

## Form 2

**NOTICE OF AN APPLICATION FOR PLANNING PERMIT**

<b>The land affected by the application is located at:</b>	<b>9 Maude Street LUCKNOW 3875 Lot: 79 LP: 1592</b>
<b>The application is for a permit to:</b>	<b>Two lot subdivision</b>
<b>The applicant for the permit is:</b>	<b>Crowther &amp; Sadler Pty Ltd</b>
<b>The application reference number is:</b>	<b>5.2023.476.1</b>

You may look at the application and any documents that support the application free of charge at: <https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

You may also call 5153 9500 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, East Gippsland Shire. This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

**An objection must**

- ♦ **be made to the Responsible Authority in writing,**
- ♦ **include the reasons for the objection, and**
- ♦ **state how the objector would be affected.**

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

<b>The Responsible Authority will not decide on the application before:</b>	<b>Subject to applicant giving notice</b>
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If you object, the Responsible Authority will tell you its decision.



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

Page 1 of 3

VOLUME 09880 FOLIO 755

Security no : 124110678896F  
Produced 22/11/2023 08:50 AM

### LAND DESCRIPTION

Lot 1 on Title Plan 142555V (formerly known as Lot 79 on Plan of Subdivision 001592).

PARENT TITLE Volume 06608 Folio 414

Created by instrument N966360G 20/01/1989

### REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor

### ENCUMBRANCES, CAVEATS AND NOTICES

I

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 TP142555V 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: 9 MAUDE STREET LUCKNOW VIC 3875

### ADMINISTRATIVE NOTICES

NIL

RECEIVED FROM 25/10/2019

DOCUMENT END

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	<b>TITLE PLAN</b>		EDITION 1 TP 142555V						
<b>Location of Land</b>  Parish: WY-YUNG Township: LUCKNOW Section: Crown Allotment: Crown Portion:  Last Plan Reference: LP1592 Derived From: VOL 9880 FOL 755 Depth Limitation: NIL		ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN							
<b>Description of Land / Easement Information</b>			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT  COMPILED: 28/08/2000 VERIFIED: C.L.						
<table border="1" style="margin: auto;"> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2">PARCEL 1 = LOT 79 ON LP1592</td> </tr> </table>				TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = LOT 79 ON LP1592	
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WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962									
PARCEL 1 = LOT 79 ON LP1592									
LENGTHS ARE IN METRES		Metres = 0.3048 x Feet Metres = 0.201168 x Links							

## Planning Report

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Two Lot Subdivision  
9 Maude Street, Lucknow

Our reference – 20621

23 November 2023



FS 520900



## Contents

<b>1.</b>	<b>Introduction</b>	<b>3</b>
<b>2.</b>	<b>Subject Land &amp; Surrounding Context</b>	<b>4</b>
<b>3.</b>	<b>The Application &amp; Proposal</b>	<b>7</b>
<b>4.</b>	<b>Cultural Heritage</b>	<b>9</b>
<b>5.</b>	<b>Planning Policy</b>	<b>10</b>
	5.1 Planning Policy Framework	10
	5.2 Municipal Planning Strategy	11
<b>6.</b>	<b>Planning Elements</b>	<b>11</b>
	6.1 General Residential Zone	11
<b>7.</b>	<b>Conclusion</b>	<b>13</b>
<b>8.</b>	<b>Attachments</b>	
	Application Form	
	Proposed Subdivision Plan (Version 2)	
	Proposed Design Response (Version 1)	
	Copy of Title (Lot 1 on TP142555)	

*Note: Applicable Planning Application fee is \$1415.10*

## 1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision at 9 Maude Street, Lucknow. The Report addresses the provisions of the General Residential Zone as contained within the East Gippsland Planning Scheme.



*Aerial image of the subject land and immediate surrounds (Source: Google Earth)*

## 2. Subject Land & Surrounding Context

Formally known as Lot 1 on TP142555 or more commonly known as 9 Maude Street, Lucknow, the subject land is a generous size of 1,604 square metres, with a width of 20.12 metres, length of 79.70 metres and is relatively flat.

The property has been developed with a weatherboard dwelling to the south of the land and has a significant shed to the north of the land.



*Image of the subject land taken from Maude Street looking north*



*Image of the significant outbuilding to the rear of the property looking north*

The subject land is located within the developed area of Lucknow and is surrounded by single storey dwellings and associated outbuildings.

