

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	71 Moroney Street BAIRNSDALE 3875 Lot: 7 LP: 82845
The application is for a permit to:	Two Lot Subdivision
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2024.54.1

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/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.

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

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

VOLUME 08771 FOLIO 274

Security no : 124112633126S
Produced 14/02/2024 11:42 AM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 082845.
PARENT TITLES :
Volume 02275 Folio 967
Volume 03995 Folio 985 to Volume 03995 Folio 986
Created by instrument LP082845 29/04/1969

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

1

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 LP082845 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: 71 MORONEY STREET BAIRNSDALE VIC 3875

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

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LP 82845

EDITION 2

APPROVED 2013/169

PARISH/T'SHIP/CHART

COLOUR CONVERSION

BLUE = E-1
BROWN = R1, R2, R3 & R4
YELLOW = E-2

VOL:3995 FOL:985+986 VOL:2275 FOL:967

Measurements are in Feet & Inches

Conversion Factor

FEET X 0.3048 = METRES

PLAN OF SUBDIVISION OF:

PART OF CROWN ALLOTMENT 82

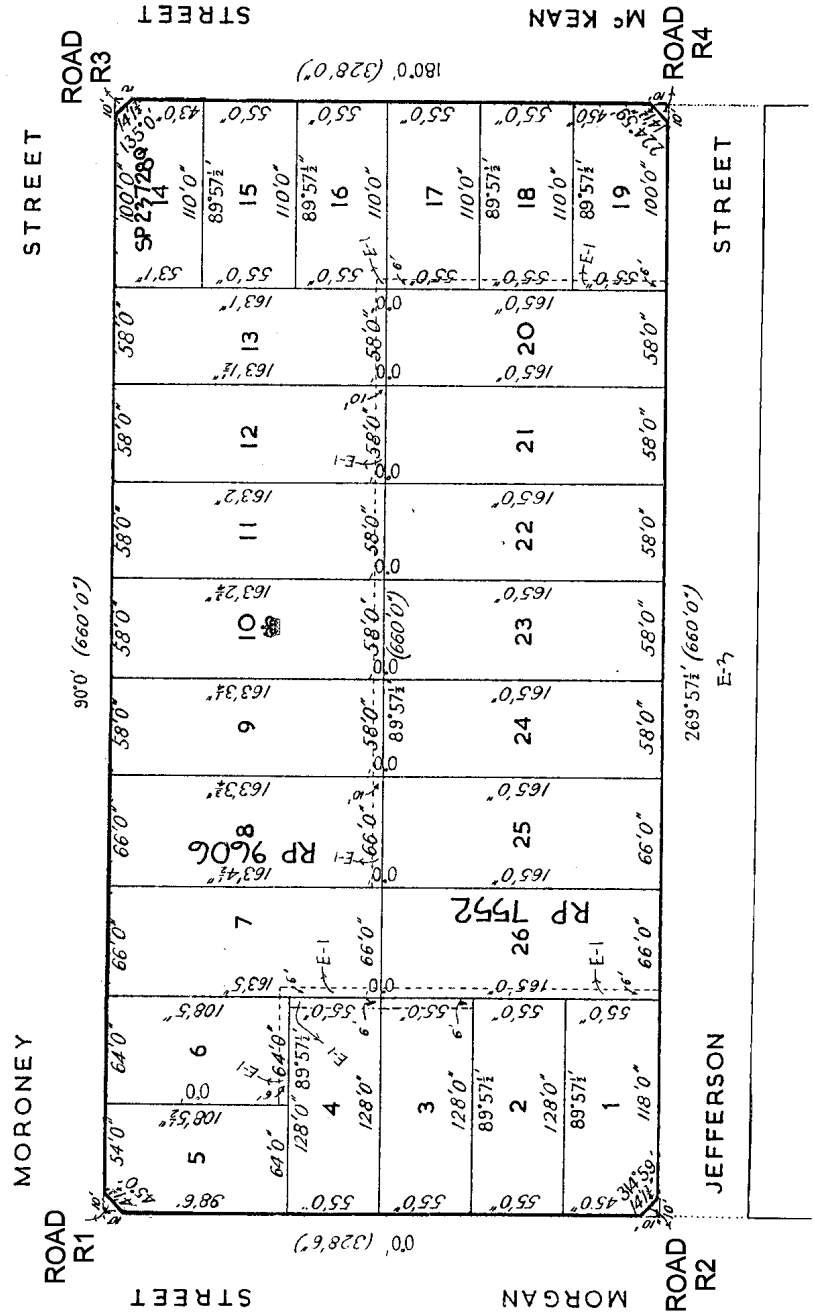
TOWNSHIP OF BAIRNSDALE

PARISH: BAIRNSDALE

COUNTY: TANJIL

LIST OF MODIFICATIONS				
LAND	MODIFICATION	DEALING NO;	A.R.T.	NEW EDN.
LOT 10	TRANSFER TO THE QUEEN	D 922363	a	2

APPROPRIATIONS		ENCUMBRANCES & OTHER NOTATIONS	
BROWN — WAY AND DRAINAGE		THE LAND COLOURED YELLOW IS	
