

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	46A Goold Street BAIRNSDALE 3875 Lot: 2 LP: 74232
The application is for a permit to:	Two Lot Subdivision
The applicant for the permit is:	Millar & Merrigan
The application reference number is:	5.2023.301.1
You may look at the application and any documents that support the application on the website of the responsible authority.	COVID-19 Omnibus (Emergency Measures) Bill 2020 now modifies the requirement of Form 2 so that <i>Planning documents previously required to be physically available to view at local government offices are now only required to be available for online inspection.</i>

This can be done anytime by visiting the following website:

<https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

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

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

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.

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

Page 1 of 3

VOLUME 08643 FOLIO 559

Security no : 124107305896K
Produced 03/07/2023 09:02 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 074232.
PARENT TITLE Volume 07829 Folio 063
Created by instrument LP074232 02/11/1966

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

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 or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP074232 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: 46A GOOLD STREET BAIRNSDALE VIC 3875

DOCUMENT END

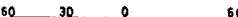
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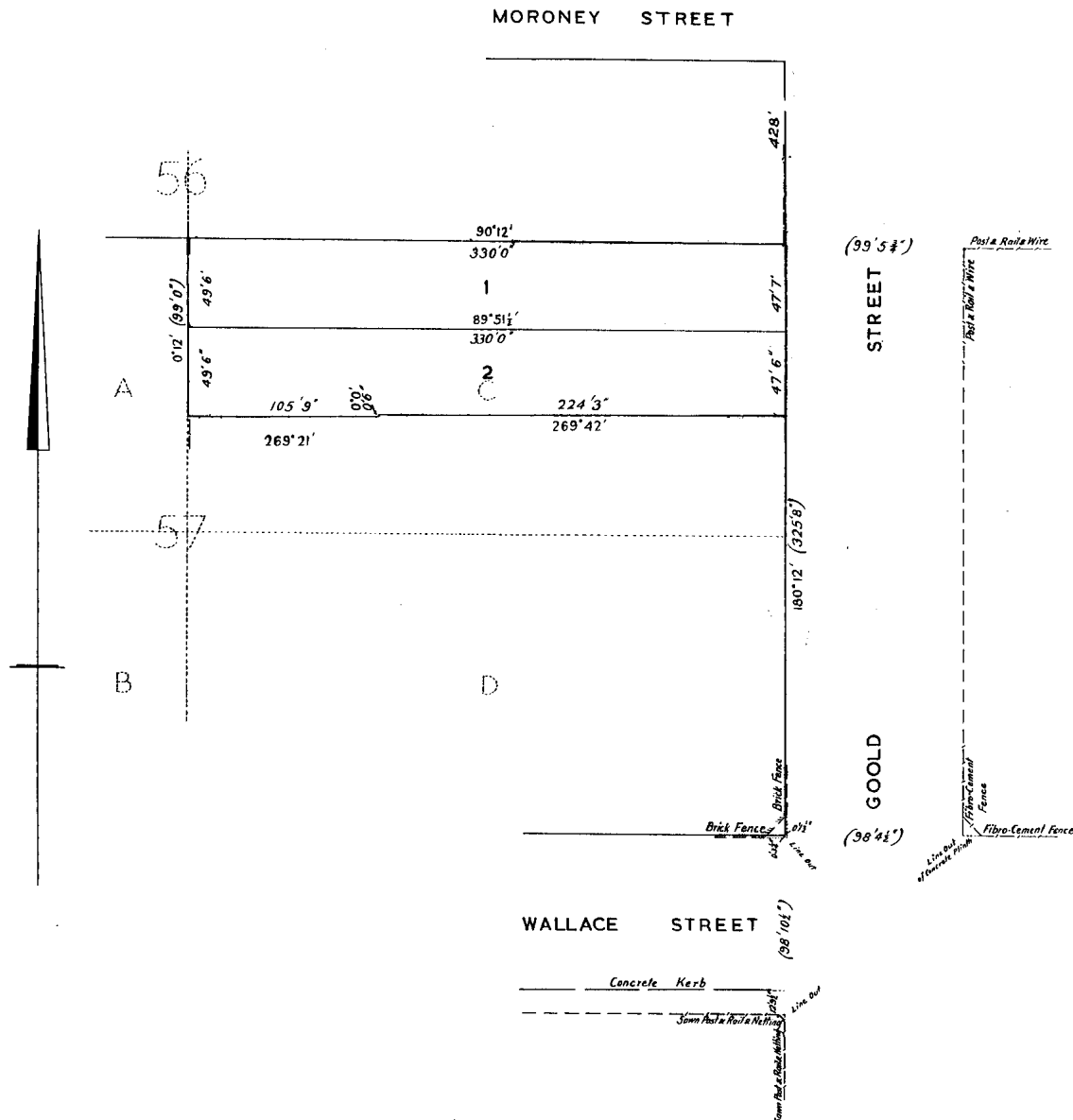
LP74232

EDITION 1

APPROVED 10/10/16

<p>PLAN OF SUBDIVISION OF: PART OF CROWN ALLOTMENT C, SEC. 57 TOWNSHIP OF BAIRNSDALE PARISH: BAIRNSDALE COUNTY: TANJIL</p>	<p>APPROPRIATIONS</p>	<p>ENCUMBRANCES & OTHER NOTATIONS</p>
<p>SCALE OF FEET</p> 		<p>74722</p>

V7829 F.063



Planning Report

46A GOOLD STREET, BAIRNSDALE



Two (2) Lot Subdivision

Reference: Reference: 27761

Millar | Merrigan

Land Development Consultants

Printed 13/09/2023

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Site address:

46A Goold Street, Bairnsdale

Formal land description:

Lot 2 on PS 074232

Proposal:

Two (2) Lot Subdivision

Responsible authority:

East Gippsland Shire

Document status:

Version: Date	Description	Prepared by	Checked by
No 1: July 2023	Planning Application to Council	K Silic	D Gleeson

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Executive Summary

Millar Merrigan have been engaged to lodge this planning application for a **Two (2) Lot Subdivision** at **46A Goold Street, Bairnsdale**.

The subject site is contained within the General Residential Zone – Schedule 1 and the proposal offers two lots, with the intention to retain the existing dwelling on Lot 1 and provide a vacant lot to the rear of the site, that will allow for a future residential development. The site is well located in proximity to the Bairnsdale Township with suitable access to local facilities and services. The existing access is to be retained and utilised for both lots, causing no disruption to on street parking.

The site is unburdened by any overlays or easements.

This report seeks to demonstrate how the subdivision is appropriate in terms of achieving State and Local planning objectives and policies and, in particular, the East Gippsland Shire policies for Settlement (Clause 11), Built Environment and Heritage (Clause 15), Housing (Clause 16), and Clause 56 Subdivision.

1 Site & Neighbourhood Analysis

1.1 Site Description

Size, Shape and Orientation	<ul style="list-style-type: none"> • Total size is 1,478sqm. • Rectangular in shape • Located on the west side of Goold Street
Boundaries (length)	<ul style="list-style-type: none"> • North – 100.59m • East (frontage) – 14.48m • South – 100.59m • West (rear) – 15.10m
Existing Development and Use	<ul style="list-style-type: none"> • Single dwelling, carport, two sheds, chicken coop and a gazebo
Fencing	<ul style="list-style-type: none"> • The site is bound by various heights of old paling fencing
Access and Car Parking	<ul style="list-style-type: none"> • Single concrete crossover off Goold Street. • A driveway extends along the northern boundary to the carport.
Topography and Earthworks	<ul style="list-style-type: none"> • Topography across the neighbourhood is gently sloping, the site falls 4.6m from the north-west to the south-east. • Cut and fill is present around the rear of the dwelling.
Vegetation	<ul style="list-style-type: none"> • Majority of the vegetation on the site consists of planted small to medium size trees surrounding the property boundaries. Small hedges and bushes surround the existing dwelling in formed garden beds.
Views	<ul style="list-style-type: none"> • No significant views into or from the site.
Noise	<ul style="list-style-type: none"> • No noticeable noise is apparent.
Easements	<ul style="list-style-type: none"> • The site is unburdened by easements
Services	<ul style="list-style-type: none"> • All services are available to the site.

1.2 Site photographs



Figure 1: Aerial view of the subject site



Photograph 1: Existing dwelling front facade



Photograph 2: Rear of the dwelling and attached carport



Photograph 3: Southern boundary paling fencing

1.3 Neighbourhood Description



Photograph 4: Existing land use and subdivision pattern

Land Use & Subdivision pattern

- The subject site is located within an existing residential neighbourhood in Bairnsdale's with an increasing number of subdivided lots.
- The abutting site to the south is developed with 5 dwellings. The abutting site to the rear is also a multi-lot development.

Built form

- Dwellings in the area generally date from the 1960s through to present and are predominantly single storey in nature, with a few double storey dwellings scattered throughout.
- Dwellings are generally detached and made of a mix of brick, render and weatherboard. Roofs are generally pitched in tile or Colorbond.

Access and parking

- Access to properties is generally via a single or double crossover with a concrete driveway leading to a carport or garage attached to the side of dwellings or in the rear garden.

Street Layout

- Street layouts vary in the neighbourhood, with grid pattern generally present throughout the area.
- A median strip runs along Goold Street, there are no footpaths on either side of the road.

