

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	98 Wallace Street BAIRNSDALE 3875 Lot: 1 TP: 894441
The application is for a permit to:	Construction of Two Dwellings, Two Lot Subdivision and Removal of a Drainage Easement
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2024.64.1

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
-----------------------------------------------------------------------------	-------------------------------------------

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

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

Page 1 of 1

VOLUME 08810 FOLIO 690

Security no : 124112814169G

Produced 21/02/2024 09:39 AM

LAND DESCRIPTION

Lot 1 on Title Plan 894441Q.
PARENT TITLE Volume 01590 Folio 986
Created by instrument D591926 17/12/1969

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP894441Q FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

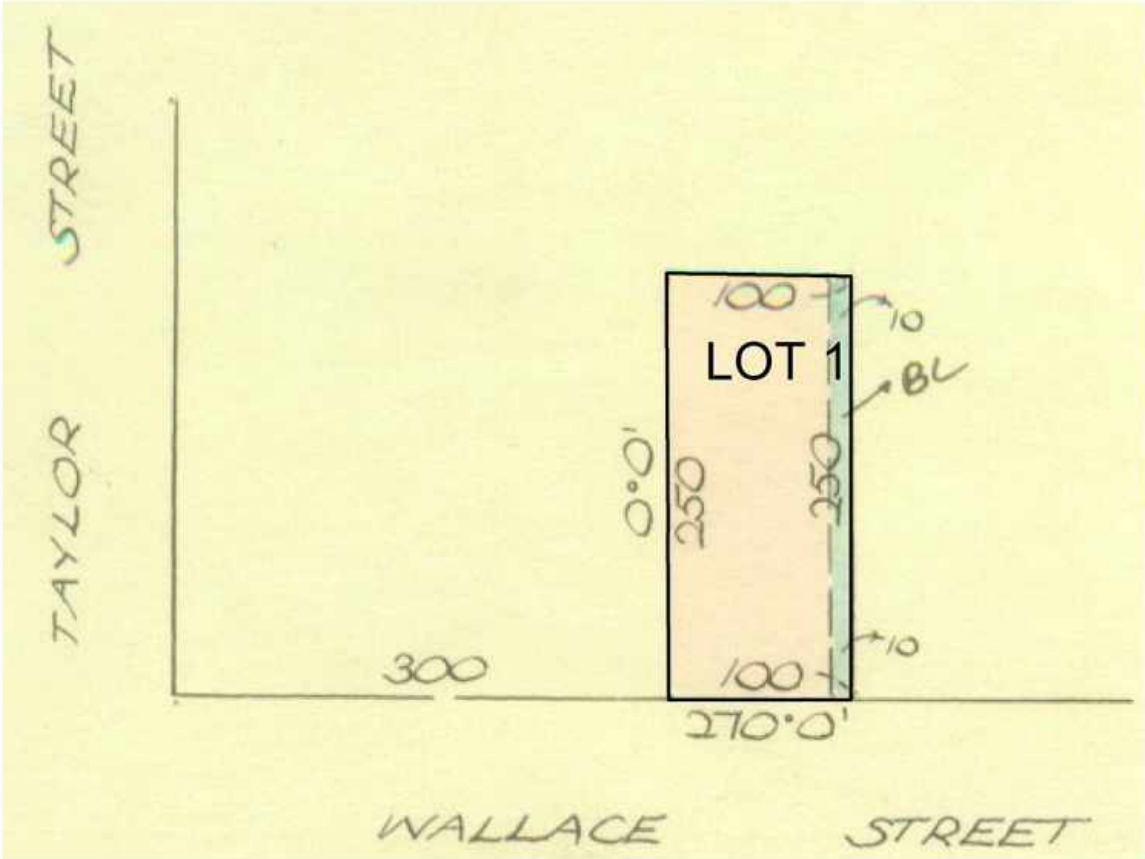
Additional information: (not part of the Register Search Statement)

Street Address: 98 WALLACE STREET BAIRNSDALE VIC 3875

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

<h1 style="margin: 0;">TITLE PLAN</h1>		Edition 11 TF 894441Q			
LOCATION OF LAND <div style="margin-top: 10px;">Parish: BAIRNSDALE Township: BAIRNSDALE Section: - Crown Allotment: 94 (PT) Crown Portion: - Last Plan Reference:- Derived From: VOL. 8810 FOL. 690 Depth Limitation: NIL</div>		<div style="margin-bottom: 20px;">Notations</div> <div>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</div>			
<div style="text-align: center; margin-bottom: 10px;">Description of Land/Easement Information</div> <div style="background-color: #ffffcc; padding: 5px; margin-bottom: 10px;">ENCUMBRANCES As to the land coloured blue - <u>THE DRAINAGE EASEMENT</u> created by Transfer 2473291 -</div>		<div style="margin-bottom: 20px;">THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES COMPILED: Date: 05/05/2007 VERIFIED: A. DALLAS Assistant Registrar of Titles</div> <div style="text-align: center;">COLOUR CODE BL = BLUE</div>			
					
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: center; padding: 5px;">TABLE OF PARCEL IDENTIFIERS</th></tr></thead><tbody><tr><td style="padding: 5px;">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 style="padding: 5px;">LOT 1 = C.A.94 (PT)</td></tr></tbody></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	LOT 1 = C.A.94 (PT)
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					
LOT 1 = C.A.94 (PT)					
LENGTHS ARE IN LINKS	Metres = 0.3048 Feet Metres = 0.201168 x Links	<div style="font-size: 1.2em; font-weight: bold;">Printed 14/03/2024</div> <div style="font-size: 0.8em;">Sheet 1 of 1 Sheets</div> <div style="font-size: 1.2em; font-weight: bold;">Page 3 of 38</div>			

Planning Report

Construction of Two Dwellings, Two Lot Subdivision
and Removal of a Drainage Easement
98 Wallace Street, Bairnsdale

Our reference – 20740

28 February 2024



FS 520900



Contents

1.	Introduction	3
2.	Subject Land & Surrounding Context	4
3.	The Application & Proposal	9
4.	Cultural Heritage	13
5.	Planning Policy	14
5.1	Planning Policy Framework	14
5.2	Municipal Planning Strategy	16
6.	Planning Elements	17
6.1	General Residential Zone	17
6.2	Heritage Overlay 178	26
6.3	Clause 52.02 Easements	27
7.	Conclusion	27
8.	Attachments	
	Application Form	
	Site, Floor and Elevation Plans (<i>A1 Building Design and Drafting</i>)	
	Proposed Subdivision Plan (Version 1)	
	Design Response Plan (Version 1)	
	Plan of Easement Removal (Version 1)	
	Copy of Title (Lot 1 on TP894441Q)	

Note: Applicable Planning Application fee is \$3076.70, calculated as follows:

Class 12: 1,661.60

Class 20: \$707.55 (50% of lesser fee)

Class 21: \$707.55 (50% of lesser fee)

1. Introduction

This Planning Report is prepared in support of the proposed construction of two dwellings, two lot subdivision and removal of a drainage easement at 98 Wallace Street, Bairnsdale. The Report addresses the provisions of the General Residential Zone, Heritage Overlay 178 and Clause 52.02 Easements as contained within the East Gippsland Planning Scheme.



Subject Land and Immediate Surrounds (Source: Google Earth)

2. Subject Land & Surrounding Context

Formally known as Lot 1 on TP894441Q or more commonly known as 98 Wallace Street, Bairnsdale, the subject land is regular in shape and enjoys a street frontage to Wallace Street of 20.12 metres and a depth of 50.29 metres, equating to an overall area of 1,011 square metres.

The property is currently vacant and relatively flat with the previous single storey heritage weatherboard dwelling having been removed from the land. Vehicle access to the property is provided via an existing concrete crossover from Wallace Street. Wallace Street is a constructed urban road of divided carriageway split by a significant traffic island containing planted trees. Access to the land is obtained from the west and egress from the property requires vehicles to travel to the east.



Image of the subject land looking north

To the east are three single storey brick dwellings, with vehicle access to the two rear dwellings obtained from Wallace Street along the western boundary of the land.



Existing units at 96 Wallace Street looking north



Northern streetscape looking east

West of the property is a single storey brick dwelling that gains vehicle access from Wallace Street.



100 Wallace Street looking north



Northern streetscape looking west

North of the subject land is a single storey dwelling and associated outbuildings. The dwelling fronts Jefferson Street and vehicle access to this property is obtained from Jefferson Street.

South of the land across Wallace Street is the Bairnsdale Secondary College, the WORLD sporting facilities and the Bairnsdale Aquatic Recreation Centre.



Recently upgraded WORLD Sporting facility looking south

Located in Bairnsdale West the subject land is well located to take advantage of a range of educational and recreational facilities, with the Bairnsdale Regional Health Service nearby. The Bairnsdale Central Activity Centre and the Bairnsdale South Industrial Employment Precinct are located a short drive from the land.

The subject land is affected by Schedule 178 to the Heritage Overlay, related to the former dwelling on the land. Planning Permit 101/2021/P approved the demolition of the former dwelling.

Site Context

The following extract from Google Earth identifies the subject land and close by areas and facilities.

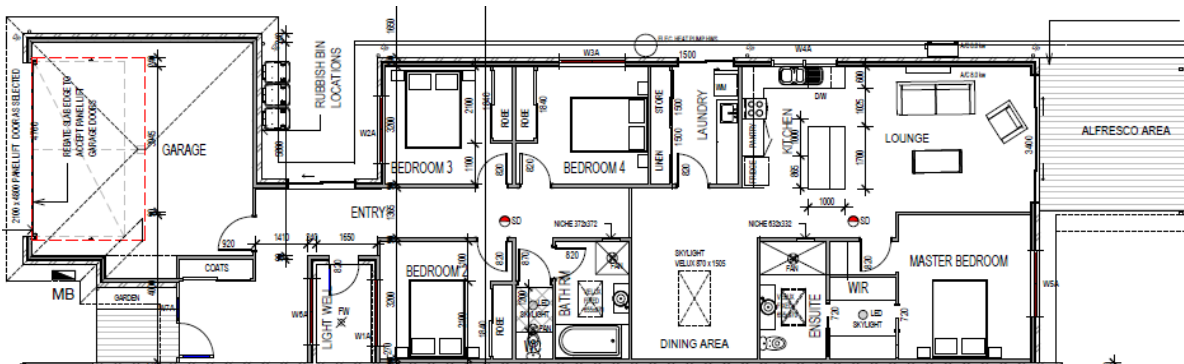


- | | |
|--------------------------------------------|---------------------------|
| A - Subject Land | F - WORLD Sports Facility |
| B - Bairnsdale Secondary College | G - Westdale Kindergarten |
| C - Hospital precinct | H - E.G Specialist School |
| D - West Bairnsdale Primary School | |
| E - Bairnsdale Aquatic & Recreation Centre | |

3. The Application & Proposal

It is proposed to construct two attached dwellings on the subject land.

Both dwellings are a mirror image of the other with each dwelling consisting of four bedrooms, two bathrooms, laundry, dining room and open plan kitchen/lounge. Both dwellings are proposed to be developed with an external northern facing deck and private open space. Each dwelling will be serviced by an entry area, lightwells and courtyards and a double garage accessed by separate vehicle crossings and driveways.



