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NOTICE OF AN APPLICATION FOR PLANNING PERMIT 1987. The document must not be used for any purpose which may breach any copyright.

The land affected by the application is located at:	65 Macleod Street BAIRNSDALE VIC 3875, 75 Macleod Street BAIRNSDALE VIC 3875 CA: 105, CA: PART A4 Sec: A
The application is for a permit to:	Two Lot Subdivision (Boundary Realignment)
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
34.01-3 (C1Z)	Subdivide land – Boundary realignment
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2025.256.1

You may look at the application and any documents that support the application free of charge at: <a href="https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications">https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications</a>

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.

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# **April McDonald**

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From: Snapforms Notifications <no-reply@snapforms.com.au>

Sent:Wednesday, 30 July 2025 12:48 PMTo:Planning Unit AdministrationSubject:Planning Permit application

Attachments: APPENDIX A Copy of Title - 75 Macleod.PDF; APPENDIX A Copy of Title - 65

Macleod.PDF; APPENDIX A Plan of Subdivision - 65 Macleod.PDF; APPENDIX A Plan of Subdivision - 75 Macleod.PDF; APPENDIX B Proposed Subdivision Plan.pdf; APPENDIX B Site Context & Proposed Subdivision Plan.pdf; 25067 Planning

Submision.pdf; Letter to Council.pdf; Planning\_Permit\_Application\_

2025-07-30T12-47-30\_26820668\_0.pdf

# **Planning Permit Application**

A "Planning Permit Application" has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Business trading name: DEVELOPMENT SOLUTIONS VICTORIA** 

Email address: ADMIN@DEVSOLVIC.COM.AU

Postal address: 48 BAILEY STREET, BAIRNSDALE, VIC 3875

Preferred phone number: 0351524858

Owner's name:

Owner's business trading name (if applicable):

Owner's postal address:

Street number: 65 AND 75

Street name: MACLEOD STREET

**Town: BAIRNSDALE** 

Post code: 3875

Plan number: LAND IN PLAN OF CONSOLIDATION 105557 AND CROWN ALLOTMENT A4 SECTION A

TOWNSHIP OF BAIRNSDALE PARISH OF BAIRNSDALE

Other Legal Description: VOL 09223 / FOLIO 017 AND VOL 10372 / FOLIO 585

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?: No

Will the proposal result in a breach of a registered covenant restriction or agreement?: No

**Existing conditions:** EXISTING COMMERCIAL BUILDINGS

This copied document is made available for the sole purpose of enabling its consideration and review as **Description of proposal:** TWO LOT SUBDIVISION (BOUNDARY REALIGN PLEASE under the Planning and Environment Act 1987. The document must not be

**Estimated cost of development:** 0

used for any purpose which may breach any copyright.

Has there been a pre-application meeting: No

Your reference number: 25067

Full copy of Title: APPENDIX A Copy of Title - 75 Macleod.PDF, APPENDIX A Copy of Title - 65 Macleod.PDF, APPENDIX A Plan of Subdivision - 65 Macleod.PDF, APPENDIX A Plan of Subdivision - 75 Macleod.PDF

Plans: APPENDIX B Proposed Subdivision Plan.pdf, APPENDIX B Site Context & Proposed Subdivision

Plan.pdf

Planning report: 25067 Planning Submision.pdf

ExtraFile: 1

1. Supporting information/reports: Letter to Council.pdf

Invoice Payer: DEVELOPMENT SOLUTIONS VICTORIA PTY LTD

Address for Invoice: 48 BAILEY STREET, BAIRNSDALE VIC 3875

Invoice Email: ADMIN@DEVSOLVIC.COM.AU

Primary Phone Invoice: 0351524858

**Declaration:** Yes

**Authority Check: Yes** 

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes



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REGISTER SEARCH STATEMENT (Title Seased)for இவற்கு இரும்கள் may breach அறைம் opyright. Land Act 1958

VOLUME 09223 FOLIO 017

Security no : 124126301075C Produced 17/07/2025 12:26 PM

#### LAND DESCRIPTION

Land in Plan of Consolidation 105557.

