

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	26 Maude Street LUCKNOW 3875 Lot: 1 PS: 321713
The application is for a permit to:	Two lot subdivision
The applicant for the permit is:	M A Holland
The application reference number is:	5.2024.101.1

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 the 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 Page 1 of 1

VOLUME 10194 FOLIO 373

Security no : 124113823216R
Produced 01/04/2024 05:13 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 321713V.
PARENT TITLE Volume 09010 Folio 458
Created by instrument PS321713V 19/10/1994

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MURRAY ARTHUR HOLLAND
AX638591T 15/01/2024

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 PS321713V FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX638590V (E)	DISCHARGE OF MORTGAGE	Registered	15/01/2024
AX638591T (E)	TRANSFER	Registered	15/01/2024
AX638592R (E)	MORTGAGE	Registered	15/01/2024

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

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

Street Address: 26 MAUDE STREET LUCKNOW VIC 3875

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END



PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 01 April 2024 01:04 PM

PROPERTY DETAILS

Address: **26 MAUDE STREET LUCKNOW 3875**
 Lot and Plan Number: **Lot 1 PS321713**
 Standard Parcel Identifier (SPI): **1\PS321713**
 Local Government Area (Council): **EAST GIPPSLAND**
 Council Property Number: **70465**
 Planning Scheme: **East Gippsland**
 Directory Reference: **Vicroads 689 O6**

www.eastgippsland.vic.gov.au

[Planning Scheme - East Gippsland](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
 Urban Water Corporation: **East Gippsland Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
 Legislative Assembly: **GIPPSLAND EAST**

OTHER

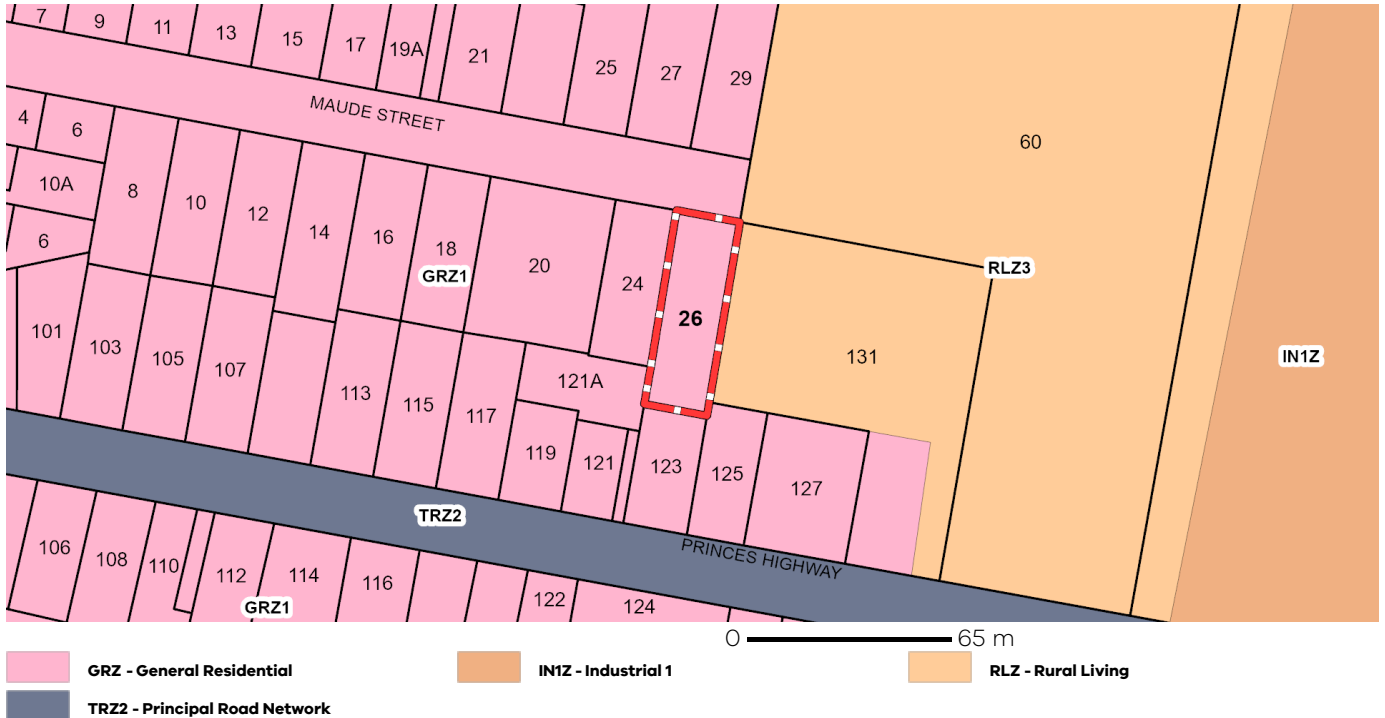
Registered Aboriginal Party: **Gunaikurnai Land and Waters Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