Proposed Floor Plan of the eastern dwelling (Source: A1 Building Design and Drafting)



Proposed façade (Source: A1 Building Design and Drafting)

The proposed dwellings have a generous rear setback, which ensures each allotment will have sufficient private areas to the rear of the dwelling with northern aspect and alfresco areas under roofline.

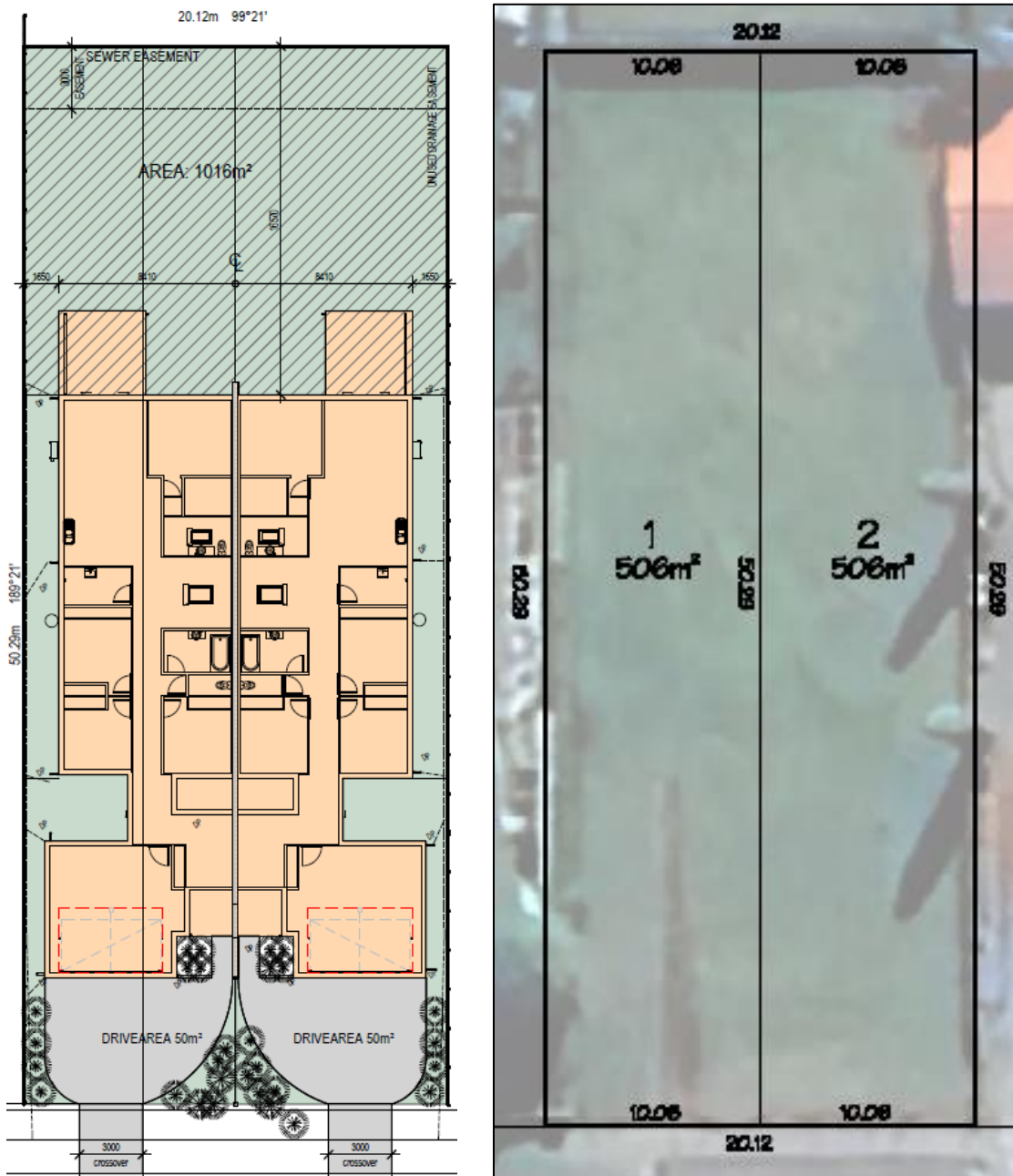


3D view of northern elevation (Source: A1 Building Design and Drafting)

The proposed design reflects the streetscape and neighbourhood character providing a central entry area with garages to the western and eastern side of the subject land. Common elements such as materials, pitched roofing, good sized window openings and generous private open space.

There is no consistent spacing between crossovers or preferred property side(s) and within the context of the Wallace Street the construction of two crossovers to the property will sit comfortably within the streetscape.

The proposed subdivision boundary will coincide with the centrally located party wall, creating two equal allotments, each with an approximate area of 506m².



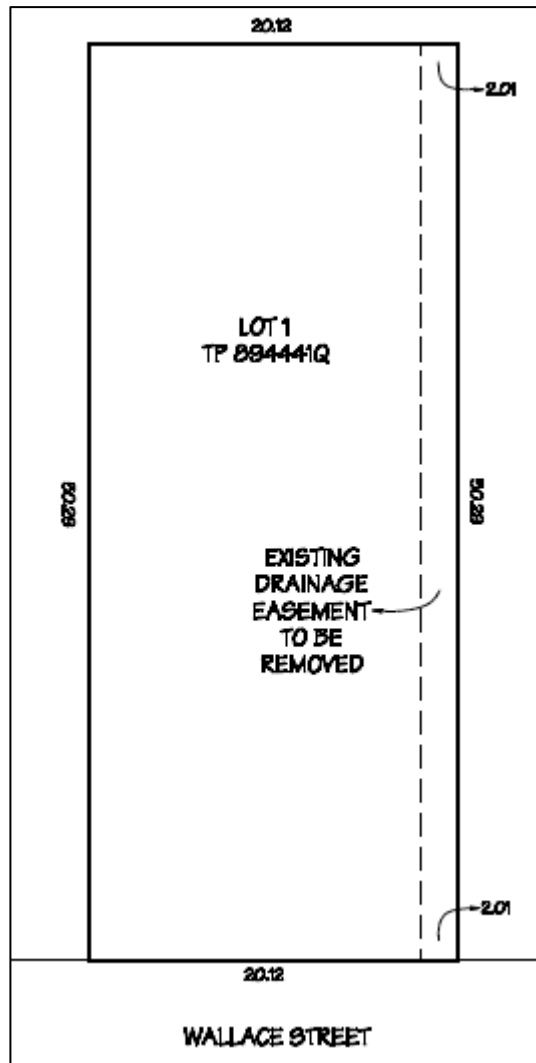
Extract from Site Area Plan (L) and Proposed Subdivision Plan (R)

It is understood that there is no drainage infrastructure contained within the drainage easement. This is reflected by GIS mapping for the precinct, and confirmed by our client who undertook a site excavation.

As such, the easement is considered redundant and presents a burden on the land.

Located along the eastern boundary of the subject land the easement is proposed to be removed.

(R) Proposed Plan of Easement Removal



Council drainage infrastructure within the surrounding area (Source: IntraMaps)

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

Planning Scheme Clause No.	Description of what is Proposed
Clause 32.08-3 General Residential Zone	Subdivision
Clause 32.08-6 General Residential Zone	Construction of two dwellings on a lot
Clause 43.01-1 Heritage Overlay	Subdivision and construct a building or construct or carry out works
Clause 52.02 Easements, Restrictions & Reserves	Removal of an easement

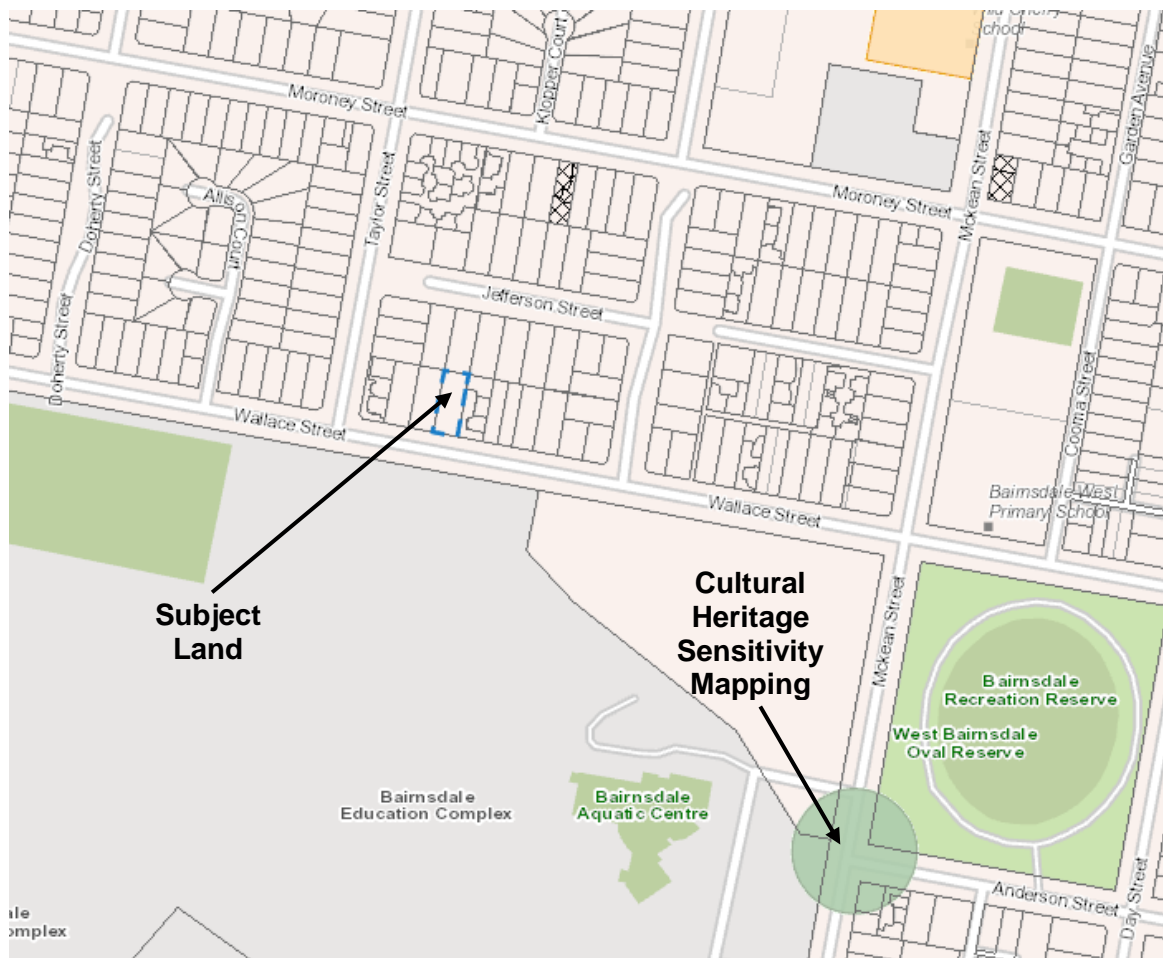
No referrals are required to be undertaken in accordance with section 55 of the *Planning and Environment Act 1987*.

