

2 December 2021

Form 2

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	<b>10 Anderson Street BAIRNSDALE Lot 1 TP 77809</b>
The application is for a permit to:	<b>Two Lot Subdivision</b>
The applicant for the permit is:	<b>Crowther &amp; Sadler Pty Ltd</b>
The application reference number is:	<b>535/2021/P</b>
You may look at the application and any documents that support the application on the website of the responsible authority.	<b>(Intentionally blank)</b>

This can be done anytime by visiting the following website:

<https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

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:	<b>Subject to applicant carrying out notice</b>
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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**

Page 1 of 3

VOLUME 10316 FOLIO 309

Security no : 124093466840M

Produced 03/11/2021 09:03 AM

## **LAND DESCRIPTION**

Lot 1 on Title Plan 077809B.  
PARENT TITLE Volume 07637 Folio 167  
Created by instrument U545949R 10/12/1996

## **REGISTERED PROPRIETOR**

Estate Fee Simple  
TENANTS IN COMMON  
As to 1 of a total of 2 equal undivided shares  
Joint Proprietors  
SUZANNE AVRIL MCLAREN  
STUART BRUCE MCLAREN both of 5B MORTON DRIVE EASTWOOD VIC 3875  
As to 1 of a total of 2 equal undivided shares  
Joint Proprietors  
WILLIAM RYKERS  
AVRIL RYKERS both of 5B MORTON DRIVE EASTWOOD VIC 3875  
AU762626H 01/09/2021

## **ENCUMBRANCES, CAVEATS AND NOTICES**

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

## **DIAGRAM LOCATION**

SEE TP077809B FOR FURTHER DETAILS AND BOUNDARIES

## **ACTIVITY IN THE LAST 125 DAYS**

NUMBER		STATUS	DATE
AU762625K (E)	DISCHARGE OF MORTGAGE	Registered	01/09/2021
AU762626H (E)	TRANSFER	Registered	01/09/2021

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

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

Street Address: 10 ANDERSON STREET BAIRNSDALE VIC 3875

## **ADMINISTRATIVE NOTICES**

NIL

eCT Control 22727X EAST GIPPSLAND CONVEYANCING  
Effective from 01/09/2021

DOCUMENT END

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

<b>TITLE PLAN</b>		EDITION 1 TP 77809B						
<b>Location of Land</b>  Parish:           BAIRNSDALE Township:       BAIRNSDALE Section: Crown Allotment: Crown Portion:  Last Plan Reference: LP 81883 Derived From:     VOL 10316 FOL 309 Depth Limitation: NIL		ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN						
<b>Description of Land / Easement Information</b>		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT  COMPILED:           19/07/1999 VERIFIED:           C.LAM						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center; padding: 5px;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2" style="padding: 5px;">                     WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962                 </td> </tr> <tr> <td colspan="2" style="padding: 5px;">                     PARCEL 1 = LOT 2 (PT) ON LP 81883                 </td> </tr> </table>			TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = LOT 2 (PT) ON LP 81883	
TABLE OF PARCEL IDENTIFIERS								
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962								
PARCEL 1 = LOT 2 (PT) ON LP 81883								
LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets						

## Planning Report

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Two Lot Subdivision  
10 Anderson Street, Bairnsdale

Reference – 19755

November 2021



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	Application Form	
	Proposed Subdivision Plan (Version 1)	
	Copy of Title (Lot 1 on TP077809B)	

*Note: Applicable Planning Application fee is \$1,337.70*

## 1. Introduction

This planning report is prepared in support of proposed two lot subdivision at 10 Anderson Street, Bairnsdale. The report addresses the provisions of the General Residential Zone, Design and Development Overlay 16 and Specific Controls Overlay 1 as contained within the East Gippsland Planning Scheme.



