

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	147A Newlands Drive PAYNESVILLE VIC 3880 Lot: 2 LP: 140759
The application is for a permit to:	Two Lot Subdivision
A permit is required under the following clauses of the planning scheme:	
<b>Planning Scheme Clause</b>	<b>Matter for which a permit is required</b>
32.08-3 (GRZ1)	Subdivide land
43.02-3 (DDO14)	Subdivide land
44.01-5 (EMO)	Subdivide land
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2026.79.1

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

You may also call 5153 9500 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, East Gippsland Shire. This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

**An objection must**

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

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

<b>The Responsible Authority will not decide on the application before:</b>	<b>Subject to the applicant giving notice</b>
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If you object, the Responsible Authority will tell you its decision.

**April McDonald**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Friday, 27 March 2026 2:15 PM  
**To:** Planning Unit Administration  
**Subject:** Planning Permit application  
**Attachments:** 21495 Report.pdf; 21495 Design Response V1.pdf; GRA.pdf; Col Vol 9483 Fol 132.pdf; 21495 Prop V1.pdf; Planning\_Permit\_Application\_2026-03-27T14-14-39\_32297869\_0.pdf

**Planning Permit Application**

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

**Applicant name:** Crowther & Sadler Pty Ltd

**Business trading name:** Crowther & Sadler Pty Ltd

**Email address:** contact@crowthersadler.com.au

**Postal address :** PO Box 722 Bairnsdale 3875

**Preferred phone number:** 51 52 5011

**Street number:** 147A

**Street name:** Newlands Drive

**Town:** Paynesville

**Post code:** 3880

**Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?:** No

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

**Existing conditions :** Dwelling

**Description of proposal :** Two lot subdivision

**Estimated cost of development:** 0

**Has there been a pre-application meeting:** No

**ExtraFile:** 2

**Invoice Payer:** Crowther & Sadler Pty Ltd

**Address for Invoice:** PO Box 722 Bairnsdale 3875

**Invoice Email:** [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

**Primary Phone Invoice:** 51 52 5011

**Declaration:** Yes

**Authority Check:** Yes

**Notice Contact Check:** Yes

**Notice check 2:** Yes

**Privacy Statement Acknowledge:** Yes

**Planning report:** [21495 Report.pdf](#)

**1. Supporting information/reports:** [21495 Design Response V1.pdf](#)

**2. Supporting information/reports:** [GRA.pdf](#)

**Full copy of Title:** [Col Vol 9483 Fol 132.pdf](#)

**Plans:** [21495 Prop V1.pdf](#)

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

VOLUME 09483 FOLIO 132

Security no : 124133142475W  
Produced 20/03/2026 02:36 PM

**LAND DESCRIPTION**

Lot 2 on Plan of Subdivision 140759.  
PARENT TITLE Volume 08149 Folio 619  
Created by instrument LP140759 20/09/1982

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor

**ENCUMBRANCES, CAVEATS AND NOTICES**

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

**DIAGRAM LOCATION**

SEE LP140759 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: 147A NEWLANDS DRIVE PAYNESVILLE VIC 3880