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



Cultural Heritage Sensitivity Mapping (Source: VicPlan)

The subject land is not within an area of cultural heritage sensitivity. Therefore, there is no mandatory requirement to provide a CHMP in support of the application.

5. Planning Policy

5.1 Planning Policy Framework

Clause 11.01-1S Settlement seeks to support the sustainable growth of Bairnsdale amongst other towns and ensure settlements are developed in accordance with the regional growth plan to promote and capitalise on opportunities for infill redevelopment.

Settlement Gippsland at Clause 11.01-1R identifies Bairnsdale as a regional centre where growth is promoted.

The proposed development is supported by this planning policy as it represents infill redevelopment within a well serviced part of the town, provides for population growth and assists to consolidate this western precinct of Bairnsdale.

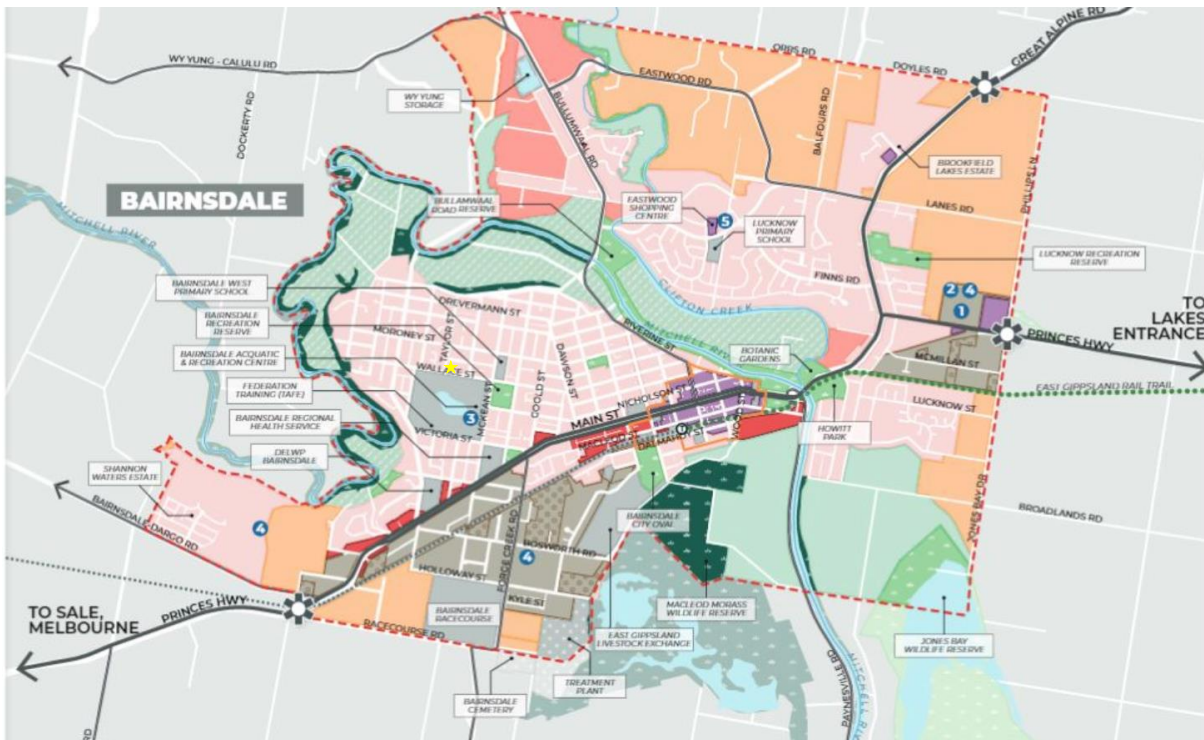
This site is well established to allow for future redevelopment opportunities as it presents as an appropriately serviced and zoned parcel of land that is not subject to environmental risks, environmental values and landscape values as identified in Clauses 12 and 13.

Subdivision Design at Clause 15.01-3S seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

The proposed subdivision is supported by the relevant strategies to achieve this objective:

- It will create a compact neighbourhood close to recreation facilities, Bairnsdale Regional Health Services employment node and education facilities.
- Car dependency can be reduced with the development of this site within easy walking distances of schools, hospital employment area and recreational facilities.
- The subject land is located close to a proposed Local Activity Centre.

The neighbourhood character of the area is mixed with a range of lot sizes and resultant residential development, and is progressing through some significant change with land prices increasing making development of existing properties in the township more economical. The proposed development will sit comfortably within this mixed character context as sought by Clause 15.01-5S.



*Bairnsdale Urban Design Framework Plan, with subject land denoted by yellow star
(Clause 15.01-1L-02)*

Clause 16.01-1S Housing Supply includes a number of strategies that the proposal will achieve:

- Increased housing opportunities within the established urban area reducing the share of housing in greenfield and fringe areas.
- Housing opportunities close to the hospital employment precinct, primary and secondary schools and recreational facilities.
- Consolidation within the urban area while respecting the neighbourhood character.

5.2 Municipal Planning Strategy

Strong policy support is provided within Clause 02.03-1 Settlement and housing – Growth area towns. Council has identified Bairnsdale as the largest town in the Shire. The proposed development will assist to achieve a number of strategic directions by encouraging population growth and development on a fully serviced residential property in a growth area town and provides for different housing styles being attached dwellings.

The subdivision will support the residential infill development within existing residential zones identified within the Bairnsdale Growth Strategy, November (2009) and at Plan 3 Revitalisation and Growth Strategy.

The subject land is located close to the BARC Activity Spine that encourages an increase of not only housing densities but also uses. The spine will facilitate an increased density of development, close to recreational and employment nodes. In the longer-term Council will facilitate a local activity centre close by to avoid travel for daily needs of the local population.

Council's vision for the area is one of significant change as identified in various plans and commentary within the Bairnsdale Growth Strategy. Guiding strategies anticipate opportunities for significant growth in health and community services, identifying the BARC activity spine as an area primed for the "expansion of community and associated services" (p.13).

The need to consolidate neighbourhood dwelling facilities to compliment the growth in community services to ensure cohesion within the BARC activity spine is acknowledged, noting "*opportunities for better integration of residential areas and community segments through overall design improvements*" (p.13). Medium density development in proximity to the BARC activity spine is encouraged (p.21).

(R) Extract from Housing Diversity Plan showing BARC activity spine in orange, proposed Activity Centre as a red dot, potential area for medium density housing as red dashed line, and subject land as green star

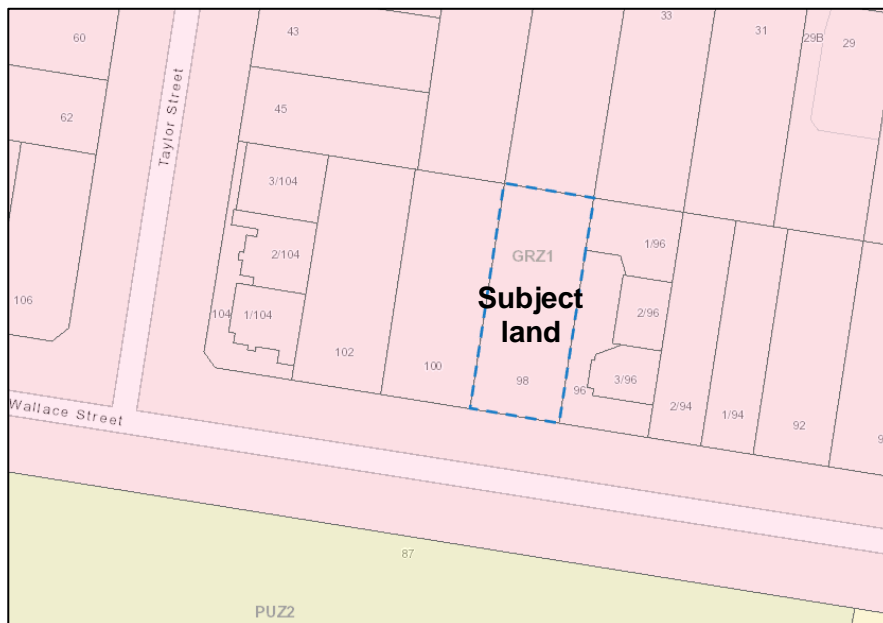


The proposed development is consistent with the vision, objectives and strategies contained within the Bairnsdale Growth Strategy, November (2009) for this strategic location.

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)

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

In accordance with Clause 32.08-3 Subdivision, an assessment of the subdivision has been undertaken in accordance with Clause 56 of the planning scheme.

As sought by Clause 32.08 Construction of Two or More Dwellings on a Lot, an assessment has been undertaken against the provisions of Clause 55 of the planning scheme.

The following tables provide an assessment of the proposal against Clause 55 Two or More Dwellings on a Lot and Clause 56 Residential Subdivision.

Clause 55 – Two or more dwellings on a lot

Objective	Comment
55.01-1 Neighbourhood and site description	<p>Complies</p> <p>Wallace Street has a varied character arising from development which has occurred over various decades and a mix of housing forms being single storey cottages, traditional detached brick dwellings and unit developments.</p> <p>Prevailing built form elements include pitched roofing, larger opening sizes, eaves, heavier masonry materials and lower front fencing.</p> <p>The subject land is well located being close to primary and secondary schooling, active recreational areas, employment hubs at the educational and medical precincts and a proposed activity centre.</p>
55.01-2 Design Response	<p>Complies</p> <p>The proposed development has been designed and sited having regard for the existing site features and adjoining development.</p> <p>The subject land is relatively flat, has a good northern orientation with access provided from Wallace Street.</p> <p>The design responds to the opportunities that the site has to offer through the provision of two attached dwellings, allowing for solar access and natural light penetration into the dwellings and large private open space areas.</p> <p>The accompanying plans include detail of the proposed development.</p>
55.02-1 Neighbourhood character	<p>Complies</p> <p>The design of the proposed development respects the existing neighbourhood character by responding to the features of the site and surrounding area.</p> <p>The proposed buildings respond to the built form element themes found within the area utilising single storey height, pitched roofs, appropriate opening sizes, eaves and utilising brick external materials.</p> <p>Frontage setbacks of the proposed dwellings are respectful and sympathetic within the streetscape.</p> <p>Side setbacks will provide relief from building bulk and minimises amenity impacts.</p> <p>Separation of the proposed garages allows dwelling entrance identification and appropriate surveillance of Wallace Street.</p> <p>There is no Neighbourhood Character Overlay however, local policy identifies the existing urban area of Bairnsdale for infill development.</p>

Objective	Comment
55.02-2 Residential policy	Complies Residential policy at Clause 11 of the Planning Policy Framework seeks to provide for population growth within settlement boundaries, limiting urban sprawl and promotes infill development. Relevant strategic directions within the Municipal Planning Strategy within settlement and housing is to encourage population growth and development on fully serviced residential land and encourage a range of housing types and styles. The proposal is considered consistent with and is supported by residential policy.
55.02-3 Dwelling diversity	N/A Less than 10 dwellings are proposed.
55.02-4 Infrastructure	Complies All necessary infrastructure is available to the land and has the capacity to accommodate the proposed development.
55.02-5 Integration with the street	Complies The proposed development has been designed and sited to ensure integration with existing development within the street. <ul style="list-style-type: none"> Both dwellings are orientated to front Wallace Street. Garage door treatments will provide for a positive interface with Wallace Street using panel lift doors as opposed to roller doors. Both dwellings will provide for observation of Wallace Street and the recreation area opposite the land. The dwellings will maintain the built form aligning the street. There is no fencing proposed, which is considered acceptable in context of the nearby property street frontages.
55.03-1 Street setback	Complies The proposed development will establish both dwellings with a street setback of 6m which is considered to respect the existing neighbourhood character. Standard B6 stipulates that the average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the same street or 9.0 metres, whichever is the lesser. In this instance, the subject land has an established dwelling on the eastern adjoining lot facing the same street, with a street setback of approximately 5 metres. The lot adjoining the western boundary comprises a dwelling with a front setback of 5m. The frontage setback proposed is 6.0m meeting the standard and exceeding the minimum requirement.

