

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	488 Bengworden Road BAIRNSDALE 3875 CA: 44, CA: 42A, Lot: 2 LP: 124335
The application is for a permit to:	Two Lot Subdivision (Boundary Realignment)
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2024.204.1

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
---	---

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

East Gippsland Shire Council

273 Main Street (PO Box 1618)
Bairnsdale VIC 3875
Website www.eastgippsland.vic.gov.au
Email feedback@egipps.vic.gov.au
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Telephone: (03) 5153 9500
Fax: (03) 5153 9576
National Relay Service: 133 677
ABN: 81 957 967 765

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Planning Permit Application

Applicant Details:

Name:								
Business trading name: (if applicable) DEVELOPMENT SOLUTIONS VICTORIA								
Email address: ADMIN@DEVSOLVIC.COM.AU								
Postal address: 48 BAILEY STREET, BAIRNSDALE								
				Postcode	3	8	7	5
Phone number: Home:		Work: 03 5153 4858		Mobile:				

Owners Details: (if not the applicant)

Name: CHRISTINE MAREE WELLS								
Business trading name: (if applicable)								
Email address: ADMIN@DEVSOLVIC.COM.AU								
Postal address: 48 BAILEY STREET, BAIRNSDALE								
				Postcode	3	8	7	5
Phone number: Home:		Work: 03 5152 4858		Mobile:				

Description of the Land:

Street number: 488		Street name: BENGWORDEN ROAD							
Town: BAIRNSDALE					Postcode	3	8	7	5
Legal Description:									
Lot Number: 2		<input type="checkbox"/> Lodged plan <input type="checkbox"/> Title plan <input checked="" type="checkbox"/> Plan of Subdivision			Number: 124335				
Crown Allotment Number: 44 & 42A					Section Number:				
Parish/Township Name: PARISH OF MOORMURNG									
Has there been a pre-application meeting: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					Officers name:				
Your reference number: 24050									

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Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will the proposal result in a breach of a registered covenant restriction or agreement?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Description of proposal: Describe the use, development or other matter which needs a permit: 2 LOT SUBDIVISION (BOUNDARY REALIGNMENT)		
Existing conditions: Describe how the land is used and developed currently: VACANT LAND		
Estimated cost of development: Note: You may be required to verify this estimate	\$ N/A	

If you need more space or have more information, please attach with this form.

Please make sure that:

- Form is filled in fully and signed
- The correct fee is paid or payment enclosed
- Attached any supporting information or documents
 - **Required** - Title (must have been generated within the past 30 days)
 - Covenants or Section 173 agreements
 - Site plan/floor - plan/elevations
 - Planning report
 - Supporting information/reports (e.g. – Land Capability Assessment, Bushfire Management Statement, Geotechnical report/waiver)

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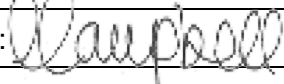
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Declaration:

I declare that I am the applicant and that all the information in this application is true and correct and the owner (if not myself) has been notified of the permit application.

I confirm that I have authority to use the relevant documents.

In the event that the giving of notice is required pursuant to Section 52 of the Planning and Environment Act 1987, I permit documents submitted as part of this application, including my full contact information, to be made available for public viewing on Council’s website.

Applicant signature: 
Name: DEVELOPMENT SOLUTIONS VICTORIA Date: <u>02</u> / <u>07</u> / <u>2024</u>

Submitting your application:

Electronic	Fax to 03 5153 9576 Email to planning@egipps.vic.gov.au	
Mail	Post the signed, completed form together with any applicable fees or copies of any documentation to; PO Box 1618 BAIRNSDALE VIC 3875.	
In Person	Bring the completed form and supporting documents to any of the following locations;	
	Service Centre Opening Hours: 9.00am to 5:00pm. Monday to Friday.	Bairnsdale Corporate Centre: 273 Main Street. Bairnsdale Service Centre: 24 Service Street. Bairnsdale Business Centre: 34 Pyke Street. Lakes Entrance Service Centre: 18 Mechanics Street. Omeo Service Centre: 179 Day Avenue. Orbst Service Centre: 1 Ruskin Street. Paynesville Service Centre: 55 The Esplanade.
	Mallacoota Service Centre Opening Hours: Monday and Tuesday 10.00am to 2.00pm Wednesday, Thursday, Friday 2.00pm to 5.00pm	Mallacoota Service Centre: 70 Maurice Avenue

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 3

VOLUME 10877 FOLIO 378

Security no : 124116288016L
Produced 02/07/2024 08:38 AM

LAND DESCRIPTION

Crown Allotment 42A Parish of Moormurng.
PARENT TITLES :
Volume 06636 Folio 116 Volume 09108 Folio 402
Created by instrument AD554876R 13/04/2005

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CHRISTINE MAREE WELLS
AU246370W 16/04/2021

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP857661K 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: 488 BENGWORDEN ROAD BAIRNSDALE VIC 3875

DOCUMENT END

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 3

VOLUME 10877 FOLIO 377

Security no : 124116288015M
Produced 02/07/2024 08:38 AM

LAND DESCRIPTION

Crown Allotment 44 Parish of Moormurung.
PARENT TITLES :
Volume 06516 Folio 111 Volume 09108 Folio 401
Created by instrument AD554876R 13/04/2005

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CHRISTINE MAREE WELLS
AU246370W 16/04/2021

ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE TP857661K FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

