

Form 2

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	20 Macrae Street EAST BAIRNSDALE 3875 Lot: 1 TP: 516896
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:	5.2024.141.1

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.

<b>The Responsible Authority will not decide on the application before:</b>	<b>Subject to the applicant giving notice</b>
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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 3

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VOLUME 07600 FOLIO 005

Security no : 124114601529Y  
Produced 01/05/2024 02:49 PM

**LAND DESCRIPTION**

Lot 1 on Title Plan 516896K.  
PARENT TITLE Volume 02796 Folio 106  
Created by instrument 2418617 13/07/1951

**REGISTERED PROPRIETOR**

Estate Fee Simple  
TENANTS IN COMMON  
As to 99 of a total of 100 equal undivided shares  
Sole Proprietor  
    JACK ROWAN CLAYFIELD  
As to 1 of a total of 100 equal undivided shares  
Sole Proprietor  
    CHENEY ALEXANDRA GARRETT  
    AX491484J 27/11/2023

**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 TP516896K 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)

**ADMINISTRATIVE NOTICES**

NIL

DOCUMENT END

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<b>TITLE PLAN</b>		<b>EDITION 1</b>	<b>TP 516896K</b>
<b>Location of Land</b> Parish: WY-YUNG Township: LUCKNOW Section: Crown Allotment: Crown Portion: CROWN PRE-EMPTIVE SECTION A(PT) Last Plan Reference: LP 2488 Derived From: VOL 7600 FOL 005 Depth Limitation: NIL		ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	

**Description of Land / Easement Information**

*All that piece of Land, delineated and coloured red on the map in the margin being part of Lot 87 on Plan of Subdivision No.2488 -- lodged in the Office of Titles and being part of Crown Pre-emptive Section A --- Township of Lucknow Parish of Wy Yung County of Dargo - Together with a right - of carriage way over Macrae Street coloured blue on the map on Certificate of --- Title Vol.2620 Fol.991 - - - - -*

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 29/05/2000  
 VERIFIED: M.P