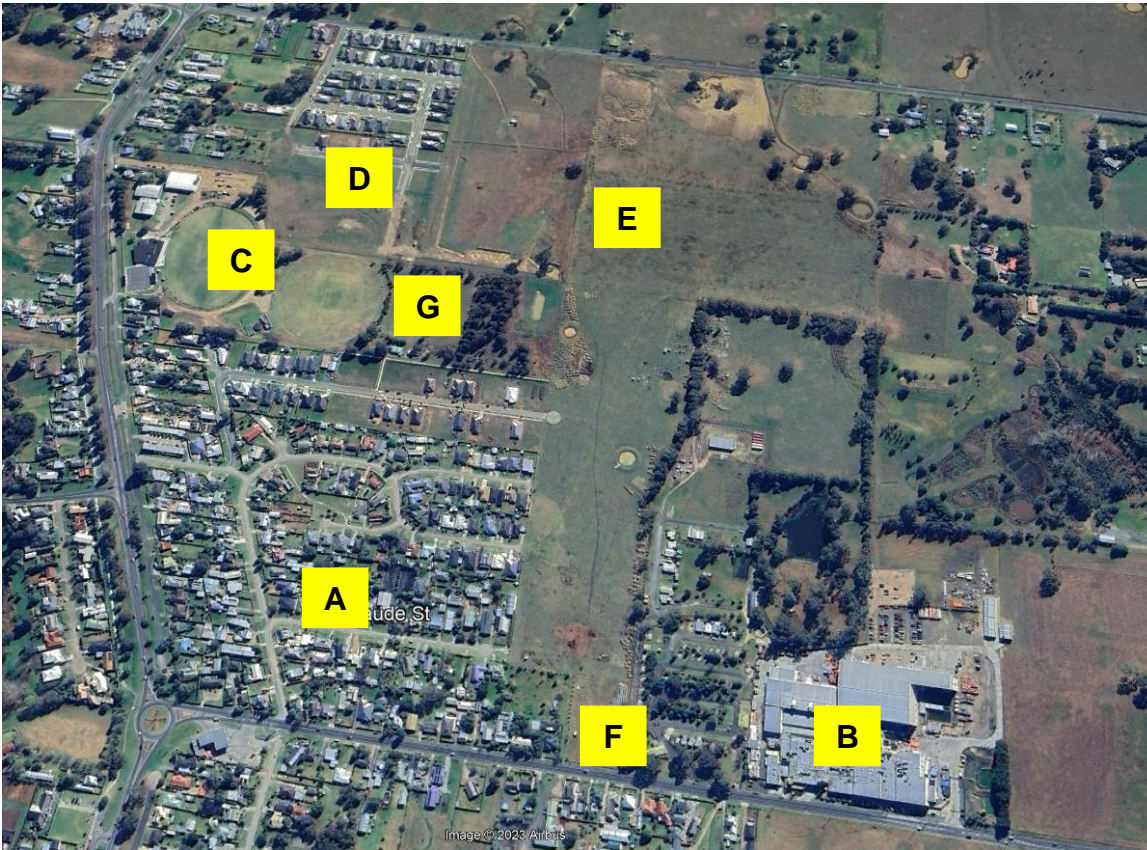


*Image of the eastern neighbouring property 11 Maude Street looking north*



*Image of the western neighbouring property 7 Maude Street looking north*

## Site Context Plan



A – Subject land

B – Employment hub

C – Lucknow Recreation Reserve

D – Residential Growth Area

E – Longer Term Growth Area

F – Future Local Convenience Area

G – Future Community Hub

As is evident by the Site Context Plan the subject land is located close to recreational facilities and an employment hub. It is within the established urban area of Lucknow and is within close proximity to a planned future local convenience area and community hub.

*Note: Refer to East Bairnsdale/Lucknow Precinct Structure Plan – November 2013, for future planned hubs, residential and industrial expansion.*

### 3. The Application & Proposal

It is proposed to subdivide the subject land into two lots. Proposed lot 1 to contain the existing dwelling is proposed at 480 square metres. Proposed lot 2 to contain the large shed will be 1123 square metres.

