

Form 2

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	29 Pearson Street BAIRNSDALE 3875 Lot: 1 TP: 403187
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:	5.2024.312.1

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 05548 FOLIO 481

Security no : 124118135255S  
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**LAND DESCRIPTION**

Lot 1 on Title Plan 403187W.  
PARENT TITLE Volume 00154 Folio 750  
Created by instrument 1418242 18/06/1929

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
BROOKER DESIGNED HOMES PTY LTD  
AQ377734L 24/10/2017

**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 TP403187W 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: 29 PEARSON STREET BAIRNSDALE VIC 3875

**ADMINISTRATIVE NOTICES**

NIL

DOCUMENT END

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<b>TITLE PLAN</b>	EDITION 1 TP 403187W Notations
<b>Location of Land</b> Parish: BAIRNSDALE Township: BAIRNSDALE Section: 14 Crown Allotment: 7(PT) Crown Portion:  Last Plan Reference: Derived From: VOL 5548 FOL 481 Depth Limitation: NIL	
ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	

<b>Description of Land / Easement Information</b>	THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 13/04/2000 VERIFIED: MP
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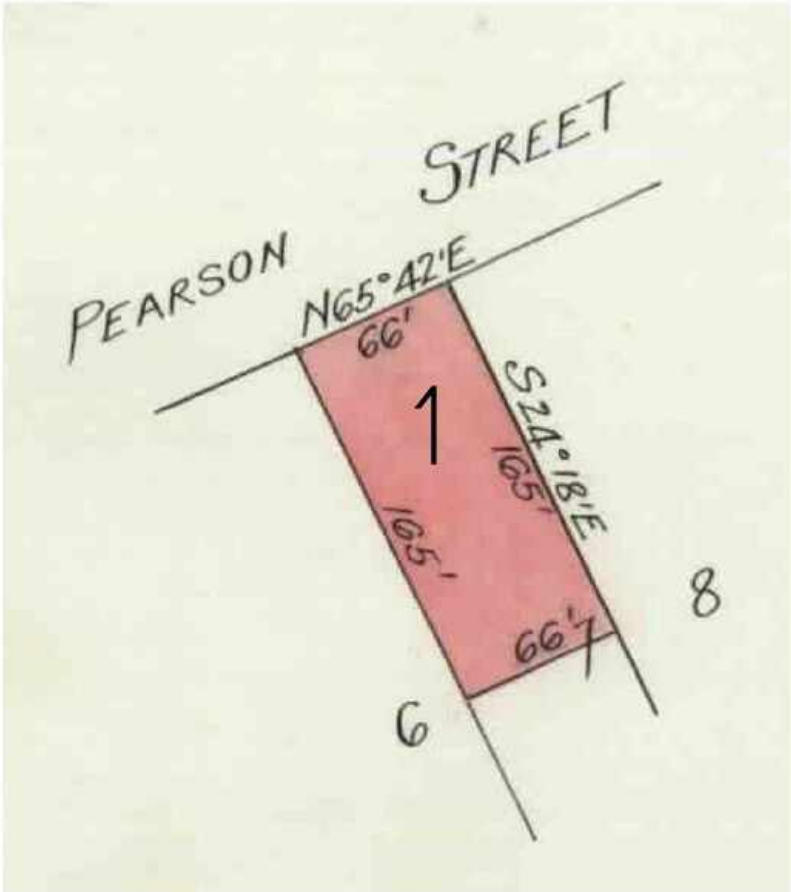


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = CA 7 (PT)

## Planning Report

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Two Lot Subdivision  
29 Pearson Street, Bairnsdale

Our reference – 20981

12 September 2024



FS 520900



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	Application Form	
	Proposed Subdivision Plan (Version 1)	
	Copy of Title (Lot 1 on TP403187W)	

*Note: Applicable Planning Application fee is \$1,453.40*



## 1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision at 29 Pearson Street, Bairnsdale. The Report addresses the provisions of the General Residential Zone as contained within the East Gippsland Planning Scheme.



*Aerial image of the subject land and surrounds (Source: Google Earth)*

## 2. Subject Land & Surrounding Context

Formally known as Lot 1 on TP403187 or more commonly known as 29 Pearson Street, Bairnsdale, the subject land is a regular shaped parcel of approximately 1,012 square metres with a relatively flat landform.

The property is currently developed by an ageing single storey detached weatherboard dwelling with a large shed located within the rear south-eastern corner of the property. Access to the subject land is obtained via an eastern crossover onto Pearson Street, which is a constructed urban road. Pearson Street is a divided roadway requiring access to the property to be obtained from the east and egress to the west.



*Image of the subject land looking south*

East of the subject land are three single storey brick detached dwellings and to the west is a single storey detached weatherboard dwelling with a significant outbuilding to the rear of the land.





