

16 February 2021

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	4 McLaren Avenue LUCKNOW Lot 22 PS 818012
The application is for a permit to:	Buildings and works for two dwellings
The applicant for the permit is:	D A Calabro
The application reference number is:	1/2021/P
You may look at the application and any documents that support the application on the website of the responsible authority.	(Intentionally blank)

This can be done anytime by visiting the following website:

www.eastgippsland.vic.gov.au/PlanningApps

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 sent to the Responsible Authority in writing,
- ◆ include the reasons for the objection, and
- ◆ state how the objector would be affected.

The Responsible Authority will not decide on the application before:	Subject to applicant carrying out notice
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If you object, the Responsible Authority will tell you its decision.

Please note submissions received will be made available for inspection and may be made available to other parties in accordance with the Planning & Environment Act 1987. If you have concerns about this, please contact the East Gippsland Shire Council's Planning Office.

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

VOLUME 12258 FOLIO 686

Security no : 124087044626E
Produced 09/12/2020 01:56 PM

LAND DESCRIPTION

Lot 22 on Plan of Subdivision 818012J.
PARENT TITLE Volume 12175 Folio 956
Created by instrument PS818012J 27/10/2020

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
DANIEL ANTHONY CALABRO of 12 CANTERBURY CLOSE EASTWOOD VIC 3875
AT780686U 17/11/2020

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT AT780686U 17/11/2020
Expiry Date 31/12/2040

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 PS818012J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
PS818012J (B)	PLAN OF SUBDIVISION	Registered	27/10/2020
AT780686U (E)	TRANSFER	Registered	18/11/2020

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

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

Street Address: 4 MCLAREN AVENUE LUCKNOW VIC 3875

DOCUMENT END

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<h1>PLAN OF SUBDIVISION</h1>	EDITION 1 PS818012J
<p>LOCATION OF LAND</p> <p>PARISH: WY YUNG TOWNSHIP: LUCKNOW SECTION: - CROWN ALLOTMENT: 44A (PART) CROWN PORTION: - TITLE REFERENCE: VOL 12175 FOL 956</p> <p>LAST PLAN REFERENCE: Lot A on PS818011L POSTAL ADDRESS: 25 FINDLEY WAY, (at time of subdivision) LUCKNOW, 3875</p> <p>MGA94 Co-ordinates (of approx. centre of land in plan) E 557 350 ZONE 55 N 5814 910</p>	<p>Council Name: East Gippsland Shire Council Council Reference Number: PS818012J Planning Permit Reference: 320/2017/P SPEAR Reference Number: S153543T</p> <p>Certification</p> <p>This plan is certified under section 6 of the Subdivision Act 1988</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made</p> <p>Digitally signed by: Aaron David Hollow for East Gippsland Shire Council on 21/04/2020</p> <p>Statement of Compliance issued: 19/10/2020</p>

VESTING OF ROADS AND/OR RESERVES	NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON	Number of lots in stage: 20 Lot numbers A, 1 to 10 inclusive and 28 to 34 inclusive have been omitted from this plan.
Road - R1	East Gippsland Shire Council	
NOTATIONS		Other Purpose of Plan 1. Removal of part of the Easement shown as E-2 on PS818011L, being a Sewerage Easement in favour of East Gippsland Water Corporation created in PS818011L. 2. Removal of part of the Easement shown as E-5 on PS818011L, being a Powerline Easement in favour of Ausnet Electricity Services Pty Ltd created in PS818011L.
<p>DEPTH LIMITATION: Does not apply.</p> <p>SURVEY: This plan is/is not based on survey.</p> <p>STAGING: This is/is not a staged subdivision.</p> <p>Planning Permit No. 320/2017/P</p> <p>This survey has been connected to permanent marks No(s). 12, 43, 45 & 48</p> <p>In Proclaimed Survey Area No. 19</p>		

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-2	SEWERAGE	SEE DIAG.	PS818011L	EAST GIPPSLAND WATER CORPORATION
E-5	POWERLINE	SEE DIAG.	PS818011L	AUSNET ELECTRICITY SERVICES PTY LTD
E-1	SEWERAGE	SEE DIAG.	THIS PLAN	EAST GIPPSLAND WATER CORPORATION
E-4	DRAINAGE	SEE DIAG.	THIS PLAN	EAST GIPPSLAND SHIRE COUNCIL

 <p>P:1300 853 157 F:8456 5995 M:0400 543 157 sks@oneplangroup.com.au www.oneplangroup.com.au GIPPSLAND - MELBOURNE</p>	SURVEYORS FILE REF: KBI7646-ST2 PS-2 Digitally signed by: Scott Charles Kimm, Licensed Surveyor, Surveyor's Plan Version (3), 17/03/2020, SPEAR Ref: S153543T	ORIGINAL SHEET SIZE: A3 SHEET 1 OF 3 SHEETS PLAN REGISTERED TIME: 2.55 PM DATE: 27/10/2020 RHills Assistant Registrar of Titles
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Printed 16/02/2021
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PS818012J

MGA94 ZONE 55

GREAT ALPINE ROAD

LANES ROAD

FINDLEY WAY

GRANGE

McLAREN

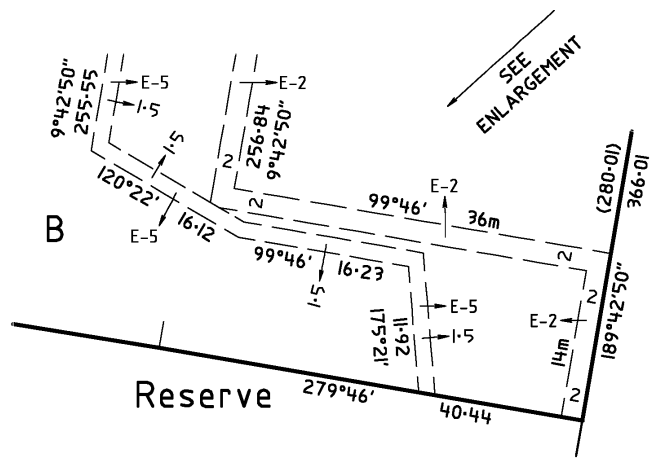
AVENUE

B
6.410ha

Reserve

Reserve

ENLARGEMENT
SCALE 1:500



OnePlan SK spatial
 Land Development Group Land Surveying Consultants
 P:1300 853 157 F:8456 5995 M:0400 543 157
 sks@oneplangroup.com.au www.oneplangroup.com.au
 GIPPSLAND - MELBOURNE

SCALE 1:2000

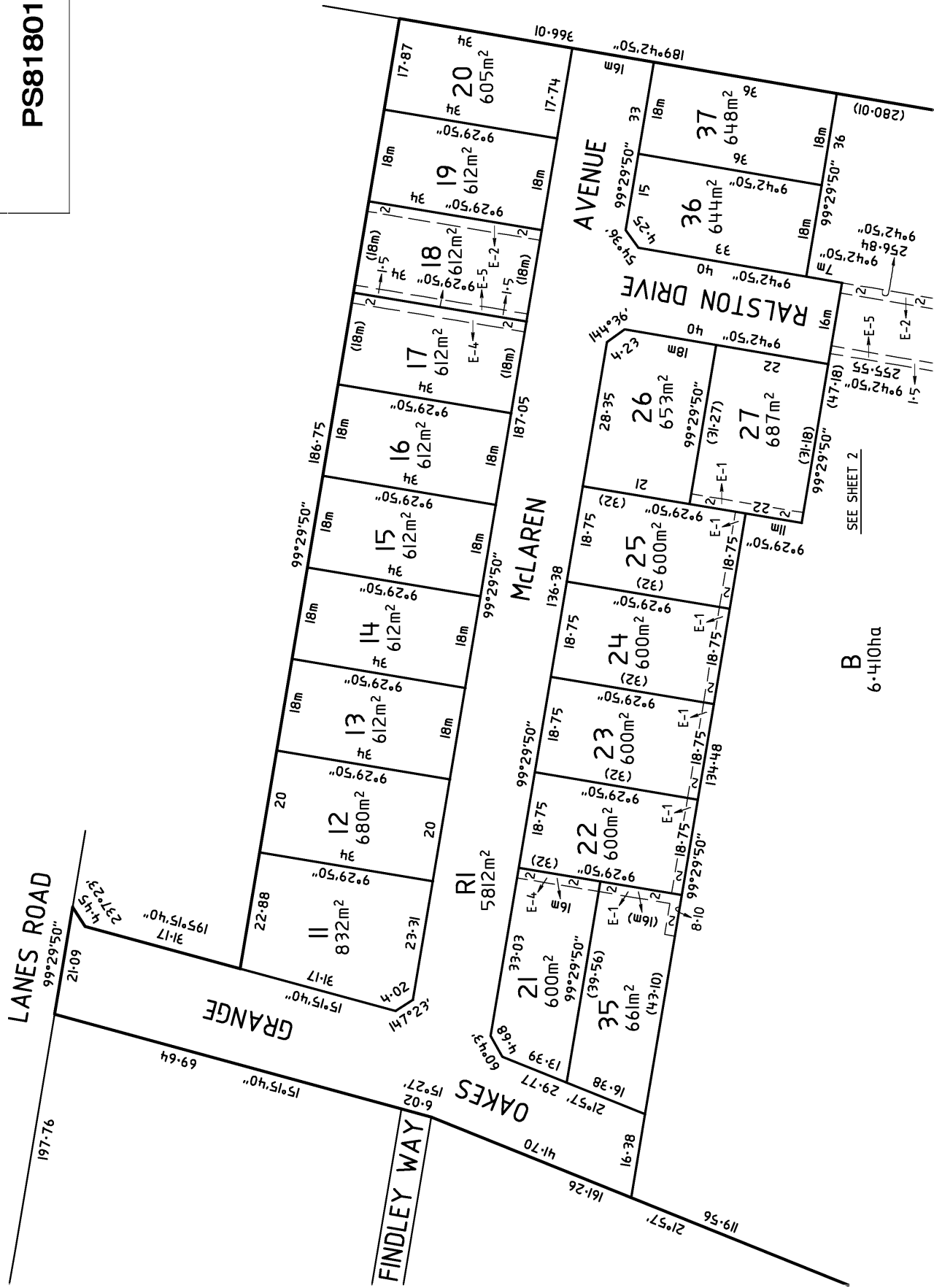
 LENGTHS ARE IN METRES
 Digitally signed by: Scott Charles Kimm, Licensed Surveyor,
 Surveyor's Plan Version (3),
 17/03/2020, SPEAR Ref: S153543T

ORIGINAL SHEET SIZE: A3
 SHEET 2
 Digitally signed by: East Gippsland Shire Council
 21/04/2020,
 SPEAR Ref: S153543T

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PS818012J



B
6.410ha

SEE SHEET 2

SCALE 1:750	7.5 0 7.5 15 22.5 30 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 3
Digitally signed by: Scott Charles Kimm, Licensed Surveyor, Surveyor's Plan Version (3), 17/03/2020, SPEAR Ref: S153543T		Digitally signed by: East Gippsland Shire Council, 21/04/2020, SPEAR Ref: S153543T	

OnePlan Spatial
Land Development Group
Land Surveying Consultants
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www.oneplangroup.com.au www.oneplangroup.com.au
GIPPSLAND - MELBOURNE



Department of Environment, Land, Water & Planning

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Electronic Instrument Statement

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Produced 09/12/2020 02:05:26 PM

Status	Registered	Dealing Number	AT780686U
Date and Time Lodged	17/11/2020 02:46:03 PM		

Lodger Details

Lodger Code	14943M
Name	WARDS BARRISTERS AND SOLICITORS PTY LTD
Address	
Lodger Box	
Phone	
Email	
Reference	

TRANSFER

Jurisdiction	VICTORIA
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Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference

12258/686

Transferor(s)

Name	KNOW BOUNDARIES PTY LTD
ACN	620808700

Estate and/or Interest being transferred

Fee Simple

Consideration

\$AUD 110000.00

Transferee(s)

Tenancy (inc. share)	Sole Proprietor
Given Name(s)	DANIEL ANTHONY
Family Name	CALABRO
Address	
Street Number	12
Street Name	CANTERBURY
Street Type	CLOSE
Locality	EASTWOOD



Department of Environment, Land, Water & Planning

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Electronic Instrument Statement

State VIC
Postcode 3875

Covenants

The registered proprietors of the burdened land covenant with the registered proprietors of the benefited land as set out in the restrictive covenant with the intent that the burden of the restrictive covenant runs with and binds the burdened land and the benefit of the restrictive covenant is annexed to and runs with the benefited land.

