

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	915 Princes Highway NICHOLSON 3882 Lot: 1 PS: 315873
The application is for a permit to:	Buildings and Work for a Store
The applicant for the permit is:	Beveridge Williams
The application reference number is:	5.2023.363.1
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 11190 FOLIO 460

Security no : 124109085615H

Produced 14/09/2023 12:04 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 315873G.
PARENT TITLE Volume 10193 Folio 498
Created by instrument AH080539R 05/03/2010

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS315873G 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: 921 PRINCES HIGHWAY NICHOLSON VIC 3882

ADMINISTRATIVE NOTICES

NIL

eCT Control 18030P DUFFY & SIMON
Effective from 05/10/2021

DOCUMENT END

PLAN OF SUBDIVISION

Under Section 35 of the Subdivision Act 1988

STAGE NO.

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

EDITION 5

PS 3158730

Location of Land

Parish: BROADLANDS
 Township: _____
 Section: A
 Crown Allotment: 4B (PART)
 Crown Portion: _____
 LTO Base Record: CHART 1 (2236)
 Title Reference: C/Ts 8756/945, 9232/584,
 9232/585 & 9469/375
 Last Plan Reference: LP 93848 LOTS 1 & 2,
 LP 121873 LOT 3
 LP 142061 LOT 13

Postal Address: PRINCES HIGHWAY,
 (at time of subdivision) NICHOLSON, 3882

AMG Co-ordinates E 564700 ZONE: 55
 (of approx. centre of land in plan) N 5814000

Vesting of Roads and / or Reserves

Roads and reserves vest in the council/body/person named when the appropriate vesting date is recorded or transfer registered. Only roads and reserves marked thus (%) vest upon registration of this plan.

Identifier	Council/Body/Person
ROAD R1	ROADS CORPORATION
ROAD R2	ROADS CORPORATION
ROAD R3	ROADS CORPORATION
ROAD R4	ROADS CORPORATION

AN APPURTENANT EASEMENT FOR DRAINAGE PURPOSES HAS BEEN CREATED BY U 202746N IN FAVOUR OF LOT 1 IN THIS PLAN.

Council Certification and Endorsement

Council Name: SHIRE OF BAIRNSDALE Ref:

- A. This is a plan under section 35 of the Subdivision Act 1988 which does not create any additional lots.
 B. This plan is exempt from Part 3 of the Subdivision Act 1988.
 C. This is a plan under section 35 of the Subdivision Act 1988 which creates (an) additional lot(s).
 D. It is certified under section 6 of the Subdivision Act 1988.
 E. It is certified under section 11(7) of the Subdivision Act 1988.
 F. Date of original certification under section 6. 2 / 7 / 1993
 G. This is a statement of compliance under section 21 of the Subdivision Act 1988.

Council Delegate
 Council Seal

Date / /

Re-certified under section 11(7) of the Subdivision Act 1988.

Council Delegate
 Council Seal

Date 28 / 10 / 1993

Notations

Staging This is/is not a staged subdivision
 Planning Permit No. NOT APPLICABLE

Depth Limitation DOES NOT APPLY

Land to be acquired by compulsory process: NIL
 Land to be acquired by agreement: R1, R2, R3 & R4
 All the land is to be acquired free from all encumbrances other than any easements specified on this plan.

The land being subdivided is enclosed within thick continuous lines.
 Dimensions shown underlined are not based on survey.

Survey This plan is/is not based on survey & compiled from Roads Corp. SP18691.
 This survey has been connected to permanent marks no(s). 32 & 38
 in Proclaimed Survey Area No. _____

WATERWAY NOTATION:

LOT 1 IN THIS PLAN MAY ABUT CROWN LAND THAT MAY BE SUBJECT
 TO A CROWN LICENCE TO USE

Easement Information

Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement
 A - Appurtenant Easement R - Encumbering Easement (Road)

Easements marked (-) are existing easements.
 Easements marked (+) are created upon registration of this plan.
 Easements marked (*) are created when the appropriate vesting date is recorded or transfer registered.
 Easements marked # are removed when the appropriate vesting date is recorded or transfer registered.

