

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:
3 and 5 Senator Drive, Benalla, Lot 3, PS910144,
Lot 4, PS910144, Parish of Benalla

The application is for a permit to:
Construction of 6 single storey dwellings

The applicant for the permit is:
Melissa McCoy
Bruce Mactier Building Designers

The application reference number is:
P0082/24
DA7679

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

An objection must:

- * be made to the responsible authority in writing;
- * include the reasons for the objection; and
- * state how the objector would be affected.

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

The Responsible Authority will not decide on the application before:

26 August 2024

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

Application for a Planning Permit

Planning Enquiries
Phone: (03) 5760 2600
Web: www.benalla.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.

i Click for further information.

Clear Form

The Land **i**

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

Street Address *

Unit No.:	St. No.: 3+5	St. Name: Senator Drive
Suburb/Locality: Benalla		Postcode: 3672

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.: 3+4	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input checked="" type="radio"/> Plan of Subdivision	No.: 910144B
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.

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

Proposed six dwelling development.

⚠ 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.

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

Cost \$ 1,550,000

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

Existing Conditions i

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.

Vacant

Provide a plan of the existing conditions. Photos are also helpful.

Title Information i

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 i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:

Title: *MS* First Name: *Melissa* Surname: *MCCoy*

Organisation (if applicable): *Bruce Mactier Building Designers*

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: *2* St. No.: *4* St. Name: *Welsford Street*

Suburb/Locality: *Shepparton* State: *VIC* Postcode: *3630*

Please provide at least one contact phone number *

Contact information for applicant OR contact person below

Business phone: *03 58 22 12 55* Email: *admin@brucemactier.com*

Mobile phone: Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

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:

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: Same as applicant

Title: First Name: Surname:

Organisation (if applicable): *Rural Housing Network Ltd.*

Postal Address: If it is a P.O. Box, enter the details here:


Unit No.: *4* St. No.: *111-113* St. Name: *Hume Street*

Suburb/Locality: *Wodonga* State: *VIC* Postcode: *3690*

Owner's Signature (Optional): Date:
 day / month / year

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:

Melina King

Date: 23/07/2024

day / month / year

Privacy consent

I give consent to my personal information disclosed in the application to be made available for public inspection, including on Council's public website, whilst the application is being determined, in accordance with Section 51 of the Planning and Environment Act 1987.

Yes No

Signature:

Melina King

Date: 23/07/2024

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?:

Date:


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:

Benalla Rural City Council
PO Box 227
Benalla VIC 3671

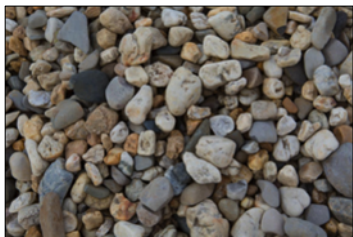
Customer Service Centre
1 Bridge Street East
Benalla VIC 3671

Contact information:

Phone (03) 5760 2600
Email: council@benalla.vic.gov.au
DX: 32230

Deliver application in person, by post or by electronic lodgement.

Landscape Plan



Seymour Pebble 20-14mm

Note: Selected Loose Pebbles:

- Where no plants are present, loose pebbles to be set on a compacted crush rock base.
 - Where plants are present, loose pebbles used as a surface finish over cultivated garden bed.

Note: Timber Edging

- Timber edging required where all garden beds, lawn areas and loose pebbles meet.

Site Areas:

Concrete:	534m ²
Mulched Garden Bed:	77m ²
Lawn:	148m ²
Loose Pebbles:	142m ²

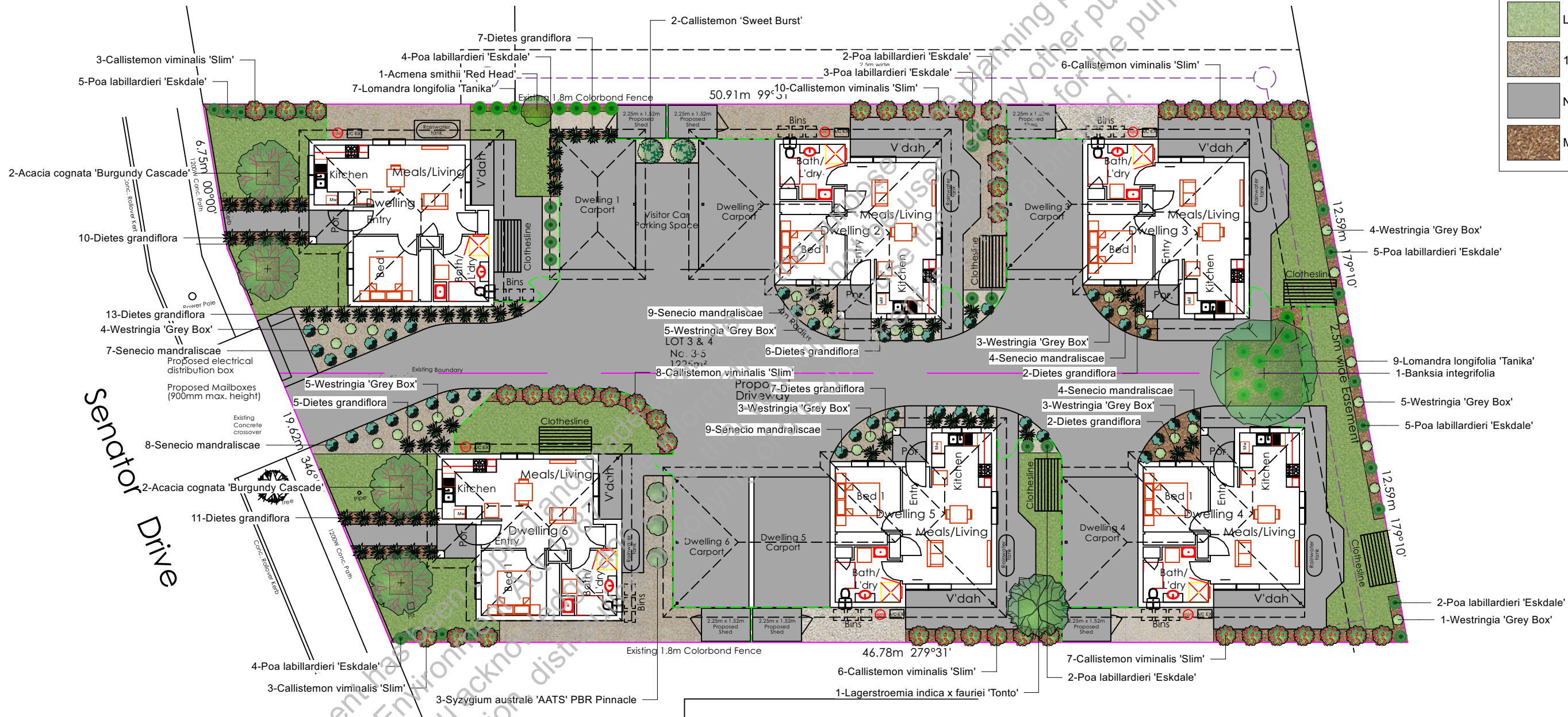
PLEASE NOTE*

These concept designs are not to be considered structural and are not produced for the purpose of building permits.

*All measurements based on provided architects drawings, survey plan, copy of title, and/or observation
 *All measurements are conceptual and are to be determined by contractors prior to construction

Index

- Title Boundary
- Fence Line (Approx.)
- Lawn
- 14mm Loose Pebbles
- New Concrete Paving
- Mulched Garden Bed



Landscape Plan

Beyond Housing 3-5 Senator Drive, Benalla Vic 3672 Scale: 1:200 @ A3 Concept No. LC001-R01 Date: 030724 P: SJ C: JC

JCLD Pty Ltd T/A Justine Carlile LANDSCAPEdesign

4/136 Keys Road, Cheltenham, 3192 e: justine@carlile.net.au p: 03 9555 9944 w: www.justinecarlile.com.au

PERMITS:
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 2. Plant quantities on the planting scheme and in the Plant Schedule are only a guide. The landscape contractor is responsible for verifying exact plant quantities.
 3. It is the responsibility of the contractor to ensure that the soil has been assessed, and remedied if required prior to planting.
 4. It is the responsibility of the registered landscape contractors to determine any specific drainage requirements on the property.
 5. Pool safety requirements must be adhered to by the registered building contractor as part of all works undertaken. Boundary fences, gates, and all new and existing structures must be carefully considered to ensure pool safety requirements are satisfied.
 6. The registered building contractors and their sub-trades are responsible for holding appropriate builders registration as well as complying with all legal and statutory requirements including Worksafe as well as holding any insurances.
 7. The concept designs are solely for the purpose of displaying aesthetic elements of the landscape and are not intended to provide construction specifications.

