must:
- State whether the bus stop complies with the *Disability Discrimination Act 1992 (Cth)*,
  - Outline any modifications required to the bus stop to ensure it complies with the *Disability Discrimination Act 1992 (Cth)*; and
  - Provide GPS co-ordinates of the bus stop.
  - The findings and recommendations of the audit must be complied with
  - to the satisfaction of the Head, Transport for Victoria.

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55. Prior to the Statement of Compliance, the required roadworks at the Intersection of the Princes Highway and the subdivisional road including the bus stop relocation must be completed at no cost and to the satisfaction of the Head, Transport for Victoria.
56. Prior to commencement of the earthworks on site, a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from the vehicles to be removed prior to exiting the land.
57. The truck wheel-wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction.
58. Any vegetation removal within the arterial road reserve must be referred and approved by the Responsible Authority.

### **NOTES**

1. For the purpose of condition 9, the responsible authority interprets the applicable area as relating to the primary waterway in the existing reserve (Reserve no. 1 PS 328995) to the north and west of the subject land.

### **East Gippsland Water Notes**

2. In accordance with Section 136 of the Water Act 1989, easements are required over existing and proposed infrastructure. This requirement applies even if the infrastructure is in common property or there is a Section 12(2) easement over the land.
3. For easement(s) created, the Land Benefited/In Favour Of is to be in the name of "East Gippsland Region Water Corporation".
4. For any lot area that cannot be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are to be listed as restrictions on title, to the satisfaction of East Gippsland Water.
5. Each lot is to be separately serviced by the water and/or sewerage reticulation system. Subject to East Gippsland Water's requirements being met, relevant infrastructure will then become East Gippsland Water's to own, operate and maintain in perpetuity.
6. Should East Gippsland Water determine that a gravity sewerage system is not feasible, then a pressure sewer system may be approved by East Gippsland Water.
7. Design documentation to be submitted after certification application has been made.

### **Department of Transport and Planning note**

8. Separate consent for the works within the road reserve and the specifications of these works is required under the Road Management Act 2004. For the purposes of this application the works will include provision of:
  - Right turn lane (CHR)
  - Left turn lane (BAL)
  - Splitter island
  - Roadway Lighting
  - Bus Stop

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For more information and forms relating to External Works, including Functional Layout Plans, Detailed Layout Plans & Traffic Signal Plans please visit the VicRoads Website. Refer to: <https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/external-works-on-the-road-network>

**Country Fire Authority notes**

9. CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))

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## IMPORTANT INFORMATION ABOUT THIS NOTICE

### WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the *Planning and Environment Act 1987*.)

### CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the *Planning and Environment Act 1987*.

### WHEN DOES A PERMIT BEGIN?

A permit operates:

- From the date specified in the permit, or
- If no date is specified, from -
  - (i) The date of the decision of the Victorian Civil and Administrative Tribunal, If the permit was issued at the direction of the Tribunal, or
  - (ii) The day on which it is issued, in any other case.

### WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if -
  - The development or any stage of it does not start within the time specified in the permit, or
  - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision, or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if -
  - The use does not start within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit, or
  - The use is discontinued for a period of two years.
3. A permit for the development and use of the land expires if -
  - The development or any stage of it does not start within the time specified in the permit, or
  - The development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - The use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - The use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2), of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains, a different provision -
  - The use or development of any stage is to be taken to have started when the plan is certified; and
  - The permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### WHAT ABOUT REVIEWS?

- The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in such case, no right of appeal exists.
- An appeal must be lodged within 60 days after the permit was issued, unless a Notice of Decision to Grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- An appeal is lodged with the Victorian Civil and Administrative Tribunal.
- An appeal must be made on a Notice of Appeal form and lodged with the Victorian Civil and Administrative Tribunal, and be accompanied by the prescribed fee. An appeal must state the grounds on which it is based.
- An appeal must also be served on the responsible authority.
- Details about appeals, notice of appeal forms and the fees payable can be obtained from the Planning & Environment List at the Victorian Civil and Administrative Tribunal.

MGA94 ZONE 55

LOTS 1 - 5 ARE MEMBERS  
OF OWNERS CORPORATION No.1

LOTS 20 - 24 ARE MEMBERS  
OF OWNERS CORPORATION No.2

LOTS 6 - 19 ARE NOT MEMBERS  
OF ANY OWNERS CORPORATION

WESTBURY WAY

STIRLING DRIVE

EXISTING  
RESERVE

APPROX LOCATION OF  
EXISTING WATERWAY

ROAD

RESERVE  
665m<sup>2</sup>

E-1 = EXISTING SEWERAGE EASEMENT

GOVT. ROAD  
(UNUSED & UNMADE)

RESERVE  
464m<sup>2</sup>

EAST GIPPSLAND PLANNING SCHEME  
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Endorsed by Martin Richardson for and on behalf of  
East Gippsland Shire Council  
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AAASDA

121 PRINCES HIGHWAY, LAKES ENTRANCE

Crowther & Sadler Pty. Ltd.

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

FILENAME: Y:\19000-19999\19300-19399\19395 AAASDA\19395 Prop V14.pro

NOTATIONS

AREAS ARE APPROXIMATE ONLY  
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A2)

1 : 1000

SURVEYORS REF.

