

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	25 Waterview Road EAGLE POINT VIC 3878 Lot: A PS: 523941, Lot: 2 PS: 727582, Lot: 1 PS: 727582
The application is for a permit to:	Multi lot Subdivision
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
32.08-3	Subdivision in General Residential Zone
35.07-3	Subdivision in Farming Zone
44.01-5	Subdivision in Erosion Management Overlay
44.04-3	Subdivision in Inundation Overlay
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2024.369.1

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.

Our Ref: 21006

30th October 2024

Andrew Bates
East Gippsland Shire Council
Acting Statutory Planning Coordinator
PO Box 1618
Bairnsdale Vic 3875

Dear Andrew,

**Re: Application for a Planning Permit
25 Waterview Road, Eagle Point
Multi Lot Subdivision**

Please find attached an application for planning permit with the following:

- Application for Planning Permit Form
- Planning Submission
- Proposed Plan of Subdivision
- Clause 56 Assessment
- Access and Servicing Plan
- Cultural Heritage Management Plan
- Traffic Impact Assessment
- Bushfire Management Report
- Advice from EGCMA
- Streetscape Plan
- Arborist Report
- Geotechnical Risk Assessment Waiver

Should you require any further information, please do not hesitate to contact our office on 03 5152 4858.

Regards,



Courtney Campbell
Development Solutions Victoria

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
Follow us on Twitter @egsc



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 PTY LTD							
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:			

Owners Details: (if not the applicant)

Name: ALBERT ROBERT LAURENCE, FREDERICK GEORGE AH YEE AND CHRISTOPHER JOHN AH YEE							
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: 25		Street name: WATERVIEW ROAD							
Town: EAGLE POINT					Postcode	3	8	7	8
Legal Description:									
Lot Number: A,1,2		<input type="checkbox"/> Lodged plan <input type="checkbox"/> Title plan <input checked="" type="checkbox"/> Plan of Subdivision			Number: 523941F,727582V,				
Crown Allotment Number:					Section Number:				
Parish/Township Name:									
Has there been a pre-application meeting: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					Officers name:				
Your reference number: 21006									

Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

When submitting documents to Council you are confirming that you have authority to use those documents. In the event that the giving of notice is required pursuant to Section 52 of the Planning and Environment Act 1987, you permit documents submitted as part of this application, including your full contact information to be made available for public viewing on Council's website

When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail feedback@egipps.vic.gov.au

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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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: MULTI LOT SUBDIVISION <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
Existing conditions: Describe how the land is used and developed currently: EXISTING DWELLING AND ASSOCIATED FARMING SHEDS <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
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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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 PTY LTD	Date: <u>31</u> / <u>10</u> / <u>2024</u>

Office Use Only:			
Reference Number: AP/D/PP/_____	Method of Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Credit Card <input type="checkbox"/> Eftpos		
Amount Paid: \$_____	Receipt Number: _____	Receipt Date: ____/____/____	

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: 8:30am 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. Orbost 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

Privacy Statement

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

VOLUME 11689 FOLIO 475

Security no : 124119463824V
Produced 30/10/2024 03:19 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 727582V.
PARENT TITLES :
Volume 10827 Folio 859 to Volume 10827 Folio 860
Created by instrument PS727582V 05/07/2016

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
ALBERT ROBERT LAURENCE AH YEE
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
FREDERICK GEORGE AH YEE
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
CHRISTOPHER JOHN AH YEE
PS727582V 05/07/2016

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 PS727582V 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: 25 WATERVIEW ROAD EAGLE POINT VIC 3878

DOCUMENT END

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

VOLUME 11689 FOLIO 476

Security no : 124119463825U
Produced 30/10/2024 03:19 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 727582V.
PARENT TITLES :
Volume 10827 Folio 859 to Volume 10827 Folio 860
Created by instrument PS727582V 05/07/2016

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
ALBERT ROBERT LAURENCE AH YEE
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
FREDERICK GEORGE AH YEE
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
CHRISTOPHER JOHN AH YEE
PS727582V 05/07/2016

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DIAGRAM LOCATION

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ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 25 WATERVIEW ROAD EAGLE POINT VIC 3878

DOCUMENT END



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Document Identification	PS727582V
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PLAN OF SUBDIVISION

EDITION 1 PS 727582V

COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL

LOCATION OF LAND

PARISH: BAIRNSDALE
TOWNSHIP: _____
SECTION: A
CROWN ALLOTMENT: 59 & (PART) 56
CROWN PORTION: _____
TITLE REFERENCE: VOL 10827 FOL 859
 VOL 10827 FOL 860
LAST PLAN REFERENCE: LOTS 3 & 4 - TP846525F
POSTAL ADDRESS: 25 WATERVIEW ROAD,
 (at time of subdivision) EAGLE POINT, 3878
MGA CO-ORDINATES: E: 559 850 ZONE: 55
 (of approx centre of land in plan) N: 5805 010 GDA 94

VESTING OF ROADS AND/OR RESERVES

NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD RI	ROADS CORPORATION

NOTATIONS

DEPTH LIMITATION DOES NOT APPLY

SURVEY:
 This plan is based on survey.
STAGING:
 This is not a staged subdivision.
 Planning Permit No.
 This survey has been connected to permanent marks No(s). 374
 In Proclaimed Survey Area No.

EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-I	WATER SUPPLY	2.50	J528782	PAYNESVILLE WATERWORKS TRUST
RI	WAY	SEE DIAG	THIS PLAN	LAND IN THIS PLAN

Crowther & Sadler Pty. Ltd.
 LICENSED SURVEYORS & TOWN PLANNERS
 162 MACLEOD STREET, BAIRNSDALE, VIC., 3875
 P. (03) 6162 6011 E. contact@crowthersadler.com.au

SURVEYORS FILE REF: 16121

ORIGINAL SHEET SIZE: A3

SHEET 1 OF 2 SHEETS

MICHAEL JOSEPH SADLER, VERSION 4

PLAN REGISTERED

TIME: 1:54 PM DATE: 5/07/2016

B. Toscani Assistant Registrar of Titles

Printed 25/06/2026



Plan of Subdivision PS727582V
Certifying a New Version of an Existing Plan
concurrently with Statement of Compliance (Form 12)

SUBDIVISION (PROCEDURES) REGULATIONS 2011

SPEAR Reference Number: S053148A
Plan Number: PS727582V
Responsible Authority Name: East Gippsland Shire Council
Responsible Authority Permit Ref. No.: Section 35
Responsible Authority Certification Ref. No.: PS727582V
Surveyor's Plan Version: 4

Certification

- This plan is certified under section 11 (7) of the Subdivision Act 1988
- Date of original certification under section 6: 25/07/2014
Date of previous recertifications under Section 11(7): 10/12/2015

Statement of Compliance

- This is a statement of compliance issued under section 21 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

- Has not been made at Certification

Digitally signed by Council Delegate: Aaron Hollow
Organisation: East Gippsland Shire Council
Date: 10/06/2016

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

VOLUME 10827 FOLIO 856

Security no : 124119463823W
Produced 30/10/2024 03:19 PM

LAND DESCRIPTION

Lot A on Plan of Subdivision 523941F.
PARENT TITLES :
Volume 07685 Folio 153 Volume 09340 Folio 467
Created by instrument PS523941F 14/09/2004

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
 ALBERT ROBERT LAURENCE AH YEE
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
 FREDERICK GEORGE AH YEE
As to 1 of a total of 3 equal undivided shares
Sole Proprietor
 CHRISTOPHER JOHN AH AH YEE
 PS523941F 14/09/2004

ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE PS523941F 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: 25 WATERVIEW ROAD EAGLE POINT VIC 3878

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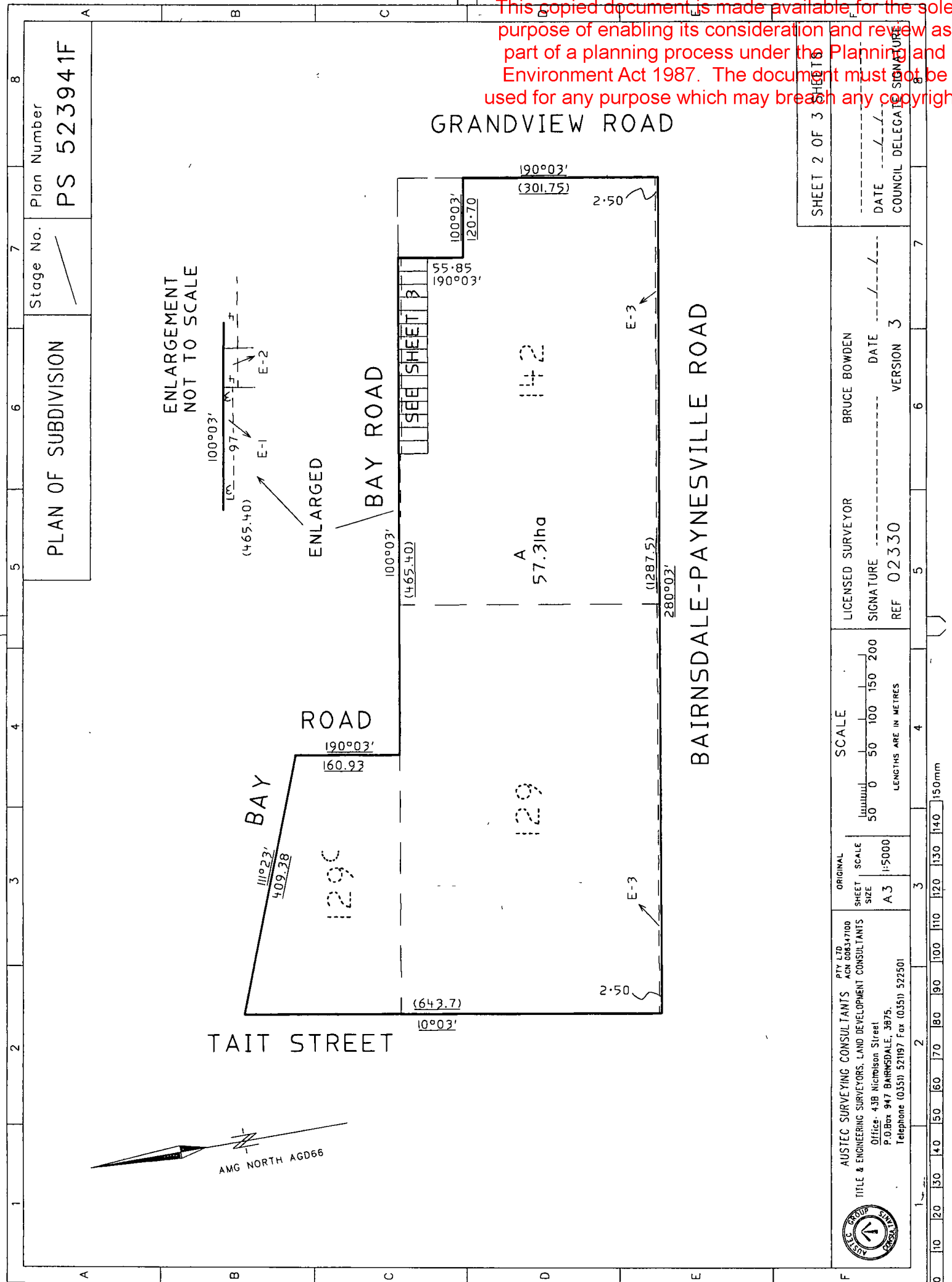
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PLAN OF SUBDIVISION		Stage No. <u>LTO use only</u> / Plan Number PS 523941F EDITION 1			
Location of Land Parish: BAIRNSDALE Crown Allotment: 129, 129C and Part of 142 LTO base record: Title References: Vol 9340 Fol 467 (Part) & Vol 7685 Fol 153 Last Plan Reference: Postal Address: BAY ROAD EAGLE POINT AMG Co-ordinates: E 560 675 (Of approx. centre of plan) N 5804 700 Zone 55		Council Certification and Endorsement Council Name: EAST GIPPSLAND SHIRE Ref: 2/2004 / CRT. 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. Open Space (i) A requirement for public open space under section 18 Subdivision Act 1988 has / has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council seal Date <u>29/6/04</u>			
Vesting of Roads or Reserves					
Identifier	Council/Body/Person				
NIL					
Notations					
Depth Limitation: NIL.	Staging This is/is not a staged subdivision Planning Permit No. DG5/116/2003/P				
UNDERLINED DIMENSIONS AND AREA OF LOT A ARE NOT THE SUBJECT OF THIS SURVEY.	Survey:- This plan is / is not based on survey. To be completed where applicable. This survey has been connected to permanent marks no(s). 352, 417, 375. In proclaimed Survey Area no. NIL				
Easement Information		LTO use only _____			
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		Statement of Compliance / Exemption Statement Received <input checked="" type="checkbox"/> Date <u>6/9/04</u>			
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
E-1	SEWERAGE	3	THIS PLAN	EAST GIPPSLAND REGIONAL WATER AUTHORITY	LTO use only _____ PLAN REGISTERED TIME <u>11:43 am</u> DATE <u>14/9/04</u> Assistant Registrar of Titles
E-2	SEWERAGE & POWERLINE	4	THIS PLAN & SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000.	EAST GIPPSLAND REGIONAL WATER AUTHORITY & TXU ELECTRICITY LTD ACN 064.651118	
E-3	WATER SUPPLY	2.50	C/E J528782	PAYNESVILLE WATERWORKS TRUST	
AUSTEC SURVEYING CONSULTANTS <small>PTY LTD ABN 58006347100</small>		LICENSED SURVEYOR BRUCE BOWDEN		DATE <u>29/6/04</u> COUNCIL DELEGATE SIGNATURE	
TITLE & ENGINEERING SURVEYORS, LAND DEVELOPMENT CONSULTANTS Office: 43B NICHOLSON STREET P O Box 947 BAIRNSDALE, 3875 Telephone 5152 1197 Fax 5152 2501		SIGNATURE _____ DATE <u>20/4/04</u> REF <u>02330</u> VERSION <u>3</u>		Original sheet size <u>A3</u>	