Symbol	Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
*	R1	WAY & DRAINAGE	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN
*	R2	WAY & DRAINAGE	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN
*	R3	WAY & DRAINAGE	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN
*	R4	WAY & DRAINAGE	SEE DIAG.	THIS PLAN	LAND IN THIS PLAN
—	E-1	DRAINAGE & SEWERAGE	SEE DIAG.	TRANSFER A.809198	V. 8296 F. 451
—	E-2	TRANSMISSION OF ELEC.	SEE DIAG.	TRANSFER A.809198	V. 8296 F. 451
—	E-3	DRAINAGE & SEW.	SEE DIAG.	TRANSFER A.809198 &	LAND DESCRIBED IN V. 8296 F. 451
—	E-3	DRAINAGE & SEW.	SEE DIAG.	LP 75139	AND LOTS ON LP 75139
—	E-4	DRAINAGE	SEE DIAG.	LP 93848	LOTS ON LP 93848
—	E-5	DRAINAGE	SEE DIAG.	LP 76723	LOTS ON LP 76723

LTO use only

Statement of Compliance/
Exemption StatementReceived ☒

Date 4 / 11 / 93

LTO use only

PLAN REGISTERED

Time 12.05 pm

Date 8 / 11 / 93

Assistant Registrar of Titles

Sheet 1 of 3 Sheets

ROADS CORPORATION

Land Information and Survey Department
 60 Denmark Street
 Kew 3101

SURVEY CONTACT: J. TULLOCH TEL: 8542028 FAX: 8533537

LICENSED SURVEYOR JOHN E. TULLOCH
 (PRINT)

SIGNATURE _____ DATE 21 / 10 / 93

S.R.9590

REF. SP18691^{PS1}

VERSION 1

D 22/ 8 / 93

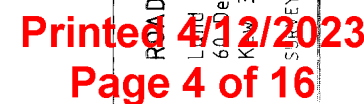
COUNCIL DELEGATE SIGNATURE

Original size A3

Printed 4/12/2023

Page 3 of 16

~~PLT035GH.DGN~~
~~RC (Vers. 1)~~



PLAN OF SUBDIVISION

Under section 35 of the Subdivision Act 1988





Stage No.

Plan Number

PS 315873G

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose required to reach any copyright.

VESTING DATES & TRANSFER REGISTRATION DATES OF ACQUIRED LAND

Land affected	Land acquired by compulsory process				Land acquired by agreement	LTO reference	Assistant Registrar of Titles
	Vesting date	Government Gazette		Date of recording of vesting date	Date of registration of transfer		Signature
		Page	Year				
R1	_____	_____	_____	_____	11-04-1995	T 697310 M	
R2	_____	_____	_____	_____	18-5-94	T 95224 U	
R3	_____	_____	_____	_____	18-1-94	S 889000 Y	
R4	_____	_____	_____	_____	18-1-94	S 889000 Y	

Sheet 3 of 3 Sheets

ROADS CORPORATION

Land Information and Survey Department
60 Denmark Street
Kew 3101

SURVEY CONTACT: J. TULLOCH TEL: 8542028 FAX: 8533537

LICENSED SURVEYOR **JOHN E. TULLOCH**
(PRINT)

SIGNATURE DATE / /

S.R.9590

REF. **SP18691** PS1

VERSION 1

DATE / /

COUNCIL DELEGATE SIGNATURE

Original sheet size: A3

Printed 4/12/2023
Page 5 of 16

ADVERTISED

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

PS 315873G

[illegible]

Our Reference: 2301629

14 September 2023

The Chief Executive Officer
East Gippsland Shire Council
PO Box 1618
Bairnsdale VIC 3875

ACN 006 197 235
ABN 38 006 197 235
Warragul Office
1/71 Victoria Street
Warragul VIC 3820
Tel: (03) 56232257

beveridgewilliams.com.au

Attention: Statutory Planning Department

Dear Sir/Madam

**RE: APPLICATION FOR PLANNING PERMIT
DEVELOPMENT OF LAND FOR A SHED
915 PRINCES HIGHWAY NICHOLSON – LOT 2 PS315873**

I refer to the above matter and wish to advise that we act for Tom and Jamie Malady.

Tom and Jamie operate the Nicholson Caravan Park, located on the corner of Princes Highway and Nicholson-Sarsfield Road, Nicholson.

Tom and Jamie wish to create additional storage space for general equipment associated with the operation of the caravan park.

In order to obtain this space, they seek to develop the land with a storage shed.

A locality Plan identifying the subject land is provided in **Figure 1**.



Figure 1 Locality Plan, yellow dashes denotes subject land

source: Nearmap

The shed will be a simple 18 metre x 11 metre steel building. As displayed in Figure 2, it will be set back 11 metres from the western boundary and 4.5 metres from the northern boundary.