**ADMINISTRATIVE NOTICES**

NIL

eCT Control  
Effective from


DOCUMENT END

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APPROVED  
9 AUG 1982

LP140759  
EDITION 1  
APPROVED 4/18/82

PLAN OF SUBDIVISION OF  
PART OF CROWN ALLOTMENTS 137 AND 137<sup>A</sup>  
PARISH OF BAIRNSDALE  
COUNTY OF TANJIL

SCALE  LENGTHS ARE IN METRES

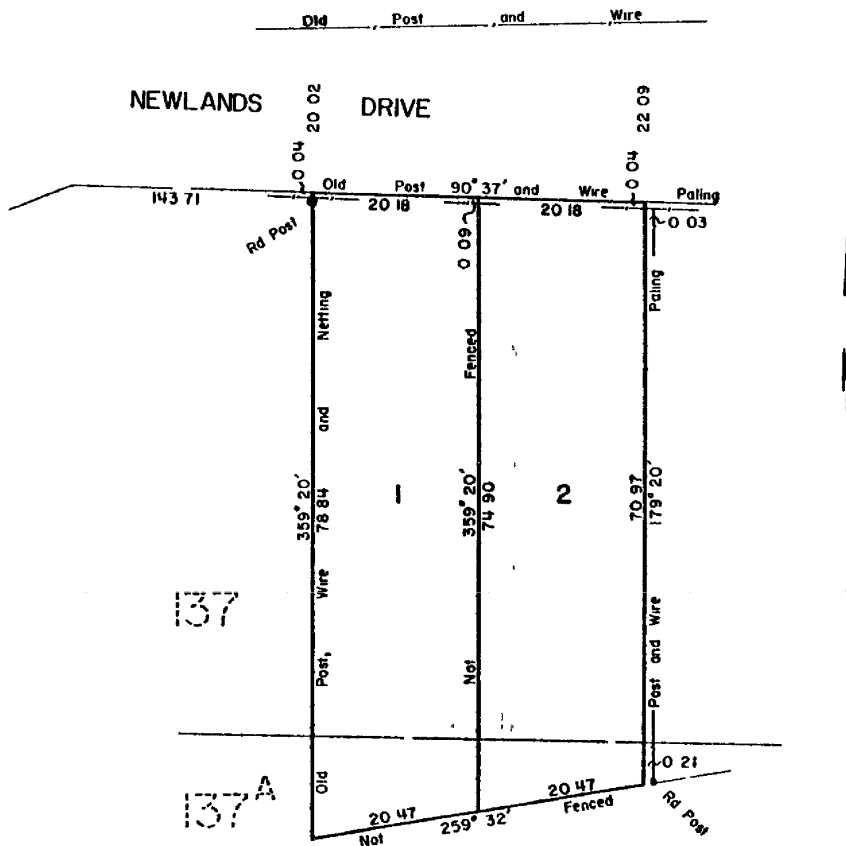
c/r Vol 8149 Fol 619

**NOTATIONS**

WATERWAY NOTATION: LAND IN THIS PLAN MAY ABUT CROWN LAND THAT MAY BE SUBJECT TO A CROWN LICENCE TO USE

CHART No. 28

DEPTH LIMITATION: 15.24m (CA 137A)



Reference No: B26046

Project No: 130326

18/03/2026

Crowther & Sadler Pty Ltd  
P.O Box 722  
BAIRNSDALE Vic 3875

Attn: Aaron Hollow

Email:

Dear Aaron,

**RE: GRA Waiver for Proposed 2 Lot Subdivision  
147A Newlands Drive, Paynesville**

Chris O'Brien & Company Pty Ltd have been engaged by Aaron Hollow of Crowther & Sadler Pty Ltd to determine whether or not a full Geotechnical risk assessment report is required for a proposed 2 lot subdivision at 147A Newlands Drive, Paynesville Vic 3880. An erosion management overlay exists over the property.

The purpose of this letter is to determine if the works to be carried out on this site will be a risk to the surrounding environment and is to be used in the planning application process only. This letter is not a soil classification report and shall not be used for this purpose.

Information contained in this letter is from a visual inspection of the site and based on information supplied to Chris O'Brien & Company Pty Ltd on the work to be completed on the site.

The site was inspected by Andrew Powell on the 16<sup>th</sup> March 2026.

147A Newlands Drive is located on the south side of the road with access to the property located in the north east corner of the property. The allotment has an existing dwelling and a shed both located centrally on the property. Some small trees are located in the front half of the property mostly along title boundaries with all of the significant vegetation located in the rear half of the property. The site also has established lawns and gardens. The site mainly from north to south with the site falling steeply at the rear of the property down towards Newlands Arm. The current driveway access does not meet council standards and will need upgrading. Existing services are available in Newlands Drive and also at the rear of the property. Photos of our findings are attached to this report.

For the creation of the proposed subdivision a connection to all available services will need to be provided to both allotments. A new driveway crossover will also need to be constructed with this to be located near the eastern boundary as well as the existing driveway upgraded to council standards. Connection of the services and the creation of the crossover and upgrade of the existing crossover will require some minor earthworks along with trenching works and the placement and compaction of materials. Some minor vegetation removal will also be required for these works. During these works protection

**Crowther & Sadler Pty Ltd**

Proposed 2 Lot Subdivision at 147A Newlands Drive, Paynesville

Project No. 130326

Page 2 of 8

barriers such as silt fences must be placed on the downslope side of the works to protect all downslope assets from any silt run-off and these protection barriers are to remain in place until all works have been completed. Provided this is done, no environmental risks are expected from these works.