BLUE — DRAINAGE		AN APPURTENANT EASEMENT OF	
		WAY, VIDE C/T 2275/967,	
		C/T 3995/985 AND	
		C/T 3995/986.	



Planning Report

Two Lot Subdivision
71 Moroney Street, Bairnsdale

Our reference – 20592

20 February 2024



FS 520900



Printed 6/03/2024
Page 4 of 23

Contents

1.	Introduction	3
2.	Subject Land & Surrounding Context	4
3.	The Application & Proposal	10
4.	Cultural Heritage	12
5.	Planning Policy	13
5.1	Planning Policy Framework	13
5.2	Municipal Planning Strategy	15
6.	General Residential Zone	16
7.	Conclusion	18
8.	Attachments	
	Application Form	
	Proposed Subdivision Plan (Version 1)	
	Design Response Plan (Version 1)	
	Copy of Title (Lot 7 on PS082845)	

Note: Applicable Planning Application fee is \$1,415.10

1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision at 71 Moroney Street, Bairnsdale. 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 7 on PS82845 or more commonly known as 71 Moroney Street, Bairnsdale, the subject land is developed with a single storey weatherboard dwelling and associated carport on a land parcel of 1,002 square metres.



Image of the subject site 71 Moroney Street, Bairnsdale

A small shed is located to the rear of the carport, with an internal fenceline extending west from the rear of the shed, creating a smaller yard immediately adjacent to the existing dwelling.



Looking south towards existing carport and shed

Access to the property is obtained via a gravel crossover from Moroney Street to the north of the property, which is a fully constructed urban road. A bitumen driveway extends from the property boundary to the carport to the south-east of the existing dwelling.