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

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

Street Address: 488 BENGWORDEN ROAD BAIRNSDALE VIC 3875

DOCUMENT END



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Document Identification	TP857661K
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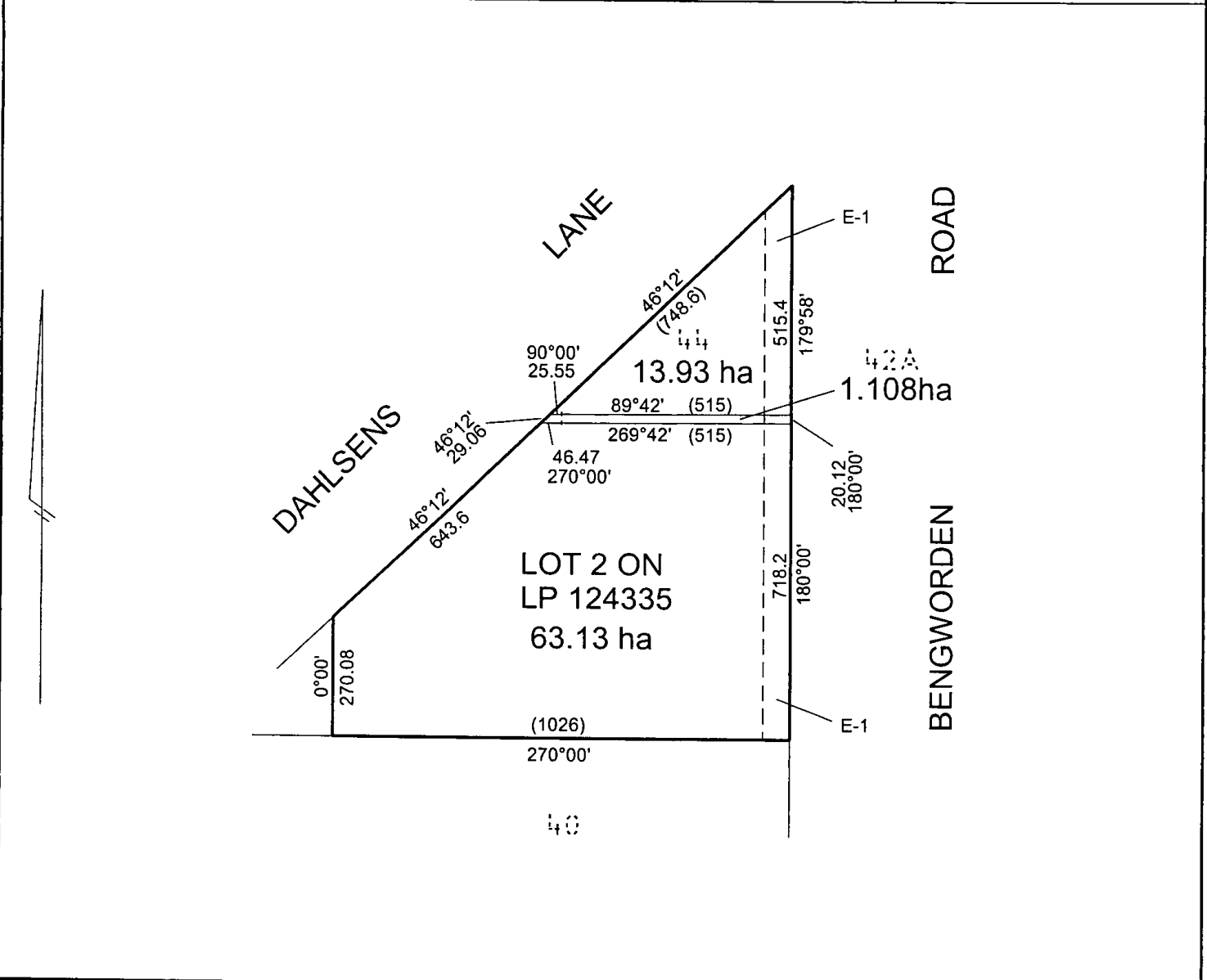
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TITLE PLAN	EDITION 1 TP 857661K
LOCATION OF LAND PARISH: MOORMURNG SECTION: CROWN ALLOTMENT: 42 (PT), 42A & 44 LAST PLAN REFERENCE: LP124335, TP780028K, TP822596Q, TP780027M DERIVED FROM: V.9108 F.390, V.9908 F.499, V.9108 F.404, V.6796 F.010, V.9108 F.401, V.6516 F.111, V.9108 F.402 & V.6636 F.116 DEPTH LIMITATION: 45.72 m ON C.A. 42A	NOTATIONS LOT 2 ON THIS PLAN IS LOT 2 ON LP 124335

EASEMENT INFORMATION					THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES Checked by: <i>[Signature]</i> Date: 25/5/2005 Assistant Registrar of Titles
E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD). A - APPURTENANT EASEMENT.					
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of	
E-1	WATER SUPPLY PURPOSES	20	AD 554876R	CROWN ALLOTMENT 40	



LENGTHS ARE IN METRES	SCALE	DEALING / FILE No: AD 554876R	DEALING CODE: 45NE
		GOVERNMENT GAZETTE No:	SHEET 1 OF 1

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 3

VOLUME 10877 FOLIO 376

Security no : 124116288014N
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LAND DESCRIPTION

Lot 2 on Plan of Subdivision 124335.

PARENT TITLES :

Volume 06796 Folio 010 Volume 09108 Folio 390 Volume 09108 Folio 404

Volume 09908 Folio 499

Created by instrument AD554876R 13/04/2005

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

CHRISTINE MAREE WELLS

AU246370W 16/04/2021

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 or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP857661K FOR FURTHER DETAILS AND BOUNDARIES

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NIL

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

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Number of Pages (excluding this cover sheet)	2
Document Assembled	06/08/2024 13:00

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LPI24335
EDITION 2
APPROVED 21/10/77

