

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	166 Wallace Street BAIRNSDALE VIC 3875 Lot: 19 LP: 25074
The application is for a permit to:	Three dwellings on a lot and Two Lot Subdivision
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
32.08-3	Subdivide land
32.08-7	Construct or extend two or more dwellings on a lot
The applicant for the permit is:	Damian Anderson Drafting & Design
The application reference number is:	5.2025.383.1

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

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

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

An objection must

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

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

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

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>
Sent: Sunday, 23 November 2025 11:34 AM
To: Planning Unit Administration
Subject: Planning Permit application
Attachments: STORM-Report- Lot 1 Dwelling.pdf; Wallace Street - Planning Drawings 19.111.25.pdf; Site Context & Proposed Subdivision Plan.pdf; Title Plan.pdf; STORM-Report- Lot 2 Duplex.pdf; Wallace Street - Planning Report 17.111.25.pdf; Title.pdf; Planning_Permit_Application_2025-11-23T11-33-53_29086011_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: Damian Anderson

Business trading name: D. Anderson Drafting & Design

Email address: damian.anderson@hotmail.com

Postal address : 684 Metung Road, Metung 3904

Preferred phone number: 0417835812

Owner's name:

Owner's postal address:

Street number: 166

Street name: Wallace Street

Town: Bairnsdale

Post code: 3875

Lot number: Lot 19

Plan number: Plan of Subdivision 025074.

Other Legal Description: VOLUME 08020 FOLIO 174

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 : Vacant land.

Description of proposal : Two lot subdivision and construction of three dwellings

Estimated cost of development: \$750,000.00

Has there been a pre-application meeting: No

ExtraFile: 3

Invoice Payer:

Address for Invoice:

Invoice Email:

Primary Phone Invoice:

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes

2. Supporting information/reports: [STORM-Report- Lot 1 Dwelling.pdf](#)

Plans: [Wallace Street - Planning Drawings 19.111.25.pdf](#)

1. Supporting information/reports: [Site Context & Proposed Subdivision Plan.pdf](#)

Full copy of Title: [Title Plan.pdf](#), [Title.pdf](#)

3. Supporting information/reports: [STORM-Report- Lot 2 Duplex.pdf](#)

Planning report: [Wallace Street - Planning Report 17.111.25.pdf](#)

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

VOLUME 08020 FOLIO 174

Security no : 124130145621W
Produced 23/11/2025 11:13 AM

LAND DESCRIPTION

Lot 19 on Plan of Subdivision 025074.
PARENT TITLE Volume 04332 Folio 393
Created by instrument 2603295 10/11/1953

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

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 LP025074 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AZ540270S (E)	TRANSFER	Registered	29/08/2025

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

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

Street Address: 166 WALLACE STREET BAIRNSDALE VIC 3875

ADMINISTRATIVE NOTICES

NIL

eCT Control 21210T WARREN GRAHAM AND MURPHY PTY LTD
Effective from 29/08/2025

DOCUMENT END



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PLAN OF SUBDIVISION OF CROWN ALLOTMENTS 129 & 130 TOWNSHIP & PARISH OF COUNTY OF BAIRNSDALE TANJIL VOL 4332 FOL 393

LP 25074

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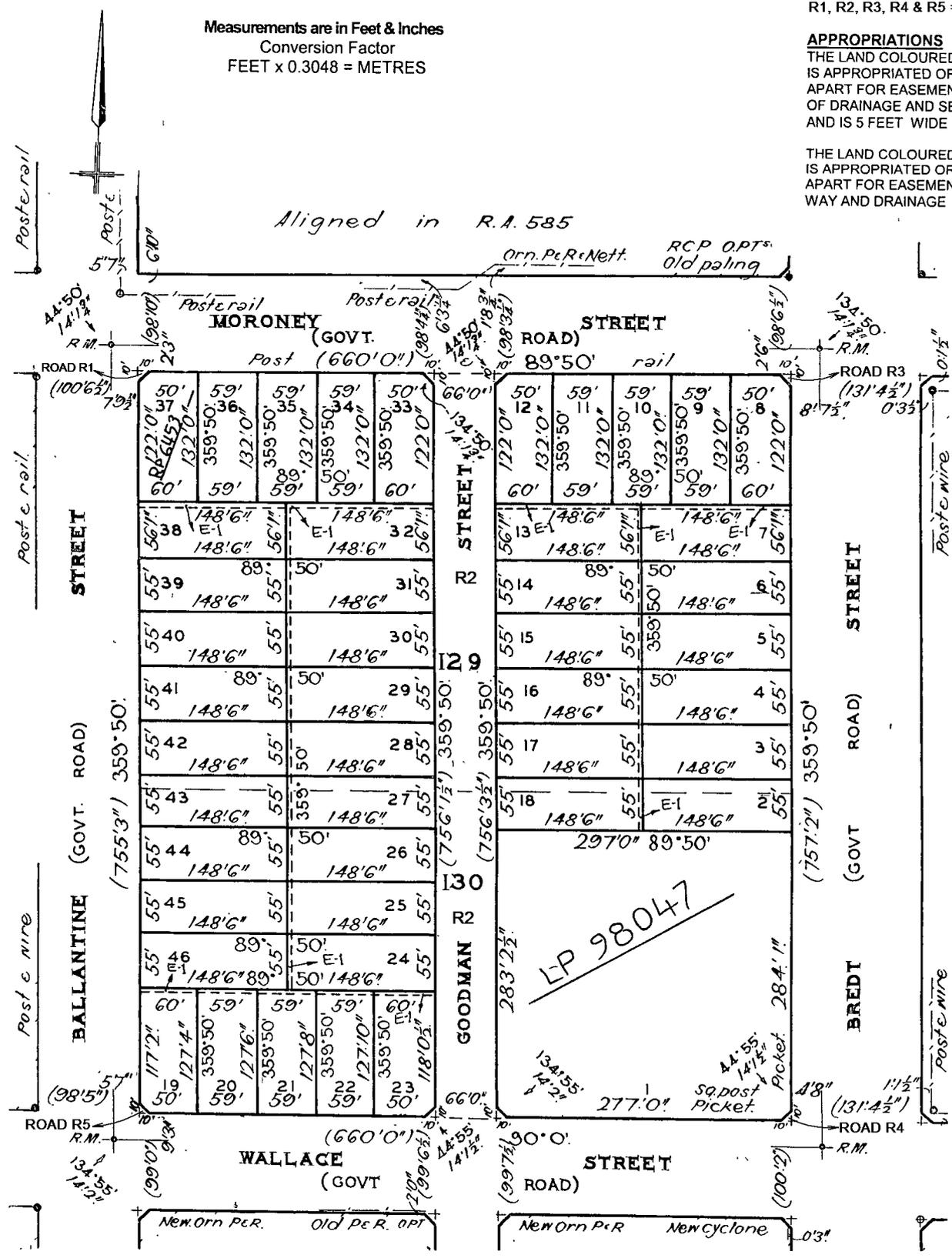
EDITION 1 PLAN MAY BE LODGED 29/11/1992

COLOUR CODE E-1 = BLUE R1, R2, R3, R4 & R5 = BROWN

APPROPRIATIONS THE LAND COLOURED BLUE IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE AND SEWERAGE AND IS 5 FEET WIDE

THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR EASEMENTS OF WAY AND DRAINAGE

Measurements are in Feet & Inches Conversion Factor FEET x 0.3048 = METRES



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Project # 6EC63D3A -
 166 Wallace St, Bairnsdale VIC 3875, Australia
 09 February 2026 8:29 p.m.

1ST BLUE FACTOR

Fenby Duplex

The proposed stormwater treatments comply with all the relevant objectives for management of stormwater flows on-site.



Project details

Name	-
Street address	166 Wallace St, Bairnsdale VIC 3875, Australia
Municipality	East Gippsland
Site area	405 m ²
Planning Number	Lot 2

Flow and pollutant load reductions

Item	Result	Target
Mean annual runoff volume harvested or evapotranspired (%)	33%	>28%
Mean annual runoff volume infiltrated or filtered (%)	9%	>9%
Total suspended solids (%)	81%	>80%
Total phosphorus (%)	69%	>45%
Total nitrogen (%)	52%	>45%
Total gross pollutants (%)	96%	>70%

Water treatment

Catchments

Duplex roof Roof, 225m2

Driveway Paved, 33m2

Catchment 3 Pervious (garden and lawn), 144m²

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Treatments

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 7

Buffer 1 Area: 25 m², Site soil type: Sandy clay

Buildings & dwellings

Fenby Duplex Residential Detached house, 4 bedroom(s)

Configuration 1

Duplex roof Roof, 225m²

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 7,

Fenby Duplex Residential Detached house, 4 bedroom(s)

Configuration 2

Driveway Paved, 33m²

Buffer 1 Area: 25 m², Site soil type: Sandy clay,

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Project # CDC45FC9
 166 Wallace St, Bairnsdale VIC 3875, Australia
 09 February 2026 8:18 p.m.

1ST BLUE FACTOR

Fenby Residence

The proposed stormwater treatments comply with all the relevant objectives for management of stormwater flows on-site.



Project details

Name	
Street address	166 Wallace St, Bairnsdale VIC 3875, Australia
Municipality	East Gippsland
Site area	300 m ²
Planning Number	Lot 1

Flow and pollutant load reductions

Item	Result	Target
Mean annual runoff volume harvested or evapotranspired (%)	32%	>28%
Mean annual runoff volume infiltrated or filtered (%)	9%	>9%
Total suspended solids (%)	80%	>80%
Total phosphorus (%)	68%	>45%
Total nitrogen (%)	50%	>45%
Total gross pollutants (%)	95%	>70%

Water treatment

Catchments

Dwelling roof Roof, 173m2

Catchment 2 Paved, 29m2

Catchment 3 Pervious (garden and lawn), 36m²

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Treatments

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 5

Buffer 1 Area: 20 m², Site soil type: Sandy clay

Buildings & dwellings

Fenby Residence Residential Detached house, 3 bedroom(s)

Configuration 1

Dwelling roof Roof, 173m²

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 5,

Fenby Residence Residential Detached house,
3 bedroom(s)

Configuration 2

Catchment 2 Paved, 29m².

Buffer 1 Area: 20 m², Site soil type: Sandy clay,

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166 WALLACE STREET, BAIRNSDALE

11/11/2025



East Gippsland Water

DISCLAIMER: East Gippsland Water accepts no responsibility for the accuracy of any dimension appearing on this plan. Any persons undertaking works in the vicinity of East Gippsland Water assets are advised to contact our offices to arrange an on-site location. Compensation will be sought for any damage or loss to Corporation assets.

1:300



Planning Permit Application

For:

The construction of three dwellings on a lot and a two lot residential subdivision

At:

No.166 Wallace Street,
Bairnsdale 3875

Prepared by:

Damian Anderson

- 1.0 INTRODUCTION**
- 2.0 DEVELOPMENT SUMMARY**
- 3.0 THE SUBJECT SITE**
- 4.0 SITE CONTEXT**
- 5.0 THE PROPOSAL**
- 6.0 PLANNING POLICY**
 - 6.1 STATE PLANNING POLICY**
 - 6.2 LOCAL PLANNING POLICY**
 - 6.3 ZONING AND OVERLAYS**
 - 6.4 RESCODE ASSESSMENT (Clause 55)**
 - 6.5 RESIDENTIAL SUBDIVISION (Clause 56)**
- 7.0 DECISION GUIDELINES**
- 8.0 CONCLUSION**

1.0 INTRODUCTION

This planning report and development summary has been prepared for the proposed construction of one single storey detached dwelling, two attached dwellings in a duplex type construction and a two lot residential subdivision at 166 Wallace Street, Bairnsdale. This document is intended to be read in conjunction with the Neighborhood and Site Description, Design Response, and other accompanying documents. This development has been assessed against the requirements of the East Gippsland Planning Scheme, including the State Planning Policy Framework, Municipal Strategic Statement, Local Policies, Clause 55 Two or More Dwellings on a Lot and Clause 56 Residential Subdivision.

2.0 DEVELOPMENT SUMMARY

TOTAL SITE AREA LOT 1 (proposed): 300 sqm

Number of Dwellings: 1

Number of On-Site Car Spaces: 2

Residence area: 110.73 sqm

Garage: 36.70 sqm

Porch: 3.42 sqm

Total dwelling: 150.78 sqm

Total Building Site Coverage: 50.26%

Total concrete driveway: 29.35 sq

Total site coverage: 182.28 sqm 60.76%

Total Garden Area 122.98 sqm 40.99%

TOTAL SITE AREA LOT 2 (proposed): 405 sqm

Number of Dwellings: 2

Number of On-Site Car Spaces: 2

UNIT 1

Residence area: 96.41 sqm

Garage: 21.31sqm

Porch: 1.36 sqm

Total dwelling: 119.08 sqm

UNIT 2

Residence area: 69.13 sqm

Garage: 21.31sqm

Porch: 1.36 sqm

Total dwelling: 91.80 sqm

Total Building Site Coverage: 210.88 sqm 52.06%

Total concrete driveway: 33.36 sq

Total site coverage: 248.56 sqm 61.37%

Total Garden Area 155.62 sqm 38.42%

3.0 THE SUBJECT SITE

The subject site is located at 166 Wallace Street, Bairnsdale, which is more particularly described as Lot 19 on Plan of Sub-Division 025074. The property is a corner allotment located on the north east corner of the Wallace and Ballantine Street junction in West Bairnsdale. This property is rectangular in shape, 705 square meters in area and slopes downward to the north at approximately 3 degrees. The Wallace and Ballantine Street frontages remain unfenced with established timber paling fences located on the adjoining property boundaries. The lots to the north and east each contain an established residence with the setback of each dwelling being 19.98 meters (Wallace Street) and 11.2 meters (Ballantine Street) respectively. The Wallace Street road reserve is around 3.8 meters wide while; the Ballantine Street road reserve is very generous and up to 11.2 meters wide. Both Wallace & Ballantine Street have concrete curb and channel with a bituminous road surface. A 1.5 meter wide sewer easement is located along the northern boundary within the subject site although; the existing sewer and water infrastructure is located within the Ballantine Street Road Reserve. There is a hail only bus stop located on the east part of the Wallace Street Road reserve to the south of the subject site. Utility services, being sewer, water and electricity are available at the property and a concrete footpath exists on the south side of Wallace Street.

SUBJECT SITE VIEW FROM WALLACE / BALLANTINE STREET INTERSECTION



Existing Melaleuca Quinquenerva (Tea Tree) located within the Ballantine Street road Reserve



Existing Photinia (x fraseri 'Robusta') located within the Wallace Street road Reserve

4.0 SITE CONTEXT

166 Wallace Street is a corner allotment situated within an established residential precinct of West Bairnsdale which is an older residential area of Bairnsdale city. The character of the neighborhood is predominantly of original 1960s & 70s era dwellings, with newer infill development and some extensive additions / alterations to existing dwellings, there are several multi unit developments in the immediate vicinity. Buildings are mostly single storey with a scattering of two storey throughout. Although mostly brick veneer, there is a mixture of weatherboard, light weight cladding and rendered brickwork, generally hipped roofs of tiles or iron at varying pitches are used; however, there are also examples of flat and parapet roofing. Front fencing varies from having no fence to approx. 1.5 meters in height. Front setbacks for dwellings in the vicinity vary from the majority being 6 meters up to 19.98 meters on the adjoining dwelling and, side setbacks averaging between 2 to 4.5 meters and in some instances within 1 meter. There is a high school, primary school, hospital, sporting complexes and recreational reserves all located between 500 meters and 1500 meters from the subject site.

The main street of Bairnsdale is the main retail shopping district & consists of supermarkets, restaurants, café's & the multitude of shops in general are approx 2.5km from the subject site; these areas form much of the site's local neighborhood centers. The surrounding area is well serviced by public transport and arterial roads, and the site is within 3km from the central Bairnsdale train station & bus stop; the train service links Sale, Traralgon on to Melbourne & the bus service to Lakes Entrance & Orbost on to Sydney & Canberra.

AERIAL VIEW OF SUBJECT SITE AND SURROUNDING AREA



Subject site

- ☆ - Denotes multi-unit developments within the immediate area
- ★ - Denotes two lot subdivisions in the immediate vicinity

Existing streetscape examples of multi-unit development:



No. 70 Ballantine Street:
Older single storey brick
vener development with 2
detached units.



No72 Ballantine Street:
Older single storey brick
vener development with 2
attached units.



No74 Ballantine Street:
Older single storey brick
vener development with 2
attached units

5.0 THE PROPOSAL

This proposal seeks approval for a two lot subdivision and construction of three dwellings. Lot 1 will have an area of 300 square meters, be accessed via a concrete crossover from Wallace Street and have a single three bedroom single storey detached dwelling to be constructed on the site.

