

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	280 Rivermouth Road EAGLE POINT VIC 3878 CA: PART 21 Sec: B
The application is for a permit to:	Buildings and Works for an Outbuilding and Vegetation Removal
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
42.03-2 (SLO2)	Construct a building or construct or carry out works
42.03-2 (SLO2)	Removal of vegetation
44.04-2 (LSIO)	Construct a building or construct or carry out works
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2026.49.1

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.

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>
Sent: Thursday, 26 February 2026 4:49 PM
To: Planning Unit Administration
Subject: Planning Permit application
Attachments: APPENDIX C Vegetation Assessment.pdf; 25124 Letter to Council.pdf; APPENDIX A Copy of Plan.PDF; 25124 Planning Submission.pdf; APPENDIX A Copy of Title.PDF; APPENDIX B Development Plans.pdf; Planning_Permit_Application_2026-02-26T16-48-42_31452124_0.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:

Business trading name: C/- Development Solutions Victoria

Email address: admin@devsolvic.com.au

Postal address : 48 Bailey Street, Bairnsdale VIC 3875

Preferred phone number: 0351524858

Owner's name:

Owner's business trading name (if applicable): C/- Development Solutions Victoria

Owner's postal address: 48 Bailey Street, Bairnsdale VIC 3875

Street number: 280

Street name: Rivermouth Road

Town: Eagle Point

Post code: 3878

Lot number: 1

Plan number: TP 682802R

Other Legal Description: Vol 09771 Fol 583

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 : The site contains an existing dwelling and associated facilities

Description of proposal : Buildings and Works (Outbuilding) and Vegetation Removal

Estimated cost of development: 40000

Has there been a pre-application meeting: No

Your reference number: 25124

ExtraFile: 2

Invoice Payer: Development Solutions Victoria

Address for Invoice: 48 Bailey Street, Bairnsdale VIC 3875

Invoice Email: admin@devsolvic.com.au

Primary Phone Invoice: 0351524858

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes

2. Supporting information/reports: [APPENDIX C Vegetation Assessment.pdf](#)

1. Supporting information/reports: [25124 Letter to Council.pdf](#)

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

Planning report: [25124 Planning Submission.pdf](#)

Plans: [APPENDIX B Development Plans.pdf](#)

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 3

VOLUME 09771 FOLIO 583

Security no : 124132469327E
Produced 25/02/2026 11:51 AM

LAND DESCRIPTION

Lot 1 on Title Plan 682802R (formerly known as part of Crown Allotment 21 Section B AT EAGLE POINT Parish of Bairnsdale).
PARENT TITLE Volume 08256 Folio 835
Created by instrument M690385J 09/02/1987

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

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 TP682802R 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: 280 RIVERMOUTH ROAD EAGLE POINT VIC 3878

DOCUMENT END



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TITLE PLAN		EDITION 1 TP 682802R
Location of Land Parish: AT EAGLE POINT PARISH OF BAIRNSDALE Township: Section: B Crown Allotment: 21 (PT) Crown Portion:		Notations
Last Plan Reference: Derived From: VOL 9771 FOL 583 Depth Limitation: 15.24 m		ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information	THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 09/11/2000 VERIFIED: PC
---	--

TABLE OF PARCEL IDENTIFIERS	
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962	
PARCEL 1 = CA 21 (PT)	

LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets
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VEGETATION ASSESSMENT

For Construction of Shed

280 Rivermouth Road, Eagle Point



Prepared for:



February 2026



PO Box 204, Bairnsdale VIC 3875

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Website: www.ethosnrm.com.au

Cover: Rivermouth Road, Eagle Point, located on Mitchell River Silt Jetties (Photo: Google Earth)

Ethos NRM Pty Ltd			
Document Control			
Client			
Title	Vegetation Assessment : For Construction of Shed 280 Rivermouth Road, Eagle Point		
Author	Eric Sjerp		
Manager	Eric Sjerp		
Reviewed	DP		
Version	Final v1.1		
Electronic File Name	26004 280 rivermouth road - vegetation assessment v0.1.docx		
Date Last Saved	20-02-2026		
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			20-02-2026
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Figure 7: Planted Common Boobialla (*Myoporum insulare*)

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Figure 11: Common Boobialla (*Myoporum insulare*) on boundary fence

Figure 12: Collapsed and structurally unsound Common Boobialla (*Myoporum insulare*)

Figure 13: Collapsed and structurally unsound Common Boobialla (*Myoporum insulare*)

Figure 14: Collapsed and structurally unsound Common Boobialla (*Myoporum insulare*)

Figure 15: Collapsed and structurally unsound Common Boobialla (*Myoporum insulare*)

1 INTRODUCTION

Construction of a domestic shed is proposed on private land at Eagle Point.

Construction requires removal of several plants and two medium-sized trees.

Planning approval is required for construction of the shed, including approval for removal of native vegetation that is not exempt from approval.

This report presents findings of a detailed site inspection undertaken by Ethos NRM to determine approval and native vegetation offset requirements.

1.1 Location and Proposal

Located at 280 Rivermouth Road, Eagle Point (**Figure 1**), the land comprises private property situated on the Mitchell River Silt Jetties. A substantial portion of the property title extends into adjacent Eagle Point Bay.

The proposed shed comprises a standard colourbond / zincalume structure with roller-doors, measuring 14m long, 7m wide and 2.4m high, constructed on a concrete pad.

The shed is proposed to be located between the existing dwelling and Rivermouth Road road-frontage, along the eastern property boundary between allotments 280 and 290 (**Figure 2**).

Several plants and two medium-sized trees are located within the shed footprint and will require removal.

A 6m x 6m carport illustrated on Figure 2 will NOT be constructed.