*Image of 1/27 Pearson Street looking south*



*Image of 31 Pearson Street looking south*



South of the subject land is a detached single storey weatherboard dwelling which fronts Francis Street, and north of the property across Pearson Street is a detached single storey dwelling.

The subject land is a well located property situated within walking distance to the Bairnsdale Activity Area and the Bairnsdale Train Station. In close proximity of the subject land are educational facilities, active recreational opportunities, medical facilities and employment precincts.

Site Context Plan



A – Subject land

B – Bairnsdale Activity Area

C – Bairnsdale Train Station

D – Primary School

E – Bairnsdale Secondary College

F – Bairnsdale Hospital

G – Bairnsdale City Oval

H- World Centre

I – Bairnsdale Tennis & Bowls Club

J – Outdoor Pool

### 3. The Application & Proposal

It is proposed to subdivide the subject land into two lots and demolish the existing dwelling and outbuilding on the site.

The proposed subdivision will create two north facing allotments fronting onto Pearson Street.

The proposed allotments will each have an area of 506 square metres with identical dimensions, being 10.08 metres wide and 50.29 metres long.

It was determined that the subdivision was best designed to provide two side by side lots to facilitate energy efficient future dwellings given the ability to access good northern exposure

The length of the allotments provides for future development to take place that can provide appropriate areas of private open space and allow for an active interface with the public realm being Pearson Street.

To facilitate individual vehicle access to the proposed lots, new vehicle crossovers will be constructed. Individual access points to the lots will provide for car parking provision on each allotment.

The lot configuration allows for future dwellings to be developed that can provide for a sense of privacy and avoid undesirable amenity impacts to neighbouring properties.

At 506 square metres the allotments can provide for various accommodation types in terms of bedroom provision, the allotment dimensions will facilitate a diversity of building forms and will require site responsive dwelling designs.



Proposed plan of subdivision

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

The proposed subdivision is not required to be referred to any authorities and agencies in accordance with Section 55 of the *Planning and Environment Act 1987*.

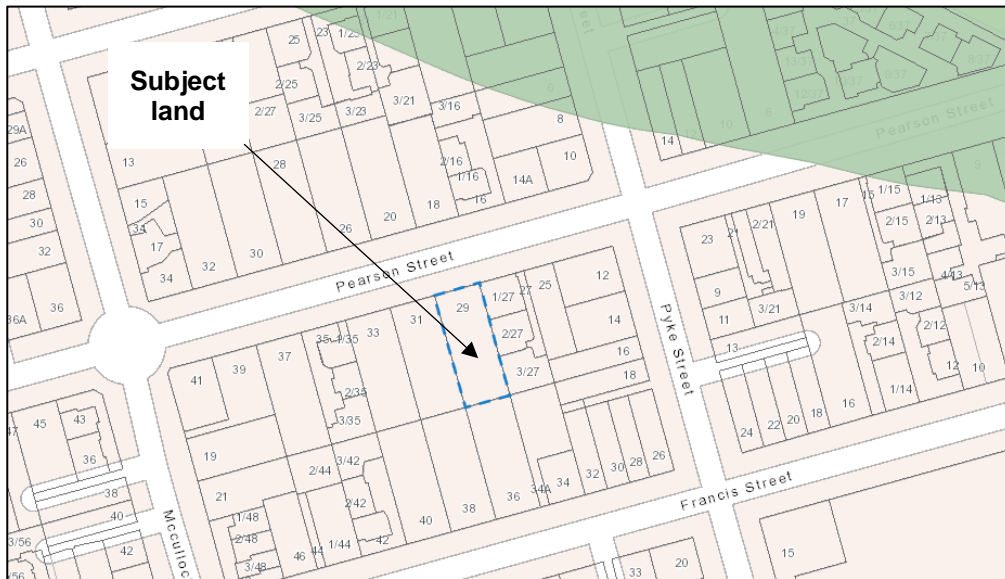


#### 4. Cultural Heritage

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 dark green (Source: VicPlan)*

The subject land is not located within an area of cultural heritage sensitivity and a two lot subdivision is not considered a high impact activity. As such, there is no mandatory requirement to provide a CHMP in support of the application.

## 5. Planning Policy

### 5.1 Planning Policy Framework

Strategies within Clause 11.01-1S Settlement promote the proposed subdivision of the property. The subdivision will achieve State policy which seeks to support the development of regional centres including Bairnsdale, provide for a growth in population, encourage a form and density of settlements that supports healthy, active and sustainable transport, assists to limit urban sprawl and provides for infill redevelopment.