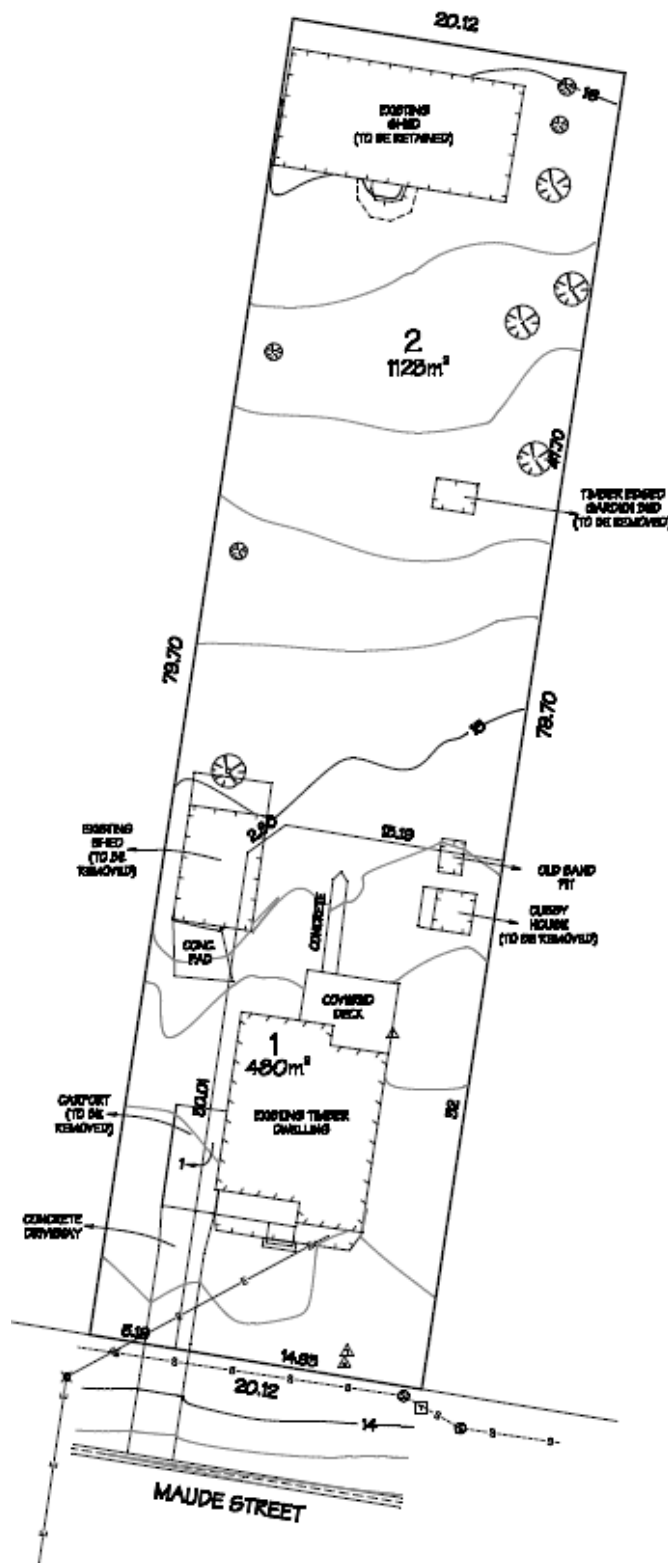
The proposed subdivision design has been influenced by the existing lot orientation (north facing) and the generous area of the allotment being 1,604 square metres.

The design is premised on the basis of providing lots that can take advantage of the northern solar exposure and to provide for sufficient areas of private open space and car parking.

As such the proposed subdivision provides for these requirements to be fulfilled and allows for appropriate and sensible infill development.

In order to facilitate the subdivision, the existing carport and shed located close to the dwelling are proposed to be removed.

Both lots are proposed to be accessed from Maude Street which is a constructed urban road. New vehicle crossovers will be constructed to Council's requirements.



Proposed plan of subdivision

It is proposed to retain the outbuilding on proposed lot 2. It is acknowledged that Council may require a section 173 agreement to be entered into prior to the issue of a statement of compliance to facilitate this outcome.