**COLOUR CODE**  
 R = RED

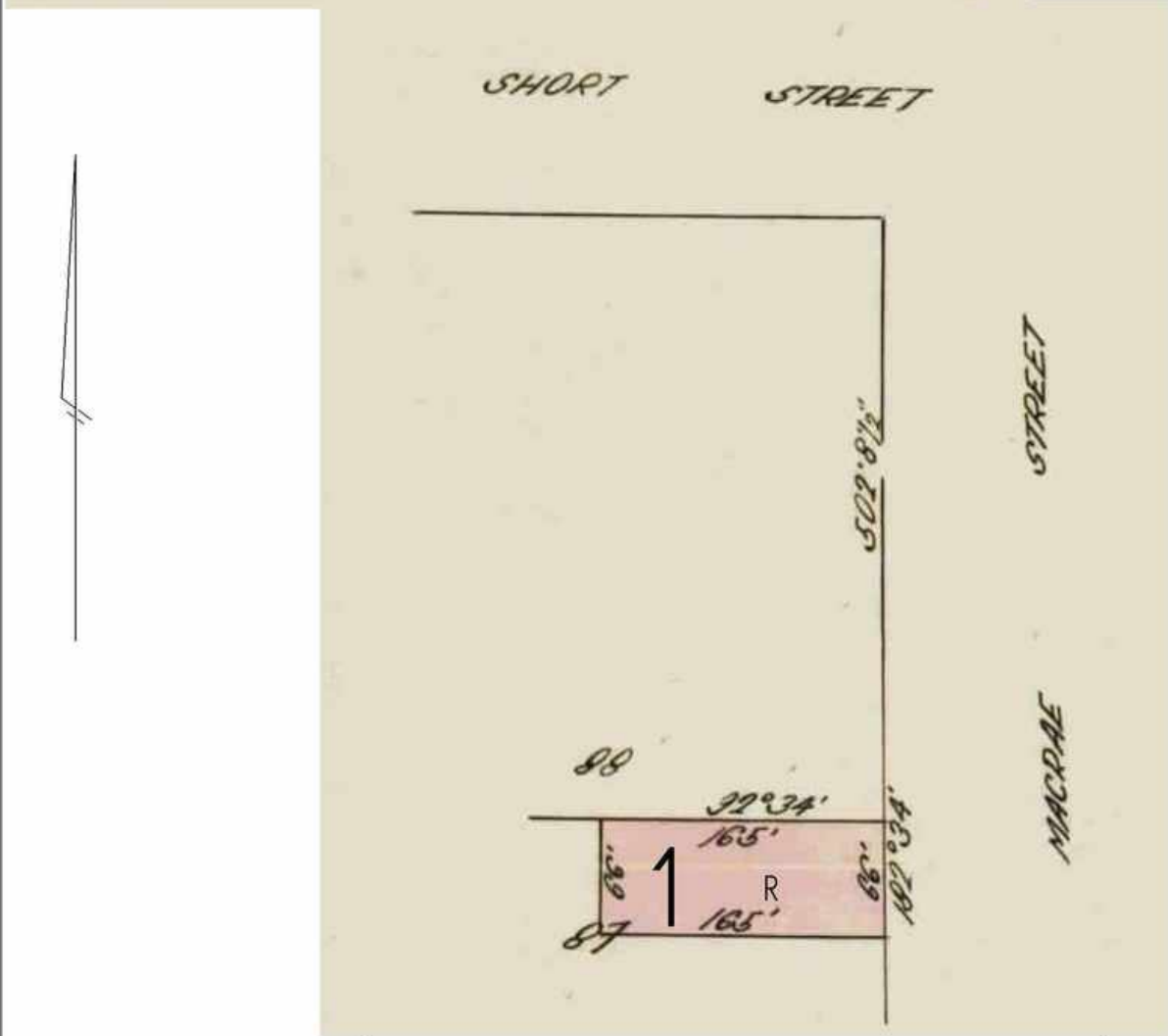


TABLE OF PARCEL IDENTIFIERS	
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962	
PARCEL 1 = LOT 87 (PT) ON LP 2488	

LENGTHS ARE IN FEET & INCHES  
 Metres = 0.3048 x Feet  
 Metres = 0.201168 x Links

## Planning Report

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Two Lot Subdivision  
20 Macrae Street, East Bairnsdale

Our reference – 20852

7 May 2024



FS 520900



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	Proposed Subdivision Plan (Version 1)	
	Design Response Plan (Version 1)	
	Copy of Title (Lot 1 on Title Plan 516896K)	

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

## 1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision at 20 Macrae Street, East 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: IntraMaps)

## 2. Subject Land & Surrounding Context

Formally known as Lot 1 on TP516896 or more commonly known as 20 Macrae Street, East Bairnsdale, the subject land is regular in shape, relatively flat and enjoys an area of 1012 square metres.

The subject land has dimensions of 50.29 metres and 20.12 metres and is developed with a single storey weatherboard dwelling within the eastern part of the property. A large shed is located within the western part of the property along the northern boundary and a secondary smaller shed is located within the south-western corner of the land.

Vehicle access to the property in the east is developed along the northern boundary of the subject land to Macrae Street which is a constructed urban road.



*Image of the subject land looking west*



*Image of the subject land looking west*

To the north of the subject land is a single storey brick dwelling which has an angled orientation on the allotment.



*Image of the northern neighbouring dwelling – 18 Macrae Street, East Bairnsdale*



South of the subject land are two detached dwellings within a landscaped environment.

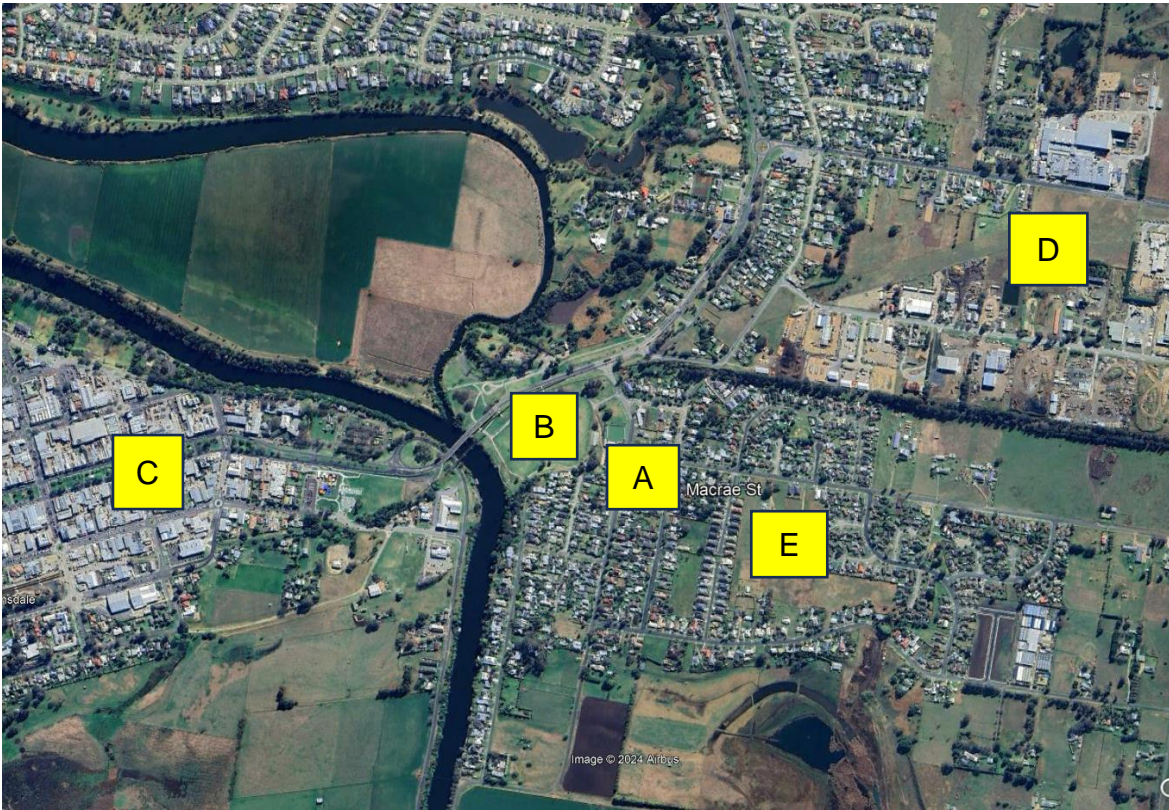


*Image of the southern neighbouring eastern dwelling – 22 Macrae Street, East Bairnsdale*

West of the property is a single storey detached dwelling and two associated outbuildings with frontage to McEacharn Street. Across Macrae Street to the east are generally single storey detached dwellings on various sized allotments to the east.