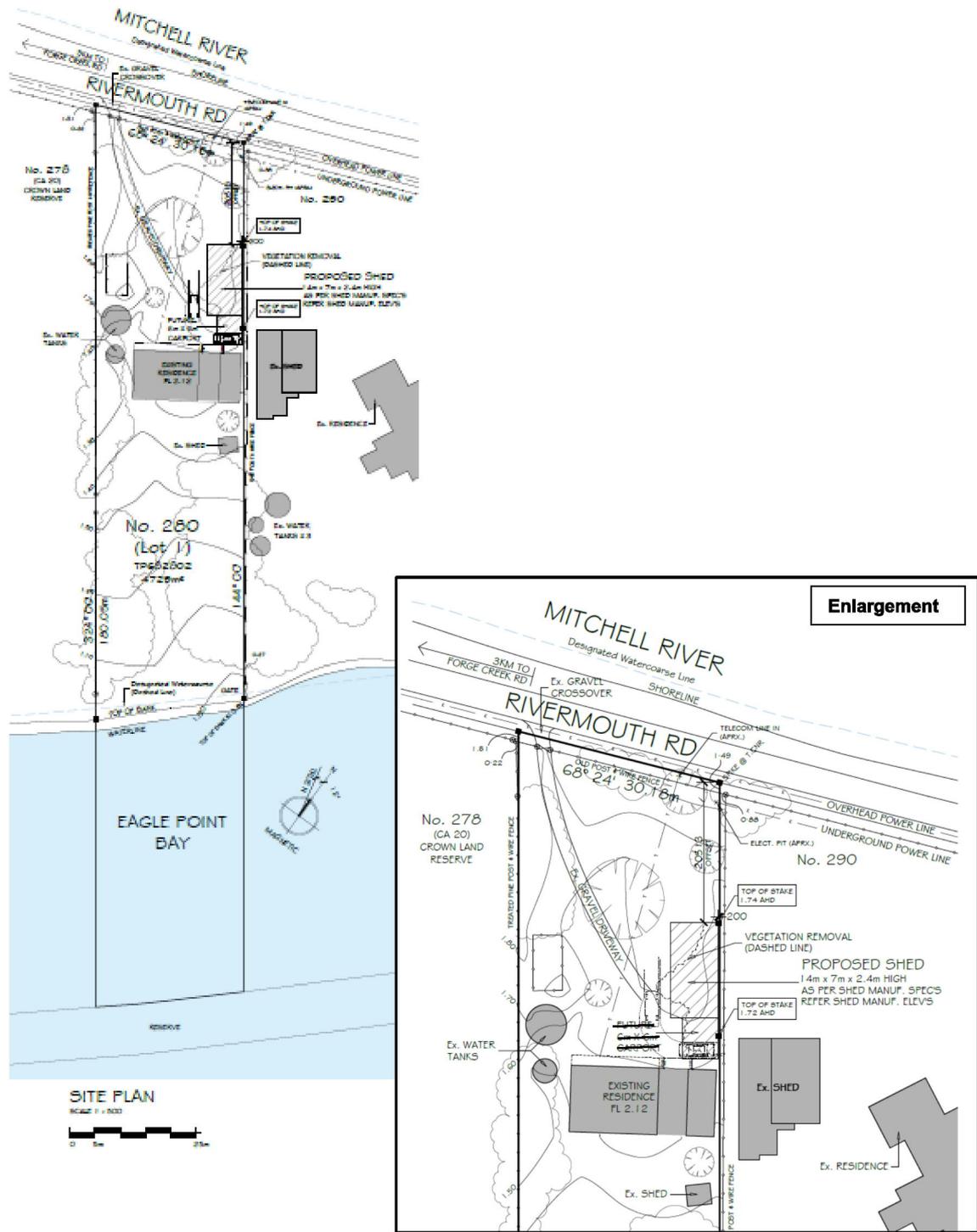


Figure 1: 280 Rivermouth Road, Eagle Point, situated on the Mitchell River Silt Jetties.

1.2 Planning Approval Requirements

Planning approval pursuant to the East Gippsland Planning Scheme is required for construction of the shed and removal of any native vegetation that is not exempt under Clause 52.17 of the scheme.

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development eagle point

3875 design & drafting tp1 4 04 4 24043

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Figure 2: Proposed Shed at 280 Rivermouth Road, Eagle Point.

1.3 Objective

The objective of this report is to:

- Confirm if vegetation will be impacted by construction of the proposed shed;
- Determine if any impacted vegetation is Native Vegetation, as defined by the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DEECA, August 2025);
- Determine if any exemptions apply to the removal of any Native Vegetation, as defined in *Exemptions from Requiring a Planning Permit to Remove, Destroy or Lop Native Vegetation* (DEECA, 2017), and Clause 52.17-7 of the east Gippsland Planning Scheme;
- Determine the Loss and Offset requirements for removal of any Native Vegetation that is not exempt.

2 LOCAL SETTING

2.1 Geomorphological and Ecological Values

Private land at 280 Rivermouth Road, Eagle Point is one of several private land holdings situated on the Mitchell River Silt Jetties.

The Mitchell River Silt Jetties form a geomorphologically significant digitate delta of the Mitchell River, separating Lake King and Jones Bay, and extending approximately eight kilometres into the estuarine waters of the Gippsland Lakes (refer to cover image).

Land at 280 Rivermouth Road, Eagle Point lies on river silts deposited over the past ~8,000 years, during formation of the Gippsland Lakes.

The Mitchell River Silt Jetties were originally covered by native vegetation comprising predominantly of Swamp Scrub Ecological Vegetation Class (EVC 53) within the Gippsland Plain Bioregion. Swamp Scrub is characterised by:

*Closed scrub to 8 m tall at low elevations on alluvial deposits along streams or on poorly drained sites with higher nutrient availability. The EVC is dominated by Swamp Paperbark *Melaleuca ericifolia* (or sometimes Woolly Tea-tree *Leptospermum lanigerum*) which often forms a dense thicket, out-competing other species. Occasional emergent eucalypts may be present. Where light penetrates to ground level, a moss/lichen/liverwort or herbaceous ground cover is often present. Dry variants have a grassy/herbaceous ground layer.*

(EVC Benchmark description for Swamp Scrub – DEECA)

Surrounding and nearby vegetation types include Damp Sands Herb-rich Woodland (EVC 3) and Plains Grassy Forest (EVC 151). Importantly, these were fringed along the water's edge with Common Reed (*Phragmites australis*), which subsequently died-off following opening of the permanent entrance to the Gippsland Lakes.

Patches of remnant native vegetation on the Mitchell River Silt Jetties is of high ecological significance, and critical to ongoing stability of this fragile landform.

However, the vast majority of vegetation on the Silt Jetties was cleared for agricultural purposes during colonization of the Gippsland Lakes region. **Figure 3** illustrates the extent of this clearing as recently as 2004.

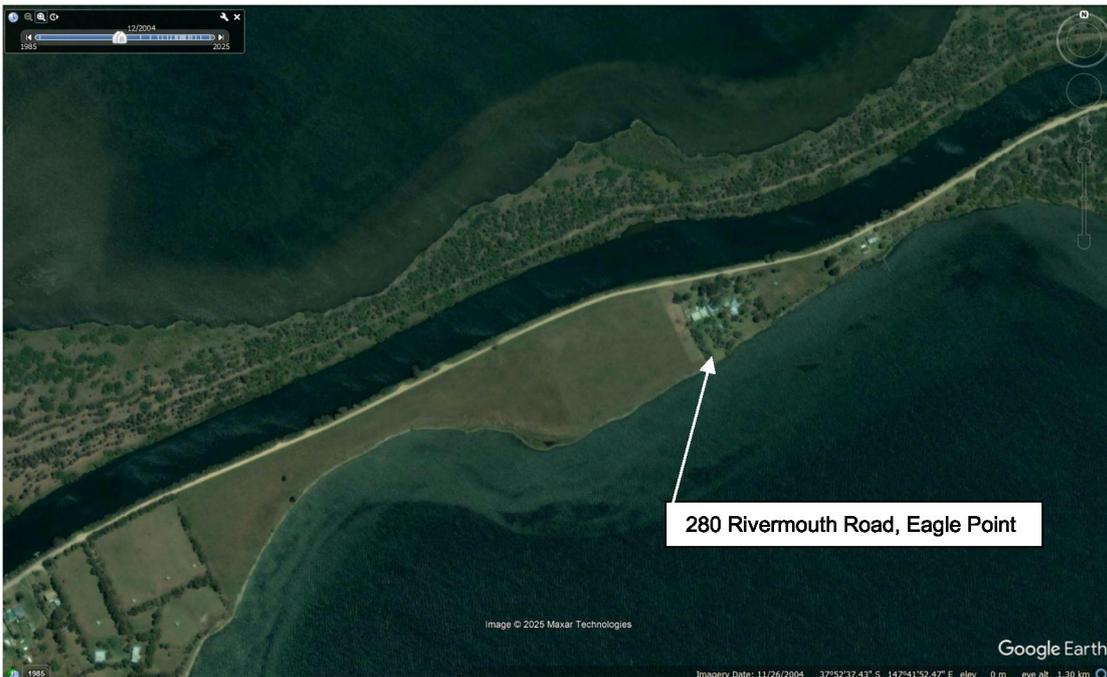


Figure 3: Extent of vegetation clearing in 2004 (Google Earth)

Extensive re-vegetation efforts by local environment groups and Government agencies have resulted in a very substantial increase in vegetation cover on Crown land along the Mitchell River Silt Jetties, as illustrated in **Figure 4**. Re-vegetation comprises native species of all Ecological Vegetation Classes discussed above in **Section 2.1**.

The owners of land at 280 Rivermouth Road were heavily involved in this re-vegetation effort and utilised the re-vegetation species to complement their own domestic garden plantings.