Storm water created from the proposed subdivision will need to be managed with a stormwater management plan to be produced showing how each allotment can be drained to the legal point of discharge. It is recommended that a detention system is provided for both allotments with this to be via water tanks with the overflow from these tanks connected to an underground stormwater system. Provided this is done, no environmental risks are expected from this source.

We therefore suggest that a full geotechnical risk assessment report is not required for this development. As long as normal precautions are taken during any earthworks and vegetation removal and proper management of storm water flow is done, we anticipate no environmental risks on this site with the work to be undertaken.

Should you need to clarify anything, please contact the Andrew Powell

Yours faithfully,

**Andrew Powell Assoc.Dip (Civil)**  
**for CHRIS O'BRIEN & COMPANY PTY LTD**

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Photos below shows Newlands Drive, services and existing driveway.



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Photos below show general lot layout.





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## Planning Report

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Two Lot Subdivision  
147A Newlands Drive, Paynesville

Our reference – 21495

27 March 2026



FS 520900



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	Application Form	
	Proposed Subdivision Plan (Version 1)	
	Design Response Plan (Version 1)	
	Copy of Title (Lot 2 on PS140759)	
	Geotechnical Risk Assessment Wavier (Chris O'Brien & Company)	

*Note: Applicable Planning Application fee is \$1,496.10*

## 1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision at 147A Newlands Drive, Paynesville. The Report addresses the provisions of the General Residential Zone, Design and Development Overlay 14 and Erosion Management Overlay as contained within the East Gippsland Planning Scheme.



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

## 2. Subject Land & Surrounding Context

Formally known as Lot 2 on PS140759 or otherwise known as 147A Newlands Drive, Paynesville, the subject land is located on the southern side of Newlands Drive and north of Newlands Arm Backwater. The landform of properties on the southern side of Newlands Drive fall away to the Lake's edge.



*Subject land looking north (Source: King & Heath)*

The subject land is a regular shaped allotment of 1471 square metres, with a dwelling and outbuilding developed centrally on the land and with mature vegetation located in the southern area of the property.



*Looking south from subject land (Source: King & Heath)*

The existing dwelling has been recently renovated to take advantage of the expansive views of the Newlands Backwater, enjoyed from inside the dwelling and from the deck on the southern elevation.



Existing dwelling (Source: King & Heath)



Looking south from existing deck (Source: King & Heath)



*Aerial view looking south over existing dwelling towards Newlands Backwater  
(Source: [www.realestate.com.au](http://www.realestate.com.au))*

Vehicle access is obtained to the site from Newlands Drive (a sealed urban road) and leads to a driveway that runs along the eastern property boundary.



*Looking south from existing access*

The interface with Newlands Drive is a high timber fence with planted vegetation behind.



*Subject land looking south from Newlands Drive*

The subject land forms part of an established residential precinct, properties on the southern side of Newlands Drive are orientated to obtain views of Newlands Arm and turn their back to the street. This results in garages and shedding to the north of properties and high front fences.

To the east of the subject land at 145 Newlands Drive, Paynesville the land is developed with a dwelling located centrally on the property and has a large carport within the frontage setback.



*145 Newlands Drive*

West of the site is a property developed with a dwelling in the southern part of 147B Newlands Drive and a garage has been constructed within the front setback.



147B Newlands Drive

North of the subject land across from Newlands Drive is a detached dwelling on a relatively cleared land parcel, and to the south is the Newlands Arm foreshore.

Lots sizes and dimensions vary substantially along the southern side of Newlands Drive in response to the sloping landform and desire to share views. The subdivision pattern includes many examples of battleaxe-style or irregular shaped allotments, with more conventional residential allotments on the northern side of the road.



Extract from Zone mapping

The subject land is located within a short drive of the Paynesville Activity Area, Paynesville and Eagle Point Primary Schools, active and passive recreation areas and is close to the residential growth area of the town.

Site Context



A – Subject Land

B – Paynesville Activity Area

C – Paynesville Primary School

D – Active Recreation Area

E – Growth Area

### 3. The Application & Proposal

It is proposed to subdivide the subject land into two lots, creating Proposed lot 1 as a vacant lot of 421m<sup>2</sup>, and Proposed lot 2 containing the existing dwelling, retained native vegetation and more sloping landform, with an area of 1050m<sup>2</sup>.