Located within a well serviced inner area of East Bairnsdale, the subject property is situated closely to Howitt Park, the Lucknow industrial employment node and the Bairnsdale Activity Area.

Site Context Plan



A – Subject land

B – Howitt Park

C – Bairnsdale Activity Area

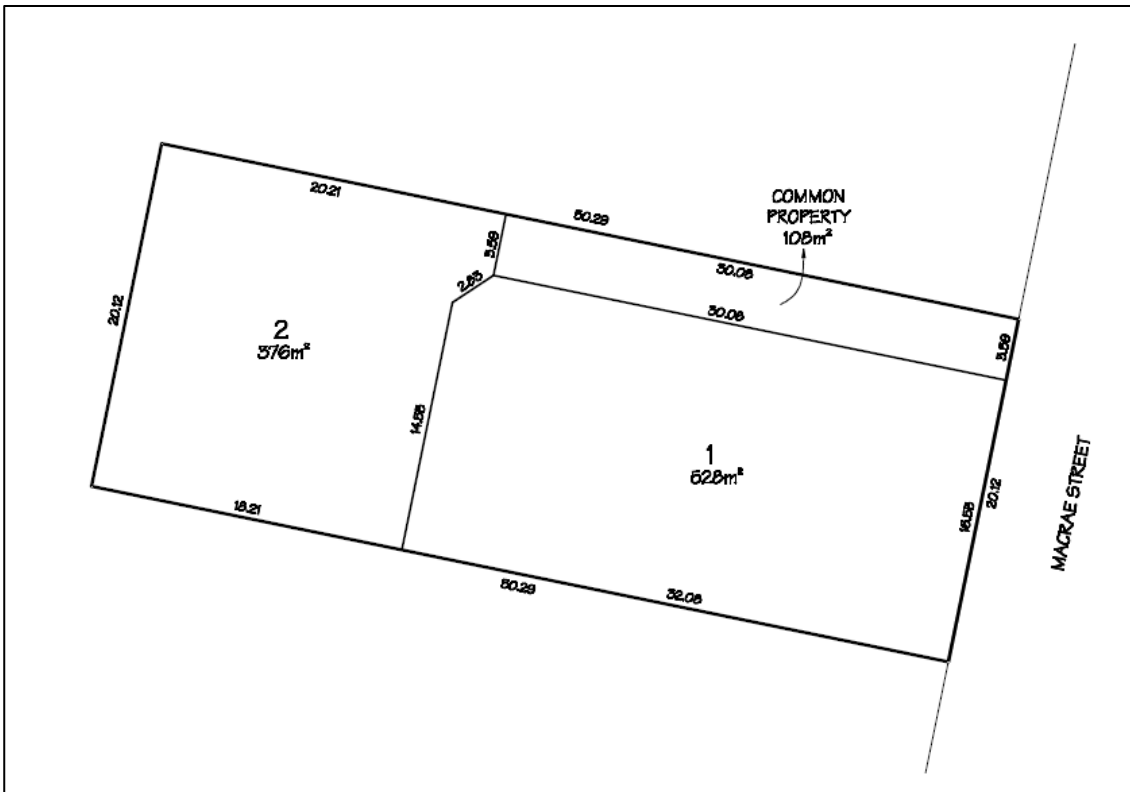
D – Lucknow Employment Node

E – East Gippsland Growth Area

### 3. The Application & Proposal

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

The proposal seeks to create proposed lot 1 within the eastern part of the subject land of 528 square metres to contain the existing dwelling. Proposed lot 2 is to be created within the western part of the land, it will be vacant and have an area of 376 square metres. Common property is proposed along the northern boundary of the subject land of 108 square metres and will incorporate the existing driveway.