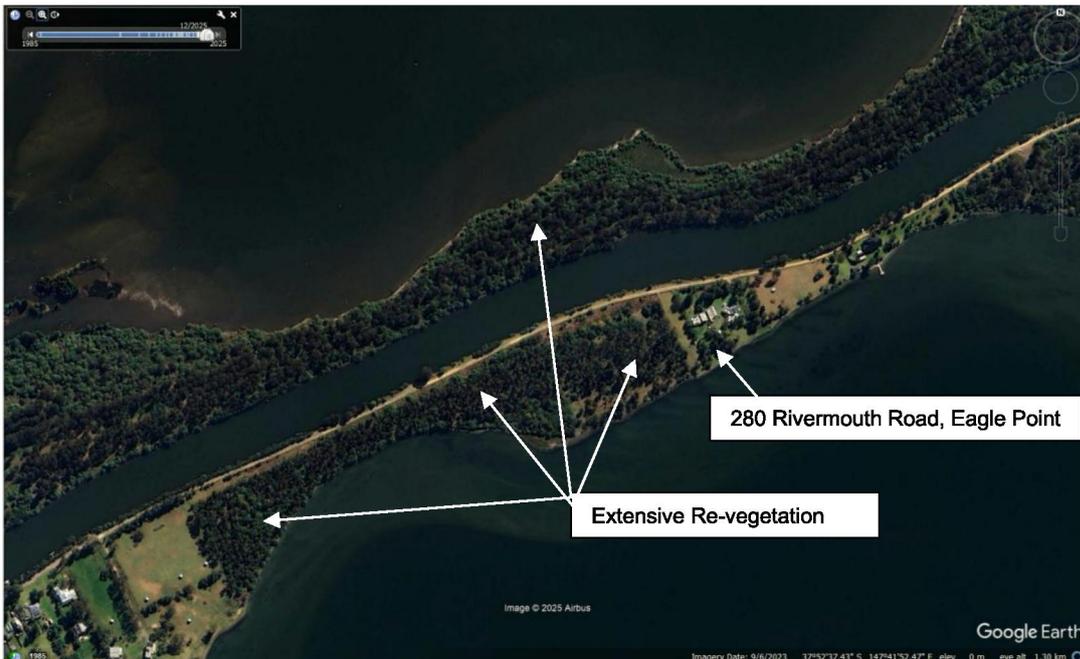


Figure 4. Extent of re-vegetation in June 2023 (Google Earth)

3 CURRENT CONDITIONS

3.1 Site Assessment

The proposed 14m x 7m shed is located between the existing dwelling and the road frontage, along the eastern property boundary between allotments 280 and 290.

Wooden stakes identify the on-ground extent of the proposed shed.

Vegetation within the proposed shed footprint, and which will need to be removed, is located along the existing boundary fence (**Figure 5**) and comprises:

- 4x planted native shrubs / small trees
- 1x planted non-native shrub
- 2x native medium trees

Nearby vegetation comprises a large, planted pine tree, which will be retained.

No other native remnant Tree Protection Zones are impacted by the proposed shed construction.



Figure 5: Vegetation along the existing boundary fence, within the proposed shed footprint, and which will need to be removed (note peg (pink) for corner of shed position)

3.1.1 Planted Native Shrubs / Small Trees

The four (4x) planted native shrubs / small trees comprise:

- 1x Wattle (*Acacia Sp.*) ~2.5m tall **Figure 6**
- 2x Common Boobialla (*Myoporum insulare*) ~2.5m tall **Figure 7 & 8**
- 1x Paperback (*Melaleuca Sp.*) ~2m tall **Figure 9**



Figure 6



Figure 7



Figure 8



Figure 9

All these native species were planted by the landowner, to supplement domestic garden planting, during their involvement in the large re-vegetation program along the Mitchell River Silt Jetties, as discussed above in **Section 2**. The position, spacing and age/form of these plants is all consistent with having been planted. These plants were not established for conservation or land management purposes.

3.1.2 Planted Non-Native Shrub

One planted non-native shrub is a Tree Lucerne ~1.5m tall (**Figure 10**).



Figure 10



Figure 11

3.1.3 Native Medium Trees

Two remnant native trees also exist within the proposed shed footprint. Both are Common Boobiella (*Myoporum insulare*).

One Common Boobiella (DBH = 31cm) is situated on the existing boundary fence, has two trunks and is growing partially through the fence (**Figure 11**). This tree is currently compromising the integrity of the existing fence.

The second Common Boobialla has three trunks / branches (DBH = 39cm, 24cm and 9cm) that have all collapsed some time ago and are now supported by the ground (Figure 12 & 13). Whilst located 3.95cm from the existing fence, one branch has grown through the boundary fence and has previously been pruned (Figure 14 & 15).

This tree has collapsed, is supported by the ground, shows signs of rot, is structurally unsound and is partially growing through the existing boundary fence.



Figure 12



Figure 13



Figure 14



Figure 15

4 VEGETATION IMPACT AND APPROVAL REQUIREMENTS

4.1 Vegetation Loss and Offset

Loss of native vegetation is determined using provisions of the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DEECA, August 2025), either as an individual 'Tree' or as a 'Patch' of native vegetation. DEECA's NVR Map tool and a *Habitat Hectare Assessment* is the methodology used, resulting in *Native Vegetation Removal Report* which stipulates the Offset requirement.

However Clause 52.17 of the East Gippsland Planning Scheme and DEECA's *Exemptions from Requiring a Planning Permit to Remove, Destroy or Lop Native Vegetation* identify a range of circumstances in which exemptions apply.

Exemptions relevant to vegetation potentially impacted by the proposed shed development at 280 Rivermouth Road, Eagle Point include:

- All non-native vegetation is exempt.
- Planted native vegetation is exempt, subject to various conditions – Sect 2.22
- Removal of native vegetation for maintenance of existing boundary fencelines is exempt, in accordance with various restrictions – Sect 2.7.
- Removal of structurally unsound and/or hazardous trees is exempt Clause 52.17-7.

Ethos NRM has assessed all vegetation potentially impacted by the proposed shed development at 280 Rivermouth Road, Eagle Point, against these exemptions provision and determined that:

- The one planted non-native Tree Lucerne, Figure 10 is **Exempt because it is not native**.
- The four (4x) planted native shrubs / small trees comprising
 - 1x Wattle (*Acacia* Sp.), Figure 6
 - 2x Common Boobiolla (*Myoporum insulare*), Figure 7 & 8
 - 1x Paperback (*Melaleuca* Sp.), Figure 9

Are all Exempt because they were planted by the landowner.

- The Common Boobiolla (*Myoporum insulare*) Figure 11, situated on and growing partially through the existing boundary fence, is **Exempt in accordance with the fence exemption provisions**.
- The other, larger collapsed, partly rotten and structurally unsound Common Boobiolla (*Myoporum insulare*) Figure 12-15, situated near the existing boundary fence, is **Exempt in accordance with the fence exemption, and tree integrity/safety provisions**.

Hence Ethos NRM has determined all vegetation potentially impacted by the proposed shed development at 280 Rivermouth Road, Eagle Point is exempt from the requirements of *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DEECA, August 2025), and Clause 52.17-7.

Hence there is no vegetation loss and a *Native Vegetation Removal Report* is not required.

And therefore a Native Vegetation Offset is not required.

5 SUMMARY and CONCLUSION

A 14m long, 7m wide and 2.4m high shed is proposed to be constructed on private land at 280 Rivermouth Road, Eagle Point.