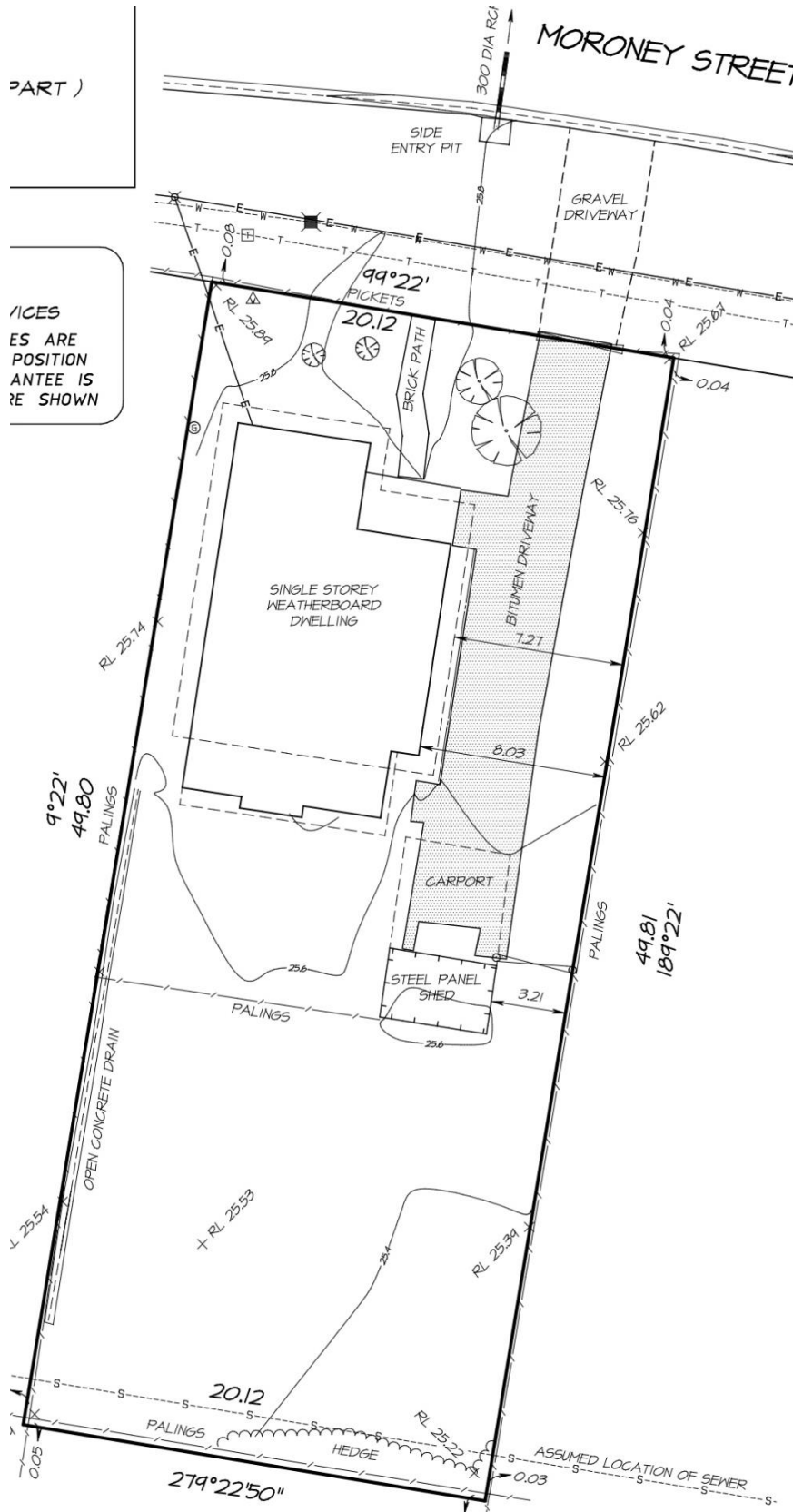


Looking south-west from Moroney Street frontage



Looking north from carport along eastern elevation

Landform across the site is relatively flat, with only 0.4m fall across the site from the north-west corner to the south-east corner, as depicted on the Plan of Features from a survey on 6 October 2024.



Extract from Plan of Features

The Moroney Street streetscape has recently been upgraded with an interesting, meandering alignment within the generous road reserve. Kerb and channel drainage has been constructed on each side, with a side entry pit established within the property's frontage.



*Looking east along Moroney Street during recent construction
(Source: Google Earth, circa May 2023)*

To the east of the property are three single storey brick units that obtain vehicle access to Moroney Street via a Common Property driveway in the east of the site.



Eastern neighbouring units at 69 Moroney Street, Bairnsdale

West of the subject land is a smaller land parcel developed with a dwelling that obtains vehicle access from Moroney Street.



Western neighbouring property at 73 Moroney Street, Bairnsdale

South of the subject land are three lots, the northern lot is vacant and the southern two lots are developed with single storey dwellings that obtain vehicle access from Jefferson Street.

North of the subject land is a collection of older buildings which was formerly the Bairnsdale Hospital, with some of the older, gothic style buildings recognised as heritage structures.

Many of the buildings on the property are in a state of disrepair. Part of the land in proximity to McKean Street is occupied by the Wild Cherry Steiner School.

A site context plan reveals that the subject site is located within west Bairnsdale and is close to education opportunities, recreational facilities and medical facilities/employment hub.