Locality to Existing Infrastructure

- *Plan Melbourne (2017-2050)* is a strategic document that aims to guide the growth of metropolitan Melbourne. A key direction is to create a '20-minute neighbourhood', where housing, educational facilities, shops, public transport, recreational reserves and employment opportunities are concentrated around nominated activity centers.
- The site is located only 750m from the Bairnsdale Township and is well equipped to make more efficient use of existing infrastructure as follows:

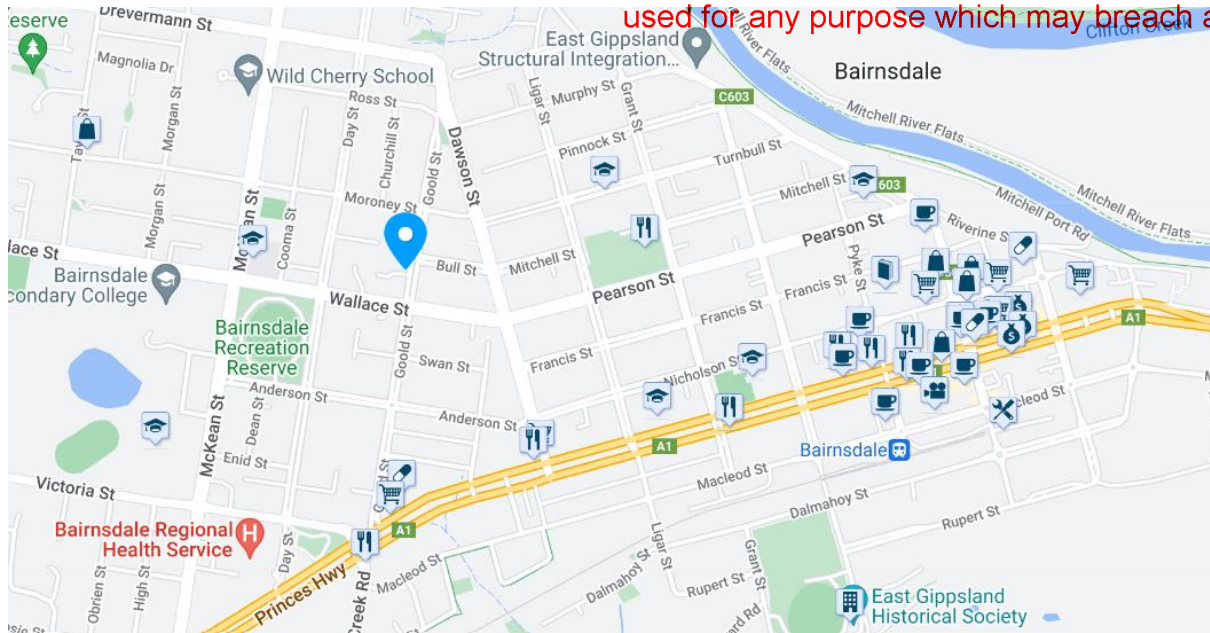


Figure 2: Map of surrounding facilities and services

2 Proposal

Given the particular site conditions, the existing buildings on site, the surrounding neighbourhood character and the applicable planning controls, it was considered appropriate to subdivide the land into two lots and retain the existing dwelling on Lot 1, providing a vacant lot to the rear.

This section is to be read in conjunction with the attached suite of plans.

2.1 Subdivision Layout

Site Layout & Lot Sizes

- Proposed Lot 1 is 486sqm and will continue to front Goold Street. It will wholly retain the existing dwelling and offer a new carport to the rear along the southern boundary.
- The existing carport, concrete ramp, 2 sheds, gazebo, chicken coop and water tank are to be removed from the site.
- Proposed Lot 2 is 745sqm and will and will be situated to the rear of the site.
- The existing concrete crossover in the north-east of the site is to be retained and utilised for both lots. A section of common property is proposed along the northern boundary to provide access to the rear lot 2 and proposed carport for lot 1.
- Access to the vacant lot will be via a new 3m wide concrete crossing off Goold Street, which will extend into the site via a common property driveway along the northern boundary.
- All of the rear, planted vegetation is to be removed, providing a blank slate for future development and landscaping.

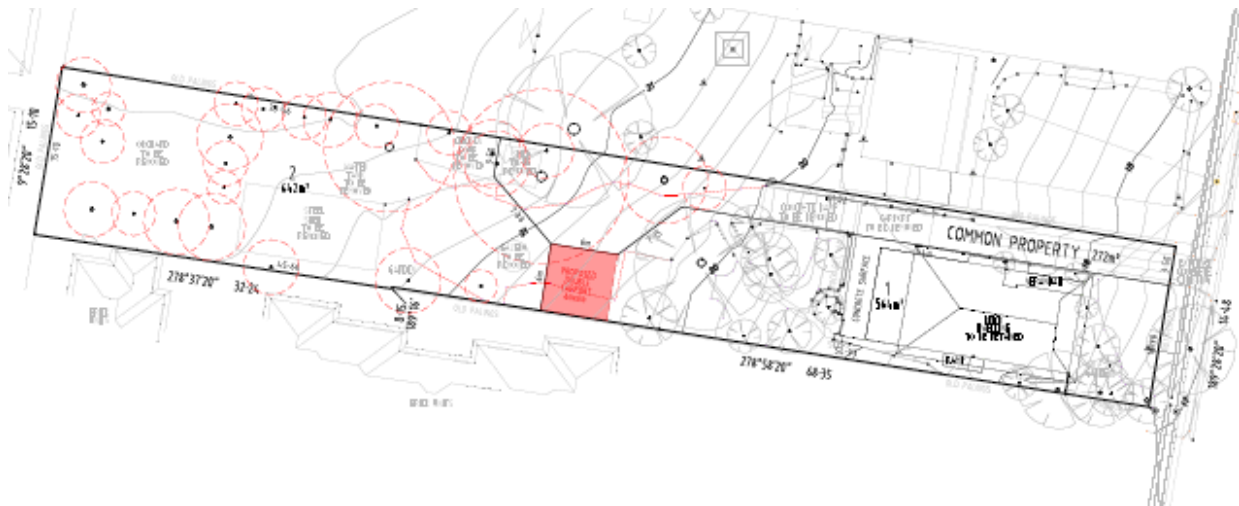


Figure 3: Proposed plan of subdivision

2.2 Infrastructure Servicing

The site is fully serviced and these services can be extended to the new vacant allotment to the rear. There is a stormwater pipe in the Goold Street road reserve, any infrastructure connections will be installed to the satisfaction of Council. It is submitted that the proposed subdivision will not result in damage or inconvenience to residents from urban run-off.

3 Planning Assessment

The following is an outline of the East Gippsland planning policy framework relevant to the site. A comprehensive analysis of the proposal against this matrix of applicable policy is provided below.

Zoning

Clause 32.08 General Residential Zone – Schedule 1 (GRZ1)

Overlays

None applicable

Planning Policy Framework (PPF)

SPPF

Clause 11 Settlement
11.01-1L-02 *Growth area towns – Bairnsdale*

Clause 15 Built Environment and Heritage
Clause 15.01-3S *Subdivision design*

Clause 16 Housing

Particular Planning Provisions

Clause 52.06 Car Parking
Clause 56 Residential Subdivision
Clause 60 Decision Guidelines

3.1 Permit Triggers

The following table outlines the permit triggers that apply to the proposal:

Planning control	Permit trigger
Clause 32.08-3 – GRZ1	Subdivision

3.2 Zoning

Pursuant to the East Gippsland Planning Scheme, the property is contained within the General Residential Zone, Schedule 1 (Clause 32.08). The proposal is in accordance with the relevant purposes of the zone, which alongside implementing the Planning Policy Framework and Municipal Strategic Statement are:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-3 a permit is required to subdivide land.

- *An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area.*

Schedule 1 offers no variations to RESCODE.

Response – GRZ1:

- **It is submitted that the proposal is in accordance with the requirements of the GRZ1 and is consistent with the applicable objectives and decision guidelines.**
- **The proposed subdivision will offer the opportunity for a modest increase in housing density, offering an additional vacant allotment of generous size.**
- **The proposed density of 1:739sqm is considered generous in the context of the area where multi-lot subdivision on compact allotments is becoming increasingly common.**
- **The subject site is well located with suitable access to local facilities and services, including public transport, Main Street Bairnsdale is 750m from the site, increasing walkability and reducing the reliance on car travel.**
- **There is ample space provided on the proposed vacant lot to accommodate a single detached dwelling and a minimum garden area in excess of 35%.**

3.3 Overlays

None applicable.

3.4 Planning Policy Framework

The PPF seeks to ensure that:

The objectives of Planning in Victoria are fostered through appropriate land use and development planning policies and practices which investigate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Integrated decision making in part states that:

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

The Planning Policy Framework is structured around the following themes, those relevant to this application are discussed below:

3.4.1 Settlement (Clause 11)

States that: *Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*

SETTLEMENT – GIPPSLAND (11.01-1R)

Relevant strategies:

- Support urban growth in Latrobe City as Gippsland's regional city, at **Bairnsdale**, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.
- Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

SETTLEMENT (11.01-1L-1S) GROWTH AREA TOWNS - BAIRNSDALE

This policy applies to all land in the Bairnsdale Framework Plan and the East Bairnsdale – Lucknow Precinct Plan to this clause.

Relevant strategies include:

- Support infill medium density housing close to Bairnsdale CBD to provide greater housing choices.
- Facilitate urban development for Bairnsdale within the existing town boundary.
- Avoid further linear expansion of commercial development and activities adjacent to the Princes Highway outside the town boundary.

Response – Settlement:

The proposal is in accordance with the relevant objectives and strategies outlined in clause 11 settlement. It provides for the subdivision of existing zoned land within an existing residential area to cater for future population. The subdivision maintains a similar pattern to nearby sites in the area.

The subject site is identified to be within *Precinct 1, Established Bairnsdale*, in the Bairnsdale Growth Strategy (2009) which encourages greater housing density and consolidated growth through infill development.

The proposal for the existing dwelling to be retained on a smaller allotment and the provision of an additional vacant lot meets this intent for a modest increase in housing.

3.4.2 Built Environment and Heritage (Clause 15)

States that: *Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.*

URBAN DESIGN (15.01-1S)

Objective: *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

SUBDIVISION DESIGN (15.01-3S)

Objective: *To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.*

Relevant strategies include:

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- *Creating compact neighbourhoods that have walkable distances between activities.*
- *Creating urban places with a strong sense of place that are functional, safe and attractive.*
- *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*
- *Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.*

Response: – Built Environment and Heritage:

The proposed subdivision has been designed to create an additional vacant allotment that can be developed with a single dwelling, meeting the need for more affordable housing options in the area. The site is well located and considered walkable to many existing services and infrastructure within the Bairnsdale Township. The existing access way is to be retained and utilised for both lots.

