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Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	77 King Street PAYNESVILLE 3880 Lot: 78 LP: 146679
The application is for a permit to:	Two lot subdivision
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2023.402.1
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 Planning documents previously required to be physically available to view at local government offices are now only required to be available for online inspection.

This can be done anytime by visiting the following website: https://www.eastgippsland.vic.gov.au/building-and-development/advertisedplanning-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.





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REGISTER SEARCH STATEMENT (Title Seaked) for இவற்ற இரும் Sefwhich may breach அவற்ற sep sefwhich may breach வரை Land Act 1958

VOLUME 09594 FOLIO 834

Security no: 124109114182G Produced 15/09/2023 11:17 AM

LAND DESCRIPTION

Lot 78 on Plan of Subdivision 146679H. PARENT TITLE Volume 09567 Folio 932 Created by instrument LP146679H 18/02/1985

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 LP146679H FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX144213G (E)	CONV PCT & NOM ECT TO LC	Completed	11/08/2023
AX144590Y (E)	SURVIVORSHIP APPLICATION	Registered	11/08/2023
AX171602R (E)	TRANSFER	Registered	21/08/2023
		_	
	END OF REGISTER SEARC	H STATEMENT	

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 22116E ATLAS CONVEYANCING SERVICES Effective from 21/08/2023

DOCUMENT END

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Title 9594/834 Page 1 of 1



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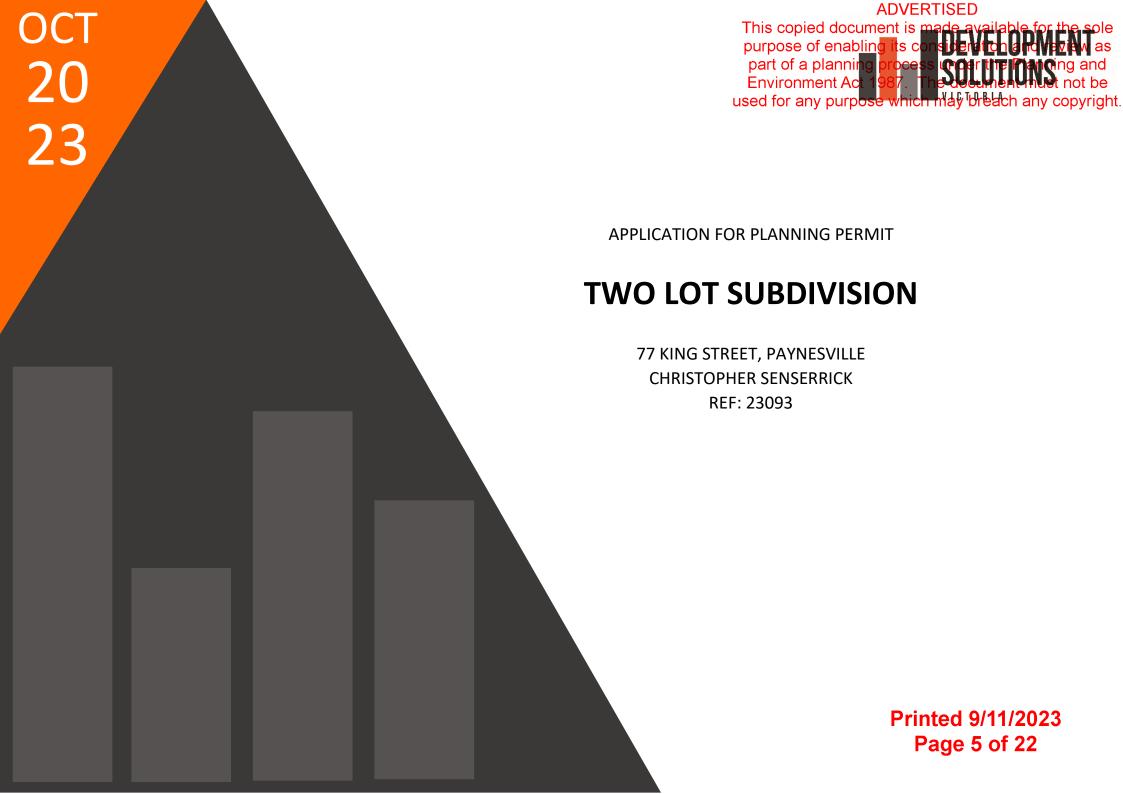
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Document Identification	LP146679H
Number of Pages	1
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Document Assembled	15/09/2023 11:19