Objective	Comment
55.03-2 Building heights	Complies <p>The height of the proposed development respects the existing neighbourhood character as it is consistent with the prevailing height of existing single storey dwellings in the neighbourhood.</p> <p>The maximum height of a building is specified in the zone is 11.0 metres or three storeys.</p> <p>Both dwellings have a height of 3.75 metres being considerably less than the maximum height of 11.0 metres.</p>
55.03-3 Site coverage	Complies <p>Standard B8 stipulates that the site area covered by buildings should not exceed 60% where there is no site coverage specified in a schedule to the zone.</p> <p>The site coverage of the proposed development is 46.9% which is substantially less than the maximum site coverage of 60% otherwise allowed under Standard B8.</p>
55.03-4 Permeability and Stormwater Management	Complies <p>Standard B9 stipulates that the site area covered by pervious surfaces should be at least 20% of the site, where there is no minimum area specified in a schedule to the zone.</p> <p>The site permeability for the proposed development is approximately 43.2% of the site area, ensuring the development complies with Standard B9.</p>
55.03-5 Energy efficiency	Complies <p>The lot orientation running north-south allows for living areas and private open space to be located on the north side of the proposed dwellings. Northern facing windows have been maximised to allow for solar access and natural light penetration into the dwellings. Use of a common wall will provide further energy gains.</p>
55.03-6 Open space	Complies <p>No communal or public open space will be provided on the land. However, the property is opposite an active recreational facility and an outlook from the dwellings towards the public space will provide casual surveillance.</p>
55.03-7 Safety	Complies <p>The layout of the proposed development provides for the safety and security of residents consistent with Standard B12.</p> <p>Entrances to each dwelling will be easily identifiable from Wallace Street. There are no front fences proposed that may otherwise obstruct the visibility of entrances from the street.</p>

Objective	Comment
55.03-8 Landscaping	<p>Complies</p> <p>Development within the precinct is generally complimented by lower scale ornamental style gardens.</p> <p>Low scale landscaping will be incorporated to the front of both dwellings next to the driveways and within the secondary areas of private open space.</p> <p>Landscaping opportunities are identified on the Development Plan Set, with a detailed landscape plan able to be provided as a condition of permit.</p>
55.03-9 Access	<p>Complies</p> <p>The number and design of vehicle crossovers is considered to respect the neighbourhood character whilst maximising the efficiency of the development.</p> <p>Each vehicle crossover will be 3m in width equating to 6m in total width for the development.</p> <p>Standard B14 stipulates that the width of accessways should not exceed 33% having regard for the width of the combined street frontage which is greater than 20 metres.</p> <p>The proposed crossovers will comprise a total width of 29.8% of the street frontage.</p>
55.03-10 Parking location	<p>Complies</p> <p>Vehicle parking for residents will be practical and convenient with the proposed dwellings being provided with secure double garages connected to the respective dwelling.</p> <p>With a total of 2 dwellings on the land there is no requirement to provide onsite visitor car parking. Car parking in the front of the garages is able cater for visitors.</p>
55.04-1 Side and rear setbacks	<p>Complies</p> <p>The height and setback of each of the proposed dwellings from boundaries are considered to respect the neighbourhood character and limit the impacts on the amenity of existing adjoining dwellings. The existing dwellings on adjoining properties present walls generally setback from boundaries.</p> <p>As there is no distance specified in Schedule 1 to the General Residential Zone in the East Gippsland Planning Scheme, a new building not on a boundary should be setback at least 1.0 metre plus 0.3 metres for every metre of height over 3.6 metres.</p> <p>Side setbacks to the east and west are 1.65m. Both dwellings have a maximum wall height of 2.55m above natural ground level.</p> <p>Standard B17 is met, as the minimum setback to the east and west boundaries exceed 1.0m.</p>
55.04-2 Walls on boundaries	<p>Complies</p> <p>No boundary walls are proposed complying with Standard B18.</p>

Objective	Comment
55.04-3 Daylight to existing windows	Complies <p>The proposed development will allow adequate daylight into existing habitable room windows of adjoining dwellings.</p> <p>Standard B19 outlines that habitable room windows should be provided with a light court which has a minimum area of 3m² and minimum dimension of 1.0 metre clear to the sky.</p> <p>This objective is achieved as the proposed development is appropriately setback from the existing development on the adjoining allotments. The setbacks avoid a reduction of daylight to habitable room windows of existing dwellings on adjoining properties.</p>
55.04-4 North facing windows	Complies <p>There are no north-facing habitable room windows of existing dwellings on abutting lots within 3 metres of a boundary adjoining the subject land.</p>
55.04-5 Overshadowing open space	Complies <p>The proposed development will have no unreasonable impacts on overshadowing of secluded private open space and habitable room windows of existing development on the adjoining allotments. The proposal has been limited in height and is offset from the eastern and western boundaries.</p>
55.04-6 Overlooking	Complies <p>No unreasonable overlooking of neighbours will occur, given the single storey height of the dwellings and boundary fencing. The proposal is therefore considered to satisfy the requirements of Standard B22.</p>
55.04-7 Internal views	Complies <p>Habitable room windows of dwellings have been located to avoid internal overlooking of more than 50% of secluded private open space, through the provision of a boundary fence of 1.8m in height between the proposed dwellings.</p>
55.04-8 Noise Impacts	Complies <p>The subject land is not located adjacent to any noise sources that would affect the amenity of future residents. The subject land does not abut an arterial road, railway line or industrial land.</p>
55.05-1 Accessibility	Complies <p>Dwelling entries are accessible to people with limited mobility and a central corridor allows for easy access to living and dining areas.</p>
55.05-2 Dwelling entry	Complies <p>The front dwellings will be immediately visible from Wallace Street and will be easily identifiable in accordance with Standard B26.</p>

Objective	Comment
55.05-3 Daylight to new windows	Complies All habitable room windows have an outdoor space clear to the sky of at least 3m ² with a minimum dimension of 1m, or are serviced with light wells entirely contained within the property boundaries.
55.05-4 Private open space	Complies Standard B28 outlines that a dwelling should have private open space of 40m ² in area, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 25m ² , a minimum dimension of more than 3.0 metres and convenient access from a living room. The secluded private open space requirements meet the objective. Both dwellings have an area exceeding 25m ² with a minimum dimension of 3.0 metres (166.6 m ²). More active open space and passive open space is located within a short distance of the subject land.
55.05-5 Solar access to open space	Complies The proposed development has been designed to facilitate solar access into the secluded private open space areas of each dwelling, through the provision of well dimensioned open space areas orientated to the north.
55.05-6 Storage	Complies Each dwelling has been provided with 6 cubic metres of storage located within the garages. There is the potential of future owners providing additional storage within the generous private open space areas.
55.06-1 Design detail	Complies The proposed development is considered to respect the neighbourhood character, consistent with Standard B31. Built form elements include pitched roofing, larger opening sizes, eaves, heavier masonry materials. The absence of front fencing complements the built form of the area.
55.06-2 Front fences	Complies Front fencing styles vary in the street. Some properties within the neighbourhood do not comprise front fencing. The requirements of Standard B32 are achieved, as no front fence is proposed.
55.06-3 Common property	N/A No common property is proposed.
55.06-4 Site services	Complies Each dwelling has been provided with rubbish bin locations which will be obscured from the Wallace Street frontage and mailboxes will be provided fronting Wallace Street.

Clause 56 – Two Lot Subdivision

Objective	Comment
56.03-5 Neighbourhood Character	Complies <p>The proposal is in keeping with the neighbourhood character of the area. The character of the area is varied having different lot sizes, shapes and areas.</p> <p>The proposed subdivision will be sympathetic with the neighbourhood character. Providing two larger allotments that will both front Wallace Street.</p> <p>The lots shape and area, with individual access to each lot will maintain the Wallace Streetscape.</p>
56.04-2 Lot area and building envelopes	Complies <p>Both of the allotments are 506m² in area and can accommodate a 10x15m rectangle. Both allotments have been created to accommodate the proposed dwellings.</p> <p>The subdivision layout provides area for anticipated future development to enjoy solar access, private open space and safe vehicle movements within allotment boundaries.</p>
56.04-3 Solar orientation of lots	Complies <p>Both lots will be provided with good solar orientation for the establishment of a future dwelling and private open space, given the north-south lot axis.</p>
56.04-5 Common Areas	N/A <p>There will be no areas of Common Property.</p>
56.06-8 Lot access	Complies <p>Access to the subject land will continue to be provided from Wallace Street. Both lots will be required to construct new vehicle crossovers.</p>
56.07-1 Drinking water supply	Complies <p>Reticulated water is provided to the land and both allotments will need to be connected to reticulated water.</p>
56.07-2 Reused and recycled water	Complies <p>Reused and recycled water will be dependent upon future owners and future development of the lots.</p>
56.07-3 Wastewater management	Complies <p>Reticulated sewer is already established within the precinct. Both proposed allotments will need to be connected to sewer consistent with Standard C24.</p>
56.07-4 Urban run-off management	Complies <p>Drainage will be provided to each allotment as part of the subdivision. It is noted that the drainage easement running along the eastern boundary of the subject land is proposed to be removed.</p> <p>The easement contains no drainage or other infrastructure that benefits other properties.</p>

Objective	Comment
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.

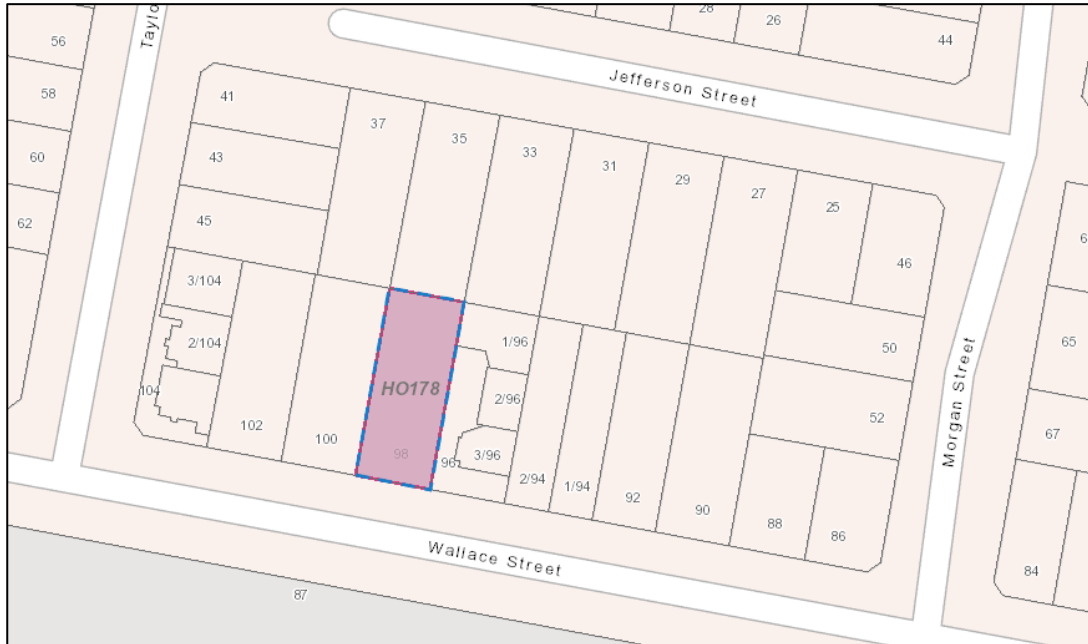
Decision Guidelines

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 55 and Clause 56 is achieved.
- Required garden area is achieved.