Plant Schedule and Landscape Notes

Category	Botanical Name	Common Name	H x S (m)	Pot Size (cm)	Spacing(mm)	Qty
Tree	Acacia cognata 'Burgundy Cascade'	Burgundy Cascade River Myrtle	4.0 x 3.0	30cm	2000	4
Tree	Acmena smithii 'Red Head'	Red Head Lilly Pilly	6.0 x 2.5	20cm	800	1
Tree	Banksia integrifolia	Coastal Banksia	15.0 x 6.0	30cm	6600	1
Tree	Lagerstroemia indica x fauriei 'Tonto'	Tonto Crepe Myrtle	3.0 x 3.0	30cm	3000	1
Tree	Syzygium australe 'AATS' PBR Pinnacle	Pinnacle Lilly Pilly	6.0 x 1.2	20cm	1500	3
Succulent	Senecio mandraliscae	Blue Chalk Sticks	0.4 x 0.6	14cm	1000	41
Shrub	Callistemon viminalis 'Slim'	Slim Bottlebrush	3 x 1.3	20cm	---	43
Shrub	Callistemon 'Sweet Burst'	Callistemon 'Sweet Burst'	3.0 x 3.0	20cm	1500	2
Shrub	Westringia 'Grey Box'	Grey Box Coastal Rosemary	0.5 x 0.5	14cm	1000	33
Perennial	Dietes grandiflora	Native Iris	1.0 x 0.6	14cm	800	63
Grass	Lomandra longifolia 'Tanika'	Lomandra Tanika	0.65 x 0.65	14cm	800	16
Grass	Poa labillardieri 'Eskdale'	Eskdale Tussock-grass	0.8 x 0.6	14cm	800	32

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Acacia cognata 'Burgundy Cascade'



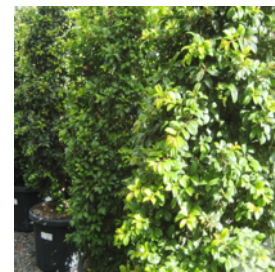
Acmena smithii 'Red Head'



Banksia integrifolia



Lagerstroemia indica 'Tonto'



Syzygium australe 'AATS' PBR Pinnacle



Senecio mandraliscae



Callistemon viminalis 'Slim'



Callistemon 'Sweet Burst'



Westringia 'Grey Box'



Dietes grandiflora



Lomandra longifolia 'Tanika'



Poa labillardieri 'Eskdale'

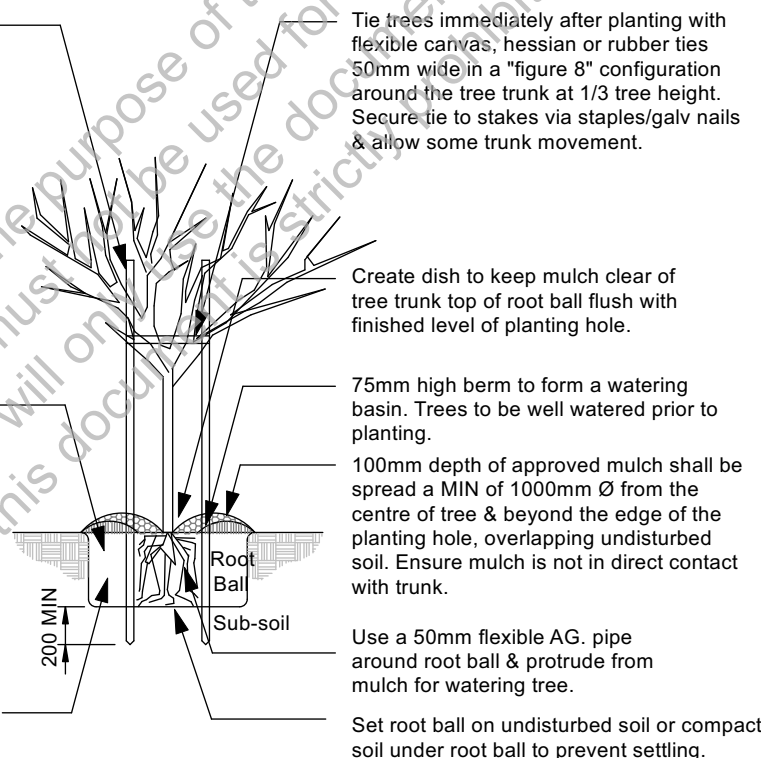
NOTE:
All trees to be healthy well grown specimens free of pests & diseases with acceptable root to shoot ratios. On sloping sites greater than 1:8 and if root ball is raised above grade, form a raised ring of soils & mulch to direct water into the root ball.

TYPICAL TREE PLANTING DETAIL

MIN 2 No. 50 x 50 x 1800mm chisel pointed hardwood or recycled plastic stakes set vertically & clear of rootball & driven MIN 800mm into ground prior to planting tree. Stakes are to be offset from the nearest underground services a MIN of 200mm from underground services. It is recommended that 4 stakes are used to minimise truck damage to street trees. Trees should be staked for 1-2 years MIN.

Excavate a shallow planting hole with rough & sloping sides 3 times the \varnothing of the root ball in highly compacted soils & 2 times the \varnothing minimum in all other soils where space is available & break up sides & base. Refirm base. Depth of planting hole no deeper than the height of the root ball. Plant root ball in the soil and never in the mulch. Backfill with 50/50 blend imported topsoil/site topsoil broken up to friable texture, firming progressively.

Use a slow release fertiliser (for exotic species only), or apply fertiliser specific to the individual plant's requirements. Mix slow release fertiliser with backfill material to prevent direct contact of fertiliser with tree roots.



LANDSCAPING GENERAL NOTES:

1. Contractor to verify location of all underground services prior to commencement of work (including excavating & driving tree stakes).
2. The use of recycled water is encouraged where appropriate.
3. Follow up weed control is recommended after development.
4. It is the proprietor's responsibility to ensure all relevant authorities are notified and requirements are met.
5. Provision for drainage in landscape and paved areas and with subsurface drainage to stormwater legal point of discharge.
6. The Builder is to remove all trees on the site except otherwise noted on the Landscaping Plan.
7. Nature strips and existing street trees which are not within 2meters of proposed crossover need to be barricaded out using portable cyclone fencing until the duration of development. Pruning of nature strips and street trees is prohibited which are not within the 2meters of proposed vehicular crossover. Builder to re-instate the lawn on nature strip before completion of works.
8. Contractors to follow AS4419 – Soils for landscaping and garden use.
9. Contractors to procure plants grown under conditions complying with AS2303 – Tree stock for garden use.

TREE PROTECTION NOTES:

- Tree Protection measures shall include the following and be in accordance with AS 4970 'Protection of Trees on Development Sites'
1. All trees to be retained shall be identified by the Builder at the commencement of works. The appointed trees shall be fenced off with sturdy fencing constructed to a minimum height of 1.5M using chain mesh strung between star pickets. The aim is to create an 'exclusion zone' beneath these trees. This fence will deter the entry of heavy equipment, vehicles, workers and/or the public into the Tree Protection Zone. At least two laminated, A3 size signs are to be attached to the tree protection fencing and are to clearly state "TREE PROTECTION ZONE, ENTRY RESTRICTIONS APPLY, DO NOT REMOVE FENCE FOR ANY REASON, CONTACT BUILDER IF ENTRY IS REQUIRED" and is to have the Builder's (or appointed site foreman) contact details. This fence is to be established prior to any heavy machinery entering the site.
 2. Any vegetation located within Tree Protection Zones is to be removed by hand so that no heavy machinery enters into same. Any trees to be removed that have canopies interlocking with trees to be retained are to be removed by a qualified arborist who will ensure that interlocking branches are removed first and other protection measures are undertaken.
 3. No fuel, oil dumps or chemicals shall be allowed in or stored on the Tree Protection Zone. The servicing and refuelling of equipment and vehicles must be carried out away from the root zones.
 4. No storage of materials, equipment or temporary buildings will take place over the root zone of any trees.
 5. No fixtures of any sort shall be attached to any tree for any reason.



Plant Schedule and Landscape Notes

Beyond Housing 3-5 Senator Drive, Benalla Vic 3672

Scale: 1:200 @ A3 Concept No. LC001-R01 Date: 030724 P: SJ C: JC

Checked by JC - B.Ag Sc, MAIH, Registered Horticulturist - No.57

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JCLD Pty Ltd T/A
Justine Carlile LANDSCAPEdesign

PO Box 7153, Brighton, Vic 3186 e: justine@carlile.net.au
PO Box 838, Geelong, Vic 3220 w: www.justinecarlile.com.au

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CLAUSE 55 REPORT

Version 1 - 23/07/2024

SIX DWELLING DEVELOPMENT

Site Address: Lot 3-4, No. 3-5 Senator Drive,
Benalla VIC 3672.

REPORT CONTENTS

TP01 - Index Page

Existing Conditions - Part A

TP02 - Town and Area Map
TP03 - Photos
TP04 - Site Context Plan

Design Solutions - Part B

TP05 - Design Response Plan
TP06 - 9am Overshadowing Diagram
TP07 - 12pm Overshadowing Diagram
TP08 - 3pm Overshadowing Diagram
TP09 - Overlooking Diagram
TP10 - Streetscapes
TP11 - Elevations
TP12 - Elevations
TP13 - Elevations
TP14 - Turning Circles
TP15 - Garden Areas Plan

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Level 2, 4 Welsford Street
Shepparton 3630
11-13 Sydney Street
Kilmore 3764

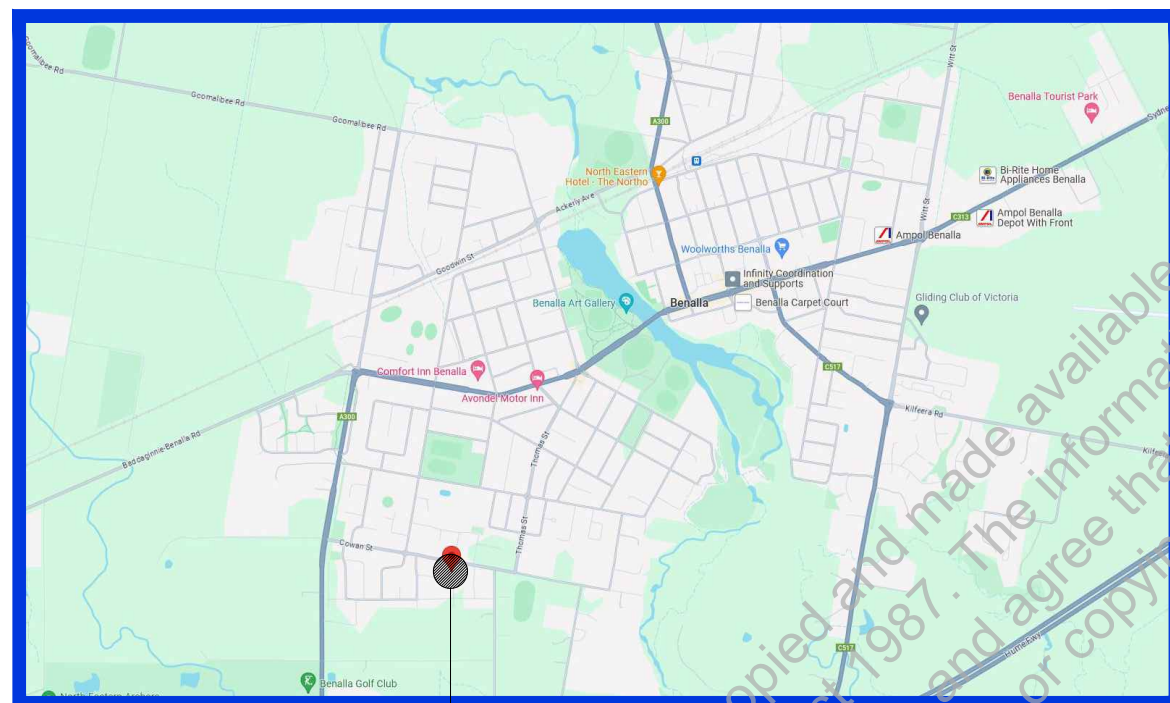
Telephone (03) 5822 1255
Email admin@brucemactier.com
Web www.brucemactier.com.au