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APPLICATION FOR PLANNING PERMIT

MULTI LOT SUBDIVISION

25 WATERVIEW ROAD, EAGLE POINT

REF: 21006

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6	Planning Assessment	21
7	Conclusion	24

APPENDIX

A	Copy of Title and Plan of Subdivision
B	Proposed Plan of Subdivision
C	Clause 56 Assessment
D	Access and Servicing Plan
E	Cultural Heritage Management Plan
F	Traffic Impact Assessment
G	Bushfire Planning Considerations
H	Advice from EGCMA
I	Streetscape Plan
J	Arborist Report
K	Geotechnical Risk Assessment waiver

DOCUMENT REVISION

1	Draft Report	DAC	09/10/2024
2	Final Report	CMC	28/10/2024

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1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of Luke Priestley and the Ah Yee Family, the applicants for the planning permit application for the multi lot subdivision at 25 Waterview Road, Eagle Point.

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

The objective of this multi-lot subdivision is to subdivide land into residential lots, increasing land supply to meet the housing demand. The goal is to continue the residential development of Eagle Point.

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.

Address	25 Waterview Road, Eagle Point
Site Description	Lot A on Plan of Subdivision 523941F Lot 1 & 2 on Plan of Subdivision 727582V
Title Particulars	Vol 10827 Fol 856 Vol 11689 Fol 475 Vol 11689 Fol 476
Site Area	70.33 hectares
Proposal	Multi Lot Subdivision
Planning Scheme	East Gippsland Planning Scheme
Zone	General Residential Zone – Schedule 1 Farming Zone – Schedule 1
Overlays	Erosion Management Overlay Land Subject to Inundation Overlay Significant Landscape Overlay – Schedule 2 Vegetation Protection Overlay – Schedule 1
Aboriginal Cultural Heritage	Identified as an area of Cultural Heritage Sensitivity
Permit Triggers	Clause 32.08-3 General Residential Zone - Subdivision Clause 35.07-3 Farming Zone - Subdivision Clause 44.01-5 Erosion Management Overlay – Subdivision Clause 44.04-3 Land Subject to Inundation Overlay - Subdivision
Notice	Exempt from notice at Clause 44.01-7 and 44.04-6
Referrals	Clause 66.01 - EGCMA, CFA, EGW and SP AUSNET
Work Authority Licence	Not Applicable
Planning Scheme requirements	Municipal Planning Strategy – Clause 02 Settlement - Growth area town – Clause 02.03-1 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 Housing – Clause 16 Farming Zone – Clause 35.07 General Residential Zone 32.08 Erosion Management Overlay – Clause 44.01 Land Subject to Inundation Overlay – Clause 44.04 Decision guidelines – Clause 65.01 Decision guidelines – Clause 65.02

2. SITE

Site

The subject site is located at 25 Waterview Road, Eagle Point. 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.

The site is irregular in shape with a total area of approximately 70.33 hectares containing an existing dwelling and associated farming sheds that are located in the eastern portion of the site.

The site is gently undulating in nature and contains scattered vegetation throughout, multiple watercourses and a dam in the southeast portion. The site is currently used for agricultural purposes being for grazing activities. Details of the site are depicted in the photographs provided below.

Access to the site is existing, directly from Waterview Road along the eastern boundary.

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

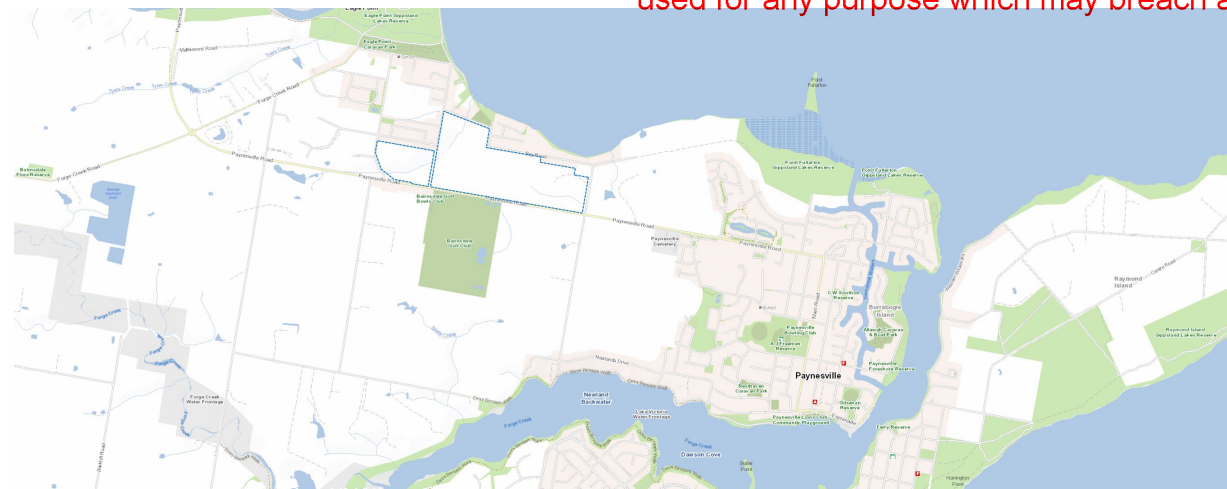


Figure 1 – Locality Plan – 25 Waterview Road, Eagle Point (source: mapshare.vic.gov.au)

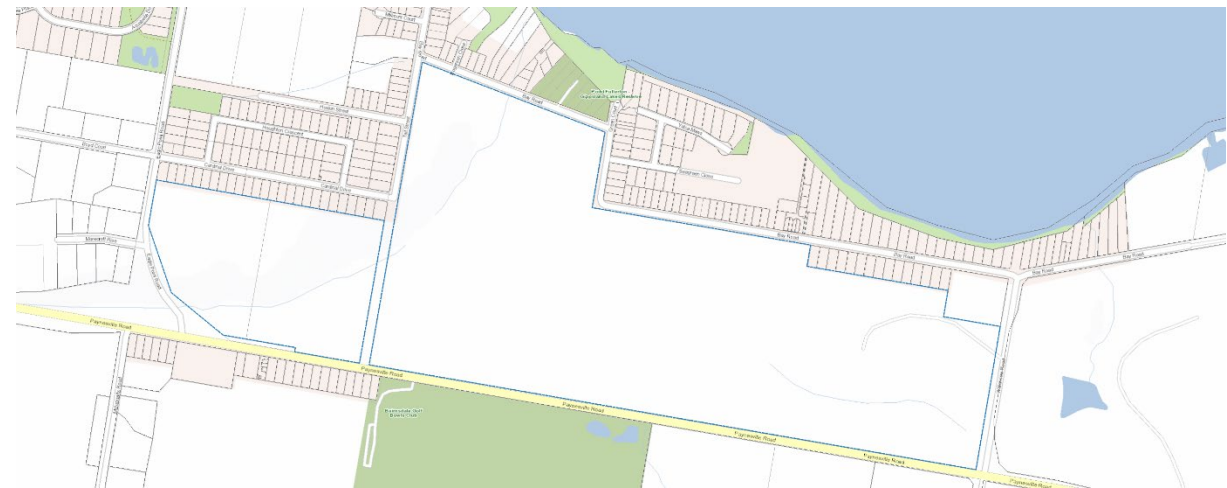


Figure 2 – Locality Plan – 25 Waterview Road, Eagle Point (source: mapshare.vic.gov.au)

Surrounds

The land surrounding the site comprises of a combination of residential, farming and recreation.

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

Adjoining the northern boundary of the subject site is Bay Road and further residential development, adjoining the eastern boundary is Waterview Road and farming land, adjoining the southern boundary is Paynesville Road and land occupied by Bairnsdale Golf Club. Adjoining the western boundary is Eagle Point Road, Cardinal Drive, Tait Street and further residential development.

The site is located to the southeast of Eagle Point. Eagle Point is a small village on the Gippsland Lakes, located between Paynesville and Bairnsdale. Eagle Point has a limited level of community and commercial services and facilities however, a full range of services and facilities are available in Paynesville which is approximately 6.5km east and Bairnsdale approximately 11km northwest of the subject site.

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



Photograph 1 – Aerial Photograph of the subject site and surrounding land
– 25 Waterview Road, Eagle Point (source: dpi.vic.gov.au)
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Eagle Point

Paynesville



Photograph 2 – Subject site at 25 Waterview Road, Eagle Point.