Site Context Plan



Site Context Plan (Source: Google Earth)

A – Subject land

B – Bairnsdale Secondary College

C – West Bairnsdale Primary School

D – Bairnsdale Regional Health Service

E – Industrial Employment Precinct

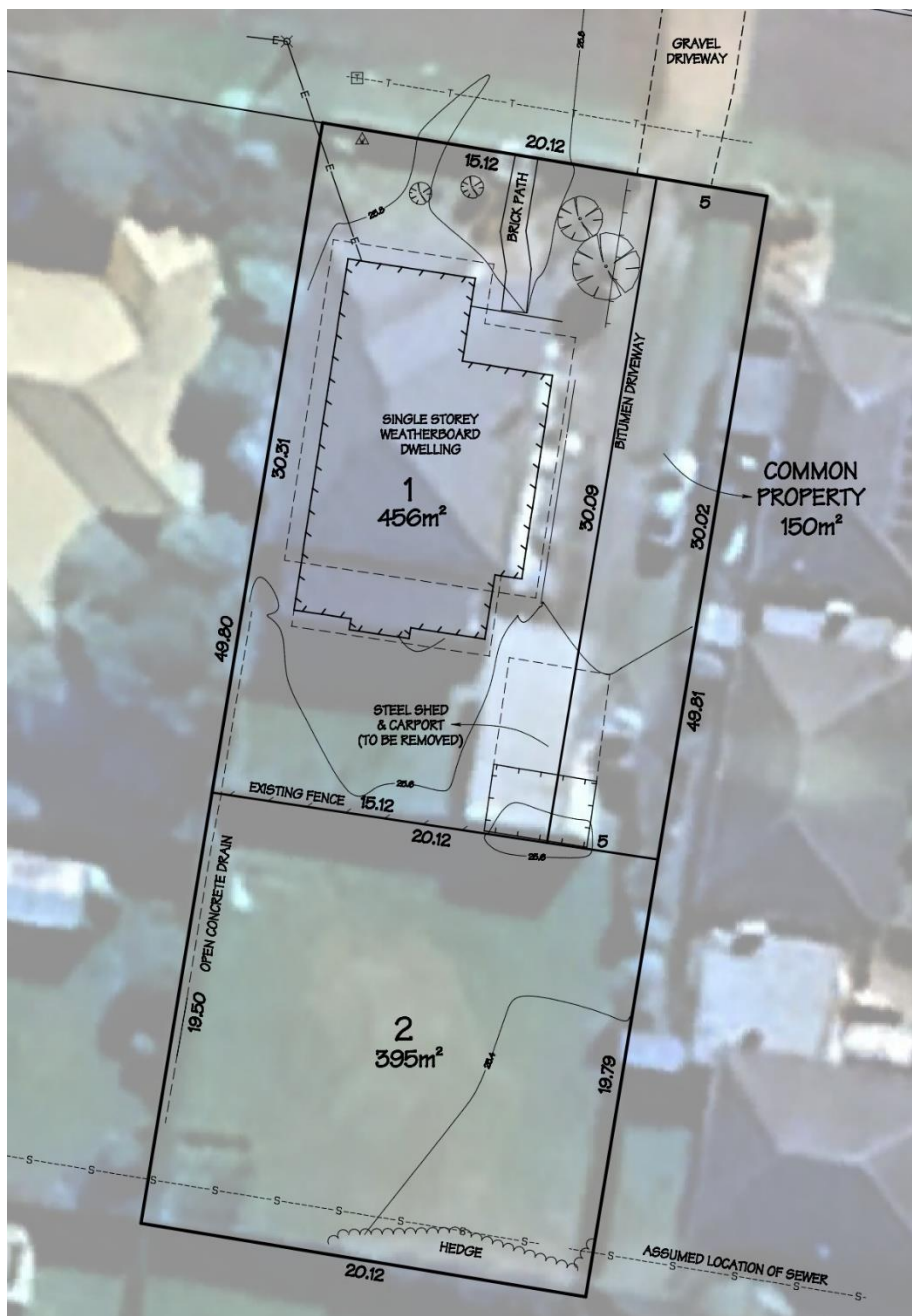
F – Active Recreational Precinct

3. The Application & Proposal

It is proposed to subdivide the subject land into two lots.