Lot 2 will have an area of 405 square meters be accessed via a shared concrete crossover and driveway from Ballantine Street and have two semi detached (duplex) type dwellings constructed on the site. The proposed units will be two bedroom, single storey dwellings and separated by a common firewall.

All three dwellings have been designed to fit in with the existing neighborhood character by being single storey brick veneer residences with hipped colorbond roof forms. The mix of brick veneer and Enseem cladding, stepped external walls and hipped Colorbond roof forms provides articulation to the building that will reduce visual bulk when viewed from any angle and define a point of entry to each residence. The design and placement of the structures will allow for daylight to all habitable room windows and appropriate off street parking all dwellings.

The proposal includes the construction of two crossovers with the proposed dwelling to have a 3.5m wide concrete crossover directly accessible from Wallace Street and; dwelling 2 & 3 (duplex) to have a 4.8m wide concrete crossover directly accessible from Ballantine Street. The two existing shrubs being on Wallace Street and the other being on Ballantine Street road reserve will not be affected the location of the proposed crossovers.

The proposed crossover to be constructed on the Ballantine Street Road Reserve comfortably provides enough space and does not interfere with the existing bus stop sign or the 3.2m x 2.2m hard stand (hail only) pedestrian bus stop area; The area specified is in accordance with Transport Victoria Bus Stop Relocation Information Sheet. Consultation with Bus Stop Relocations, Public Transport Division, Department of Transport and Planning has made the following statement regarding bus stop sign and hardstand on the Wallace Street Road Reserve:

The Standard drawing for bus stops located close to crossovers (STD S0068) and the bus stop type required (STD S0067) given the existing footpath network are attached for your reference. As STD S0068 shows, whilst the flag and pole can be located up to 1m from a crossover, there is a minimum required hardstand footprint to enable access to and from the bus. In this instance, as there is no existing footpath connection to the bus stop, the required length of the bus stop between driveways would be 9.2m to comply with the Disability Standards for Accessible Public Transport (DSAPT, 2002) requirements and to enable access to the bus stop. However, considering that there could be two crossovers either side of the bus stop, the hardstand length could potentially be reduced to 3.2m.

Excavations are required for placement of the proposed buildings on each lot. A 650mm deep (maximum) excavation is proposed on lot 1 for the proposed dwelling on Wallace Street and a 970mm deep (maximum) excavation required on lot 2 for the proposed duplex on Ballantine Street.

This development and landscaping is intended to provide safe, small dwellings which require minimal upkeep, have an ambient atmosphere and solar passive living arrangement that is

comfortable all year round. The size of the units will add to what is on offer in the rental segment in the area and help provide accommodation for a broader demographic of tenants.

Further details on Clause 55 and Clause 56 compliance is addressed in Part 6.4 and Part 6.5 of this report and the attached drawings.

6.0 PLANNING POLICY

Planning Scheme: East Gippsland Shire Council

Responsible Authority: East Gippsland Shire Council

State and local planning policy is addressed below in support of the proposed development

6.1 STATE PLANNING POLICY FRAMEWORK

16 HOUSING

16.01-1 Objectives:

- To locate new housing in or close to activity centers and employment corridors and at other strategic redevelopment sites, that offer good access to services and transport
- To provide for a range of household types, to meet increasingly diverse needs
- To deliver more affordable housing closer to jobs, transport and services

Comments:

The proposal is considered to respond positively to statements within State Policy relating to Settlement (Clause 11) as it will result in infill development of land zoned specifically for residential purposes with a full array of servicing available.

The proposal responds positively to the objective at Clause 15.01-4S relating to healthy neighborhoods which seeks to achieve neighborhoods that foster healthy and active living and community wellbeing given the close proximity to the neighborhood activity centre, Primary School, Childcare Centre, Aged Care facility and open recreation areas and trails.

Clause 16.01-4S relating to Housing affordability is supported by allowing the proposal to create dwellings on residential style allotments which can accommodate attractive dwelling size, garden area and livability within the land and surrounds. This contributes to the range and diversity of attractive and affordable housing in the town which makes use of existing servicing and facilities.

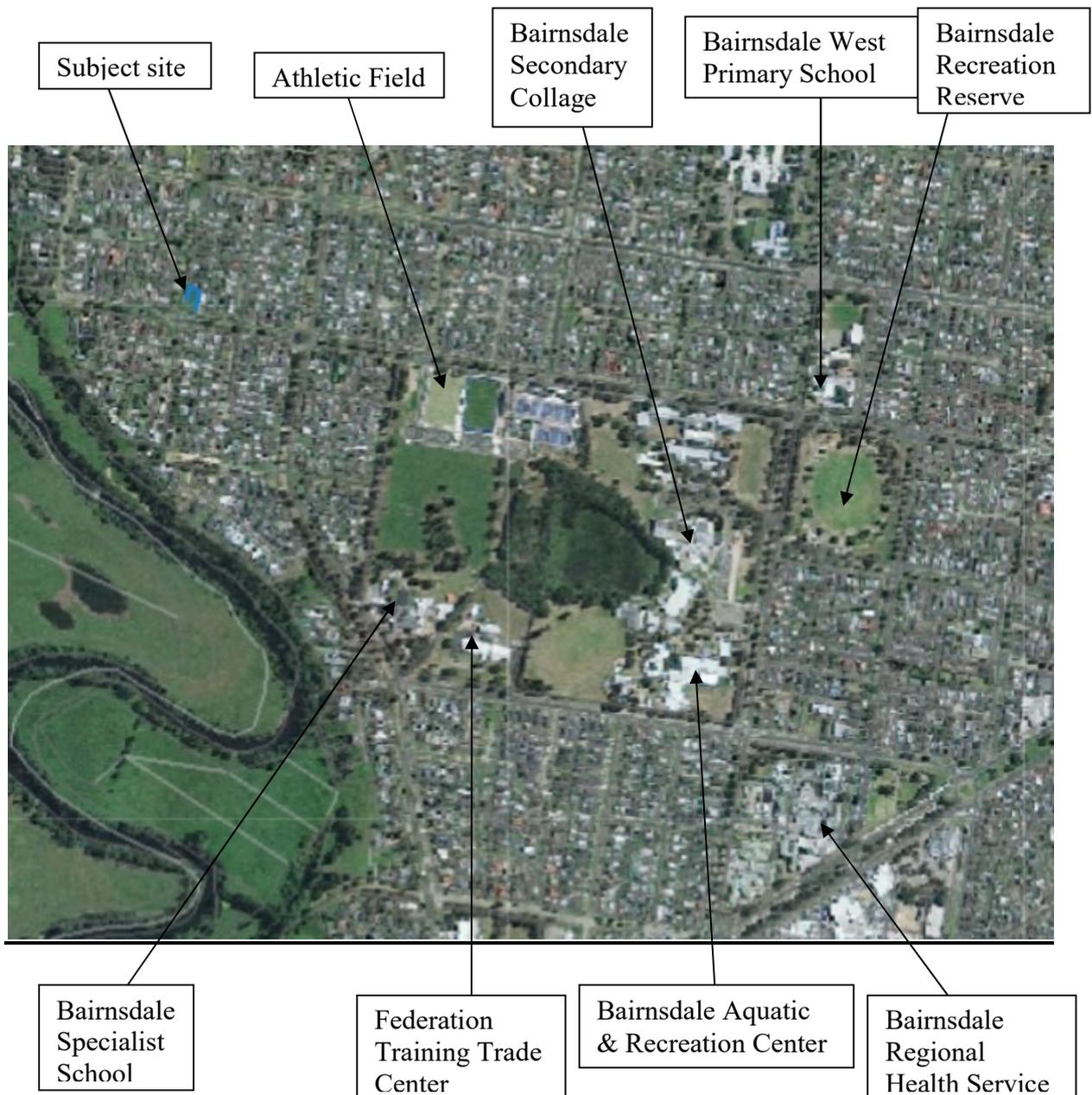
The subject land is well serviced by existing infrastructure, consistent with objectives of Clause 19 relating to Infrastructure. Reticulated water, gas, sewer, electricity, drainage and telecommunications are all available to the subject land.

The proposed development meets the Housing Objectives by:

- Increasing the proportion of housing within the City of Bairnsdale to be developed within the established residential area of East Gippsland, particularly in activity centers & employment corridors and other strategic sites.

- Encouraging higher density housing development on sites that are well located in relation to activity centers, employment corridors and public transport.
- Ensuring an adequate supply of redevelopment opportunities within the established residential area, to reduce the pressure for fringe development.
- Respecting the neighborhood character.
- Improving housing choice.
- Making better use of infrastructure.
- Improves energy efficiency of housing (all proposed dwellings will achieve 7 star energy rating), providing opportunities for a wide range of income groups to choose housing in well-serviced locations.
- Supporting a growth area which provides for a mix of housing types and higher housing densities in and around activity centers

AERIAL VIEW OF SUBJECT SITE AND SURROUNDING CONTEXT



6.2 LOCAL PLANNING POLICY

This proposal responds positively to Clause 21.08 of the Municipal Strategic Statement pertaining to Housing which seeks to cater for the housing needs and preferences of all members of our community. The proposal is consistent with Local Planning Policy objectives as it achieves infill development in an area which is appropriately zoned and has access to a full range of services.

Clause 21.12-2 relating to Local Policy, Lakes & Coastal acknowledges that from a social and economic perspective the Lakes & Coastal sub-region has the highest population density of the Shire, with the main commercial, retail and tourist centers located along this coastal fringe. Bairnsdale is recognized as being the largest town on the sub-region providing major commercial, retail, educational and public sector services.

The first strategy under Local Policy relating to the Bairnsdale area seeks to encourage residential development within the urban areas already zoned residential which the proposal will ultimately achieve.

The proposed development aligns with the East Gippsland Housing and Settlement Strategy at it; sits within varied housing development types — single dwelling to a lot, 2-5 unit developments and apartment buildings, all well serviced by public transport and community facilities. The proposed development of one detached dwelling and two single storey semi detached dwellings, sits within this mix of housing opportunities and the proposed development caters for a range of family structures / lifestyle choice and affordable housing.

6.3 ZONING AND OVERLAYS

ZONING

32.08 GENERAL RESIDENTIAL ZONE (GRZ)

32.08 Objectives:

- 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 neighborhood character of the area
 - To implement neighborhood character policy and adopted neighborhood character guidelines
 - To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport
 - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations
- Comments The proposed use, construction of three dwellings on a lot, requires a planning permit in the General Residential Zone — Schedule 1 (32.08-6)

32.08-3 Subdivision

- A permit is required to subdivide land.
- A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

Minimum garden area requirement:

An application to subdivide land that would create a vacant lot less than 400 square meters capable of development for a dwelling or residential building must ensure that each vacant lot created less than 400 square meters contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

Clause 56 requirement

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following for 2 lots: Clauses 56.03-5 (only if the land is in the Neighborhood Character Overlay), 56.04-2, 56.04-5, 56.06-8 and 56.07-4.

32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

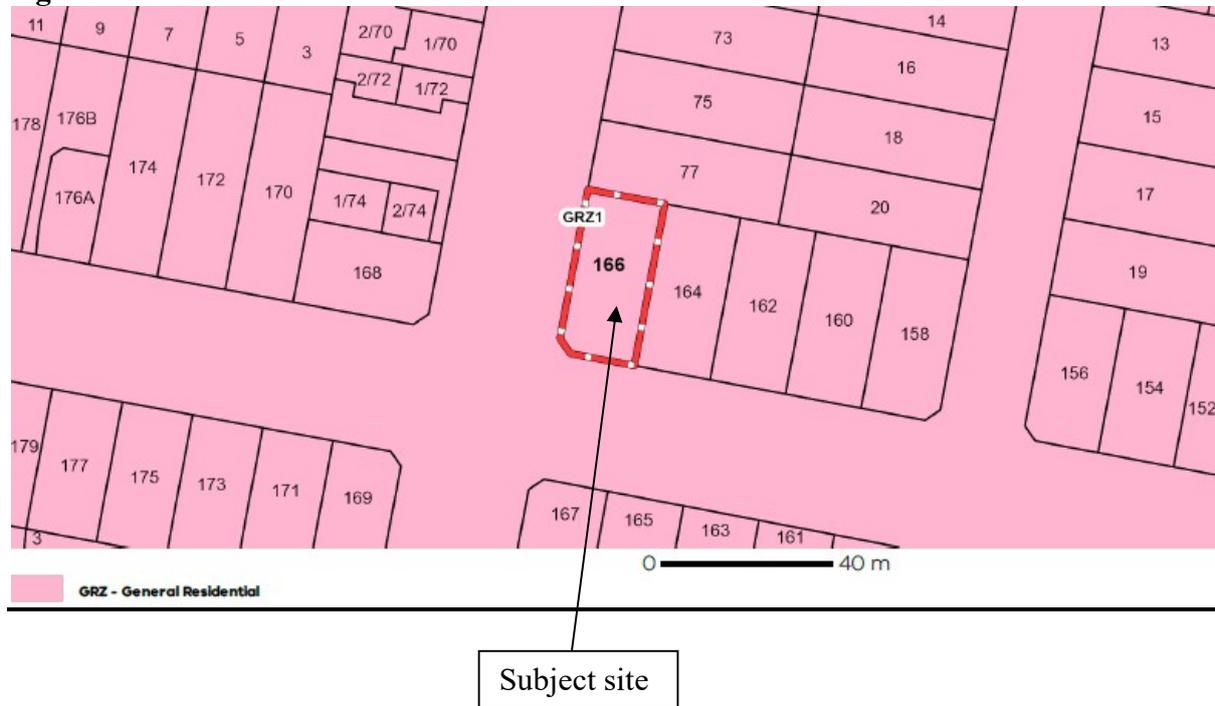
Comments:

The proposed two lot subdivision and construction of three small dwellings is well suited to make good use of the land at 166 Wallace Street, which is a 705 square meter allotment of which will be divided in to two lots; one being 300 square meters and the other 405 square meters respectively. The subject site sits within an existing well developed & serviced residential area of West Bairnsdale, which is connected to a reticulated sewerage system, electricity and water supply. The Neighborhood Character Overlay is not applicable to this land.

Refer to Parts 6.4 & 6.5 of this report for more detail relating how this proposal meets the requirements of Clause 55 and 56.

The site is located within the **General Residential Zone Schedule 1 (GRZ1)** under the provisions of the East Gippsland Planning Scheme.

An extract of the zoning map from the East Gippsland Planning Scheme is shown below in **Figure 1**.



6.4 RESCODE ASSESSMENT (Clause 55 — Two or more dwellings on a Lot)

55.01-1 Site Description

The subject site is located at 166 Wallace Street, Bairnsdale, which is more particularly described as Lot 19 on Plan of Sub-Division 025074. The property is a corner allotment located on the north east corner of the Wallace and Ballantine Street junction in West Bairnsdale. This property is rectangular in shape, 704 square meters in area and slopes downward to the north at approximately 3 degrees. The Wallace and Ballantine Street frontages remain unfenced with established timber paling fences located on the adjoining property boundaries. The lots to the north and east each contain an established residence with the setback of each dwelling being 19.98 meters (Wallace Street) and 11.2 meters (Ballantine Street) respectively. The Wallace Street road reserve is around 3.8 meters wide while; the Ballantine Street road reserve is very generous and up to 11.2 meters wide. Both Wallace & Ballantine Street have concrete curb and channel with a bituminous road surface. A 1.5 meter wide sewer easement is located along the northern boundary within the subject site although; the existing sewer and mains water infrastructure is located within the Ballantine Street Road Reserve. Utility services, being sewer, water and electricity are available at the property and a concrete footpath exists on the south side of Wallace Street. Refer to the attached drawing set for more details

55.01-2 Design Response

The design response must explain how the proposed design derives from and responds to the site description.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

The design response must include a landscape plan that details the proposed:

- Retention and planting of canopy trees,
- Planting of other vegetation including location, species, number and size at maturity of vegetation,
- Where required, areas of deep soil and root barriers,
- Irrigation system to support existing and planted vegetation including details of any alternative water supply sources,
- Selection of vegetation that responds to the site's environment and geographic factors,
- A plan showing the location of site services, clothes drying and storage.

Comments:

All the items required by the design response have been addressed in this report and in the architectural drawings attached to this application.

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

55.02-1 Street Setback Objective:

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B2-1:

- Walls of buildings should be set back from streets at least the distance specified in the schedule to the zone, or if no distance is specified in the schedule to the zone, the distance specified in Table **B1**.

Comments:

The proposed front setbacks are 4.0 metres for both the townhouse on Lot 1 (Wallace Street) and the duplex on Lot 2 (Ballantine Street). The design maintains appropriate separation from the street and complements the established pattern of nearby development.

Justification

1. Alignment with Local Streetscape Character

The proposed setbacks are consistent with the existing and emerging character along both Wallace and Ballantine Streets, where several dwellings and unit developments sit within 4–6 meters of the front boundary.