Photograph 4 – Subject site facing east showing proposed area for multi lot subdivision.



Photograph 6 – Subject site facing southeast showing proposed area for multi lot subdivision.



Photograph 3 – Subject site facing northeast showing proposed area for multi lot subdivision.



Photograph 5 – Subject site facing south showing proposed access for multi lot subdivision along the northern boundary.



Photograph 7 – Properties directly opposite the subject site adjoining the northern boundary facing east.



Photograph 8 – Properties directly opposite the subject site adjoining the northern boundary facing west.



Photograph 10 – Properties directly opposite the subject site adjoining the western boundary facing north.



Photograph 12 – Bay Road facing west.



Photograph 9 – Properties directly opposite the subject site adjoining the western boundary facing south.



Photograph 11 – Bay Road facing east.



Photograph 13 – Tait street facing north.



Photograph 14 – Tait Street facing south.



Photograph 15 – Intersection adjoining Bay Road and Tait Street.

3. THE PROPOSAL

This application seeks approval for a multi lot residential subdivision. A proposed plan of subdivision is provided in **Appendix B**. The proposed subdivision seeks to create 39 lots including one lot containing the existing dwelling and farming land, and 38 vacant allotments suitable for future residential development.

The proposed residential lots range in size between 601m² and 1,092m² in area. The lots are of various shapes and sizes and are either east west or north south orientation.

Access

The proposal includes the creation of a new internal road with a court bowl as indicated on the proposed plan of subdivision. The new internal road will connect to Bay Road, have a road reserve of approximately 18 metres wide and will have a concrete footpath along the western side of the road. Details of individual access points for lots 14-18 are provided and all other lots will obtain access from either Bay Road or the new access road. An Access and Servicing Plan prepared by Crossco is provided in **Appendix D**.

Services

The subject site has access to an appropriate level of services including reticulated water, sewerage, electricity, telecommunications and the existing road network.

Each of the proposed allotments will be connected to all available services.

Drainage

A retarding basin is proposed to the northeast of the proposed residential subdivision. Street drainage will be constructed along the proposed internal road to provide for site runoff and drainage. East Gippsland Catchment Management Authority (EGCMA) does not require any conditions relating to flood risk mitigation however do require a waterway management plan to be endorsed in writing by the EGCMA proposal has included a buffer zone from the existing watercourse located to the east of the proposed residential area. Advice from EGCMA is provided in **Appendix H** which concludes a reduced buffer area of 15 metres to the west of the existing watercourse and an increased buffer to the east being 45 metres.

Landscaping

A Streetscape Plan is contained in **Appendix I** and includes details of the proposed nature strip and street trees. Due to the bushfire prone nature of the area, trees have been selected to ensure appropriate setbacks can be achieved.

Vegetation

No vegetation removal is proposed to facilitate the proposed subdivision. An Arborist Report is contained in **Appendix J** that provides an assessment of the vegetation contained on the site and within the road reserve adjoining Tait Street.

Bushfire

The proposed subdivision has been designed to ensure lots can incorporate bushfire mitigation measures. The Bushfire Management Report contained in **Appendix G** concludes the risks associated with bushfire can be mitigated by incorporating a Waterway Management Plan that aligns with EGCMA advice and the subdivision design response.

Some earthworks will be required to construct the new internal road, the extension to Tait Street and for the provision of services and infrastructure to the proposed allotments. A

Works on Road Reserve Permit will be applied for prior to construction. A Geotechnical Risk Assessment waiver is contained in **Appendix K** that concludes the risks associated with erosion can be reduced to an acceptable level with the inclusion of silt fences.

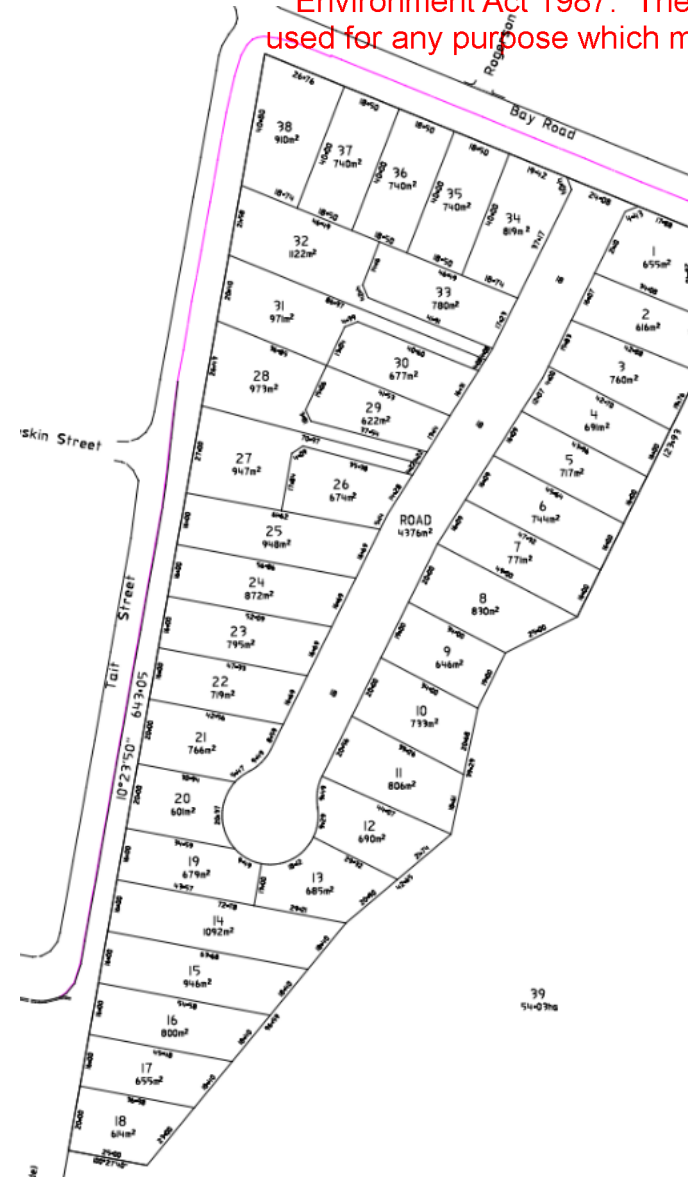


Figure 3 – Proposed Subdivision Plan – One Plan

4. SITE CONTEXT



★ Subject Site

Site Context	Facility
A	Eagle Point Primary School
B	Eagle Point Community Hall
C	Eagle Point Caravan Park
D	Eagle Point Foreshore Hub Development
E	Bairnsdale Golf Club

Paynesville CBD Facilities
Paynesville Primary School
Natures Playground Early Learning Centre
Paynesville Uniting Kindergarten
Paynesville Gardens Care Community
Parkridge Retirement Village
Paynesville Bowling Club
Paynesville Tennis Club

5. ZONES AND OVERLAYS

General Residential Zone – Schedule 1

The purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.

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

Clause 32.08-3 of the General Residential Zone provides a permit is required to subdivide.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56. The relevant standards of Clause 56 are

addressed in **Appendix C**. The residential component of the subdivision will be located entirely in the area of the General Residential Zone. The balance of the allotment will be within the Farming Zone.

The relevant decision guidelines of the General Residential Zone are addressed in Section 6 of this submission.

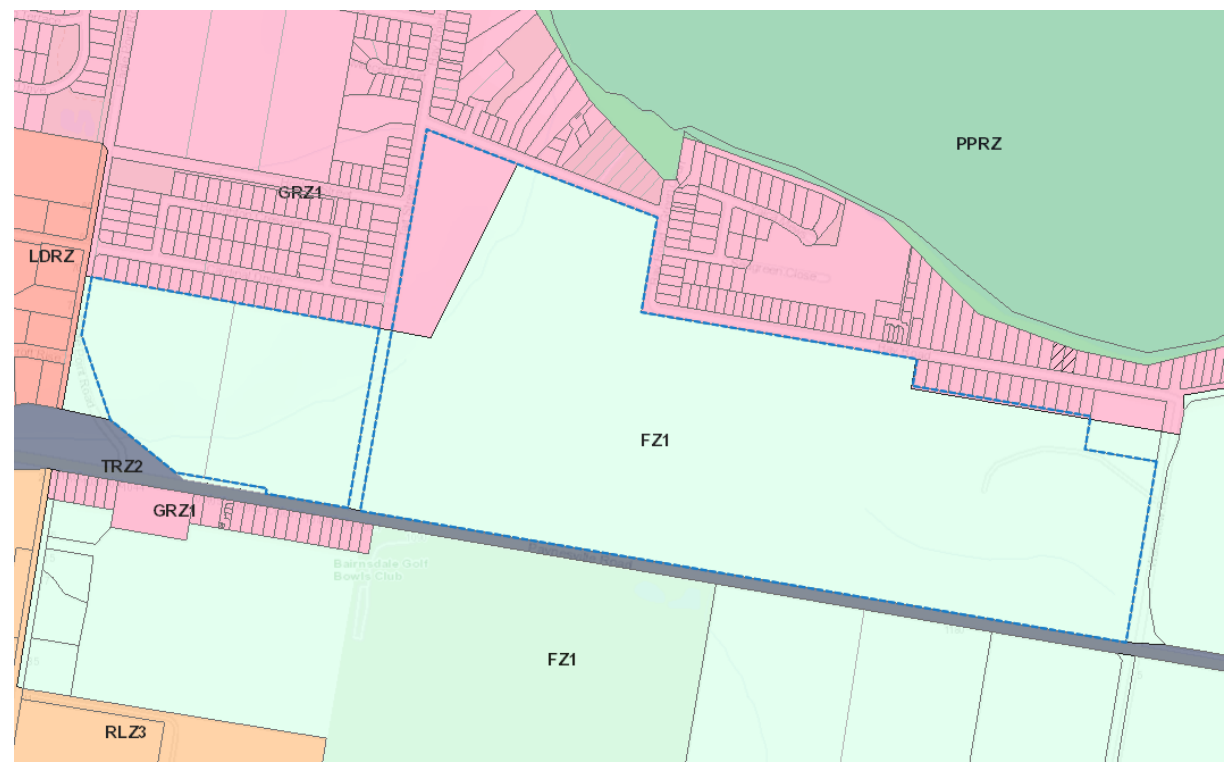


Figure 4 – Zoning Map – (source - mapshare.vic.gov.au)

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 5**.

Clause 35.07-3 provides a permit is required to subdivide land. It is noted the proposed subdivision will be located over both the

Farming Zone and the General Residential Zone.

The relevant decision guidelines of the Farming Zone are addressed in Section 6 of this submission.