Proposed lot 1 which will contain the existing dwelling will be located within the northern part of the land on a proposed lot of 456 square metres. A vacant southern allotment (lot 2) is proposed of 395 square metres.

Common property is proposed to the east of the subject land to service both allotments and will require the existing carport to be removed. The existing gravel vehicle crossover location is proposed to be relocated a short distance to the east and upgraded to a constructed concrete vehicle crossing.



Proposed plan of subdivision

Printed 6/03/2024
Page 13 of 23

The proposed subdivision will provide the opportunity for an infill development within a well established and serviced location.

The Bairnsdale Growth Strategy seeks in this particular location to facilitate a denser form of development to support an employment precinct based around education and medical facilities.

The subdivision was predicated on the basis of a site analysis and a subsequent design response. The attractive existing single storey dwelling on the subject site is in good condition and therefore was considered appropriate to be retained. Given the need to remove the existing carport it was necessary to ensure two car parking spaces could be provided to the rear of the dwelling and allow for secluded private open space.

As there is a need to achieve access to the rear of proposed lot 1 and proposed lot 2, sufficient width of common property has been proposed to allow for appropriate access/egress.

Lot 2 is proposed to be created to allow for a future dwelling to be developed on the lot and ensure northern private open space is provided.

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 pursuant to Section 55 of the *Planning and Environment Act 1987*.

4. Cultural Heritage

The proposal does not trigger any mandatory requirements to provide a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.

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 in an area of cultural heritage sensitivity and a two lot subdivision is not considered a high impact activity therefore, there is no mandatory requirement to provide a CHMP in support of the application.

5. Planning Policy

5.1 Planning Policy Framework

Solid support for the proposed subdivision is contained within Clause 11.01-1S Settlement. The proposed subdivision will assist to achieve a number of the strategies:

- To provide sustainable development of regional centres which includes Bairnsdale.
- Located within the settlement boundary of Bairnsdale, the proposal will help to reinforce settlement boundaries.
- Encourages a form and density of development that supports healthy and active lifestyles.
- Capitalises on an opportunity for appropriate infill development.
- It will assist to provide for a compact urban area close to a proposed retail/commercial centre.
- Will assist to limit urban sprawl of East Gippsland's regional centre.

At Clause 11.01-1L-02 Bairnsdale has been identified by Council as a growth area town. The subdivision is consistent with the relevant strategies by facilitating urban development within the existing town boundary and is within close proximity of the Bairnsdale CBD where infill medium density is supported.

In accordance with the Bairnsdale Growth Strategy the subject land is located within a specialised community centre and employment node, being the educational precinct located around Bairnsdale Secondary College and the health precinct located around Bairnsdale Regional Health Service. The precinct is also proposed to include a retail/commercial centre to support the community and employment node as well as increased housing.

As part of the housing diversity plan contained within the Bairnsdale Growth Strategy, Council is seeking medium density housing to increase the mix of uses, activation and proximity to key services in the BARC Activity Spine.

The subject land is located within the BARC Activity Spine and the proposed subdivision will assist to achieve this strategy.

The proposed lots will provide for population growth and development at a low-risk location that is not subject to fire, flooding or coastal inundation as sought by Clause 13.01-1S Natural hazards and climate change.

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods is the objective of Clause 15.01-3S Subdivision design. The proposed subdivision will create a compact neighbourhood within walkable distance of an activity centre, the subdivision is considered to be functional and safe by utilising common property, allowing vehicles to exit the site in a forward direction, provides a vacant allotment to suit a variety of dwellings and reduces car dependency by creating allotments within walking distance of educational, recreational and employment areas.

The neighbourhood character is varied from detached housing to townhouses and units and is predicted to further change given the Council strategy to diversify housing types in the BARC Activity Spine.

Clause 15.01-5S Neighbourhood character seeks to have proposed development respect the pattern of local subdivision. The proposal will introduce a new lot within the area, which will sit comfortably with neighbouring properties and the increasing density of the area.