Proposed wording within the agreement could be:

*The proposed outbuilding on lot 2 can not be used as a store until a dwelling is constructed on lot 2.*

Planning approval is required pursuant to the following Clauses of the East Gippsland Planning Scheme:

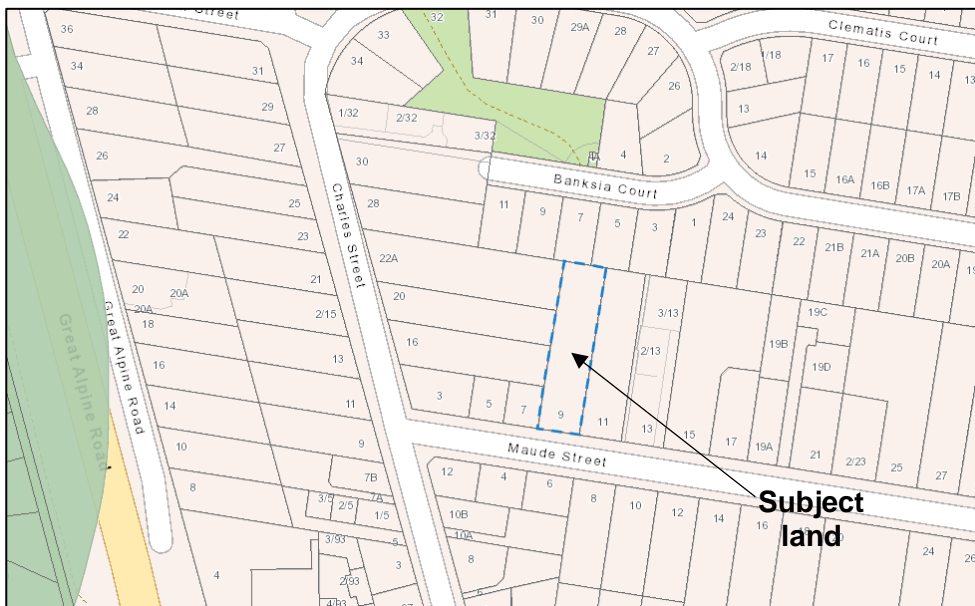
Planning Scheme Clause No.	Description of what is Proposed
32.08-3 General Residential Zone	Subdivision

No referrals are required in accordance with Section 55 of the Act.

#### 4. Cultural Heritage

Pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2018*, a CHMP is required for an activity if:

- (a) *all or part of the activity area for the activity is in an area of cultural heritage sensitivity; and*
- (b) *all or part of the activity is a high impact activity*



*Extract from Cultural Heritage Sensitivity mapping, with sensitive areas shown in green (Source: VicPlan)*

The subject land is not contained within an area of cultural heritage sensitivity, and therefore a CHMP is not required for the proposed subdivision.

## 5. Planning Policy

### 5.1 Planning Policy Framework

State Planning Policy within Clause 11.01-1S Settlement provides strong support for the proposed subdivision. The proposed subdivision will assist to achieve the relevant strategies contained within the clause:

- The proposed subdivision is considered to be sustainable development within Bairnsdale which is supported.
- Subdivision within the settlement boundary of Bairnsdale is encouraged.
- It will assist to accommodate a growth in population.
- Subdividing the land encourages a form and density of development that supports healthy, active and sustainable transport.
- The proposal will provide infill development and will limit urban sprawl.

Clause 11.01-1L-02 Growth area towns – East Bairnsdale applies to all the land in the East Bairnsdale–Lucknow Precinct Plan. The subdivision supports the strategies within this precinct as it will facilitate urban growth including residential development, is located outside of proposed industrial buffers and is within close proximity to planned recreational, community and local activity centre infrastructure areas.

To ensure the design of subdivisions achieves attractive, safe, accessible and sustainable neighbourhoods is the objective of Clause 15.01-3S Subdivision design. The proposed two lot subdivision of the subject land will assist to achieve the strategies that support the objective:

- It will assist to create a compact neighbourhood.
- Is located within an area that will be walkable to planned activities/hubs.
- Will provide for a functional, safe and attractive subdivision.
- Provides a vacant allotment that can accommodate a variety of dwelling and household types.
- There will be no detrimental impact on the natural environment.
- Provides for two lots that have good northern exposure reducing peak demand on the electricity network.

The neighbourhood character within the precinct is very varied with allotments of different sizes, shapes and forms of development. The proposed subdivision responds to the emerging and changing character of the area as the precinct sees significant infill taking place consistent with Clause 15.01-5S Neighbourhood character.

Development of two allotments within this precinct, close to jobs and the Bairnsdale CBD will increase the proportion of housing within an established urban area reducing the pressure for new dwellings in greenfield subdivisions as sought by Clause 16.01-1S Housing supply.