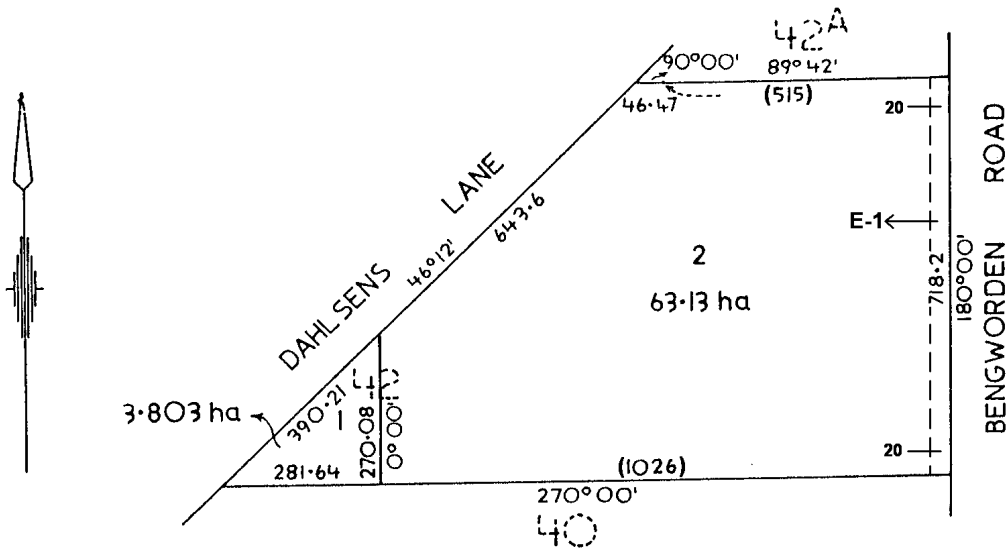
R.

PLAN OF SUBDIVISION OF: CROWN ALLOTMENT 42 PARISH: MOORMURNG COUNTY: TANJIL	E-1 - WATER SUPPLY EASEMENT IN FAVOR OF CROWN ALLOTMENT 40 (SEE TP780024T) CREATED BY AD554876R
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100 0 100 200 300 400 500
 LENGTHS ARE IN METRES
 LITHO.

Ch. Vol. 2886 Fol. 142
 " 6796 " 010
 " 9108 " 404
 " 9108 " 391

LITHO.



CONSENT OF COUNCIL	SURVEYORS CERTIFICATION
	<p>I certify that this plan has been made by me, and agrees with Title and is mathematically correct.</p> <p>Licensed Surveyor</p> <p><i>Muhal Sadi</i></p> <p>18/5/77.</p>

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MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

**PLAN NUMBER
LP 124335**


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AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT 2	E-1	CREATION OF EASEMENT	AD554876R		2	RJS



JUNE
20
24

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APPLICATION FOR PLANNING PERMIT

TWO LOT SUBDIVISION (BOUNDARY RE-ALIGNMENT)

488 BENGWORDEN ROAD, BAIRNSDALE
CHRISSY WELLS
REF: 24050

CONTENTS

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6	Conclusion	18

APPENDIX

- A Copy of Title and Title Plan
- B Proposed Plan of Subdivision

DOCUMENT REVISION

1	Draft Report	DAC	05/06/2024
2	Final Report	CMC	15/06/2024

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1. INTRODUCTION

Development Solutions Victoria Pty Ltd represents Chrissy Wells, the applicant for the planning permit for a two lot subdivision (boundary re-alignment) at 488 Bengworden Road, Bairnsdale.

This submission, along with the supporting documentation, provides details about the subject site, outlines the relevant planning controls and policies, and includes an assessment in accordance with the provisions of the East Gippsland Planning Scheme.

The proposal is consistent with the objectives of the East Gippsland Planning Scheme, is an appropriate subdivision in this location and will result in a positive planning outcome.

Address	488 Bengworden Road, Bairnsdale
Site Description	Lot 2 on Plan of Subdivision 124335 Crown Allotment 44 Parish of Moomurng Crown Allotment 42A Parish of Moomurng
Title Particulars	Vol 10877 Fol 376 Vol 10877 Fol 377 Vol 10877 Fol 378
Site Area	78.17 hectares
Proposal	Two Lot Subdivision (Boundary Re-alignment)
Planning Scheme	East Gippsland Planning Scheme
Zone	Farming Zone – Schedule 1
Overlays	Environmental Significance Overlay – Schedule 1-43 Vegetation Protection Overlay – Schedule 1
Aboriginal Cultural Heritage	Partly identified as an area of Cultural Heritage Sensitivity
Permit Triggers	Clause 35.07-3 Farming Zone – Subdivision Clause 42.01-2 Environmental Significance Overlay – Subdivision
Notice	No exemptions available
Referrals	No mandatory referrals
Work Authority Licence	Not applicable
Planning Scheme requirements	Municipal Planning Strategy – Clause 02 Settlement - Growth area towns – Clause 02.03-1 Environmental and landscape values – Clause 02.03-2 Environmental risks and amenity – Clause 02.03-3 Built environment and heritage – Clause 02.03-5 Planning Policy Framework – Clause 10 Settlement – Clause 11 Environmental and landscape values – Clause 12 Environmental risks and amenity – Clause 13 Natural Resource Management – Clause 14 Built environment and heritage – Clause 15 Farming Zone – Clause 35.07 Environmental Significance Overlay – Clause 42.01 Decision guidelines – Clause 65.01 Decision guidelines – Clause 65.02

2. SITE CONTEXT

Site

The subject site is located at 488 Bengworden Road, Bairnsdale. A copy of the Titles and Plans of Subdivision are contained in **Appendix A**. The titles are not affected by any restrictive covenants or agreements. It is noted there is a 20-metre-wide water supply easement along the eastern boundaries of the allotments.

The site is an irregular shaped allotment with a total area of approximately 78.17 hectares and is vacant land used for grazing purposes.

The site is relatively flat in nature, contains scattered vegetation throughout and a dam in the southeast portion of the site. Details of the site are depicted in the photographs provided below.

Access to the site is existing via a gravel crossover directly from Bengworden Road in the southern portion of the eastern boundary. Bengworden Road is a bitumen sealed road with gravel shoulders, traversing in a north to south direction. A second access point is located along the northern boundary via a gravel driveway directly from Dahlsens Road. Dahlsens Road is a gravel road, traversing in a northeast to southwest direction.

The subject site in relation to Bairnsdale as well as the surrounding land, is shown in the locality plans in **Figure 1** and **Figure 2**.