2. Wide Nature Strip on Ballantine Street

The generous 7–10 meter nature strip ensures the duplex will appear well recessed from the street, maintaining a spacious visual appearance despite the reduced setback.

3. Efficient and Practical Design Outcome

The reduced setbacks enable effective site utilization, functional internal layouts, and adequate rear private open space, promoting both amenity and energy efficiency.

4. No Adverse Amenity Impacts

The proposal will not cause adverse impacts such as overshadowing, overlooking, or excessive visual bulk, and will integrate smoothly with surrounding dwellings.

5. Car Parking

Although the required minimum car parking spaces are provided within the garage areas of each of the proposed residences; street setback to the garages is 4.9m & 5m respectfully that allows for off street parking for visitor's cars & complies with minimum car parking space dimensions.

6. Increased Housing Supply and Affordability

Reduced setbacks means three dwellings can be constructed on this parcel of land with an increased density. This increased supply will help to meet the growing demand for housing and potentially improve affordability, especially within a General Residential Zone in Bairnsdale city which is; a more desirable urban area suitable for this kind of development.

7. Efficient Land Use

Reduced setbacks promote the efficient use of land, especially in established suburban areas or urban centers. This aligns with planning strategies that support new housing in areas with existing services, jobs, and public transport infrastructure.

8. Better Site Utilisation

Reduced setbacks do not adversely impact adjoining properties or the public realm and better utilizes the land to construct three dwellings.

Conclusion

The proposed 4.0 metre front setbacks for the townhouse (Lot 1, Wallace Street) and duplex (Lot 2, Ballantine Street) represent a reasonable and contextually appropriate design. The combination of existing reduced setbacks nearby, the wide nature strip along Ballantine Street, and the overall design quality ensure that the development will maintain and enhance the character of the neighbourhood.

55.02-2 Building Height Objectives:

- To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard B2-2:

- The maximum building height should not exceed the maximum height specified in the schedule to the zone: 11 meters is specified.
- Changes of building height between existing buildings and new buildings should be graduated.

Comments: Complies

The proposed development meets the standard with building heights of 5.0 and 5.2 meters respectively from natural ground level; the overall height is in keeping with the adjoining buildings which are all single storey. This development will minimise the visual bulk & differences in building heights in the immediate vicinity.

55.02-3 Side and Rear Setbacks Objective:

- To ensure that the height and setback of buildings from a boundary respect the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B2-3:

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or:
- If no distance is specified in the schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

- Sunblinds, verandas, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.
- Landings having an area of not more than 2 squares metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Comments: Complies

All side and rear setbacks are appropriate to the development, ensure appropriate separation between boundaries, are respectful of the adjoining properties and meet the objective and standard. Side and rear setbacks vary from 1.25 meters to 1.90 meters which allows for both pedestrian access and solar access to habitable room windows. At the closest point the south wall height of proposed unit 2 is 2.2 meters high (from natural ground level) at 1.25 meters from the adjoining property boundary.

55.02-4 Walls on Boundaries Objective:

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings

Standard B2-4:

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or:
- Where there exists or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed wall or carports whichever is the greater.
- A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary (a building on a boundary includes a building set back up to 200 min from a boundary).
- The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Comments: Complies

The proposal satisfies the objectives of this clause as all walls exceed 1 meter from the boundary.

55.02-5 Site Coverage Objective:

- To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard B2-5:

The site area covered by buildings should not exceed the maximum site coverage specified in table B2-5 for a General Residential Zone which is 65%.

Comments: Complies

- The total building site coverage for proposed lot 1 is 150.78sqm or 50.26 % and proposed lot 2 is 210.89sqm or 53.13 %; both of which sit under the allowable maximum of 65%.

55.02-6 Access Objectives:

To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Standard B2-6

The width of access ways or car spaces (other than to a rear lane) does not exceed:

- 33 per cent of the street frontage; or
- 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.

The location of a vehicle crossover or access way does not encroach the tree protection zone of an existing tree that is proposed to be retained in a road by more than 10 per cent.

Comments: Complies

The proposal satisfies the objectives of this clause through compliance with the relevant requirement in the above standard. The 3.5m wide concrete crossover proposed for Lot 1 Which has a street frontage of 15.24 meters is 22.96% of the street frontage which is well under the maximum of 40% and; the 4.8m wide concrete crossover proposed for Lot 2 which is a shared crossover for both units has a street frontage of 22.11 meters is 21.70% of the street frontage which is well under the maximum of 33%.

55.02-0Tree canopy objectives

- To provide tree canopy that responds to the neighborhood character of the area and reduces the visual impact of buildings on the streetscape.
- To preserve existing canopy cover and support the provision of new canopy cover.
- To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

Standard B2-7

Provide a minimum canopy cover as specified in Table B2-7.1

Comments: Complies

There are no existing trees located on the subject site.

55.02-8 Front Fences Objectives:

- To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B2-8:

- The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.
- A front fence within 3 metres of a street should not exceed:
- The maximum height specified in the schedule to the zone, or:

- If no maximum height is specified in the schedule to the zone, the maximum height specified in Table 63.

Comments: Complies

There are no front fences proposed for this development which will allow the landscaping to soften and enhance the streetscape.

55.03 LIVEABILITY

55.03-1 Dwelling Diversity Objective:

- To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3-1

- Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:
- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

Comments:

This standard is not applicable as the proposal has less than 10 dwellings.

55.03-2 Parking Location Objectives:

- To provide convenient parking for resident and visitor vehicles.
- To avoid parking and traffic difficulties in the development and the neighbourhood.
- To protect residents from vehicular noise within developments.

Standard B3-2:

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be designed to allow safe and efficient movements within the development
- Be well ventilated if enclosed.
- Large parking areas should be broken up with trees, buildings or different surface treatments.
- Shared access ways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms.
- This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

Comments: Complies

Car parking for each dwelling has convenient access directly into the garage from the driveway, with a pedestrian door entering the dwelling from the garage. Resident's cars parked in the garage with sufficient space for one visitor's car for each dwelling to be parked on the sealed driveway at the front of each dwelling.

55.03-3 Street integration objective:

To integrate the layout of development with the street to support the safety and amenity of residents

Standard B3-3:

Where a development fronts a street, a vehicle access way or abuts public open space:

- Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle access way and public open space.
- The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.
- Lighting is provided to all external access ways and paths.
- Mailboxes are provided for each dwelling and can be communally located.

Comments: Complies

The subject site is a rectangular shaped property with the proposed freestanding dwelling to face Wallace Street while both units will be facing Ballantine Street. There are no front fences requested in this proposal with landscaping and solar lighting to soften and enhance the built form and streetscape. Main bedrooms of each dwelling face the street frontage thus providing passive night time surveillance with appropriate sensor lighting provided at each of the dwelling entrances / driveways.

55.03-4 Dwelling entry objective:

- To provide each dwelling or residential building with its own sense of identity.

Standard B3-4:

- Entries to dwellings and residential buildings should:
- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Comments: Complies

All three of the proposed dwelling entry points are easily identifiable using a gable roof feature to entry porch areas, with material / colour variation and readily identifiable from the common driveway.

55.03-5 Private Open Space Objective:

- To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B3-5:

A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 25 square meters of secluded private open space, with a minimum dimension of 3 meters width; or
- A balcony with at least the area and dimensions specified in Table B3-5; or
- An area on a podium or similar of at least 15 square meters, with a minimum dimension of 3 meters width; or
- An area on a roof of at least 10 square meters, with a minimum dimension of 2 meters width.

If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;

- The area and dimensions specified in the schedule must be 25 square metres or less; and
- The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.

If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.

Where ground level private open space is provided an area for clothes drying is provided

Comments:

Private Open Space for each of the proposed dwellings is provided directly accessible from the main living areas as follows;

- Dwelling 1 (Wallace Street) has 26.33 sqm private open space 3.0m wide.
- Unit 1 (Ballantine Street) has 26.16 sqm private open space 3.86m wide.
- Unit 2 (Ballantine Street) has 25.45 sqm private open space 5.13m wide.

The verandahs are directly connected to the main living spaces, allowing seamless indoor-outdoor use and ensuring the private open space is practical and convenient. The site layout maximizes building separation, solar access, and landscaping potential. The 1.5m side setbacks on three sides contribute additional private and semi-private open space areas that meet the intent of the standard. The proposed verandahs maintain consistency with existing residential character and built form in the surrounding area.

55.03-6 Solar access to open space objective:

- To allow solar access into the secluded private open space of new dwellings and residential buildings

Standard B3-6:

- The southern boundary of secluded private open space is set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Comments:

The instance where this scenario is applicable within this proposal is part of the south wall of unit 2 (Ballantine Street) casting a shadow into the private open space of the proposed dwelling on Wallace Street however; as the proposed unit 2 is cut into the site a maximum of 970mm the proposed unit 2 will only cast a minimal shadow. The separating fence between the two residences casts a greater shadow into the north facing private open space of the proposed dwelling on Ballantine Street. Please refer to the shadow diagrams attached to this application.

Although unit 2 solar access is reduced due to orientation, 9am and midday allows for similar solar access as the north facing components open space of the other two residences of this proposal; it is only the 3pm diagram which casts a greater shadow for unit 2. Although unit 2 will have less direct sunlight it still has full access to daylight. Please refer to the shadow diagrams attached to this application.

55.03-7 Functional layout objective

- To ensure dwellings provide functional areas that meet the needs of residents.

Standard B3-7

Bedrooms:

- Meet the minimum internal room dimensions of 3 meters x 3.4 meters for a main bedroom and 3 meters x 3 meters for all other bedrooms as specified in Table B3-7.1. ; and
- Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.
- Living areas (excluding dining and kitchen areas) meet the minimum internal room width of 3.6 meters and minimum area of 12 sqm as specified in Table B3-7.2.

Comments:

Bedrooms and living areas of all three dwellings within this proposal comply with Standard B3-7. Refer to the attached drawing set for more detail.

55.03-8 Room depth objective

- To allow adequate daylight into single aspect habitable rooms.

Standard B3-8

The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen; and
- The kitchen is located furthest from the window; and
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and
- An overhang extends no more than 2m beyond the window of the single aspect habitable room.

In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.

Comments:

Habitable rooms in all three dwellings within this proposal comply with Standard B3-8. Refer to the attached drawing set for more detail.

55.03-9 Daylight to New Windows Objective:

- To allow adequate daylight into new habitable room windows.

Standard B3-9:

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or:
- A verandah provided it is open for at least one third of its perimeter, or:
- A carport provided it has two or more open sides and is open for at least on third of its perimeter.

Comments: Complies

Daylight to habitable room windows comply with Standard B3-8. Refer to the attached drawing set for more detail.

55.03-10 Natural ventilation objectives

- To encourage natural ventilation of dwellings.
- To allow occupants to effectively manage natural ventilation of dwellings.

Standard B3-10

Dwelling (other than a dwelling in or forming part of an apartment development)

Dwellings have operable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Comments:

Breeze paths in all three dwellings within this proposal comply with Standard B3-10. Refer to the attached drawing set for more detail.

55.03-11 Storage Objective:

- To provide adequate storage facilities for each dwelling.

Standard B3-11:

- Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

Comments: Complies

A 6 cubic meter storage provision for each dwelling is located and accessed from within the back yard of each dwelling.

55.03-12 Accessibility for apartment developments objective

- To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B3-12

At least 50 per cent of dwellings in or forming part of an apartment development have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.

Comments:

Standard B-312 is not applicable to this proposal.

55.04 EXTERNAL AMENITY

55.04-1 Daylight to Existing Windows Objective:

To allow adequate daylight into existing habitable room windows

Standard B4-1:

- Buildings opposite an existing habitable room window should provide for a light court to the existing window, which has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
- Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall, if the wall is within a 55-degree arc from the centre of the existing window.
- Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Comments: Complies

The proposal complies with the relevant objectives and standards of Standard B4-1.

The adjoining dwelling to the east is located 4.25 meters from the title boundary of the subject site and 5.8 meters at the closest point to the proposed duplex, while:

The adjoining property to the north is 1.3 meters from the title boundary of the subject site and 2.8 meters at the closest point of the proposed duplex (unit 1). This development will not disrupt daylight to existing habitable room windows of the adjoining dwellings.

55.04-2 Existing North-facing Windows Objective:

- To allow adequate solar access to existing north-facing habitable room windows.

Standard B4-2:

- If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.
- A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Comments:

Standard B4-2 is not applicable as there are no existing dwellings abutting the subject site to the south of the proposed development.

55.04-3 Overshadowing Secluded Private Open Space Objective:

- To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B4-3:

- Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.

- If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Comments: Complies

Due to the proposal consisting of low set a single storey structures, orientation of the subject site and location of the existing adjoining dwellings; this proposal does not overshadows adjoining private open space.

55.04-4 Overlooking objective:

- To limit views into existing secluded private open space and habitable room windows.

Standard B4-4:

- This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Comments: Complies

Due to the proposed building being single storey constructed on a concrete slab and cut into the subject site; this proposal does not look into adjoining private open space or habitable room windows.

55.04-5 Internal views objective:

- To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B4-5:

- Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

Comments: Complies

Standard B4-5 is not applicable as this proposal is for a single storey development.

55.05 SUSTAINABILITY

55.05-1 Permeability and storm water management objective

- To reduce the impact of increased storm water run-off on the drainage system and downstream waterways.
- To facilitate on-site storm water infiltration.
- To encourage storm water management that maximises the retention and reuse of storm water.
- To contribute to urban cooling.

Standard B5-1

The site area covered by the pervious surfaces is at least 20 percent of the site. The development includes a storm water management system designed to:

- Meet the best practice quantitative performance objectives for storm water quality specified in the Urban storm water management guidance (EPA Publication 1739.1, 2021) of:
 - Suspended solids 80% reduction in mean annual load.
 - Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
 - Litter 70% reduction of mean annual load.

Comments: Complies

Stormwater infiltration and management has been provided by way of:

- i. a 20sqm buffer area for each of the proposed allotments and;
- ii. a 5 kilolitre rainwater catchment tanks for the proposed dwelling on lot 1 and;
- iii. a 7.5 kilolitre rainwater catchment tanks for the proposed units on lot 2.

The rainwater tanks are to be located under the concrete slabs of the proposed dwellings so as not to interfere with site access and site coverage. Refer to the Melbourne Water; Blue Factor storm reports attached to this application for compliance with Standard B5-1.

55.05-2 Overshadowing domestic solar energy systems objective

- To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

Standard B5-2

Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 meter at 3.6 meters above ground level, plus 0.3 meters for every meter of building height over 3.6 meters up to 6.9 meters, plus 1 meter for every meter of height over 6.9 meters.

This standard applies to an existing building in a General Residential Zone.

In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Comments: Complies

Standard B5-2 is not applicable as this proposal is for a single storey development and does not overshadow any domestic solar energy systems.

55.05-3 Rooftop solar energy generation area objective

- To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

Standard B5-3

In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:

- Has a minimum dimension of 1.7 metres.
- Has a minimum area in accordance with Table B5-3.
- Is oriented to the north, west or east.
- Is positioned on the top two thirds of a pitched roof.
- Can be a contiguous area or multiple smaller areas.
- Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Comments:

In accordance Table B5-3; each roof area has a minimum area of 26 sqm available for solar energy generation as required for 2-3 bedroom dwellings. Refer to the attached drawing set for more detail.

55.05-4 Solar protection to new north-facing windows objective

- To encourage external shading of north facing windows to minimize summer heat gain.

Standard B5-4

North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.

Comments: Complies

Retractable blinds are provided to north facing habitable room windows to allow for solar protection in accordance with Standard B5-4.

55.05-5 Waste and recycling objectives

- To ensure dwellings are designed to facilitate waste recycling.
- To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.
- To ensure that waste and recycling facilities are designed and managed to minimize impacts on residential amenity.

Standard B5-5

Dwelling (other than a dwelling in or forming part of an apartment development)

The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.

Comments: Complies

Individual bin storage for each dwelling with an area of 1.8 square meters, 0.8 meters deep and 1.8 meters high has been provided in accordance with B5-5.1 and complies with standard B5-5. Refer to the attached drawing set for more detail.

55.05-6 Noise impacts objectives

- To minimize the impact of mechanical plant noise located in the development.

Standard B5-6

Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

Comments: Complies

As the proposal is for residential dwellings within a residential area and has appropriate separation between the dwellings, there are no concerns with any form of noise impact within the proposed development or adjoining buildings.

55.05-7 Energy efficiency for apartment developments objectives

- To achieve energy efficient dwellings and buildings.
- To ensure dwellings achieve adequate thermal efficiency.

Standard B5-7

Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.

Comments:

Although the proposed dwellings do not form a part of an apartment complex, all dwellings will achieve the required heating and cooling loads that are applicable under the 7 star energy rating using the NatHERS system.

