



Minutes

Hearing of Submissions Committee
Tuesday, 6 February 2018

Held in the
Council Chambers
1 Merrijig Drive, Torquay
Commencing at 5.00pm

Council:

Cr David Bell (Mayor)
Cr Libby Coker
Cr Martin Duke
Cr Clive Goldsworthy
Cr Rose Hodge
Cr Carol McGregor
Cr Brian McKiterick
Cr Margot Smith
Cr Heather Wellington

MINUTES FOR THE HEARING OF SUBMISSIONS MEETING OF SURF COAST SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 6 FEBRUARY 2018 COMMENCING AT 5.00PM

PRESENT:

Cr David Bell (Mayor)
Cr Martin Duke
Cr Clive Goldsworthy (left at 6:38pm)
Cr Rose Hodge
Cr Carol McGregor
Cr Margot Smith
Cr Heather Wellington (arrived at 5:02pm)

In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Environment & Development – Ransce Salan
General Manager Culture & Community – Chris Pike
Principal Planner – Michelle Warren

27 members of the public

APOLOGIES:

Cr Brian McKiterick
Cr Libby Coker

Apology

Committee Resolution

MOVED Cr Rose Hodge, Seconded Cr Margot Smith

That an apology be received from Cr Brian McKiterick and Cr Libby Coker.

CARRIED 6:0

Cr Heather Wellington arrived at 5:02pm.

CONFLICTS OF INTEREST:

Nil

SUBMITTERS HEARD

1.1 Planning Permit Application 170074 - 45 Anderson Road and 1085 Barrabool Road, Barrabool

1. Anthony Sang (St Quentins –Applicant)

1.2 Planning Permit Application 160453 - 30A and 32 Williams Street, Lorne

2. Ian Withell (34 William Street Lorne Body Corporate)
3. Dan Walding
4. Jane and Peter Dyer
5. Geoff Frost (Applicant)

1.3 Planning Permit Application 160490 - 1133 Surf Coast Highway, Mt Duneed - Development of a Telecommunications Facility

1. John and Alison Muhleback
2. Nerida Turner
3. Andrew and Helen Robertson
4. David Hodgkinson (Metasite – Applicant) (absent) (represented by Clinton Northy)

1.4 Planning Permit Application 170405 - 30 Beales Street, Torquay

1. Peter Barbetti
2. Peter Koopman (on behalf of himself and Kieron Gorman)
3. Miles Paterson
4. Marianne Keane
5. Ross Pidgeon
6. Steve Warton (Owner/Applicant)
7. Robert Troup (Applicant)

BUSINESS:

1. ENVIRONMENT & DEVELOPMENT	5
1.1 <i>Planning Permit Application 17/0074 - 45 Andersons Road and 1085 Barrabool Road, Barrabool.....</i>	<i>5</i>
1.2 <i>Planning Permit Application 16/0453 - 30A and 32 Williams Street, Lorne.....</i>	<i>76</i>
1.3 <i>Planning Permit Application 16/0490 - 1133 Surf Coast Highway, Mt Duneed - Development of a Telecommunications Facility.....</i>	<i>174</i>
1.4 <i>Planning Permit Application 17/0405 - 30 Beales Street, Torquay</i>	<i>217</i>

1. ENVIRONMENT & DEVELOPMENT

1.1 Planning Permit Application 17/0074 - 45 Andersons Road and 1085 Barrabool Road, Barrabool

Author's Title: Planning/Subdivision Officer

General Manager: Ransce Salan

Department: Planning & Development

File No: 17/0074

Division: Environment & Development

Trim No: IC18/81

Appendix:

1. Order of Speakers - 6 February 2018 (D18/11768)
2. Notification - Advertising documents - 45 Anderson & 1085 Barrabool Road, Barrabool (D17/52841)
3. Farm Report - 45 Anderson Road and 1085 Barrabool Road, Barrabool (D17/74270)
4. Further submission from Applicant - Productivity Issues (D18/11245)

Officer Direct or Indirect Conflict of Interest:

Status:

In accordance with Local Government Act 1989 –
Section 80C:

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to hear a submission from the applicant in support of Planning Permit Application 17/0074 for the re-subdivision of the land into two lots at 45 Anderson Road, Barrabool and 1085 Barrabool Road, Barrabool.

Summary

An application has been received for re-subdivision of the land into two lots. The lots proposed are 25.63 hectares and 36.12 hectares in area. No buildings, works or removal of vegetation is proposed.

The minimum lot size for Farming Zoned land in this area of the Shire is 40 hectares.

The provisions of the Planning Scheme allow Council to approve lots which are smaller than the minimum lot size where the subdivision is the re-subdivision of existing lots and the number of lots is not increased.

Public notice of the application was undertaken and no objections were received against the proposal.

Recommendation

That Council receive and note the submissions to Planning Permit 17/0074 for 45 Anderson Road, Barrabool and 1085 Barrabool Road, Barrabool.

Committee Resolution

MOVED Cr Heather Wellington, Seconded Cr Rose Hodge

That Council receive and note the submissions to Planning Permit 17/0074 for 45 Anderson Road, Barrabool and 1085 Barrabool Road, Barrabool.

CARRIED 7:0

**1.1 Planning Permit Application 17/0074 - 45 Andersons Road and 1085 Barrabool Road,
Barrabool**

APPENDIX 1 ORDER OF SPEAKERS - 6 FEBRUARY 2018



Hearing of Submissions
Tuesday 6 February 2018
5pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

Environment & Development

1.1 Planning Permit Application 170074 - 45 Anderson Road and 1085 Barrabool Road, Barrabool

	Submitter Name
1.	Anthony Sang (St Quentins –Applicant)

1.1 Planning Permit Application 17/0074 - 45 Andersons Road and 1085 Barrabool Road, Barrabool

APPENDIX 2 NOTIFICATION - ADVERTISING DOCUMENTS - 45 ANDERSON & 1085 BARRABOOL ROAD, BARRABOOL



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

Page 1 of 1

VOLUME 10200 FOLIO 749

Security no : 124064296589G
Produced 30/01/2017 11:54 am

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 326891S.
PARENT TITLE Volume 10183 Folio 215
Created by instrument PS326891S 11/11/1994

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
DEAN WARWICK GRIGG of 65 HONEYS RD. CERES 3221
U006658Y 18/12/1995

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE X405902R 06/04/2001
COMMONWEALTH BANK OF AUSTRALIA

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 PS326891S 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: 1085 BARRABOOL ROAD BARRABOOL VIC 3221

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

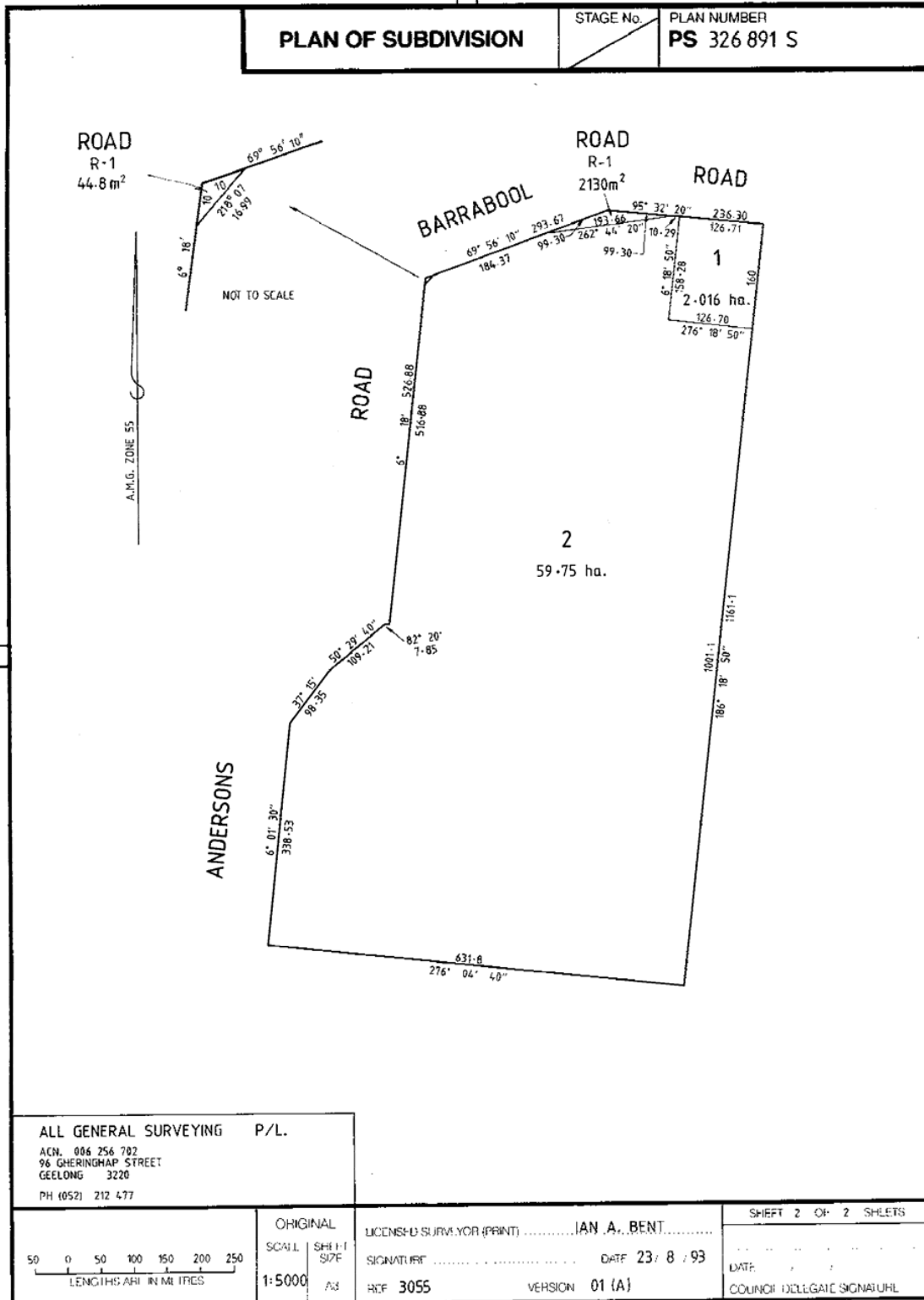
DOCUMENT END

Delivered by LANDATA@. Land Victoria timestamp 30/01/2017 11:55 Page 1 of 2

PLAN OF SUBDIVISION		STAGE No.	LTO USE ONLY EDITION 1	PLAN NUMBER PS 326 891 S
LOCATION OF LAND PARISH: BARRARBOOL TOWNSHIP: _____ SECTION: _____ CROWN ALLOTMENT: _____ CROWN PORTION: 2 & 16 (PARTS) LTO BASE RECORD: PARISH PLAN (2083) TITLE REFERENCES: LAST PLAN REFERENCE/S: POSTAL ADDRESS: BARRARBOOL ROAD (At time of subdivision) CERES 3221 AMG Co-ordinates E 255 700 ZONE: 55 (of approx centre of land N S 770 600 in plan)		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: BARRARBOOL SHIRE COUNCIL REF. S1821 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 of the Subdivision Act 1988 has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage: / / Council Delegate Council Seal Date 13 / 12 / 93 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		
ROADS R-1		BARRARBOOL SHIRE		
NOTATIONS				
STAGING This is not a staged subdivision Planning permit No.				
DIPH LIMITATION DOES NOT APPLY				
SURVEY THIS PLAN IS BASED BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) IN PROCLAIMED SURVEY AREA No.				
EASEMENT INFORMATION				LTO USE ONLY
LEGEND A Appurtenant Easement E Encumbering Easement R - Encumbering Easement (Road)				STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of
				RECEIVED <i>[Signature]</i> DATE 13 / 12 / 93
				LTO USE ONLY PLAN REGISTERED TIME 9:30 A.M. DATE 11 / 11 / 94 <i>[Signature]</i> Assistant Registrar of Titles
				SHEET 1 OF 2 SHEETS
ALL GENERAL SURVEYING P/L. ACN 006 256 702 96 GHERINGHAP STREET GEELONG . 3220 PH (052) 24 2477		LICENSID SURVEYOR (PRINT) IAN A. BENT SIGNATURE DATE 23 / 8 / 93 REF 3055 VERSION 01 (A)		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3

Sheet: PS01

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

Page 1 of 2

VOLUME 10200 FOLIO 750

Security no : 124064296539L
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LAND DESCRIPTION

Lot 2 on Plan of Subdivision 326891S.
PARENT TITLE Volume 10183 Folio 215
Created by instrument PS326891S 11/11/1994

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
GEEELONG HOME CARE PTY LTD of SUITE 4, 1ST FLOOR 13 FENWICK ST. GEEELONG 3220
V529241K 16/07/1998

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG966562S 12/01/2010
NATIONAL AUSTRALIA BANK LTD

CAVEAT AL848232G 29/04/2015
Caveator
ANNIE CUSACK
Grounds of Claim
IMPLIED, RESULTING OR CONSTRUCTIVE TRUST.
Estate or Interest
FREEHOLD ESTATE
Prohibition
ABSOLUTELY
Lodged by
WHYTE JUST & MOORE
Notices to
WHYTE JUST & MOORE of 27 MALOP STREET GEEELONG VIC 3220

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 PS326891S 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: "STANBURY WEST" 45 ANDERSONS ROAD BARRABOOL VIC 3221

ADMINISTRATIVE NOTICES

NIL

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Land Act 1958**

Page 2 of 2

Effective from 23/10/2016

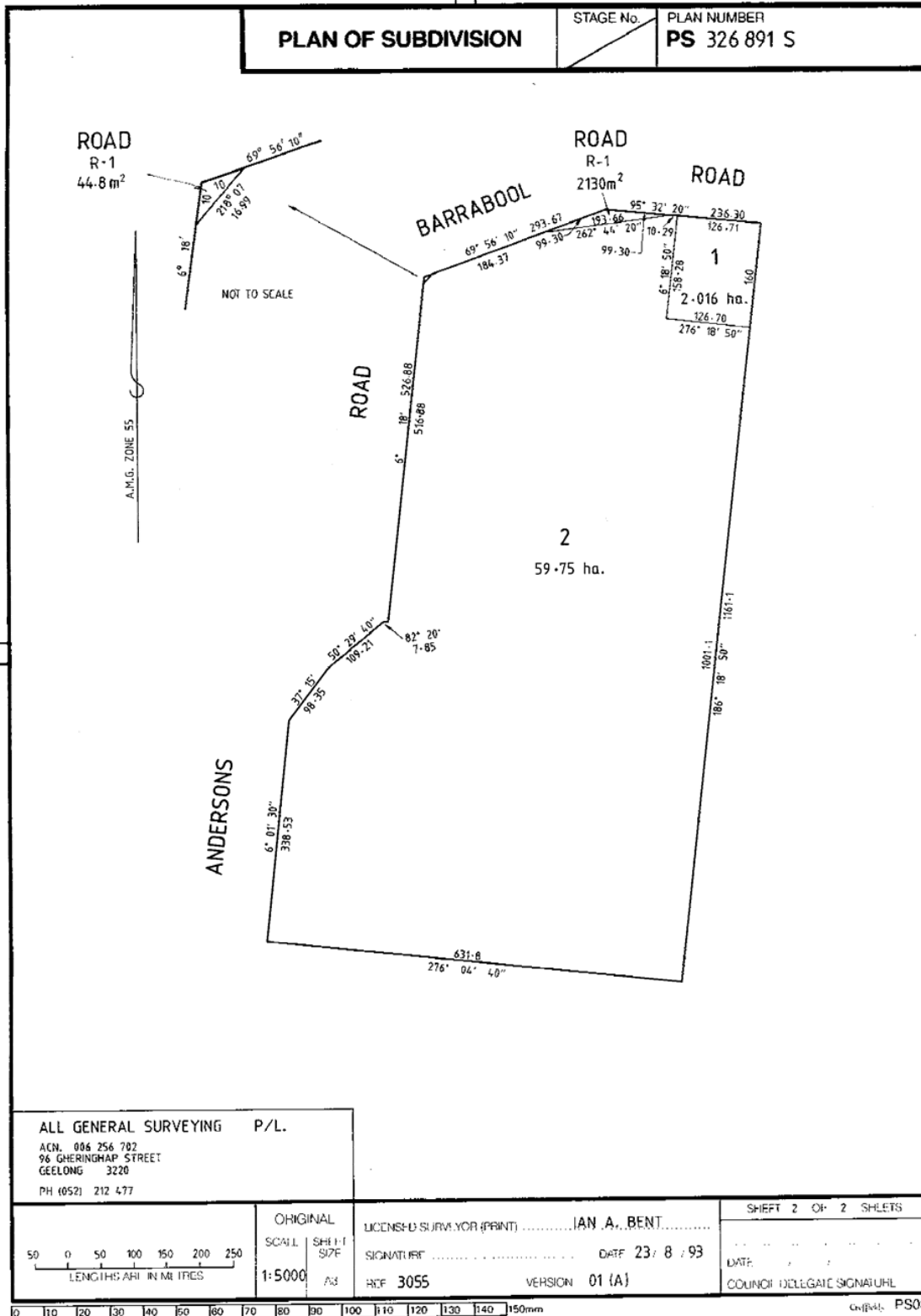
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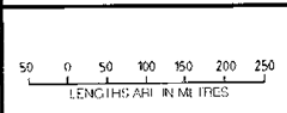
PLAN OF SUBDIVISION		STAGE No.	LTO USE ONLY EDITION 1	PLAN NUMBER PS 326 891 S
LOCATION OF LAND PARISH: BARRARBOOL TOWNSHIP: _____ SECTION: _____ CROWN ALLOTMENT: _____ CROWN PORTION: 2 & 16 (PARTS) LTO BASE RECORD: PARISH PLAN (2083) TITLE REFERENCES: LAST PLAN REFERENCE/S: POSTAL ADDRESS: BARRARBOOL ROAD (At time of subdivision) CERES 3221 AMG Co-ordinates E 255 700 ZONE: 55 (of approx centre of land N S 770 600 in plan)		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: BARRARBOOL SHIRE COUNCIL REF. S1821 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 of the Subdivision Act 1988 has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage: / / Council Delegate Council Seal Date 13/12/93 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		
ROADS R-1		BARRARBOOL SHIRE		
NOTATIONS				
STAGING This is not a staged subdivision Planning permit No.				
DIPH LIMITATION DOES NOT APPLY				
SURVEY THIS PLAN IS BASED BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) IN PROCLAIMED SURVEY AREA No.				
EASEMENT INFORMATION				LTO USE ONLY
LEGEND A Appurtenant Easement E Encumbering Easement R - Encumbering Easement (Road)				STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of
				RECEIVED <i>[Signature]</i> DATE 13/12/93
				LTO USE ONLY PLAN REGISTERED TIME 9:30 A.M. DATE 11/11/94 <i>[Signature]</i> Assistant Registrar of Titles
				SHEET 1 OF 2 SHEETS
ALL GENERAL SURVEYING P/L. ACN 006 256 702 96 GHERINGHAP STREET GEELONG . 3220 PH (052) 24 2477		LICENSID SURVEYOR (PRINT) IAN A. BENT SIGNATURE DATE 23/8/93 REF 3055 VERSION 01 (A)		DATE COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3

Sheet: PS01

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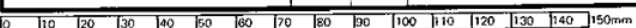


ALL GENERAL SURVEYING P/L.
 ACN. 006 256 702
 96 GHERINGHAP STREET
 GEELONG 3220
 PH (052) 212 477



ORIGINAL
 SCALE 1:5000
 SHEET SIZE A3
 LICENSED SURVEYOR (PRINT) **IAN A. BENT**
 SIGNATURE DATE 23 / 8 / 93
 RICE 3055 VERSION 01 (A)

SHEET 2 OF 2 SHEETS
 DATE
 COUNCIL DELEGATE SIGNATURE



Original PS03



Application for Planning Permit and Certification

Supplied by Samantha Steele
Submitted Date 02/03/2017

Application Details

Application Type Planning Permit and Certification under the Subdivision Act
Version 1
Applicant Reference Number 14624
Application name or Estate name 45 Andersons Road, Barrabool
Responsible Authority Name Surf Coast Shire Council
Responsible Authority Reference Number(s) 17/0074, s4461
SPEAR Reference Number S100118E

The Land

Primary Parcel 45 ANDERSONS ROAD, BARRABOOL VIC 3221
Lot 2/Plan PS326891
Volume 10200/Folio 750
SPI 2\PS326891
CPN 3630
Zone: 35.07 Farming

Parcel 2 1085 BARRABOOL ROAD, BARRABOOL VIC 3221
Lot 1/Plan PS326891
Volume 10200/Folio 749
SPI 1\PS326891
CPN 163960
Zone: 35.07 Farming

The Proposal

Subdivision Act (1988) Dealing Type Section 22 (Subdivision)
Plan Number PS809683J
Number of lots 2
Proposal Description Two Lot Subdivision (Boundary Re-Alignment)
Estimated cost of the development for which a permit is required \$ 0

Existing Conditions

Existing Conditions Description Lot 1 - contains a dwelling & a machinery shed
Lot 2 - contains a dwelling, ancillary shedding and a number of dams

Title Information - Does the proposal breach an encumbrance on Title? The proposal does not breach an encumbrance on title, such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope.

Applicant Contact

Applicant Contact Anthony Sang
StQuentin Consulting Pty Ltd
51 Little Fyans Street, South Geelong, VIC, 3220
Business Phone: 03 5229 2011
Email: anthony@stqc.com.au

Applicant

Applicant

Mr Dean Grigg
& Ann Cusack (Geelong Home Care Pty Ltd)
C/45 Andersons Road, Barrabool, VIC, 3221
Australia

Owner

Owner

(Owner details as per Applicant)

Declaration

I, Samantha Steele, declare that I have notified the owner(s) about this application.


I, Samantha Steele, declare that all the information supplied is true.

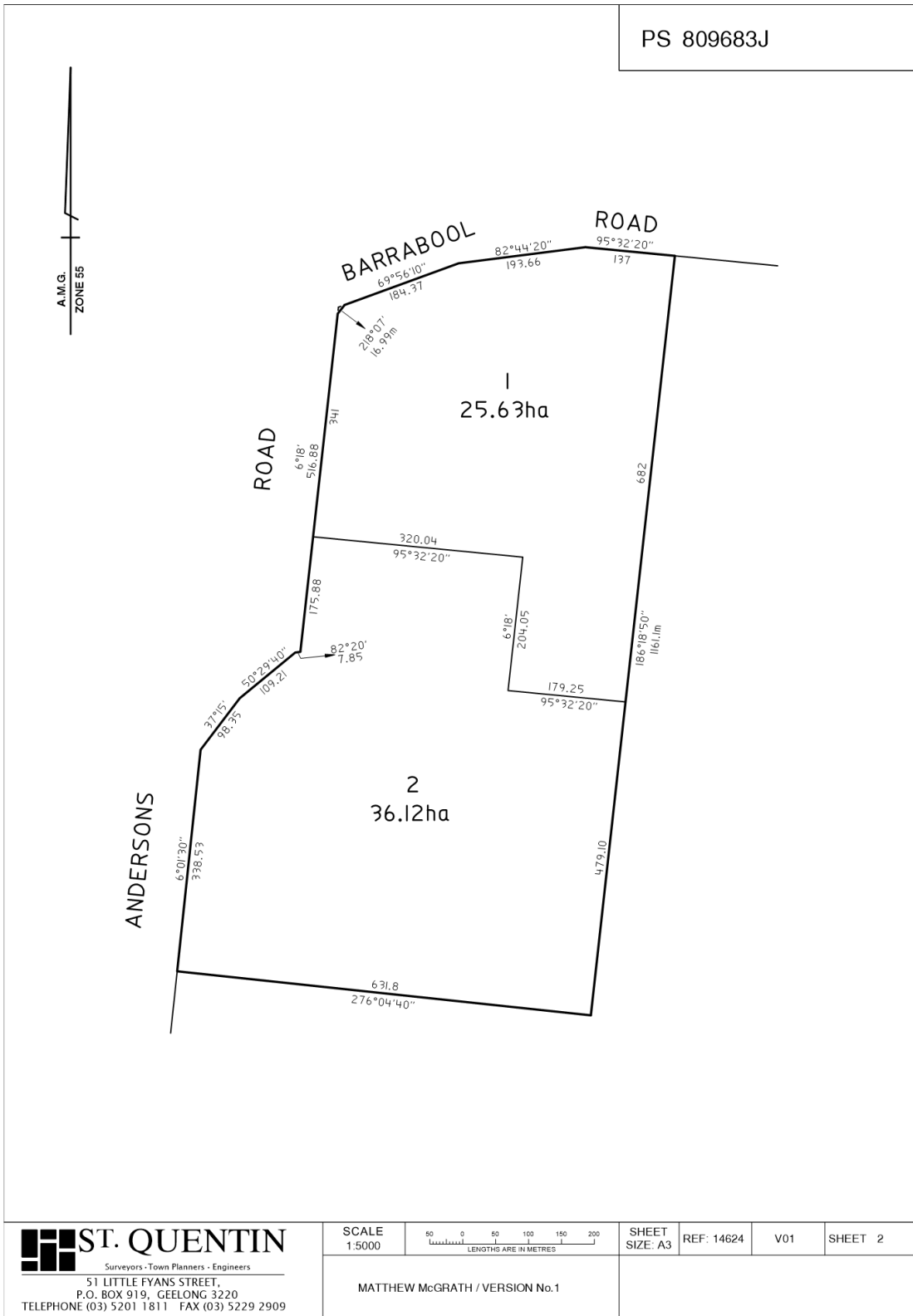
I, Samantha Steele, apply to have the attached plan of subdivision / consolidation certified under the Subdivision Act 1988 and to have advice of street numbers allocated.

Authorised by

Organisation

Samantha Steele
StQuentin Consulting Pty Ltd

PLAN OF SUBDIVISION		EDITION 1	PS 809683J	
LOCATION OF LAND PARISH: BARRARBOOL TOWNSHIP: - SECTION: - CROWN ALLOTMENT: - CROWN PORTION: 2 & 16 (PARTS) TITLE REFERENCE: VOL.10200 FOLS.749 - 750 LAST PLAN REFERENCE: PS326891S (LOT 1 & 2) POSTAL ADDRESS: 45 ANDERSONS ROAD (at time of subdivision) BARRABOOL, 3221 MGA CO-ORDINATES: E: 255 800 ZONE: 55 (of approx centre of land N: 5 771 210 GDA 94 in plan)		Council Name: Surf Coast Shire Council SPEAR Reference Number: S100118E		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON			
NIL	NIL			
NOTATIONS				
DEPTH LIMITATION Does not apply				
SURVEY: This plan is based on survey. STAGING: This is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No.				
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
 Surveyors - Town Planners - Engineers 51 LITTLE FYANS STREET, P.O. BOX 919, GEELONG 3220 TELEPHONE (03) 5201 1811 FAX (03) 5229 2909		SURVEYORS FILE REF: 14624_V01 MATTHEW McGRATH / VERSION No.1		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 2





PLANNING REPORT

**TWO LOT SUBDIVISION
(RE-SUBDIVISION)**

- **1085 BARRABOOL ROAD, BARRABOOL
AND**
- **45 ANDERSONS ROAD, BARRABOOL**



1. EXECUTIVE SUMMARY	3
2. INTRODUCTION	4
2.1 Proposal Details	4
3. TITLE	5
4. KEY CONSIDERATIONS	5
4.1 Compliance with Schedule to Farming Zone.....	5
4.2 Consistency with Policy	5
5. SITE AND CONTEXT DETAILS	6
6. PROPOSAL DETAILS.....	7
6.1 Use	7
6.2 Subdivision	7
6.3 Development.....	7
7. PERMIT TRIGGERS, REFERRAL & PUBLIC NOTICE REQUIREMENTS	8
7.1 Planning Permit Triggers	8
7.2 Public Notice requirements.....	8
7.3 Referral Requirements	8
8. PLANNING POLICY AND ASSESSMENT.....	10
8.1 Zone	10
8.2 Overlays.....	13
8.3 State Planning Policy Framework.....	13
8.4 Local Planning Policy Framework.....	13
9. CONCLUSION.....	15
APPENDIX A - Certificates of Title	16
APPENDIX B - Plan of Subdivision	17



1. EXECUTIVE SUMMARY

St Quentin Consulting has been retained by the applicant, Dean Grigg to assess and submit an application for a two (2) lot subdivision (re-subdivision) in respect to the subject land at:

- ❶ 1085 Barrabool Road, Barrabool (Lot 1, PS PS326891S); and
- ❷ 45 Andersons Road, Barrabool (Lot 2, PS PS326891S).

The land is located within a Farming Zone (FZ) Under the Surf Coast Planning Scheme. The land is not subject to any overlays under the Surf Coast Planning Scheme. The Schedule to the Farming Zone specifies a *Minimum subdivision area* of 40 hectares for the *Barrabool Hills*.

The proposal seeks approval to re-subdivide the land into two lots. Proposed Lot 1 would contain the existing Dwelling, shedding and dam whilst proposed Lot 2 would also contain an existing Dwelling, hay shed, machinery shed, and a number of dams.

Despite creation of lots less than the scheduled 40 Hectare Minimum subdivision area, the Farming Zone provides:

A permit may be granted to create smaller lots if any of the following apply:

- *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*

The re-subdivision will not result in an increase in the number of lots, nor the number of permissible dwellings allowable under Council's Rural Tenement Policy. The proposal is consistent with the provisions of the Farming Zone, Municipal Strategic Statement (Rural Strategy) and Local Planning Policy (Rural Tenement Policy).

The expansion of the area of Lot 1 will enable more intensive agricultural activities to be supported, as supplemented by security of dam water. The reduction in the area of Lot 2 will be offset by the increased productive capacity of Lot 1. Both lots will continue to support mixed farming practices.

Access to both Barrabool Road and Andersons Road remains unaltered.

On the basis of the above it is considered that the re-subdivision is an appropriate outcome and deserving of approval.



2. INTRODUCTION

This planning report has been prepared in support of an Application for Planning Permit at No's. 1085 Barrabool Road and 45 Andersons Road, Barrabool. The Planning Permit Application seeks approval for:

- **Subdivision of the land into two (2) lots (Re-Subdivision)**

2.1 Proposal Details

Proposal	Two (2) Lot Subdivision (Re-Subdivision)
Permit Applicant	Dean Grigg
Location of Subject Site	① 1085 Barrabool Road, Barrabool; ② 45 Andersons Road, Barrabool.
Title Details	① Volume 10200 Folio 749 (Lot 1, PS326891S); ② Volume 10200 Folio 750 (Lot 2, PS326891S).
Restrictions / Covenants	Not Applicable
Land Size (Approximate)	① 2.016 Hectares; ② 59.75 Hectares.
Zoning	Farming Zone (FZ)
Overlays	Not Applicable

This report supports and justifies the proposed Planning Permit Application by detailing:

- The Site and its Context;
- The Proposal;
- Permit Triggers and Referral & Public Notice Requirements;
- Relevant State and Local Planning Policy, Zone, Overlay, Particular & General Provisions; and
- The Performance of the Proposal against Relevant Policies & Provisions.



3. TITLE

Title details to the land are as follows:

- Volume 10200 Folio 749 - Lot 1, PS326891S;
- Volume 10200 Folio 750 - Lot 2, PS326891S.

Certificates of Title are included within this submission at **Appendix A**.

There are no known agreements or registered restrictive covenants on either Title.

4. KEY CONSIDERATIONS

4.1 Compliance with Schedule to Farming Zone

A permit is required to subdivide land within a Farming Zone. Clause 35.03-3 of the zone requires that each lot must be at least the area specified for the land in a Schedule to the zone. The Schedule to the Farming Zone generally requires that land within the 'Barrabool Hills' must have a Minimum subdivision area of 40 hectares. Whilst the proposed lot sizes do not meet the Minimum subdivision area specified within the Schedule to the Farming Zone, Clause 35.03-3 also makes provision for applications to be made which propose lots of less than 40 hectares under the following circumstance:

A permit may be granted to create smaller lots if any of the following apply:

- *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*

The re-subdivision will result in no increase in the number of lots, nor any additional 'as of right' dwelling entitlements. Existing dwellings will be retained within the bounds of each revised lot.

4.2 Consistency with Policy

Council's 'Rural Tenement Policy' (Clause 22.01 of the Surf Coast Planning Scheme) includes a basis founded in the following:

To help effect the long term protection of the Surf Coast Shire's rural land for agricultural purposes and for the rural landscape qualities it provides.

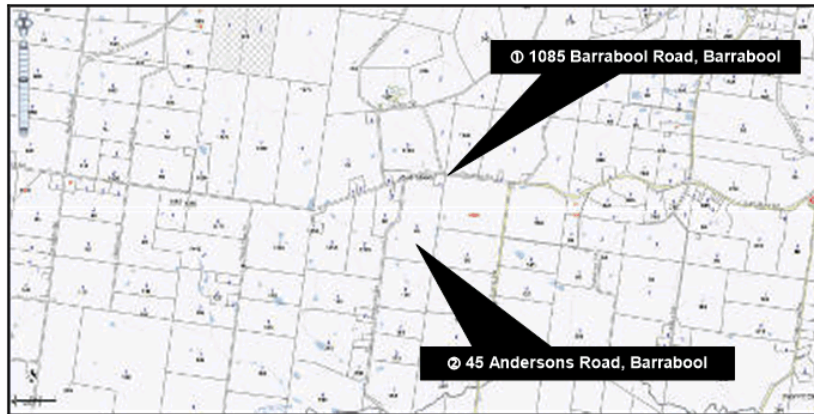
To provide a consistent and equitable basis for considering permit applications for dwellings and subdivision in the rural zones.

The proposal is compliant with both criterion for re-subdivision as set out within Clause 22.01-4 of the Rural Tenement Policy (refer Section 8.4 below). Consistent with Council's aim of breaking the perceived nexus between subdivision and an expectation that each lot created would be capable of being used for housing.



5. SITE AND CONTEXT DETAILS

The subject land comprises two (2) abutting lots located on the southern side of Barrabool Road, immediately East of the intersection with Andersons Road, Barrabool.



The subject land comprises two adjoining lots, each of which is described below:

- 1 1085 Barrabool Road, Barrabool (Lot 1, PS326891S: 2.016 Hectares)

The smaller of the two allotments is regular in shape and is located on the South side of Barrabool Road, Barrabool. The land has frontage of 126.71 metres to Barrabool Road and an approximate depth of 160 metres. It shares common boundaries with No. 45 Andersons Road (below) along its Southern and Western margins. Lot 1 currently contains a Dwelling and machinery shed protected by a plantation around part of the perimeter of the site. Vehicular access is afforded via a crossover located off Barrabool Road.

- 2 45 Andersons Road, Barrabool (Lot 2, PS326891S: 59.75f Hectares).

"Stanbury West" is the larger of the two allotments and is located at the South Eastern corner at the intersection of Andersons Road and Barrabool Road, Barrabool. The land is improved by a Dwelling, ancillary shedding and is supplemented by a number of dams. Primary vehicular access is afforded via a crossover located off Andersons Road.

The Proposed Plan of Subdivision appended to this report includes aerial photography which demonstrates the nature and location of the improvements.



6. PROPOSAL DETAILS

This proposal seeks approval for subdivision of the land into two (2) lots (Re-Subdivision). The proposal includes the following key characteristics:

6.1 Use

Not Applicable.

Use does not form part of the current proposal. Both parcels are already developed for use by a Dwelling which supports the use of land for Agriculture.

6.2 Subdivision

This proposal seeks approval to subdivide the land into two (2) lots (Re-Subdivision). The proposal includes the following characteristics:

- Proposed Lot 1 will have an increased frontage to Barrabool Road, an Eastern boundary length of 681.97 metres and a common boundary shared with proposed Lot 2 which 'steps' through the site connecting onto Andersons Road for a total land area of **25.63 Hectares**;
- Proposed Lot 2 will no longer have frontage to Barrabool Road and will have reduced frontage to Andersons Road. It shares the proposed 'dog leg' common boundary with proposed Lot 1 and comprises a total land area of **36.12 Hectares**;
- There will be no increase in the number of lots, nor will there be any alteration to the number of dwellings on either of the lots.

A Proposed Plan of Subdivision is included within this submission.

6.3 Development

Not Applicable. No buildings or works form part of the current application.



7. PERMIT TRIGGERS, REFERRAL & PUBLIC NOTICE REQUIREMENTS

7.1 Planning Permit Triggers

Use	Development	Subdivision	Other
N/A	N/A	Clause 35.07-3 (FZ) <i>Subdivide land</i>	N/A

7.2 Public Notice requirements

This application is not exempt from public notice requirements. However, on the basis that the proposal does not increase the number of lots, nor potential for additional dwellings it is not considered that the proposal would have potential for material detriment.

On this basis, we suggest that Notice of Application need not be given.

7.3 Referral Requirements

Clause 66.01 of the Surf Coast Planning Scheme specifies the following subdivision referral requirements:

Clause 66.01 Subdivision referrals

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority.

Type of application	Referral authority	Type of referral authority
To subdivide land other than: <ul style="list-style-type: none"> • A boundary realignment. • The subdivision of an existing building already connected to services. • A two lot subdivision. • The subdivision of land into lots each containing an existing dwelling or car parking space. 	The relevant water, drainage or sewerage authority	Determining referral authority
	The relevant electricity supply or distribution authority	Determining referral authority
	The relevant gas supply authority	Determining referral authority



Clause 66.01-1 Mandatory conditions for subdivision permits

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- **Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.** (Emphasis added in underline)

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

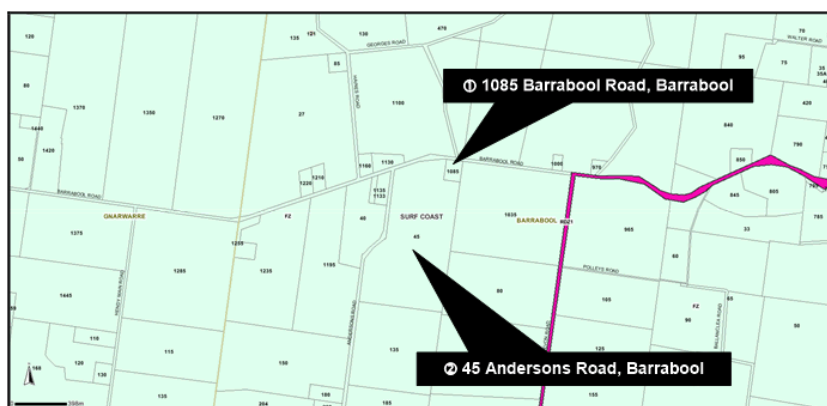
This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.



8. PLANNING POLICY AND ASSESSMENT

8.1 Zone

The subject land is located within a '**Farming Zone**' (FZ) under the Surf Coast Planning Scheme (Planning Scheme Map No. 5).



The purpose of the Farming Zone (Clause 35.07) is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

A planning permit is required under **Clause 35.07-3** of the Farming Zone to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40ha.

In this instance, the Schedule to the Farming Zone specifies a minimum subdivision area of **40 Hectares** for the 'Barrabool Hills'. Notwithstanding this, Clause 35.07-3 also makes provision for the following:

A permit may be granted to create smaller lots if any of the following apply:



- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.

The proposal seeks to re-subdivide the two (2) existing lots into a different configuration. Proposed Lot 1 would increase its landholding from 2.016 Hectares to 25.63 hectares, whilst proposed Lot 2 would be reduced in area from 59.75 Hectares to 36.12 hectares. There is no increase in the number of lots.

Decision guidelines

Before deciding on an application to subdivide land, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Issues	Criterion	Assessment
General Issues	<i>The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Whilst unable to achieve the minimum subdivision area set out within the Schedule to the Farming Zone, the subdivision is consistent with the provisions of the zone. The proposal will not lead to potential for an increase in either the number of lots or permissible dwellings. The proposal does not offend the strategies as set out within Clause 21.05 (Agriculture) and meets criterion for re-subdivision listed within Clause 22.01 (Rural Tenement Policy).
	<i>Any Regional Catchment Strategy and associated plan applying to the land.</i>	The <i>Corangamite Regional Catchment Strategy, CMA 2003</i> identifies a number of 'threats' associated with change of use and inappropriate management techniques. Neither can be regulated by subdivision.
	<i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i>	The land has capacity to support subdivision at the density proposed – given there will be no increase in the number of lots.
	<i>How the use or development relates to sustainable land management.</i>	The re-subdivision does not propose any change to the current use or development of the site and there will be no impact on sustainable land management practices.
	<i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i>	The Farming Zone makes provision for the re-subdivision of existing lots. The surrounding area is already fragmented and it is not considered that the revised subdivision boundaries will lead to potential for conflict with surrounding properties, most of which are developed for use by Dwellings.
Agricultural Issues	<i>Whether the use or development will support and enhance agricultural production.</i>	The re-subdivision re-apportions land to each of the existing lots to better reflect the occupation of each parcel. The layout does not compromise the continued use of each lot for agricultural production.
	<i>Whether the use or development will</i>	The re-subdivision will not remove land from



	<i>permanently remove land from agricultural production.</i>	agricultural production.
	<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	The proposal will not lead to any greater potential for the conflict with farm related uses than presently exists.
	<i>The capacity of the site to sustain the agricultural use</i>	No change to the present farming operations is proposed by this application.
	<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Council's Agriculture Strategy notes the generally high quality of soils within the Barrabool Hills, capable of supporting mixed farming use. Dams provide for water supply to the property.
	<i>Any integrated land management plan prepared for the site.</i>	Not Applicable.
Dwelling Issues	<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	Not Applicable.
	<i>Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.</i>	
	<i>Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</i>	
	<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	
	<i>The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of land for agriculture.</i>	



Design and siting Issues	The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	Not Applicable.
	The impact of the siting, design, heights, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	
	The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	
	The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	
Environmental Issues	Whether the use and development will require traffic management measures.	

8.2 Overlays

The land is *not* subject to any overlays under the Surf Coast Planning Scheme.

8.3 State Planning Policy Framework

- Clause 17.05 of the State Planning Policy Framework relates to 'Agriculture' and seeks to ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use and to enable protection of productive farmland which is of strategic significance in the local or regional context.

8.4 Local Planning Policy Framework

- Clause 21.05 of the Local Planning Policy Framework contains Council's 'Agriculture' Strategy. The strategy recognises a continuing shift towards more intensive agricultural industries and lifestyle or part time farming which is changing the rural landscape of parts of the Shire. The economic value of agriculture continues to grow along with a diversification in the types of activities undertaken.

Relevant objectives seek to:

- *To encourage sustainable agricultural activities, to grow and maintain prosperous and sustainable rural communities.*
- *To protect the ability of future generations to productively farm the land.*
- *To avoid the loss of agricultural productivity associated with land use conflicts, particularly between farming activities and non-farm related residential development.*



- Clause 21.06 of the Local Planning Policy Framework contains Council's 'Rural Landscape' Strategy. This notes the importance of the interplay between geology, topography, vegetation, water bodies and other natural features, combined with the effects of land use and built development, in distinguishing one landscape from another. Five discrete landscape precincts based primarily on landscape features, but also taking into account land use, agricultural quality, tenement/allotment patterns and environmental values have been identified. The site lies within Landscape Unit 2: *Barrabool Hills* on Map1 to Clause 21.06:

"Barrabool Hills – a distinctive upland ridge that slopes steeply down to the Barwon River on the northern side and more gently southward to the Princes Highway. This scenic corner of the municipality features Mount Moriac, the highest relief in the Shire north of the Princes Highway. The Hills, comprising this precinct and west to Mt Pollock (in the Western Plains precinct) is classified by the National Trust of Australia as significant at a regional level for its aesthetic qualities, geological and geomorphological properties and association with indigenous peoples. Aboriginal Affairs Victoria has listed numerous sites in the Barrabool Hills. It is also recorded as having historical importance at a local level, with twelve sites covered by the Heritage Overlay. The Hills offer extensive views of the surrounding pastoral landscape and have been depicted in many well known paintings of early Victorian landscapes."

Relevant objectives listed under 'Landscape Outcomes' seek to:

- *To protect and enhance the landscape values of the rural precincts as described in Clause 21.06-2 above.*
 - *To protect and maintain open and uncluttered rural landscapes, including vistas from main road corridors.*
 - *To protect the rural landscape from urban intrusion and to provide clear distinction between townships.*
 - *To recognise the importance of maintaining the visual landscape qualities of the Great Ocean Road environs both for residents and visitors to the coast.*
- Clause 22.01 of the Local Planning Policy Framework contains Council's 'Rural Tenement Policy' and aims to protect high quality agricultural land from inappropriate subdivision and development.

Objectives

- *To help effect the long term protection of the Surf Coast Shire's rural land for agricultural purposes and for the rural landscape qualities it provides.*
- *To provide a consistent and equitable basis for considering permit applications for dwellings and subdivision in the rural zones.*

Subdivision Policy

Where a permit is required to re-subdivide existing lots to create a new lot or lots that do not comply with the minimum lot size in the zone schedule, it is policy to:

- *When calculating the number of lots that may be re-subdivided, count only a lot that has legal frontage to a road and is suitable for a dwelling due to its shape, configuration and means of access.*



The proposal is a re-subdivision which will result in no net increase in either the number of lots, or the number of potential dwellings each lot is capable of supporting under current policy. Each lot has legal frontage to a road, and maintains sufficient land around the dwelling to support the treatment and disposal of wastewater effluent and provision of ancillary farm infrastructure. On this basis, the layout is consistent with the provisions for re-subdivision within Council's Rural Tenement Policy.

9. CONCLUSION

In summary, the above report has assessed the proposal against the relevant provisions of the State and Local Planning Policy Framework, Zoning, Particular and General Provisions and has found that the proposal is consistent with the same.

Whilst neither of the proposed lots achieves compliance with the usual Minimum subdivision area of 40 Hectares for land within the *Barrabool Hills*, the provisions of the Farming Zone allow for the creation of lots of less than 40 Hectares where a re-subdivision is proposed which does not increase the number of lots – as is the case with the current application.

Proposed Lots 1 & 2 are already developed for use by Agriculture as supported by a Dwelling.

For the above reasons we seek Council's support for the proposed subdivision (re-subdivision).



APPENDIX A - Certificates of Title



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

Page 1 of 2

VOLUME 10200 FOLIO 750

Security no : 124064296539L
Produced 30/01/2017 11:53 am

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 326891S.
PARENT TITLE Volume 10183 Folio 215
Created by instrument PS326891S 11/11/1994

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
GEEELONG HOME CARE PTY LTD of SUITE 4, 1ST FLOOR 13 FENWICK ST. GEEELONG 3220
V529241K 16/07/1998

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG966562S 12/01/2010
NATIONAL AUSTRALIA BANK LTD

CAVEAT AL848232G 29/04/2015
Caveator
ANNIE CUSACK
Grounds of Claim
IMPLIED, RESULTING OR CONSTRUCTIVE TRUST.
Estate or Interest
FREEHOLD ESTATE
Prohibition
ABSOLUTELY
Lodged by
WHYTE JUST & MOORE
Notices to
WHYTE JUST & MOORE of 27 MALOP STREET GEEELONG VIC 3220

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 PS326891S 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: "STANBURY WEST" 45 ANDERSONS ROAD BARRABOOL VIC 3221

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED



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

Page 2 of 2

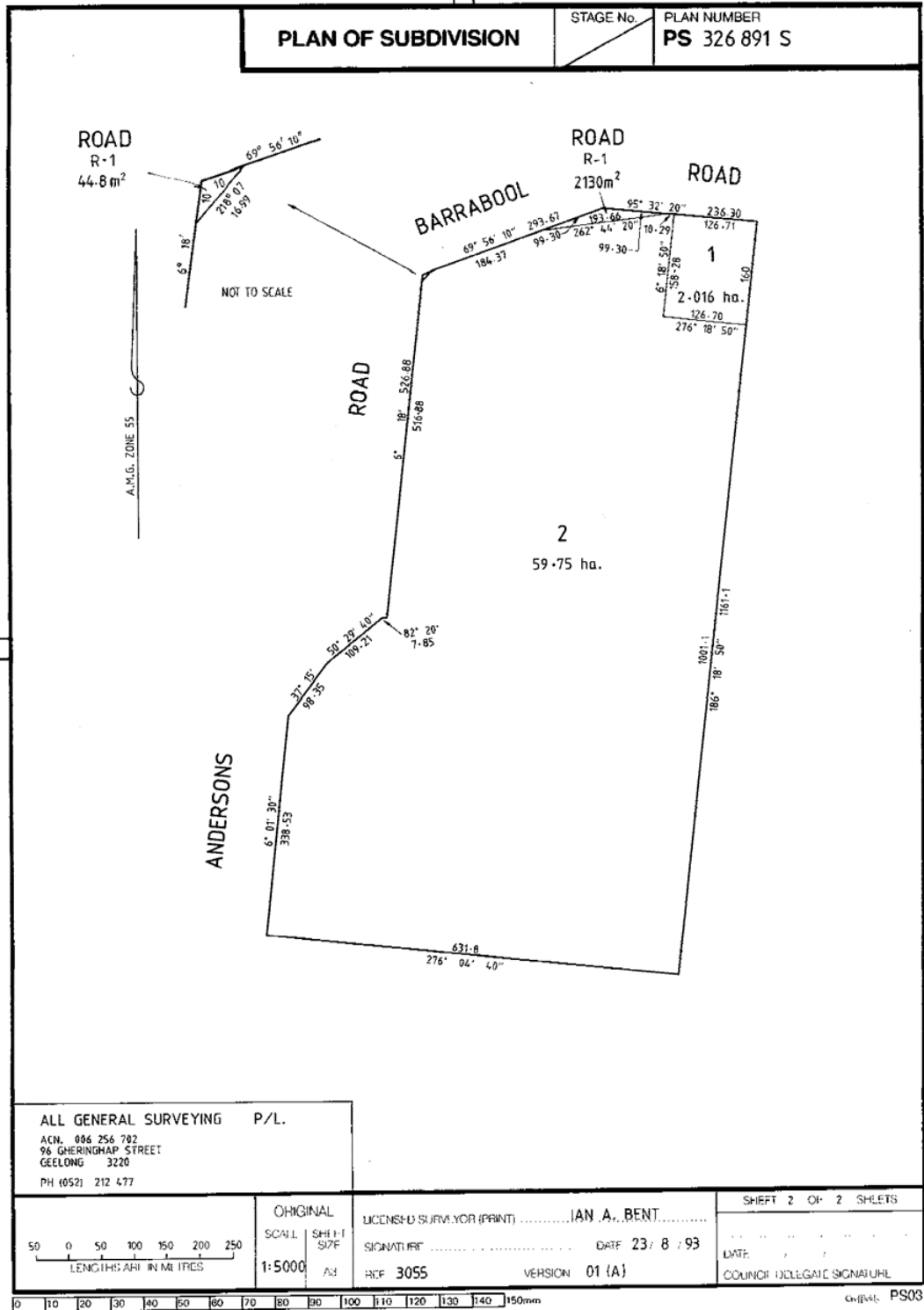
Effective from 23/10/2016

DOCUMENT END

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PLAN OF SUBDIVISION		STAGE No.	LTO USE ONLY EDITION 1	PLAN NUMBER PS 326 891 S	
LOCATION OF LAND PARISH: BARRARBOOL TOWNSHIP: _____ SECTION: _____ CROWN ALLOTMENT: _____ CROWN PORTION: 2 & 16 (PARTS) LTO BASE RECORD: PARISH PLAN (2083) TITLE REFERENCES: LAST PLAN REFERENCE/S: POSTAL ADDRESS: BARRARBOOL ROAD (At time of subdivision) CERES 3221 AMG Co-ordinates (of approx centre of land in plan) E 255 700 N 5 770 600 ZONE: 55		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: BARRARBOOL SHIRE COUNCIL REF. S1821 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 of the 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 13/12/93 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				
ROADS R-1	BARRARBOOL SHIRE				
NOTATIONS					
STAGING This is not a staged subdivision Planning permit No.					
DEPTH LIMITATION DOES NOT APPLY					
SURVEY THIS PLAN IS BASED BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(S) IN PROCLAIMED SURVEY AREA No.					
EASEMENT INFORMATION			LTO USE ONLY		
LEGEND A Appurtenant Easement E Encumbering Easement R - Encumbering Easement (Road)			STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT		
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of	RECEIVED <i>[Signature]</i> DATE 13/12/93
					LTO USE ONLY PLAN REGISTERED TIME 9:30 Am. DATE 11/11/94 <i>[Signature]</i> Assistant Registrar of Titles SHEET 1 OF 2 SHEETS
ALL GENERAL SURVEYING P/L ACN 006 256 702 96 GHERINGHAP STREET GEELONG . 3220 PH (052) 212477			LICENSID SURVEYOR (PRINT) IAN A. BENT SIGNATURE DATE 23/8/93 REF 3055 VERSION 01 (A)		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3

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

Page 1 of 1

VOLUME 10200 FOLIO 749

Security no : 124064296589G
Produced 30/01/2017 11:54 am

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 326891S.
PARENT TITLE Volume 10183 Folio 215
Created by instrument PS326891S 11/11/1994

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
DEAN WARWICK GRIGG of 65 HONEYS RD. CERES 3221
U006658Y 18/12/1995

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE X405902R 06/04/2001
COMMONWEALTH BANK OF AUSTRALIA

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 PS326891S 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: 1085 BARRABOOL ROAD BARRABOOL VIC 3221

ADMINISTRATIVE NOTICES

NIL

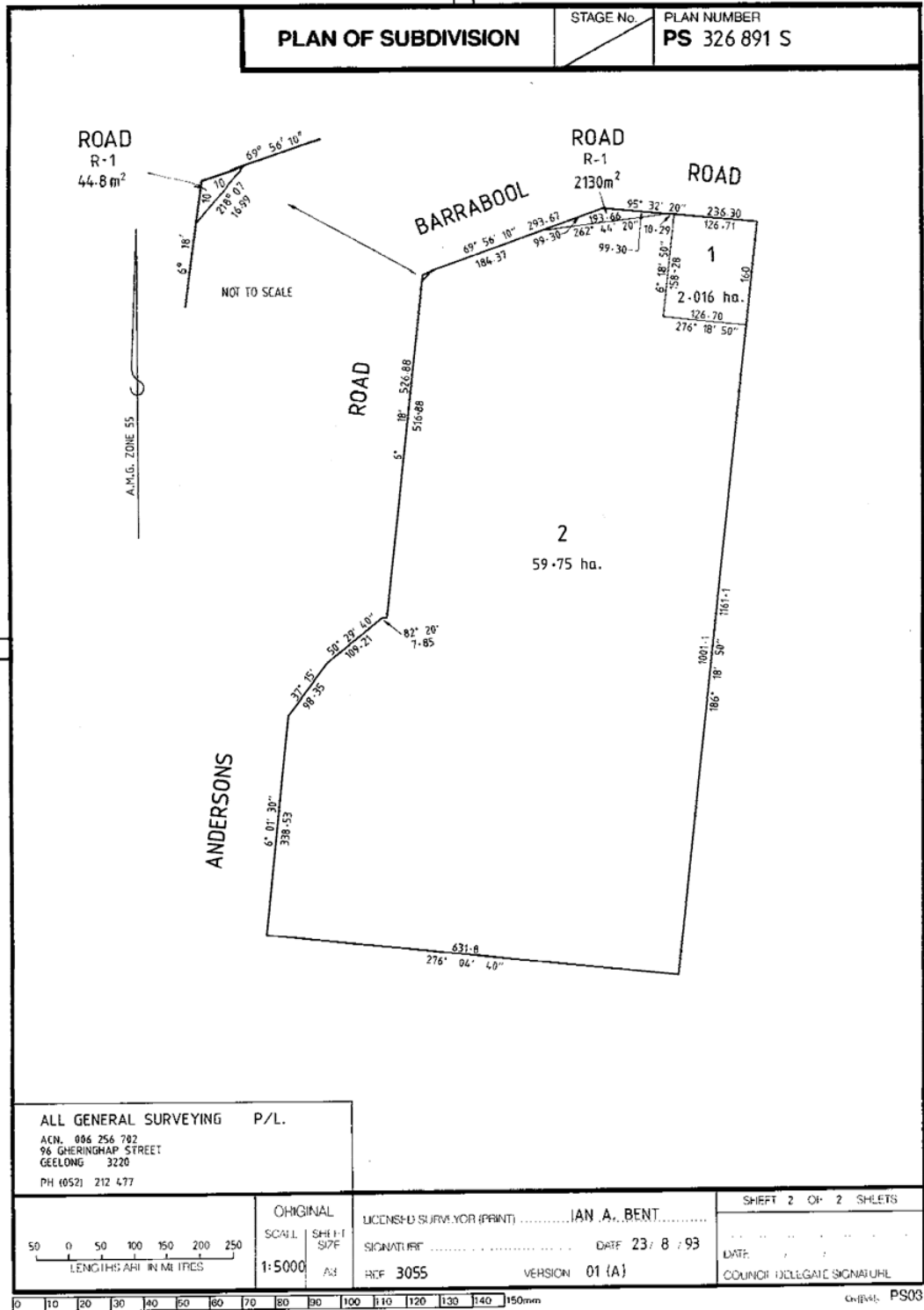
eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END