Clause 11.01-1L-02 Growth area towns – Bairnsdale supports infill medium density housing close to the Bairnsdale CBD to provide greater housing choices. The subject land is within walking distance of the Bairnsdale Activity Area and will provide for housing in a well located part of Bairnsdale.

The land is well positioned for further development as the property does not have environmental and landscape values identified in Clause 12 and is not subject to environmental risks as outlined in Clause 13 of the planning scheme.

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 provides lot sizes to suit a variety of dwelling and household types, proposes an urban structure where neighbourhoods are clustered to support larger activity centres and provides lot orientation that will promote energy efficient dwellings.

Located close to the Bairnsdale Activity Area future landowners have the ability to enjoy walking or cycling to many of the services and facilities of the town as sought within Clause 15.01-4S Healthy neighbourhoods.

The neighbourhood character of the area is seeing change as redevelopment and infill development occurs around the edges of the Bairnsdale Activity Area. The proposed subdivision will reinforce urban consolidation within the locality and will be sympathetic with the changing neighbourhood character consistent with Clause 15.01-5S Neighbourhood character.

Planning policy within Clause 16.01-1S Housing supply seeks to increase the proportion of housing in established urban areas reducing the share of new dwellings in greenfield areas, encourages higher density housing on sites that are well located in relation to jobs, services and public transport, assists to consolidate urban areas and facilitate a diversity of housing which the subdivision will deliver.

The subject land is located a short distance from the Bairnsdale Train Station and provides for future landowners with easy ability to access public transport as identified within Clause 18.02-3S Public transport.

## 5.2 Municipal Planning Strategy

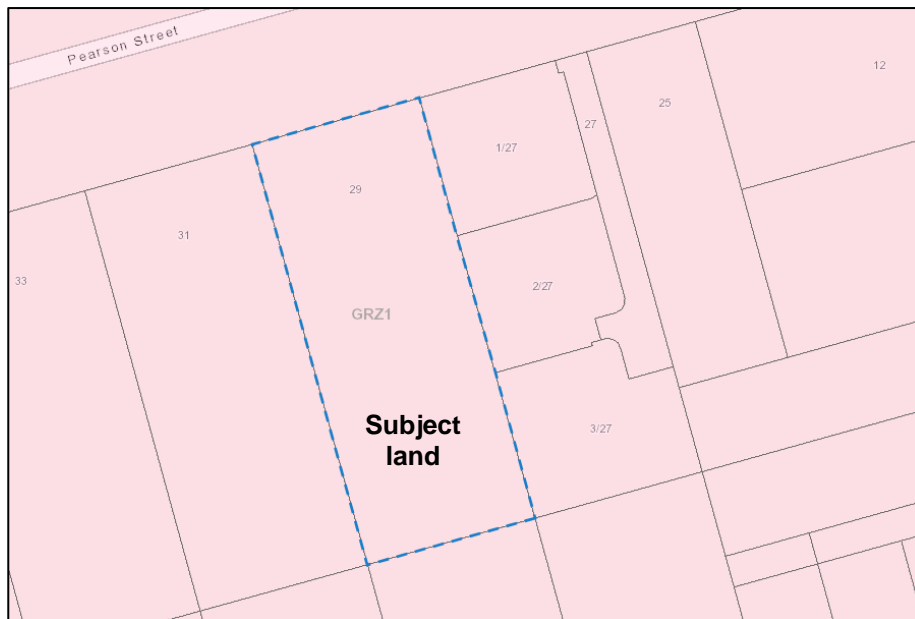
Council has identified Bairnsdale as one of the growth area towns within Clause 02.03-1 Settlement and housing. Relevant strategic directions for Bairnsdale will be achieved with the subdivision of the property as it will encourage population growth and development on fully serviced residential land and provides lot sizes and dimensions that can be developed by a range of housing types and styles.

Subdivision of the land for future residential development within a short distance of the activity area will support enhancing Bairnsdale's role as the principal commercial and retail centre and as the regional centre for public sector administration as sought within Clause 02.03-6 Economic development.

## 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 provides for two allotments that respect the emerging neighbourhood character, allows for a diversity of housing types and housing growth and provides for much needed housing opportunities within close proximity of services and facilities provided within Bairnsdale.

A residential subdivision must meet the requirements of Clause 56 objectives and should meet the standards.



The proposed subdivision is considered to comply with the relevant provisions of Clause 56. The following table provides comment against the relevant standards and objectives of Clause 56 relevant to a two lot subdivision.