Burdened land the Land
Benefited land MCP: AA6123
Restrictive covenant MCP: AA6123
Expiry Date

Duty Transaction ID

4945166

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf DANIEL ANTHONY CALABRO
of
Signer Name ANDREW JOHN REYNOLDS
Signer Organisation WARDS BARRISTERS AND SOLICITORS
PTY LTD
Signer Role AUSTRALIAN LEGAL PRACTITIONER
Execution Date 17 NOVEMBER 2020

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

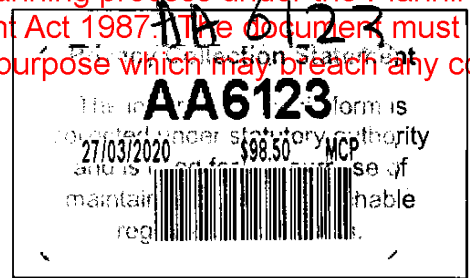
Executed on behalf KNOW BOUNDARIES PTY LTD
of
Signer Name ROHAN MICHAEL HUBBARD
Signer Organisation WARREN GRAHAM AND MURPHY PTY
LTD
Signer Role AUSTRALIAN LEGAL PRACTITIONER
Execution Date 17 NOVEMBER 2020

File Notes:

NIL

Memorandum of common provisions
Section 91A Transfer of Land Act 1958

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Lodged by	
Name:	Warren Graham & Murphy
Phone:	03 5152 2661
Address:	119 Main Street, Bairnsdale 3875
Reference:	RMH:1064320
Customer code:	1716W

This memorandum contains provisions which are intended for inclusion in instruments and plans to be subsequently lodged for registration.

Provisions:

The Transferee with the intent that the benefit of this covenant shall until 31st December 2040, be attached to and run at law and in equity with the whole of the land comprised in Plan of Subdivision Number PS818012J (other than the land hereby transferred) and that the burden thereof shall be annexed to and run at law and in equity with the land hereby transferred and each and every part thereof and that the same shall be noted and appear on every Certificate of Title for the said lot and every part thereof as an encumbrance affecting the same HEREBY COVENANTS with the Transferor and the other registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision (other than the land hereby transferred that the Transferee will not:-

- erect, place, permit, licence or authorise on the said lot any building except for dwelling houses built only of new materials containing a floor area of not less than 130 square metres within the outer walls thereof calculated by excluding the area of any carport, garage, terrace, pergola or veranda.
- erect, place, permit, licence or authorise on the said lot any outbuildings built with other than new materials of the same type as the main dwelling house or colour bonded material;
- erect or allow to be erected on the said lot any relocated dwelling or outbuilding or any dwelling or outbuilding moved from other land;
- occupy the lot for residential purposes either temporarily or permanently until a Certificate of Occupancy is issued for the dwelling erected on the site except that temporary accommodation may be used for the duration of the construction period of the dwelling for no longer than twelve (12) months (subject to any necessary council approvals or permits);
- permit the land hereby transferred or any part thereof to be used for the purpose of commercial breeding or boarding of or training kennels or cages for cats, dogs or birds, or the keeping of poultry, or for the grazing of horses, or for the parking, garaging or servicing of any motor vehicle in excess of five tonnes gross vehicle mass except for the purpose of loading or unloading of goods unless the vehicle is a construction vehicle engaged on construction works thereon or unless the vehicle is a boat, caravan or similar vehicle of any gross vehicle mass and is screened from view from the roadways and adjoining properties.

35271702A

V3

- The provisions are to be numbered consecutively from number 1.
- Further pages may be added but each page should be consecutively numbered.
- To be used for the inclusion of provisions in instruments and plans.

91ATLA

Page 1 of 1

THE BACK OF THIS FORM MUST NOT BE USED

Land Use Victoria contact details: see www.delwp.vic.gov.au/property>Contact us

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Department of Environment, Land, Water & Planning

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Electronic Instrument Statement

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

PLANNING PERMIT APPLICATION

MUNICIPALITY: EAST GIPPSLAND SHIRE

SUBJECT SITE: No. 4, LOT 22 MCLAREN AVENUE, LUCKNOW

PROPOSED: TWO UNIT DEVELOPMENT

ZONING: GENERAL RESIDENTIAL ZONE, SCHEDULE 1

OVERLAYS: N/A

INTRODUCTION

The proposal seeks to construct two single storey dwellings at the proposed property known as Lot 22 McLaren Avenue, Lucknow.

The subject site is located within the General Residential 1 Zone and is not covered by any overlays.

Under the General Residential 1 zone a permit is required to construct more than one dwelling on a lot.

LEGAL DESCRIPTION

The subject site is legally described as 'Lot 22 on PS81801'. The site is encumbered by a covenant which is inserted into the Transfer of Land.

SITE DESCRIPTION

The site is located with McLaren Avenue to the north, Oakes Grange to the West and Ralston Drive to the east.

The subject site is rectangular in size, with an approximate width of 18.75 metres and length of 32 metres, with a total area of 600.00m².

The site is currently vacant and part of a new subdivision.

Separate vehicular access will be provided to Unit 1 and Unit 2 via proposed paved crossovers located towards the shared internal boundary of the proposed subdivision.

ADJOINING PROPERTIES

West

Land to the west, Lot 21 and 35 Oakes Grange are currently vacant.

East

Land to the east, Lot 23 McLaren Avenue is currently vacant.

South

Land to the south is currently vacant.

NEIGHBOURHOOD DESCRIPTION

Neighbourhood Character

The surrounding area is characterised by rural farmland and low density residential dwellings. The housing stock in the area predominantly consists of single detached dwellings. The proposed site is part of a new subdivision with no current construction underway. The area contains allotment sizes between 600 and 830 square metres.

The following amenities and community facilities are in proximity to the site:

Schools

- Wild Cherry Kindergarten, approximately 3.6km south;
- Glenvale School Lucknow, approximately 2km west;
- Lucknow Primary School, approximately 2.5km west;
- Bairnsdale Secondary College, approximately 5.8km south west;
- Nagle College, approximately 8.2km south west.

Community Facilities

- Lucknow Football Netball Club, approximately 1km south west;
- Bairnsdale Squash and Table tennis, approximately 1km south west;
- Bairnsdale Sporting and Convention Centre, approximately 500m west;
- Bupa Aged Care, approximately 1.7km west;
- Kingdom Hall of Jehovah's Witnesses, approximately 2km south;
- Bairnsdale Baptist Church, approximately 2km south.

Reserves

- Lucknow Recreation Reserve, approximately 1.2km south;

- Howitt Park, approximately 2.4km south west.

Arterial Roads

- Great Alpine Road (B500), approximately 250 meters west;
- Princes Highway (A1), approximately 1.5km south.

Public Transport

- Princes Highway/Charles Street (Lucknow) bus stop, approximately 1.2km south ;
- Bairnsdale Railway Station, approximately 4.5km south west;

- Both ground floors have a total area of 130.47m² and the garage has a total area of 23.76m². Accordingly, unit one and two have a total floor area of 154.23m².

The proposed dwellings would be setback from the following boundaries:

Unit 1

- Northern (front):
 - 5.0 metres
- Southern (rear):
 - 2.4 metres
- Western (internal)
 - 3.2 metres (secluded private open space)
 - 1.0 metres (minimum setback)
- Eastern (side boundary)
 - 1.0 metres (to front of dwelling at brick return)
 - 1.15 metres (remaining eastern side boundary)

Unit 2

- Northern (front):
 - 5.0 metres
- Southern (rear):
 - 2.4 metres
- Eastern (internal)
 - 3.2 metres (secluded private open space)
 - 1.0 metres (minimum setback)
- Western (side boundary)
 - 1.0 metres (to front of dwelling at brick return)
 - 1.15 metres (remaining eastern side boundary)
- Landscaping is to comprise a mix of low and mid-level planting which will complement the built form and the existing character of the surrounding area.

ZONING - 32.08 GENERAL RESIDENTIAL ZONE

The subject site is located within the General Residential Zone.

The purpose of the General Residential zone is as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

- 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 nonresidential uses to serve local community needs in appropriate locations.

Response:

Pursuant to the requirements of the Zone, a planning permit is required to construct two or more dwellings on a lot.

It is submitted that the proposed development is consistent with the purpose of the zone. The design of the proposal is sensitive to the existing neighbourhood character.

In addition, the proposal adds to the diversity of residential developments encouraged by the zone.

OVERLAYS

Not Applicable.

STATE PLANNING POLICY FRAMEWORK

Clause 11: Settlement

- *Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*
- *Planning is to recognise the need for, and as far as practicable contribute towards:*
 - *Health and safety.*
 - *Diversity of choice.*
 - *Adaptation in response to changing technology.*
 - *Economic viability.*
 - *A high standard of urban design and amenity.*
 - *Energy efficiency.*
 - *Prevention of pollution to land, water and air.*
 - *Protection of environmentally sensitive areas and natural resources.*
 - *Accessibility.*
 - *Land use and transport integration.*
- *Planning is to prevent environmental problems created by siting incompatible land uses close together.*
- *Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.*
-

Clause 11.01-1: Settlement

Objective

To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

- Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
- Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.
- Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.
- Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.
- Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.
- Create and reinforce settlement boundaries.
- Provide for growth in population and development of facilities and services across a regional or sub-regional network.
- Plan for development and investment opportunities along existing and planned transport infrastructure.
- Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.
- Strengthen transport links on national networks for the movement of commodities.
- Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:
 - Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
 - Developing settlements that will support resilient communities and their ability to adapt and change.
 - Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
 - Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
 - Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
 - Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
 - Improving transport network connections in and between regional cities, towns and Melbourne.
 - Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.
 - Limit urban sprawl and direct growth into existing settlements.
 - Promote and capitalise on opportunities for urban renewal and infill redevelopment.
 - Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.
 - Ensure retail, office-based employment, community facilities and services are concentrated in central locations.
 - Ensure land that may be required for future urban expansion is not compromised.