*Aerial image of the Subject Land and immediate surrounds (Source: Google Earth)*



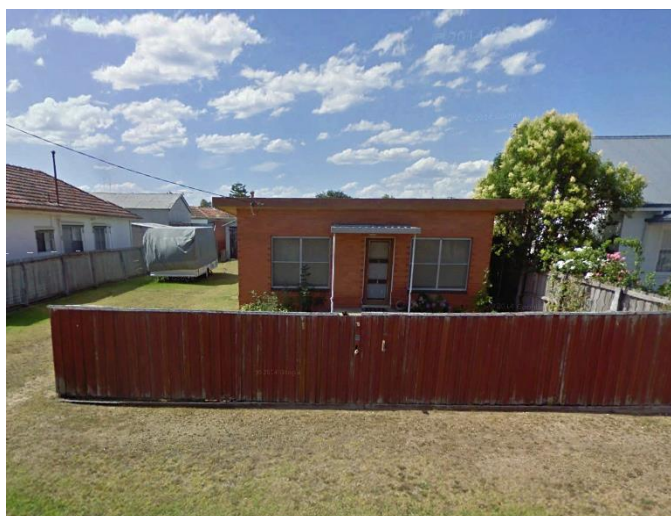


*Aerial image of the Subject Land and wider surrounds (Source: Google Earth)*

## 2. Subject Land & Surrounding Context

The subject land is formally described as Lot 1 on TP77809B being part of Crown Allotment 8, Section 41 within the Parish of Bairnsdale or more commonly known as 10 Anderson Street, Bairnsdale. The property is approximately 663m<sup>2</sup> in area.

An existing two bedroom brick dwelling is located on the southern portion of the property whilst two smaller outbuildings are located on the northern portion of the property.



*View north over subject land from Anderson Street – (Source : Google Earth)*

The site has frontage to Anderson Street to the south which is a good quality, bitumen sealed road provided with barrier kerb and drainage infrastructure. A wide median strip separates the traffic lanes.



*View east along Anderson Street – (Source: Google Earth)*

The property forms part of an existing residential precinct which is zoned General Residential of the East Gippsland Planning Scheme. The subject land is also located within a Design and Development Overlay 16 and Specific Controls Overlay 1, which relate to the protection of the helicopter flight path to Bairnsdale Regional Health Service.

All services are provided within the precinct which are already connected to the site inclusive of power, water, sewer, telecommunications and gas.

The precinct is well established with residential style development which are predominately single storey. Whilst the majority of allotments within the area contain single dwellings on conventional sized and shaped residential lots, there are also a number of unit style developments provided within close proximity to the site.



*Neighbouring dwellings to the west and to the east of the subject land*





*Existing unit developments on the southern side of Anderson Street*

Recently a childcare centre has been developed on the southern side of Anderson Street (corner of Dawson Street).

