

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	37 Maurice Avenue MALLACOOTA VIC 3892 CA: PART 1 Sec: 7
The application is for a permit to:	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
34.01-3 Commercial 1 Zone	Subdivide land
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2026.146.1

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: Tuesday, 19 May 2026 1:01 PM
To: Planning Unit Administration
Subject: Planning Permit application
Attachments: 21521 Report.pdf; 21521 Prop V2.pdf; 21521 CoT Vol_5839_Fol_738.pdf; Planning_Permit_Application_2026-05-19T13-00-46_33678339_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

Email address: contact@crowthersadler.com.au

Postal address : PO Box 722 Bairnsdale 3875

Preferred phone number: 0351525011

Owner's name:

Street number: 37

Street name: Maurice Avenue

Town: Mallacoota

Post code: 3892

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 : Two detached dwellings

Description of proposal : Two lot subdivision

Estimated cost of development: 0

Has there been a pre-application meeting: No

Invoice Payer: Crowther & Sadler Pty Ltd

Address for Invoice: PO Box 722 Bairnsdale 3875

Invoice Email: contact@crowthersadler.com.au

Primary Phone Invoice: 0351525011

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes

Planning report: [21521 Report.pdf](#)

Plans: [21521 Prop V2.pdf](#)

Full copy of Title: [21521 CoT Vol_5839_Fol_738.pdf](#)

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

Page 1 of 3

VOLUME 05839 FOLIO 738

Security no : 124134554316M
Produced 12/05/2026 10:03 AM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 1 Section 7 Township of Mallacoota Parish of Mallacoota.

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below.
For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP279724J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

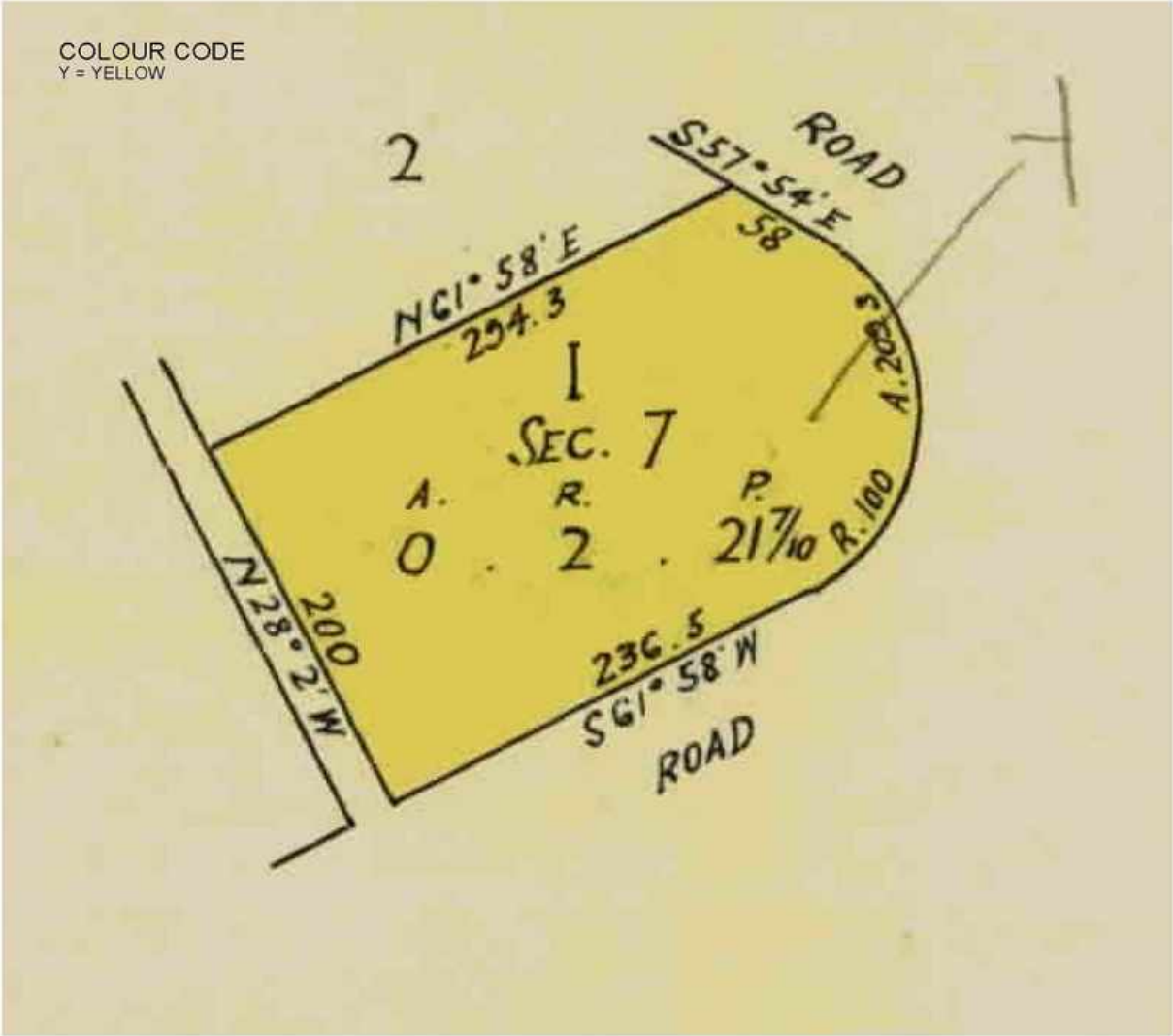
Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control
Effective from

