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Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	2 Admirals Quay PAYNESVILLE 3880 Lot: 10 PS: 434076
The application is for a permit to:	Buildings and Works for a Dwelling
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2024.126.1

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/advertisedplanning-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.

The Responsible Authority will not decide on the application before: Subject to applicant giving notice	•	Subject to applicant giving notice
--	---	------------------------------------

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





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REGISTER SEARCH STATEMENT (Title Seatech) for pan ptansetwhich may breach அரும் propyright. Land Act 1958

VOLUME 10522 FOLIO 278

Security no: 124113520352R Produced 19/03/2024 12:42 PM

LAND DESCRIPTION

Lot 10 on Plan of Subdivision 434076U. PARENT TITLE Volume 10206 Folio 631 Created by instrument PS434076U 06/06/2000

REGISTERED PROPRIETOR

Estate Fee Simple Joint Proprietors

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.

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987 T534979C 02/02/1995

DIAGRAM LOCATION

SEE PS434076U FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

Street Address: 2 ADMIRALS QUAY PAYNESVILLE VIC 3880

ADMINISTRATIVE NOTICES

NIL

Effective from 05/09/2023

DOCUMENT END

Printed 22/05/2024 Page 2 of 44

Title 10522/278 Page 1 of 1

		EASEMENT	INFORMATION		LTO USE ONLY
LEGEND	A - Appurtenant Easement	E - Encu	mbering Easement	R - Encumbering Easement (Road)	STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose ~	Width (Metres)	. Origin	Land Benefited/In Favour Of	RECEIVED T
E-1 E-2 E-3 E-4	DRAINAGE & SEWERAGE SEWERAGE DRAINAGE CARRIAGEWAY	. 2.50 SEE DIAG. SEE DIAG. SEE DIAG	PS 330977H THIS PLAN THIS PLAN THIS PLAN	LAND IN PS 330977H EAST GIPPSLAND REGION WATER AUTHORITY & LAND IN THIS PLAN LAND IN THIS PLAN LAND IN THIS PLAN	DATE 18 / 5 / 00 LTO USE ONLY PLAN REGISTERED TIME 12:20 P.M. DATE 6 / 6 / 00 Assistant Registrar of Titles SHEET 1 OF 3 SHEETS
C	rowther&Sadler	Pty.Ltd	LICENSED SURVEYO	OR (PRINT) MICHAEL JOSEPH SADLER	

SIGNATURE

REF 8868

version 2

CONSULTING SURVEYORS

TELEPHONE (03) 5152 5011

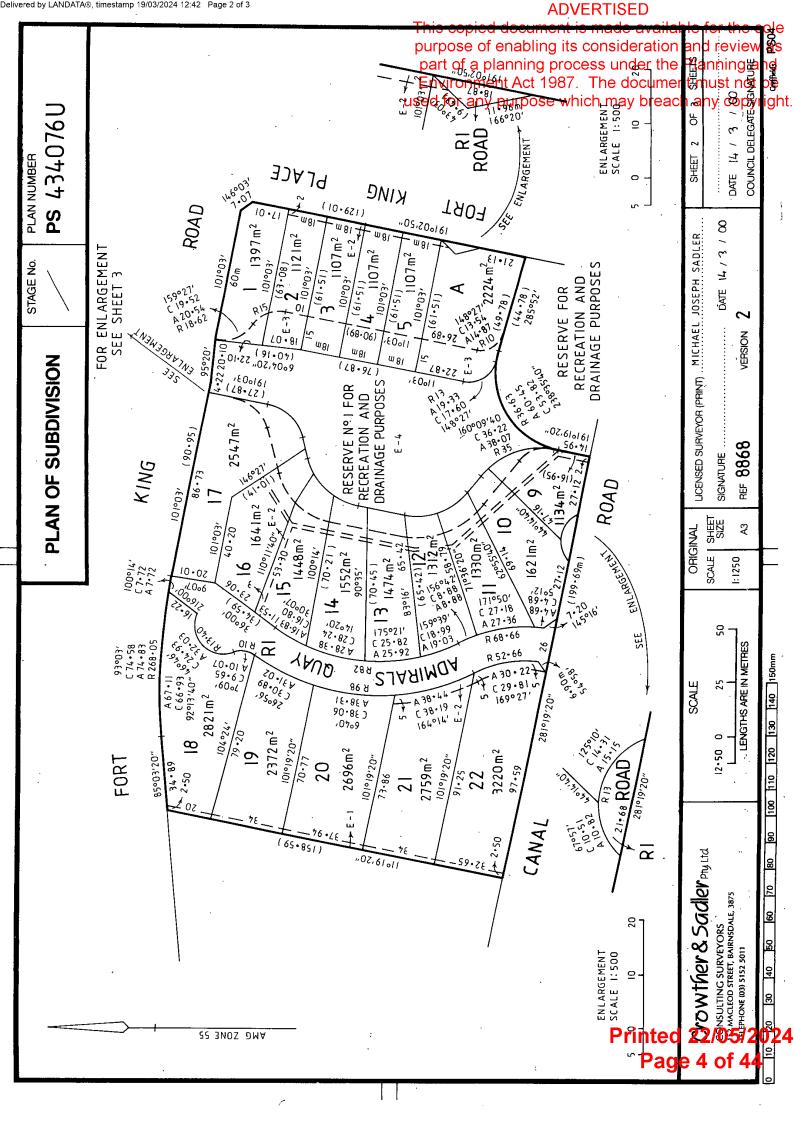
152 MACLEOD STREET, BAIRNSDALE, 3875

DAPrinted 22/05/2024

COUNCIL DELEGATE SIG

ORIGINAL SHEET SIZ

DATE (4/3/00



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AGREEMENT PLANNING & ENVIRONMENT ACT, SECTION 173

SHIRE OF BAIRNSDALE

- and -

GIPPSLAKE PTY. LTD.

WARREN, GRAHAM & MURPHY Solicitors 119 Main Street, BAIRNSDALE VIC 3875

REF: Mr. Brian Lightfoot

PHONE: (051) 52 2661

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THIS AGREEMENT is made the day of Acardon 1994 BETWEEN THE PRESIDENT, COUNCILLORS AND RATEPAYERS OF THE SHIRE OF BAIRNSDALE (hereinafter called "the Council") of the first part and GIPPSLAKE PTY. LTD. the registered office of which Company is at 74 Main Street, Bairnsdale (hereinafter called "the Owner") of the second part.

WHEREAS:

- A. The Owner is the proprietor of the land described in the First Schedule hereto (hereinafter called "the subject land") and has made an Application to the Council as the responsible Authority under the Bairnsdale (Shire) Planning Scheme (hereinafter called "the Scheme") for a Planning Permit for a two lot subdivision in accordance with Plan of Subdivision Number 330977H, a copy of which Plan is contained in the Second Schedule hereto.
- B. The Council has granted the Owner Planning Permit Number 77-94-0002 dated the 28th of February, 1994, subject to certain conditions including the following:-
 - Surface and underground drainage is to be provided to adequately drain both lots to an approved point of discharge to the satisfaction of the Responsible Authority.
 Easements must be provided for all drainage lines.
 - 4. Those portions of Fort King Road and Canal Road fronting the subdivision are to be constructed to the satisfaction of the Responsible Authority and to a standard appropriate for the form of development to be undertaken on the lots comprising the subdivision.
 - The standard may include bituminous pavement, concrete kerb and channel, drainage, footpaths, street furniture, lighting and street trees and may be for full or part construction.
 - The requirements of conditions 3 and 4 may be deferred by agreement to be entered into under the provisions of Section 173 of the Planning and Environment Act.

The Agreement shall covenant that:

the responsibility for roadworks and drainage required by conditions 3 and 4
of this Planning Permit may be deferred on one or both lots until the lot is
further developed or subdivided;

- 2 -

- The Responsible Authority may apportion the responsibility for roadworks and drainage between lots 1 and 2 and the requirements for each lot may be satisfied separately;
- the requirements of conditions 3 and 4 of this permit are binding on the owners and successors in title of each lot.
- the requirements of conditions 3 and 4 of this permit will carry forward to any future Planning Permit for development or subdivision of lots 1 and 2; and
- The agreement shall cease on either lot when the construction requirements are satisfied.
- C. The Council certified the Owner's Plan of Subdivision Number 330977H affecting the subject land on the 8th day of March, 1994 (hereinafter called "the Plan of Subdivision").
- D. Mortgage Number L245989N held by the Australia and New Zealand Banking Group Limited, Main Street, Bairnsdale encumbers the title to the subject land.
- E. The Owner wishes to defer, pursuant to the provisions of condition 5 of the Planning Permit, some of the works specified in conditions 3 and 4 of the said Planning Permit.
- F. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated, this Agreement shall be treated as an Agreement under Section 173 of the Planning and Environment Act 1987 (hereinafter called "the Act").

NOW THIS AGREEMENT WITNESSETH

In this Agreement, unless inconsistent with the context or subject matter:

"The Owner" shall mean the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor or proprietors of an estate in fee simple of the subject land.

"The Council" shall mean the President, Councillors and Ratepayers of the Shire of Bairnsdale or such Statutory Authority as may succeed it from time to time.

2. The Owner is presently undertaking the external civil works required under the said

Planning Permit on the Canal Road frontage of lot 1 on the Plan of Subderighted 12/05/2024

A CONTRACTOR OF THE PROPERTY O

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to defer undertaking of the balance of the works on lot 1, being on the Fort King Road frontage of the said lot, until the final stages of the internal works on the said lot are undertaken; and to defer all of the required works in respect of lot 2 on the Plan of Subdivision until the development of that lot is required.

