

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	16 Mckenzie Street LUCKNOW VIC 3875 Lot: 2 PS: 613291
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
32.08-3	To subdivide land (into two lots)
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2026.291.1

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
---	---

If you object, the Responsible Authority will tell you its decision.

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>
Sent: Friday, 28 August 2026 3:49 PM
To: Planning Unit Administration
Subject: Planning Permit application
Attachments: APPENDIX A Plan of Subdivision.PDF; APPENDIX B Site Context & Proposed Subdivision Plan.pdf; APPENDIX A Covenant AEG20440G.PDF; 26047 Planning Submission.pdf; APPENDIX B Proposed Subdivision Plan.pdf; APPENDIX A Copy of Title.PDF; 26047 Letter to Council.pdf; APPENDIX C Approved Build Over Application.pdf; APPENDIX C Endorsed report and consent.pdf; Planning_Permit_Application_2026-08-28T15-49-12_36664863_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:

Business trading name: C/- Development Solutions Victoria Pty Ltd

Email address: admin@devsolvic.com.au

Postal address : 48 Bailey Street, Bairnsdale VIC 3875

Preferred phone number: 0351524858

Owner's name:

Owner's business trading name (if applicable): C/- Development Solutions Victoria Pty Ltd

Owner's postal address: 48 Bailey Street, Bairnsdale VIC 3875

Street number: 16

Street name: McKenzie Street

Town: Lucknow

Post code: 3875

Lot number: 2

Plan number: PS 613291T

Other Legal Description: VOLUME 11081 FOLIO 240

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?: Yes

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

Existing conditions : Existing dwelling and associated facilities

Description of proposal : Two Lot Subdivision

Estimated cost of development: 0

Has there been a pre-application meeting: No

Your reference number: 26047

Full copy of Title: [APPENDIX A Plan of Subdivision.PDF](#), [APPENDIX A Copy of Title.PDF](#)

Covenants agreements: [APPENDIX A Covenant AEG20440G.PDF](#)

Plans: [APPENDIX B Site Context & Proposed Subdivision Plan.pdf](#), [APPENDIX B Proposed Subdivision Plan.pdf](#)

Planning report: [26047 Planning Submission.pdf](#)

ExtraFile: 3

1. Supporting information/reports: [APPENDIX C Approved Build Over Application.pdf](#)

2. Supporting information/reports: [APPENDIX C Endorsed report and consent.pdf](#)

3. Supporting information/reports: [26047 Letter to Council.pdf](#)

Invoice Payer: Development Solutions Victoria Pty Ltd

Address for Invoice: 48 Bailey Street, Bairnsdale VIC 3875

Invoice Email: admin@devsolvic.com.au

Primary Phone Invoice: 0351524858

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes

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

Page 1 of 3

VOLUME 11081 FOLIO 240

Security no : 124137903428X
Produced 25/08/2026 12:09 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 613291T.

PARENT TITLES :

Volume 09517 Folio 766 Volume 10917 Folio 842

Created by instrument PS613291T 18/07/2008

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT as to part AE620440G 22/09/2006

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

DIAGRAM LOCATION

SEE PS613291T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 16 MCKENZIE STREET LUCKNOW VIC 3875

ADMINISTRATIVE NOTICES

NIL

eCT Control
Effective from

DOCUMENT END

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Document Type	Plan
Document Identification	PS613291T
Number of Pages (excluding this cover sheet)	2
Document Assembled	25/08/2026 12:09

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PLAN OF SUBDIVISION				STAGE No. ~~1~~ EDITION	LTO USE ONLY	PLAN NUMBER PS 613291T
LOCATION OF LAND PARISH: WY YUNG TOWNSHIP: LUCKNOW SECTION: A CROWN ALLOTMENT: CROWN PRE-EMPTIVE RIGHT (PART) CROWN PORTION: — TITLE REFERENCES: VOL 9517 FOL 766 VOL 10917 FOL 842 LAST PLAN REFERENCE: LOT 1 ON LPI40269 LOT 5 ON PS532607S POSTAL ADDRESS: 16-18 MCKENZIE STREET, (At time of subdivision) LUCKNOW, 3875 MGA 94 CO-ORDINATES: E 556 940 (Of approx. centre of land in plan) N 5813 990 ZONE: 55				COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: EAST GIPPSLAND SHIRE COUNCIL REF: 440 / 2007 / CRT 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. ~~This plan is certified under Section 11(7) of the Subdivision Act 1988.~~ Date of original certification under Section 6 — / — / — 3. ~~This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.~~ OPEN SPACE (i) A requirement for public open space under Section 18 Subdivision Act 1988 ~~has / has not been made.~~ (ii) ~~The requirement has been satisfied.~~ (iii) ~~The requirement is to be satisfied in stage~~ Council Delegate Council seal Date 24 / 01 / 2008 ~~Re-certified under Section 11(7) of the Subdivision Act 1988~~ Council Delegate Council seal Date — / — / —		
VESTING OF ROADS AND/OR RESERVES						
IDENTIFIER		COUNCIL/BODY/PERSON				
NIL		NIL				
NOTATIONS						
STAGING This is / is not a staged subdivision Planning Permit No						
DEPTH LIMITATION DOES NOT APPLY						
SURVEY: THIS PLAN ~~IS~~ / IS NOT BASED ON SURVEY THIS SURVEY IS CONNECTED TO PERMANENT MARK No(s)						
EASEMENT INFORMATION						LR USE ONLY STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT RECEIVED ☒ DATE 16 / 07 / 08
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)						
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of		
E-1, E-7	SEWERAGE	3	LPI40269	LOTS IN LPI40269		
E-4, E-7	DRAINAGE	SEE DIAG.	PS532607S	EAST GIPPSLAND SHIRE COUNCIL & LAND IN PS532607S		
E-2	DRAINAGE	2	THIS PLAN	EAST GIPPSLAND SHIRE COUNCIL & LAND IN THIS PLAN		
Crowthier & Sadler Pty. Ltd. LICENSED SURVEYORS & TOWN PLANNERS 162 MACLEOD STREET, BAIRNSDALE, VIC., 3875 TELEPHONE (03) 5162 5011 LICENSED SURVEYOR MICHAEL JOSEPH SADLER SIGNATURE DATE / / REF 12767 VERSION 1 DATE 24 / 01 / 08 COUNCIL DELEGATE SIGNATURE Printed 16/09/2026 Page 6 of 39						LR USE ONLY PLAN REGISTERED TIME 12:58 PM DATE 18 / 07 / 2008  Assistant Registrar of Titles SHEET 1 OF 2 SHEETS

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Document Identification	AE620440G
Number of Pages (excluding this cover sheet)	3
Document Assembled	25/08/2026 12:09

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TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by: ROBERT GREGORY CONVEYANCING
Name: SERVICE

Phone:

Address:

Ref:

Customer Code: 10S2X

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed-

- together with any easements created by this transfer;
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)

Volume 10917 Folio 842

Estate and Interest: (e.g. "all my estate in fee simple")

All my/our/its estate in fee simple

Consideration:

\$150,000.00

Transferor: (full name)

Alberto Pruscino, Patricia Leigh Pruscino, Giuseppe Pruscino and Joyce Maria Pruscino

Transferee: (full name and address including postcode)

David John Neale of 85 Waterholes Road CLIFTON WEST 3875

Directing Party: (full name)

Nil

Creation and/or Reservation of easement and/or Covenant



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statutory authority
indexes in the Vict.