The proposal is in accordance with the relevant objectives and strategies of built environment and heritage and is compatible with the emerging pattern of subdivision in the neighbourhood. Any future development of the site will be subject to a separate planning application.

3.4.3 Housing

HOUSING (CLAUSE 16)

This policy aims to provide housing diversity, and to ensure that housing is well located to facilitate housing sustainability. It seeks to ensure that new housing is appropriately sited to include sufficient access to services, walkability to activity centres, public transport, schools and open space.

The main objectives of Clause 16.01 Housing are concerned with the supply of diversity and affordability:

- *To facilitate well-located, integrated and diverse housing that meets community needs*
- *To deliver more affordable housing closer to jobs, transport and services.*

Clauses of significance include 21.08-1 Residential Development, which specifies:

Strategy 1.7 Facilitate urban development for Bairnsdale within the existing town boundary identified in the Bairnsdale Growth Strategy, November (2009) and on Plan 3 Revitalisation and Growth Strategy

Response: Housing

The proposal offers the opportunity to marginally increase housing density in an established residential community, that is in keeping with the emerging neighbourhood character.

The site is located just outside of a recognised 'specialised centre' of convenience and retail shops, as can be seen on the extract from the Bairnsdale Growth Strategy, Revitalisation and Growth Strategy Plan below, suggesting this is an appropriate site for infill development:

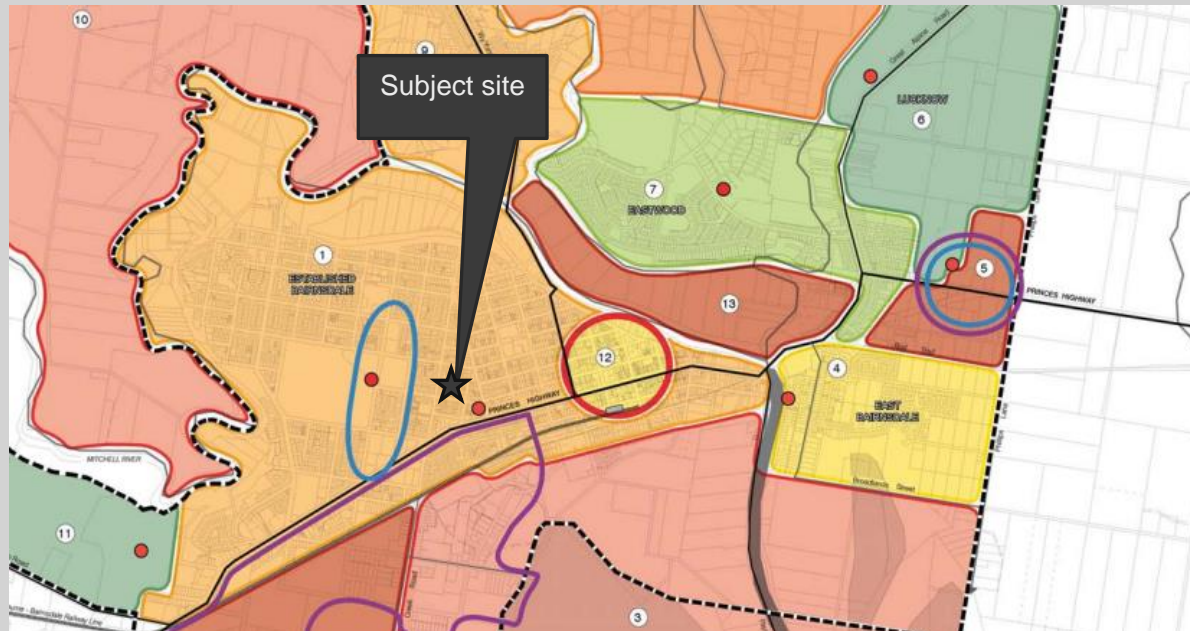


Figure 4: Bairnsdale Growth Strategy, Figure 1B. Specialised centre is circles in blue.

3.5 Particular Provisions

3.5.1 Car Parking

This Clause seeks:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework;
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality;
- To support sustainable transport alternatives to the motor car;
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities;
- To ensure that car parking does not adversely affect the amenity of the locality; and
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to 52.06-5, a dwelling with three or more bedrooms is to be provided with 2 car spaces whilst a dwelling with up to two bedrooms is to be provided with a single car space.

Response – Car Parking:

The existing dwelling has three-bedrooms and as such is provided with a detached double carport located to the rear of the dwelling, along the site's southern boundary. Access to the site is via the existing crossing and part of the existing driveway. The

driveway has been designed to provide a turning area so that vehicles from both lots can safely turn around and exit the site onto Goold Street in a forward manner. There is ample space on the vacant allotment to accommodate future parking when the site is developed.

3.5.2 Residential Subdivision (Clause 56)

Alongside implementing the Municipal Planning Strategy and the Planning Policy Framework, the purposes of Clause 56: Residential Subdivision relevant to this application are:

- *To create livable and sustainable neighbourhoods and urban places with character and identity;*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
 - *Metropolitan Melbourne growth areas;*
 - *Infill sites within established residential areas; and*
 - *Regional cities and towns.*
 - *To ensure residential subdivision design appropriately provides for:*
 - *Policy implementation;*
 - *Livable and sustainable communities;*
 - *Residential lot design;*
 - *Urban landscape;*
 - *Access and mobility management;*
 - *Integrated water management;*
 - *Site management; and*
 - *Utilities.*

Pursuant to this clause, an application to subdivide land must meet all of the objectives included in the clauses specified in the zone and should meet all of the standards included in the clauses specified in the zone.

CLAUSE 56 ASSESSMENT - 3-15 LOTS

STANDARD C6: Neighbourhood character

Response:

- The proposed subdivision is consistent with East Gippsland Shire Council's local planning policies relating to strategic land use and development for Bairnsdale and the Bairnsdale area.
- This report assesses the proposal against relevant elements of the planning scheme above.

✓ Standard
✓ Objective

STANDARD C8: Lot area and building envelopes

Response:

- The proposed vacant allotment is of an adequate size to contain a dwelling, garage/carport and car parking, private open space, vehicle driveway and associated services, it was not considered necessary to restrict the site with a building envelope.
- The existing dwelling and proposed carport are easily accommodated into Lot 1, whilst provision is still made for garden area and appropriately dimensioned SPOS areas.

✓ Standard
✓ Objective

STANDARD C9: Solar orientation of lot		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The proposed lots achieve excellent solar orientation with a good northerly aspect. 		
STANDARD C11: Common area		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> A common property area of 247sqm off Goold Street will provide access to both lots with each having an equal share. 		
STANDARD C21: Lot access		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The existing concrete crossover in the north-east of the site is to be retained and utilised to provide access to both lots via a common property driveway along the northern boundary. Access to the lots is safe for both pedestrians and vehicles. 		
STANDARD C22: Drinking water supply		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> Reticulated water is currently available to the site and can be utilised to service the proposed vacant lots, making more efficient use of existing infrastructure. 		
STANDARD C23: Reused and recycled water		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> There is ample space on the proposed allotments for a water tank, for the use of recycled water for irrigation, and to reduce the dependency on potable water. 		
STANDARD C24: Wastewater management		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The subject site has reticulated sewer available and will be connected to the new lots. 		
STANDARD C25: Urban run-off management		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> All minor drainage will be designed and installed to Council's requirements. There is a stormwater pit located in the Goold Street road reserve, north-east of the site. Drainage to the site will be connected in accordance with Council standards. 		
STANDARD C26: Site management		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The site will be managed to the satisfaction of the responsible authority prior to and during any construction works and will not cause excessive inconvenience to neighbouring residents. 		
STANDARD C27: Shared trenching		
Response:		✓ Standard

<ul style="list-style-type: none"> Any new servicing will utilise shared trenching where possible 	✓ Objective
STANDARD C28: Electricity, telecommunications and gas	
Response: <ul style="list-style-type: none"> Services that are available to the site will be supplied to each lot in accordance with the requirements of the relevant authorities 	✓ Standard ✓ Objective
<p>NB: Some matters covered by the objectives and standards can occur after a permit for the subdivision has been issued, through a condition of permit.</p> <p>Considering some matters at a later date allows planning assessment to occur at an appropriate time in the design and construction process and can provide for faster, more cost-effective decision making.</p>	

3.5.3 Decision Guidelines (Clause 65)

Before deciding on an application or approval of a plan, the responsible authority must consider a series of matters and these seek to ensure good decision making. In addition to consideration of applicable policies and strategies as outlined in this report, the responsible authority must make a judgement on whether a proposal presents an appropriate outcome with respect to amenity, land use conflicts, environmental aspects and the orderly planning of the wider area.

It is submitted that this proposal responds to policy requirements and specific opportunities and constraints to offer an outcome that will make a positive contribution to the municipality. There are no fundamental shortfalls in the matters to be considered and as such we consider approval of this application to be an example of good decision making.

4 Conclusion

We submit that the proposed subdivision is appropriate for the following reasons:

- The proposed subdivision is consistent with the State Planning policies and particularly with the General Residential Zone, Schedule 1, offering a marginal increase in the availability of land for development of additional housing.
- The proposed subdivision design takes into consideration the emerging pattern of subdivision and development in the area and allows for the retention of the existing dwelling, providing more affordable housing options on smaller allotments.
- The site is unburdened by any overlays.
- The proposal is consistent with local planning policies and the East Gippsland Shire's Municipal Strategic Statement.
- The proposal is consistent with the purpose and objectives of Clause 56 and accords with the Decision Guidelines of Clause 65.

Millar I Merrigan

Planning Report

46A GOOLD STREET, BAIRNSDALE



Two (2) Lot Subdivision

Reference: Reference: 27761

Millar | Merrigan

Land Development Consultants

Printed 13/09/2023

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Site address:

46A Goold Street, Bairnsdale

Formal land description:

Lot 2 on PS 074232

Proposal:

Two (2) Lot Subdivision

Responsible authority:

East Gippsland Shire

Document status:

Version: Date	Description	Prepared by	Checked by
No 1: July 2023	Planning Application to Council	K Silic	D Gleeson

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The site is unburdened by any overlays or easements.