- The Owner, with the intent that its covenant shall run with the subject land, hereby covenants and agrees that it (which term shall include the Owner or Owners of the subject land or any part thereof from time to time) will comply with conditions of the said Planning Permit and acknowledge that the requirements of conditions 3 and 4 of the said Planning Permit will carry forward to any future Planning Permit or Permits for the development or subdivision of lots 1 and 2 on the Plan of Subdivision.
- 4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificate of Title to the subject land in accordance with Section 181 of the Act including signing any further Agreement, Acknowledgement or document to enable the said memorandum to be registered under that Section.
- 5. The Owner covenants with and agrees to pay the Council's costs of and incidental to the preparation and execution of this Agreement and the registration of a memorandum of the Agreement at the Land Titles Office pursuant to Section 181 of the Act and any duties or fees payable in connection with the Agreement or registration of the memorandum at the Land Titles Office.
- 6. The Mortgagee consent to the Owners entering into this Agreement.
- 7. This Agreement will lapse pursuant to Section 171 of the Act when the construction requirements specified in conditions 3 and 4 of the Planning Permit have been satisfied.

<u>IN WITNESS</u> whereof the parties hereto have hereunto set their hands the day and year first hereinbefore written.

THE COMMON SEAL of THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF BAIRNSDALE was hereunto affixed in the presence of:

Councillor

Councillor

Chief Executive Officer

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-4-

THE COMMON SEAL of GIPPSLAKE PTY.

LTD. was hereunto affixed in accordance with) its Articles of Association in the presence of:

A.C.N.

004 756 441

President

Secretary

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED, the Mortgagee, under registered Mortgage Number L245989N of the land comprised in Certificate of Title Volume 9822 Folio 150 HEREBY CONSENTS to the Owner entering into the within Agreement.

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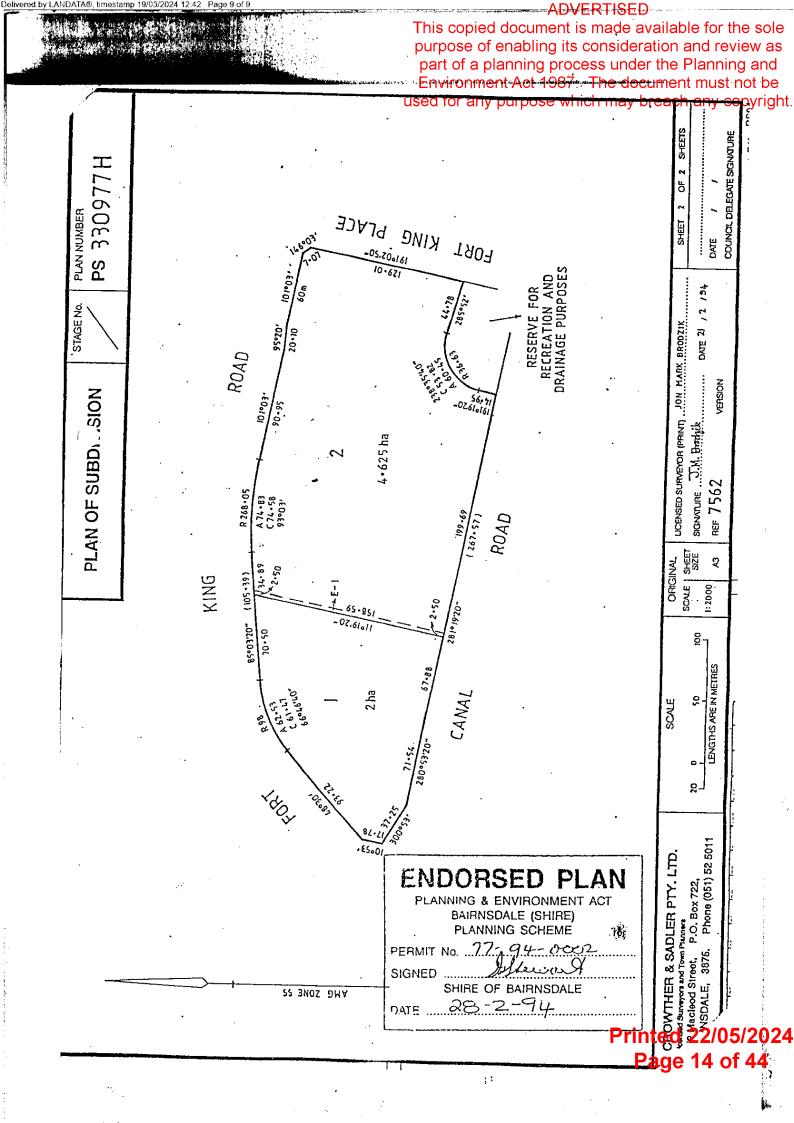
FIRST SCHEDULE

The Subject Land:

The whole of the land being Lot 1 on Plan of Subdivision Number 210342 and being the whole of the land described in Certificate of Title Volume 9822 Folio 150

SECOND SCHEDULE

Copy Plan of Subdivision Number 330977H attached





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Electronic Instrument Statement

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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.

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Status Registered **Dealing Number** AW676053S

Date and Time Lodged 28/03/2023 02:12:07 PM

Lodger Details

Lodger Code 21210T

Name WARREN GRAHAM AND MURPHY PTY LTD

Address Lodger Box Phone Email Reference

TRANSFER

Jurisdiction VICTORIA

Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference

10522/278

Transferor(s)

Given Name(s) **JEANETTE** Family Name **BOYD**

Given Name(s) ROBERT Family Name **BOYD**

Estate and/or Interest being transferred

Fee Simple

Consideration

\$AUD 1150000.00

Transferee(s)

Tenancy (inc. share) Joint Tenants

Given Name(s) JOHANNE HARMINE

Family Name BANSON

Address

AW676053S Page 1 of 3

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Electronic Instrument Statement

Street Number 227
Street Name BAY
Street Type ROAD

Locality EAGLE POINT

State VIC Postcode 3878

Given Name(s) MICHAEL CHRISTOPHER

Family Name BANSON

Address

Street Number 227
Street Name BAY
Street Type ROAD

Locality EAGLE POINT

State VIC Postcode 3878

Duty Transaction ID

5645500

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

Execution

- 1. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
- 2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of ROBERT BOYD

JEANETTE BOYD

Signer Name ANDREW JOHN REYNOLDS
Signer Organisation WARDS BARRISTERS AND

SOLICITORS PTY LTD

Signer Role AUSTRALIAN LEGAL

PRACTITIONER

Execution Date 28 MARCH 2023





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Electronic Instrument Statement

Execution

- 1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
- 2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of JOHANNE HARMINE BANSON

MICHAEL CHRISTOPHER

BANSON

Signer Name ROHAN MICHAEL HUBBARD
Signer Organisation WARREN GRAHAM AND

MURPHY PTY LTD

Signer Role AUSTRALIAN LEGAL

PRACTITIONER

Execution Date 28 MARCH 2023

File Notes:

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.



LICENSED SURVEYORS & TOWN PLANNERS

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Planning Report

Buildings and Works (Dwelling) 2 Admirals Quay, Paynesville

Our reference - 20817

April 2024



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Contents

1.	Intro	oduction	3	
2.	Sub	ject Land & Surrounding Context	4	
3.	The	8		
4.	Cult	10		
5.	Planning Policy			
	5.1	Planning Policy Framework	11	
	5.2	Municipal Planning Strategy	12	
6. Planning Elements		ning Elements	12	
	6.1	General Residential Zone	12	
	6.2	Design and Development Overlay 2	13	
	6.3	Building Over Sewerage Easement	15	
7.	Con	clusion	16	

8. Attachments

Application Form

Proposed Site, Floor and Elevation Plans (Splinter Society)

Email from East Gippsland Water building over an easement.

Copy of Title (Lot 10 on PS434076U)

Note: Applicable Planning Application fee is \$1,605.90

Printed 22/05/2024
Page 19 of 44

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1. Introduction

This Planning Report is prepared in support of proposed buildings and works (dwelling) at 2 Admirals Quay, Paynesville. The Report addresses the provisions of the General Residential Zone and Design and Development Overlay 2 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 10 on PS434076 or more commonly known as 2 Admirals Quay, Paynesville. The subject land is irregular in shape with a northern boundary of 69.14 metres, eastern boundary of 14.91 metres, southern boundary of 73.13 metres and a western boundary of 39.00 metres equating to an overall area of 1,621 square metres.

The subject land enjoys a frontage to the Paynesville Canals constructed waterway and also Admirals Quay and Canal Road both constructed urban roads. The property is unique having part of the canal contained within the title boundaries to the east of the land parcel. A sewage easement is also located within the eastern part of the lot.

The property is vacant except for an existing jetty. A concrete pillar and brush infill panel fence have been established on the western and southern boundaries of the subject land. The western part of the fence contains existing double automatic gates facing Admirals Quay and a pedestrian gate facing Canal Road. An existing vehicle crossing to Canal Road services the property.



View of entry to subject land from the intersection of Admirals Quay and Canal Road



South across subject land

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Page 21 of 44

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The southern portion of the property is relatively flat. The northern end of the land is characterised by a relatively short steep slope to the revetment wall as is typical of properties adjoining the canal.