EXISTING CONDITIONS - PART A

Town and Area Map

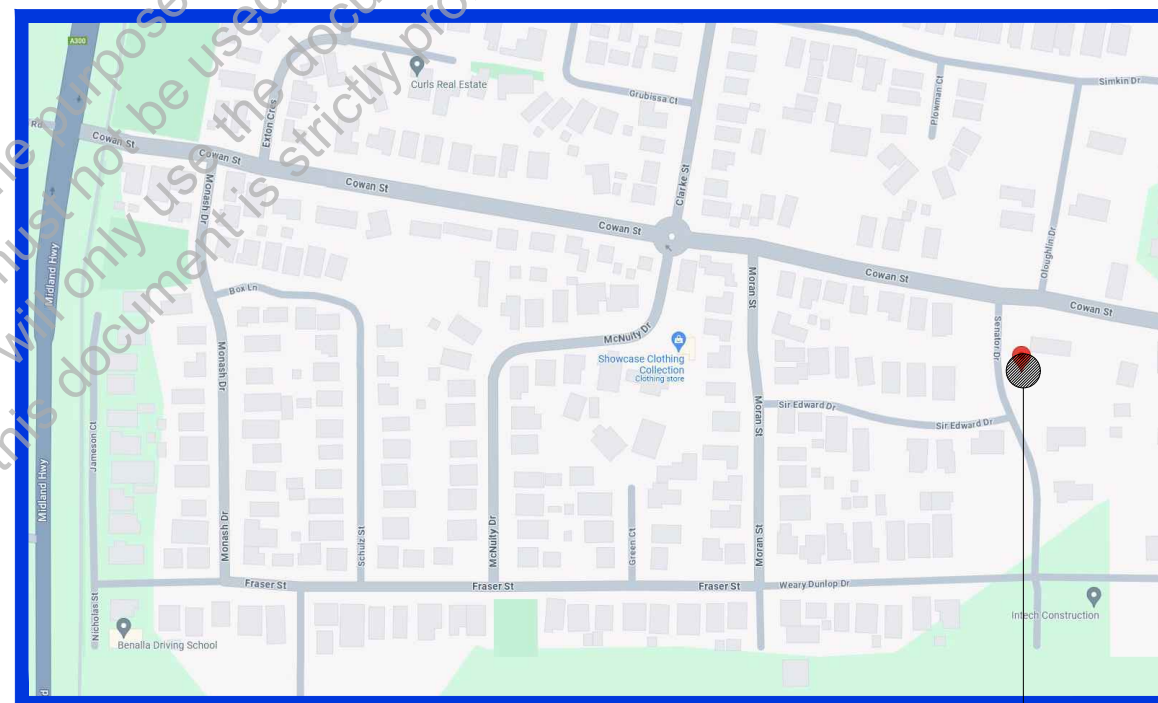
Town & Area Map

Version 1 - 23/07/2024
Drawing Status
Preliminary Not
For Construction



Site Location

Town Map



Site Location

Area Map

PROJECT
Proposed Six Dwelling
Development
Lot 3-4, No.3-5 Senator Drive
Benalla VIC 3672.

DRAWN
B. Saunders

DESIGN
Client/ M. McCoy

CHECKED
B. Mactier

SCALE
N/A @ A3 Sheet

Print in Colour

REGISTRATION NUMBERS
VIC CDP-AD 56576

SHEET NUMBER
TP 02 of 15

JOB NUMBER
25652



Bruce Mactier & Associates P/L trading as

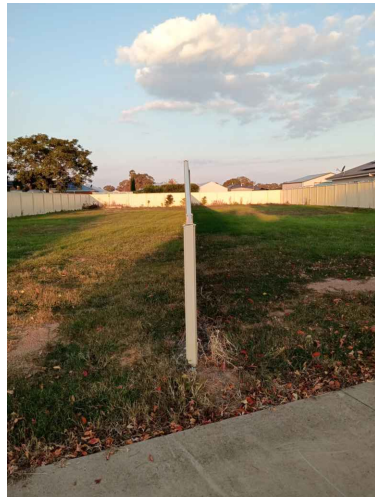


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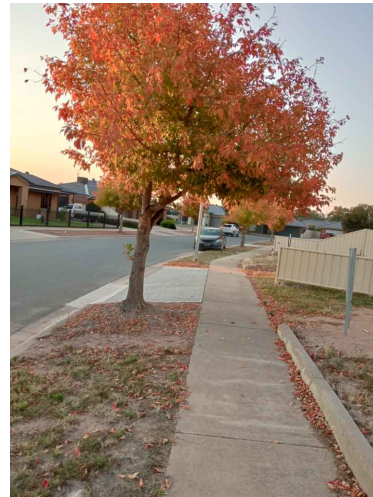
Level 2, 4 Welsford St, Shepparton
11-13 Sydney St, Kilmore

(03) 58 221 255
admin@brucemactier.com
www.brucemactier.com.au

Photo Description



Front of subject site, No. 3-5 Senator Drive.



Looking North along Senator Drive from front of subject site.



Looking South along Senator Drive from front of subject site.



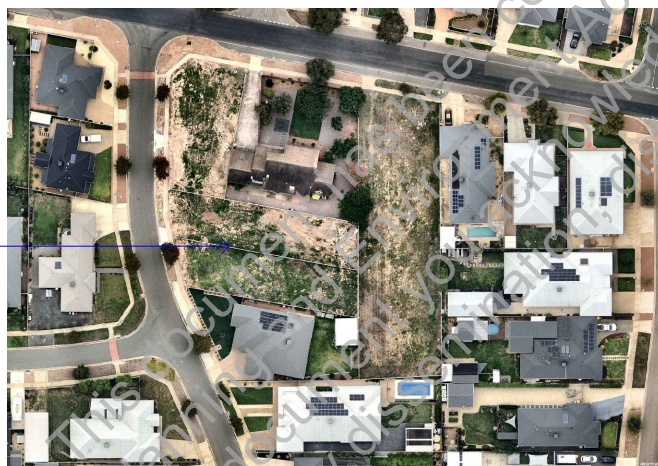
Looking West across Senator from front of subject site.



Neighbouring property to the North - No. 1 Senator Drive.



Neighbouring property to the South - No. 7 Senator Drive.



Aerial view of neighbourhood.

Site Location

Photos

Version 1 - 23/07/2024

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Proposed Six Dwelling Development
Lot 3-4, No.3-5 Senator Drive
Benalla VIC 3672.

DRAWN
B. Saunders

DESIGN
Client/ M. McCoy

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SITE CONTEXT PLAN

NEIGHBOURHOOD SITE DESCRIPTION

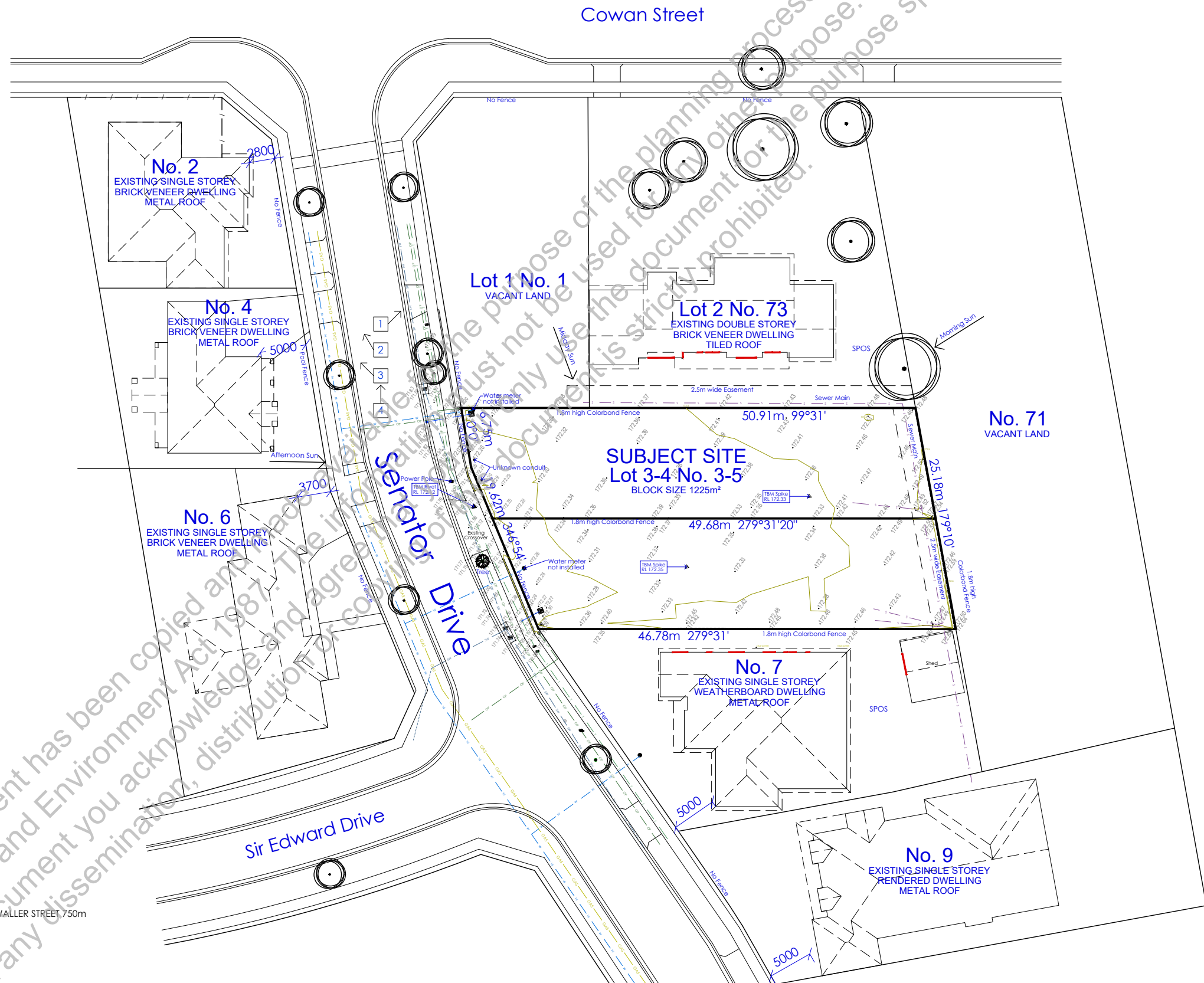
The homes in the area are predominantly brick veneer dwellings with metal roofs. They are single storey and roof shapes are mostly hipped with eaves.

