

Please find below a response to matters in respect of the proposed development plan for 99 Bena Road 19040 Revised Development Plan

Hillview Rise Pty Ltd

South Gippsland Shire Council

99 Bena Road Korumburra 3950

The Department of Transport and Planning as the referral authority has been given the opportunity to provide commentary in respect to the proposed development plan and has reviewed the updated plan against our previous comments.

Road Layout & Traffic Impacts

The updated Traffic Report was prepared in February 2024 and has consideration of the development site, but does not address the challenges with the interface of the state managed networks.

DTP previously suggested that consideration given to:

- future development other than the Botanica site and the subject site. Consideration to the movement and access should be given to other subdivisions that will require Bena Rd as access.

Addressed

- Intersection requirements to consider future user requirements at the intersection of South Gippsland Highway and Whitelaw Rd so that it is safe without poor sight lines and high speed design, meeting with a gravel road in poor condition

Not considered

- Intersection requirements at Jumbunna Road/Whitelaw Road to consider future user requirements and manage and additional movements and the poor sight lines and high travel speeds.

The future intersection treatment at Somers / Jumbunna road is not well defined and has a number of space limitations. While a roundabout will relieve possible movement and access challenges for a range of users into the development, the type of intersection should be compliant with Safe System for a range of future users, including access for walking and cycling users across Jumbunna Road to the shared user path, for buses into the new development and for heavy vehicles along Jumbunna Road.

- Improvements that should be applied to the intersection of Bena, George and Jumbunna roads and support the future demand and projected increases of users, including for people who walk and cycle and use public transport.

Not addressed

- Safe and comfortable access around the development for people who walk and cycle

Addressed

- Safe pedestrian crossing points along Bena Rd for pedestrians.

Not addressed.

- the proposed turning lane treatment should be updated to meet the changed conditions on-site and current intersection design requirements, and
- appropriate locations for any future bus stop and/or school bus stops

- **Not addressed**

While the TIAR concluded that there are currently no serious safety concerns with the existing road network adjacent to the site based on updated casualty crash data. The Development Plan should consider future users and take an approach that looks at the future safety risks rather than at the current safety incidents.

DTP is aware that Whitelaw Road and its intersections with both Jumbunna Road and the South Gippsland Highway pose serious safety concerns that will rise given the increasing development around Korumburra. These future safety risks should be addressed in this development plan.

Yours sincerely

Rachael Ashton

Team leader Integrated Transport, Gippsland Region



WGCMA Ref: WGCMA-F-2023-00478
Document No: 3
Your Ref: P709/2023
Date: 5 March 2024

council@southgippsland.vic.gov.au

Chantal Lenthall
Strategic Planning Officer
South Gippsland Shire Council

Dear Chantal,

Application Number (CMA Ref): WGCMA-F-2023-00478

Property: **Street:** 99 Bena Road Korumburra Vic 3950
Cadastral: Lot 1 PS321371, Parish of Korumburra

Thank you for your enquiry received at the West Gippsland Catchment Management Authority ('the Authority') on 26 February 2024 in relation to review of the Development Plan in a DPO6 area.

Stormwater Management

The Authority has reviewed the *Stormwater Management Plan – 99 Bena Road Korumburra* (Afflux Consulting, 14 February 2024) and is comfortable with the stormwater management concept that has been proposed. It is noted however, that it may be difficult to implement due to the steep terrain at the location where the wetland is proposed.

The Authority believes there may be benefit in locating the drainage reserve further to the south, across the property boundaries, and increasing its size so that the wetland can be located on marginally flatter land and to allow a larger single wetland to be constructed to treat stormwater from all properties rather than having two separate wetlands to treat stormwater from each area. The Authority is willing to consider conceding the requirement to protect the eastern most waterway should this approach be taken.

The Authority will require a detailed Stormwater Management Plan (SMP) prior to certification of Stage 1 of any subdivision proposal for the subject land that clearly identifies how stormwater runoff from the entire development will be managed and treated prior to discharge to the designated waterways including the proposed timing of works. It must also quantify the reduced loads of sediment, nutrient, and gross pollutants in kg/year.

The relevant water quality treatment works outlined in the SMP must be undertaken to the satisfaction of the Authority prior to the issuing of the state of compliance for each stage of the subdivision.

Waterway Management

The Authority is satisfied that the width of the drainage reserves (waterway buffers) meets our requirements.

The Authority requests that the Development Plan documents, including the Landscape Plan, specifies that the drainage reserve/waterway buffer is required to be revegetated in accordance with a Waterway Management Plan (WMP) to the satisfaction of the Authority.

It is important that bushfire management setbacks are considered early in the planning process so that an appropriate design response can be achieved without compromising waterway management outcomes. On sites containing waterways this requires defining the end-state bushfire hazard of the revegetated waterway buffer and designing the settlement to have perimeter roads and other bushfire mitigation measures to achieve adequate defendable space from the bushfire hazard.

Extent of canopy cover and the understory plantings define the classification of the end-state bushfire hazard in accordance with AS3959:2018. In many locations across Gippsland, the mature state of revegetation within the buffer will be classified as 'forest' or 'woodland'.