PLANNING PROPERTY REPORT

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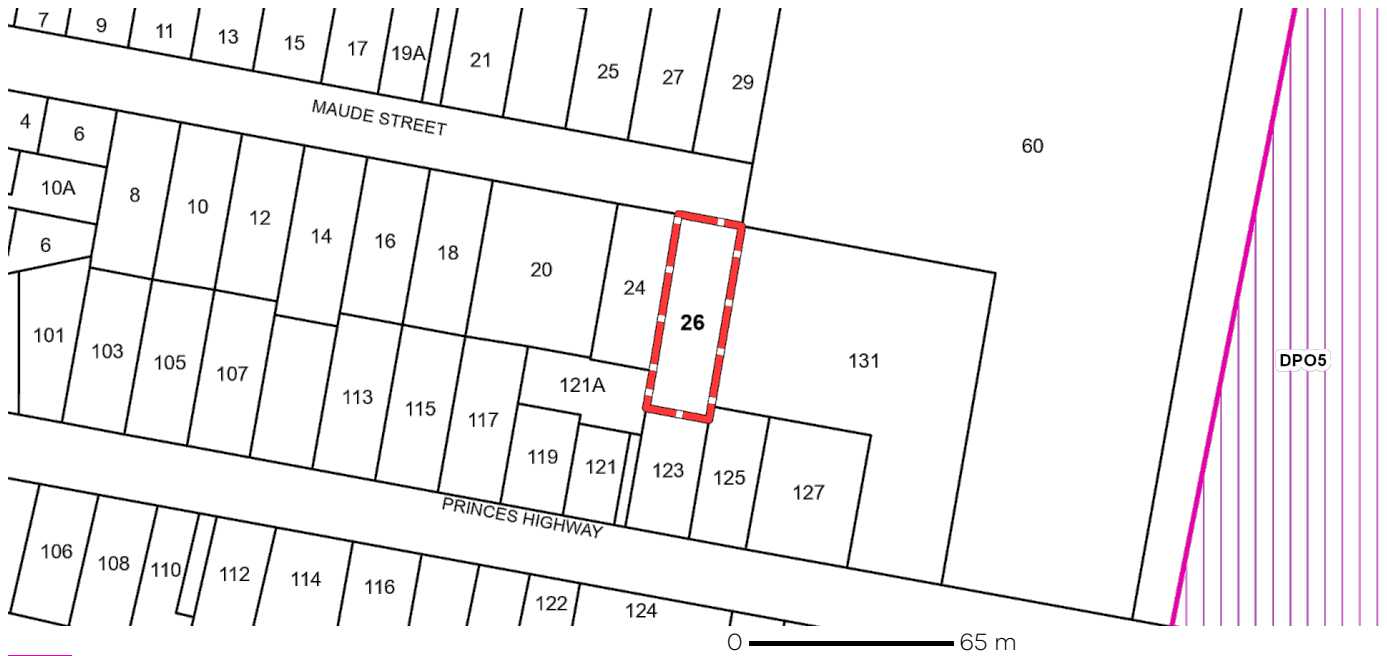
Planning Overlay

None affecting this land - there are overlays in the vicinity

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

DEVELOPMENT PLAN OVERLAY (DPO)



DPO - Development Plan Overlay

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Further Planning Information

Planning scheme data last updated on 7 December 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](http://nativevegetation.environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](http://naturekit.environment.vic.gov.au)

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 100 of the 1962 Land Act 1962 (Vic).