Vegetation within the proposed shed footprint, and which will need to be removed, is located along the existing boundary fence between allotments 280 and 290, and comprises:

- 4x planted native shrubs / small trees
- 1x planted non-native shrub
- 2x native medium trees

Ethos NRM has assessed the vegetation and determined that it is exempt from the requirements of the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DEECA, August 2025), and Clause 52.17, because it is either non-native, exempt in accordance with the fence exemption provisions, and/or the tree integrity/safety provisions.

Therefore, neither a *Native Vegetation Removal Report* nor a Native Vegetation Offset is required for the lawful removal of the vegetation.

Removal of the 4x planted native shrubs / small trees, 1x planted non-native shrub and 2x native medium trees will NOT adversely impact biodiversity values of land at 280 Rivermouth Road, Eagle Point, and will NOT compromise the stability of the Mitchell River Silt Jetties.

20th February, 2026

ERIC SJERP

Principal Consultant

Date

6 REFERENCES

DEECA, August 2025, *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* vers 1.1.

DEECA, August 2017, *Exemptions from Requiring a Planning Permit to Remove, Destroy or Lop Native Vegetation*

East Gippsland Shire Planning Scheme

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APPLICATION FOR PLANNING PERMIT

**BUILDINGS AND WORKS
(OUTBUILDING) AND VEGETATION
REMOVAL**

280 RIVERMOUTH ROAD, EAGLE POINT

REF: 25124

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APPENDIX

- A Copy of Title and Plan of Subdivision
- B Proposed Development Plans
- C Vegetation Assessment

DOCUMENT REVISION

1	Draft Report	KAS	25/02/2026
2	Final Report	CMC	26/02/2026

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1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of the applicants for this planning permit application for the buildings and works (outbuilding) and vegetation removal at 280 Rivermouth Road, Eagle Point.

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

A planning permit is required for the proposed outbuilding and vegetation removal under the provisions of the Land Subject to Inundation Overlay and the Significant Landscape Overlay.

The proposed outbuilding will be used for general storage purposes associated with the existing dwelling.

The proposal is consistent with the objectives of the East Gippsland Planning Scheme and is an appropriate development in this location.

Address	280 Rivermouth Road, Eagle Point
Site Description	Lot 1 on Title Plan 682802R
Title Particulars	Vol 09771 Fol 583
Site Area	Approximately 4,729m ²
Proposal	Buildings and Works (Outbuilding) and Vegetation Removal
Planning Scheme	East Gippsland Planning Scheme
Zone	Rural Conservation Zone
Overlays	Land Subject to Inundation Overlay Significant Landscape Overlay
Aboriginal Cultural Heritage	Identified as an area of Cultural Heritage Sensitivity
Permit Triggers	Clause 44.04-2 Land Subject to Inundation Overlay - Buildings and Works Clause 42.03-2 Significant Landscape Overlay - Buildings and Works Clause 42.03-2 Significant Landscape Overlay – Vegetation Removal
Notice	Exempt from notice at Clause 44.04-6 Exemption not available at Clause 42.03-2
Referrals	East Gippsland Catchment Management Authority
Work Authority Licence	Not Applicable
Planning Scheme requirements	Municipal Planning Strategy – Clause 02 Settlement – Growth Area Towns – Clause 02.03-1 Environmental and landscape values – Clause 02.03-2 Environmental risks and amenity – Clause 02.03-3 Built environment and heritage – Clause 02.03-5 Planning Policy Framework – Clause 10 Settlement – Clause 11 Environmental and landscape values – Clause 12 Environmental risks and amenity – Clause 13 Built environment and heritage – Clause 15 Significant Landscape Overlay – Clause 42.03 Land Subject to Inundation Overlay - Clause 44.04 Decision guidelines – Clause 65

2. SITE CONTEXT

Site

The subject site is located at 280 Rivermouth Road, Eagle Point. A copy of the Title and Title Plan is contained in **Appendix A**. The title is not affected by any restrictive covenants or agreements.

The site is rectangular in shape with a total area of approximately 4,729m² and contains an existing dwelling and associated facilities.

The site is generally flat in nature and contains scattered vegetation throughout. Details of the site are depicted in the photographs provided below.

Access is existing via a gravel crossover and driveway along the northern boundary connecting directly to Rivermouth Road. Rivermouth Road is a gravel road with grassed shoulders that traverses generally in a east to west direction in this location.

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



Figure 1 – Locality Plan – 280 Rivermouth Road, Eagle Point (source: mapshare.vic.gov.au)



Figure 2 – Locality Plan – 280 Rivermouth Road, Eagle Point (source: mapshare.vic.gov.au)

Surrounds

The land within the locality is predominantly public land, with areas of developed residential land.

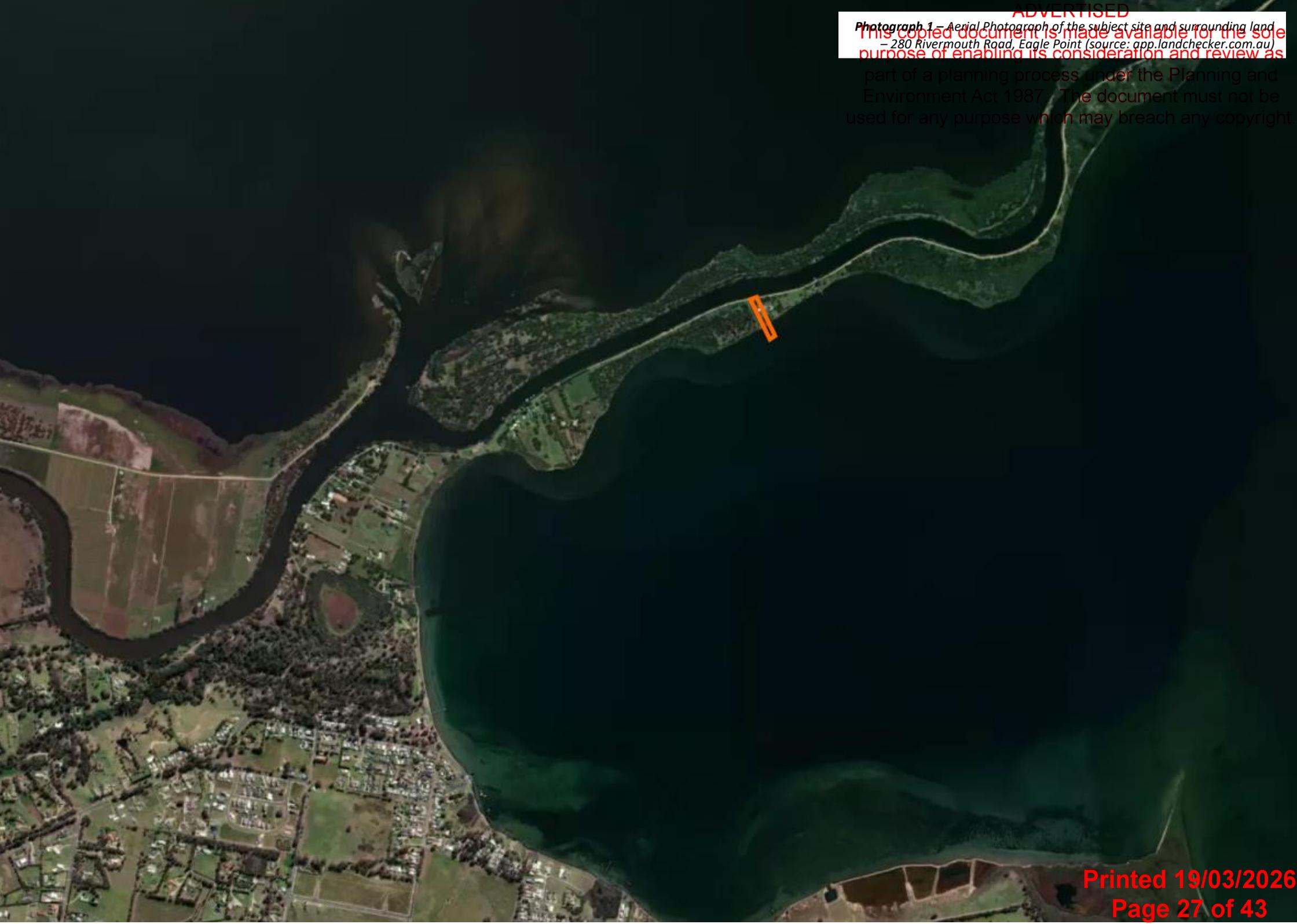
Adjoining the northern boundary is Rivermouth Road and further is the Mitchell River. Adjoining the eastern boundary is an existing dwelling and associated facilities. Adjoining the southern boundary is the East Gippsland Lakes being Eagle Point Bay and adjoining the western boundary is Crown Land.