The Authority will require a detailed WMP to be submitted with any planning permit application for subdivision of the land. The WMP will need to be implemented to the satisfaction of the Authority prior to the issuing of statement of compliance for the relevant stages of the subdivision.

Should you have any queries, please do not hesitate to contact Ben Proctor on 1300 094 262 or email planning@wgcm.vic.gov.au. To assist the Authority in handling any enquiries please quote **WGCMA-F-2023-00478** in your correspondence with us.

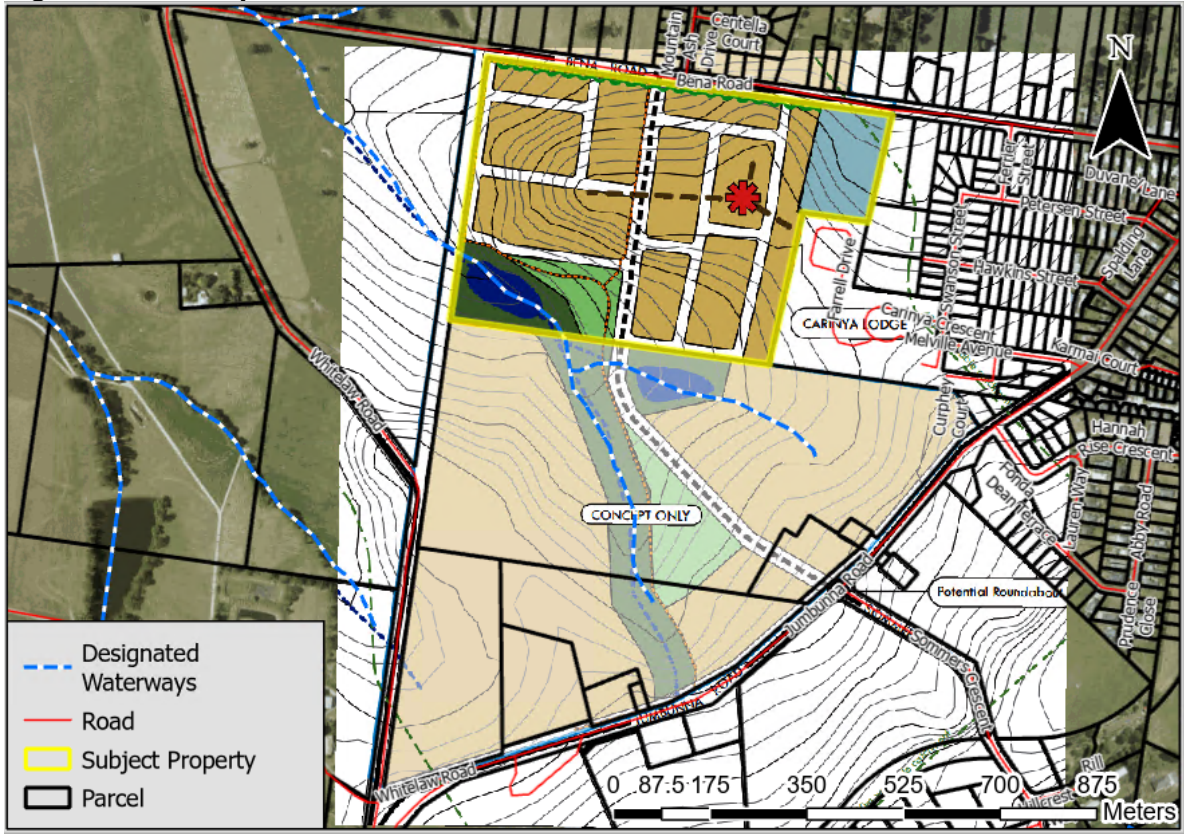
Yours sincerely,



Adam Dunn
Executive Manager – Statutory Planning

The information contained in this correspondence is subject to the disclaimers and definitions attached.

Figure 1 – Concept Plan



Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for, or makes no warranty regarding, the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **AHD** as Australian Height Datum is the adopted national height datum that generally relates to height above mean sea level. The elevation is in metres.
5. **ARI** as Average Recurrence Interval is the likelihood of occurrence expressed in terms of the long-term average number of years between flood events as large as, or larger than, the design flood event. For example, floods with a discharge as large as, or larger than, the 100 year ARI flood will occur on average once every 100 years.
6. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
7. This letter has been prepared for the sole use by the party to whom it is addressed, and no responsibility is accepted by the Authority regarding any third-party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
8. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.



Department of Energy, Environment
and Climate Action

5 October 2023

71 Hotham Street
Traralgon Victoria 3844
Telephone: +61 3 5172 2111
www.delwp.vic.gov.au

Chantal Lenthall
South Gippsland Shire Council
9 Smith Street
LEONGATHA VIC 3953
Sent by email: planningadmin@southgippsland.vic.gov.au

Our Ref: SP485780
Your Ref: DEVPLN/2022/2

Dear Chantal

PROPOSAL: DEVELOPMENT PLAN IN DPO6 AREA
APPLICANT: PLANNING CENTRAL
ADDRESS: 99 BENA ROAD, KORUMBURRA
DESCRIPTION: LOT 1 ON PLAN OF SUBDIVISION PS321371

Thank you for your correspondence received 27 September 2023 seeking comment on a development plan submitted for 99 Bena Road, Korumburra, in accordance with the requirements of Clause 43.04 of Schedule 6 to the Development Plan Overlay.