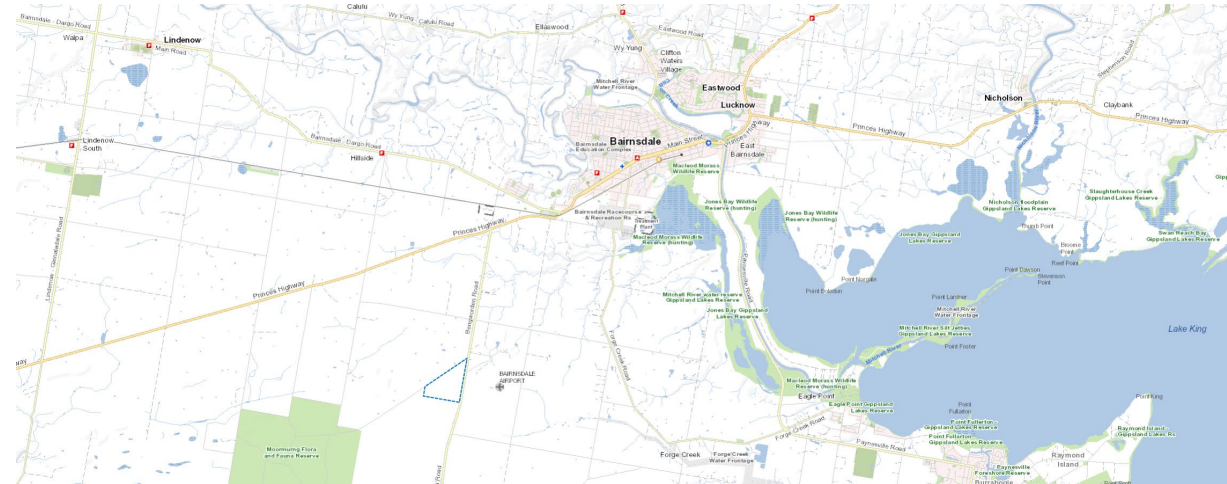


Figure 1 – Locality Plan – 488 Bengworden Road, Bairnsdale (source: mapshare.vic.gov.au)



Figure 2 – Locality Plan – 488 Bengworden Road, Bairnsdale (source: mapshare.vic.gov.au)

Surrounds

The land surrounding the site comprises predominantly farming land.

The boundaries of the site are defined with rural post and wire fencing.

Adjoining northern boundary comprises Dahlsens Road and further vacant farming land. Adjoining the eastern boundary is Bengworden Road and further vacant farming land. Adjoining the southern boundary is vacant farming land and adjoining the western boundary is an existing dwelling and associated facilities.

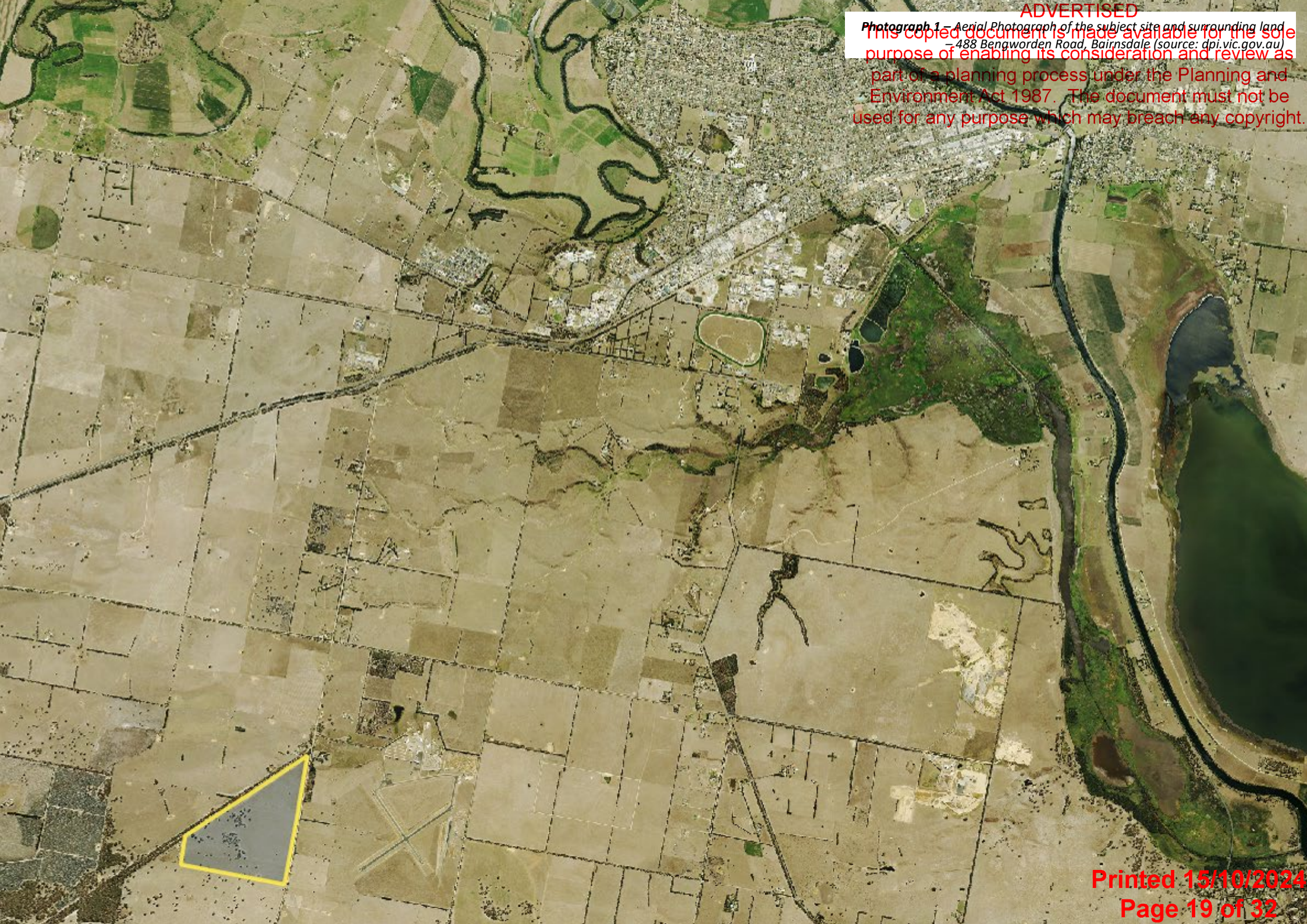
The subject site is located to the southwest of the central business district of Bairnsdale.