Access to proposed lot 1 will continue along the eastern boundary of the subject land, while a new point of access to proposed lot 2 will be created along the western side of the property.

Proposed lot 1 can easily accommodate a dwelling and the necessary garden area, within an established part of the town close to all the facilities and services that Paynesville has to offer.

The sloping landform will ensure appropriate separation between the existing and future development, ensuring the enjoyment of the existing dwelling will not be compromised.



Extract from Proposed Subdivision Plan

The inclusion of an additional vacant lot within an established residential precinct is considered to achieve a sound planning outcome, located within close proximity to the local Primary School and Recreation Reserve.

Planning approval is required pursuant to the following Clauses of the East Gippsland Planning Scheme:

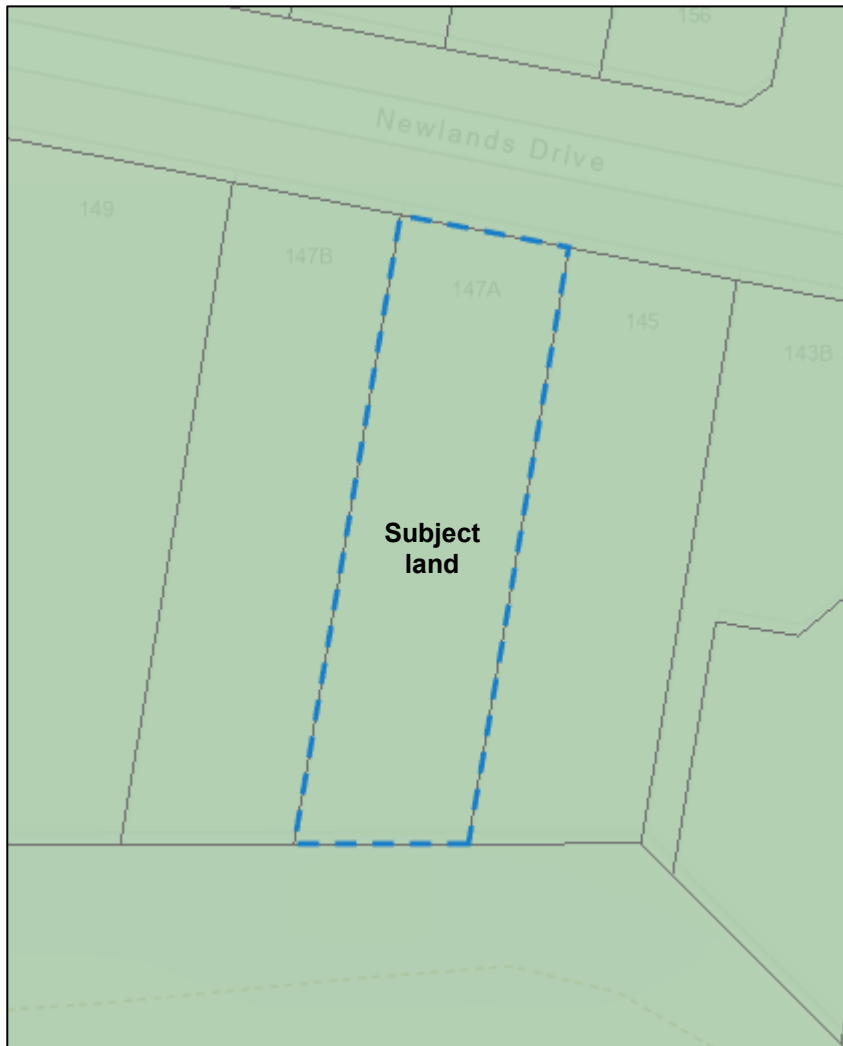
<b>Planning Scheme Clause</b>	<b>Matter for which a Permit is required</b>
32.08-3 General Residential Zone	Subdivide land
43.02-3 Design and Development Overlay 14	Subdivide land
44.01-5 Erosion Management Overlay	Subdivide land

The application does not require referral in accordance with section 55 of the *Planning and Environment Act 1987*.

#### 4. Cultural Heritage

Pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2018*, a CHMP is required for an activity if:

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



Extract from Cultural Heritage Sensitivity mapping – cultural heritage sensitive land is shown in dark green (Source: VicPlan)

Although the whole of the property is a culturally heritage sensitive site, a two lot subdivision is not considered to be a high impact activity. As such a CHMP is not required for the proposed development.