The development plan is a requirement under Development Plan Overlay at Clause 43.04 of the South Gippsland Planning Scheme. Schedule 6 sets out the development plan requirements for the Korumburra Residential Growth Areas.

Under delegation from the Secretary, the Department of Energy, Environment and Climate Action (DEECA) is providing advice in response to the provisions as relevant to DEECA's environment interests.

The requirements of the development plan relevant for DEECA comment include:

- In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Gippsland Giant Earthworm, and measures required to protect the identified species.
- An assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation, including the provision of any offsets if required.
- Regard must be had to the background document *West Gippsland Native Vegetation Plan 2003. (as amended)*.

It is note that the applicant for the Development Plan has applied to VCAT to approve the Development Plan (VCAT Appeal Reference No. P709/2023) and comments on the Development Plan will be considered by VCAT before a decision is made. The opportunity to request further information or clarification would have assisted with the assessment.

DEECA provides the following comments to assist Council with their assessment:

Flora & Fauna Survey

- It is note that the DPO requires consultation with DEECA in the scoping of or preparation of the biodiversity assessment, this has not occurred.
- The biodiversity assessment was prepared in 2019 and has not been updated to consider contemporary species listings under the federal Environment Protection and Biodiversity Conservation (EPBC) Act 1999 and state Flora and Fauna Guarantee (FFG) Act 1988, both have updated species listings since the production of the supporting report.
- There is potential for threatened flora and fauna species to occur within the development area which were not identified in the biodiversity assessment.

The application identifies Southern Blue-gum *Eucalyptus globulus* on the subject land. Current taxonomy treats *E. globulus* as a species complex that has been divided into four sub-species. *E. globulus* subsp. *globulus*, is classed as Endangered in Victoria under the *Flora and Fauna Guarantee (FFG) Act 1988*, the sub-species is known to occur in the local area. The biodiversity report has not used the current classification of the *E. globulus* complex and has possibly overlooked the presence of this threatened species.

The application stated Strzelecki Gum as unlikely to be present. However, it is within the known distribution of the species with current records nearby. Tree 1 was identified as a swamp gum, however no photographs of the tree have been included and Strzelecki Gum and Swamp Gum are very similar in appearance and often it is difficult to accurately identify between these species.

- The Giant Gippsland Earthwork report provided is in draft and should be finalised for inclusion in the plan.
- It has been identified that the plan does not provide a hydrological assessment that includes an analysis of how changes to surface and ground water flows and quality are likely to affect habitat for the Giant Gippsland Earthworm (GGE) adjacent to the subject land. To address this the application needs to include an analysis of the following hydrological changes and affects to GGE beyond the development area:
 - a) dispersal of stormwater and loss of recharge surfaces;
 - b) changes in surface and subsurface flows;
 - c) changes to water table;
 - d) sedimentation from soil disturbance activities;
- Details about the ongoing protection of remnant vegetation and habitats during the construction phase has not been provided. Without this information it is not possible to determine whether the species is likely to persist within the area in the long-term and information should be provided in relation to the construction phase and ongoing protection and/or management of native species and habitats to determine whether the species are likely to persist in the long term on the site.
- The grassy vegetated areas adjacent to the waterway may be suitable habitat for both Glossy Grass Skink (Endangered under the state FFG Act) and Swamp Skink (Endangered under the federal Environment Protection and Biodiversity Conservation (EPBC) Act 1999 and state FFG Act). Whilst both species have not been recorded within the local area there is a record of Swamp Skink from

Koonwarra in 2003 from similar farmland habitat in a weedy dam-side area. The EPBC Act Conservation Advice for the species cautions against assuming that Swamp Skinks are not present in marginal habitat or areas apparently unlikely to support the species, such as areas heavily infested by weeds. The records of the Swamp Skink on the Koonwarra property indicate that it is possible that other isolated subpopulations may be persisting in other parts of the South Gippsland foothills. Targeted surveys for these species would be required prior to determining absence.

Victoria's Native Vegetation Management: A Framework for Action

- The Framework (Victoria's Native Vegetations Management: A Framework for Action) has been superseded by the Guidelines for the removal, destruction or lopping of native vegetation (the Guidelines) (DELWP 2017).
- The DPO6 requires the provision of an assessment of the actual amount of native vegetation proposed to be removed to implement this plan of subdivision. Clarification is required, one of the proposed access roads appears to remove native vegetation in the road reserve which has not been identified and is not clear whether all native vegetation on the subject land is to be removed, however subdivision plans and the stormwater management plan indicate it will be. A permit to take protected flora under the Flora and Fauna Guarantee Act 1988 may be required.
- Consequent to the review of impacts to native vegetation outlined above revised documentation including a native vegetation removal report, offset statement and offset evidence should be provided.

West Gippsland Native Vegetation Plan 2003. (as amended).

- It is appropriate the application be updated to address the information requirements of Clause 52.17 Native vegetation rather than respond to the West Gippsland Native Vegetation Plan 2003.