6.5 RESIDENTIAL SUBDIVISION (Clause 56)

This proposal seeks approval for a Two Lot Subdivision to create Lot 1 of 300 square meters in area and Lot 2 of 405 square meters in area for residential use. The design of the proposed subdivision ensures that both of the proposed allotments are provided with road frontage to the adjoining road network whilst responding to the sloping nature of the subject site.

56.03-5 Neighborhood Character - Complies

Whilst most allotments within the precinct consist of conventional sized and shaped residential allotments containing single detached dwellings, there are also examples of smaller unit style developments provided. The proposal is in keeping with the neighborhood character of the area as both the proposed allotments will have direct street access from Wallace and Ballantine Streets respectively. Refer to this report, attached site and context plans.

56.04-2 Lot area and building envelopes objective

- To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8

An application to subdivide land that creates lots of less than 300 square meters should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square meters and 500 square meters should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 meters by 15 meters, or 9 meters by 15 meters if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square meters and 500 square meters are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square meters should be able to contain a rectangle measuring 10 meters by 15 meters, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the *Subdivision Act 1988*, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A2-3 and A2-4 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A4-1 to A4-4 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

Comments:

Both allotments are between 300 & 500 square meters in area and can easily accommodate a rectangular building envelope of 10 meters by 15 meters. The proposed subdivision layout provides an area suitable for the proposed development to enjoy solar access, private open space, safe vehicle movement and stormwater management within the property boundaries. Refer to the attached drawing set and attached site and context plans for more details.

56.04-3 Solar Orientation of Lots - Complies

Each of the proposed allotments is between 300 and 500 square meters in area. The dwellings will not be constructed on the boundary and is designed with sufficient solar orientation in mind.

56.04-5 Common Area – Not applicable

There are no common areas proposed.

56.06-8 Lot Access - Complies

Independent points of access will be provided directly from Wallace Street to Lot 1 and from Ballantine Street for Lot 2. The use of individual points of access will be convenient and is also consistent with the established character of the area.

56.07-1 Drinking Water Supply- Complies

Reticulated water is provided within the precinct and connected to the subject land. Both Lots will be connected to the existing water supply as part of the subdivision.

56.07-2 Reused and Recycled Water - Complies

Reused and recycled water will be available by way of;

- Lot 1 will have a 5000 liter water tank connected to catch rain water from the roof and directly connected to the dwelling laundry and water closets.
- Lot 1 will have a 7000 liter (combined) water tank connected to catch rain water from the roof and directly connected to the laundry and water closets for both units.

Refer to the drawings and storm reports attached to this application.

56.07-3 Wastewater Management Water - Complies

Reticulated sewer is already established within the precinct and connected to the subject land. Both proposed allotments will be connected to sewer as part of the subdivision consistent with Standard C24.

56.07-4 Urban Run-off Management - Complies

Each lot will have the appropriate water tanks and buffers to alleviate additional ingress of stormwater from the proposed development and protect the environmental values and characteristics of the land.

Refer to the drawings and storm reports attached to this application.

56.08-1 Site Management - Complies

It is expected that there will be very minimal disruption for the proposed subdivision of this property however; the site will be managed to the satisfaction of the Responsible Authority.

56.09-1 Shared Trenching – N/A

Given the existing nature of the servicing within the area, there will be limited ability for shared trenching.

56.09-2 Electricity, Telecommunications and Gas – Complies

The proposal will make good use of a full range of existing services as available within the precinct. Each of the proposed allotments will be connected to reticulated power, water, sewer and telecommunications as part of the proposal.

7.0 DECISION GUIDELINES

The following dot points provide some comment against the key elements of the project in response to the Decision Guidelines;

- The proposed two lot subdivision and development of three dwellings provides opportunity for infill residential opportunities into the precinct which is capable of sustaining further residential style development and zoned appropriately.
- This proposal 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 well located being within an existing well established residential precinct.
- The site is located walking distance to the high school and sporting facilities and short drive away from the main commercial district of Bairnsdale. It also benefits from being a short distance to the local Primary School, childcare centre, hospital and existing pathway network which extends throughout Bairnsdale.
- The proposed subdivision and development is able to be incorporated into the surrounding allotment pattern given the size of the property and the presence of smaller allotments within the wider precinct.
- Each of the proposed allotments will be provided with its own frontage and direct access from Wallace Street and Ballantine Street respectively.
- There is no removal of native vegetation associated with the proposal.
- The exiting Wallace Street bus stop will remain unaltered

8.0 CONCLUSION

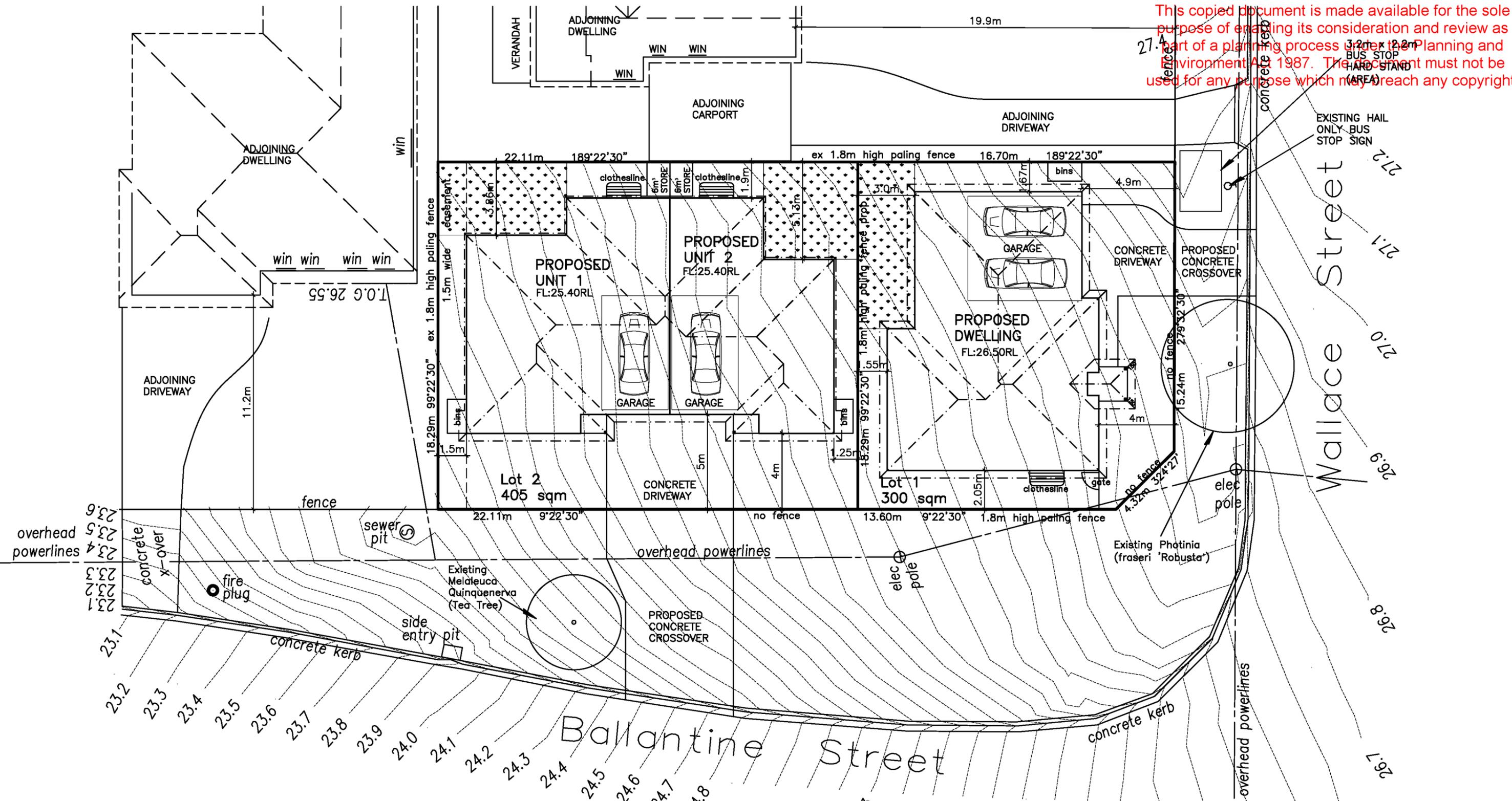
The proposed Two Lot Subdivision and construction of three dwellings at 166 Wallace Street, Bairnsdale is considered in accord with all relevant provisions of the General Residential Zone of the East Gippsland Planning Scheme. This proposal is consistent with Planning Policy Framework and Local Policy and has been designed to complement the adjoining properties. For these reasons I respectfully request that Council consider the merits of this Application favorably and resolve to issue a Planning Permit.

If any other details are required, please do not hesitate to contact or email me personally.

Kind Regards,

Damian Anderson

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SITE ANALYSIS LOT 2

SITE AREA	405 SQM
TOTAL DWELLINGS	210.89 SQM
STORE AREA	4.31 SQM
CONCRETE DRIVEWAY	33.36 SQM
TOTAL BUILDINGS	52.06 %
TOTAL SITE COVERAGE	248.56 SQM 61.37 %
TOTAL GARDEN AREA	155.62 SQM 38.42 %

LEGEND

	= PRIVATE OPEN SPACE (EACH RESIDENCE)
UNIT 1	26.16 SQM
UNIT 2	25.45 SQM
DWELLING	26.33 SQM

Site Plan
SCALE 1:200



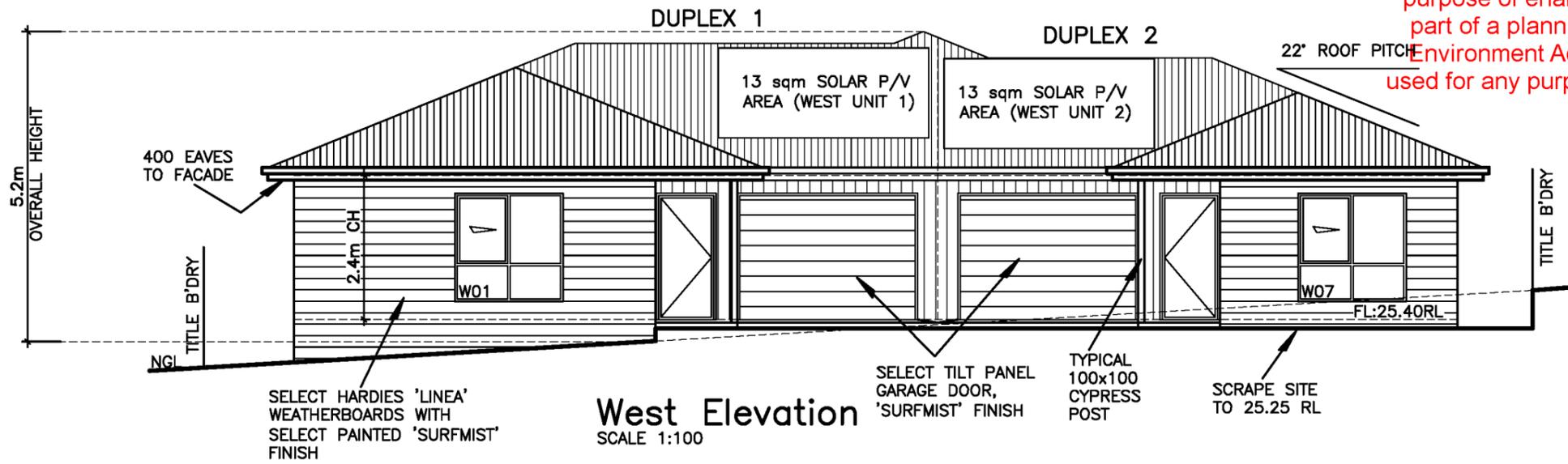
THREE DWELLINGS ON A LOT & RESIDENTIAL SUBDIVISION FOR:
AT: 166 Wallace Street,
Bairnsdale 3875

JOB NO: 332025
DATE: 06/02/2026

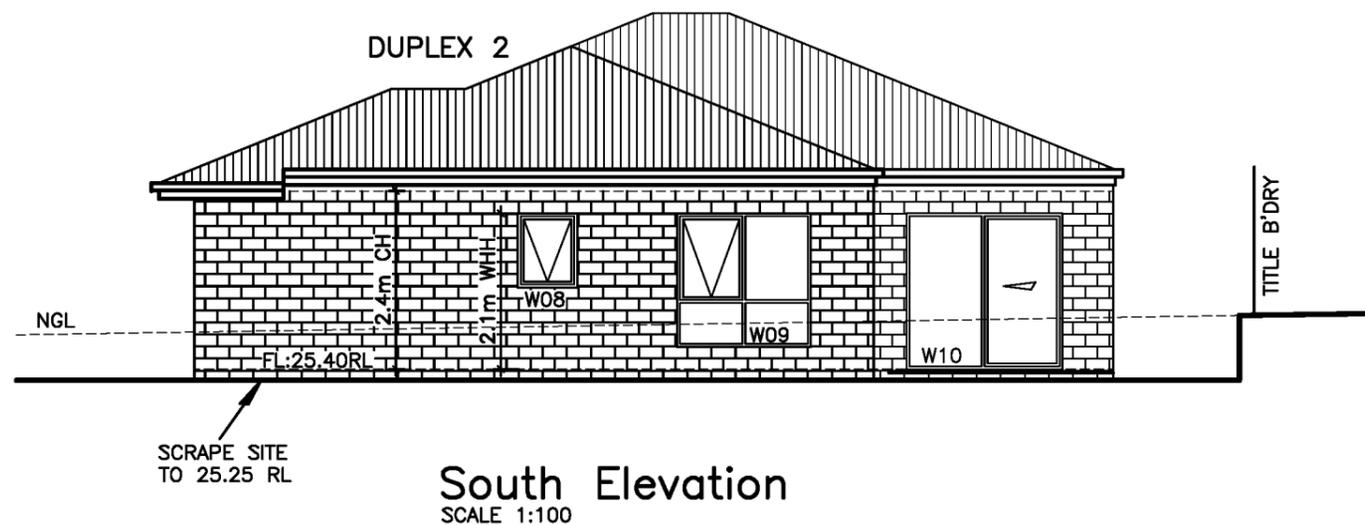
SITE ANALYSIS LOT 1

SITE AREA	300 SQM
TOTAL DWELLING	150.78 SQM
STORE AREA	2.15 SQM
CONCRETE DRIVEWAY	29.35 SQM
TOTAL BUILDINGS	50.26 %
TOTAL SITE COVERAGE	182.28 SQM 60.76 %
TOTAL GARDEN AREA	122.98 SQM 40.99 %