19395

VERSION 14 - DRAWN 28/08/2024

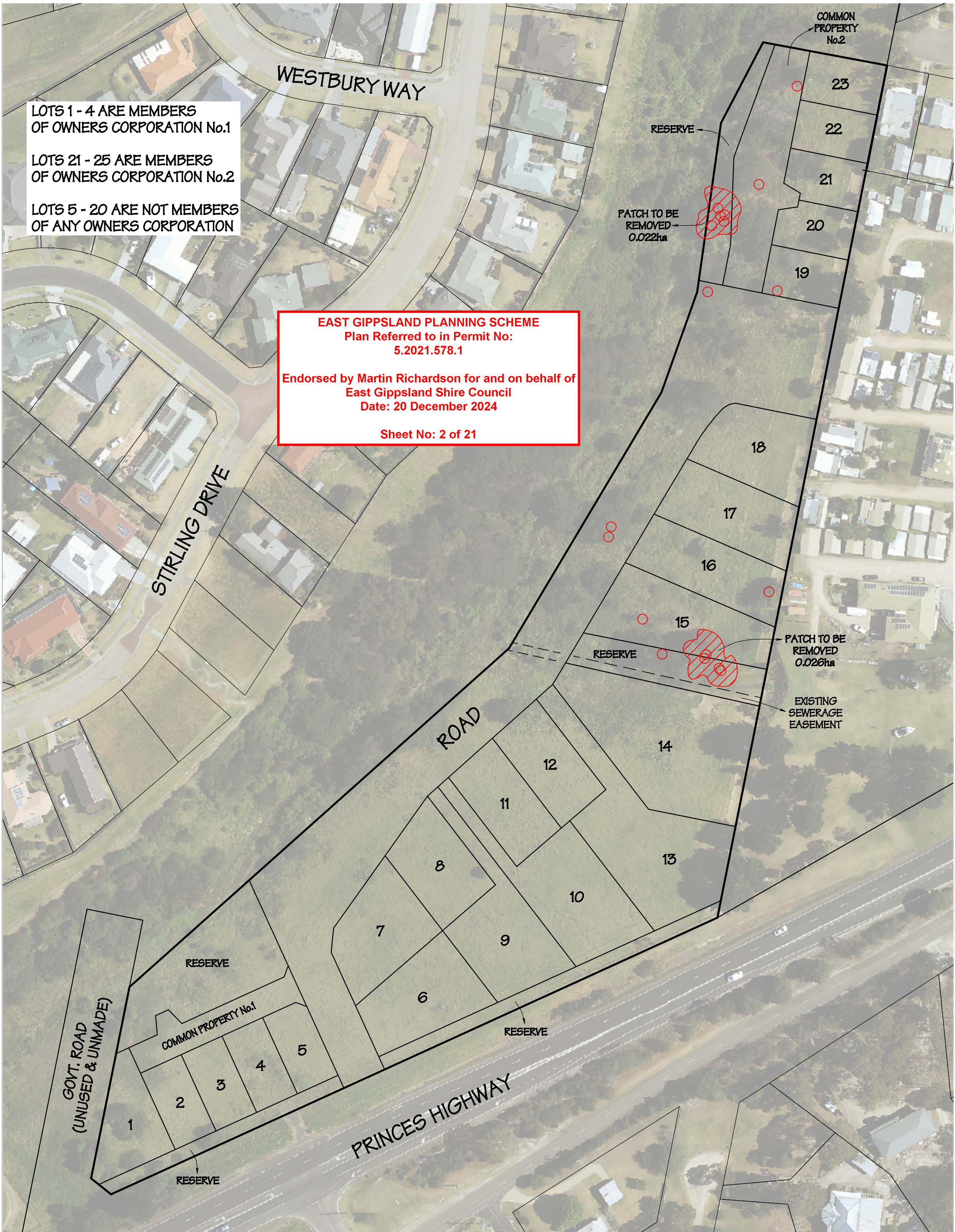
PROPOSED SUBDIVISION

PARISH OF COLQUHOUN  
CROWN ALLOTMENTS 28A & 30A (PARTS)

LOT 6 ON PS328995T



MGA94 ZONE 55



○ - DENOTES TREE TO BE REMOVED

<div>AAASDA</div> <div>121 PRINCES HIGHWAY, LAKES ENTRANCE</div> <div><div>Crowther &amp; Sadler Pty. Ltd.</div><div>LICENSED SURVEYORS &amp; TOWN PLANNERS</div><div>162 MACLEOD STREET, BAIRNSDALE, VIC., 3875</div><div>P. (03) 5152 5011 E. contact@crowthersadler.com.au</div></div> <div>FILENAME: Y:\19000-19999\19300-19399\19395 AAASDA\19395 Veg Removal V3.pro</div>	NOTATIONS		PLAN OF VEGETATION REMOVAL
	AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY		
	SCALE (SHEET SIZE A2)	SURVEYORS REF.	
	1 : 1000	19395 VERSION 3 - DRAWN 12/07/2024	
PARISH OF COLQUHOUN CROWN ALLOTMENTS 28A & 30A (PARTS)  LOT 6 ON PS328995T			



# Native vegetation removal report

## A report to support an application to remove, destroy or lop native vegetation in the Intermediate Assessment Pathway using the modelled condition score

This report provides information to support an application to remove native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report is not an assessment by DELWP or local council of the proposed native vegetation removal. Biodiversity information and offset requirements have been calculated using modelled condition scores contained in the *Native vegetation condition map*.

**Date and time:** 21 October 2021 12:32 PM

**Lat./Long.:** -37.8648764572182,148.018215064908

**Native vegetation report ID:**

**Address:** 121 PRINCES HIGHWAY LAKES  
ENTRANCE 3909  
55 STIRLING DRIVE LAKES ENTRANCE  
3909

319-20211021-011

## Assessment pathway

### The assessment pathway and reason for the assessment pathway

Assessment pathway	Intermediate Assessment Pathway
Extent of past plus proposed native vegetation removal	0.313 hectares
No. large trees	2 large tree(s)
Location category	Location 1  The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.