Clause 52.17 Native vegetation

- The application has not identified all native vegetation to be removed. One of the proposed access roads appears to remove native vegetation in the road reserve which has not been identified. The application is not clear whether all native vegetation on the subject land is to be removed, however subdivision plans and the stormwater management plan indicate it will be.
- A DEECA generated Native Vegetation Removal Report for the native vegetation to be removed has not been provided. The Ensym scenario test included in the application is not a Native Vegetation Removal report.
- The offset requirement, determined in accordance with section 5 of the Guidelines, that will apply if the native vegetation is approved to be removed
- The application has provided some representative photographs of the vegetation present on the subject land but has not provided photographs of all the native vegetation proposed to be removed.
- The application does not include an avoid and minimise statement that describes what has been done to minimise impacts and that nothing more can be done. The application must provide and

updated avoid and minimise statement. The statement must describe all efforts to avoid the removal of and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value. Native vegetation removal must be limited to the minimum extent necessary required to achieve the objective of the proposal.

- The application has not provided an offset statement or evidence that the required offsets are available.

Information that describes how to address the information needed to support an application is in

- [Native vegetation removal regulations – Applicant’s guide](#) (DEECA 2023)
- [Assessor's handbook - Applications to remove, destroy or lop native vegetation](#) (DELWP 2018)

More information about the native vegetation regulations is available on the DEECA website at: <http://environment.vic.gov.au/native-vegetation>.

If you have any queries, or require clarification please contact Gippsland.planning@delwp.vic.gov.au.

Yours sincerely



Jayne Cluning

Planning and Approvals Program Officer

Gippsland Region | Central East Hub

OFFICIAL

2 October 2023

Your Ref: DEVPLN/2022/2

Planning Department
South Gippsland Shire Council
9 Smith Street
LEONGATHA VIC 3953

**Re: Comments on Development Plan
Development Plan in DPO6 Area
Property: 99 Bena Road**

I wish to advise that in South Gippsland Water Corporation does not object to the development plan provided.

In regards to the plan submitted we note that:

- There is good clearance from the major DN560 pressurised water pipe and appurtenances located in the unused government road reserve to west of the proposed development . The unused government road reserve is currently licenced for grazing by 36 Jumbunna Rd. The asset located within the unused road supplies water to Korumburra, Poowong, Loch and Nyora and can not be relocated without significant effort and expense. A minimum clearance of 7.5 m from the asset is preferred and the current plan allows for this.
- Water is currently available on Bena Road and there is more than one road access into the development. This is preferable at it allows for good water 'looping' through connecting the new water assets to the existing main at both the north-eastern and north-western corners of the development. Water pipes are not typically installed in private property but are installed within road reserves, so the provision of roads is ideal in this regard, although an asset installed in a footpath reserve could provide a similar functionality. Looping in this manner significantly increases the reliability of water supply into the development.
- SGW are providing a new Branch Sewer along Bena road with construction expect to commence in 2024. The sewer outfall from the development shall be to the north-west corner where it will intercept the new Bena Road Branch Sewer. SGW are currently assessing how the Bena Road Branch sewer will interact with any retaining walls that may or may not be required depending on how road intersections with Bena Road are formed. SGW intend to ensure that the sewer will have sufficient coverage for any future cut of the estate.

I wish to advise that if a planning permit were to be granted then South Gippsland Water would not object subject to the following conditions:

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- (1) The owner / applicant shall enter into a formal agreement with the South Gippsland Water Corporation for the provision of a reticulated water and sewer supply to service each and every allotment to the design and satisfaction of the Corporation.
- (2) The owner / applicant shall provide a sewer and water property connection point for each and every allotment lot to the satisfaction of the South Gippsland Water Corporation.
- (3) Prior to Endorsement of Plans (Condition 1 plans), Design Plans must be submitted outlining the size and the location of the sewer and water works to determine where easements and/or reserves will be required. These plans are to be to the satisfaction of the Responsible Authority and South Gippsland Water.
- (4) Prior to Certification easements shall be created no less than 3.0 metres wide, in favour of the South Gippsland Water Corporation, over all existing and proposed water and sewerage works located within the subdivision. Easements should be subject to the terms and conditions of SGW's water supply and sewerage Memorandum of Common Provisions AA3127.
- (5) The plan of subdivision submitted for certification must be referred to the Corporation in accordance with Section 8 of the Subdivision Act.
- (6) Prior to the issue of Statement of Compliance, the owner shall pay to the South Gippsland Water Corporation "New Customer Contributions" for Sewer and/or Water for each new lot created, in accordance with the Corporation's approved tariffs.
- (7) The location of the Corporation's existing sewer and water infrastructure is to be proven on site prior to works commencing.
- (8) Any damage caused to the Corporation's sewer or water infrastructure during the construction of the proposed works, shall be rectified and all costs borne by the owner.