Figure 3 demonstrates that the shed will have a maximum roof height of 5.87 metres and will have a height to the eave, of 4.8 metres. It will be constructed from Colorbond 'Paperbark' walls and have a Colorbond 'Basalt' roof.



Figure 2 Proposed site plan

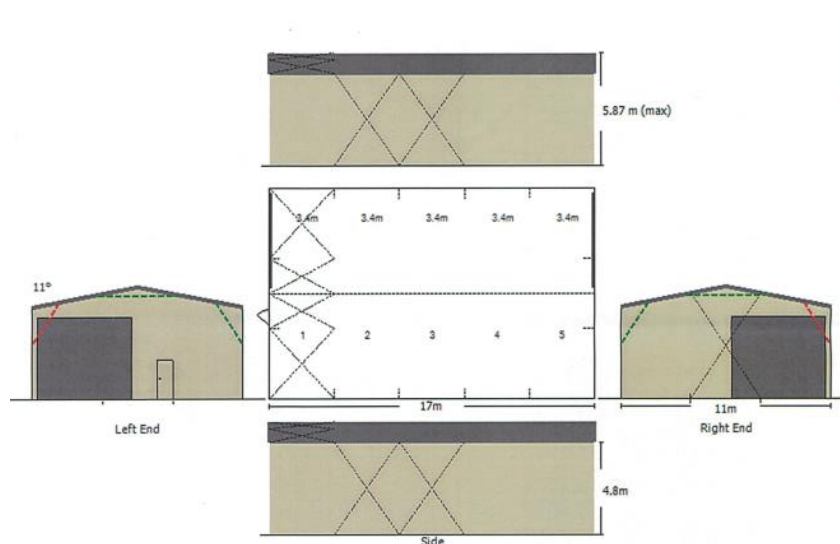


Figure 3 Proposed shed floorplan and elevations

The land is zoned Township, with parts impacted by the ESO1 and LSIO. The area of the site proposed to be developed with the shed is not impacted by any overlays, as can be seen at **Figure 4**.



Figure 4 Zoning and Overlay Map - orange rectangle denotes proposed shed siting
source: mapshare.vic.gov.au

A review of the East Gippsland Planning Scheme reveals that the following Clauses are relevant to this proposal:

- **Clause 32.05** Township Zone
- **Clause 11.01-1L-03** Rural settlements
- **Clause 12.03-1S** River and riparian corridors, waterways, lakes, wetlands and billabongs
- **Clause 12.03-1R** High value water body assets – Gippsland
- **Clause 12.03-1L** Waterways
- **Clause 17.01-1S** Diversified economy
- **Clause 17.04-1S** Facilitating tourism
- **Clause 17.04-1R** Tourism – Gippsland
- **Clause 17.04-1L** Tourism - Shire

The land enjoys existing use rights as a Caravan Park known as the 'Nicholson River Caravan Park'. A caravan park is a section 2 use under the Township Zone. Buildings and works associated with a Section 2 use requires a planning permit. Therefore, a planning permit is required for buildings and works associated with the proposed building under the Township Zone.

A response to the decision guidelines of the Township Zone is provided below :

The Municipal Planning Strategy and the Planning Policy Framework.

- The Gippsland Lakes are a significant tourist destination in Gippsland for local, interstate and international travellers. The 'Lakes' are important to the local East Gippsland community as a major employer and financial lifeline. The Gippsland Lakes are also an important ecosystem that is under pressure from land use and developments within the catchment feeding this system.

The Policies at **Clause 11.01-1L-03**, recognise the role of Nicholson as a tourist destination and the need to encourage the tourism uses that feed this township. The policy also speaks to the requirement for land use and development to protect the river systems within this area.

The policies and strategies seeking protection of the river and estuary systems, particularly the Gippsland Lakes, are echoed within the provisions of **Clause 12.03-1S**, **Clause 12.03-1R** and **Clause 12.03-1L**.

The proposed shed is located on flat land already used by the Caravan park as an accessway. The proposed works that will not result in polluted or sediment laden runoff leaving the site. The proposed shed is for storage only and will not require connection to sewer. As such it presents a negligible level of risk to the health of the Nicholson River. The works are set back over 200 metres from the crown boundary marking the commencement of the Nicholson River corridor, further limiting their likely impact.