## 5. Planning Policy

### 5.1 Planning Policy Framework

Solid planning policy support is contained within Clause 11.01-1S Settlement as the development is contained within Paynesville's settlement boundary, it will assist to limit urban sprawl, provides infill development and contributes to provide for the growth in population and housing targets.

The proposed subdivision is consistent with the relevant strategies contained within Clause 11.01-1L-05 Paynesville. The proposal will provide for a vacant lot that can be developed with a number of housing types and promotes higher residential densities within the urban area of the town.

Located on an elevated part of the property the proposed vacant lot is unlikely to be impacted by coastal inundation and erosion resulting from climate change as sought within Clause 13.01-2S.

Subdivision of the property will not result in erosion or land degradation processes as confirmed by the geotechnical risk assessment waiver prepared by a qualified professional consistent with Clauses 13.04-2S and 13.04-2L Erosion.

As encouraged by Clause 15.01-3S Subdivision design the proposal will assist to create a compact neighbourhood and provide a variety of lot sizes.

The development will support active living and community wellbeing allowing future landowners of the vacant lot to engage in regular physical activity as the land is located within close proximity to many services and facilities the town has to offer (Clause 15.01-4S Healthy neighbourhoods).

The neighbourhood character along Newlands Drive is varied with lot sizes, shapes and dimensions a departure from the typical urban lot grid pattern. Within this environment the proposed lots will be sympathetic with the landform and streetscape in accordance with Clause 15.01-5S Neighbourhood character.

The proposed subdivision will increase the proportion of housing within an existing urban area reducing the share of dwellings in greenfield locations, allows for increased densities on a site well located to jobs and services and will facilitate diverse housing as encouraged within Clause 16.01-1S Housing supply.

The creation of an additional lot will require the provision of additional access. Newlands Drive within this location has excellent sight lines and is easily capable of accommodating ten additional traffic movements a day (Clause 18.02-4L Roads).

## 5.2 Municipal Planning Strategy

The subject land is well placed for further development as there is not an unacceptable risk to human life from environmental risks, it will provide for the efficient and effective use of existing zoned land and assists growth within the settlement boundary of Paynesville as sought by Clause 02.03-1 Settlement – Managing growth.

Council has identified Paynesville as a district town and the future role of the town will be advanced as the vacant lot will provide for population growth, residential and infill development within an established residential area (Clause 02.03-1 Settlement – Settlement roles).

The vacant lot will be established within the modified area of the property avoiding impacts to native vegetation present on the site in accordance with Clause 02.03-2 Environmental and landscape values.

The proposed vacant lot is to be established on the flatter part of the subject land and it has been demonstrated by a Geotechnical Risk Assessment waiver that the development does not represent an erosion risk (Clause 02.03-3 Environmental risks and amenity).

The southern side of Newlands Drive is undulating, contains mature vegetation and is developed with various building forms. The subdivision respects the landform with the vacant lot sited on the less steep areas of the property, avoids the removal of remnant native vegetation and will allow for built form that will respect the neighbouring properties and streetscape as encouraged within Clause 02.03-5 Built environment and heritage.

Creating a vacant lot within a well serviced location within the town supports the efficient use of land and infrastructure as well as creating housing provision as encouraged within Clause 02.03-6 Housing.

## 6. Planning Elements

### 6.1 General Residential Zone 1

The subject land is zoned General Residential Zone 1 in accordance with the East Gippsland Planning Scheme.



Planning scheme zone mapping (Source: VicPlan)

The proposed development meets the purposes of the zone enjoying strong planning policy support, it will be responsive to the neighbourhood character of the area and provides a vacant lot that will support housing growth.

A design response plan has been prepared for demonstrational purposes. The plan shows that lot 1 is capable of accommodating a 10m by 15m rectangle whilst maintaining the required front setback and the provision of private open space.

An application to subdivide land must meet the objectives and should meet the standards for the class of subdivision as outlined within the table of Clause 32.08-3.