DOCUMENT END

TITLE PLAN		EDITION 1	TP 279724J
Location of Land Parish: MALLACOOTA Township: MALLACOOTA Section: 7 Crown Allotment: 1 Crown Portion: Last Plan Reference: Derived From: VOL 5839 FOL 738 Depth Limitation: 50 FEET		Notations SUBJECT TO THE RESERVATIONS, EXCEPTIONS, CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 5839 FOL. 738 AND NOTED ON SHEET 2 OF THIS PLAN ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Description of Land / Easement Information			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 19/01/2000 VERIFIED: AA
COLOUR CODE Y = YELLOW 			
LENGTHS ARE IN LINKS		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 2 sheets

TITLE PLAN

TP 279724

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT

All THAT PIECE OF LAND in the said State

containing *two roods twenty one perches and seven tenths of a perch more or less being allotment one of Section seven in the Township of Wallacoota Parish of Wallacoota County of Victoria*

delineated with the measurements and abutments thereof in the map drawn in the margin of these presents and therein colored yellow PROVIDED nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any wells or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth EXCEPTING nevertheless unto Us Our heirs and successors all gold and silver and minerals as defined in the *Mines Act* 1928 in upon or under or within the boundaries of the land hereby granted AND ALSO reserving to Us Our heirs and successors free liberty and authority for Us Our heirs and successors and Our and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver and minerals as aforesaid and to extract and remove therefrom any such gold silver and minerals and to search for and work dispose of and carry away the said gold silver and minerals lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver and minerals and the working of all mines seams lodes and deposits containing such gold silver and minerals in upon or under the land hereby granted

PROVIDED ALWAYS that the said land is and shall be subject to be resumed for mining purposes under Section 168 of the *Land Act* 1928.

AND PROVIDED also that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a mining lease or mineral lease under the *Mines Act* 1928 or any corresponding previous enactment to enter therein and to mine for gold silver or minerals within the meaning of the said Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which such person would for the time being be entitled to mine for gold and silver in and upon Crown lands. PROVIDED that compensation shall be paid to the said

GRANTEE

his heirs executors administrators assigns or transferees by such person for surface damage to be done to such land by reason of mining thereon such compensation to be determined as provided for the time being by law and the payment thereof to be a condition precedent to such right of entry.

LENGTHS ARE IN
LINKS

Metres = 0.3048 x Feet
Metres = 0.201168 x Links

Sheet 2 of 2 sheets

Planning Report

Two Lot Subdivision
37 Maurice Avenue, Mallacoota

Our reference – 21521

May 2026



FS 520900



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	Application Form	
	Proposed Subdivision Plan (Version 1)	
	Copy of Title (Vol.5839 Fol.738)	

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 37 Maurice Avenue, Mallacoota. The Report addresses the provisions of the Commercial 1 Zone as contained within the East Gippsland Planning Scheme.



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

2. Subject Land & Surrounding Context

Formally known as Crown Allotment 1, Section 7, Township of Mallacoota the subject land is commonly known as 37 Maurice Avenue, Mallacoota.

The property is an irregular shape located on the corner of Maurice Avenue and Fairhaven Drive with the western boundary also adjoining Dots Lane. The property has an area of 2,571 square metres and contains two detached dwellings. The dwelling located in the north-east corner adjoining Fairhaven Drive is a small dwelling of approximately 70 square metres.