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PLAN OF SUBDIVISION		STAGE No.	LTO USE ONLY EDITION 1	PLAN NUMBER PS 326 891 S	
LOCATION OF LAND PARISH: BARRARBOOL TOWNSHIP: _____ SECTION: _____ CROWN ALLOTMENT: _____ CROWN PORTION: 2 & 16 (PARTS) LTO BASE RECORD: PARISH PLAN (2083) TITLE REFERENCES: LAST PLAN REFERENCE/S: POSTAL ADDRESS: BARRARBOOL ROAD (At time of subdivision) CERES 3221 AMG Co-ordinates (of approx centre of land in plan) E 255 700 N 5 770 600 ZONE: 55		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: BARRARBOOL SHIRE COUNCIL REF. S1821 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 of the 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 13/12/93 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				
ROADS R-1	BARRARBOOL SHIRE				
NOTATIONS					
STAGING This is not a staged subdivision Planning permit No.					
DEPTH LIMITATION DOES NOT APPLY					
SURVEY THIS PLAN IS BASED BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(S) IN PROCLAIMED SURVEY AREA No.					
EASEMENT INFORMATION			LTO USE ONLY		
LEGEND A Appurtenant Easement E Encumbering Easement R - Encumbering Easement (Road)			STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT		
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of	RECEIVED <i>[Signature]</i>
					DATE 13/12/93
LTO USE ONLY PLAN REGISTERED TIME 9:30 AM. DATE 11/11/94 <i>[Signature]</i> Assistant Registrar of Titles SHEET 1 OF 2 SHEETS					
ALL GENERAL SURVEYING P/L ACN 006 256 702 96 GHERINGHAP STREET GEELONG . 3220 PH (052) 212477		LICENSID SURVEYOR (PRINT) IAN A. BENT SIGNATURE DATE 23/8/93 REF 3055 VERSION 01 (A)		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3	

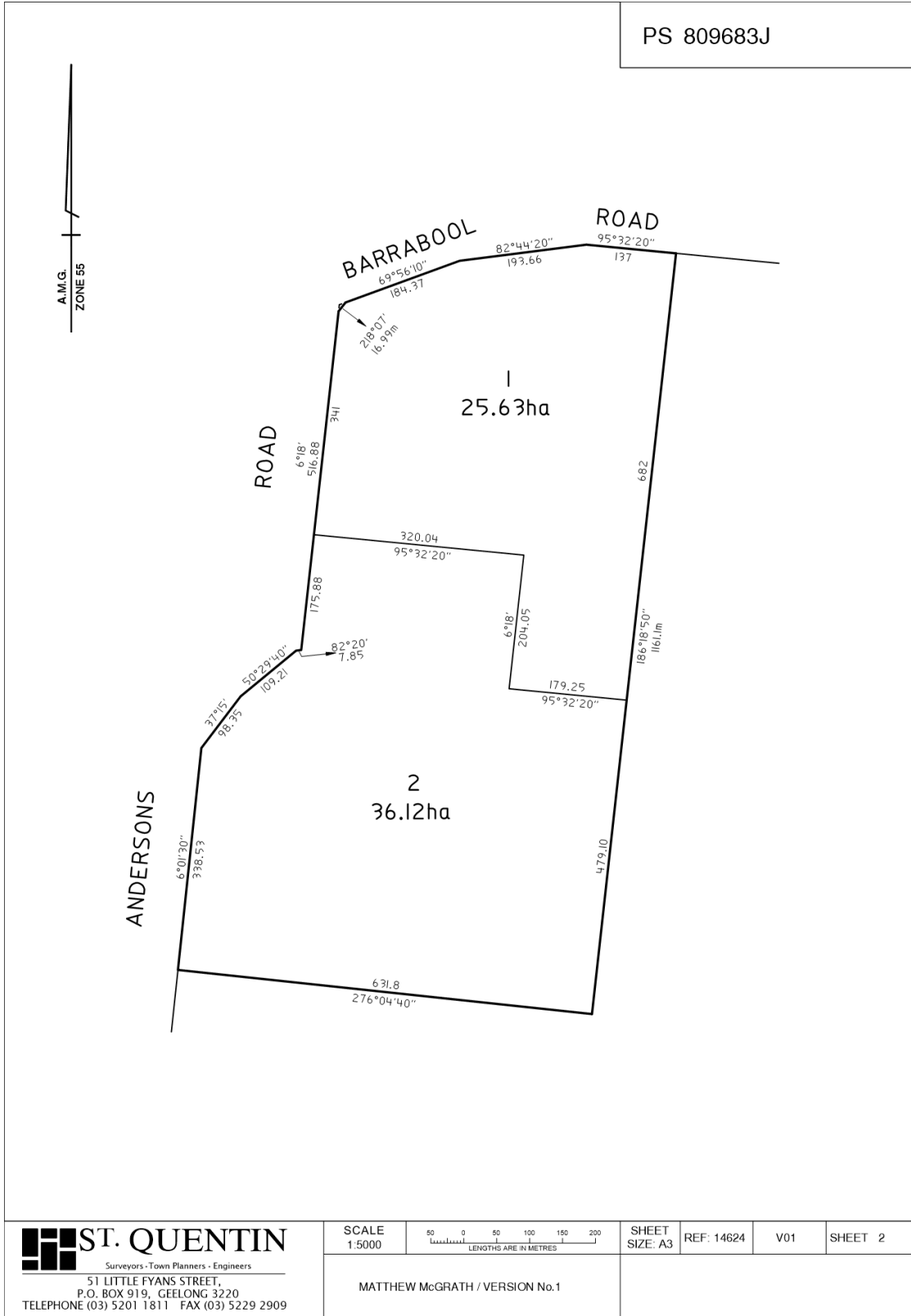
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APPENDIX B – Plan of Subdivision

PLAN OF SUBDIVISION		EDITION 1	PS 809683J
LOCATION OF LAND PARISH: BARRARBOOL TOWNSHIP: - SECTION: - CROWN ALLOTMENT: - CROWN PORTION: 2 & 16 (PARTS) TITLE REFERENCE: VOL.10200 FOLS.749 - 750 LAST PLAN REFERENCE: PS326891S (LOT 1 & 2) POSTAL ADDRESS: 45 ANDERSONS ROAD (at time of subdivision) BARRABOOL, 3221 MGA CO-ORDINATES: E: 255 800 ZONE: 55 (of approx centre of land N: 5 771 210 GDA 94 in plan)			
VESTING OF ROADS AND/OR RESERVES		NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON		
NIL	NIL		
NOTATIONS			
DEPTH LIMITATION Does not apply			
SURVEY: This plan is based on survey. STAGING: This is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No.			
EASEMENT INFORMATION			
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)			
Easement Reference	Purpose	Width (Metres)	Origin
			Land Benefited/In Favour Of
 Surveyors - Town Planners - Engineers 51 LITTLE FYANS STREET, P.O. BOX 919, GEELONG 3220 TELEPHONE (03) 5201 1811 FAX (03) 5229 2909		SURVEYORS FILE REF: 14624_V01	ORIGINAL SHEET SIZE: A3
		MATTHEW McGRATH / VERSION No.1	SHEET 1 OF 2



ST. QUENTIN
 Surveyors - Town Planners - Engineers
 51 LITTLE FYANS STREET,
 P.O. BOX 919, GEELONG 3220
 TELEPHONE (03) 5201 1811 FAX (03) 5229 2909

SCALE 1:5000

 LENGTHS ARE IN METRES

SHEET SIZE: A3 REF: 14624 V01 SHEET 2

MATTHEW McGRATH / VERSION No.1

1.1 Planning Permit Application 17/0074 - 45 Andersons Road and 1085 Barrabool Road, Barrabool

APPENDIX 3 FARM REPORT - 45 ANDERSON ROAD AND 1085 BARRABOOL ROAD, BARRABOOL

Farm Report

45 Andersons Road and 1085 Barrabool Road, Barrabool

Surf Coast Shire Application Number 17/0074

Commissioned jointly by

Mr Dean Grigg

1085 Barrabool Road, Barrabool,

and

Mrs Annie Cusack

45 Andersons Road,

Barrabool

prepared by

A J Forbes and Associates

Agricultural Consultants

PO Box 260

Drysdale, 3222

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m 0438 898

e:

15th June 2017

A J Forbes and Associates
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Agricultural Consultants
jockforbes@bigpond.com

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e:

Contents

1	Summary	<u>1</u>
2	Background	<u>3</u>
2.1	Andersons Road, Mrs Cusack	<u>3</u>
2.2	Mr Grigg Barrabool Road	<u>4</u>
3	Proposal	<u>4</u>
4	Planning Zone & Overlays	<u>6</u>
5	Land Capability	<u>6</u>
6	Site Description	<u>6</u>
7	Farming Proposals and Productivity	<u>7</u>
7.1	Mrs Cusack	<u>7</u>
7.2	Mr Dean Grigg	<u>9</u>
7.3	Comparative Productivity Summary	<u>9</u>
7.4	Farm Productivity	<u>10</u>
7.5	Productivity Notes	<u>10</u>
8	Planning Issues	<u>11</u>
9	Appendices	<u>13</u>

1 Summary

This report relates to a proposal at Barrabool, for two neighbours to consolidate and then re-subdivide their existing two lots.

Both lie in the Barrabool Farming Zone where the minimum subdivision is forty hectares. One lot is of 60 hectares owned by Mrs Annie Cusack; the second lot is two hectares by Mr Dean Grigg. Both land owners have a strong background in farming.

Initially Mrs Cusack's farming was based fattening steers from a related property at Camperdown. Mrs Cusack endeavoured to improve the farm income by marketing and distributing cryovac "Barrabool Beef" to restaurants, supermarkets and private consumers. She then started a free range egg business, which shared many marketing and distribution costs. While the demand for the beef and the free range eggs was strong, the high cost of beef processing on a small scale became unbearable, and the business was shut down.

Despite strong demand for the free range eggs, this business was closed down also, because of the (shared) labour, marketing and distribution costs.

Agricultural productivity on the Cusack land is now much reduced, and is currently largely comprised of hay production and stock agistment on an opportunity basis.

The current proposal is to create one lot of 36 hectares and the second lot 26 hectares, each incorporating the existing dwellings.

This will facilitate the revival and growth of her free range egg business on a sounder footing, and still allow (pro rata) the grazing to continue.

Concurrently, the newly created 26 hectare lot for Mr Grigg will also benefit, by providing infrastructure and sheep handling plant to expand his sheep enterprises, and to move further into more profitable prime lamb production.

The grazing and free range egg production are both a permitted use in the Farming Zone.

There is no history of impacts on neighbours, nor any objections to the current Application.

The sustainability of this enterprise mix is demonstrated by prior experience on this site and in this area, and confirmed by the land capability assessment in early June 2017.

The approval of this proposal is conditional on demonstrating that it will result in an increase in sustainable agricultural productivity without any adverse impacts on neighbouring properties.

2

In terms of productivity, these developments increase Gross Margins threefold, from \$33347 to \$97332 -104295 per annum.

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e:

2 Background

This application is a joint application between adjacent land owners; Mrs Annie Cusack of 45 Andersons Road Barrabool and Mr Dean Grigg, of 1085 Barrabool Road, Barrabool.

- Mr Grigg's Barrabool Road property is two hectares in area.
- Mrs Cusack's property at 45 Andersons Road is sixty hectares.

2.1 Andersons Road, Mrs Cusack

Mrs Annie Cusack has a history of farming experience at Camperdown, where she was involved in cattle breeding and grazing, and in free range egg production.

Ten years ago, Mrs Cusack relocated to Andersons Road, where she has remained a (very) active farmer. The farming activities at Andersons Road were based on drawing steers and heifers from the family farm at Camperdown and finishing them off by grazing and supplementary feeding of hay. At this level the site supported a stocking rate of 14-16 Dry Sheep Equivalent per hectare.

Over time, they changed the model, in order to increase their profit margin and return to the farm per se by supplying their prime beef directly to retail end markets in Geelong and elsewhere, under the brand of Barrabool Beef. This required additional supplementary feeding and additional management, and lifted the stocking rate to 20-24 DSE's per hectare.

While this resulted in strong demand, turning off ten bodies a week to prime outlets and prices significantly higher than paid on the open market, the cost of distribution proved to be excessive and the distribution business was closed down.

Concurrent with Barrabool Beef, Mrs Cusack established a free range egg business, with hens grazing the same pastures grazed by cattle. This proved to be a very compatible mix of two farming systems.

This business (Barrabool Hills Free Range Eggs) flourished, producing on average 3500 eggs per day over 300 days per year, producing 80,000 dozen eggs per annum.

The eggs were sold on line, at the farm gate and at some twenty five retail outlets across the Geelong region in conjunction with the distribution of Barrabool Beef.

Three full time people were employed between the two enterprises

The closure of Barrabool Beef significantly affected the distribution of the free range eggs and this business was then scaled back, however, Mrs Cusack is keen to pursue further the free range egg enterprise as the prime economic driver on the site, and has the skills and the market knowledge to do this.

A current opportunity exists to regenerate the free range egg business because of the continued high and increasing demand, and the contraction of local production.

In terms of grazing, the current land use and productivity is minimal, with the only agricultural activity on the Anderson's Road property is the production in 2016 of 150 round bales off a ten hectare paddock by Mr Grigg, and cattle grazed on agistment when the opportunity arises. The demand for agistment in the current year is very low, because of fodder available from 2016, and the abundant feed in the paddock and t in 2017.

Mrs Cusack will revert to the common practice, of grazing cattle with supplementary feeding, and sending them to market. While this is a legitimate form of agricultural use, it in economic terms is a lesser adjunct to the more profitable free range egg production.

2.2 Mr Grigg Barrabool Road

Mr Grigg lives in the adjacent property at 1085 Barrabool Road. He has a family history of four generations of farming and share-farming in the Barrabool Hills. He is typical of many farmers in the area; earning additional income off-farm as a builder to supplement his agricultural earnings.

In the past he has share farmed and/or leased country for grazing sheep in conjunction with share farming crops in the area. While he enjoyed good access to breeding flocks in the area, from which to draw wethers and store lambs for both wool and prime lamb production, this model suffers from difficulties in managing sheep without reliable and timely access to good sheep yards.

Under the current proposal, Mr Grigg has the opportunity to acquire twenty five hectares immediately adjacent to his house and existing shedding. This will enable him consolidate and expand his farming business, by establishing a flock of premium fat lamb ewes on this site, and by providing more effective sheep handling assets, (such as yards etc) to improve animal husbandry practices, enabling a progression to larger flocks. This will also facilitate/improve such practices as supplementary feeding of weaner lambs, and exploit opportunities to fatten lambs when they arise.

3 Proposal

This proposal seeks to consolidate these two lots and then subdivide this into two new lots:-

- Mrs Cusack retaining her existing homestead and all the (substantial) existing poultry infrastructure, cattle yards etc (36 hectares).
- Mr Grigg's lot (of 25.6 hectares) will consolidate and improve his sheep handling and other aspects of management, and will establish the necessary infrastructure and confer some stability and longevity to his sheep enterprises. Each lot will retain the existing dwelling, and separate ownership, and will be farmed separately. The proposed re subdivision is depicted in [Figure 1](#).

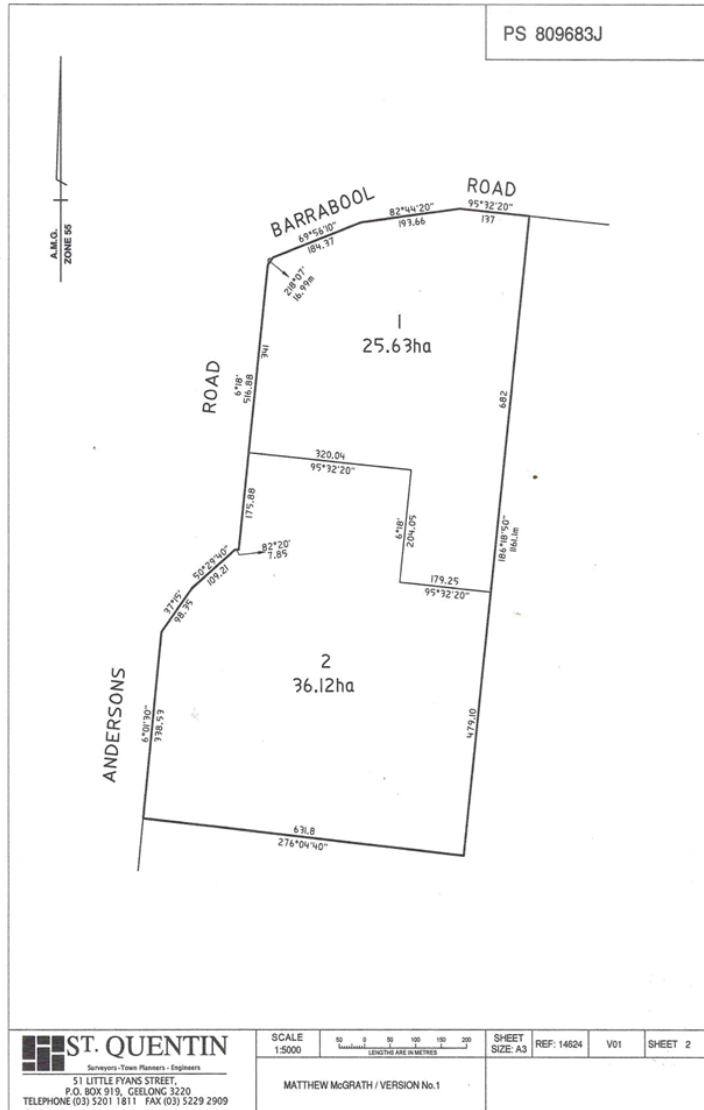


Figure 1 Proposed Re-subdivision Anderson/Barrabool Road

4 Planning Zone & Overlays

Both sites lie within the Farming Zone of the Surf Coast Shire's Planning Scheme (refer Appendices on page 13 below).

The minimum subdivision area within the Barrabool Hills area is forty hectares.

No overlays apply on either lot.

5 Land Capability

Land Capability Assessment, and the matching of land use with land capability forms the cornerstone of good agricultural land use, and land use policy.

The Topography and soil type of the Barrabool land system is described in Victorian Resources on Line (2017) – summarized below, as

"Rolling hills with fertile soils to the west of Geelong.

...These hills are Lower Cretaceous sandstones and mudstones."

and that

"These rolling hills have been extensively cleared and only single trees remain as indicators of the former native vegetation."

"These areas have been extensively cleared for cropping and grazing, and subdivided into somewhat smaller paddocks than the less fertile areas (towards the coast) to the south."

The two properties are located on the crest of the hilly area of Barrabool. This area is described in the following table; also extracted from the VRO web site and the parent document by the Soil Conservation Authority¹ as

- *Hilly, with a convex shaping slope*
- *Soil type is a brown duplex soil of a loam texture of moderate permeability.*
- *Topsoil depth is up to a metre deep.*
- *Steeper sloped are prone to sheet erosion (but note on the farm inspection on the 5th of June 2017, no erosion of any sort was evident on the farm, nor on the surrounding areas.)*
- *Rainfall ~ 650 mm/annum*

6 Site Description

The farm of 45 Andersons Road was inspected on the 6th of June 2017.

There was no evidence of soil degradation, salinity problems or erosion. Some lower areas, show signs of localized water logging, but these areas are small and of no consequence, and were seen in a very wet winter.

¹ A Study of the Land in the Catchments of the Otway Range and Adjacent Plains; (1981) A J Pitt, Soil Conservation Authority

The site was in good condition, and showing that the existing land management practices and agricultural use are compatible with the land's inherent capability.

No site assessment of (the two hectare) 1085 Barrabool Road was conducted.

The site characteristics relating to the property at 45 Andersons Road are described below.

- Paddocks on the property
 - six paddocks of eight hectares 48
 - two holding paddocks of four hectares, 8
 - Yards and shedding 2.5
 - Dwelling and surrounds 1.5
 - Total (Hectares) 60
- Water All paddocks have dams or troughs
- Cattle yards in fair condition, currently being refurbished
- Fences In good condition
- Electricity mains power is connected.
- Water rainwater and dams
- The site's pastures were in good condition, and showed no sign of overgrazing and or nutrient deficiencies.
- Few if any weeds of any concern were seen, apart from minor area of cape weed and thistles. Serrated tussock has been aggressively managed, with both sprays and shovel, and no areas of serrated tussock were seen.
- Free range eggs: significant infrastructure is in place and intact.

7 Farming Proposals and Productivity

7.1 Mrs Cusack

Mrs Cusack proposes to graze weaner steers and heifers for market as yearlings, and to concurrently run free range poultry for egg production.

Under the proposal, Mrs Cusack will have 36 hectares of land, which remain under the existing pasture, of which 34 hectares of grazing area outside of the existing building envelope and farm machinery shedding and poultry shedding (say two hectares).

No additional area is allocated to the existing dwelling envelope.

The current farm output is now intermittent in nature, and is anticipated that grazing steers on pasture will revert to the prior stocking rate of 14-16 DSE/Ha or lower.

Grazing Yearling Steers for Market.

The productivity of the land is ~16 Dry Sheep Equivalents (DSEs) - or 544 DSEs over the 34 hectares of available pasture.

Yearling steers are in terms of grazing needs, equivalent to 10 DSEs/head.

This translates to a year round average carrying capacity of 54 steers on the 34 hectares of pasture on Mrs Cusack's proposed new lot.

The Gross Margin from yearling steers in 2017 is calculated as \$34.97/DSE, or \$525 per hectare.

Total Gross Margins for grazing weaner steers over 34 hectares is \$19,024 per annum.^{2,3}

Free Range Egg Production

The free range hens have access to most of this area, and they can graze in concert with cattle (or sheep). Interestingly, it has been shown that this arrangement is synergistic, and by increasing the availability of nutrients to pasture it promotes an increase in pasture production.

Mrs Cusack proposes to re-establish the free range egg production, with an initial production within two years, of 1000-2000 dozen eggs produced within two years, increasing to 3500-400 dozen over the next three years.

The indicative budget for this shows that by the end of year 2 the free range egg, the business will:-

- Produce between 1000 - 2000 dozen eggs per annum
- Employ two Full Time Equivalent staff, and the owner/manager
- Have a gross sales figure of \$180,000 per annum
- Generate a surplus payable to the owner/manager before tax, of \$62,000.
- This surplus is comprised of the owner/managers allowance and profit.

The business should be positioned to expand to the previous levels, of 3000-4000 dozen eggs within a further two-three years.

At this level of production the business employs three full time employees.

From these figures it can be seen that

- the free range eggs are the most significant profit centre .
- the area required does not impinge on the availability of land for grazing.
- the combined Gross surplus from grazing steers and free range eggs is in the order of \$81,562 per annum
- There is ample room in the market to accommodate further expansion.

² Victorian DPI Livestock Farm Monitoring Project 2017

³ NSW Primary Industries "2017 Farm Gross Margin Guide." for high rainfall areas (650 mm).

7.2 Mr Dean Grigg

Mr Dean Grigg's family has farmed on the Barrabool Hills for three generations. He is both a builder, and a share farmer. He has prior experience in both cropping and sheep.

Mr Grigg's family links on the area produce both fine wool merinos and crossbred with British breed sires to produce fat lambs for the market. This ensures him access to quality merinos for wool production and second cross for fat lamb production.

Mr Grigg wishes to further his sheep farming by establishing a more permanent base with sheep handling facilities and infrastructure in proximity to his house at 1085 Barrabool Road.

This allows him to manage sheep more effectively, and gives him the option of farming merinos or fat lambs according to the prevailing market conditions, and enables him to better produce fat lambs to a more consistent market specification (and hence secure a market premium). Weaned store condition lambs remain on pasture and are provided with high quality supplementary hay and fodder, until market ready to market specifications faster than on pasture alone.

In this way he can draw on unfinished lambs from his own flock and from other flocks on the immediate area, and turn off more lambs in market condition in shorter time.

Alternately the area can be used to lamb down merino ewes under close observation, to ensure higher lambing percentages and fewer lamb losses from exposure and mis-mothering in share farmed areas remote from Barrabool Road.

Indicative earnings from merino sheep production are calculated for the "Grigg's lot" – of 25 hectares, based on the pre-existing stocking rate of 16 DSE/Ha

Area of Grigg's lot – of 25.6 hectares.⁴

- | | |
|---------------------------------------|----------|
| • Extant Stocking capacity in DSEs/Ha | 16 DSE's |
| • Total DSEs on 25.6 hectares | 410 DSEs |

This equates to a Gross margin for Grigg's lot of

- | | |
|---|----------|
| • merino wethers (@ \$33/DSE) | \$13,517 |
| • self replacing merino ewes (@ \$50/DSE) | \$20,480 |
| • Prime lamb (@ \$39/DSE) | \$15,974 |

7.3 Comparative Productivity Summary

The total Gross Margin earnings can now be compared, to assess changes in productivity associated with the existing situation and proposed re-subdivision.

- **Option 1** **the Status Quo**

⁴ This is the 25 hectares of Grigg's lot, less one hectare for infrastructure, shed, drafting yards etc

Mrs Cusack grazing steers alone, on the original area of 60 hectare

Gross margin is \$33,347.

- **Option 2 consolidation and re-subdivision into two lots**

Mrs Cusack's steers and free range egg production, and

Mr Grigg's prime lambs,

The aggregate Gross Margin range from \$97,332 to \$104,295 per annum.

Hence the proposal substantially increases the productivity, the employment and the viability of the areas proposed.

7.4 Farm Productivity

The Victorian DPI Livestock Farm Monitor Project 2017, notes that the production of prime lambs on good pasture, in a rainfall of 650 mm (also Barrabool's rainfall) cites the productivity at 20-24 DSE/hectare.

This is consistent with the stocking rates achieved elsewhere in the locale.

This indicates that the existing stocking rate is low, and increases in stocking rate and productivity are achievable by the improvement in management and the handling infrastructure.

The improved handling facilities will also significantly improve the level of sheep husbandry for Mr Grigg's agisted sheep in nearby areas available to him. This increased husbandry will mean better worm control through drenching, and crutching etc. These benefits accruing outside of the two subject properties has not been costed in this report, but will lead to improved productivity on these areas.

7.5 Productivity Notes

The question might be raised as to why Mrs Cusack needs to enter this proposal at all? Could she not retain the Anderson's Road property in its entirety and still gain the gross margins from the free range poultry and graze the entire property?

The following points are relevant to this question.

- The capital tied up in the sixty hectares of land generates insufficient income on which to continue with this grazing as its sole source of income, now that the Barrabool Beef marketing has ended.
- The free range egg business clearly generates most of the profit, but does not require all the area of land.
- The proposal makes available the existing fixed infrastructure, such as silos, shedding to be re-used on the site; where in contrast, this would all have to be replaced (at today's costs) if the business was re-located.

- The proposal reduces the capital tied up in grazing land, which in turn
 - increases the viability of the free range egg business, and
 - assists in funding its re-development
 - accelerates its return to profitable levels of production

This is consistent with the Key Issues and Influences discussed in Section 21.05-1. In particular,

- *“Demand for rural and lifestyle properties increase the price of land above its productive value, affecting farm affordability and agricultural activity.”*
- Approval not only allows the re-activation of the existing free range poultry business, it also allows the grazing to continue at a level that in aggregate is comparable to the prior stocking rates.
- The re-subdivision
 - provides Mr Grigg to build a more permanent base on which to develop his sheep enterprise, and to increase the viability of share-farming sheep on other sites in the Barrabool Hills, and
 - rejuvenates Mrs Cusack’s free range poultry business, while continuing to graze cattle at or above the district stocking rates.

8 Planning Issues

Given that both dwellings exist, and that there will be no additional loss of land excised by an envelope, the key planning issues in the Surf Coast Shire’s Planning Scheme that are relevant to this proposal are:-

- **Section 22.01 Rural Tenement Policy**

The objectives of the Rural Tenement Policy are two-fold:

“To help effect the long term protection of the Surf Coast Shire’s rural land for agricultural purposes and for the rural landscape it provides.

To provide a consistent and equitable basis for considering permit applications for the dwellings and subdivision in the rural zones.”

- **Section 22.01-04 Policy Subdivision**

The key points of this Section are

- Both lots have (existing) legal frontage access to a public road
- Virtually no remnant vegetation exists on the two existing properties

- **Section 35.07-3 Subdivision**

“A Permit is required to subdivide land.

A permit may be granted to create smaller lots if any of the following apply

- *The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.*
- *The subdivision is the re-subdivision on existing lots and the number of lots is not increased."*

The consolidation and re-subdivision of the two existing lots of 36 hectares (Mrs Cusack) and 25.6 hectares (Mr Grigg). Thus, there is a consolidation and then re-subdivision into two lots, albeit of different area(s).

No additional dwellings are sought or created, and consequently the proposal is compliant with these two requirements in Section 35.07-3.

- **Section 35.07-5 Application requirements for a dwelling**

"Before deciding on an Application to use or subdivide land...the responsible authority must consider, as appropriate: Any regional Catchment strategy and associated plan applying to the land."

The Barrabool location is not within any prohibited Catchment areas listed by the EPA,⁵ nor are there any related overlays relating to catchment protection etc.

Also, as the stocking rates are in line with the regional average, and no cropping is foreseen, no nutrient runoff or erosion is likely to occur.

- *Whether the site is suitable for the use and whether the proposal is compatible with the adjoining land users.*

The land uses included in this Application are the same as those that have existed on this site over the years. They include grazing sheep, cattle, and free range poultry, but they will be at lower stocking rates than when Barrabool Beef was operating

No complaints have been lodged by neighbours in the past; including the period Barrabool Beef was operating, and (concurrently) when Barrabool Free Range poultry was also operating.

No objections have been lodged relating to the current Application.

⁵ Prohibited Catchments, Victorian Code for Cattle Feedlots Appendix 2: Water Supply Catchment Areas in which Feedlots are prohibited.

9 Appendices

Figure 2 1085 Barrabool Road, Barrabool.

Department of
 Environment, Land,
 Water and Planning

Planning Property Report

from www.planning.vic.gov.au on 05 June 2017 02:30 PM

Address: 1085 BARRABOOL ROAD BARRABOOL 3221

Lot and Plan Number: Lot 1 PS326891

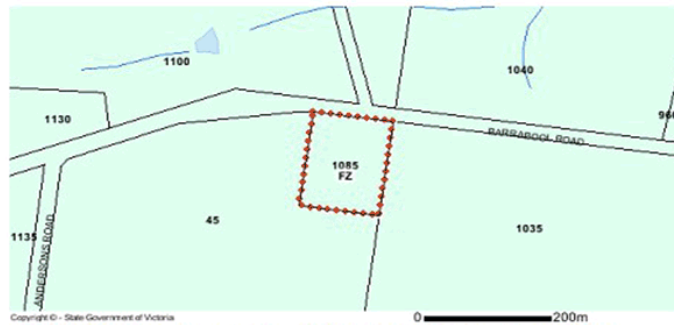
Local Government (Council): SURF COAST Council Property Number: 163960

Directory Reference: VicRoads 93 E4

Planning Zone

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE



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Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Zones Legend

ACZ - Activity Centre	I1I1Z - Industrial 1	R12 - General Residential
B1Z - Commercial 1	I2I2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	I3I3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Doodland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

--- Urban Growth Boundary

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Environment,
 Land, Water
 and Planning

1085-BARRABOOL-ROAD-BARRABOOL-PLANNING-PROPERTY-REPORT

Page 1 of 3

Figure 3 45 Andersons Road, Barrabool

Department of
 Environment, Land,
 Water and Planning

Planning Property Report

from www.planning.vic.gov.au on 05 June 2017 04:58 PM

Address: 45 ANDERSONS ROAD BARRABOOL 3221

Lot and Plan Number: Lot 2 PS326891

Local Government (Council): SURF COAST Council Property Number: 3630

Directory Reference: VicRoads 93 E4

Planning Zone

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE



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0 1000m

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RIUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	LFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

++++++ Railway +---+---+ Tram --- River, stream Lake, waterbody
 --- Urban Growth Boundary

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Environment,
 Land, Water
 and Planning

1.1 Planning Permit Application 17/0074 - 45 Andersons Road and 1085 Barrabool Road, Barrabool

APPENDIX 4 FURTHER SUBMISSION FROM APPLICANT - PRODUCTIVITY ISSUES

Griggs Cusack , Barrabool Hills Application

21st September 2017

Response to Queries from the Surf Coast Shire Council

Agricultural Impacts of the Proposal?

The Council has enunciated two main concerns which influenced their decision to decline the application. These are that

- (1) **the proposal is very dependent on the skills of Mr Griggs and Mrs Cusack – who are the principals in this Application.**

The Council expressed the view, at our recent meeting, that (*paraphrased*)

- the proposal is very dependent on the skills of these two farmers, and that a change of ownership would see the productivity gains of the proposal would disappear.
- As a consequence of this risk, Council should err on the side of caution and decline the Application; primarily on the grounds that the total area of the existing property (59.6 Ha) would still be preserved and therefore productivity would be preserved also.

In response to this

- This risk applies to all farms of all sizes throughout the Farming Zone.
- The other phenomenon which occurs across land in the Farming Zone is that if it has an agricultural productive value, then some-one will utilize it.

So what happens to the land and the productivity if the proposal is approved, and then for some reason circumstances change and Mr Griggs or Mrs Cusack depart or go in a different direction?

Consider the realities of the situation:-

- The consolidation and then re-subdivision do not change one fence line; but simply change one internal fence line into a (common) boundary.
- The installation of sheep handling infrastructure (yards and races and a loading ramp etc) permit a higher level of sheep management and facilitate a permanent increase in sheep numbers across Mr Grigg's 25 hectare site.
This also provides the opportunity for Mrs Cusack to farm either sheep or cattle on her (now) 36 hectare Lot. So the opportunity to rear (more profitable) sheep on both Lots now exists, whereas before this capability did not exist.
- As a direct benefit of the infrastructure, *sheep handling efficiency per man* is also increased, and, sheep numbers on the site can be conservatively increased to the district average (20 - 24 DSE/Ha). This effectively doubles the extant stocking rate on this site.

Similarly, the improved infrastructure allows Mr Griggs to increase his numbers of sheep (share) farmed elsewhere in the locale.

These benefits are not available under the status quo.

So what happens to the land and the productivity if the proposal is approved, and then for some reason circumstances change and Mr Griggs or Mrs Cusack depart or go in a different direction?

- Both Lots are well suited to grazing and cropping. They are of an area that can be cropped by a sharefarmer, and are also suitable for grazing based on sheep – either as a owner –farmer – or under a share-farming operation.
- In the situation where either or both Lots became vacant (as in the situation which concerns Council) there would demand from local share-farmers (such as Mr Griggs) for using the area in conjunction with other Lots nearby which are by themselves too small to farm productively).
- There are plenty of these small Lots (of ~ 40 hectares) in the Barrabool Hills, so share-farming is an effective and legitimate way to achieve agricultural viability through increases in area and returns of scale in sheep farming and cropping.

In contrast, achieving these economies of scale through purchase of adjacent holdings is not achievable because the capital value of land in this area is now well beyond economic reach of cropping and grazing enterprises.

- This has the same outcome as that of land amalgamation – which is the Planning policy Objective, and which is frequently sought and encouraged by Council planning decisions and directives.

(2) **The proposal may be an intensive industry, likely to result in adverse environmental impacts.**

- Free Range Poultry

Council is concerned that the Cusack free range egg enterprise may be an intensive industry.

This concern arises from the observation that Intensive industries “leave a lot behind” and that faeces and urine may contaminate the broader environment through runoff and may also cause odour problems.

Does the Cusack Barrabool Free Range Eggs constitute an Intensive industry?

The greater numbers of stock on a given area (ie the greater the intensity) the greater the biomass and the greater volume of effluent generated. So Flock density (measured in hens/hectare) and biomass (measured in total live-weight/hectare) are test we can use to ascertain the level of intensity.

Flock Density

Cusack Free Range Proposed Flock Numbers

Initially	2000 hens
Target no	4000 hens

Assuming the fully developed farm, hen numbers will be in the order of 4000 hens

Grazing Area 34 hectares available.

Flock density	Barrabool Free Range Eggs	59 hens/hectare ¹ .
Free Range Flock Density	CSIRO Voluntary Code	1500 hens/hectare
	Victorian DPI 2017	10,000 hens/hectare

Clearly this is a very low stocking density- far below the CSIRO voluntary code of 1500 per hectare and the Victorian DPI recommendation of 2017, of 10,000 per hectare.

At the CSIRO voluntary code, the 4000 hens can be run on 2.6 Hectares

At the Victorian Government level of 10,000 hens/hectare, the flock of 4000 birds can be run on less than half a hectare.

Hens are grazed over a number of six hectares a paddocks in rotation. The stocking rate at any one time is therefore – even at fully developed number of 4000 birds, is 666 birds per hectare, which is only 44 per cent of the historical level of 1500 birds per hectare.

Biomass

Another way of looking at the Intensive nature of the enterprise is to measure the biomass of the birds per hectare, and compare it with the biomass of grazing animals on the site.

Grazing Biomass

This is measured in Dry Sheep Equivalent (DSE)²; - where there is sufficient feed to maintain a wether of 45 kg weight over a year. Hence DSE/hectare is the figure or index used to assess the carrying capacity of land. This then permits comparisons of current and average productivity of stocking rates and intensities.

The DSE system can be used for both sheep and cattle.

In the Farm Report (15th June 2017) the district average sustainable stocking rate is 20-24 DSE/Ha. The biomass at this carrying capacity would be 900 kg – 1080 kg/Hectare³.

Poultry Biomass

A laying hen weighs approximately one kilogram.

On the available 34 hectares of pasture – the total biomass of 4000 hens is 4000 kg

On a per hectare basis, the biomass is 114 kg/hectare.

Aggregate Biomass of ruminants and poultry

The aggregate biomass of ruminants and poultry together is between 1014-1194 kg/Ha.

	Biomass (Kg/Ha)	
Ruminant biomass	900	1080
Poultry Biomass	114	114
Total Biomass/Ha	1014	1194

This total biomass is marginally above that of the *average* stocking rate for the Barrabool Hills.

¹ one hectare is 10,000 square metres

² Vic DPI Agriculture Notes #AG590 Sept 1997

³ Calculated at 45kg* 20 to 45kg*24

Note that sheep are ruminants, while hens are omnivores and are monogastric, so the biomass of poultry using this method is an overestimate, and the impacts on the environment will be far less.

Furthermore it has been demonstrated that free range poultry and ruminant grazing are synergistic; improving productivity in both poultry and ruminants if grazed together.

This is well below the ruminant biomass at those farms in the top 25 per cent of stocking rates; and therefore is not Intensive by definition and has little or no added environmental impact.

Leopold Hill VCAT Finding⁴

This section refers to the findings of a recent VCAT Appeal and the VCAT Findings. The paragraphs of relevance are in the normal black font.

The relevant responses to the current Application are in red font.

Those sections *not applicable* to the current Application are recorded for completion, but are in light shade font.

What does policy say?

11 The Farming Zone seeks to provide for the use of land for agriculture and the retention of productive agricultural land. In relation to non-agricultural uses that include dwellings, the Farming Zone seeks to ensure that the use of land for agriculture is not adversely affected.

12 State planning policy places emphasis on protecting productive farmland. Clause 14.01-1 looks to ensure the use of land for agriculture (whether on the proposed development site or on adjacent land) is not lost with land use change and that land use compatibility of new development with existing uses of surrounding land is considered. These considerations extend to the impact of a proposal, such as a dwelling, on the continuation of primary production and include having regards to land values and infrastructure viability.

No land is lost from agriculture because of this Application. The only change is a realignment of the common boundary between the two properties.

The common boundary in the Application is an existing fence (with a gate between the two proposed Lots, which does not change the total area of agricultural land.

There is no adverse change in land use on the subject sites, nor on the neighbouring properties.

Indeed the realignment facilitates increases in agricultural productivity, on both the subject site(s) through

the creation of sheep handling infrastructure on Mr Griggs' lot, and on area of other Barrabool land where Mr Griggs increases his share farming activities.

The opportunity for sheep grazing on Mrs Cusacks Lot (which is currently does not have effective sheep yards

This proposed change also facilitates the recovery of the free range egg business.

There are no adverse impacts on the (existing) dwellings, nor any impacts on the land use from dwellings.

⁴ VCAT Report P1698/2015, page 6 *et seq*

No adverse impacts occur on land values, infrastructure and viability. There are two positive impacts;- on free range egg production and on sheep productivity on the site and in the surrounding Barrabool farming areas.

13 This is reinforced under Clause 11.05-3 with respect to managing land use change to promote agriculture and to limit housing development in rural areas including directing housing into existing settlements, discouraging development of isolated small rural lots and encouraging the consolidation of isolated small lots in rural zones.

14 Of note in the state policy (Clause 14.01-1) is the emphasis on taking into consideration state, regional and local issues and characteristics in assessing agricultural quality and productivity.

The Application does not impinge in any way on the land capability of this site, nor adversely impact on its productivity.

15 The decision guidelines of the Farming Zone (Clause 35.07-6) provide useful questions in considering state policy directions including:

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
The proposal does not result in a loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
Neither of the two existing dwellings will be adversely affected by the proposal; which incorporates pre-existing permitted uses on the re-aligned two sites.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
The proposal does not adversely affect the operation and expansion of adjoining agricultural uses but rather supports them, by additional sheep handling infrastructure.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
No additional dwellings are sought.

16 A useful approach to addressing the above questions are the directions provided under the local planning policies of the Greater Geelong Planning Scheme. Clause 21.07-5 relating to *Rural Areas* specifically identifies the Bellarine Peninsula as a productive rural area with highly significant landscapes based on farming that warrant protection and enhancement. It seeks to maintain rural land in large productive parcels, minimise non-farming land uses, ensuring land use compatibility and that new dwellings do not compromise productive potential of land and are associated with the productive agricultural use of land.

The Application does not compromise the productive potential of the land

17 The above themes are played out under Clause 22.05 relating to *Agriculture, Rural Dwellings and Subdivision* whereby construction of a dwelling on a lot zoned Farming would be supported where it:

- will not result in the property being removed from agricultural production, and the primary use of the land will continue to be agriculture
The proposal is compliant with this requirement
- will not compromise existing agricultural activity on adjoining land
The proposal is compliant with this requirement
- limit the proportion of the property used for the dwelling
the proposal is compliant with this requirement;-with no change to the existing area allocated for existing dwellings
- can preserve and enhance the productive capacity of the land including addressing issues such as pest plants and animals and erosion through a management plan
The Farm Report does enhance production by increasing/improving the capability to manage sheep, both on the two Lots and in the locale. It also significantly increases productivity by the re-introduction or free range egg production,
- can be sited and designed so that it will not unduly compromise the farmed rural landscape.
The proposal results in no change to the farmed rural landscape, and is compliant with this requirement

What is the response to policy?

18 The site is a small area of land (Lot 3 is 8.4 hectares and Lot 1 is 5.9 hectares) running in a narrow north-south alignment between Portarlington Road and Corio Bay. It is located across the road (Portarlington Road) from the urban settlement of Leopold. The site where the two-storey dwelling is proposed (southern end of Lot 3) could be described as a being located amidst an enclave of existing dwellings in a rural setting. Land to the west is in the Rural Living Zone with an existing dwelling on the adjacent land. Similarly, land adjoining the site to the south has also been developed with a dwelling and is also in the Rural Living Zone, while land abutting to the east, although in the Farming Zone, has also been developed with a dwelling.

19 The local characteristics comprising the presence of small lots and larger rural lots with existing dwellings present a context within which the proposal for a dwelling is not out of place.

20 The evidence of Mr Forbes identified that the land is of medium fertility that would respond well to fertilisers and pasture improvement. He considered the proposed dwelling would create on on-site presence that would assist with more effective land management, re-establishment of improved pasture and improved agricultural productivity via ongoing management of water supply and animal husbandry.

- 21 Although good land management can occur without an on-site presence, I do not consider the proposed dwelling located at the southern end of Lot 3 would threaten the continuance of agricultural activity on adjoining land. Any impacts from or on the use and occupation of the proposed dwelling on or from the use of adjoining or nearby surrounding land for agriculture are buffered by the presence of other existing dwellings in the area. This view is supported by the location of the proposed dwelling on part of Lot 3, as opposed to Lot 1, which already directly abuts land to the west and south zoned and used for rural residential purposes.
- 22 My view on this would be different if the permit applicant had pursued seeking approval for a separate dwelling on Lot 1, had not offered to discard that proposal, had not offered to consolidate titles or was a proposal for a dwelling on an isolated rural lot distant from urban or rural residential areas. But this is now not the case before me.
- 23 The site has been used in the past for agricultural activity and I see no reason, with a dwelling, that such agricultural activity cannot occur in the future.
The Application is consistent with this VCAT view.**
- 24 The proposed dwelling is to be located in the southern end of Lot 3 with direct access to Mountjoy Road. This location is a reasonable response to policy requiring development to avoid compromising the ability to use the balance of land for agricultural purposes. The proposed siting of the dwelling avoids disrupting the ability to use the balance of the site for agriculture, or making it difficult to actively farm the land.
- 25 Again, my views would be different in this regard if the proposal was for a dwelling located in the centre of the site or closer to Corio Bay, where it would have greater potential to disrupt the ability to efficiently utilise the land for agricultural purposes. Given the plans for the proposed dwelling are obviously generic, Council will need to be careful in assessing any changes to siting or design of the dwelling in the future to ensure that the policy directions of its planning scheme are not compromised.
- 26 The concern over land values is a recognised issue with respect to dwellings on small lots in rural areas where increases in land values attributed to dwellings used for lifestyle purposes prevent the ability of adjoining farms to consolidate. I am mindful that this would also be an issue in this case. However, the local context of this area is that rural residential development adjoins to the west and south, urban residential development occurs across the Portarlinton Road to the south and dwellings exist on land in the Farming Zone adjacent to the east and south-east.
- 27 The evidence of Mr Forbes highlighted that land values were already significantly above realistic thresholds for adjoining landowners to acquire

the site for farming purposes. I note that the Council's 2007 Rural Land Use Strategy⁵ identified on page 7:

The current policy seeks to protect agricultural land for farming purposes and protect opportunities for its acquisition by other farmers for consolidation into their enterprise. Unfortunately, despite the current zoning and policy, demand for rural land in this area for lifestyle purposes has elevated land prices to such a level that vacant farm land is largely unaffordable for existing farmers to buy for consolidation into existing properties as land prices well exceed agricultural value. As such agricultural land use proposals often involve consideration of the ongoing viability of small lot agriculture.

The Application does not prevent the ongoing farming activities, but land values in the Barrabool area are already beyond those consistent with broadacre farming investments and land consolidation

It is interesting that, despite many rural properties being purchased and / or developed for lifestyle purposes, they are still being farmed through share farming or leasing arrangements.

28 Despite the issue with land values, I also note the Strategy's observation on page 7 that:

Although the viability of the proposed farming operation is one consideration in terms of determining the likelihood of the land use remaining farming it should not be the sole consideration. It should also be recognised that part time agriculture or agriculture that is not the primary source of income for the household can still be the primary land use.

29 In this regard, I am satisfied that the proposal for a dwelling on a consolidated area of land involving Lot 3 and Lot 1 represents an acceptable outcome. Agricultural activity would be capable of continuing on the land. The addition of a dwelling located in the general vicinity of three other nearby dwellings to the south, west and east will not result in land use conflict given the presence of these other dwellings and the existing character and nature of agricultural activity occurring in the area associated with both grazing and some cropping. My views are also supported by the requirement for the titles to be consolidated⁶ thus assisting to reduce the presence of smaller land parcels and for a land management plan that addresses vegetation and pest plants and animals.

30 It is important to note that the Farming Zone applies to land that operates as a working zone associated with agriculture and does not contain the same level of amenity protection as that associated with a residential zone. I note a condition is suggested as part of the Section 173 Agreement to include, in addition to the land management plan, an acknowledgement of such to future residents. Although such a requirement is often considered unnecessary, I consider it can only assist in clarifying what the nature of the area may be from time to time and to assist in the awareness of future residents. Mr Bitmead indicated acceptance of this condition.

⁵ This is a reference document listed in Clause 22.05.

Clause 31 & 32 are omitted

1.2 Planning Permit Application 16/0453 - 30A and 32 Williams Street, Lorne

Author's Title: Senior Statutory/Strategic Planner

General Manager: Ransce Salan

Department: Planning & Development

File No: 16/0453

Division: Environment & Development

Trim No: IC18/64

Appendix:

1. Order of Speakers - 6 February 2018 (D18/11771)
2. Application Amendment - Application Plans - Working Copy - 30A and 32 William Street, Lorne (D18/6442)
3. Notification - Advertising Material 29-06-17 - 30A and 32 William Street, Lorne (D17/75512)

Officer Direct or Indirect Conflict of Interest:

Status:

In accordance with Local Government Act 1989 –
Section 80C:

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to hear submissions relating to Planning Permit Application 16/0453 for the development of two dwellings, re-subdivision of the land into two lots and creation of carriageway easement at 30A and 32 William Street, Lorne.

Summary

An application has been received to allow development of two dwellings, re-subdivision of the land into two lots and creation of carriageway easement on the land.

Public notice of the application has resulted in eight objections from six affected properties being received with the key issues being:

- view loss from surrounding private property, including from future landscaping
- potential loss of residential amenity from overlooking
- loss of existing vegetation.

Recommendation

That Council receive and note the submissions to Planning Permit Application 16/0453 for 30A and 32 William Street, Lorne.

Committee Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke

That Council receive and note the submissions to Planning Permit Application 16/0453 for 30A and 32 William Street, Lorne.