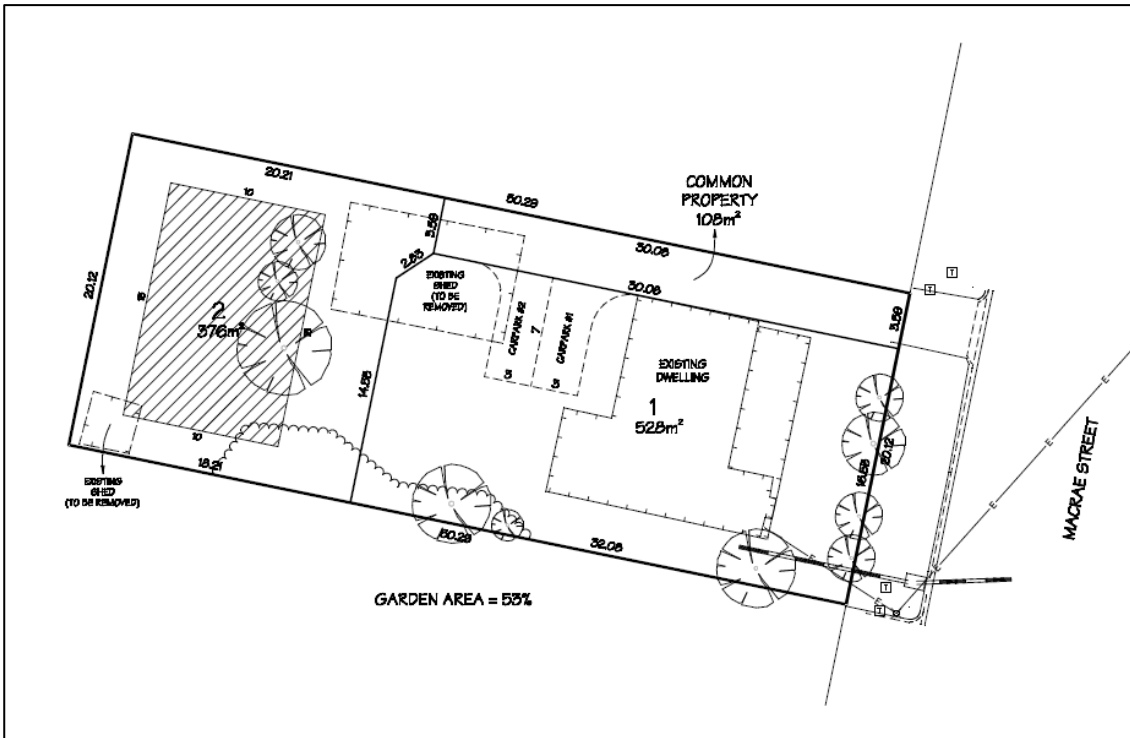


*Proposed Subdivision Plan*

In designing the proposed subdivision, it was determined to retain the existing dwelling as it is in good condition, with the proposed allotment of sufficient area to provide for meaningful northern facing open space and allow for two carparking spaces.

Proposed lot 2 was designed to provide for a vacant allotment that can be developed with various smaller volume builder homes, allow for safe vehicle access and provide opportunity for northern facing private open space. It has been demonstrated through the design response that a 10 metre by 15 metre rectangle can be accommodated on the lot as the planning provisions require and garden area across the property is easily achieved.

To facilitate the subdivision both the existing sheds on the land will be removed.



Design Response

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

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

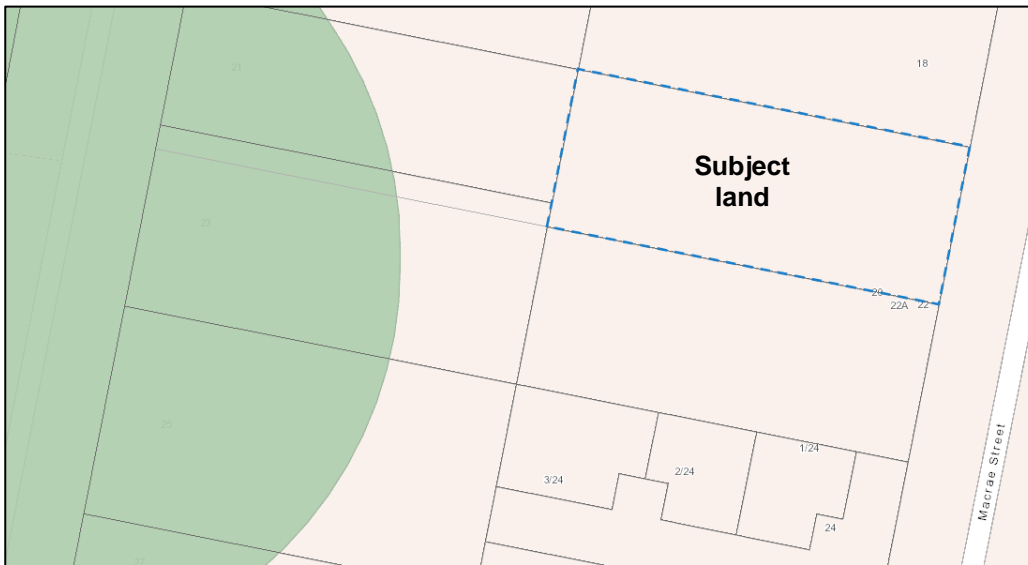
No referrals are required in accordance with Section 55 of the *Planning and Environment Act 1987*.

#### 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 mapped as an area of cultural heritage sensitivity, and a two lot subdivision is not 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

Clause 11.01-1S Settlement seeks to support the sustainable development of regional centres including Bairnsdale. The subdivision is to be undertaken within the settlement boundary of Bairnsdale, it will provide for a growth in population, will assist to limit urban sprawl and provides for infill development.

Council has determined that Bairnsdale is a growth area town at Clause 11.01-1L-02.