View of the north-east dwelling from Maurice Avenue (Source: Google Earth)

The second dwelling is located on the western portion of the property facing Maurice Avenue. The dwelling is setback approximately 8 metres from the southern boundary at Maurice Avenue and approximately 13 metres from the western side boundary.



View of the western dwelling from Maurice Avenue (Source: Google Earth)

Both dwellings are single storey in height, have modest footprints, include pitched roofs and have individual vehicle access points to informal car parking areas. Both the dwellings are used independently and are separated by an existing internal fence.

Two modest sheds are located in the north-west corner of the property.

Vehicle access to the property is established from Maurice Avenue at the south-west corner of the property



View of outbuildings in the north-west from Maurice Avenue (Source: Google Earth)

While the property is contained within the Commercial 1 Zone the subject land is separated from the commercial centre in the town. Adjoining properties immediately north and west of the subject land are also within the Commercial 1 Zone however they all contain established dwellings.



Extract from planning scheme zone maps (Source: Vic Plan)

North of the subject land is the property at 1 Fairhaven Drive, Mallacoota. The property has a frontage to Fairhaven Avenue of approximately 40 metres and contains a single storey detached weatherboard dwelling with multiple outbuildings.



View of the dwelling at 1 Fairhaven Drive, Mallacoota (Source: Google Earth)

East of the site on the east side of Fairhaven Drive is Dorron Avenue and a trade supplies premises.



Image to the east of the subject land (Source: Google Earth)

To the west of the subject land is Dots Lane that extends north from Maurice Avenue to Bruce Street. On the west side of Dots is 35 Maurice Avenue Mallacoota. This property contains a detached single storey weatherboard dwelling with outbuildings adjacent to the eastern boundary in the north-east corner. A tall hedge is established across the front boundary screening the view of the dwelling from Maurice Avenue. front boundary



View of 35 Maurice Avenue, Mallacoota from Dots Lane (Source: Google Earth)

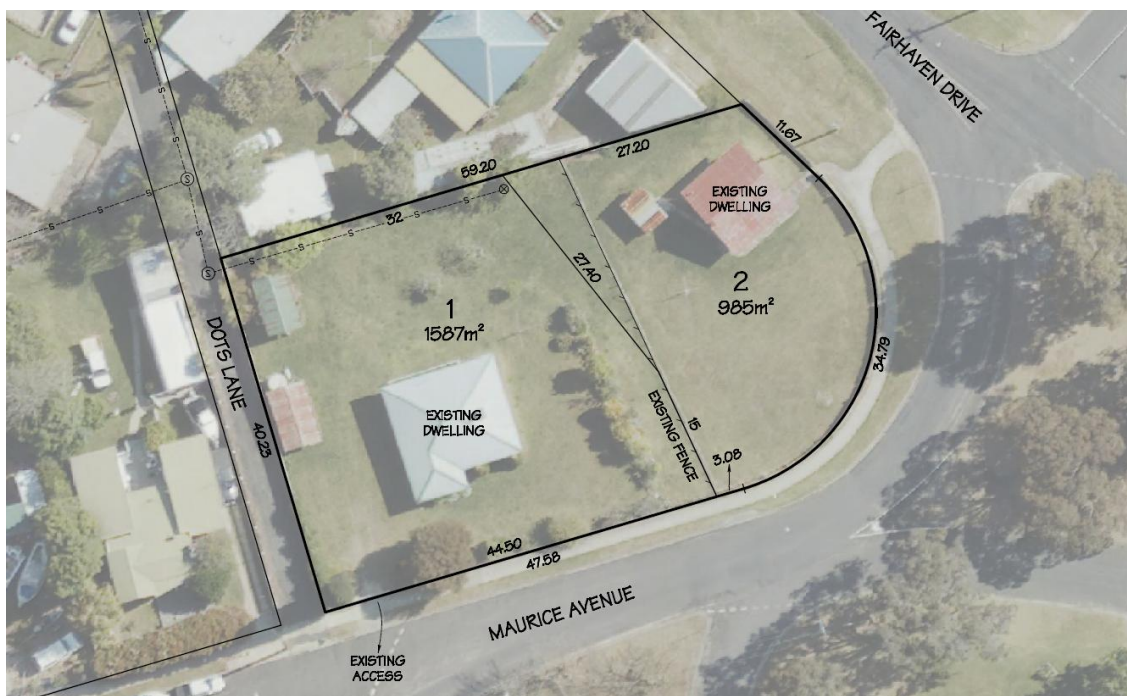
3. The Application & Proposal

The application seeks approval to subdivide the subject land into two lots.