If the Corporations assets are exposed at any time during construction, **works must stop immediately**, and the Corporation informed by calling 5682 0444

Yours sincerely

Lucy Allsop
Development Manager



Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.transport.vic.gov.au

Ref: PPR 42321/23-A

Glenn Kell
Planning Central
Suite F5, 2 Winton Road
Clayton VIC 3168

Dear Glenn,

VCAT REFERENCE	P709/2023
DEPARTMENT REFERENCE NO:	PROPOSED DEVELOPMENT PLAN – HILLVIEW RISE PTY LTD
PROPERTY ADDRESS:	99 BENA ROAD KORRUMBURRA VIC 3950

The Department of Transport and Planning has provided previous comment regarding this proposed development plan and was a contributor to a meeting with the consultants, Beveridge Williams and South Gippsland Shire Officers. At this meeting, the Department of Transport and Planning identified its concerns regarding the submission and in particular the Transport Impact Assessment provided.

Thank you for providing the opportunity to provide the following commentary in respect to the proposed development plan and the concerns that should be addressed.

Road Layout & Traffic Impacts

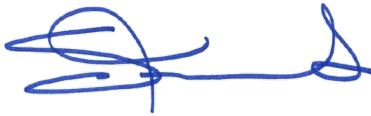
The Traffic Report submitted with the development plan was prepared in April 2016. DTP requests that the traffic report should be updated, and consideration given to:

- Future development other than the Botanica site and the subject site. Consideration to the movement and access should be given to other subdivisions that will require Bena Rd as access.
- Intersection requirements to consider future user requirements at the intersection of South Gippsland Highway and Whitelaw Rd so that it is safe without poor sight lines and high speed design, meeting with a gravel road in poor condition
- Intersection requirements at Jumbunna Road/Whitelaw Road to consider future user requirements and manage and additional movements and the poor sight lines and high travel speeds.
- Improvements that should be applied to the intersection of Bena, George and Jumbunna roads and support the future demand and projected increases of users, including for people who walk and cycle and use public transport.
- Safe and comfortable access around the development for people who walk and cycle.
- Safe pedestrian crossing points along Bena Rd for pedestrians.

- The proposed turning lane treatment should be updated to meet the changed conditions on-site and current intersection design requirements,
- Appropriate locations for any future bus stop and/or school bus stops

Should you have any enquiries regarding this matter, please contact Rachael Ashton, or Stuart Fenech on Stuart.Fenech@roads.vic.gov.au.

Yours sincerely



Stuart Fenech

Team Leader Statutory Planning

Under delegation from the Head, Transport for Victoria

09 / 10 / 2023

Cc: South Gippsland Shire



cfa.vic.gov.au

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 9000-80297-131601
Council Ref: DEVPLN/2022/2

9 October 2023

Chantal Lenthall
South Gippsland Shire Council
Private Bag 4
LEONGATHA VIC 3953

Dear Chantal,

Proposal: Development Plan
Location: 99 Bena Road Korumburra

Thank you for providing CFA with an opportunity to comment on the proposed Development Plan prepared in response to Schedule 6 of Clause 43.04 of the South Gippsland Planning Scheme.

CFA understands Council is seeking feedback on the proposed Development Plan prior to VCAT proceedings.

CFA notes that the site is located within a Bushfire Prone Area (BPA) and that no supporting bushfire information appears to have been provided as part of the application.

After reviewing the history of the area and Development Plan Overlay Schedule 6 (DPO6), the strategic work that underpins the current design response looks to have been prepared prior to the current bushfire policy at Clause 13.02-1S being in place.

CFA encourages you to consider how the application seeks to respond to nearby and landscape scale bushfire risks and policy at Clause 13.02-1S. CFA also recommends that you review the DELWP *Design Guidelines for Settlement Planning at the Bushfire Interface* to help identify additional options to improve the bushfire response.

CFA recommends that a bushfire assessment be provided that addresses relevant bushfire policy at Clause 13.02-1S, including:

- A bushfire risk assessment of the bushfire hazard and likely fire behaviour at the landscape and local scale be undertaken. This will help you understand the fire context and whether the policy objectives of Clause 13.02-1S have been achieved. A localised bushfire hazard site assessment should identify bushfire hazards, including vegetation classification and relative slopes located within proximity of the site.
- Information on alternative locations for development and justification as why the site and surrounds is appropriate to encourage an increase in residential population given the bushfire risk.

- Details on the availability of safer areas and evacuation options in the event of an emergency.
- Details on the ability of the proposal to achieve radiant heat exposure benchmarks. Bushfire policy seeks that radiant heat exposure no greater than 12.5kW/m² is achieved.
- Details of the road networks and access and egress opportunities to and from the site.
- Details of any proposed bushfire protection measures to reduce bushfire risk that will form part of the proposal.
- The consideration of vulnerable uses, such as aged care from a bushfire perspective and whether they are appropriately from a bushfire perspective.