AE620440G



MADE AVAILABLE/CHANGE CONTROL

Office Use Only

See annexure page 2

Approval No1234055A

ORDER TO REGISTER
Please register and issue title to

STAMP DUTY USE ONLY

T2

Original Land Transfer
Stamped with \$4,660.00
Doc ID 2125922, 14 Sep 2006
SRO Victoria Duty, AXP3

Page 1 of 3

Signed

Cust. Code



Anstat Pty Ltd

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Land Registry, 570 Bourke Street, Melbourne 3000. Phone 03 8636 2010

22 SEP 2006

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The Transferee with the intent that the benefit of this covenant shall be attached to and run at law and in equity with the whole of the land comprised in Plan of Subdivision Number 532607S (other than the land hereby transferred) and each and every part thereof and that the burden of this covenant shall be annexed to and run at law and in equity with the land hereby transferred and each and every part thereof and that the same shall be noted and appear on every Certificate of Title for the said lot and every part thereof as an encumbrance affecting the same DOTH HEREBY COVENANT with the Transferor and other registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision (other than the land hereby transferred) that the Transferee will not:-

- (a) Erect, place, permit licence or authorize on the said land any building other than a dwelling house or residential units containing a total area of not less than one hundred and thirty square metres within the outer walls thereof calculated by excluding the area of any carport, garage, terrace, pergola or verandah; is built only of new materials save for second hand bricks; has an external wall area of at least 60 per cent brick, brick veneer, masonry, stone or glass; has; has no Hardiplank, cement sheet or like materials on any external walls or roof (like materials being acceptable only for eave linings, gable ends and in fills) and has a roof of slate, clay tile, cement tile or colourbonded materials.
- (b) Erect, place, permit, licence or authorize on the said land any outbuilding constructed other than of new materials of the same type and colours as described above unless such materials are painted with at least two coats of first quality paint in natural tonings.
- (c) Extract or remove or permit the extraction or removal of any soil gravel or earth or other materials from the said land except for the purpose of excavating for the foundations of a building or of a swimming pool or for gardening, landscaping or for construction of a tennis court or driveway within the said land.
- (d) Use or permit the use of the said land for any offensive or noxious purpose.
- (e) Permit the land hereby transferred or any party thereof to be used for the purpose of commercial breeding, or boarding of or training kennels for cats or dogs or for the purpose of keeping poultry or pigeons thereon or for the parking, garaging or servicing of any motor vehicle in excess of 5 tonnes gross vehicle mass (GVM) except for the purpose of loading or unloading of goods unless the vehicle is a construction vehicle engaged in construction works thereon or unless the vehicle is a caravan or similar vehicle and does not exceed 2.5 metres in height and is screened from view from adjoining roadways.

Approval No. 1234055A

T2

Page 2 of 3



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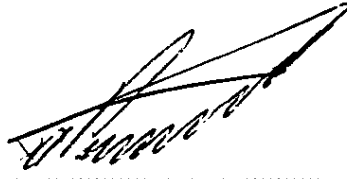
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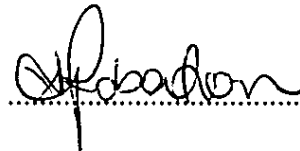
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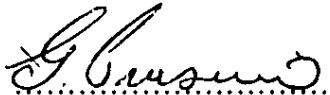
Dated: 11.09.06

Signed by the said Transferor)
in the presence of:)


AP

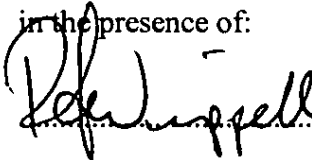

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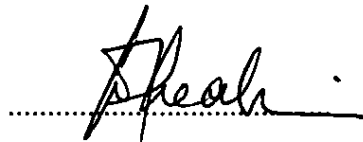
 witness


GP


Jm

Signed by the said Transferee)
in the presence of:)

 witness



Approval No. 1234055A

T2

Page 3 of 3



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APPLICATION FOR PLANNING PERMIT

TWO LOT SUBDIVISION

16 MCKENZIE STREET, LUCKNOW

REF: 26047

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6	Clause 56 Requirements	17
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APPENDIX

A	Copy of Title and Plan of Subdivision
B	Proposed Plan of Subdivision
C	Works within Easement Approval

DOCUMENT REVISION

1	Draft Report	KAS	27/08/2026
2	Final Report	CMC	28/09/2026

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1. INTRODUCTION

Development Solutions Victoria Pty Ltd represents
McKenzie Street, Lucknow.

the owner and applicant, for this planning permit application for a two lot subdivision at 16

This planning permit application, together with the supporting documentation, provides details of the subject site, identifies the relevant planning controls and policies and demonstrates how the proposal responds to the requirements of the East Gippsland Planning Scheme.

A planning permit is required for the proposed two lot subdivision under the provisions of the General Residential Zone.

The proposal is consistent with the objectives of the East Gippsland Planning Scheme and represents an appropriate subdivision for the site. The proposal will contribute positively to the surrounding area and represents a suitable and orderly planning outcome.

Address	16 McKenzie Street, Lucknow
Site Description	Lot 2 on Plan of Subdivision 613291T
Title Particulars	Vol 11081 Fol 240
Site Area	4,016m ²
Proposal	Two Lot Subdivision
Planning Scheme	East Gippsland Planning Scheme
Zone	General Residential Zone – Schedule 1
Overlays	None applicable
Bushfire Prone Area	Identified as a Bushfire Prone Area
Aboriginal Cultural Heritage	Identified as an area of Cultural Heritage Sensitivity
Permit Triggers	Clause 32.08-3 General Residential Zone – Subdivision
Notice	No exemption available
Referrals	No referrals required
Work Authority Licence	Not applicable
Planning Scheme requirements	Municipal Planning Strategy – Clause 02 Settlement - Towns – Clause 02.03-1 Environmental and landscape values – Clause 02.03-2 Environmental risks and amenity – Clause 02.03-3 Planning Policy Framework – Clause 10 Settlement – Clause 11 Housing – Clause 16 General Residential Zone – Clause 32.08 Decision guidelines – Clause 56 Bushfire Planning – Clause 53.02 Decision guidelines – Clause 65.01 Decision guidelines – Clause 65.02

2. SITE CONTEXT

Site

The subject site is located at 16 McKenzie Street, Lucknow. A copy of the Title and Plan of Subdivision is contained in **Appendix A**. The title is affected by a restrictive covenant registered as AE620440G.

AE620440G

The covenant imposes a number of restrictions on the use and development of the land, including requirements relating to dwelling size, building materials and external finishes. It also restricts the construction of certain outbuildings, removal of soil or materials (except for specified purposes), offensive or noxious uses, commercial animal breeding or kennelling, keeping of poultry or pigeons, and the parking, garaging or servicing of vehicles exceeding 5 tonnes GVM, subject to limited exceptions.

The subject site is irregular in shape with a total area of approximately 4,016m², currently contains an existing dwelling and associated facilities, with planted vegetation scattered throughout.

Details of the site are depicted in the photographs provided below.

Access is existing via a gravel crossover and driveway along the southern boundary directly from McKenzie Street.

McKenzie Street is a bitumen sealed road with roll over curb and channel on the northern side and gravel shoulder on the southern side. McKenzie Street traverses in an east to west direction adjoining the southern boundary of the subject site and contains a concrete footpath along the northern side.