Objective	Comment
<p>56.03-5</p> <p><b>Neighbourhood Character</b></p>	<p><b>Complies</b></p> <p>The area has an emerging neighbourhood character which is seeing a more compact and dense urban form, as is encouraged within the planning scheme, given the close proximity to services and facilities within the Bairnsdale Activity Area.</p> <p>The proposed lots have been designed “side by side” rather than a front and rear allotment configuration. The design provides both lots with direct frontage to Pearson Street, allows for energy efficient designed dwellings, provides for onsite car parking and generous private open space.</p> <p>The proposed subdivision will be sympathetic with the current and emerging character of the precinct.</p>
<p>56.04-2</p> <p><b>Lot area and building envelopes</b></p>	<p><b>Complies</b></p> <p>Proposed lot 1 and 2 can easily accommodate a 10x15 metre rectangle.</p> <p>The subdivision layout provides appropriate area for anticipated future development on the lots to enjoy solar access, provision of private open space and safe vehicle movements.</p>
<p>56.04-3</p> <p><b>Solar orientation of lots</b></p>	<p><b>Complies</b></p> <p>Lot 1 and 2 contains sufficient area to provide appropriate solar orientation for the establishment of future dwellings and location of private open space to take advantage of the northern orientation with good solar access.</p>
<p>56.04-5</p> <p><b>Common Areas</b></p>	<p><b>N/A</b></p> <p>There are no areas of Common Property proposed.</p>
<p>56.06-8</p> <p><b>Lot access</b></p>	<p><b>Complies</b></p> <p>Access to the lots is proposed from Pearson Street.</p> <p>Given Pearson Street is a split carriageway, vehicles must access the subject land from the east and egress the site to the west. The split carriageway of Pearson Street reduces the potential for vehicle conflict.</p> <p>The use of individual points of access will be safe, convenient and practical.</p>
<p>56.07-1</p> <p><b>Drinking water supply</b></p>	<p><b>Complies</b></p> <p>Reticulated water is provided to the subject land and will be connected to both allotments as part of the subdivision.</p>
<p>56.07-2</p> <p><b>Reused and recycled water</b></p>	<p><b>Complies</b></p> <p>East Gippsland Water does not provide connections to reused and recycled water. However, the size of the proposed lots are sufficient to provide for landowners to</p>

	consider utilising rainwater tanks to reduce demand for potable water
<b>56.07-3 Wastewater management</b>	<b>Complies</b> Reticulated sewer is already established within the precinct. The vacant lots will be connected to sewer as part of the subdivision consistent with Standard C24.
<b>56.07-4 Urban run-off management</b>	<b>Complies</b> It is envisaged that both lots can be drained and tapped into the kerb and channel drainage infrastructure of Pearson Street.
<b>56.08-1 Site management</b>	<b>Complies</b> The proposed subdivision will require new service connections and two new crossovers. The proposed subdivision is not of sufficient size to warrant a construction management plan.
<b>56.09-1 Shared trenching</b>	<b>Complies</b> All utility service connections will be undertaken in accordance with service provider requirements
<b>56.09-2 Electricity &amp; telecommunications</b>	<b>Complies</b> The proposal will make good use of a full range of existing services as available within the precinct. The vacant proposed allotments will be connected to reticulated power, water, sewer and telecommunications.

### Decision Guidelines

The following dot points provide comment against the key elements of the project in response to the Decision Guidelines.

- Support for the subdivision is provided in planning policy contained within the Municipal Planning Strategy and Planning Policy Framework.
- The proposed two lot subdivision provides opportunity for infill residential opportunities into a precinct which is capable of sustaining further residential style development and is zoned appropriately.
- The subdivision will make good use of existing services and the site is already connected to a full range of reticulated services.
- The site is well located being within an existing well established residential precinct which is close to educational facilities, active recreational nodes and the Bairnsdale Activity Area.
- Both lots will be provided with direct frontage and access from the adjoining road network and future development of the lots will be consistent with the emerging neighbourhood character.

- Lots to be created will exceed 400 square metres and can be developed to meet the required garden area.
- There are no areas of Common Property proposed and no Owners Corporation will be required as a result of the proposal.

## 7. Conclusion

The proposed two lot subdivision at 29 Pearson Street, Bairnsdale is considered to accord with all relevant provisions of the General Residential Zone of the East Gippsland Planning Scheme. The proposal is consistent with 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.



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# PROPOSED SUBDIVISION

PARISH OF BAIRNSDALE  
TOWNSHIP OF BAIRNSDALE  
SECTION 14  
CROWN ALLOTMENT 7 (PART)

LOT 1 ON TP403187W

MG2020 ZONE 55



**ROSS & MICHELLE BROOKER**

29 PEARSON STREET, BAIRNSDALE

**Crowther & Sadler Pty. Ltd.**

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

FILENAME: Y:\20000-20999\20900- 20999\20981 Brooker\20981 Prop V1.pro

## NOTATIONS

AREAS ARE APPROXIMATE ONLY  
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 250

SURVEYORS REF.

20981

VERSION 1 - DRAWN 10/09/2024