CFA ultimately defers to Council to determine whether the proposed Development Plan and its bushfire related requirements are sufficient to address current policy and reduce risk. However, should Council not seek a bushfire assessment, and without a full assessment of bushfire policy or the proposal having regard to bushfire policy themes of landscape considerations, safer areas, etc, CFA would recommend the following bushfire protection measures at the site scale be implemented:

- Setbacks of 22 metres from the western and southern property boundaries for the purposes of defensible space. This is to ensure future development is exposed to radiant heat of no greater than 12.5kW/m². The setback distances should be confirmed by a bushfire assessment.
- Requirements for vegetation to be managed in areas identified for the purposes of defensible space:
 - Grass must be short cropped and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
 - Shrubs must not be located under the canopy of trees.
 - Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
 - Trees must not overhang or touch any elements of the building.
 - The canopy of trees must be separated by at least 2 metres.
 - There must be a clearance of at least 2 metres between the lowest tree branches.
- Incorporating a perimeter road in areas that are adjacent to classified vegetation or bushfire hazards, such as the grassland hazard to the south and west, and any proposed open space areas within the subject site. The width of the road to be able to accommodate defensible space to reduce the reliance of defensible space requirements on private land owners.
- Requirements for vegetation within the open space to be managed and maintained to a low threat state to ensure a bushfire risk doesn't increase over time.
- Landscaping to be of a bushfire responsive design.
- Management of interim or temporary bushfire hazards.

- The provision of hydrants as follows:
 - 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.
 - The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note –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)

- 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.
 - 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.
 - Curves must have a minimum inner radius of 10 metres.
 - Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
 - 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.

A perimeter road is recommended, however should the proposal proceed where lots will have a direct interface with bushfire hazards, CFA recommends the following:

- The provision of non-combustible fencing where future development abuts a grassland hazard.
- Setbacks of 22 metres from the southern and western boundaries to ensure future development will be exposed to radiant heat of no greater than 12.5kW/m².
- Identification of building envelopes on lots identified to include setbacks for the purposes of defendable space.
- On lots identified to contain setbacks for the purposes of defendable space, requirements for vegetation to be managed in accordance with the following:
 - Grass must be short cropped and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
 - Shrubs must not be located under the canopy of trees.

- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 2 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches.

CFA welcomes the opportunity to continue discussions regarding this and other proposals within South Gippsland Shire. If you wish to discuss this matter in more detail, please do not hesitate to contact me on 9262 8672.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'LJH', with a stylized flourish at the end.

Luci Johnston
Land Use Planning Coordinator
Fire Risk, Research and Community Preparedness



Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.transport.vic.gov.au

Ref:

Glenn Kell
Planning Central
Suite F5, 2 Winton Road
Clayton VIC 3168

Dear Glenn,

VCAT REFERENCE	P709/2023
DEPARTMENT REFERENCE NO:	PROPOSED DEVELOPMENT PLAN – HILLVIEW RISE PTY LTD
PROPERTY ADDRESS:	99 BENA ROAD KORRUMBURRA VIC 3950

The Department of Transport and Planning has reviewed the T&TS traffic report provided with the proposed development plan dated May 2022. It is noted that the report has considered an adjoining development of an additional 81 lots, and reference to an earlier Traffic report prepared by T&TS in 2016.

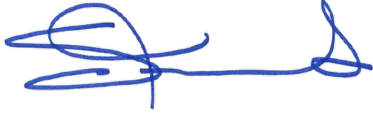
A brief summary of an initial review of the report identifies the following concerns:-

- The report has not obtained new counts for existing intersections with arterial roads relying on existing values from the 2016 report.
- Crash statistics have not included 5 years prior to 2023 (2014-2019)
- It is unclear what growth factor has been applied to the arterial road values for consideration. (not sure if population growth equates to traffic growth)
- Has any consideration of turn warrants been applied to new and existing intersections?
- Has any analysis been performed at the intersection of Whitelaw Rd and Jumbunna Road.?
- Lane configuration and SIDRA do not match for the arterial road connections.

It is recommended that these items be considered, and an amended report provided.

Should you have any enquiries regarding this matter, please contact Rachael Ashton, or Stuart Fenech on Stuart.Fenech@roads.vic.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Stuart Fenech', with a stylized flourish at the end.

Stuart Fenech
Team Leader Statutory Planning
Under delegation from the Head, Transport for Victoria

10 / 10 / 2023

Cc: South Gippsland Shire



WGCMA Ref: WGCMA-F-2023-00478
Document No: 2
Your Ref: P709/2023
Date: 05 October 2023

planningadmin@southgippsland.vic.gov.au

Chantal Lenthall
Strategic Planning Officer
South Gippsland Shire Council

Dear Chantal,

Application Number (CMA Ref): WGCMA-F-2023-00478

Property: **Street:** 99 Bena Road Korumburra Vic 3950
Cadastral: Lot 1 PS321371, Parish of Korumburra

Thank you for your enquiry received at the West Gippsland Catchment Management Authority ('the Authority') on 27 September 2023 in relation to comment on a development plan for the subject land. The Authority notes that the property contains a designated waterway that is likely to be adversely impacted by residential development without adequate consideration and planning.

Stormwater Management

The Authority notes that the stormwater memo (Afflux Consulting, May 2022) in Appendix H of the development plan demonstrates conceptually that stormwater from the development can be managed and treated appropriately. The Authority will require a detailed Stormwater Management Plan (SMP) prior to certification of Stage 1 of the subdivision that clearly identifies how stormwater runoff from the entire development will be managed and treated prior to discharge to the designated waterways including the proposed timing of works. It must also quantify the reduced loads of sediment, nutrient, and gross pollutants in kg/year.