View southerly view of subject land from jetty



View north-east from subject land across the canal to properties in Fort King Place.

Printed 22/05/2024
Page 22 of 44

North west of the subject land is a detached double storey dwelling on the adjoining property at 4 Admirals Quay, Paynesville. To the south-east at 35 Canal Road, Paynesville is a detached double storey dwelling that also extends over the constructed waterway.



View of 4 Admirals Quay, Paynesville from the subject land's jetty



Image of 35 Canal Road, Paynesville from the subject land's jetty

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Page 23 of 44

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Site Context Plan



- A Subject land
- B Paynesville Activity Centre (Approximately 1.3 km from the subject land)
- C Active Open Space (Approximately 850 metres from the subject land)
- D Paynesville Primary School (Approximately 950 metres from the subject land)
- E Marine and Industrial Employment Precinct (Approximately 700 metres from the subject land)
- F Paynesville Growth Front (Approximately 1.3 km from the subject land)

Printed 22/05/2024
Page 24 of 44

3. The Application & Proposal

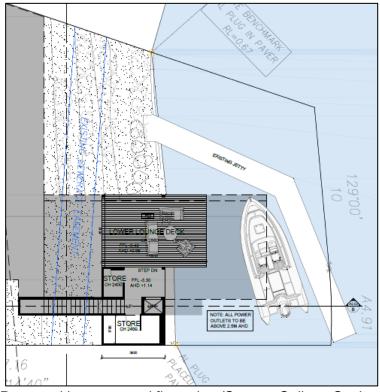
The application seeks approval for buildings and works proposed within 10 metres of a constructed waterway.

The proposed dwelling is to be sited generally within the northern part of the property, with a new vehicle access being provided to the south-west of the subject land and a secondary access from the existing vehicle crossing in Admirals Quay.

The setback to Admirals Quay is proposed at 23.685 metres, the north-western wall of the main bedroom is to be constructed on the boundary and the north-western setback of the garage and rumpus room is proposed at 1.0 metre. The south-eastern setback will range from 2.89 to 1.88 metres and the setback from the north-eastern boundary will range from 3.515 metres for the indoor/outdoor entertaining room and 16.885 metres from the lounge room and main bedroom. The indoor/outdoor entertaining room will extend over the waterway.

The proposed ground level is to consist of a rumpus room, three bedrooms, two bathrooms, entry area, laundry, powder room, open plan kitchen/dining/lounge, and an indoor/outdoor entertaining room. The proposed dwelling will be serviced with a double garage and storage area.

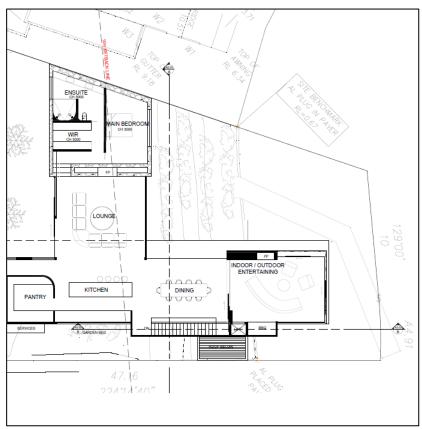
The lower ground floor includes of a deck, two storage rooms, lift and part of the staircase leading to the ground floor. The lower deck is proposed to extend over the constructed waterway at a height of 0.96 metres AHD with the storage areas proposed to be constructed above ground level at 1.14 metres AHD.



Proposed lower ground floor plan (Source: Splinter Society)

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Page 25 of 44

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Proposed ground floor of the eastern part of the dwelling (Source: Splinter Society)

The finished floor level of the habitable ground floor has been designed to be a minimum of 4.44 metres AHD well exceeding the declared flood level and including freeboard and allowance for sea level rise.

The building form reflects architectural homes developed within the Paynesville Canals precinct incorporating articulated elevations, large glazed elements, decks and landings. The proposed dwelling will have a height of 7.3 metres and complementing the dwelling design materials will be varied and utilise a muted tones palate.

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

Planning Scheme Clause No.	Description of what is Proposed	
43.02-2 Design and Development Overlay 2	Construct a building and carry out works.	

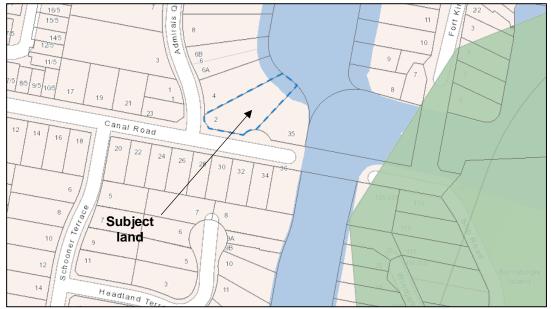
No referrals are prescribed by the East Gippsland Planning Scheme for the proposed development.

Printed 22/05/2024
Page 26 of 44

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 within an area of cultural heritage sensitivity and the construction of one dwelling on a lot is an exempt activity. Therefore, a Cultural Heritage Management Plan is not required for the proposed development.

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5. Planning Policy

5.1 Planning Policy Framework

Constructing a dwelling on this vacant, serviced, residential land parcel is an expected planning outcome and forwards relevant strategies contained within Clause 11.01-1S Settlement by providing for population growth, being within the Paynesville settlement boundary, assists to limit urban sprawl and provides for infill development.

Paynesville forms part of a sub-regional network with Bairnsdale where urban growth is supported as identified in Clause 11.01-1R Settlement – Gippsland.

Clause 11.01-1L-02 Growth area towns – Paynesville seeks to provide a variety of housing types and styles that add to the special character of Paynesville. The proposed dwelling has been designed to complement the Paynesville canals precinct in terms of architectural style and public realm interface.

The dwelling design has been predicated on ensuring that the building is resilient to coastal inundation and erosion. The lower ground floor has been designed to accommodate periodic inundation with the lower deck constructed from Blackbutt timber decking and the storeroom constructed from resilient materials including concrete and metal consistent with Clause 13.01-2S Coastal inundation and erosion.

Although the land is not included within a Land Subject to Inundation Overlay, properties that front the Paynesville Canals are liable to possible inundation. The declared flood level for Paynesville is 2.0 metres AHD. The lower ground floor is not a habitable part of the dwelling and has been designed to be sealed off from habitable areas of the dwelling during flooding. Flood resistant materials will be utilised for the lower ground floor dwelling element which, is designed to allow for post flood cleaning. Any electricity outlets will be installed above 2.5 metres AHD and the lift motor will be installed at ground floor level well above the declared flood level. Consistent with numerous developments within the Paynesville Canals precinct non-habitable elements of dwellings have been accepted as appropriate (Clause 13.03-1S Floodplain management).

Neighbourhood character within the Paynesville Canals precinct is formed by larger dwellings fronting the canals, generally two storey form when viewed from roads, articulated building elevations and coastal influences. The proposed dwelling design will complement the character of the precinct incorporating many of the common building elements of dwellings within the canals estate (Clause 15.01-5S Neighbourhood character).

Printed 22/05/2024
Page 28 of 44

5.2 Municipal Planning Strategy

The proposal is supported by Council's strategic directions within Clause 02.03-1 Settlement and housing – Growth area towns as it will provide for population growth and development on a fully serviced residential lot, provides a quality housing and will assist to expand and consolidate Paynesville within the settlement boundary.

The environmental constraint associated with this property being potential inundation and climate-induced sea level rise which, has been mitigated by adopting a minimum finished floor level of 4.44 metres AHD for the habitable elements of the dwelling. This floor level is well above provisions for flooding, sea level rise.

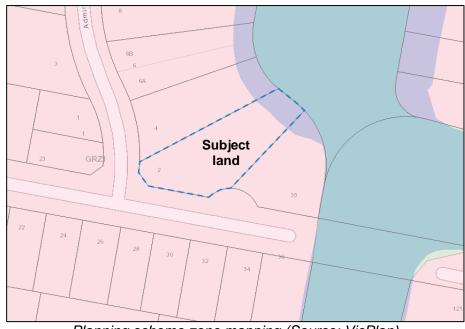
The proposed infill development within the urban area of Paynesville will not detract from the village feel and character of the town as per Clause 02.03-5 Built environment and heritage.

Sewer infrastructure is located within the sewerage easement in the eastern part of the property. The dwelling design has had due regard for the sewerage infrastructure present on the land with no fill over the easement and an elevated stairwell allowing for access to be provided if required for sewer maintenance (Clause 02.03-7 Transport and infrastructure).

6. Planning Elements

6.1 General Residential Zone

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



Planning scheme zone mapping (Source: VicPlan)

Printed 22/05/2024
Page 29 of 44

The proposal to develop a dwelling on the subject land meets the relevant purposes of the zone as it will implement the Municipal Planning Strategy and the Planning Policy Framework, provides a development that respects the character of the area and provides housing in a location close to the services of the town.

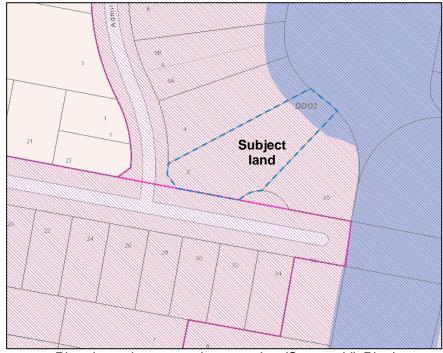
Garden area of 35% of the lot is required pursuant to Clause 32.08-4 of the zone and will be achieved.