*Extract of the Bairnsdale Framework Plan – red star denotes subject land location  
(Source: EGSC)*

Consistent with the strategies for Bairnsdale at Clause 11.01-1L-02 the proposed subdivision will support infill medium density housing close to the Bairnsdale CBD to provide greater housing choices.

The land is well placed to support a two lot subdivision as it contains no identified Environmental or Landscape values as outlined in Clause 12 and there are no mapped Environmental Risks as advised within Clause 13.

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 promote a number of strategies that support this objective by creating a compact neighbourhood, provides a range of lot sizes to suit a variety of dwelling and household types, reduces car dependency as both lots are within walking distances to the central activity area, provides for two lots with good northern exposure allowing future development of the vacant allotment to provide for an energy efficient dwelling and providing lot 2 as an all-electric allotment.

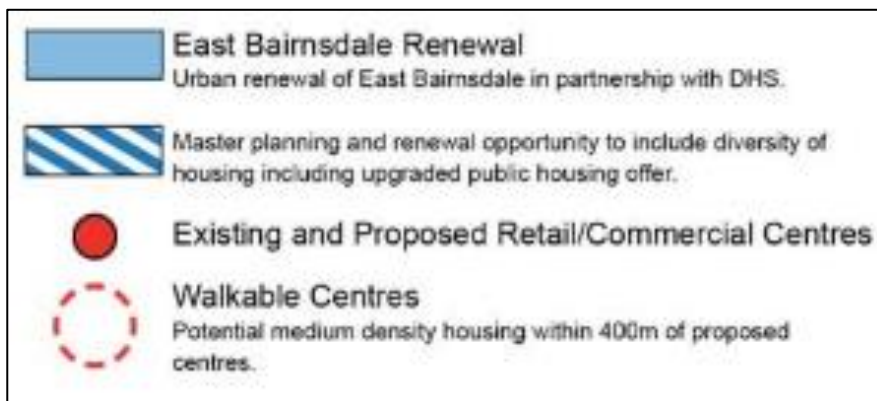
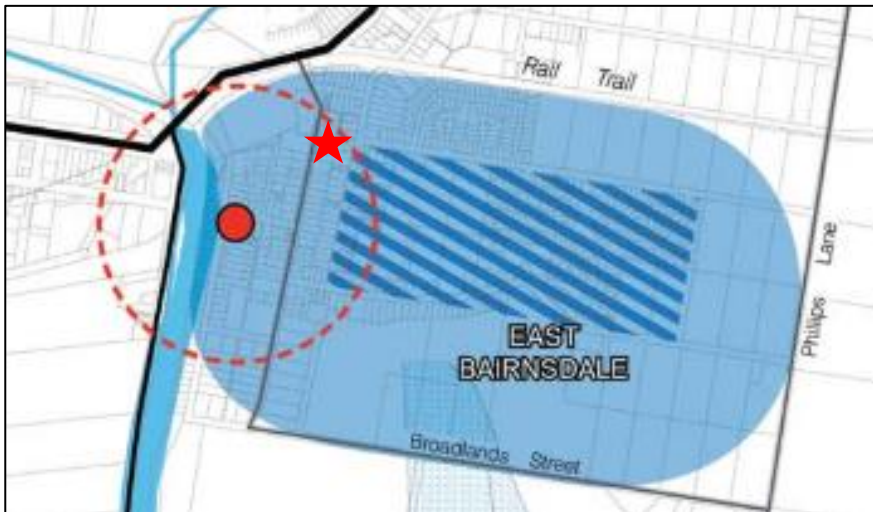
Subdividing this established, well located and serviced property will assist to increase the proportion of housing in an established urban area and thereby reducing the share of dwellings in greenfield areas as per Clause 16.01-1S Housing supply.

## 5.2 Municipal Planning Strategy

Strong support is provided for the proposed subdivision within Clause 02.03-1 Settlement and housing – growth area towns, as the proposal will assist Council’s strategic direction of encouraging population growth and development on fully serviced residential land in growth area towns. It will also facilitate the future development of lot 2 to provide for a range of housing types and styles and reinforces Bairnsdale as the largest town within the Shire.

The Bairnsdale Growth Strategy identifies that Council is seeking to encourage diversification of housing, particularly in and around existing and proposed activity centres.

The subject land is located within 400 metres of a proposed retail/commercial centre (activity centre), where medium density housing is encouraged given the walkability to the proposed centre.