Bairnsdale is the main commercial city of East Gippsland, is located on the Mitchell River and is built around the Princes Highway. East Gippsland serves as a food bowl for Australia, producing high-quality goods year-round. Agricultural production is a critical component of the East Gippsland economy.

The subject site in relation to Bairnsdale is shown in the aerial photograph below.



Photograph 1 – Aerial photograph of the subject site and surrounding land
– 488 Bengworden Road, Bairnsdale (source: dpi.vic.gov.au)
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Photograph 2 – Subject site at 488 Bengworden Road, Bairnsdale.



Photograph 4 – Proposed Lot 1 facing northeast along northern boundary.



Photograph 6 – Proposed Lot 1 facing south.



Photograph 3 – Existing access along Dahlsens Road to proposed Lot 1.



Photograph 5 – Proposed Lot 1 facing east.



Photograph 7 – Proposed Lot 1 facing west.



Photograph 8 – Existing access along Bengworden Road to proposed Lot 2.



Photograph 10 – Proposed Lot 2 facing east.



Photograph 12 – Proposed Lot 2 facing west.



Photograph 9 – Proposed Lot 2 facing north.



Photograph 11 – Proposed Lot 2 facing south.



Photograph 13 – Neighbouring property along the eastern boundary at 90B Aerodrome Road, Bairnsdale.



Photograph 14 – Neighbouring property along the eastern boundary at 600 Bengworden Road, Bairnsdale.



Photograph 16 – Bengworden Road facing north.



Photograph 18 – Dahlsens Road facing northeast.



Photograph 15 – Neighbouring property along the eastern boundary at 155 Dahlsens Road, Bairnsdale.



Photograph 17 – Bengworden Road facing south.



Photograph 19 – Dahlsens Road facing southwest.

3. THE PROPOSAL

This application seeks approval for the subdivision of the land into two lots (boundary re-alignment). A proposed plan of subdivision is provided to the right and in **Appendix B**.

Lot 1

The proposed Lot 1 will be triangular in shape and will be approximately 37.70 hectares in area. This lot comprises the northern portion of the site and is currently vacant farmland. Access to this lot will be via the existing access point along the northern boundary via a gravel crossover directly from Dahlsens Road.

Lot 2

The proposed Lot 2 will be irregular in shape and will be approximately 40.47 hectares. This lot will comprise the southern portion of the site and is currently vacant farming land. The existing dam will be contained within this lot. Access to this lot will be from the existing access point along the eastern boundary via a gravel crossover directly from Bengworden Road.

Easement

Both proposed lots will contain the existing 20-metre-wide water supply easement for the entire distance of the eastern boundary.

Services

The subject site has access to an appropriate level of services and infrastructure including reticulated water, electricity, and a good quality road network.

The proposal does not require the removal of any vegetation to facilitate the proposed subdivision (boundary re-alignment) and no earthworks will be required.

The objective of the subdivision is to remove a small historical lot that dissects the property and cleaning up the title boundaries. This will allow the owner to either sell one of the lots or give one to her son.