1 April, 2024

Planning Permit Application Two Lot Subdivision 26 Maude Street, Lucknow



Applicant:
Murray Holland
60 Stones Road, Swan Reach
0404 403 422
murray.a.holland@gmail.com

Introduction:

This planning permit application requests planning approval for a two-lot subdivision of the land at 26 Maude Street Lucknow.

As the subject site is located in the General Residential Zone, this application will seek to address the relevant zoning provisions as contained within the East Gippsland Planning Scheme. The subject site is not affected by any Overlays.

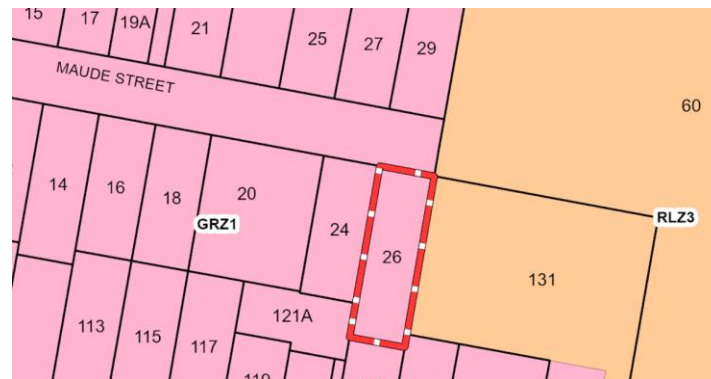


Figure 1: Extract from Planning Property Report (VicPLAN)

Clause 02.03-1 of the East Gippsland Planning Scheme identifies Bairnsdale as a growth area town of East Gippsland. One of the key strategic directions for facilitating growth in Bairnsdale is to “encourage population growth and development on fully serviced residential land ...” and specifically encourages residential infill development to provide greater diversity in housing choice while making good use of existing infrastructure.

Figure 2 is provided to demonstrate that the subject site is located within the established residential precinct of East Bairnsdale - Lucknow; a mixed activity precinct that is identified as a growth area in Bairnsdale and the surrounding region.

Strategies for the growth of the East Bairnsdale - Lucknow precinct include ongoing support for a mix of activities across residential, commercial, industrial and recreational.

To that end, land development is encouraged where it does not compromise the precinct’s existing and anticipated commercial and industrial activities and the future Princes Highway diversion.

The subject site is located more than 250 metres north of the future Princes Highway diversion and is within a strategically identified and well-established residential precinct. Hence the proposed subdivision poses no adverse impact to the anticipated expansion of this precinct.

Figure 3 demonstrates that the subject site is located within close proximity to existing education, retail, commercial, health and recreational facilities in the well-established residential estates of Eastwood and Lucknow.

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Figure 2: East Bairnsdale – Lucknow Precinct Plan