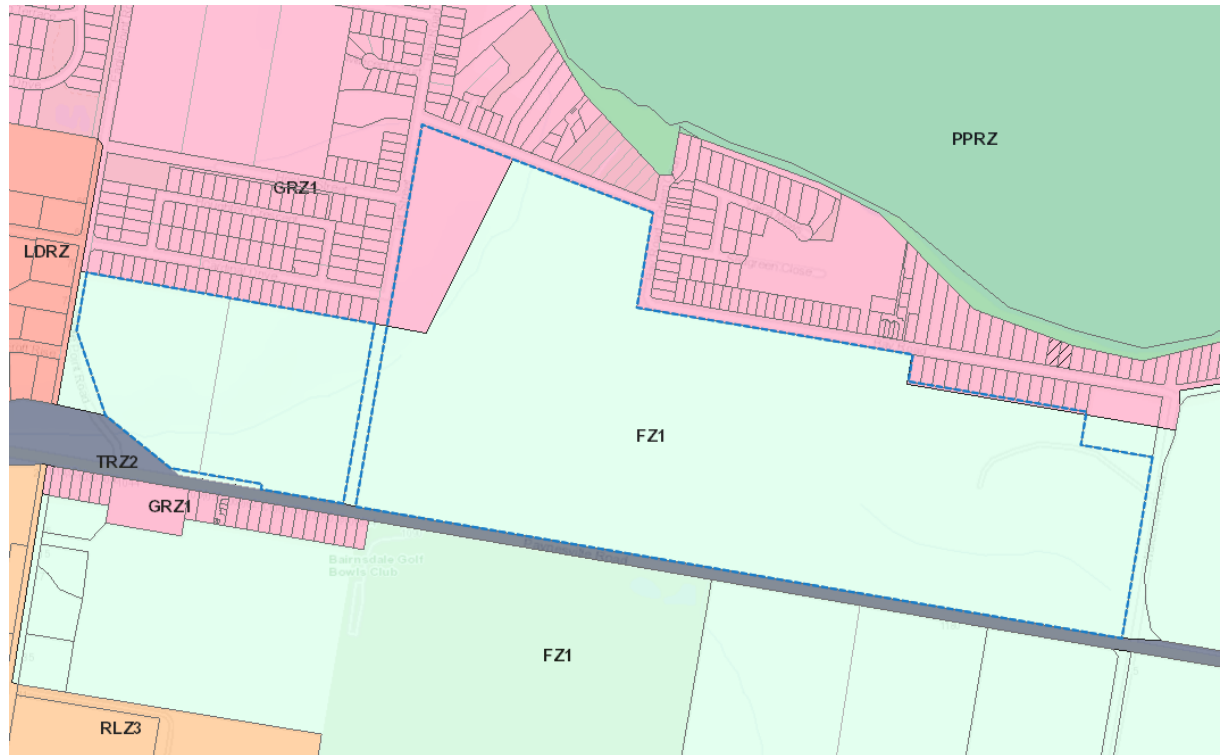


Figure 5 – Zoning Map – (source - mapshare.vic.gov.au)

Erosion Management Overlay

The purpose of the Erosion Management Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development

An extract of the Erosion Management Overlay Map is provided in **Figure 6**.

Clause 44.01-5 of the Erosion Management Overlay provides a permit is required to subdivide land, as such the decision guidelines are addressed in Section 6 of this submission.

The Schedule to the Erosion Management Overlay requires a Geotechnical Risk Assessment or waiver be provided.

A Geotechnical Risk Assessment waiver is provided in **Appendix D**. The waiver provides that the erosion hazard is low and with appropriate measures the risk can be managed.

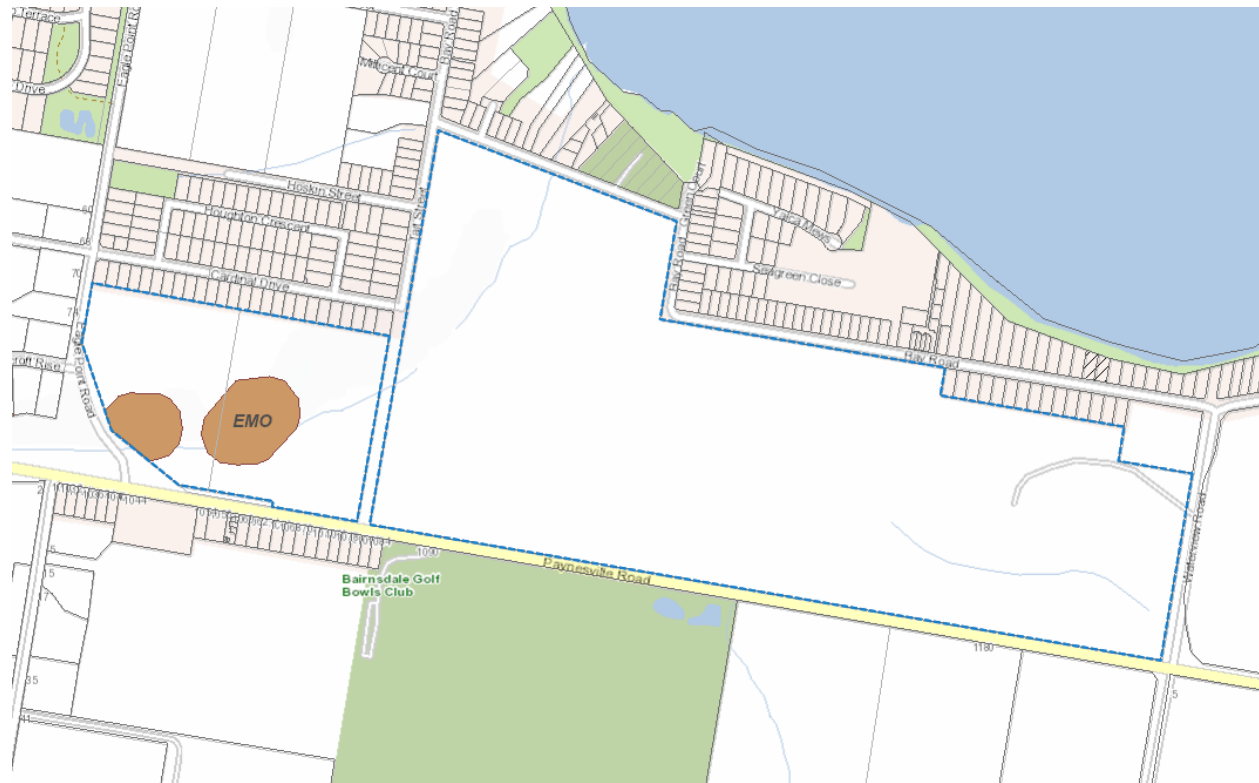


Figure 6 – Erosion Management Overlay – (source - mapshare.vic.gov.au)

Land Subject to Inundation Overlay

The purpose of the Land Subject to Inundation Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.
- To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.
- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the

environmental quality of water and groundwater.

- To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

An extract of the Land Subject to Inundation Overlay Map is provided in **Figure 7**.

Clause 44.04-3 of the Land Subject to Inundation Overlay provides a permit is required to subdivide land and as such the relevant decision guidelines are addressed in Section 6 of this submission.

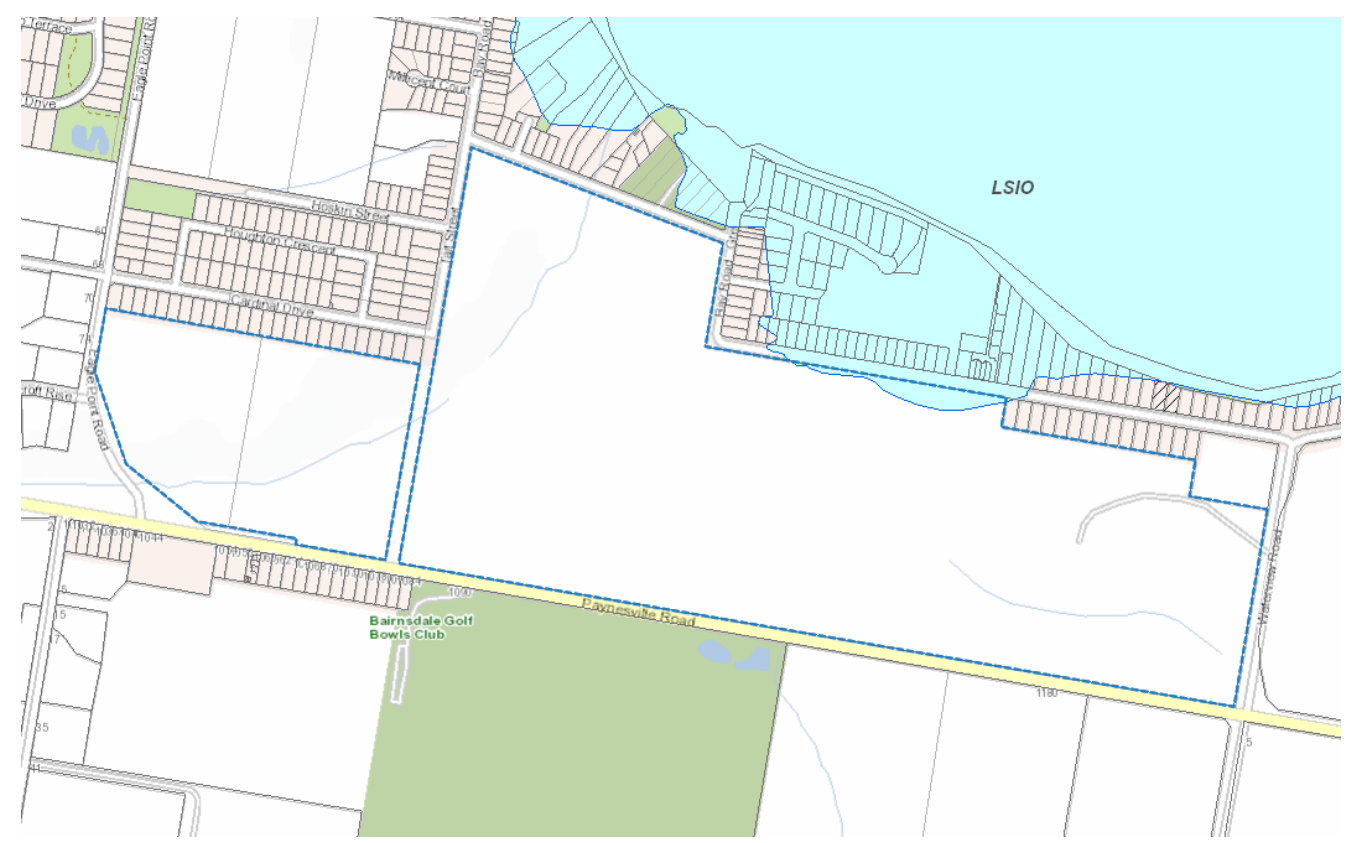


Figure 7 – Land Subject to Inundation Overlay – (source - mapshare.vic.gov.au)

Significant Landscape Overlay – Schedule 2

The purpose of the Significant Landscape Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify significant landscapes.
- To conserve and enhance the character of significant landscapes.

An extract of the Significant Landscape Overlay Map is provided in **Figure 8**.

A permit is not required to subdivide land under the provisions of the Significant Landscape Overlay at Clause 42.03. This is not addressed further.