## 5.2 Municipal Planning Strategy

Strategic directions have been included within the Municipal Strategic Strategy to guide use and development within the Shire.

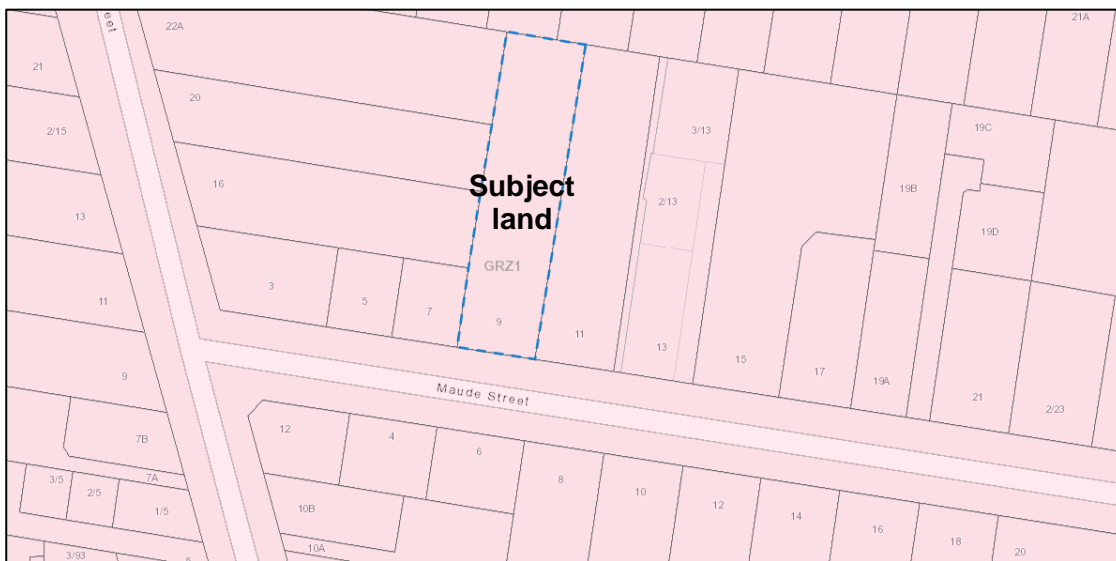
Council has determined that Bairnsdale is one of the growth area towns within the Shire. Clause 02.03-1 Settlement and housing – Growth area towns contains a number of strategic directions that support the proposed subdivision.

The proposed subdivision will assist to encourage population growth and development on fully serviced residential land within close proximity to existing and planned employment, recreation, community and local retail nodes within Lucknow. Creating a large vacant allotment within the northern part of the subject land will provide for an opportunity to allow the development of different housing types and styles.

## 6. Planning Elements

### 6.1 General Residential Zone

The land is zoned General Residential Zone in accordance with the East Gippsland Planning Scheme.



*Planning scheme zone mapping (Source: VicPlan)*

The proposed subdivision will see the continued infill development of this part of Lucknow, which has become more popular given the close proximity of the Bairnsdale CBD, recreation facilities and employment hubs. It will allow for a vacant lot that can be easily developed with a range of housing types offering good access to services and transport as sought within the purposes of the General Residential Zone.

The proposed subdivision is considered to comply with the relevant provisions of Clause 56. The following table provides comment against the relevant objectives and standards of Clause 56 for a two lot subdivision.

Objective	Comment
<b>56.03-5</b> <b>Neighbourhood Character</b>	<b>Complies</b> <p>The area has an emerging neighbourhood character as the older housing stock is being replaced by more modern dwellings including townhouses and units.</p> <p>The subdivision will maintain the streetscape character with Lot 1 utilising the majority of the property frontage. Built form to the rear of properties in the area is commonplace and as such Lot 2 will not introduce uncommon built form.</p> <p>The subject land is well located within walking distance of existing and planned employment, recreational, community and local retail hubs.</p>
<b>56.04-2</b> <b>Lot area and building envelopes</b>	<b>Complies</b> <p>Lot 2 can easily accommodate a 10x15 metre rectangle.</p> <p>The subdivision layout provides area for anticipated future development on lot 2 to enjoy solar access, provision of private open space and safe vehicle movements within allotment boundaries.</p>
<b>56.04-3</b> <b>Solar orientation of lots</b>	<b>Complies</b> <p>Lot 1 is of sufficient shape and area to allow for northern private open space. Lot 2 contains sufficient area to provide appropriate solar orientation for the establishment of a future dwelling and location of private open space.</p>
<b>56.04-5</b> <b>Common Areas</b>	<b>N/A</b> <p>There are no areas of Common Property proposed.</p>
<b>56.06-8</b> <b>Lot access</b>	<b>Complies</b> <p>It is proposed to create new vehicle crossovers to Maude Street in accordance with Council's requirements.</p> <p>The use of individual points of access will be safe, convenient and practical.</p>
<b>56.07-1</b> <b>Drinking water supply</b>	<b>Complies</b> <p>Reticulated water is provided to the subject land and will be connected to both allotments as part of the subdivision.</p>
<b>56.07-2</b> <b>Reused and recycled water</b>	<b>Complies</b> <p>East Gippsland Water does not provide for the reuse of and connection to recycled water.</p>
<b>56.07-3</b> <b>Wastewater management</b>	<b>Complies</b> <p>Reticulated sewer is established within the precinct. The lots will be connected to sewer as part of the subdivision consistent with Standard C24.</p>