Site Context Plan

Version 1 - 23/07/2024

Drawing Status

Preliminary Not For Construction



- LEGEND:**
- ALLOTMENT BOUNDARY
 - OP - OVERHEAD POWERLINE
 - T - COMMUNICATION LINE
 - S - SEWER MAIN
 - W - WATER MAIN
 - SW - DRAINAGE
 - - TREE
 - SPOS - SECLUDED PRIVATE OPEN SPACE
 - 1 - BENALLA TOWN CENTRE 2.3km
 - 2 - NEAREST BUS STOP CHURCHILL MEMORIAL RESERVE ON WALLER STREET 750m
 - 3 - BENALLA P-12 COLLEGE 900m
 - 4 - CHURCHILL RECREATION RESERVE 1km

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SCALE
1:500 @ A3 Sheet

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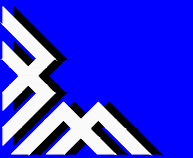
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DESIGN SOLUTIONS - PART B

Design Response Plan

Version 1 - 23/07/2024

Drawing Status
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- LEGEND:**
- ALLOTMENT BOUNDARY
 - OP — OVERHEAD POWERLINE
 - T — COMMUNICATION LINE
 - S — SEWER MAIN
 - W — WATER MAIN
 - SW — DRAINAGE
 - ⊠ — SITE ENTRY PIT
 - ⊠ — GRATED PIT
 - ⊙ — ELECTRICITY PIT
 - ⊙ — WATER METER
 - ⊙ — POWER POLE
 - ⊙ — TREE

DESIGN RESPONSE PLAN

- H — HABITABLE ROOM
- NH — NON HABITABLE ROOM
- SPOS — SECLUDED PRIVATE OPEN SPACE
- ⊠ — DENOTES EXTENT OF NEW CONCRETE PAVING
- ⊠ — DENOTES AREA OF SECLUDED PRIVATE OPEN SPACE (WITHIN PRIVATE OPEN SPACE)
- — — — — PROPOSED INTERNAL COLORBOND FENCING

SITE COVERAGE

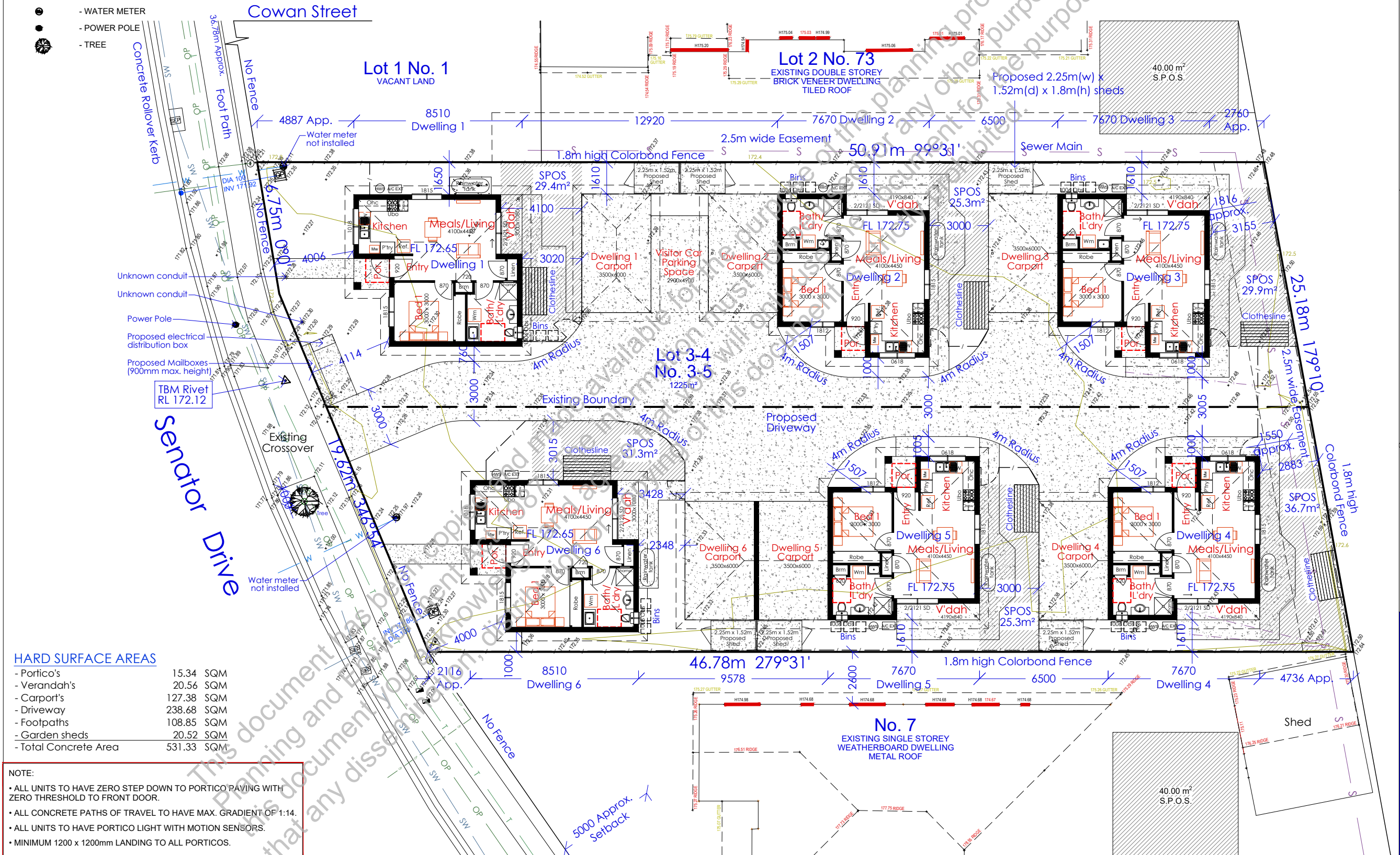
- Block Size — 1225m²
- Maximum site coverage (60% max) — 735m²
- Total Building Area (Dwellings 355.9 + Carport 127.38 + Sheds 20.52) — 503.8m²
- Actual Site Coverage — 41.13%

PERMEABILITY

- Minimum site permeability (20%) — 245.0m²
- Total Building Area — 503.8m²
- Concrete Areas — 347.53m²
- Actual impermeable Coverage — 851.33m² or 69.5%
- Actual Permeable Coverage — 373.67m² or 30.5%

PRIVATE OPEN SPACE

- Dwelling 1: Approx. area of private open space - 52.7m², Area of secluded private open space - 29.4m² (within private open space)
- Dwelling 2: Approx. area of private open space - 59.9m², Area of secluded private open space - 25.3m² (within private open space)
- Dwelling 3: Approx. area of private open space - 64.9m², Area of secluded private open space - 29.9m² (within private open space)
- Dwelling 4: Approx. area of private open space - 79.4m², Area of secluded private open space - 36.7m² (within private open space)
- Dwelling 5: Approx. area of private open space - 57.8m², Area of secluded private open space - 25.3m² (within private open space)
- Dwelling 6: Approx. area of private open space - 58.5m², Area of secluded private open space - 31.3m² (within private open space)



HARD SURFACE AREAS

- Portico's	15.34 SQM
- Verandah's	20.56 SQM
- Carport's	127.38 SQM
- Driveway	238.68 SQM
- Footpaths	108.85 SQM
- Garden sheds	20.52 SQM
- Total Concrete Area	531.33 SQM

NOTE:

- ALL UNITS TO HAVE ZERO STEP DOWN TO PORTICO PAVING WITH ZERO THRESHOLD TO FRONT DOOR.
- ALL CONCRETE PATHS OF TRAVEL TO HAVE MAX. GRADIENT OF 1:14.
- ALL UNITS TO HAVE PORTICO LIGHT WITH MOTION SENSORS.
- MINIMUM 1200 x 1200mm LANDING TO ALL PORTICOS.

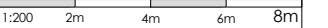
PROJECT
Proposed Six Dwelling Development
Lot 3-4, No.3-5 Senator Drive
Benalla VIC 3672.