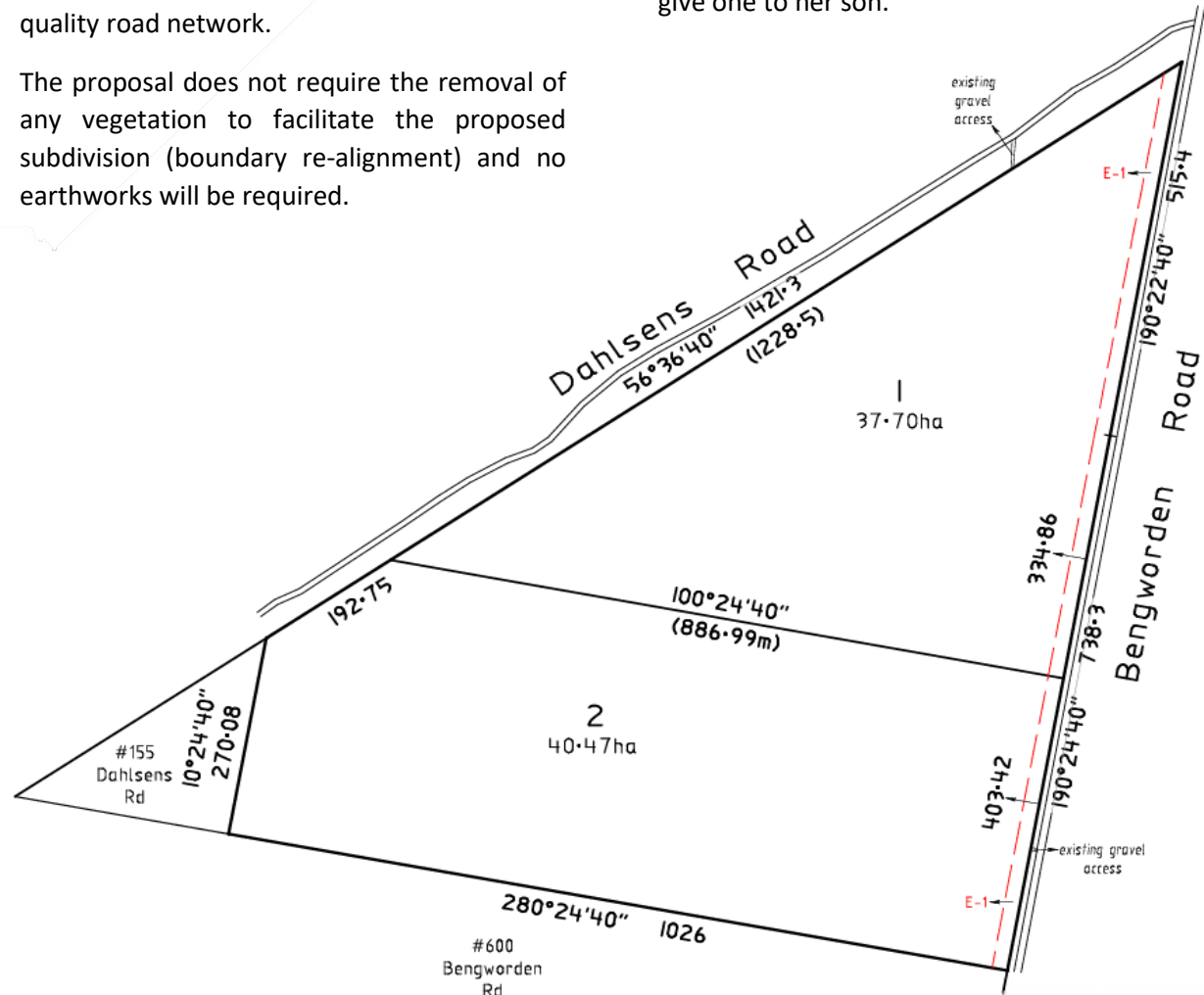


Figure 3 – Proposed Subdivision Plan – One Plan

4. ZONES AND OVERLAYS

Farming Zone – Schedule 1

The purpose of the Farming Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

An extract of the Farming Zone Map is provided in **Figure 4**.

Clause 35.07-3 of the Farming Zone provides a permit is required to subdivide. As such the

relevant decision guidelines are addressed in Section 5 of this submission.



Figure 4 – Zoning Map – (source - mapshare.vic.gov.au)

Environmental Significance Overlay – Schedule 1-43

The purpose of the Environmental Significance Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

An extract of the Environmental Significance Overlay Map is provided in **Figure 5**.

Schedule 1 of the Environmental Significance Overlay provides the following statement of environmental significance:

“The overlay areas comprise Sites of Biological Significance containing specific values as listed in Table 1 below and representing either: rare or threatened species; restricted, rare or threatened vegetation communities; vegetation which is important as a corridor; high species richness; or other unusual biological features. The sites include suitable habitat for either the local population or the local occurrence of a species or community.”

The environmental objective to be achieved is:

“To ensure that development occurs so as not to adversely impact upon the environmental values of the site or any other value that may be identified within the overlay area. To conserve and enhance the environmental sustainability and ecological integrity of these values.”

A permit is required to subdivide land. The schedule does not provide any exemptions, as such the relevant decision guidelines of Clause 42.01-5 are addressed in Section 5 of this submission.



Figure 5 – Environmental Significance Overlay – (source - mapshare.vic.gov.au)

Vegetation Protection Overlay – Schedule 1

The purpose of the Vegetation Protection Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.
- To encourage the regeneration of native vegetation.

An extract of the Vegetation Protection Overlay Map is provided in **Figure 6**.

The proposal is not seeking to remove, destroy or lop any vegetation. As such a permit is not required for the subdivision under the provisions of the Vegetation Protection Overlay. This is not addressed further.



Figure 6 – Vegetation Protection Overlay – (source - mapshare.vic.gov.au)

Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is partly recognised as being within an area of Aboriginal Cultural Heritage Sensitivity.

The subdivision of land into two lots (boundary re-alignment) is an exempt activity and as such a Cultural Heritage Management Plan is not required.

An extract of the Aboriginal Cultural Heritage Map is provided in **Figure 7**.



Figure 7 – Aboriginal Cultural Heritage Overlay – (source - mapshare.vic.gov.au)

5. PLANNING ASSESSMENT

This proposal has been assessed against the objectives and standards of applicable clauses of the East Gippsland Planning Scheme and it is considered that the proposed subdivision is appropriate for the following reasons:

- The proposal meets the objectives of the Municipal Planning Strategy at **Clause 02** and the Planning Policy Framework at **Clause 10** providing for an appropriate subdivision (boundary re-alignment) that will result in a reduction of lots and provide for a consistent lot layout with the surrounding area that is conducive to the existing agricultural activities undertaken on the land.
- The proposal will contribute to an appropriate agricultural outcome, supporting the economy whilst taking into consideration the constraints of the land reducing any potential negative environmental implications as sought to achieve by the relevant clauses including **Clause 02.03** and **Clause 11**. The site does contain scattered vegetation however no vegetation will be required to be removed to facilitate the proposed subdivision.
- **Clause 02.03-1** identifies Bairnsdale as a growth area town. The proposed subdivision will result in two vacant allotments that can adequately sustain agricultural uses. The subject site has access to a suitable level of services and infrastructure. The proposed vacant lots being created will be connected to all available services and infrastructure including reticulated water, electricity, and a good quality road network.
- The economic importance of agricultural production is recognised in **Clause 14**, which also seeks to ensure agricultural land is managed sustainably. The proposed subdivision will realign the existing boundaries to create two lots as indicated on the proposed plan of subdivision. The objective of the subdivision is to remove a small historical lot that dissects the property, cleaning up the title boundaries. This will allow the owner to either sell one of the lots or give one to her son.
- The proposal has addressed the decision guidelines of the Farming Zone at **Clause 35.07-6** which seeks to protect and enhance agricultural land.
- The proposal will result in two allotments, both within the Farming Zone. The subject site and proposed lots are of a size that could sustain agricultural use and a dwelling in the future if desired.
- The proposed subdivision is not seeking to construct any buildings at this time.
- The existing water supply easement will be located along the eastern boundary of both of the proposed Lots.
- This subdivision (boundary re-alignment) will provide a better and more consistent lot layout. The existing lot layout contains a strip of land that is unusable due to the size being approximately 29 metres wide.
- The proposal does not permanently remove any productive agricultural land. Both allotments will have appropriate access provided. Proposed Lot 1 will contain the existing access point along the northern boundary directly from Dahlsens Road. Proposed Lot 2 will contain the existing access point along the eastern boundary directly from Bengworden Road.
- The proposal is consistent with the decision guidelines of the Environmental Significance Overlay at **Clause 42.01-5** which seeks to identify areas where the development of land may be affected by environmental constraints.
- The statement of environmental significance and the environmental objective is contained in Section 4 of this submission.
- The subject site contains existing scattered vegetation however no vegetation is required to be removed to facilitate the