Eagle Point is a coastal locality within the East Gippsland Shire, surrounded by the Gippsland Lakes. Eagle Point is located approximately 5.4 kilometres northeast of Paynesville and approximately 14.6 kilometres southeast of Bairnsdale. Eagle Point has limited community facilities and no commercial services. Paynesville offers a basic level of commercial and community services whilst Bairnsdale offers a full range of services and facilities.

The subject site in relation to Eagle Point is shown in the aerial photograph below



Photograph 1 – Aerial Photograph of the subject site and surrounding land
– 280 Rivermouth Road, Eagle Point (source: app.landchecker.com.au)
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Photograph 2 – Subject site at 280 Rivermouth Road, Eagle Point.



Photograph 4 – Existing dwelling on subject site facing northwest.



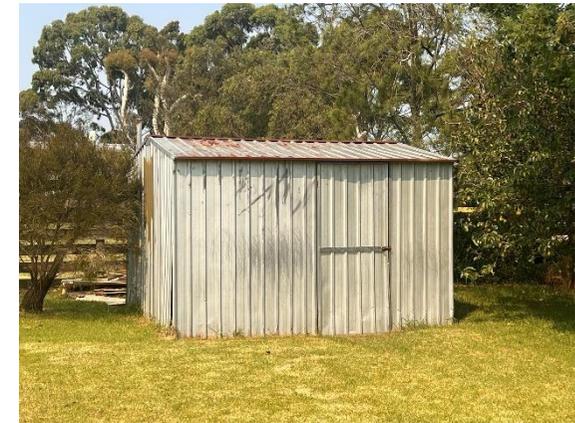
Photograph 6 – Existing tanks on subject site facing south.



Photograph 3 – Existing access to subject site.



Photograph 5 – Existing structure on subject site facing west.



Photograph 7 – Existing outbuilding on subject site facing east.



Photograph 8 – Proposed outbuilding location facing north.



Photograph 10 – Proposed outbuilding location facing northeast.



Photograph 12 – Proposed outbuilding location facing southeast.



Photograph 9 – Proposed outbuilding location facing northeast.



Photograph 11 – Proposed outbuilding location facing southeast along eastern boundary.



Photograph 13 – Subject site facing south.



Photograph 14 – Boobialla to be removed.



Photograph 16 – Neighbouring property adjoining the eastern boundary at 290 Rivermouth Road, Eagle Point.



Photograph 18 – Rivermouth Road facing east.



Photograph 15 – Additional Boobialla tree to be removed



Photograph 17 – Neighbouring property adjoining the western boundary at 278 Rivermouth Road, Eagle Point.



Photograph 19 – Rivermouth Road facing west.



Photograph 20 – Proposed location of shed from aerial view

3. THE PROPOSAL

This application seeks approval for buildings and works (outbuilding) and vegetation removal under the provisions of the Significant Landscape Overlay and Land Subject to Inundation Overlay. The proposed development plans are contained in **Appendix B**.

The proposed buildings and works will be located in the north-eastern portion of the site. The proposed outbuilding will have a setback of approximately 22.03 metres from the western boundary, 20.51 metres from the northern boundary (being Rivermouth Road), and 200mm from the eastern boundary.

The total area of the proposed outbuilding will be 98m², measuring 14 metres in length and 7 metres in width, with an overall height of 2.4 metres.

The external materials and finishes of the proposed outbuilding will comprise corrugated metal wall and roof sheeting, with a personal access door and roller doors finished in the colour Pale Eucalypt. A visual indication of the proposed colour is provided in **Figure 3**.

An extract of the front elevation is provided in **Figure 4**, and within the proposed development plans contained in **Appendix B**.

The proposed outbuilding will be used for general storage associated with the existing dwelling.

Vehicle access to the site is existing in the western portion of the northern boundary directly from Rivermouth Road which will remain unchanged. The existing driveway will be used to access the proposed outbuilding.

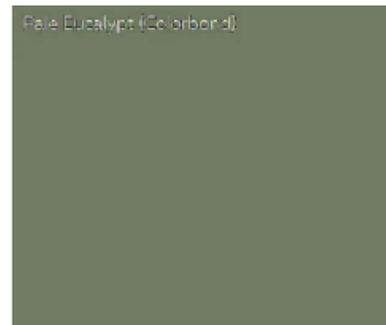


Figure 3 – Proposed Colour – Riviera Barns & Garages

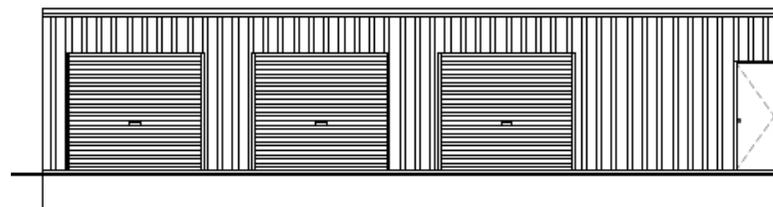


Figure 4 –Front Elevation – Riviera Barns & Garages

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

The proposal requires the removal of four planted native shrubs/small trees comprising one Wattle (*Acacia* sp.), two Common Boobialla (*Myoporum insulare*), and one Paperbark (*Melaleuca* sp.). As these are planted specimens, their removal does not require planning approval. The removal of one planted non-native tree is also proposed.

Two Common Boobialla (*Myoporum insulare*) are proposed to be removed. These trees trigger the need for planning approval under the Significant Landscape Overlay.

Clause 52.17 has been assessed, and it has been determined that the removal of all trees is exempt under this clause. A vegetation assessment detailing the vegetation onsite to be removed is contained in **Appendix C**.

No earthworks are proposed beyond minor site scraping and the construction of foundations associated with the development.

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4. ZONES AND OVERLAYS

Rural Conservation Zone

The purpose of the Rural Conservation Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve the values specified in a schedule to this zone.
- To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.
- To protect and enhance natural resources and the biodiversity of the area.
- To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
- To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.

- To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

An extract of the Rural Conservation Zone Map is provided in **Figure 5**.

Clause 35.06-5 provides a permit is not required to construct a building or to construct or carry out works if the outbuildings floor-

area does not exceed 100m², the proposed outbuilding is 98m².

There are no specific requirements for planning approval for vegetation removal under the provisions of the Rural Conservation Zone, as such, this is not addressed further.



Figure 5 – Rural Conservation Zone – (source - mapshare.vic.gov.au)

Significant Landscape Overlay – Schedule 2

The purpose of the Significant Landscape Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify significant landscapes.
- To conserve and enhance the character of significant landscapes.

An extract of the Significant Landscape Overlay Map is provided in **Figure 6**.

Clause 42.03-2 provides a permit is required to construct a building or construct or carry out works and for vegetation removal.

The relevant decision guidelines are addressed below in Section 5.