DRAWN
B. Saunders

DESIGN
Client/ M. McCoy

CHECKED
B. Mactier

SCALE
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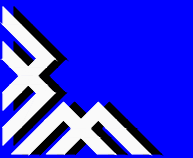
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SHEET NUMBER
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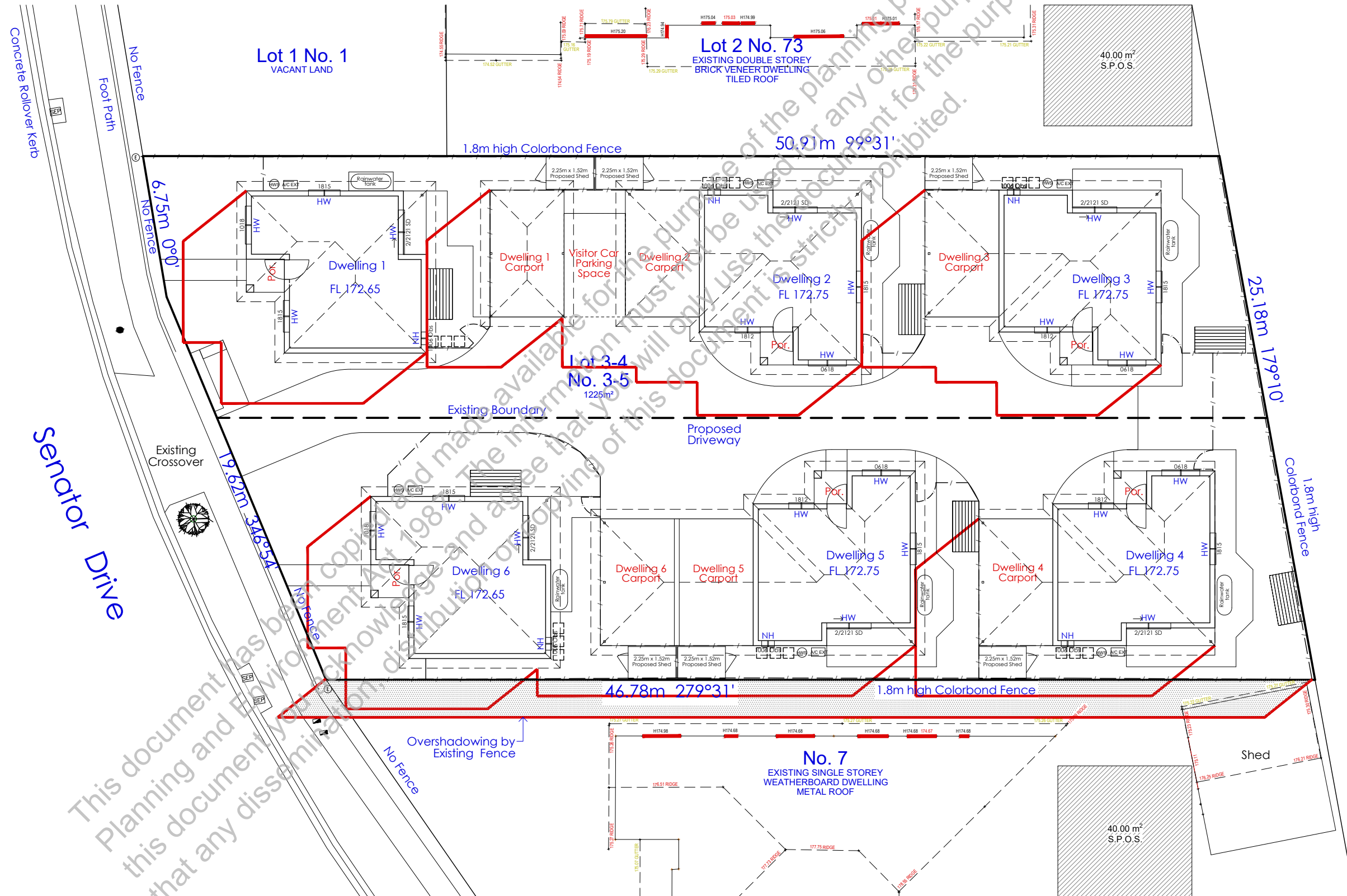
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9am OVERSHADOWING DIAGRAM

LEGEND

- 9am Shadowline
- Proposed 1.8m-high Colorbond Fence
- Denotes area of Secluded Private Open Space (within Private Open Space)
- Shadow Area
- HW Habitable Room
- NH Non-habitable Room



9am Shadow Diagram

Version 1 - 23/07/2024

Drawing Status
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PROJECT
Proposed Six Dwelling
Development
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SCALE
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1:200 2m 4m 6m 8m

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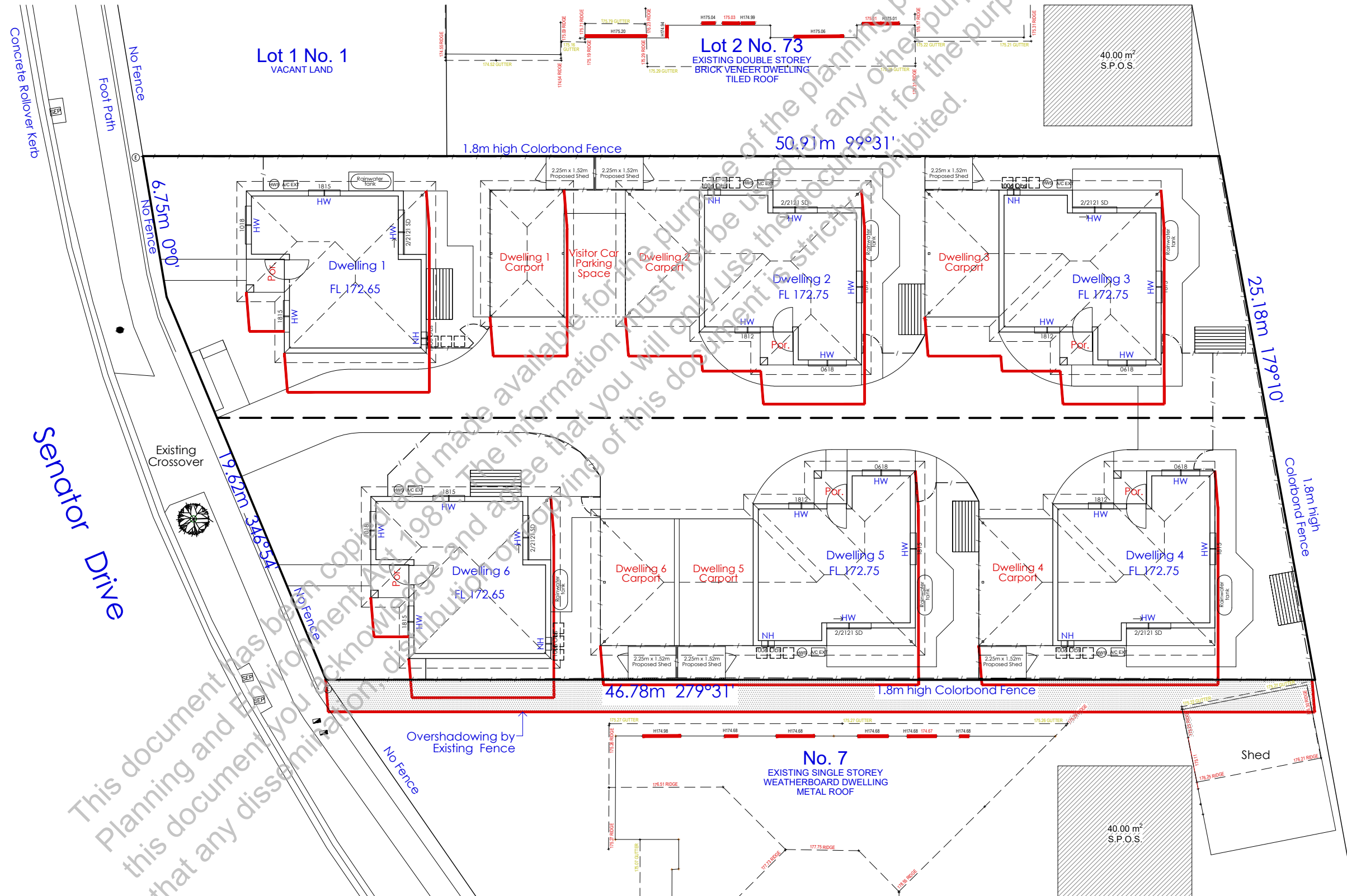
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12pm OVERSHADOWING DIAGRAM

LEGEND

-  12pm Shadowline
-  Proposed 1.8m-high Colorbond Fence
-  Denotes area of Secluded Private Open Space (within Private Open Space)
-  Shadow Area
- HW** Habitable Room
- NH** Non-habitable Room



12pm Shadow Diagram

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 Drawing Status
 Preliminary Not For Construction

PROJECT
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 Lot 3-4, No.3-5 Senator Drive
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SCALE
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1:200 2m 4m 6m 8m