-
- proposed subdivision (boundary re-alignment).
 - Revegetation is not considered an appropriate response particularly given the bushfire prone nature of the site.
 - This submission has addressed the decision guidelines of **Clause 65.01** and the proposed subdivision supports orderly planning of the area whilst taking into consideration the potential effect on the environment, human health and the amenity of the area. The proposal does not require the removal of any native vegetation and there will be no negative impact on the existing road network particularly given the access points are existing and will remain unchanged.
 - There are no factors of this proposal that are likely to cause or contribute to land degradation, salinity or reduce water quality.
 - This submission has addressed the decision guidelines of **Clause 65.02** and it is concluded the proposed subdivision (boundary re-alignment) is suitable in this location. The proposal will reconfigure the existing three lots to create two appropriately sized lots that can adequately accommodate agricultural activities and potentially support a dwelling in the future.
 - The subject site is currently connected to all available services and the proposed lots will be connected to all available services. The number of lots will not increase as a result of the proposed subdivision.

6. CONCLUSION

This submission is in support of a planning permit application for a two lot subdivision (boundary re-alignment) at 488 Bengworden Road, Bairnsdale.

The relevant provisions of the East Gippsland Planning Scheme have been addressed and it has been ascertained that the proposed subdivision is appropriate in this location. It is requested that the proposal be supported for the following reasons:

- The proposal is consistent with the objectives and strategies outlined in the Municipal Planning Strategy and the Planning Policy Framework.
- The proposal is consistent with the objectives of the Farming Zone and the Environmental Significance Overlay.
- The design of the subdivision is site responsive and will provide for a more practical lot layout supporting agricultural use of the land.

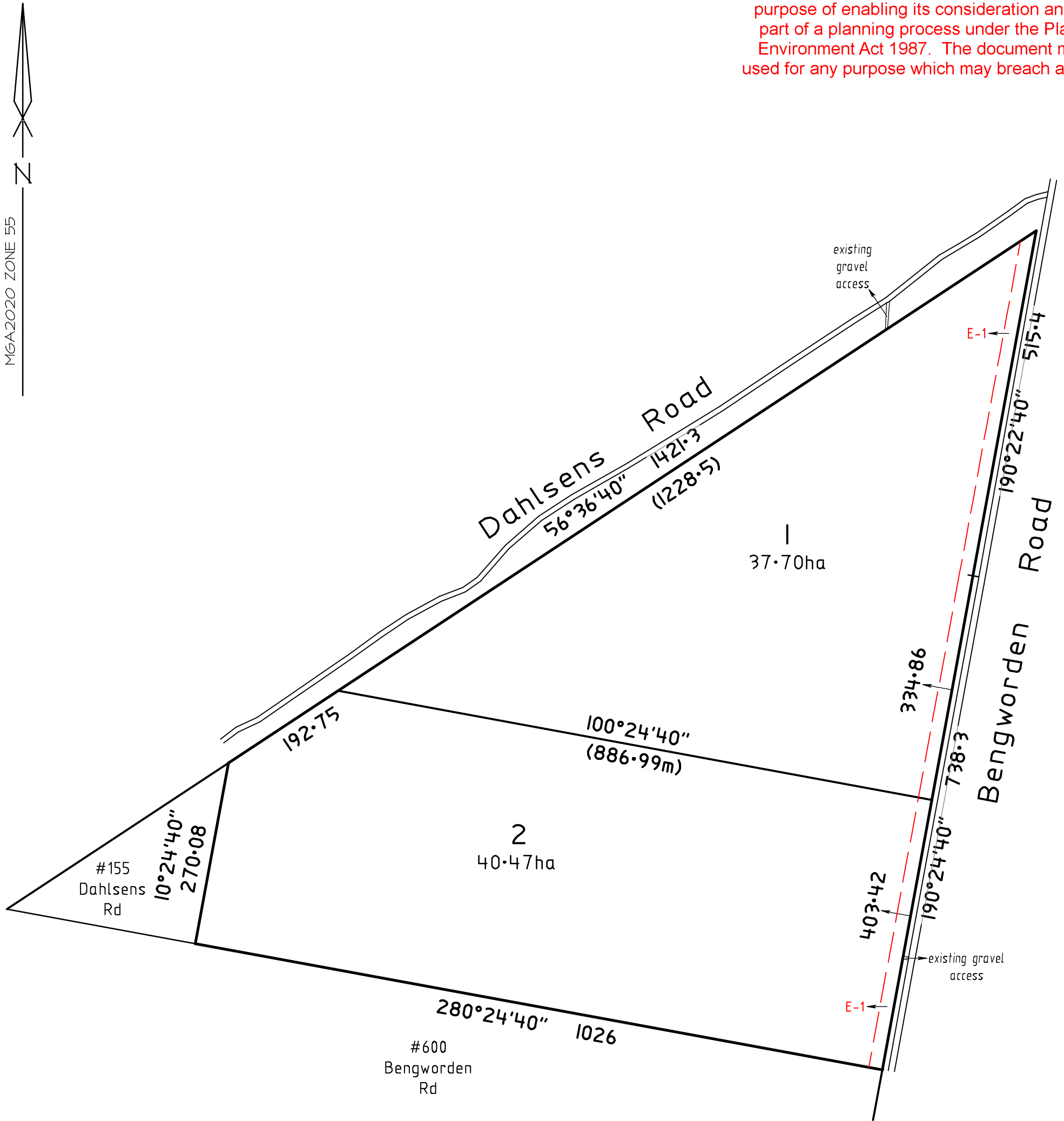
It is requested that a planning permit be granted for this subdivision.

Development Solutions Victoria

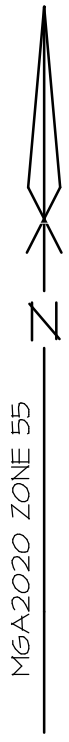
Disclaimer:

This document has been prepared for planning permit application purposes only. The report has been made with careful consideration and with the best information available to Development Solutions Victoria Pty Ltd at the time.