The building height will not exceed 11 metres complying with Clause 32.08-11 Maximum building height for a dwelling.

Under the zone provisions no planning permit is required to use the land for the purposes of a dwelling and to develop a single dwelling on a lot exceeding 300 square metres.

6.2 Design and Development Overlay 2

The land is contained within the Design and Development Overlay 2.



Planning scheme overlay mapping (Source: VicPlan)

Schedule 2 of the Overlay is the Constructed Waterways, Paynesville. Subclause 2.0 of the schedule requires a permit for buildings and works that are less than 10 metres of the boundary of the constructed waterway.

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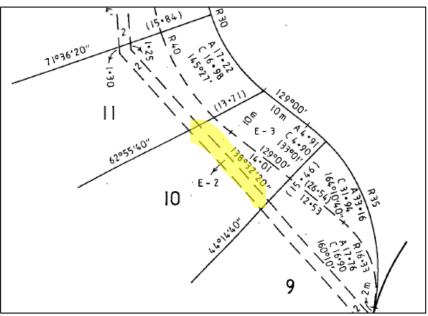
It is considered that the proposed development meets the objectives and decision guidelines of the schedule to the Overlay:

- Residential amenity of properties within the constructed waterways will not be detrimentally impacted. The single dwelling will not emit excessive noise levels beyond that of a residential dwelling, northern and southern setbacks avoid bulk, overshadowing will not be unreasonable with the ground floor setback 2.89 metres from the south-eastern boundary and overlooking is not considered unreasonable.
- The landform is advantageous falling towards the canal, which allows the dwelling to read as a single storey dwelling from Admirals Quay.
- Not unlike many dwellings within the Paynesville Canals precinct the dwelling will read as two storey in form when viewed from the canal. However, the lower building height and small footprint of the lower ground floor element is otherwise consistent with other dwellings in the canals area.
- Visual bulk from the canal has been avoided through the use of a well articulated north-eastern elevation utilising a horizontal building element being the main bedroom and lounge with a the dining and entertaining element of reduced width protruding out over the constructed waterway.
- Setting back, the proposed lounge and main bedroom of the dwelling from the north-eastern boundary by 16.85 metres provides for significant landscaping opportunities allowing for softening of the proposed built form. The subject land location is within one of the more spacious parts of the constructed canals and combined with the setback the spacious feeling of this section of the canals will be maintained.
- The use of decking at the lower ground floor will provide a recessive built form when viewed from the canals.
- The storage element of the building will be significantly setback and combined with extended built form at ground floor it will reduce the visual appearance of the building from the public realm.
- Being within an area that is prone to occasional inundation the buildings fronting the canals have a higher building profile. The proposed height of the dwelling will sit comfortably within the precinct.
- Use of varying side setbacks, differing materials and a muted colour palate breaks down building mass and achieves a good response to the coastal character of the area.
- Incorporation at the lower ground floor level of a lounge deck maintains the maritime and outdoor living themes apparent in the Paynesville canals.
- Most dwellings constructed in this stage of the canals have include decks, verandahs and living rooms extending over the water within the title boundaries.

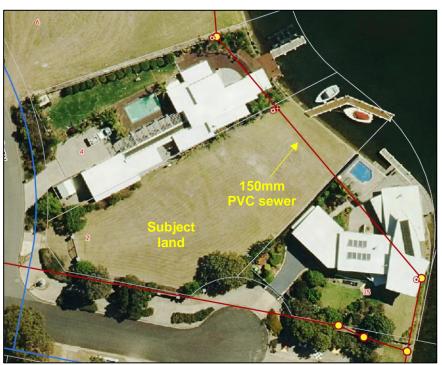
Printed 22/05/2024
Page 31 of 44

6.3 Building Over a Sewerage Easement

The eastern part of the property is subject to a sewerage easement that contains sewer infrastructure.



Extract of the plan of subdivision showing E – 2 for Sewerage running north-south within the eastern part of the property.

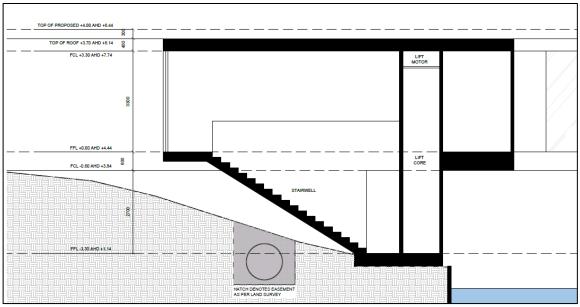


East Gippsland Water plans showing the sewerage infrastructure in the eastern part of the subject land (Source: EGW)

Printed 22/05/2024
Page 32 of 44

The proposed response to the sewerage infrastructure and easement is to limit the amount of built form over the infrastructure to that of the proposed staircase.

The staircase will have sufficient clearance over the sewer to provide for East Gippsland Water access to the infrastructure should it be required.



Sectional plan demonstrating the clearance above the sewer infrastructure. (Source: Splinter Society)

The proposed development has been reviewed by East Gippsland Water and there will need to be an application made to build over East Gippsland Water assets. East Gippsland Water's advice accompanies this application.

7. Conclusion

The proposed buildings and works (dwelling) at 2 Admirals Quay, Paynesville is considered to accord with all relevant provisions of the General Residential Zone and Design and Development Overlay 2 of the East Gippsland Planning Scheme. The proposal is consistent with Planning Policy Framework and Municipal Planning Strategy and has been designed to complement the adjoining properties and make a positive contribution to the Paynesville Canals precinct.

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

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Richard Hoxley - Crowther & Sadler

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From: Adrian J. Kelly <AKelly@egwater.vic.gov.au>

Sent: Monday, 15 January 2024 11:54 AM **To:** Richard Hoxley - Crowther & Sadler

Cc:Neville Pearce; David Radford; Developer WorksSubject:RE: 2 Admirals Quay, Paynesville [SEC=OFFICIAL]

Attachments: 231208_Drawing package for EGW.pdf; F089-Application-for-Structure-or-Fill-to-

be-placed-over-easement.pdf

OFFICIAL

Hi Richard,

Thank you for forwarding the enquiry regarding 2 Admirals Quay in Paynesville.

EGW's standard policy is that we do not allow inhabitable dwellings/structures to be built over easements/sewer due to the collective risk to EGW and the Developer.

Building over a sewer increases the potential for access/structural/maintenance issues with the sewer which in this location could increase the risk of sewer spill to the environment noting the very close proximity to the canal water way.

In the first instance, if there is capacity for the building footprint to be modified so that inhabitable structures can be setback away from the sewer easement this is recommended, noting that a non-inhabitable outdoor decking structure may be able to be built over the easement/sewer.

If the Developer cannot reasonably modify the proposal, EGW would be willing to potentially consider entering into a build over agreement with the Developer, with the proposal subject to strict engineering controls:

- a. The Developer would need to reline the sewer (at their cost) with a structural liner,
- b. Place maintenance structures to EGW's requirements,
- c. Leave provision for vehicular access to the maintenance structures to EGW's requirements
- d. The Developer would need to submit engineering/structural plans demonstrating that the sewer was adequately protected from loading,
- e. There would need to be clear/physical separation from the sewer and the foundation of the building.
- f. Other that may become apparent as the details of the proposal progress.

It is also worth directing your client to EGW's requirements/ conditions / liabilities stipulated in a build-over application that the Developer would need to agree to for any structures/fill over the easement (see attached and the below link) when considering their options.

Microsoft Word - F089 Application for Structure or Fill to be placed over easement (egwater.vic.gov.au)

This advice is provided in relation to this property only with consideration of similar adjacent developments in Admirals Quay, and does not constitute precedence for any other applications.

Regards,

Adrian

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Adrian Kelly Manager District Growth

Phone: 03 5150 4432 Mobile: 0408 377 541 Fax: 03 5150 4477

Email: AKelly@egwater.vic.gov.au Web: www.egwater.vic.gov.au



From: Richard Hoxley - Crowther & Sadler < richard@crowthersadler.com.au>

Sent: Tuesday, 12 December 2023 5:18 PM **To:** Adrian J. Kelly <AKelly@egwater.vic.gov.au>

Subject: 2 Admirals Quay, Paynesville

CAUTION: This email originated outside the company. Do not click links or open attachments unless you are expecting them from the sender. Contact IT if you are unsure and need assistance.

Good afternoon Adrian,

Further to our discussion please find attached plans for a proposed dwelling at 2 Admirals Quay, Paynesville.

Just as with ^ Admirals Quay, the design of the dwelling relies on building over the sewerage main/easement.

It would be appreciated if you could obtain advice as to the likelihood of the build-over easement being supported (or not) or any changes that could be undertaken.