Figure 1 – Locality Plan – 16 McKenzie Street, Lucknow (source: mapshare.vic.gov.au)



Figure 2 – Locality Plan – 16 McKenzie Street, Lucknow (source: mapshare.vic.gov.au)

Surrounds

The subject site is located within a residential area of Lucknow, with the surrounding land comprising a combination of existing residential development and vacant residential land.

Adjoining the northern boundary is an existing residential dwelling. Adjoining the eastern boundary is vacant residential land, with the Princes Highway further. Adjoining the southern boundary is McKenzie Street and further vacant residential land. Adjoining the western boundary is an existing residential dwelling, with the Billabong and Mitchell River Backwater further.

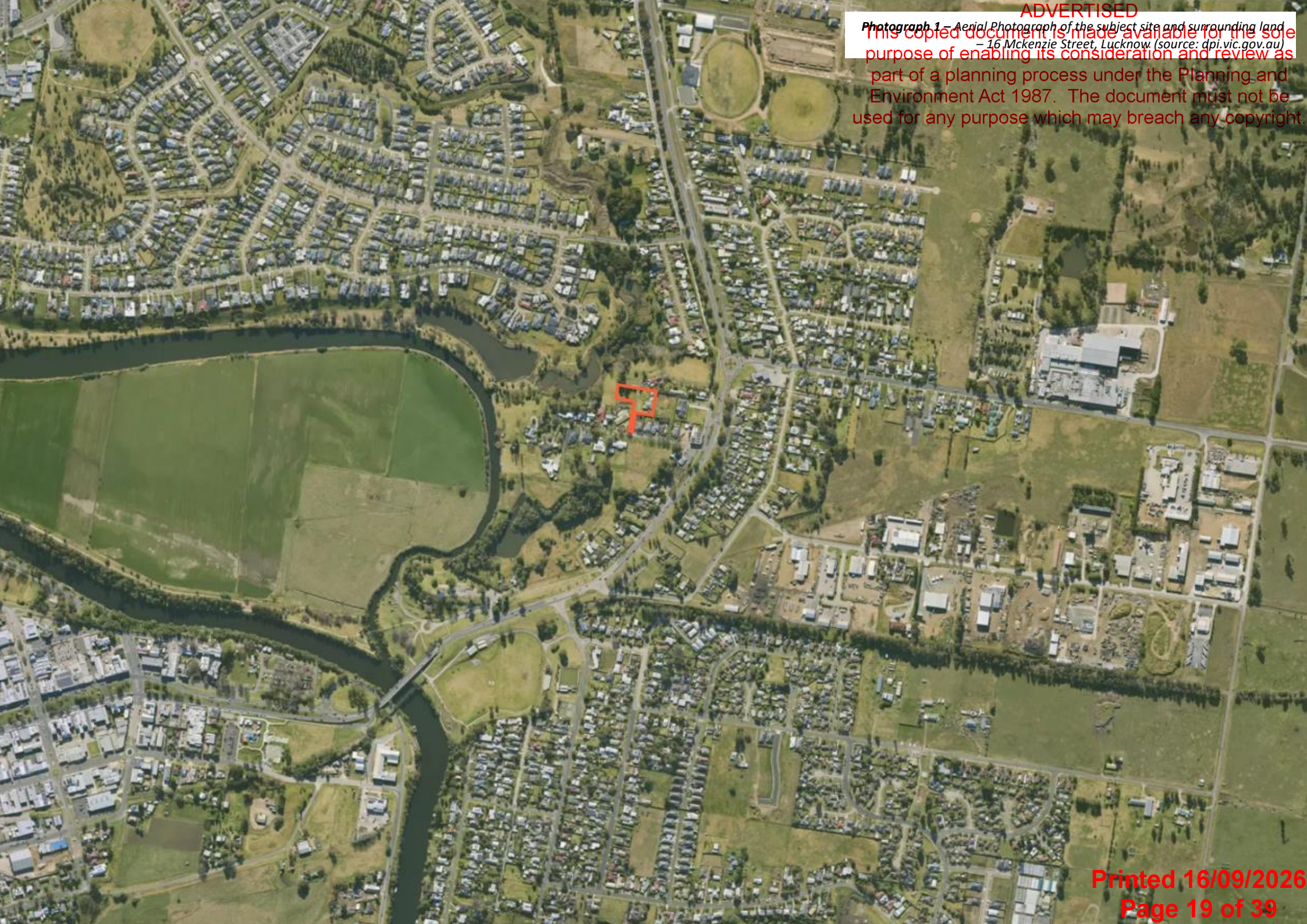
The site is located to the northeast of the central business district of Bairnsdale.

Bairnsdale, the main commercial city of East Gippsland, is located on the Mitchell River and built around the Princes Highway. The highway through Bairnsdale's centre is a large boulevard with trees, garden areas, a rotunda, and various public amenities.

The subject site in relation to Lucknow is shown in the aerial photograph below.



Photograph 1 – Aerial Photograph of the subject site and surrounding land
– 16 McKenzie Street, Lucknow. (source: dpi.vic.gov.au)
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Photograph 2 – Subject site at 16 McKenzie Street, Lucknow.



Photograph 4 – Subject site facing northwest showing existing dwelling.



Photograph 6 – Proposed Lot 1 facing north.



Photograph 3 – Subject site facing north.



Photograph 5 – Subject site facing east showing existing outbuilding.



Photograph 7 – Proposed Lot 1 facing east.



Photograph 8 – Proposed Lot 1 facing south.



Photograph 10 – Proposed Lot 2 facing north.



Photograph 12 – Proposed Lot 2 facing south.



Photograph 9 – Proposed Lot 1 facing west.



Photograph 11 – Proposed Lot 2 facing east.



Photograph 12 – Proposed Lot 2 facing west.



Photograph 8 – Neighbouring property adjoining the eastern boundary at 14 McKenzie Street, Lucknow.



Photograph 10 – Neighbouring property opposite the subject site at 7 McKenzie Street, Lucknow.



Photograph 12 – McKenzie Street facing west.



Photograph 9 – Neighbouring property adjoining the western boundary at 18 McKenzie Street, Lucknow.



Photograph 11 – McKenzie Street facing east.

3. THE PROPOSAL

This application seeks approval for the subdivision of land into two lots under the provisions of the General Residential Zone. A proposed plan of subdivision is provided in **Appendix B**.

Lot 1

The proposed Lot 1 will comprise the western portion of the subject site and will have an area of approximately 1,694m². The lot will comprise vacant land and will be battle-axe in shape.

Lot 2

The proposed Lot 2 will comprise the eastern portion of the subject site and will have an area of approximately 2,322m². The lot will contain the existing dwelling, outbuilding and associated facilities and will also be battle-axe in shape.

Access

Access to the subject site is existing and is proposed to be widened to accommodate two separate driveways, providing access to proposed Lots 1 and 2 individually. The existing accessway will also be extended to provide access to proposed Lot 1. The driveways are proposed to be constructed with a gravel surface.

Easements

An existing sewerage and drainage easement traverses throughout the subject site, including through the proposed access area.

A Build Over Easement application has been approved by East Gippsland Water to allow the proposed access to be constructed over the sewerage easement. A Report and Consent application has also been endorsed by East Gippsland Shire Council to allow the gravel accessway to be constructed over the drainage easement these approvals are contained in **Appendix C**.

Services

The subject site is connected to existing services including reticulated water, sewerage, electricity, telecommunications, and the existing road network. The proposed lot will be connected to these services as part of permit compliance.