The building will assist in the management of the Nicholson River Caravan Park. So, it will improve the tourist function of the park and broadly meet the direction of the policies at **Clause 11.01-1L-03**, **Clause 17.01-1S**, **Clause 17.04-1S**, **Clause 17.04-1R** and **Clause 17.04-1L**.

- The objectives set out in a schedule to this zone.
There are no objectives set out in the schedule to this zone.
- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.

The shed is a minor development that will be absorbed into the existing built form on the land and not impact the character of Nicholson. The shed does not require the removal of any vegetation.

- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

The shed will not require connection to services. Having said that, the land has connection to reticulated services.

- In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017.

The shed is not proposed to be plumbed with a toilet, basin or wet areas. Therefore, it does not require assessment relating to waste disposal.

- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.

The shed will have a similar height to the existing shed located on the abutting allotment to the west and is generally considered to conform to standard residential shedding in rural townships.

- The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.

Not Applicable – The shed does not abut a boundary interfacing with the public realm.

- Provision of car and bicycle parking and loading bay facilities and landscaping.

Not Applicable – The shed is ancillary to the existing caravan park use. Hence, it does not trigger a requirement for additional car parking or bicycle spaces or trigger the requirement for a loading bay.

- The effect that existing uses on adjoining or nearby land may have on the proposed use.

Not Applicable – the proposal is not a new use

- The scale and intensity of the use and development. The safety, efficiency and amenity effects of traffic to be generated by the proposal.

The proposal is a low scale development that is consistent with the development and land use already on the subject site. It does not substantially change the development intensity on the land.

- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The proposed shed is set back 11 metres from the western boundary and 4.5 metres from the northern boundary. There does not appear to be any solar energy systems on dwellings or outbuildings on the abutting allotments. It is noted that no dwelling on the abutting allotment is within 22 metres of the shared boundary with the subject land. The proposed shed will be no closer than 12 metres to the nearest building on the abutting allotments and will not sit to their north. Therefore, it is unlikely that the occupier or the abutting land will be impacted by shadow.

- Any other decision guidelines specified in a schedule to this zone.

Not Applicable – There are no further decision guidelines in the schedule to the zone.

The following documentation is provided in support of the application:

- Application for Planning Permit form;
- Certificate of Title; and,
- A site plan and shed drawings for endorsement under any permit granted.

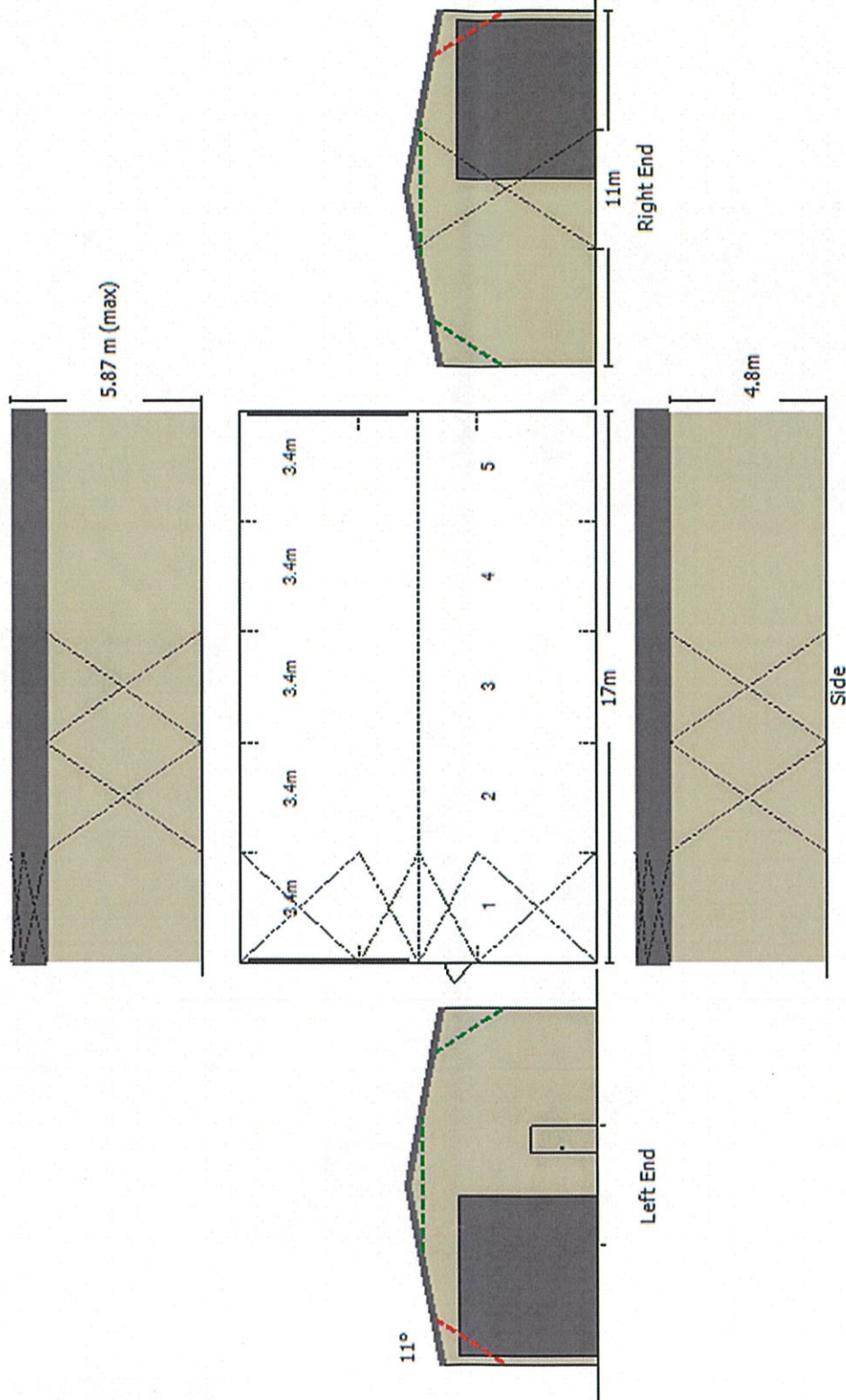
Payment of the statutory fee for a planning application will be made following receipt of an invoice from Council.