Print in Colour

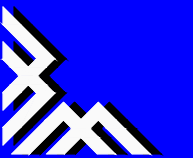
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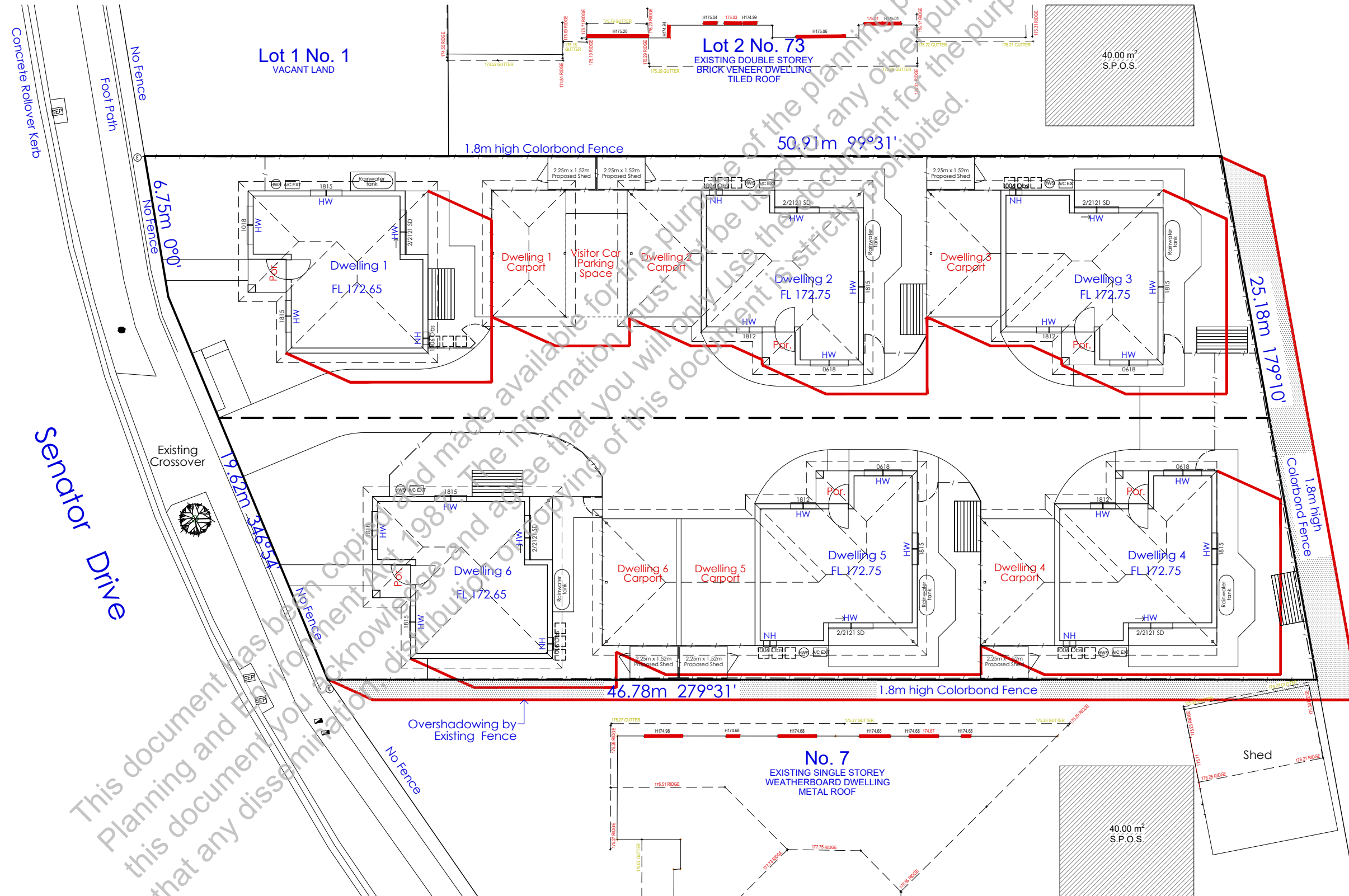
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3pm OVERSHADOWING DIAGRAM

LEGEND

-  3pm Shadowline
-  Proposed 1.8m high Colorbond Fence
-  Denotes area of Secluded Private Open Space (within Private Open Space)
-  Shadow Area
- HW** Habitable Room
- NH** Non-habitable Room



3pm Shadow Diagram

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SCALE
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1:200 2m 4m 6m 8m

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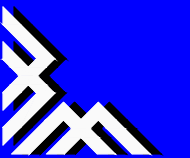
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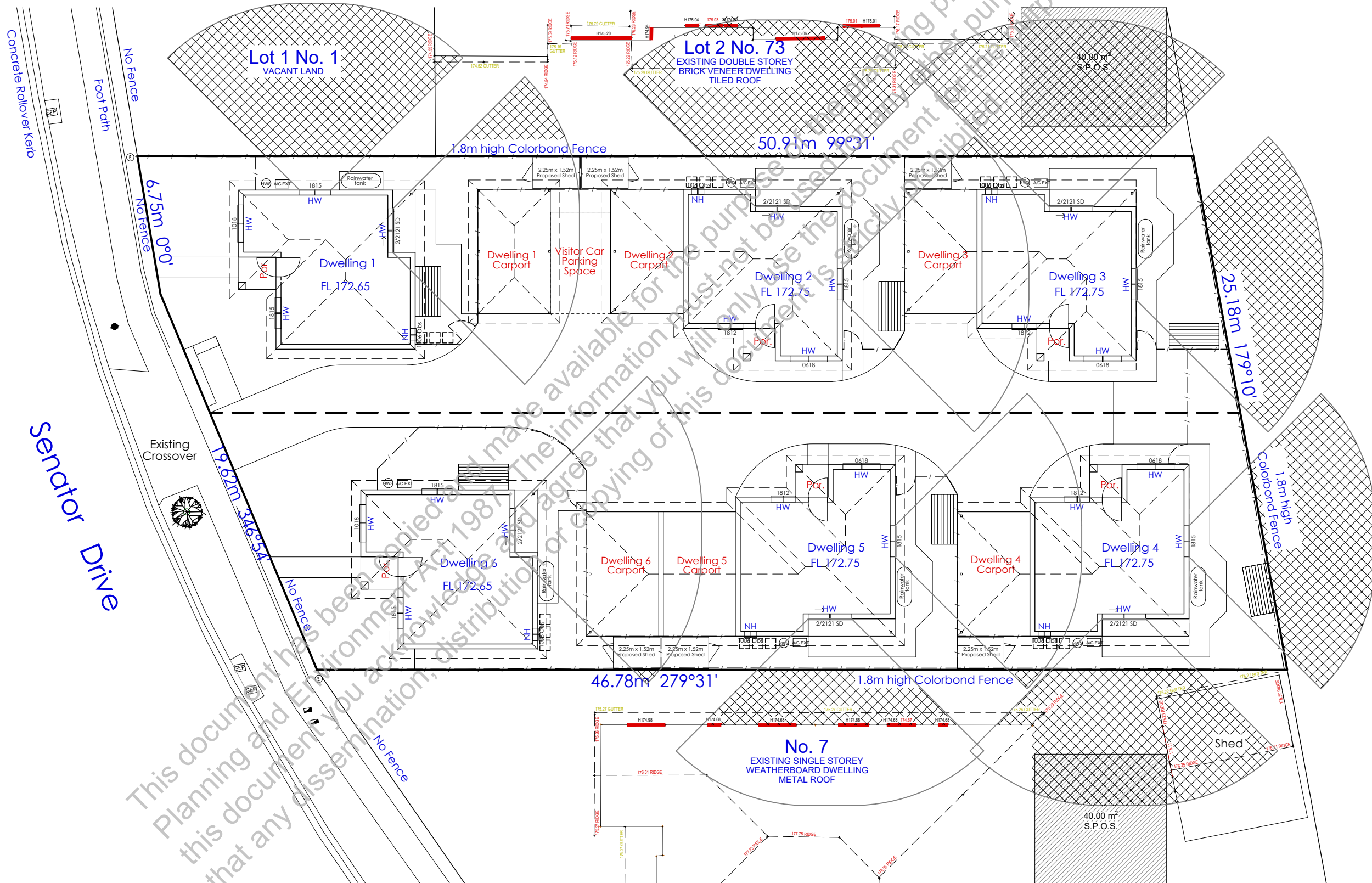
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OVERLOOKING DIAGRAM

LEGEND

-  Overlooking area protected by existing or proposed boundary fencing
-  Proposed 1.8m high Colorbond Fence
-  Denotes area of Secluded Private Open Space (within Private Open Space)
- HW Habitable Room
- NH Non-habitable Room

Note: Overlooking is not applicable to adjoining properties due to existing 1.8m high boundary fences and the finished floor level of all dwellings being less than 800mm above natural ground level at the boundary.



Overlooking Plan

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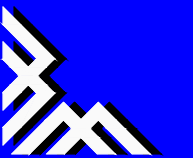
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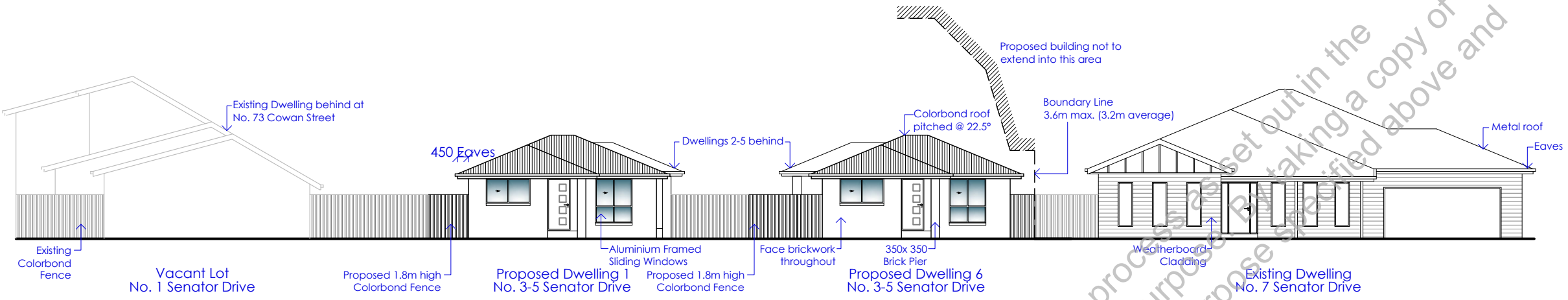