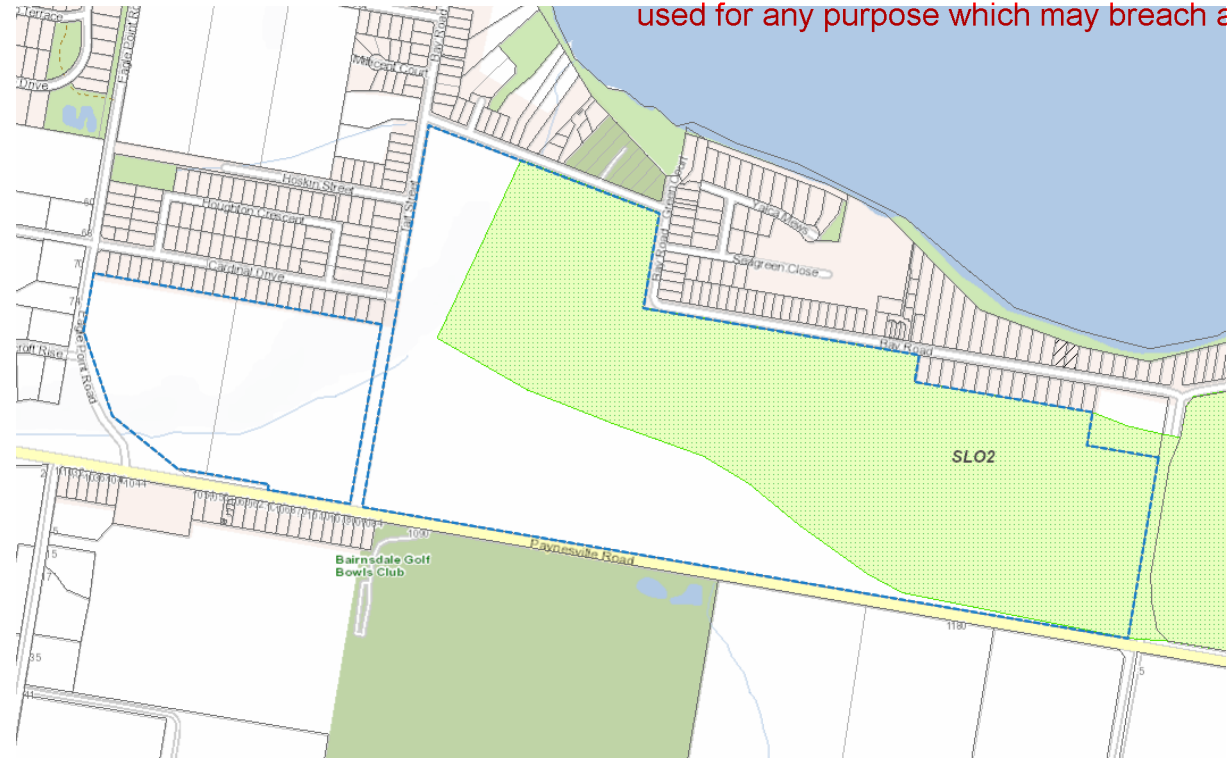


Figure 8 – Significant Landscape Overlay – (source - mapshare.vic.gov.au)

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 9**.

A permit is not required to subdivide land under the provisions of the Vegetation Protection Overlay at Clause 42.02. No vegetation is required to be removed to facilitate the proposal and as such a permit is not required. This is not addressed further.



Figure 9 – Vegetation Protection Overlay – (source - mapshare.vic.gov.au)

Aboriginal Cultural Heritage

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

This proposal is seeking approval for a 39 Lot subdivision which is identified as a high impact activity and as such requires an Aboriginal Cultural Heritage Management Plan.

A Cultural Heritage Management Plan is provided in **Appendix E**.

An extract of the Aboriginal Cultural Heritage Map is provided in **Figure 10**.



Figure 10 – Aboriginal Cultural Heritage Overlay – (source - mapshare.vic.gov.au)

6. PLANNING ASSESSMENT

This proposal has been assessed against the objectives and standards of the applicable clauses of the East Gippsland Planning Scheme and it is considered that the proposed multi lot residential 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** by providing for a multi lot residential subdivision that will result in the balance farming lot that will contain the existing dwelling and associated facilities and 38 vacant lots that can be developed in the future with a residential dwelling whilst being respectful of the existing surrounding development and the environment.
- The proposal will contribute to a high standard of environmental sustainability, urban design and amenity by designing the lot layout to meet 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 proposed residential lots will be of a size and orientation to accommodate energy efficient dwelling design.
- The subject site contains scattered vegetation however no vegetation is proposed to be removed to facilitate the proposal. An Arborist Report is contained in **Appendix J** that provides an assessment of the health status, species and location of existing vegetation.
- **Clause 02.03-1** identifies Eagle Point as a coastal settlement being distinct from Paynesville, with a permanent resident settlement and a holiday recreation destination. The *Coastal Towns Design Framework (2007)* provided a strategic approach to managing development with a focus on the protection of the high value environmental resources along with the protection of the local character and the capacity of infrastructure. The proposed subdivision will result in 38 vacant residential allotments that will be located immediately adjoining the eastern edge of existing residential development. Given the proximity to Bairnsdale and Paynesville the additional residential development will be appropriately supported by the existing services and is within a strategically planned residential location.
- The subject site has access to an appropriate level of services. The proposed vacant allotments will be connected to all available services and infrastructure including reticulated water, sewerage, electricity, telecommunications and a good quality road network.
- The subject site is identified as being within a bushfire prone area and as such an assessment against **Clause 13.02-1S** is contained in **Appendix G**. The assessment concludes that, with the implementation of mitigation measures, bushfire risks can be managed to achieve a safe and effective outcome.
- The proposal meets the objectives of **Clause 15.03-2S**. A Cultural Heritage Management Plan is contained in **Appendix E** with plan number 18980. The plan concludes that the activity area is recorded as low density artefact distribution and has been assessed as being low scientific significance. The Cultural Heritage Management Plan provides in Part 1.1 that there are no specific cultural heritage management conditions applying to either Victorian Aboriginal Heritage Register 8422-0725 (Waterview Road LDAD) or 8422-0727 (Waterview Road Artifact Scatter).
- **Clause 13.04-2S** requires consideration of erosion and landslip. The subject site is within an area identified as being susceptible to erosion. Earthworks will be required for the provisions of services, access, internal road construction and

- upgrading of the southern end of Tait Road. All works are being undertaken in accordance with standard engineering practices to ensure no erosion or landslip occurs.
- The proposal meets the objectives of **Clause 16** by providing for an additional 38 vacant allotments that can be developed with a residential dwelling in the future which in turn will support housing for the area. **Clause 16.01-2S** recognises the need to ensure land supply is sufficient to meet demand. The proposed subdivision will create 38 vacant lots along the southern and eastern fringe of the existing residential area in Eagle Point.
 - The economic importance of agricultural production is recognised in **Clause 14**, which also seeks to ensure agricultural land is managed sustainably.
 - The proposal is generally consistent with the decision guidelines of the Farming Zone at **Clause 35.07-6** which seeks to protect and enhance viable agricultural land.
 - The application is seeking a 39 lot subdivision that will result in 38 vacant residential allotments and the balance allotment containing the existing dwelling and associated facilities with the farming operations. The majority of the subject site is zoned farming with a small portion in the

- northwest corner zoned general residential. The proposed 38 residential allotments will be located entirely in the area zoned general residential with the balance of the allotment to remain farming land. Proposed Lot 39 being the balance farming lot will continue to be used for agricultural activities being for the grazing of livestock.
- There are multiple existing watercourses on the subject site with one located to the east of the proposed residential component of the subdivision. The proposed subdivision has designed a buffer zone around the watercourse in consultation with the East Gippsland Catchment Management Authority. The watercourse will assist in protecting the future residential development from potential grass fires from the farming land.
 - Access to proposed Lot 39 is existing directly from Waterview Road and will remain unchanged.
 - The proposal is consistent with the decision guidelines of the General Residential Zone at **Clause 32.08-12** which seeks to encourage development that respects the neighbourhood character.
 - Future development of the residential lots can be in keeping with the neighbourhood character of the area.

- The proposed subdivision has addressed the relevant standards as set out in Clause 56 and is contained in **Appendix C**.
- The pattern of subdivision for the area is varied with lots ranging in shapes and sizes.
 - Each lot will have individual provided. Lots 14-18 will have access provided directly from Tait Street, Lots 35-38 will have access provided directly from Bay Road. Lots 1 and 34 will have two road frontages being Bay Road and the proposed new internal road, and the balance of the lots will have access provided via a new internal road as indicated on the proposed plan of subdivision. Tait Street will be extended in a southerly direction to include the new access points. The new internal road will be an 18 metre wide road reserve and include drainage infrastructure, a footpath along the western side of the road and landscaping.
 - The proposal is consistent with the decision guidelines of the Erosion Management Overlay at **Clause 44.01** which seeks to protect areas prone to erosion, landslip, other land degradation.
 - Earthworks are required for the provision of services, access, upgrade to Tait Street and for the construction of the internal road.
 - A Geotechnical Risk Assessment waiver is contained in **Appendix K** that concludes the

- proposed vacant lots being created will be suitable for future residential development. The risk of erosion is low and as such the proposed subdivision is unlikely to contribute or cause additional erosion hazards.
- A 15 metre wide buffer zone to the west and 45 metre buffer to the east has been included around the existing watercourse as well as a retarding basin located to the northeast of the residential component of the subdivision.
 - **Clauses 02.03-3, 13.03-1S and 44.04** requires consideration of floodplains and inundation hazards and implications as a result of any proposed subdivision.
 - The proposed residential component of the subdivision will be located outside the area affected by the Land Subject to Inundation Overlay. Advice from the East Gippsland Catchment Management Authority is contained in **Appendix H** which concludes the Authority will require a 15 metre buffer zone to be implemented along the western edge and 45 metre buffer zone to the eastern edge of the existing watercourse located to the east of the proposed residential component of the subdivision and the preparation of a Waterway Management Plan. A Drainage Plan is contained in **Appendix L** that provides

details of drainage measures and the location of the proposed retarding basin.

- Access to proposed Lot 39 being the farming lot containing the existing dwelling and associated facilities is existing and will remain unchanged. Each of the residential allotments will have direct road frontage providing suitable access.
- 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 as a result of the proposal.
- The subject site is identified as being susceptible to flooding and erosion and is prone to bushfire hazards. A Geotechnical Risk assessment waiver is contained in **Appendix D** that concludes the subject site is suitable for the proposed subdivision and future residential development. Preliminary advice from EGCMA is provided in **Appendix H**. The risks associated with bushfire have been addressed against the provisions of **Clause 13.02-1S** and an assessment is contained in **Appendix G**.

- Standard erosion prevention measures will be adopted during the construction of the subdivision.
- 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 suitable in this location and the vacant lots being created can adequately accommodate residential dwellings in the future that will in turn support the community by providing for additional housing.
- The subject site has access to a suitable level of services and the proposed lots will be connected to all available services. The additional vacant lots are not expected to exceed the capacity of the services in this location.
- There is an increasing demand for housing to address the ongoing housing crisis within Victoria. This development is considered to provide additional residential land increasing supply to assist in meeting housing demand in the area.

7. CONCLUSION

This submission is in support of a planning permit application for a multi lot residential subdivision at 25 Waterview Road, Eagle Point.

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, and 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 General Residential Zone, Farming Zone, Erosion Management Overlay and Land Subject to Inundation Overlay.
- The proposal can provide for residential development whilst reducing the hazards associated with bushfire, erosion and flooding with mitigation measures.
- The pattern of subdivision and lot layout is respectful of the area and complementary to the existing surrounding allotments.