Should you require any further information, please contact the writer on 5623 2257.

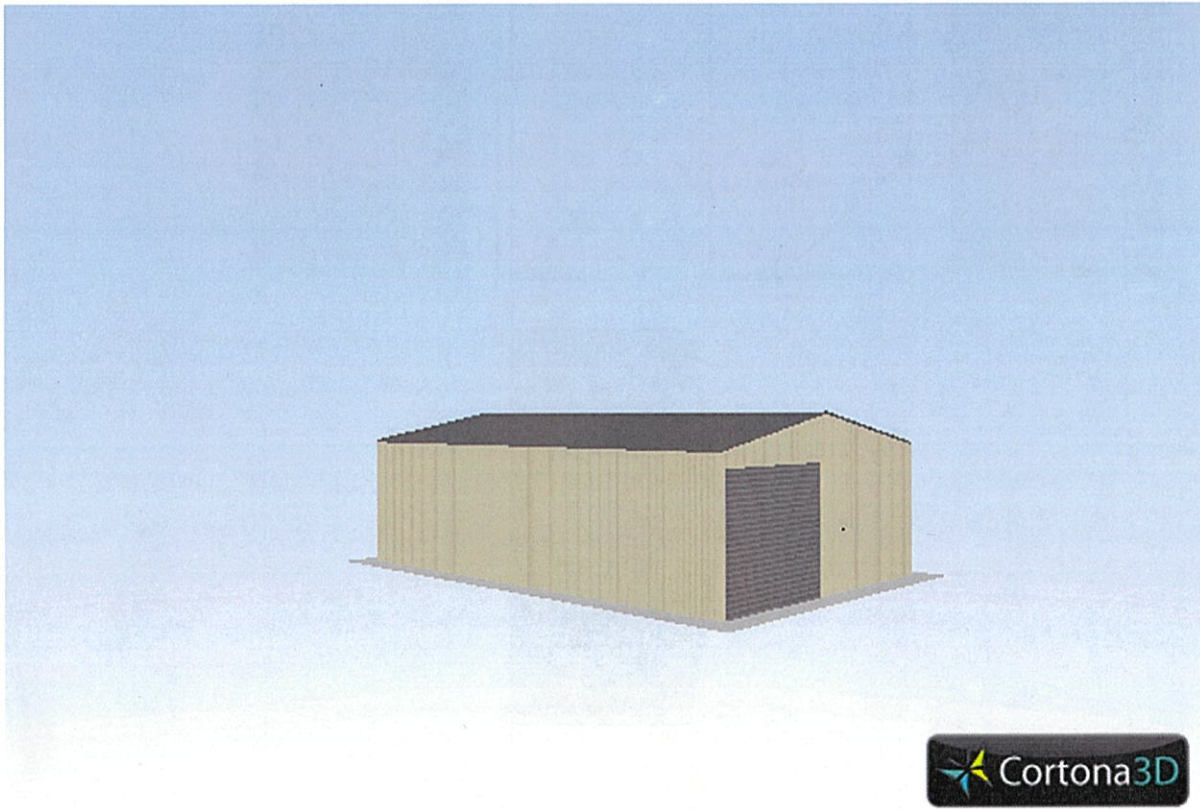
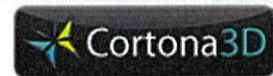
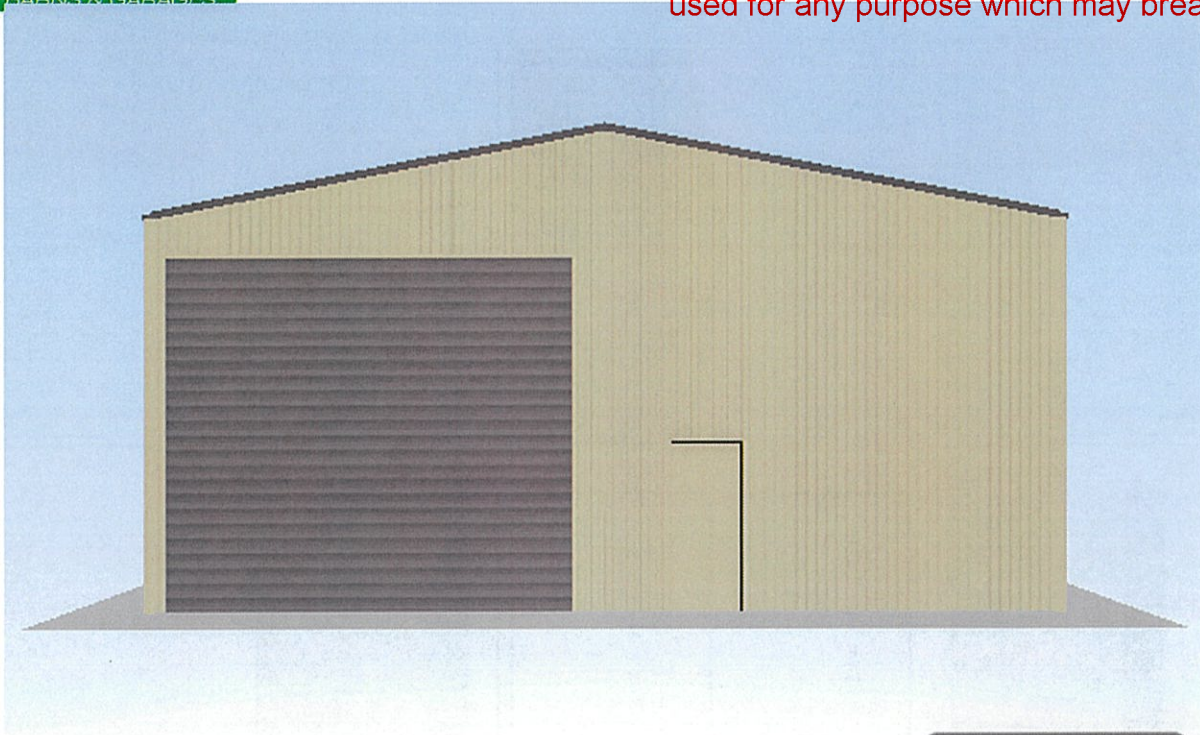
Yours faithfully,



JOEY WHITEHEAD
Senior Town Planner
BEVERIDGE WILLIAMS



Walls	COLORBOND® PAPERBARK Vertical Monoclad TCT 0.47, CB
Roof	COLORBOND® BASALT Corrugated TCT 0.47, CB 11Deg
Gutter	COLORBOND® BASALT Quad 115 Plain Gutter CB
Downpipe	90mm storm water pipe to ground
Barge	COLORBOND® BASALT
Corner Flashings	COLORBOND® PAPERBARK
Door Flashings	COLORBOND® PAPERBARK
Roller Door	COLORBOND® BASALT
PA Door	COLORBOND® PAPERBARK