## Offset requirement

### The offset requirement that will apply if the native vegetation is approved to be removed

Offset type	General offset
Offset amount	0.114 general habitat units
Offset attributes	
Vicinity	East Gippsland Catchment Management Authority (CMA) or East Gippsland Shire Council
Minimum strategic biodiversity value score	0.210
Large trees	2 large tree(s)

**EAST GIPPSLAND PLANNING SCHEME**  
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**Endorsed by Martin Richardson for and on behalf of**  
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**Date: 20 December 2024**

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# Native vegetation removal report

## Biodiversity information about the native vegetation

### Description of any past native vegetation removal

Any native vegetation that was approved to be removed, or was removed without the required approvals, on the same property or on contiguous land in the same ownership, in the five year period before the application to remove native vegetation is lodged is detailed below.

Permit/PIN number	Extent of native vegetation (hectares)
None entered	0 hectares

### Description of the native vegetation proposed to be removed

Extent of all mapped native vegetation	0.313 hectares
Condition score of all mapped native vegetation	0.383
Strategic biodiversity value score of all mapped native vegetation	0.262
Extent of patches native vegetation	0.048 hectares
1	0.026 hectares
2	0.022 hectares
Extent of scattered trees	0.265 hectares
No. large trees within patches	2 large tree(s)
No. large scattered trees	0 large tree(s)
No. small scattered trees	9 small tree(s)

### Additional information about trees to be removed, shown in Figure 1

Tree ID	Tree circumference (cm)	Benchmark circumference (cm)	Scattered / Patch	Tree size
J	100	220	Scattered	Small
K	140	220	Scattered	Small
L	80	220	Scattered	Small
M	145	220	Scattered	Small
N	80	220	Scattered	Small
O	130	220	Scattered	Small
P	50	220	Scattered	Small
Q	90	220	Scattered	Small
R	100	220	Scattered	Small
C	145	220	Patch	Small
D	132	220	Patch	Small
A	300	220	Patch	Large
B	300	220	Patch	Large
E	182	220	Patch	Small
F	90	220	Patch	Small
G	90	220	Patch	Small

**EAST GIPPSLAND PLANNING SCHEME**

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**Endorsed by Martin Richardson for and on behalf of**

**East Gippsland Shire Council**

**Date: 20 December 2024**



# Native vegetation removal report

H	75	220	Patch	Small
I	130	220	Patch	Small

## **EAST GIPPSLAND PLANNING SCHEME**

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**Endorsed by Martin Richardson for and on behalf of  
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## Other information

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.

### 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 or scattered trees, 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.

### Topographical and land information

Description of the topographic and land information relating to the native vegetation to be removed, including any ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan. **This is an application requirement and your application will be incomplete without it.**

### Avoid and minimise statement

This statement describes what has been done to avoid the removal of, and minimise impacts on the biodiversity and other values of native vegetation. **This is an application requirement and your application will be incomplete without it.**

### Defendable space statement

Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required if your application also includes an application under the Bushfire Management Overlay.

### Offset statement

An offset statement that demonstrates that an offset is available and describes how the required offset will be secured. **This is an application requirement and your application will be incomplete without it.**

**EAST GIPPSLAND PLANNING SCHEME**  
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## Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in *Guidelines for the removal, destruction or lopping of native vegetation*. If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. This *Native vegetation removal report* must be submitted with your application and meets most of the application requirements. The following needs to be added as applicable.

### Property Vegetation Plan

Landowners can manage native vegetation on their property in the longer term by developing a Property Vegetation Plan (PVP) and entering into an agreement with DELWP.

If an approved PVP applies to the land, ensure the PVP is attached to the application.

### Applications under Clause 52.16

An application to remove, destroy or lop native vegetation is under Clause 52.16 if a Native Vegetation Precinct Plan (NVPP) applies to the land, and the proposed native vegetation removal is not in accordance with the relevant NVPP. If this is the case, a statement that explains how the proposal responds to the NVPP considerations must be provided.

If the application is under Clause 52.16, ensure a statement that explains how the proposal responds to the NVPP considerations is attached to the application.

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Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)

### Disclaimer

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

Obtaining this publication does not guarantee that an application will meet the requirements of Clauses 52.16 or 52.17 of planning schemes in Victoria or that a permit to remove native vegetation will be granted.