Clause 11.02-1: Supply of urban land

Objective

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand.

- *Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.*
- *Planning for urban growth should consider:*
 - *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
 - *Neighbourhood character and landscape considerations.*
 - *The limits of land capability and natural hazards and environmental quality.*
 - *Service limitations and the costs of providing infrastructure*
- *Monitor development trends and land supply and demand for housing and industry.*
- *Maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.*
- *Restrict rural residential development that would compromise future development at higher densities.*
-

Clause 16: Housing

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.

Planning for housing should include providing land for affordable housing

Clause 16.01-2: Location of residential development

Objective

To locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport.

Strategies

- *Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.*
- *Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*

Response:

It is submitted that the proposed development is entirely consistent with the relevant objectives and strategies of the State Planning Policy Framework. The site proposes development in an established residential area which is well serviced by an established road network.

The proposed development is also considered to be entirely appropriate for the site as it has good access to community facilities, shops and other amenities.

The proposal supports the sustainable development of the region by providing housing within a proposed sub-division.

Clause 21.03 Settlement

Within any local government area there is a finely balanced interplay between people, business and environment. The Council will continue to invest wisely in urban infrastructure to create vibrant urban centres while maintaining our natural assets – balancing residential, business and tourist development with wildlife corridors and areas of rural or natural landscape. The impacts of climate-induced sea level rise, combined with more severe storm surges is likely to be significant for coastal communities in East Gippsland. We will further a broad range of developments, but will carefully manage them to protect natural assets and threatened communities.

This Clause provides local content to support Clause 11 of the State Planning Policy Framework.

Clause 21.03-1 Planning for growth areas

Objective 1 – Main towns

To make best use of the community's investment in urban infrastructure and to provide support for community and commercial services.

Strategy 1.1 *Allow limited infill development in townships where lots are capable of retaining wastewater.*

Strategy 1.2 *Ensure that new subdivision within or adjacent to unsewered towns has lot sizes appropriate for on-site treatment and disposal of wastewater.*

Strategy 1.3 *Ensure a range of lot sizes and dwelling types to provide diversity and choice in new residential areas.*

Strategy 1.4 *Support medium density development for both tourist and permanent residential use in residential zones.*

Strategy 1.5 *Ensure pedestrian and cycle path networks are provided in new residential estates and integrate these where possible with development of wildlife corridors.*

Strategy 1.6 *Protect the separation between settlements by preserving intervening areas of predominantly rural or natural landscapes.*

Strategy 1.7 *Encourage infill or incremental development of existing towns in preference to dispersed development.*

Objective 2 – Main towns *To build and support the urban centres so they remain commercially viable and a focus for services to residents and their wider districts.*

Strategy 2.1 *Encourage development of strong township centres through consolidation of retail and commercial areas.*

Strategy 2.2 *Discourage development of 'mainstream' retail and commercial facilities outside these areas.*

Strategy 2.3 *Encourage retail and commercial uses requiring larger sites to locate adjacent to the central commercial areas, rather than in free-standing sites on the outskirts of towns.*

Strategy 2.4 *Improve pedestrian and cycle networks and street furniture to increase the appeal, convenience and comfort of these centres.*

Strategy 2.5 *Encourage medium-rise residential or commercial development, more than three storeys high, on appropriate sites in Bairnsdale and Lakes Entrance.*

Objective 3 – Bairnsdale *To provide for a fifteen year land supply to accommodate the future population growth within Bairnsdale.*

Strategy 3.1 *Support infill medium density housing close to Bairnsdale CBD to provide greater housing choices identified in the Bairnsdale Growth Strategy, November (2009) and at Plan 3 Revitalisation and Growth Strategy.*

Strategy 3.2 *Support residential infill development within existing residential zones identified in the Bairnsdale Growth Strategy, November (2009) and at Plan 3 Revitalisation and Growth Strategy.*

Strategy 3.3 *Protect areas for future urban growth, particularly the fragmentation of rural residential land on the urban fringe of Bairnsdale identified in the Bairnsdale Growth Strategy, November (2009) and at Plan 3 Revitalisation and Growth Strategy.*

Strategy 3.4 *Support the future orderly and sequential development of designated urban growth for Bairnsdale within significant growth areas as identified in the Bairnsdale Growth Strategy, November (2009) and at Plan 3 Revitalisation and Growth Strategy.*

Strategy 3.5 *Support future rezoning of land for residential development identified in the Bairnsdale Growth Strategy, November (2009) where justified on an economic, site analysis, and merits basis.*

Strategy 3.6 *Facilitate residential rezoning where it is demonstrated as necessary to satisfy housing needs within 10 – 15 years or to provide a choice of residential locations.*

Strategy 3.7 Require the preparation of a Development Plan prior to rezoning of rural residential land to residential land located within the town boundary, identified on Plan 3 Revitalisation and Growth Strategy.

Strategy 3.8 Require future residential land in growth areas to be provided with reticulated water and sewerage.

Clause 21.08 Housing

Over 43,000 people live in East Gippsland and the population is growing as inward migration increases. We need to cater for the housing needs and preferences of all members of our community – young and old. To achieve this we will promote quality housing which is diverse, accessible, and affordable. We will also expand flexible housing and support accommodation for those who may be more vulnerable, such as our seniors and young people This Clause provides local content to support Clause 16 of the State Planning Policy Framework.

Clause 21.08-1 Residential development

Objective 1 To cater for the housing needs and preferences of all segments of the community.

Strategy 1.1 Encourage the supply of elderly persons' housing in the main centres and facilitate development of community housing.

Strategy 1.2 Support expansion of housing and support services for young people, particularly in Lakes Entrance and Orbost, including crisis accommodation, adolescent community placement, group homes or adolescent units, and generalist youth services.

Strategy 1.3 Encourage the building and construction sector to provide a range of housing types and styles including higher density dwellings in town centres, to provide choice for consumers.

Strategy 1.4 Encourage development of East Gippsland as a retirement destination.

Strategy 1.5 Permit low density (rural residential) house lots (0.4 to 2 hectares) only where located around fully serviced towns and townships, and on land suitable for septic tanks or other on-site wastewater treatment systems.

Strategy 1.6 Discourage the commercial or industrial use of land in the Low Density Residential Zone.

Strategy 1.7 Facilitate urban development for Bairnsdale within the existing town boundary identified in the Bairnsdale Growth Strategy, November (2009) and on Plan 3 Revitalisation and Growth Strategy.

Strategy 1.8 Support infill medium density housing and a mix of housing types close to Bairnsdale CBD and key locations to provide greater housing choices identified in the Bairnsdale Growth Strategy, November (2009) and on Plan 1 Housing Diversity.

Strategy 1.9 Support residential development within East Bairnsdale that minimises off site amenity impacts, and protects the ongoing rights of local industry and employment including Patties Foods and includes appropriate land use buffers.

Objective 2 To ensure social considerations are taken into account when considering applications for residential development.

Strategy 2.1 Require applications for residential subdivision to include a social impact comment (SIC) or social impact assessment (SIA) in accordance with the East Gippsland Shire Council Social Impact Assessment Guidelines for Development Applications (for details refer to Policy Guidelines – Residential Development listed below).

Objective 3 To encourage residential development to be directed to locations that minimises negative impacts on the Shire's urban waterways.

Strategy 3.1 Manage the impacts of new residential developments on waterways through the application of the principles of the East Gippsland Shire Council Urban Waterway Guidelines.

Response:

It is considered that the proposed development is consistent with the relevant objects and strategies of the Municipal strategic statement and Local planning policy framework.

The proposed development will contribute to the range of dwellings located within the proposed area.

The proposed development is located in an area currently been sub-divided and will be connected to all relevant services.

CLAUSE 55 – TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Clause 55 Two or more dwellings on a lot and residential buildings

The provisions of this clause apply to:

- *Construct two or more dwellings on a lot.*

A development must:

- *Must meet all of the objectives of this clause.*
- *Should meet all of the standards of this clause.*

Standard/Objective	Assessment: complies/does not comply – variation required
Standard B1/Neighbourhood character	<p>Complies.</p> <p>The design is respectful to the existing character of the area through well-articulated design, varied setbacks and landscaping. The development adds to the diversity of housing stock in the surrounding area and is therefore well integrated into the established residential area.</p> <p>Accordingly, it is submitted that the proposed dwellings are entirely consistent with the established character of the neighbourhood and surrounding area.</p>
Standard B2/Residential Policy	<p>Complies.</p> <p>Please refer to assessment above.</p>
Standard B3/Dwelling Diversity	<p>Not applicable.</p>
Standard B4/Infrastructure	<p>Complies.</p> <p>The site is located within an established residential area. The proposed dwellings will be connected to all services including reticulated power, water, sewerage, and telecommunications infrastructure.</p>
Standard B5/Integration with the street	<p>Complies.</p> <p>The proposal will be orientated to the street. No high fencing is proposed in front of the dwellings</p>
Standard B6/Street Setback	<p>Complies.</p> <p>Setback to the street is 5.0 metres.</p> <p>Refer to plans for compliance with this standard</p>
Standard B7/Building Height	<p>Complies.</p> <p>Refer to plans for compliance with this standard</p>

Standard B8/Site Coverage	Complies. The proposed site coverage will be 310.64 square metres (51.77 %), well within the maximum of 60%.
Standard B9/Permeability	Complies. The permeability of the site will be 39.03%, well within the minimum of 20%.
Standard B10/Energy Efficiency	Complies. The site is oriented in a northerly direction, and therefore, exposure to sunlight is good for both dwellings. The proposal is oriented to make good use of northern solar access through the provision of north-facing windows for bedroom and living areas where possible. The proposed dwellings are well setback from adjoining properties and will not adversely impact on energy efficiency of neighbouring dwellings.
Standard B11/Open Space	Not applicable. There is no requirement to provide communal open space within the development.
Standard B12/Safety	Complies. The design and layout of the proposal provides safety and security, with clear entryways, access and secure fencing. Private open space is delineated through the use of solid fencing.
Standard B13/Landscaping	Complies. Extensive landscaping has been proposed to enhance the overall development of the site.
Standard B14/Access	Complies. The crossover widths are 3 metres (total 6m) and the site has a frontage of 18.75m metres to McLaren Avenue. This provides for 32% of the frontage utilized by a crossover.
Standard B15/Parking Location	Complies. Car parking has been provided and is in convenient distance to the dwellings and allows safe and efficient movement.
Standard B17/Side and Rear Setbacks	Complies. All setbacks are well within the quantitative measurements of this Standard.
Standard B18/Walls on Boundaries	Complies. The garages for both dwellings are on the internal boundary of the proposed site for a joint length of 6.48m. This is easily within the Standard. No other walls are built on or within 150mm of the boundary.
Standard B19/Daylight to Existing Windows	Complies. The proposed dwelling is not opposite any habitable room windows on adjoining properties.
Standard B20/North-facing Windows	Complies. There are no existing north facing windows within 3.0m of the boundary of the subject site.