CARRIED 7:0

1.2 Planning Permit Application 16/0453 - 30A and 32 Williams Street, Lorne

APPENDIX 1 ORDER OF SPEAKERS - 6 FEBRUARY 2018



Hearing of Submissions
Tuesday 6 February 2018
5pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

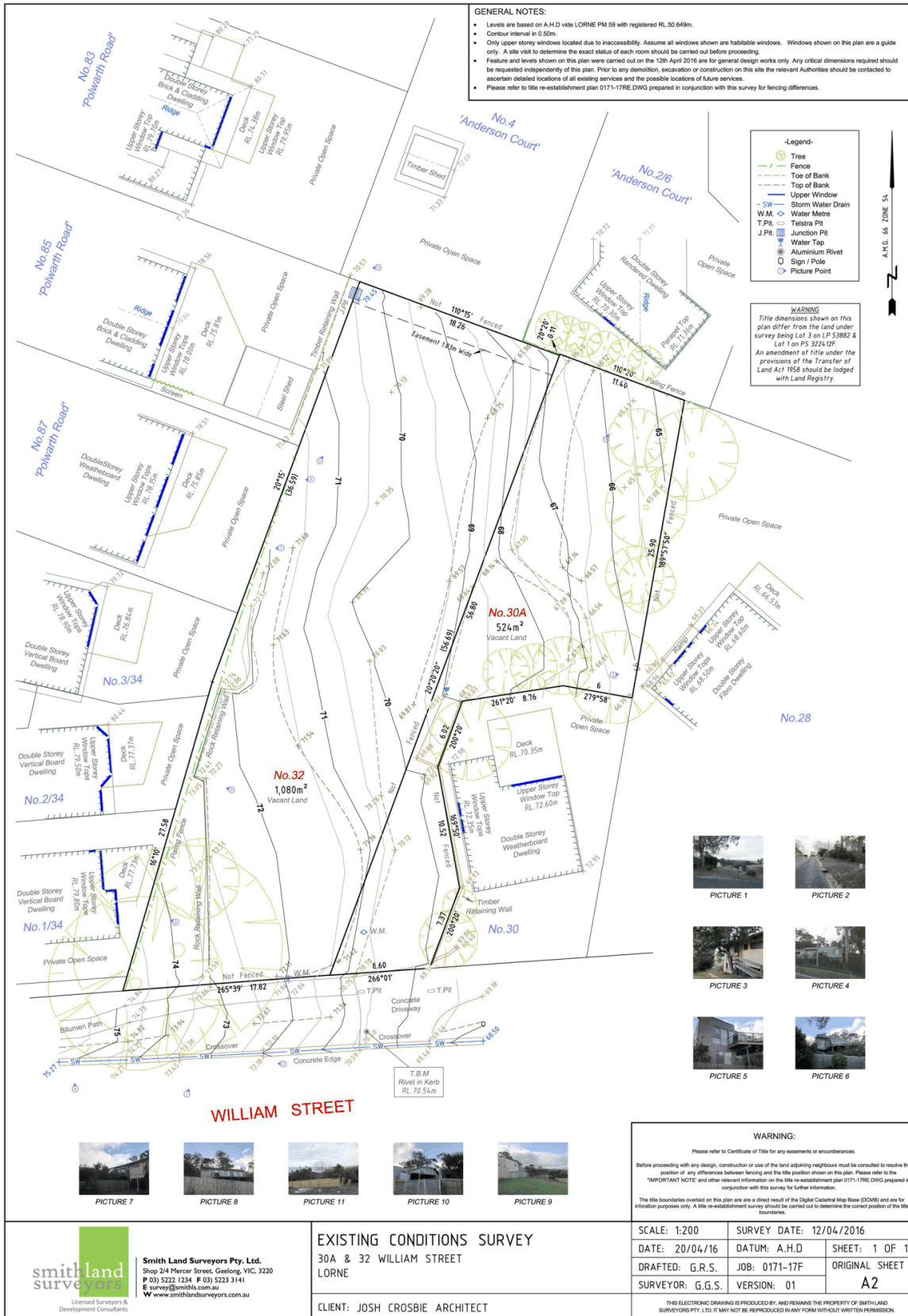
Environment & Development

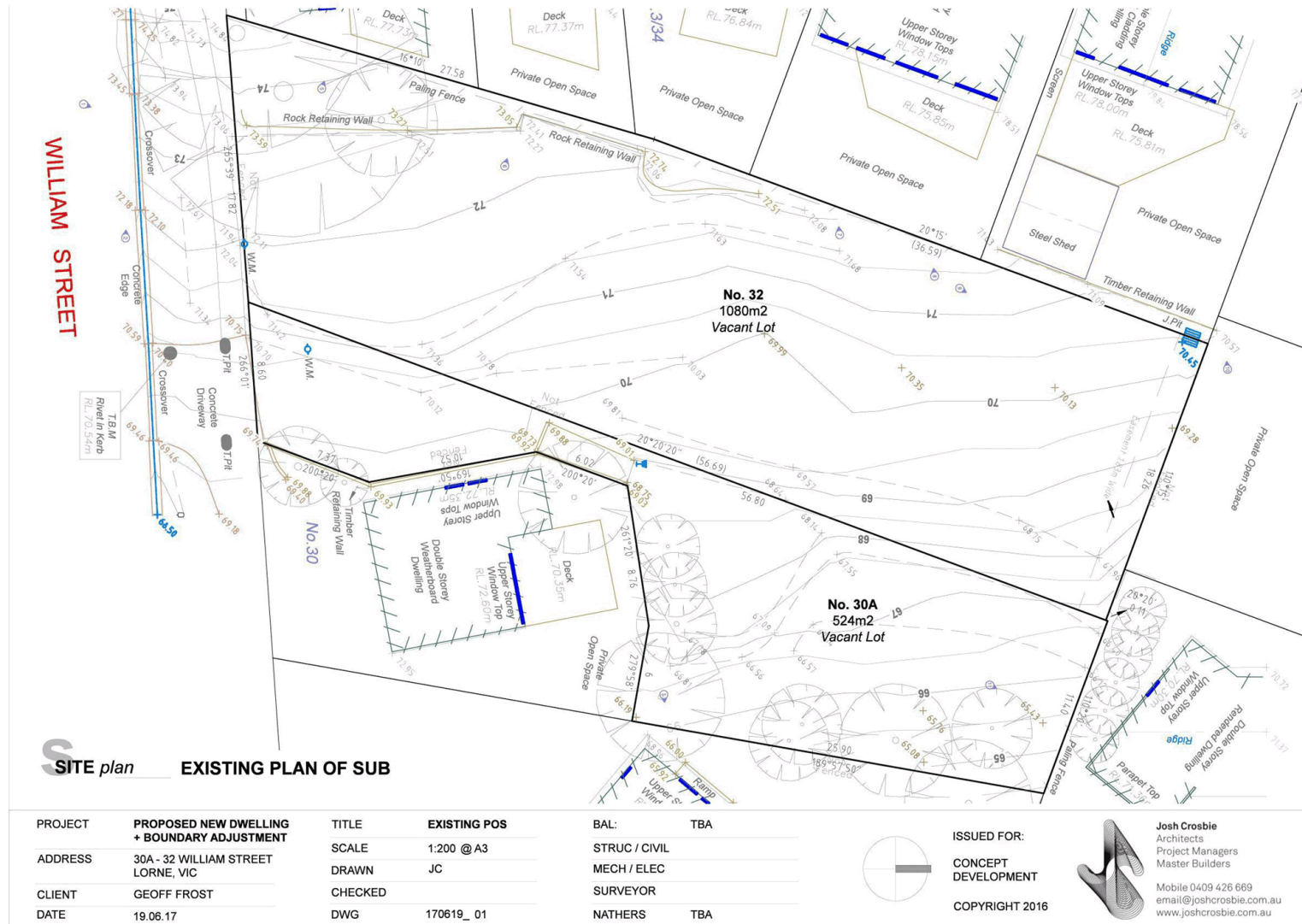
1.2 Planning Permit Application 160453 - 30A and 32 Williams Street, Lorne

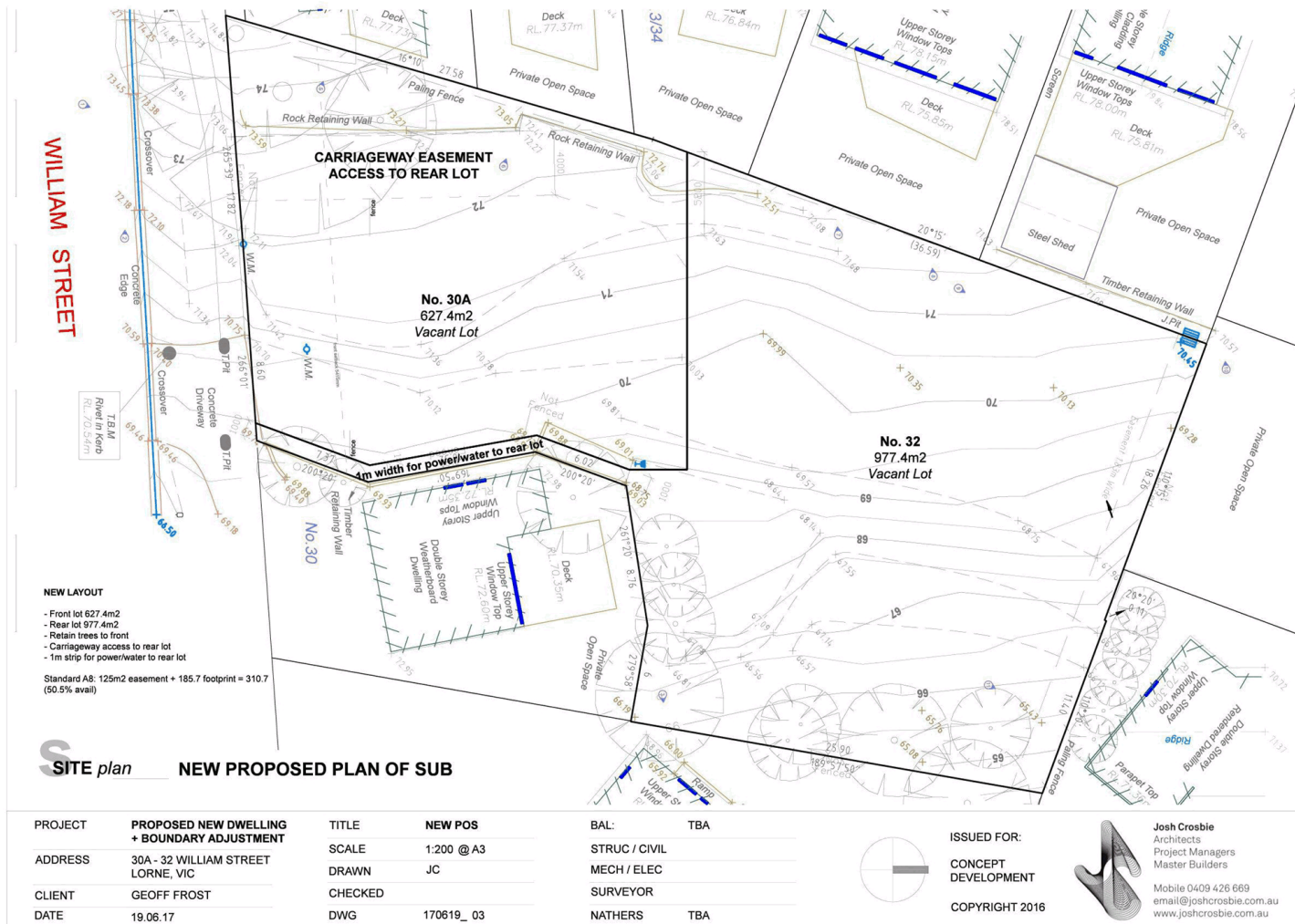
	Submitter Name
1.	Ian Withell (34 William Street Lorne Body Corporate)
2.	Dan Walding
3.	Jane and Peter Dyer
4.	Geoff Frost (Applicant)

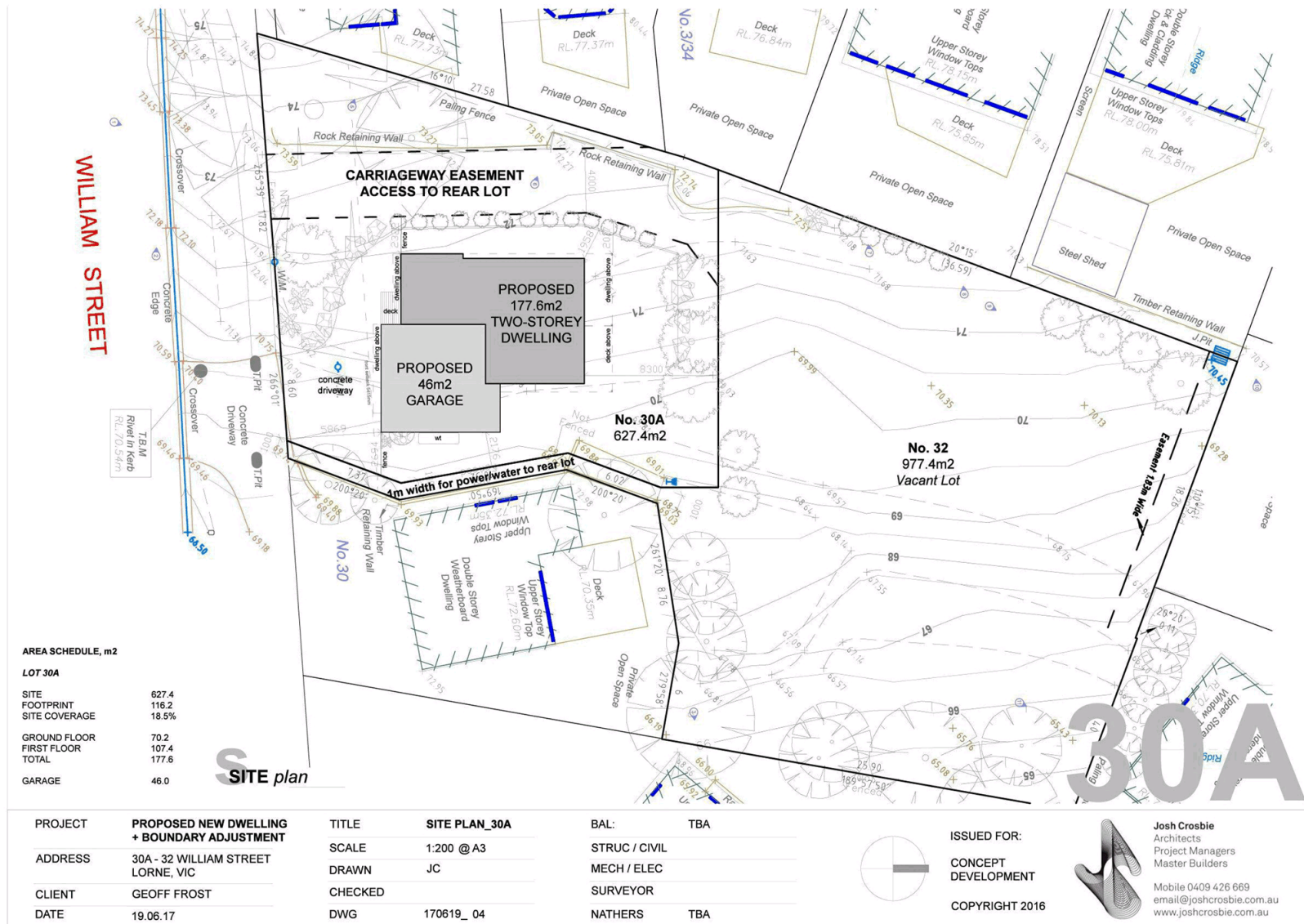
1.2 Planning Permit Application 16/0453 - 30A and 32 Williams Street, Lorne

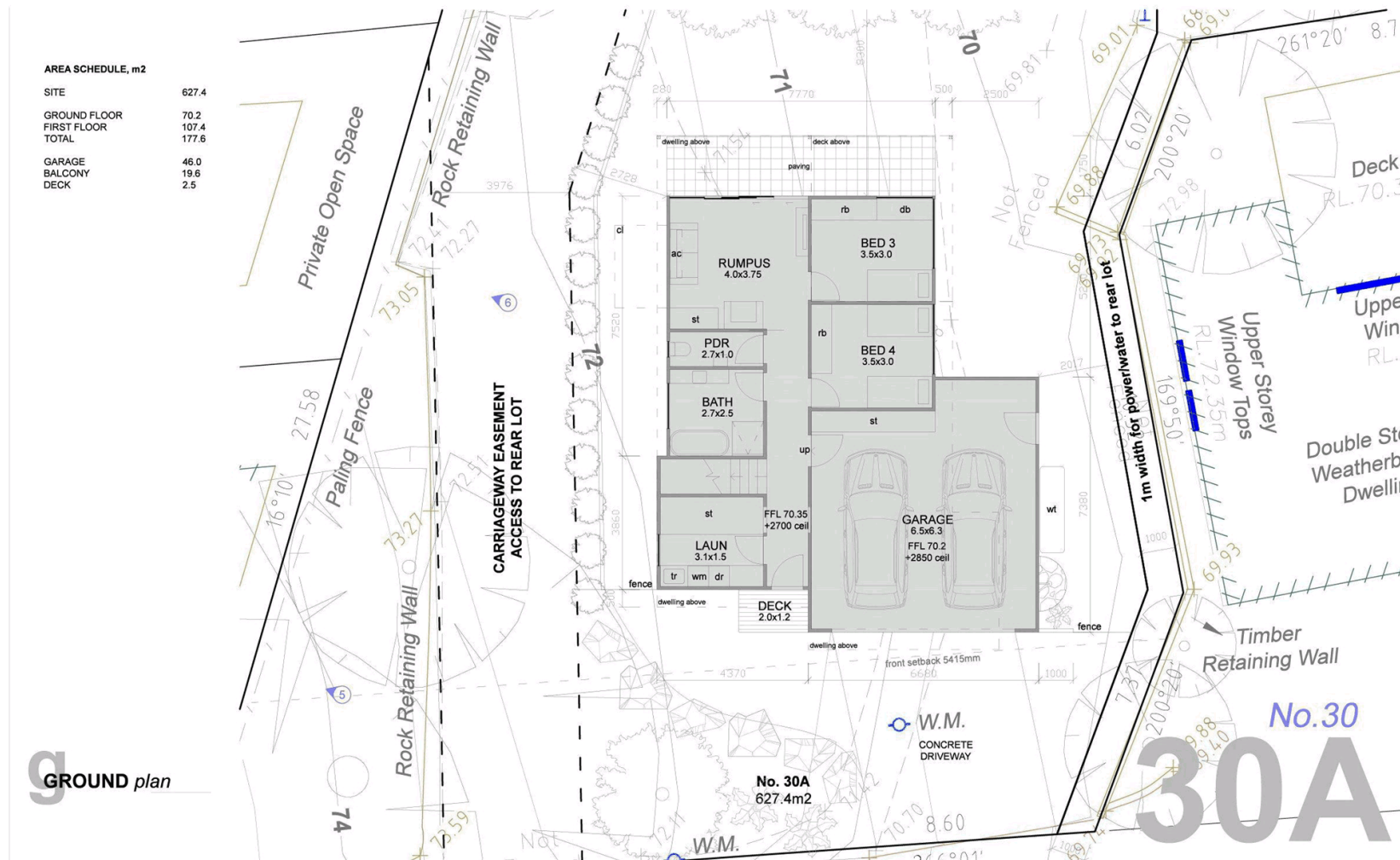
APPENDIX 2 APPLICATION AMENDMENT - APPLICATION PLANS - WORKING COPY - 30A AND 32 WILLIAM STREET, LORNE

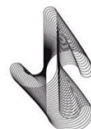


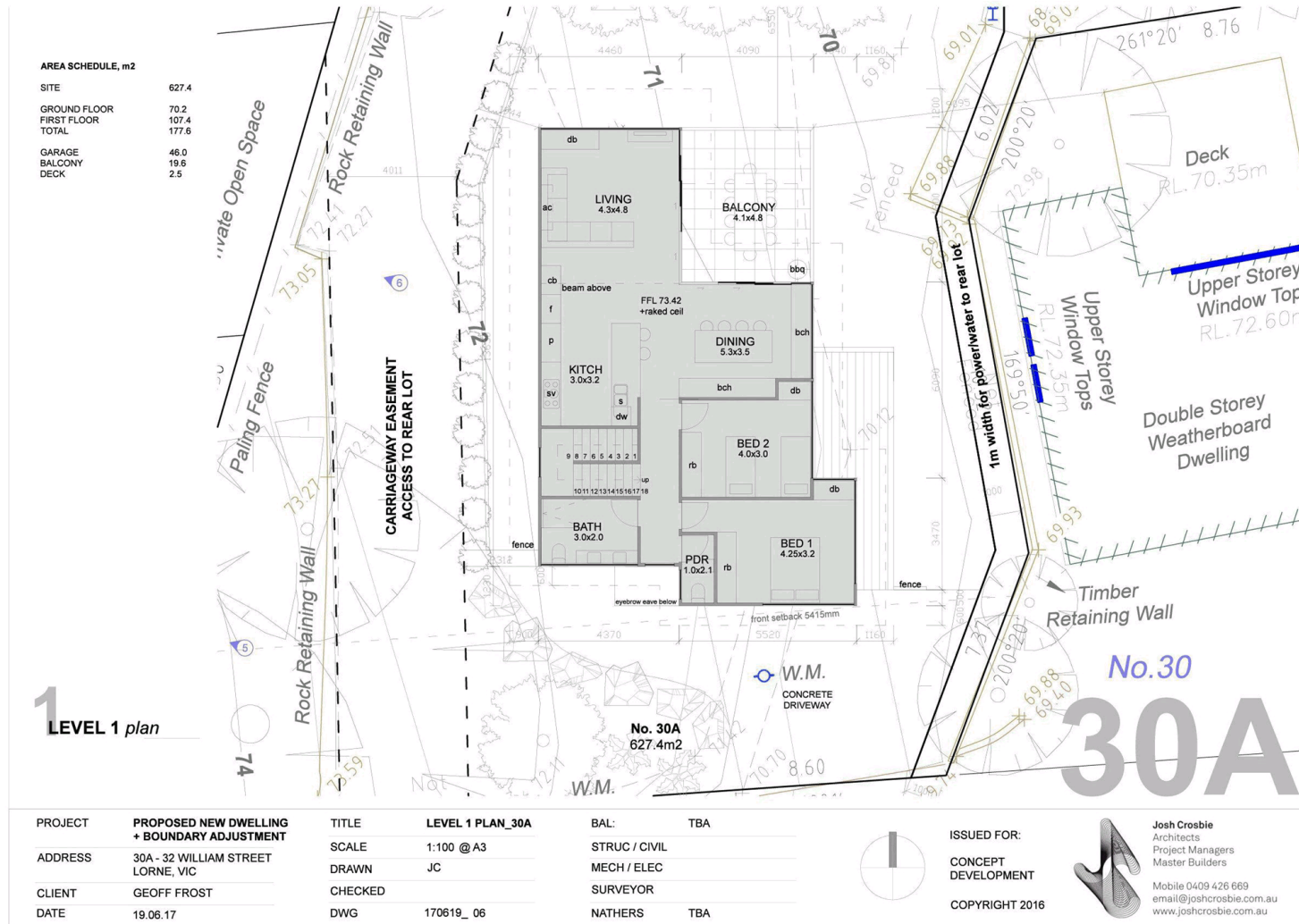








PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	GROUND PLAN_30A	BAL:	TBA	ISSUED FOR: CONCEPT DEVELOPMENT COPYRIGHT 2016	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:100 @ A3	STRUC / CIVIL			
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_05	NATHERS	TBA		



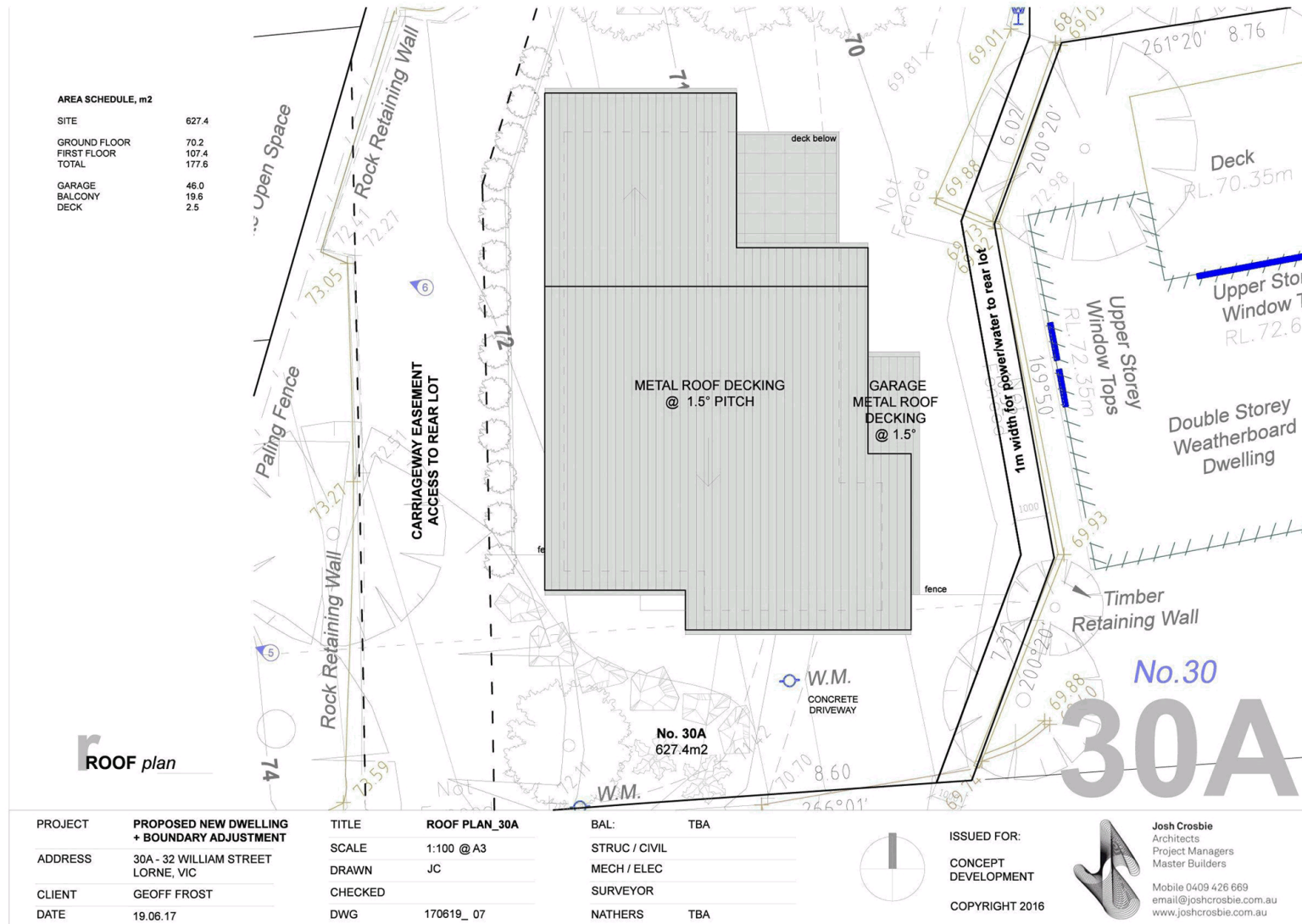
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DATE	19.06.17	CHECKED		SURVEYOR	
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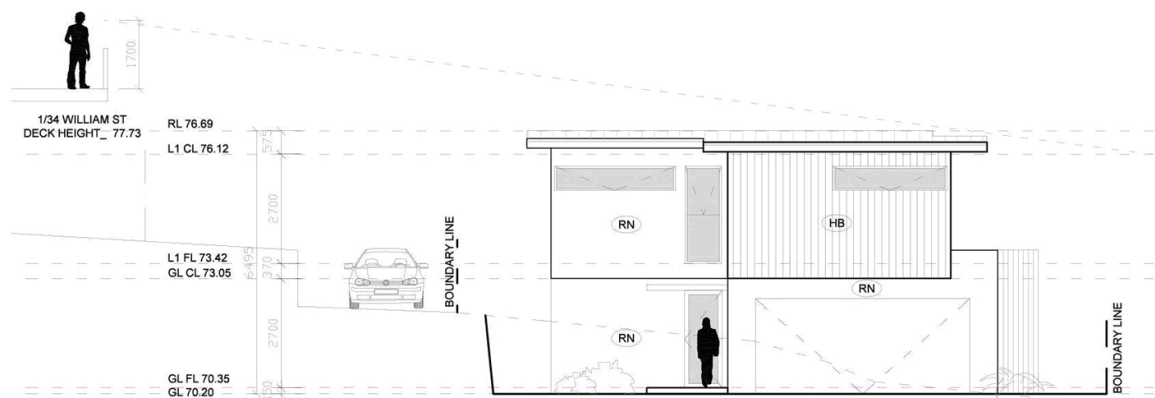


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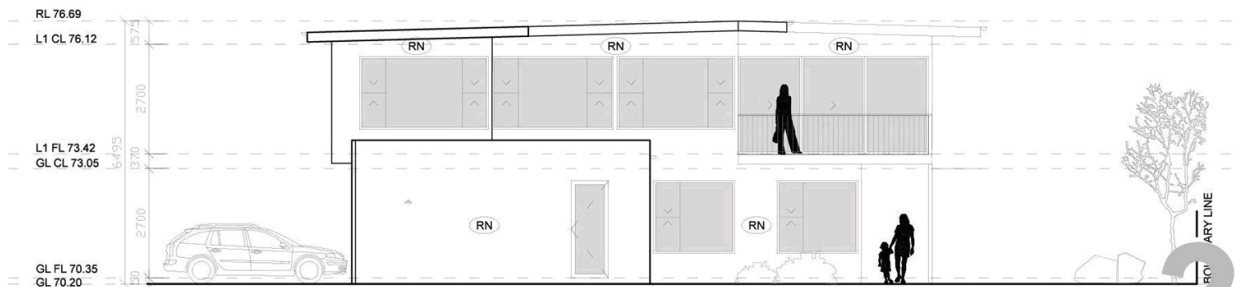




CLADDING LEGEND

- HB HARDWOOD BOARDS
- RN RENDERED FINISH

S SOUTH elevation



E EAST elevation

30A

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	ELEVATIONS 1_30A	BAL:	TBA
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:100 @ A3	STRUC / CIVIL	
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC	
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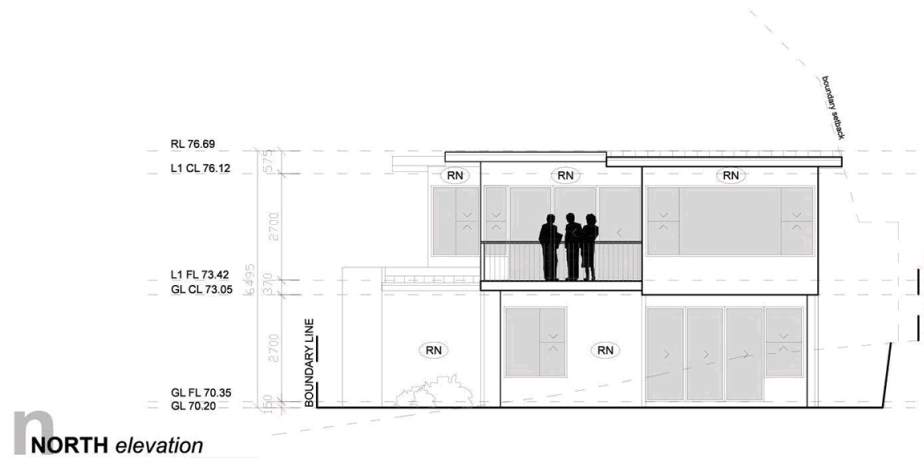
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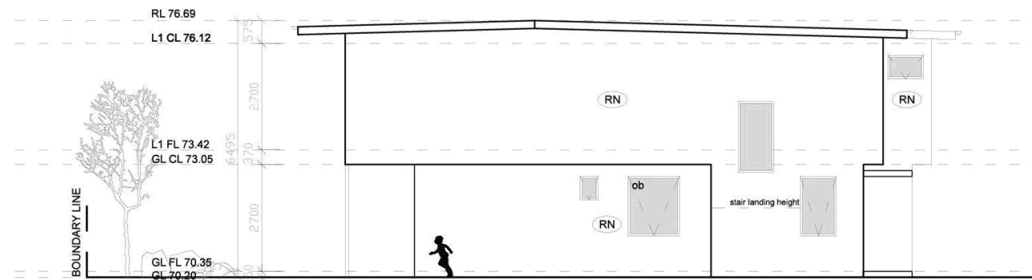
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HB HARDWOOD BOARDS

RN RENDERED FINISH



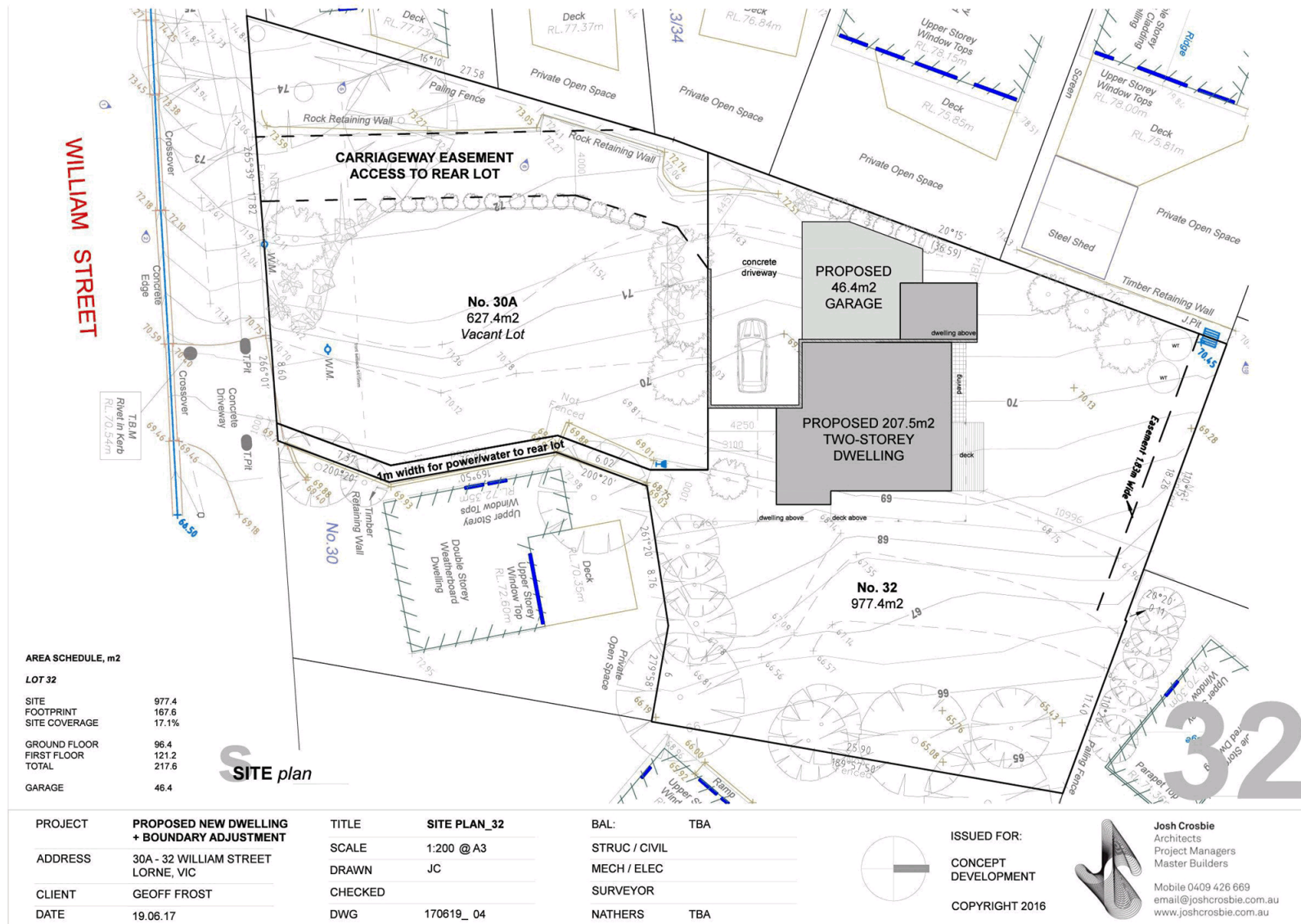
N NORTH elevation



W WEST elevation

30A

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CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			COPYRIGHT 2016	
DATE	19.06.17	CHECKED		SURVEYOR				
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AREA SCHEDULE, m2

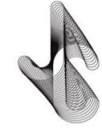
LOT 32	
SITE	977.4
FOOTPRINT	167.6
SITE COVERAGE	17.1%
GROUND FLOOR	96.4
FIRST FLOOR	121.2
TOTAL	217.6
GARAGE	46.4

SITE plan

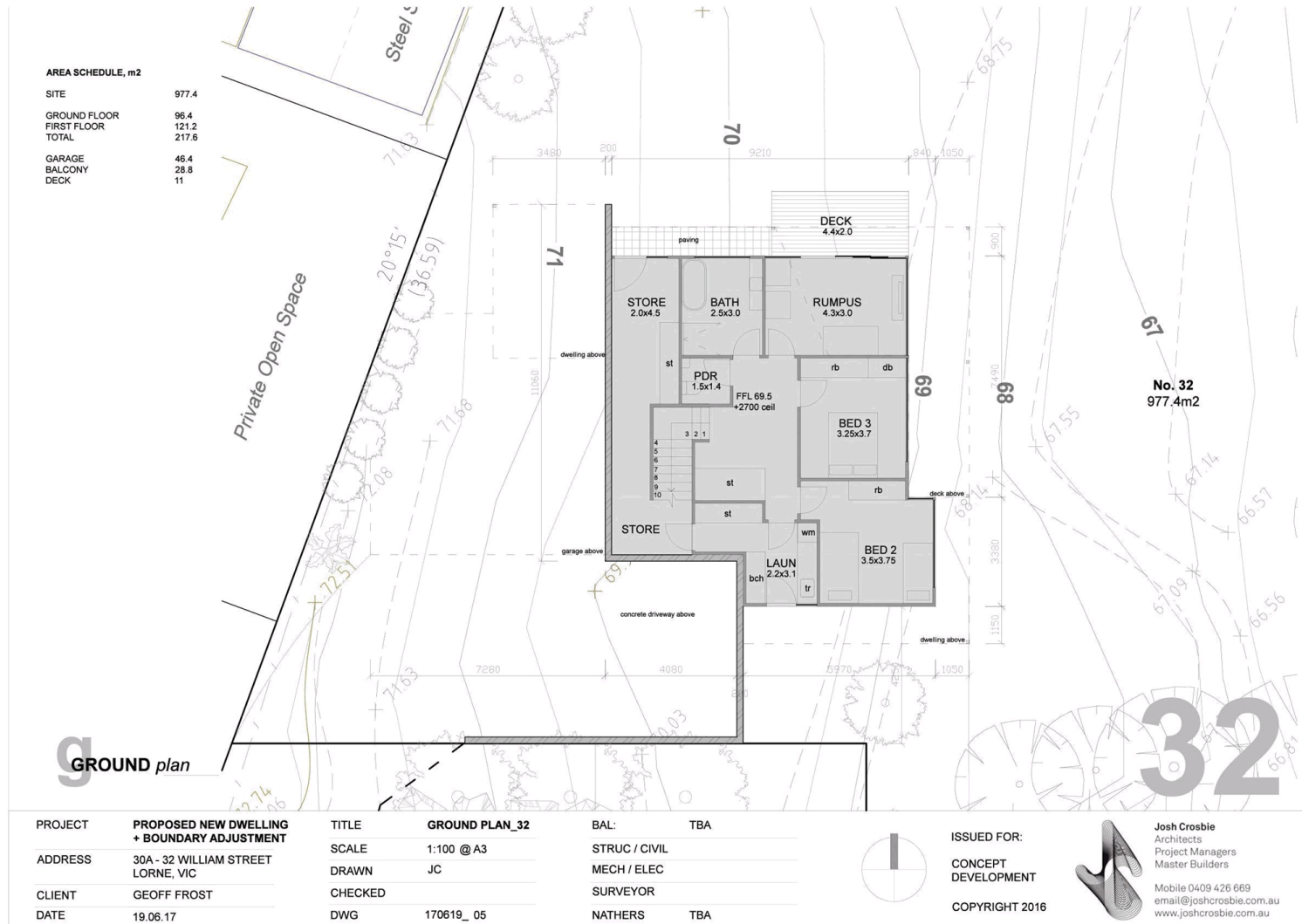
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ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:200 @ A3	STRUC / CIVIL	
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC	
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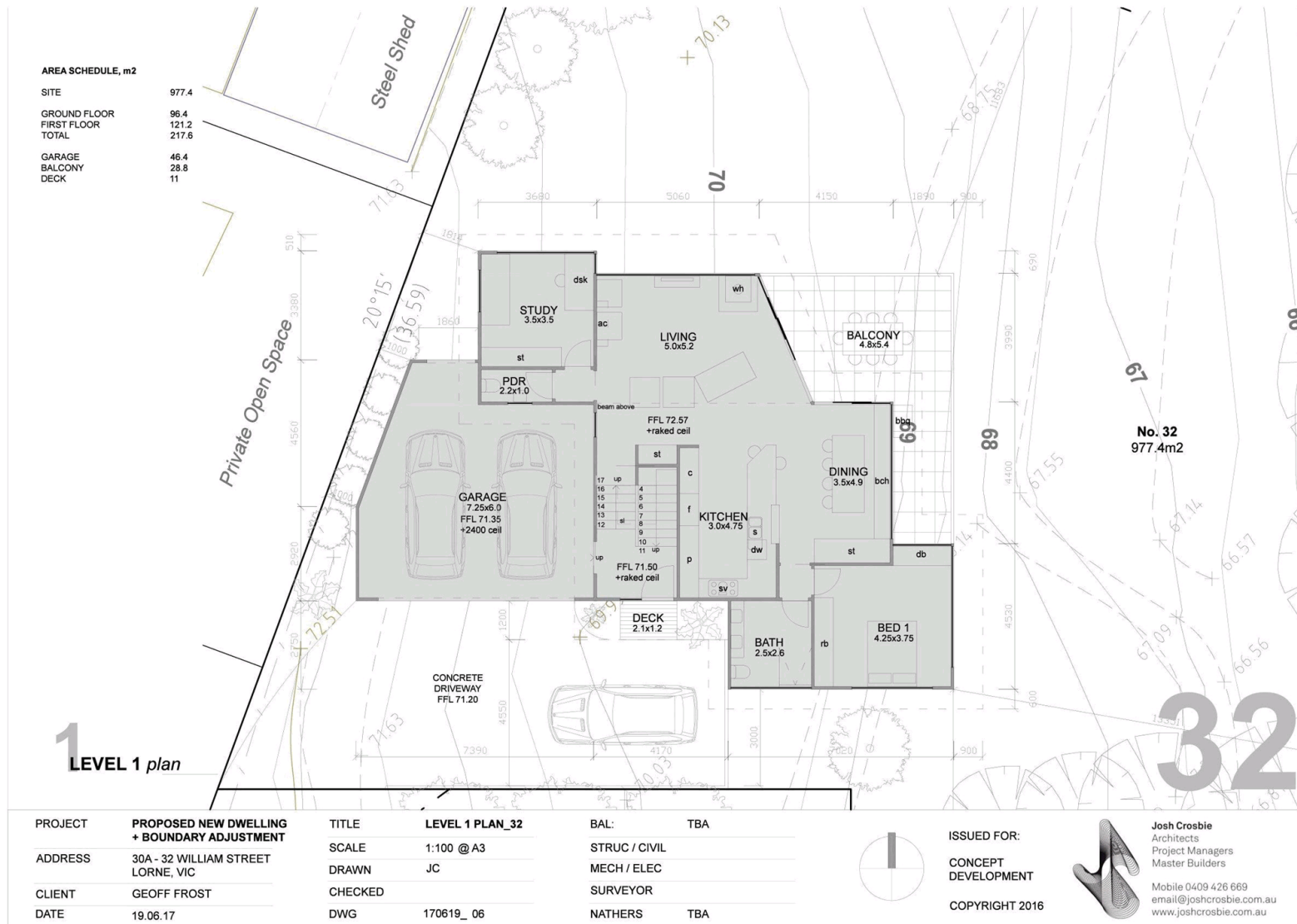


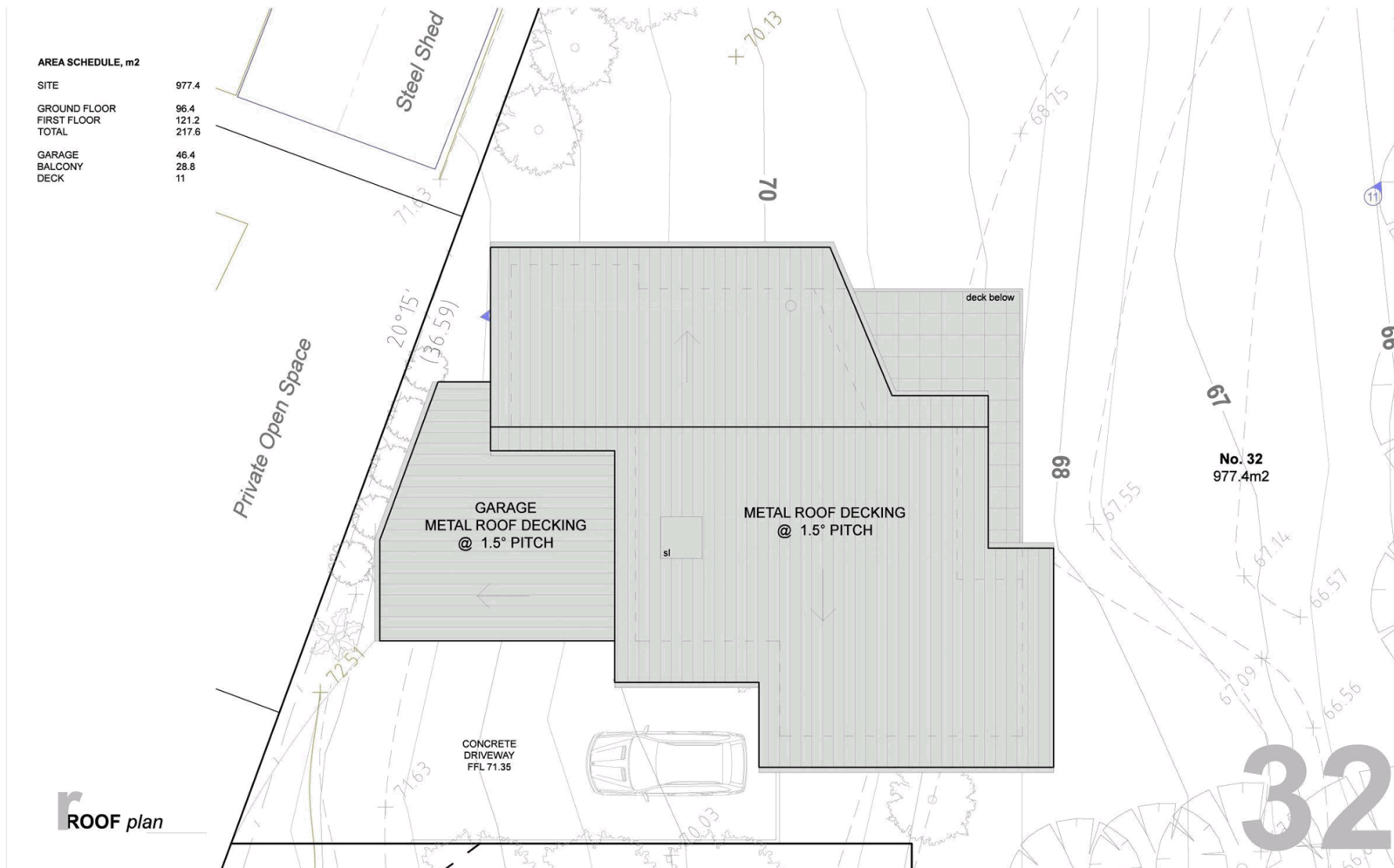
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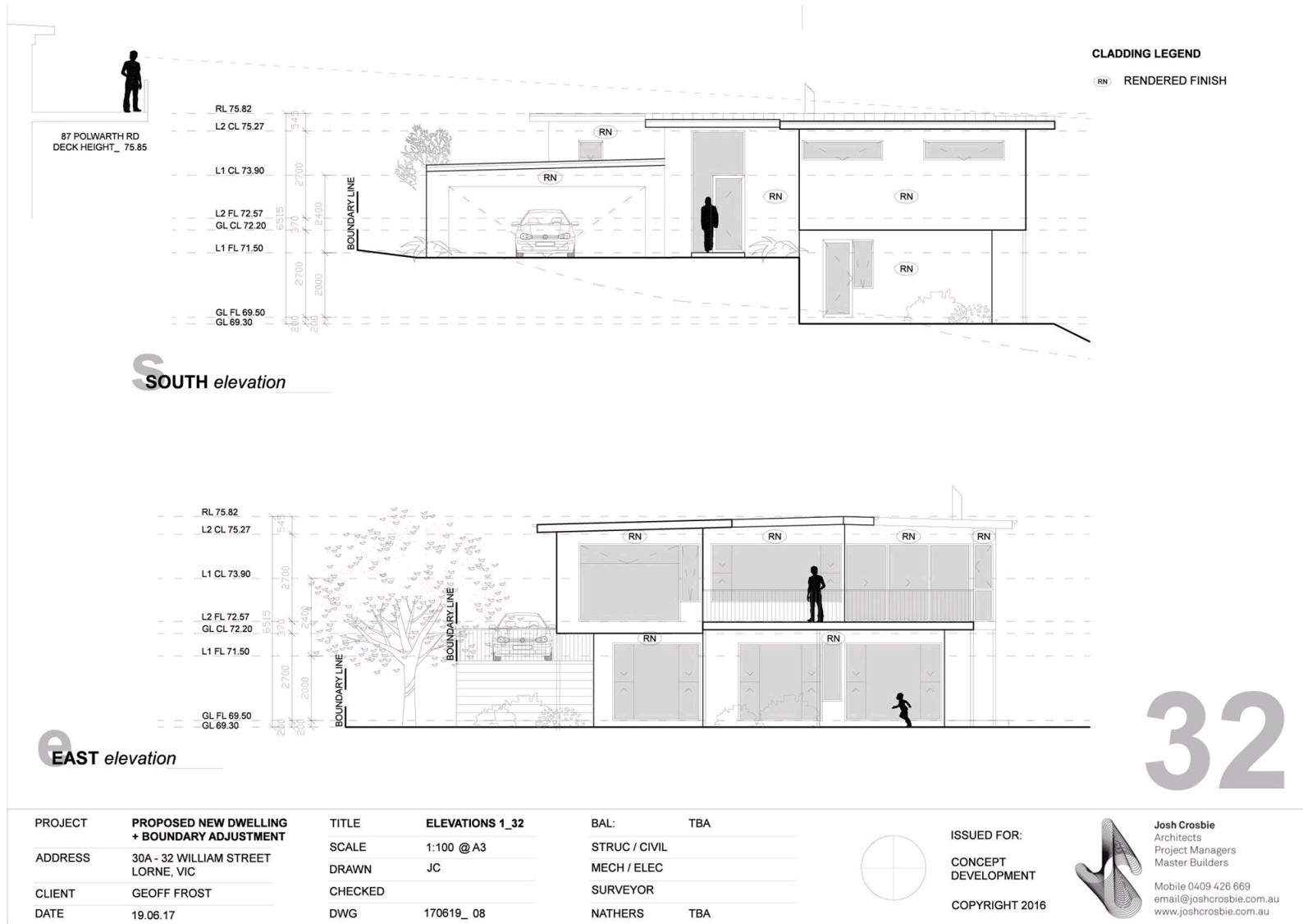


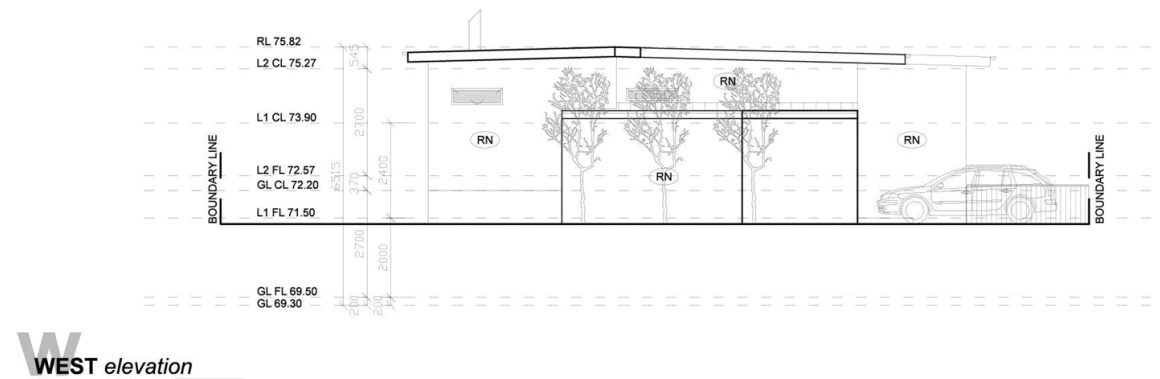
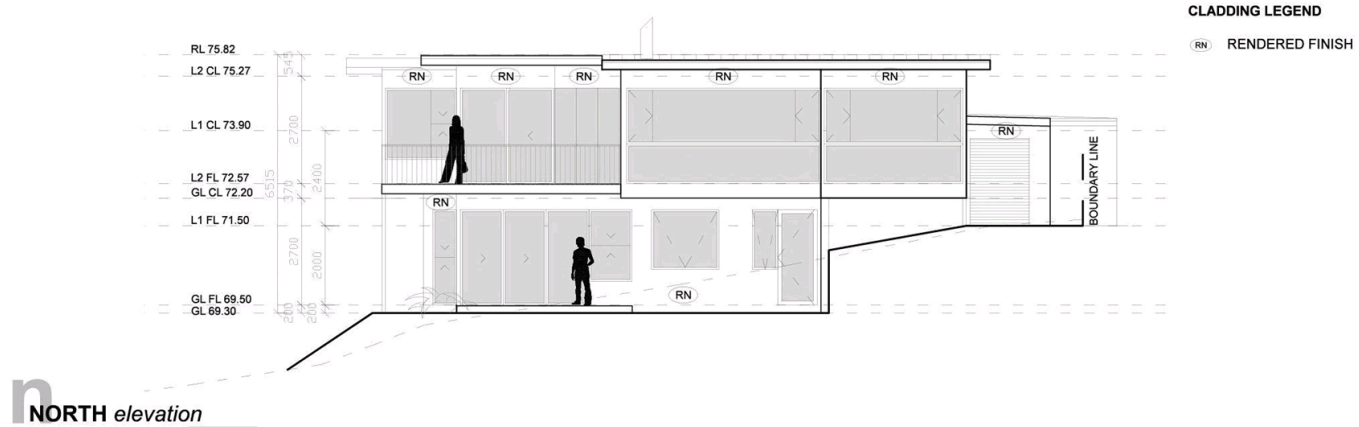
AREA SCHEDULE, m2

SITE	977.4
GROUND FLOOR	96.4
FIRST FLOOR	121.2
TOTAL	217.6
GARAGE	46.4
BALCONY	28.8
DECK	11

r ROOF plan

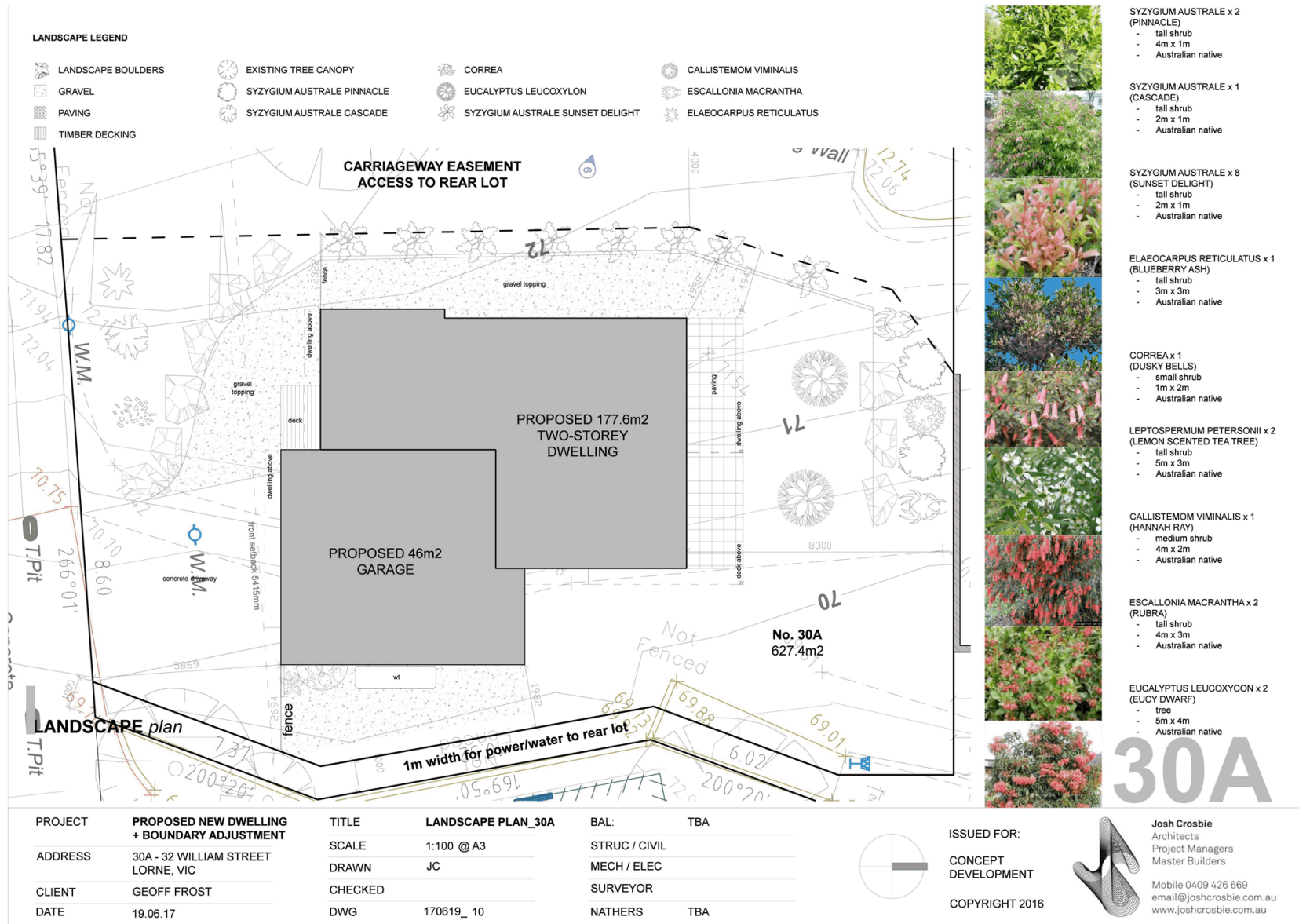
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CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_ 07	NATHERS	TBA		





32

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	ELEVATIONS 2_32	BAL:	TBA	ISSUED FOR: CONCEPT DEVELOPMENT COPYRIGHT 2016	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:100 @ A3	STRUC / CIVIL			
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_ 09	NATHERS	TBA		





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DATE	19.06.17	CHECKED		SURVEYOR	
		DWG	170619_10	NATHERS	TBA




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NOTES:

Overshadowing as per 55.04-5 / Standard B12
 September 22

LEGEND:

-  9AM
-  12 NOON
-  3PM

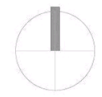


OVERSHADOWING diagram

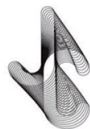
WILLIAM STREET

30A

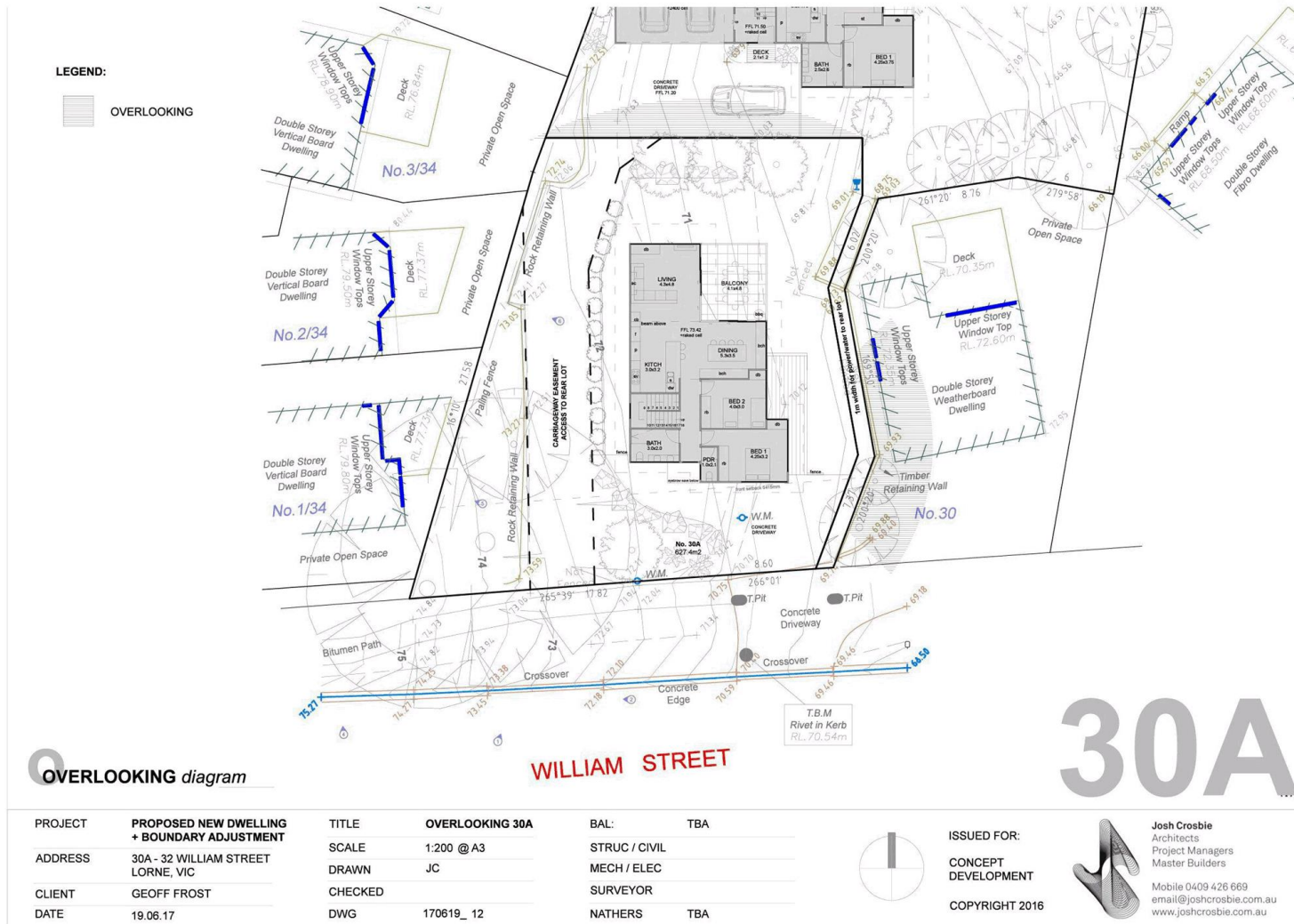
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DATE	19.06.17	CHECKED		SURVEYOR	
		DWG	170619_ 11	NATHERS	TBA



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Josh Crosbie
 Architects
 Project Managers
 Master Builders
 Mobile 0409 426 669
 email@joshcrosbie.com.au
 www.joshcrosbie.com.au



NOTES:

Overshadowing as per 55.04-5 / Standard B12
 September 22

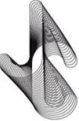
LEGEND:

-  9AM
-  12 NOON
-  3PM



OVERSHADOWING diagram

32

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	OVERSHADOWING 32	BAL:	TBA	 ISSUED FOR: CONCEPT DEVELOPMENT COPYRIGHT 2016	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:200 @ A3	STRUC / CIVIL			
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_11	NATHERS	TBA		



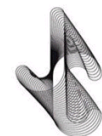
LEGEND:
 OVERLOOKING

OVERLOOKING diagram

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	OVERLOOKING 32	BAL:	TBA
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:200 @ A3	STRUC / CIVIL	
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC	
DATE	19.06.17	CHECKED		SURVEYOR	
		DWG	170619_12	NATHERS	TBA



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1.2 Planning Permit Application 16/0453 - 30A and 32 Williams Street, Lorne

**APPENDIX 3 NOTIFICATION - ADVERTISING MATERIAL 29-06-17 - 30A AND 32 WILLIAM STREET,
LORNE**

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Request for Amendment to an Application for a Planning Permit



Office Use Only

Receipt Code 230 Receipt Number
Date received

Contact Details

Did you lodge the original Planning Permit application? Yes No
First Name* **GEOFF** Last Name* **FROST**
Company Name (if applicable) **SUPERCOOL (AUSTRALIA) PTY LTD**
Street/Postal Address **13 SEAVIEW RISE**
Suburb* **JAN JUC** Post Code* **3228**
Phone Mobile* **0422 393 197**
Email* **frostybycode@hotmail.com**
Are you lodging this request on behalf of someone else (applicant contact/representative)? Yes No

Address to which the Application Applies

Choose the type of formal land description*
 Street Address Lot/Plan Crown Allotment Other
Street Address **30A AND 32 WILLIAM ST**
Suburb* **LORNE** Post Code* **3232**

Amendment Details

Planning application number* **16/0453**
What amendments are to be made to the application?*

While the overall design of each dwelling is largely unchanged, the major changes from the previous application are:

- The boundary realignment is now believed to be orderly and meet planning standards.
- A carriageway easement through the front lot (No. 30A) has been created to provide access to the rear lot (No. 32).
- A separate 1m wide utilities easement for power and water has been created to service No. 32.