48 Forge Creek Road, Bairnsdale, VIC, 3875
P: 03 5153 1455 • E: sales@rivierabarns.com.au
www.rivieragarages.com.au



Rest assured
we are



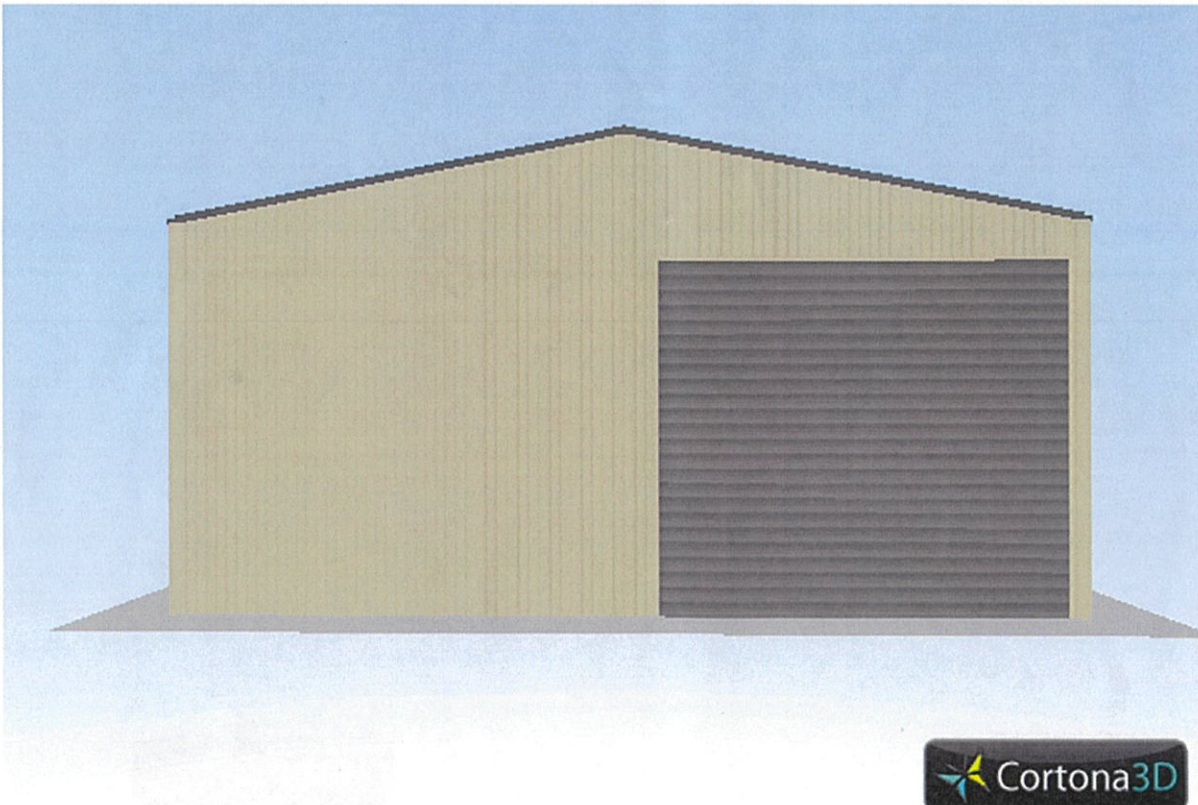
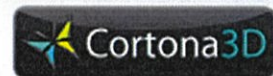
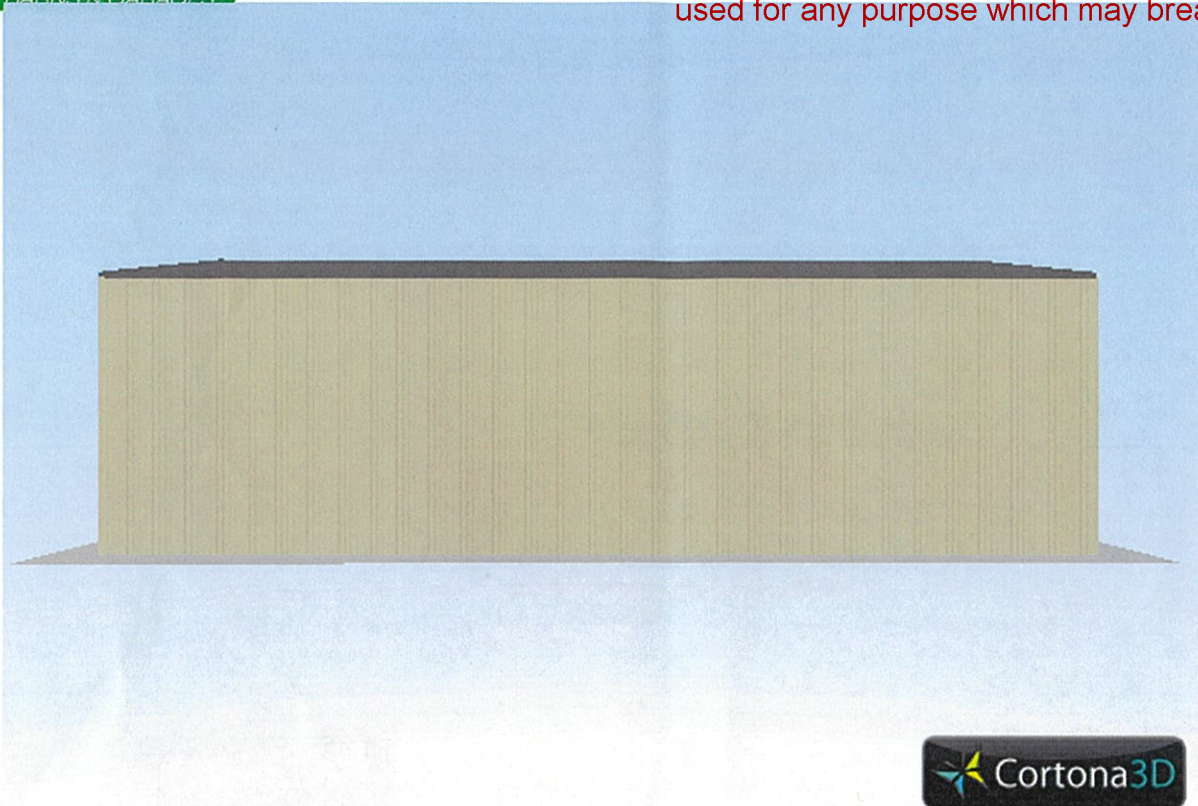
We use
genuine