Thanks

Regards

Richard Hoxley Principal Planner



152 Macleod Street, Bairnsdale

PO Box 722, Bairnsdale, Vic, 3875

P: 5152 5011 F: 5152 5705

R23 - 186 PAYNESVILLE

DEVELOPMENT SUMMARY SITE AREA: 1621m2 EXISTING SITE COVERAGE: 0m2 (0%) PROPOSED SITE COVERAGE: 543m2 (33.5%) PERMEABLE AREA: 543m2 (33.5%) PROPOSED GARDEN AREA: 765m2 (47.2%)

DOCUMENT LIST

A0.00 DRAWING REGISTER & FINISHES SCHEDULE

A0.01 SURVEY / SITE PLAN

A0.02 EXISTING/DEMO PLAN

A1.00 PROPOSED GROUND FLOOR PLAN

A1.01 PROPOSED LOWER GROUND FLOOR PLAN

A1.02 PROPOSED ROOF/SITE PLAN

A2.00 PROPOSED ELEVATIONS-1

A2.01 PROPOSED ELEVATIONS-2

A2.02 PROPOSED SECTIONS

TOWN PLANNING GENERAL NOTE REQUIREMENTS:

1. ALL DIMENSIONS ARE TO BE CHECKED AGAINST LICENSED SURVEY OF THE SITE & RE-ESTABLISHED BOUNDARY SURVEY. ALL DIMENSIONS ARE TO BE CHECKED AGAINST SITE CONDITIONS PRIOR TO ANY CONSTRUCTION. NOMINAL DIMENSIONS ARE TO BE CHECKED AGAINST SITE CONDITIONS.

2. N/A

3. ALL SERVICE PIPES, FIXTURES AND FITTINGS MUST BE CONCEALED ON EXPOSED ELEVATIONS TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.

4. THE ALTERATIONS OF SOIL LEVELS INVOLVING AN INCREASED OR DECREASED LEVEL AT THE BOUNDARIES MUST BE RETAINED BY THE PROVISION OF AN ADEQUATE RETAINING WALL, CONSTRUCTED OF BRICK OR MASONRY OR OTHER SUITABLE ALTERNATIVE APPROVED BY THE RESPONSIBLE AUTHORITY, TO BUTTRESS THE SOIL AGAINST THE POSSIBILITY OF SHIFT. THE CONSTRUCTION OF THIS RETAINING WALL SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER/ DEVELOPER.

5. ALL BASIC SERVICES, INCLUDING WATER, ELECTRICITY, GAS SEWERAGE AND TELEPHONE, SHALL BE INSTALLED UNDERGROUND AND LOCATED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.

6. BEFORE ANY CONSTRUCTION OR DEMOLITION WORKS COMMENCE ON THE SITE, TO THE EXTENT THAT THE SITE PERIMETER IS UNFENCED AND/ OR IS NOT FENCED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY, A SECURE FENCE IS TO BE ERECTED AND SECURELY LOCKED AS REQUIRED.

7. N/A

8. N/A

EXTERIOR FINISHES SCHEDULE



WALL CLADDING: **CEMENT SHEET WITH** CHARCOAL PAINT



DECKING: BLACKBUTT TIMBER DECKING.



F03 DOOR/WINDOWS: **CLEAR GLAZING** IN BLACK. AL FRAME



<u>F04</u> METAL CAPPING/FLASHING IN **DULUX MONUMENT**



F05 DRIVEWAY FINISH: TURFSTONE PERMEABLE SURFACE





FENCE/BALUSTRADE STEEL BLADE FENCE WITH BLACK PAINT



TIMBER BATTENS: **BLACKBUTT TIMBER BATTENS**



OXIDE COLOUR LIGHT

<u>F07</u> WALL FINISH:

CONCRETE.

RENDERED WALL: CEMENT RENDERED WALL. OXIDE COLOUR



GARAGE DOOR: METAL DOOR IN **DULUX MONUMENT**



WALL CLADDING: LYSAGHT ENSEAM IN **DULUX MONUMENT**



CONCRETE WALL: OFF FORM CONCRETE WALL WITH GREY OXIDE RENDER



WALL CLADDING: BLACKBUTT TIMBER WALL CLADDING



NATURAL STONE

CLADDING

LYSAGHT KLIPLOCK COLORBOND "NATURAL ZINCALUME"



1/100 GERTRUDE ST, MELBOURNE VIC 3065, AUSTRALIA

PROJECT NAME

PAYNESVILLE

SITE ADDRESS

2 ADMIRALS QUAY, PAYNESVILLE, VIC

PROJECT NUMBER: R23-186

DATE: 2/04/2024

SCALE

@ A1 (OR AS NOTED)

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TOWN PLANNING

PRELIM: NOT FOR CONSTRUCTION

TITLE PAGE

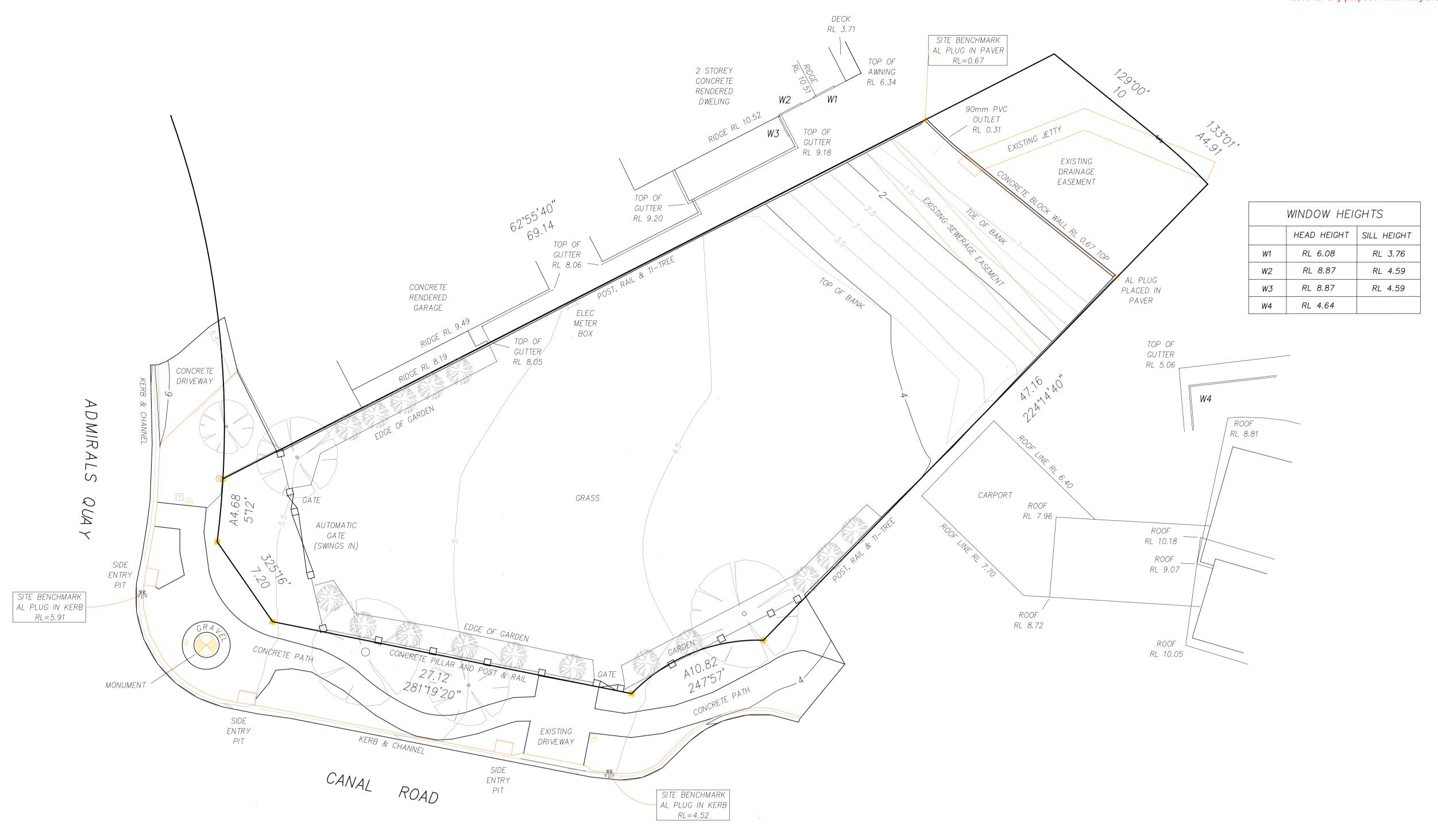
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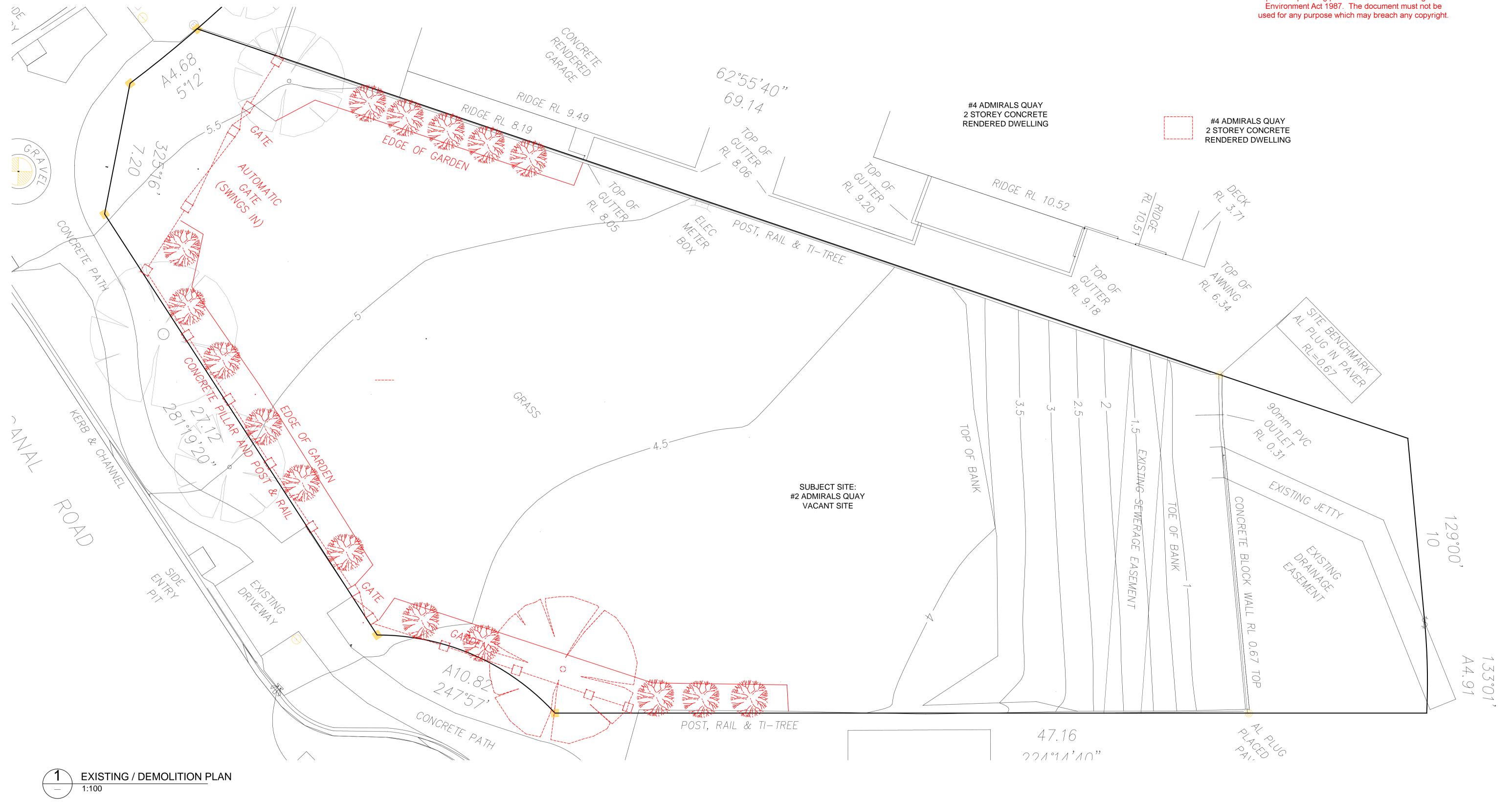
Printed 22/05/2024 Page 36 of 44