SURF COAST SHIRE

26 JUN 2017

**PLANNING
DEPARTMENT**

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Page 1 of 3

Application for a Planning Permit

Office Use Only	
Receipt Code	Receipt Number
Date received	

- Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. If you have any concerns, please contact Council's planning department.
- Questions marked with an asterisk (*) are mandatory and must be completed.
- If the space provided on the form is insufficient, attach a separate sheet.

The Land (Complete the Street Address and one of the Formal Land Descriptions)	
Street Address	
Unit No	Street No 30A Street Name WILLIAM ST
Suburb	LORNE Post Code 3232
Formal Land Description (complete either A or B) - This information can be found on the certificate of title.	
A	Lot No 3 <input type="checkbox"/> Lodged Plan <input type="checkbox"/> Title Plan <input checked="" type="checkbox"/> Plan of Subdivision No 53882
OR	AND LOT 1 / PS 322412F
B	Crown Allotment No Section No
	Parish/Township Name

The Proposal	
You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application	
For what use, development or other matter do you require a permit?	
CONSTRUCTION OF 2 DWELLINGS - EACH ON OWN LOT BUT WITH REALIGNMENT OF BOUNDARY BETWEEN THEM REQUIRED.	
	Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal. Three hard copies of all supporting documents must be provided. Plans must be drawn to an identified and useable scale (ie 1:100, 1:200) and if plans are A2 size or larger an A3 reduction should also be provided. Documents should include suitable identifiers (ie title, drawing number, date, sheet number).
Estimated cost of development for which the permit is required	
Cost \$	\$1.2m. You may be required to verify this estimate. Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

Existing Conditions	
Describe how the land is used and developed now* (eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.)	
2 VACANT LOTS.	
Provide a plan of the existing conditions. Photos are also helpful.	

The information contained in this online registry is provided for the purpose of the planning process as set out in the Planning and

Page 2 of 3

Title Information
Encumbrances on title
 Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?
 Yes No Not applicable (no such encumbrance applies)
 Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

Contact Person (the person to contact regarding this application)

First Name*	JOSH	Last Name*	CROSBIE
Company Name (if applicable)	JOSH CROSBIE ARCHITECTS Pty Ltd.		
Street/Postal Address	PO Box 182		
Suburb*	LORNE	Post Code*	3232
Phone		Mobile	0409426669.
Email	EMAIL@JOSH.CROSBIE.COM.AU.		

Applicant Details (the person who wants the permit)

Same as contact person

First Name*		Last Name*	
Company Name (if applicable)			
Street/Postal Address			
Suburb*		Post Code*	

Owner Details (the person or organisation who owns the land)

Same as contact person


First Name*		Last Name*	
Company Name (if applicable)	SUPERCool (AUSTRALIA) PTY LTD.		
Street/Postal Address	12 MAUD RD.		
Suburb*	DRDMANA.	Post Code*	3936.

Declaration (This form must be signed by the applicant)

Has there been a pre-application meeting with a Council Planning Officer? Yes (with whom?): _____
 No

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:  Date: 5/10/16.



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

Page 1 of 1

VOLUME 10378 FOLIO 386

Security no : 124062686205Y
Produced 05/10/2016 04:49 pm

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 322412F.
PARENT TITLE Volume 09239 Folio 840
Created by instrument PS322412F 22/04/1998

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
SUPERCool (AUSTRALIA) PTY LTD of 12 MAUD ROAD DROMANA VIC 3936
AM753502X 06/05/2016

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE PS322412F 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: 30A WILLIAM STREET LORNE VIC 3232

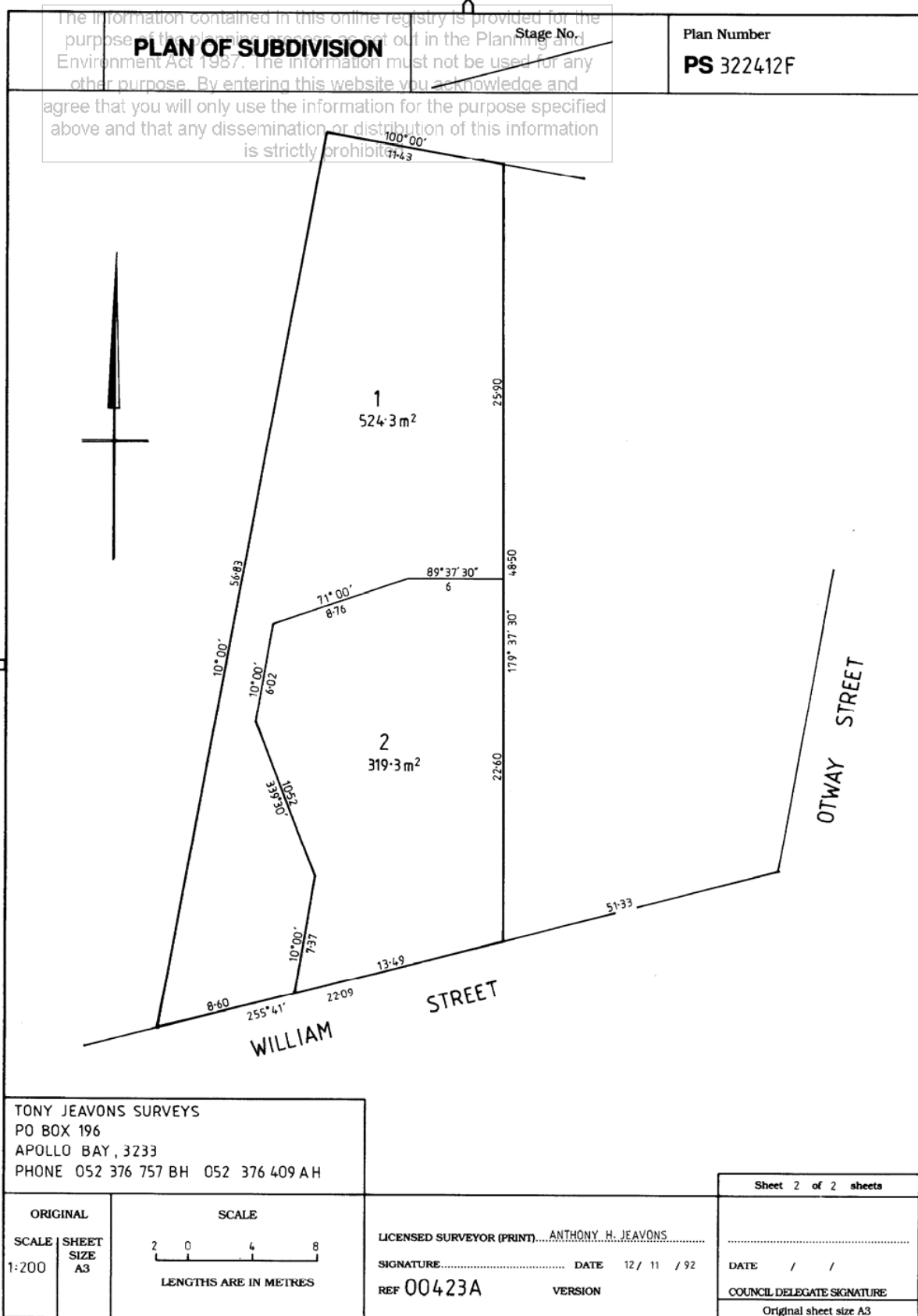
DOCUMENT END

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Delivered by LANDATA®. Land Victoria timestamp 05/10/2016 16:50 Page 1 of 2

PLAN OF SUBDIVISION				STAGE NO. 1	LTO use only EDITION 1	Plan Number PS 322412F
Location of Land Parish: LORNE Township: LORNE Section: _____ Crown Allotment: 43 Crown Portion: _____ LTO Base Record: CHART 3 (3015) Title Reference: VOL.9239 FOL.840 Last Plan Reference: LOT 1 ON LP 122110 Postal Address: 30 WILLIAM STRETF (at time of subdivision) LORNE, 3232 AMG Co-ordinates E 758 700 Zone: 54 H (of approx. centre of land in plan) N5729 800				Council Certificate and Endorsement Council Name: SHIRE OF WINCHELSEA Ref: S759 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 of the 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 / / 12 / 93 Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate _____ Council Seal _____ Date / /		
Vesting of Roads and/or Reserves				Notations		
Identifier		Council/Body/Person		Staging This is/is not a staged subdivision Planning Permit No. 93/001		
				Depth Limitation DOES NOT APPLY		
				Survey This plan is/is not based on survey This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No.		
Easement Information						
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				LTO use only		
				Statement of Compliance/ Exemption Statement		
				Received <input checked="" type="checkbox"/>		
				Date 16 / 4 / 98		
				LTO use only		
				PLAN REGISTERED		
				TIME 11.50		
				DATE 22 / 4 / 98		
				K. Osborn Assistant Registrar of Titles		
				Sheet 1 of 2 Sheets		
TONY JEAVONS SURVEYS P.O. BOX 196 APOLLO BAY, 3233 PHONE 052 376 757 BH. 376 409 AH.				LICENSED SURVEYOR (PRINT).....ANTHONY H. JEAVONS..... SIGNATURE..... DATE 12 / 11 / 92 REF 00423A VERSION		DATE / / COUNCIL DELEGATE SIGNATURE Original sheet size A3

Delivered by LANDATA®. Land Victoria timestamp 05/10/2016 16:50 Page 2 of 2





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

Page 1 of 1

VOLUME 08401 FOLIO 124

Security no : 124062685889S
Produced 05/10/2016 04:35 pm

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 053882.
PARENT TITLE Volume 04436 Folio 102
Created by instrument B419490 14/05/1962

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
SUPERCool (AUSTRALIA) PTY LTD of 12 MAUD ROAD DROMANA VIC 3936
AM753502X 06/05/2016

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 LP053882 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: 32 WILLIAM STREET LORNE VIC 3232

DOCUMENT END

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LP 53882

EDITION 1
 PLAN MAY BE LODGED 19-6-61.

**PLAN OF SUBDIVISION OF
 PART OF CROWN ALLOTMENTS 42 & 43
 PARISH AND TOWNSHIP OF LORNE**

COUNTY OF POLWARTH

scale = FEET TO AN INCH

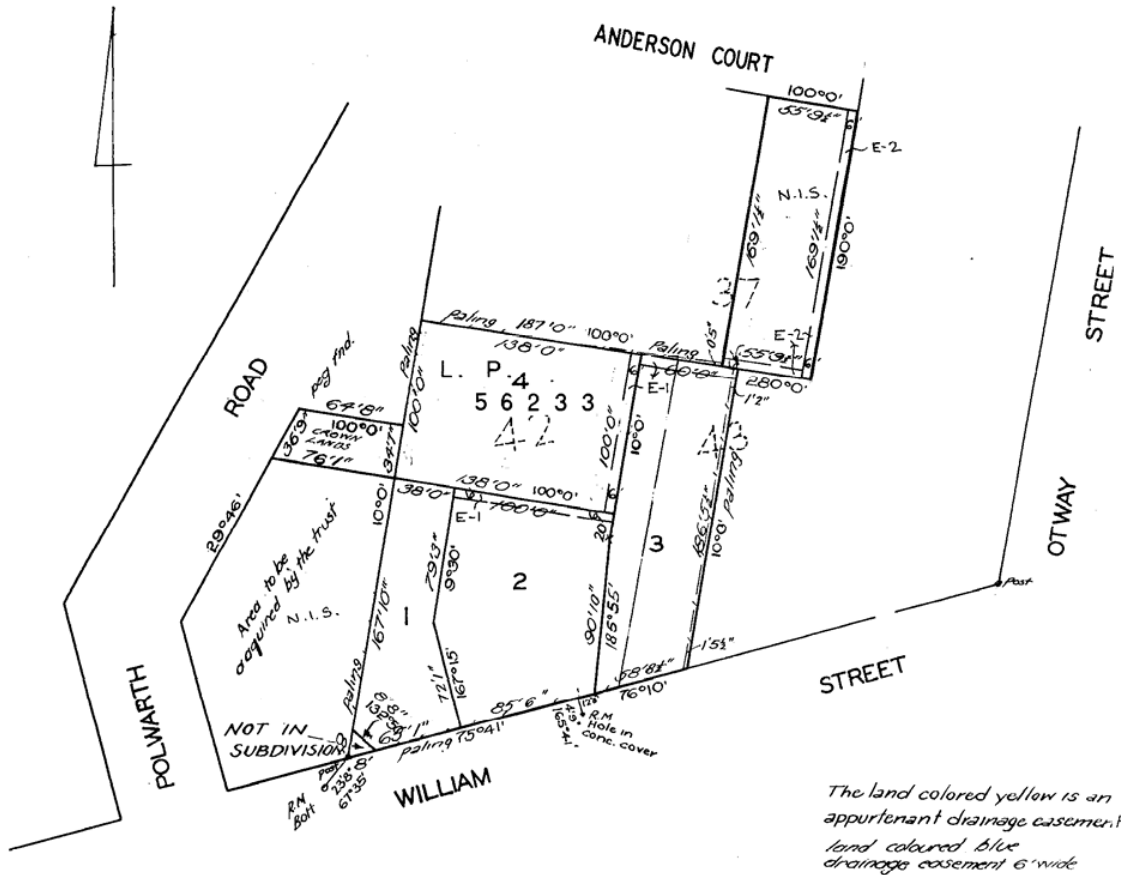
C/T. V. 4436 F. 102

COLOUR CODE

E-1=BLUE
 E-2=YELLOW

THE LAND COLOURED BLUE IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE

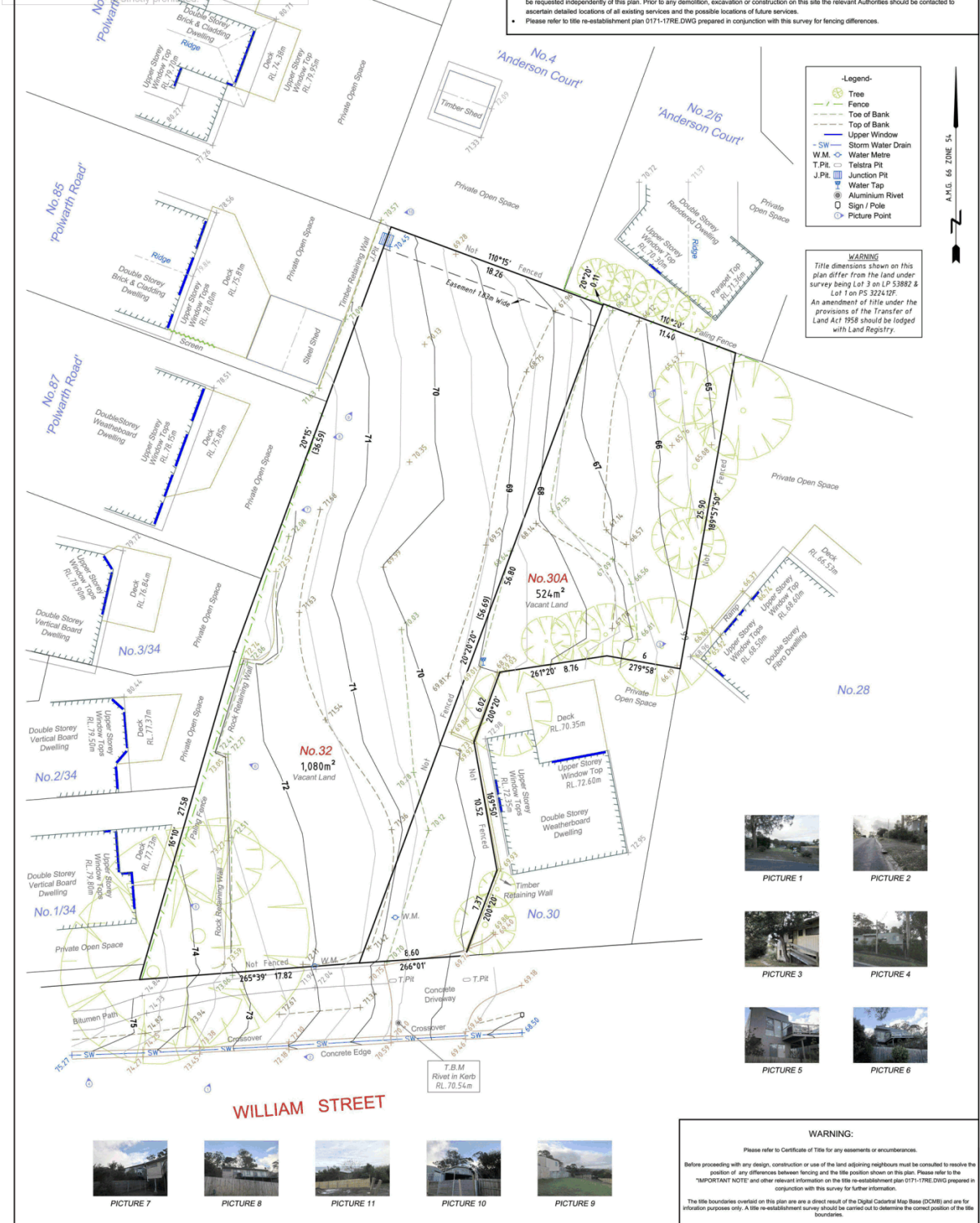
THE LAND COLOURED YELLOW IS AN APPURTENANT EASEMENT SEE VOL. 4436 FOL. 102.



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GENERAL NOTES:

- Levels are based on A.H.D. v/sd LORNE PM 59 with registered RL 50.649m.
- Contour interval in 0.50m.
- Only upper storey windows located due to inaccessibility. Assume all windows shown are habitable windows. Windows shown on this plan are a guide only. A site visit to determine the exact status of each room should be carried out before proceeding.
- Feature and levels shown on this plan were carried out on the 12th April 2016 and for general design works only. Any critical dimensions required should be requested independently of this plan. Prior to any demolition, excavation or construction on this site the relevant Authorities should be contacted to ascertain detailed locations of all existing services and the possible locations of future services.
- Please refer to title re-establishment plan 0171-17RE.DWG prepared in conjunction with this survey for fencing differences.



-Legend-

- Tree
- Fence
- Toe of Bank
- Top of Bank
- Upper Window
- SW Storm Water Drain
- W.M. Water Metre
- J.Pit. Junction Pit
- T.Pit. Telstra Pit
- Water Tap
- Aluminium Rivet
- Sign / Pole
- Picture Point

WARNING
 Title dimensions shown on this plan differ from the land under survey being Lot 3 on LP 53882 & Lot 1 on PS 32412P. An amendment of title under the provisions of the Transfer of Land Act 1958 should be lodged with Land Registry.



WARNING:
 Please refer to Certificate of Title for any assessments or encumbrances.
 Before proceeding with any design, construction or use of the land adjoining neighbours must be consulted to resolve the position of any differences between fencing and the title position shown on this plan. Please refer to the "IMPORTANT NOTE" and other relevant information on the title re-establishment plan 0171-17RE.DWG prepared in conjunction with this survey for further information.
 The title boundaries overlaid on this plan are a direct result of the Digital Cadastral Map Base (DCMB) and are for information purposes only. A title re-establishment survey should be carried out to determine the correct position of the title boundaries.

smithland
 survey
 Licensed Surveyors & Development Consultants

Smith Land Surveyors Pty. Ltd.
 Shop 2/4 Mercer Street, Geelong, VIC, 3220
 P 03 5222 1234 F 03 5223 3141
 E survey@smiths.com.au
 W www.smithlandsurveyors.com.au

EXISTING CONDITIONS SURVEY
 30A & 32 WILLIAM STREET
 LORNE

CLIENT: JOSH CROSBIE ARCHITECT

SCALE: 1:200	SURVEY DATE: 12/04/2016
DATE: 20/04/16	DATUM: A.H.D
DRAFTED: G.R.S.	JOB: 0171-17F
SURVEYOR: G.G.S.	VERSION: 01
SHEET: 1 OF 1	
ORIGINAL SHEET	
A2	

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AMENDED PLANNING PERMIT APPLICATION
NUMBER 16/0453

PROPOSED DOUBLE-STOREY DWELLING
ON VACANT LAND

AT 30A WILLIAM STREET, LORNE 3232

23 June 2017

Planning Application _ 30A William St, Lorne 3232

23 June 2017

Page | 2

CONTENTS

page

Introduction

3

Neighbourhood Character Overlay (NCO2)

4

Significant Landscape Overlay (SLO4)

13

Design and Development Overlay – Schedule 12 (DDO12)

13

Appendix A Architectural Plans

14

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INTRODUCTION

PROPOSAL

This application seeks approval to carry out the following works on vacant land:

- Construct a new 177.6m² double-storey residential dwelling, with 23.1m² decking
- Construct a 46.0m² two car garage with sealed access-way to William Street
- Realign the boundary between 30A and 32 William St.

ZONE

This site is within General Residential Zone - Schedule 1 (GRZ1)

LOCAL GOVERNMENT
Surf Coast Shire Council

PLANNING OVERLAYS

Neighbourhood Character Overlay (NCO2)
Significant Landscape Overlay (SLO)
Design and Development Overlay – Schedule 12 (DDO12)

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Page | 4

54.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

54.01-1 Neighbourhood and site description

The preferred neighbourhood character for Lorne is derived from the positive natural elements of the existing character and is consistent across the township. Filtered views of the ocean, coast and hinterland are a special feature of this town, with these views most often determining the built forms' orientation and design. Buildings are nestled within the native bushland and tree canopy. They sit discreetly and are generally low in scale. Buildings range from classic older beach houses through to modern coastal designs that utilise simple built forms, a diverse range of natural, visually lightweight materials, extensive use of glass and building colours that are subtle, neutral and unobtrusive. Driveways and car parking are recessive in the streetscape. Front fences are limited as buildings are generally screened and blended with vegetation.



Image 1: Site Map, 30A William Street, Lorne

William Street ascends steeply from the iconic Great Ocean Road to the peak of the hill overlooking Lorne's township and the ocean. It connects the foreshore, main shopping strip, football oval and recreational reserve, and industrial precinct - all whilst accessing spectacular and expansive views of the Surf Coast, from Aireys Inlet lighthouse to the Lorne pier.

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No. 30A William Street is toward the higher end of the street. The dwellings along this strip range from classic 1960 and 1970's original beach houses through to modern coastal designs. Most dwellings are double-storey with living spaces and decks on the upper level facing east to optimise ocean views. Almost all of the roof forms are flat roofs with low pitches and metal sheet roofing. Dwellings are largely screened and blend with the surrounding vegetation, therefore very few properties have front fences. Most surrounding buildings are residential, primarily occupied as holiday homes.

As part of this application, approval is sought to realign the existing boundary between No. 30A and No. 32 William St. Both lots are vacant and have the same owner. The existing boundary between No. 30A and No. 32 runs NNE for 56.7m from William St, with No. 32 being a regular shaped block of 1,080m² situated above No. 30A which is a very irregular block of 524m² carved out of the side and rear of No. 30. There are no trees or shrubs on the existing No. 30A.

As shown in Image 2 below, the unformed irregularly shaped driveway of No. 30A sidles No. 30 William St to the east which is a simple double-storey dwelling with weatherboard cladding and a flat roof. As No. 30 is orientated to the east with just two obscured windows to non-habitable rooms puncturing its western façade, privacy is maintained between No. 30 and the subject site.



Image 2: Existing 30A crossover and unformed driveway sidling No. 30.

As shown in Image 3 below, the existing rear land of No. 30A shares an unfenced east boundary with No. 28 William St and a simple post and wire fenced south boundary with No. 30 William St. The north boundary (not shown) has a paling fence shared with No. 2/6 Anderson Court whose dwelling is completely hidden behind a high Lilly Pilly hedge.

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Page | 6



Image 3: 30A William St existing rear land, fenced S boundary with No. 30 and unfenced E boundary with No. 28

No. 30A currently has a very irregular unformed 160m² driveway which is 8.6m wide at William St narrowing to only 2.4m wide before opening to the rear area of 364m² which falls away steeply to the east. Such a subdivision of No. 30A from No. 30 would not be approved under current planning regulations. Indeed, it is highly questionable whether a habitable house could be built on such a small and sloping parcel of land and meet current planning regulations and overlays, let alone whether it would be worth anyone's effort and expense. It is also doubtful whether the driveway, which at its narrowest is only 2.4m wide for 6.0m, could be constructed to be navigable.

54.01-2 Design response

The current owner bought the land believing that such a negative and unproductive situation for No. 30A could be turned into a positive one by realigning the boundary between Nos. 30A and 32 to run from west to east. No. 30A would comprise all the 627.4m² of land fronting William St, while No. 32 would comprise all the 977.4m² of land to the rear (including the problematic rear land of the existing No. 30A). Under this realignment, the owner seeks to build only two modest dwellings on the highest land, providing each with significant views in a very treed setting. This is seen as greatly adding amenity to No. 30A without comprising that of No. 32 or unreasonably, that of neighbouring properties. It not only adds value for the owner, but also for the town by providing business and employment with the proposed front dwelling being available for short term rental. It also supports moves by government at all levels to discourage residential blocks being left vacant for extended periods (as would have been very likely for No. 30A under the existing subdivision).

Access to the rear property, No. 32 will be provided by a carriageway easement across the land of No. 30A between the 30A dwelling and its west boundary. An upper crossover already exists and, due to its previous use as a driveway many years ago, the proposed 4m wide carriageway is already largely formed as a relatively flat driveway for its 27.5m length. This option is seen as being the least disruptive to the surrounding area and importantly enables the two large gums trees in the large raised garden bed in the

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Page | 7

SW corner to be retained without any compromise. The rock retaining wall of the raised bed and concrete retaining wall abutting No. 2/34 William St form the upper western edge of the carriageway (refer Image 4).

By contrast, access to No. 30A will be via the existing lower crossover (as shown in Image 2 above). Consideration was given to utilising the higher carriageway easement, which had the benefit of placing the garage and house entry for No. 30A more at the level of the upper living areas. However, it was too difficult to fit a double garage in at the higher level along with the second bedroom (which is imperative to take maximum advantage of the views). The proposed design has an acceptable building balance between lower and upper levels (thereby minimising the building's imprint) and satisfactorily utilises a large lower level shaded space as a garage that does not have any views and which otherwise could not have been used productively. Also, if higher up the block, the garage could not be built over without significantly increasing existing building height and compromising view sharing objectives. These were seen as compelling arguments given that the lower crossover is already fully formed.

The proposed double-storey dwelling at 30A William Street is a simple geometric form orientated to take advantage of both the direct northern sunlight accessed by the site, and the expansive views of the ocean, coastal shoreline, natural bushland and the picturesque township of Lorne to the east. The proposal utilises the existing lower crossover shared with No. 30 and situates the dwelling below the predominant tree canopy which is integral to the preservation of the preferred neighbourhood character of the area. The proposed dwelling and its placement ensure a design very respectful of the existing vegetation and existing amenity to adjoining properties.

Under the boundary realignment, No. 30A will share its western boundary with the three units 1-3 / 34 William St (refer Image 4 below). These double-storey weatherboard clad units are all of a very similar size, form and appearance. A timber fence and concrete retaining wall exist along the boundary together with landscaping works and the proposed gravel carriageway easement.



Image 4: 30A proposed W boundary with 1-3 34 William St, also showing retaining wall to relatively flat proposed carriageway easement. Unit 3 is hidden behind the bushes on the right.

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54.02-2 Integration with the street objective

Whilst the proposed dwelling is oriented towards the east and north, the double storey height glazed entry and protruding timber form make a lovely contribution to the streetscape of William St. A variety of natural and unobtrusive materials make up the front façade of the building, including hardwood cladding and smooth rendered panels. The area between the dwelling and the street allows for extensive landscaping works, creating a denser bushland setting to better compliment the character of the town and soften the appearance of the building from the street.

The following table shows the external materials and their colours:

Area	Material	Colour
Roof	Colorbond steel	Colorbond Wallaby
Fascias and spoutings	As specified	Colorbond Wallaby
Windows (S face)	Powder coated aluminium	Colorbond Wallaby
Windows (other)	Powder coated aluminium	Colorbond Dune
Wall (above garage front)	Hardwood timber cladding	Natural stain
Walls (S face, L2, part-L1)	Rendered board	Caveman (Dulux P14A7)
Walls (recessed L1)	Rendered board	Fitzroy Crossing (Dulux RB33)
Garage door	Steel	Colorbond Wallaby



Wallaby



Caveman



Dune



Fitzroy Crossing

The dwelling integrates with the street very well.

Standard A2 has been satisfied.

54.03 SITE LAYOUT AND BUILDING MASSING

54.03-1 Street setback objective

The front setback in this proposal is 5.4m from the street. This is the average distance of the street setbacks of the two adjoining dwellings.

Standard A3 has been satisfied.

54.03-2 Building height objective

The proposed roofline has a maximum height of 6.49m, which is significantly less than the allowed maximum height of 7.5m.

Standard A4 has been satisfied.

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Page | 10

54.03-3 Site coverage objective
The site area of 627.4m² adjusted for the carriageway easement of 113m² is 514.4m². The proposed footprint is 116.2m², giving an adjusted site coverage of 22.6%.

NCO2 allows a maximum site coverage of 35%.

Standard A5 has been satisfied.

54.03-4 Permeability objectives

The impervious areas comprise the roof (166.7m²) and the concrete driveway (31.5m²) giving a total impervious area of 198.2m².

The site's permeable area is therefore 429.2m² or 68.4% of the site's area, which comfortably exceeds the permeability requirement of at least 20%.

Standard A6 has been satisfied.

54.03-5 Energy efficiency protection objectives

Extensive glazing to the proposed dwelling's northern and eastern facades, coupled with the open plan design ensures solar access to southward areas of the dwelling for passive solar gain.

All glazing on the proposed dwelling is double glazed and the high glazing to floor area ratio will ensure that excellent natural light and ventilation are achieved.

Best practice bulk insulation will be used in all envelope elements: R2.1 to the subfloor, R5.0 for the roof, and R2.5 for the walls.

Energy efficiency opportunities for neighbouring properties will not be affected.

Standard A7 has been satisfied.

54.03-6 Significant trees objectives

The area not available for planting vegetation is 296.3m², comprising the building's ground floor, garage, carriageway, front deck, rear paving and side walkway. Therefore, the area available for planting is 331.1m² or 52.8% of the site's area, comfortably above the required minimum of 50%.

The rear yard contains an area of 123m² with a width of 8.3m that could be available for planting vegetation, including canopy trees as shown on the Landscape Plan. This excludes an adjoining area of 31m² also available for planting to the east of the dwelling. Therefore the requirement of an area of 100m² with a minimum dimension of 8m available for vegetative landscaping that includes canopy trees has been met.

Standard A8 has been satisfied.

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Page | 11

54.03-7 Parking objective

The proposal includes a 46.0m² double-car garage that is recessed within the front façade of the dwelling, accessed from the existing crossover.

Standard A9 has been satisfied.

54.04 AMENITY IMPACTS

54.04-1 Side and rear setbacks objective

All side and rear setbacks are compliant with Standard A10.

Standard A10 is satisfied.

54.04-2 Walls on boundaries objective

No walls on boundaries are proposed.

Standard A11 has been satisfied.

54.04-3 Daylight to existing windows objective

No existing habitable room windows are compromised by the proposed works. The proposed dwelling provides all existing windows on abutting properties with more than the minimum requirement of 3m² clear to the sky.

Standard A12 has been satisfied.

54.04-4 North-facing windows objective

Sunlight to existing north facing windows is not being reduced with this proposal.

Standard A13 has been satisfied.

54.04-5 Overshadowing open space objective

As shown in appendix A, no existing SPOS or habitable rooms will be overshadowed.

Standard A14 is satisfied.

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Page | 12

As shown in appendix A, no existing habitable room windows will be overlooked.

The proposed north-facing deck on the first floor is 9.1m from the existing deck of no. 30 William Street. A mature gum tree and other dense plantings provide extra privacy here also.

Standard A15 is satisfied.

54.05 ON-SITE AMENITY AND FACILITIES

54.05-1 Daylight to new windows objective

All proposed glazing provides adequate natural light to each habitable room. A minimum of 10% floor area is achieved in all habitable spaces.

Standard A16 is satisfied.

54.05-2 Private open space objective

The proposed dwelling has 180m² of private open space to the sides and rear of the dwelling, which is 28.6% of the site. This is a sufficient area for reasonable recreational and service needs of residents and exceeds the minimum requirement of 40m² or at least 20%.

Standard A17 is satisfied.

54.05-3 Solar access to open space objective

Adequate private open space is located to the north (rear) of the dwelling, maximising solar gain.

Standard A18 is satisfied.

54.06 DETAILED DESIGN

54.06-1 Design detail objective

The design of the proposed double-storey dwelling at 30A William Street respects the preferred neighbourhood character of the General Residential Zone of Lorne.

The building form is diverse with a multitude of natural materials, articulated forms and expansive eaves encouraged to display the Surf Coast style. The proposed dwelling is visually lightweight by using a low, pitched steel roof form and an extensive use of glass. The proposed building colours are subtle, neutral and unobtrusive. A natural palette of materials and textures includes hardwood timber cladding, render, aluminium window frames and decks. This replicates the surf coast style of dwellings typical to the Lorne residential area.

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Page | 13

The design's sensitivity to the natural site ensures it does not exceed building footprint regulations, nor dominate the low density residential setting. Importantly, the design of two dwellings each with small imprints on such a relatively large block ensures that Lorne's informal, open, spacious character created by the dominance of vegetation, low scale buildings and a lack of front fencing is retained.

This proposal does not exceed building height or building setback requirements, whilst the overall building height remains below the existing second-storey deck height of adjacent properties.

The proposed landscaping works to the dwelling will provide a denser bushland setting to the site, better complimenting the character of the town and softening the appearance of the building from the street and adjoining properties.

Standard A19 is satisfied.

54.06-2 Front fences objective

No front fence is proposed.

Standard A20 is satisfied

SIGNIFICANT LANDSCAPE OVERLAY (SLO)

No trees are required to be removed in this proposal.

Please see Landscape Plan for schedule of native plantings, Appendix A.

DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE 12 (DDO12)

The subdivision in this proposal has ensured that lot sizes are sufficient to accommodate adequate vegetation, including substantial trees, buildings that meet the preferred neighbourhood character, and provide space for wildfire management requirements.

The proposed boundary realignment between Nos. 30A and 32 ensures 30A is greater than 550m². As such, the proposal remedies the situation where No. 30A currently has a total area of only 524m² and such a difficult and restricted building area as to render any future development of the existing site highly unlikely.

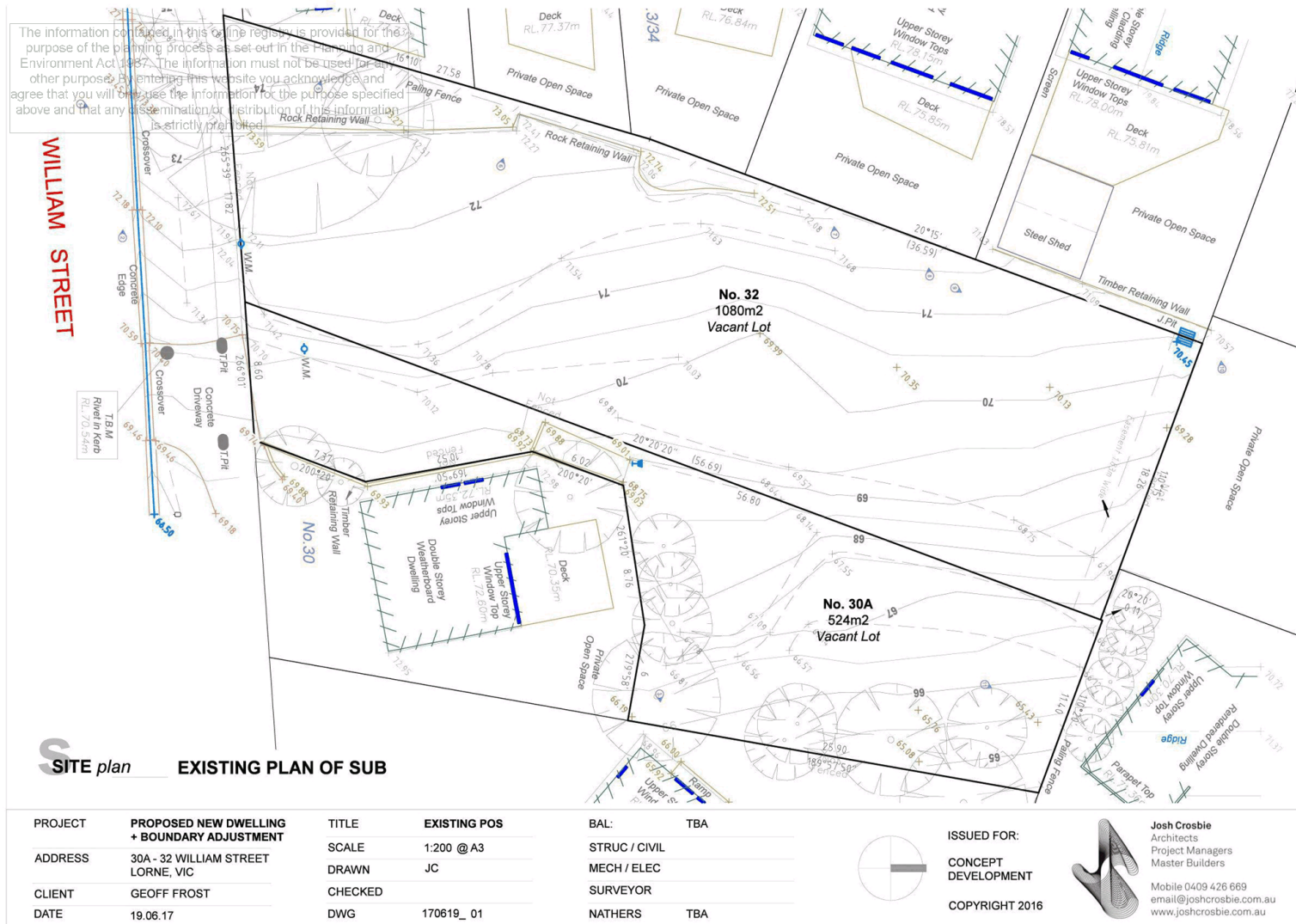
The objectives of DDO12 are satisfied.

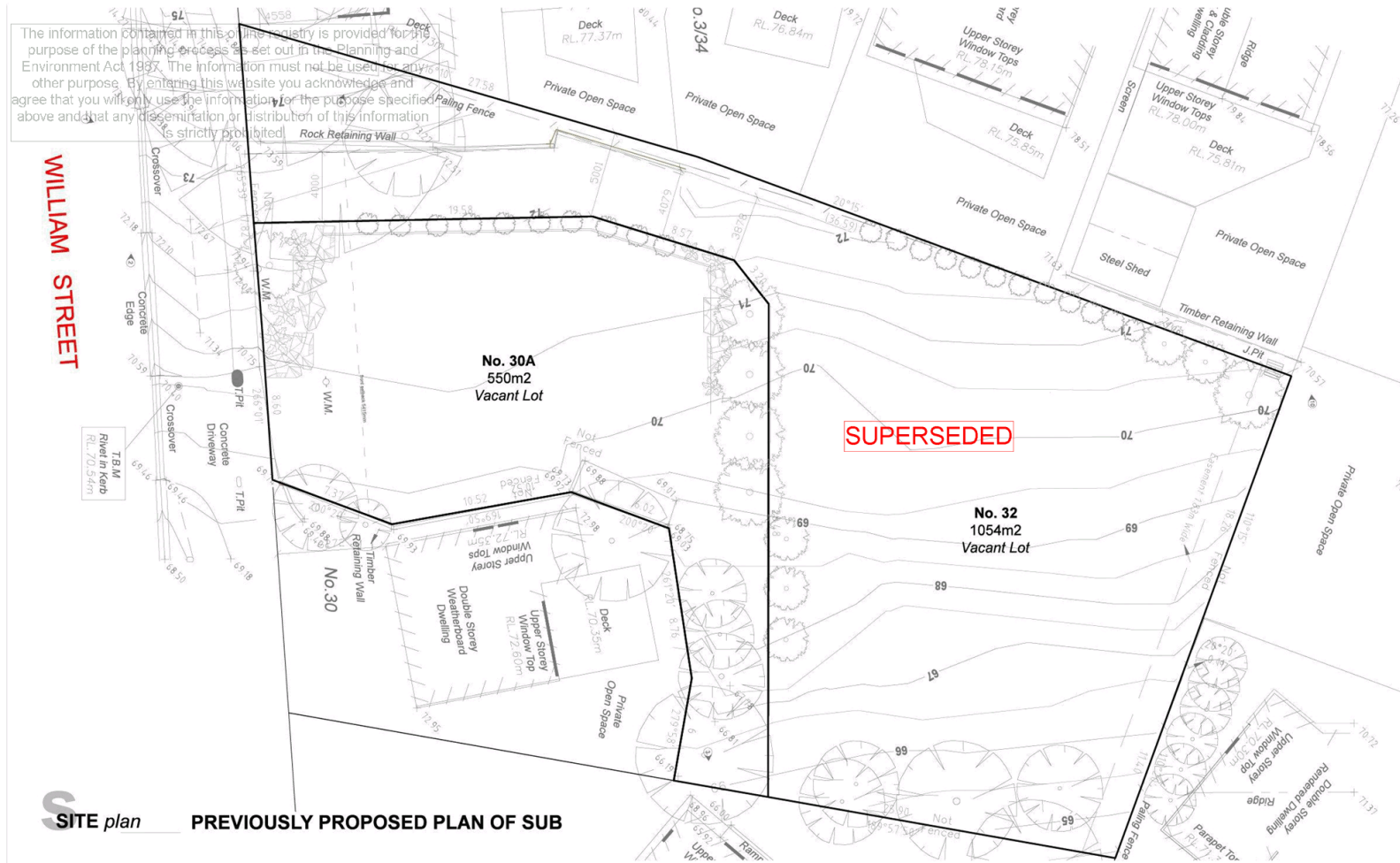
APPENDIX A

ARCHITECTURAL PLANS

The architectural plans are attached.

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S SITE plan **PREVIOUSLY PROPOSED PLAN OF SUB**

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CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
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PROPOSED DWELLING AT
30A WILLIAM STREET
LORNE, 3232 VIC

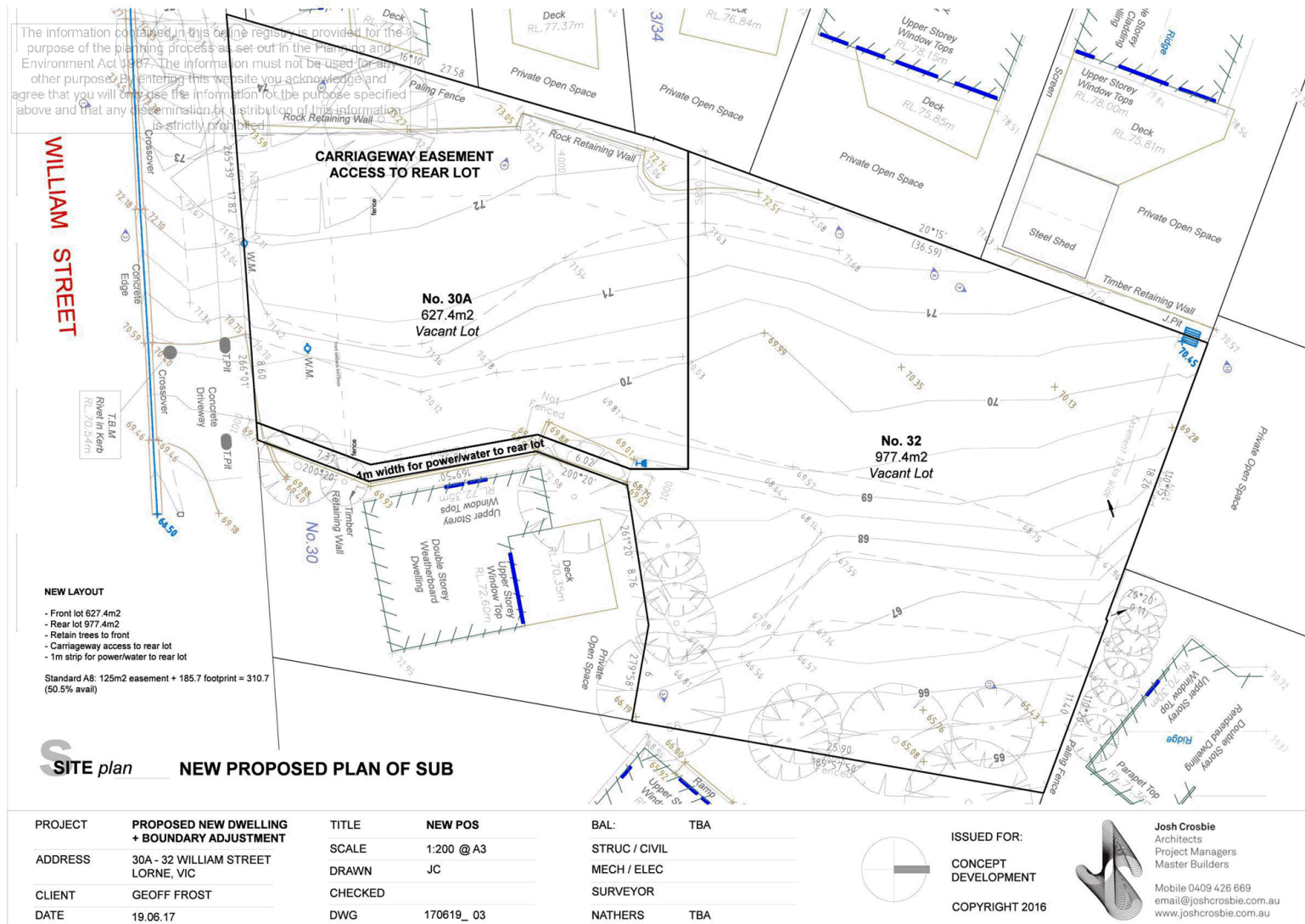
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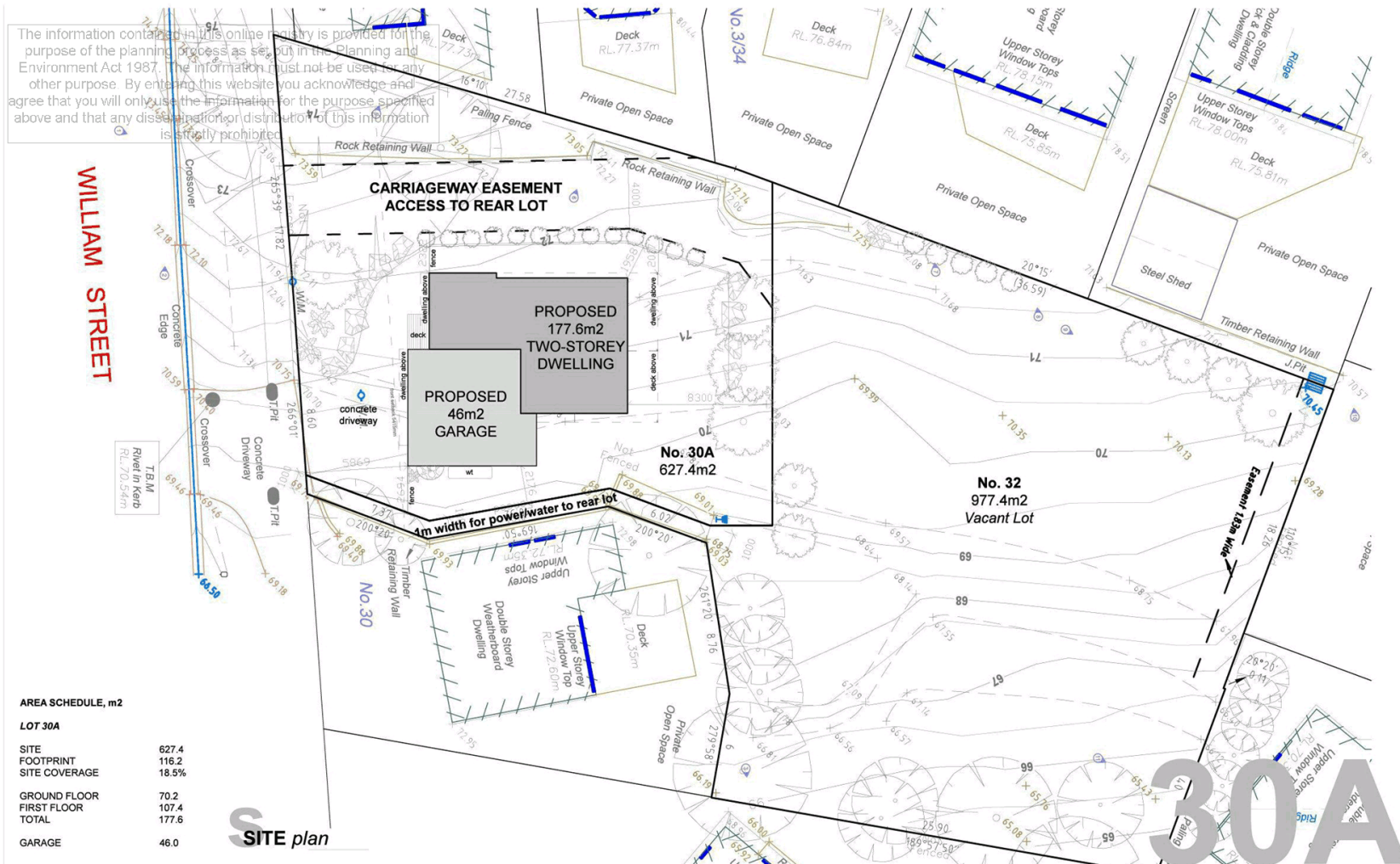
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02_PREVIOUS PROPOSED PLAN OF SUBDIVISION
03_NEW PROPOSED PLAN OF SUBDIVISION
04_SITE PLAN
05_GROUND FLOOR PLAN
06_FIRST FLOOR PLAN
07_ROOF PLAN
08_ELEVATIONS 1
09_ELEVATIONS 2
10_LANDSCAPE PLAN
11_OVERSHADOWING DIAGRAM
12_OVERLOOKING DIAGRAM



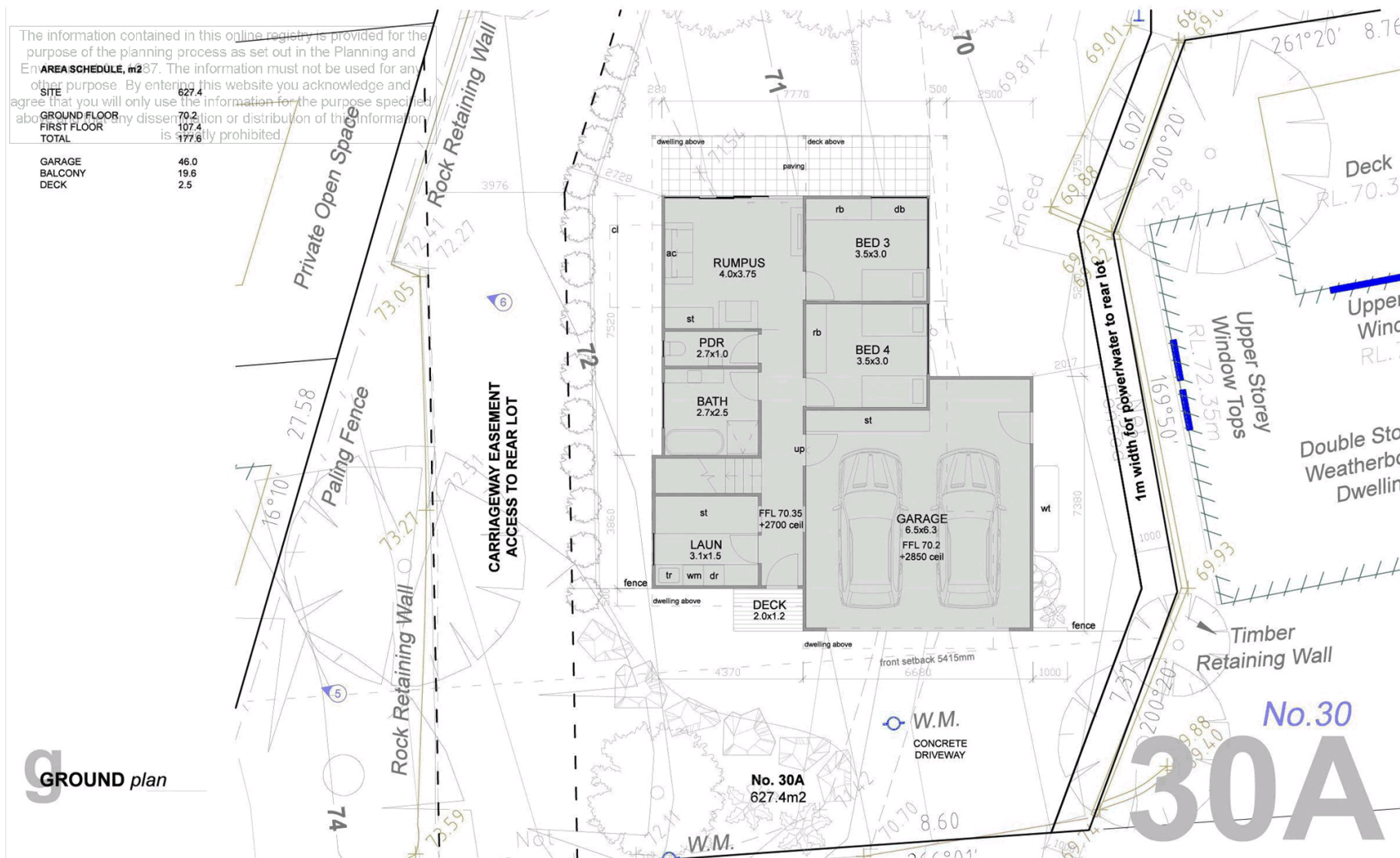
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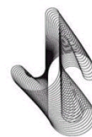
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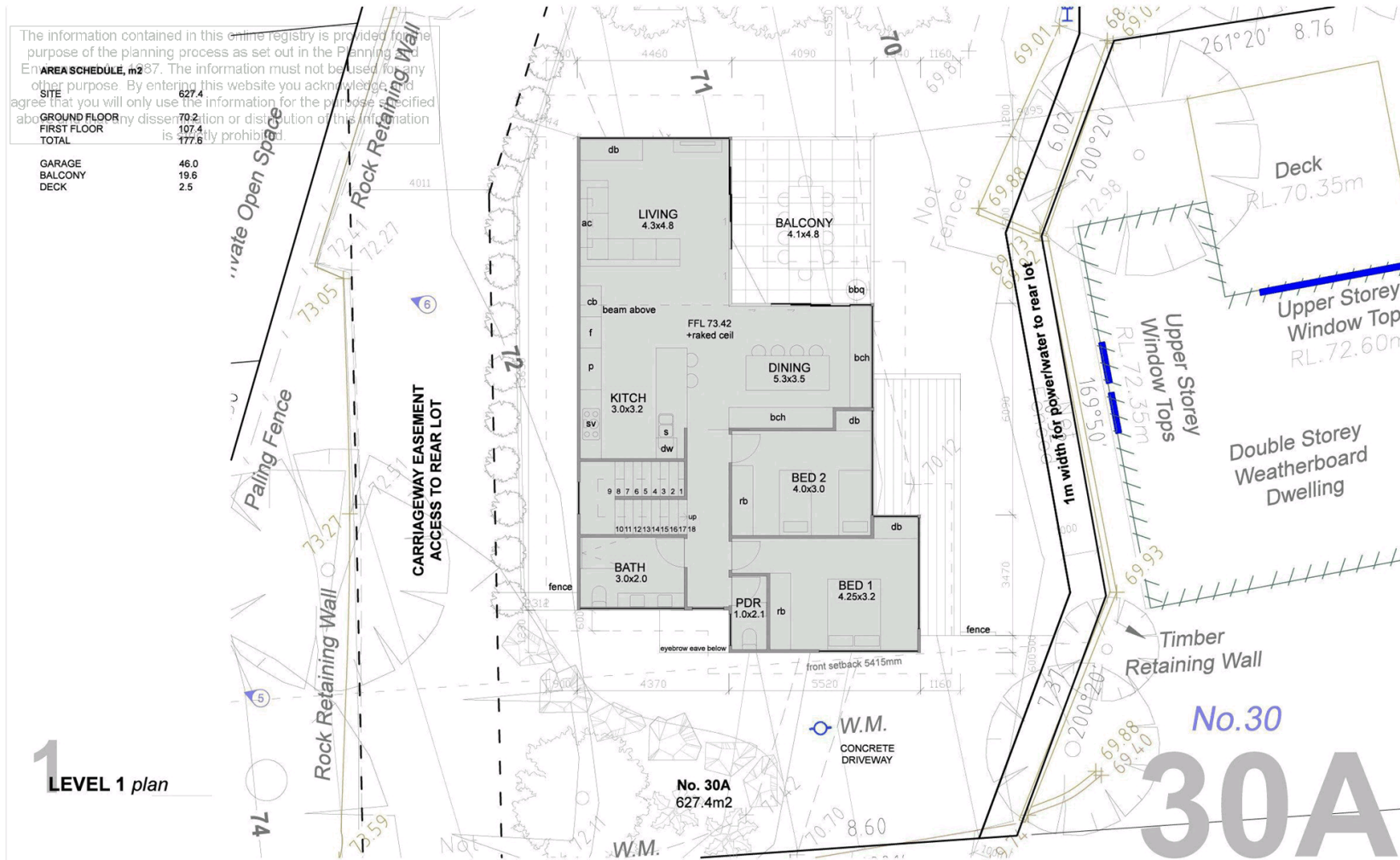
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GROUND FLOOR	70.2
FIRST FLOOR	107.4
TOTAL	177.6