Standard B21/Overshadowing Open Space	Complies. The proposed dwellings will not significantly overshadow any private open space.
Standard B22/Overlooking	Complies. Floor level of both dwellings will be less to 800mm above ground level and all proposed fencing will be a minimum of 1800mm high
Standard B23/Internal Views	N/A
Standard B24/Noise Impacts	Complies. There are no significant noise sources at this site. All new plant and equipment will be located away from living areas as far as practical.
Standard B25/Accessibility	Complies. The entrance of each dwelling is easily capable of being made accessible to persons of limited mobility.
Standard B26/Dwelling Entry	Complies. Entries to both dwellings and easily identifiable from the street and provide shelters to the entry
Standard B27/Daylight to New Windows	Complies. Each habitable room window will have access to at least 1 metre dimension clear to the sky and a light court with a minimum area of 3m ² .
Standard B28 Private Open Space	Complies. Refer to plans for compliance
Standard B29/Solar Access to Open Space	Complies. POS for the proposed dwellings have north- west orientation for unit one and a north – east orientation for unit 2.
Standard B30/Storage	Complies. Each dwelling has been provided with 6m ³ of externally accessible storage space.
Standard B31/Design Detail	Complies. The dwellings have been designed to be in keeping with the character of dwellings in the surrounding area. An external porch has been provided on both dwellings as this is a characteristic of many dwellings in the area. Eaves have also been provided to blend in with surrounding development and to aid energy efficiency. The roof form and pitch is consistent with those of the surrounding area.
Standard B32/Front Fences	Complies. No front fence is proposed.
Standard B33/Common Property	N/A
Standard B34/Site services	Complies.

	Ample room has been provided to securely store bins within areas around the dwellings. Mailboxes are easily capable of being provided at the entrance to each dwelling
--	--

GENERAL PROVISIONS – CLAUSE 65 DECISION GUIDELINES

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
 - The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
 - The purpose of the zone, overlay or other provision.
 - Any matter required to be considered in the zone, overlay or other provision.
 - The orderly planning of the area.
 - The effect on the amenity of the area.
 - The proximity of the land to any public land.
 - Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
 - Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
 - The extent and character of native vegetation and the likelihood of its destruction.
 - Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
 - The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
 - The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- This clause does not apply to a VicSmart application.*

Response:

It is submitted that the proposal is entirely consistent with the decision guidelines of Clause 65. As the above assessment against Clause 55 provides, the proposal will not result in any unreasonable impacts to the amenity of adjoining properties or the surrounding area and does not require the destruction of any significant vegetation.

COVENANT

The following restrictive covenant must be inserted into the Transfer of Land:-

"The Transferee with the intent that the benefit of this covenant shall until 31st December 2040, be attached to and run at law and in equity with the whole of the land comprised in Plan of Subdivision Number PS818012J (other than the land hereby transferred) and that the burden thereof shall be annexed to and run at law and in equity with the land hereby transferred and each and every part thereof and that the same shall be noted and appear on every Certificate of Title for the said lot and every part thereof as an encumbrance affecting the same HEREBY COVENANTS with the Transferor and the other registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision (other than the land hereby transferred that the Transferee will not

- (a) erect, place, permit, licence or authorise on the said lot any building except for dwelling houses built only of new materials containing a floor area of not less than 130 square metres within the outer walls thereof calculated by excluding the area of any carport, garage, terrace, pergola or veranda.
- (b) erect, place, permit, licence or authorise on the said lot any outbuildings built with other than new materials of the same type as the main dwelling house or colour bonded material;
- (c) erect or allow to be erected on the said lot any relocated dwelling or outbuilding or any dwelling or outbuilding moved from other land;
- (d) occupy the lot for residential purposes either temporarily or permanently until a Certificate of Occupancy is issued for the dwelling erected on the site except that temporary accommodation may be used for the duration of the construction period of the dwelling for no longer than twelve (12) months (subject to any necessary council approvals or permits);
- (e) permit the land hereby transferred or any part thereof to be used for the purpose of commercial breeding or boarding of or training kennels or cages for cats, dogs or birds, or the keeping of poultry, or for the grazing of horses, or for the parking, garaging or servicing of any motor vehicle in excess of five tonnes gross vehicle mass except for the purpose of loading or unloading of goods unless the vehicle is a construction vehicle engaged on construction works thereon or unless the vehicle is a

boat, caravan or similar vehicle of any gross vehicle mass and is screened from view from the roadways and adjoining properties.

Response:

- A) Unit one and two have a floor area of 130.47sqm within the outer walls of the proposed building, excluding the area of garage and porch. Therefore, the proposed dwellings comply with this covenant.
- B) Outbuildings will be constructed with colorbond, therefore complies with the covenant.
- C) Not applicable to the proposed development
- D) Noted
- E) Noted

SUMMARY

As demonstrated by the above assessment and attached documents the proposal is consistent with the relevant Clauses of the State and Local Planning Policy Frameworks, purpose and decision guidelines of the General Residential Zone, the objectives and Standards of Clause 55 and the decision guidelines of Clause 65.

The proposal is a suitable addition to the neighbourhood and represents additional housing stock in an identified residential growth area.

It is respectfully submitted that the Responsible Authority proceed with a favorable decision at the earliest convenience.



STORM Rating Report

TransactionID: 1059786
 Municipality: EAST GIPPSLAND
 Rainfall Station: BAIRNSDALE
 Address: Lot 22 McLaren Avenue

Lucknow
 VIC

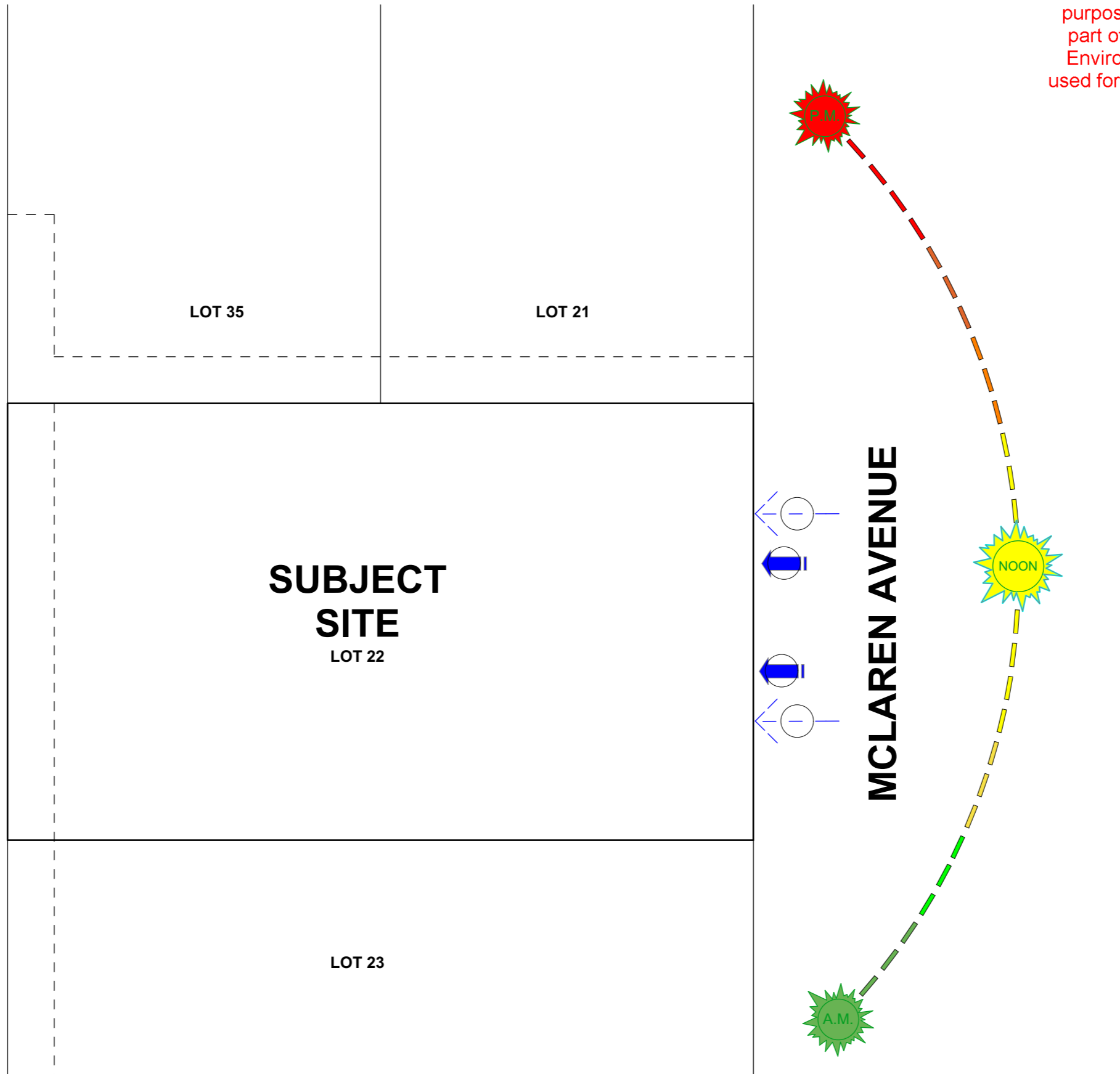
Assessor:

Development Type: Residential - Multiunit
 Allotment Site (m2): 600.00
 STORM Rating %: 113

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Unit 1 - Roof	100.00	Raingarden 300mm	2.00	0	130.00	0.00
Unit 1 - Driveway	16.44	None	0.00	0	0.00	0.00
Unit 1 - Roof	76.43	Rainwater Tank	1,000.00	3	114.20	68.00
Unit 2 - Roof	100.00	Raingarden 300mm	2.00	0	130.00	0.00
Unit 2 - Driveway	16.44	None	0.00	0	0.00	0.00
Unit 2 - Roof	76.43	Rainwater Tank	1,000.00	3	114.20	68.00

Date Generated: 09-Nov-2020

Program Version: 1.0.0



SITE LEGEND

- PREVAILING WINTER WINDS
- HOT SUMMER WINDS
- COLD WINTER WINDS & PREVAILING SUMMER WINDS
- VEHICLE ENTRY TO SITE
- PEDESTRIAN ACCESS
- NOISE AND TRAFFIC SOURCE
- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO BE RETAINED
- CONTOUR LINES