A copy of the Proposed Plan of Subdivision is provided below and in **Appendix B**.

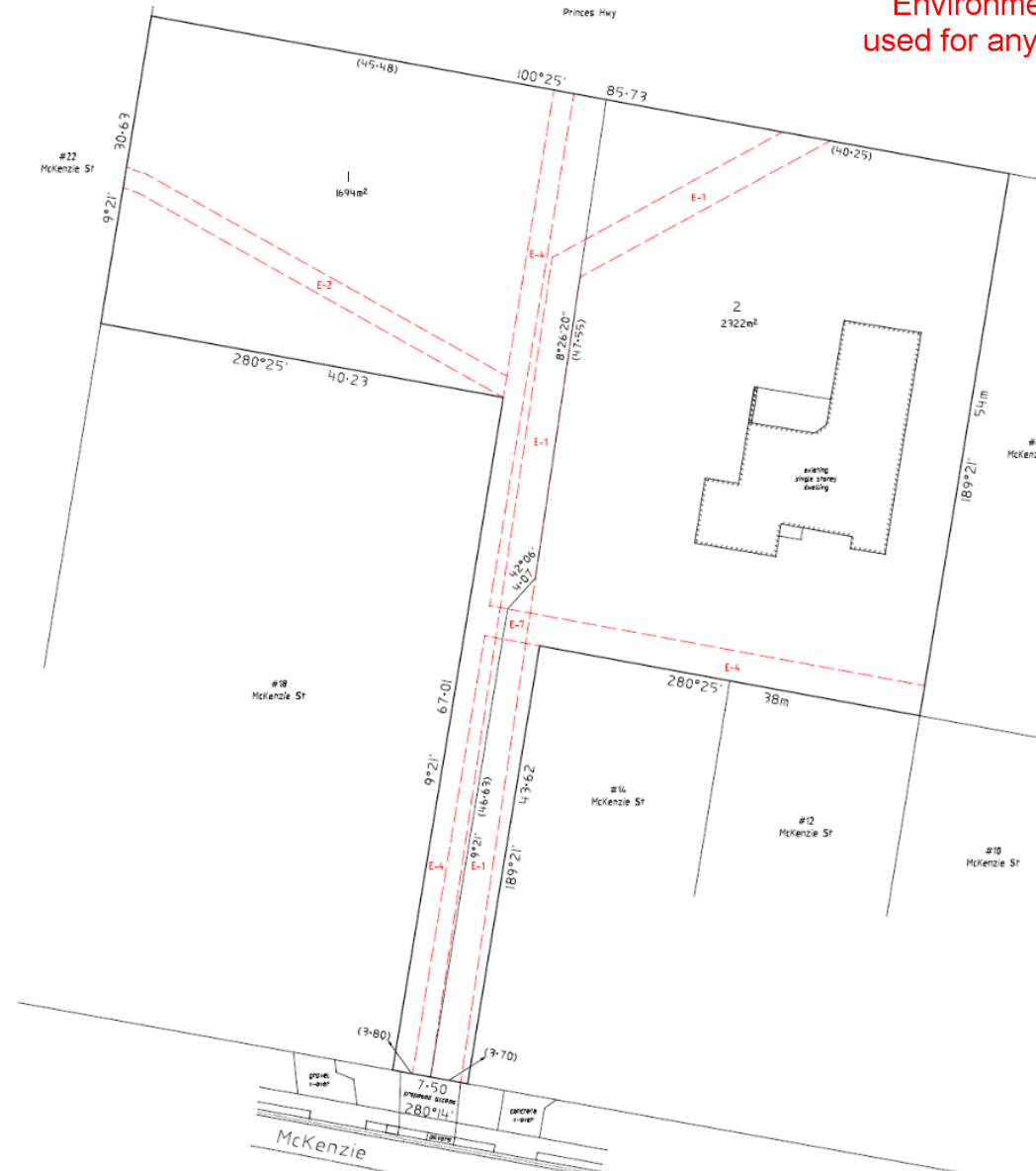


Figure 3 – Proposed Subdivision Plan – One Plan

4. ZONES AND OVERLAYS

General Residential Zone – Schedule 1

The purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

An extract of the General Residential Zone Map is provided in **Figure 4**.

Clause 32.08-3 of the General Residential Zone provides a permit is required to subdivide land.

The applicable standards of Clause 56 are addressed in Section 6.

The relevant decision guidelines of Clause 32.08-14 of the General Residential Zone and Clause 65 are addressed below in Section 7 of this submission.

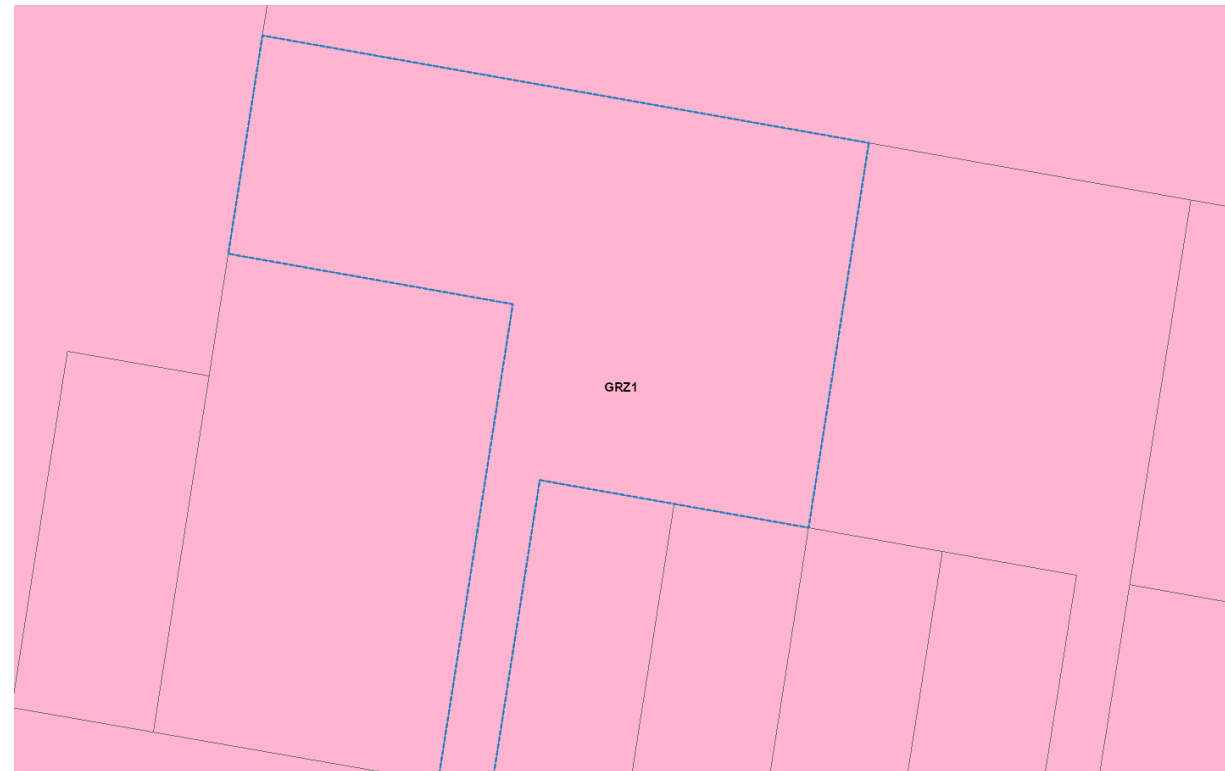


Figure 4 – Zoning Map – (source - mapshare.vic.gov.au)

5. OTHER PLANNING PROVISIONS

Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is recognised as being within an area of Aboriginal Cultural Heritage Sensitivity.