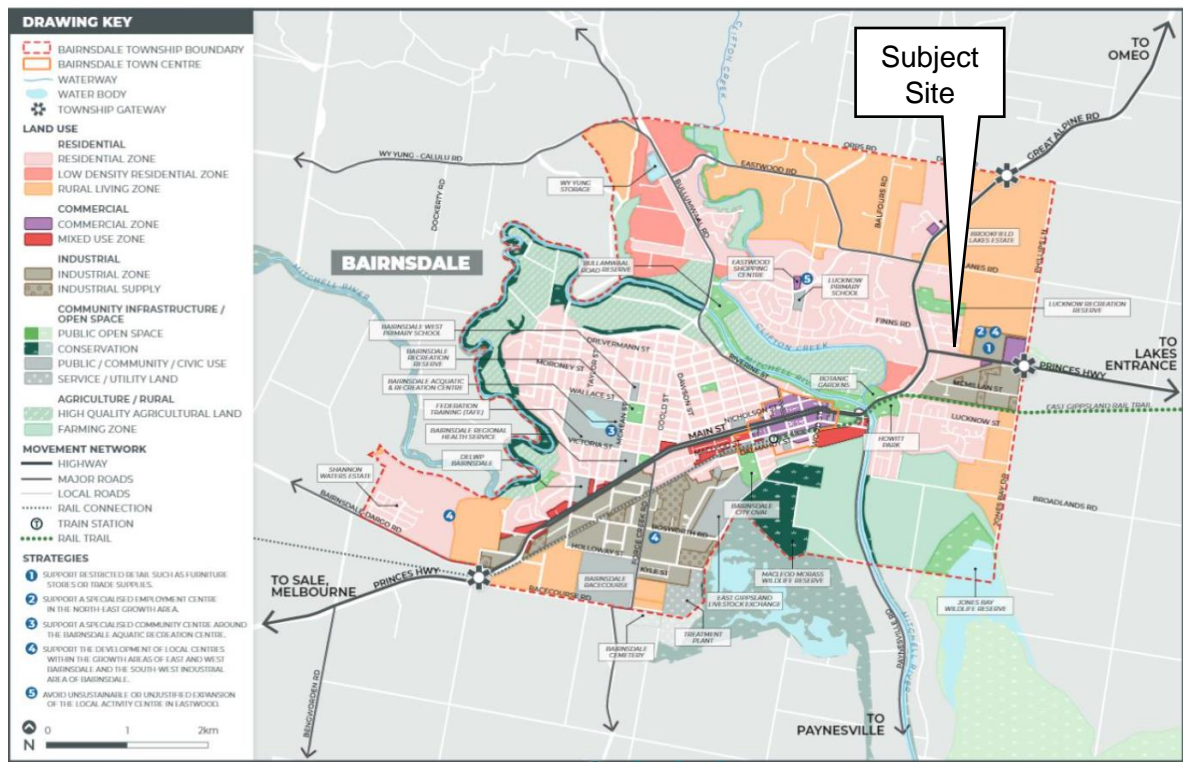


Figure 3: Bairnsdale Framework Plan

Site Context:

The subject site is located at 26 Maude Street, Lucknow and is formally known as Lot 1 on Plan of Subdivision 321713V with Certificate of Title Volume: 10194, Folio: 373. The subject site has land area of 1,253m² formed in a rectangular shape with a frontage of 20.12 metres to Maude Street and a site length of 62.28 metres. The subject site is relatively flat and is accessed via a concrete crossover located at the western end of its north boundary road frontage.

The subject site has been improved with a single story weatherboard dwelling that is setback approximately 5 metres from its north boundary and less than 2 metres from its east boundary. Its attached carport is located approximately 2 metres from its west boundary and a large outbuilding located in its south-west corner is setback more than 6 metres from its south boundary and approximately 1 metre from its west boundary. A small garden shed is located to the rear of the dwelling along the site's east boundary.

These details are depicted in **Photos 1 & 2**.



Photo 1: Aerial Photo of subject site and its surrounds

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Photo 2: Streetscape image of the subject site

The subject site is surrounded by single story dwellings and their associated outbuildings as depicted at **Photo 3** and **Photos 4 – 8**.



Photo 3: Aerial imagery depicting the subject site (Source: www.realestate.com.au)

The subject site adjoins:

- Maude Street along its 20.12 metre long north boundary road frontage. This road reserve measures approximately 20 metres in width and is comprised of an unmarked, two way sealed road with concrete kerb and channel drainage and grassed verges along both sides. Maude Street terminates as a cul-de-sac at its eastern end, adjacent to the subject site and intersects with Charles Street less than 300 metres to the west;
- 131 Princes Highway along its east boundary for a distance of approximately 57 metres. This property is formed in an irregular shape with land area of approximately 5,810m². It is dual zoned with General Residential and Rural Living Zones. It accommodates a single story dwelling that is setback less than 8 metres from its south boundary road frontage with a number of outbuildings to the rear. This property is accessed via a concrete crossover located along the eastern end of its south boundary road frontage;
- 125 Princes Highway along its east boundary for a distance of approximately 5 metres. This property is formed in a rectangular shape with land area of approximately 820m². It accommodates a single story dwelling that is setback approximately 8 metres from its south boundary road frontage with a large outbuilding located in its northeast portion, which is setback less than 1 metre from its north boundary. This property is accessed via a concrete crossover located along the eastern end of its south boundary road frontage;
- 123 Princes Highway along its 20.12 metre long south boundary. This property has land area of approximately 750m² formed in a rectangular shape. It accommodates a dwelling that is located approximately 8 metres from its south boundary road frontage that has a single carport attached underroof which extends to an outbuilding. This property is accessed via a concrete crossover that is located along the western end of its south boundary road frontage.
- 121a Princes Highway along its west boundary for a distance of approximately 12.5 metres. This property has land area of 770m² formed in an irregular shape. It accommodates a dwelling and its associated outbuildings, which are located less than 1.5 metres from its north boundary and less than 1 metre from its west boundary. This property is accessed via a concrete crossover to the Princes Highway shared with property located at 121 Princes Highway;
- 24 Maude Street along its west boundary for a distance of approximately 50 metres. This property is formed in a rectangular shape with land area of approximately 970m². It accommodates a dwelling that is setback approximately 6 metres from its north boundary road frontage together with two outbuildings. This property is accessed via a concrete crossover located along the eastern end of its north boundary road frontage.