To facilitate well-located, integrated and diverse housing that meets community needs is the objective of Clause 16.01-1S Housing supply. The subdivision increases the proportion of housing in an established urban area, will reduce reliance on greenfield development and provides a vacant allotment close to services that can be developed with a variety of housing styles.

Creation of a vacant allotment close to services and facilities will promote low impact transport being walking and cycling as per clauses 18.02-1S and 18.02-2S.

Clause 18.02-4S Roads seeks to create safe and efficient road networks. Moroney Street is a recently reconstructed urban road and access to both lots will be developed by a new vehicle crossing providing for a safe road network.

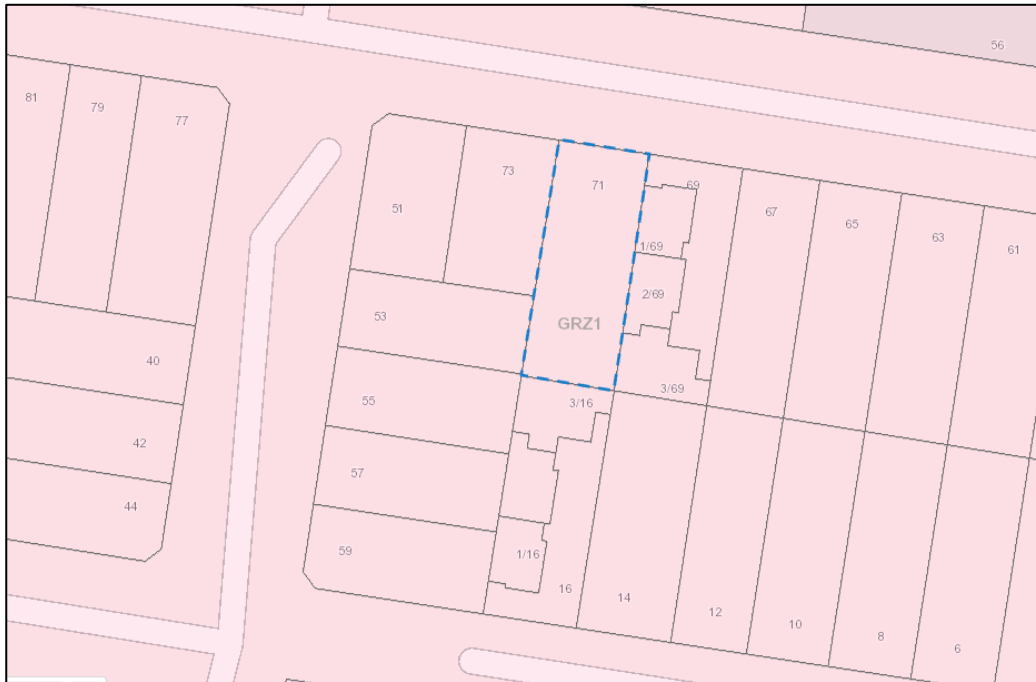
5.2 Municipal Planning Strategy

Bairnsdale is the largest town in the Shire and is identified as East Gippsland's regional city. The subdivision will encourage population growth on fully serviced residential land within a growth town, provides an opportunity for a range of housing types and styles and reinforces Bairnsdale as the main commercial and service centre for East Gippsland as sought by the strategic directions within Clause 02.03-1 Settlement and housing.

The subject land is within a low-risk environment and is highly unlikely to be detrimentally impacted by bushfire or flood events and is appropriate for development in accordance with the strategic directions of Clause 02.03-3 Environmental risks and amenity.

6. General Residential Zone

The proposal is consistent with the purpose of the General Residential Zone ('GRZ') as it facilitates orderly development that respects the neighbourhood character of the area. The proposal will result in housing growth in a well placed location in terms of access to services, physical and community infrastructure.



Planning scheme zone mapping (Source: VicPlan)

There are no neighbourhood character objectives contained within Schedule 1 to the GRZ.

The proposed subdivision complies with the relevant provisions of Clause 56, as demonstrated by the following comments in response to the standards and objectives relevant to a two lot subdivision.