The proposed subdivision seeks to create Lot 1 with an area of 1587 square metres within the western part of the subject land. Lot 1 will retain the existing western dwelling and associated outbuildings with vehicle access to Maurice Avenue remaining unchanged.

Lot 2 takes up the eastern part of the site and is proposed at 985 square metres. Lot 2 retains the eastern dwelling and outhouse.

The proposed lots have been designed to reflect the established buildings and connection to services with each lot provided with a it's own sense of address.



Proposed plan of subdivision

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

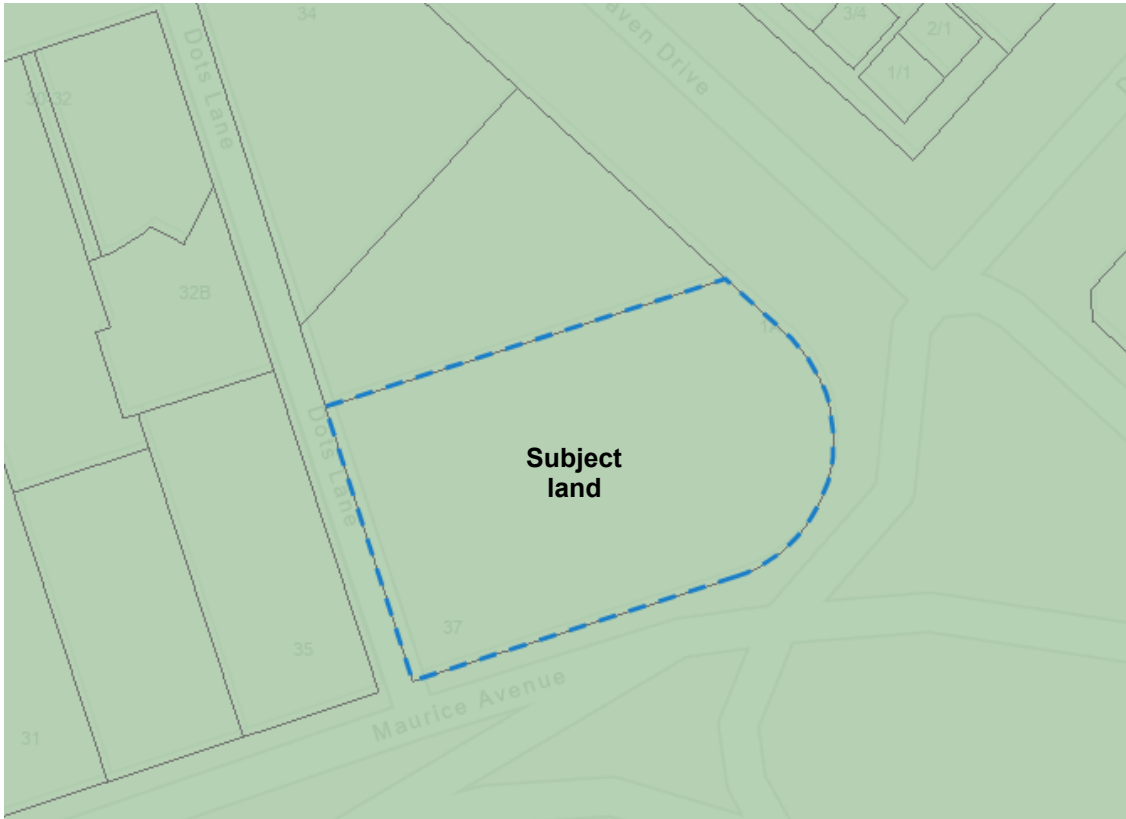
Planning Scheme Clause	Matter for which a Permit is required
34.01-3 Commercial 1 Zone	Subdivide land

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,
with sensitive areas shown in dark green (Source: VicPlan)*

The subject land is within an area of cultural heritage sensitivity however, the subdivision of the land into two lots does not constitute a high impact activity. As such, a CHMP is not required for the proposed subdivision.