PARENT TITLES:

Volume 01998 Folio 467 Volume 03682 Folio 320 Volume 03682 Folio 372

Created by instrument CP105557 06/09/1977

#### REGISTERED PROPRIETOR

Estate Fee Simple Sole Proprietor

#### 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 CP105557 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: 65 MACLEOD STREET BAIRNSDALE VIC 3875
DOCUMENT END

Printed 99/08/2025
Page 4 of 28



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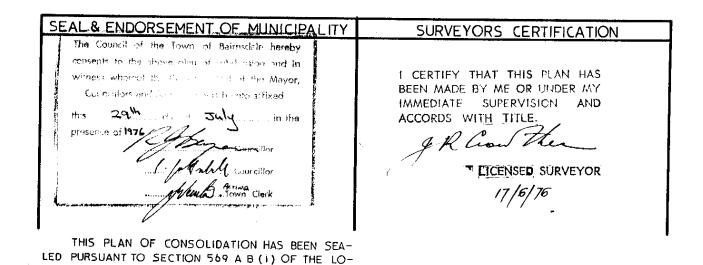
Document Type	Plan
Document Identification	CP105557
Number of Pages	1
(excluding this cover sheet)	
Document Assembled	17/07/2025 12:26

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VOL., 9223 FO 17



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REGISTER SEARCH STATEMENT (Title Seasch)for இது அந்து இரு which may breach அள்கு opyright. Land Act 1958

VOLUME 10372 FOLIO 585

Security no : 124126301460H Produced 17/07/2025 12:32 PM

CROWN GRANT

#### LAND DESCRIPTION

Crown Allotment A4 Section A Township of Bairnsdale Parish of Bairnsdale.

#### REGISTERED PROPRIETOR

Estate Fee Simple Sole Proprietor

#### ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

#### DIAGRAM LOCATION

SEE TP071920S FOR FURTHER DETAILS AND BOUNDARIES

# ACTIVITY IN THE LAST 125 DAYS

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Document Identification	TP071920S
Number of Pages	2
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Document Assembled	17/07/2025 12:32

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USBECTOG ATTY ESTATE DOBREN WHITE HIGH UNBAY TO BE SHOULD BE SHOUL BAIRNSDALE Parish:

Township: Section: Crown Allotment: A4

Crown Portion:

Location of Land

Last Plan Reference:

Derived From: VOL 10372 FOL 585

BAIRNSDALE

Depth Limitation: 15 m ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON

THIS TITLE PLAN

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 16/07/1999

VERIFIED: DB

MACLEOD STREET 15\*00"40" 40.44 1982 m² 84.84 20.20

SEC A

P.R.

BAIRNSDALE

260°10'

LENGTHS ARE IN **METRES** 

Metres = 0.3048 x Feet Metres = 0.201168 x Links

Sheet 1 of 2 sheets

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TITLE PLAN

# LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS and convight.

all that piece of land in the said

State being Allotment A FOUR of Section A in the Township of BAIRNSDALE Parish of BAIRNSDALE and being the land shown enclosed by continuous lines in the map hereon and identified by that allotment number

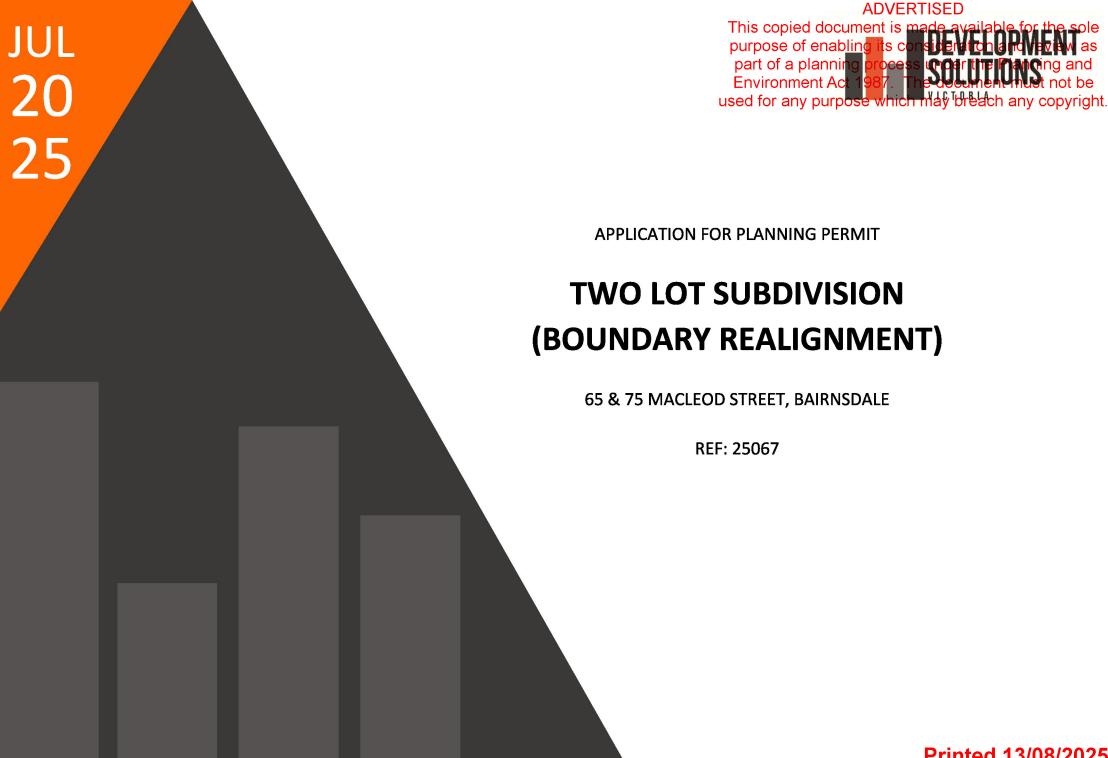
PROVIDED that this Grant is made subject to -