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MGA2020 ZONE 55



Easement
E-1 - water supply purposes - 20m wide

- This is not a title survey.
- Lot dimensions & areas are approximate only & subject to survey.
- See Certificate of Title for Easement details.
- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.



Sheet 1 of 1

OnePlan
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60 0 60 120 180 240
Lengths are in metres

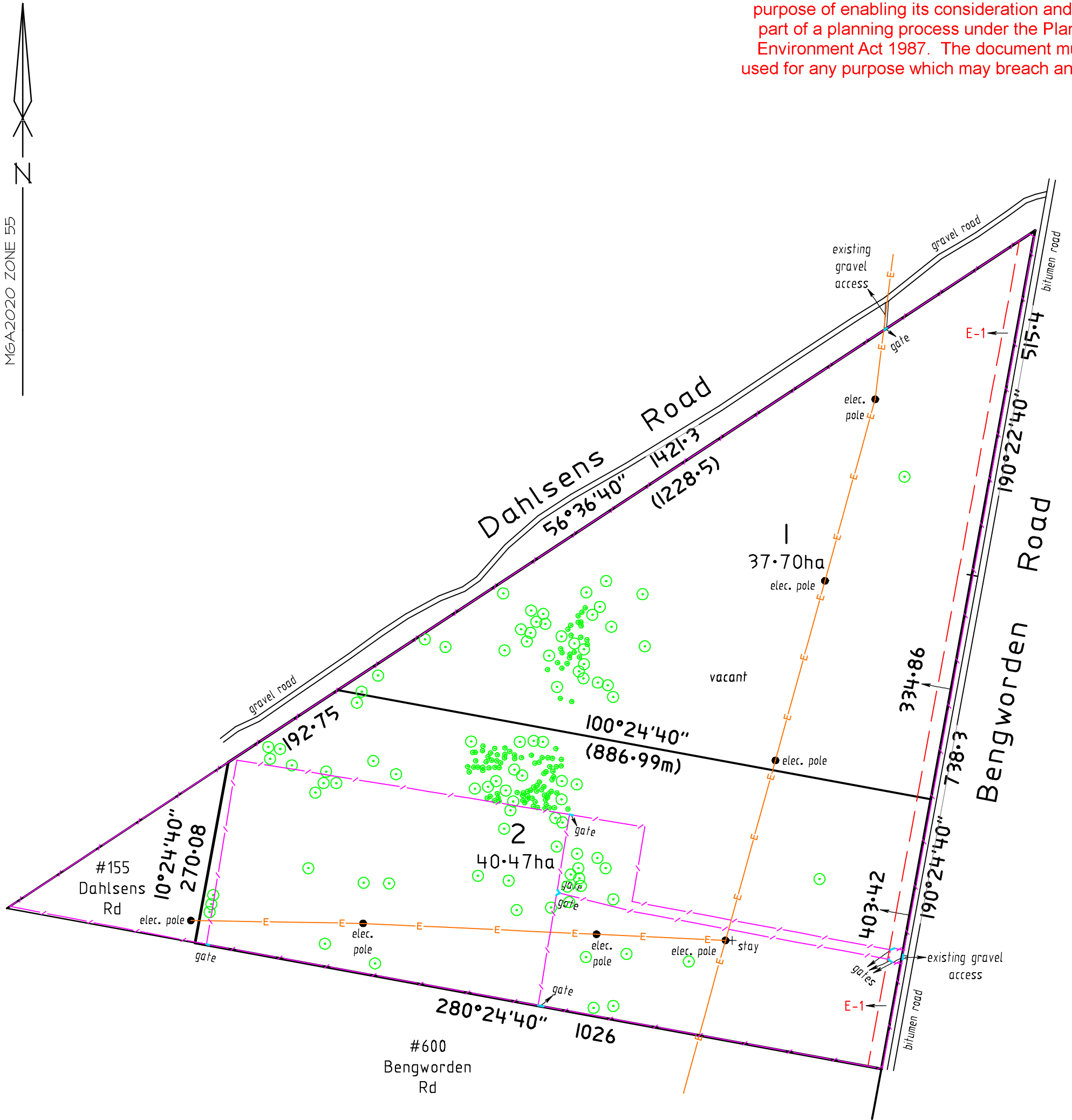
Proposed Subdivision Plan

Notations
Lot 2 on LP124335: 63.13ha - Vol 10877 Fol 376
CA44 on TP857661K: 13.93ha - Vol 10877 Fol 377
CA42A on TP857661K: 1.108ha - Vol 10877 Fol 378
Total site area: 78.17ha

DEVELOPMENT SOLUTIONS
VICTORIA
488 Bengworden Road, Bairnsdale, 3875
East Gippsland Shire

Plan No. 242490 PR-2	Scale 1:6000 - A3	Drawn 22/05/2024
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Parish of Moormung
Crown Allotments: 42 (pt), 42A & 44
CA 42A & 44 on TP857661K & Lot 2 on LP124335
Paracentroid (MGA2020) : E 548 660 N 5806 630



LEGEND

- overhead powerlines
- fencing
- gate

Easement

E-1 - water supply purposes - 20m wide

- This is not a title survey.
- Lot dimensions & areas are approximate only & subject to survey.
- See Certificate of Title for Easement details.
- Only significant trees are shown on this plan.
- All data shown on this plan is an accurate representation of the subject site at the time of survey.
- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.



Sheet 1 of 1

OnePlan
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LICENSED LAND SURVEYORS

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GIPPSLAND - MELBOURNE

60 0 60 120 180 240
Lengths are in metres

Site Context & Proposed Subdivision Plan

Notations
Levels are to the Australian Height Datum (AHD)

Lot 2 on LP124335: 63.13ha - Vol 10877 Fol 376
CA44 on TP857661K: 13.93ha - Vol 10877 Fol 377
CA42A on TP857661K: 1.108ha - Vol 10877 Fol 378
Total site area: 78.17ha

DEVELOPMENT SOLUTIONS
VICTORIA

488 Bengworden Road, Bairnsdale, 3875
East Gippsland Shire

Plan No.	Scale	Drawn
242490 SCPR-2	1:6000 - A3	22/05/2024

Parish of Moormung
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