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

**EAST GIPPSLAND PLANNING SCHEME**  
**Plan Referred to in Permit No:**  
**5.2021.578.1**

**Endorsed by Martin Richardson for and on behalf of**  
**East Gippsland Shire Council**  
**Date: 20 December 2024**

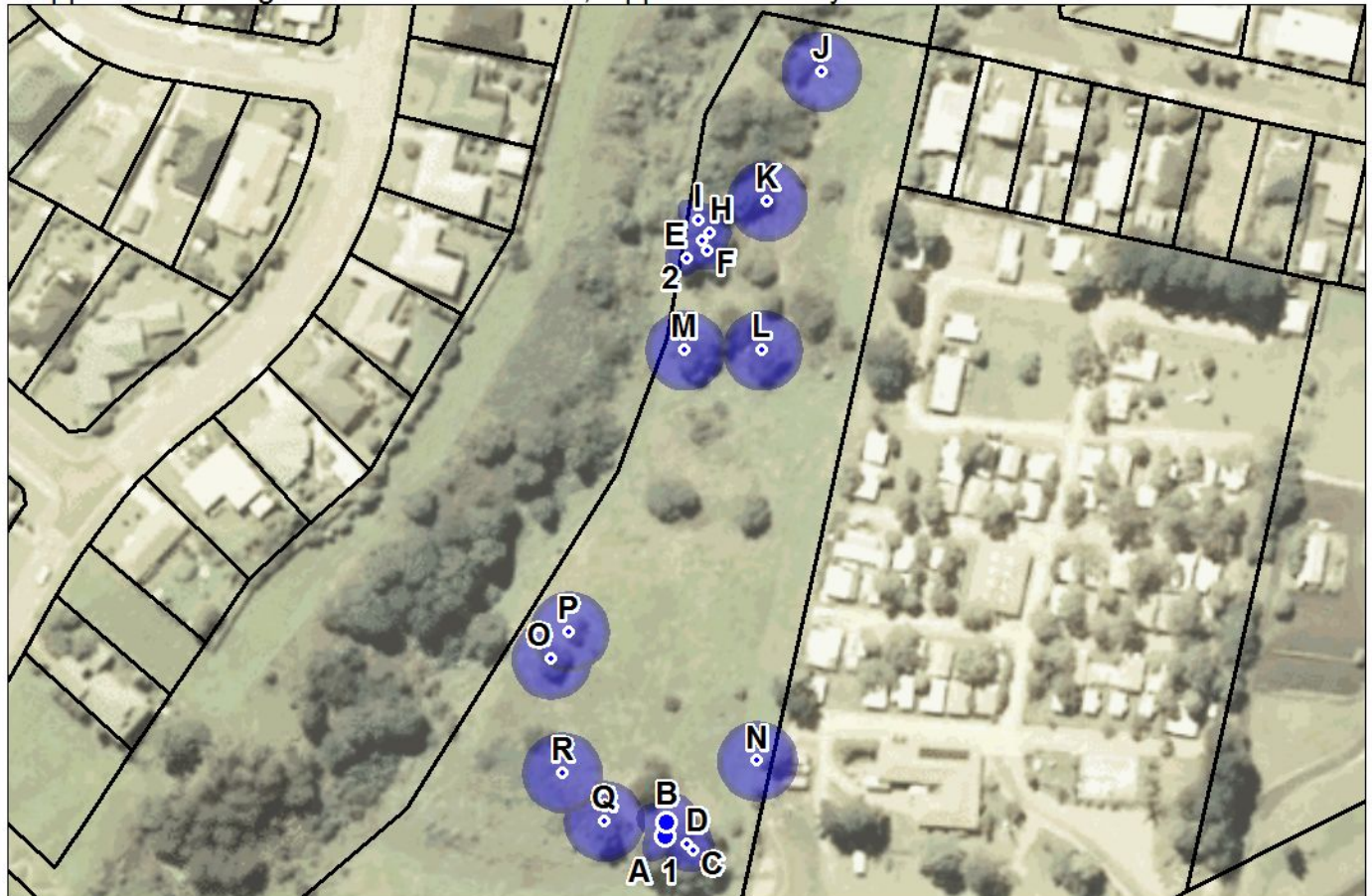
**Sheet No: 7 of 21**



# Native vegetation removal report

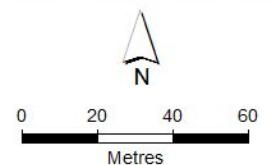
**Figure 1 – Map of native vegetation to be removed, destroyed or lopped**

Mapped native vegetation to be removed, lopped or destroyed



**Legend**

- Mapped native vegetation
- Property boundary



**EAST GIPPSLAND PLANNING SCHEME**

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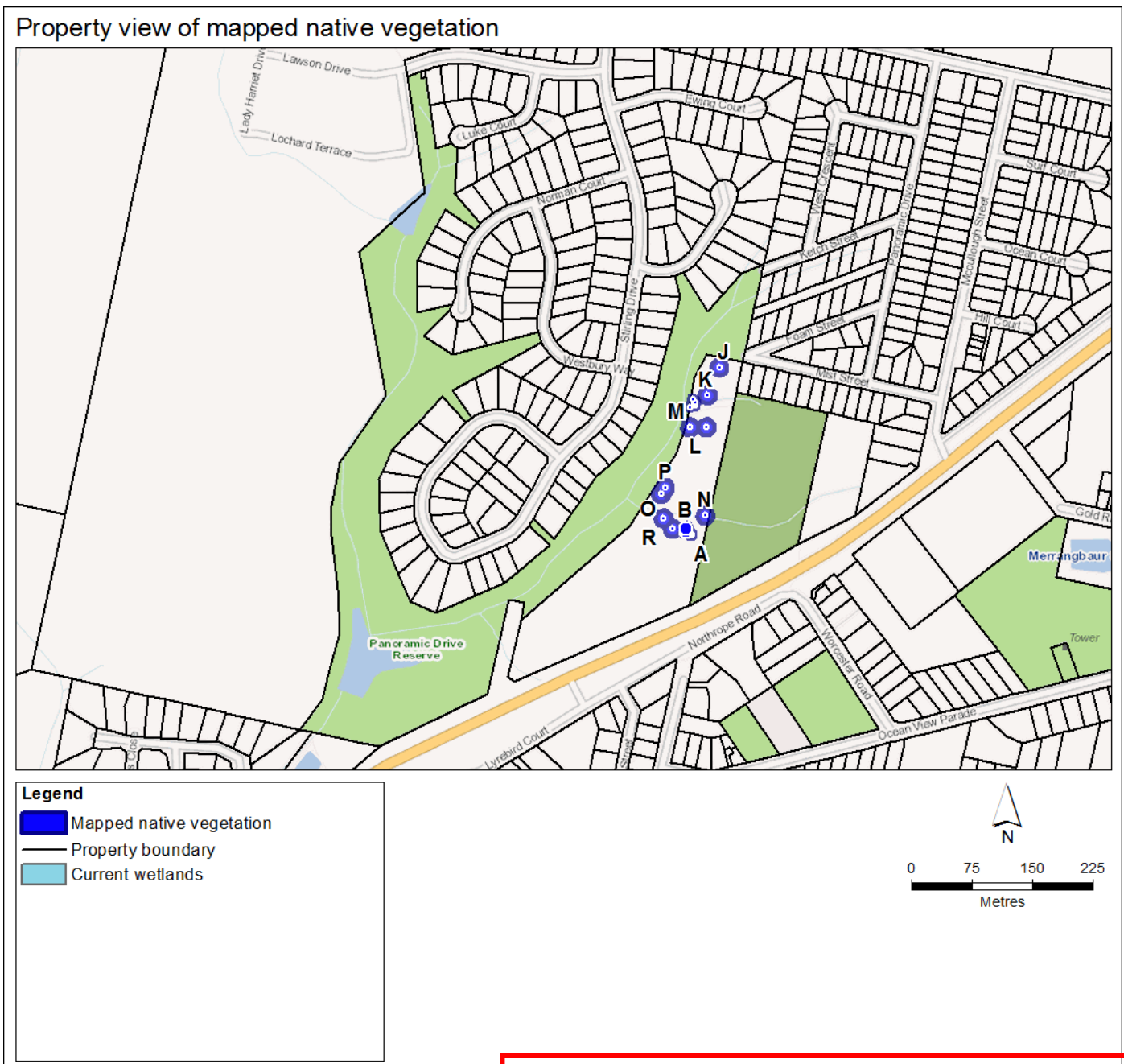
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East Gippsland Shire Council**