- (a) the reservation to Us Our heirs and successors of -
  - (i) any minerals within the meaning of the Mineral Resources Development Act 1990 and petroleum within the meaning of the Petroleum Act 1958 (hereinafter called "the reserved minerals");
- (ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;
- (iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;
- (b) the right to resume the said land for mining purposes pursuant to section 205 of the Land Act 1958;
- (c) the right of any person being a licensee under the Mineral Resources Development Act 1990 or any corresponding previous enactment to enter on the said land and to do work within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to do such work in and upon Crown lands provided that compensation as prescribed by Part 8 of that Act is paid for surface damage to be done to the said land by reason of doing such work on it.

LENGTHS ARE IN METRES

Metres = 0.3048 x Feet

Sheet 2 of 2 sheets **Printed 13/08/**2025



Printed 13/08/2025 Page 11 of 28

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#### **CONTENTS**

Introduction 1 2 Site Context 5 The Proposal 3 11 **Zones and Overlays** 13 Planning Assessment 5 14 6 Conclusion 16

#### **APPENDIX**

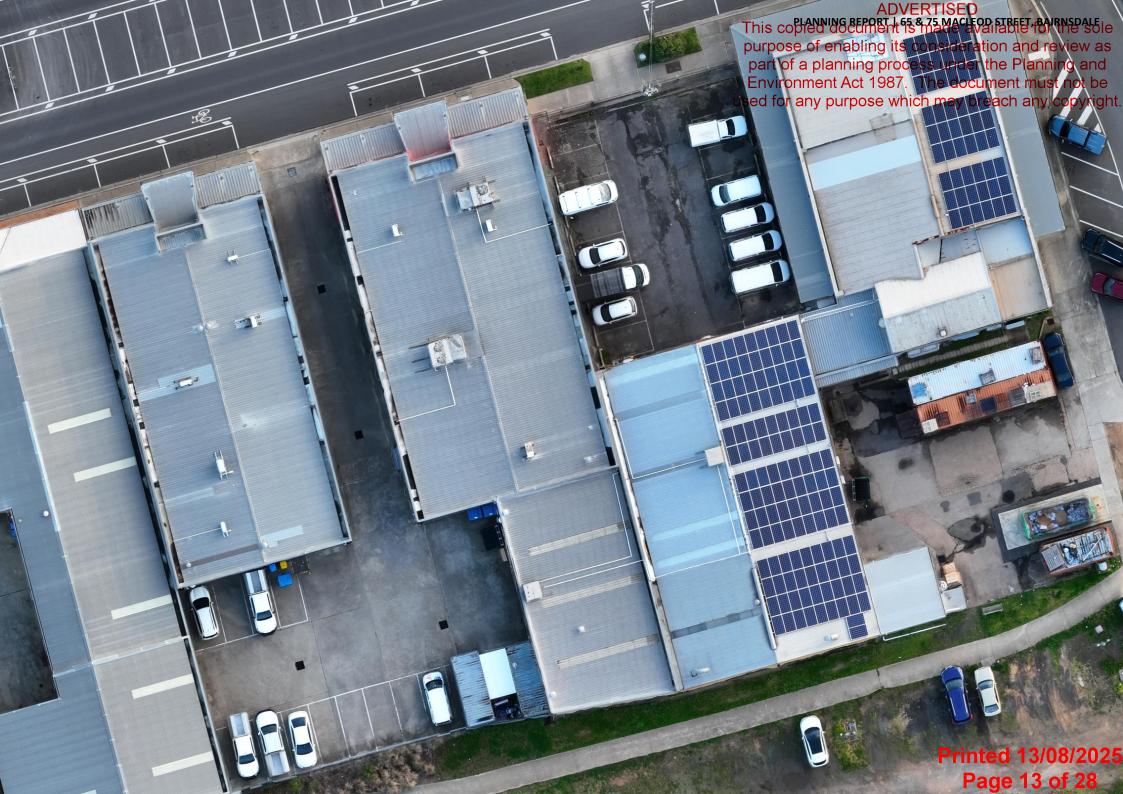
A Copy of Title and Title Plan

**B** Proposed Plan of Subdivision

# **DOCUMENT REVISION**

1 Draft Report DAC 25/07/2025

2 Final Report CMC 29/07/2025



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#### 1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of the applicant for this planning permit application for a Two Lot Subdivision (Boundary Realignment) at 65 & 75 Macleod Street, Bairnsdale.

This submission and supporting documentation provide details of the subject site, relevant planning controls and policies and provides an assessment against the provisions of the East Gippsland Planning Scheme.

A planning permit is required for the subdivision of land under the provisions of the Commercial 1 Zone.

The purpose of this subdivision is to realign the boundaries of the sites to align with the building boundaries as indicated on the site context plan with aerial. Each lot will still contain an existing commercial building corresponding with the existing uses of the land and buildings.

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