<b>56.07-4 Urban run-off management</b>	<b>Complies</b> Drainage will be provided and tapped into the municipal drainage system to the satisfaction of the Responsible Authority.
<b>56.08-1 Site management</b>	<b>Complies</b> The site will be managed to the satisfaction of the Responsible Authority.
<b>56.09-1 Shared trenching</b>	<b>Complies</b> All utility service connections will utilise shared trenching if appropriate to service providers.
<b>56.09-2 Electricity, telecommunications and gas</b>	<b>Complies</b> The proposal will make good use of a full range of existing services as available within the precinct. The lots proposed will be connected to reticulated power, water, sewer and telecommunications.

### Decision Guidelines

The following dot points provide some comment against the key elements of the subdivision in response to the Decision Guidelines.

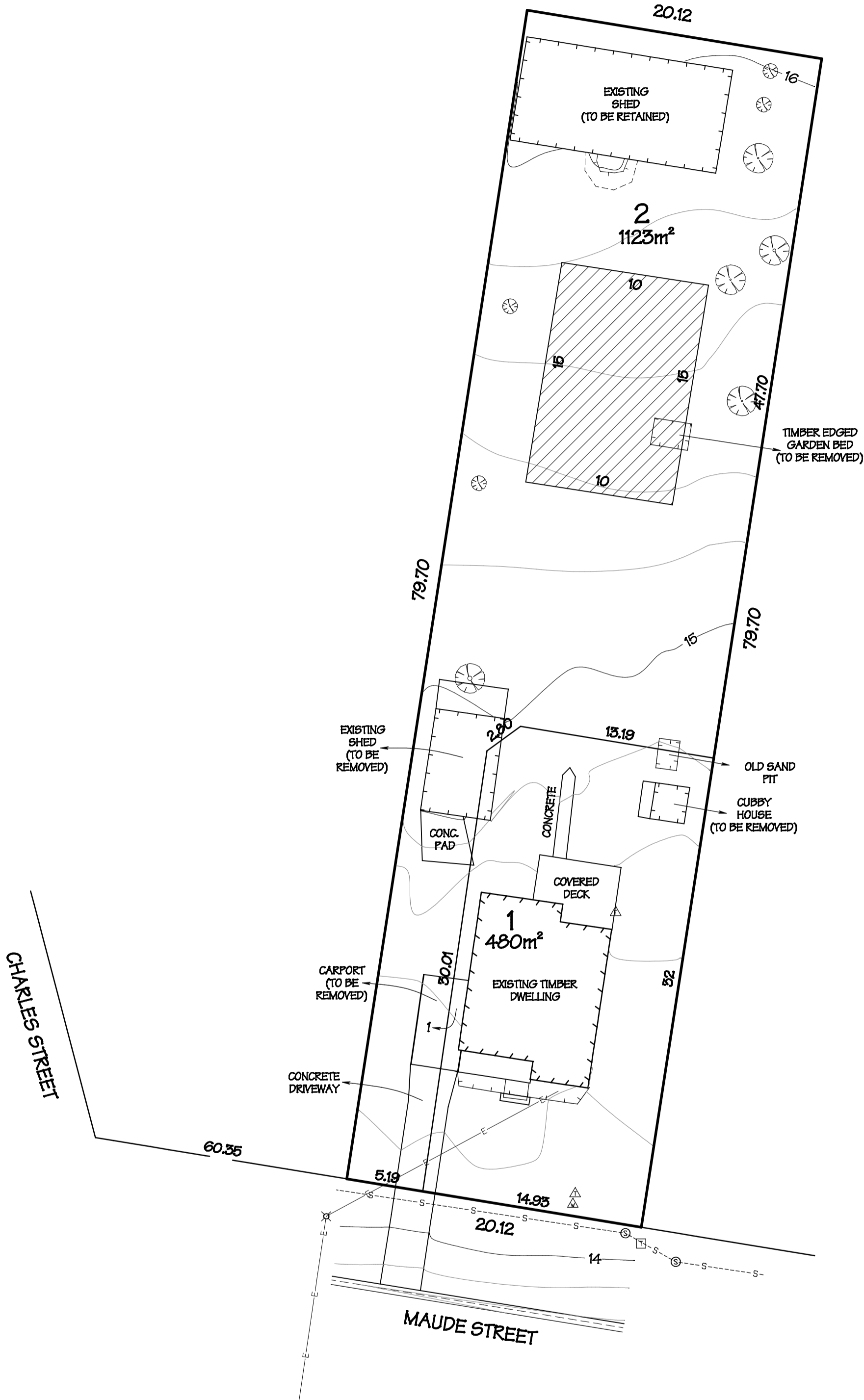
- Good support for the subdivision is provided in planning policy contained in the Planning Policy Framework and Municipal Planning Strategy.
- The proposed two lot subdivision provides opportunity for infill residential opportunities into the precinct which is capable of sustaining further residential style development and is zoned appropriately.
- The subdivision will make good use of existing services and the site is already connected to a full range of reticulated services.
- The site is well located being within an existing established residential precinct which is close to existing recreational areas and employment nodes and is within close proximity to planned community facilities and a local activity centre.
- Both lots will be consistent with the emerging neighbourhood character.
- There will be no adverse environmental issues arising from this subdivision.
- The lots exceed 400 square metres ensuring garden area is achieved.