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Size, Shape and Orientation	<ul style="list-style-type: none"> • Total size is 1,478sqm. • Rectangular in shape • Located on the west side of Goold Street
Boundaries (length)	<ul style="list-style-type: none"> • North – 100.59m • East (frontage) – 14.48m • South – 100.59m • West (rear) – 15.10m
Existing Development and Use	<ul style="list-style-type: none"> • Single dwelling, carport, two sheds, chicken coop and a gazebo
Fencing	<ul style="list-style-type: none"> • The site is bound by various heights of old paling fencing
Access and Car Parking	<ul style="list-style-type: none"> • Single concrete crossover off Goold Street. • A driveway extends along the northern boundary to the carport.
Topography and Earthworks	<ul style="list-style-type: none"> • Topography across the neighbourhood is gently sloping, the site falls 4.6m from the north-west to the south-east. • Cut and fill is present around the rear of the dwelling.
Vegetation	<ul style="list-style-type: none"> • Majority of the vegetation on the site consists of planted small to medium size trees surrounding the property boundaries. Small hedges and bushes surround the existing dwelling in formed garden beds.
Views	<ul style="list-style-type: none"> • No significant views into or from the site.
Noise	<ul style="list-style-type: none"> • No noticeable noise is apparent.
Easements	<ul style="list-style-type: none"> • The site is unburdened by easements
Services	<ul style="list-style-type: none"> • All services are available to the site.

1.2 Site photographs



Figure 1: Aerial view of the subject site



Photograph 1: Existing dwelling front facade



Photograph 2: Rear of the dwelling and attached carport



Photograph 3: Southern boundary paling fencing

1.3 Neighbourhood Description



Photograph 4: Existing land use and subdivision pattern

Land Use & Subdivision pattern

- The subject site is located within an existing residential neighbourhood in Bairnsdale's with an increasing number of subdivided lots.
- The abutting site to the south is developed with 5 dwellings. The abutting site to the rear is also a multi-lot development.

Built form

- Dwellings in the area generally date from the 1960s through to present and are predominantly single storey in nature, with a few double storey dwellings scattered throughout.
- Dwellings are generally detached and made of a mix of brick, render and weatherboard. Roofs are generally pitched in tile or Colorbond.

Access and parking

- Access to properties is generally via a single or double crossover with a concrete driveway leading to a carport or garage attached to the side of dwellings or in the rear garden.

Street Layout

- Street layouts vary in the neighbourhood, with grid pattern generally present throughout the area.
- A median strip runs along Goold Street, there are no footpaths on either side of the road.

Locality to Existing Infrastructure

- *Plan Melbourne (2017-2050)* is a strategic document that aims to guide the growth of metropolitan Melbourne. A key direction is to create a '20-minute neighbourhood', where housing, educational facilities, shops, public transport, recreational reserves and employment opportunities are concentrated around nominated activity centers.
- The site is located only 750m from the Bairnsdale Township and is well equipped to make more efficient use of existing infrastructure as follows:

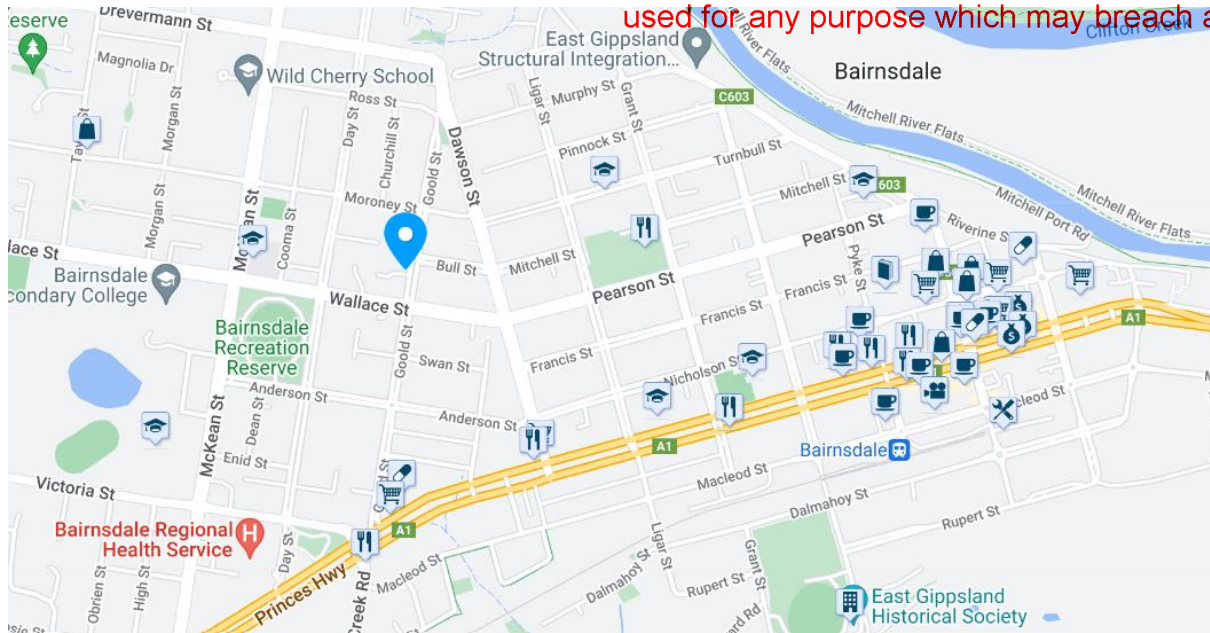


Figure 2: Map of surrounding facilities and services

2 Proposal

Given the particular site conditions, the existing buildings on site, the surrounding neighbourhood character and the applicable planning controls, it was considered appropriate to subdivide the land into two lots and retain the existing dwelling on Lot 1, providing a vacant lot to the rear.

This section is to be read in conjunction with the attached suite of plans.

2.1 Subdivision Layout

Site Layout & Lot Sizes

- Proposed Lot 1 is 486sqm and will continue to front Goold Street. It will wholly retain the existing dwelling and offer a new carport to the rear along the southern boundary.
- The existing carport, concrete ramp, 2 sheds, gazebo, chicken coop and water tank are to be removed from the site.
- Proposed Lot 2 is 745sqm and will and will be situated to the rear of the site.
- The existing concrete crossover in the north-east of the site is to be retained and utilised for both lots. A section of common property is proposed along the northern boundary to provide access to the rear lot 2 and proposed carport for lot 1.
- Access to the vacant lot will be via a new 3m wide concrete crossing off Goold Street, which will extend into the site via a common property driveway along the northern boundary.
- All of the rear, planted vegetation is to be removed, providing a blank slate for future development and landscaping.

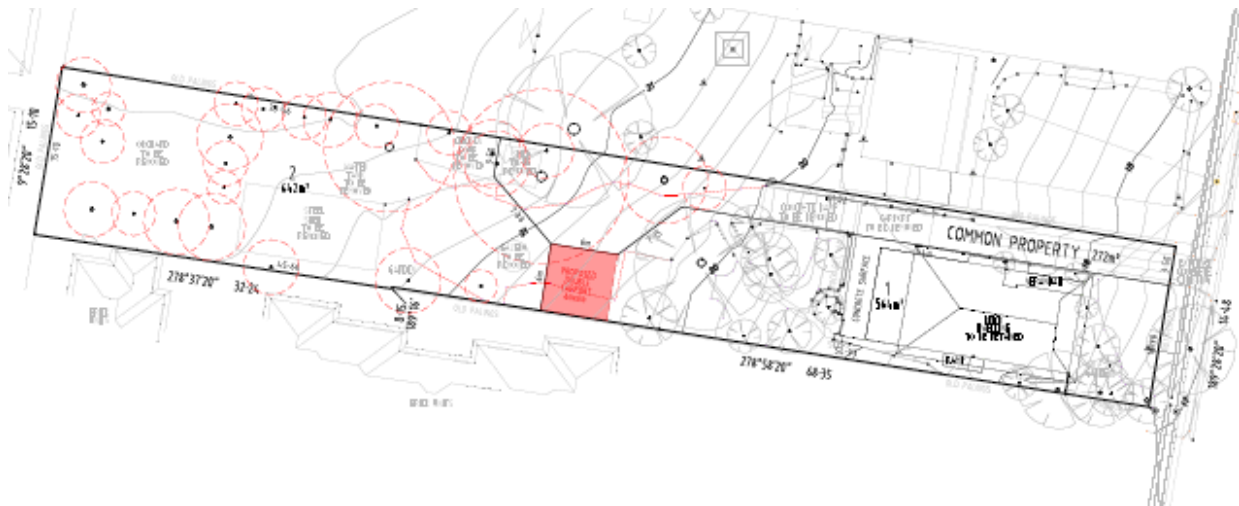


Figure 3: Proposed plan of subdivision

2.2 Infrastructure Servicing

The site is fully serviced and these services can be extended to the new vacant allotment to the rear. There is a stormwater pipe in the Goold Street road reserve, any infrastructure connections will be installed to the satisfaction of Council. It is submitted that the proposed subdivision will not result in damage or inconvenience to residents from urban run-off.

3 Planning Assessment

The following is an outline of the East Gippsland planning policy framework relevant to the site. A comprehensive analysis of the proposal against this matrix of applicable policy is provided below.

Zoning

Clause 32.08 General Residential Zone – Schedule 1 (GRZ1)

Overlays

None applicable

Planning Policy Framework (PPF)

SPPF

Clause 11 Settlement
11.01-1L-02 *Growth area towns – Bairnsdale*

Clause 15 Built Environment and Heritage
Clause 15.01-3S *Subdivision design*

Clause 16 Housing

Particular Planning Provisions

Clause 52.06 Car Parking
Clause 56 Residential Subdivision
Clause 60 Decision Guidelines

3.1 Permit Triggers

The following table outlines the permit triggers that apply to the proposal:

Planning control	Permit trigger
Clause 32.08-3 – GRZ1	Subdivision

3.2 Zoning

Pursuant to the East Gippsland Planning Scheme, the property is contained within the General Residential Zone, Schedule 1 (Clause 32.08). The proposal is in accordance with the relevant purposes of the zone, which alongside implementing the Planning Policy Framework and Municipal Strategic Statement are:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-3 a permit is required to subdivide land.