**Date: 20 December 2024**

**Sheet No: 8 of 21**

# Native vegetation removal report

**Figure 2 – Map of property in context**



**EAST GIPPSLAND PLANNING SCHEME**  
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**Endorsed by Martin Richardson for and on behalf of**  
**East Gippsland Shire Council**  
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**Figure 3 – Biodiversity information maps**

Mapped native vegetation and the *Native vegetation location map*

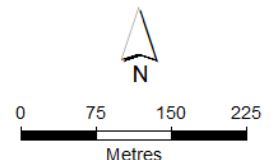


**Legend**

- Mapped native vegetation
- Property boundary

**Native vegetation location category**

- Location 3
- Location 2
- Location 1



**EAST GIPPSLAND PLANNING SCHEME**

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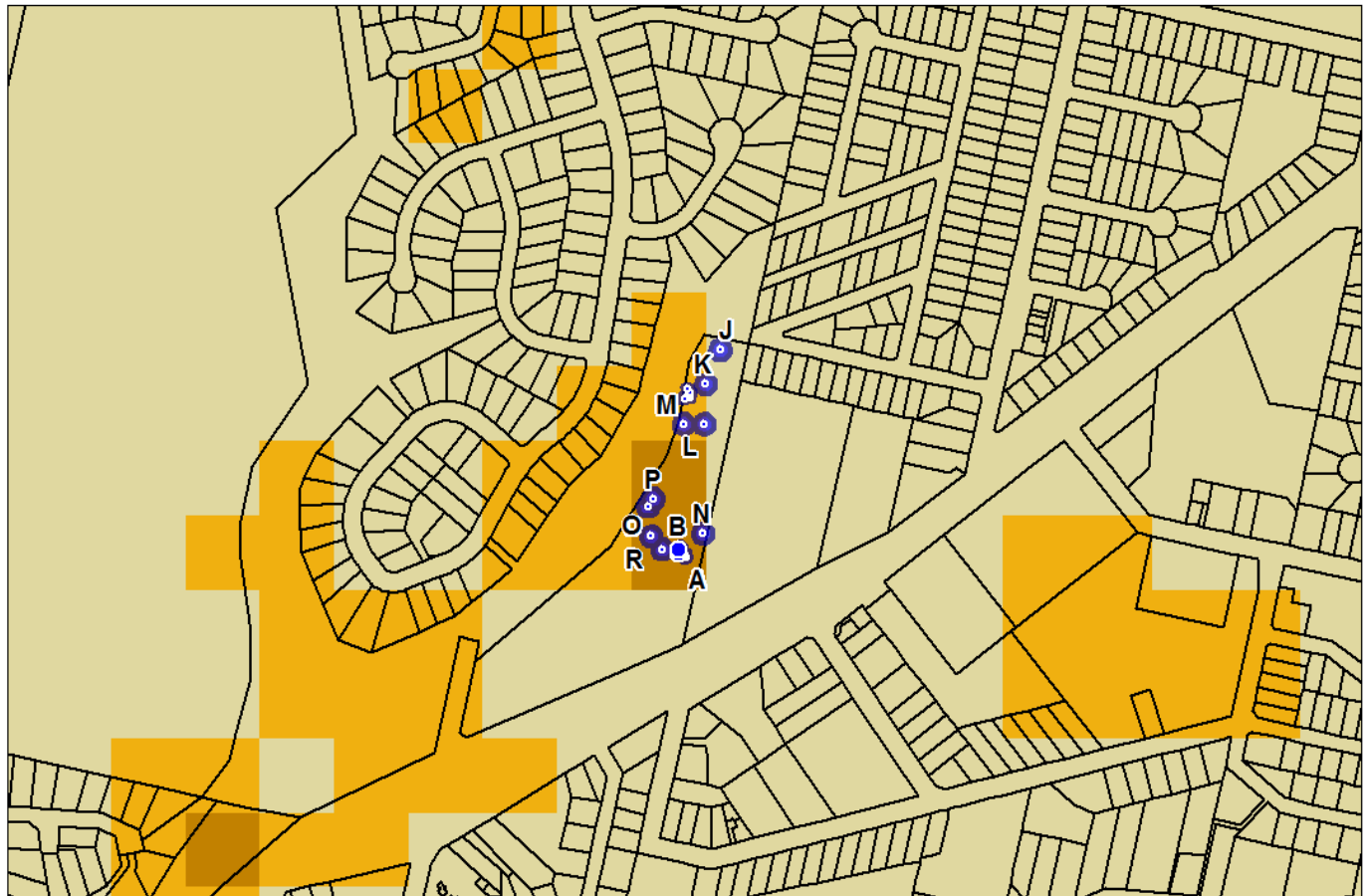
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East Gippsland Shire Council**