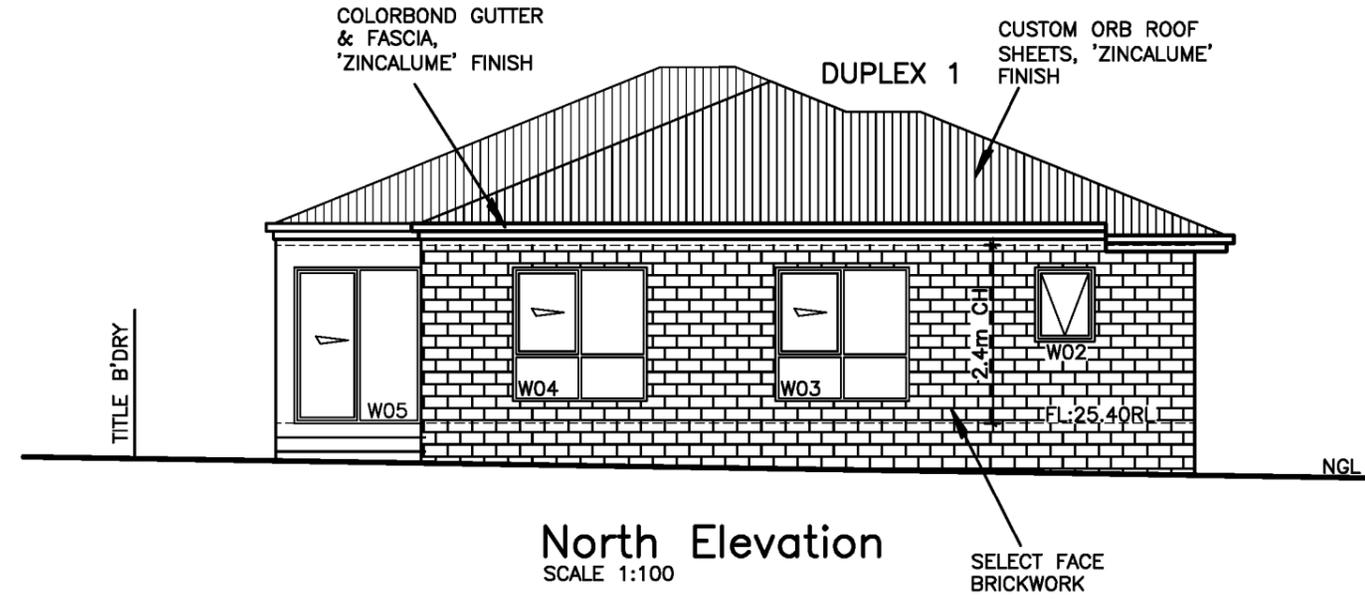
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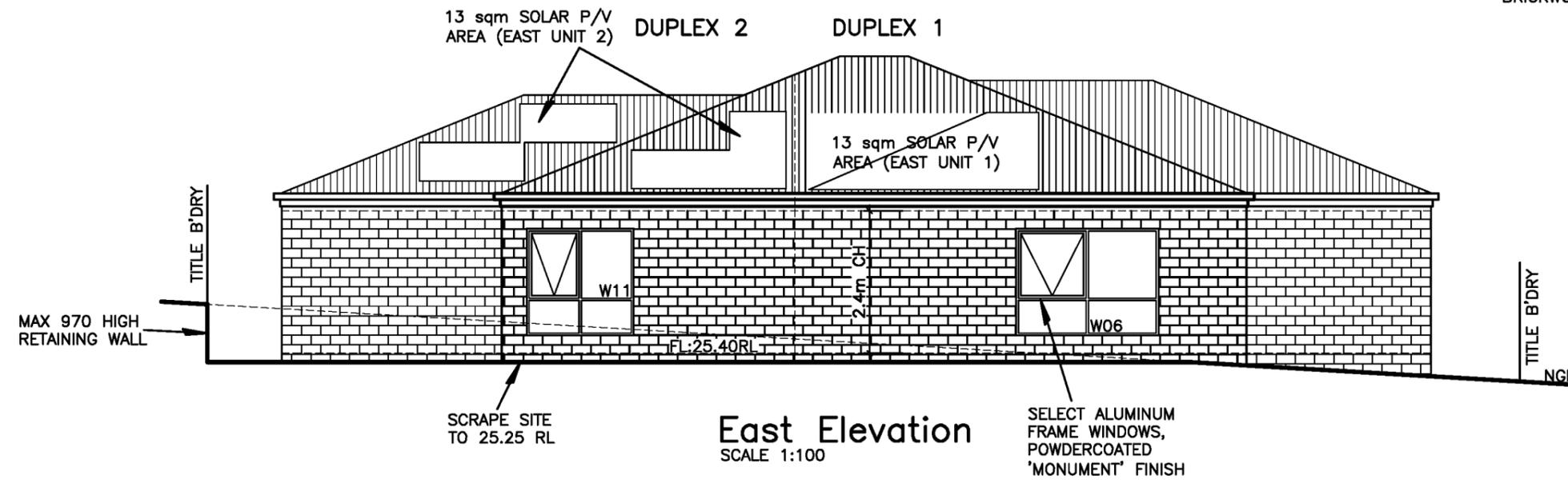
West Elevation
SCALE 1:100



South Elevation
SCALE 1:100



North Elevation
SCALE 1:100



East Elevation
SCALE 1:100

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THREE DWELLINGS ON A LOT
& RESIDENTIAL SUBDIVISION
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AT: 166 Wallace Street,
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JOB NO: 332025
DATE: 06/02/2026

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LEGEND:

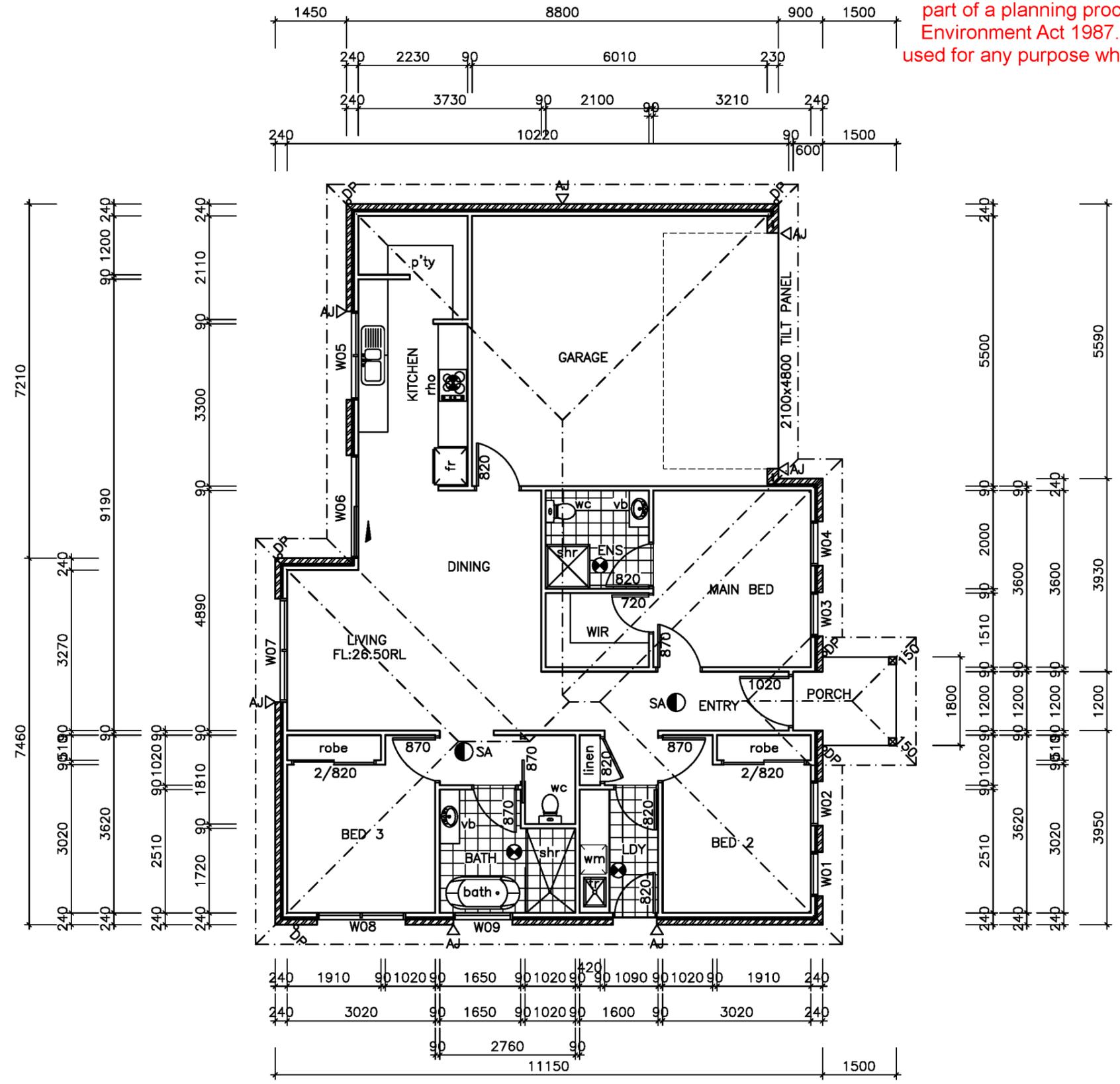
- EXHAUST FAN
- SMOKE ALARM SA
- DOWNPIPE DP
- POSTS 150
- ARTICULATION JOINT AJ
- RELATIVE LEVEL RL 10.0 RL -10.0

AREAS:

LIVING	110.73 sqm
GARAGE	36.70 sqm
PORCH	3.42 sqm

WINDOW SCHEDULE:

No	H	W	FRAME	OPENING	HEAD
W01	900	x 1800	ALUMINIUM	AWNING	2.1m
W02	900	x 1800	ALUMINIUM	AWNING	2.1m
W03	900	x 1800	ALUMINIUM	AWNING	2.1m
W04	900	x 1800	ALUMINIUM	AWNING	2.1m
W05	1200	x 1800	ALUMINIUM	AWNING	2.1m
W06	2100	x 2100	ALUMINIUM	SD	2.1m
W07	1200	x 2100	ALUMINIUM	AWNING	2.1m
W08	1800	x 1800	ALUMINIUM	AWNING	2.1m
W09	600	x 1200	ALUMINIUM	AWNING	2.1m



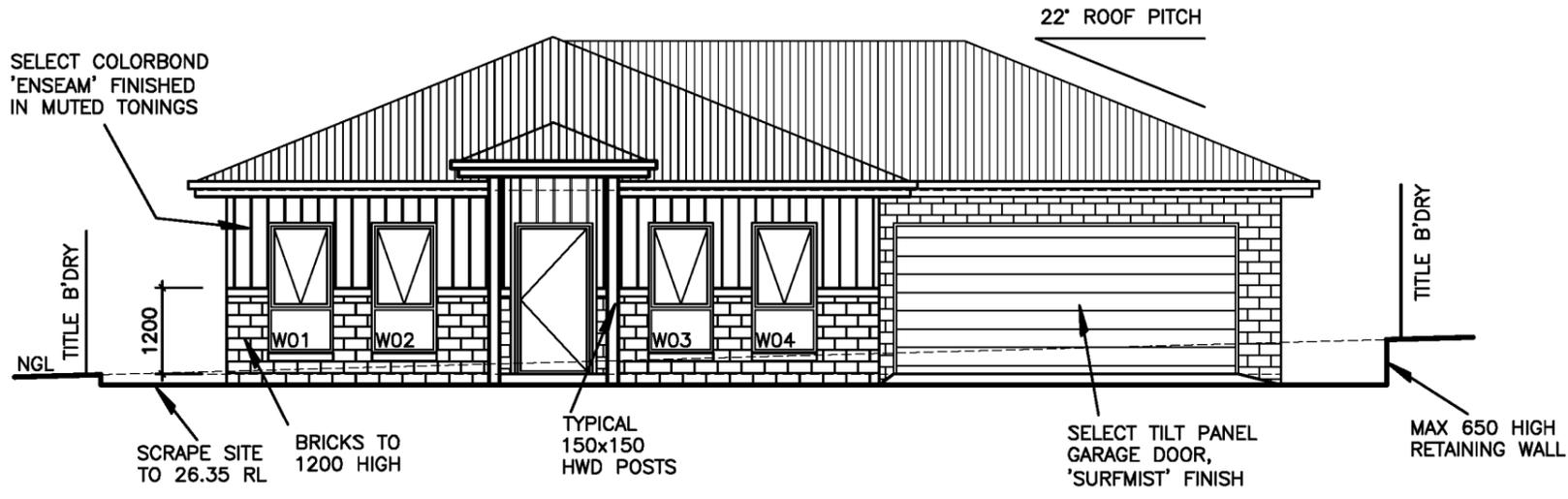
Floor Plan
SCALE 1:100

THREE DWELLINGS ON A LOT
& RESIDENTIAL SUBDIVISION
FOR:
AT: 166 Wallace Street,
Bairnsdale 3875

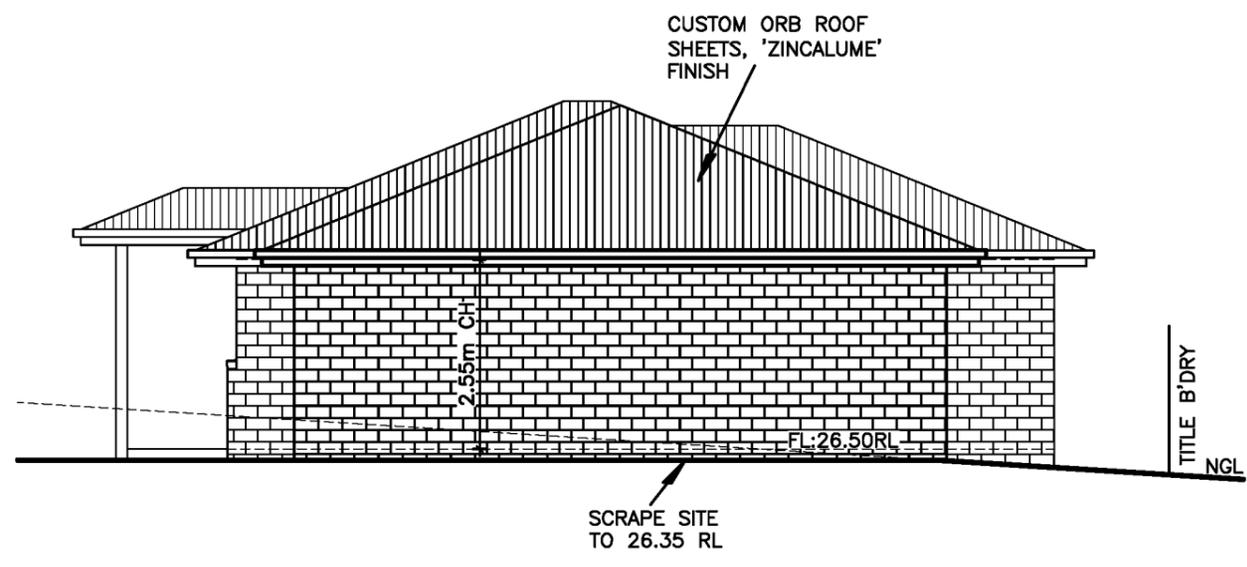
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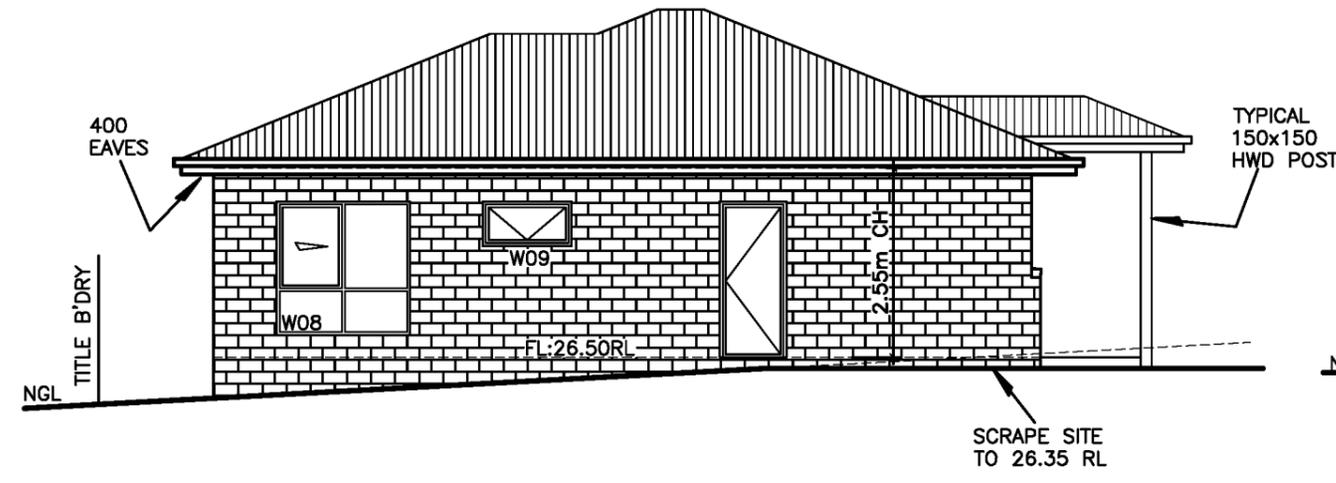
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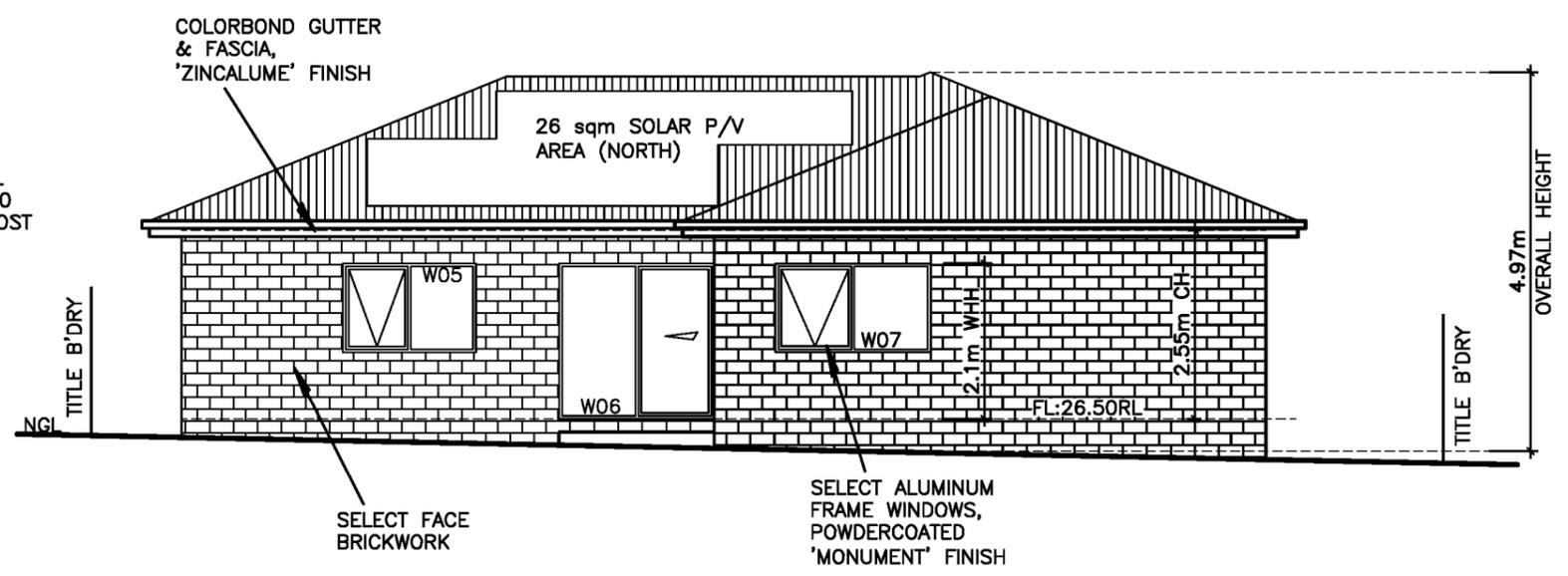
South Elevation
SCALE 1:100