#### Site Context Plan



A – subject land

B – Bairnsdale Activity Centre

C – Bairnsdale Hospital

D – Bairnsdale Secondary College

E – Industrial Employment Area

F – Primary School

G – Primary School

H – Bairnsdale Oval

I – Child Care Centre

J – Bairnsdale Sporting Complex

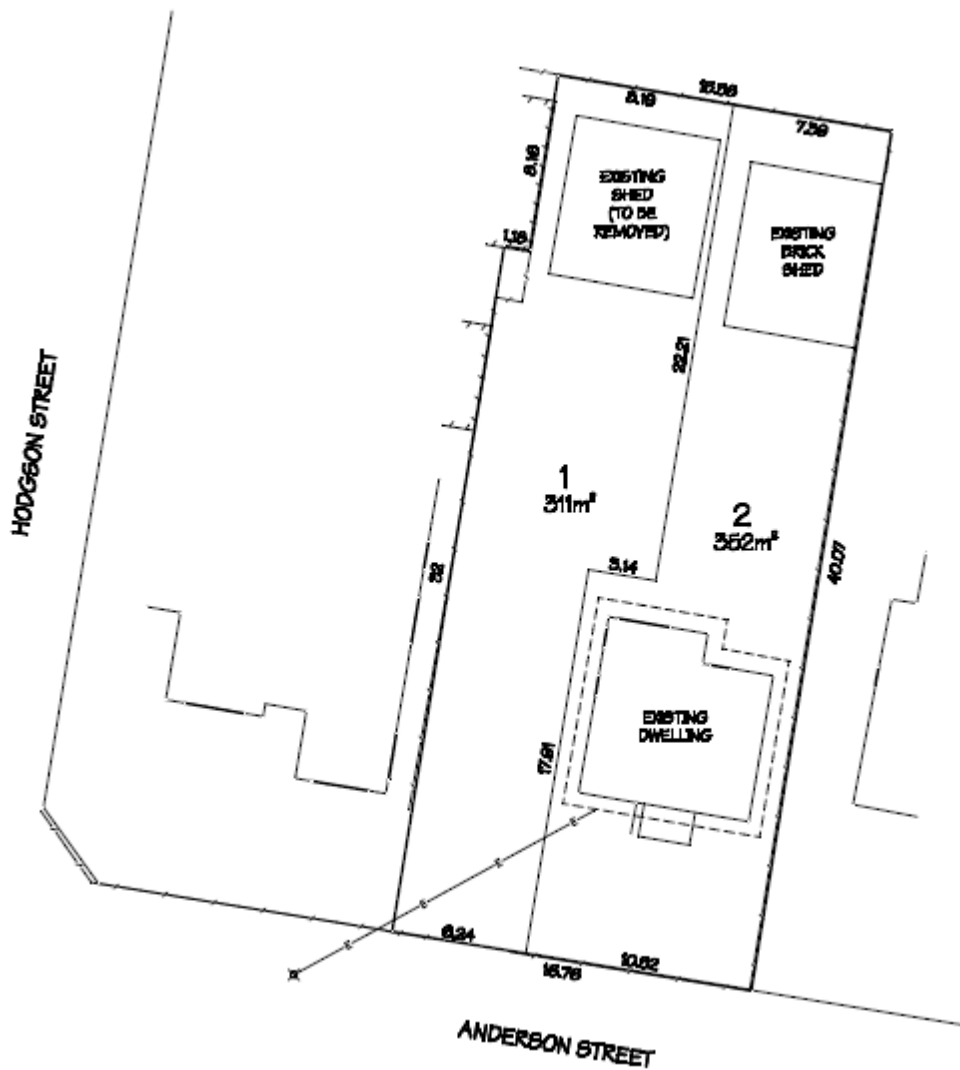
A previous two lot subdivision was approved on the subject land. That subdivision was premised on the removal of the dwelling and related outbuildings. This new proposal is seeking to retain the existing dwelling which will be upgraded. It is our client's view that Bairnsdale has a current housing affordability and supply shortage. This proposal will assist to remedy these issues in part through the provision of a smaller two bedroom dwelling that will be affordable to future landowners in a well serviced part of Bairnsdale.

### **3. The Application & Proposal**

It is proposed to subdivide the land into two lots. Lot 1 is proposed to be vacant and 311 square metres in area (the outbuilding will be removed). Lot 2 that will contain the existing dwelling and one outbuilding and is proposed at 352 square metres.

It is proposed to obtain vehicle access to both lots directly from Anderson Street. The existing dwelling will be renovated at a future time however, it is proposed to provide a car space on proposed lot 2 between the existing dwelling and the front boundary.

The proposed subdivision triggers approval at Clause 32.08-3 of the *East Gippsland Planning Scheme*.



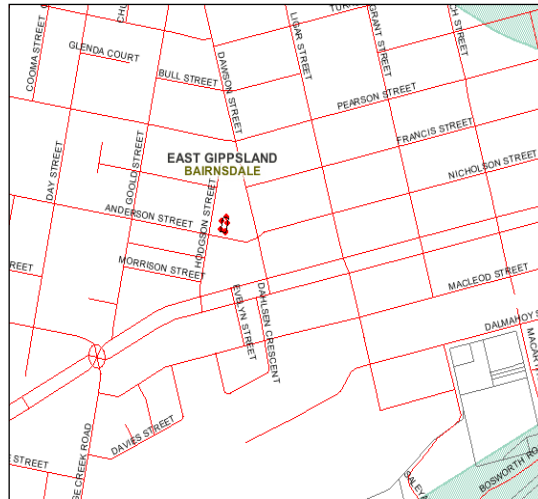
Proposed two lot subdivision (Source: Crowther & Sadler Pty Ltd)

#### 4. Cultural Heritage

Pursuant to Regulation 6 of the *Aboriginal Heritage Regulations 2007*, a Cultural Heritage Management Plan (CHMP) is required for an activity if:

- (a) *all or part of the activity area for the activity is in an area of cultural heritage sensitivity; and*
- (b) *all or part of the activity is a high impact activity.*

The subject land is not mapped as an area of cultural heritage sensitivity and the proposed subdivision is not classified as a high impact activity under the *Aboriginal Heritage Regulations 2007*. Given the circumstances there is no mandatory requirement to provide a CHMP in accordance with the *Aboriginal Heritage Act 2006*.