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SITE ADDRESS: SPLINTER SOCIETY DRAWING TITLE 2 ADMIRALS QUAY, PAYNESVILLE VIC,3880 LAND SURVEY ARCHITECTURE & HUMAN ENVIRONMENTS PRELIM: NOT FOR CONSTRUCTION PROJECT NUMBER: R23-186 150 CECIL ST, FITZROY VIC 3065, AUSTRALIA DATE: 2/04/2024 REVISION Printed 22/05/2024 DRAWING NUMBER STATUS: TOWN PLANNING PROJECT NAME Page 37 of 44 A0.01 PAYNESVILLE SCALE: 1:100 @ A1



SPLINTER SOCIETY

ARCHITECTURE & HUMAN ENVIRONMENTS

150 CECIL ST, FITZROY VIC 3065, AUSTRALIA

PROJECT NAME

PAYNESVILLE



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2 ADMIRALS QUAY, PAYNESVILLE
VIC,3880

PROJECT NUMBER: R23-186

DATE: 2/04/2024 STATUS: TOWN PLANNING

SCALE: 1:100 @ A1

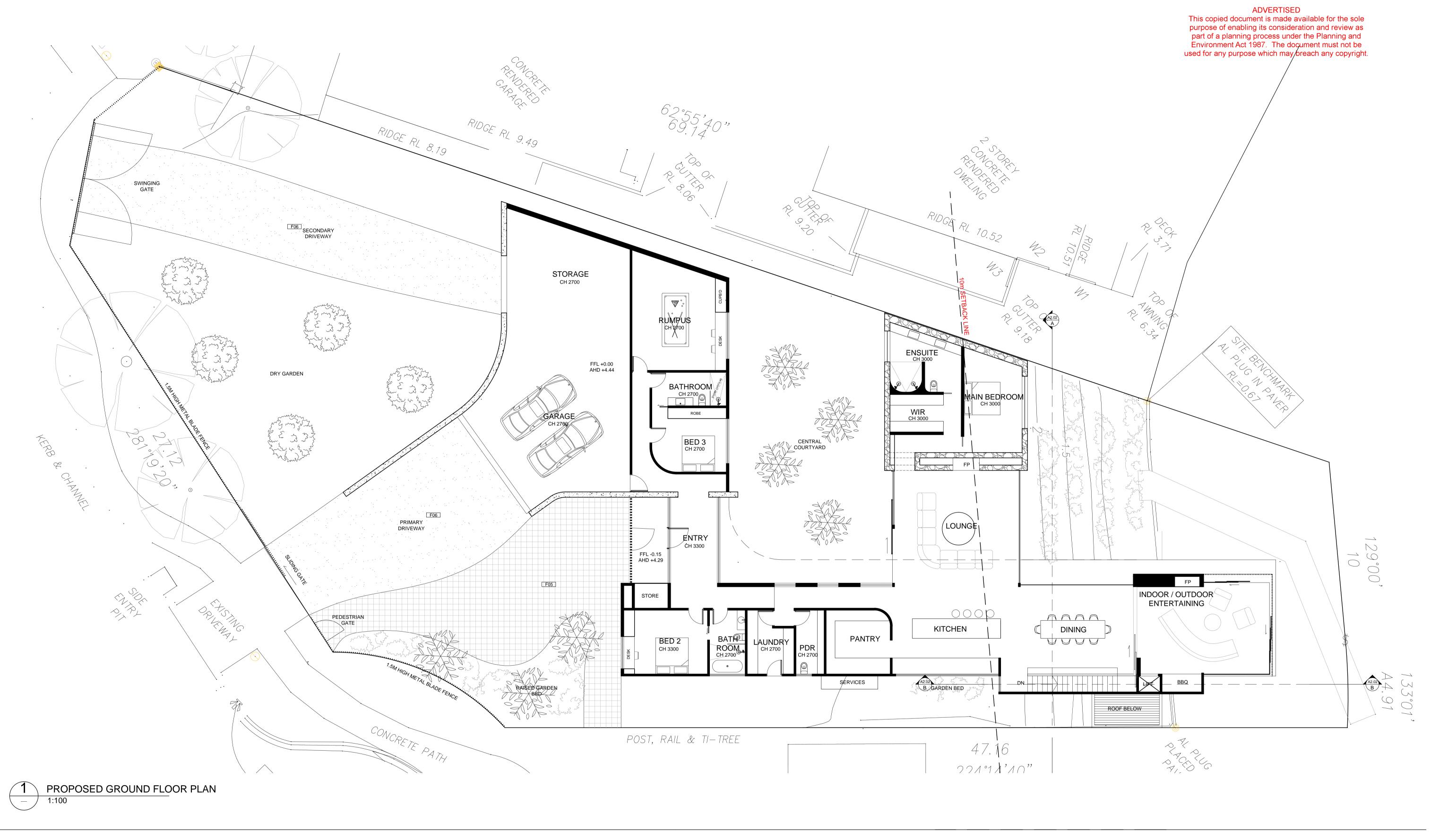
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EXISTING / DEMOLITION PLAN

DRAWING NUMBER

A0.02

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Page 38 of 44



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N PRELIM: NOT FOR CONSTRUCTION PRELIM: NOT FOR CONSTRUCTION

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DATE: 2/04/2024 STATUS: TOWN PLANNING