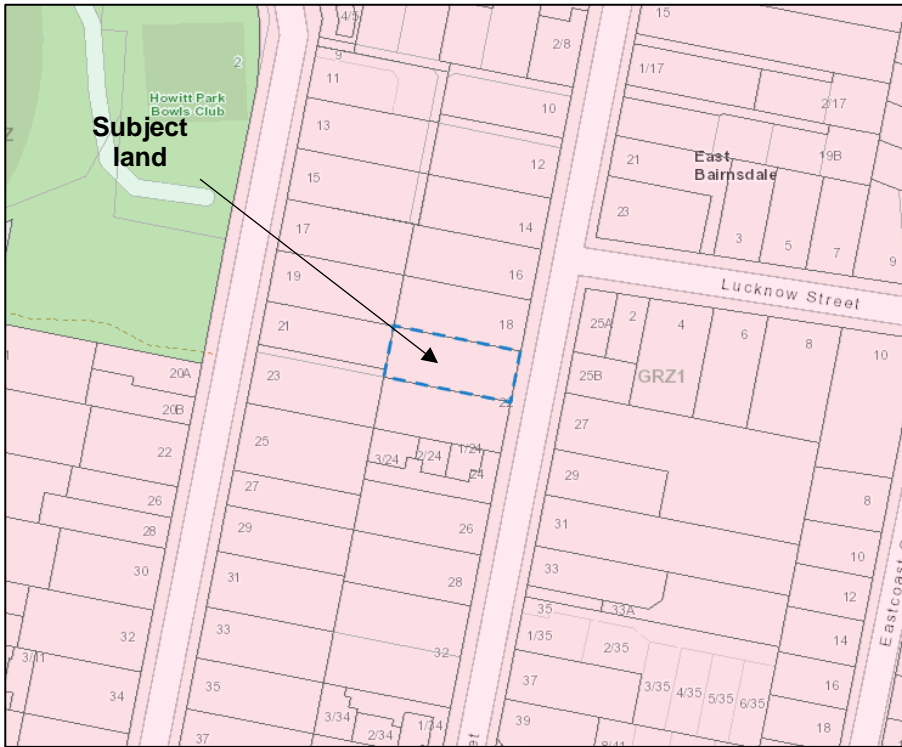


Extracts of the Housing Diversity Plan – red star denotes subject land (Source: EGSC)

**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 meets the relevant purposes of the zone as it will assist to implement the Municipal Planning Strategy and Planning Policy Framework, encourages development within a diverse precinct that respects the neighbourhood character and will provide for housing growth within a location offering close access to services provided within the Bairnsdale Activity Area.

Pursuant to Clause 32.08-3 Subdivision an application to subdivide a lot less than 400 square metres must contain at least 25% of the lot as garden area. The design response that supports the application demonstrates that lot 2 is capable of being developed by a dwelling that can provide for the necessary garden area.

A two lot subdivision must meet the objectives and should meet the standards of the relevant Clauses as contained within the table of Clause 32.08-3.

The following table provides comments against the relevant objectives and standards for a two lot subdivision.



Objective	Comment
<p>56.03-5 Neighbourhood Character</p>	<p><b>Complies</b></p> <p>The area has an emerging neighbourhood character as the older housing stock is being replaced by more modern dwellings including townhouses and units and larger allotments within the area are being subdivided.</p> <p>The subdivision will maintain the streetscape character with Lot 1 utilising the majority of the property frontage. Built form to the rear of properties in the area is commonplace and as such Lot 2 will not introduce uncommon built form.</p> <p>The subject land is well located within walking distance of recreational areas, the Bairnsdale Activity Area and Lucknow employment node and as such intensification of the area is taking place.</p>
<p>56.04-2 Lot area and building envelopes</p>	<p><b>Complies</b></p> <p>Lot 1 exceeds 500 square metres, and can easily accommodate the existing dwelling, provide for car parking and secluded private open space.</p> <p>Lot 2 can accommodate a 10x15 metre rectangle demonstrating that the proposed vacant lot is able to be developed with a dwelling.</p> <p>The subdivision layout provides sufficient area for anticipated future development on the vacant lot to enjoy solar access, provision of private open space and safe vehicle movements within allotment boundaries.</p>
<p>56.04-3 Solar orientation of lots</p>	<p><b>Complies</b></p> <p>The vacant lot contains sufficient area to provide appropriate solar orientation for the establishment of a future dwelling and provision of private open space.</p> <p>Lot 1 containing the existing dwelling respects the orientation of the dwelling and ensures that northern facing land is provided for private open space.</p>
<p>56.04-5 Common Areas</p>	<p><b>Complies</b></p> <p>Common property is proposed along the northern boundary of the subject land and will contain the existing driveway. The common property will provide vehicle access to both proposed lots and as such both allotments will form the Owners Corporation.</p>
<p>56.06-8 Lot access</p>	<p><b>Complies</b></p> <p>The location of the existing dwelling requires access to Macrae Street to be achieved from the existing vehicle crossover.</p> <p>The use of one vehicle crossover in this instance is a good response to the site constraints, it maintains the existing streetscape and retains public car parking within Macrae Street.</p>

Objective	Comment
56.07-1 Drinking water supply	<b>Complies</b> Reticulated water is provided to the subject land and will be connected to both allotments as part of the subdivision.
56.07-2 Reused and recycled water	<b>Complies</b> East Gippsland Water does not currently provide for the use of and connection to recycled water.
56.07-3 Wastewater management	<b>Complies</b> Reticulated sewer is already established within the precinct. The lots will be connected to sewer as part of the subdivision consistent with Standard C24.
56.07-4 Urban run-off management	<b>Complies</b> Drainage will be managed to the satisfaction of the Responsible Authority. The subject land currently drains to Macrae Street and both lots can be tapped into the existing drainage infrastructure.
56.08-1 Site management	<b>Complies</b> The site will be managed to the satisfaction of the Responsible Authority.
56.09-1 Shared trenching	<b>Complies</b> All utility service connections will utilise shared trenching if appropriate and as required by service authorities.
56.09-2 Electricity and telecommunications	<b>Complies</b> The proposal will make good use of a full range of existing services as available within the precinct. The lots proposed will be connected to reticulated power, water, sewer and telecommunications.