A 2 lot subdivision is an exempt activity, as such a Cultural Heritage Management Plan is not required. This is not addressed further.

An extract of the Aboriginal Cultural Heritage Map is provided in **Figure 5**.

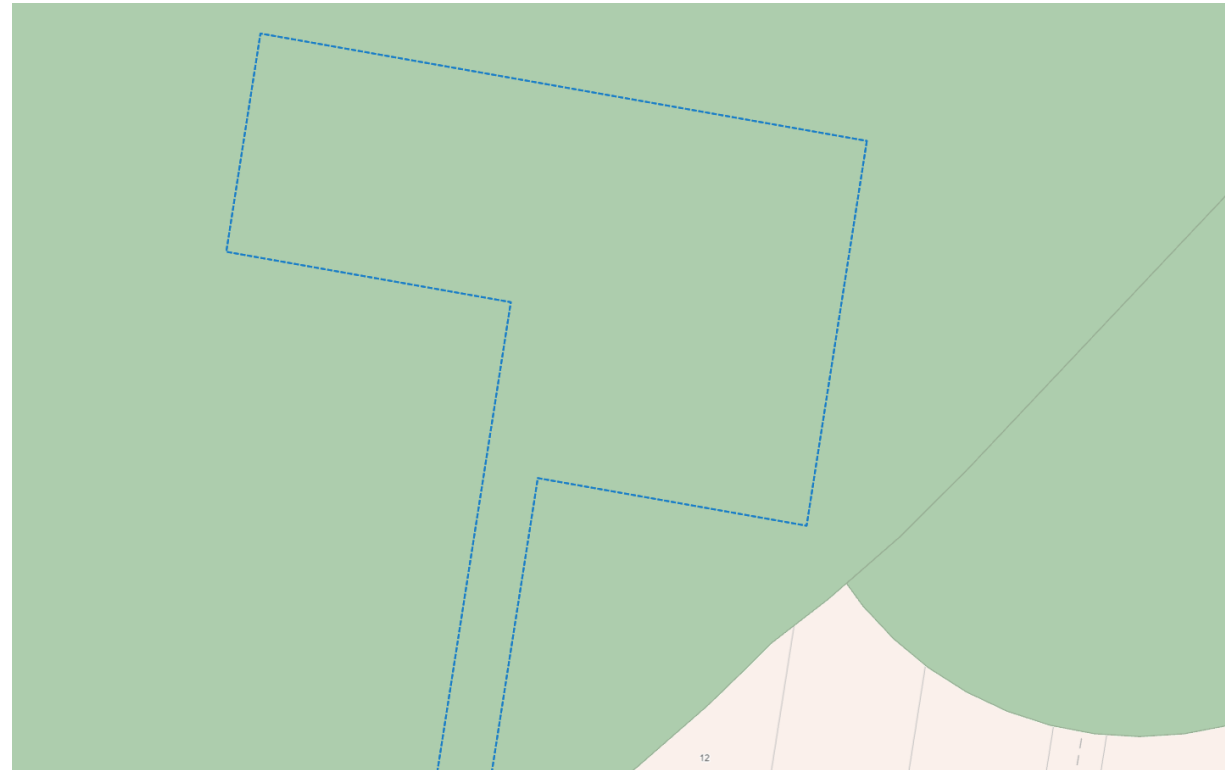


Figure 5 – Aboriginal Cultural Heritage Map – (source - mapshare.vic.gov.au)

Bushfire Planning

The purpose of bushfire planning is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.*
- *To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.*
- *To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.*

An extract of the Bushfire Prone Area map is provided in **Figure 6**.

The access portion of the subject site is located within a Bushfire Prone Area and is not affected by a Bushfire Management Overlay. As a permit is required under the General Residential Zone for the two lot subdivision,

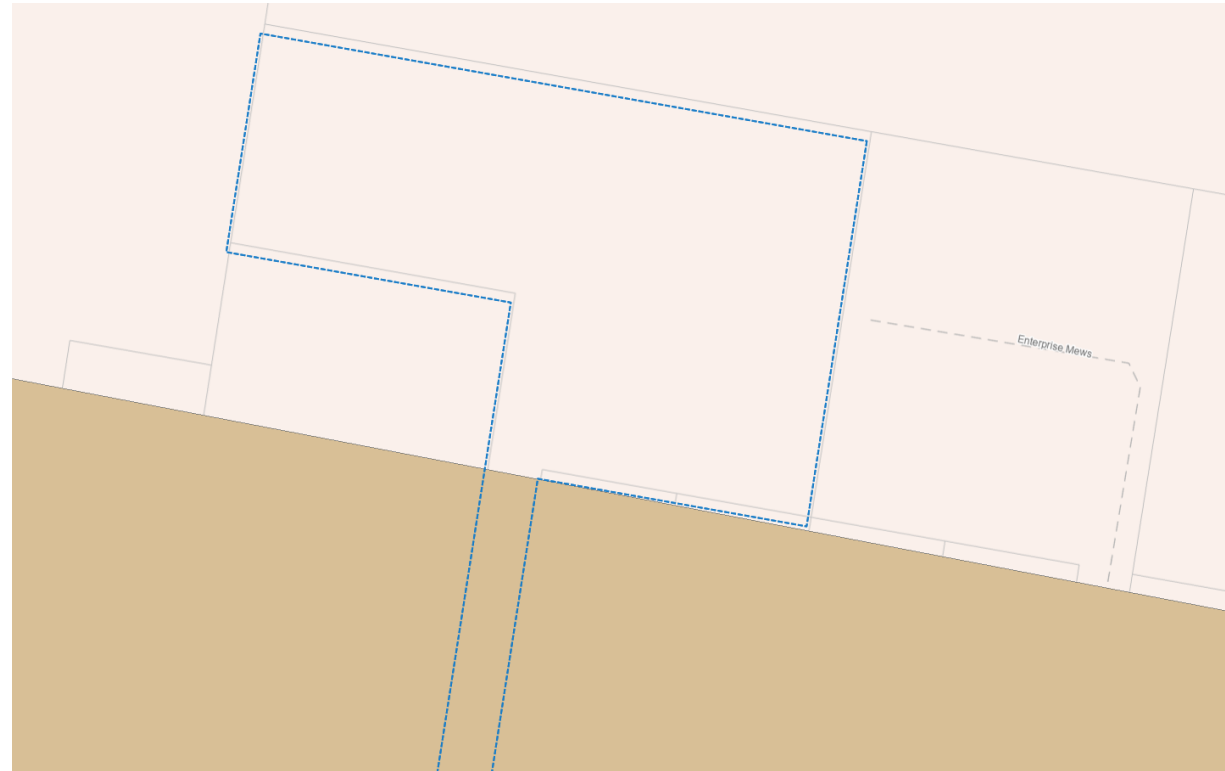


Figure 6 – Bushfire Prone Area – (source - mapshare.vic.gov.au)

6. CLAUSE 56 REQUIREMENTS

Clause 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.
Response:	This application seeks approval for the creation of two allotments, each well in excess of 300m² lot area. Proposed Lot 1 will be 1,694m² and proposed Lot 2 will be 2,322m² and will retain the existing single-storey dwelling. The proposed lots are of a size and configuration considered more than adequate to accommodate future residential development while respecting the pattern of surrounding lots along McKenzie Street. As this application is for subdivision only, with no development plans submitted for a dwelling on Lot 1 at this stage. The existing easements affecting the site (E-1 and E-7 sewerage, E-4 and E-7 drainage, and E-2 drainage) have been identified on the plan and will not be built over without consent. Consent has been obtained for construction of a driveway over these easements to facilitate access to the proposed lots. The proposal meets the objectives and standards of this clause.
Clause 56.04-5 Common area objectives	To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network.
Response:	The proposal does not include any common property area. This clause is not relevant to the proposal.
Clause 56.06-8 Lot access objective:	To provide for safe vehicles access between roads and lots.
Response:	The existing crossover serving proposed Lot 2 will be widened and upgraded to provide two separate 3.0m wide gravel driveways. Proposed Lot 1 will be provided with its own access via the shared crossover, connecting directly to McKenzie Street to the south of the site.