	used for any purpose which may breach a
Address	65 & 75 Macleod Street, Bairnsdale
Site Description	65 Macleod Street – Land in Plan of Consolidation 105557
	75 Macleod Street – Crown Allotment A4 Section A of Bairnsdale Parish of
	Bairnsdale
Title Particulars	65 Macleod Street – Vol 09223 Fol 017
	75 Macleod Street – Vol 10372 Fol 585
Site Area	65 Macleod Street – 2,023m <sup>2</sup>
	75 Macleod Street – 1,982m²
Proposal	Two Lot Subdivision (Boundary Realignment)
Planning Scheme	East Gippsland Planning Scheme
Zone	Commercial 1 Zone
Overlays	No Overlays
Permit Triggers	Clause 34.01-3 Commercial 1 Zone – Subdivision
Notice	Exempt from notice and review at Clause 34.01-7
Referrals	No referrals required
<b>Work Authority Licence</b>	Not applicable
Planning Scheme	Municipal Planning Strategy – Clause 02
requirements	Settlement – settlements – 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
	Built environment and heritage – Clause 15
	Commercial 1 Zone – Clause 34.01
	Decision guidelines – Clause 65.01
	Decision guidelines – Clause 65.02

# 2. SITE CONTEXT

#### Site

The subject site is located at 65 & 75 Macleod Street, Bairnsdale. A copy of the Title and Plan of Subdivision pertaining to each parcel are contained in *Appendix A*. The titles are not affected by any restrictive covenants or agreements.

#### **65 Macleod Street**

The site is rectangular in shape with a total area of approximately 2,023m<sup>2</sup> and contains existing commercial buildings and car parking. The building is occupied by the Bairnsdale Advertiser and James Yeates Printing.

Vehicular access is existing along the northern boundary directly from Macleod Street and along the eastern boundary directly from Bailey Street.

#### 75 Macleod Street

The site is rectangular in shape with a total area of approximately 1,982m² and contains existing commercial buildings occupied by Office Choice being a retail premises and Findex being an office.

Vehicular access is existing along the northern boundary directly from Macleod Street.

The site includes a common parking and access way between the two buildings to the rear of the site. This common area allows for loading and unloading and onsite car parking spaces, in addition to pedestrian access to the public car parking area to the south of the site.