### Decision Guidelines

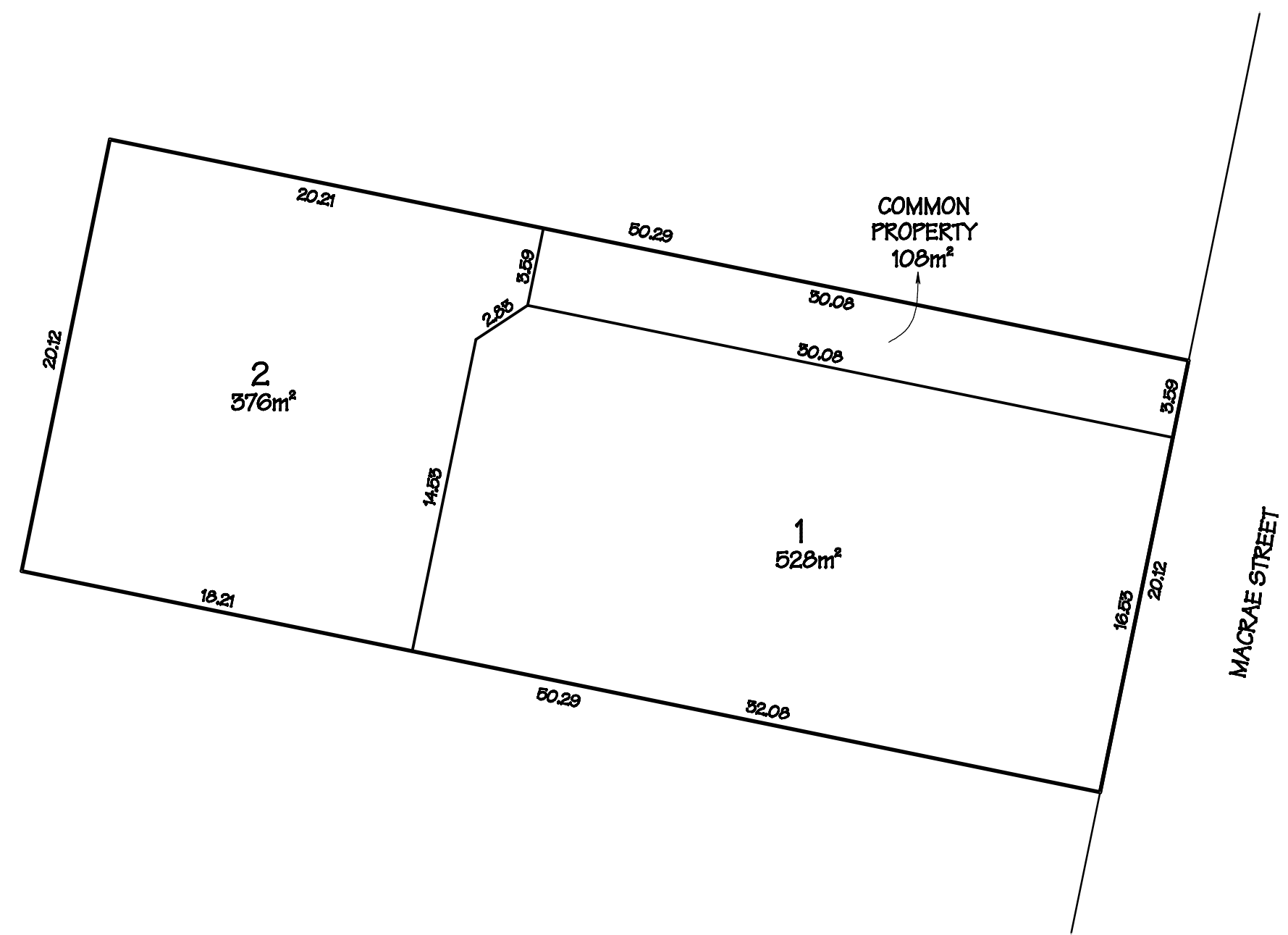
The proposed subdivision responds positively to the decision guidelines of the zone:

- The proposed subdivision enjoys positive planning policy support contained within the Municipal Planning Strategy and the Planning Policy Framework.
- Purposes of the zone are met and are positively forwarded by the proposed subdivision.
- There are no objectives or decision guidelines specified in the zone schedule.
- The layout of the proposed subdivision will provide for the spacing of buildings to be maintained.
- A high level of compliance with the relevant objectives and standards of Clause 56 is achieved.
- Garden area for both allotments can be achieved as highlighted within the design response.

## 7. Conclusion

The proposed two lot subdivision at 20 Macrae Street, East 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.