Photo 4: Streetscape image of 24 Maude Street



Photo 5: Streetscape image of 131 Princes Highway



Photo 6: Streetscape image of 125 Princes Highway



Photo 7: Streetscape image of 123 Princes Highway



Photo 8: Streetscape image of shared crossover entry to 121 and 121A Princes Highway

Proposal:

It is proposed to subdivide the land into two lots in accordance with the Proposed Plan of Subdivision and Design Response provided at **Figures 4 & 5**.

Proposed Lot 1 is to have area of 551.24m² formed in an irregular shape. It is to accommodate the existing dwelling and the existing garden shed located within its southeast corner. This garden shed is to be reduced in size by removing the lean-to currently attached to its south side. An existing carport located along the dwelling's west elevation is to be reduced in size to provide covered car accommodation for the existing dwelling. Rear yard access is proposed via a 3 metre wide access gate, which will be located to the rear of the carport.

Proposed Lot 2 is to have area of 665.84m² formed in a battle-axe shape. A 3.5m wide driveway will provide a 28.07 metre long access to an area that is suitably capable of accommodating a 10m x 15m building envelope with adequate setbacks from its boundaries as shown in **Figure 5**.

Both lots are to be accessed from the existing crossover to Maude Street, which is located at the western end of the site's north boundary road frontage. The existing crossover will lead to a 6m x 6m (36m²) area of Common Property that will provide a shared access point for both lots. A power pole is located to the west of the site's existing crossover and this impedes a widening of the existing crossover to facilitate shared crossover access. It is therefore considered that this area of Common Property will improve the safety and efficiency for vehicles entering and leaving the site. A portion of the front fence currently located along the western end of the site's frontage will also be removed or reduced to facilitate this improved access.

In order to facilitate the subdivision the large outbuilding located in the subject site's southwest portion will be demolished and a number of previously planted trees located along the site's west, south and east boundaries will be removed to facilitate the proposed access and the provision of services.