6.2 Heritage Overlay 178

Heritage Overlay No. 178 of the East Gippsland Planning Scheme applies to the subject land



Extract from Heritage Overlay mapping (Source: Vic Plan)

Demolition of the previous heritage building on the subject land was approved under Planning Permit 101/2021/P. The property is not located in a heritage precinct and as such the heritage value associated with the land was building specific.

As identified in the *Burra Charter* Council would have considered the conservation processes, as obliged to do so, when determining to issue the planning permit for the demolition of the heritage place/building.

In approving the building demolition Council would have previously considered preservation of the building, restoration of the building and reconstruction of the building. Council officers clearly determined that adaptation was the only conservation process viable in this instance.

Article 20 of the *Burra Charter* advises:

Adaptation is acceptable where the conservation of the place cannot otherwise be achieved, where the adaptation does not substantially detract from its cultural significance.

We say that adaptation in this case is the redevelopment of the now vacant site. By virtue of the removal of the heritage fabric, it is considered that there are no longer any heritage values applicable to the subject land.

6.3 Clause 52.02 Easements

A permit is required before a person proceeds under section 23 of the *Subdivision Act 1988* to remove an easement.

A drainage easement is contained on the subject land title running along the eastern boundary of the title from north to south. The easement has been inspected by the landowner and there is no drainage infrastructure or other infrastructure contained within the easement.

It is therefore considered that the removal of the drainage easement would not negatively impact the interests of other parties/properties.

7. Conclusion

The proposed construction of two dwellings, two lot subdivision and removal of a drainage easement at 98 Wallace Street, Bairnsdale is considered to accord with all relevant provisions of the General Residential Zone, Heritage Overlay 178 and Clause 52.02 Easements 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.

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

SITE CLASSIFICATION: *
IN ACCORDANCE WITH AS2870-2011
WIND CLASSIFICATION: N*
IN ACCORDANCE WITH AS4055-2012

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

PROPOSED TOWNHOUSE DEVELOPMENT
98 WALLACE STREET BAIRNSDALE
EASTERN VICTORIAN CONSTRUCTION GROUP



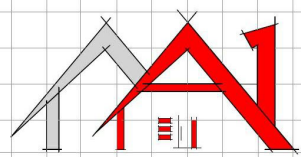
PRELIMINARY 8.12.23

SHEET SIZE : A2

© Copyright

This information shall be copyright except for the sole purpose of assisting the organisation named in the this document in performing tasks associated with the nominated project. This drawing and associated or derived information shall not be used for other purposes or transferred to other without written permission of "A1 Building Design & Drafting"
"DO NOT SCALE DRAWINGS" USE FIGURED DIMENSIONS. REFER COVER SHEET FOR NOTES UNLESS NOTED OTHERWISE

AREA:	m ²	Issue	Amendment	Date
SITE AREA:		-	-	-
HOUSE AREA:		-	-	-
GARAGE AREA:		-	-	-
ALFRESCO / VERANDA:		-	-	-
PORCH AREA:		-	-	-
OTHER AREA:		-	-	-



A1 BUILDING DESIGN
AND DRAFTING
P.O. Box 911 Bairnsdale Victoria 3875
Mob.: 0438 560 215

Date:	OCTOBER 2023	Title:	COVER
A2 Scale:		Client:	EASTERN VICTORIAN CONSTRUCTION GROUP
Designed:		Project:	TOWN HOUSE DEVELOPMENT AT 98 WALLACE STREET BAIRNSDALE
Drawn:	MEAGHAN GAMBLE DPAD2468	Job No:	17433
Plot Date:	8/12/2023 1:45:53 PM	Revised:	
Client Approval Signature:		Page 31 of 38	0FS
Date:			



Eastern Victoria Construction Group Pty Ltd
Trading as EVCG
Commercial and Industrial Construction
CCB-U 60791

PROPERTY REPORT:

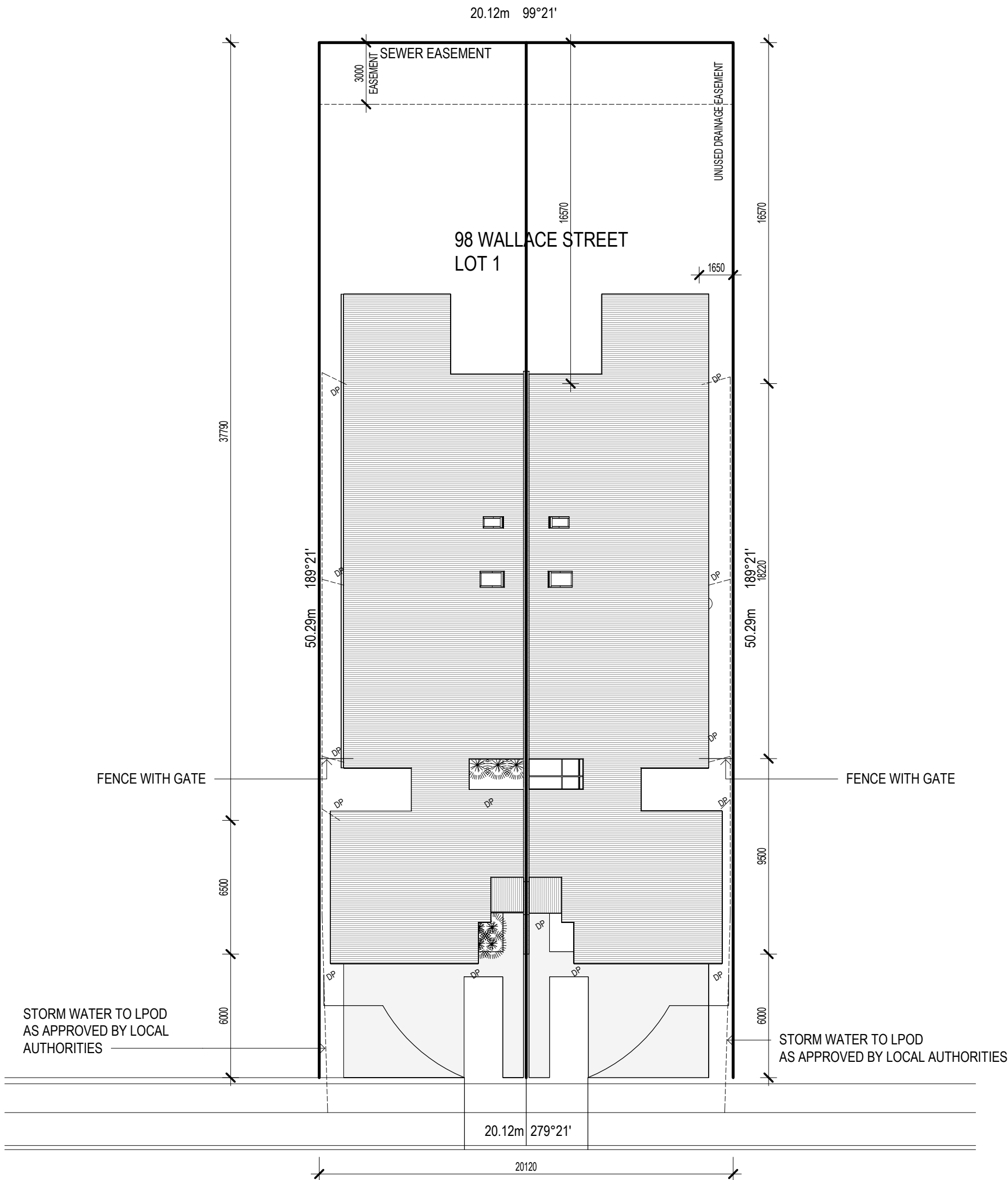
ADDRESS: 98 WALLACE STREET BAIRNSDALE 3875
LOT: Lot 1 TP894441
COUNCIL: EAST GIPPSLAND
COUNCIL PROPERTY No.: 9968
GENERAL RESIDENTIAL ZONE (GRZ)
HERITAGE OVERLAY (HO)

DOWN PIPE LOCATION AND NUMBER TO BE CONFIRMED BY PLUMBER ON SITE.
STORM WATER CONNECTED TO LEGAL POINT OF DISCHARGE.

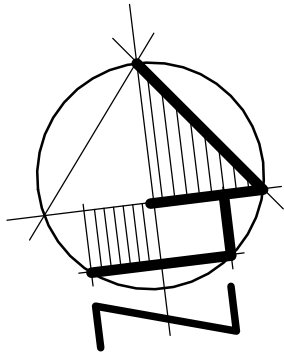
SITE LEVELS BY :

- ALL STORM WATER TO BE TAKEN TO THE LEGAL POINT OF DISCHARGE TO THE RELEVANT AUTHORITIES APPROVAL.
- THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT STRUCTURAL DRAWINGS
- INSTALLATION OF ALL SERVICES SHALL COMPLY WITH THE RESPECTIVE SUPPLY AUTHORITY REQUIREMENTS
- THE BUILDER AND SUBCONTRACTOR SHALL ENSURE THAT ALL STORMWATER DRAINS, SEWER PIPES AND THE LIKE ARE LOCATED AT A SUFFICIENT DISTANCE FROM ANY BUILDINGS FOOTINGS AND / OR SLAB EDGE BEAMS SO AS TO PREVENT GENERAL MOISTURE PENETRATION, DAMPNESS, WEAKENING AND UNDERPINNING OF ANY BUILDING AND ITS FOOTING SYSTEM.
- STORMWATER: 100 DIA. CLASS 6 UPVC STORMWATER LINE LAID TO A MINIMUM GRADE OF 1 : 100 AND CONNECTED TO LEGAL POINT OF STORMWATER DISCHARGE. PROVIDE INSPECTION OPENINGS AT 9000mm C/C AND AT EACH CHANGE OF DIRECTION.