Each lot will therefore have separate vehicle access to McKenzie Street via the existing crossover arrangement, avoiding the need for a shared driveway between the two lots. Given the width of the McKenzie Street road reserve and the established pattern of residential crossovers in the immediate vicinity, the proposed access arrangements are considered safe, functional and consistent with the existing character of the surrounding area.

The proposal meets the objectives and standards of this clause.

**Clause 56.07-4
Stormwater
management
objectives**

To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Response:

Site runoff will be directed to a legal point of discharge to the satisfaction of the responsible authority. Existing drainage easements (E-2 and E-4/E-7) traverse the site and will be retained unaffected by the proposed subdivision, providing for the ongoing conveyance of stormwater from the site and adjoining properties.

The subject site is not identified as being subject to flooding, and no flood mitigation works are considered necessary as part of this subdivision. The existing street drainage infrastructure serving McKenzie Street is considered adequate to accommodate the proposed two lot subdivision.

The proposal meets the objectives and standards of this clause.

7. PLANNING ASSESSMENT

This proposal has been assessed against the objectives and standards of applicable clauses of the Est Gippsland Planning Scheme and it is considered that the proposed subdivision is appropriate for the following reasons.

The proposal meets the objectives of the Municipal Planning Strategy at **Clause 02** and the Planning Policy Framework at **Clause 10**, providing an additional vacant parcel of land suitable for future residential development that can respect the existing surrounding development and environmental characteristics of the area.

The proposal will contribute to a high standard of environmental sustainability, urban design and amenity by designing the subdivision having regard to the constraints of the land and reducing potential environmental impacts, consistent with the relevant provisions of **Clauses 02.03 and 11**. The site contains some scattered planted vegetation, however, no vegetation is required to be removed to facilitate the proposed subdivision.

The proposed subdivision will result in one additional vacant allotment that can adequately accommodate a future residential dwelling. The subject site is currently connected to available services and the proposed vacant lot will be connected to existing infrastructure, including reticulated water, sewerage, electricity, telecommunications and the existing road network.

The proposal supports the objectives of **Clause 16** by creating an additional vacant allotment capable of accommodating future residential development and contributing to housing supply within an area with a suitable level of services and infrastructure. **Clause 16.01-2S** recognises the need to ensure that land supply is sufficient to meet demand. The proposal will create one additional vacant residential lot within an established residential area of Lucknow.

The proposal is consistent with the decision guidelines of **Clause 32.08-12**, including consideration of the neighbourhood character and the suitability of the proposed subdivision pattern.

The proposed subdivision creates one additional vacant allotment suitable for future residential development that can be developed in keeping with the established neighbourhood character. Proposed Lot 2 will contain the existing dwelling and associated facilities.

The creation of an additional residential allotment within an established residential area and in proximity to existing services and infrastructure will support housing choice and the efficient use of existing infrastructure.

The proposed subdivision has addressed the relevant standards set out in **Clause 56**, as detailed in Section 6.

The subdivision pattern within the surrounding area is varied, with existing lots ranging in size from approximately 821m² to 1.8 hectares. There are also existing battle-axe allotments within the surrounding area, including the subject site. The proposed subdivision is therefore consistent with the established pattern of subdivision in the locality.

Access to the proposed lots will be provided from the southern boundary directly from McKenzie Street. Both proposed lots will utilise the existing gravel driveway, which is proposed to be widened, with a new concrete crossover also proposed.

The proposed subdivision has been designed to respond to the characteristics and constraints of the site and will facilitate the creation of two appropriately sized and serviced residential allotments.

No vegetation is required to be removed to facilitate the proposed subdivision. No additional planting is proposed as part of the subdivision, noting the bushfire-prone nature of the site and the need to avoid introducing additional vegetation that may contribute to bushfire risk.

The subject land is identified as being within a Bushfire Prone Area. The proposal has therefore been considered having regard to the bushfire risk affecting the site and surrounding area and the decision guidelines of **Clause 53.02-6**.

The proposal is limited to the creation of one additional residential allotment within an established residential area and will not result in a substantial increase in the intensity of development or the number of people exposed to bushfire risk.

The proposed subdivision has been designed having regard to the existing site conditions, surrounding development, access arrangements and bushfire hazard. Both proposed lots will have access to the existing road network via McKenzie Street, providing a practical connection for residents and emergency vehicles.

The proposed subdivision does not require the removal of native vegetation and retains the existing vegetation on the site. The future development of the proposed vacant allotment can be appropriately sited having regard to the bushfire hazard and applicable bushfire protection requirements.

The proposed subdivision will not create an isolated or inaccessible allotment and the existing access arrangements provide a practical connection to the established road network.

The availability of existing reticulated services and infrastructure will support the future development of the proposed lot without requiring substantial additional infrastructure through areas of bushfire risk.

Having regard to the limited scale of the proposal, its location within an established residential area, the existing road and service infrastructure, the absence of vegetation removal and the ability for future development to appropriately respond to the bushfire hazard, the proposal is considered to appropriately respond to the decision guidelines of **Clause 53.02-6**.

The proposal has been considered against the decision guidelines of **Clause 65.01** and supports the orderly planning of the area while taking into consideration the potential effects on the environment, human health and the amenity of the area. The proposal does not require the removal of native vegetation and is not expected to have an unreasonable impact on the existing road network.

The site is not identified as being susceptible to natural hazards other than its identification as a Bushfire Prone Area, which has been considered above. Appropriate erosion and sediment control measures will be implemented during the provision of services to the proposed Lot 1.

There are no aspects of the proposal that are likely to cause or contribute to land degradation, salinity or a reduction in water quality.

The proposal has also been considered against the decision guidelines of **Clause 65.02** and is considered suitable in this location. The vacant lot being created is capable of accommodating a future residential dwelling and will contribute to additional housing supply within the established residential area.

The subject site is currently connected to available services and the proposed vacant lot will be connected to these services. The additional lot is not expected to exceed the capacity of existing infrastructure and services in the locality.

The proposed vacant allotment will support infill residential development within an established residential area with access to existing services, infrastructure and the road network. The proposal represents an efficient use of existing infrastructure and will contribute to housing supply and choice within the locality.

8. CONCLUSION

This submission is in support of a planning permit application for a Two Lot Subdivision at 16 Mckenzie Street, Lucknow.

The relevant provisions of the East Gippsland Planning Scheme have been addressed, and it has been ascertained that the proposal is appropriate in this location and will result in a positive planning outcome.