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CONTENTS

1	Introduction	4
2	Site Context	5
3	The Proposal	10
4	Zones and Overlays	11
5	Planning Assessment	15
6	Conclusion	17

APPENDIX

- A Copy of Title and Plan of Subdivision
- **B** Proposed Development Plans
- **C** Clause 56 Assessment

DOCUMENT REVISION

- **1** Draft Report DAC 26/09/2023
- 2 Final Report CMC 03/10/2023



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1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of Christopher Senserrick, the applicant for the planning permit application for the two lot subdivision at 77 King Street, Paynesville.

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

The proposal is consistent with the objectives of the East Gippsland Planning Scheme, is an appropriate subdivision in this location and will result in a positive planning outcome.

	used for any purpose which may breach
Address	77 King Street, Paynesville
Site Description	Lot 78 on Plan of Subdivision 146679H
Title Particulars	Vol 09594 Fol 834
Site Area	1,031.8m ²
Proposal	Two Lot Subdivision
Planning Scheme	East Gippsland Planning Scheme
Zone	General Residential Zone – Schedule 1
Overlays	Design and Development Overlay – Schedule 14
Aboriginal Cultural Heritage	Not identified as an area of Cultural Heritage Sensitivity
Permit Triggers	Clause 32.08-3 General Residential Zone – Subdivision
	Clause 43.02-3 Design and Development Overlay – Subdivision
Notice	No exemption available
Referrals	No mandatory referrals
Work Authority Licence	Not Applicable
Planning Scheme requirements	Municipal Planning Strategy – Clause 02
	Settlement - Growth area towns - Clause 02.03-1
	Planning Policy Framework – Clause 10
	Settlement – Clause 11
	Environmental and landscape values – Clause 12
	Environmental risks and amenity – Clause 13
	Built environment and heritage – Clause 15
	Housing – Clause 16
	General Residential Zone – Clause 32.08
	Design and Development Overlay – Clause 43.02
	Design and Development Overlay – Clause 43.02 Decision guidelines – Clause 56

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Page 8 of 22

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2. SITE CONTEXT

Site

The subject site is located at 77 King Street, Paynesville. A copy of the Title and Plan of Subdivision is contained in *Appendix A*. The title is not affected by any restrictive covenants or agreements.

The site is irregular in shape with a total area of approximately 1,031.8m² and is currently vacant land. The site contains a 3 metre wide sewerage and drainage easement along the eastern boundary.

The site is relatively flat in nature and does not contain any vegetation. The subject site is within an existing residential area. Details of the site are depicted in the photographs provided below.

There is no formal access to the site. Access is proposed directly from King Street along the northern boundary. King Street is a fully constructed bitumen sealed road traversing in an east to west direction.

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



Figure 1 – Locality Plan – 77 King Street, Paynesville (source: mapshare.vic.gov.au)



Figure 2 – Locality Plan – 77 King Street, Paynesville (source: mapshare.vic.gov.au)

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Surrounds

The land surrounding the site comprises predominantly of residential development.

Adjoining the eastern, southern and western boundary is land containing existing residential development and associated facilities. Adjoining the northern boundary is King Street and further residential development.

The site is located approximately 900 metres north west of the main central business district of Paynesville.

Paynesville is a tourism town located on the Gippsland Lakes southeast of Bairnsdale. Paynesville is a boating village with a significant focus on tourism and water sports. The township has a suitable level of community and commercial services and facilities to support the existing and future residential component.

The subject site in relation to Paynesville is shown in the aerial photograph below.







Photograph 2 – Subject site at 77 King Street, Paynesville.



Photograph 4 – Proposed Lot 2 facing north.



Photograph 6 – Subject site facing north.



Photograph 3 – Existing access to Lot 1 subject site facing north.



Photograph 5 – Proposed Lot 1 facing southwest.



Photograph 7 – Proposed Lot 2 facing east.



Photograph 8 – Subject site facing northwest.



Photograph 10 – Neighbouring property along the eastern boundary at 73 King Street, Paynesville.