Waterways and Buffers

It is noted that on page 6 of the stormwater memo, a 40-metre riparian corridor is nominated for the designated waterway in the southwest of the subject property.

The Authority requires that all designated waterways are protected through the creation of reserves which require an ecological buffer of 30 metres either side of the designated waterway from the top of bank, or a buffer based on a flood study which identifies the 1% AEP flood extent, whichever is the greater. Such reserves should be vested in Council.

The Authority cannot support a reduced buffer of 40 metres. The development plan layout will need to ensure that the required 60 metre buffer has been incorporated and that the proposed road and lot configuration do not encroach on this buffer area.

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To ensure the long-term protection of designated waterways and to minimise future maintenance requirements for any reserves created over the waterways, a Waterway Management Plan (WMP) will be required prior to certification of any stage of the subdivision containing the waterway.

The Authority will also require the following conditions be included in any planning permit issued for subdivision of the subject land:

1. Prior to certification of Stage 1 of the subdivision, an SMP which identifies appropriate Water Sensitive Urban Design features to provide stormwater treatment to meet best practice guidelines must be submitted to the satisfaction of West Gippsland Catchment Management Authority. The SMP must clearly identify how stormwater runoff from the entire development will be managed and treated prior to discharge to the designated waterways including the proposed timing of works, and the quantification of the reduced loads of sediment, nutrient, and gross pollutants in kg/year.
2. Prior to the issue of a statement of compliance for each stage of the subdivision, the relevant water quality treatment works outlined in the SMP must be undertaken to the satisfaction of West Gippsland Catchment Management Authority.
3. Prior to certification of the stage(s) of the subdivision containing the designated waterway, a WMP must be endorsed in writing by the West Gippsland Catchment Management Authority. The WMP must include:
 - a. Details of existing environmental values.
 - 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 on the required revegetation within the waterway buffer.
 - d. A maintenance plan detailing the sequencing and periods of short-, medium- and long-term actions, including inspections, and the parties responsible for each action.
4. Prior to the issue of a statement of compliance for the stage(s) of the subdivision containing the designated waterway, the waterway management works, including any revegetation, outlined in the WMP must be undertaken to the satisfaction of West Gippsland Catchment Management Authority.

Should you have any queries, please do not hesitate to contact Ben Proctor on 1300 094 262 or email planning@wgcma.vic.gov.au. To assist the Authority in handling any enquiries please quote **WGCMA-F-2023-00478** in your correspondence with us.

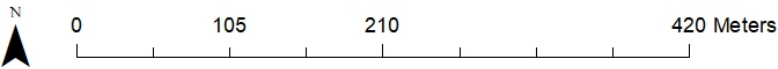
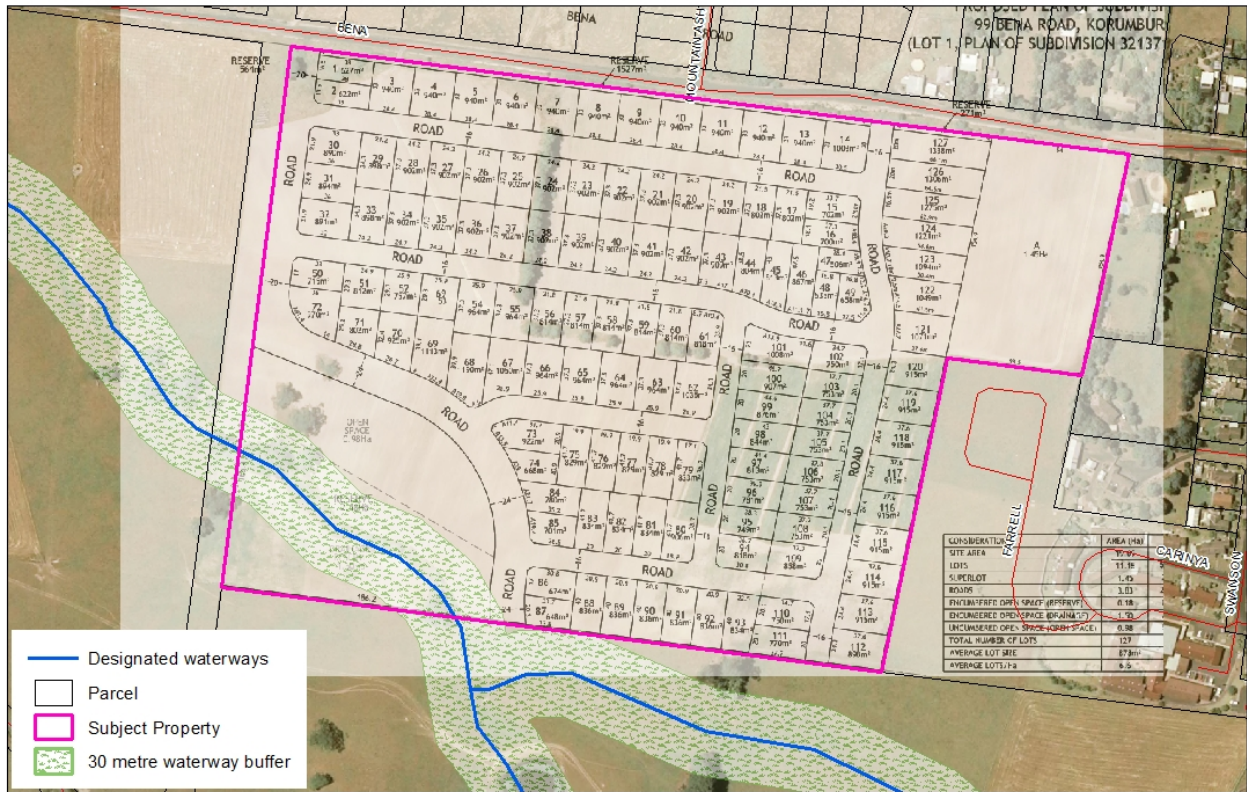
Yours sincerely,