*Cultural Heritage Sensitivity Mapping – DELWP  
Sensitive areas shown green*

#### 5. Planning Policy

##### 5.1 Planning Policy Framework

Clause 11.01-1S Settlement seeks to support the sustainable growth of Bairnsdale amongst other towns and ensure settlements are developed in accordance with the regional growth plan to promote and capitalise on opportunities for infill redevelopment.

The Victorian Settlement Framework identifies Bairnsdale as a regional centre where growth is promoted. Settlement Gippsland at Clause 11.01-1R identifies that Bairnsdale is a regional centre where growth is promoted.

The proposed subdivision is supported by this planning policy as it will provide for infill redevelopment within a well serviced part of the town, provides for population growth and assists to consolidate this central part of Bairnsdale.

This site is well established to allow for future redevelopment opportunities as it presents as an appropriately serviced and zoned parcel of land that is not subject to environmental risks, environmental values and landscape values as identified in Clauses under VPP 12 and VPP 13.



Subdivision Design at Clause 15.01-3S seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

The proposed subdivision is supported by the relevant strategies to achieve this objective:

- It will create a compact neighbourhood close to retail, entertainment, recreation, employment and education facilities (see site context plan).
- Provides lot sizes to suit a variety of dwelling and household types.
- Car dependency can be reduced with the development of this site within easy walking distances of schools, hospital employment area and the Bairnsdale Activity Centre.

The neighbourhood character of the area is mixed with a range of lot sizes (and resultant residential development), West End Convenience Shopping Centre and childcare centre. The proposed subdivision will sit comfortably within this context as sought by Clause 15.01-5S.

Clause 16.01-1S Housing Supply includes a number of strategies that the proposed subdivision will be able to achieve:

- Increased housing opportunities within the established urban area reducing the share of housing in greenfield and fringe areas.
- Housing opportunities close to the hospital employment precinct and Bairnsdale Activity Centre.
- Consolidation within the urban area while respecting the neighbourhood character.

## 5.2 Local Planning Policy

Clause 21.03 Settlement seeks to make best use of the community's investment in urban infrastructure and to provide support for community and commercial services.

The proposed subdivision will support this objective and is consistent with the relevant strategies to provide for infill development of serviced land, contributes to a range of lot sizes providing diversity and choice and is consistent with the Bairnsdale Revitalisation and Growth Strategy Plan which encourages incremental infill of the area.

Clause 21.08 Housing seeks to cater for the housing needs and preferences of all segments of the community. The proposed subdivision will assist to 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.

Strategies for Sub-Regions, Towns and Localities identifies that Bairnsdale is located within the Lakes & Coastal sub-region and it advises that Bairnsdale is the largest town in the sub-region providing major commercial, retail, educational and public sector services.

The subdivision will support the residential infill development within existing residential zones identified within the Bairnsdale Growth Strategy, November (2009) and at Plan 3 Revitalisation and Growth Strategy.

## 6. Planning Elements

### 6.1 General Residential Zone

The proposed two lot subdivision is considered to respond positively to the purpose of the General Residential Zone as it will provide opportunity for future infill development into an area which is serviced with a full range of reticulated services and zoned appropriately.

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

Objective	Comment
<b>56.03-5</b> <b>Neighbourhood Character</b>	<b>Complies</b> <p>The proposal is in keeping with the neighbourhood character.</p> <p>The neighbourhood character in this part of Bairnsdale is not consistent. The character of the area is evolving with the introduction of medium density development within this well serviced location consistent with current state and local planning policy.</p> <p>The proposed north-south subdivision is respectful of the adjoining properties to the west and east. Allowing for a non-standard or site responsive design on the vacant lot will be able to maintain the amenity of the western neighbour. The eastern neighbour's amenity is maintained as the current development on the lot exists.</p>
<b>56.04-2</b> <b>Lot area and building envelopes</b>	<b>Complies</b> <p>It is acknowledged that the vacant lot to be created will need to be developed with a site responsive dwelling design given the inability to provide for a 10m by 15m rectangle.</p> <p>It is noted that the western neighbour has walls on the boundary that will assist a new dwelling to be constructed on the vacant lot through the use of boundary walls.</p> <p>The subdivision layout to create vacant lot 2 enables excellent solar access, private open space can be provided, safe vehicle movements within allotment boundaries can be achieved.</p>