SITE DESCRIPTION

SCALE 1:200

TOWN PLANNING

ISSUE:	REVISION:	AMENDMENT:	DATE:
PLANNING PERMIT	A	ISSUED FOR PLANNING PERMIT	27.11.20



PROJECT:
TWO UNIT DEVELOPMENT

PROJECT ADDRESS:
**LOT 22 MCLAREN AVENUE
 LUCKNOW**

CLIENT:
D. CALABRO

JOB NUMBER:
000-20

DRAWING TITLE:
SITE DESCRIPTION

SCALE: AS SHOWN

SHEET: A3

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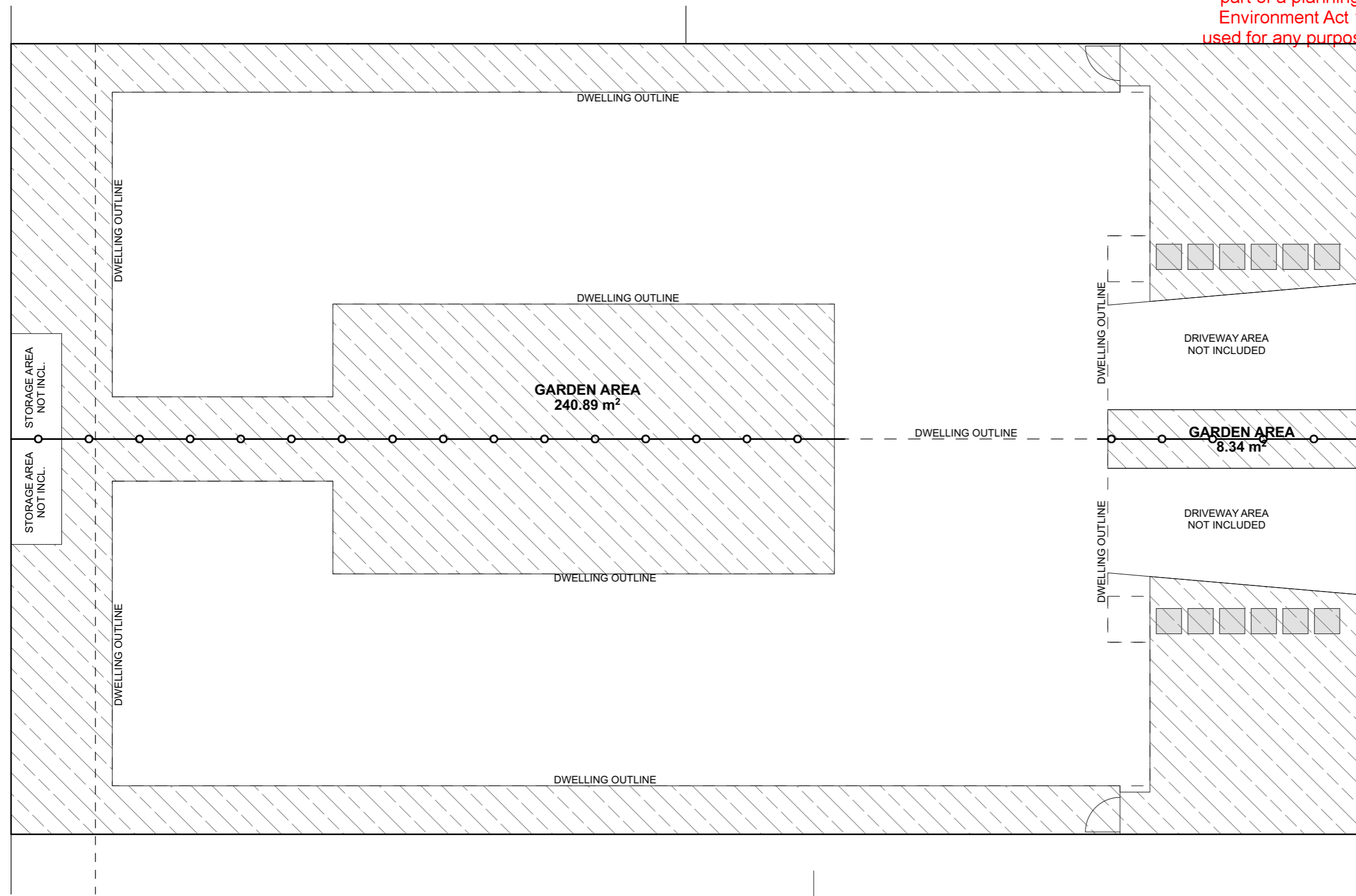
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PROPOSED LAND AREA SCHEDULE	
SITE AREA	600m ²
BUILDING FOOTPRINT COVERAGE	310.64m ² 51.77% (OF SITE AREA)
HARD PAVED AREA	55.20m ² 9.2% (OF SITE AREA)
TOTAL SITE COVERAGE (BUILDING FOOTPRINT + HARD PAVED AREA)	365.84m ² 60.97% (OF SITE AREA)
TOTAL PERMEABLE SURFACES	234.16m ² 39.03% (OF SITE AREA)



MCLAREN AVENUE

GARDEN AREA SCHEDULE			
LOT	LAND AREA	GARDEN AREA REQUIRED	GARDEN AREA PROVIDED
CURRENT LOT (PRIOR TO SUBDIVISION):	600m ²	180m ² (30%)	253.23m ²

PROPOSED BUILDING AREA SCHEDULE	
UNIT 1	
GROUND FLOOR	130.47m ²
GARAGE	23.76m ²
PORCH	1.09m ²
CORE SECLUDED PRIVATE OPEN SPACE	38.05m ²
OTHER PRIVATE OPEN SPACE	79.69m ²
TOTAL OPEN SPACE	117.74m ²
UNIT 2	
GROUND FLOOR	130.47m ²
GARAGE	23.76m ²
PORCH	1.09m ²
CORE SECLUDED PRIVATE OPEN SPACE	38.05m ²
OTHER PRIVATE OPEN SPACE	79.69m ²
TOTAL OPEN SPACE	117.74m ²

GARDEN AREA PLAN

SCALE 1:100

TOWN PLANNING

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SHEET: A3

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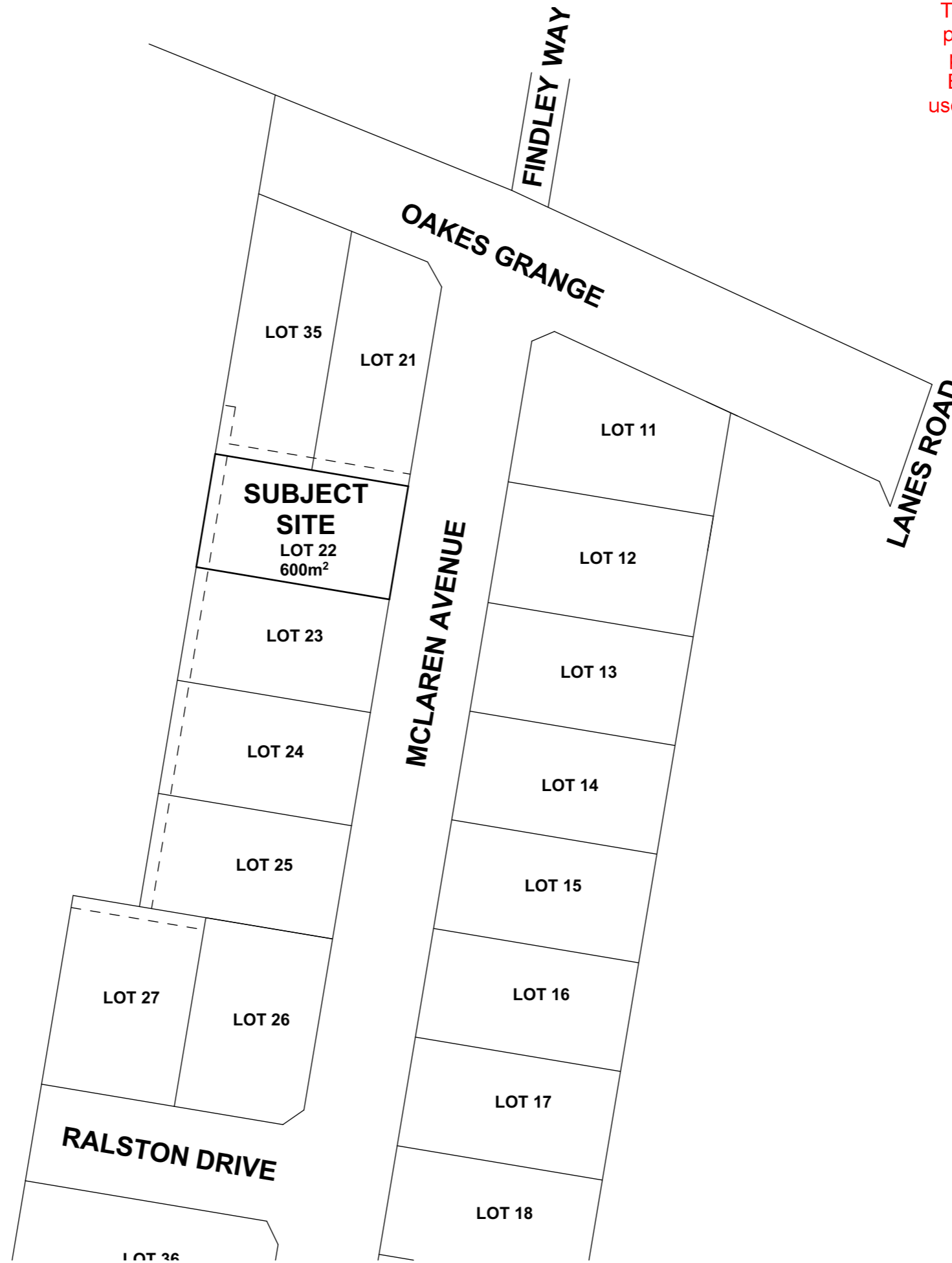
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NEIGHBOURHOOD CONTEXT PLAN