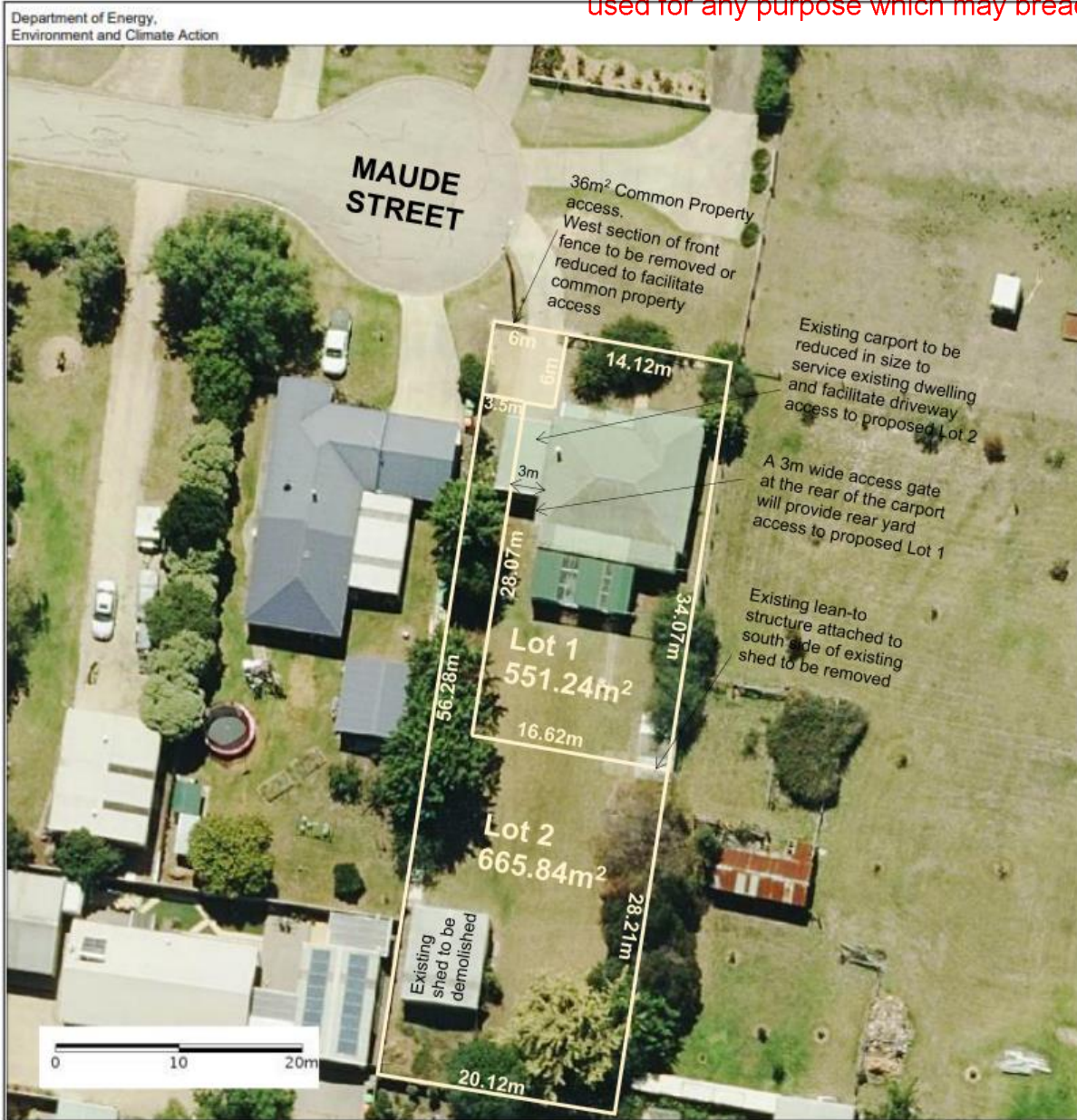


Figure 4: Proposed Plan of Subdivision

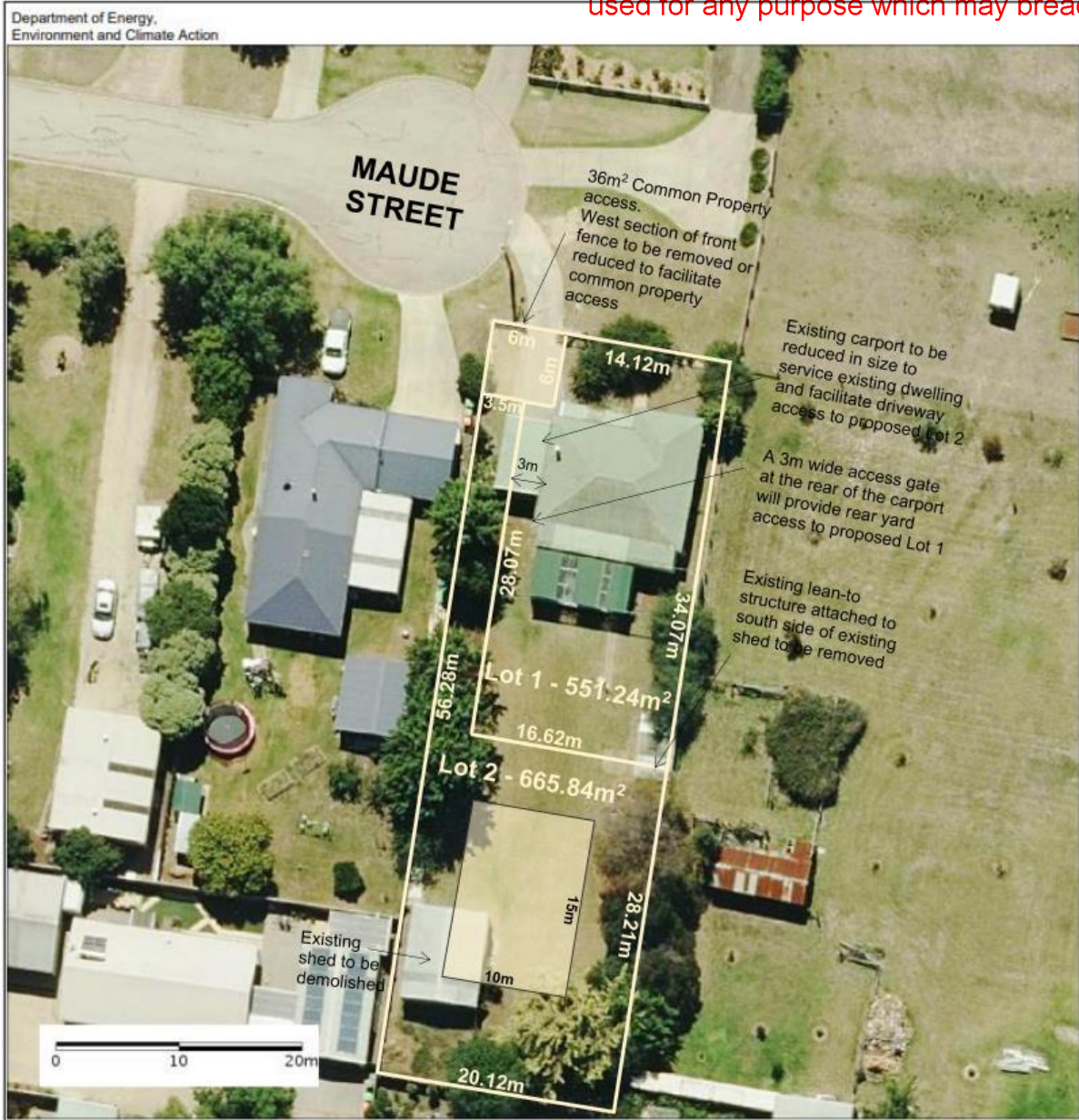


Figure 5: Design Response

PLANNING CONTROL

A planning permit is required to subdivide the land under the provisions of **Clause 32.08-3 General Residential Zone** as contained within the East Gippsland Planning Scheme.

Planning Policy Framework

The relevant planning policies within the East Gippsland Planning Scheme apply to this proposal and it is considered that the proposed subdivision aligns with the objectives and strategies of the following clauses:

11.01-1S	Settlement
11.01-1L-02	Growth Area Towns (Bairnsdale & East Bairnsdale/Lucknow)
15	Built environment
15.01-3S	Subdivision design
15.01-5S	Neighbourhood character
16	Housing
16.01-1S	Housing supply
16.01-2S	Housing affordability
16.01-2L	Location of residential development

The proposed subdivision supports residential growth through the infill development of an underutilised parcel of land located within the East Bairnsdale – Lucknow precinct.

As previously shown at **Figure 2** the subject site is located within close proximity of a wide range of existing services and facilities including health, education, retail and community recreation.

Furthermore, anticipated population growth detailed in the East Bairnsdale-Lucknow Precinct Plan and the Bairnsdale Growth Strategy is expected to result in the development of additional residential properties and a concurrent expansion of employment and retail services together with community and recreational facilities.

The proposed subdivision is consistent with similar subdivisions previously approved in this part of Lucknow, hence it poses no detriment to the prevailing neighbourhood character. Further, the proposed subdivision design will maintain the current streetscape with the retention of the existing dwelling fronting the Maude Street road reserve.

The proposed subdivision will create a vacant allotment that is capable of accommodating future residential dwelling/s in an area that is close to a wide range of key services and facilities that can make good use of existing infrastructure.

As previously discussed, the proposed subdivision poses no impact to the anticipated expansion of the East Bairnsdale – Lucknow precinct including the anticipated Princes Highway diversion.