	Lot 1 to contain the existing dwelling provides for appropriate private open space and respects the orientation of the dwelling.
<b>56.04-3 Solar orientation of lots</b>	<b>Complies</b> Due to the north-south orientation of the property each lot is provided with excellent opportunity for the dwellings and private open space to take advantage of the solar orientation.
<b>56.04-5 Common Areas</b>	<b>N/A</b> There are no areas of Common Property proposed.
<b>56.06-8 Lot access</b>	<b>Complies</b> The use of individual points of access will not only be safe, convenient and practical it is also consistent with the established character of the area.  It would be appropriate for Council to condition the need to provide vehicle crossovers prior to a statement of compliance in this case.
<b>56.07-1 Drinking water supply</b>	<b>Complies</b> Reticulated water is provided to the subject land and will be connected to both allotments as part of the subdivision.
<b>56.07-2 Reused and recycled water</b>	<b>N/A</b> Reused and recycled water will be dependent upon future owners and future development.
<b>56.07-3 Wastewater management</b>	<b>Complies</b> Reticulated sewer is already established within the precinct. Both proposed allotments will be connected to sewer as part of the subdivision consistent with Standard C24.
<b>56.07-4 Urban run-off management</b>	<b>Complies</b> Drainage will be dealt with to the satisfaction of the Responsible Authority.
<b>56.08-1 Site management</b>	<b>Complies</b> The site will be managed to the satisfaction of the Responsible Authority.
<b>56.09-1 Shared trenching</b>	<b>Complies</b> Shared trenching for service connection will be achieved.
<b>56.09-2 Electricity, telecommunications and gas</b>	<b>Complies</b> The proposal will make good use of a full range of existing services as available within the precinct. Both proposed allotments will be connected to reticulated power, water, sewer and telecommunications.

### Decision Guidelines

It is considered that the proposed subdivision satisfactorily addresses the decision guidelines.

- The proposed two lot subdivision provides opportunity for infill residential opportunities into the precinct which is capable of sustaining further residential style development and is zoned appropriately.
- The subdivision will make good use of existing services and the site is already connected to a full range of reticulated services as available within the precinct.
- The site is appropriately located being within an existing well established residential precinct which is within a walkable distance of retail, recreational and educational facilities.
- The proposed layout respects the surrounding allotment layout as established within the precinct. Both lots will be provided with direct frontage and access from the adjoining road network.
- There will be no adverse environmental issues arising from this subdivision.
- There are no new roads proposed as part of the subdivision.
- There are no areas of Common Property proposed and no Owners Corporation will be required as a result of the proposal.

## 6.2 Design and Development Overlay 16

A planning permit is not required to subdivide land within the Design and Development Overlay Schedule 16 as the schedule states that a permit is not required to subdivide land.

## 6.3 Specific Control Overlay 1

The specific control mapped SCO 1 relates to incorporated document Hospital Emergency Medical Services - Helicopter Flight Path Protection Areas GC49 Incorporated Document, (June 2017).

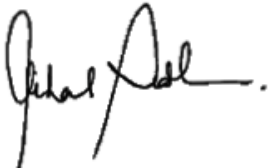
The incorporated document does not require a planning permit for subdivision.



## 7. Conclusion

The proposed two lot subdivision at 10 Anderson Street, Bairnsdale is considered to accord with all relevant provisions of the General Residential Zone of the East Gippsland Planning Scheme. The proposal is consistent with Planning Policy Framework and Local Policy and has been designed to complement the adjoining properties.

For these reasons we respectfully request that Council consider the merits of the Application favourably and resolve to issue a Planning Permit.