SCALE 1:800

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LUCKNOW**

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CONTEXT PLAN**

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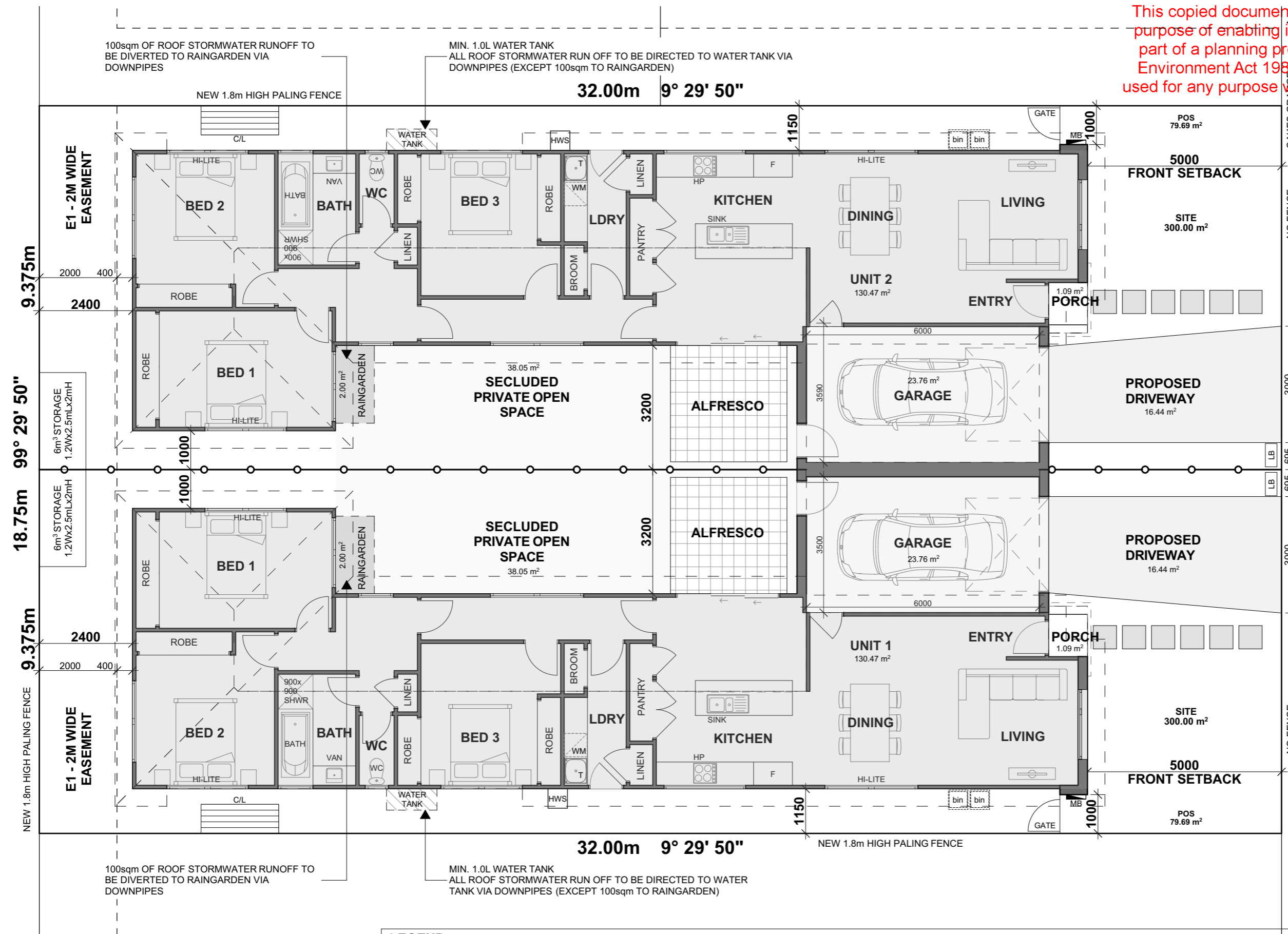
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TOTAL SITE COVERAGE (BUILDING FOOTPRINT + HARD PAVED AREA)	365.84m ² 60.97% (OF SITE AREA)
TOTAL PERMEABLE SURFACES	234.16m ² 39.03% (OF SITE AREA)

MCLAREN AVENUE

PROPOSED BUILDING AREA SCHEDULE	
UNIT 1	
GROUND FLOOR	130.47m ²
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PORCH	1.09m ²
CORE SECLUDED PRIVATE OPEN SPACE	38.05m ²
OTHER PRIVATE OPEN SPACE	79.69m ²
TOTAL OPEN SPACE	117.74m ²



GROUND FLOOR PLAN

SCALE 1:100

LEGEND

- DENOTES CONCRETE PAVERS TO BE USED AS ACCESS PATHS
- DENOTES BIN STORAGE
- DENOTES LETTERBOX WITH NEWSPAPER RING
- DENOTES HOT WATER SYSTEM
- DENOTES ELECTRICAL METER
- DENOTES PAVED AREA
- DENOTES SELECTED CLOTHESLINE

TOWN PLANNING

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GROUND FLOOR PLAN

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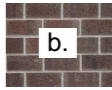
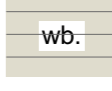



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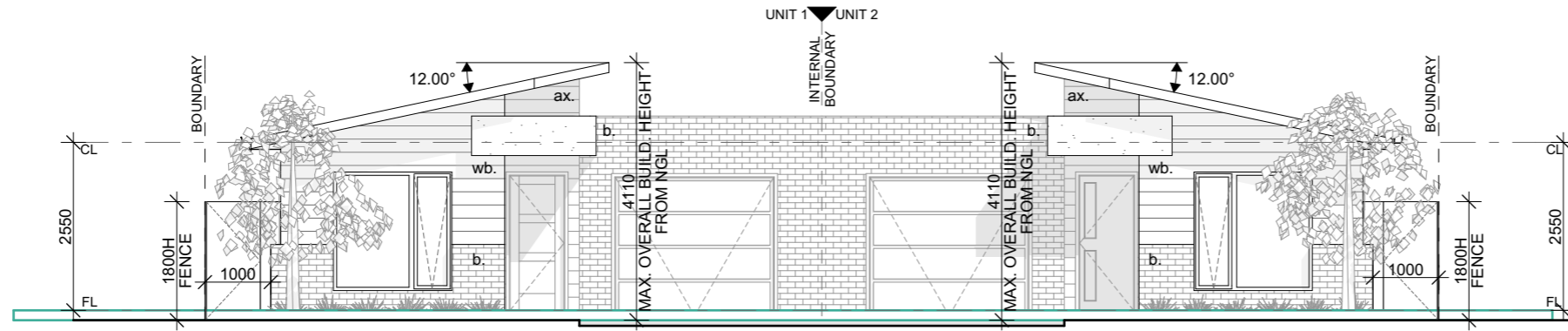
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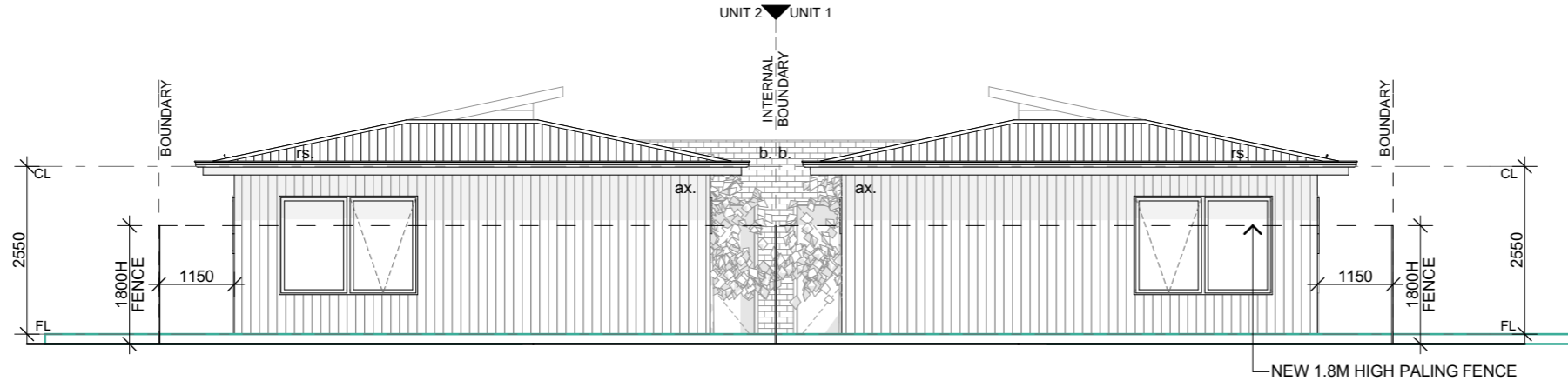
MATERIALS AND COLOUR SCHEDULE

-  DENOTES SELECTED COLORBOND SHEET ROOFING - SURFMIST OR SIMILAR
-  DENOTES SELECTED BRICK FACE FINISH - AUSTRAL HAWKS BURN OR SIMILAR
-  DENOTES SELECTED 150 LINEA WEATHERBOARD - SURFMIST OR SIMILAR
-  DENOTES 133 AXON VERTICAL CLADDING - SHALE GREY OR SIMILAR
-  WINDOW FRAMES, FASCIA, GUTTERS AND FLASHINGS - SURFMIST OR SIMILAR
-  PAVING AND DRIVEWAY SURFACES - WINDSPRAY OR SIMILAR



UNIT 1 & 2 NORTH ELEVATION

SCALE 1:100



UNIT 1 & 2 SOUTH ELEVATION

SCALE 1:100

TOWN PLANNING

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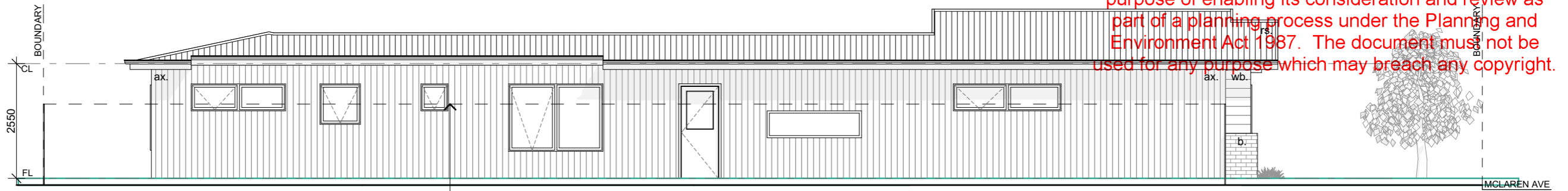
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UNIT 1 EAST ELEVATION