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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 – 65 & 75 Macleod Street, Bairnsdale (source: mapshare.vic.gov.au)



Figure 2 - Locality Plan - 65 & 75 Macleod Street, Bairnsdale (source: mapshare.vic.gov.au)

#### **Surrounds**

The land in this locality is predominantly developed with commercial development comprising both retail and office type businesses.

Adjoining the northern boundary of both allotments is Macleod Street and further commercial development. Adjoining the eastern boundary of 65 Macleod Street is Bailey Street and further commercial development. Both Macleod Street and Bailey Street are bitumen sealed roads with concrete kerb and channel.

Adjoining the western boundary of 75 Macleod Street is land containing existing commercial development and adjoining the southern boundary of both lots is a Transport Zone 1 and further commercial development. The Transport 1 Zone is the former railway line. This area is no longer used for railway purposes and has partially been constructed for a public car park.

Commercial development surrounding the subject site comprises of:

- Megals
- Spotlight
- Salvo's Opportunity Shop
- Paint Right

- Marban Music
- Doyle & Shields

Bairnsdale, the main commercial city of East Gippsland, is located on the Mitchell River and built around the Princes Highway. This large boulevard features trees, gardens, a rotunda, and various public amenities, extending through to Lakes Entrance and beyond.

# ADVERTISED







**Photograph 2** – Proposed Lot 1 at 65 Macleod Street Bairnsdale, facing south showing existing site access.



**Photograph 4** – Proposed Lot 1 facing north showing existing bitumen carpark.



**Photograph 6** – Southeastern portion of proposed Lot 1 facing southwest..



**Photograph 3** – Proposed Lot 1 facing south showing existing bitumen carpark.



**Photograph 5** – Southeastern portion of proposed Lot 1 facing west.



**Photograph 7** – Proposed Lot 2 at 75 Macleod Street, Bairnsdale facing south, showing existing buildings and site access.



**Photograph 8** – Proposed Lot 2 facing south showing central portion of subject site.



**Photograph 10** – Proposed Lot 2 facing east showing southern portion of the subject site.



**Photograph 12** – Neighbouring property opposite the subject site at 70 Macleod Street, Bairnsdale.



**Photograph 9 –** Proposed Lot 2 facing southwest showing southern portion of the subject site.



**Photograph 11** – Proposed Lot 2 facing north showing approximate location of proposed boundary.



**Photograph 13** – Neighbouring property opposite the subject site at 72 Macleod Street, Bairnsdale.

**Photograph 14** – Neighbouring property adjoining the western boundary of proposed Lot 2 at 77 Macleod Street, Bairnsdale.



**Photograph 16** – Macleod Street facing west.



**Photograph 15 –** Macleod Street facing east.



**Photograph 17** – Bailey Street facing north.

#### 3. THE PROPOSAL

This application seeks approval for a Two Lot Subdivision to realign a common boundary between 65 and 75 Macleod Street to respond to existing site conditions. A portion of the building on 75 Macloed Street has been used and occupied by James Yeates Printing and Bairnsdale Advertiser for many years. It is now seeking a subdivision to formalise the existing conditions. The image below shows the area of building to be transferred from 75 Macleod Street to 65 Macleod Street.

The walls are currently of a suitable standard and meet fire rating conditions under the building regulations.

The proposal is within an existing commercial area of Bairnsdale as is to be assessed under the provisions of the Commercial 1 Zone. A proposed plan of subdivision is contained in *Appendix B*.



Figure 3 – Area to be transferred by boundary realignment

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The proposed Lot 1 will be irregular in shape and will be approximately 2,241m² in area. This lot will comprise the eastern portion of the subject site and will contain the existing commercial buildings, shipping containers and car parking area containing the Bairnsdale Advertiser and James Yeates Printing businesses.

Pedestrian access to this lot is existing adjoining the northern boundary directly from Macleod Street via a concrete footpath. Vehicle access is existing along the northern boundary directly from Macleod Street and along the eastern boundary directly from Bailey Street. Both access points are via a concrete crossover.

#### Lot 2

The proposed Lot 2 will be irregular in shape and will be approximately 1,764m<sup>2</sup> in area. This lot will comprise the western portion of the subject site and will contain the two existing commercial buildings and car parking area.

Pedestrian access to this lot is existing adjoining the northern boundary directly from Macleod Street via a concrete footpath. Vehicle access is existing via a concrete

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crossover along the northern boundary directly from Macleod Street.