It is requested that a planning permit be granted for this proposal.

Development Solutions Victoria

Disclaimer:

This document has been prepared for planning permit application purposes only. The report has been made with careful consideration and with the best information available to Development Solutions Victoria Pty Ltd at the time.

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FORM NO. F089

East Gippsland **Water**

133 Macleod Street, PO Box 52, Bairnsdale, Victoria, 3875
 Tel (03) 5150 4444 Fax (03) 5150 4477
 Email egw@egwater.vic.gov.au Web www.egwater.vic.gov.au

APPLICATION FOR STRUCTURE/FILL TO BE PLACED OVER WORKS AND/OR EASEMENTS

PLEASE PRINT AND TICK APPROPRIATE BOXES

Property No. 11-0688-0500
 (Office Use Only)

1 – PROPERTY OWNER DETAILS

Name: _____ Phone: _____

Postal Address: 48 BAILEY STREETTown: BAIRNSDALE Postcode: 3875**2 – PROPERTY DETAILS**Lot No: 2 Street No: 16 Street Name: MCKENZIE STREETTown: LUCKNOW Postcode: 3875**3 – BUILDING DETAILS**Is this application to place a ☒ New structure or fill or is it to retain an ☐ Existing structure?Structure type: ☐ House ☐ Garage ☐ Shed ☐ Carport ☒ Other GRAVEL DRIVEWAY**4 – IMPORTANT CUSTOMER INFORMATION**

1. This application must be accompanied by plans indicating details of the structure to be placed or retained, its position relative to the allotment boundaries and the position of East Gippsland Water's works and/or easement (i.e. a site plan). The application will not be processed without this information.
2. East Gippsland Water's acceptance of this application is not to be construed as consent to begin any construction. Should the application be approved, East Gippsland Water will notify you in writing.
3. Failure to obtain East Gippsland Water's approval prior to the commencement of works may constitute an offence under Section 148 of the Water Act 1994 (Vic).

5 – APPLICATION

I/WE being the owner(s) of the land described above request approval to place a structure or fill over East Gippsland Water's works and / or easements as shown on the enclosed plans and agree to abide by the Conditions of Consent attached and any Special Conditions issued by East Gippsland Water.

Signed _____ Dated 06/08/26

Signed _____ Dated _____

6 - FEESApplication Fee - \$ 117.08 Receipt No. 194207 Dated 10/08/2026Application Approved ☒ Yes ☐ No Authorised Officer W. Bushby

FORM NO. F089

CONDITIONS OF CONSENT

East Gippsland Water consents to the placement of structures / fill as described herein, subject to the following conditions. The property owner agrees;

1. To permit East Gippsland Water to enter into and upon the building or other structure and/or easement for the purpose of inspecting, constructing, maintaining or repairing any assets or other works of East Gippsland Water now laid or which may be hereinafter laid by East Gippsland Water and if necessary for that purpose to excavate through the said building or structure.
2. To be solely responsible for all injury loss or damage which may be occasioned to the said building or other structure by reason of or incidental to the carrying out of the inspection, construction, maintenance or repair of the said assets or other works of East Gippsland Water or by reason of or incidental to the presence of the said assets or other works of East Gippsland Water.
3. To indemnify and keep indemnified East Gippsland Water against all actions, claims, suits and demands arising out of or incidental to the erection and/or retention of the said building or other structure over the said assets or other works of East Gippsland Water and/or the said easement up until such time as East Gippsland Water may have received an agreement of indemnification suitable to it from any subsequent owner of the said land.
4. Unless any subsequent owner of the said land shall have agreed to do so to the satisfaction of East Gippsland Water, to pay to East Gippsland Water any additional costs incurred by it in inspecting, constructing, maintaining or repairing the said assets or other works by East Gippsland Water by reason of the said building or other structure having been erected over such assets or other works of East Gippsland Water and/or the said easement.
5. Not to sell or mortgage land to which this consent refers without first disclosing the contents of this Consent to the purchaser or mortgagee.
6. To accept full responsibility for the structural sufficiency of the said building or structure and its footings, having regard to the presence of East Gippsland Water's assets.
7. Plans and Sections of the proposed footings, and the relative position of the asset, to be submitted for the approval of East Gippsland Water's Engineer.
8. To undertake the whole of the work of construction with proper caution to ensure that no interference with East Gippsland Water's assets or the sewerage installation of the property occurs, in which regard sufficient notice is to be given to East Gippsland Water's Plumbing Inspection Department to enable suitable inspections to be undertaken of excavations for the footings of the said building or structure prior to concrete being poured

(Office Use Only)

7 – CONSENT

Consent is hereby given subject to the conditions which are endorsed on this page.

Signer _____

Dated 12/08/2026

David Radford - General Manager Customer, Community & Communications Team

Contact Municipal Building Surveyor
Our Ref CON/758/2026
Your Ref

25th August 2026

Development Solutions Victoria Pty Ltd
48 Bailey Street
BAIRNSDALE VIC 3875

Email: admin@devsolvic.com.au

Corporate Centre
273 Main Street (PO Box 1618)
Bairnsdale Victoria 3875

Telephone: (03) 5153 9500

National Relay Service: 133 677

Residents' Info Line: 1300 555 886

Facsimile: (03) 5153 9576

Email: feedback@egipps.vic.gov.au

ABN 81 957 967 765

Dear Sir or madam,

PROPERTY: 16 MCKENZIE STREET LUCKNOW
PROJECT: GRAVEL DRIVEWAY

I refer to your submission for the report and consent of Council pursuant to the *Building Act 1993* and *Building Regulations 2018* relating to the proposed construction of a gravel driveway.

Regulation 130 Building over easements

Variation: To construct a gravel driveway in an easement, as shown on the endorsed plans.

Decision: The Drainage Maintenance Officer's comments and the impact of the development on our existing and future infrastructure potential have been taken into consideration whilst assessing your application for consent.

A decision has been reached and you are advised that **consent is approved**.