SCALE 1:100



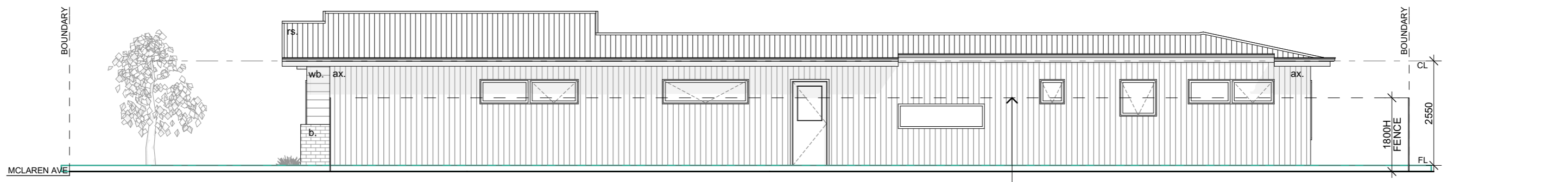
UNIT 1 WEST ELEVATION

SCALE 1:100



UNIT 2 EAST ELEVATION

SCALE 1:100



UNIT 2 WEST ELEVATION

SCALE 1:100

TOWN PLANNING

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TWO UNIT DEVELOPMENT

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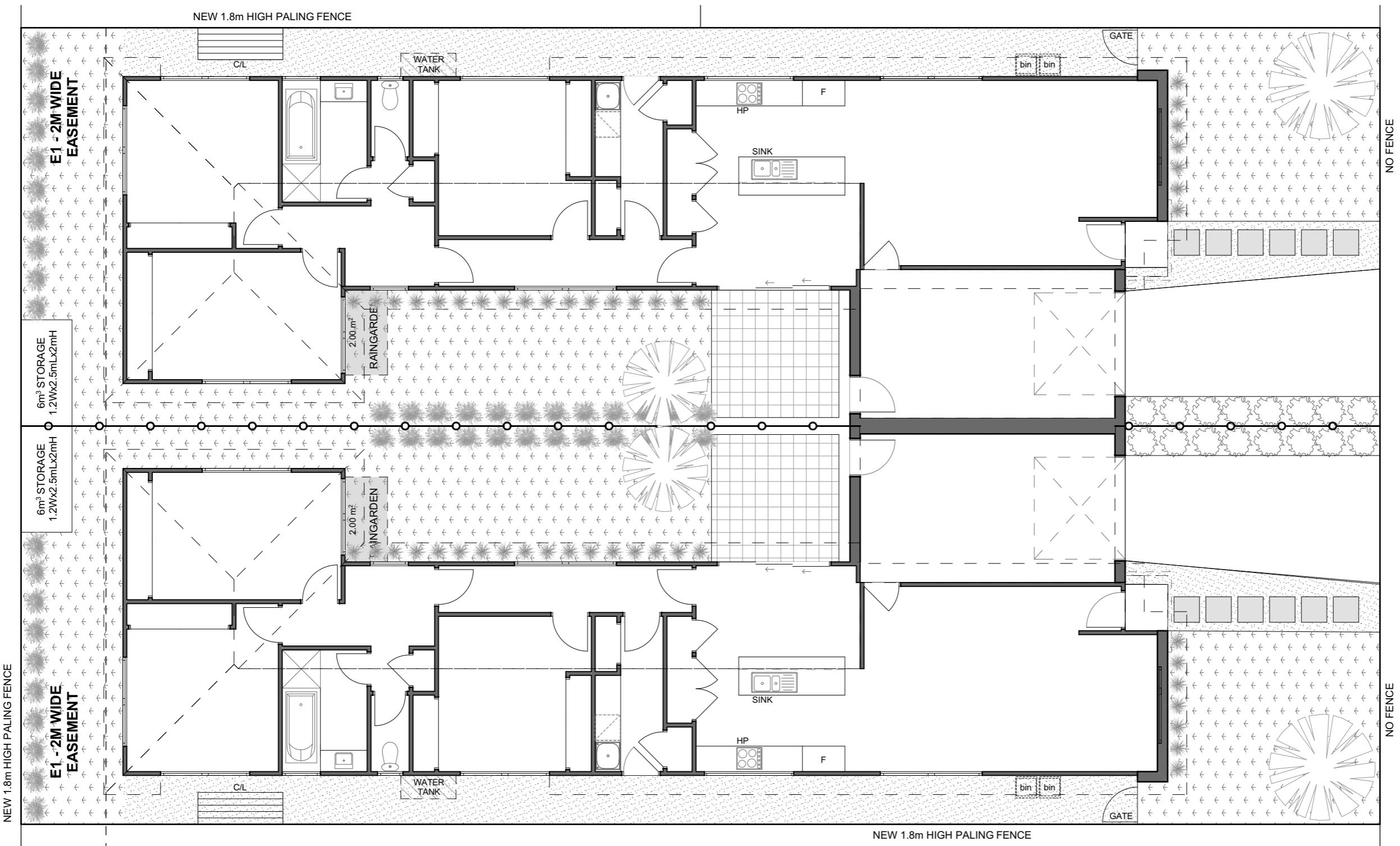
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LEGEND

-  DENOTES OPPORTUNITY FOR A MID LEVEL NATIVE SHRUB
-  DENOTES LOW LEVEL NATIVE PLANTING
-  DENOTES MID LEVEL NATIVE SCREEN PLANTING
-  DENOTES OPPORTUNITY FOR A MID LEVEL NATIVE SHRUB
-  DENOTES OPPORTUNITY FOR A MID LEVEL NATIVE SHRUB
-  DENOTES LAWN
-  DENOTES PEBBLES/LILLYDALE TOPPERS



MCLAREN AVENUE

LANDSCAPE CONCEPT PLAN
 SCALE 1:100

TOWN PLANNING

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PROJECT:
TWO UNIT DEVELOPMENT

PROJECT ADDRESS:
**LOT 22 MCLAREN AVENUE
 LUCKNOW**

CLIENT:
D. CALABRO

JOB NUMBER:
000-20

DRAWING TITLE:
**LANDSCAPE CONCEPT
 PLAN**

SCALE: AS SHOWN
 SHEET: A3
 DRAWN: JH CHECKED: TH

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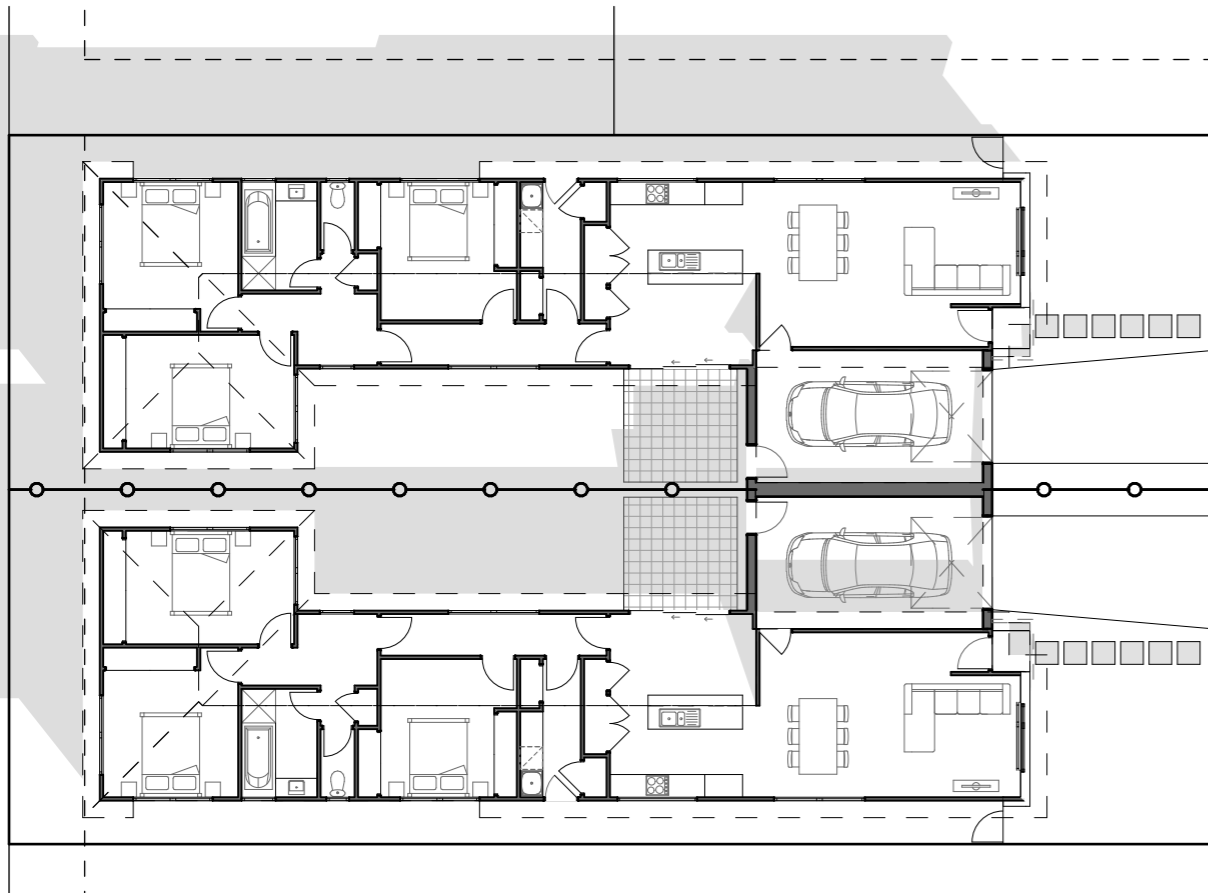
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TP07

ISSUE:
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REVISION:
A

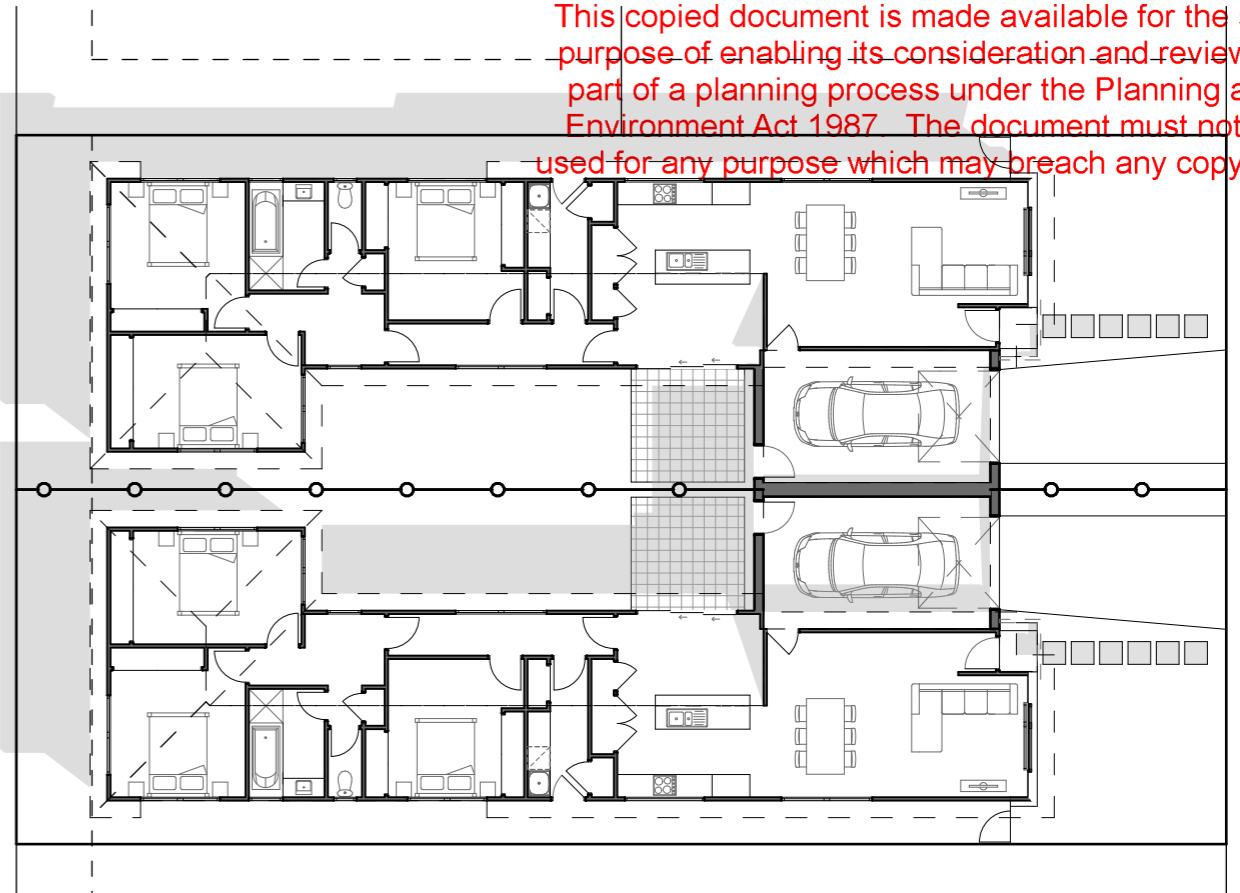
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9AM SHADOW DIAGRAM