**JACK CLAYFIELD**  
 20 MACRAE STREET, EAST BAIRNSDALE

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

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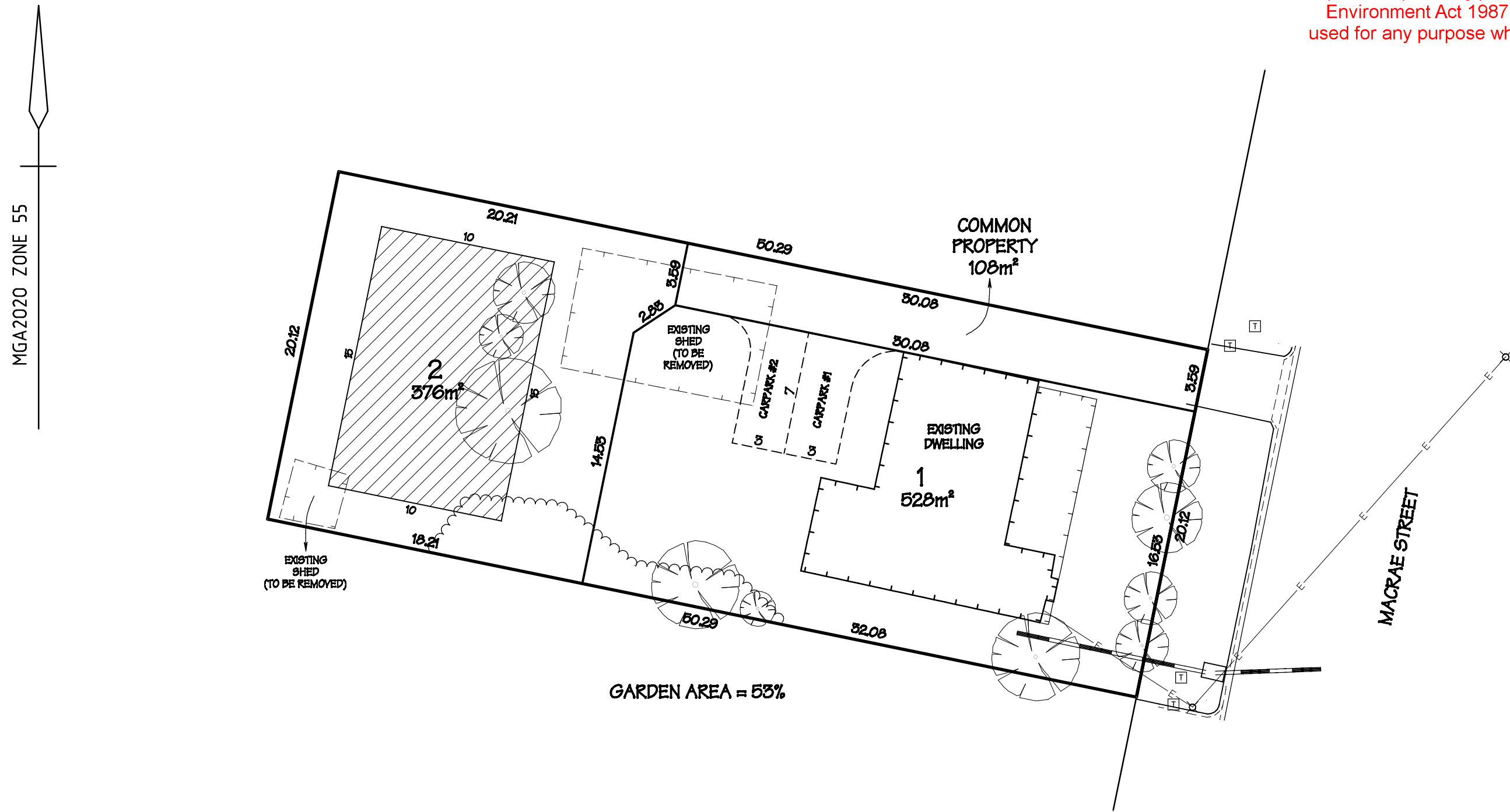
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NOTATIONS	
AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY	
SCALE (SHEET SIZE A3)	SURVEYORS REF.
1 : 250	20852
VERSION 1 - DRAWN 18/04/2024	

**PROPOSED SUBDIVISION**

PARISH OF WY YUNG  
 TOWNSHIP OF LUCKNOW  
 SECTION A  
 PART OF CROWN PRE-EMPTIVE RIGHT

LOT 1 ON TP516896K



**JACK CLAYFIELD**  
 20 MACRAE STREET, EAST BAIRNSDALE

**Crowther & Sadler Pty. Ltd.**  
 LICENSED SURVEYORS & TOWN PLANNERS  
 152 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
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FILENAME: Y:\20000-20999\20800-20899\20852 Clayfield\20852 Design Response V1.pro

NOTATIONS	
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SCALE (SHEET SIZE A3)	SURVEYORS REF.
1 : 250	20852
	VERSION 1 - DRAWN 18/04/2024

**DESIGN RESPONSE**

PARISH OF WY YUNG  
 TOWNSHIP OF LUCKNOW  
 SECTION A  
 PART OF CROWN PRE-EMPTIVE RIGHT

LOT 1 ON TP516896K