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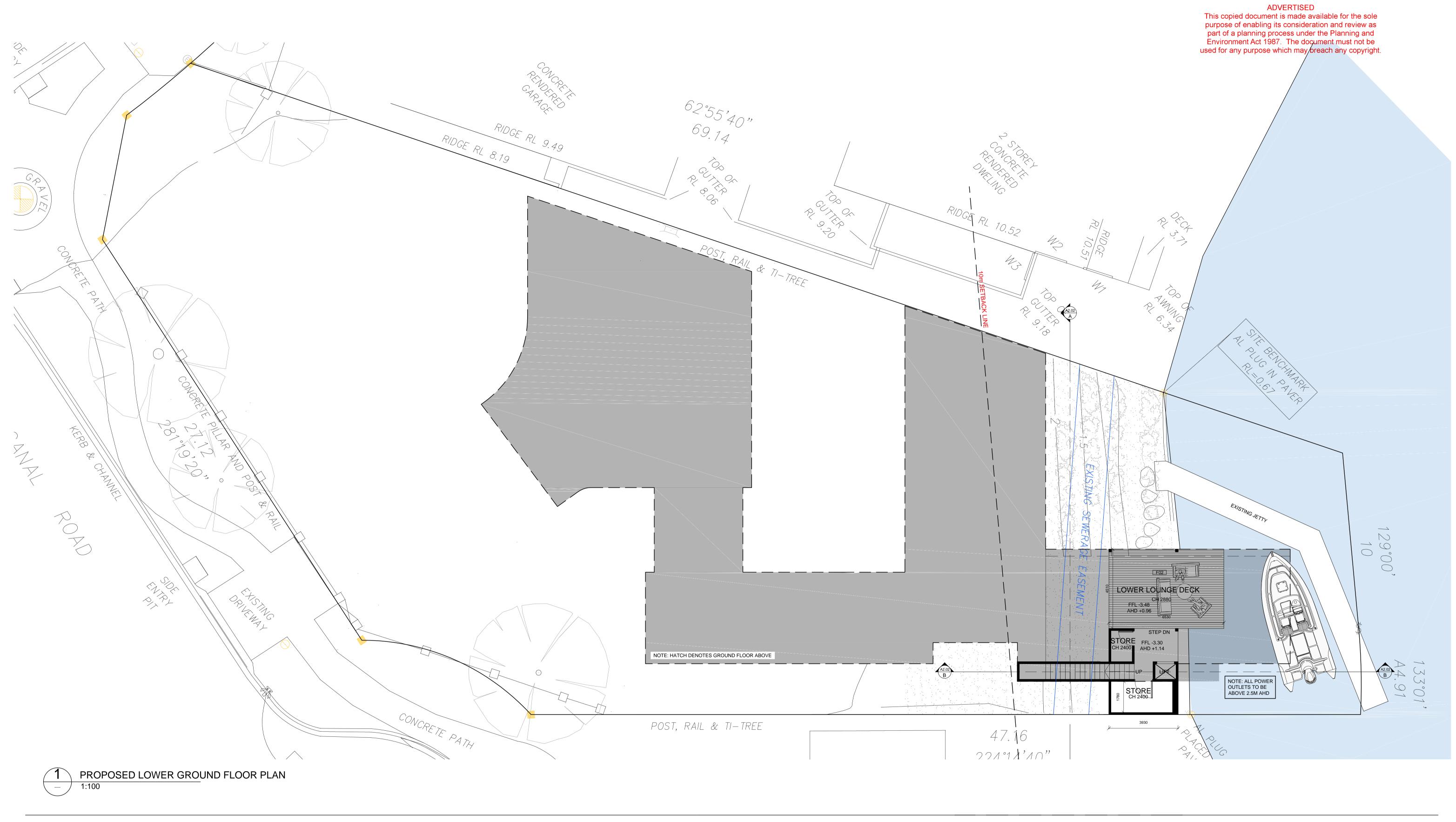
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PROPOSED GROUND FLOOR PLAN

DRAWING NUMBER

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Page 39 of 44



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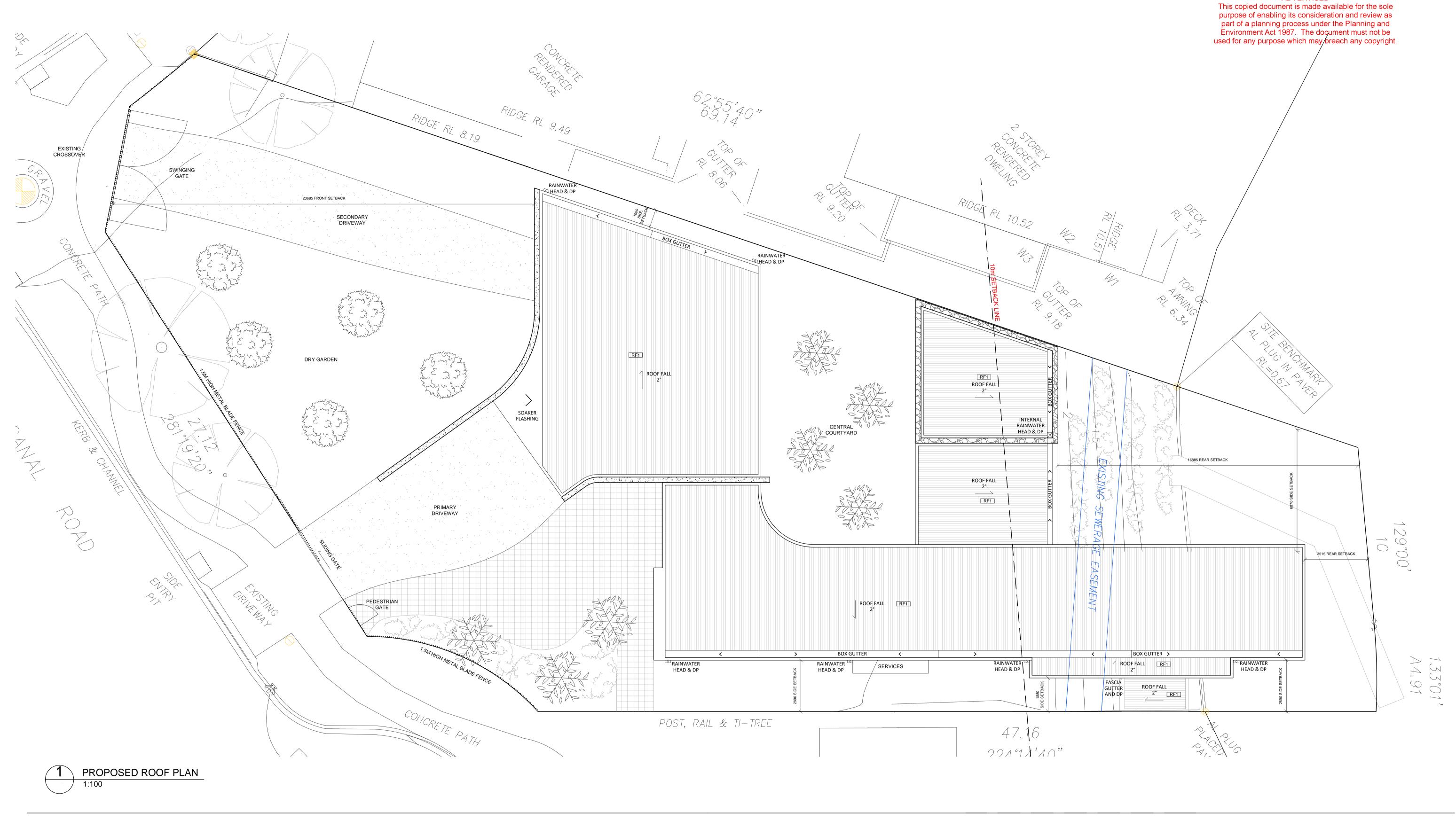
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PROPOSED LOWER GROUND FLOOR PLAN

DRAWING NUMBER

A1.01

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Page 40 of 44



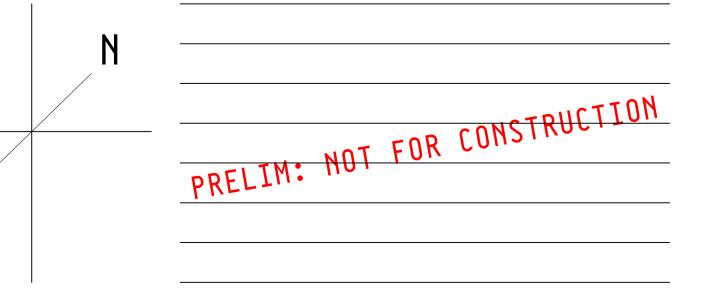
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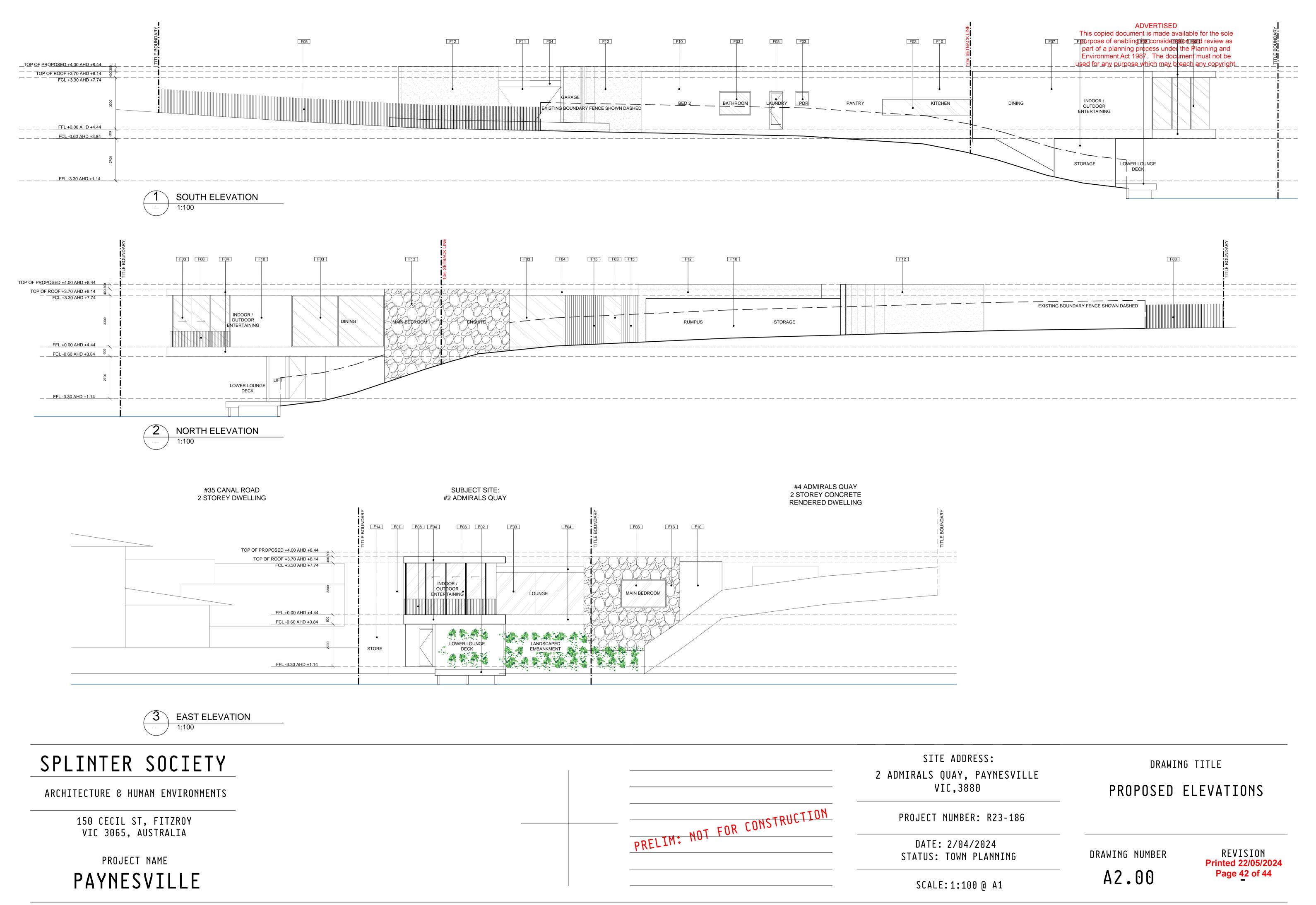
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PROPOSED ROOF PLAN