Adam Dunn
Executive Manager – Statutory Planning

The information contained in this correspondence is subject to the disclaimers and definitions attached.

Figure 1 – Proposed Development Plan



Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for, or makes no warranty regarding, the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **AHD** as Australian Height Datum is the adopted national height datum that generally relates to height above mean sea level. The elevation is in metres.
5. **ARI** as Average Recurrence Interval is the likelihood of occurrence expressed in terms of the long-term average number of years between flood events as large as, or larger than, the design flood event. For example, floods with a discharge as large as, or larger than, the 100 year ARI flood will occur on average once every 100 years.
6. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
7. This letter has been prepared for the sole use by the party to whom it is addressed, and no responsibility is accepted by the Authority regarding any third-party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
8. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.

From: [Kate Morton \(DPC\)](#)
To: [Chantal Lenthall](#)
Subject: FW: OFFICIAL: FW: 99 Bena Road Korumburra Development Plan - Cultural Heritage Due Diligence Assessment Review
Date: Friday, 23 June 2023 9:29:33 AM
Attachments: [image001.png](#)
[image002.png](#)
[Appendix J - Cultural Heritage - 99BenaCHDDA.pdf](#)
[02 - Development Plan Report - 99 Bena Road - V4 - Submitted.pdf](#)
[Appendix E2 - Proposed Plan of Subdivision with Contours - Rev F.pdf](#)

Hi Chantal

Thank you for sending this one through, I've had a look at the attached documents and the due diligence report. The parcel is not in an area of cultural heritage sensitivity and the report conclusion is correct that a CHMP is not required. However, that does not mean that cultural heritage will not be present on the property and the developer will need to assess their risk of harming Aboriginal cultural heritage. Given the results of the investigation on the property to the north it would not be unreasonable to expect that there will be heritage within the property in question and the best risk management strategy for the developer would be to do a voluntary CHMP. I think your assessment is correct in that the report does the minimum and perhaps should have focused more on risk management in recommending a voluntary CHMP, vs the minimum required by the legislation / regulations. If any Aboriginal cultural heritage is identified during works then the developer will need to stop works and seek appropriate authorisations under the Act, and without those in place upfront runs the risk of committing an offence. I'm not sure that the report necessarily addresses how cultural heritage will be managed though as it really just looks at whether or not a CHMP is required by the Act.

Regards,

Kate Morton

Manager Gippsland Heritage Programs
Authorised Officer | Heritage Services
First Peoples - State Relations Group
Department of Premier & Cabinet
574 Main Street, Bairnsdale VIC 3875

Mobile 0417 379 311 | Softphone +61 3 9922 7544 | Email: kate.morton@dpc.vic.gov.au



Strengthening the State's ongoing relationship with Victoria's First Peoples.

We acknowledge the traditional Aboriginal owners of country throughout Victoria and pay our respect to them, their culture and their Elders past, present and future.

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From: Chantal Lenthall <chantal.lenthall@southgippsland.vic.gov.au>

Sent: Monday, 19 June 2023 4:51 PM

To: Aboriginal Affairs (DPC) <aboriginalaffairs@dpc.vic.gov.au>

Subject: 99 Bena Road Korumburra Development Plan - Cultural Heritage Due Diligence Assessment Review

Hi Aboriginal Affairs,

A Development Plan has been submitted for 127 lot staged subdivision at 99 Bena Road along with a Cultural Heritage Due Diligence Assessment (Appendix J attached). This responds to the requirement in the [Development Plan Overlay Schedule 6 \(DPO6\)](#) for a cultural heritage assessment to be undertaken that includes “how cultural heritage values will be managed”. Some work done on the north side of Bena Road found stone artefacts on site and this site includes a waterway (outside sensitivity mapping) so I would appreciate any second opinion about the assessment (attached). The report finds that a CHMP is not required prior to subdivision so I expect this will be the last cultural heritage work done before subdivision and building occurs. I feel like the report does the minimum in response to the DPO6 requirements.

Kind regards,

Chantal Lenthall

Senior Strategic Planning Officer

South Gippsland Shire Council | 9 Smith Street (Private Bag 4) Leongatha VIC 3953

Mondays, Wednesdays & Fridays

P: 03 5662 9800 | [website](#) | [facebook](#)

ATTACHMENTS

Appendix J Cultural Heritage Due Diligence Assessment

Also attached for reference:

- Proposed plan of subdivision
- Development Plan report

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