Photograph 12 – King Street facing east.



Photograph 9 – Neighbouring property along the western boundary at 32 Queen Street, Paynesville.



Photograph 11 – Property directly opposite subject site at 78 King Street, Paynesville.



Photograph 13 – King Street facing west.

3. THE PROPOSAL

This application seeks approval for the subdivision of the land into two lots. A proposed plan of subdivision is provided in *Appendix B*.

Lot 1

The proposed Lot 1 will be irregular in shape and will be approximately 474.7m² in area. This lot comprise the western portion of the site.

Lot 2

The proposed Lot 2 will be almost rectangular in shape and will be approximately 557.1m² in area. This lot will comprise the eastern portion of the subject site.

Access

Access to the proposed allotments will be provided via a shared crossover along the northern boundary and will be located in the centre of both of the proposed allotments. This shared access point will provide direct access to King Street.

Services

The subject site has access to an appropriate level of services including reticulated water, sewerage, electricity, telecommunications, drainage and a good quality road network.

Each of the proposed allotments will be connected to all available services.

It is requested that formal drainage plans be a requirement on any planning permit to be granted. An existing sewerage and drainage easement extends along the eastern boundary as shown on the proposed plan of subdivision and will be entirely contained in proposed Lot 2.

The subject site does not require the removal of any vegetation to facilitate the proposed subdivision and no earthworks are required beyond construction of a new access point and provisions of services.

Indicative building envelopes are included on the proposed plan of subdivision to show how the site could be developed in the future.

A copy of the proposed subdivision is provided below and in *Appendix B*.

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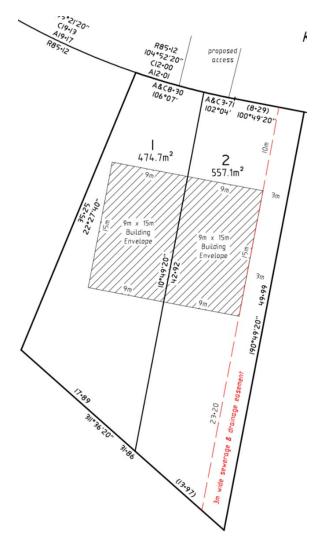


Figure 3 – Proposed Plan of Subdivision – One Plan

Printed 9/11/2023
Page 14 of 22

4. ZONES AND OVERLAYS

General Residential Zone - Schedule 1

The purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- 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.

An extract of the General Residential Zone Map is provided to the right in *Figure 4.*

Clause 32.08-3 of the General Residential Zone provides a permit is required to subdivide.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause

56. The relevant standards of Clause 56 are addressed in *Appendix C.*

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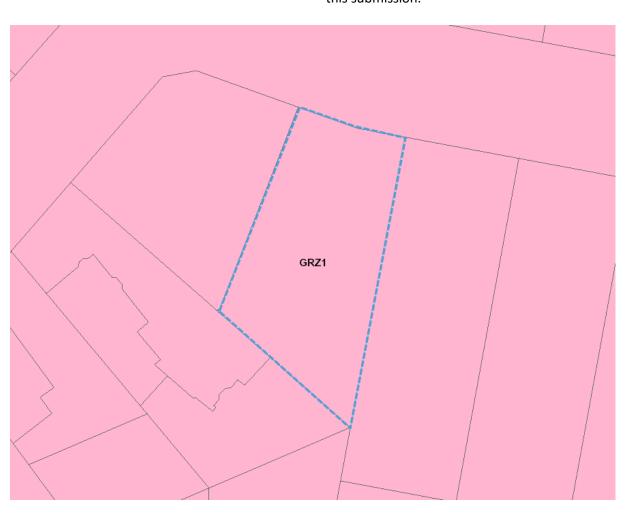


Figure 4 - Zoning Map - (source - mapshare.vic.gov.au)

Design and Development Overlay – Schedule 14

The purpose of the Design and Development Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

An extract of the Design and Development Overlay Map is provided to the right in *Figure* 5.

Clause 43.02-3 – Provides a permit is required to subdivide land.

The relevant decision guidelines of Clause 43.02-6 of the Design and Development Overlay and the schedule are addressed in Section 5 of this submission.