The subject sites are connected to a suitable level of services which will remain unchanged.

The proposed subdivision does not require the removal of any vegetation, and no earthworks will be required. A copy of the proposed plan of subdivision is provided below and in *Appendix B*.

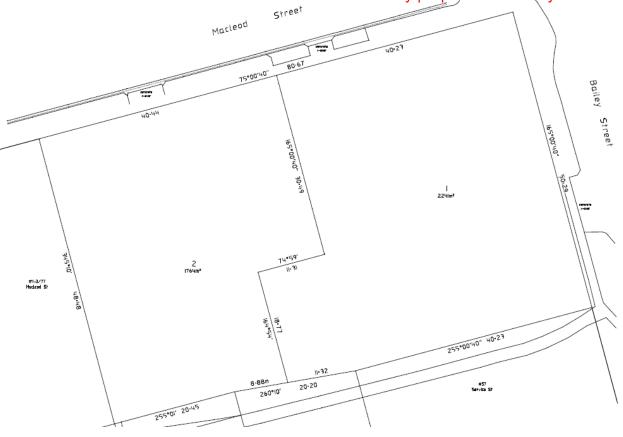


Figure 4 – Proposed Plan of Subdivision – One Plan

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#### 4. ZONES AND OVERLAYS

#### **Commercial 1 Zone**

The purpose of the Commercial 1 Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

An extract of the Commercial 1 Zone Map is provided in *Figure 5*.

Clause 34.01-3 of the Commercial 1 Zone provides a permit is required to subdivide land.

The relevant decision guidelines of Clause 34.01-8 of the Commercial 1 Zone are addressed in Section 5 of this submission.



Figure 5 – Commercial 1 Zone – (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 two lot subdivision (boundary realignment) 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 that will be respectful of the existing surrounding development whilst responding to the existing site conditions.
- There are no environmental constraints associated with the site and the proposal will not alter the existing design of the building. The proposed subdivision will not be detrimental to the amenity of the area.
- Clause 02.03-1 identifies Bairnsdale as a growth area town. Bairnsdale is the gateway to East Gippsland and is the largest town in the Shire providing major commercial, retail, educational and publicsector services.
- The proposed lots are currently connected to all available services and infrastructure which will remain unchanged.
- **Clause 17** considers all sectors to be critical in achieving economic prosperity. The

- proposed subdivision (boundary realignment) will formalise the boundaries to include the existing commercial buildings as indicated on the proposed plans of subdivision. The existing businesses occupying the subject allotments will remain unchanged.
- The proposal is consistent with the decision guidelines of the Commercial 1 Zone at Clause 34.01-8 which seeks to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- The proposed subdivision will not alter the existing facades or any existing buildings. The subdivision will simply result in formalising the current building arrangement by realigning the boundary to transfer the portion of 75 Macleod Street that is currently used and occupied by the Bairnsdale Advertiser and James Yeates Printing to be included with 65 Macleod Street.
- No new buildings or works are proposed as a result of the proposed subdivision.
- Vehicle and pedestrian access to 65 and 75
  Macleod Street is existing along the
  northern boundary, directly from Macleod
  Street and a second access point for 65
  Macleod Street is located along the eastern
  boundary directly from Bailey Street.

#### **ADVERTISED**

- The proposed subdivision will not alter the existing car parking available to each of the sites. As the subdivision is formalising the existing arrangement of buildings, the increase in the size of the eastern lot comprising the Bairnsdale Advertiser and James Yeates Printing will result in an increase in staff, or production and therefore will not require any additional car parking spaces.
- Rubbish and materials for recycling for the existing buildings is currently managed which will remain unchanged.
- 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 proposed subdivision 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 is appropriate in this location.
- Both of the proposed allotments are currently connected to all available services which will remain unchanged and the required consultation with individual service authorities will be undertaken at certification stage.
- The proposed subdivision will not increase the number of lots, rather it is proposed to realign the existing boundary between the lots to be supportive of the existing development on the site.

#### 6. CONCLUSION

This submission is in support of a planning permit application for a Two Lot Subdivision (Boundary Realignment) at 65 & 75 Macleod Street, 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 Commercial 1 Zone.
- The proposal will result in an appropriate boundary realignment that will formalise the boundaries of the existing buildings.
- The proposal is consistent with the character of the area.

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

**Development Solutions Victoria** 

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