- *An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area.*

Schedule 1 offers no variations to RESCODE.

Response – GRZ1:

- **It is submitted that the proposal is in accordance with the requirements of the GRZ1 and is consistent with the applicable objectives and decision guidelines.**
- **The proposed subdivision will offer the opportunity for a modest increase in housing density, offering an additional vacant allotment of generous size.**
- **The proposed density of 1:739sqm is considered generous in the context of the area where multi-lot subdivision on compact allotments is becoming increasingly common.**
- **The subject site is well located with suitable access to local facilities and services, including public transport, Main Street Bairnsdale is 750m from the site, increasing walkability and reducing the reliance on car travel.**
- **There is ample space provided on the proposed vacant lot to accommodate a single detached dwelling and a minimum garden area in excess of 35%.**

3.3 Overlays

None applicable.

3.4 Planning Policy Framework

The PPF seeks to ensure that:

The objectives of Planning in Victoria are fostered through appropriate land use and development planning policies and practices which investigate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Integrated decision making in part states that:

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

The Planning Policy Framework is structured around the following themes, those relevant to this application are discussed below:

3.4.1 Settlement (Clause 11)

States that: *Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*

SETTLEMENT – GIPPSLAND (11.01-1R)

Relevant strategies:

- Support urban growth in Latrobe City as Gippsland's regional city, at **Bairnsdale**, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.
- Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

SETTLEMENT (11.01-1L-1S) GROWTH AREA TOWNS - BAIRNSDALE

This policy applies to all land in the Bairnsdale Framework Plan and the East Bairnsdale – Lucknow Precinct Plan to this clause.

Relevant strategies include:

- Support infill medium density housing close to Bairnsdale CBD to provide greater housing choices.
- Facilitate urban development for Bairnsdale within the existing town boundary.
- Avoid further linear expansion of commercial development and activities adjacent to the Princes Highway outside the town boundary.

Response – Settlement:

The proposal is in accordance with the relevant objectives and strategies outlined in clause 11 settlement. It provides for the subdivision of existing zoned land within an existing residential area to cater for future population. The subdivision maintains a similar pattern to nearby sites in the area.

The subject site is identified to be within *Precinct 1, Established Bairnsdale*, in the Bairnsdale Growth Strategy (2009) which encourages greater housing density and consolidated growth through infill development.

The proposal for the existing dwelling to be retained on a smaller allotment and the provision of an additional vacant lot meets this intent for a modest increase in housing.

3.4.2 Built Environment and Heritage (Clause 15)

States that: *Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.*

URBAN DESIGN (15.01-1S)

Objective: *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

SUBDIVISION DESIGN (15.01-3S)

Objective: *To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.*

Relevant strategies include:

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- *Creating compact neighbourhoods that have walkable distances between activities.*
- *Creating urban places with a strong sense of place that are functional, safe and attractive.*
- *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*
- *Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.*

Response: – Built Environment and Heritage:

The proposed subdivision has been designed to create an additional vacant allotment that can be developed with a single dwelling, meeting the need for more affordable housing options in the area. The site is well located and considered walkable to many existing services and infrastructure within the Bairnsdale Township. The existing access way is to be retained and utilised for both lots.

The proposal is in accordance with the relevant objectives and strategies of built environment and heritage and is compatible with the emerging pattern of subdivision in the neighbourhood. Any future development of the site will be subject to a separate planning application.

3.4.3 Housing

HOUSING (CLAUSE 16)

This policy aims to provide housing diversity, and to ensure that housing is well located to facilitate housing sustainability. It seeks to ensure that new housing is appropriately sited to include sufficient access to services, walkability to activity centres, public transport, schools and open space.

The main objectives of Clause 16.01 Housing are concerned with the supply of diversity and affordability:

- *To facilitate well-located, integrated and diverse housing that meets community needs*
- *To deliver more affordable housing closer to jobs, transport and services.*

Clauses of significance include 21.08-1 Residential Development, which specifies:

Strategy 1.7 Facilitate urban development for Bairnsdale within the existing town boundary identified in the Bairnsdale Growth Strategy, November (2009) and on Plan 3 Revitalisation and Growth Strategy

Response: Housing

The proposal offers the opportunity to marginally increase housing density in an established residential community, that is in keeping with the emerging neighbourhood character.

The site is located just outside of a recognised 'specialised centre' of convenience and retail shops, as can be seen on the extract from the Bairnsdale Growth Strategy, Revitalisation and Growth Strategy Plan below, suggesting this is an appropriate site for infill development:

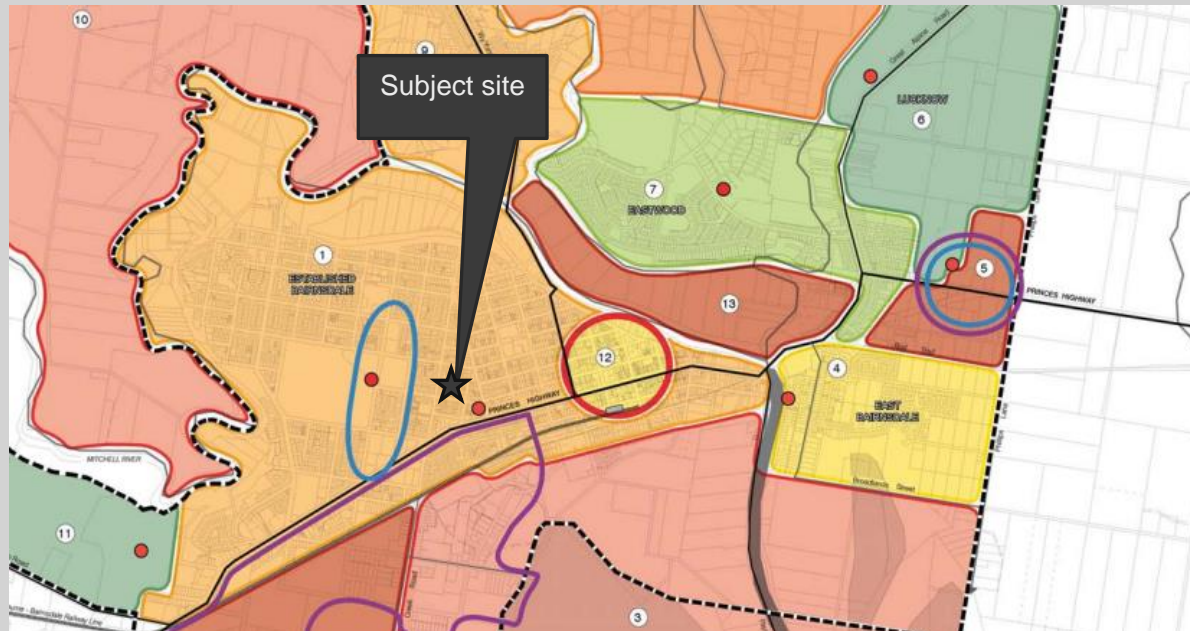


Figure 4: Bairnsdale Growth Strategy, Figure 1B. Specialised centre is circles in blue.

3.5 Particular Provisions

3.5.1 Car Parking

This Clause seeks:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework;
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality;
- To support sustainable transport alternatives to the motor car;
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities;
- To ensure that car parking does not adversely affect the amenity of the locality; and
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to 52.06-5, a dwelling with three or more bedrooms is to be provided with 2 car spaces whilst a dwelling with up to two bedrooms is to be provided with a single car space.

Response – Car Parking:

The existing dwelling has three-bedrooms and as such is provided with a detached double carport located to the rear of the dwelling, along the site's southern boundary. Access to the site is via the existing crossing and part of the existing driveway. The

driveway has been designed to provide a turning area so that vehicles from both lots can safely turn around and exit the site onto Goold Street in a forward manner. There is ample space on the vacant allotment to accommodate future parking when the site is developed.

3.5.2 Residential Subdivision (Clause 56)

Alongside implementing the Municipal Planning Strategy and the Planning Policy Framework, the purposes of Clause 56: Residential Subdivision relevant to this application are:

- *To create livable and sustainable neighbourhoods and urban places with character and identity;*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
 - *Metropolitan Melbourne growth areas;*
 - *Infill sites within established residential areas; and*
 - *Regional cities and towns.*
 - *To ensure residential subdivision design appropriately provides for:*
 - *Policy implementation;*
 - *Livable and sustainable communities;*
 - *Residential lot design;*
 - *Urban landscape;*
 - *Access and mobility management;*
 - *Integrated water management;*
 - *Site management; and*
 - *Utilities.*

Pursuant to this clause, an application to subdivide land must meet all of the objectives included in the clauses specified in the zone and should meet all of the standards included in the clauses specified in the zone.

CLAUSE 56 ASSESSMENT - 3-15 LOTS

STANDARD C6: Neighbourhood character

Response:

- The proposed subdivision is consistent with East Gippsland Shire Council's local planning policies relating to strategic land use and development for Bairnsdale and the Bairnsdale area.
- This report assesses the proposal against relevant elements of the planning scheme above.

✓ Standard
✓ Objective

STANDARD C8: Lot area and building envelopes

Response:

- The proposed vacant allotment is of an adequate size to contain a dwelling, garage/carport and car parking, private open space, vehicle driveway and associated services, it was not considered necessary to restrict the site with a building envelope.
- The existing dwelling and proposed carport are easily accommodated into Lot 1, whilst provision is still made for garden area and appropriately dimensioned SPOS areas.