GARAGE	46.0
BALCONY	19.6
DECK	2.5

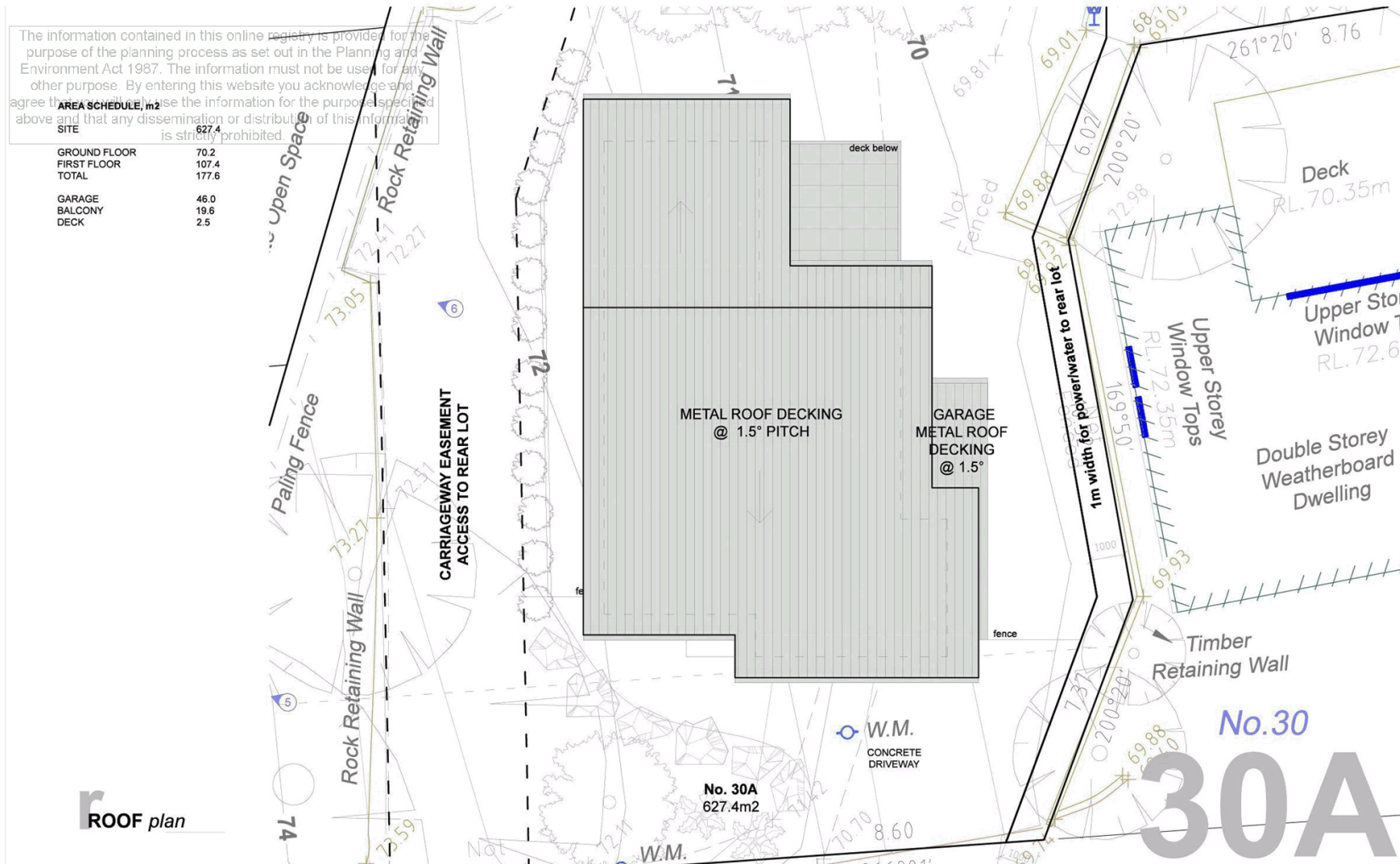
g GROUND plan

No.30
30A

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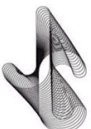
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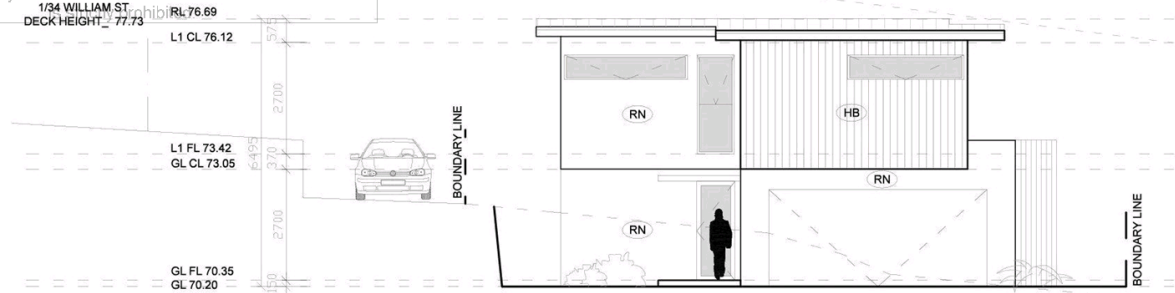
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AREA SCHEDULE, m ²	
SITE	627.4
GROUND FLOOR	70.2
FIRST FLOOR	107.4
TOTAL	177.6
GARAGE	46.0
BALCONY	19.6
DECK	2.5

R ROOF plan

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	ROOF PLAN_30A	BAL:	TBA	ISSUED FOR:	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
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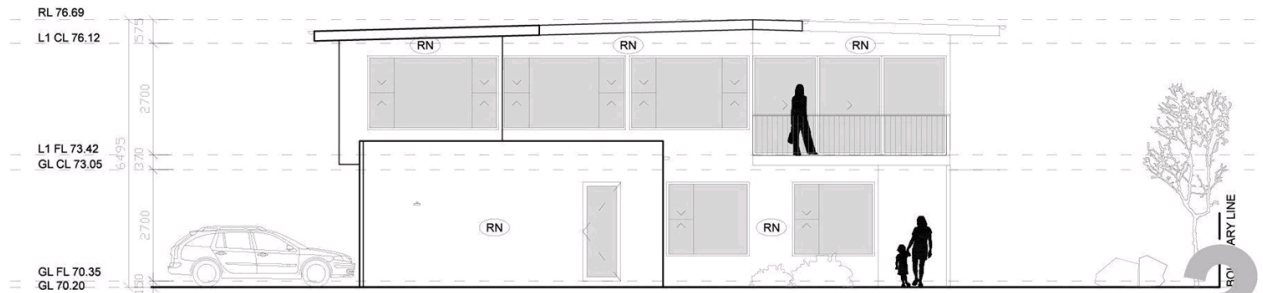
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CLADDING LEGEND


- HB HARDWOOD BOARDS
- RN RENDERED FINISH

S SOUTH elevation



E EAST elevation

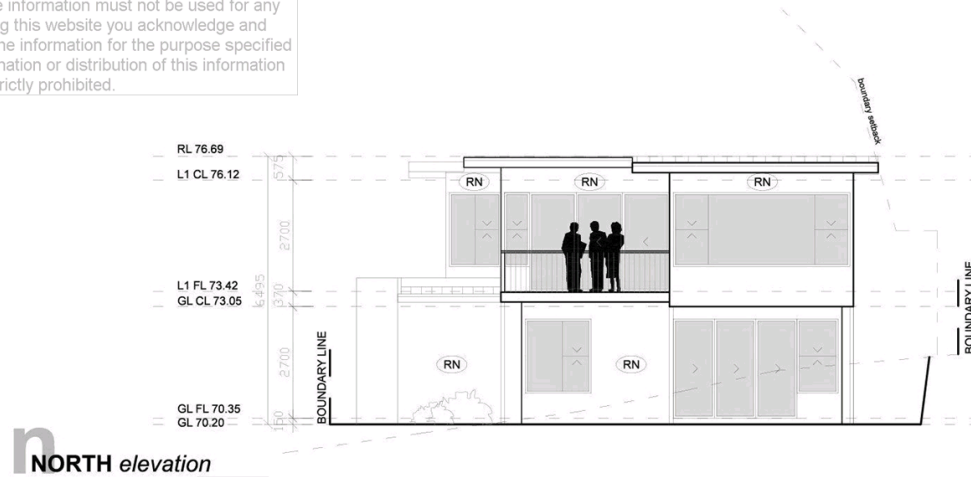
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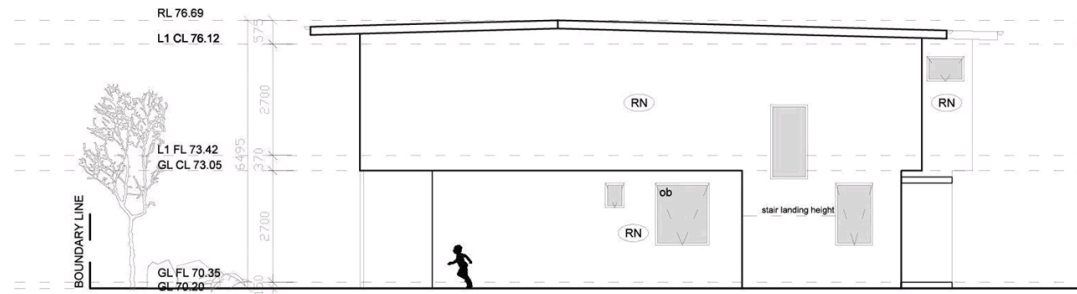
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CLADDING LEGEND

- HB HARDWOOD BOARDS
- RN RENDERED FINISH



n
NORTH elevation



W
WEST elevation

30A

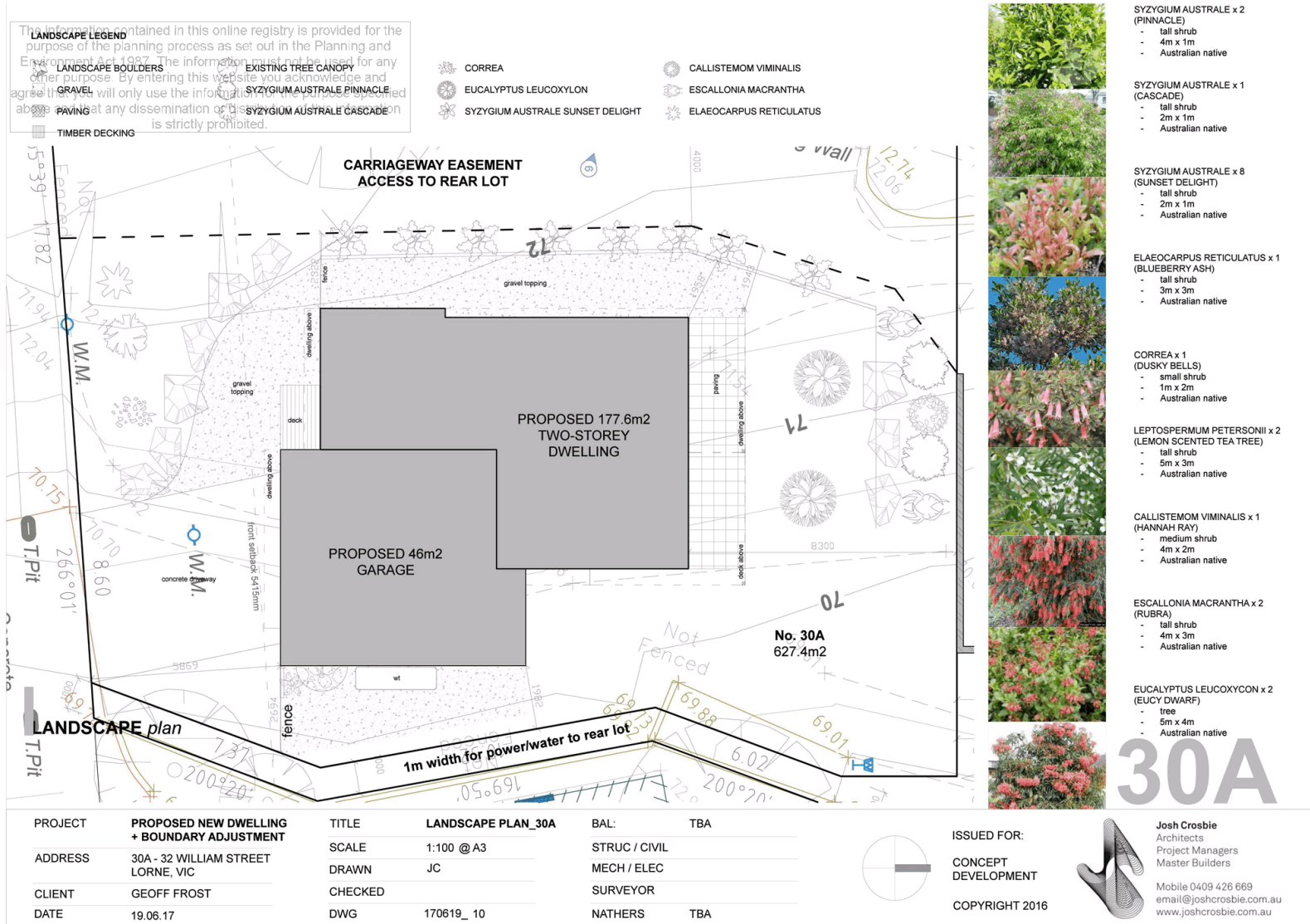
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ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:100 @ A3	STRUC / CIVIL	
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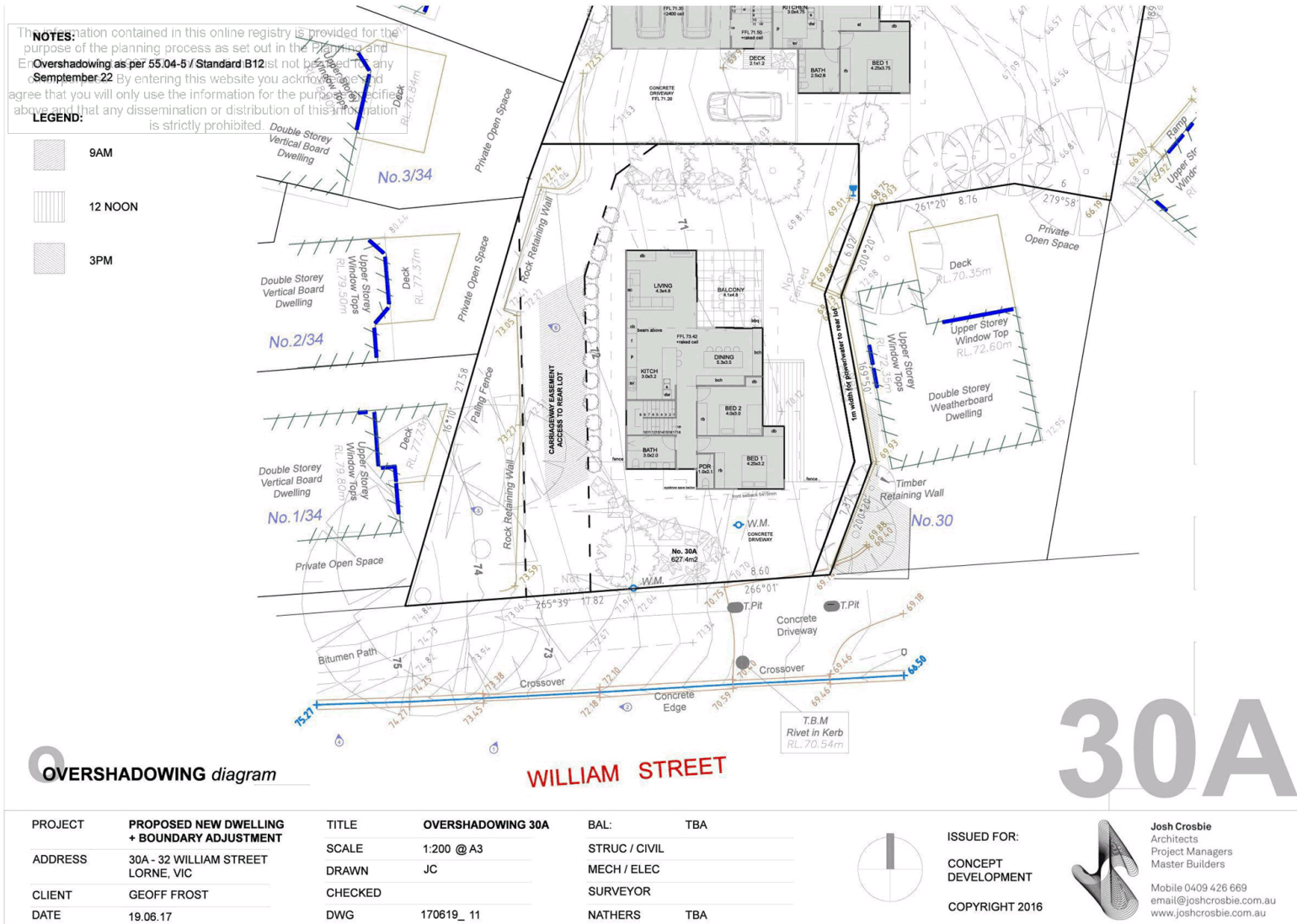


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AMENDED PLANNING PERMIT APPLICATION
NUMBER 16/0453

PROPOSED DOUBLE-STOREY DWELLING
ON VACANT LAND

AT 32 WILLIAM STREET, LORNE 3232

23 June 2017

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Planning Application 32 William St, Lorne 3232 23 June 2017

CONTENTS

Page | 2

page

Introduction	3
Neighbourhood Character Overlay (NCO2)	4
Significant Landscape Overlay (SLO4)	15
Design and Development Overlay – Schedule 12 (DDO12)	15
Appendix A Architectural Plans	16

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Page | 3

PROPOSAL

This application seeks approval to carry out the following works on vacant land:

- Construct a new 217.6m² split-level residential dwelling, with 40.0m² of decking.
- Construct a 46.4m² two car garage and storage area with access-way to William Street.
- Realign the boundary between 30A and 32 William St.

ZONE

This site is within General Residential Zone - Schedule 1 (GRZ1)

LOCAL GOVERNMENT

Surf Coast Shire Council

PLANNING OVERLAYS

Neighbourhood Character Overlay (NCO2)
Significant Landscape Overlay (SLO)
Design and Development Overlay – Schedule 12 (DDO12)

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54.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

54.01-1 Neighbourhood and site description

The preferred neighbourhood character for Lorne is derived from the positive natural elements of the existing character and is consistent across the township. Filtered views of the ocean, coast and hinterland are a special feature of this town, with these views most often determining the built forms' orientation and design. Buildings are nestled within the native bushland and tree canopy. They sit discreetly and are generally low in scale. Buildings range from classic older beach houses through to modern coastal designs that utilise simple built forms, a diverse range of natural, visually lightweight materials, extensive use of glass and building colours that are subtle, neutral and unobtrusive. Driveways and car parking are recessive in the streetscape. Front fences are limited as buildings are generally screened and blended with vegetation.



Image 1: Site map, showing proposed lot 32 William St, Lorne, including 1m wide utilities easement.

William Street ascends steeply from the iconic Great Ocean Road to the peak of the hill, overlooking Lorne's township and the ocean. It connects the foreshore, main shopping strip, football oval and recreational reserve, and industrial precinct - all whilst accessing spectacular and expansive views of the Surf Coast, from the Aireys Inlet lighthouse to the Lorne pier.

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Page | 5

The existing vacant lot at No. 32 William St (seen in Image 2 below) is at the higher end of the street, with a relatively flat site for the area. The dwellings along this strip range from classic 1960 and 1970's original beach houses through to modern coastal designs. Most dwellings are double-storey with living spaces and decks on the upper level facing east to optimise ocean views. Almost all of the roof forms are flat roofs with low pitches and metal sheet roofing. Most dwellings are largely screened and blend with the surrounding vegetation, therefore very few properties have front fences. Most surrounding buildings are residential, primarily occupied as holiday homes.



Image 2: Existing vacant lot, 32 William St, showing crossover.

As part of this application, approval is sought to realign the existing boundary between No. 30A and No. 32 William St. Both lots are vacant and have the same owner. The existing boundary between No. 30A and No. 32 runs NNE for 56.7m from William St, with No. 32 being a regular shaped block of 1,080m² situated above No. 30A which is a very irregular block of 524m² previously carved out of the side and rear of No. 30 William St. It is highly questionable whether a habitable house could be built on the small and sloping parcel of rear land of No. 30A and meet current planning regulations and overlays. It is also questionable whether, at its narrowest, its 2.4m wide driveway could be constructed to be navigable.

By realigning the boundary between Nos. 30A and 32 to run from west to east, No. 30A would comprise all the 627.4m² of land fronting William St, while No. 32 would comprise all the 977.4m² of land to the rear (including the problematic rear yard of the existing No. 30A). Under the realignment, the owner seeks to build only two modest dwellings across the highest land, providing each with significant views in a very treed setting. This is seen as greatly adding amenity to No. 30A and resolves its considerable town planning issues, without comprising the amenity of No. 32 or neighbouring properties.

Access to No. 32 will be provided by a carriageway easement across the land of No. 30A between the 30A dwelling and its west boundary. As shown in Image 2, the crossover already exists and, due to its previous use as a driveway many years ago, the proposed 4m wide carriageway is already largely formed as a relatively flat driveway for its 27.5m length. This option is seen as being the least disruptive to the surrounding area and importantly enables the two large gums trees in the large raised garden bed in the

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SW corner to be retained without any compromise. The existing rock retaining wall of the raised bed and concrete boundary retaining wall would form the upper western edge of the carriageway easement.

Since No 32 otherwise has no frontage of its own to William St, in order to provide utilities (water and power) to No. 32, it will be necessary to create a 1m wide easement sidling the west boundary of No. 30 William St (as drawn in Image 1). This area is shown in Image 3 below.



Image 3: A 1m wide utilities easement will side the west boundary of No. 30 William St (shown above) and form the east boundary of the proposed No. 30A.

Under the proposal, the west boundary of No. 32 (shown in Image 4 below) will continue to be shared with No. 3/34 William St and Nos. 87 and 85 Polwarth Rd.



Image 4: The unit 3/34 William St and houses Nos. 87 and 85 Polwarth Rd will continue to share the west boundary of No. 32 William St.

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The foreground of Image 4 shows the bulk of the rear land of the existing No. 30A William St and how it falls steeply away to the east. Under the proposal, this land will form part of No. 32.

No. 3/34 William St (seen in Image 5 below) abuts the gravel carriageway easement proposed along the western boundary of No. 30A William St and also the proposed concrete driveway along part of the western boundary of No. 32. The double-storey weatherboard clad dwelling accesses its best views from the east facing second storey habitable rooms and deck, set at a height of 76.84m.

No. 87 Polwarth Road (also seen in image 5 below) is a double-storey weatherboard dwelling, with east-facing second-storey habitable rooms, deck and backyard. The finished height of the balcony is 75.85m.

A timber fence separates both properties from the subject site.



Image 5: The unit 3/34 William St and house 87 Polwarth Rd share the west boundary of No. 32 William St.



Image 6: 85 Polwarth Rd has a steel shed and timber retaining wall along the west boundary of No. 32.

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No. 85 Polwarth Road (seen in image 6 above) is a double-storey brick and cladding dwelling, with an east-facing second-storey balcony and backyard. The finished height of the balcony is 75.81m. A steel shed and high timber retaining wall are set back 1m from the west boundary line of No. 32.

As shown in Image 7 below, the north boundary of No. 32 will continue to be shared with Nos. 4 and 2/6 Anderson Court. No. 4 Anderson Court is a single-storey brick and cladding dwelling set toward its street frontage at Anderson Court. Its large block, expansive rear yard, timber shed and paling fence separate it from No. 32. No. 2/6 Anderson Court is a double-storey rendered dwelling with an overall building height of 71.36m and is orientated to the northeast, away from the dwelling in this proposal. Its privacy is assured by the existing paling fence and large Lilly Pilly screen on its side of the boundary.



Image 7: Nos. 4 and 2/6 Anderson Court lie to the north of No. 32, separated by a paling fence.



Image 8: The existing rear land of 30A William St and its unfenced E boundary with No. 28 and fenced S boundary with No. 30 will become part of No. 32 William St.

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As part of this proposal, the existing steeply sloping rear land of No. 30A William St will become part of No. 32 (refer Image 8 above). As such, No. 32 will share the currently unfenced east boundary with No. 28 William St and a post and wire fenced south boundary with No. 30 William St. No. 28 William St is a simple double storey fibro dwelling with a flat roof oriented to face north east (away from No. 32) and is well distanced down the slope from the proposed No. 32 dwelling. No. 30 William St is a weatherboard clad double-storey dwelling with a flat roof. It is orientated to the east with a deck at a height of 70.35m facing the lower land of No. 32, although the dwelling and deck are largely obscured by vegetation along its north boundary.

54.01-2 Design response

The proposed 217.6m2 split-level dwelling at 32 William Street is an irregular geometric form orientated to take advantage of both the direct northern sunlight accessed by the site, and the expansive views of the ocean, coastal shoreline, natural bushland and the picturesque township of Lorne to the east. The dwelling has a 96.4m2 ground floor, a 121.2m2 second-storey and a mid-level 46.4m2 garage.

The proposal includes a carriageway easement through No.30A to access William St via an existing crossover in the far southwest corner of No.30A. The south-north running gravel driveway on the carriageway easement is 4m wide and diverts around the raised garden bed in the southwest, thereby ensuring retention of the two existing mature gum trees.

Set back 1m from the west boundary, the garage is set down approximately 0.5m below natural ground height which means the overall roof height here is only approximately 0.5m above the existing timber paling fence shared with No.87 Polwarth Rd.

In order to retain the amenity, privacy and views for the dwellings beyond the western boundary, the ground floor of this proposal has been cut down into the ground by approximately 1.5m. Along the western most face of the dwelling, the roof at its highest point is 75.82m AHD or only 4.32m above ground level.

However, the critical points in terms of view sharing are those along the east faces of the dwelling. Again, the dwelling's highest point is 75.82m along the west to east hip, compared with 75.69m at the north east corner and 75.57m at the south east corner. The heights of these critical points can be compared to the heights of the decks of the neighbours to the west as follows:

Dwelling	Deck height (floor level)	Relative height of No. 32 roof at its:		
		Highest point (75.82m)	NE corner (75.69m)	SE corner (75.57m)
1/34 William St	77.73m	1.91m lower	2.04 lower	2.16m lower
2/34 William St	77.37m	1.55m lower	1.68m lower	1.80m lower
3/34 William St	76.84m	1.02m lower	1.15m lower	1.27m lower
87 Polwarth Rd	75.85m	0.03m lower	0.16m lower	0.28m lower
85 Polwarth Rd	75.81m	0.01m higher	0.12m lower	0.24m lower

The two units 1 and 2 34 William St will share no boundary with No. 32 and the distances from the centres of their decks to the highest roof point of the proposed No. 32 dwelling are 35m and 25m respectively. However, because they look over the proposed No. 32 dwelling, the comparative heights for these two units are also shown in the above table.

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As the data shows, the roof of No. 32 is variously between 1.0 and 2.1m lower than the decks of the three units, which is seen as very significant in minimising any loss of views. As noted previously, the building is already only 6.52m high at its highest point or almost 1m less than the maximum allowed height of 7.50m.

Apart from sinking the dwelling and adopting a low hipped roof structure, the proposed dwelling has been reduced in size, which along with the revised boundary realignment has enabled the roof line to its north face to be moved south west by 3 to 4m (from the October plans). This has resulted in the proposed dwelling being taken out of the line of sight of Nos. 87 and 85 Polwarth Rd in respect of their primary views of the significant landscape features of the coast and hinterland around to the Aireys Inlet lighthouse and much of the bay.

To ensure that privacy to the western neighbours is respected, the two upper level windows facing west and the narrow window facing south all have sill heights of at least 1.8m, so no overlooking occurs.

Care has been taken to allow the building's footprint to be just 167.6m², therefore achieving 17.1% site coverage on the 977.4m² site.

The proposed building material is a rendered finish painted in an unobtrusive deep bluish grey tone, reflecting the deeper tones of the bay and to a lesser extent those of some native vegetation. The following table shows the external materials and their colours:

Area	Material	Colour
Roof	Colorbond steel	Colorbond Wallaby
Fascias and spoutings	As specified	Colorbond Basalt
Windows	Powder coated aluminium	Colorbond Shale Grey
Walls	Rendered board	Deep Water (Taubmans 021)
Garage door	Steel	Colorbond Basalt



Wallaby



Basalt



Deep Water



Shale Grey

Extensive glazing and sweeping eaves will provide the dwelling with a lightweight appearance, whilst maximising access to natural light, passive solar gain and cross-ventilation opportunities.

Please see Appendix A for architectural plans.

54.02 NEIGHBOURHOOD CHARACTER

54.02-1 Neighbourhood character objective

The proposed dwelling respects and contributes to the preferred neighbourhood character of the Lorne Residential Area. This development continues to blend with the natural vegetation using subtle, neutral and unobtrusive colours and materials.

No native trees are to be removed in this proposal. Extensive landscaping works to the site will enhance and reinstate the preferred character of a tall canopy treed setting with recessive buildings, particularly on the subject site, which has previously been substantially cleared of vegetation.

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The access way and car parking to the site has a recessive and informal appearance.

Great care has been taken to ensure that the existing amenity to surrounding properties is maintained in an area where view sharing is very important.

The design response is certainly appropriate to the neighbourhood character and site.

Standard A1 is satisfied.

54.02-2 Integration with the street objective

Apart from the 1m wide utilities easement, the proposed dwelling does not share a boundary with William St and will be accessed via a 4m wide 27.5m long carriageway easement along the western boundary of 30A William St. Although the proposed dwelling at 32 William St will be barely visible from William St, the design's use of natural and unobtrusive materials and colours and extensive landscaping works complement the character of the town and soften the appearance of the building.

Sufficient space is provided for cars to turn around and exit this access way forwards.

Standard A2 has been satisfied.

54.03 SITE LAYOUT AND BUILDING MASSING

54.03-1 Street setback objective

Due to the battle-axe lot and length of the driveway created as part of the boundary realignment, the dwelling is set back approximately 31m from William St.

Standard A3 has been satisfied.

54.03-2 Building height objective

The proposed building has a maximum height of 6.52m, which is significantly below the maximum requirement of 7.5m.

Standard A4 has been satisfied.

54.03-3 Site coverage objective

The site area is	977.4m ²
The proposed footprint is	167.6m ²
The proposed site coverage is	17.1%

NCO2 requires maximum site coverage of 35%.

Standard A5 has been satisfied.

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Page | 12

The impervious areas comprise the roof (227.2m²) and the concrete driveway (70m²) giving a total impervious area of 297.2m².

The site's permeable area is therefore 680.2m² or 69.5% of the site's area, which comfortably exceeds the permeability requirement of at least 20%.

Standard A6 has been satisfied.

54.03-5 Energy efficiency protection objectives

Extensive glazing to the proposed dwelling's northern facade, coupled with the open plan design ensures solar access to southward areas of the dwelling for passive solar gain.

All glazing on the proposed dwelling is double glazed and the high glazing to floor area ratio will ensure that excellent natural light and ventilation are achieved.

Best practice bulk insulation will be used in all envelope elements: R2.1 to the subfloor, R5.0 for the roof, and R2.5 for the walls.

Energy efficiency opportunities for neighbouring properties will not be affected.

Standard A7 has been satisfied.

54.03-6 Significant trees objectives

The area not available for planting vegetation is 266.4m², comprising the dwelling, garage and driveway. Therefore, the area available for planting is 711.0m² or 72.7% of the site's area, comfortably above the required minimum of 50%.

Approximately 681m² (or 69.7% of the site) is attributable to the rear north and side east yards with minimum dimensions of 11m to the north boundary and 14m to the east boundary, respectively. Therefore the requirement of an area of 100m² with a minimum dimension of 8m available for vegetative landscaping that includes canopy trees has been met very comfortably.

Standard A8 has been satisfied.

54.03-7 Parking objective

The proposal includes a 46.4m² double-car garage.

An external car park for a single car has also been provided in the driveway.

Standard A9 has been satisfied.

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Page | 13

54.04 AMENITY IMPACTS

54.04-1 Side and rear setbacks objective

All side and rear setbacks are compliant with Standard A10.

Standard A10 is satisfied.

54.04-2 Walls on boundaries objective

No walls on boundaries are proposed.

Standard A11 has been satisfied.

54.04-3 Daylight to existing windows objective

No existing habitable room windows are compromised due to these new works. The proposed dwelling provides all existing windows on abutting properties with more than the minimum requirement of 3m² clear to the sky.

Standard A12 has been satisfied.

54.04-4 North-facing windows objective

Sunlight to existing north facing windows is not being reduced with this proposal.

Standard A13 has been satisfied.

54.04-5 Overshadowing open space objective

No existing habitable rooms will be overshadowed, as shown in appendix A.

A 1.8m wide shadow will be cast over the rear east-facing yard of No. 87 Polwarth Rd, along the length of the boundary fence in the early morning only. However the existing paling fence would conceal this shadow.

The proposed building will overshadow the rear north-facing yard of No. 30A William St with an area of less than 13m², throughout the day. However, significant planting along the boundary will conceal this shadow and adequate private open space is provided to comply with Standard A14.

Standard A14 is satisfied.

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Page | 14

54.04-6 Overlooking objective
No existing habitable room windows will be overlooked, as shown in appendix A. 13.8m² of overlooking is created in this proposal to the existing private open space of no. 85 Polwarth Rd, however the existing steel shed blocks this sightline.

Standard A15 is satisfied.

54.05 ON-SITE AMENITY AND FACILITIES

54.05-1 Daylight to new windows objective

All proposed glazing provides adequate natural light to each habitable room. A minimum of 10% floor area is achieved in all habitable spaces.

Standard A16 is satisfied.

54.05-2 Private open space objective

The proposed No. 32 has 681m² of private open space to the sides and rear of the dwelling, which is 69.7% of the site. This is a sufficient area for recreational and any services that the residents need.

This comfortably exceeds the minimum requirement of 40m² or at least 20%.

Standard A17 is satisfied.

54.05-3 Solar access to open space objective

Private open space is located to the north (rear) and east (side) of the dwelling, maximising solar gain.

Standard A18 is satisfied.

54.06 DETAILED DESIGN

54.06-1 Design detail objective

The design of the proposed split-level dwelling at 32 William St respects the preferred neighbourhood character of the General Residential Zone of Lorne.

The building form is diverse with an unobtrusive colour palette, articulated forms and expansive eaves encouraged to fit the Surf Coast style. The proposed dwelling is visually lightweight by using a low, pitched steel roof form and an extensive use of glass. The proposed building colours are subtle, neutral and unobtrusive. A natural palette of materials and textures includes: render, aluminium window frames and decks. This replicates the surf coast style of dwellings typical to the Lorne residential area.

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Page | 15

The design's sensitivity to the natural site ensures it does not exceed building footprint regulations, nor dominate the bushland setting. Importantly, the design ensures that the Lorne's informal, open, spacious character created by the dominance of vegetation, low scale buildings and lack of a front fencing is retained.

This proposal does not exceed building height or building setback requirements.

The proposed landscaping works to the dwelling will provide a denser bushland setting to the site, better complementing the character of the town and softening the appearance of the building from the street and adjoining properties.

Standard A19 is satisfied.

54.06-2 Front fences objective

The dwelling has no frontage to William St and hence no front fence.

Standard A20 is satisfied

SIGNIFICANT LANDSCAPE OVERLAY (SLO)

No trees are required to be removed in this proposal.

Please see Landscape Plan for schedule of indigenous plantings, Appendix A.

DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE 12 (DDO12)

The subdivision in this proposal has ensured that lot sizes are sufficient to accommodate adequate vegetation, including substantial trees, buildings that meet the preferred neighbourhood character, and provide space for wildfire management requirements.

The proposed boundary realignment between Nos. 30A and 32 William St ensures that each has an area greater than 550m² and remedies the significant deficiencies in the existing lot design for No. 30A.

The objectives of DDO12 are satisfied.

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APPENDIX A

ARCHITECTURAL PLANS

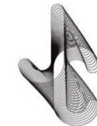
The architectural plans are attached.

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PROPOSED DWELLING AT
32 WILLIAM STREET
LORNE, 3232 VIC

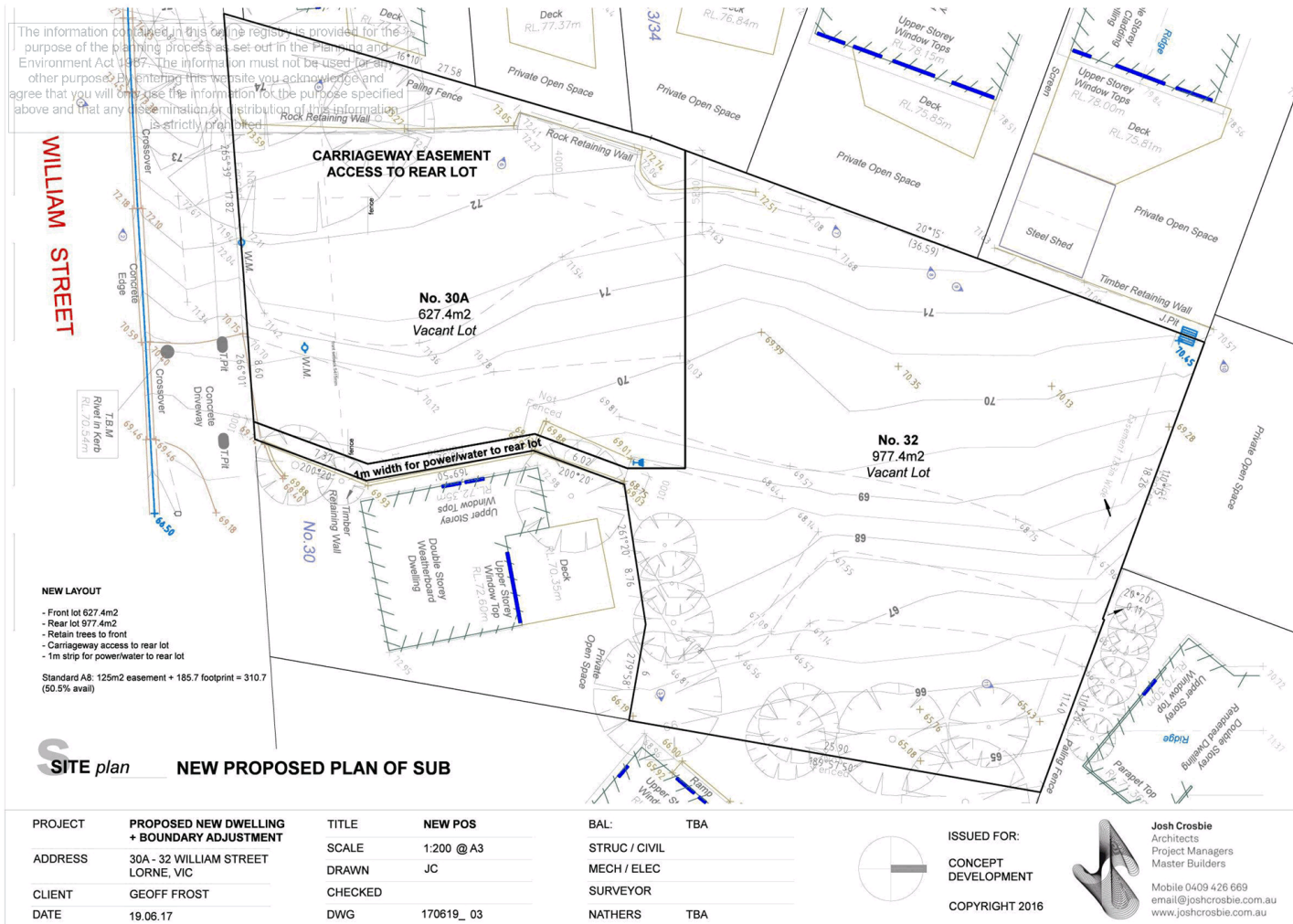
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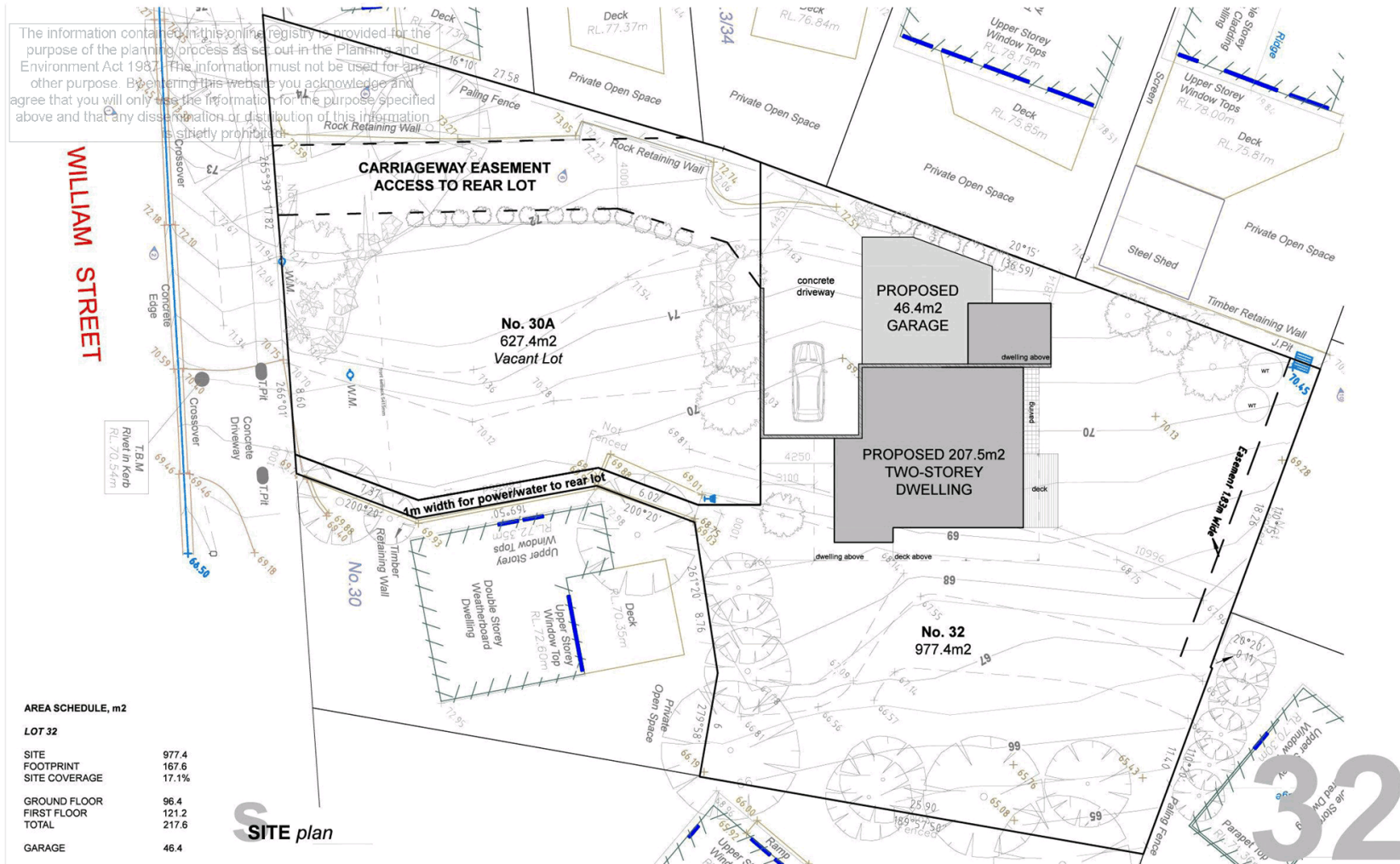
00_ COVER PAGE
01_EXISTING PLAN OF SUBDIVISION
02_PREVIOUS PROPOSED PLAN OF SUBDIVISION
03_NEW PROPOSED PLAN OF SUBDIVISION
04_SITE PLAN
05_GROUND FLOOR PLAN
06_FIRST FLOOR PLAN
07_ROOF PLAN
08_ELEVATIONS 1
09_ELEVATIONS 2
10_LANDSCAPE PLAN
11_OVERSHADOWING DIAGRAM
12_OVERLOOKING DIAGRAM



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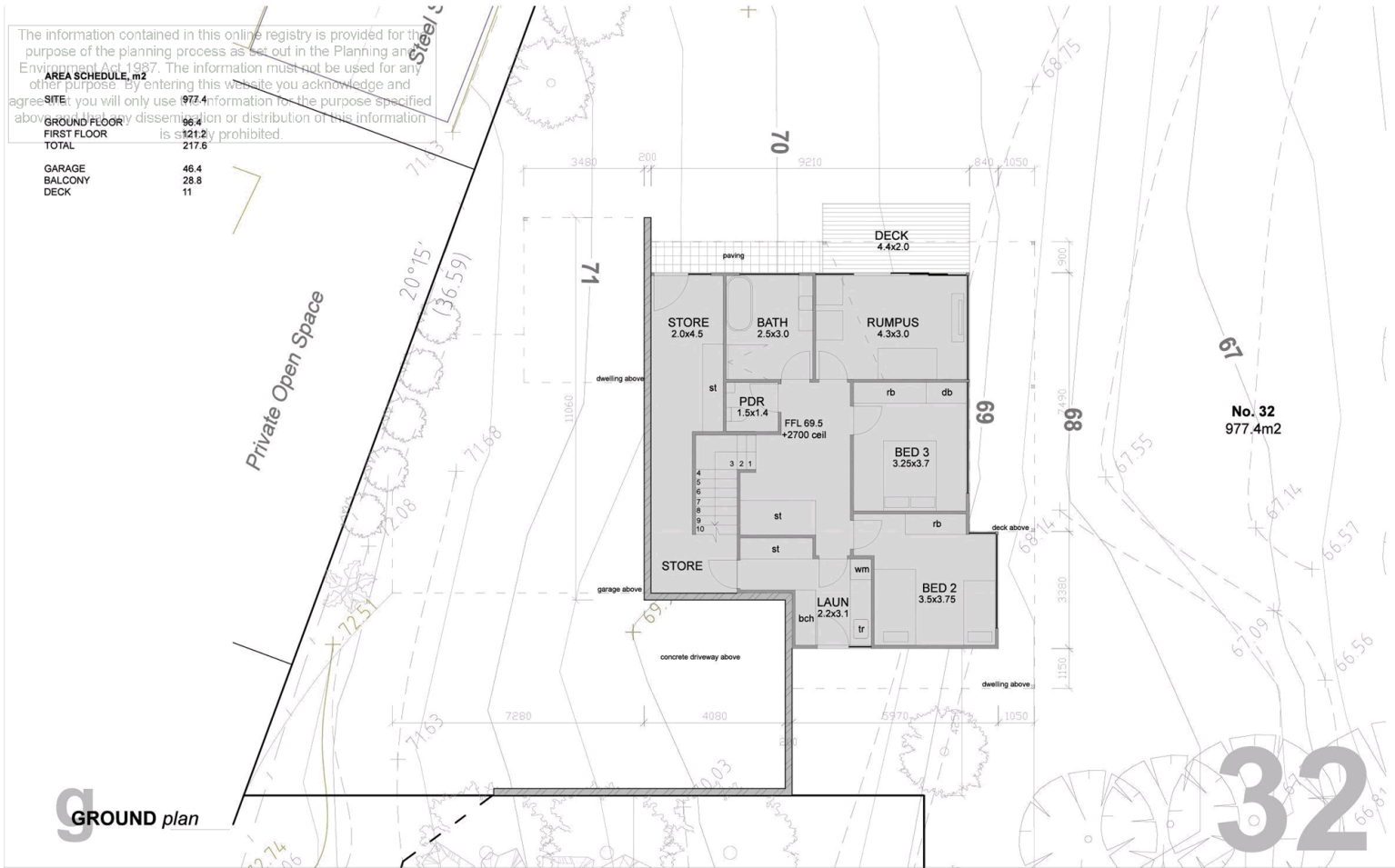
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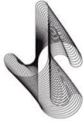
AREA SCHEDULE, m2

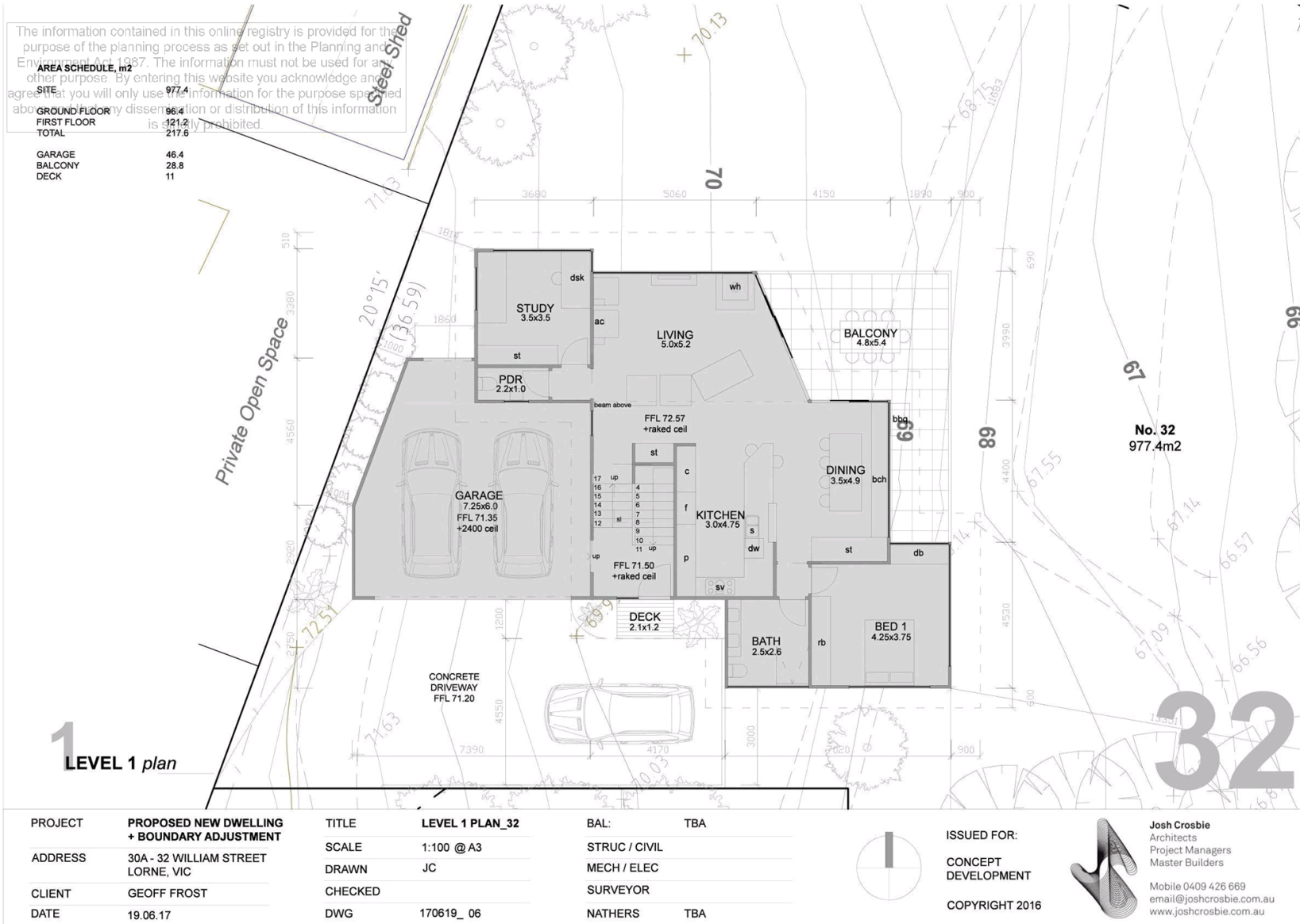
LOT 32	
SITE	977.4
FOOTPRINT	167.6
SITE COVERAGE	17.1%
GROUND FLOOR	96.4
FIRST FLOOR	121.2
TOTAL	217.6
GARAGE	46.4

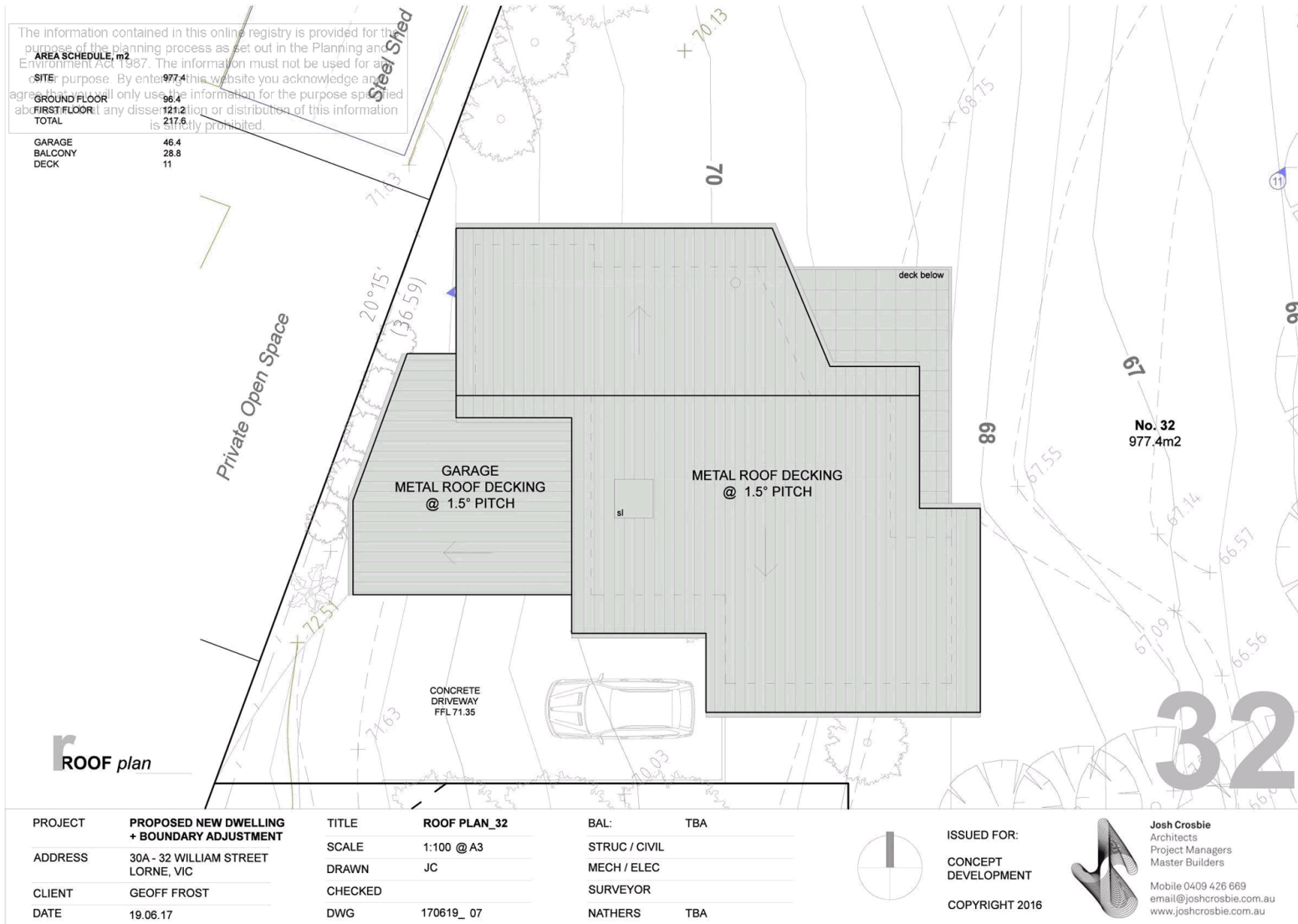
SITE plan

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	SITE PLAN_32	BAL:	TBA	ISSUED FOR:	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:200 @A3	STRUC / CIVIL		CONCEPT DEVELOPMENT	
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC		COPYRIGHT 2016	
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_04	NATHERS	TBA		



PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	GROUND PLAN_32	BAL:	TBA	ISSUED FOR: CONCEPT DEVELOPMENT COPYRIGHT 2016	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:100 @ A3	STRUC / CIVIL			
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_05	NATHERS	TBA		





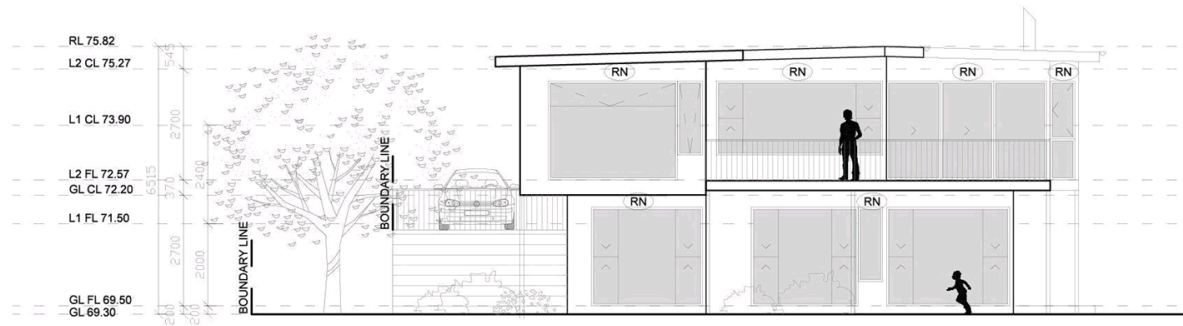
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87 POLWARTH RD
 DECK HEIGHT_ 75.85

L1 CL 73.90
 L2 FL 72.57
 GL CL 72.20
 L1 FL 71.50
 GL FL 69.50
 GL 69.30

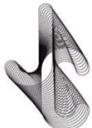
S SOUTH elevation

CLADDING LEGEND
 (RN) RENDERED FINISH

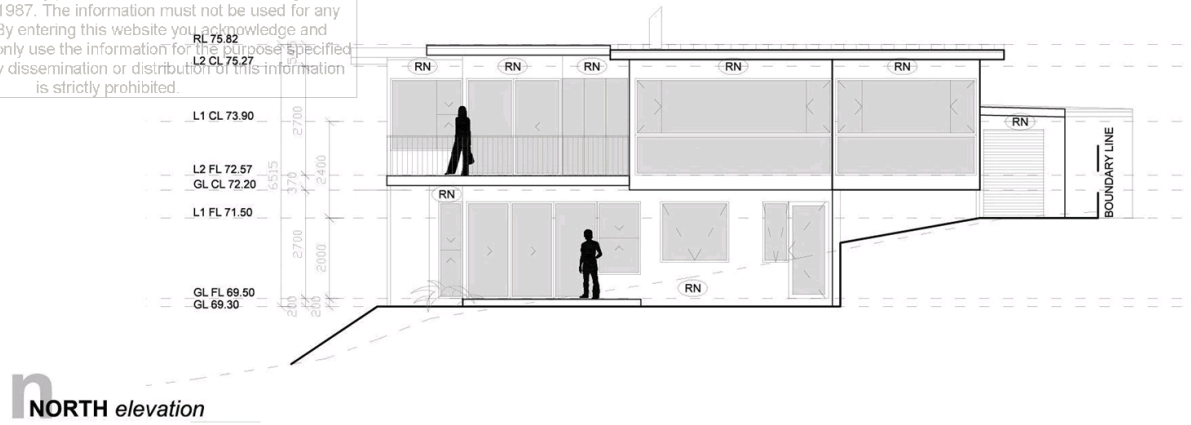


E EAST elevation

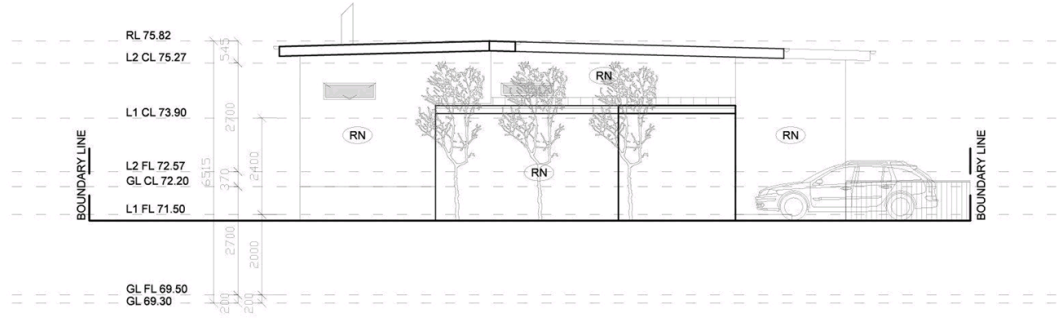
32

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	ELEVATIONS 1_32	BAL:	TBA	ISSUED FOR: CONCEPT DEVELOPMENT COPYRIGHT 2016	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:100 @ A3	STRUC / CIVIL			
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_08	NATHERS	TBA		

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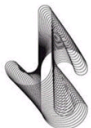


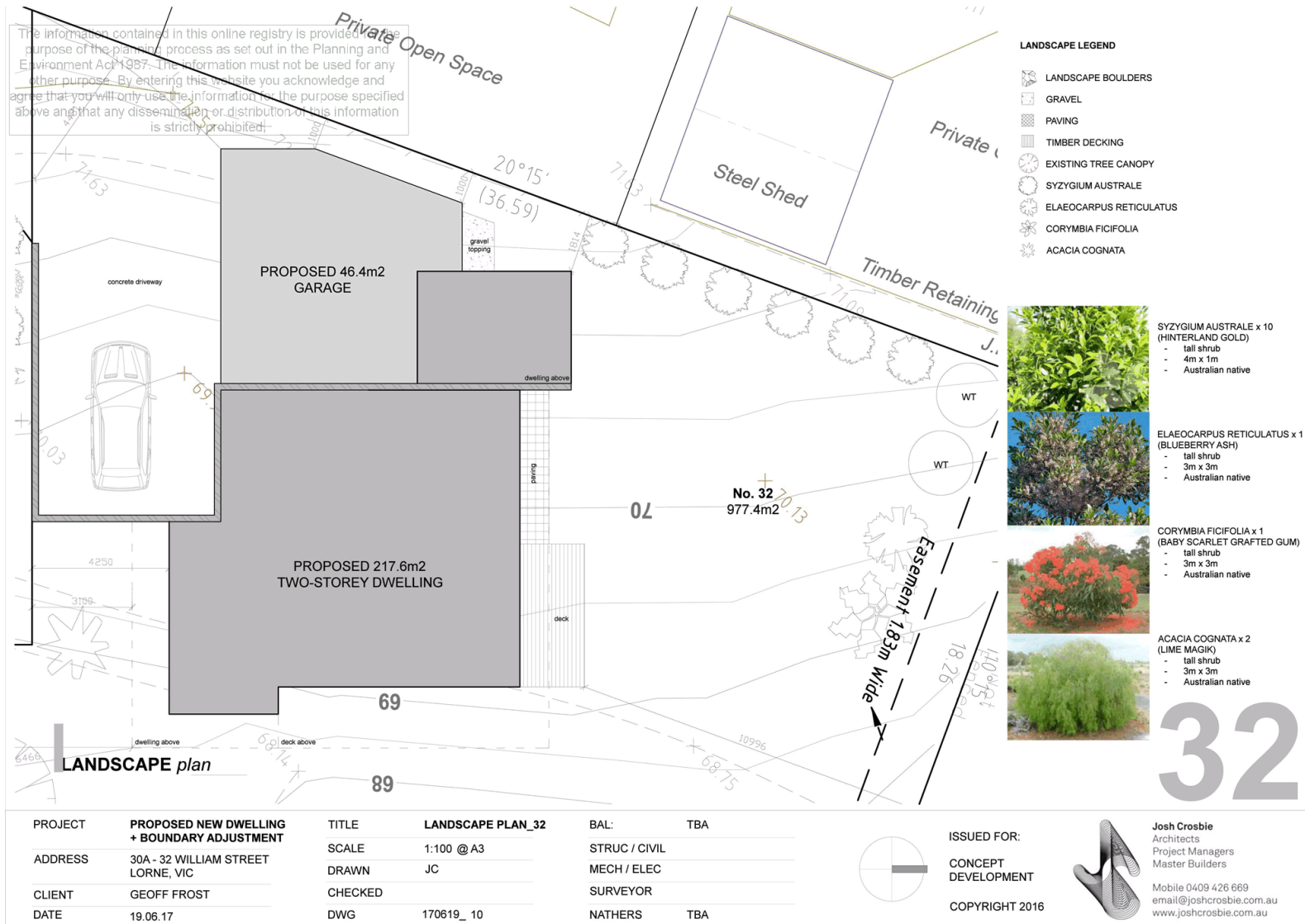
N NORTH elevation



W WEST elevation

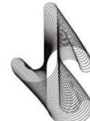
32

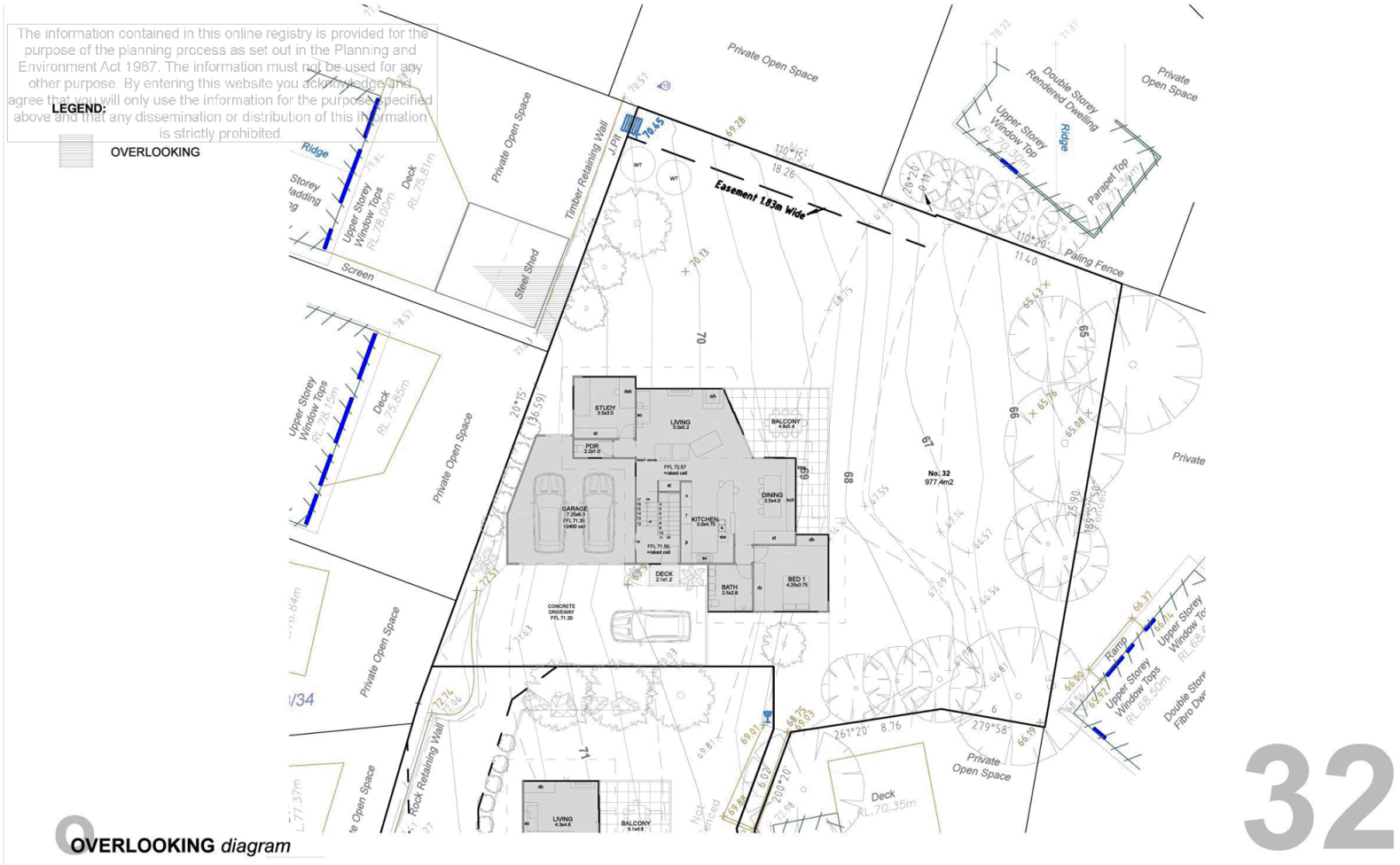
PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	ELEVATIONS 2_32	BAL:	TBA	ISSUED FOR: CONCEPT DEVELOPMENT COPYRIGHT 2016	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:100 @ A3	STRUC / CIVIL			
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_09	NATHERS	TBA		





OVERSHADOWING diagram

PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	OVERSHADOWING 32	BAL:	TBA	ISSUED FOR: CONCEPT DEVELOPMENT COPYRIGHT 2016	 Josh Crosbie Architects Project Managers Master Builders Mobile 0409 426 669 email@joshcrosbie.com.au www.joshcrosbie.com.au
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:200 @ A3	STRUC / CIVIL			
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC			
DATE	19.06.17	CHECKED		SURVEYOR			
		DWG	170619_ 11	NATHERS	TBA		



PROJECT	PROPOSED NEW DWELLING + BOUNDARY ADJUSTMENT	TITLE	OVERLOOKING 32	BAL:	TBA
ADDRESS	30A - 32 WILLIAM STREET LORNE, VIC	SCALE	1:200 @ A3	STRUC / CIVIL	
CLIENT	GEOFF FROST	DRAWN	JC	MECH / ELEC	
DATE	19.06.17	CHECKED		SURVEYOR	
		DWG	170619_12	NATHERS	TBA



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ATTACHMENT – ASSESSMENT AGAINST CLAUSE 55:

Neighbourhood Character and Infrastructure					
Neighbourhood Character	Met?	Comments	Standard B1	Met?	Comments
<i>Design respects or contributes to the neighbourhood character.</i>	Yes		<i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i>	Yes	See report
<i>To ensure that development responds to the features of the site and the surrounding area</i>	Yes				
Residential Policy	Met?	Comments			
<i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</i>	Yes	The subject land is well placed within walking distance of community services and infrastructure. It is located proximate to the Lorne School and Stribling Reserve. The town is serviced by a community hospital and extensive retail and commercial businesses.			
Dwelling Diversity	Met?	Comments	Standard B3	Met?	Comments
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i>	Yes		<ul style="list-style-type: none"> <i>Different number of bedrooms.</i> <i>At least one dwelling self – contained on ground floor.</i> 	NA	< 10 dwellings N/A
Integration With The Street	Met?	Comments	Standard B5	Met?	Comments
<i>To integrate the layout of development with the street</i>	Yes		<i>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility</i>	Yes	The development site has ready access to the existing footpath network, which connects to the wider town area.
			<i>Development should be oriented to front existing and proposed streets</i>	Yes	The proposal will realign the boundaries of two existing lots, to allow more practical use of the land. The proposed dwelling on 30A William Street will have street frontage and the dwelling on 32 William Street will be located to the rear.
			<i>High fencing in front of dwellings should be avoided if practicable</i>	NA	No high front fencing proposed.

Site layout and Building Massing					
Street Setback	Met?	Comments	Standard B6	Met?	Comments
<i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site</i>	Yes		<i>Walls of buildings should be setback from streets:</i> <ul style="list-style-type: none"> <i>If the street is Great Ocean Road, Ocean Road, Ocean Road South or Mountjoy Parade – Minimum 9m setback from front and side street.</i> <i>For all front street setbacks – minimum of 9m or the average of the two adjoining properties or whichever is lesser.</i> 	Yes	The setback to the proposed dwelling to William Street will be 5.4 metres, which is the average of the two adjoining dwellings. Complies
			<i>Porches, pergolas and verandahs that are < 3.6m high and eaves may encroach ≤ 2.5m into the setbacks of this standard</i>	N/A	N/A
Building Height	Met?	Comments	Standard B7	Met?	Comments

<p>To ensure that the height of buildings respects the existing or preferred neighbourhood character</p>	<p>Yes</p>	<p>contained in this online registration process as set out in the Environment Act 1987. The information must not be used for any other purpose. By entering this website you agree that you will only use the information for the purpose specified above and that any dissemination or distribution of the information is strictly prohibited.</p>	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<p>Yes</p>	<p>Maximum building height for the proposed dwellings will be as follows:</p> <p>30A William Street will be 6.49m.</p> <p>32 William Street will be 6.52m</p>
<p>Site Coverage</p>	<p>Met?</p>	<p>Comments</p>	<p>The maximum building height should not exceed 7.5m</p>	<p>Yes</p>	<p>Maximum building height for the proposed dwellings will be as follows:</p> <p>30A William Street will be 6.49m.</p> <p>32 William Street will be 6.52m</p> <p>Complies</p>
<p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site</p>	<p>Yes</p>	<p>The calculation for site area must not include:</p> <ul style="list-style-type: none"> Land common to, or in shared use between, two or more dwellings. Land providing vehicular access to a rear dwelling, such as in a battle-axe lot. 	<p>Standard B8</p> <p>The site area covered by buildings should not exceed 35%.</p> <p>The gross floor area of all buildings must not exceed a plot ratio of 0.5 of the site area.</p>	<p>Met?</p> <p>Yes</p>	<p>Comments</p> <p>BSC. 30A William Street 22.6% (with carriageway easement excluded from site area)</p> <p>BSC. 32 William Street 17.1%</p> <p>PR. 30A William Street 0.43 (with carriageway easement excluded from site area)</p> <p>PR 32 William Street 0.27</p> <p>Complies</p>
<p>Permeability</p>	<p>Met?</p>	<p>Comments</p>	<p>Standard B9</p>	<p>Met?</p>	<p>Comments</p>
<p>To reduce the impact of increased stormwater run-off on the drainage system</p>	<p>Yes</p>	<p></p>	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> The minimum area specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 percent of the site. 	<p>Yes</p>	<p>Permeability:</p> <p>30A William St. = 68.4%</p> <p>32 William St. = 69.5%</p>
<p>To facilitate on-site stormwater infiltration</p>	<p>Yes</p>	<p></p>	<p></p>	<p></p>	<p></p>
<p>Energy Efficiency</p>	<p>Met?</p>	<p>Comments</p>	<p>Standard B10</p>	<p>Met?</p>	<p>Comments</p>
<p>To achieve and protect energy efficient dwellings and residential buildings</p>	<p>Yes</p>	<p></p>	<p>Buildings should be:</p> <ul style="list-style-type: none"> Orientated to make appropriate use of solar energy <p>Sited and designed to ensure that the energy efficiency of existing dwellings is maximized</p>	<p>Yes</p>	<p>Both dwellings have good access to north and solar penetration to private open space areas</p>
<p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy</p>	<p>Yes</p>	<p></p>	<p>Living areas and private open space should be located on the north side of the development if practicable</p>	<p>Yes</p>	<p>Both dwellings have good access to north and solar penetration to living and private open space areas.</p>
<p></p>	<p></p>	<p></p>	<p>Maximise north-facing windows</p>	<p>Yes</p>	<p>As above</p>

Open Space	Met?	Comments	Standard B11	NA	NA
To integrate the layout of the development with any public open space provided in or adjacent to the development for any other purpose. By entering this website you agree that you will only use the information for the above and that any dissemination or distribution is strictly prohibited.	Yes		If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> • Be substantially fronted by dwellings, where appropriate • Provide outlook for as many dwellings as practicable • Be designed to protect any natural features on the site • Be accessible and useable 	Met?	N/A
Safety	Met?	Comments	Standard B12	Met?	Comments
To ensure the layout of development provides for the safety and security of residents and property	Yes		Entrances to dwellings should be visible from the street and internal accessways	Yes	The entrance to the proposed dwelling on 30A William Street faces the street and while the rear dwelling at 32 William Street is partially hidden its entrance will be easily identified.
			Avoid planting which creates unsafe spaces along streets and accessways	Yes	The site has sufficient areas available for planting to ensure a suitable outcome can be achieved.
			Provide good lighting, visibility and surveillance of car parks and internal accessways	Yes	Complies
			Private spaces within developments should be protected from inappropriate use as public thoroughfares	Yes	Complies
Landscaping	Met?	Comments	Standard B13	Met?	Comments
To encourage development that respects the landscape character of the neighbourhood	Yes		The landscape layout and design should: <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood • Take into account the soil type and drainage patterns of the site • Allow for intended vegetation growth and structural protection of buildings • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals • Provide a safe, attractive and functional environment for residents 	Yes	No removal of native vegetation proposed.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance	Yes		Retain or plant trees, where these are part of the character of the neighbourhood	Yes	The site currently supports two significant remnant eucalypt specimens, which will be retained under the proposed development.
To provide appropriate landscaping	Yes		Replace any significant trees that have been removed in the 12 months prior to the application being made	Yes	The proposal will deliver sufficient space to allow planting of vegetation to achieve an outcome consistent with the preferred neighbourhood character.
To encourage the retention of mature vegetation on site	Yes		The landscape design should specify landscape themes, vegetation (location and species), paving and lighting	Yes	Landscape plans have been provided for both dwellings.
Sites, in particular the front and rear setback areas should be landscaped in a manner that places buildings in a bushland setting.	Yes		At least 50% of a lot should be available for the planting of vegetation (excludes driveways and tennis courts of all surface types).	Yes	30A William St. will provide 52.8% of the site for landscape planting. 32 William St. will provide 69.7% of the site for landscape planting. Complies
To allow landscaping that softens the appearance of buildings in the streetscape and from adjoining properties.	Yes		An area of 100sqm, with a minimum dimension of 8 metres, must be provided for vegetative landscaping that includes canopy trees.	Yes	Both dwellings provide an area of 100sqm with sufficient space to allow the planting of canopy trees.
To encourage landscaping that compliments the character of the town.	Yes		A group of canopy trees should be planted on each lot with at least 2 in the front setback building area.	Yes	Two mature eucalypt specimens will be retained within the front setback and the landscape plan shows two additional canopy trees within the rear setback of 30A William Street.

Access	Met?	Comments	Standard B14	Met?	Comments	
To ensure the number and design of vehicle crossovers respects the neighbourhood character	NA		The width of accessways or car spaces should not exceed:	Yes	< 33% of the William Street frontage will be used for access ways. Complies	
			<ul style="list-style-type: none"> 33% of the street frontage, or if the width of the street frontage is 20m, 40% of the street frontage 			
			Only one single crossover for each dwelling fronting a street			Complies
			The location of crossovers should maximize the retention of on-street car parking spaces			Complies
			Minimize the number of access points to a road in a Road Zone			N/A
			Provide for access for service, emergency and delivery vehicles		Complies	
Parking Location	Met?	Comments	Standard B15	Met?	Comments	
To provide convenient parking for residents and visitor vehicles	NA		Car parking facilities should: <ul style="list-style-type: none"> Be reasonably close and convenient to dwellings and residential buildings Be secure Be well ventilated if enclosed 	Yes	Complies	
To protect residents from vehicular noise within developments	NA		Shared accessways or car parks of other dwellings should be located at least 1.5m from the windows of habitable rooms. May be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway	Yes	The carriageway easement will be separated from the proposed dwelling on 30A William Street by 2.322 metres Complies	
			Any new undercover or enclosed carparking space should be sited behind the main building façade.	Yes	The upper level of the proposed dwelling at 30A William Street will overhang the garage by approximately 500mm and will achieve the preferred character outcome.	
			Only one single-width vehicle crossover providing access to parking for a dwelling should be provided on each lot.		Complies	
Parking Provision	Met?	Comments	Standard B16	Met?	Comments	
To ensure that car and bicycle parking for residents and visitors is appropriate to the needs of residents	NA		Car parking for residents should be provided as follows: <ul style="list-style-type: none"> 1 space/1 or 2 bedroom dwelling 2 spaces/3 or more bedroom dwelling, with 1 space under cover Studies or studios count as bedrooms	Yes	Complies	
To ensure that the design of parking and access is practical and attractive and that these areas can be easily maintained			Developments of /5 dwellings should provide visitor car parking of 1 space/5 dwellings.		Complies	
			In developments of /5 dwellings, bicycle parking spaces should be provided		<5 dwellings N/A	
			Car spaces and accessways should have the minimum dimensions specified in Table B2		Complies	
			A building may project into the space if it is at least 2.1m above the space		N/A	
			Car spaces in garages, carports or otherwise constrained by walls should have internal dimensions of .6m long and 3.5m wide for a single space and 5.5m wide a double space		Complies	
			Car parking facilities should: <ul style="list-style-type: none"> be designed for efficient use and management minimise the area of hard surface be designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site Be lit 		Complies	

Amenity Impacts					
Side And Rear Setback	Met?	Comments	Standard B17	Met?	Comments
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings	Yes		<p>A new building not on or within 200mm of a boundary should be setback from side and rear boundaries.</p> <ul style="list-style-type: none"> A new building may be setback from the side or rear boundaries: <ul style="list-style-type: none"> 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m; and <p>Sunblinds, verandahs, 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 0.5m into the setbacks of this standard</p> <p>Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</p>	Yes	Both proposed dwellings easily achieve the required setback distances proportional to their building height.
				NA	N/A
				NA	N/A
Wall On Boundaries	Met?	Comments	Standard B18	Met?	Comments
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	Yes		<p>A new wall should not be located on side and rear boundaries.</p> <ul style="list-style-type: none"> A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than: <ul style="list-style-type: none"> 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot. Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 	Yes	No new walls on boundaries.
			<p>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.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p>	NA	N/A
			<p>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.</p>	NA	No new walls proposed on boundaries.

Daylight To Existing Windows	Met?	Comments	Standard B19	Met?	Comments
To allow adequate daylight into existing habitable room windows	Yes		Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot	Yes	Both proposed dwellings are located to provide adequate light courts to existing windows of adjoining dwellings
			Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing 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	Yes	Both proposed dwellings are located to provide adequate light courts to existing windows of adjoining dwellings
North Facing Windows	Met?	Comments	Standard B20	Met?	Comments
To allow adequate solar access to existing north-facing habitable room windows	Yes		If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window	Yes	No north facing windows of adjoining dwellings will be affected by the proposed development.
Overshadow Open Space	Met?	Comments	Standard B21	Met?	Comments
To ensure buildings do not significantly overshadow existing secluded private open space	Yes		Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm 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	Yes	The development plans show that the proposal will comply with the standard
			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	NA	
Overlooking	Met?	Comments	Standard B22	Met?	Comments
To limit views into existing secluded private open space and habitable room windows	Yes	(Note: Standard B22 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 1.6m high and the floor level of the habitable room,	A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level	Yes	Windows within the proposed dwellings which are located within 9 metres of adjoining secluded private open space or habitable rooms have sill height of 1.7 metres or greater and will comply with Standard B22.

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				Yes		
				Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard	NA	
				<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> perforated panels or trellis with a maximum of 25% openings or solid translucent panels permanent, fixed and durable designed and coloured to blend with the development 	NA	
Internal Views	Met?	Comments	Standard B23	Met?	Comments	
<i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development</i>	Yes		<i>Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development</i>	Yes	Complies.	
Noise Impacts Objective	Met?	Comments	Standard B24	Met?	Comments	
<i>To contain noise sources in developments that may effect existing dwellings</i>	Yes		<i>Noise sources, such as mechanical plant, should not be located near boundaries of immediately adjacent existing dwellings</i>	Yes	Complies	
<i>To protect residents from external noise</i>	Yes		<i>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties</i>	Yes	Complies	
			<i>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms</i>	Yes	N/A	

On-Site Amenity and Facilities

Accessibility	Met?	Comments	Standard B25	Met?	Comments
<i>To encourage the consideration of the needs of people with limited mobility in the design of developments</i>	Yes		<i>The ground floor of dwellings should be accessible or able to be easily made accessible to people with limited mobility</i>	Yes	Complies
Dwelling Entry	Met?	Comments	Standard B26	Met?	Comments
<i>To provide each dwelling or residential building with its own sense of identity</i>	Yes		<i>Entries to dwellings and residential buildings should:</i> <ul style="list-style-type: none"> <i>be visible and easily identifiable from streets and other public areas</i> <i>provide shelter, a sense of personal address and a transitional space around the entry</i> 	Yes Yes	The proposed dwelling on 30A William Street will have street frontage and the dwelling on 32 William Street will be located to the rear.

Daylight To New Windows	Met?	Comments	Standard B27	Met?	Comments
To allow adequate daylight into new habitable room windows	Yes		A window in a habitable room should be located to face: <ul style="list-style-type: none"> an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or a verandah provided it is open for at least one third its perimeter, or a carport provided it has two or more open sides and is open for at least one third of its perimeter 	Yes Yes Yes	Complies
Private Open Space	Met?	Comments	Standard B28	Met?	Comments
To provide adequate private open space for the reasonable recreation and service needs of residents	Yes		Dwelling should have private open space: <ul style="list-style-type: none"> an area of 40sqm, with one part secluded at the side or rear with an area of .25sqm, a dimension of .3m and convenient access from a living room, or a balcony of 8sqm with a width of .1.6m and convenient access from a living room, or a roof-top area of 10sqm with a width of .2m and convenient access from a living room 	Yes	Complies.
Solar Access To Open Space	Met?	Comments	Standard B29	Met?	Comments
To allow solar access into the secluded private open space of new dwellings and residential buildings	Yes		The private open space should be located on the north side of the dwelling The southern boundary of secluded private open space should be 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	Yes Yes	Both proposed dwellings will have access to north facing private open space. Complies
Storage	Met?	Comments	Standard B30	Met?	Comments
To provide adequate storage facilities for each dwelling	Yes		Each dwelling should have convenient access to at least 6m ³ of externally accessible, secure storage space	Yes	The proposed dwellings incorporate storage space within the garages.

Detailed Design

Design Detail	Met?	Comments	Standard B31	Met?	Comments
To encourage design detail that respects the existing or preferred neighbourhood character	Yes		The design of buildings, including: <ul style="list-style-type: none"> façade articulation and detailing, window and door proportions, roof form, and verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character	Yes	Complies
			Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character	Yes	Complies

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<p>Front Fences <i>To encourage front fence design that respects the existing or preferred neighbourhood character</i></p>	Met? Yes	Comments	<p>Standard B32 <i>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties</i> <i>A front fence within 3m of a street should not exceed:</i></p> <ul style="list-style-type: none"> • Streets in a Road Zone – 2m • Other Streets – 1.5m 	Met? NA	<p>Comments No front fence proposed N/A No front fence proposed N/A</p>
<p>Common Property <i>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained</i></p>	Met? Yes	Comments	<p>Standard B33 <i>Developments should clearly delineate public, communal and private areas</i></p>	Met? Yes	<p>Comments Complies</p>
<p><i>To avoid future management difficulties in areas of common ownership</i></p>	Yes		<p><i>Common property, should be functional and capable of efficient management</i></p>	Yes	<p>Complies</p>
<p>Site Service <i>To ensure that site services can be installed and easily maintained</i> <i>To ensure that site facilities are accessible, adequate and attractive.</i></p>	Met? Yes	Comments	<p>Standard B34 <i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically</i> <i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend with the development</i> <i>Bin and recycling enclosures should be located for convenient access</i> <i>Mailboxes should be provided and located for convenient access</i></p>	Met? Yes Yes Yes Yes	<p>Comments The proposal includes an easement to ensure services to the rear dwelling can be easily installed Can be provided Located within the garage Can be provided.</p>

1.3 Planning Permit Application 16/0490 - 1133 Surf Coast Highway, Mt Duneed - Development of a Telecommunications Facility

Author's Title: Coordinator Statutory Planning

General Manager: Ransce Salan

Department: Planning & Development

File No: 16/0490

Division: Environment & Development

Trim No: IC18/59

Appendix:

1. Order of Speakers - 6 February 2018 (D18/11773)
2. Notification - Advertising Set Amended Application - 1133 Surfcoast Highway Mount Duneed (D17/116678)

Officer Direct or Indirect Conflict of Interest:

Status:

In accordance with Local Government Act 1989 – Section 80C:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to hear submissions in relation to Planning Permit Application 16/0490 for the Development of a Telecommunications Facility at 1133 Surf Coast Highway, Mt Duneed.

Summary

An application has been received to allow a telecommunications facility on the land in the form of a 39 metre high tower with panel antennas on a turret mount. It includes an equipment cabinet and compound.

A total of nine objections have been received, with the objections focused on the visual impact of the facility and health concerns.

The application was put to Council's Planning Committee on 6 March 2017 for a decision. The application was deferred as the applicant agreed to investigate alternate locations for the telecommunications facility and some changes were made to plans. The application was readvertised and seven of the submitters provided additional comments.

Recommendation

That Council receive and note the submissions to Planning Permit Application 16/0490 for 1133 Surf Coast Highway, Mt Duneed.

Committee Resolution

MOVED Cr Carol McGregor, Seconded Cr Margot Smith

That Council receive and note the submissions to Planning Permit Application 16/0490 for 1133 Surf Coast Highway, Mt Duneed.

CARRIED 7:0

1.3 Planning Permit Application 16/0490 - 1133 Surf Coast Highway, Mt Duneed - Development of a Telecommunications Facility

APPENDIX 1 ORDER OF SPEAKERS - 6 FEBRUARY 2018



Hearing of Submissions
Tuesday 6 February 2018
5pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

Environment & Development

1.3 Planning Permit Application 160490 - 1133 Surf Coast Highway, Mt Duneed - Development of a Telecommunications Facility

	Submitter Name
1.	John and Alison Muhleback
2.	Nerida Turner
3.	Andrew and Helen Robertson
4.	David Hodgkinson (Metasite – Applicant)

1.3 Planning Permit Application 16/0490 - 1133 Surf Coast Highway, Mt Duneed - Development of a Telecommunications Facility

APPENDIX 2 NOTIFICATION - ADVERTISING SET AMENDED APPLICATION - 1133 SURFCOAST HIGHWAY MOUNT DUNEED

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Page 1 of 2

Request for Amendment to an Application for a Planning Permit

Under Section 50 or 57A of the Planning and Development Act 1975

Office Use Only	
Receipt Code	230
Receipt Number	
Date received	

Contact Details	
Did you lodge the original Planning Permit application? <input type="checkbox"/> Yes <input type="checkbox"/> No	
First Name*	DANIO
Last Name*	HODGKISS
Company Name (if applicable)	Metasile P/L on behalf of Optus
Street/Postal Address	Unit 5, 3 Bated Crescent
Suburb*	MELBOURNE
Post Code*	3004
Phone	(07) 9804 5324
Mobile*	
Email*	david.hodgkiss@metasile.com.au
Are you lodging this request on behalf of someone else (applicant contact/representative)? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Address to Which the Application Applies	
Choose the type of formal land description*	
<input checked="" type="checkbox"/> Street Address <input type="checkbox"/> Lot/Plan <input type="checkbox"/> Crown Allotment <input type="checkbox"/> Other	
Street Address	1133 Surf Coast State Highway
Suburb*	MOUNT DUNEED
Post Code*	

Amendment Details	
Planning application number*	
What amendments are to be made to the application?*	
<ul style="list-style-type: none"> • Reduction in height of facility. • Skelch change to CABINETS • Removal of Radio communication Dishes. • Reduce head frame to turner 	

SURF COAST SHIRE COUNCIL
Planning Department

06/09/2017

1 Merrijig Drive / P.O. Box 350, TORQUAY, VIC, 3228
Ph: 052490 0170 / Fax: 5261 0525
Email: info@surfcoast.vic.gov.au



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Page 2 of 2

Amendment Details	
Does the proposed amendment breach, in any way, a registered covenant, section 173 agreement or restriction on title?*	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Not applicable (no such covenant, section 173 agreement or restriction applies)
State the estimated cost of the proposed development, which includes the amendments*	<input type="checkbox"/> Unchanged from initial application <input type="checkbox"/> Changed from initial application
Has notice of the application been given (advertised)?*	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

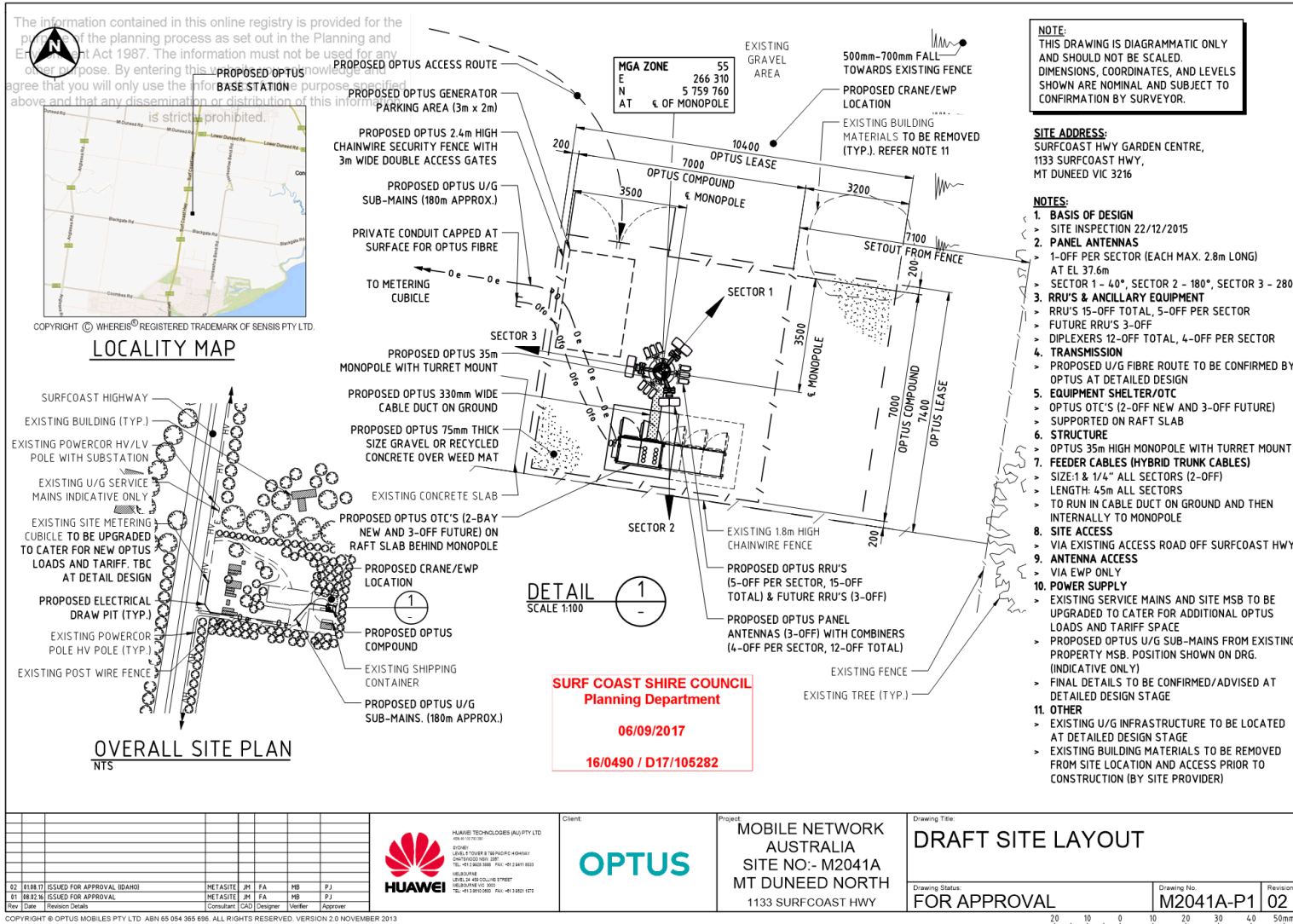
Supporting Documents	
Plans/Letter	If providing attachment electronically, please supply as: docx;jpeg;xls;doc;rtf Please supply all plans affected by the proposed changes. Please make sure that all changes are clearly highlighted on any new plans submitted, as failure to do so is likely to result in delays. Highlight the changes by using different colours, highlighter pens or bubbles around amendments etc.

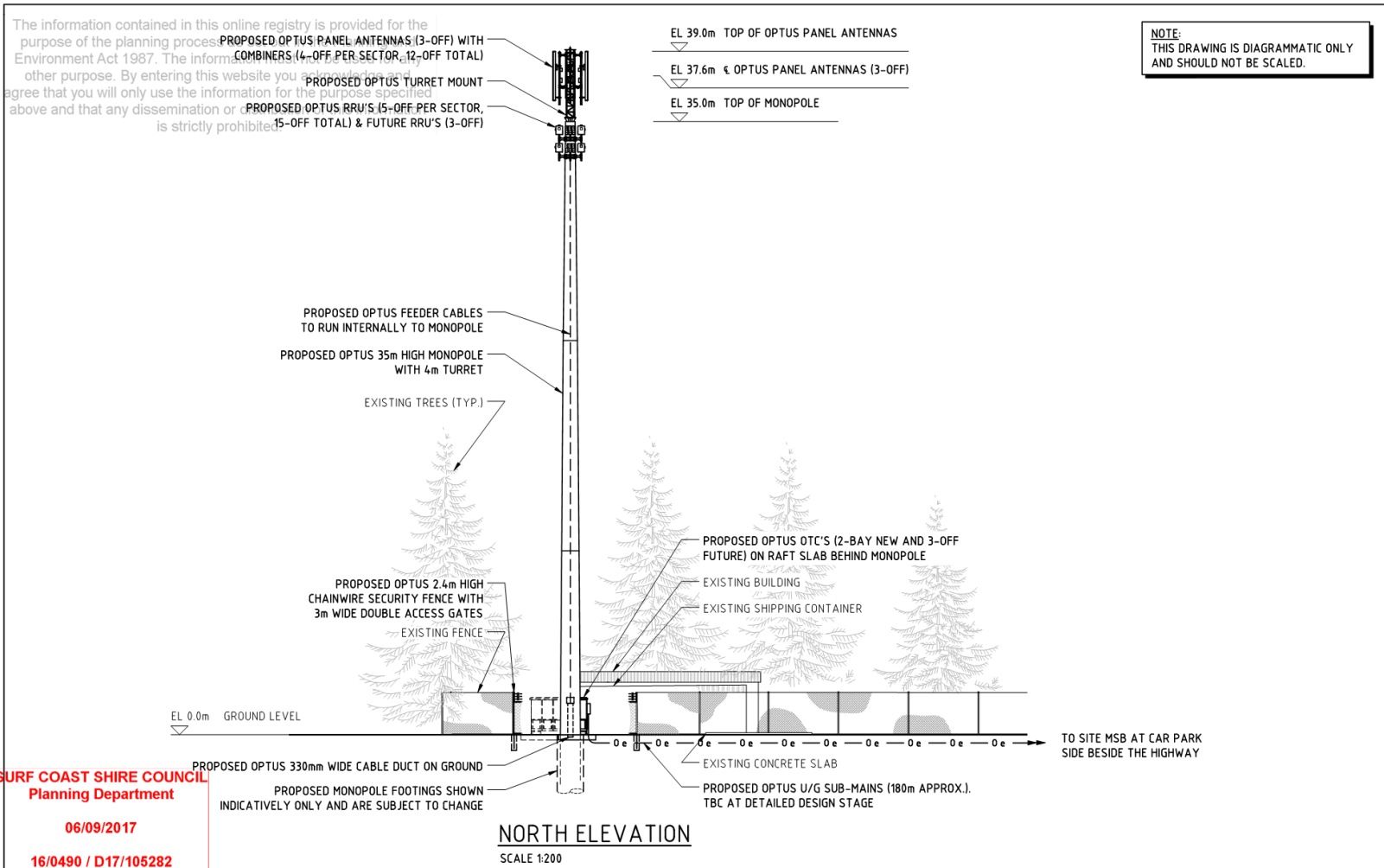
Payment Details	
<input type="checkbox"/> IN PERSON	Please bring your completed registration to the Surf Coast Shire Offices. You will have the option to pay by cash, cheque or credit card at the counter.
<input type="checkbox"/> BY CREDIT CARD OVER THE PHONE	Please email or post the form to the office. Council will contact you within 5 working days to organise payment over the phone.
Fees:	
- Amendment to application before notice is given (Section 50) – No fee	
- Amendment to application after notice have been given (Section 57A) if the development cost is less than \$10,000 – No fee	
- Amendment to application after notice has been given (Section 57A) all other applications – Please contact Council to determine the appropriate fee and methods of payment available.	
For full details of fee requirements refer to the	

Declaration (Please select)	
<input type="checkbox"/> I am the owner OR <input checked="" type="checkbox"/> I have notified the owner of the proposed amendment	
I understand and acknowledge that: <ul style="list-style-type: none"> The information provided in this request is true and complete to the best of my knowledge Surf Coast Shire Council may refuse this request if it becomes evident that any information or supporting documents provided are incomplete or false. 	
<input checked="" type="checkbox"/> By ticking this checkbox I confirm that I have understood all the statements above*	
Name of person completing this request*	DAVID HOLKINSON MARRSW Date 30/02/2017

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 06/09/2017
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SURF COAST SHIRE COUNCIL
 Planning Department
 06/09/2017
 16/0490 / D17/105282

NORTH ELEVATION
 SCALE 1:200

02	21/08/17	ISSUED FOR APPROVAL (DAHO)	METASITE	JM	FA	MB	PJ
01	18/02/16	ISSUED FOR APPROVAL	METASITE	JM	FA	MB	PJ
Rev	Date	Revision/Details	Consultant	CAO	Designer	Checker	Approver



Client: **OPTUS**

Project: **MOBILE NETWORK AUSTRALIA**
SITE NO:- M2041A
MT DUNEED NORTH
 1133 SURF COAST HWY

Drawing Title: **DRAFT SITE ELEVATION**

Drawing Status: **FOR APPROVAL**

Drawing No: **M2041A-P2**

Revision: **02**



CAD File E:\P\Amended Drawings\Carolina\Optus - M2041A - Mt Duneed North - DSL (DAHO)\M2041A_DSL.dwg Date: 01/09/2017 4:38 PM

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Planning Assessment Report

Development Application for a new mobile phone base station at;
1133 Surf Coast Highway, Mount Duneed VIC 3217
(Lot 1 on Plan of Subdivision 304093W)
Prepared on behalf of Optus Mobile Pty Ltd by Metasite Pty Ltd

Project No. M2041
September 2016

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SURF COAST SHIRE
25 OCT 2016
PLANNING
DEPARTMENT



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1.0	123/09/2016	Final	David Hodgkinson	Phil Hull

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Contents

Executive Summary 4

1.0 Introduction..... 6

2.0 Site Selection 9

 2.1 Potential Candidates 9

 2.2 Preferred Nominated Candidate 11

3.0 Site and Surrounds 12

 3.1 Site details 12

 3.2 Surrounding area 14

4.0 Proposal..... 15

 4.1 Overview 15

 4.2 Transport, access and parking 15

 4.3 Utilities 15

 4.4 Construction schedule 16

 4.5 Acoustic 16

 4.6 Environmental 16

 4.7 Retaining structures 16

5.0 Federal Regulatory Framework..... 17

 5.1 Telecommunications Act 1997 17

 5.2 Telecommunications Code of Practice 1997 17

6.0 State Regulatory Framework..... 18

 6.1 Planning and Environment Act 1987 18

 6.2 State Planning Policy Framework (SPPF) 18

 6.3 A Code of Practice for Telecommunications Facilities in Victoria 18

7.0 Local Government Regulatory Framework..... 21

 7.1 Council Planning Scheme 21

 7.2 The Municipal Strategic Statement (MSS) 21

 7.3 Local Planning Policy Framework (LPPF) 21

 7.4 Zoning 22

 7.5 Overlays 22

 7.6 Particular Provisions 22

8.0 Environmental Assessment 24

 8.1 Visual Impact 24

 8.2 EME & Health 24

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 DEPARTMENT

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8.3	Heritage	26
8.4	Flora and fauna	26
8.5	Social and economic benefits	26
9.0	Conclusion	27
Appendix A	Proposal Plans	
Appendix B	Environmental EME Report	

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Executive Summary

Site Address	1133 Surf Coast Highway, Mount Duneed VIC 3217 (Lot 1 on Plan of Subdivision 304093W).
Real Property Description	Lot 1 on Plan of Subdivision 304093W, Volume 10106 Folio 958
Land Title reference	Lot 1 on Plan of Subdivision 304093W. PARENT TITLE Volume 10096 Folio 167. Created by instrument PS304093W 25/03/1993
Site Area	Approximately 70 square metres on a 1.502 hectare site
Registered Owner	Christopher George Noble & Diana Jan Noble
Proposal	<p>Optus proposes to construct a new telecommunications facility at 1133 Surf Coast Highway, Mount Duneed VIC 3217. The facility will comprise of;</p> <ul style="list-style-type: none"> • A new forty (40) metre monopole to have a configuration of three (3) sectors with four (4) panel antennas per sector, twelve (12) panel antennas in total (each 2.8 metres tall max) mounted on the headframe above the monopole at 41 metres at centerline height; • Two (2) 1200mm diameter radiocommunication dishes installed at 37 metres in height; • Three (3) sectors with thirty six (36) Remote Radio Units (RRU's), six (6) per sector to be attached to panel antennas on the headframe at 41 metres in height; • Installation of one (1) equipment shelter with a floor area less than 7.5 square metres; • Ancillary equipment associated with the operation of the facility, including cable trays, cabling, bird proofing, earthing, electrical works and air-conditioning equipment; • The above equipment will be placed within a fenced compound with a secure access gate and will have a footprint of approx 70 square metres;
Coverage Objectives	A demonstrated need has been identified for a new telecommunications facility in the area to improve voice and data services to customers in the Mount Duneed area.
Site Selection	The site has been identified as the most appropriate location for the new facility following an extensive site selection process.
Council/Planning Scheme	Surf Coast Shire/ Surf Coast Shire Planning Scheme
Use Definition	To construct and operate a telecommunications facility.
Zone	Farming 1 Zone (FZ1)
Overlays	No Overlays

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25 OCT 2016

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Applicant	Optus Mobile Pty Ltd c/- Metasite Pty Ltd Contact: David Hodgkinson Phone: 03 9804 5324 Email: david.hodgkinson@metasite.com.au
Reference No.	Our Site Reference: M2041 Mount Duneed RFNSA Reference: 3216027

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1.0 Introduction

1.1 What is a mobile base station and how do they work?

A mobile base station is a facility that provides mobile telephone services to a geographical area. A mobile phone network is made up of base stations which operate together to provide service to users moving from place to place within the coverage area. A mobile base station typically consists of the following components: antennas, support structure, base station and transmission equipment. The antennas are connected by cable to radio equipment usually housed in a room, shelter or outdoor unit. Base stations are connected to the core network by microwave or fibre. Mobile phones work by sending and receiving low power radio signals, much like 2 way radio system. The signals are sent and received from antennas that are attached to radio transmitters and receivers, commonly referred to as mobile phone base stations. The base stations are linked to the rest of the mobile and fixed phone network and pass the signal/call on into those other parts of the network.

1.2 Benefits of mobile technology's

Mobile telecommunications play a central role in society and are becoming more deeply integrated into our day to day lives. Mobile communications networks shape how and when people communicate and how we access information on a daily basis. Today, improved connectivity means that mobile devices are used for everything from commerce and research to location-based services and social media. Individuals, families, businesses and society are all benefiting from the improved connectivity facilitated by mobile technologies.

In addition to its personal and social value, the evolution of mobile technologies has delivered significant benefits to the Australian economy by improving productivity, business management and customer engagement. Since its introduction, mobile technology has played a key role in stimulating labor productivity growth by allowing employees to be more efficient, with more productive use of time. According to Deloitte (2016), the Australian economy is approximately \$34 billion larger in 2015 that it would otherwise be due to the long-term productivity of mobile technologies.

Mobile technology's economic contribution is not limited to improving productivity. It improves connectivity and participation in the workforce. Mobile technology also provides employees with the flexibility to work from home, promoting sustainable commuting and also reducing traffic congestion. According the Australian Mobile Telecommunications Association (AMTA), two decades ago only 4% of Australians owned a mobile device. According to the Australia Bureau of Statistics, there are now over 21 million subscribers with internet access connections via a mobile handset in Australia (ABS, 2015). Mobile technology's continual development has allowed it to become the preferred channel to access the internet for most people in Australia and the rest of the world.

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1.3 Purpose of the proposal

To cater for the growing demand for mobile services, Optus has embarked on a nationwide rollout to deliver an improved, reliable telecommunications network to the Australian public. The rollout will provide improved mobile coverage and enhanced services in metropolitan, regional and rural areas throughout Australia. This rollout consists of the upgrade of existing telecommunications facilities and where required the installation of new mobile base stations to expand the coverage footprint and offer seamless mobile services.

Additional base stations are required where surrounding facilities cannot provide sufficient coverage to a target area. New facilities are also required when existing base stations are fully utilised and cannot serve additional users in the area. Optus has undertaken analysis of their mobile network in the area to supply the Mount Duneed North area and has identified areas where coverage and network quality needs to be improved. If this investment is not made, the following main issues will arise:

1. Users may have difficulty connecting to the mobile network or the call may drop out. This impacts businesses, residents, visitors to the area and the ability of the user to contact emergency services.
2. User may experience reduced data speeds, longer download times and poor network performance at busy times of the day with data intensive and time sensitive applications (e.g. newscasts, social media, mobile banking, weather forecasts, sports highlights and in this instance mainly conducting business through wireless devices).

Metasite Pty Ltd has been engaged by Huawei Pty Ltd to provide Site Acquisition, Town Planning, Design & Engineering services for Huawei's national roll-out contract with Optus Mobile Pty Ltd (Optus). This development application has been prepared by Metasite, on behalf of Optus and seeks approval to allow the installation of a new telecommunications facility at 1133 Surf Coast Highway, Mount Duneed VIC 3217 (Lot 1 on Plan of Subdivision 304093W) (the site).

Optus is currently undertaking the Long Term Evolution (LTE) upgrade of their existing mobile phone infrastructure across Australia. The overall project will improve customer experience through faster and more reliable voice and data services.

Due to increasing network demands for data, Optus has identified the need to install a telecommunications facility on the site to A demonstrated need has been identified for a new telecommunications facility in the area to improve voice and data services at Mount Duneed North.

A number of potential location options were considered before selecting the site. Each potential option was assessed against a variety of factors including colocation opportunities, proximity to sensitive land uses, planning scheme considerations, technical and coverage objectives, cost considerations, land

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The site was selected as the most appropriate location based on the above considerations, which are outlined in **section 2** of the report.

To provide mobile service to the surrounding area, the proposed telecommunication installation requires the installation and works outlined in the "Executive Summary" section on the previous page.

All mobile phone network operators are bound by the operational provisions of the federal *Telecommunications Act 1997* ("The Act"). This application for a planning permit is bound by the core principles and operator requirements outlined within The Act, however consent is required from Surf Coast Shire in order to undertake the prescribed development. More information regarding the legislative framework pursuant to this proposal is located within **Section 5, 6 & 7** of this report.

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2.0 Site selection

2.1 Potential candidates

A number of factors have been considered when selecting the appropriate site for the infrastructure. The factors include investigating opportunities to collocate on existing infrastructure, the proposal's proximity to existing sensitive land uses, planning scheme considerations, technical and coverage objectives, cost considerations, lease and land tenure, visual impact and engineering/design criteria.

Furthermore, the site selection process incorporates the mandatory Mobile Phone Base Station Deployment Code (C564:2011) activities which are undertaken in order to justify the proposed location of the subject site (specifically sections 4.1, 4.2 and 8 of the Deployment Code). Such considerations include preparation of a "traffic light model" and assessment against the Deployment Code's precautionary approach provisions.

A number of potential candidate sites are usually considered when selecting the most appropriate site for the infrastructure. The candidates in the area are highlighted below.