East Elevation
SCALE 1:100



West Elevation
SCALE 1:100



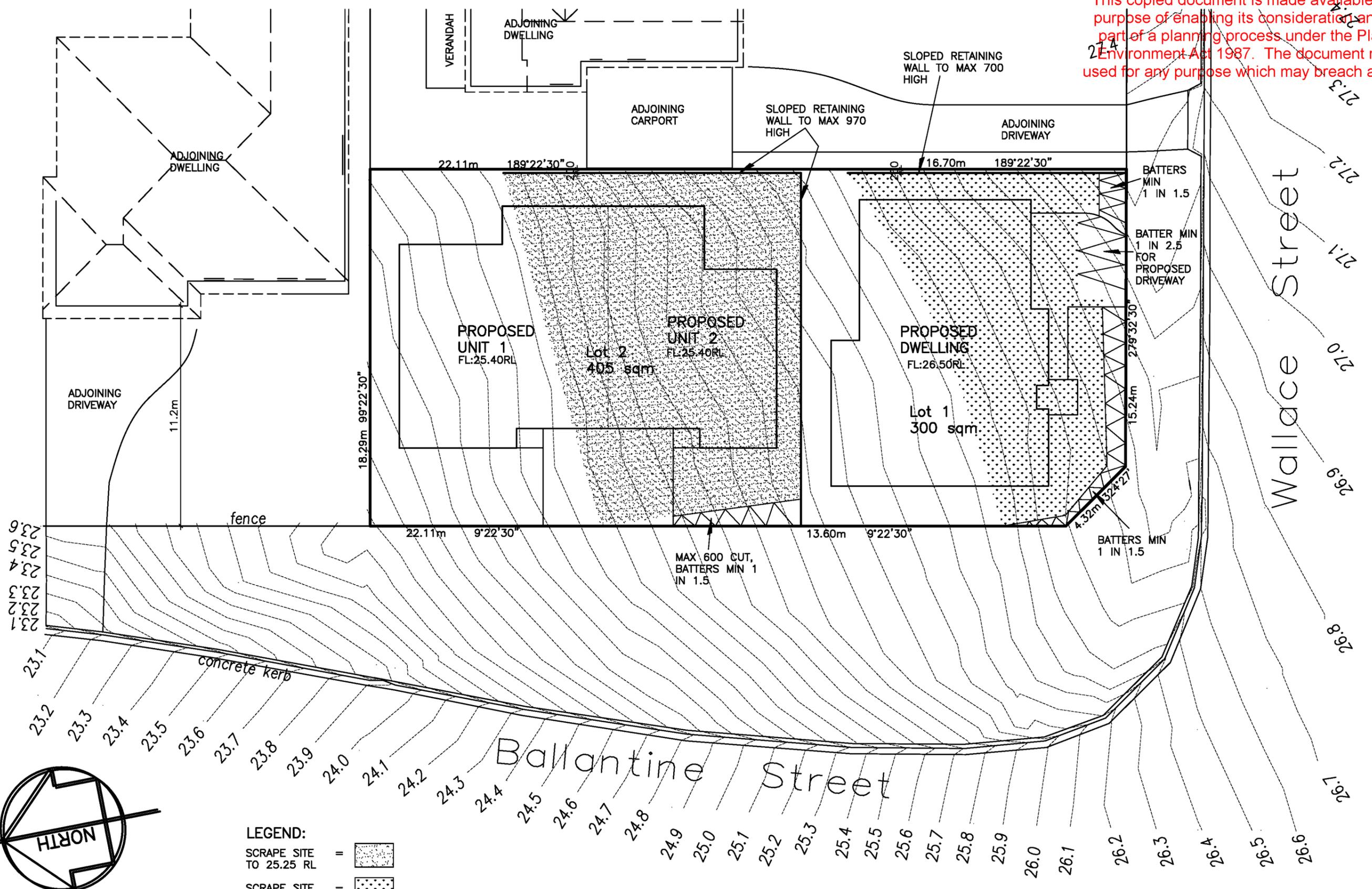
North Elevation
SCALE 1:100

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THREE DWELLINGS ON A LOT
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LEGEND:
 SCRAPE SITE TO 25.25 RL = [stippled pattern]
 SCRAPE SITE TO 26.35 RL = [dotted pattern]

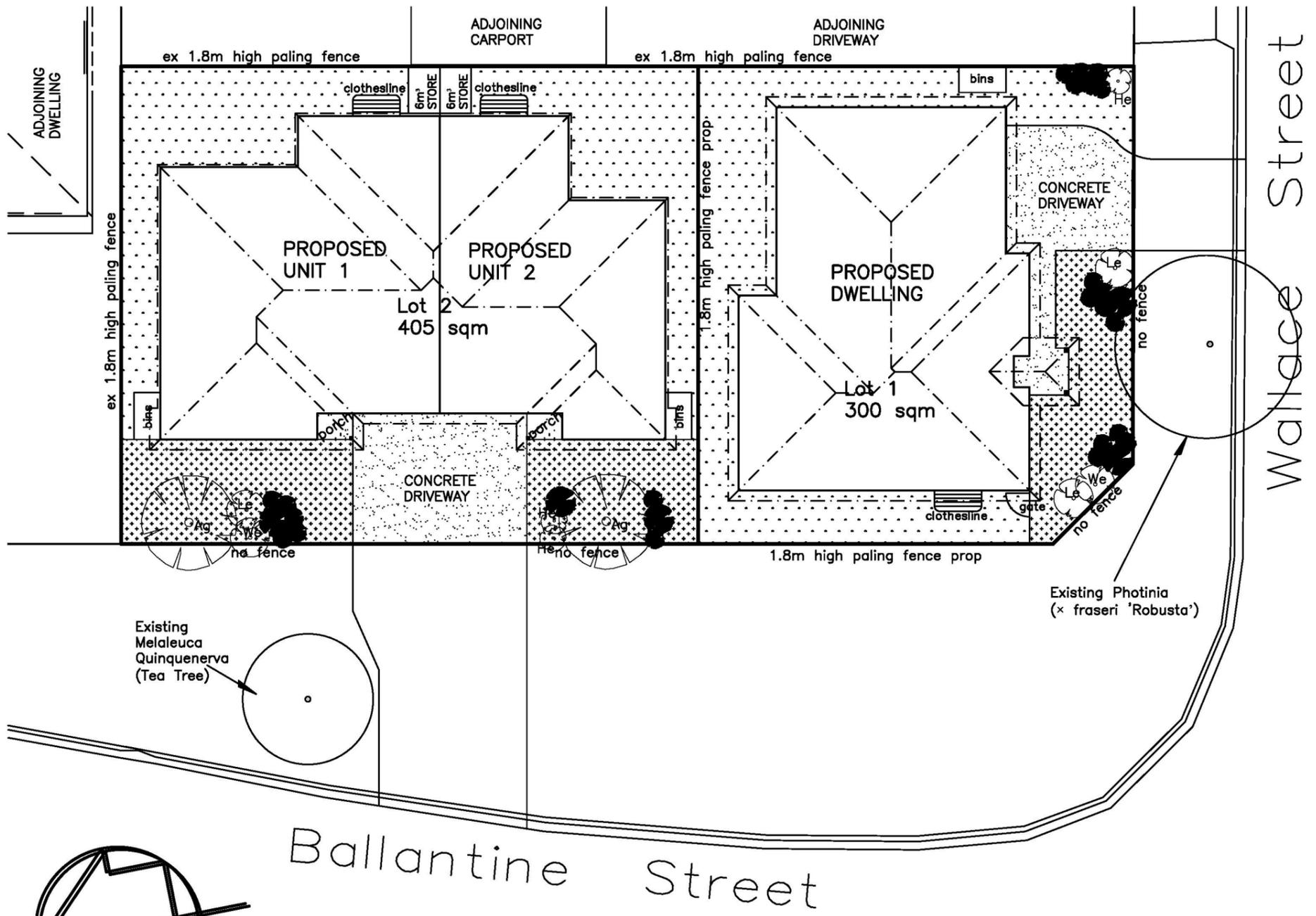
Site Excavation Plan
 SCALE 1:200

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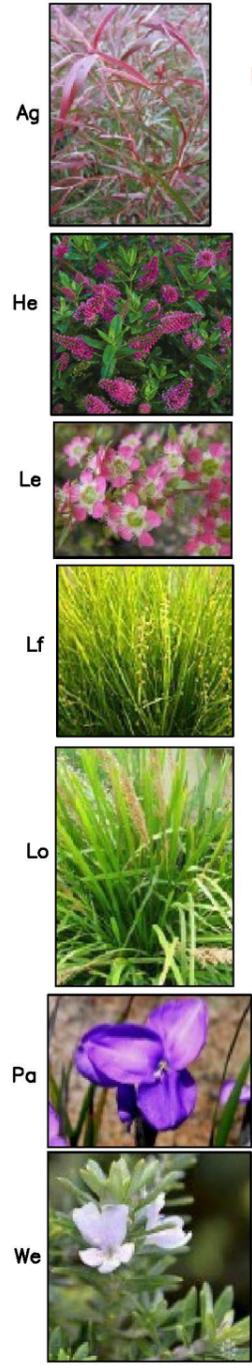
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PLANT PALLETTE:



LANDSCAPING NOTES:
the following landscaping specifications are to be read in conjunction with the relevant local laws & local developers guidelines

GARDEN BEDS
all works are to be carried out in accordance with standard horticultural practices. the ground is to be in a loose & friable condition, by an initial cultivation prior to the placement of any topsoil. before laying mulch cultivate soil to a depth of 250mm.

GRADES & LEVELS
all grades to be shaped to assist drainage. where beds are being placed against buildings they must drain away from the building.

LAWNS
lawn areas to be cultivated to a depth of 100mm & spread with 75mm screened organic topsoil mix. rake with a fine teeth finishing with approx 8mm above adjacent path surface or plinth board. seed lawns with kikuyu or couch type lawn seed & apply starter fertilizer.

GYPSUM
gypsum shall assist in the breakup of any heavy clay soil. spread gypsum at 1.5kg per m² or in accordance with the manufacturers specification

MULCH
provide mulch to all garden bed areas to a depth of 75mm. the use of organic mulch is recommended.

ROOT BARRIER
an appropriate root barrier protection system should be installed to ensure that no damage may occur to any foundations, retaining walls, footpaths, driveways, underground pipes & the like. this should be carried out by an industry professional to the requirements of the product manufacturer.

WATER DRIP SYSTEM
10mm polypipes are to be used for garden bed areas & trees. a fitted manual water timer is recommended to operate the drip system.



Ballantine Street

Wallace Street

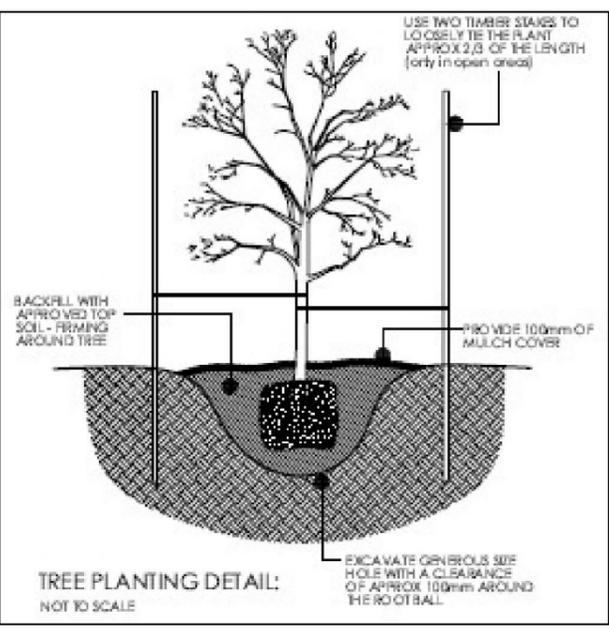
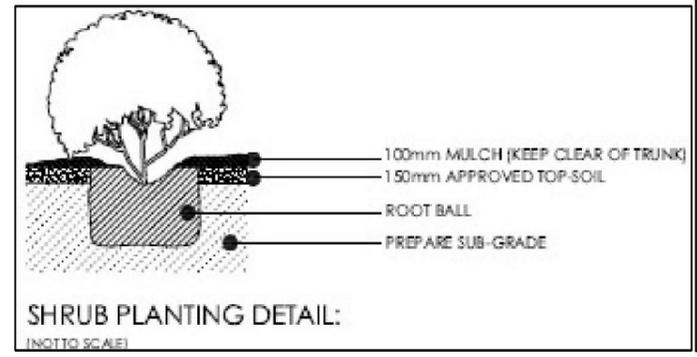
Landscape Plan
SCALE 1:200

LANDSCAPING LEGEND:

CONCRETE	
GRASS	
MULCHED GARDEN BED	

PLANTING LEGEND:

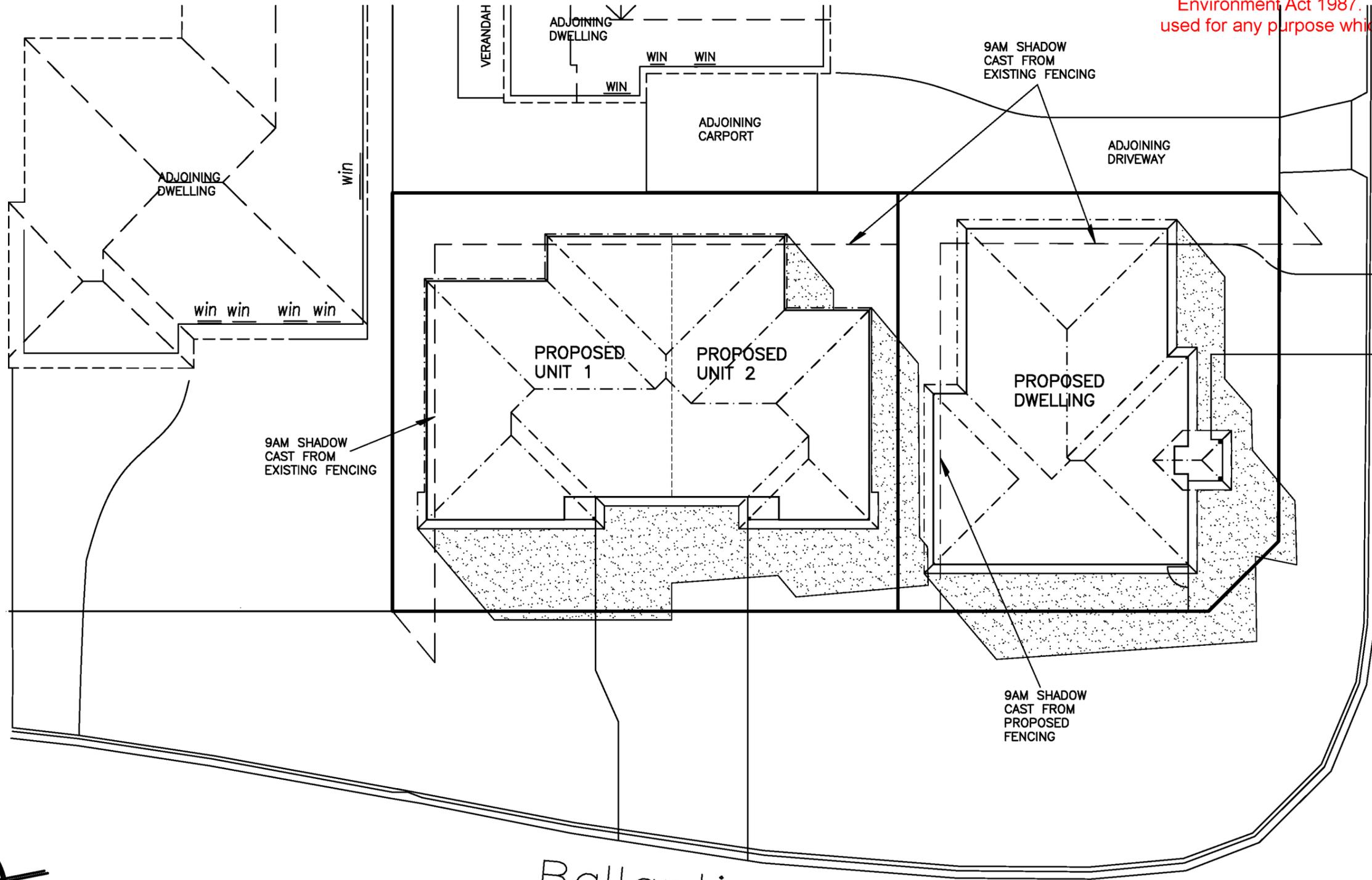
KEY	BOTANICAL NAME	COMMON NAME	HEIGHT	WIDTH	POT SIZE	TOTAL
TREES						
Ag	Agonis Flexuosa Burgundy	Burgundy Willow Murtle	5000	3000	45lt	02
PERENNIALS / SHRUBS / SUCCULENTS						
He	Hebe 'Sunset Boulevard'	Flowering Hebe	1000	1000	10cm	03
Le	Leptospermum 'Lipstick'	Lepospermum	1500	1000	20cm	03
We	Westringia 'Wynabbie Gem'	Native Rosemary	2000	1500	20cm	02
TUSSOCK PLANTS						
Pa	Patersonia Occidentalis	Long Purple Flag	400	600	10cm	16
Lo	Lomandra Longifolia	Spiny Headed Mat Rush	600	1000	10cm	05
Lf	Lomandra Filiformus	Dwarf Lomandra 'Lime Spike'	300	400	10cm	06