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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APPENDIX C

Clause 56 Assessment

CLAUSE 56 ASSESSMENT

Clause 56 – Residential Subdivision

Under the provisions of Clause 32.08-3 of the General Residential Zone, the following provisions of Clause 56 must be addressed as appropriate.

The purpose of Clause 56 is:

“To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- *Metropolitan Melbourne growth areas.*
- *Infill sites within established residential areas.*
- *Regional cities and towns.*

To ensure residential subdivision design appropriately provides for:

- *Policy implementation.*
- *Liveable and sustainable communities.*
- *Residential lot design.*
- *Urban landscape.*
- *Access and mobility management.*
- *Integrated water management.*
- *Site management.*
- *Utilities.”*

Clause 56 provides the following requirements:

“An application to subdivide land:

- *Must be accompanied by a site and context description and a design response.*
- *Must meet all of the objectives included in the clauses specified in the zone.*
- *Should meet all of the standards included in the clauses specified in the zone.”*

The provisions of Clause 56 are addressed below.

Clause 56.01 requires an application to be accompanied by:

- A subdivision site and context description.
- A design response.

These details are outlined in the proposed development plans and within the submission.

The table below addresses the relevant requirements of Clause 56 for 16 -59 Lots

Clause 56.03-2 Activity Centre Objective:	To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.
Response:	<p>The proposed subdivision does not include an activity centre. The subject site is located within a reasonable distance to the central business area of Paynesville which provides an adequate level of services and facilities. There is no public bus service in Eagle Point, there is a public bus service in Paynesville that connects to Bairnsdale and further afield.</p> <p>The only community and commercial facilities within Eagle Point is the Hub being the reception and kiosk of the caravan park in addition to a café and community centre.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.03-4 Built Environment Objective:	To create urban places with identity and character.
Response:	<p>There is no Neighbourhood Character Statement or specific character identified for this location. This area contains predominantly standard residential uses. The dwellings in the area include both single storey, elevated single storey and double storey dwellings. All development is on lots ranging in shapes and sizes. The lot configuration in the immediate area to the north and west is generally rectangular style allotments with varied road frontages between 16 metres and 38 metres wide.</p>

	<p>The proposed lot layout is responsive to the site and will provide for future development that can be predominantly consistent with the existing surrounding development. The area of the proposed lots ensures adequate provision for the subdivision to provide an appropriate level of services and facilities for future development.</p> <p>All allotments will have suitable ability for direct access to the road network. Proposed Lots 14-18 will have access provided directly from Tait Street, Lots 35-38 will have access provided directly from Bay Road. Lots 1 and 34 will have two road frontages being Bay Road and the proposed new internal road, and the balance of the lots will have access provided via a new internal road as indicated on the proposed plan of subdivision. The proposed new access points and the new internal road will not result in a detrimental impact to the flow of traffic in this location and will enable all vehicles to exit on to Bay Road in a forward motion. The proposed lot layout will enable future residential development that will not be inconsistent with the existing lot layout in the area and the existing residential development. There are no significant features in the area that would be detrimentally affected by the proposed subdivision and likely future residential development. The proposed subdivision will not negatively impact the existing streetscape or neighbourhood character.</p> <p>The proposal will include a footpath on the western side of the proposed internal road as indicated on the proposed access and servicing plan contained in Appendix D. A streetscape plan is contained in Appendix I which provides details of proposed street trees whilst taking into consideration the bushfire prone nature of the area to create a sense of identity. Street lighting will be provided as deemed appropriate by the responsible authority.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.04-1 Lot diversity and distribution objectives:</p>	<p>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</p> <p>To provide higher housing densities within walking distance of activity centres.</p> <p>To achieve increased housing densities in designated growth areas.</p> <p>To provide a range of lot sizes to suit a variety of dwelling and household types.</p>
<p>Response:</p>	<p>The proposed subdivision will result in 38 vacant residential allotments that can be developed with a dwelling in the future and one balance lot being the larger farming allotment. The future development of residential dwellings will not result in housing densities that are inconsistent with existing development within the area. The density proposed is responsive to the site conditions and relative to the area, yet of a suitable density to assist in addressing the current housing shortage.</p> <p>The proposal meets the objectives and standards of this clause.</p>

<p>Clause 56.04-2 Lot area and building envelopes objective:</p>	<p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p>
<p>Response:</p>	<p>This application seeks approval for the creation of 39 allotments, all greater than 300m² in area to accommodate future residential dwellings.</p> <p>All allotments will be vacant land save for the balance lot which will contain the existing dwelling and associated facilities supporting the farming activities.</p> <p>The proposed lot dimensions and layout are considered to adequately accommodate solar access for existing development surrounding the site and any future development on the vacant lots. The size and configuration of the proposed lots is considered more than adequate to accommodate any future development whilst respecting surrounding lot configurations for future uses and development surrounding the site. It is expected that future residential development will be able to comply with the requirements of Clause 54 of the East Gippsland Planning Scheme.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.04-3 Solar orientation of lots objective</p>	<p>To provide good solar orientation of lots and solar access for future dwellings.</p>
<p>Response:</p>	<p>The proposed subdivision creates 39 allotments of with various orientations. Each lot has a northern aspect that can be incorporated into any proposed future dwelling design. Each of the lots will have appropriate solar access and any future development will not impact the solar access of surrounding properties.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.04-4 Street orientation objective:</p>	<p>To provide a lot layout that contributes to community social interaction, personal safety and property security.</p>
<p>Response:</p>	<p>The proposed allotments will all have appropriate street frontages to encourage future development that supports visibility and surveillance and will contribute to community social interaction, personal safety and property security. Lots 14-18 will have access provided directly from Tait Street, Lots 35-38 will have access provided directly from Bay Road. Lots 1 and 34 will have two road frontages being Bay Road and the proposed new internal road, and the balance of the lots will have access provided via a new internal road as indicated on the proposed plan of subdivision.</p>

	<p>The proposal includes footpaths encouraging walkability and connectivity in addition to suitable areas of communal open space and recreation.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.04-5 Common area objectives</p>	<p>To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network.</p>
<p>Response:</p>	<p>The proposed subdivision does not include any common property. The proposed road will be a public road vested in Council and will provide suitable connections and direct public access.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.05-1 Integrated urban landscape objectives:</p>	<p>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas. To incorporate natural and cultural features in the design of streets and public open space where appropriate. To protect and enhance native habitat and discourage the planting and spread of noxious weeds. To provide for integrated water management systems and contribute to drinking water conservation.</p>
<p>Response:</p>	<p>The proposed subdivision includes a new internal road that will be used to provide access to proposed lots. The proposed new internal road will provide shared vehicle and pedestrian access to the proposed allotments and provide a suitable connection to the surrounding road network and public facilities.</p> <p>The proposed access street includes suitable landscaping and pedestrian paths. Street lighting and other features will be provided in consultation with Council to ensure consistency with other surrounding areas.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.05-2 Public open space provision objective:</p>	<p>To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space. To provide a network of public open space that caters for a broad range of users. To encourage healthy and active communities. To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.</p>

<p>To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.</p>	
<p>Response:</p>	<p>The proposed subdivision does not include any new public open space. There is a public open space area located approximately 500 metres north of the subject site being the Eagle Point Foreshore Hub and Eagle Point Gippsland Lakes Reserve.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.06-2 Walking and cycling network objectives:</p> <p>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p> <p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p>	
<p>Response:</p>	<p>There are no existing footpaths on either side of Bay Road or Tait Street, there is an existing footpath on the western side of Cardinal Drive. A new footpath is proposed along the western side of the proposed internal road that will provide a connection to road reserves and surrounding areas. It is noted that Bay Road does not have any footpaths, however Tait Street and the street network to the east does.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.06-4 Neighbourhood street network objective:</p> <p>To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.</p>	
<p>Response:</p>	<p>The proposal includes a new internal road that will provide access to the majority of the proposed lots. An access and servicing plan is contained in Appendix D. The proposed internal road will include a footpath on the western side that will connect to Bay Road that will provide for the safe movement of pedestrians and cyclists. The proposed new road will provide for safe access for vehicles.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.06-5 Walking and cycling network detail objectives:</p> <p>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</p> <p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	

Response:	<p>The proposal includes a new footpath along the western side of the proposed new internal road which will provide suitable access for pedestrians and cyclists. The proposed footpath will be constructed to the relevant standards provide by the East Gippsland Shire Council and will provide for wheelchairs, prams, scooters and other footpath bound vehicles.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.06-6 Public transport network detail objectives:</p> <p>To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users. To provide public transport stops that are accessible to people with disabilities.</p>	
Response:	<p>There is no public transport available within Eagle Point. Paynesville central business district is located approximately 5.5 kilometres southeast of the subject site. There is a public bus stop located at King Street/ Paynesville Road. This bus route provides access throughout Bairnsdale and further afield and departs two hourly.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.06-7 Neighbourhood Street network detail objective:</p> <p>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</p>	
Response:	<p>An internal road is proposed directly from Bay Road and has been designed to provide a suitable connection to the existing road network to ensure safe and practical access. A Traffic Impact Statement is contained in Appendix F that provides an assessment of the existing road network and the proposed new internal road.</p> <p>The assessment concludes that the proposed location of the new access road is safe and current traffic speeds appropriate in the location.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.06-8 Lot access objective:</p> <p>To provide for safe vehicles access between roads and lots.</p>	
Response:	<p>Proposed Lot 39 will contain the existing access directly from Waterview Road and will remain unchanged. Lots 14-18 will have access provided directly from Tait Street, Lots 35-38 will have access provided directly from Bay Road. Lots 1 and 34 will have two road frontages being Bay Road and</p>

	<p>the proposed new internal road, and the balance of the lots will have access provided via a new internal road as indicated on the proposed plan of subdivision. The proposed internal road will provide for safe vehicle access between the roads and future dwellings. The proposed access point will be constructed to the satisfaction of the responsible authority and in accordance with the requirements of the Infrastructure Design Manual.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.07-1 Drinking water supply objectives</p>	<p>To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.</p>
<p>Response:</p>	<p>The proposed lots will be connected to the existing reticulated water supply which provides for drinking water supply. All new dwellings will be encouraged to provide water tanks for additional water supply.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.07-2 Reused and recycled water objective</p>	<p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p>
<p>Response:</p>	<p>A reuse and recycle water supply is not available to this site at this time. Water supply to all allotments will be via the existing reticulated water system to the satisfaction of the responsible authority.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.07-3 Waste water management objective</p>	<p>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p>
<p>Response:</p>	<p>All allotments will be connected to the existing reticulated sewerage network. The proposed additional vacant lots are not expected to exceed the capacity of the network.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.07-4 Stormwater</p>	<p>To minimise damage to properties and inconvenience to residents from stormwater. To ensure that the street operates adequately during major storm events and provides for public safety.</p>