Clause 56 Assessment

Clause/Objective	Comment
56.03-5 Neighbourhood character	<p>Complies. The character of the East Bairnsdale/Lucknow precinct is mixed with older housing stock being replaced by more modern dwellings including townhouses and units.</p> <p>The subdivision will maintain the streetscape character with the retention of the existing dwelling fronting the Maude Street road reserve. Similar subdivisions have been approved in the surrounding area so an additional dwelling located to the rear of the existing dwelling will be a consistent or orderly outcome.</p>
56.04-2 Lot area and building envelopes	Complies. Proposed Lot 2 can easily accommodate a 10m x 15m rectangle. The subdivision layout provides ample area for anticipated future residential development to enjoy solar access, private open space and safe vehicle movements within proposed lot boundaries.
56.04-3 Solar Orientation of lots	Complies. Proposed Lot 1 is of sufficient shape and area to protect its existing solar access to its private open space. Proposed Lot 2 contains sufficient area to provide appropriate solar orientation and a suitable area of private open space in association with any future residential development.
56.04-5 Common Area	Complies. The proposed subdivision includes a 36m ² area of Common Property. This area is to facilitate improved access to both lots and to accommodate anticipated service infrastructure within the site's northwest corner. An electricity pole located along the western side of the existing crossover impedes the widening of the existing crossover access to a shared crossover. It is considered that the area of Common Property will suitably facilitate safer access for all vehicles associated with this type of residential development.
56.06-8 Lot Access	Complies. The existing crossover to Maude Street will continue to provide access to both lots. The proposed area of Common Property will allow vehicles associated with proposed Lot 1 to access the single carport and the 3 metre wide access gate that will provide rear yard access. Similarly, the proposed area of Common Property will allow vehicles associated with proposed Lot 2 access to its 3.5 metre wide driveway. The land area for proposed Lot 2 is sufficient to enable its future residential development to include appropriate area to allow vehicles to leave in a forwards motion.
56.07-1 Drinking Water Supply	Complies. Reticulated water is provided to the subject land and will be connected to both allotments as part of the subdivision.
Clause 56.07-2 Reused and Recycled Water	Complies. East Gippsland Water does not provide for the reuse of and connection to recycled water.
56.07-3 Waste Water Management	Complies. Reticulated sewerage is established within the East Bairnsdale-Lucknow precinct. The existing dwelling is connected to the sewer mains and its associated infrastructure will likely require

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	redirecting as part of the subdivision. Likewise, proposed Lot 2 will be serviced with reticulated sewerage to comply with the standard requirements for residential land subdivisions of this type.
56.07-4 Stormwater Management Objectives	Complies. Drainage of both lots will be provided in accordance with the requirements of the Responsible Authority.
56.08-1 Site Management	Complies. The site will be managed to avoid damage to all existing infrastructure to the satisfaction of the Responsible Authority.
56.09-1 Shared trenching	Complies. All utility service connections will utilise shared trenching where appropriate.
56.09-2 Electricity, telecommunications and gas	Complies. The proposed subdivision will make good use of a full range of existing services as available in the East Bairnsdale – Lucknow precinct including reticulated electricity, water, sewer and telecommunications.

Clause 65 Assessment:

It is considered that a two lot subdivision of the land at 26 Maude Street Lucknow is suitable and appropriate and the following key details are provided in response to the Decision Guidelines at Clauses 65.01 and 65.02:

- The proposed subdivision will facilitate residential infill development, which aligns with the strategic direction for population growth in the East Bairnsdale – Lucknow precinct.
- The proposed subdivision will make good use of existing infrastructure currently servicing the surrounding area.
- Similar subdivisions have been approved in the area and consequently the proposed subdivision represents a consistent or orderly outcome for the East Bairnsdale – Lucknow precinct.
- The removal of previously planted vegetation removal is required to facilitate proposed access and service provision.
- The site is not identified as being at risk of flood, erosion or fire.
- The proposed subdivision design has made adequate provision for off-street parking and the loading and unloading of vehicles associated with both proposed lots. It has also facilitated safe vehicle entry and exit associated with both proposed lots.
- The proposed subdivision poses no detriment to the strategically anticipated commercial and industrial growth of the East Bairnsdale – Lucknow precinct and will not in any way disrupt the future Prince Highway diversion.



**PROPOSED TWO LOT SUBDIVISION - 26 MAUDE STREET, LUCKNOW, 3875
DESIGN RESPONSE**

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PROPOSED TWO LOT SUBDIVISION - 26 MAUDE STREET, LUCKNOW, 3875
VERSION 1