## 7. Conclusion

The proposed two lot subdivision at 9 Maude Street, Lucknow is considered to accord with all relevant provisions of the General Residential Zone of the East Gippsland Planning Scheme. The proposal is consistent with the Planning Policy Framework and Municipal Planning Strategy and has been designed to complement the adjoining properties and neighbourhood character.

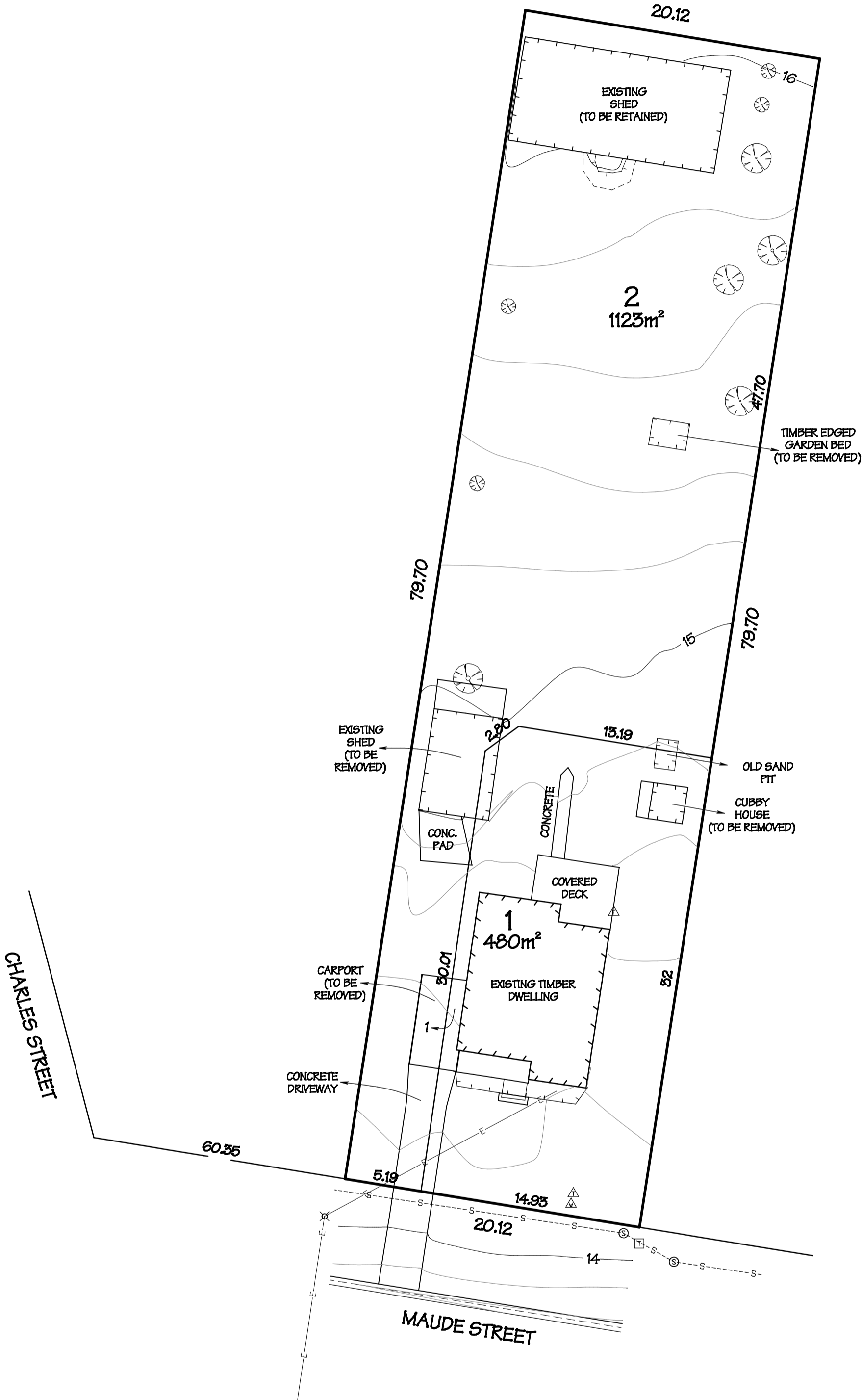
For these reasons we respectfully request that Council consider the merits of the application favourably and resolve to issue a Planning Permit.