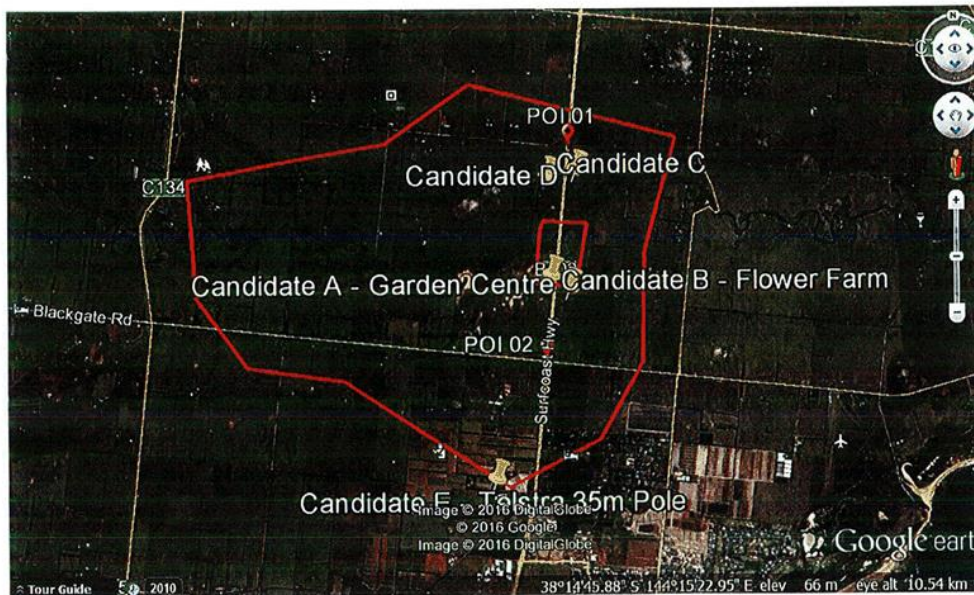


Figure 1: potential candidate locations (source: Google Earth 2016)

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A detailed analysis of each candidate has been undertaken in the below table to determine the most appropriate site location for the telecommunications facility.

Site	Address	Opportunities / Constraints
Candidate A	1133 Surf Coast Hwy, Mt Duneed, VIC 3216	Candidate A was located within the search area and there was a willing land owner to enter into an agreement. The site was located close to power and located towards the rear of the property setback from the highway. It was determined that the site would provide the optimum coverage for the intended target area
Candidate B	1170 Surf Coast Hwy, Mt Duneed VIC 3216	Candidate B location was suitable to provide adequate coverage to the area however there was no interest from land owner to enter into an agreement.
Candidate C	1030 Surf Coast Hwy, Mt Duneed VIC 3216	Candidate C location was considered not suitable to provide adequate coverage to the area and therefore discounted.
Candidate D	2 McCanns Rd, Mt Duneed 3217	Candidate D location was considered not suitable to provide adequate coverage to the area and therefore discounted.

Candidates E was not able to provide the coverage required to the intended target area at Mount Duneed and therefore not progressed, however it is proposed to be used as an additional site for further coverage to the south of the area.

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2.2 Preferred nominated candidate

The preferred site at 1133 Surf Coast Highway, Mount Duneed VIC 3217 (Lot 1 on Plan of Subdivision 304093W) was chosen as the preferred site candidate for the following reasons:

- The site is technically feasible, and can achieve Optus' coverage and capacity objectives for the area. It will provide a high quality 2G, 3G & 4G mobile and wireless broadband service, which will greatly improve access to mobile telecommunications services for customers and business as a whole and also improve voice coverage;
- The site is within a Farming Zone (FZ) land use providing which is a suitable location for the proposed telecommunications facility;
- The position of the monopole setback from the main highway mitigates visual impacts;
- The facility will not create any traffic congestion;
- The landowner is supportive of the Optus proposal and its associated benefits for increased telecommunications services in the local area;
- The site will not require the clearing of any trees;
- The site has readily available access to the electricity supply network;
- The proposed facility will not prejudice the existing or anticipated future use of the site;
- The costs associated with delivering the site and constructing the facility are considered by Optus to be reasonable;

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3.0 Site and surrounds

3.1 Site details

The subject site is located at 1133 Surf Coast Hwy, Mt Duneed, VIC 3216. The legal description of the property is Lot 1 on Plan of Subdivision 304093W, Volume 10106 Folio 958. PARENT TITLE Volume 10096 Folio 167. Created by instrument PS304093W 25/03/1993. An aerial plan demonstrating the site location and the context of the property is located within **Figure 4** below:

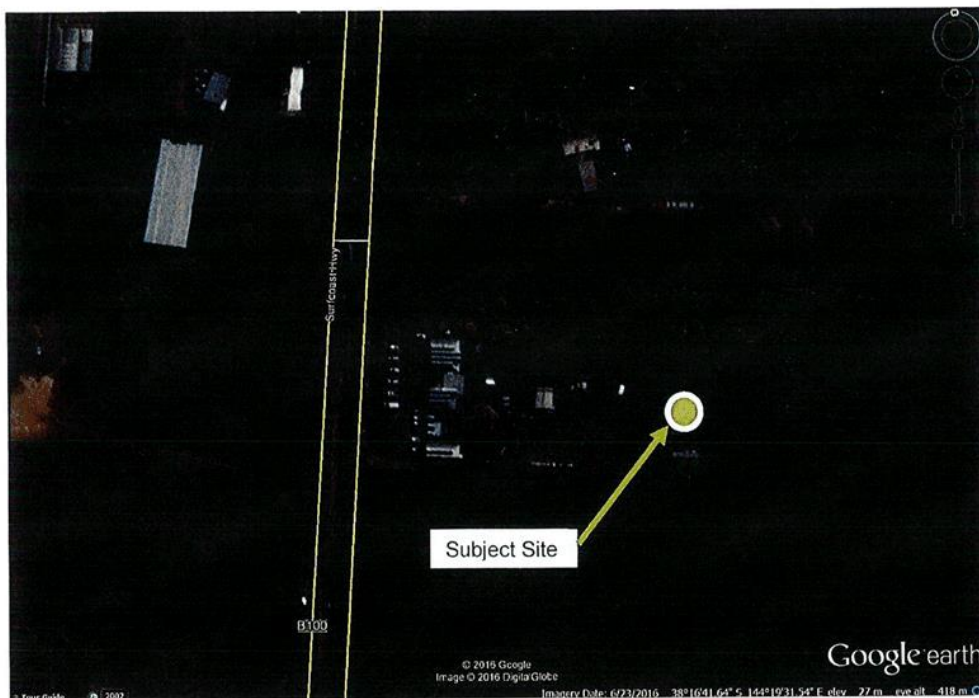


Figure 4: Subject Site (source: Google Earth 2016)

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The subject site is within the Farming Zone (FZ) and is used for a mix of commercial uses. The land is rectangular in shape and has a total area of 1.502 hectares and comprises of flat land and improved by a number of commercial low rise buildings used for commercial businesses. Large vegetation is located on the northern eastern and southern boundaries. To the rear is open gravel areas for access and storage. Access to the site is via the Surf Coast highway to an unsealed driveway with existing sealed parking areas.



Figure 5: Subject Site

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3.2 Surrounding area

To the west of the site across Surf Coast Highway is an agricultural business. To the north, east and south of the site are further agricultural or farming uses. The Surf Coast Highway is a dual carriage highway that runs north and south with some vegetation on the perimeters. The area is relatively flat with open fields for farming use.



Figure 6: Subject Site Surrounds (source: Google Earth 2016)

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4.0 Proposal

Mobile networks are like roads when traffic increases, upgrades are needed to relieve congestion and remove roadblocks. Congestion is relieved by making changes to existing base stations or adding additional base stations in areas where we may already have existing coverage. The following proposal is necessary to add base stations to provide coverage and alleviate congestion and service issues within the Mount Duneed area.

4.1 Overview

The proposed telecommunication installation requires installing the equipment outlined in the "Executive Summary" section on page 4 of this report.

As previously highlighted, Optus Mobile Pty Ltd has an obligation under the Industry Code to ensure that all suitable alternatives have been explored as part of the justification behind this development application. It is believed that proposed works as outlined above will not result in any adverse visual or environmental impact to the surrounding environs within the Mount Duneed area.

The proposal is demonstrated through the proposal plans, attached to this submission in **Appendix A**.

4.2 Transport, access and parking

Access to the facility will be obtained via an existing highway entry from Surf Coast Highway to the property along the southern boundary access driveway to the rear of the property. No formal parking is proposed, given the facility will function on a continuously unmanned basis, and will typically only require infrequent maintenance. There is sufficient space onsite for a vehicle to park during these times. The location of the access route is indicatively shown on the proposal plans attached in **Appendix A**.

Mobile phone base stations require only infrequent maintenance visits (i.e. only two (2) to four (4) times per year). Furthermore, the site will operate on a continually unmanned basis. As such, the proposal will not be a significant generator of vehicular and/or pedestrian traffic. Therefore, the proposed informal access will provide appropriate access for the infrequent maintenance inspections.

4.3 Utilities

The final power design for the site is yet to be confirmed. The indicative power design/route for the proposed facility has been outlined within the drawing package, located within **Appendix A** of this document.

The unmanned nature of the proposed mobile base station removes the need for connection to water or sewer services. Furthermore, the proposal incorporates very minimal hard surfaces and therefore will

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4.4 Construction schedule

The construction of the proposed mobile phone base station primarily consists of the following processes:

- Remediation – ensuring that the land is suitable for construction. This is inclusive of confirming existing structural assessments and the provisioning of cabling (if required).
- Installation of new equipment – reflective of the scope of works outlined within this Development Application; and
- Network Integration – Ensuring that the mobile phone base station can connect with both end users and other sites within the Optus network.

During the construction of the facility, a truck will be required to deliver necessary equipment to the site and a crane will be used to establish the facility. Traffic associated with the construction phase will be temporary in nature and will not affect existing traffic flows of the surrounding area. Should a road closure be required for the erection and installation of equipment, the appropriate approvals will be obtained from Council.

4.5 Acoustic

Air conditioners will be installed for the shelter located within the base station, which enable the equipment to stay within normal operating temperatures. The air conditioning units will emit a small amount of noise commensurate to that of domestic air conditioning units. The operation of air conditioning units from the site will not result in any adverse impact to neighboring properties, given the low noise levels generated by the air conditioners, the remote location of the proposed facility and the separation of the facility to surrounding land uses.

4.6 Environmental

The proposal has been located to minimise the disturbance required on vegetation and flora and fauna habitat. Environmental assessment is further detailed in **Section 8** of the report.

4.7 Retaining structures

The topography of the site ensures that retaining structures will not be necessary for the proposed telecommunications facility.

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5.0 Federal Regulatory Framework

The following information provides a summary of the Federal legislation relevant to telecommunications deployment.

5.1 Telecommunications Act 1997

The *Telecommunications Act 1997* (the Act) came into operation on 1 July 1997. The Act provides a system for regulating telecommunications and the activities of carriers and service providers.

This legislation establishes the criteria for 'low impact' telecommunication facilities. If a proposed facility satisfies the requirements of a 'low impact' facility, the development is exempt from the planning approval process.

Further clarification of the term 'low impact' is provided in the *Telecommunications Act 1997* and the *Telecommunications (Low Impact Facilities) Determination 1997*, which was gazetted subsequent to the Act. The *Telecommunications (Low Impact Facilities) Determination 1997* establishes certain facilities, which cannot be considered low impact facilities.

This subject proposal is for a freestanding monopole, associated antennas and equipment. Pursuant to the *Telecommunications (Low-impact Facilities) Determination 1997* **the proposed facility cannot be considered as "low-impact."** Accordingly, the proposal is not exempt from State and local planning laws and therefore the provisions of the *Planning and Environment Act 1987* and the *Surf Coast Shire Planning Scheme* are applicable.

5.2 Telecommunications Code of Practice 1997

The *Telecommunications Code of Practice 1997* (The Code) authorises a carrier to enter land, inspect land and install and maintain a facility. The Code emphasises "best practice" design, planning and installation of facilities, compliance with industry standards and minimisation of adverse impacts as much as practicable, particularly in terms of degradation of the environment and visual impact. The subject proposal is considered to comply with "best practice" given the proposal will:

- Provide improved telecommunications and wireless internet coverage to the Mount Duneed;
- Be located within a rural area distant from sensitive uses;
- Comprise of a scale configuration of a monopole that provides reduced visual impact to the area and located by utilizing part vegetation screening to reduce impact on view-lines.

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6.0 State Regulatory Framework

6.1 Planning and Environment Act 1987

The proposed telecommunications facility is not considered a low-impact facility and is therefore subject to the *Planning and Environment Act 1987* (P & E Act).

The purpose of the P & E Act is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

The proposed telecommunications facility is consistent with the key objectives of the P & E Act and will result in the orderly and sustainable development and use of land that will have minimal impact on natural resources and ecological processes.

6.2 State Planning Policy Framework (SPPF)

Clause 19.03-4 of the Planning Scheme is specific to 'Telecommunications' and states the intentions in relation to such developments. The specific objective for telecommunications is to facilitate the orderly development, extension and maintenance of telecommunication infrastructure.

Clause 19.03-4 lists a number of strategies on how this objective can be implemented. In particular it is stated that a Planning Scheme should not prohibit the use of land for a telecommunications facility in any zone.

Generally the clause seeks to recognise that telecommunications is an essential aspect of all modern life, to ensure no adverse impacts upon the environment relating from telecommunications facilities and to reflect the implications of the Commonwealth and State legislation specific to telecommunications facilities.

6.3 A Code of Practice for Telecommunications Facilities in Victoria

A Code of Practice for Telecommunications Facilities in Victoria (2004) also referred to as the 'Victorian Code of Practice' is an incorporated document in all Planning Schemes in Victoria pursuant to Clause 52.19. The purpose of this Code is to:

- Set out the circumstances and requirements under which land may be developed for a telecommunications facility without the need for a planning permit.
- Set out principles for the design, siting, construction and operation of a telecommunications facility which a responsible authority must consider when deciding on an application for a planning permit.

It aims to:

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- Ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
- Ensure the application of consistent provisions for telecommunications facilities.
- Encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987*.
- Encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

Section 4 of the Victorian Code of Practice establishes principles to be applied where relevant to the design, siting, construction and operation of any telecommunications facility, which is not exempt under Commonwealth legislation.

6.3.1 Design Response – Section 4 principles in the Victorian Code of Practice

Principle 1 – A Telecommunications Facility should be sited to minimise visual impact

The proposed facility will be located on farming land that is setback from the main Surf Coast Highway at the rear of a commercial business allotment to mitigate visual impacts. The facility is separated from any sensitive land uses within the rural landscape. Views are distant from the highway and from adjoining rural properties. The facility therefore does not significantly impact the area surrounding the site. For the reasons discussed above it has been demonstrated that the facility has been sited to minimise visual impact.

Principle 2 – A Telecommunications Facility should be co-located wherever possible.

The closest co-location opportunity is 2.6km from the centre of the search area and located outside the search area. It was determined that the site would not provide optimum coverage for the intended target area and was discounted however will be used for an additional site to provide coverage to the area further south of the highway. Therefore it was considered that a new telecommunications facility within the Mount Duneed area that will meet the coverage objectives.

Principle 3 – Health standards for exposure to radio emissions will be met

The proposal will be designed and installed to satisfy the requirements contained with Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz, Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), May 2002.

An EME report has been produced for the Telecommunications Facility and is attached as **Appendix B** and which demonstrates compliance and is in accordance with this standard. The report shows that the

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OPTUS

Principle 4 – Disturbance and risk relating to siting and construction should be minimised. Construction activity and site location should comply with State environmental protection policies and best practice environmental management guidelines.

The construction area and overall compound area of the facility will have minimal disturbance to the environmental characteristics of the site. The installation of the proposed facility can be undertaken at any time without affecting the use of the site or the surrounding area due to the accessibility of the site.

Construction of the facility will be carried out in accordance with relevant Occupational Health and Safety Guidelines. Construction of the facility is unlikely to cause any disruption to adjoining properties or public access areas. Due care will be taken to ensure construction is undertaken at times least likely to cause disturbance.

SURF COAST SHIRE

25 OCT 2016

1133 Surf Coast Highway, Mount Duneed Vic 3126

PLANNING
DEPARTMENT

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7.0 Local Government Regulatory Framework

7.1 Council Planning Scheme

As highlighted earlier in this report, the planning scheme applicable to the proposed development is the *Surf Coast Shire Planning Scheme* (the Planning Scheme).

7.2 The Municipal Strategic Statement (MSS)

Under the Planning Scheme, the proposal is identified as a Telecommunications Facility. The Surf Coast Shire Planning Scheme includes Council's Municipal Strategic Statement (MSS) to guide future development within the municipality, which is a relevant consideration in determining any permit application.

Council's MSS seeks to provide infrastructure appropriate to community needs and manage them in a sustainable way and have a strong and vibrant business community consisting of a diverse range of small, medium and large enterprises that will capitalise on the key competitive strengths of the region; and support and encourage sustainable tourism development throughout the municipality.

The MSS recognises the need to support and encourage sustainable business growth and economic development throughout the municipality and to support sustainable growth and development of existing local enterprises. The strategic direction in regards to infrastructure states the direction to promote leading edge telecommunications services to assist the region to be globally competitive.

The proposal accords with the MSS as the telecommunications facility will significantly increase the communication coverage which will allow rural enterprises, customers and tourist in the area to connect and communicate more securely. The proposal is to install modern telecommunications infrastructure which will be at the leading edge of telecommunications services.

7.3 Local Planning Policy Framework (LPPF)

There are a broad range of local policies that have relevance to this proposal under Clause 22 of the Surf Coast Shire Planning Scheme. There is no specific policies that reference infrastructure or telecommunications relative to telecommunication facilities. However it is noted that a Rural Tenement Policy protects the farm production and agriculture from development of dwellings and subdivision of land.

The proposed facility is located within farming zone however it is proposed to be located at the rear of a commercial business. The development will not change the use of the land or impeded the use of land for its current commercial purposes. The land is required to be leased to the land owner and no subdivision of land is proposed and no residential dwelling is proposed.

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7.4 Zoning

The site is located within the Farming Zone (FZ) Schedule 1 pursuant Clause 35.07 of the Council Planning Scheme. As far as relevant to this application the purpose of this zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Pursuant to Clause 35.07-1 a Telecommunications facility is a 'Section 2' use (permit required) on the condition that buildings & works meet the requirements of Clause 52.19 (refer to section 5.8 below).

In this instance a planning permit is required for buildings and works associated with the erection of a telecommunications facility.

The proposed telecommunications facility adheres to the State Planning Policy Framework and the Local Planning Policy Framework including the MSS and the local planning policies. The proposed facility will have a small footprint and be situated in a location that does not adversely affect the use of the land for agricultural purposes. The proposed facility will aid in supporting rural businesses, recreational and tourism opportunities and provide services to the local community by providing further telecommunications coverage.

7.5 Overlays

The site is not located in any Overlays pursuant to the Surf Coast Shire Planning Scheme.

7.6 Particular Provisions

Clause 52.19 of the Planning Scheme provides for development and use of all land for the purpose of telecommunications facilities. The clause is applicable for construction of or carrying out works associated with a telecommunications facility as permitted under the Telecommunications Act 1997 and other legislation.

SURF COAST SHIRE

25 OCT 2016

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Clause 52.19-5 of the Planning Scheme lists the information to be submitted with any application. The required information includes a site analysis and design response explaining how the proposed facility addresses the principles of design, siting, construction and operation as contained in the Code of Practice.

The stated purpose of Clause 52.19 is generally to ensure infrastructure and services are provided in an efficient and cost effective manner, in an orderly manner throughout the state and with minimal impact upon the environment.

The principles for the design, siting, construction and operation of a Telecommunications facility as set out in A Code of Practice for Telecommunications Facilities in Victoria have been observed as set out in this planning report. The proposal will not have a detrimental effect on adjacent land and will improve their telecommunication coverage.

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8.0 Environmental Assessment

Further to the planning scheme assessment undertaken above, the proposal has addressed environmental considerations which are specific to mobile phone base station deployment, including:

- Visual considerations;
- Health and safety (i.e. electromagnetic energy);
- Heritage;
- Flora and fauna; and
- Social and economic considerations.

8.1 Visual Impact

This assessment has identified the proposed telecommunications facility as having a medium level of visual impact. The visual impact of the proposed development will vary depending on the viewing distance, number of viewers, period of view and vantage point within the surrounding areas.

Attention has been given to the design of the various elements of the telecommunications facility. In particular the design of a monopole rather than a larger three sided lattice tower and a height designed at height of 40 metres will ensure the best possible outcome to minimise the impact on views within the visual catchment of the site.

Overall it is anticipated that the proposed development will not have a significant visual impact on the surrounding area. The proposed facility will be visible however they will be distant views from adjoining rural properties and for the highway area. The location is within the farming zone to rear of property and located to rear of low buildings and will be screened by large boundary vegetation to the north and south and rear eastern boundaries.

Given the advantages to be gained by the public by receiving improved telecommunications services, it is considered that the facility provides an acceptable level of impact which outweighs any general loss of visual amenity.

8.2 EME & Health

Optus acknowledges some people are genuinely concerned about the possible health effects of electromagnetic energy (EME) from mobile phone base stations and is committed to addressing these concerns responsibly.

Optus, along with the other mobile phone carriers, must strictly adhere to Commonwealth Legislation and regulations regarding mobile phone facilities and equipment administered by the Australian Communications and Media Authority (ACMA).

SURF COAST SHIRE

25 OCT 2016

1133 Surf Coast Highway, Mount Duneed Vic 3126

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In 2003 the ACMA adopted a technical standard for continuous exposure of the general public to RF EME from mobile base stations. The standard, known as the Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003, was prepared by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and is the same as that recommended by ICNIRP (International Commission for Non-Ionising Radiation Protection), an agency associated with the World Health Organisation (WHO). Mobile carriers must comply with the Australian Standard on exposure to EME set by the ACMA.

The Standard operates by placing a limit on the strength of the signal (or RF EME) that Optus can transmit to and from any network base station. The general public health standard is not based on distance limitations, or the creation of "buffer zones". The environmental standard restricts the signal strength to a level low enough to protect everyone at all times. It has a significant safety margin, or precautionary approach, built into it.

In order to demonstrate compliance with the standard, ARPANSA created a prediction report using a standard methodology to analyse the maximum potential impact of any new telecommunications facility. Carriers are obliged to undertake this analysis for each new facility and make it publicly available.

Importantly, the ARPANSA-created compliance report demonstrates the maximum signal strength of a proposed facility, assuming that it's handling the maximum number of users 24-hours a day.

In this way, ARPANSA requires network carriers to demonstrate the greatest possible impact that a new telecommunications facility could have on the environment, to give the community greater peace of mind. In reality, base stations are designed to operate at the lowest possible power level to accommodate only the number of customers using the facility at any one time. This design function is called "adaptive power control" and ensures that the base station operates at minimum, not maximum, power levels at all times.

Using the ARPANSA standard methodology, Optus has undertaken a compliance report that predicts the maximum levels of radiofrequency EME from the proposed installation. The maximum environmental EME level from the site, once it is operational, this will comply with the ACMA mandated exposure limit (**See Appendix B**). Optus complies with the public health and safety standard by a significant margin.

Optus relies on the expert advice of national and international health authorities such as the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and the World Health Organisation (WHO) for overall assessments of health and safety impacts. The WHO advises that all expert reviews on the health effects of exposure to radiofrequency fields have concluded that no adverse health effects have been established from exposure to radiofrequency fields at levels below the international safety guidelines that have been adopted in Australia.

Optus has strict procedures in place to ensure its mobile phones and base stations comply with these guidelines. Compliance with all applicable EME standards is part of Optus's responsible approach to EME and mobile phone technology.

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8.3 Heritage

In order to determine the likelihood of the proposal impacting on any natural, physical, cultural or Aboriginal heritage, a number of searches were conducted against the relevant heritage registers. No known items of heritage significance have been found within the subject land holding.

8.4 Flora and fauna

There are no known items of Flora and Fauna significance (including endangered species) located in the vicinity of the proposal site.

No clearance of vegetation is proposed other than to establish the compound space footprint where there is a cleared agricultural field adjoining the internal access track. Extensive measures have been taken within the planning, design and procurement of the telecommunications facility to minimise the vegetation clearance required and therefore will not result in adverse environmental impact to the surrounding locality.

8.5 Social and economic benefits

Since 2007, the number of mobile phone subscriptions has exceeded the overall population of Australia. As such, consumers have an increasing expectation for a reliable, fast and cost effective mobile phone network across all areas of Australia.

In addition, the wider community has seen a general reliance on mobile phone networks for a number of uses beyond that of traditional voice calls. Australia has one of the highest penetrations of "smartphone" usage in the world. A sample study by the Digital Industry Association of Australia has estimated the usage of smartphones at rate of 76% of all mobile phone users, allowing additional services such as checking emails, social networking, e-commerce and browsing the internet. Community expectation requires the mobile phone network to support these activities in a dependable and reliable manner.

Optus has sought to ensure major improvements to their network through 24hr monitoring of network performance. Furthermore, upgrading existing infrastructure and building new telecommunication facilities are necessary to provide a sustainable mobile network which meets the community expectation. Therefore, the subject application is necessary to deliver an appropriate mobile service to the Mount Duneed area.

Further to this, mobile phone networks form a vital "first response" tool to emergency situations – hence the importance of carriers to ensure that their infrastructure can be maintained to the highest standards.

SURF COAST SHIRE

25 OCT 2016

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9.0 Conclusion

The proposed telecommunications facility at 1133 Surf Coast Highway, Mount Duneed VIC 3217 (Lot 1 on Plan of Subdivision 304093W) will form a vital component of the Optus network. As previously highlighted, the proposed Optus mobile phone base station will both voice and data services to the Mount Duneed. Optus has identified that coverage within the specified area requires improvement to ensure ongoing service provisions to personal users and businesses who take advantage of the Optus network. The proposal will allow for the consolidation of existing infrastructure, enhanced coverage and increased data speeds for end users. The proposed facility is considered appropriate on the site given:

- The site is located within a Farming Zone which is considered a suitable location for the proposed facility. The application demonstrates compliance with all applicable planning scheme and other requirements and therefore supports the intent of the planning scheme. As such, the proposal is an appropriate use on the site;
- The location is well separated from dwellings and is appropriately separated from any sensitive land uses;
- The immediate area is vegetated providing part screening to the structure and is set back from the main highway which aids in minimizing the visual prominence of the facility within the landscape;
- The proposal will not require the clearing of any trees;
- The site is appropriately serviced and has a readily available access to the electricity supply and existing transport network;
- The proposed facility will not prejudice the existing or anticipated future use of the site;

Based on the above, the proposed application, to install a telecommunications facility at 1133 Surf Coast Highway, Mount Duneed VIC 3217 is considered appropriate for the site and warrants favorable consideration by Council subject to reasonable and relevant conditions. Should Council have any further queries regarding the subject application, please do not hesitate to contact the nominated representative outlined within this document.

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

VOLUME 10106 FOLIO 958

Security no : 124057973414X
Produced 24/11/2015 03:01 pm

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 304093W.
PARENT TITLE Volume 10096 Folio 167
Created by instrument PS304093W 25/03/1993



REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
CHRISTOPHER GEORGE NOBLE
DIANA JOAN NOBLE both of 1355 BLACKGATE ROAD FRESHWATER CREEK VIC 3216
AB155059T 16/03/2002

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE PS304093W 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: 1133 SURF COAST HIGHWAY MOUNT DUNEED VIC 3217

DOCUMENT END

Delivered from the Landata® System by SAI Global Property Division Pty Ltd
Delivered at 24/11/2015, for Order Number 33106678. Your reference: M2041 Mount Duneed South.

SURF COAST SHIRE
25 OCT 2016
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STAGE NO. LTO use only
EDITION 1

Plan Number
PS 304093W

Parish: PUEBLA

Township: _____

Section: _____

Crown Allotment: _____

Crown Portion: 53 (PART)

LTO Base Record: LITHO. PUEBLA (3421)

Title Reference: VOL. 10096 FOL. 167

Last Plan Reference: _____

Postal Address: BLACKGATE ROAD,
(at time of subdivision) MOUNT DUNEED, 3216

AMG Co-ordinates E 266500 Zone: 55
(of approx. centre of land in plan) N 5759500

Vesting of Roads and/or Reserves

Identifier Council/Body/Person

R-1 CITY OF SOUTH BARWON

Council Certificate and Endorsement

Council Name: CITY OF SOUTH BARWON Ref: 2615

- This plan is certified under section 6 of the Subdivision Act 1988.
 - This plan is certified under section 11(7) of the Subdivision Act 1988.
Date of original certification under section 6 / /
 - 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 of the 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 / /

Re-certified under section 11(7) of the Subdivision Act 1988

Council Delegate
Council Seal

Date / /

Notations

Staging This is/is not a staged subdivision
Planning Permit No. 89 / 283 C

Depth Limitation

NIL



Survey This plan is/~~is not~~ based on survey

This survey has been connected to permanent marks no(s) 4, 25
In Proclaimed Survey Area No. _____

Easement Information

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
---	---	---	---	---

LTO use only

Statement of Compliance/
Exemption Statement

Received
Date 21 / 10 / 92

LTO use only

PLAN REGISTERED
TIME 9:30 A.M.
DATE 25 / 3 / 1993
NP Jones
Assistant Registrar of Titles

Sheet 1 of 2 Sheets



THOMS & PARTNERS PTY. LIMITED
SURVEYORS : ENGINEERS : LAND DEVELOPMENT CONSULTANTS
115 YARRA STREET, GEELONG, VIC., 3220
Telephone: (052) 9 3147. Fax: (052) 22 1991

LICENSED SURVEYOR (PRINT) RAYMOND JAMES DUNN

SIGNATURE..... DATE / 25 OCT 2016 /

REF 12426 VERSION

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

PLANNING DEPARTMENT

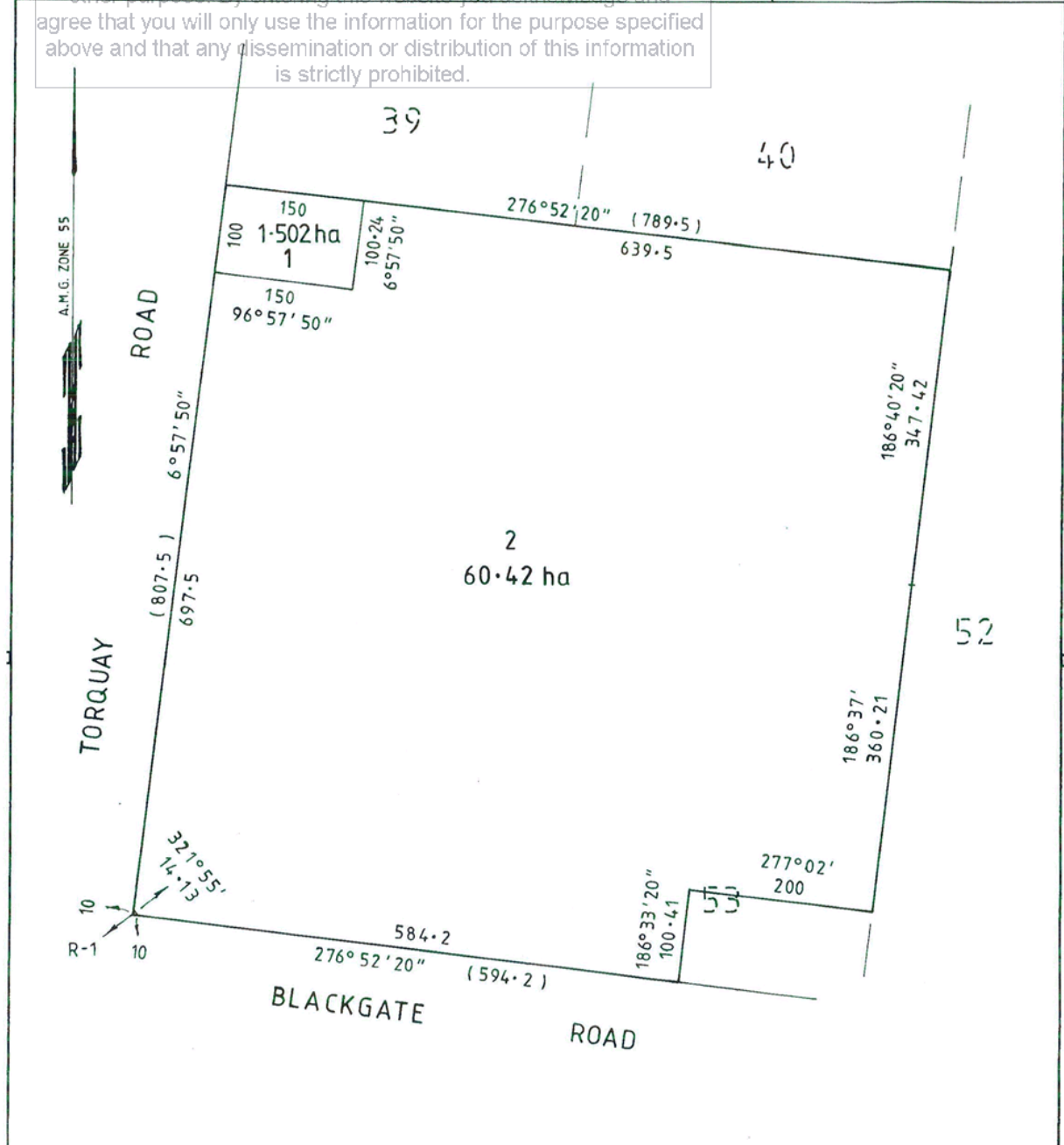
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Stage No

Plan Number

PS 304093W



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 115 YARRA STREET, GEELONG, VIC., 3220
 Telephone: (052) 93147. Fax: (052) 221991

ORIGINAL		SCALE		LICENSED SURVEYOR (PRINT) RAYMOND JAMES DUNN		Sheet 2 of 2 sheets	
SCALE	SHEET SIZE	40	0	80	160	SIGNATURE.....	DATE / /
1:4000	A3	LENGTHS ARE IN METRES		REF 12426	VERSION	COUNCIL DELEGATE SIGNATURE	Original sheet size A3

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Lodged by:
Name: ERIC FAULKNER
Phone: (03) 5221 2488
Address: 12 Aberdeen Street
Geelong
Ref: EF
Customer Code: 786 E



T1 Office
AB155059T
16/03/2002 \$546 45

MADE AVAILABLE / CHANGE CONTROL
Land Titles Office Use Only

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 and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: (volume and folio reference)

Volume 10106 Folio 958



DAB155059T-1-4

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

Consideration:

ON EHUNDRED & EIGHTY-FIVE THOUSAND DOLLARS (\$185,000.00)

Transferor: (full name)

DAVID JAMES VANDERPOL AND CHARMAINE LEE VANDERPOL

Transferee: (full name and address including postcode)

CHRISTOPHER GEORGE NOBLE AND DIANA JOAN NOBLE of 1355 Blackgate Road, Freshwater Creek, 3216 as joint tenants

Directing Party: (full name)

Dated: 12 MARCH 2002

Execution and attestation:

Signed by DAVID JAMES VANDERPOL in the presence of: *Eric Faulkner*

[Signature]

Signed by CHARMAINE LEE VANDERPOL in the presence of: *Eric Faulkner*

[Signature]
CLV

Signed by CHRISTOPHER GEORGE NOBLE in the presence of: *[Signature]*

[Signature]

Signed by DIANA JOAN NOBLE in the presence of: *[Signature]*

[Signature]

SURF COAST SHIRE

28 SEP 2016

PLANNING DEPARTMENT

Approval No: 599008A

ORDER TO REGISTER
Please register and issue title to

STAMP DUTY USE ONLY



Signed

Cust. Code:




Original Transfer of Land
Stamped with: \$6,760.00
Trn: 1220082 13-MAR-2002
SRD Victoria Duty, 8%IO

* Law Perfect Pty Ltd

THE BACK OF THIS FORM MUST NOT BE USED

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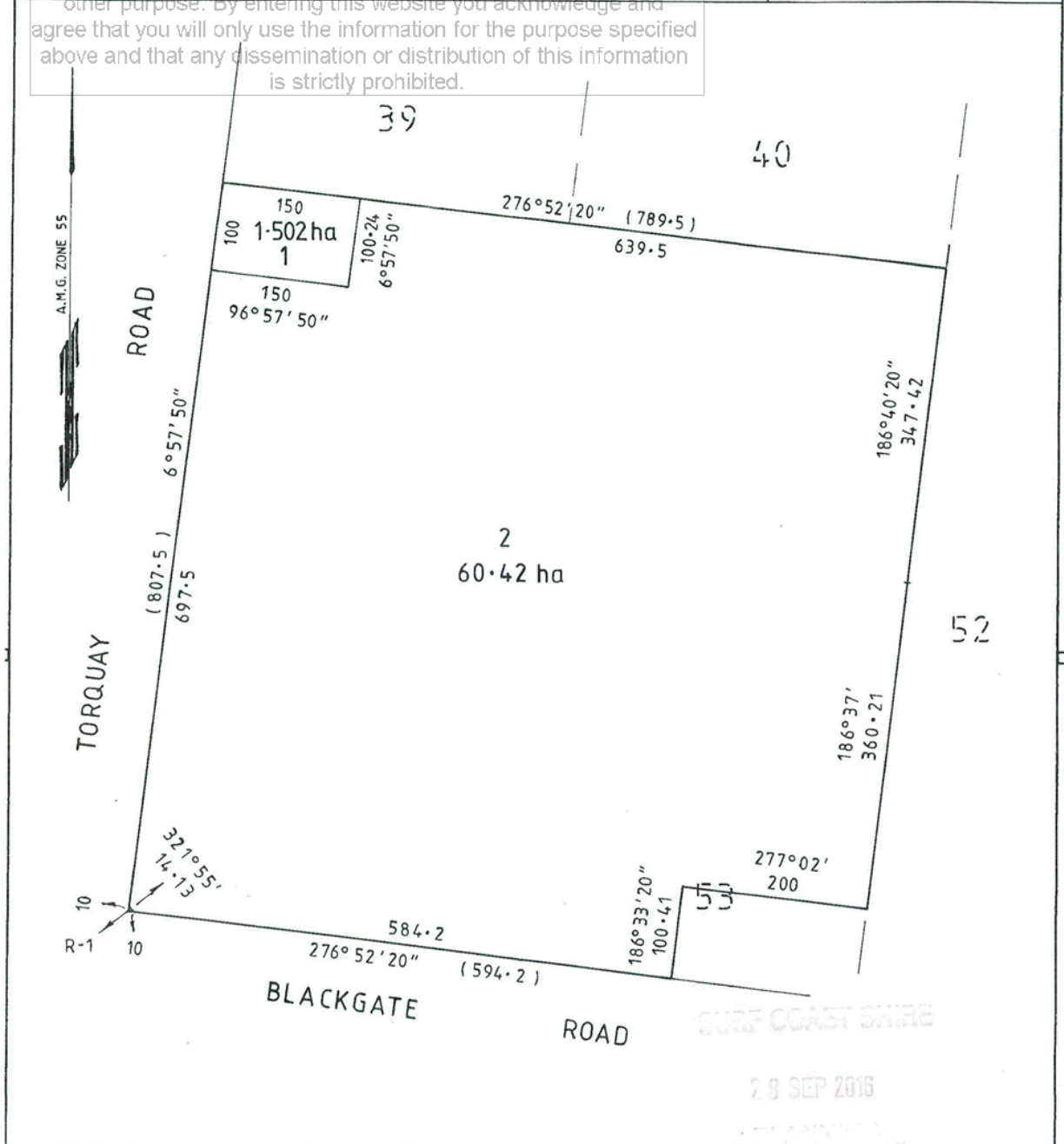
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<p>Environment Act 1987. The information must not be used for any other purpose than the site you acknowledge and agree that you will only use the information for the purpose specified above and that any dissemination or distribution of this information is strictly prohibited.</p>		<p>STAGE NO. LTO use only EDITION 1</p>	<p>Plan Number PS 304093W</p>				
<p>PLAN OF SUBDIVISION</p> <p>Location of Land</p> <p>Parish: PUEBLA</p> <p>Township: _____</p> <p>Section: _____</p> <p>Crown Allotment: _____</p> <p>Crown Portion: 53 (PART)</p> <p>LTO Base Record: LITHO. PUEBLA (3421)</p> <p>Title Reference: VOL. 10096 FOL. 167</p> <p>Last Plan Reference: _____</p> <p>Postal Address: BLACKGATE ROAD, (at time of subdivision) MOUNT DUNEED, 3216</p> <p>AMG Co-ordinates E 266500 Zone: 55 (of approx. centre of land in plan) N 5759500</p>		<p>Council Certificate and Endorsement</p> <p>Council Name: CITY OF SOUTH BARWON Ref: 2615</p> <ol style="list-style-type: none"> 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. <p>OPEN SPACE</p> <p>(i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made.</p> <p>(ii) The requirement has been satisfied.</p> <p>(iii) The requirement is to be satisfied in Stage.....</p> <p>Council delegate Council seat Date / /</p> <p>Re-certified under section 11(7) of the Subdivision Act 1988</p> <p>Council Delegate Council Seal Date / /</p>					
<p>Vesting of Roads and/or Reserves</p>							
Identifier	Council/Body/Person						
R-1	CITY OF SOUTH BARWON						
<p>Notations</p> <p>Staging This is/is not a staged subdivision Planning Permit No. 89 / 283 C</p> <p>Depth Limitation</p> <p>NIL</p> <p style="text-align: center; color: purple; font-weight: bold; font-size: 1.2em;">SURF COAST SHIRE</p> <p style="text-align: center; color: purple; font-weight: bold; font-size: 1.2em;">28 SEP 2016</p> <p style="text-align: center; color: purple; font-weight: bold; font-size: 1.2em;">PLANNING DEPARTMENT</p>							
<p>Survey This plan is/is not based on survey</p> <p>This survey has been connected to permanent marks no(s) 4, 25 In Proclaimed Survey Area No. _____</p>							
<p>Easement Information</p>							
<p>Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)</p>			<p>LTO use only</p> <p>Statement of Compliance/ Exemption Statement</p> <p>Received <input checked="" type="checkbox"/></p> <p>Date 21 / 10 / 92</p>				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	<p>LTO use only</p> <p>PLAN REGISTERED</p> <p>TIME 9:30 A.M.</p> <p>DATE 25 / 3 / 2013</p> <p><i>W.P. Jones</i> Assistant Registrar of Titles</p> <p>Sheet 1 of 2 Sheets</p>		
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 30%; text-align: center;">  <p>THOMS & PARTNERS PTY. LIMITED SURVEYORS : ENGINEERS : LAND DEVELOPMENT CONSULTANTS 115 YARRA STREET, GEELONG, VIC., 3220 Telephone: (052) 93147. Fax: (052) 221991</p> </td> <td style="width: 40%;"> <p>LICENSED SURVEYOR (PRINT)..... RAYMOND JAMES DUNN</p> <p>SIGNATURE..... DATE / /</p> <p>REF 12426 VERSION</p> </td> <td style="width: 30%;"> <p>DATE / /</p> <p>COUNCIL DELEGATE SIGNATURE</p> <p>Original sheet size A3</p> </td> </tr> </table>					 <p>THOMS & PARTNERS PTY. LIMITED SURVEYORS : ENGINEERS : LAND DEVELOPMENT CONSULTANTS 115 YARRA STREET, GEELONG, VIC., 3220 Telephone: (052) 93147. Fax: (052) 221991</p>	<p>LICENSED SURVEYOR (PRINT)..... RAYMOND JAMES DUNN</p> <p>SIGNATURE..... DATE / /</p> <p>REF 12426 VERSION</p>	<p>DATE / /</p> <p>COUNCIL DELEGATE SIGNATURE</p> <p>Original sheet size A3</p>
 <p>THOMS & PARTNERS PTY. LIMITED SURVEYORS : ENGINEERS : LAND DEVELOPMENT CONSULTANTS 115 YARRA STREET, GEELONG, VIC., 3220 Telephone: (052) 93147. Fax: (052) 221991</p>	<p>LICENSED SURVEYOR (PRINT)..... RAYMOND JAMES DUNN</p> <p>SIGNATURE..... DATE / /</p> <p>REF 12426 VERSION</p>	<p>DATE / /</p> <p>COUNCIL DELEGATE SIGNATURE</p> <p>Original sheet size A3</p>					

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Stage No.
 Plan Number
PS 304093W



SURF COAST SHIRE
 28 SEP 2016
 SURVEY DEPARTMENT

THOMS & PARTNERS PTY. LIMITED
 SURVEYORS : ENGINEERS : LAND DEVELOPMENT CONSULTANTS
 115 YARRA STREET, GEELONG, VIC, 3220
 Telephone: (052) 9 3147, Fax: (052) 22 1991

ORIGINAL	SCALE
SCALE 1:4000	SHEET SIZE A3
40 0 80 160 LENGTHS ARE IN METRES	

LICENSED SURVEYOR (PRINT) RAYMOND JAMES DUNN
 SIGNATURE..... DATE / /
 REF **12426** VERSION

Sheet 2 of 2 sheets
 DATE / /
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

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Register Search Statement - Volume 10106 Folio 958

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

VOLUME 10106 FOLIO 958 Security no : 124057973414X
Produced 24/11/2015 03:01 pm

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 304093W.
PARENT TITLE Volume 10096 Folio 167
Created by instrument PS304093W 25/03/1993

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
CHRISTOPHER GEORGE NOBLE
DIANA JOAN NOBLE both of 1355 BLACKGATE ROAD FRESHWATER CREEK VIC 3216
AB155059T 16/03/2002

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE PS304093W 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: 1133 SURF COAST HIGHWAY MOUNT DUNEED VIC 3217

DOCUMENT END

Delivered from the Landata © System by SAI Global Property Division Pty Ltd
Delivered at 24/11/2015, for Order Number 33106678. Your reference: M2041 Mount Duneed South.

SURF COAST SHIRE

28 SEP 2016

PLANNING
DEPARTMENT

Cr Clive Goldsworthy left the meeting at 6:38pm.

1.4 Planning Permit Application 17/0405 - 30 Beales Street, Torquay

Author's Title: Senior Statutory/Strategic Planner **General Manager:** Ransce Salan

Department: Planning & Development **File No:** 17/0405

Division: Environment & Development **Trim No:** IC18/63

Appendix:

1. Order of Speakers - 6 February 2018 (D18/11775)
2. Notification - Set for Advertising - 30 Beales Street Torquay (D17/133362)
3. Further Information - Plans - 30 Beales Street Torquay (D17/134465)

Officer Direct or Indirect Conflict of Interest:

In accordance with Local Government Act 1989 –
Section 80C:

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

The purpose of this report is to hear submissions in relation to Planning Permit Application 17/0405 for the development of the land for two dwellings greater than 7.5 metres in height and a two lot subdivision at 30 Beales Street, Torquay.

Summary

An application has been received to develop two dwellings and to subdivide the land.

A total of 13 submissions (as at 18 January 2018) have been lodged with Council. All are objections to the application.

Submitters are largely concerned that the proposal is not consistent with the character of the immediate neighbourhood in terms of height, bulk, visual impact, height site coverage and design. Additional concerns involve the impact on on-street car parking and traffic flow and noise and overlooking concerns relating to the rooftop deck.

Recommendation

That Council receive and note the submissions to Planning Permit 17/0405 for 30 Beales Street, Torquay.

Committee Resolution

MOVED Cr Rose Hodge, Seconded Cr Margot Smith

That Council receive and note the submissions to Planning Permit 17/0405 for 30 Beales Street, Torquay.

CARRIED 6:0

1.4 Planning Permit Application 17/0405 - 30 Beales Street, Torquay

APPENDIX 1 ORDER OF SPEAKERS - 6 FEBRUARY 2018



Hearing of Submissions
Tuesday 6 February 2018
5pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

Environment & Development

1.4 Planning Permit Application 170405 - 30 Beales Street, Torquay

	Submitter Name
1.	Peter Barbetti
2.	Peter Koopman (on behalf of himself and Kieron Gorman)
3.	Miles Paterson
4.	Marianne Keane
5.	Ross Pidgeon
6.	Steve Warton (Owner/Applicant)
7.	Robert Troup (Applicant)

1.4 Planning Permit Application 17/0405 - 30 Beales Street, Torquay

APPENDIX 2 NOTIFICATION - SET FOR ADVERTISING - 30 BEALES STREET TORQUAY

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Office Use Only
Application No. _____ Date Lodged: _____

Application for a Planning Permit

26 OCT 2017

\$1486.00

Planning Enquiries
Web: www.surfcoast.vic.gov.au

If you need help to complete this form, read MORE INFORMATION at the end of this form.

Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

- Questions marked with an asterisk (*) must be completed.
- If the space provided on the form is insufficient, attach a separate sheet.
- Click for further information.

Clear Form

R: 148707C

The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address*

Unit No.:	St. No.: 30	St. Name: BEALES STREET
Suburb/Locality: TORQUAY		Postcode: 3228

Formal Land Description*
Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: 1 Lodged Plan Title Plan Plan of Subdivision No.: 334248L

OR

B Crown Allotment No.: _____ Section No.: _____

Parish/Township Name: _____

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit?*

TO CONSTRUCT TWO UNITS
AND CREATE A 2 LOT
SUB DIVISION.

RT.

SURF COAST SHIRE
FILE: 170 405
FOLIO: D17/125174
26 OCT 2017
OFFICER: _____
FILE COPY DUPLICATE COPY

SURF COAST SHIRE
14 NOV 2017
PLANNING DEPARTMENT

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Estimated cost of any development for which the permit is required*

Cost \$ 975,000

You may be required to verify this estimate. Insert '0' if no development is proposed.

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Existing Conditions

Describe how the land is used and developed now.
For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

ONE DWELLING

Provide a plan of the existing conditions. Photos are also helpful.

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)

No

Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site.
The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:
Title: MR First Name: ROBERT Surname: TROUP

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:
Unit No.: St. No.: 15 St. Name: DOMAIN ROAD
Suburb/Locality: JARR JUC State: VIC Postcode: 3228

Contact information for applicant OR contact person below

Business phone: Email: uarwanthee@gmail.com
Mobile phone: 0425 707 101 Fax:

Contact person's details* Same as applicant

Name:
Title: First Name: Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:
Unit No.: St. No.: St. Name:
Suburb/Locality: State: Postcode:

Name: Same as applicant

Title: MR **First Name:** STEVE **Surname:** WARTON

Organisation (if applicable): MOB: 0410 564 572 or 9311 1499

Postal Address: If it is a P.O. Box, enter the details here:
Unit No.: St. No.: 7-8 St. Name: OWENS COURT
Suburb/Locality: SUNSHINE WEST State: VIC Postcode:

Owner's Signature (Optional): Date: 22/10/17
2 day/month/year

14 NOV 2017
PLANNING DEPARTMENT

PLANNING DEPARTMENT
Steve@preierema.com.au


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Declaration

This form must be signed by the applicant *

Remember it is against the law to provide false or misleading information which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant, and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature: 

Date: 22/10/17
day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No Yes

If 'Yes', with whom?: BIANCA

Date: 5/10/17 day / month / year

Checklist

Have you:

- Filled in the form completely?
- Paid or included the application fee? Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
- Provided all necessary supporting information and documents?
 - A full, current copy of title information for each individual parcel of land forming the subject site.
 - A plan of existing conditions.
 - Plans showing the layout and details of the proposal.
 - Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
 - If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).
- Completed the relevant council planning permit checklist?
- Signed the declaration above?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Surf Coast Shire Council
PO Box 350
Torquay VIC 3228
1 Merrijig Drive
Torquay VIC 3228

Contact information:
Email: info@surfcoast.vic.gov.au
Translation: 13 1202

Deliver application in person, by post or by electronic lodgement.

SURF COAST SHIRE
14 NOV 2017
PLANNING DEPARTMENT

SURF COAST SHIRE
26 OCT 2017
PLANNING DEPARTMENT

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The Land
Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified?
Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description – the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.
See **Example 1**.

The Proposal
Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

▲ Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?
A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting the Planning Schemes Online section of the department's website <http://planning-schemes.delwp.vic.gov.au>

▲ You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.

Estimated cost of development
In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

▲ Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

▲ Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Existing Conditions
How should land be described?
You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

Title Information
What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances?
Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?
A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?
Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

▲ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

VICTORIA
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Page 1 of 1
Security no : 124068844925N
Produced 31/10/2017 08:44 am

LAND DESCRIPTION

Lot 1 on Title Plan 334248L (formerly known as part of Crown Allotment 8 Section 5 Township of Torquay Parish of Puebla).
PARENT TITLE Volume 06620 Folio 887
Created by instrument A505104 02/04/1958

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
JUDITH ANNE CAMPBELL of 30 BEALES STREET TORQUAY VIC 3228
AB890792N 20/02/2003

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP334248L 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: 30 BEALES STREET TORQUAY VIC 3228

DOCUMENT END

SURF COAST SHIRE

**G 1 NOV 2017
PLANNING
DEPARTMENT**

Delivered by LANDATA@. Land Victoria timestamp 24/04/2017 16:00. Page 1 of 1
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TITLE PLAN	EDITION 1	TP 334248L						
Location of Land: Parish: RUELIA Township: TORQUAY Section: 5 Crown Allotment: 8 (PT) Crown Portion:		Notations						
Last Plan Reference: Derived From: VOL 8182 FOL 476 Depth Limitation: NIL		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: 26-02-2000 VERIFIED: MP						
<table border="1" style="width: 100%;"> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2"> WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 </td> </tr> <tr> <td colspan="2"> PARCEL 1 = CA 8 (PT) </td> </tr> </table>			TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = CA 8 (PT)	
TABLE OF PARCEL IDENTIFIERS								
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962								
PARCEL 1 = CA 8 (PT)								
LENGTHS ARE IN FEET & INCHES	Metres = 0.3048 x Feet Metres = 0.295188 x Links	Sheet 1 of 1 sheets						

SURF COAST SHIRE
 26 OCT 2017
 PLANNING DEPARTMENT

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**35 BEALES STREET TORQUAY
PROPOSAL**

It is proposed to construct 2 dwellings and to undertake a two lot subdivision.

The dwellings are setback 4.5 metres from the street and both are accessed directly from the street.

The dwellings are mirror imaged with a common party wall.

Both dwellings contain at ground level, a single garage and store, a laundry, powder room and open kitchen/dining/living area. First floor level consists of 4 bedrooms, three bathrooms and a living area. A roof deck is provided for each dwelling.

The maximum height of each dwelling is 7.5 metres with a small part of the roof access stair extending up to 9 metres. It is anticipated that the access stair will be not be visible from ground level.

SITE AND SURROUNDING AREA

The site is located on the northern side of Beales Street and is currently developed with a 2 storey dwelling and associated out buildings. The current is currently used as two occupancies, with one up stairs and one down stairs.

The site has a total area of 649 metres square and a frontage of 15.240 metres.

There are no easements.

The site is in an established residential.

The adjoining properties contain single 2 storey dwellings and the land behind has xxxx

PLANNING SCHEME PROVISIONS

General Residential Zone-GRZ1

Use of Land

Clause 32.08-1 No permit is required to use the land for a dwelling.

Subdivision

Clause 32.08-3 Clause 56 assessment is attached.

The existing lot complies by providing 39% garden area which is greater than the 30% required.

The subdivided lots comply as each lot is less than 400 metres squared.



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Minimum garden area requirement
Clause 32.08-4 The percentage of lot area set aside for garden area is for the existing lot is 39% which complies.

Maximum building height

Clause 32.08-9 The maximum building height is 9 metres which complies.

Design and Development Overlay – Schedule 20

Clause 43.02-2 A Planning Permit is required as the height of the new dwellings is over 7.5metres.

Particular Provisions

The following particular provisions are relevant to this application;

Clause 55 – Two or more dwellings on a lot

The development complies with the objectives of Rescode.

Clause 55 assessment is attached.

Clause 52.06 – Car Parking

A garage 3.5 metres wide and 6 metres in length has been provided.

State Planning Policy Framework

The application is consistent with the State Planning Policy Framework by:

- Providing for the consolidation of Torquay by providing for two dwellings on a lot;
- Providing for two contemporary styled dwellings in an area which has diversity of dwelling designs;
- Providing for a development which has windows orientated to the street, allowing for passive surveillance of the street network;
- Providing for north facing windows to living areas.

Local Planning Policy

Building Height

The bulk of the building height does not exceed 7.5 metres in height with a small section of the roof access stair up to 9 metres in height. This element will not be visible from the street and is designed to:

- Act as a thermal chimney to release hot air in summer without the need for air conditioning;
- Provide south light into the centre of the dwellings and in particular the ground floor through the open stair cases;

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The information contained in this online registry is provided for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. Provide an integrated roof form to mount solar collectors; agree that you will provide access to the roof for maintenance and above and that any dissemination or publication of this information is strictly prohibited.

Private Open Space

Each unit has an area of private open space of 114m² which is greater than required area of 40m².

Each unit has an area of secluded open space of 52m² which is greater than the required area of 25m².

Landscaping

The existing canopy tree in the front set back will be retained to unit B.

Another canopy trees will be planted in the front setback of unit A.