**Date: 20 December 2024**

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# Native vegetation removal report

Mapped native vegetation and the *Native vegetation condition map*



## Legend

- Mapped native vegetation
- Property boundary

## Native vegetation condition\*

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

\* These classes are for display purposes only

**EAST GIPPSLAND PLANNING SCHEME**  
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# Native vegetation removal report

Mapped native vegetation and the *Strategic biodiversity value map*



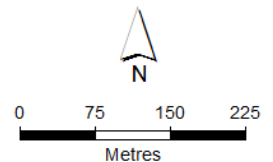
## Legend

- Mapped native vegetation
- Property boundary

## Strategic biodiversity value\*

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

\* These classes are for display purposes only



## EAST GIPPSLAND PLANNING SCHEME

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East Gippsland Shire Council  
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## Appendix 1 - Details of offset requirements

### Native vegetation to be removed

Extent of all mapped native vegetation (for calculating habitat hectares)	0.313	The area of land covered by a patch of native vegetation and/or a scattered tree, measured in hectares. Where the mapped native vegetation includes scattered trees, each tree is assigned a standard extent and converted to hectares. A small scattered tree is assigned a standard extent defined by a circle with a 10 metre radius and a large scattered tree a circle with a 15 metre radius.  The extent of all mapped native vegetation is an input to calculating the habitat hectares.
Condition score*	0.383	The condition score of native vegetation is a site-based measure that describes how close native vegetation is to its mature natural state. The condition score is the weighted average condition score of the mapped native vegetation calculated using the <i>Native vegetation condition map</i> .
Habitat hectares	0.120	Habitat hectares is a site-based measure that combines extent and condition of native vegetation. It is calculated by multiplying the extent of native vegetation by the condition score:  <b>Habitat hectares = extent x condition score</b>
Strategic biodiversity value score	0.262	The strategic biodiversity value score represents the complementary contribution to Victoria's biodiversity of a location, relative to other locations across the state. This score is the weighted average strategic biodiversity value score of the mapped native vegetation calculated using the <i>Strategic biodiversity value map</i> .
General landscape factor	0.631	The general landscape factor is an adjusted strategic biodiversity value score. It has been adjusted to reduce the influence of landscape scale information on the general habitat score.
General habitat score	0.076	The general habitat score combines site-based and landscape scale information to obtain an overall measure of the biodiversity value of the native vegetation. The general habitat score is calculated as follows:  <b>General habitat score = habitat hectares x general landscape factor</b>

\* **Offset requirements for partial removal:** If your proposal is to remove parts of the native vegetation in a patch (for example only understorey plants) the condition score must be adjusted. This will require manual editing of the condition score and an update to the calculations that the native vegetation removal tool has provided: habitat hectares, general habitat score and offset amount.

### Offset requirements

Offset type	General offset	A general offset is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species. All proposals in the Basic and Intermediate assessment pathways will only require a general offset.
Offset multiplier	1.5	This multiplier is used to address the risk that the predicted outcomes for gain will not be achieved, and therefore will not adequately compensate the biodiversity loss from the removal of native vegetation.
Offset amount (general habitat units)	0.114	The general habitat units are the amount of offset that must be secured if the application is approved. This offset requirement will be a condition to any permit or approval for the removal of native vegetation.  <b>General habitat units required = general habitat score x 1.5</b>
Minimum strategic biodiversity value score	0.210	The offset site must have a strategic biodiversity value score of at least 80 per cent of the strategic biodiversity value score of the native vegetation to be removed. This is to ensure offsets are located in areas with a strategic biodiversity value that is comparable to the native vegetation to be removed.
Vicinity	East Gippsland CMA or East Gippsland Shire Council	The offset site must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed.
Large trees	2 large tree (s)	The offset site must protect at least one large tree for every large tree removed. A large tree is a native canopy tree with a Diameter at Breast Height greater than or equal to the large tree benchmark for the local Ecological Vegetation Class. A large tree can be either a large scattered tree or a large patch tree.

**EAST GIPPSLAND PLANNING SCHEME**

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East Gippsland Shire Council**

**Date: 20 December 2024**

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## 6.4 Clause 52.17 Native Vegetation

The following response to Clause 52.17-1 has been provided as a number of native trees contained within the property boundaries will be impacted as a result of the proposal.

Some of the site vegetation will be physically removed to enable the establishment of the internal road network and associated infrastructure however the vegetation contained within the proposed allotments will be presumed lost as the Lots will be less than 4000m<sup>2</sup> in area.

### Application Requirements

The Application complies with the Application Requirements specified within the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation, December 2017* ('the Guidelines').

Accompanying the Application is a Native Vegetation Removal Report (dated 21/10/2021) as generated from the *Native Vegetation Information Management System* which includes detail on the assessment pathway, detail about the vegetation earmarked for removal, mapping and offset requirements along with other details as triggered within Table 4 of the Guidelines.