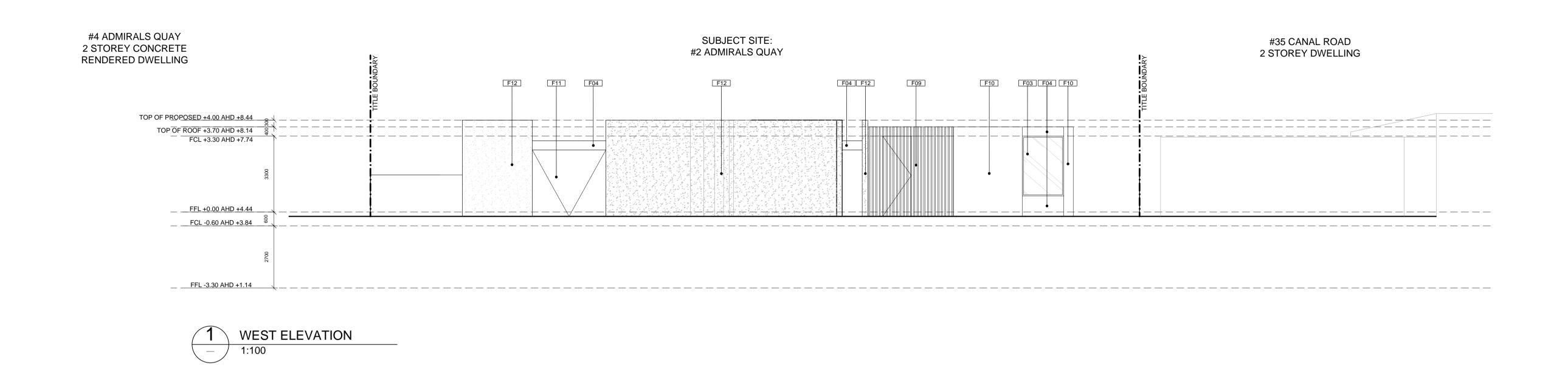
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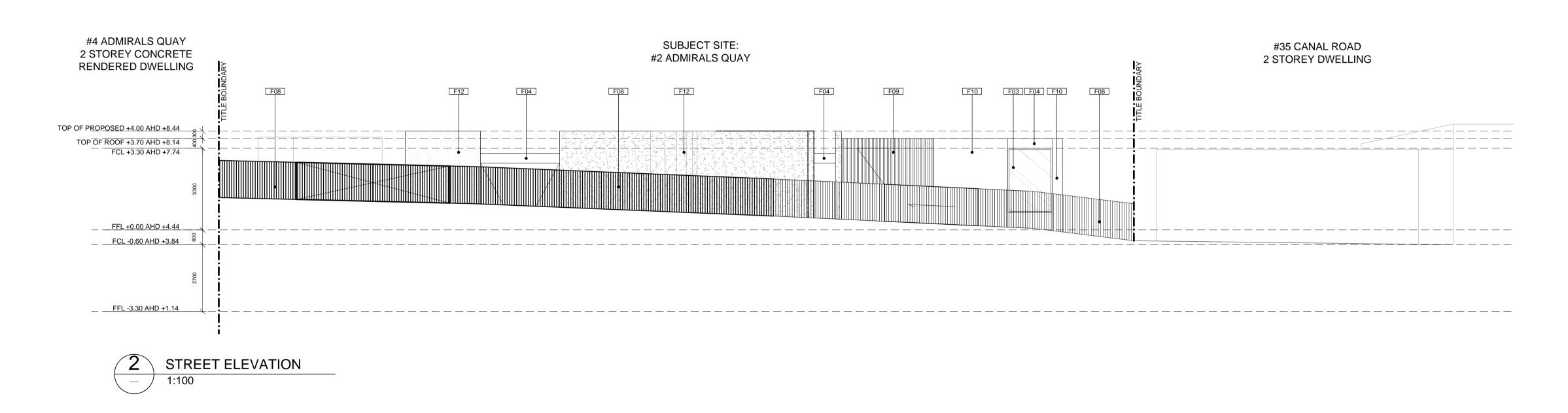
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Page 41 of 44



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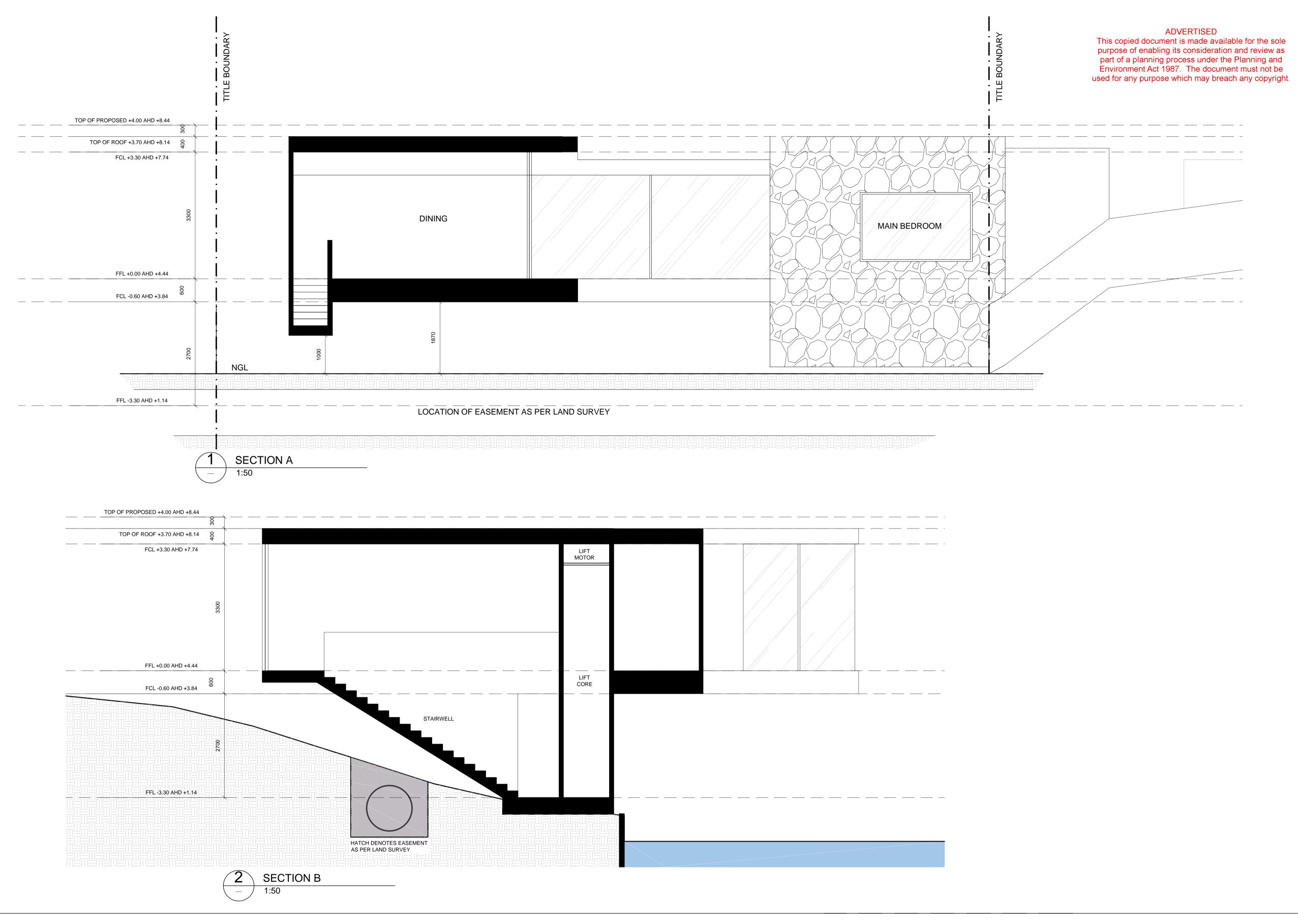
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REVISION Printed 22/05/2024 Page 43 of 44



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Printed 22/05/2024
Page 44 of 44