✓ Standard
✓ Objective

STANDARD C9: Solar orientation of lot		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The proposed lots achieve excellent solar orientation with a good northerly aspect. 		
STANDARD C11: Common area		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> A common property area of 247sqm off Goold Street will provide access to both lots with each having an equal share. 		
STANDARD C21: Lot access		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The existing concrete crossover in the north-east of the site is to be retained and utilised to provide access to both lots via a common property driveway along the northern boundary. Access to the lots is safe for both pedestrians and vehicles. 		
STANDARD C22: Drinking water supply		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> Reticulated water is currently available to the site and can be utilised to service the proposed vacant lots, making more efficient use of existing infrastructure. 		
STANDARD C23: Reused and recycled water		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> There is ample space on the proposed allotments for a water tank, for the use of recycled water for irrigation, and to reduce the dependency on potable water. 		
STANDARD C24: Wastewater management		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The subject site has reticulated sewer available and will be connected to the new lots. 		
STANDARD C25: Urban run-off management		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> All minor drainage will be designed and installed to Council's requirements. There is a stormwater pit located in the Goold Street road reserve, north-east of the site. Drainage to the site will be connected in accordance with Council standards. 		
STANDARD C26: Site management		
Response:		✓ Standard ✓ Objective
<ul style="list-style-type: none"> The site will be managed to the satisfaction of the responsible authority prior to and during any construction works and will not cause excessive inconvenience to neighbouring residents. 		
STANDARD C27: Shared trenching		
Response:		✓ Standard

<ul style="list-style-type: none"> Any new servicing will utilise shared trenching where possible 	✓ Objective
STANDARD C28: Electricity, telecommunications and gas	
Response: <ul style="list-style-type: none"> Services that are available to the site will be supplied to each lot in accordance with the requirements of the relevant authorities 	✓ Standard ✓ Objective
<p>NB: Some matters covered by the objectives and standards can occur after a permit for the subdivision has been issued, through a condition of permit.</p> <p>Considering some matters at a later date allows planning assessment to occur at an appropriate time in the design and construction process and can provide for faster, more cost-effective decision making.</p>	

3.5.3 Decision Guidelines (Clause 65)

Before deciding on an application or approval of a plan, the responsible authority must consider a series of matters and these seek to ensure good decision making. In addition to consideration of applicable policies and strategies as outlined in this report, the responsible authority must make a judgement on whether a proposal presents an appropriate outcome with respect to amenity, land use conflicts, environmental aspects and the orderly planning of the wider area.

It is submitted that this proposal responds to policy requirements and specific opportunities and constraints to offer an outcome that will make a positive contribution to the municipality. There are no fundamental shortfalls in the matters to be considered and as such we consider approval of this application to be an example of good decision making.

4 Conclusion

We submit that the proposed subdivision is appropriate for the following reasons:

- The proposed subdivision is consistent with the State Planning policies and particularly with the General Residential Zone, Schedule 1, offering a marginal increase in the availability of land for development of additional housing.
- The proposed subdivision design takes into consideration the emerging pattern of subdivision and development in the area and allows for the retention of the existing dwelling, providing more affordable housing options on smaller allotments.
- The site is unburdened by any overlays.
- The proposal is consistent with local planning policies and the East Gippsland Shire's Municipal Strategic Statement.
- The proposal is consistent with the purpose and objectives of Clause 56 and accords with the Decision Guidelines of Clause 65.

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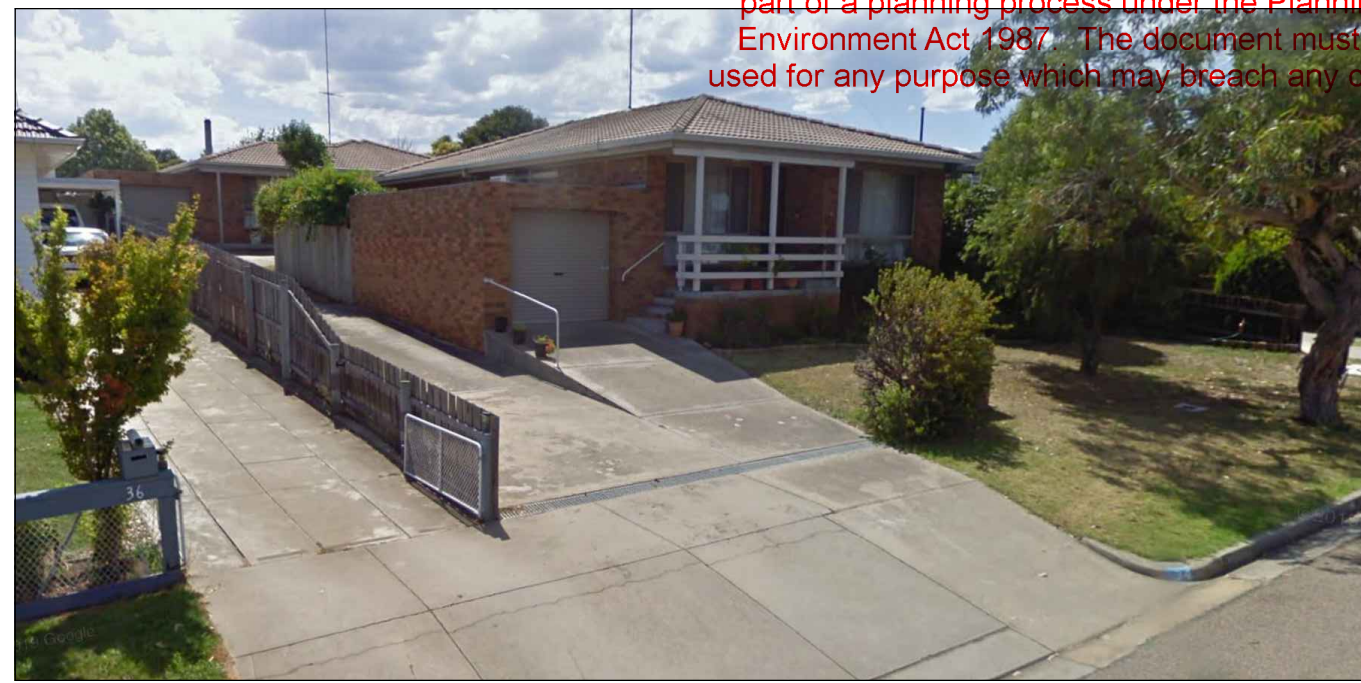
1 Existing dwelling is well located and suitable for retention. A new vacant allotment will assist in provision of affordable housing and sustainable development by utilising existing infrastructure.



3 The existing vehicle crossing is conveniently located and is suitable to be retained or upgraded as part of any development application.



4 Habitable windows of the adjacent dwelling at number 3/46 Goold Street overlook the rear yard.



5 An opportunity to reflect the subdivision/development pattern occurring throughout the area in a residentially zoned, established urban area, as well as taking advantage of existing infrastructure in a fully serviced area.



2 Opportunity to replace an old damaged fence and improve privacy between neighbouring properties.

NEIGHBOURHOOD CHARACTER:

Residential neighbourhood with a mix of original lot sizes and an increasing amount of subdivided lots. Lot sizes vary with no particular pattern that warrants preservation. Road reserves are generally wide with vegetated median strips. Concrete footpaths are present along both sides of the road in some areas.

BUILT FORM & SCALE:

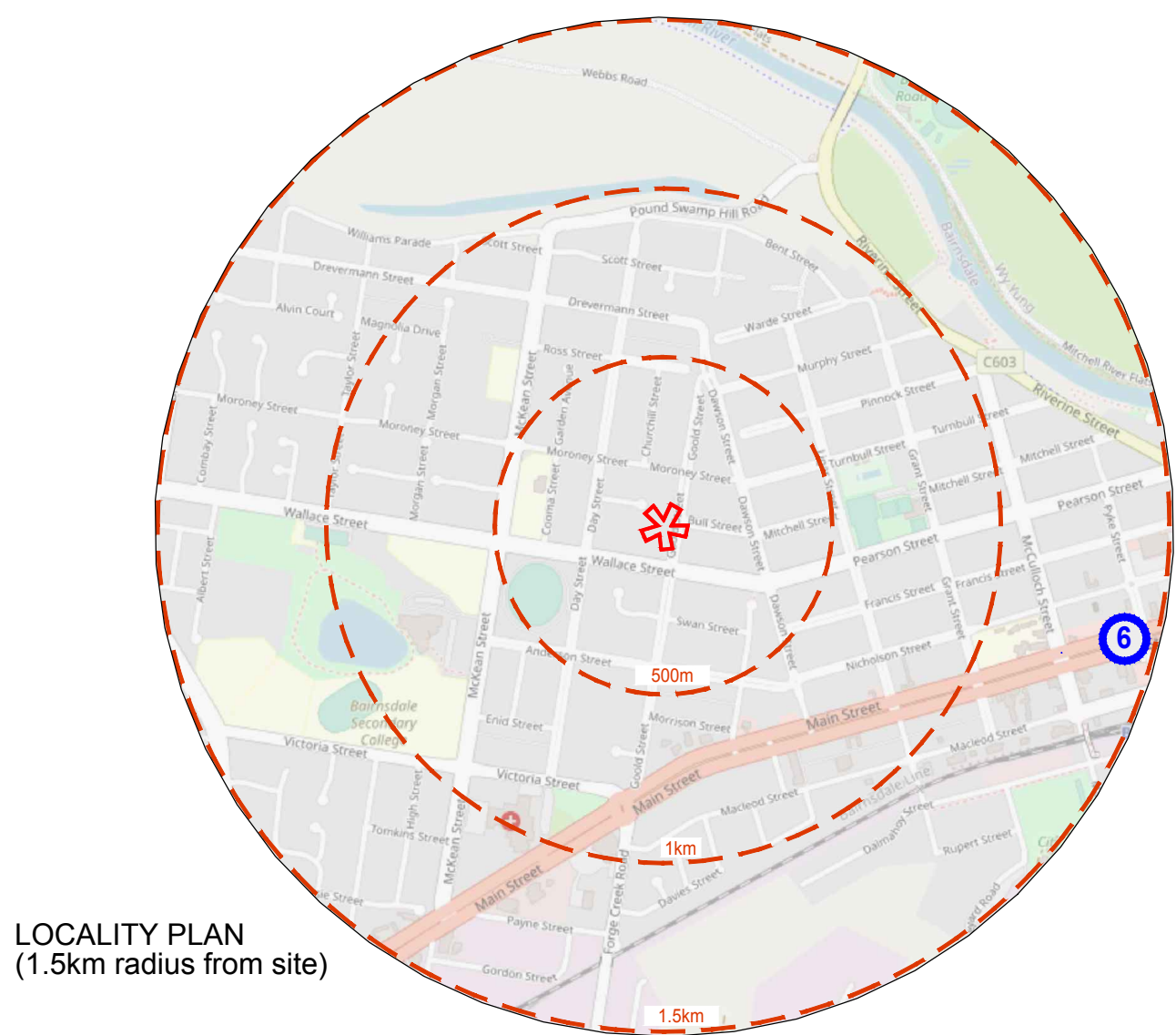
-A mix of single storey designs with the occasional double storey design dating from 1960's to current day.
-Dwellings are detached/semi-detached.
-Walls on one side boundary, particularly in newer developments.
-Roofs are pitched or flat in tiles or Colorbond.
-Car parking structures are generally located within rear yards or are attached to the sides of dwellings, some are located within front setbacks.
-Architecture is generally simplistic and large windows dominate frontages.