Garages

The garages for the units are set back well behind the main building facade and are visually compatible with the development.

The garages do not exceed half of the total building width.

Only a single width driveway is proposed for each dwelling.

There is ample space for a landscape strip adjacent to the side boundaries.

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55.01-1 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

A neighbourhood and site description.

A design response.

55.01-1 Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

In relation to the neighbourhood:

The pattern of development of the neighbourhood.

The built form, scale and character of surrounding development including front fencing.

Architectural and roof styles.

Any other notable features or characteristics of the neighbourhood.

In relation to the site:

Site shape, size, orientation and easements.

Levels of the site and the difference in levels between the site and surrounding properties.

The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.

The use of surrounding buildings.

The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.

Solar access to the site and to surrounding properties.

Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.

Any contaminated soils and filled areas, where known.

Views to and from the site.

Street frontage features such as poles, street trees and kerb crossovers.

The location of local shops, public transport services and public open spaces within walking distance.

SURF COAST SHIRE Any other notable features or characteristics of the site

Refer to the Site Survey attached.

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55.01-2 Design response
Derives from and responds to the neighbourhood and site description.

Meets the objectives of Clause 55.

Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

Refer Proposal document

B55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

Standard B1

The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

The proposal references the existing 60's beach vernacular which exists in the street. In particular it references the house 2 doors to the west.

Standard B2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Refer to the Proposal document

Standard B3

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.

Not Applicable

Standard B4

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

The proposal is connected to all services.

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Standard B5

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable.

Strong pedestrian and vehicular links currently exist to the property.

Both units address the street.

55.03 SITE LAYOUT AND BUILDING MASSING

Standard B6

Walls of buildings should be set back from streets:

- ♣ At least the distance specified in a schedule to the zone, or
- ♣ If no distance is specified in a schedule to the zone, the distance specified in Table B1.

The existing garage on site is setback 3 metres from the front boundary.

The house to the east is setback 3.5 metres from the boundary.

The house to the west is setback more than 9 metres from the boundary.

It is proposed to set the proposed house back 4.5 metres from the front boundary.

Standard B7

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

The bulk of the building height does not exceed 7.5 metres in height with a small section of the roof access stair up to 9 metres in height. This element will not be visible from the street and is designed to:

- Act as a thermal chimney to release hot air in summer without the need for air conditioning;
- Provide south light into the centre of the dwellings and in particular the ground floor through the open stair cases;
- Provide an integrated roof form to mount solar collectors;
- Provide access to the roof for maintenance and

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- **Provide access to the roof top deck for additional private open space.**

Standard B8

The site area covered by buildings should not exceed:

- ♣ The maximum site coverage specified in a schedule to the zone, or
- ♣ If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

The Site Coverage of the proposal = 60% which complies.

Standard B9

The site area covered by the pervious surfaces should be at least:

- ♣ The minimum area specified in a schedule to the zone, or
- ♣ If no minimum is specified in a schedule to the zone, 20 percent of the site.

The Site Permeability of the proposal is = 64% which complies.

Standard B10

Buildings should be:

- ♣ Oriented to make appropriate use of solar energy. ♣ Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.

Both units have their living areas orientated to the north.

Standard B11

If any public or communal open space is provided on site, it should:

- ♣ Be substantially fronted by dwellings, where appropriate.
- ♣ Provide outlook for as many dwellings as practicable.
- ♣ Be designed to protect any natural features on the site.
- ♣ Be accessible and useable.

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Not Applicable

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Standard B12
Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Complies

Standard B13

The landscape layout and design should:

- ♣ Protect any predominant landscape features of the neighbourhood.
- ♣ Take into account the soil type and drainage patterns of the site.
- ♣ Allow for intended vegetation growth and structural protection of buildings.
- ♣ In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- ♣ Provide a safe, attractive and functional environment for residents.

The proposal will provide a safe, attractive and functional environment for the residents.

Standard B14

The width of accessways or car spaces should not exceed:

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

The proposal complies.

Standard B15

Car parking facilities should:

- ♣ Be reasonably close and convenient to dwellings and residential buildings
- Be secure.

- ♣ Be well ventilated if enclosed.

Shared accessways 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

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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 accessway.

The proposal complies.

55.04 AMENITY IMPACTS

Standard B17

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 a schedule to the zone, or
- ♣ If no distance is specified in a 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.

The proposal complies with all Side and Rear Setbacks.

Standard B18

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 the distance specified in a schedule to the zone; or
- ♣ If no distance is specified in a schedule to the zone, 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 are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater

The proposal does not have any walls on boundaries.

Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that 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.

The proposal complies

Standard B20

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

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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.

Not Applicable.

Standard B21

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 9 am and 3 pm 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.

The proposal does not unduly effect the Secluded Private Open Space of the adjoining properties.

Standard B22

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio.

Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

Habitable room windows in the proposal do not overlook the Secluded Open Space of existing dwellings.

Standard B23

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.

Not Applicable.

Standard B24

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

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Proposal complies.

55.05 ON-SITE AMENITY AND FACILITIES

Standard B25

The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Not Applicable

Standard B26

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.

The entry to each unit is visible from the street and is protected from the weather.

Standard B27

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 one third of its perimeter.

Proposal complies.

Standard B28

A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

- ♣ An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- ♣ A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or ♣ A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

Each unit has an area of 114m² of private open space, which complies with the objective.

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Standard B29

The private open space should be located on the north side of the dwelling or residential building, if appropriate. The southern boundary of secluded private open space should be 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.

The Private Open Space is located on the north side of the units.

Standard B30

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

Proposal complies.

55.06 DETAILED DESIGN

Standard B31

The design of buildings, including:

- ♣ Facade articulation and detailing,
- ♣ Window and door proportions,
- ♣ Roof form, and
- ♣ Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Proposal complies.

Standard B32

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 a schedule to the zone, or
- ♣ If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

Front fences are not being constructed for the development.

Standard B33

Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.

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There is no common property proposed in the development.

Standard B34

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

Bins will be located in the garages.

Mailboxes will be located at the front boundaries of each unit.

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30 Beales Street Torquay

CLAUSE 56.03-5 Local accessibility

Standard C12

Not applicable

Standard C13

Not Applicable

CLAUSE 56.04-2 Lot area and building envelopes.

Standard C8

The proposed development of the lots complies with Rescode.

CLAUSE 56.04-3 Solar orientation of lots

Standard C9

Both lots receive good solar access to the primary living area.

CLAUSE 56.04-5 Common area objectives.

Standard C11

There are no common areas proposed.

CLAUSE 56.06-8 Lot access objective

Standard C21

Access to the lots is unchanged.

CLAUSE 56.07-1 Drinking Water Supply

Standard C22

Not Applicable.

Clause 56.07-2 Re-used and Recycled water

Standard C23

Not Applicable

Clause 56.07-3 Waste Water Management

Standard C24

A reticulated waste water system will be provided to the boundary of both lots in the subdivision as required by Barwon Water.

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30 Beales Street Torquay

A Stormwater Management System will be provided if requested by the Council's Engineering Department.

It is proposed to relocate the Side Entry pit at the front of the property to a location which will not affect the proposed new crossover for Unit A.

Clause 56.08-1 Site Management

Standard C26

The site will be managed to prevent construction run-off onto the street during construction by having an on-site manager present at all times while work is being done on site.

Clause 56.09-1 Shared trenching

Standard 27

Reticulated services for water, gas, electricity and telecommunications will be provided in shared trenching to minimise construction costs and land allocation for underground services.

Clause 56.09-2 Electricity, telecommunications and gas objectives.

Standard C28

Electricity, telecommunications and gas services will be designed in accordance with the requirements of the relevant authority.

It is proposed to relocate the Telstra pit at the front of the property to a location which will not affect the proposed new crossover for Unit A.

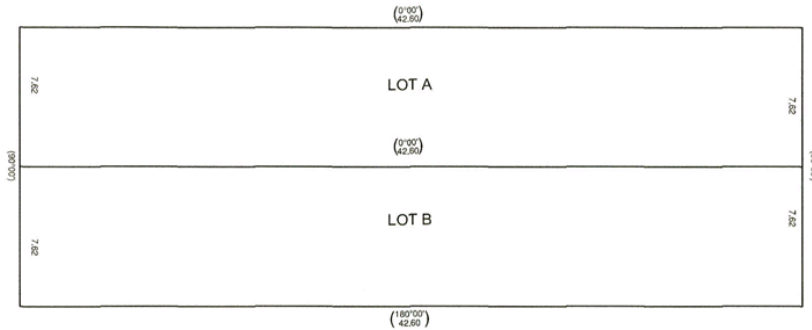
It is proposed to locate the overhead power line to number 32 Beale Street so it does not affect the proposed new development.

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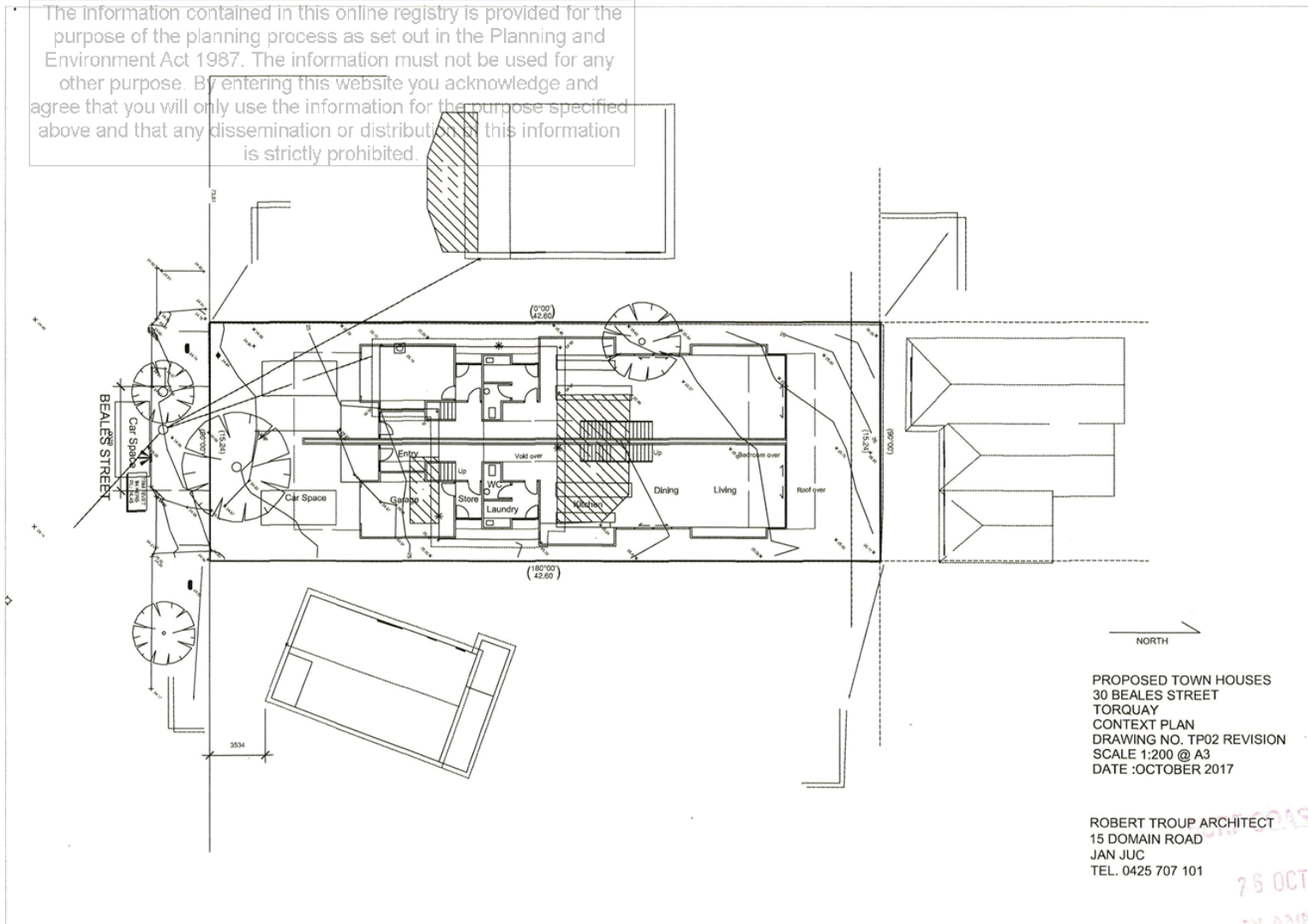
PROPOSED TOWN HOUSES
30 BEALES STREET
TORQUAY
SUBDIVISION PLAN
DRAWING NO. TP01 REVISION
SCALE 1:200 @ A3
DATE :SOCTOBER 2017

ROBERT TROUP ARCHITECT
15 DOMAIN ROAD
JAN JUC
TEL. 0425 707 101

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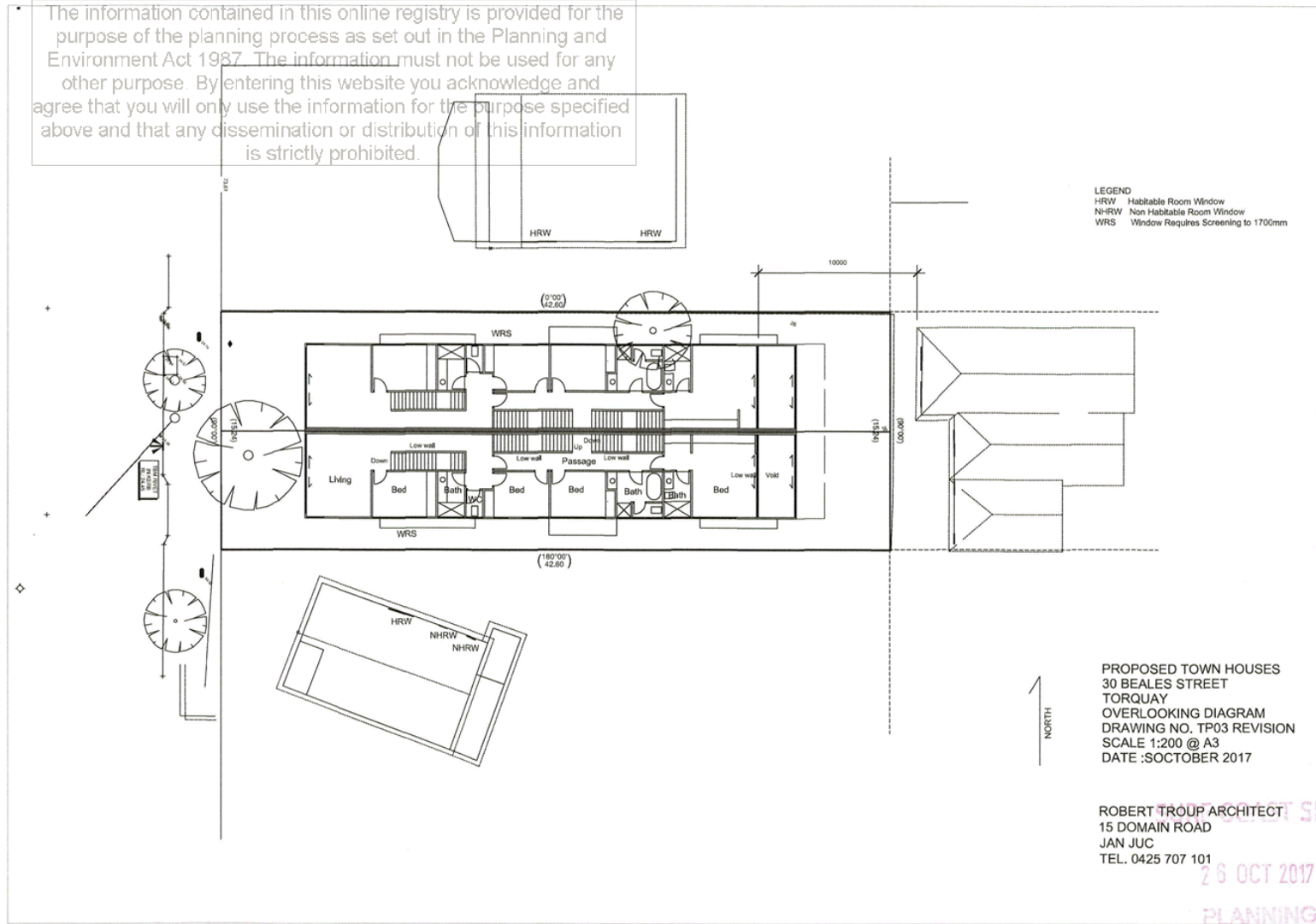
NORTH

PROPOSED TOWN HOUSES
30 BEALES STREET
TORQUAY
CONTEXT PLAN
DRAWING NO. TP02 REVISION
SCALE 1:200 @ A3
DATE :OCTOBER 2017

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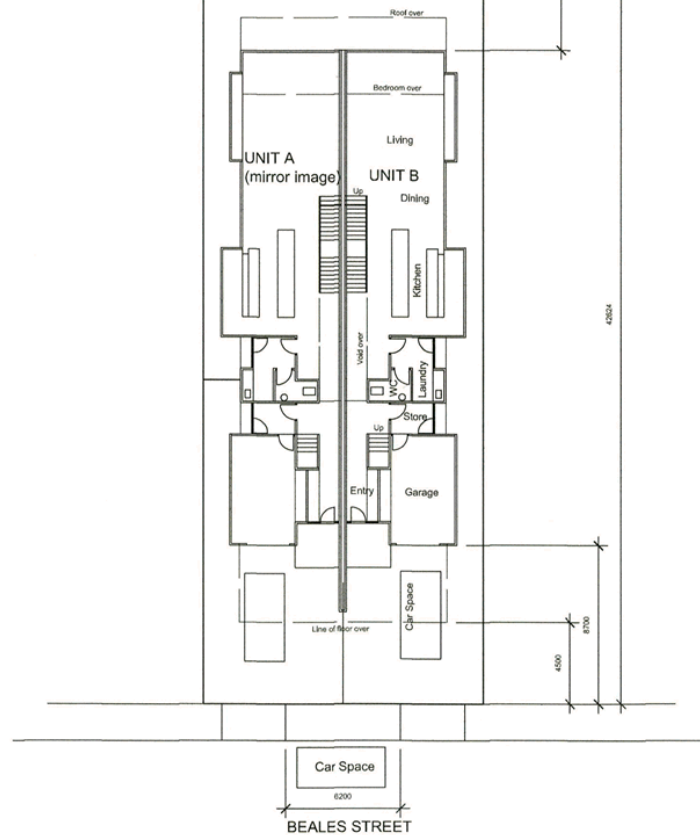
LEGEND
HRW Habitable Room Window
NHRW Non Habitable Room Window
WRS Window Requires Screening to 1700mm

PROPOSED TOWN HOUSES
30 BEALES STREET
TORQUAY
OVERLOOKING DIAGRAM
DRAWING NO. TP03 REVISION
SCALE 1:200 @ A3
DATE :SOCTOBER 2017

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PROPOSED TOWN HOUSES
30 BEALES STREET
TORQUAY
FLOOR PLANS
DRAWING NO. TP04 REVISION
SCALE 1:200 @ A3
DATE :SOCTOBER 2017

NORTH

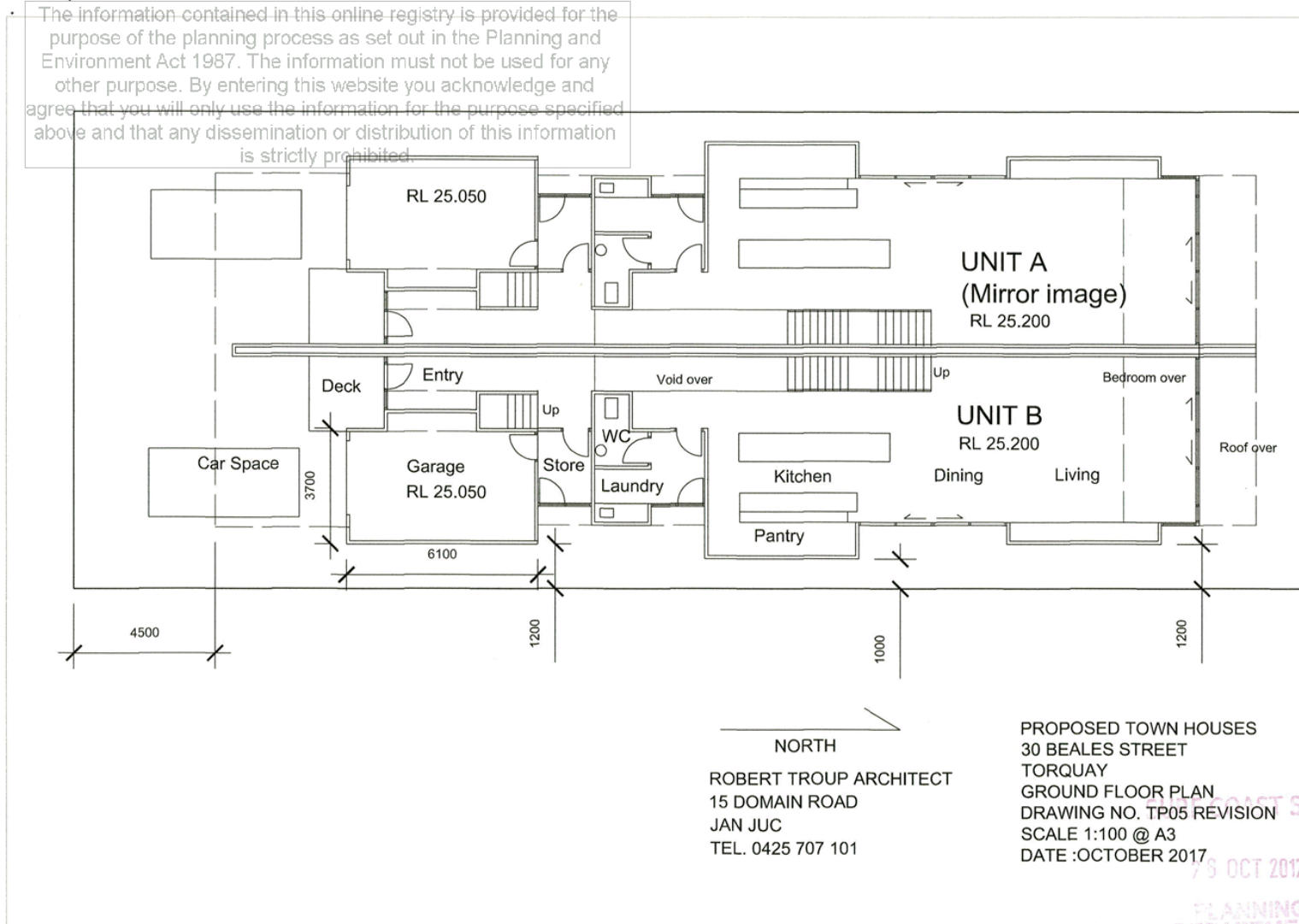
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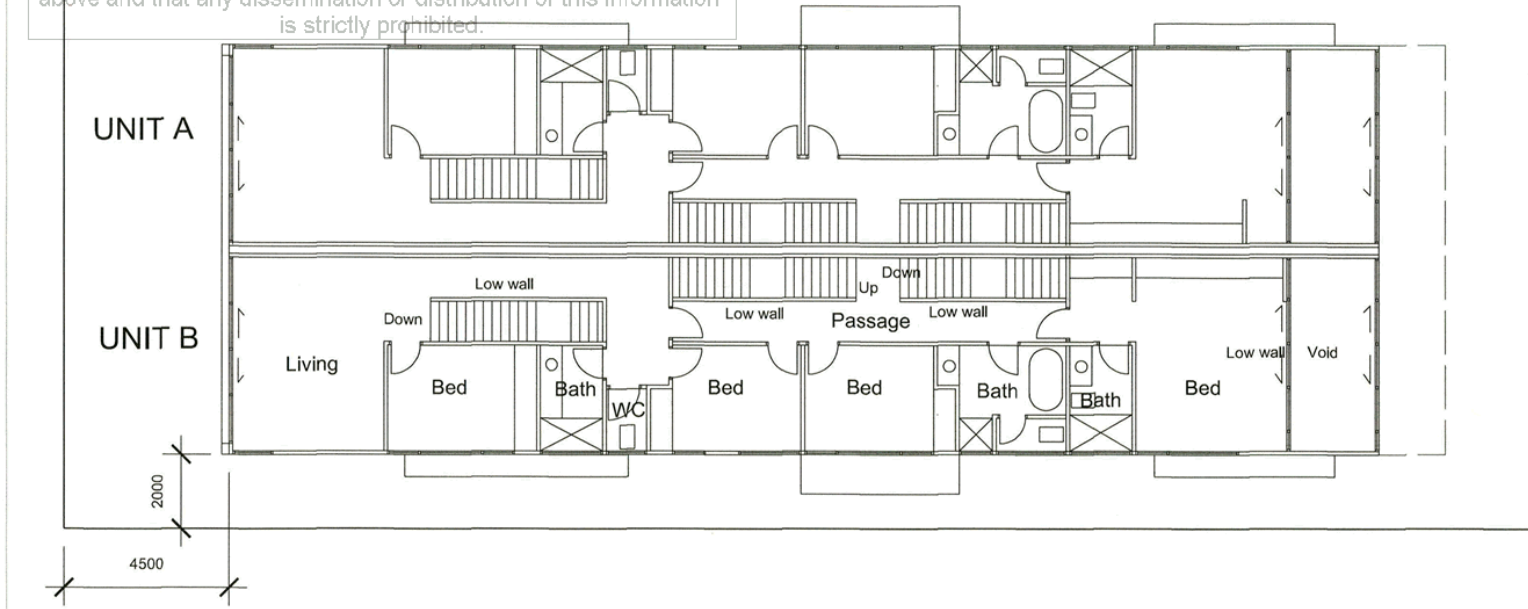
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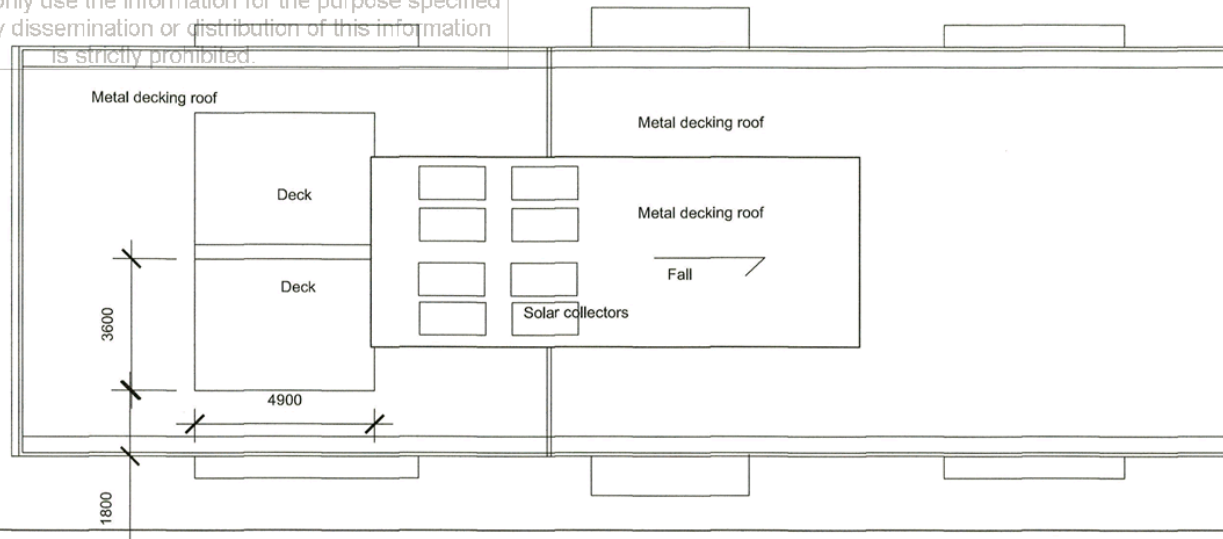
The information contained in this online registry is provided for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By entering this website you acknowledge and agree that you will only use the information for the purpose specified above and that any dissemination or distribution of this information is strictly prohibited.



NORTH
ROBERT TROUP ARCHITECT
15 DOMAIN ROAD
JAN JUC
TEL. 0425 707 101

PROPOSED TOWN HOUSES
30 BEALES STREET
TORQUAY
FIRST FLOOR PLAN
DRAWING NO. TP06 REVISION
SCALE 1:100 @ A3
DATE :OCTOBER 2017
SURF COAST SHIRE
25 OCT 2017
PLANNING
DEPARTMENT

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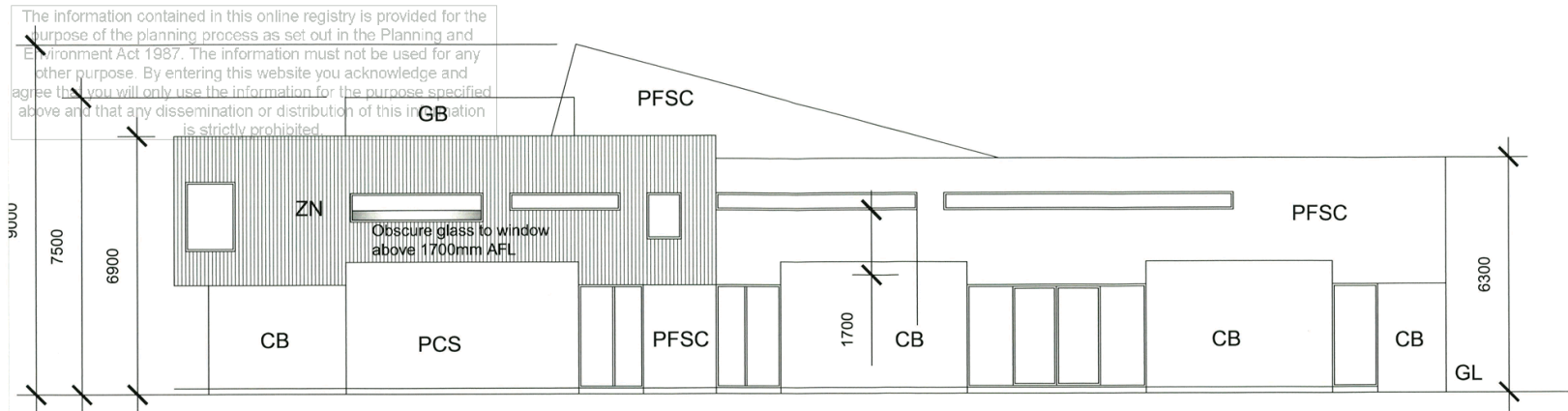
ROOF PLAN



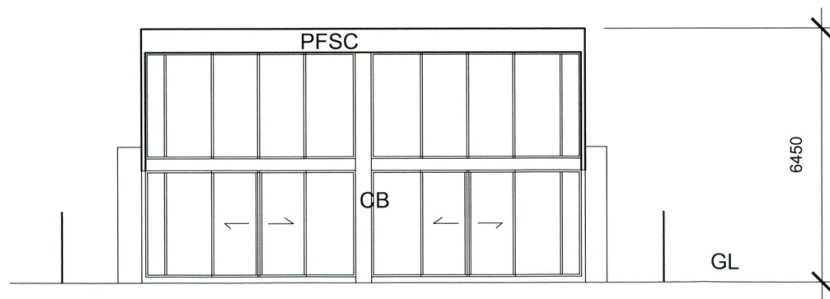
NORTH
ROBERT TROUP ARCHITECT
15 DOMAIN ROAD
JAN JUC
TEL. 0425 707 101

PROPOSED TOWN HOUSES
30 BEALES STREET
TORQUAY
ROOF PLAN
DRAWING NO. TP07 REVISION
SCALE 1:100 @ A3
DATE :OCTOBER 2017

SURF COAST SHIRE
7 8 OCT 2017
PLANNING
DEPARTMENT



WEST ELEVATION
 Mirror image of East Elevation



NORTH ELEVATION

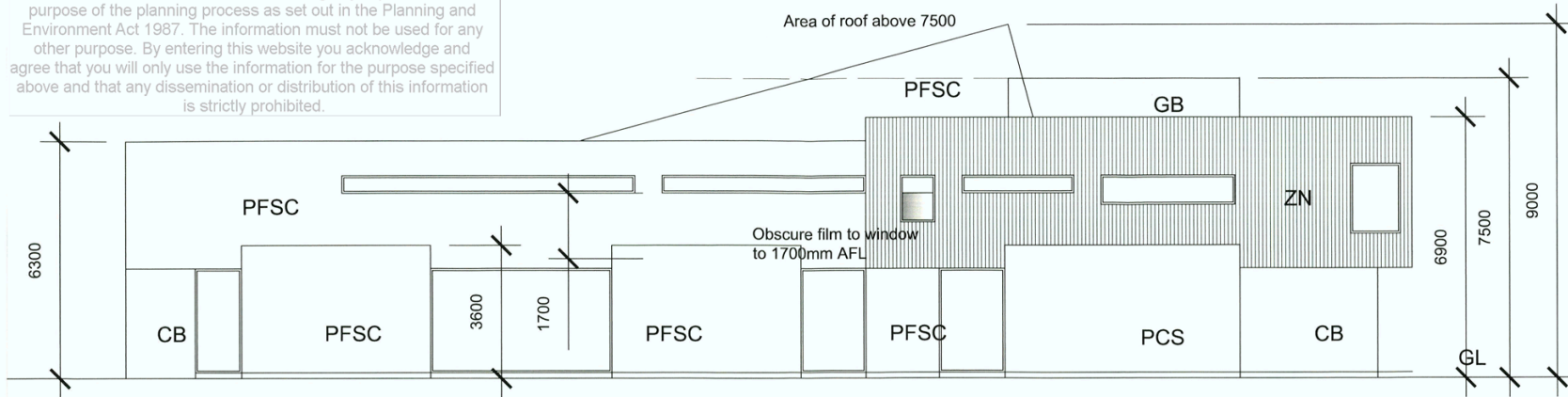
Legend

- ZN Corten cladding
- PFSC Fibrous Cement Sheet painted grey colour
- PCS Polycarbonate Sheeting
- GB Glass Balustrade
- CB Cemintel Barestone Sheeting

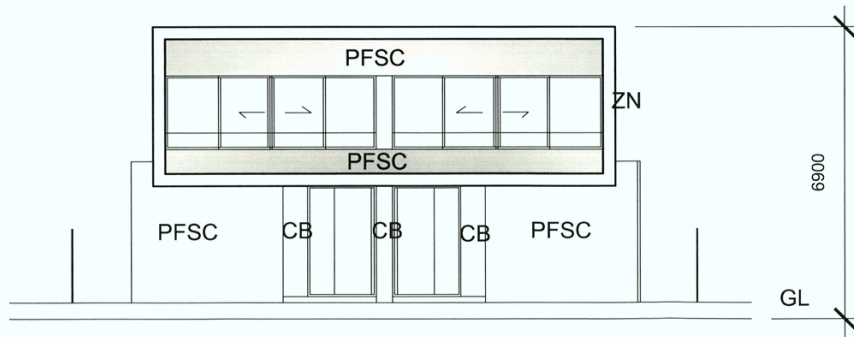
PROPOSED TOWN HOUSES
 30 BEALES STREET
 TORQUAY
 WEST ELEVATION
 DRAWING NO. TP08 REVISION A
 SCALE 1:100 @ A3
 DATE :OCTOBER 2017

ROBERT TROUP ARCHITECT
 15 DOMAIN ROAD
 JAN JUC
 TEL. 0425 707 101

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EAST ELEVATION
 Mirror image of West Elevation



SOUTH ELEVATION

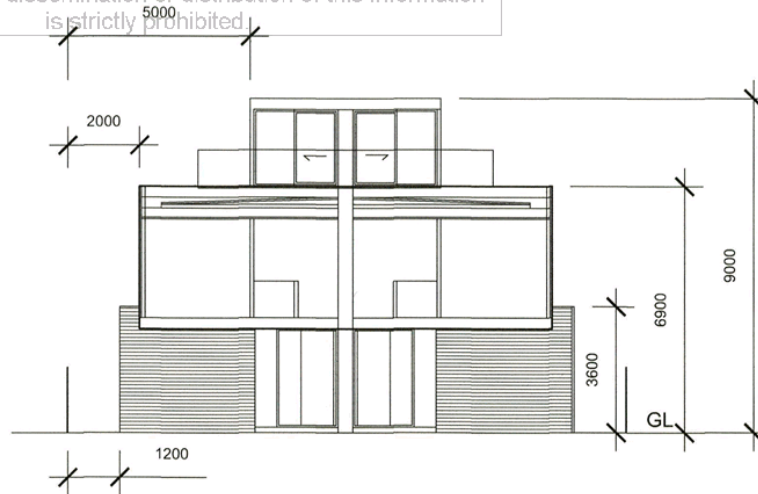
Legend

- ZN Corten cladding
- PFSC Fibrous Cement Sheet painted grey colour
- PCS Polycarbonate Sheeting
- GB Glass Balustrade
- CB Cemintel Barestone Sheeting

PROPOSED TOWN HOUSES
 30 BEALES STREET
 TORQUAY
 EAST ELEVATION
 DRAWING NO. TP09 REVISION A
 SCALE 1:100 @ A3
 DATE :OCTOBER 2017

ROBERT TROUP ARCHITECT
 15 DOMAIN ROAD
 JAN JUC
 TEL. 0425 707 101

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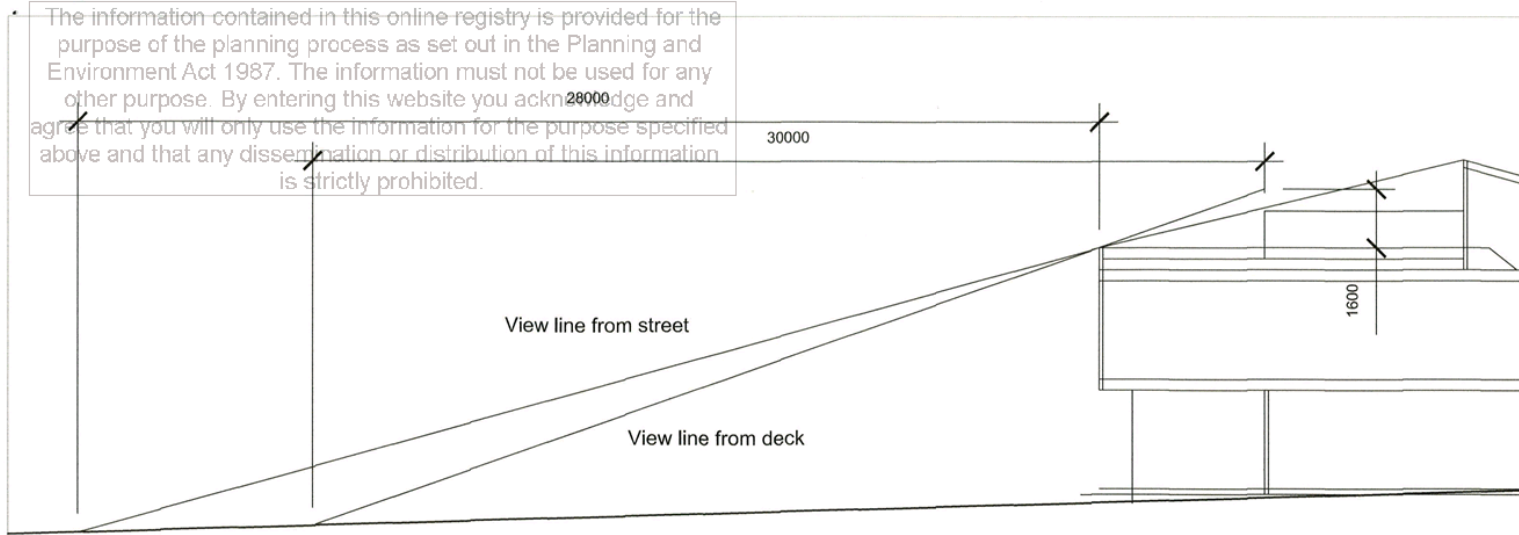
CROSS SECTION THRU' ROOF DECK

— NORTH
ROBERT TROUP ARCHITECT
15 DOMAIN ROAD
JAN JUC
TEL. 0425 707 101

PROPOSED TOWN HOUSES
30 BEALES STREET
CROSS SECTION
DRAWING NO. TP10 REVISION
SCALE 1:100 @ A3
DATE :OCTOBER 2017

SURF COAST SHIRE
7 9 OCT 2017
PLANNING
DEPARTMENT

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LONGITUDINAL SECTION

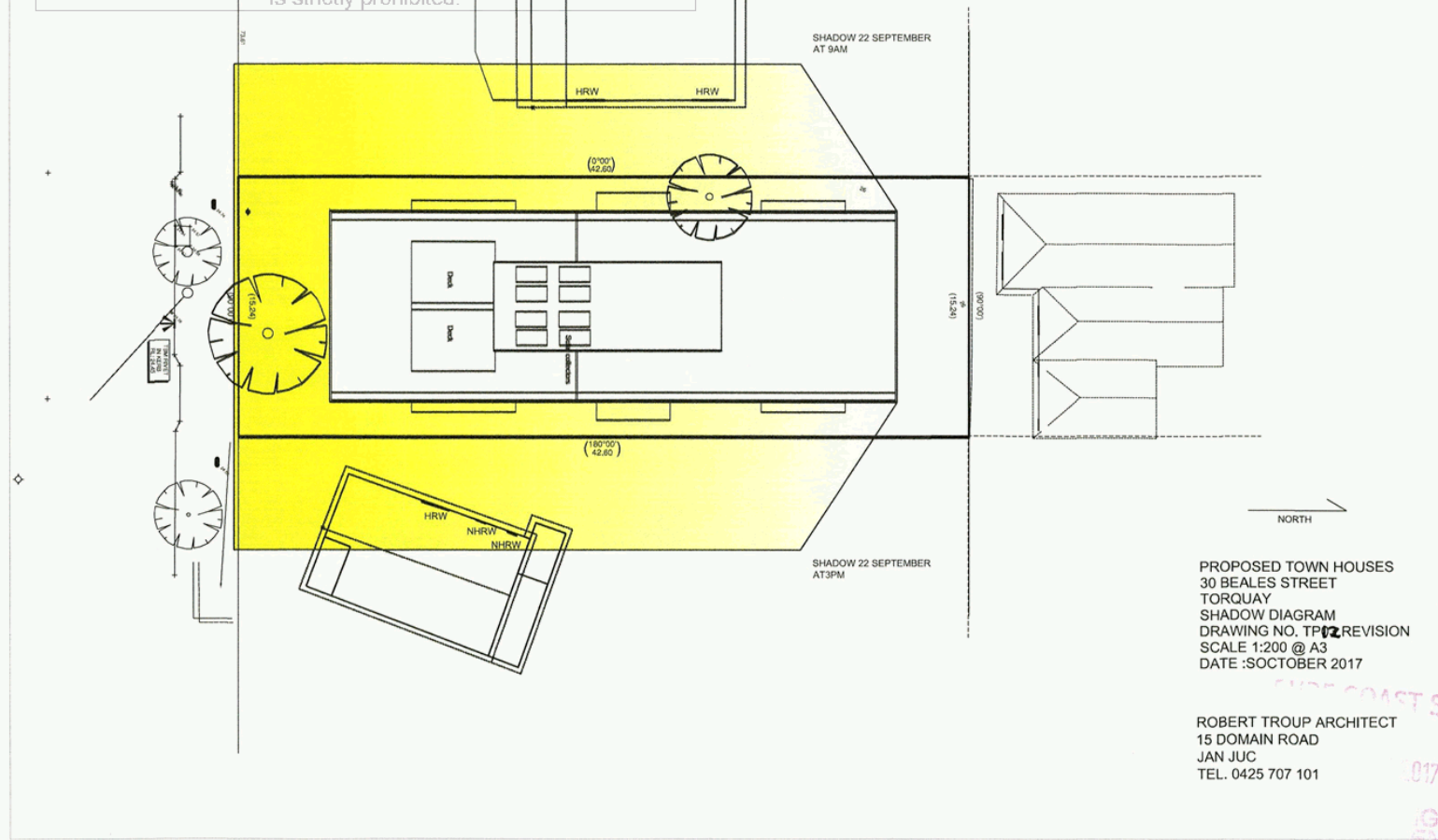


ROBERT TROUP ARCHITECT
15 DOMAIN ROAD
JAN JUC
TEL. 0425 707 101

PROPOSED TOWN HOUSES
30 BEALES STREET
TORQUAY
SIGHT LINES
DRAWING NO. TP11 REVISION
SCALE 1:100 @ A3
DATE :OCTOBER 2017

SURF COAST SHIRE
COUNCIL
2017

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SURF COAST SHIRE

017

19

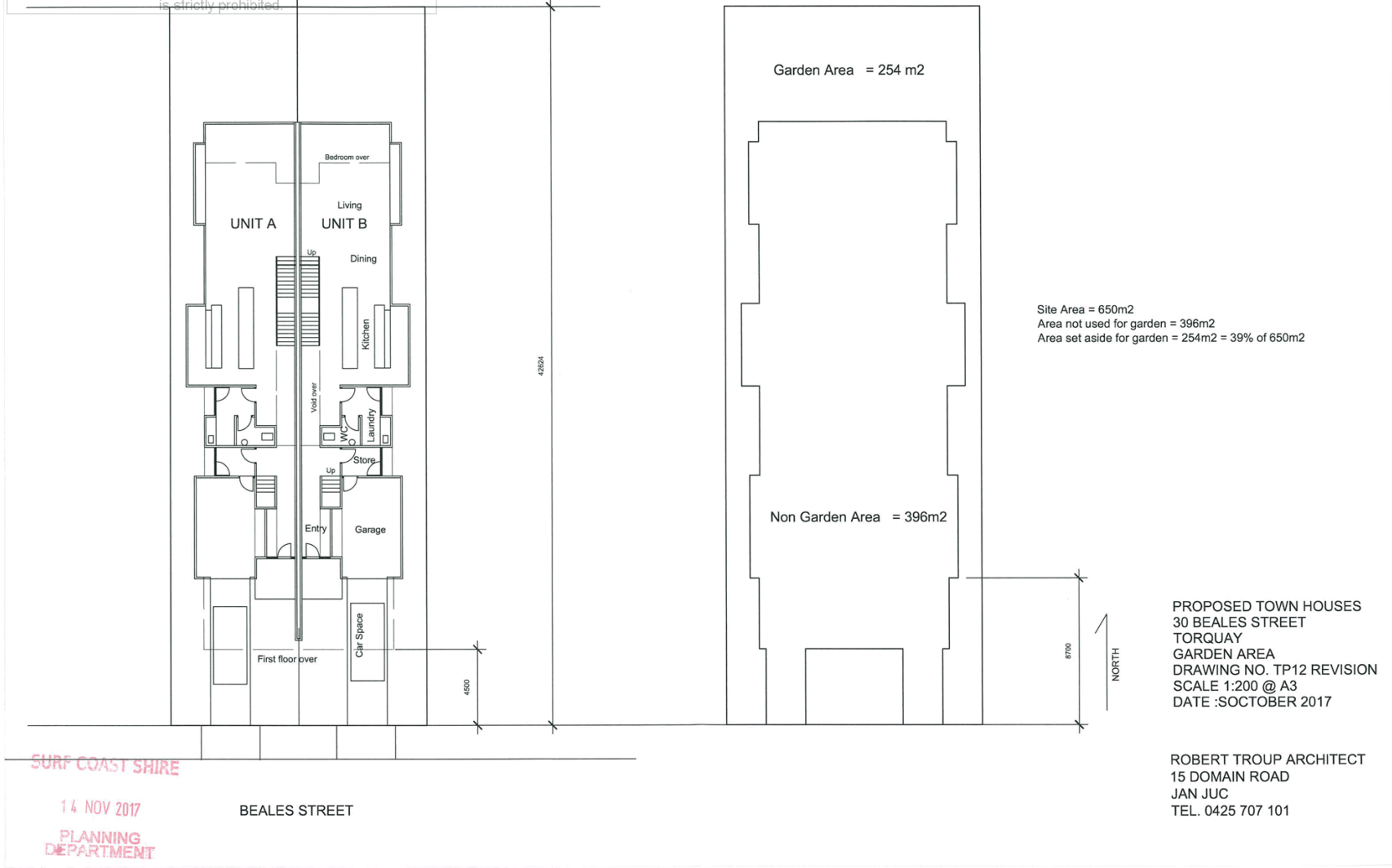


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SURF COAST SHIRE
 FILE:
 POLICY:
26 OCT 2017
 OFFICER:
 FILE COPY COPY TO CATEGORY

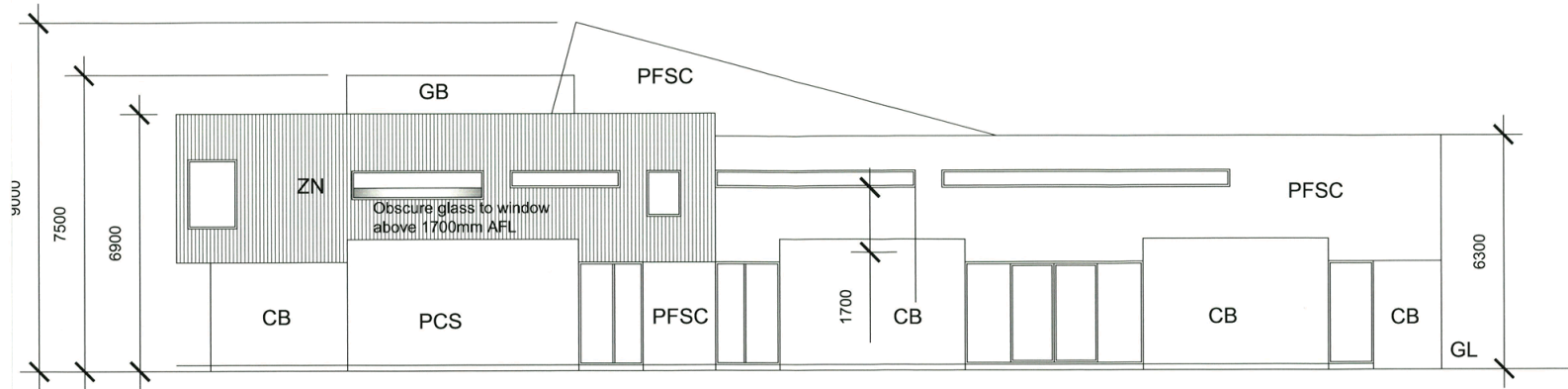
<p>ST. QUENTIN 11/1111 FVANS STREET, 811 8th FLOOR, COLLINGWOOD VIC 3068 TELEPHONE 03 9371 1411 FAX 03 9371 2903</p>	<p>Project Name: 30 BEALES STREET TORQUAY, 3228 VOL. 8162 FOL. 476 LOT 1 ON TP334248L Date of Survey: 19/08/2017 Surveyed By: M Drawn By: M Date Drawn: 26/09/2017 Scale: 1:100 (S.A.)</p>	<p>Legend: ○ ELEC. POLE ● G.A. METER ● WATER METER = TELESTRUT = OVERHEAD ELECTRICITY P.O.D. = POINT OF DISCHARGE</p>
<p>NOTES: This plan is prepared from a combination of field survey and existing records for the purpose of establishing new boundaries on the lot and should not be used for any other purpose. The title boundaries shown herein were established but not marked by St. Quentin Consulting Pty Ltd at the time of survey. Boundary dispute hearings have been located where possible by field survey. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services. This note is an integral part of this plan.</p>	<p>PLAN OF FEATURES & RE-ESTABLISHMENT SURVEY Sheet 1 of 1 15167 01</p>	<p>PLANNING DEPARTMENT</p>

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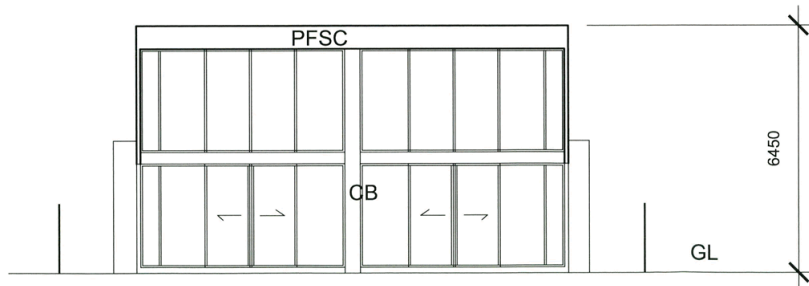


1.4 Planning Permit Application 17/0405 - 30 Beales Street, Torquay

APPENDIX 3 FURTHER INFORMATION - PLANS - 30 BEALES STREET TORQUAY



WEST ELEVATION
 Mirror image of East Elevation



NORTH ELEVATION

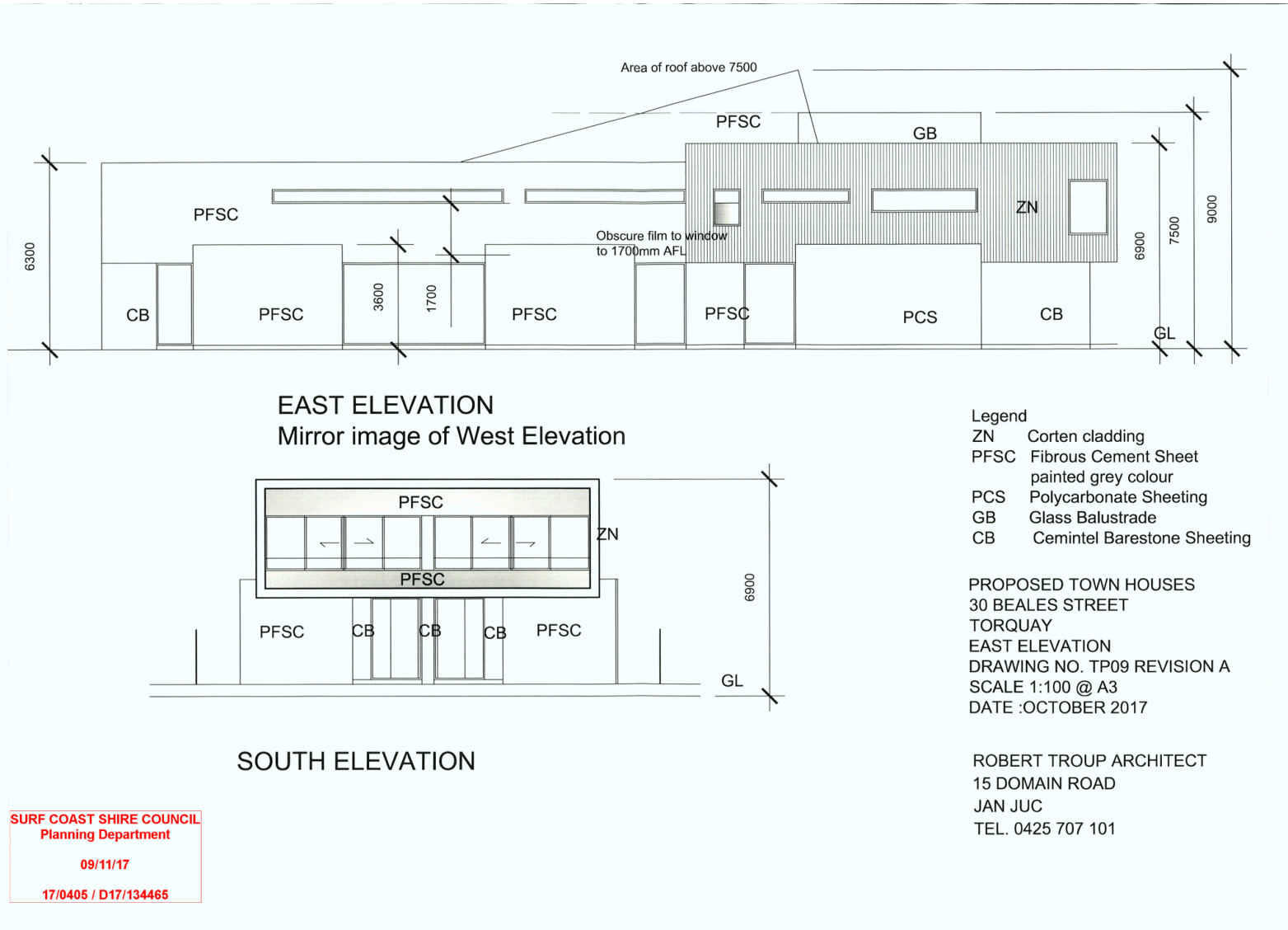
Legend

- ZN Corten cladding
- PFSC Fibrous Cement Sheet
painted grey colour
- PCS Polycarbonate Sheeting
- GB Glass Balustrade
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PROPOSED TOWN HOUSES
 30 BEALES STREET
 TORQUAY
 WEST ELEVATION
 DRAWING NO. TP08 REVISION A
 SCALE 1:100 @ A3
 DATE :OCTOBER 2017

ROBERT TROUP ARCHITECT
 15 DOMAIN ROAD
 JAN JUC
 TEL. 0425 707 101

SURF COAST SHIRE COUNCIL
 Planning Department
 09/11/17
 17/0405 / D17/134465



Close: There being no further items of business the meeting closed at 6:48pm.