5. Planning Policy

5.1 Planning Policy Framework

The proposed subdivision will be consistent with Clause 11.03-4S Coastal Settlement as it will provide for two allotments that can provide for a broad range of housing types, economic opportunities and services within a well located area of Mallacoota.

The subject site is well placed for further development as it does not contain any environmental values as noted in Clause 12 or environmental risks as specified within Clause 13.

Clause 15.01-3S Subdivision design provides planning policy support for the development:

- It will assist to create a compact neighbourhood.
- The subdivision adds to the potential for further development within the Mallacoota Neighbourhood Centre to take place.
- Provides for a range of lots that can suit a variety of dwellings and household types.
- Native flora and fauna habitat will not be affected by the proposed development.
- Provides lots that are within walking distance of local services reducing reliance on car dependency.
- Creates two lots that can be redeveloped into the future with energy efficient buildings given the site's northern orientation.

Through the division of the property and creating each lot to accommodate an existing dwelling it will assist with Housing affordability as contained in Clause 16.01-2S.

The proposal will support Clause 17.02-1S Business as it will provide business premises/property opportunities within the Neighbourhood Activity Centre.

5.2 Municipal Planning Strategy

The proposed development directs growth within the settlement boundaries of Mallacoota, allows for the efficient and effective use of existing urban zoned land and does not promote development on land with unacceptable environmental risks to human life as encouraged within Clause 02.03-1 Settlement – Managing growth.

Council has identified Mallacoota as a town and the development will facilitate the future role of the town by providing for population growth within the settlement boundary and allows for the future development of commercial facilities (Clause 02.03-1 Settlement – Settlement Roles.

6. Planning Elements

6.1 Commercial 1 Zone

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



Planning scheme mapping (Source: VicPlan)

Decision Guidelines

The application positively responds to the decision guidelines of the zone:

- Supportive planning policy for the proposal is contained within the Municipal Planning Strategy and Planning Policy Framework.
- The proposed subdivision will not have a negative interface with adjoining zones. The subdivision will result in generous allotments for two existing dwellings and allows for future development to provide for the spacing of buildings and interactive interfaces with the public realm.
- If redeveloped in the future each lot can be of sufficient size to provide for some on-site car parking, expect deliveries and waste storage.
- The lots are considered capable of accommodating a range of uses and a modest size in keeping with the scale of surrounding development.

7. Conclusion

The proposed two lot subdivision at 37 Maurice Avenue, Mallacoota is considered to accord with all relevant provisions of the Commercial 1 Zone of the East Gippsland Planning Scheme. The proposal is consistent with the Planning Policy Framework and Municipal Planning Strategy 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.

Our ref: 21521

24 June 2026

Ms. Petra Wood
Statutory Planning Officer
East Gippsland Shire Council
Via email: planning@egipps.vic.gov.au

Dear Petra,

**Re: Planning Application 5.2026.146.1 – Two Lot Subdivision
37 Maurice Avenue, Mallacoota**

We refer to Council's request for further information dated 29 May 2026 and take the opportunity to submit an amended plan of subdivision (version 3).

The amended plan of subdivision alters the proposed lot boundaries to provide for more effective servicing. Proposed lot 1 will have an area of 1587 square metres and lot 2 will have an area of 985 square metres.

We have also included on the plan a notation as to the proposed access location to lot 2, which will use an existing kerb layback. The presence of the existing kerb layback indicates that access to the property is acceptable from a traffic management perspective, given one way vehicle movements within the vicinity of the access point.

The land is suitable for the proposed subdivision as it recognises the manner in which the land has been developed for many years. Lots to be created are of sufficient areas to provide for possible future development of this Commercial 1 Zone property including the accommodation of off-street car parking.

Both lots have the ability to be connected to all available services, the proposed lots reflect the pattern of subdivision within the area and lot configuration avoids detrimentally impacting native vegetation.

It is considered that the proposed subdivision responds positively to Clause 65.02 of the East Gippsland Planning Scheme. Should you have any questions please do not hesitate to contact our office.