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THREE DWELLINGS ON A LOT
& RESIDENTIAL SUBDIVISION
FOR:
AT: 166 Wallace Street,
Bairnsdale 3875

JOB NO: 332025
DATE: 06/02/2026



9am Shadow Diagram
SCALE 1:200

LEGEND:
 PROPOSED SHADOWS CAST AT 9AM ON THE SEPTEMBER 23RD EQUINOX

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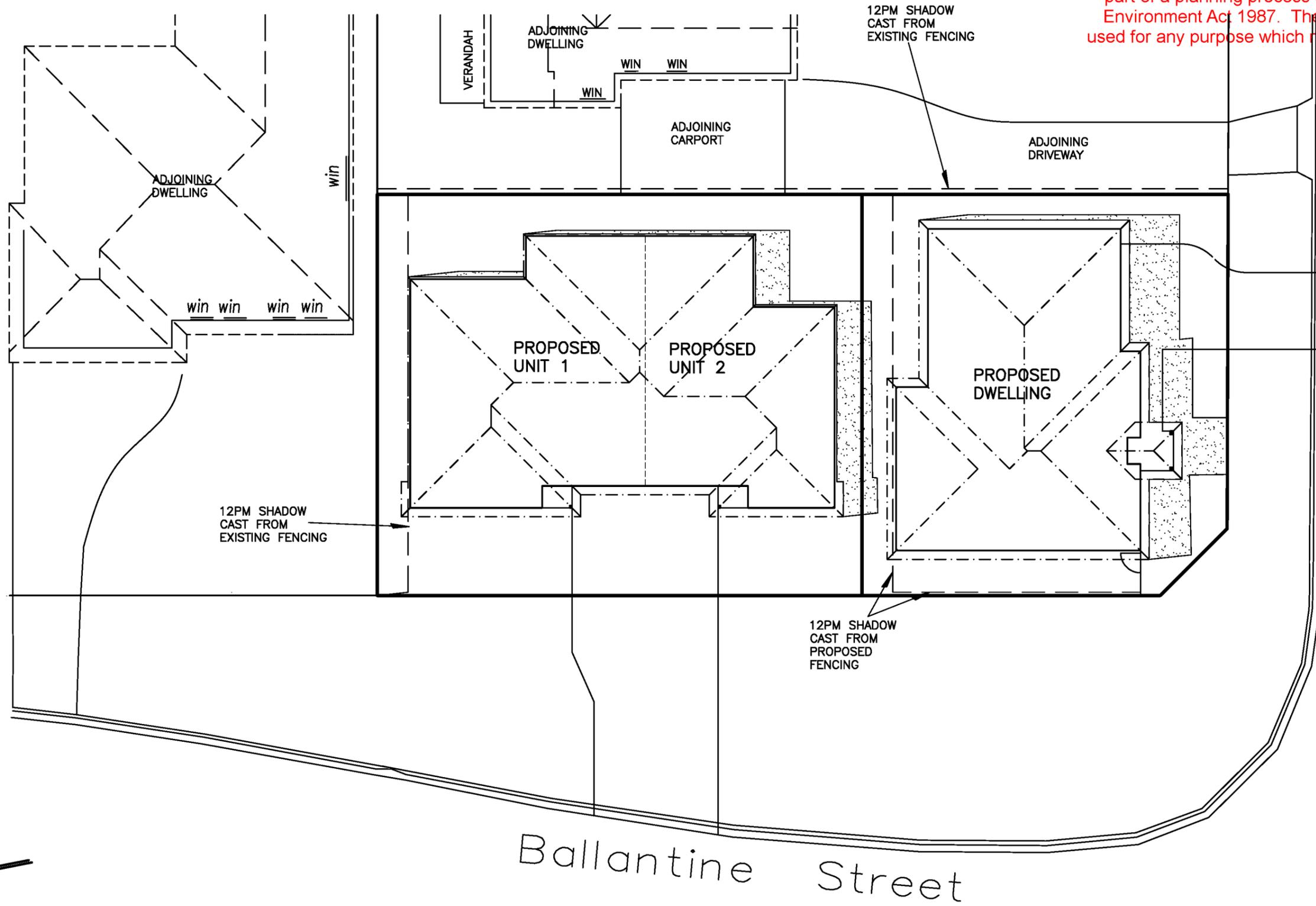
THREE DWELLINGS ON A LOT
 & RESIDENTIAL SUBDIVISION
 FOR:
 AT: 166 Wallace Street,
 Bairnsdale 3875

JOB NO: 332025
 DATE: 06/02/2026

Wallace Street

Ballantine Street

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12pm Shadow Diagram
SCALE 1:200

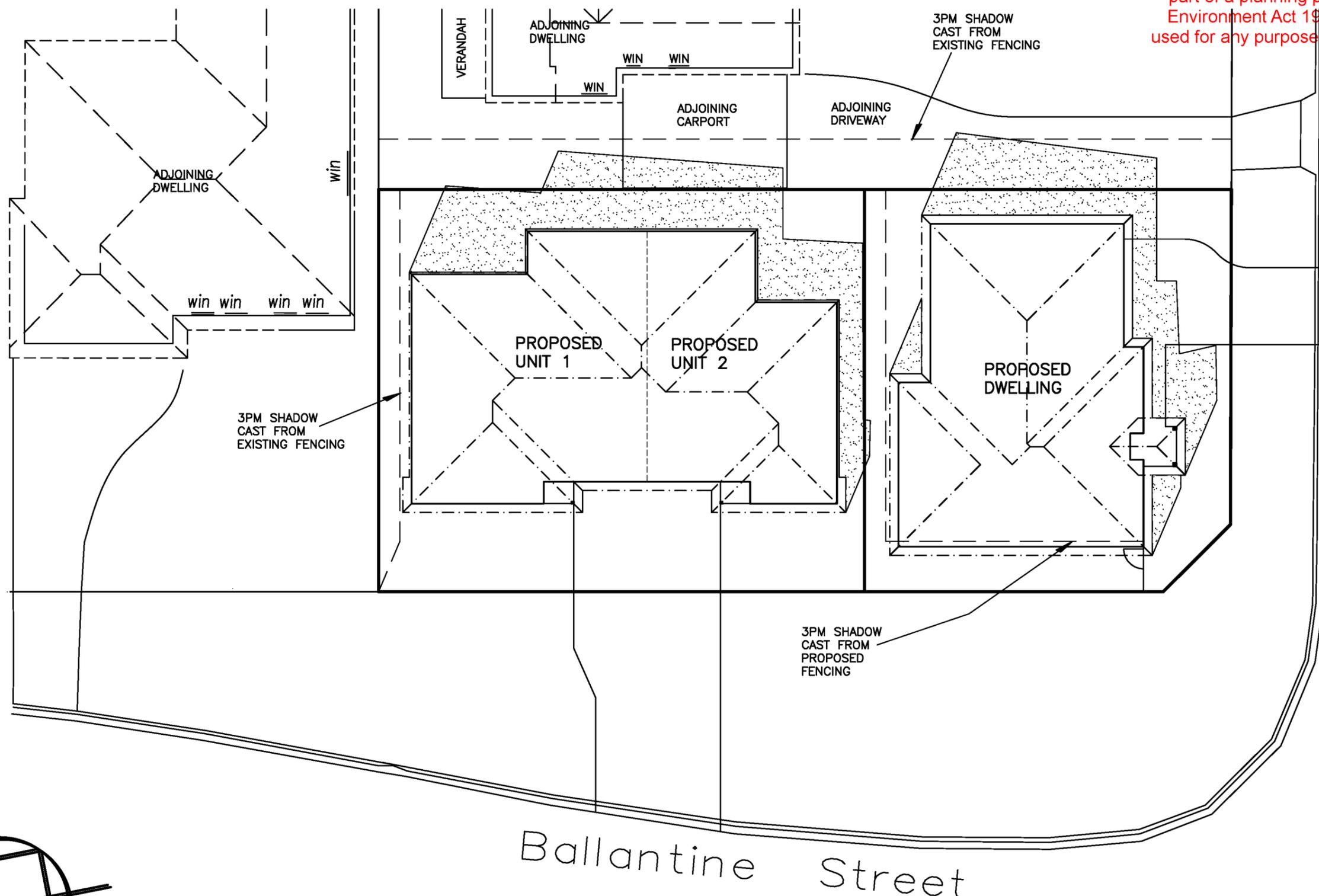
LEGEND:

-  PROPOSED SHADOWS CAST AT 12PM ON THE SEPTEMBER 23RD EQUINOX

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 Metung Vic 3904
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THREE DWELLINGS ON A LOT
 & RESIDENTIAL SUBDIVISION
 FOR:
 AT: 166 Wallace Street,
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JOB NO: 332025
 DATE: 06/02/2026



3pm Shadow Diagram
SCALE 1:200

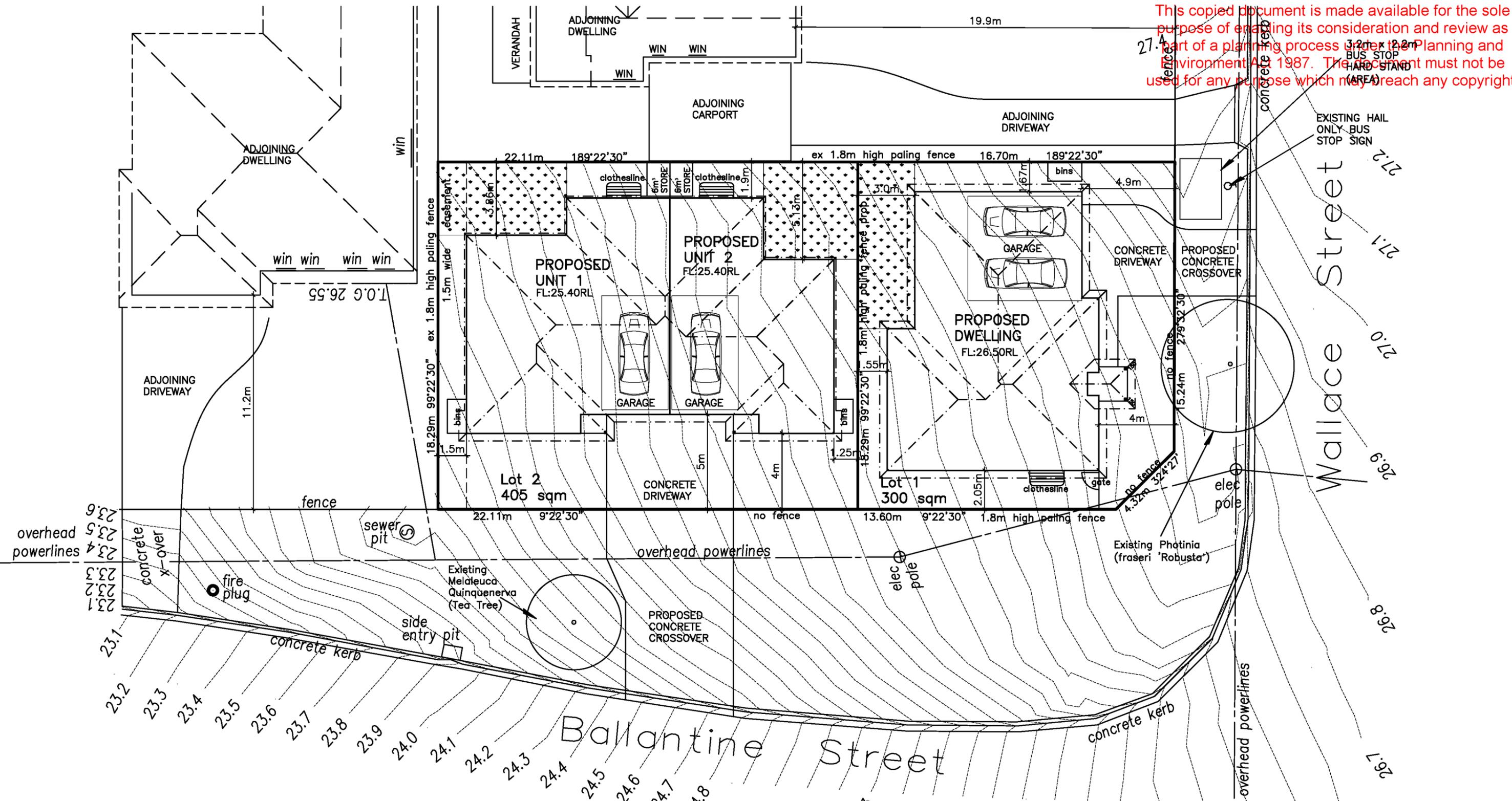
LEGEND:
 PROPOSED SHADOWS CAST AT 3PM ON THE SEPTEMBER 23RD EQUINOX

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THREE DWELLINGS ON A LOT
 & RESIDENTIAL SUBDIVISION
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JOB NO: 332025
 DATE: 06/02/2026

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SITE ANALYSIS LOT 2

SITE AREA	405 SQM
TOTAL DWELLINGS	210.89 SQM
STORE AREA	4.31 SQM
CONCRETE DRIVEWAY	33.36 SQM
TOTAL BUILDINGS	52.06 %
TOTAL SITE COVERAGE	248.56 SQM 61.37 %
TOTAL GARDEN AREA	155.62 SQM 38.42 %

LEGEND

	= PRIVATE OPEN SPACE (EACH RESIDENCE)
UNIT 1	26.16 SQM
UNIT 2	25.45 SQM
DWELLING	26.33 SQM

Site Plan
SCALE 1:200

THREE DWELLINGS ON A LOT & RESIDENTIAL SUBDIVISION FOR:
AT: 166 Wallace Street,
Bairnsdale 3875

JOB NO: 332025
DATE: 06/02/2026



SITE ANALYSIS LOT 1

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STORE AREA	2.15 SQM
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TOTAL SITE COVERAGE	182.28 SQM 60.76 %
TOTAL GARDEN AREA	122.98 SQM 40.99 %