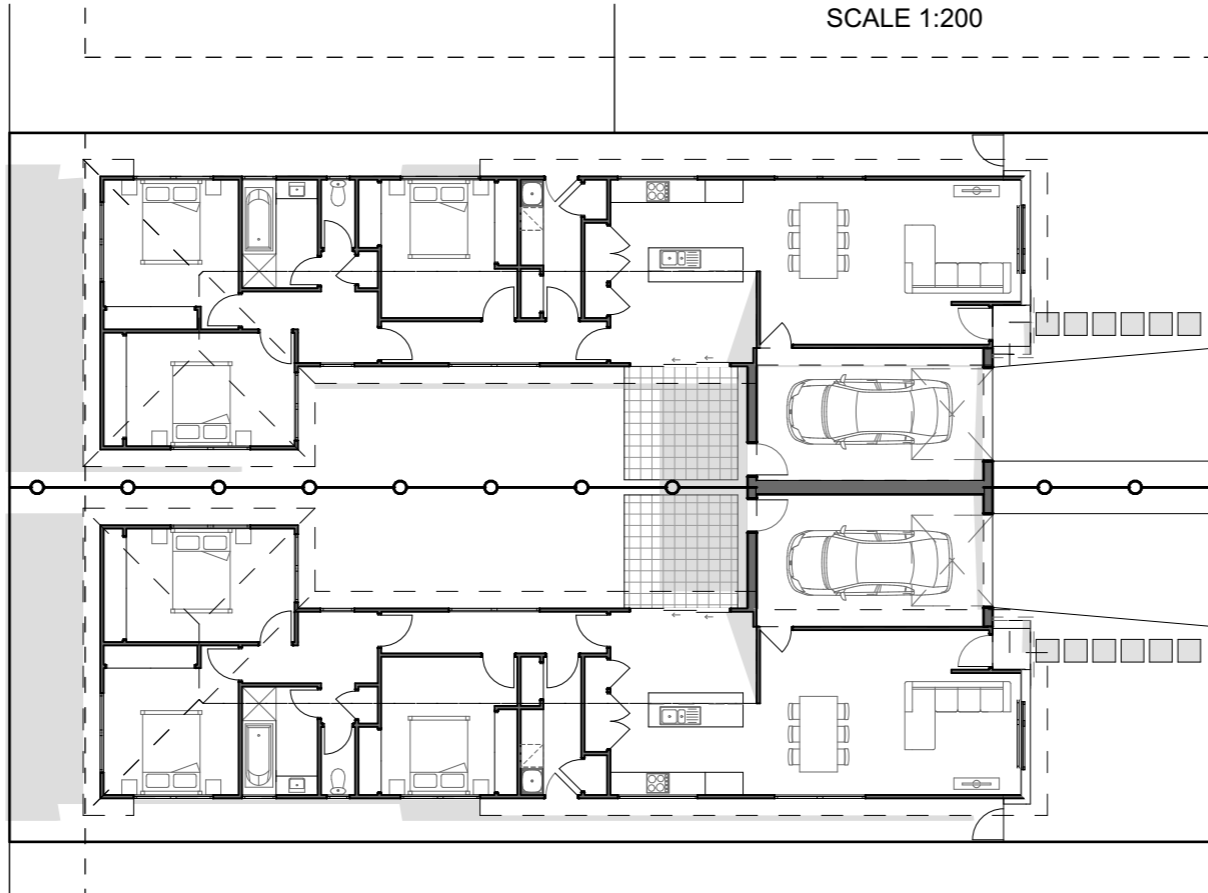
SCALE 1:200

MCLAREN AVENUE



10AM SHADOW DIAGRAM

SCALE 1:200



12PM SHADOW DIAGRAM

SCALE 1:200

MCLAREN AVENUE

TOWN PLANNING

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**LOT 22 MCLAREN AVENUE
LUCKNOW**

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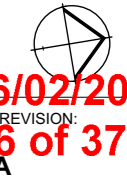
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SHADOW DIAGRAMS

SCALE: AS SHOWN
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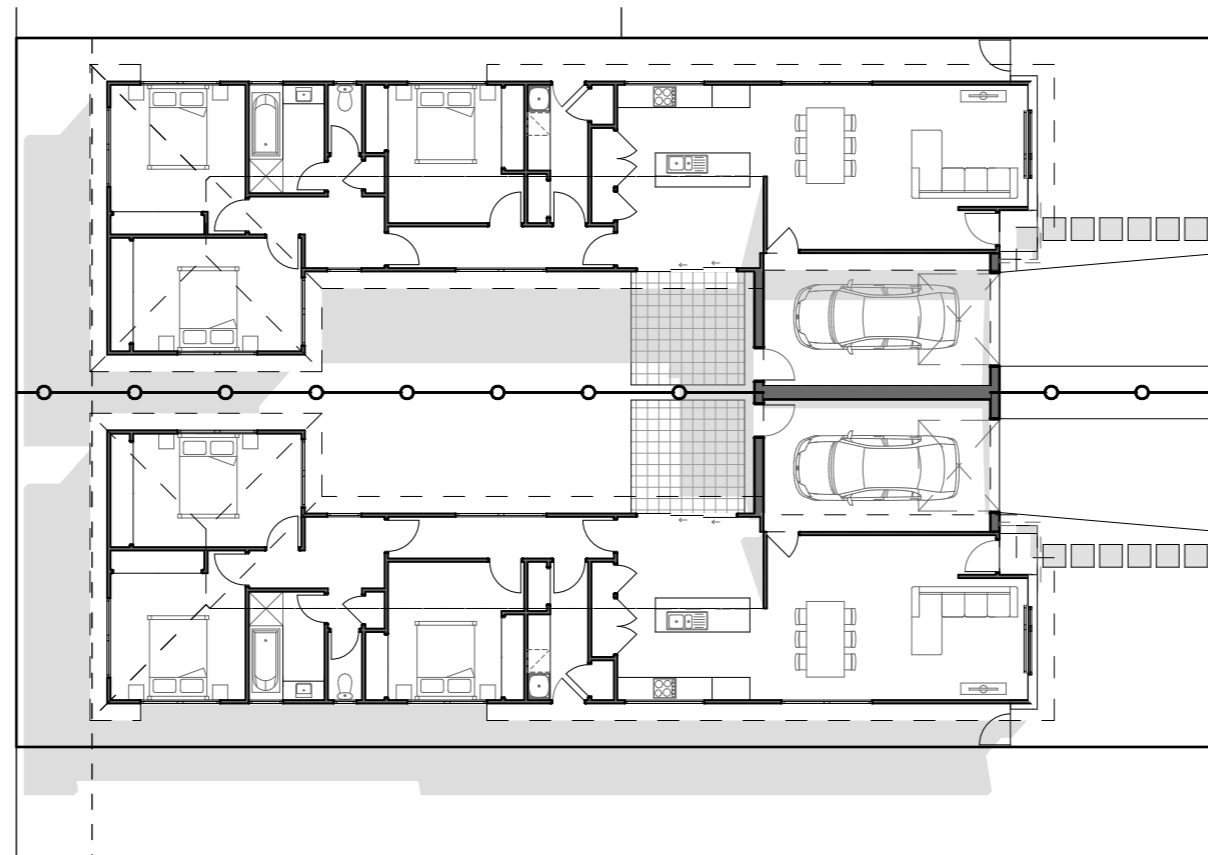
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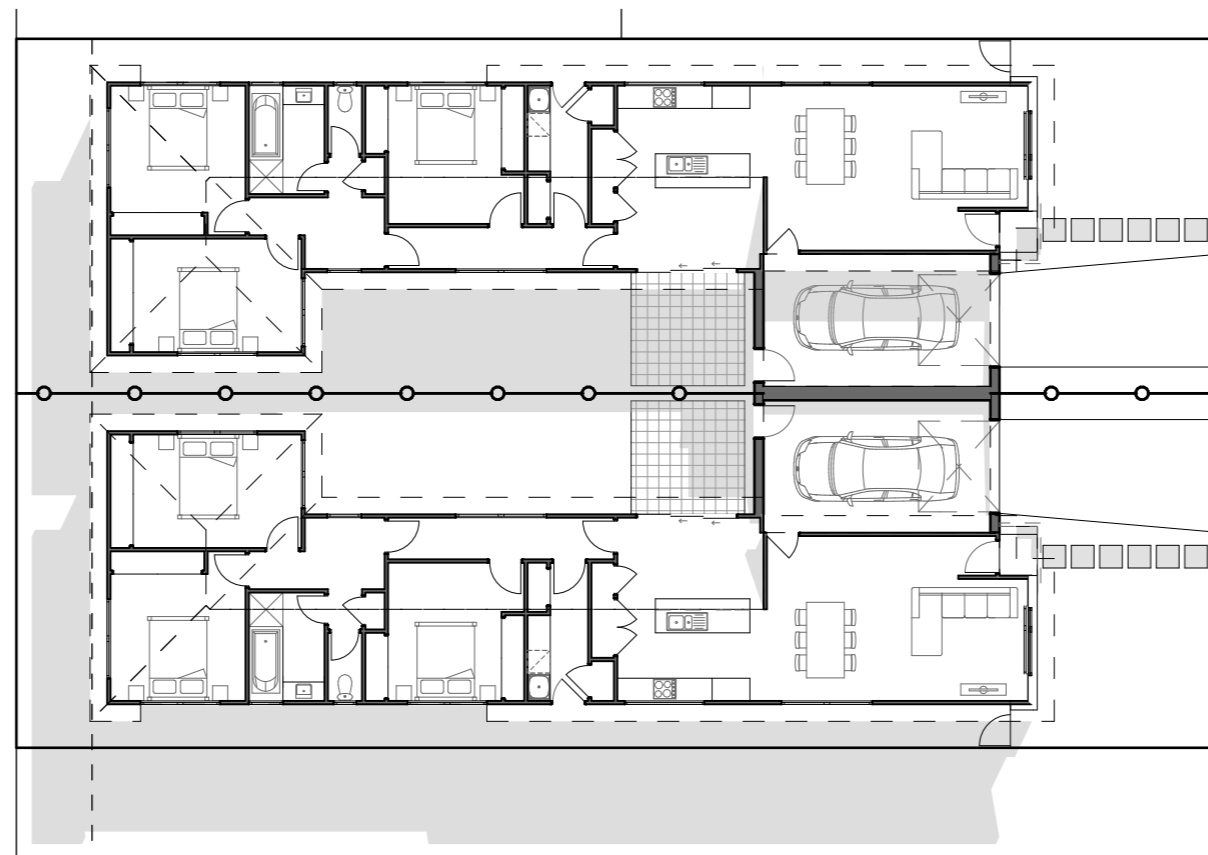


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2PM SHADOW DIAGRAM

SCALE 1:200



3PM SHADOW DIAGRAM

SCALE 1:200

MCLAREN AVENUE

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LUCKNOW**

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JOB NUMBER:
000-20

DRAWING TITLE:
SHADOW DIAGRAMS

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