- NOTE:
- ALL DOWN PIPES TO BE CONNECTED FROM GUTTERS TO LEGAL POINT OF DISCHARGE
 - ALL NEW FRAMING TO COMPLY WITH AS 1684 AND THE BUILDING CODE OF AUSTRALIA 2016(CLASS 1-10 BUILDINGS)
 - THE BUILDER AND SUBCONTRACTORS SHALL CHECK ALL DIMENSIONS, SETBACK, LEVELS AND SPECIFICATIONS AND ALL RELEVANT DOCUMENTATION PRIOR TO THE COMMENCEMENT OF ANY WORKS. REPORT ALL DISCREPANCIES TO THE BUILDER FOR CLARIFICATION. THE BUILDER SHALL TAKE ALL STEPS NECESSARY TO ENSURE THE STABILITY AND GENERAL WATER TIGHTNESS OF ALL NEW / AND OR EXISTING STRUCTURES DURING THE WORKS.
 - BUILDER TO VERIFY DIMENSIONS ON SITE PRIOR DEMOLITION / CONSTRUCTION WORKS.



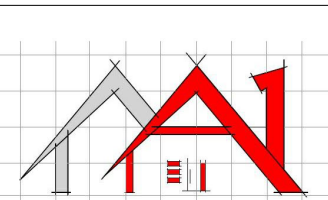
WALLACE STREET



SHEET SIZE : A2

© Copyright

AREA:	m²	Issue	Amendment	Date
SITE AREA:	-	-	-	-
HOUSE AREA:	-	-	-	-
GARAGE AREA:	-	-	-	-
ALFRESCO / VERANDA:	-	-	-	-
PORCH AREA:	-	-	-	-
OTHER AREA:	-	-	-	-



A1 BUILDING DESIGN
AND DRAFTING
P.O. Box 911 Bairnsdale Victoria 3875
Mob.: 0438 560 215

Date:	OCTOBER 2023	Title:	SITE PLAN
A2 Scale:	1 : 200	Client:	EASTERN VICTORIAN CONSTRUCTION GROUP
Designed:	Designer	Project:	TOWN HOUSE DEVELOPMENT AT 98 WALLACE STREET BAIRNSDALE
Drawn:	MEAGHAN GAMBLE DPAD2468	Job No:	17433
Plot Date:	8/12/2023 1:45:54 PM	Revised:	
Client Approval Signature:		Drawing No:	A01
Date:			

Printed 14/03/2024
Page 32 of 38

PRELIMINARY 8.12.23



Eastern Victoria Construction Group Pty Ltd
Trading as EVCG
Commercial and Industrial Construction
CCB-U 60791

This information shall be copyright except for the sole purpose of assisting the organisation named in the this document in performing tasks associated with the nominated project. This drawing and associated or derived information shall not be used for other purposes or transferred to other without written permission of "A1 Building Design & Drafting"
"DO NOT SCALE DRAWINGS" USE FIGURED DIMENSIONS. REFER COVER SHEET FOR NOTES UNLESS NOTED OTHERWISE

SMOKE ALARM TO BE PROVIDED IN ACCORDANCE WITH AS 3786. REFER TO FLOOR PLAN FOR LOCATIONS. SMOKE ALARMS TO BE INTERCONNECTED.

SMOKE DETECTOR / ALARM
Smoke alarms must meet the Australian Standard AS 3786-1993 required by the *Building Regulations 2006* (the Regulations).
In all new residential buildings, constructed on or after 1 August 1997, the smoke alarms must be connected directly to the consumer power mains as well as having a battery back-up.

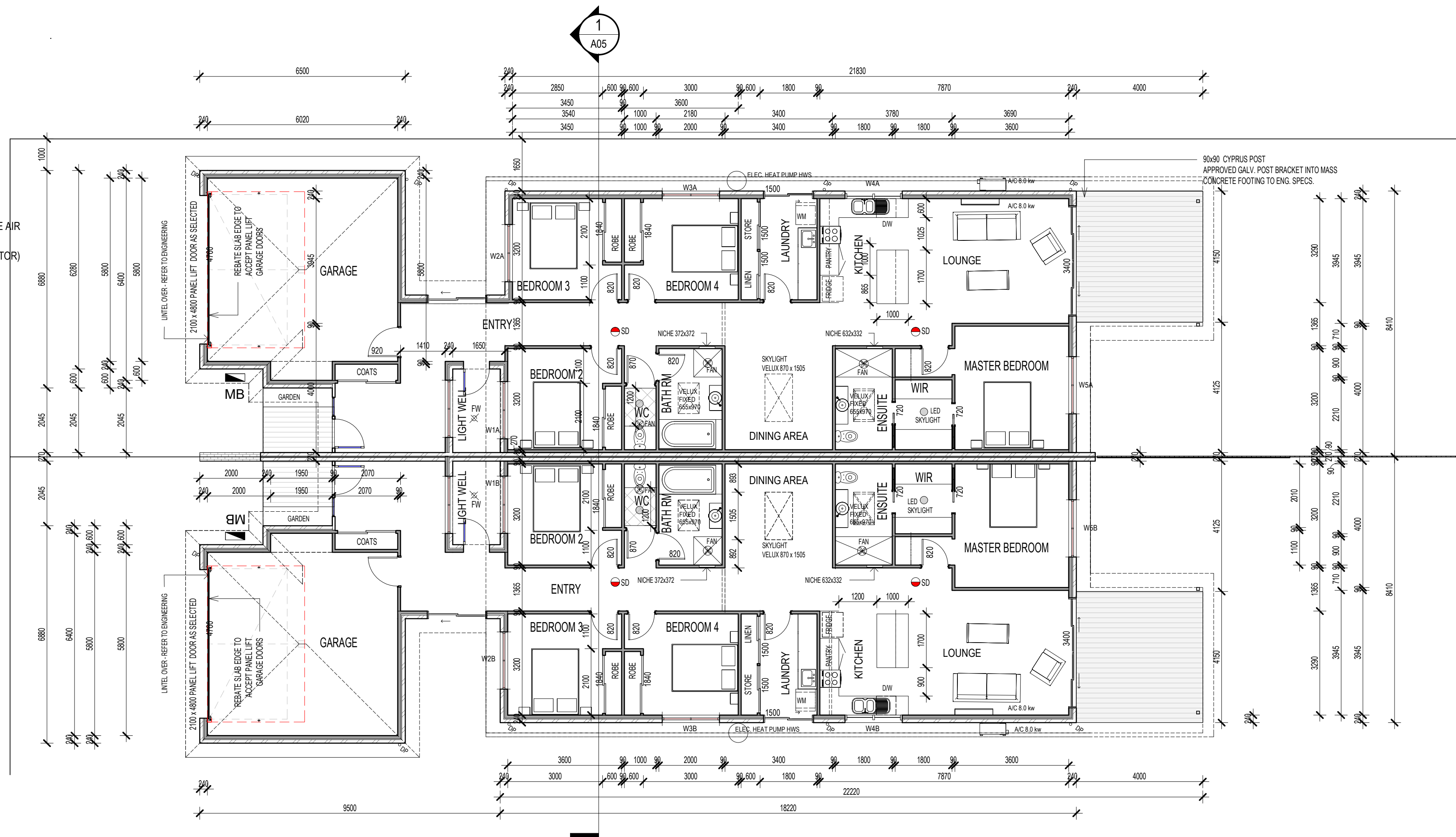
NOTE:
ALL CEILING EXHAUST FANS ARE TO DISCHARGE TO OUTSIDE AIR OR TO THE ROOF SPACE ONLY IF THAT SPACE IS MECHANICALLY VENTED (IE. WHIRLYBIRD ROTARY VENTILATOR)

SD DENOTES: APPROVED
SMOKE
DETECTOR/ALARM

EXHAUST FAN
(SEALED)

DOORS TO SANITARY COMPARTMENTS MUST BE OPENABLE, SLIDE OR BE READILY REMOVABLE FROM THE OUTSIDE TO COMPARTMENT UNLESS THERE IS A CLEAR SPACE OF 1.2m BETWEEN THE CLOSEST PAN WITHIN THE SANITARY COMPARTMENTS AND THE NEAREST PART OF THE DOORWAY. SANITARY COMPARTMENTS TO COMPLY WITH BCA CLAUSE 3.8.3.4

DOWN PIPES / STORMWATER
TO LEGAL POINT OF
DISCHARGE



FLOOR PLAN
Scale: 1 : 100

PROVIDE 270MM DIAMETER ILLUME SOLAR LIGHT

SHEET SIZE : A2

Copyright

Eastern Victoria Construction Group Pty Ltd

Trading as EVCG

Commercial and Industrial Construction

CCB-U 60791

This information shall be copyright except for the sole purpose of assisting the organisation named in the this document in performing tasks associated with the nominated project. This drawing and associated or derived information shall not be used for other purposes or transferred to other without written permission of "A1 Building Design & Drafting".
"DO NOT SCALE DRAWINGS" USE FIGURED DIMENSIONS. REFER COVER SHEET FOR NOTES UNLESS NOTED OTHERWISE

AREA:	m ²	Issue	Amendment	Date
SITE AREA:	-	-	-	-
HOUSE AREA:	-	-	-	-
GARAGE AREA:	-	-	-	-
ALFRESCO / VERANDA:	-	-	-	-
PORCH AREA:	-	-	-	-
OTHER AREA:	-	-	-	-

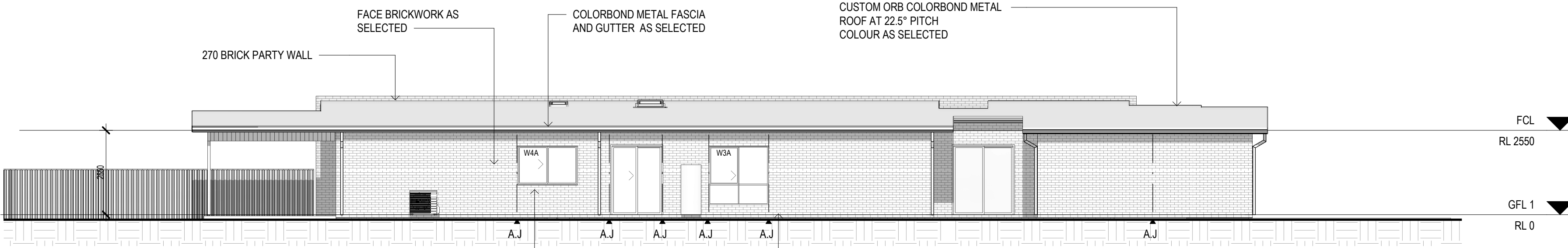
A1 BUILDING DESIGN
AND DRAFTING

P.O. Box 911 Bairnsdale Victoria 3875
Mob.: 0438 560 215

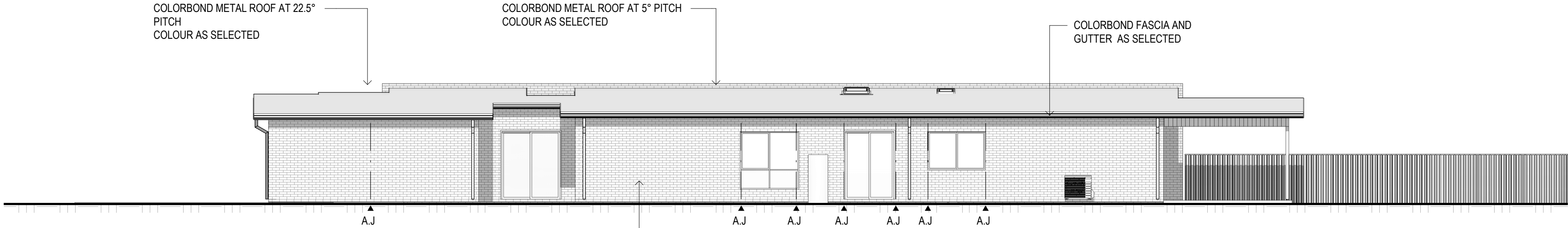
Date:	OCTOBER 2023	Title:	FLOOR PLANS
A2 Scale:	1 : 100	Client:	EASTERN VICTORIAN CONSTRUCTION GROUP
Drawn:	MEAGHAN GAMBLE DPAD2468	Project:	TOWN HOUSE DEVELOPMENT AT 98 WALLACE STREET BAIRNSDALE
Plot Date:	8/12/2023 1:45:55 PM	Job No:	17433
Client Approval Signature:		Revised:	
Date:		Drawn No:	A02