Objective	Response
<p><b>56.04-2</b></p> <p><b>Lot area and building envelopes</b></p>	<p><b>Complies</b></p> <p>The proposed vacant lot will have an area of 414 square metres and can easily contain a rectangle of 10m by 15m demonstrating that proposed lot 1 can accommodate a dwelling.</p> <p>Proposed lot 1 has an area that will ensure the spacing of buildings within the area.</p> <p>The vacant lot will have an excellent northern exposure allowing a future dwelling to be designed to be energy efficient.</p> <p>Lot 2 containing the existing dwelling is of sufficient size to respect the dwelling surrounds and native vegetation on the site.</p> <p>Both lots will enjoy separate access avoiding the need for Common Property.</p>
<p><b>56.04-5</b></p> <p><b>Common Areas</b></p>	<p><b>N/A</b></p> <p>There are no areas of Common Property proposed.</p>
<p><b>56.06-8</b></p> <p><b>Lot access</b></p>	<p><b>Complies</b></p> <p>The subject land has direct frontage to Newlands Drive and is relatively wide.</p> <p>It is proposed that each allotment will be provided with individual access to Newlands Drive which will allow access to be safe, convenient and practical as the sight lines are excellent and Newlands Drive can easily accommodate ten further traffic movements each day.</p>
<p><b>56.07-4</b></p> <p><b>Urban run-off management</b></p>	<p><b>Complies</b></p> <p>Stormwater drainage associated with the property can be achieved and will be constructed in accordance with the responsible authorities requirements. The vacant lot to be created will have the opportunity to drain to Newlands Drive.</p>

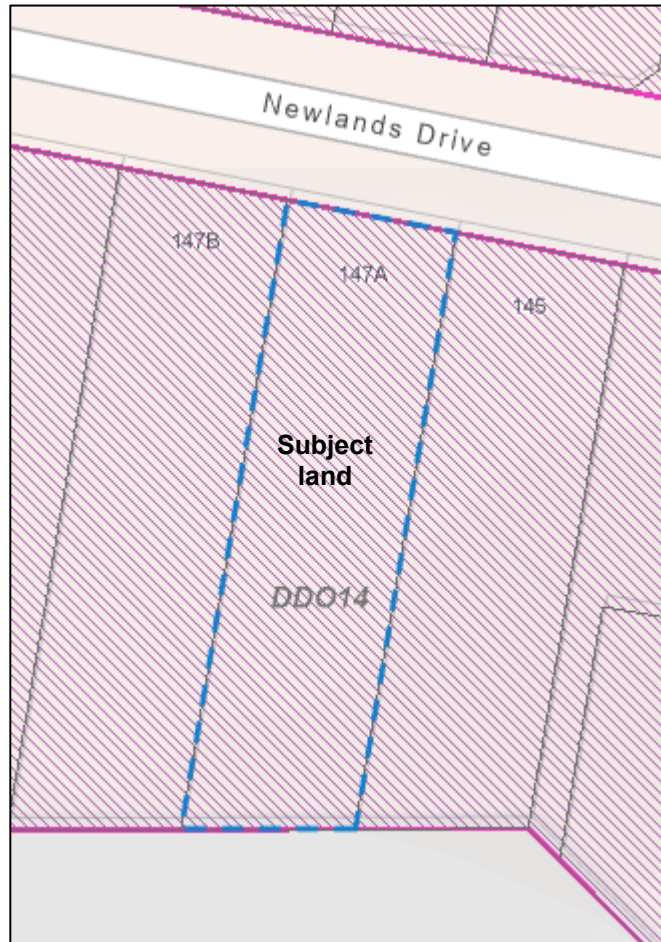
### Decision Guidelines

The proposed subdivision positively addresses the decision guidelines:

- Strong support for the proposal is contained within the Planning Policy Framework and Municipal Planning Strategy.
- Relevant purposes of the zone will be advanced by the development.
- There are no objectives or decision guidelines contained within schedule 1 of the zone.
- Given the area of both allotments there will be appropriate spacing of buildings within the area.
- A high compliance with the objectives and standards of Clause 56 is achieved.

### **6.2 Design and Development Overlay 14**

The property is contained within the Design and Development Overlay 14.