Objective	Comment
56.03-5 Neighbourhood Character	<p>Complies</p> <p>The proposal is in keeping with the varied neighbourhood character of the area, which comprises different lot sizes, shapes and areas.</p> <p>The proposed subdivision will maintain the Moroney Street streetscape, with lot 1 having the balance of the street interface, use of common property accessed from an upgraded vehicle crossover will not introduce an additional driveway and the vacant allotment will allow for a new dwelling to be located behind the existing dwelling.</p> <p>It is noted that built form to the rear of properties within the area, being outbuildings and dwellings, is not uncommon and the creation of a lot to the rear of the property will not introduce uncommon built form.</p>

Objective	Comment
56.04-2 Lot area and building envelopes	Complies Each proposed allotment is between 300-500m ² in area, with the vacant lot capable of accommodating a 10x15m rectangle. Proposed lot 1 will contain and respect the orientation and private open space of the existing dwelling. The subdivision layout provides area for anticipated future development on lot 2 to enjoy solar access, private open space and safe vehicle movements within allotment boundaries.
56.04-3 Solar orientation of lots	Complies Lot 2 contains sufficient area to provide appropriate solar orientation for the establishment of a future dwelling and private open space.
56.04-5 Common Areas	Complies An area of Common Property is proposed along the eastern boundary to provide access to each proposed allotment.
56.06-8 Lot access	Complies Access to the subject land will continue to be provided from Moroney Street, with a new crossover to be constructed.
56.07-1 Drinking water supply	Complies Reticulated water is provided to the land and both allotments will need to be connected to reticulated water.
56.07-2 Reused and recycled water	Complies Reused and recycled water will be dependent upon future owners and future development of the vacant lot.
56.07-3 Wastewater management	Complies Reticulated sewer is already established within the precinct. Both proposed allotments will need to be connected to sewer consistent with Standard C24.
56.07-4 Urban run-off management	Complies Drainage will be unchanged for proposed lot 1 and lot 2 will need to be drained to Moroney Street to the satisfaction of the responsible authority.
56.08-1 Site management	Complies The proposed subdivision is minor in nature and may only require some minor utility service connections to be connected, as such site management is unnecessary.
56.09-1 Shared trenching	Complies Services will be provided in shared trenching if necessary and in accordance with service providers requirements.
56.09-2 Electricity, telecommunications and gas	Complies The proposal will make good use of a full range of existing services as available within the precinct. Both proposed allotments will be connected to reticulated power, and telecommunications.

Decision Guidelines

It is considered that the proposed subdivision positively responds to the decision guidelines:

- As outlined in Section 5 of this report the subdivision positively addresses the Planning Policy Framework and Municipal Planning Strategy.
- The proposal respects the neighbourhood character of the area and provides an opportunity for a diversity of housing types and housing growth in a well serviced and located area meeting the relevant purposes of the zone.
- The proposed lots will provide the opportunity for appropriate spacing of buildings and respects the orientation of adjoining properties and dwellings.
- A high level of compliance with Clause 56 is achieved.
- Proposed lot 2 is less than 400 square metres, and as evidenced in the design response, garden area of at least 25 percent of the allotment can be achieved.