PRELIMINARY 8.12.23

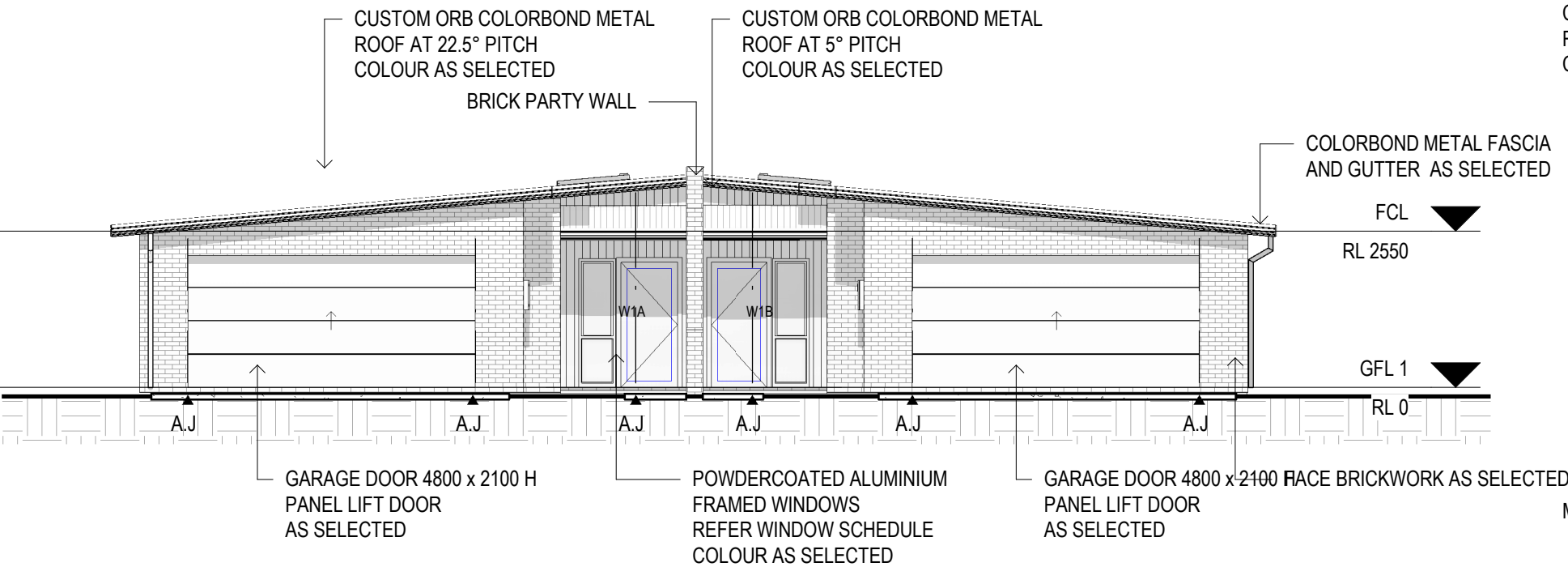
- ARTICULATION JOINTS:
- MUST HAVE A WIDTH NOT LESS THAN 10mm
 - BE PROVIDED IN STRAIGHT, CONTINUOUS WALL HAVING NO OPENINGS - AT NOT MORE THAN 6m CENTRES AND WITHIN 4.5m, BUT NOT CLOSER THAN 470mm OF ALL CORNERS.
 - BE PROVIDED IN STRAIGHT, CONTINUOUS WALLS WITH OPENINGS MORE THAN 900 x 900 mm - AT NOT MORE THAN 5m CENTRES AND LOCATED SO THAT THEY ARE NOT MORE THAN 1.2m AWAY FROM OPENINGS.



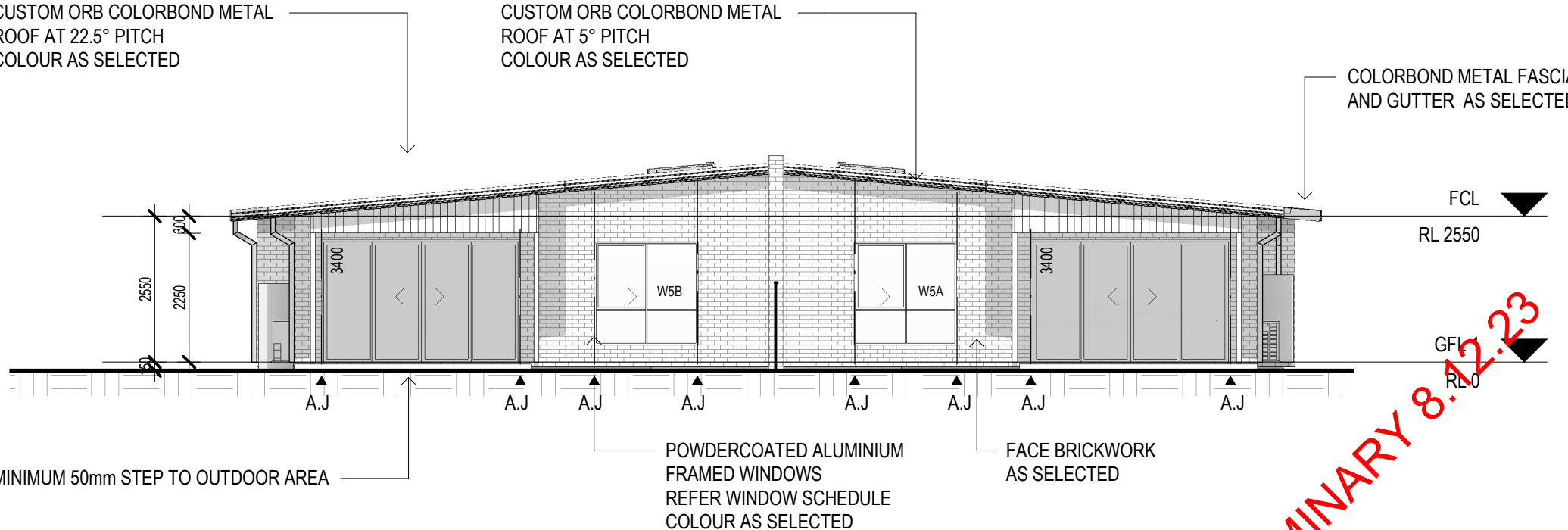
2- ELEVATION
Scale: 1 : 100



4- ELEVATION
Scale: 1 : 100



1 - ELEVATION
Scale: 1 : 100



3 -ELEVATION
Scale: 1 : 100

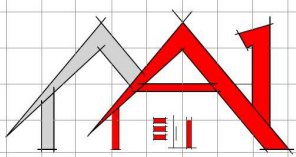
SHEET SIZE : A2



Eastern Victoria Construction Group Pty Ltd
Trading as EVCG
Commercial and Industrial Construction
CCB-U 60791

This information shall be copyright except for the sole purpose of assisting the organisation named in the this document in performing tasks associated with the nominated project. This drawing and associated or derived information shall not be used for other purposes or transferred to other without written permission of "A1 Building Design & Drafting".
"DO NOT SCALE DRAWINGS" USE FIGURED DIMENSIONS. REFER COVER SHEET FOR NOTES UNLESS NOTED OTHERWISE

AREA:	m ²	Issue	Amendment	Date
SITE AREA:	-	-	-	-
HOUSE AREA:	-	-	-	-
GARAGE AREA:	-	-	-	-
ALFRESCO / VERANDA:	-	-	-	-
PORCH AREA:	-	-	-	-
OTHER AREA:	-	-	-	-



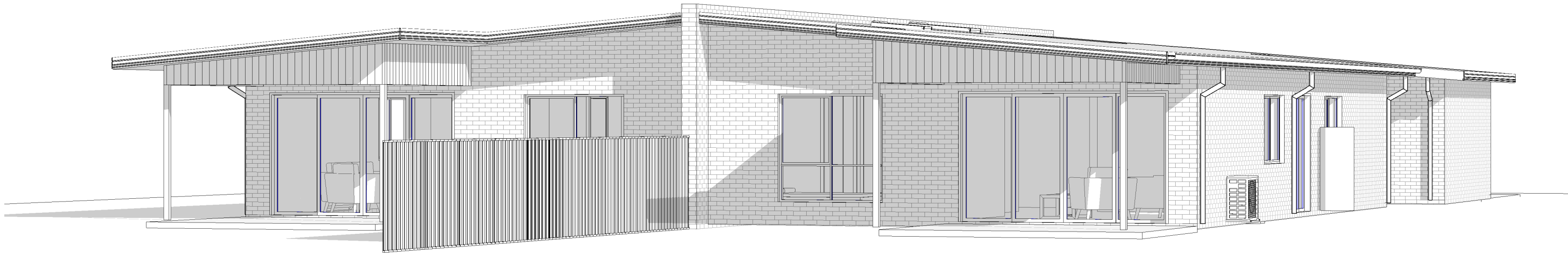
A1 BUILDING DESIGN
AND DRAFTING
P.O. Box 911 Bairnsdale Victoria 3875
Mob.: 0438 560 215

Date:	OCTOBER 2023
A2 Scale:	1 : 100
Designed:	Designer
Drawn:	MEAGHAN GAMBLE DPAD2468
Plot Date:	8/12/2023 1:46:00 PM
Client Approval Signature:	
Date:	

Title:	ELEVATIONS
Client:	EASTERN VICTORIAN CONSTRUCTION GROUP
Project:	TOWN HOUSE DEVELOPMENT AT 98 WALLACE STREET BAIRNSDALE
Job No:	17433
Revision:	
Drawing No:	A04

Printed 14/03/2024
Page 34 of 38

PRELIMINARY 8.12.23



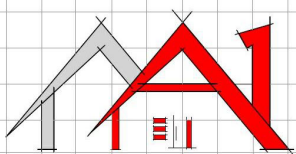
PRELIMINARY 8.12.23

SHEET SIZE : A2

© Copyright

This information shall be copyright except for the sole purpose of assisting the organisation named in the this document in performing tasks associated with the nominated project. This drawing and associated or derived information shall not be used for other purposes or transferred to other without written permission of "A1 Building Design & Drafting"
"DO NOT SCALE DRAWINGS" USE FIGURED DIMENSIONS. REFER COVER SHEET FOR NOTES UNLESS NOTED OTHERWISE