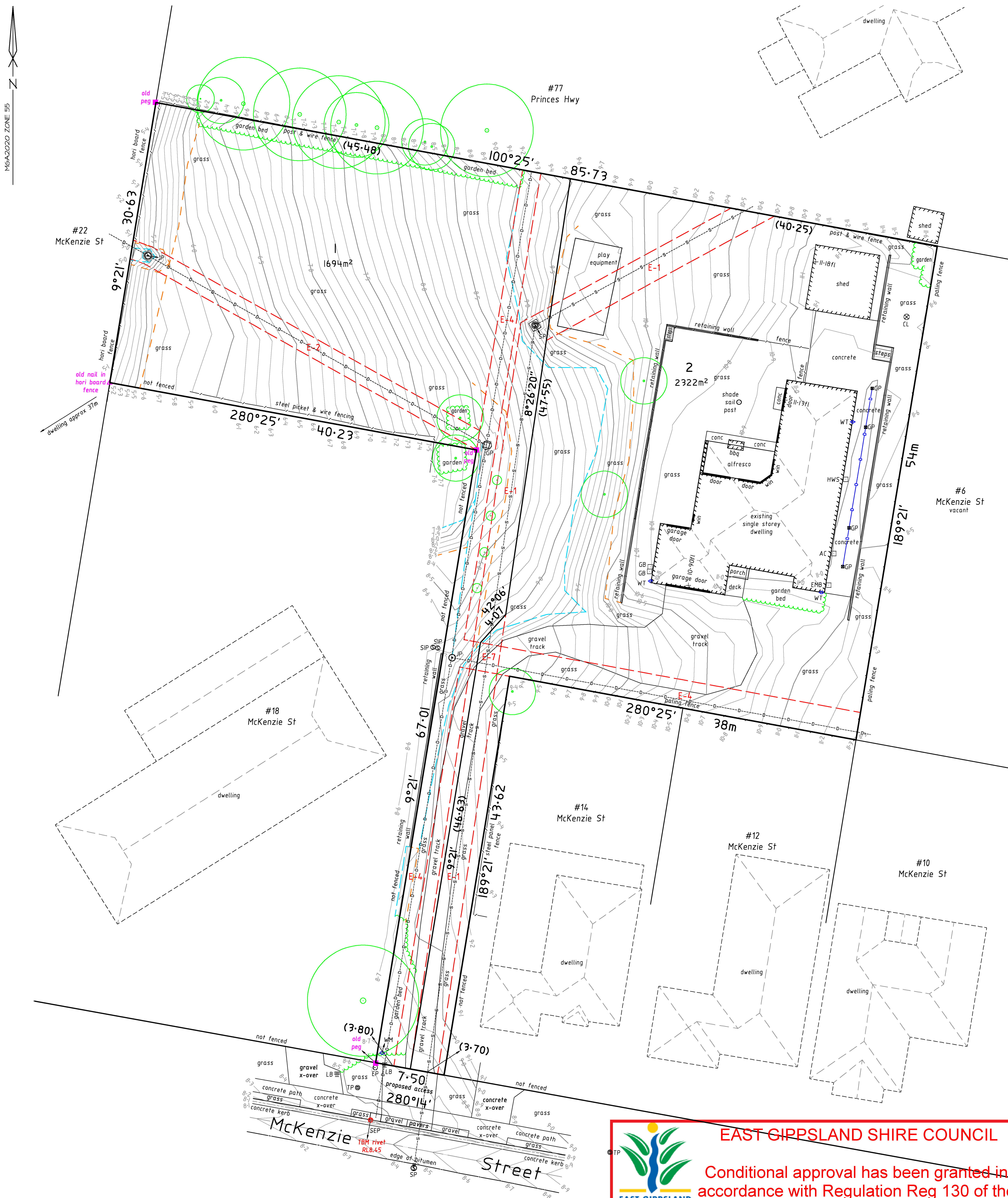
The decision has been made by the municipal building surveyor in accordance with the powers delegated by the Council under section 98 (1) of the *Local Government Act 1989*.

Should you have any further queries, please do not hesitate to contact the Building Services Team on (03) 5153 9500.

Yours sincerely

DOMINIK URBAN
Municipal Building Surveyor

Encl



**BEFORE
YOU DIG**
byda.com.au

EASEMENTS:
E-1 & E-7 – Sewerage
E-4 & E-7 – Drainage
E-2 – Drainage

Conditional approval has been granted in accordance with Regulation Reg 130 of the Building Regulations 2018 for:

Date: 25 August 2026

MUNICIPAL BUILDING SURVEYOR

Sheet 1 of 1

P:1300 853 157
M:0400 543 157
@oneplangroup.com.au
w.oneplangroup.com.au
PSLAND - MELBOURNE

- Date of survey 02/10/2026.
- 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.
- Sub ground 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.

2.0 0 2.0 4.0 6.0 8.0
Lengths are in metres

Notations
Datum vide PS413117B.
This is not a Title survey.
See Certificate of Title for Easement details.
Levels are to the Australian Height Datum (AHD)
vide WY-YUNG PM 26 - RL 15.419m
Contour interval: 0.1m
Total site area: 4.016m²



**DEVELOPMENT
SOLUTIONS**
VICTORIA

16 McKenzie Street, Lucknow, Vic 3875

East Gippsland Shire Council

Plan No.	Scale	Drawn
262934SCPR-2	1:200 - A1 1:400 - A3	24/07/2026

Site Context & Proposed Subdivision Plan	
Parish of Wy Yung Township of Lucknow Section: A Crown Allotment: Crown Pre-Emptive Right (PT) Lot 2 on P5613291T Pncncentroid (MGA2020): E 556 950 N 584 000	

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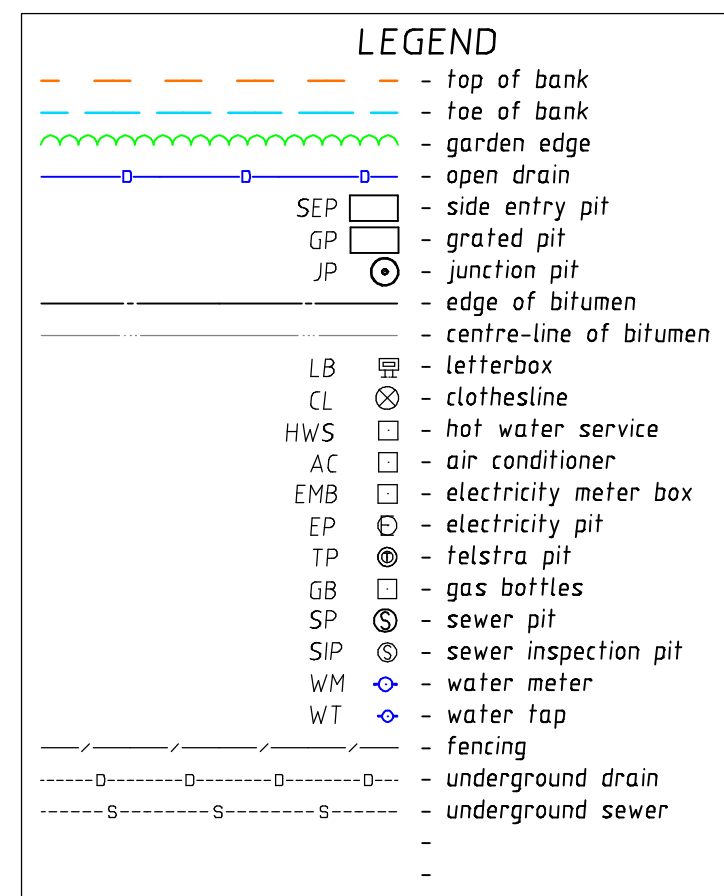
MGA2020 ZONE 55



EASEMENTS:
E-1 & E-7 - Sewerage
E-4 & E-7 - Drainage
E-2 - Drainage

Sheet 1 of 1.





EASEMENTS:
E-1 & E-7 - Sewerage
E-4 & E-7 - Drainage
E-2 - Drainage

Sheet 1 of 1.



Notations
Datum vide PS413117B.
This is not a Title survey.
See Certificate of Title for Easement details.
Levels are to the Australian Height Datum (AHD)
vide WY-YUNG PM 26 - RL 15.419m
Contour interval: 0.1m
Total site area: 4016m²



16 McKenzie Street, Lucknow, Vic 3875

Plan No.	Scale	Drawn
262934SCPR-2	1:200 - A1 1:400 - A3	24/07/2026

Site Context & Proposed Subdivision Plan

Parish of Wy Yung
Township of Lucknow
Section: A
Crown Allotment: Crown Pre-Emptive Right (PT)
Lot 2 on PS613291T
Percentroid (MGA2020): E 556 950 N 5814 000

Printed 16/09/2026
Page 39 of 39

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

- Date of survey 02/07/2026;
- 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.

2.0 0 2.0 4.0 6.0 8.0
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 Lengths are in metres