<p>management objectives</p>	<p>To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater. To encourage stormwater management that maximises the retention and reuse of stormwater. To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</p>
<p>Response:</p>	<p>The proposal includes appropriate drainage infrastructure as set out in the access and serving plan contained in Appendix D. Stormwater created from any future dwellings will be directed to the legal point of this charge to the satisfaction of the responsible authority.</p> <p>The proposed new internal road has been designed to ensure that all stormwater runoff is directed to the legal point of discharge to the satisfaction of the responsible authority. A retarding basin is proposed to the north east of the proposed subdivision.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.08-1 Site Management objectives</p>	<p>To protect drainage infrastructure and receiving waters from sedimentation and contamination. To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>
<p>Response:</p>	<p>Only a small portion of the balance lot is identified as being susceptible to erosion, however all preventative measures will be implemented during the construction phase of the proposed subdivision to ensure no erosion occurs. There is no vegetation on the subject site that requires removal to facilitate the proposed subdivision.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.09-1 Shared Trenching objectives:</p>	<p>To maximise the opportunities for shared trenching. To minimise constraints on landscaping within the street reserves.</p>
<p>Response:</p>	<p>Given the proposal is seeking a multi lot subdivision that will result in 39 allotments, there is ability for shared trenching for new services. Each of the relevant service authorities will be contacted prior to certification of the plan to ensure all service requirements are met and shared trenching can occur where possible. Refer to the access and servicing plan for proposed service location details.</p> <p>The proposal meets the objectives and standards of this clause.</p>

<p>Clause 56.09-2 Electricity, telecommunications and gas objectives:</p>	<p>To provide public utilities to each lot in a timely, efficient and cost effective manner. To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>
<p>Response:</p>	<p>All vacant lots will be connected to services including reticulated water, sewerage, telecommunications, drainage, electricity and a good quality road network. The proposed 39 lot subdivision is not expected to affect the existing service arrangements nor exceed capacity.</p> <p>Each of the service providers will be contacted prior to the certification of the plan of subdivision to determine requirements.</p> <p>The proposal meets the objectives and standards of this clause.</p>
<p>Clause 56.09-3 Fire hydrants objectives:</p>	<p>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p>
<p>Response:</p>	<p>The nearest fire hydrants are located along Bay Road and Tait Street. It is anticipated that additional fire hydrants may be required to ensure all lots are adequately serviced.</p> <p>The proposal meets the objectives of this clause.</p>
<p>Clause 56.09-4 Public lighting objective:</p>	<p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles. To provide pedestrians with a sense of personal safety at night. To contribute to reducing greenhouse gas emissions and to saving energy.</p>
<p>Response:</p>	<p>There is existing street lighting within Tait Street adjoining the subject site to the west. Street lighting will be provided to the satisfaction of the responsible authority.</p> <p>The proposal meets the objectives and standards of this clause.</p>

Aboriginal Heritage Act 2006

Section 65

Cultural Heritage Management Plan – Notice of Approval

CHMP NAME: Multi Lot Subdivision – Part of 25 Waterview Road Eagle Point

CHMP NUMBER: 18980

SPONSOR: Mr E.R & J Ah Yee

ACN/ABN: 83 271 977 564

Cultural Heritage Advisor(s): Anita Barker

Author(s): Anita Barker, Anthony Gowans & Anna Kent

Cover date: 16th December 2022

Pages: 114

Received for approval: 16th December 2022

TO BE COMPLETED BY THE Registered Aboriginal Party DELEGATE	Yes	No
I have considered the Evaluation Report for this CHMP and:		
<i>I am satisfied that the CHMP has been prepared in accordance with the standards prescribed for the purposes of section 53 (in the Aboriginal Heritage Regulations 2007 and the Approved Form).</i>	Yes	
<i>I am satisfied that the CHMP adequately addresses the matters set out in section 61.</i>	Yes	
<p>I, Russell Mullett, RAP Manager, Gunaikurnai Land and Waters Aboriginal Corporation, acting under authority delegated to me by the BOARD OF DIRECTORS, and pursuant to section 65(2) of the <i>Aboriginal Heritage Act 2006</i> hereby approve this cultural heritage management plan:</p> <p>Signed:</p> <p>Dated: 29th December 2022</p>		
<ul style="list-style-type: none"> • This notice of approval should be inserted after the title page and bound with the body of the management plan. • The recommendations in this management plan are now compliance requirements. Officers from the Department of Premier and Cabinet may attend the subject land to monitor compliance with the recommendations. 		

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TRAFFIC IMPACT ASSESSMENT

PROPOSED RESIDENTIAL SUBDIVISION

25 WATERVIEW ROAD, EAGLE POINT

27 AUGUST 2024

Printed 25/06/2026

Page 53 of 63

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25 WATERVIEW ROAD, EAGLE POINT

CLIENT: Development Solutions Victoria

OBT JOB NUMBER: 23267



Suite 2.03, 789 Toorak Road
Hawthorn East, Victoria 3123

T: 61 3 9804 3610
W: obrientraffic.com
ABN 55 007 006 037

STUDY TEAM

Jemima Macaulay
Chirag Safi

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1 INTRODUCTION

O'Brien Traffic has been engaged by Development Solutions Victoria to undertake a traffic impact assessment (TIA) for a proposed residential subdivision at 25 Waterview Road, Eagle Point.

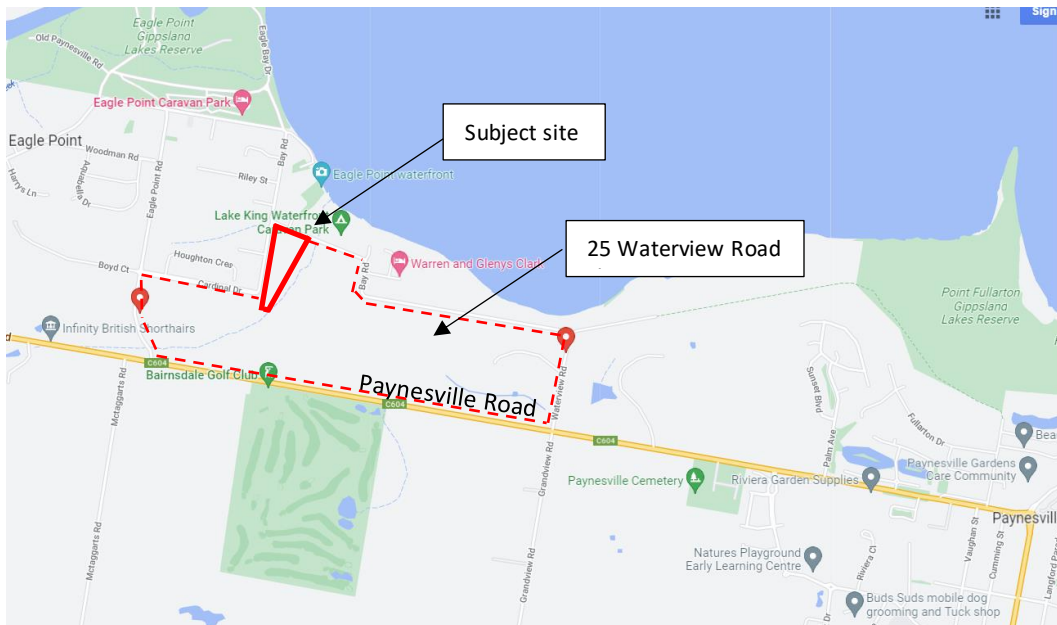
In the course of preparing this report:

- Development Concept Plan, 201492PR-4, dated 23 June 2024, prepared by Development Solutions Victoria, has been reviewed (see **Appendix A**); and
- The traffic implications of the proposal have been assessed.

2 EXISTING CONDITIONS

2.1 LOCATION AND LAND USE

The subject site is located on the eastern side of Tait Street, south of Bay Road, and is part of the land known as 25 Waterview Road, Eagle Point. The location of the subject site is shown in **Figure 1** and a recent aerial photograph is shown in **Figure 2**.



SOURCE: GOOGLE MAPS

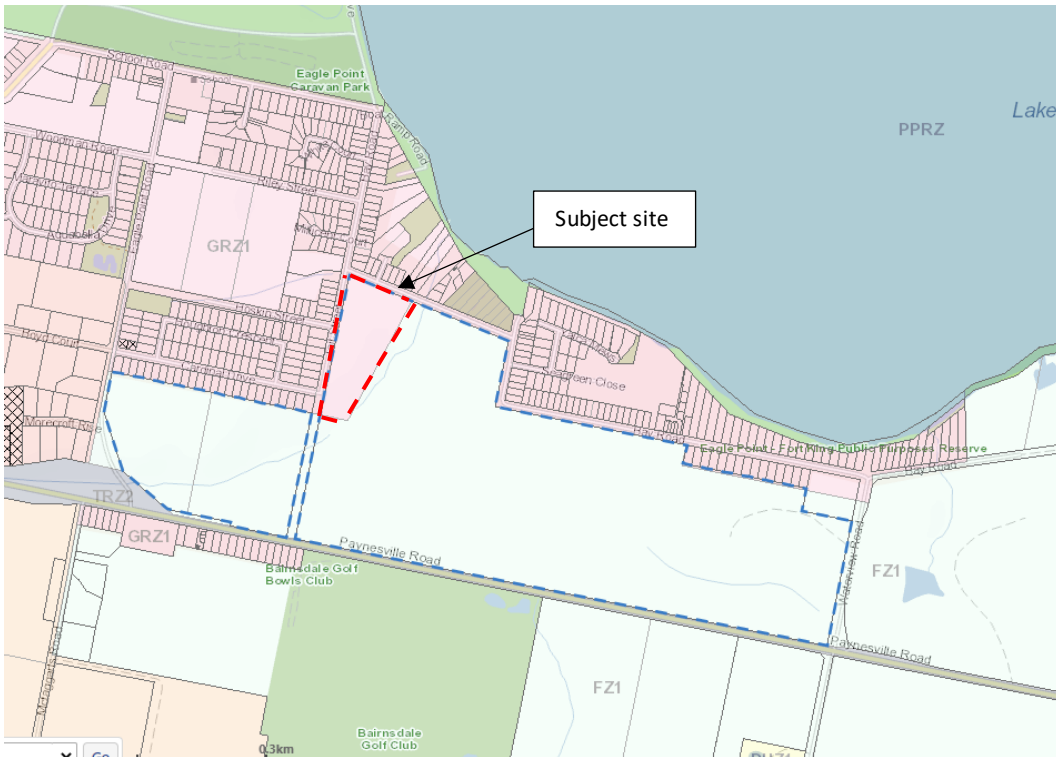
FIGURE 1: LOCATION OF SUBJECT SITE



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FIGURE 2: AERIAL PHOTO OF STAGE 9 TO 17 SUBDIVISION AREA AND SURROUNDS

The subject site is zoned General Residential 1 under the East Gippsland Planning Scheme. The remainder of 25 Waterview Road is zoned Farming. The zoning map is shown in Figure 3.



- GRZ GENERAL RESIDENTIAL ZONE
- GRZ1 GENERAL RESIDENTIAL ZONE - SCHEDULE 1
- FZ FARMING ZONE
- FZ1 FARMING ZONE - SCHEDULE 1

SOURCE: MAPSHARE.VIC.GOV.AU

FIGURE 3: ZONING MAP

2.2 SURROUNDING LAND USE

The area surrounding the site is predominantly residential to the north and farmland to the south and west. Lake King Waterfront Caravan Park is located to the north-east, on the northern side of Bay Road, and Bairnsdale Golf Club is located further south, on the southern side of Paynesville Road.

2.3 ROAD NETWORK

Bay Road is a local road under the care and maintenance of Council that runs in a mostly east-west orientation between School Road and Waterview Road. According to Council's *Public Road Register*, Bay Road adjacent to the subject site is classified as an *Urban Collector* street. It has a pavement width of approximately 8.0m. The urban default speed limit of 50 km/h applies.