SLOPE, VIEWS & NOISE:

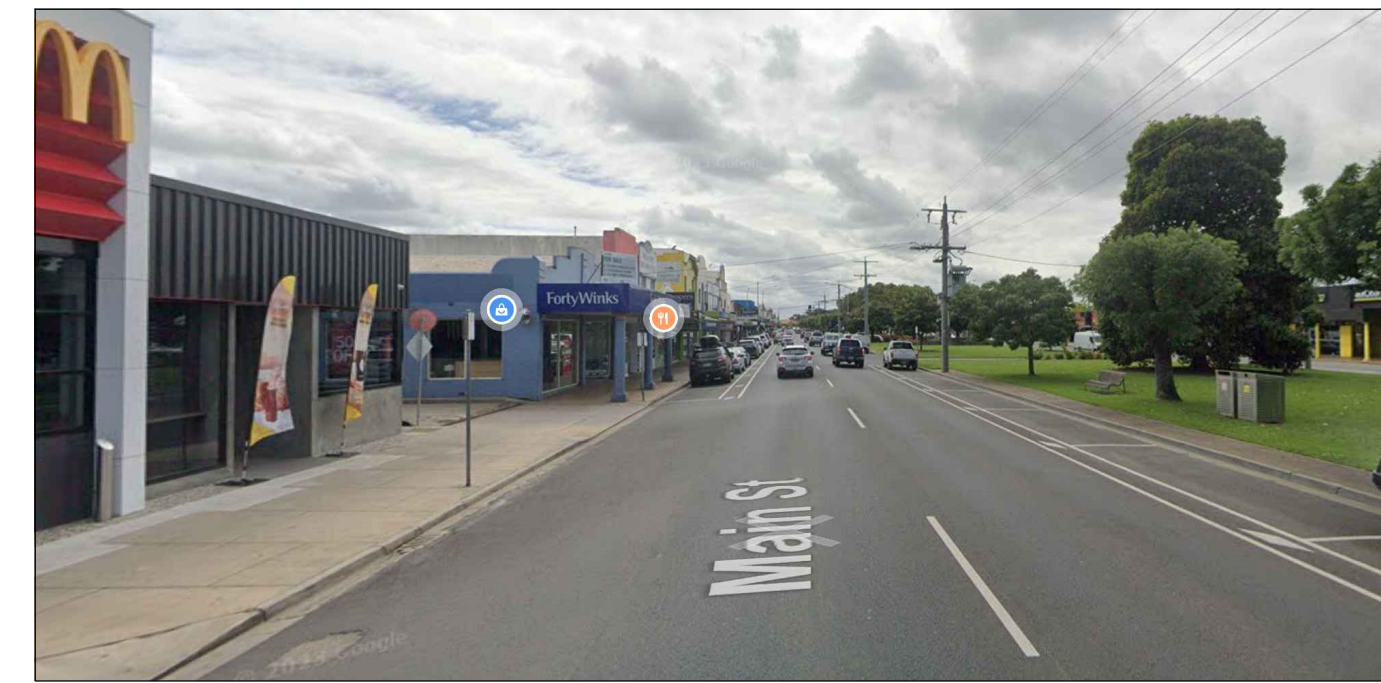
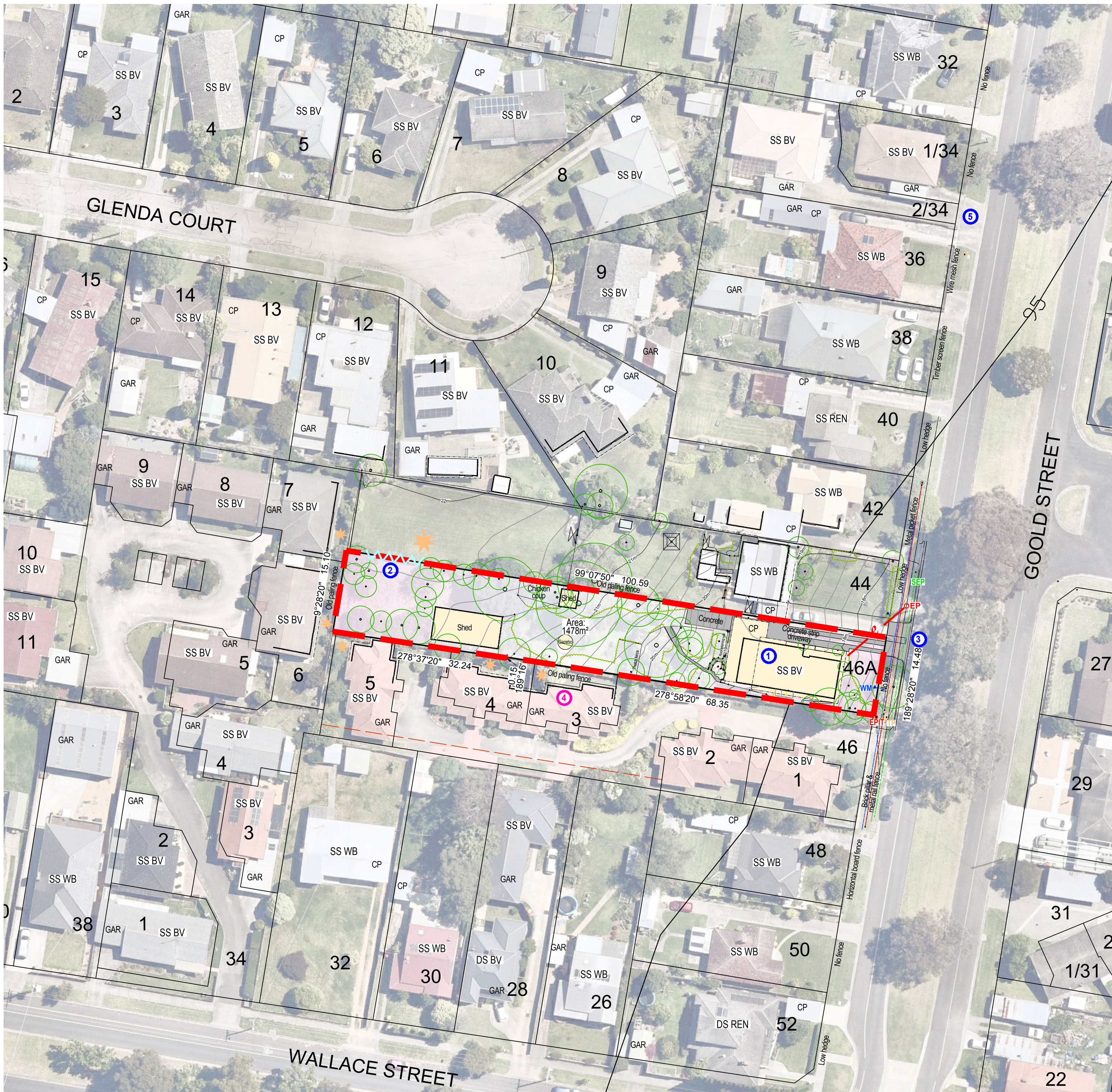
-Topography across the neighbourhood is gently sloping.
-The site falls approximately 4.6 m from the north-west to the south-east.
-Cut and fill present around the rear of the dwelling.
-No known contaminated soil.
-There are no significant views to the site from surrounding areas.
-No significant noise sources present.

VEGETATION:










-Majority of the vegetation on the site consists of planted small to medium size trees surrounding the property boundaries. Small hedges and bushes surround the existing dwelling in formed garden beds.