Australian steel
provided by



ABN: 59 930 074 549



48 Forge Creek Road, Bairnsdale, VIC, 3875
P: 03 5153 1455 • E: sales@rivierabarns.com.au
www.rivieragarages.com.au



Rest assured
we are



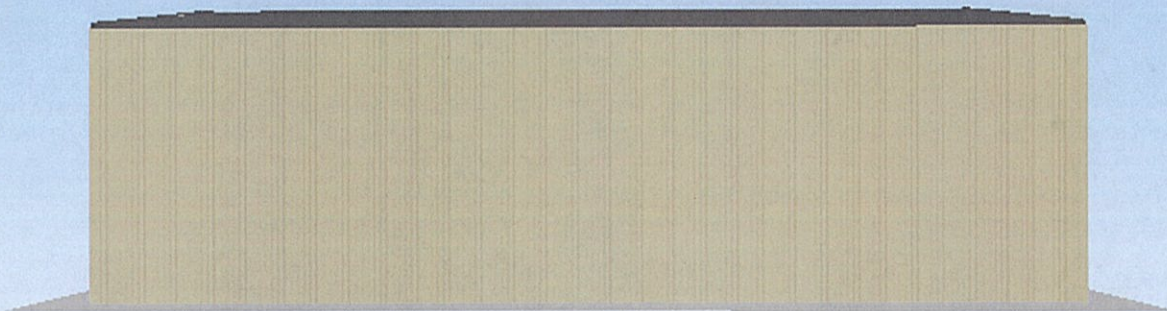
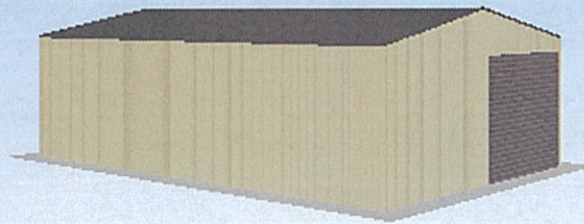
We use
genuine



Australian steel
provided by



ABN: 59 930 074 549



48 Forge Creek Road, Bairnsdale, VIC, 3875
P: 03 5153 1455 • E: sales@rivierabarns.com.au
www.rivieragarages.com.au



Rest assured
we are



We use
genuine



Australian steel
provided by



ABN: 59 930 074 549