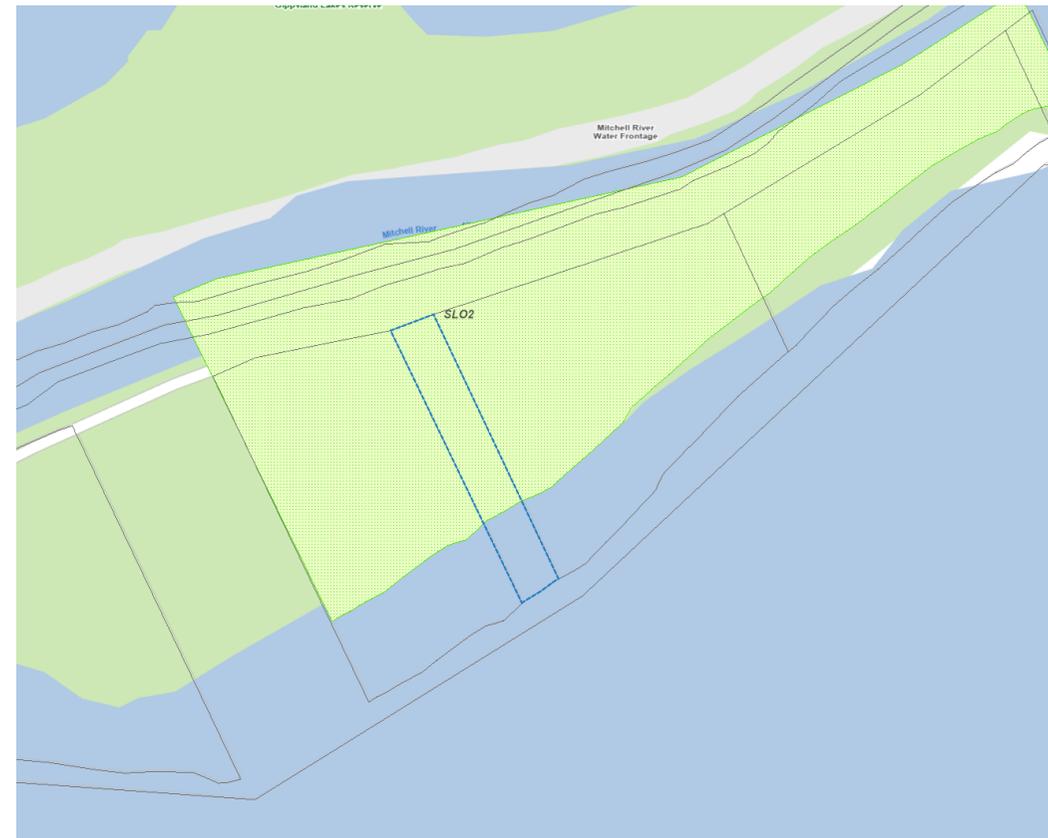


Figure 6 – Significant Landscape Overlay – (source - mapshare.vic.gov.au)

Schedule 2 of the Significant Landscape Overlay:

Schedule 2 provides the following statement of nature and key elements of landscape:

“The Gippsland Lakes are of state significance as a unique estuarine environment with a network of lakes fringed by Ninety Mile Beach and extensive coastal dune systems.

Within the East Gippsland Shire, Lakes Victoria and King are the most prominent water features in this landscape but there is also a collection of islands and small peninsulas that contribute to its visual significance. It is the interplay of these features and their vegetated and undeveloped backdrop that make this landscape a valued scenic resource and Victorian icon.

As well as its visual qualities, also recognised by the National Trust, this landscape contains some of the most significant and well known environmental and recreational areas in the state. The Ramsar Convention notes this landscape as a wetland system of international significance, and there is a diverse array of flora and fauna, including many endangered species. There are some 60 sites of scientific interest in the area, including sites of geological and geomorphologic significance associated

with the sand barriers that have led to the formation of the Gippsland Lakes. The Gippsland Lakes are a highly significant Aboriginal cultural landscape. Evidence of traditional indigenous occupation of this unique system of waterways is commonplace and is found in the form of shell middens, flaked stone artefacts, scarred trees and other traditionally significant sites and places.”

Landscape character objectives to be achieved:

“To strengthen the presence of native and indigenous vegetation throughout the landscape, particularly adjacent to lakes, rivers and other waterbodies as well as along roadsides, and in settlements and riparian strips.

To protect the cultural vegetation patterns in rural areas.

To protect locally significant views and vistas that contribute to the character of the landscape, including scenic lookouts and recreation locations with views over the Gippsland Lakes.

To protect locally significant views and vistas, including expansive open views across the inland lakes and natural and unbuilt views along Ninety Mile Beach.

To ensure that development in and around existing settlements does not impact on the characteristics of the landscape, particularly the natural and unbuilt character at the edge of the Gippsland Lakes.

To manage the impact of new development on the sense of space and openness in the rural landscape.

To protect the largely natural and unbuilt views of Lakes King and Victoria from the lakes’ edges.

To encourage the appropriate siting and design of native hardwood plantation forests that protects the character and viewing of the area.

To minimise any increase in development visible above the dunes and coastal vegetation outside settlements, when viewed from the beach, foreshore or offshore.

To avoid buildings set high on dunes or development that will be visible on the skyline.

To minimise the visual impact of signage and infrastructure, particularly adjacent to the Gippsland Lakes or areas of high visibility.

To recognise, and protect, the landscape of the Gippsland Lakes as a place of significant Aboriginal cultural heritage value.’

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Land Subject to Inundation Overlay

The purpose of the Land Subject to Inundation Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.
- To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.
- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the

environmental quality of water and groundwater.

- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

An extract of the Land Subject to Inundation Overlay Map is provided in **Figure 7**.

Clause 44.04-2 provides a permit is required to construct a building or to construct or carry out works. As such, the relevant decision guidelines are addressed below in Section 5.



Figure 7 – Land Subject to Inundation Overlay – (source - mapshare.vic.gov.au)

Aboriginal Cultural Heritage

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

The proposed works are within the area identified as being of cultural heritage significance. However, the development of an outbuilding and vegetation removal associated with a dwelling is an exempt activity and as such does not require the preparation of a Cultural Heritage Management Plan.

An extract of the Aboriginal Cultural Heritage Map is provided in **Figure 8**.



Figure 8 – Aboriginal Cultural Heritage Map – (source - mapshare.vic.gov.au)

5. PLANNING ASSESSMENT

This proposal has been assessed against the objectives and standards of applicable clauses of the East Gippsland Planning Scheme and it is considered that the proposed buildings and works (outbuilding) and vegetation removal are appropriate for the following reasons:

- The proposal meets the objectives of the Municipal Planning Strategy at **Clause 02** and the Planning Policy Framework at **Clause 10** providing for an appropriate outbuilding that can be respectful of the existing development on site, surrounding development and the environment.
- The proposed outbuilding will be used for storage associated with the existing dwelling.
- The proposal will contribute to a high standard of environmental sustainability, design and amenity by designing the outbuilding to meet the constraints of the land reducing any potential negative environmental implications as sought to achieve by the relevant clauses including **Clause 02.03** and **Clause 11**.
- **Clause 02.03-1** identifies Eagle Point as a coastal settlement. Eagle Point is a small, consolidated town distinct from Paynesville, with a permanent resident settlement and a holiday recreation destination.
- The proposal is consistent with the decision guidelines of the Significant Landscape Overlay at **Clause 42.03-5** which seeks to identify and protect significant landscapes. The statement of nature and key elements of the landscape and the landscape character objectives to be achieved is contained in Section 4 of this submission which in short seeks to ensure that the significance of the area is retained and protected.
- The subject site contains scattered vegetation throughout, as shown in the photograph above. Limited vegetation removal is required to facilitate the proposed outbuilding and will be kept to a minimum.
- Approval is sought to remove two Common Boobialla (*Myoporum insulare*). All other vegetation proposed for removal falls within the planted vegetation exemption under **Clause 42.03-3**. The vegetation proposed for removal including the two Common Boobialla is within a patch of vegetation located on the eastern boundary.
- Revegetation is not considered an appropriate response due to the elevated bushfire risk associated with the site.
- The proposed buildings and works will not be intrusive within the existing landscape setting and are unlikely to be visible from surrounding waterways. The proposed outbuilding colour, Pale Eucalypt, will complement the surrounding environment.
- Access is existing along the northern boundary in the western portion directly from Rivermouth Road and will remain unchanged.
- The proposal is generally consistent with the decision guidelines of the Land Subject to Inundation Overlay at **Clause 44.04-8** which seeks to minimise the potential flood risk to life, health and safety associated with development.
- The proposed buildings and works will be located in an area identified as susceptible to flooding hazards.
- Preliminary advice has been sought for the proposed buildings and works (outbuilding) from the relevant floodplain management authority confirming that they would be unlikely to object to the proposal.
- The outbuilding will be solely for storage purposes and will not be inhabited by people.
- The proposed buildings and works are not expected to impact the likelihood of a flood or impact the flood flows or velocity.