The vegetation being considered under the provisions of Clause 52.17 includes scattered trees from within Lots 15, 16, 23 & 25 and patches of vegetation from within Lot 15 and within the Common Property.

### Patch 1

Patch 1 refers to the cluster of trees within Lot 15 which are being considered under the provisions of Clause 52.17 as they will be contained within an allotment which will be less than 4000m<sup>2</sup> in area.

Whilst the perennial understorey comprises well below 25% native species, there are more than three canopy trees with touching drip lines within Lot 15 which triggers the patch classification.



Looking north towards patch of vegetation within Lot 15 (Patch 1)



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East Gippsland Shire Council  
Date: 20 December 2024

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*Looking south towards patch of vegetation within Lot 15 (Patch 2)*

#### Patch 2

Patch 2 refers to the cluster of trees within Common Property No. 2 driveway system which will need to be removed to facilitate access and servicing. Having regard for the landform and location of the trees, there is simply insufficient area to avoid their removal.

Whilst the perennial understorey comprises well below 25% native species, there are more than three canopy trees with touching drip lines within the area of Common Property No. 2 which triggers the patch classification.



*Looking south towards patch of vegetation within Common Property (Patch 2)*








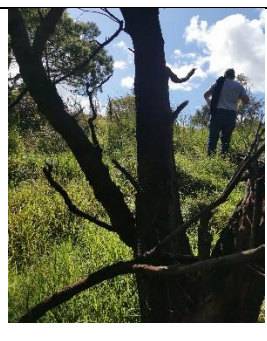










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**East Gippsland Shire Council**  
**Date: 20 December 2024**

### Scattered Trees

The native canopy trees contained within Lots 15, 16, 23 & 25 which do not form part of a patch have been assessed as scattered trees consistent with the Guidelines.

The following table provides information and photographs of the scattered trees (J-R inclusive) and the trees which form part of the native vegetation patches (Patch 1 & Patch 2).

<b>Tree ID</b>	<b>A</b>		<b>Tree ID</b>	<b>B</b>	
Tree Circumference	300cm		Tree Circumference	300cm	
Scattered / Patch	Patch		Scattered / Patch	Patch	
Tree Size	Large		Tree Size	Large	
<b>Tree ID</b>	<b>C</b>		<b>Tree ID</b>	<b>D</b>	
Tree Circumference	145cm		Tree Circumference	132cm	
Scattered / Patch	Patch		Scattered / Patch	Patch	
Tree Size	Small		Tree Size	Small	
<b>Tree ID</b>	<b>E</b>		<b>Tree ID</b>	<b>F</b>	
Tree Circumference	182cm		Tree Circumference	90cm	
Scattered / Patch	Patch		Scattered / Patch	Patch	
Tree Size	Small		Tree Size	Small	
<b>Tree ID</b>	<b>G</b>		<b>Tree ID</b>	<b>H</b>	
Tree Circumference	90cm		Tree Circumference	75cm	
Scattered / Patch	Patch		Scattered / Patch	Patch	
Tree Size	Small		Tree Size	Small	

<b>Tree ID</b>	<b>I</b>		<b>Tree ID</b>	<b>J</b>	
Tree Circumference	130cm		Tree Circumference	100cm	
Scattered / Patch	Patch		Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	
<b>Tree ID</b>	<b>K</b>		<b>Tree ID</b>	<b>L</b>	
Tree Circumference	140cm		Tree Circumference	80cm	
Scattered / Patch	Scattered		Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	
<b>Tree ID</b>	<b>M</b>		<b>Tree ID</b>	<b>N</b>	
Tree Circumference	145cm		Tree Circumference	80cm	
Scattered / Patch	Scattered		Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	
<b>Tree ID</b>	<b>O</b>		<b>Tree ID</b>	<b>P</b>	
Tree Circumference	130cm		Tree Circumference	50cm	
Scattered / Patch	Scattered		Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	

**EAST GIPPSLAND PLANNING SCHEME**

**Plan Referred to in Permit No:  
5.2021.578.1**

**Endorsed by Martin Richardson for and on behalf of  
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Date: 20 December 2024**

19395 Report


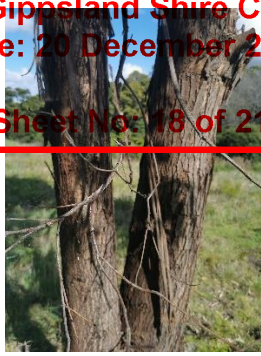


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Tree ID	Q		Tree ID	R	
Tree Circumference	90cm		Tree Circumference	100cm	
Scattered / Patch	Scattered		Scattered / Patch	Scattered	
Tree Size	Small		Tree Size	Small	

To compensate for the presumed loss of vegetation, a third party offset will be secured to ensure no net loss of biodiversity, in accordance with the requirements of Clause 52.17-5. Please find enclosed a quotation from Vegetation Link confirming the availability of the required credits with all necessary attributes.

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

	Application Requirement	Response/Comment
1.	Information about the vegetation to be removed	The accompanying Native Vegetation Removal Report includes adequate information to address this Application Requirement.
2.	Topographic and land information	The subject land slopes in a westerly direction however it is not considered to be steep and can easily be walked.  Whilst there are natural drainage lines dissecting the property and contained on adjoining land, the vegetation being considered is well setback.
3.	Recent dated photographs of the native vegetation to be removed.	Photographs of the existing vegetation included within this report are recent having been taken on 11 October 2021.
4.	Details of other native vegetation approved to be removed, or that was removed without the required approvals on the property within the past 5 years.	We are unaware of any other native vegetation approved to be removed or removed without the required approvals, on the subject land.
5.	Avoid and minimise statement	The subject land is mapped as being within the General Residential Zone which seeks to promote residential style development which makes good use of the community's investment in infrastructure.  Subdivision of the land will promote residential development consistent with the provisions of the General Residential Zone.