Waterview Road is a local road under the care and maintenance of Council that runs in a north-south orientation between Bay Road and Paynesville. According to Council's *Public Road Register*, Waterview Road is classified as an *Urban Collector* street. It has a pavement width of approximately 7.0m. The urban default speed limit of 50 km/h applies.

Tait Street is a local road under the care and maintenance of Council that runs in a north-south orientation between Bay Road and Cardinal Drive. According to Council's *Public Road Register*, Tait Street is classified as an *Urban Access* street. It has a pavement width of approximately 6.5 m. The urban default speed limit of 50 km/h applies.

Cardinal Drive is a local road under the care and maintenance of Council that runs in an east-west orientation between Tait Street and Eagle Point Road. According to Council's *Public Road Register*, Cardinal Drive is classified as an *Urban Access* street. It provides one traffic lane in each direction, approximately 4.0m wide, separated by a central median. The urban default speed limit of 50 km/h applies.

Eagle Point Road is a local road under the care and maintenance of Council that runs in a north-south orientation between School Road and Paynesville Road. According to Council's *Public Road Register*, Eagle Point Road is classified as an *Urban Access* street. It has a pavement width of approximately 7.0 m. The urban default speed limit of 50 km/h applies.

Paynesville Road is classified as a Transport Zone 2 under the care and management of the Department of Transport/Regional Roads Victoria. In the vicinity of the subject site, it runs in an east-west orientation, providing one traffic lane in each direction with partially sealed shoulders.

2.4 EXISTING TRAFFIC VOLUMES

Traffic Data obtained from the DoT Open Data website indicates that the estimated two-way traffic volume for Paynesville Road is 6,500 vehicles per day (vpd) which is evenly divided in both directions. This volume includes approximately 320 trucks per day.

Traffic data collected by Council in October 2022 indicates the following traffic volumes for Bay Road and Waterview Road:

- Bay Road - average weekday volume of 475 vpd, with AM and PM peak hour volumes of 50 and 47 vph respectively.
- Waterview Road - average weekday volume of 515 vpd, with AM and PM peak hour volumes of 53 vph.

3 THE PROPOSAL

It is proposed to subdivide the subject site into a total of 38 lots of varying in size from approximately 620m² to 1,120m².

A court is proposed through the subdivision, connecting to Bay Street to the north, with a road reservation width of 18m. A gravel driveway link would extend from the southern end of Tait Street to provide access to two lots at the southern end of the development.

The majority of proposed lots would have vehicle access via the new access road, while some lots will be accessed directly from Bay Road or Tait Street.

The proposed subdivision plan is provided in **Appendix A**.

4 TRAFFIC GENERATION, DISTRIBUTION & IMPACT

4.1 TRAFFIC GENERATION

The 38 residential lots are anticipated to generate up to 10 daily vehicle trips per lot, with 10% of these trips occurring in each of the AM and PM peak hours. At full occupancy, this equates to a total of 380 trips per day and up to 38 trips in each of the peak hours.

4.2 TRAFFIC DISTRIBUTION

Based on the surrounding road network and location of key destinations, it is anticipated that trips to/from the site would be distributed as follows:

- Approximately 70% of trips to/from Paynesville via Paynesville Road – either via Waterview Road and Bay Road or Eagle Point Road and Cardinal Road;
- Approximately 20% of trips to/from East Bairnsdale via Paynesville Road, Eagle Point Road and Cardinal Road;
- Approximately 10% of trips to/from Eagle Point, via Bay Road.

On this basis, it is anticipated that the proposed development would generate:

- Up to 231 trips per day, or 23 trips in AM/PM peak hour, on Bay Road east of Tait Street and on Waterview Road;
- Up to 71 trips per day, or 17 trips in AM/PM peak hour, on Tait Street



- Up to 111 trips per day, or 11 trips in AM/PM peak hour, on Cardinal Drive and Eagle Point Road (south);
- Up to 38 trips per day, or 4 trips in AM/PM peak hour, on Bay Road, north of Tait Street.

To determine the peak hour traffic movements to/from the site, typical splits for residential subdivisions have been adopted as follows:

- AM peak hour: 20% IN and 80% OUT; and
- PM peak hour: 60% IN and 40% OUT.

Based on the above, the anticipated AM and PM peak hour traffic to/from the proposed subdivision is shown in Figure 4.

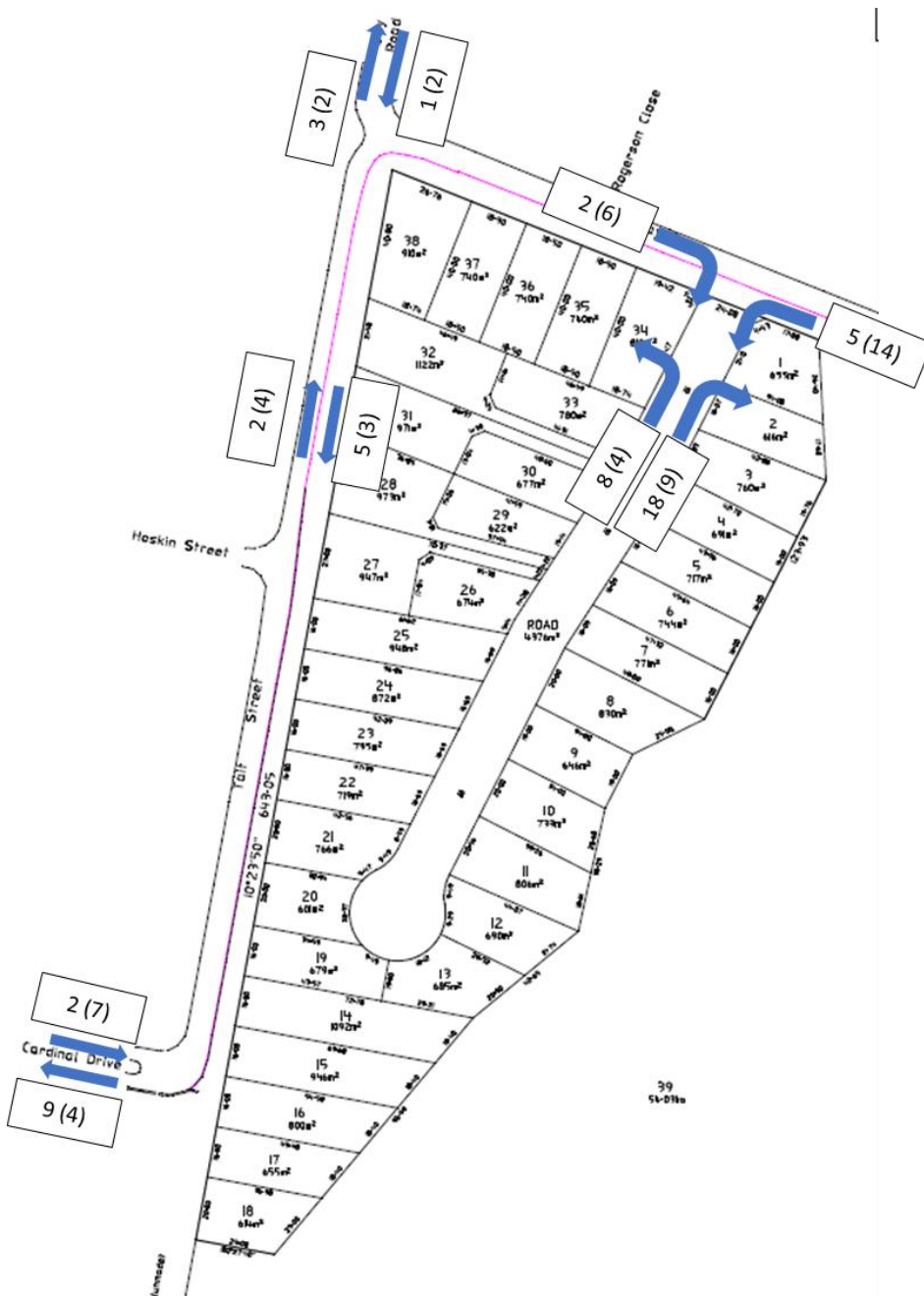


FIGURE 4: AM AND PM PEAK HOUR TRAFFIC GENERATION AND DISTRIBUTION

4.3 TRAFFIC IMPACT

On the basis of the traffic generation and distribution shown in **Figure 4**, the traffic movements generated by the proposed subdivision on the surrounding road network are relatively low.

The additional daily traffic volumes generated by the proposed subdivision are unlikely to cause any adverse impacts on Bay Road, Tait Street, Cardinal Drive, or the surrounding road network.

5 INTERNAL ROAD NETWORK

5.1 FUNCTIONAL CLASSIFICATION

The anticipated maximum traffic volume on the street through the subdivision will be well below 1,000 vehicles per day. Under Clause 56.06-8, Table C1 of the Planning Scheme an Access Place carries in the range of 300 to 1,000 vehicles per day and an Access Street Level 1 carries in the range of 1,000 to 2,000 vehicles per day.

It is proposed that the internal street be classified as an Urban Access street under Council's road hierarchy.

5.2 STREET DESIGN

The proposed Urban Access street through the subdivision has a road reservation width of 18m. This can accommodate a 7.3m carriageway with 5.35m wide verges on each side, including 1.5m wide footpaths, which would be in accordance with the requirements of Table 2 of Section 12.3.2 of the *Infrastructure Design Manual* for Access Street.

5.3 PEDESTRIAN & CYCLIST PROVISION

The cross section contemplated above would cater for pedestrians and cyclists by providing footpaths for pedestrians and a low-speed road environment suitable for cyclists.

To improve pedestrian permeability, a footpath connection could be provided between the court bowl and Tait Street.

5.4 PUBLIC TRANSPORT

There is no requirement for the new internal street to cater for buses.

5.5 LOCAL AREA TRAFFIC MANAGEMENT

The length of the internal street is approximately 220m which is less than the maximum street length of 240m suggested in Clause 56.06 to control of vehicle speeds. Nevertheless, a traffic management treatment, such as a speed hump or slow point, could be considered midway along the street length to ensure vehicle speeds remain low.

It is recommended that a 3m x 3m splay is provided on the corner block at Bay Road and Tait Street to improve sightlines at the intersection. It is noted that splays are proposed on each side of the access road at Bay Road.

5.6 EMERGENCY AND SERVICE VEHICLE ACCESS

Country Fire Authority (CFA) requirements for fire truck access are specified in the document *Requirements for Water Supplies and Access for Subdivisions in Residential 1 and 2 and Township Zones*. The requirements outlined in this guide can be met with the proposed road reservation width and would ensure appropriate access for emergency and service vehicles.

6 CONCLUSION

Based on the investigations made during the preparation of this report, we are of the opinion that:

- The internal road network can be designed appropriately, subject to the recommendations above, in accordance with the cross-section requirements in the *Infrastructure Design Manual*; and
- The traffic generated by the proposal would be readily accommodated by the surrounding road network with negligible impact on safety or operation.

Therefore, we see no traffic related grounds to prevent the proposed development from proceeding.

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APPENDIX A

SUBDIVISION PLAN