AREA:	m²	Issue	Amendment	Date
SITE AREA:	-	-	-	-
HOUSE AREA:	-	-	-	-
GARAGE AREA:	-	-	-	-
ALFRESCO / VERANDA:	-	-	-	-
PORCH AREA:	-	-	-	-
OTHER AREA:	-	-	-	-



A1 BUILDING DESIGN
AND DRAFTING
P.O. Box 911 Bairnsdale Victoria 3875
Mob.: 0438 560 215

Date:	OCTOBER 2023
A2 Scale:	
Designed:	Designer
Drawn:	MEAGHAN GAMBLE DPAD2468
Plot Date:	8/12/2023 1:46:03 PM
Client Approval Signature:	
Date:	

Title:	3D VIEWS
Client:	EASTERN VICTORIAN CONSTRUCTION GROUP
Project:	TOWN HOUSE DEVELOPMENT AT 98 WALLACE STREET BAIRNSDALE
Job No:	17433
Revision:	
Page 35 of 38	
Drawing No:	A09



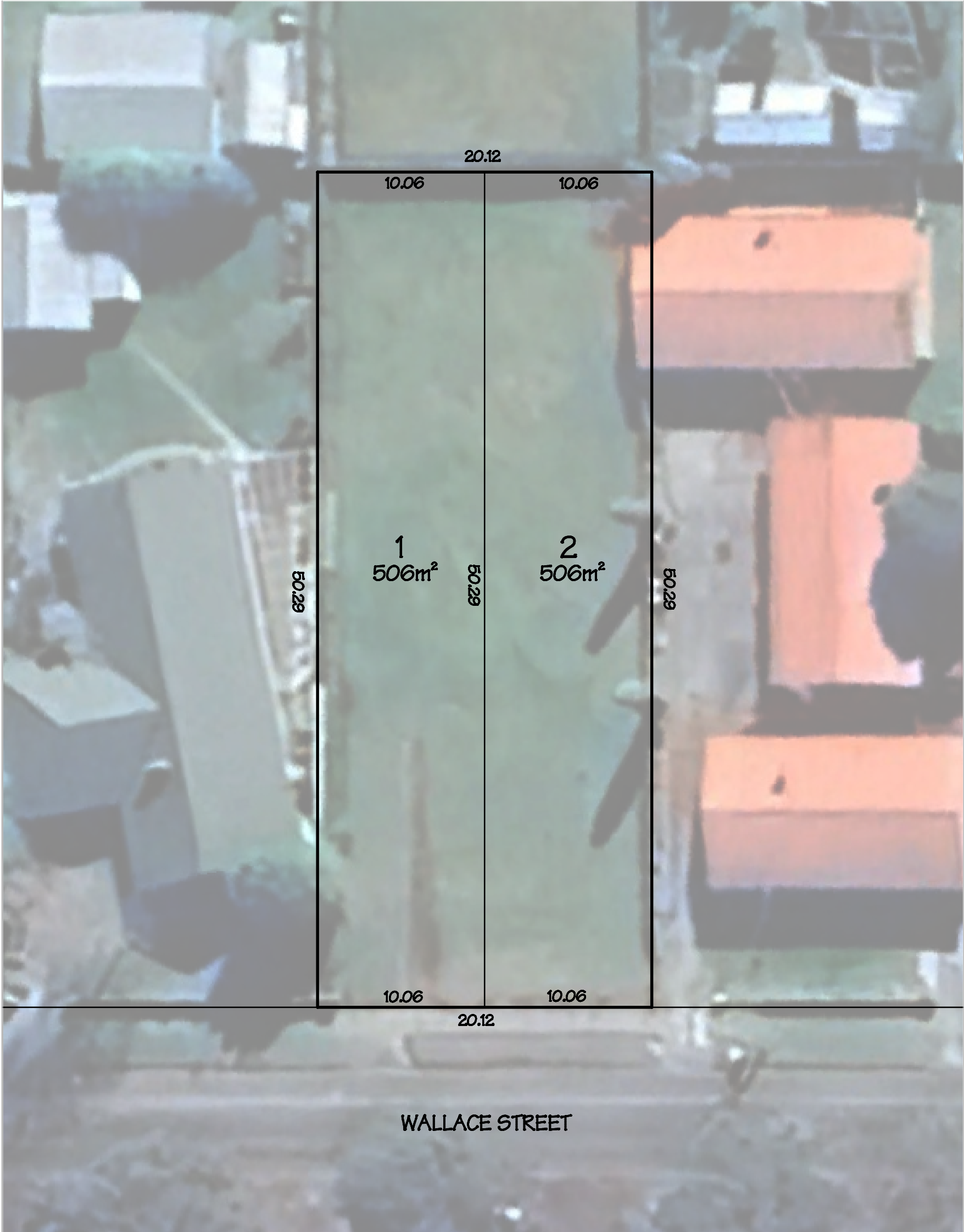
Eastern Victoria Construction Group Pty Ltd
Trading as EVCG
Commercial and Industrial Construction
CCB-U 60791

APPROX. TRUE NORTH

PROPOSED SUBDIVISION

PARISH OF BAIRNSDALE
TOWNSHIP OF BAIRNSDALE
CROWN ALLOTMENT 94 (PART)

LOT 1 - TP894441Q



Crowther & Sadler Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS

152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
P. (03) 5152 5011 E. contact@crowthersadler.com.au

FILENAME: Y:\20000-20999\20700- 20799\20740 AB Projects\20740 Prop V1.pro

AB PROJECTS

98 WALLACE STREET, BAIRNSDALE

SCALE (SHEET SIZE A3)

1 : 250

SURVEYORS REF.

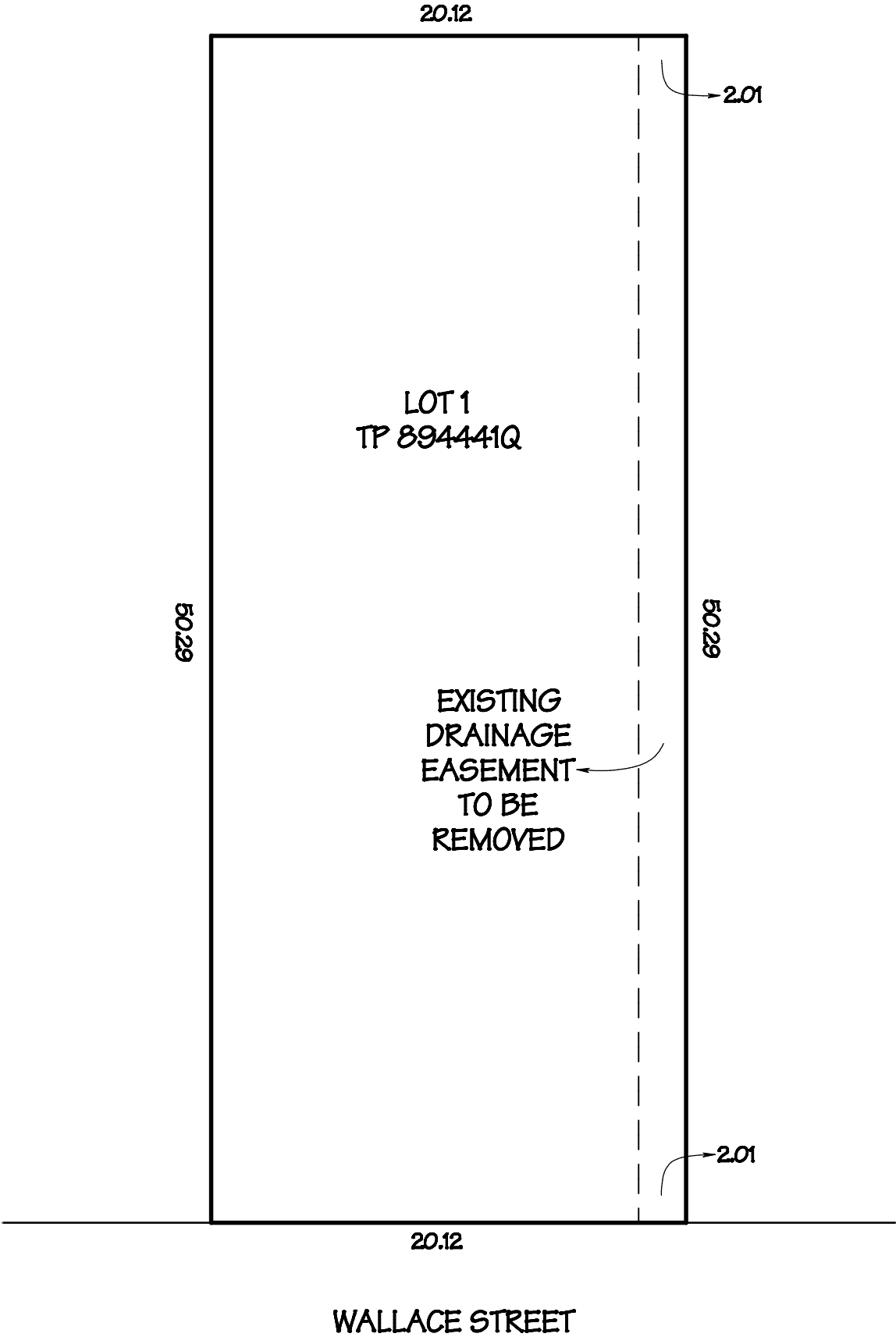
20740

VERSION 1 - DRAWN 13/12/2023

PLAN OF EASEMENT REMOVAL

PARISH OF BAIRNSDALE
TOWNSHIP OF BAIRNSDALE
CROWN ALLOTMENT 94 (PART)

LOT 1 - TP894441Q



AB PROJECTS

98 WALLACE STREET. BAIRNSDALE

Crowther & Sadler Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS
152 MACLEOD STREET, BAIRNSDALE, VIC., 3875
P. (03) 5152 5011 E. contact@crowthersadler.com.au

FILENAME: Y:\20000-20999\20700-20799\20740 AB Projects\20740 Easement Removal V1.pro

NOTATIONS

SCALE (SHEET SIZE A3)

1 : 250

SURVEYORS REF.

20740

VERSION 1 - DRAWN 21/02/2024

MGA2020 ZONE 55



<div>AB PROJECTS</div> <div>98 WALLACE STREET, BAIRNSDALE</div>	NOTATIONS		DESIGN RESPONSE PLAN
<div>Crowther & Sadler Pty. Ltd.</div> <div>LICENSED SURVEYORS & TOWN PLANNERS</div> <div>152 MACLEOD STREET, BAIRNSDALE, VIC., 3875</div> <div>P. (03) 5152 5011 E. contact@crowthersadler.com.au</div>	S/S - SINGLE STOREY D/S - DOUBLE STOREY WB - WEATHERBOARD BY - BRICK VENEER		PARISH OF BAIRNSDALE TOWNSHIP OF BAIRNSDALE CROWN ALLOTMENT 94 (PART)
	SCALE (SHEET SIZE A3)	SURVEYORS REF.	LOT 1 - TP894441Q
	1 : 800	20740 VERSION 1 - DRAWN 13/12/2023	Printed 14/03/2024 Page 38 of 38
FILENAME: Y:\20000-20999\20700- 20799\20740 AB Projects\20740 Design Response V1.pro			