	Application Requirement	Response/Comment
5.	Avoid and minimise statement (continued)	<p>Some of the vegetation earmarked for removal will accommodate an internal road network and servicing whilst the remainder will be presumed lost as it will be contained within allotments which are less than 4000m<sup>2</sup> in area.</p> <p>Whilst all of the vegetation will be offset, there will be the ability to physically retain some of the established trees as contained within the allotments, if desired. This will be dependant upon future landowners and development design.</p> <p>It is impractical to create allotments which are greater than 4000m<sup>2</sup> in area to avoid the presumed loss of vegetation, given the land is contained within the General Residential Zone.</p> <p>Some of the existing vegetation will be preserved as the Reserve has been designed to enable some retention.</p> <p>The majority of the vegetation being considered under the provisions of Clause 52.17 are wattles which are nearing the end of their life expectancy. Several of the trees contained within the property are already dead and others are showing signs of dying off. It is therefore considered to be unrealistic to make drastic alterations to the subdivision design to accommodate them as features.</p>
6.	Property Vegetation Plan	<p>Not applicable.</p> <p>No Property Vegetation Plan made pursuant to Section 69 of the <i>Conservation, Forest &amp; Land Act 1987</i> has been prepared.</p>
7.	Defendable space statement	<p>Whilst the subject land is mapped as being Bushfire Prone, it is not mapped as being affected by the provisions of the Bushfire Management Overlay.</p> <p>Given that the site is mapped as being Bushfire Prone and the subdivision will result in the creation of more than 10 allotments a robust response has been provided to Clause 13.02-1S relating to Bushfire Planning.</p> <p>Whilst there is no requirement to establish defendable space as part of the subject Application, the subdivision has been designed so as to ensure that future development can be established having regard for AS 3959.</p>
8.	Native Vegetation Precinct Plan statement	The Application is not being made under the provisions of Clause 52.16.
9.	Offset statement	<p>It is anticipated that the standard Conditions will be imposed on Permit which specify the offset requirement and the timing to secure the offset.</p> <p>There is no ability to provide vegetation offsets onsite given the residential context of the area. It is therefore anticipated that vegetation offsets will be achieved through third party arrangements.</p>

**EAST GIPPSLAND PLANNING SCHEME**

**Plan Referred to in Permit No.**

**5.2021.578.1**

**Endorsed by Martin Richardson for and on behalf of  
East Gippsland Shire Council  
Date: 20 December 2024**

**Crowther & Sadler** Pty Ltd

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	Application Requirement	Response/Comment
9.	Offset statement (continued)	<p>Preliminary investigations have been undertaken with a BushBroker accredited organisation to ensure that there are adequate offsets available to purchase which meet the offset requirements.</p> <p>Please find accompanying the Application a copy of correspondence provided by Vegetation Link which confirms vegetation offsets are available within the East Gippsland Catchment Management Authority area that can accommodate the presumed vegetation losses. This document is being provided as evidence that suitable vegetation offsets can be purchased under the current market.</p>

	Decision Guidelines	Response/Comment
1.	Efforts to avoid and minimise vegetation removal to be commensurate with the biodiversity and other values.	<p>The land is already zoned General Residential Zone which earmarks the land for residential purposes. Consideration would have been given to a range of issues such as biodiversity at the time the zone was applied.</p> <p>The proposed subdivision has been designed having regard for the site conditions with the allotments being sufficient in area to enable the physical retention of some of the trees, if desired.</p> <p>An assessment is being undertaken in accordance with the provisions of Clause 52.17 given the subdivision will result in allotments which are less than 4000m<sup>2</sup> in area.</p>
2.	The role of the vegetation being removed in protecting water courses, preventing land degradation and adverse effects on groundwater.	The two trees in question are considered to play a minimal role in protecting water quality and preventing land degradation given their location. The trees are well offset from existing water courses and whilst the land is sloping it is not considered to be steep.
3.	The need to manage native vegetation to preserve identified landscape values.	<p>Whilst some of the trees have some aesthetic value, they are not considered to have a high environmental value having regard for the NVIM mapping and associated scores.</p> <p>The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area.</p>
4.	Whether the vegetation to be removed is protected under the Aboriginal Heritage Act 2006.	The vegetation earmarked for removal is not identified as being protected under the <i>Aboriginal Heritage Act 2006</i> .
5.	The need to remove vegetation for defensible space.	The vegetation is not being removed for the purpose of defensible space. Whilst the subject land is mapped as being Bushfire Prone, it is not mapped as being within the Bushfire Management Overlay.

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	Decision Guidelines	Response/Comment
6.	Whether the removal is in accordance with any Property Management Plan.	There is no Property Management Plan applying.
7.	Whether an offset that meets the requirements has been identified and can be secured.	There is the ability to obtain and secure vegetation offsets which meet the offset requirements in accordance with the Guidelines. This has been demonstrated through the inclusion of a quotation provided by Vegetation Link.
8.	Clause 52.16 Applications	N/A  The Application is not being made under the provisions of Clause 52.16.
9.	Impacts on biodiversity	The vegetation being considered under Clause 52.17 is not contained in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. As outlined on the accompanying Native Vegetation Removal Report the vegetation loss will not have a significant impact on any habitat for a rare or threatened species.

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