MCA2020 ZONE 55



<p>JOANNE SALETA 9 MAUDE STREET, LUCKNOW</p>		NOTATIONS		DESIGN RESPONSE	
<p><b>Crowther &amp; Sadler</b> Pty. Ltd. LICENSED SURVEYORS &amp; TOWN PLANNERS 182 MACLEOD STREET, BAIRNSDALE, VIC., 3875 P. (03) 5152 5011 E. <a href="mailto:contact@crowthersadler.com.au">contact@crowthersadler.com.au</a></p>		AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY		PARISH OF WY-YUNG TOWNSHIP OF LUCKNOW CROWN ALLOTMENT 43 (PART) SUBDIVISION B	
SCALE (SHEET SIZE A2)		SURVEYORS REF.		LOT 1 ON TP142555V	
1 : 250		20621 VERSION 1 - DRAWN 21/11/2023			
FILENAME: Y:\20000-20999\20600- 20699\20621 Saleta\20621 Design Response V1.pro					

MCA2020 ZONE 55



<div>JOANNE SALETA</div> <div>9 MAUDE STREET, LUCKNOW</div>	<div>NOTATIONS</div> <div>AREAS ARE APPROXIMATE ONLY</div> <div>DIMENSIONS ARE SUBJECT TO SURVEY</div>		<div>PROPOSED SUBDIVISION</div> <div>PARISH OF WY-YUNG</div> <div>TOWNSHIP OF LUCKNOW</div> <div>CROWN ALLOTMENT 43 (PART)</div> <div>SUBDIVISION B</div>
<div><div>Crowther &amp; Sadler</div><div>Pty. Ltd.</div><div>LICENSED SURVEYORS &amp; TOWN PLANNERS</div><div>182 MACLEOD STREET, BAIRNSDALE, VIC., 3875</div><div>P. (03) 5152 5011 E. <a href="mailto:contact@crowthersadler.com.au">contact@crowthersadler.com.au</a></div></div>	<div>SCALE (SHEET SIZE A2)</div> <div>1 : 250</div>	<div>SURVEYORS REF.</div> <div>20621</div> <div>VERSION 2 - DRAWN 21/11/2023</div>	<div>LOT 1 ON TP142555V</div> <div>Printed 6/12</div> <div>Page 18 of</div>
<div>FILENAME: Y:\20000-20999\20600- 20699\20621 Saleta\20621 Prop V2.pro</div>			