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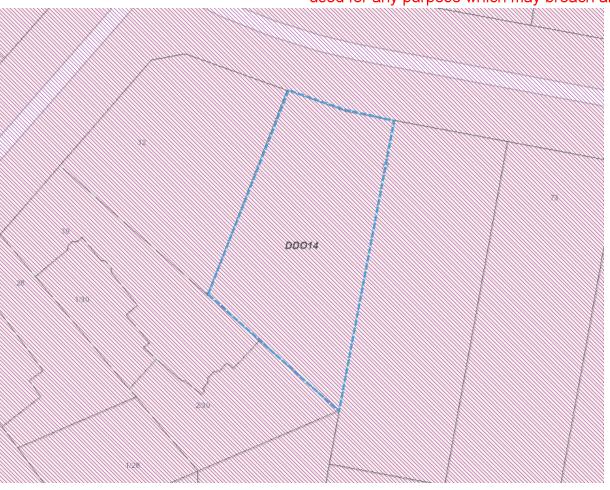


Figure 5 – Design and Development Overlay – (source - mapshare.vic.gov.au)

Design and Development Overlay -

Schedule 14 continued:

The design objectives of the Schedule include:

All areas

- To protect and manage the township character of coastal settlements.
- To ensure that the height and visual bulk of new development is compatible with the coastal neighbourhood setting.
- To ensure that new development is designed to minimise visual impacts on the natural landscape.
- To ensure that new development is visually and physically integrated with the site and surrounding landscape.
- To ensure that new development is sited and designed to be visually unobtrusive through and above the surroundings tree canopy when viewed from nearby streets, lakes, coastal areas, or other distant viewpoints.
- To protect the vegetated character of the landscape, particularly where it is a dominant visual and environmental feature.

Suburban (area 3)

- To retain the existing character of the area formed by the dominance of front gardens and unobtrusiveness of buildings within streetscapes.
- To limit the visual bulk of new buildings.
- To limit the height of buildings in keeping with the established form and character of the area.
- To ensure that any development above two storeys is constructed within the roof line of the building.
- To lower the perceived height of buildings through the use of pitched roofs with an eaves overhang of at least 450mm.

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designed to maximise front garden space and setback from rear boundary road frontages to preserve existing streetscapes.

- To retain tree cover and the dominance of front gardens.
- To encourage tree retention and the planting of native species.
- To ensure that buildings are set back at least 6 metres from the front boundary, or an average of the existing front setbacks of adjacent buildings, whichever is the greater.



Figure 6 – Map 1 to Schedule to Clause 42.03 – (source – Paynesville Prince of 9711/2023

Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is not recognised as being within an area of Aboriginal Cultural Heritage Sensitivity.

The subdivision of land into two lots for residential purposes is an exempt activity and as such a Cultural Heritage Management Plan is not required.

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Page 18 of 22

5. PLANNING ASSESSMENT

This proposal has been assessed against the objectives and standards of applicable clauses of the East Gippsland Planning Scheme and it is considered that the proposed subdivision is appropriate for the following reasons:

- The proposal meets the objectives of the Municipal Planning Strategy at Clause 02 and the Planning Policy Framework at Clause 10 providing an additional vacant parcel of land that can be developed in the future with a residential dwelling and be respectful of the existing surrounding development and the environment.
- The proposal will contribute to a high standard of environmental sustainability, urban design and amenity by designing the lot layout to meet the constraints of the land reducing any potential negative environmental implications as sought to achieve by the relevant clauses including Clause 02.03 and Clause 11. The site does not contain any vegetation.
- Clause 02.03-1 identifies Paynesville as a growth area town and encourages development on fully serviced residential land. The proposed subdivision will result in two vacant allotments that can adequately accommodate residential dwellings in the future. The subject site has access to all

- available services and the proposed vacant lots will be connected to all available services and infrastructure including reticulated water, sewerage, electricity, telecommunications and a good quality road network.
- The proposal meets the objectives of Clause 16 by providing vacant allotments that can be developed with a dwelling in the future which in turn will support housing for the area. Clause 16.01-2S recognises the need to ensure land supply is sufficient to meet demand. The proposed subdivision will create one additional vacant lot within an existing residential area in Paynesville.
- The proposal is consistent with the decision guidelines of the General Residential Zone at Clause 32.08-12 which seeks to encourage development that respects the neighbourhood character.
- The proposed subdivision will result in two vacant allotments that can be developed in the future with residential dwellings and will be in keeping with the neighbourhood character of the area. It is noted there is an existing drainage and sewerage easement along the eastern boundary.
- The proposed subdivision has addressed the relevant standards as set out in Clause 56 and is contained in *Appendix C*.