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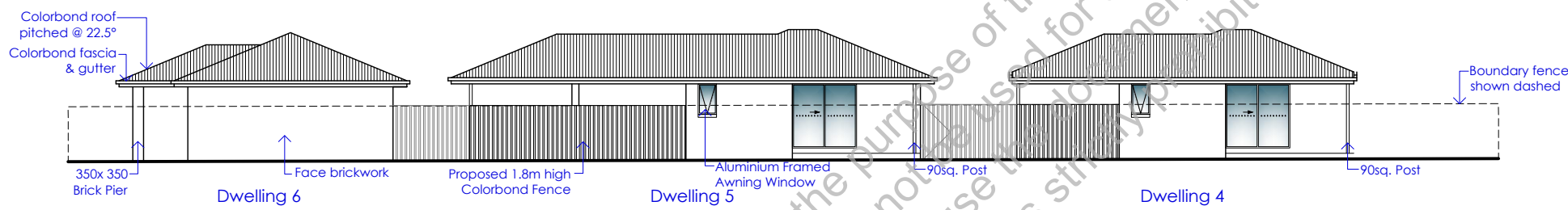


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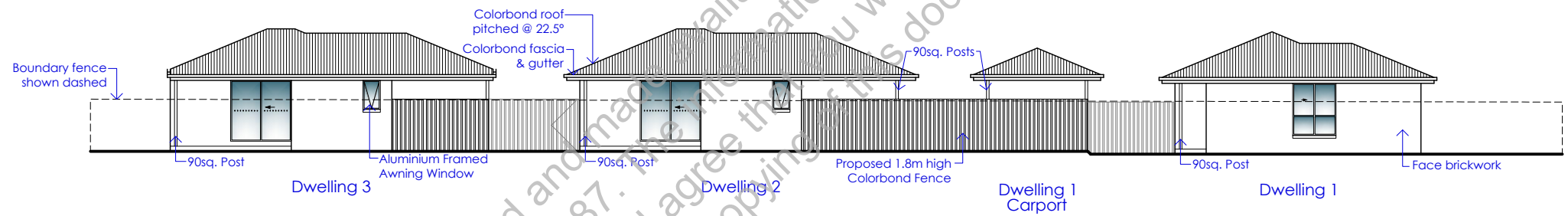
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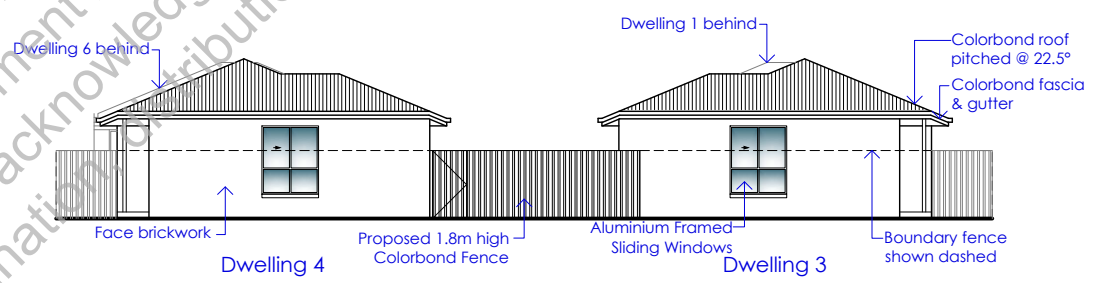
SENATOR DRIVE STREETSCAPE



VIEW FROM SOUTH ADJOINING NEIGHBOUR



VIEW FROM NORTH ADJOINING NEIGHBOUR



VIEW FROM EAST REAR NEIGHBOUR

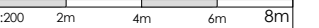
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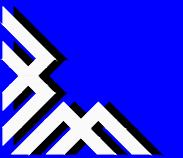
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Elevations

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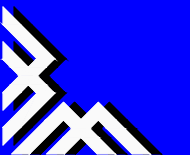
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VIC CDP-AD 56576

SHEET NUMBER
TP 11 of 15

JOB NUMBER
25652

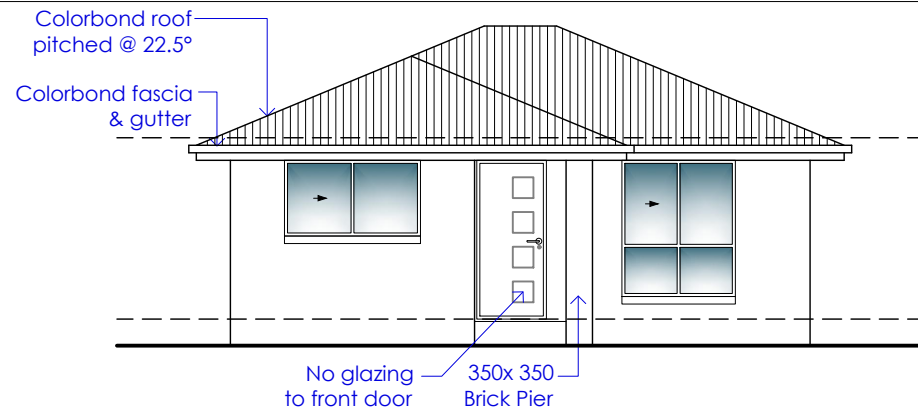
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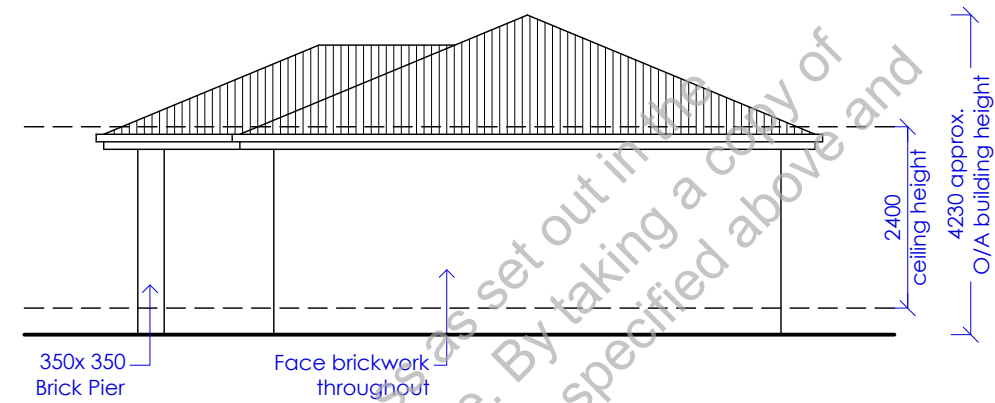
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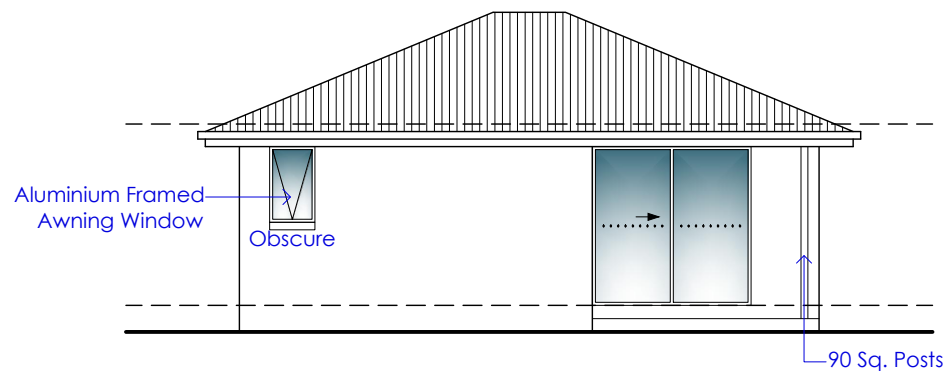
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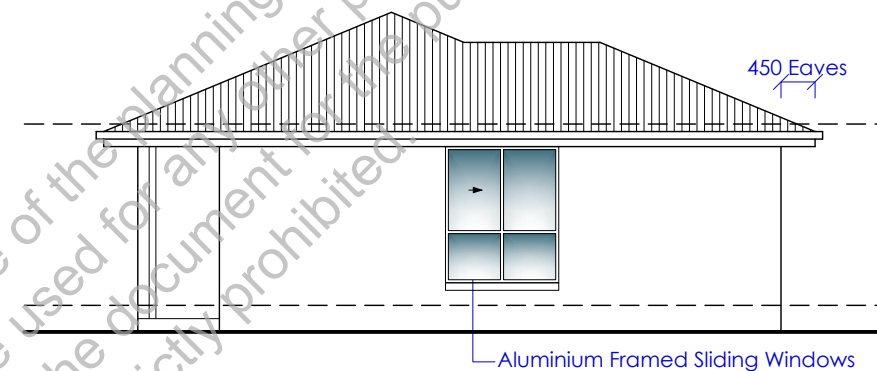
DWELLING 1 & 6 - WEST ELEVATION