Planning scheme overlay mapping (Source: VicPlan)

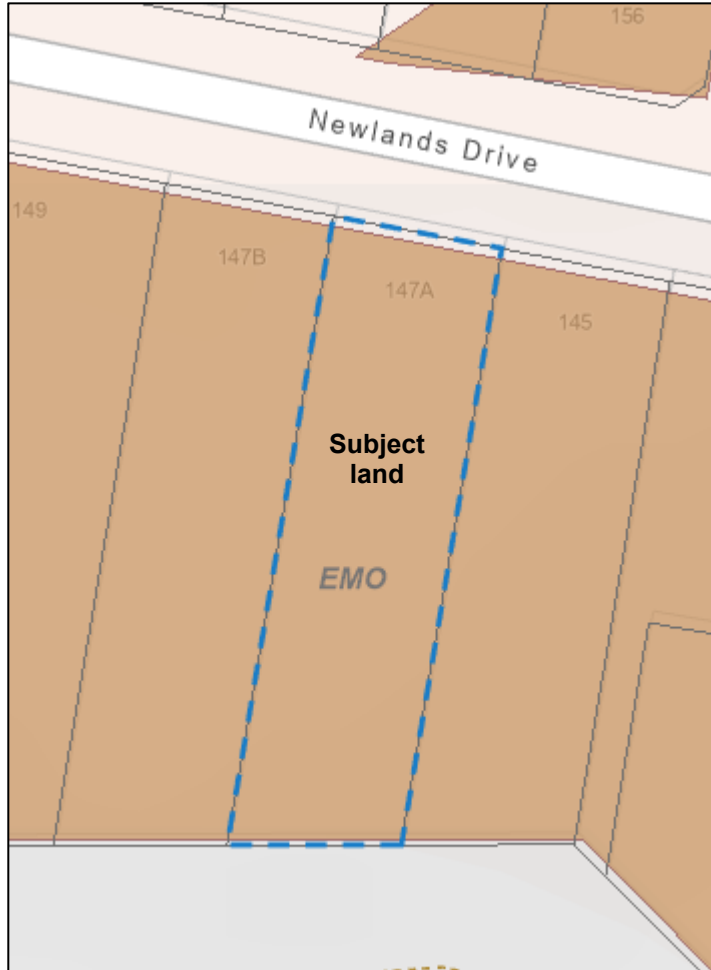
Schedule 14 to the Overlay is Residential Development in Coastal Settlements: Paynesville.

It is considered that the relevant objectives and decision guidelines of the schedule will be met:

- The subdivision layout will allow for future development of the lot with a dwelling that can be compatible with the coastal neighbourhood setting.
- Vegetated character of the area has been maintained with the proposed lot to be created being sited within an area that does not contain native vegetation.
- Public access along Newlands Arm frontage will not be impeded by the proposal.
- There is currently no view of the water from Newlands Arm due to a combination of the front fence, dwelling and vegetation. The proposal will not result in a loss of views to the water from the road.

### 6.3 Erosion Management Overlay

The property is subject to the Erosion Management Overlay.



Planning scheme overlay mapping (Source: VicPlan)

The schedule to the Overlay is Management of Geotechnical Hazard.

In accordance with sub-clause 4.0 of the schedule, a Geotechnical Risk Assessment must accompany an application unless a suitably qualified and experienced geotechnical practitioner demonstrates that a geotechnical risk assessment is not relevant to the assessment of an application.

In this instance the application is accompanied by a geotechnical risk assessment waiver that demonstrates the proposal is unlikely to result in creating an erosion risk to people, future development and the wider environment.

It is noted that during vehicle crossover and service connection works, silt fencing must be installed on the downside area of the works. It is also recommended that a stormwater management plan be prepared demonstrating how each lot is to be drained, which can form a condition of a permit if approved.

## 7. Conclusion




The proposed two lot subdivision at 147A Newlands Drive, Paynesville is considered to accord with all relevant provisions of the General Residential Zone, Design and Development Overlay 14 and Erosion Management Overlay of the East Gippsland Planning Scheme. The proposal is consistent with the Planning Policy Framework and Municipal Planning Framework 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.