7. Conclusion

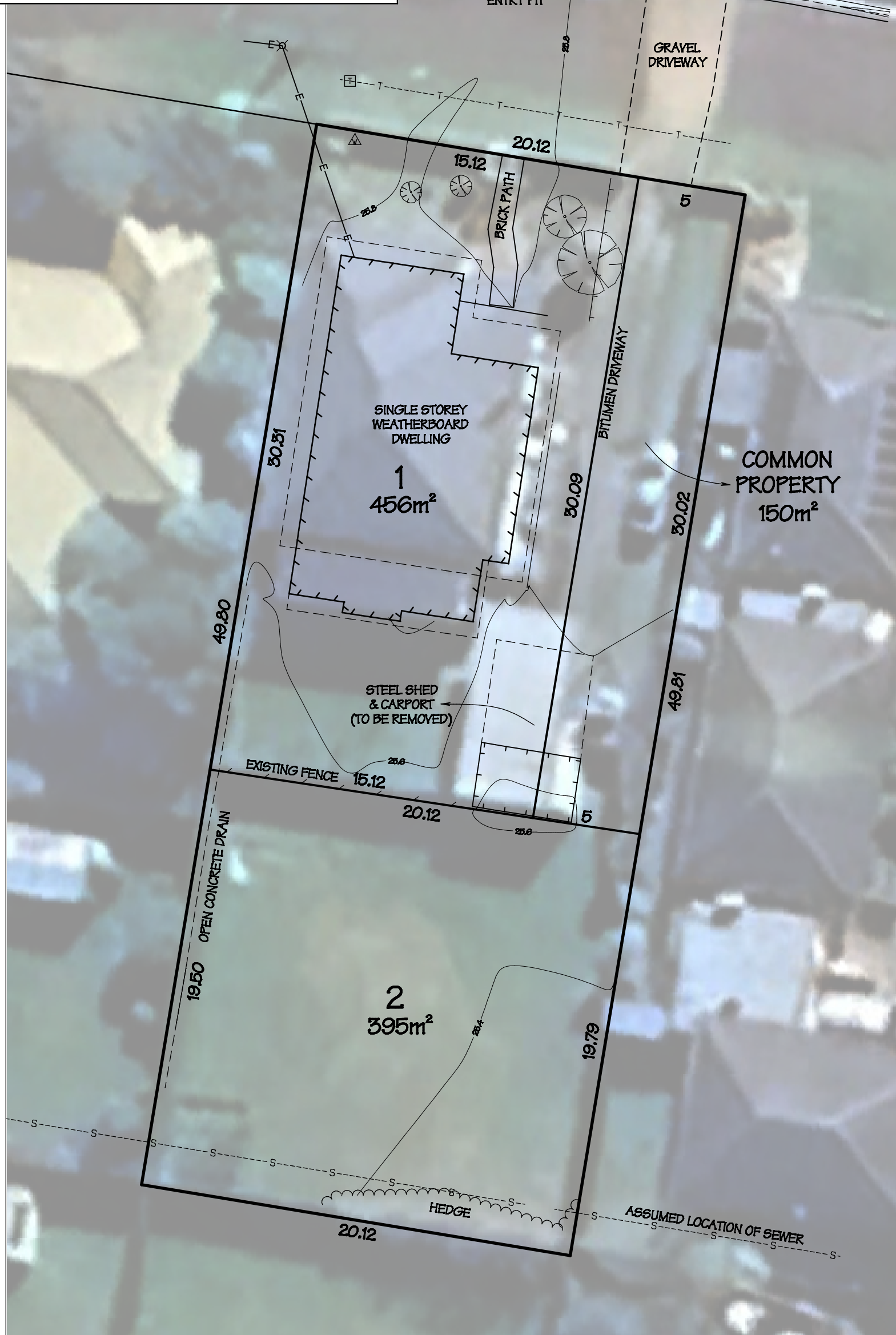
The proposed two lot subdivision at 71 Moroney Street, Bairnsdale is considered to accord with all relevant provisions of the General Residential Zone of the East Gippsland Planning Scheme. The proposal is consistent with Planning Policy Framework and Municipal Planning Strategy and has been designed to complement the adjoining properties.

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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PROPOSED SUBDIVISION

PARISH OF BAIRNSDALE
TOWNSHIP OF BAIRNSDALE
SECTION A
CROWN PRE-EMPTIVE RIGHT (PART)
C/T VOL 5842 FOL 287



MGA2020 ZONE 55

Crowther & Sadler Pty. Ltd.

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FILENAME: Y:\20000-20999\20500-20599\20592 Johnston\20592 Prop V1.pro

SARAH JOHNSTON
71 MORONEY STREET, BAIRNSDALE

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Page 22 of 23

SCALE (SHEET SIZE A3)

SURVEYORS REF.

1 : 200

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DESIGN RESPONSE PLAN

PARISH OF BAIRNSDALE
TOWNSHIP OF BAIRNSDALE
SECTION A
CROWN PRE-EMPTIVE RIGHT (PART)
C/T VOL 5842 FOL 287



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Page 23 of 23

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