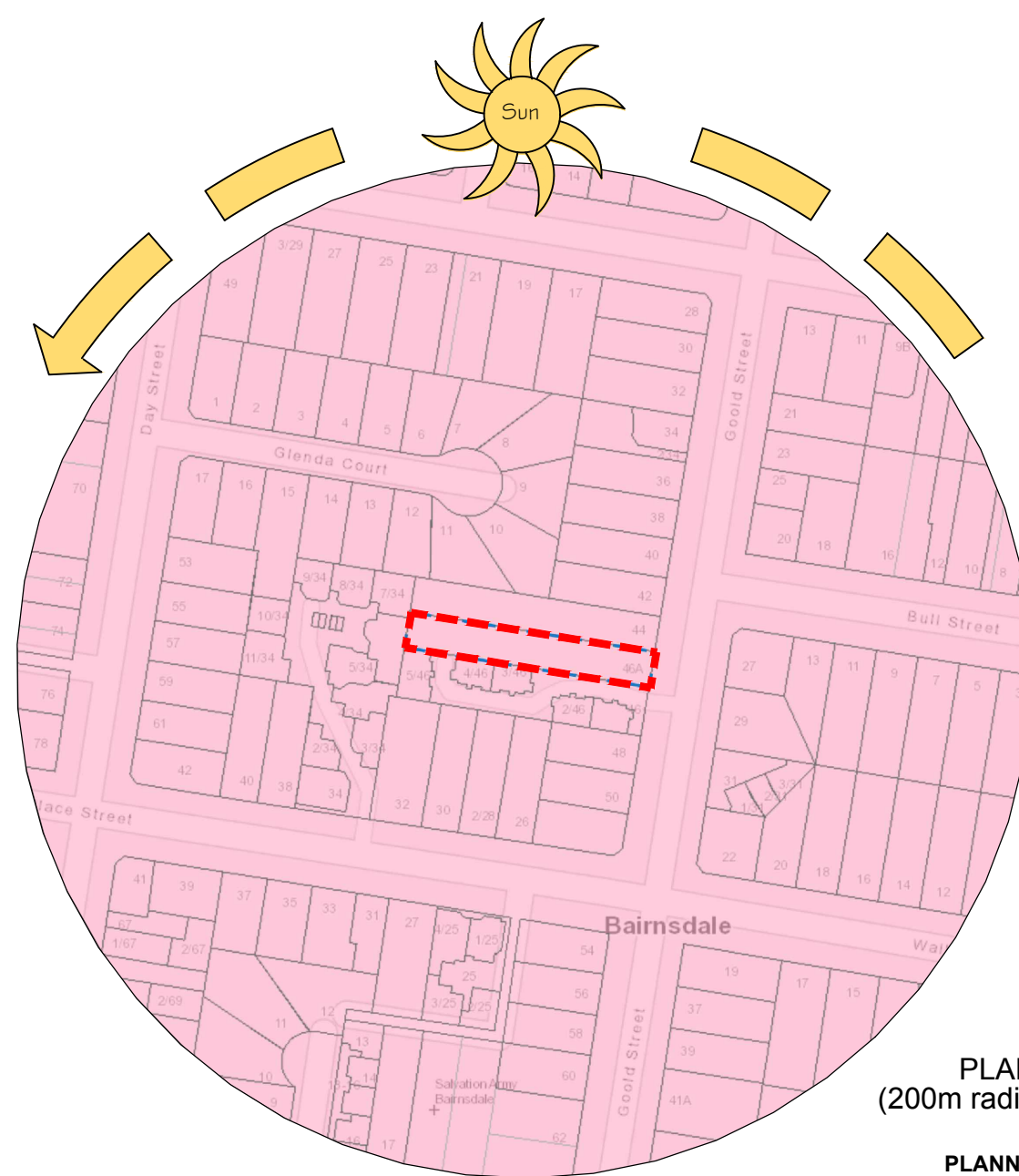


LOCALITY PLAN
(1.5km radius from site)



6 The site is very well located and in close proximity to the Bainsdale central business area, schools and open space reserves.

LEGEND		
	Opportunity	 Easement
	Constraint	SS DS BV WB SB:9m Single/double storey, brick veneer, weatherboard, approximate front setback
	Secluded private open space	
	Potential for overlooking neighbouring private open space/habitable windows	NH OBS GAR CP GAR-D ROLL-D Non-habitable window (NH), habitable window, door (D), obscured window (OBS), Garage, carport, garage door, roller door
	Overhead electricity line, electricity pole, electrical pit	 Corner levels & contours to AHD, 0.2m intervals on site, 1m intervals in surrounding area
	Tree	TP SEP WM Service: telstra pit, side entry pit, water meter
	Shrub	



PLANNING MAP
(200m radius from site)

PLANNING CONTROLS:
General Residential Zone - Schedule 1 (GRZ1)

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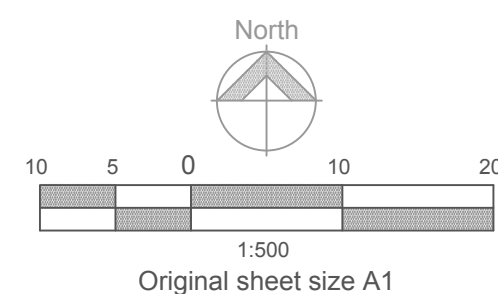
No.	Revision Description	Drawn	Checked	Date
1	Submitted to council as part of planning application	JSLY	DG	April 2023

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SITE & CONTEXT DESCRIPTION

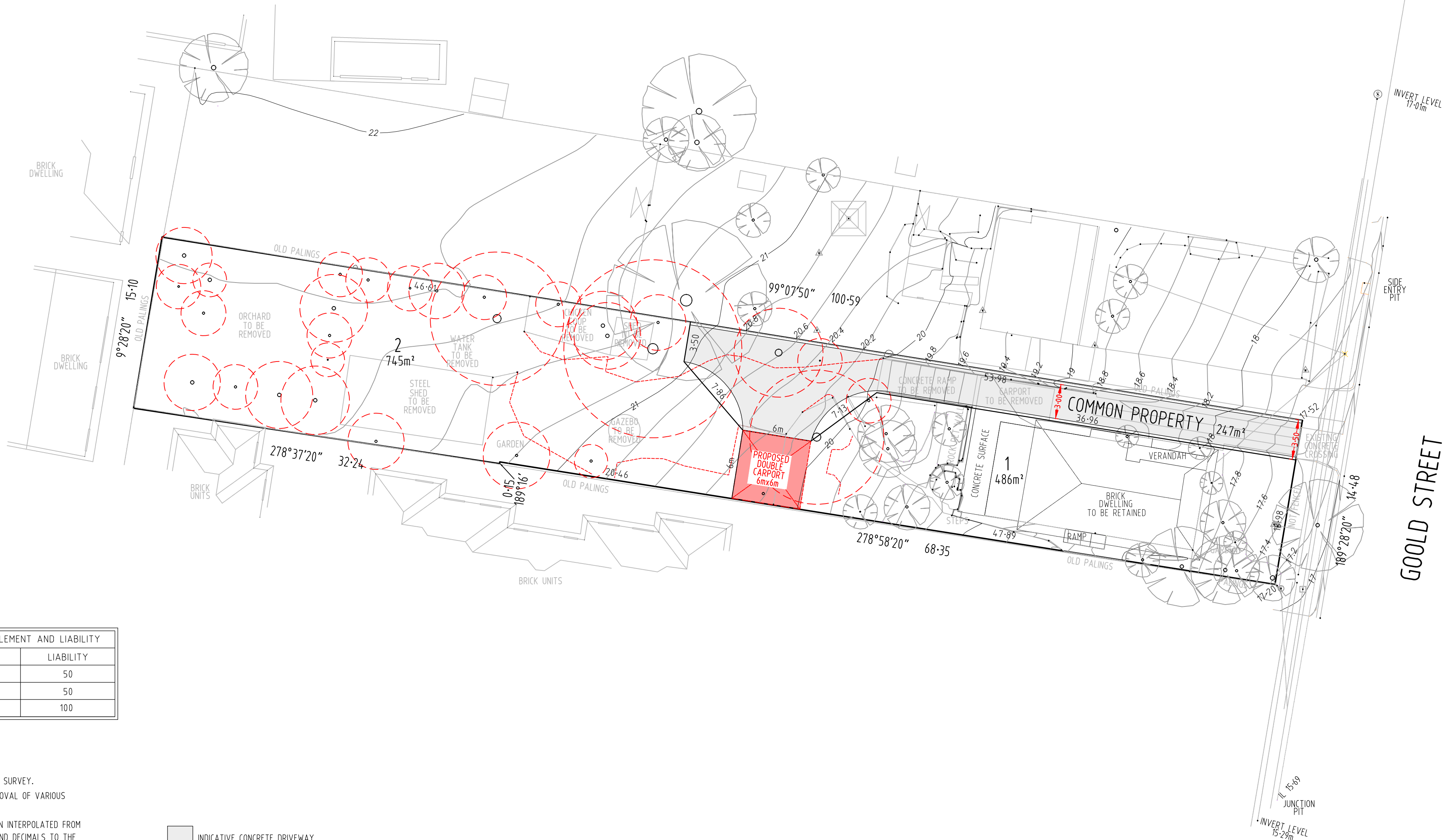
PROPOSED SUBDIVISION

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East Gippsland Shire Council

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


27/61P1
SHEET 1 OF 1

LOT 2 ON PS074232
C/T: VOL.08643 FOL.559
TOTAL SITE AREA: 1478m²



SCHEDULE OF LOT ENTITLEMENT AND LIABILITY		
LOT No.	ENTITLEMENT	LIABILITY
1	50	50
2	50	50
TOTAL	100	100

DIMENSIONS HEREON ARE SUBJECT TO SURVEY.
THIS PLAN IS SUBJECT TO THE APPROVAL OF VARIOUS
STATUTORY AUTHORITIES.
CONTOURS SHOWN HEREON HAVE BEEN INTERPOLATED FROM
ON-SITE LEVELS TAKEN IN METRES AND DECIMALS TO THE
AUSTRALIAN HEIGHT DATUM ON 28/05/2019 & 20/01/2021.
CONTOUR VERTICAL INTERVAL 0.20 METRES.
IMPLIED EASEMENTS UNDER SECTION 12 (2) OF THE SUBDIVISION
ACT 1988 TO APPLY TO ALL OF THE LAND IN THE PLAN.

 INDICATIVE CONCRETE DRIVEWAY
 TREE TO BE RETAINED
 TREE TO BE REMOVED

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01.	Prepared as part of planning application	JSLY	AHW	July 2023
No.	Revision Description	Drawn	Checked	Date

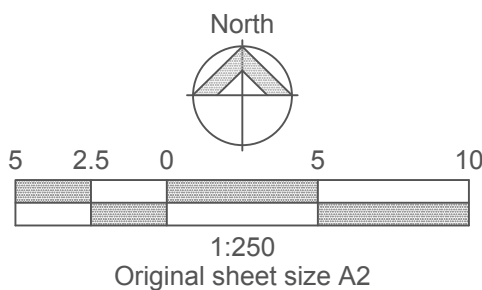
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Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design

SAI GLOBAL Quality ISO 9001

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PROPOSED SUBDIVISION PLAN

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