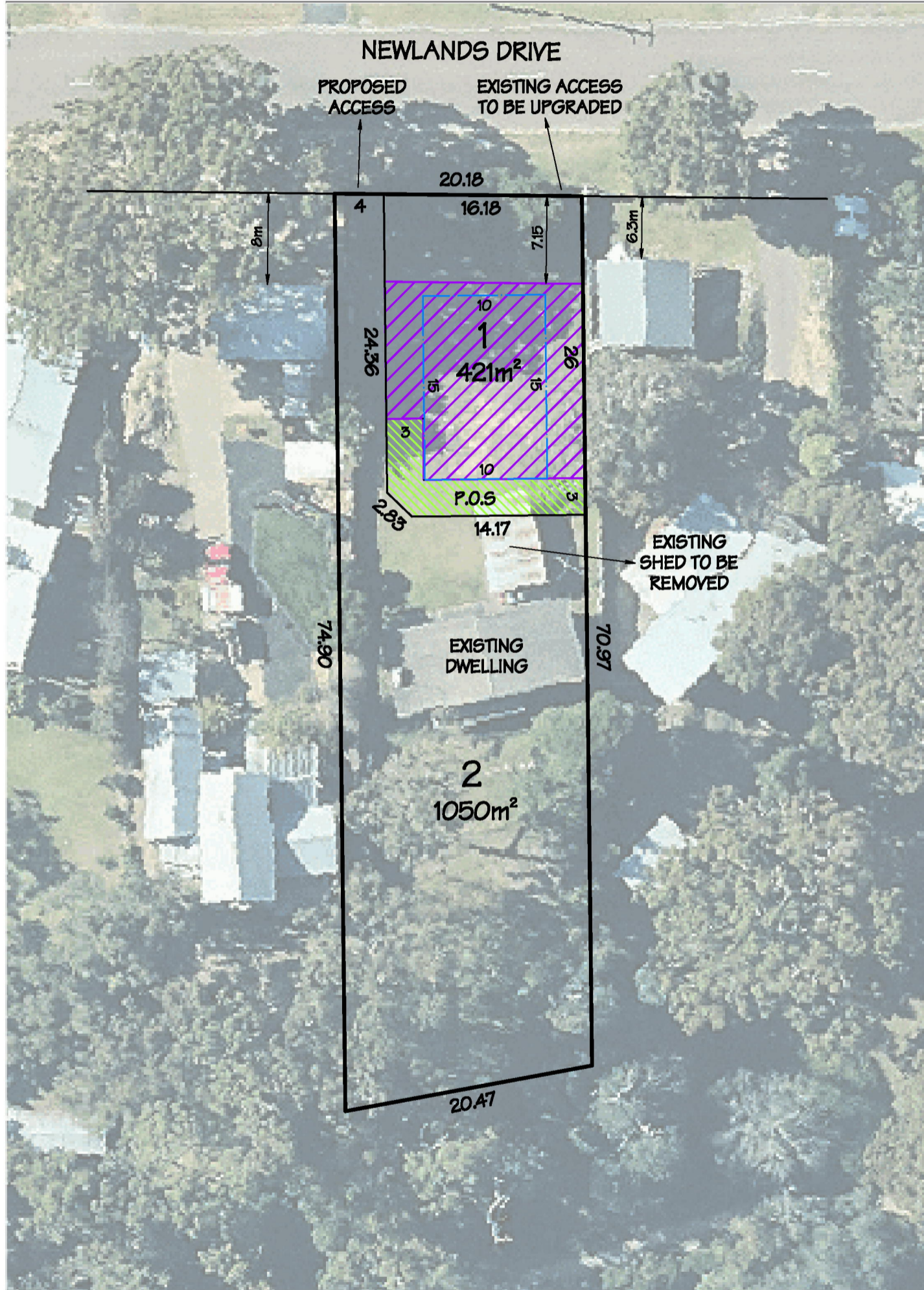
# DESIGN RESPONSE PLAN

PARISH OF BAIRNSDALE  
CROWN ALLOTMENT 137 (PART)

LOT 2 ON LPI40759

-  - DEVELOPABLE AREA
-  - PRIVATE OPEN SPACE
-  - INDICATIVE 10m x 15m RECTANGLE

MGA2020 ZONE 55



147A NEWLANDS DRIVE, PAYNESVILLE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 5162 5011 E. contact@crowthersadler.com.au

FILENAME: Y:\21000-21999\21400-21499\21495 Abraham\CAD Data\21495 Design Response V1.pro

## NOTATIONS

AREAS ARE APPROXIMATE ONLY  
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 400

SURVEYORS REF.

21495

VERSION 1 - DRAWN 24/03/2026

MGA2020 ZONE 55

# PROPOSED SUBDIVISION

PARISH OF BAIRNSDALE  
CROWN ALLOTMENT 137 (PART)

LOT 2 ON LPI40759



147A NEWLANDS DRIVE, PAYNESVILLE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 5162 5011 E. contact@crowthersadler.com.au

## NOTATIONS

AREAS ARE APPROXIMATE ONLY  
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 400

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VERSION 1 - DRAWN 24/03/2026