- The proposed buildings and works are unlikely to impact the nearby waterways including the Mitchell River, located to the north and Lake King located to the south of the site particularly given the existing development and remaining vegetation on the site.
- This submission has addressed the decision guidelines of **Clause 65**, and the proposed buildings and works and vegetation removal supports orderly planning of the area whilst taking into consideration the potential effect on the environment, human health and the amenity of the area.
- There are no factors of this proposal that are likely to cause or contribute to land degradation, salinity or reduce water quality.

6. CONCLUSION

Development Solutions Victoria

This submission is in support of a planning permit application for buildings and works (outbuilding) and vegetation removal at 280 Rivermouth Road, Eagle Point.

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

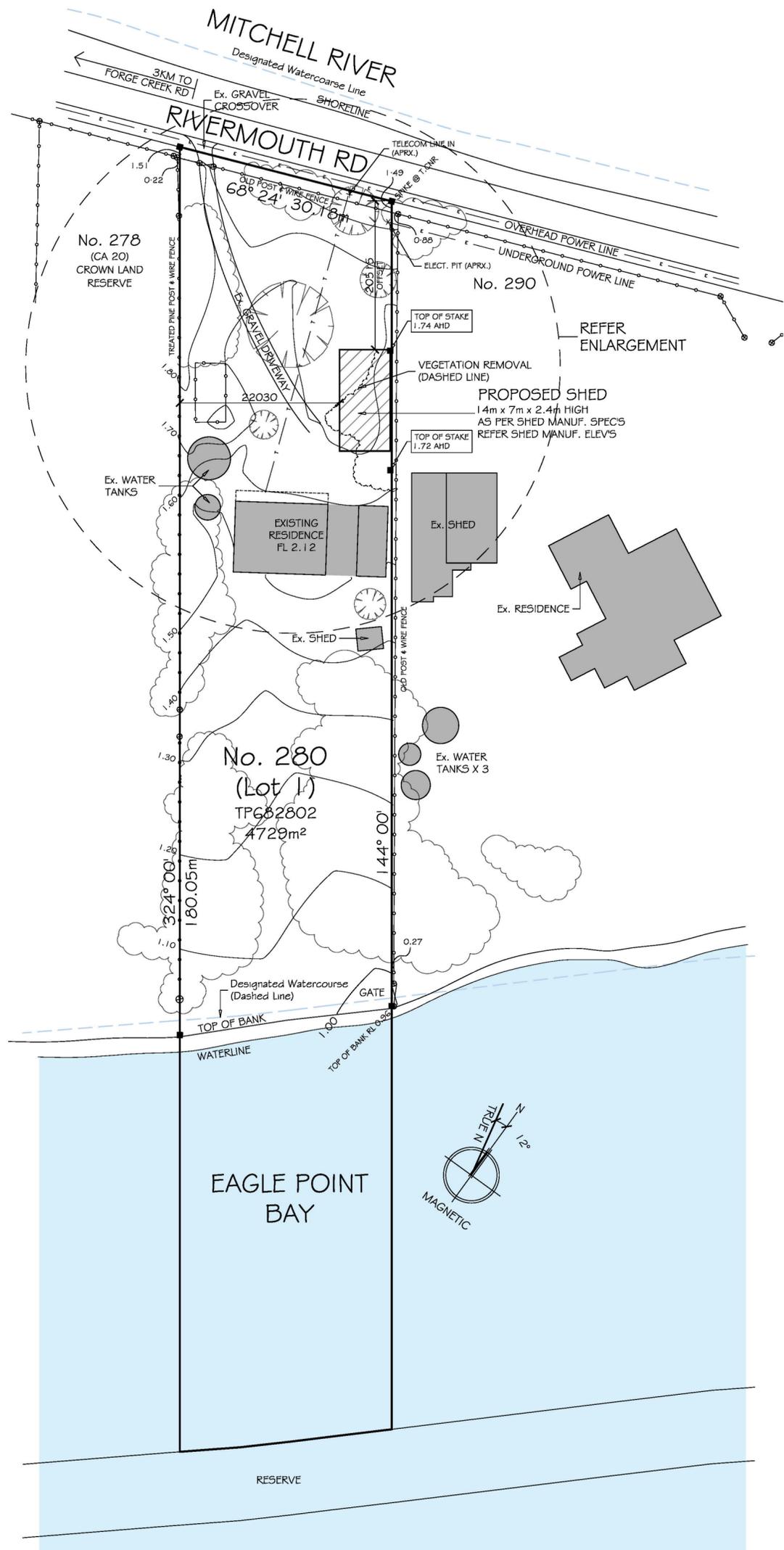
- The proposal is consistent with the objectives and strategies outlined in the Municipal Planning Strategy and the Planning Policy Framework.
- The proposal is consistent with the objectives of the Significant Landscape Overlay and Land Subject to Inundation Overlay.
- The hazards associated with flooding can be reduced to an acceptable level.
- The design of the proposed outbuilding is complementary to the existing development on the site, surrounding development and consistent with the character of the area.

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

Disclaimer:

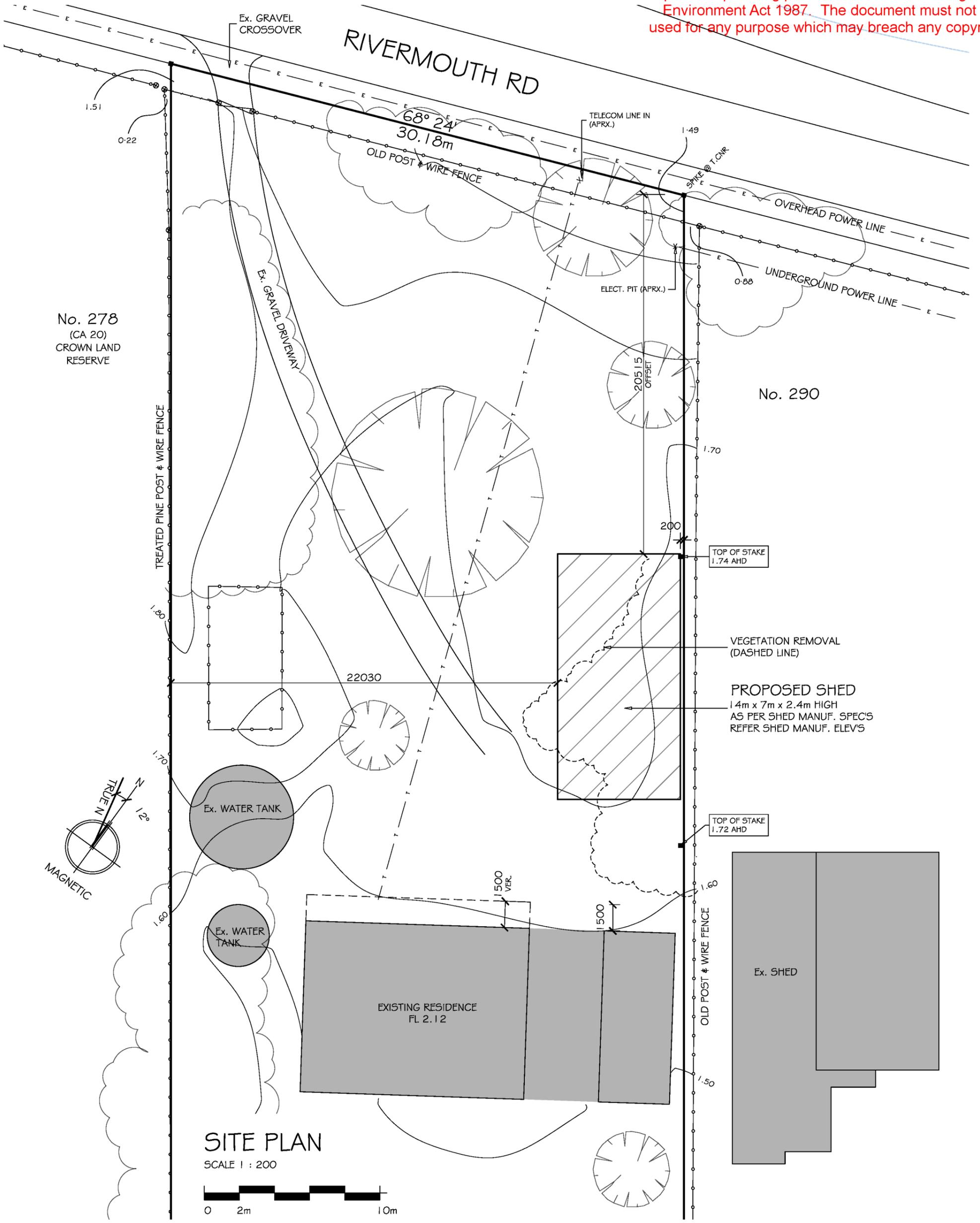
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SITE/ LOCALTY PLAN
SCALE 1 : 500





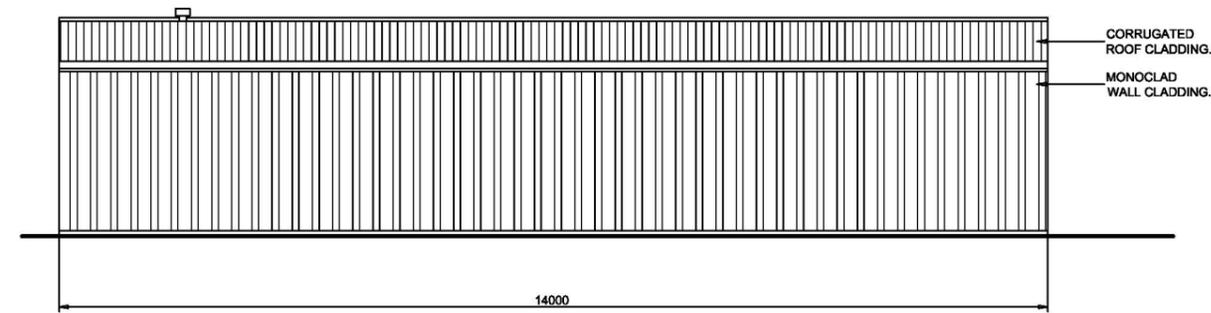
No. 278
(CA 20)
CROWN LAND
RESERVE

No. 290

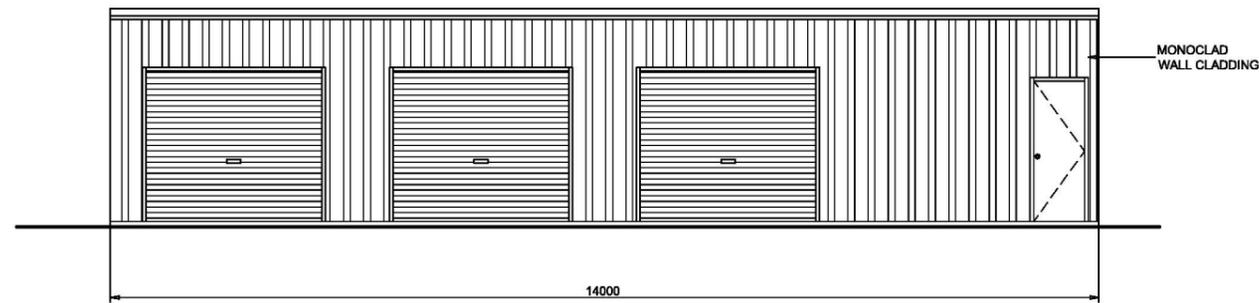
SITE PLAN

SCALE 1 : 200

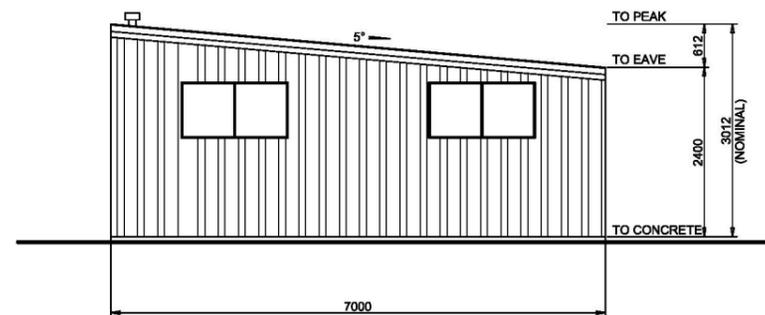




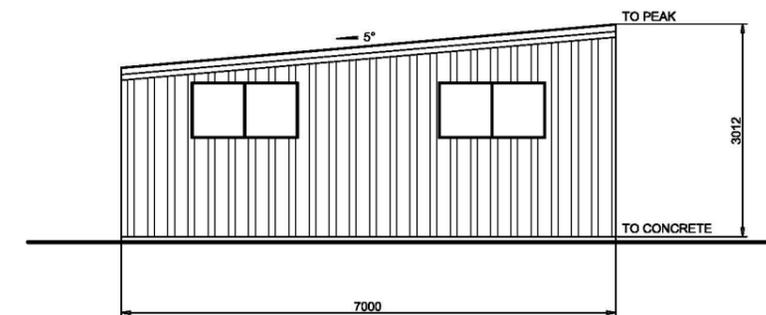
1
7 SIDEWALL EXTERIOR ELEVATION
SCALE: 1 = 100



2
7 SIDEWALL EXTERIOR ELEVATION
SCALE: 1 = 100



4
7 ENDWALL EXTERIOR ELEVATION
SCALE: 1 = 100



3
7 ENDWALL EXTERIOR ELEVATION
SCALE: 1 = 100

BUILDING COLOURS

WALL	PALE EUCALYPT
ROOF	PALE EUCALYPT
ROLLER DOOR	PALE EUCALYPT
P.A. DOOR	PALE EUCALYPT
WINDOW	PALE EUCALYPT
ROOF VENT	PALE EUCALYPT
DOWNPIPE	PALE EUCALYPT
GUTTER	PALE EUCALYPT
CORNER FLASHING	PALE EUCALYPT
BARGE FLASHING	PALE EUCALYPT
OPENING FLASHING	PALE EUCALYPT



ELEVATIONS PROVIDED BY
FAIR DINKUM BUILDS/ RIVIERA BARNS & GARAGES

development eagle point