Regards,

RICHARD HOXLEY
Principal Planner

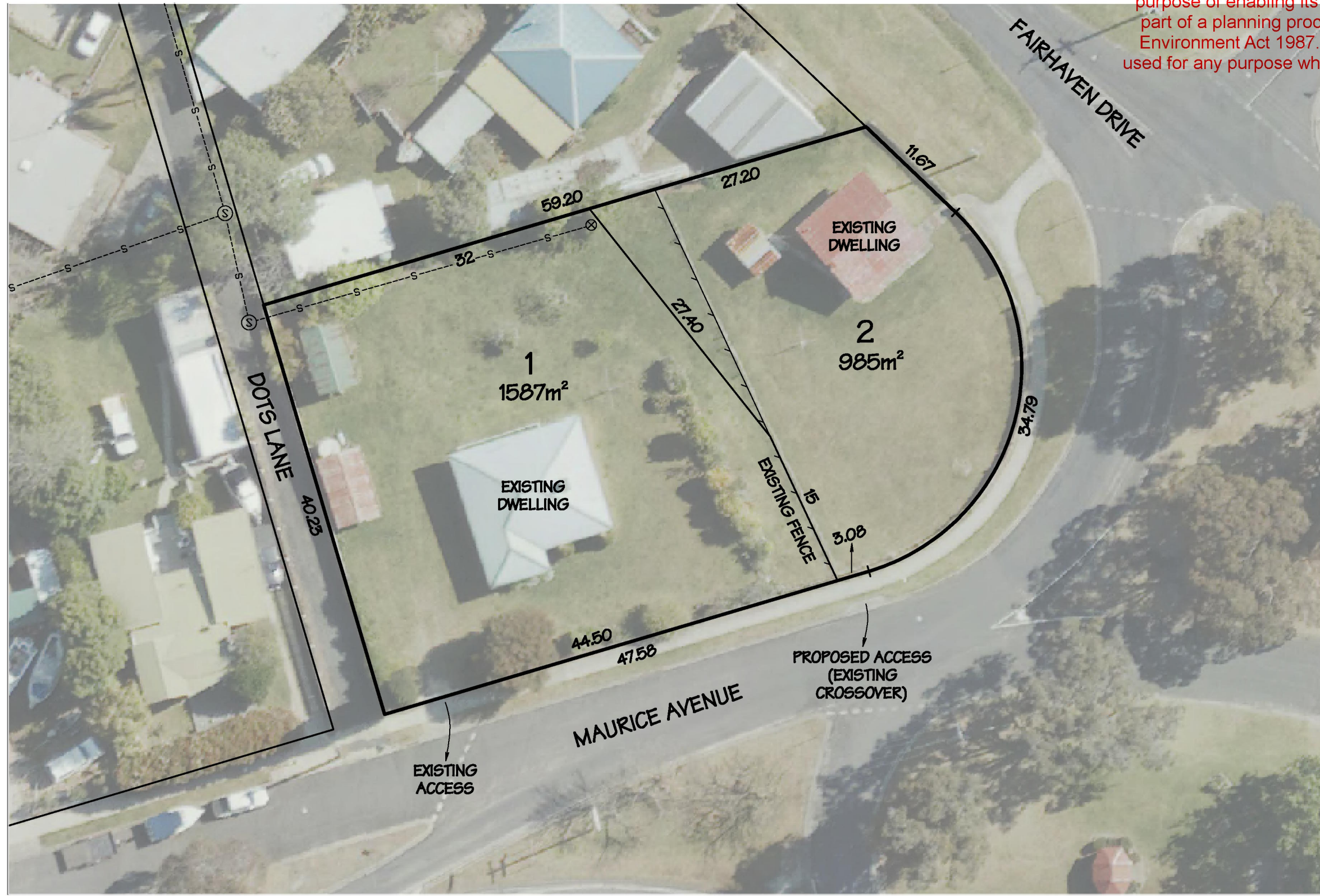
Encl. Proposed Subdivision (Version 3)



FS 520900



MGA2020 ZONE 55



37 MAURICE AVENUE, MALLACOOTA	NOTATIONS		PROPOSED SUBDIVISION
	AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY		
	SCALE (SHEET SIZE A3)	SURVEYORS REF.	
	1 : 400	21521 VERSION 3 - DRAWN 10/06/2026	
Crowther & Sadler Pty. Ltd. LICENSED SURVEYORS & TOWN PLANNERS 152 MACLEOD STREET, BAIRNSDALE, VIC., 3875 P. (03) 5162 5011 E. contact@crowthersadler.com.au	PARISH OF MALLACOOTA TOWNSHIP OF MALLACOOTA SECTION 7 CROWN ALLOTMENT 1		TP279724J
FILENAME: W:\Jobs\21000-21999\21500-21599\21521 Power\21521 Prop V3.pro			