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- Access to the proposed lots will be provided along the northern boundary directly from King Street via a shared access driveway and crossover as indicated on the proposed development plans.
- The indication of a building envelopes on the proposed development plans is to demonstrate ability of the proposed lots to accommodate a 9 metre by 15 metre building area.
- The proposal is consistent with the decision guidelines of the Design and Development Overlay at Clause 43.02-6 which seeks to identify areas which are affected by specific requirements relating to the design and built form of new development.
- The proposed subdivision will result in two vacant allotments that can be developed with a dwelling in the future. Any future dwelling to be constructed would be subject to the requirements of the Design and Development Overlay including height controls and as such there is not expected to be any detrimental impact to the amenity of the area or neighbourhood character. The area does contain dwellings of various styles, heights and setbacks.

Printed 9/11/2023
Page 19 of 22

- No vegetation removal is required to facilitate the proposed subdivision.
- The proposed subdivision has been designed to be site responsive.
- Schedule 14 refers to residential development in coastal settlements Paynesville. The subject site is located in Suburban (area 3) and seeks to retain the existing character of the area formed by the dominance of front gardens and unobtrusiveness of buildings within streetscapes.
- The proposed subdivision will result two vacant allotments that can be developed with a residential dwelling in the future. Any future dwelling would be subject to the requirements of the Design and Development Overlay.
- This submission has addressed the decision guidelines of Clause 65.01 and the proposed subdivision supports orderly planning of the area whilst taking into consideration the potential effect on the environment, human health and the amenity of the area. The proposed subdivision does not require the removal of any native vegetation and there will be no negative impact on the existing road network.

- The site is not identified as being susceptible to bushfire, erosion or flooding hazards.
- There are no factors of this proposal that are likely to cause or contribute to land degradation, salinity or reduce water quality.
- This submission has addressed the decision guidelines of Clause 65.02 and it is concluded the proposed subdivision is suitable in this location and the vacant lots can adequately accommodate residential dwellings in the future that will in turn support the community by providing for additional housing.
- The subject site has access to all available services and the proposed lots will be connected to all available services. The additional vacant lot is not expected to exceed the capacity of the services in this location.
- The proposed vacant allotment will support infill residential development with access to a suitable range of services and infrastructure. Infill residential development is strongly encouraged to support diversity of housing types and increase supply.

6. CONCLUSION

This submission is in support of a planning permit application for Two Lot Subdivision at 77 King Street, Paynesville.

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

- The proposal is consistent with the objectives and strategies outlined in the Municipal Planning Strategy and the Planning Policy Framework.
- The proposal is consistent with the objectives of the General Residential Zone and the Design and Development Overlay.
- The proposed subdivision will provide for two appropriate allotments that can be developed with residential dwellings in the future.
- The design of the subdivision is site responsive and consistent with the surrounding lot layout.

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

Development Solutions Victoria

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- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd. Sheet 1 of 1 P:1300 853 157

M:0400 543 157 sks@oneplangroup.com.au www.oneplangroup.com.au GIPPSLAND - MELBOURNE **SURVEYING CONSULTANTS**

2.5 5.0 7.5 10.0 Lengths are in metres

Proposed Subdivision Plan

Notations

Date of Survey: 30/08/2023

Datum vide LP146679

Levels are to the Australian Height Datum (AHD)

Contour interval: 0.1m

Total site area: 1031.8m²

DEVELOPMENT SOLUTIONS

77 King Street, Paynesville 3880

East Gippsland Shire

Drawn Plan No. Scale 232342PR-3 1:250 - A3 26/09/2023

Parish of Bairnsdale Printed 9/11/2023 Part of Crown Allotment 14 Page 22 of 22

Lot 78 on LP146679

Paracentroid (MGA2020) : E 562 765, N 5803 400