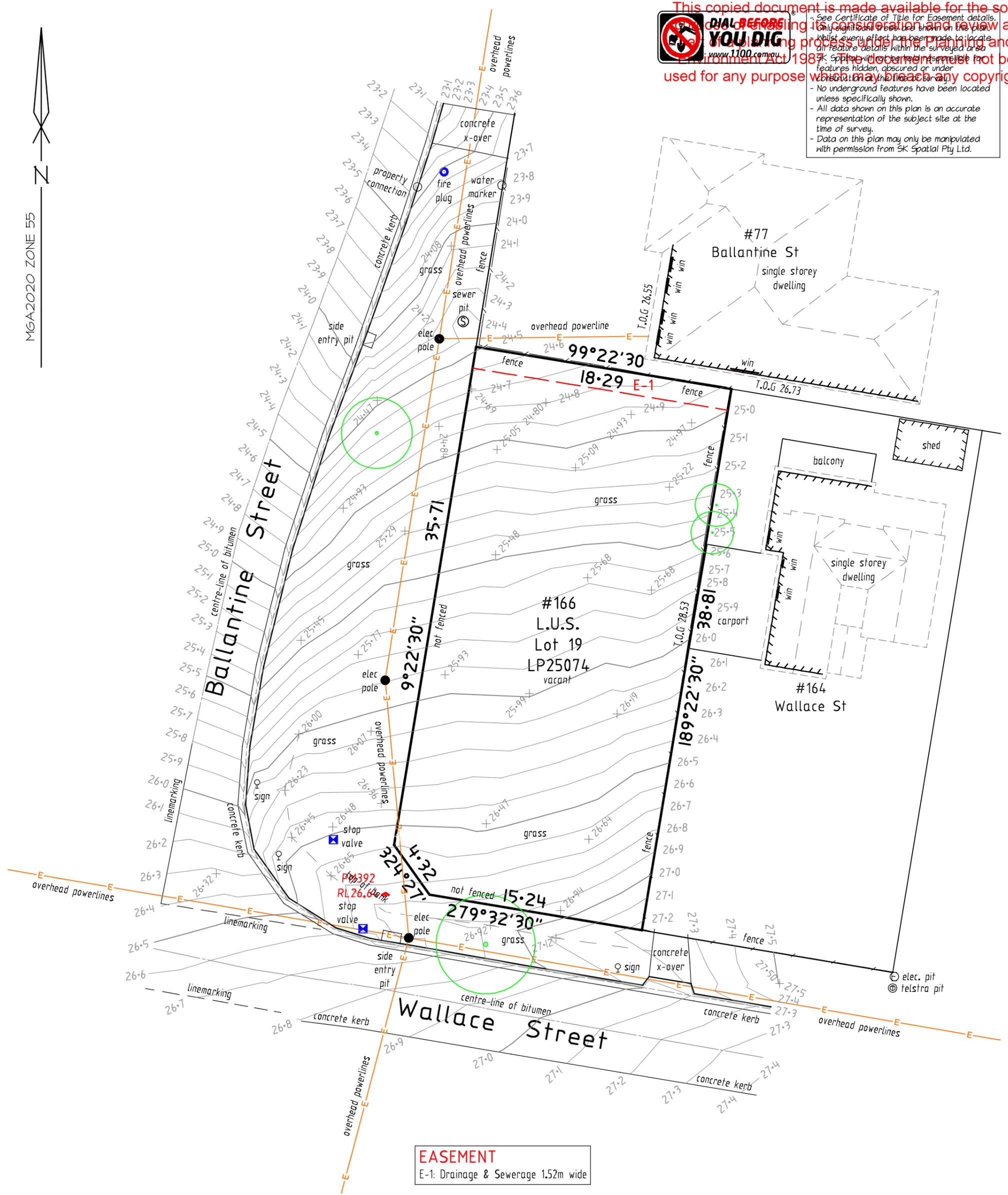
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- See Certificate of Title for Easement details.
- Only significant trees are shown on this plan.
- Whilst every effort has been made to locate all feature details within the surveyed area SK Spatial will not be held responsible for features hidden, obscured or under construction at the time of survey.
- No underground features have been located unless specifically shown.
- All data shown on this plan is an accurate representation of the subject site at the time of survey.
- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.

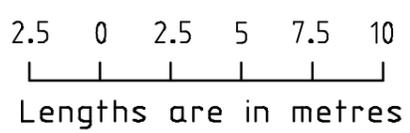
MGA2020 ZONE 55



EASEMENT
E-1: Drainage & Sewerage 1.52m wide

OnePlan
LAND DEVELOPMENT GROUP
LICENSED LAND SURVEYORS

P:1300 853 157
M:0400 543 157
sks@oneplangroup.com.au
www.oneplangroup.com.au
GIPPSLAND - MELBOURNE



Site Context Plan

Notations
Date of Survey: 23/07/2024
Re-establishment datum vide PS903386Q

Levels are to the Australian Height Datum (AHD) vide BAIRNSDALE PM 145 - RL 29.908m
Contour interval: 0.1m

Total site area: 705m²

166 Wallace Street, Bairnsdale, 3875 East Gippsland Shire		
Plan No. 242548 SC-2	Scale 1:250 - A3	Drawn 11/11/2025

County of Tanjil
Parish & Township of Bairnsdale

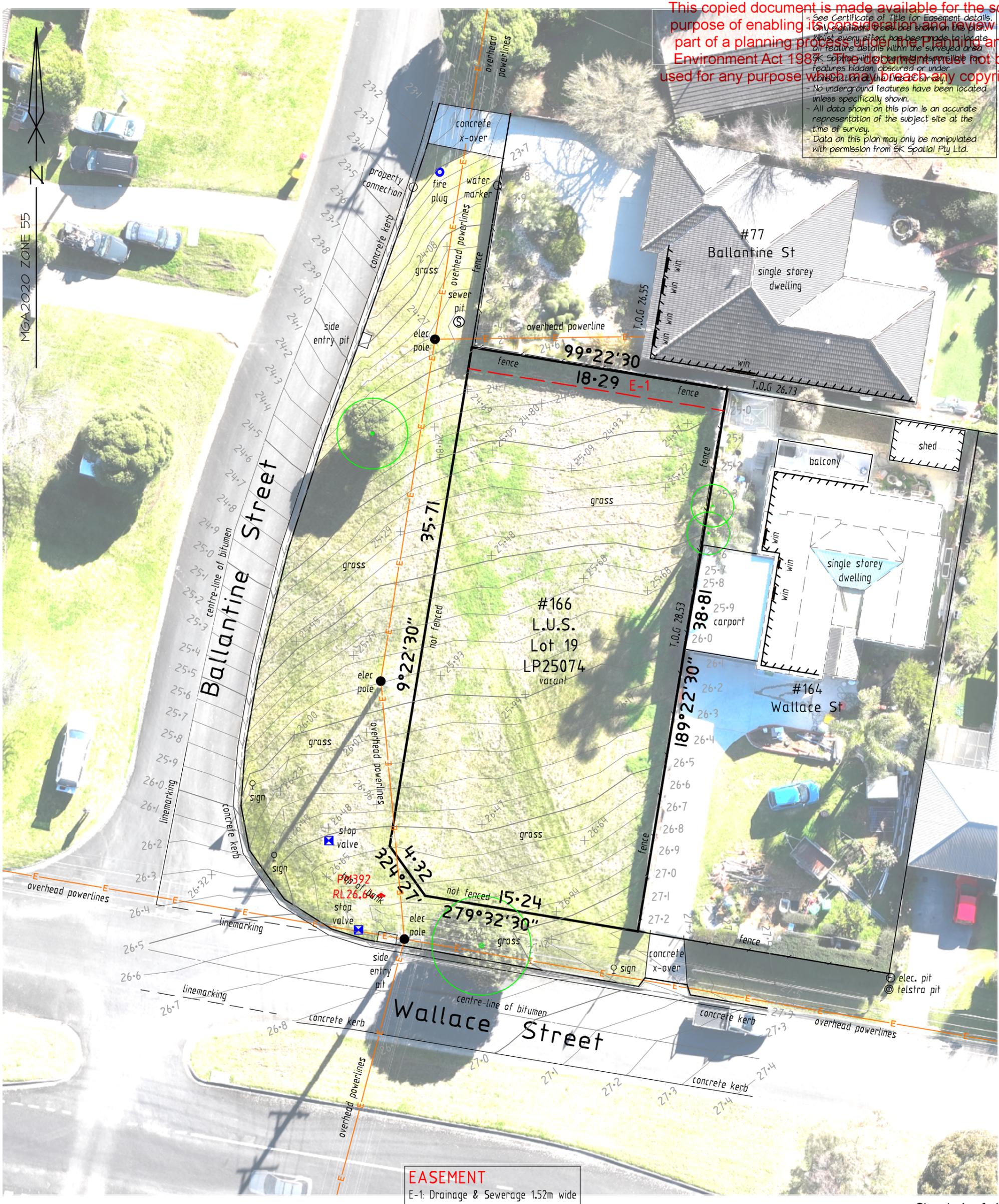
Crown Allotment: 130 (part)

Lot 19 on LP25074

Paracentroid (MGA2020) : E 552 330, N 5813 690

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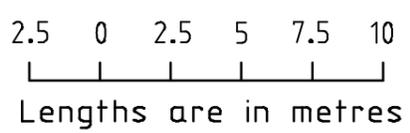
MGA2020 ZONE 55

EASEMENT
 E-1: Drainage & Sewerage 1.52m wide

Sheet 1 of 1

OnePlan
 LAND DEVELOPMENT GROUP
 LICENSED LAND SURVEYORS

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 sks@oneplangroup.com.au
 www.oneplangroup.com.au
 GIPPSLAND - MELBOURNE



Site Context Plan with Aerial Image

Notations
 Date of Survey: 23/07/2024
 Re-establishment datum vide PS903386Q
 Levels are to the Australian Height Datum (AHD) vide BAIRNSDALE PM 145 - RL 29.908m
 Contour interval: 0.1m
 Total site area: 705m²

166 Wallace Street, Bairnsdale, 3875
 East Gippsland Shire

Plan No. 242548 SCA-2	Scale 1:250 - A3	Drawn 11/11/2025
--------------------------	---------------------	---------------------

County of Tanjil
 Parish & Township of Bairnsdale
 Crown Allotment: 130 (part)
 Lot 19 on LP25074
 Paracentroid (MGA2020) : E 552 330, N 5813 690

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MGA2020 ZONE 55



proposed dwelling & proposed unit 1 & 2 vide
 Damian Anderson
 Drafting & Design
 Job No. 332025
 Proposed Duplex
 Date 14/10/2025

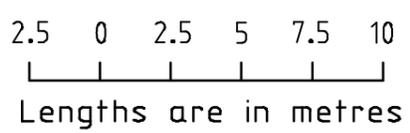
EASEMENT
 E-1: Drainage & Sewerage 1.52m wide

- See Certificate of Title for Easement details.
 - Only significant trees are shown on this plan.
 - Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.

Sheet 1 of 1

OnePlan
 LAND DEVELOPMENT GROUP
 LICENSED LAND SURVEYORS

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 GIPPSLAND - MELBOURNE



Proposed Subdivision Plan

Notations
 Date of Survey: 23/07/2024
 Re-establishment datum vide PS903386Q
 Levels are to the Australian Height Datum (AHD) vide BAIRNSDALE PM 145 - RL 29.908m
 Contour interval: 0.1m
 Total site area: 705m²

166 Wallace Street, Bairnsdale, 3875 East Gippsland Shire		
Plan No. 242548 PR-2	Scale 1:250 - A3	Drawn 11/11/2025

County of Tanjil
 Parish & Township of Bairnsdale
 Crown Allotment: 130 (part)
 Lot 19 on LP25074
 Paracentroid (MGA2020) : E 552 330, N 5813 690

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MGA2020 ZONE 55



proposed dwelling & proposed unit 1 & 2 vide
 Damian Anderson
 Drafting & Design
 Job No. 332025
 Proposed Duplex
 Date 14/10/2025

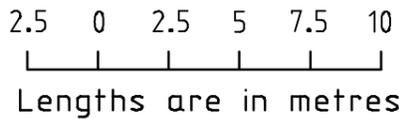
EASEMENT
 E-1: Drainage & Sewerage 1.52m wide

- See Certificate of Title for Easement details.
 - Only significant trees are shown on this plan.
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Sheet 1 of 1

OnePlan
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 LICENSED LAND SURVEYORS

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 sks@oneplangroup.com.au
 www.oneplangroup.com.au
 GIPPSLAND - MELBOURNE



Proposed Subdivision Plan
 (with proposed development)

Notations
 Date of Survey: 23/07/2024
 Re-establishment datum vide PS903386Q
 Levels are to the Australian Height Datum (AHD) vide BAIRNSDALE PM 145 - RL 29.908m
 Contour interval: 0.1m
 Total site area: 705m²

166 Wallace Street, Bairnsdale, 3875 East Gippsland Shire		
Plan No. 242548 PRD-2	Scale 1:250 - A3	Drawn 11/11/2025

County of Tanjil
 Parish & Township of Bairnsdale
 Crown Allotment: 130 (part)
 Lot 19 on LP25074
 Paracentroid (MGA2020) : E 552 330, N 5813 690

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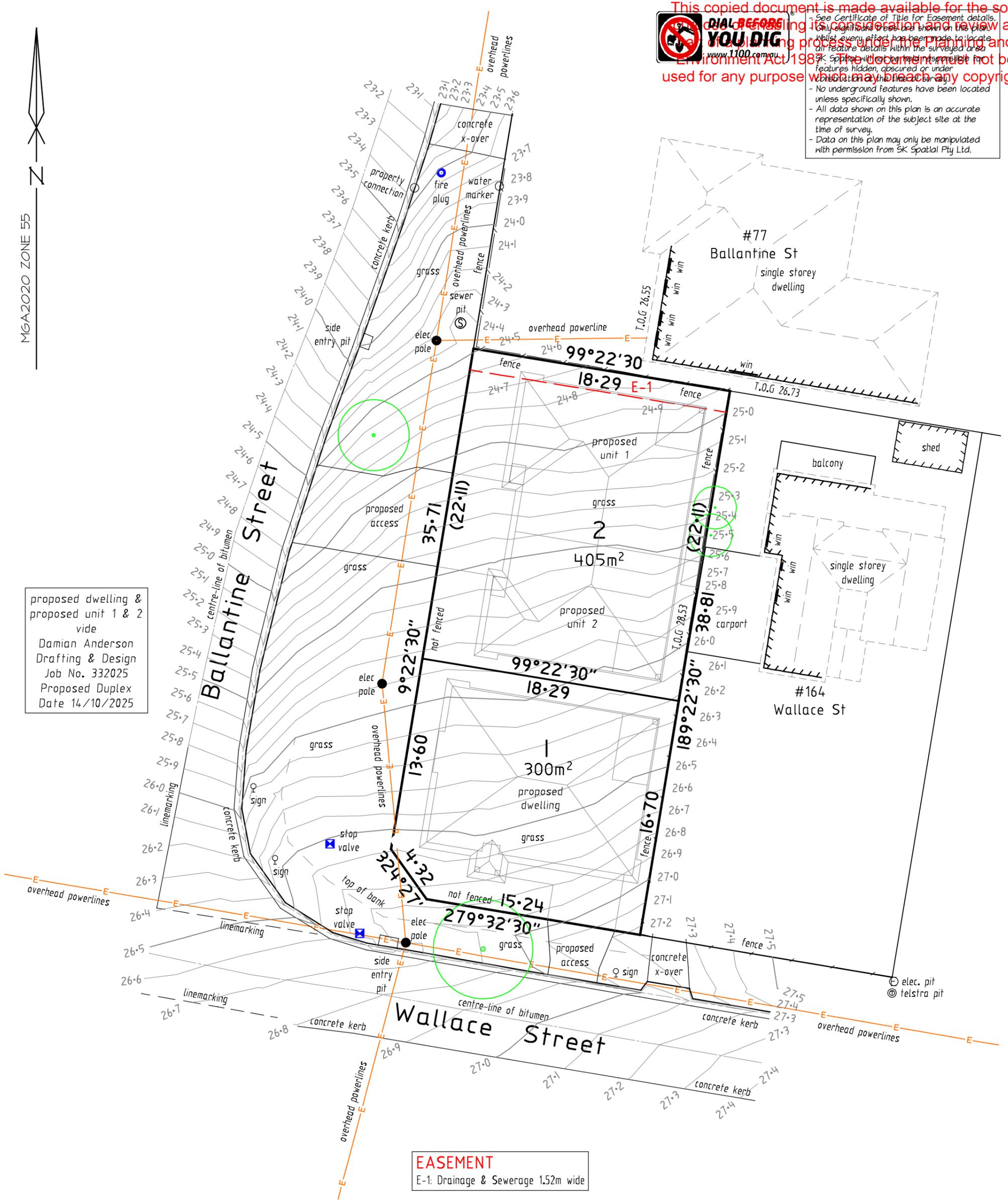


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- See Certificate of Title for Easement details.
- Only light and trees are shown on this plan.
- Whilst every effort has been made to locate all feature details within the surveyed area SK Spatial will not be held responsible for features hidden, obscured or under construction at the time of survey.
- No underground features have been located unless specifically shown.
- All data shown on this plan is an accurate representation of the subject site at the time of survey.
- Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.

MGA2020 ZONE 55

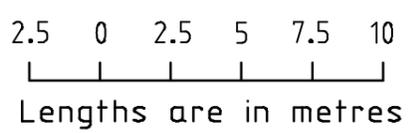
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EASEMENT
E-1: Drainage & Sewerage 1.52m wide

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Site Context & Proposed Subdivision Plan

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166 Wallace Street, Bairnsdale, 3875
East Gippsland Shire

Plan No. 242548 SCLR-2	Scale 1:250 - A3	Drawn 11/11/2025
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County of Tanjil
Parish & Township of Bairnsdale
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