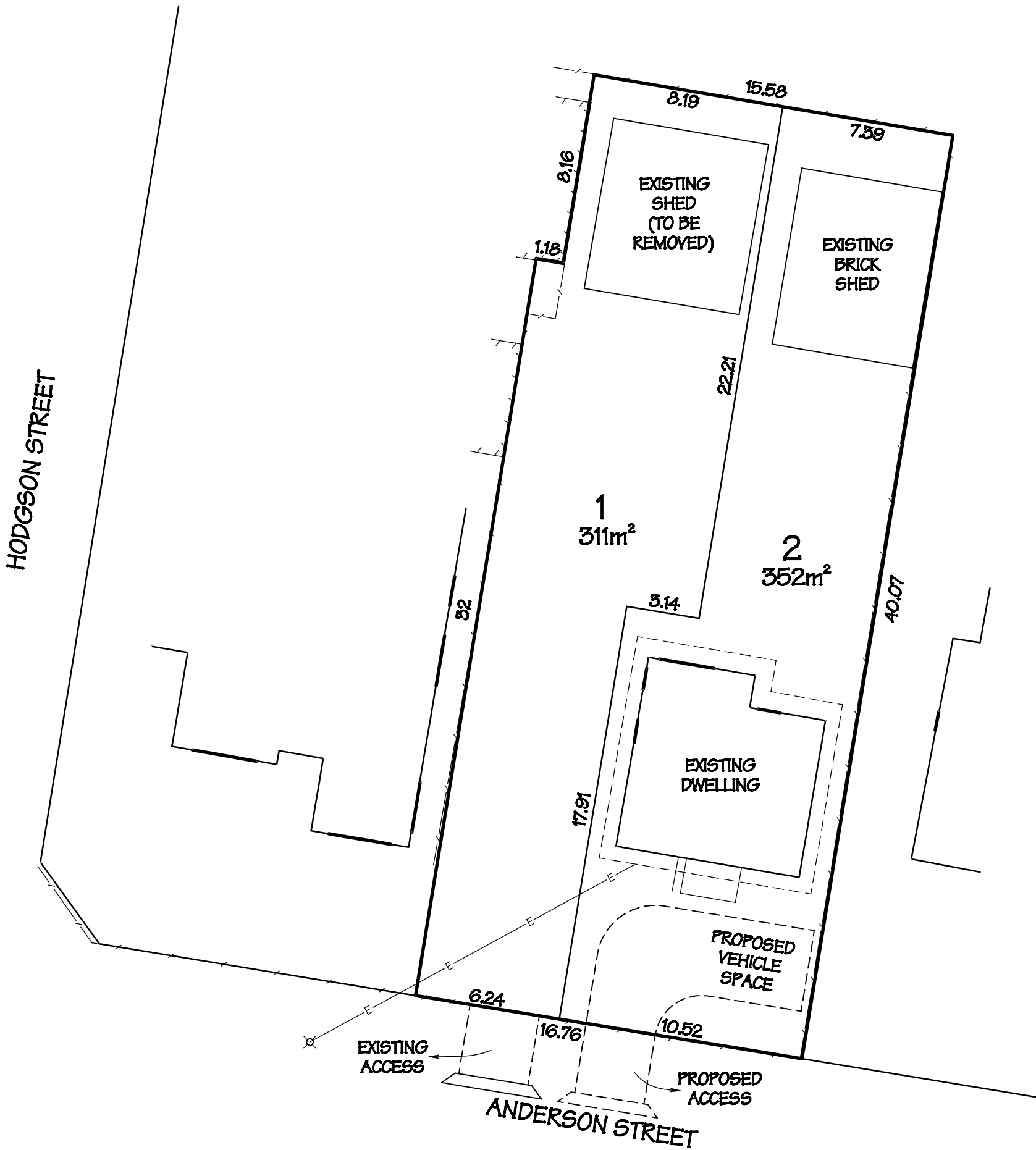
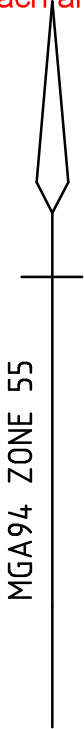


MICHAEL SADLER  
Managing Director

PROPOSED SUBDIVISION

PARISH OF BAIRNSDALE  
TOWNSHIP OF BAIRNSDALE  
SECTION 41  
CROWN ALLOTMENT 8 (PART)

LOT 1 ON TP77809



**McLAREN & RYKERS**  
10 ANDERSON STREET, BAIRNSDALE

**Crowther & Sadler** Pty.Ltd.  
LICENSED SURVEYORS & TOWN PLANNERS  
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P. (03) 5152 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

FILENAME: Y:\19000-19999\19700-19799\19755 McLaren\19755 Prop V1.pro

NOTATIONS	
AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY	
SCALE (SHEET SIZE A3)	SURVEYORS REF.
1 : 200	19755 Printed 2/12/2021 VERSION 1 - DRAWN 21/10/2021 Page 18 of 18