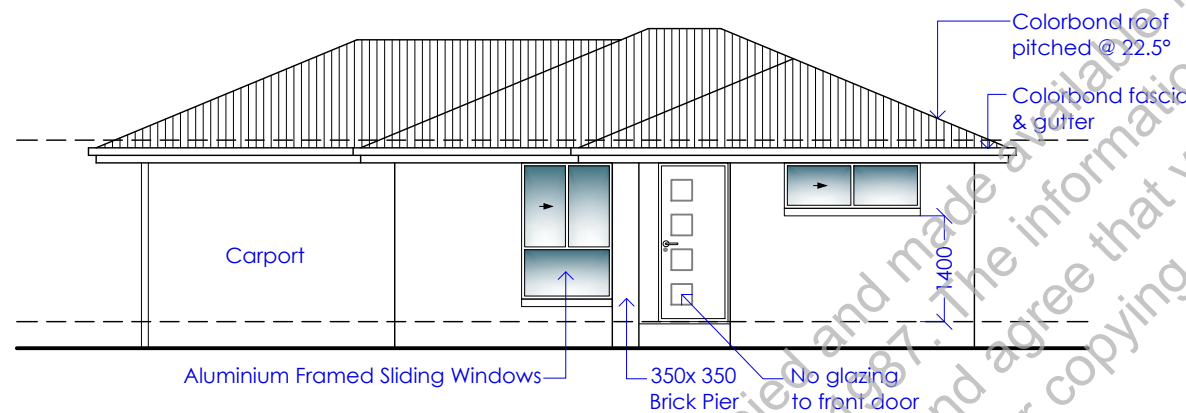
DWELLING 1 & 6 - SOUTH ELEVATION



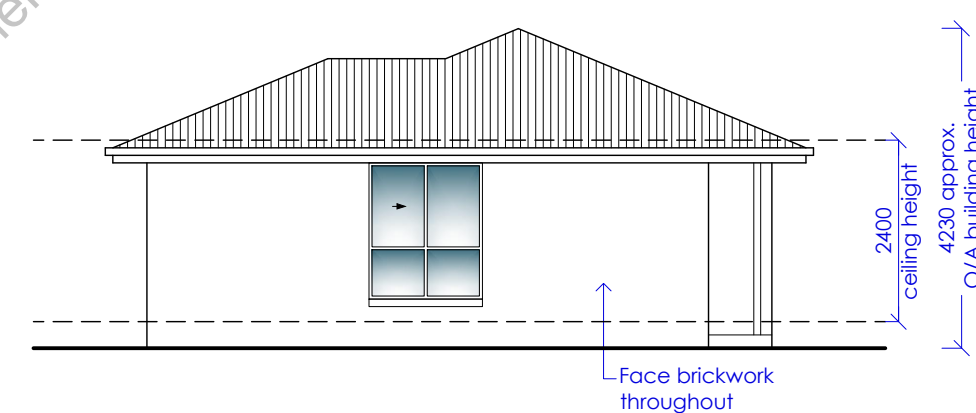
DWELLING 1 & 6 - EAST ELEVATION



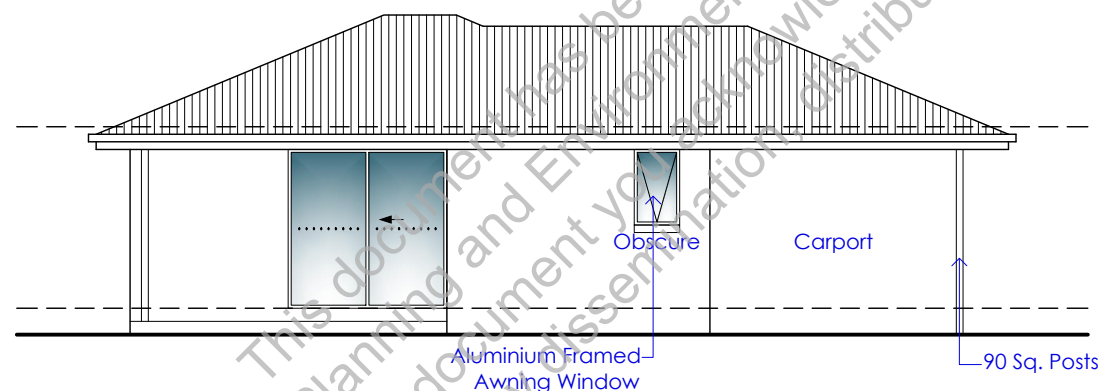
DWELLING 1 & 6 - NORTH ELEVATION



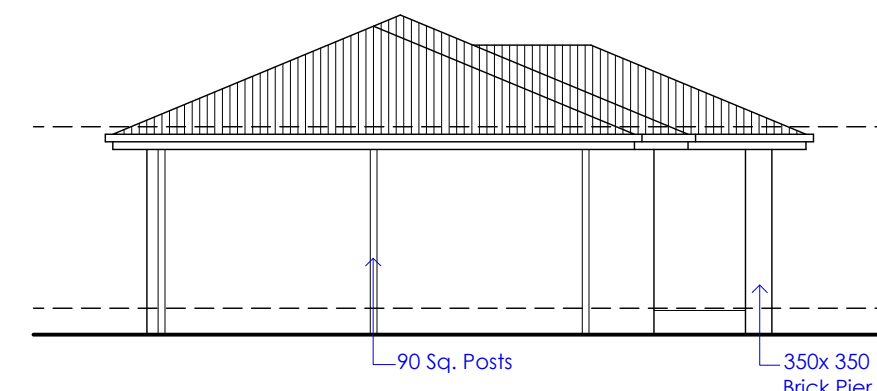
DWELLING 2 - SOUTH ELEVATION



DWELLING 2 - EAST ELEVATION



DWELLING 2 - NORTH ELEVATION



DWELLING 2 - WEST ELEVATION

Elevations

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Benalla VIC 3672.

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DESIGN
Client/ M. McCoy

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SCALE
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1:100 1m 2m 3m 4m

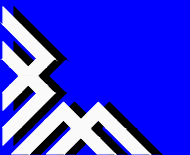
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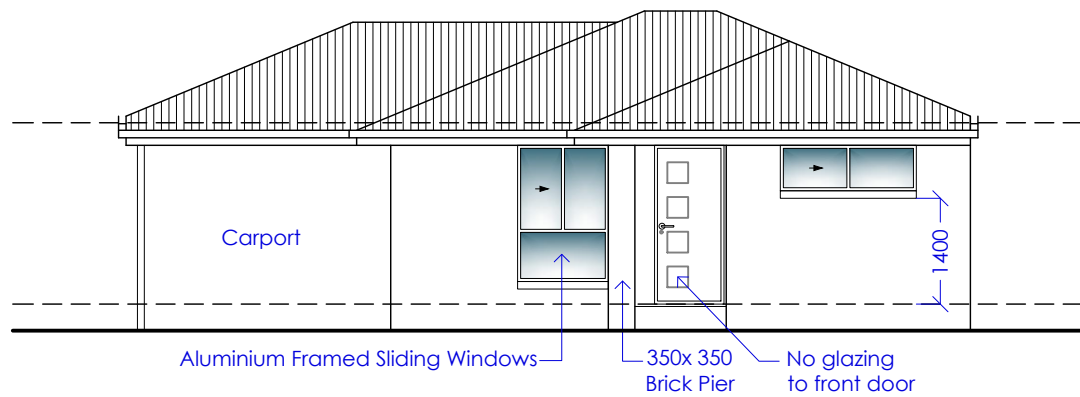
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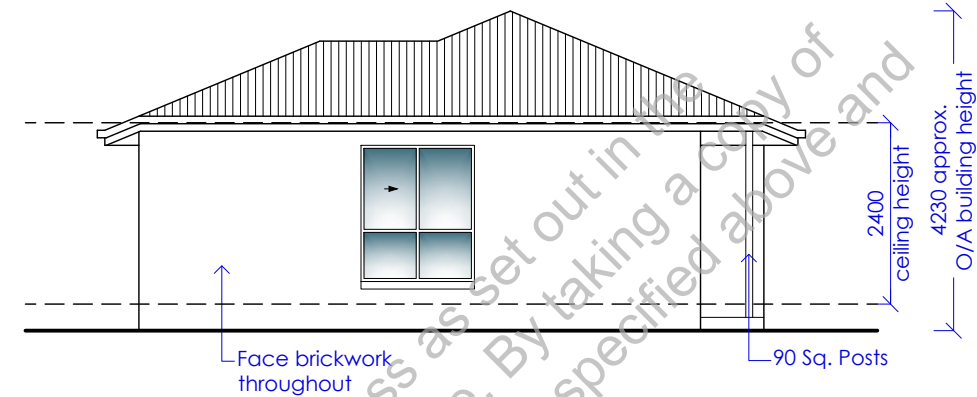
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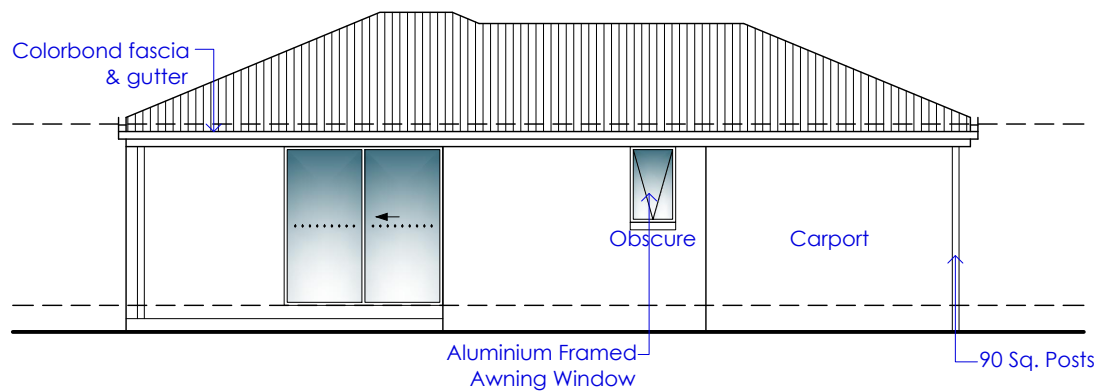
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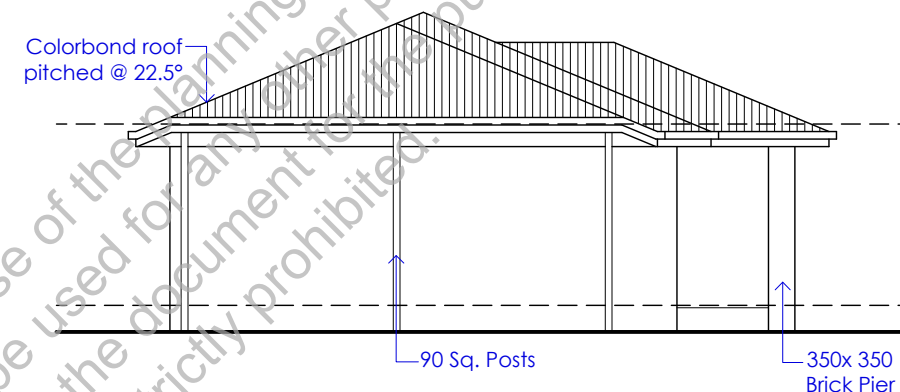
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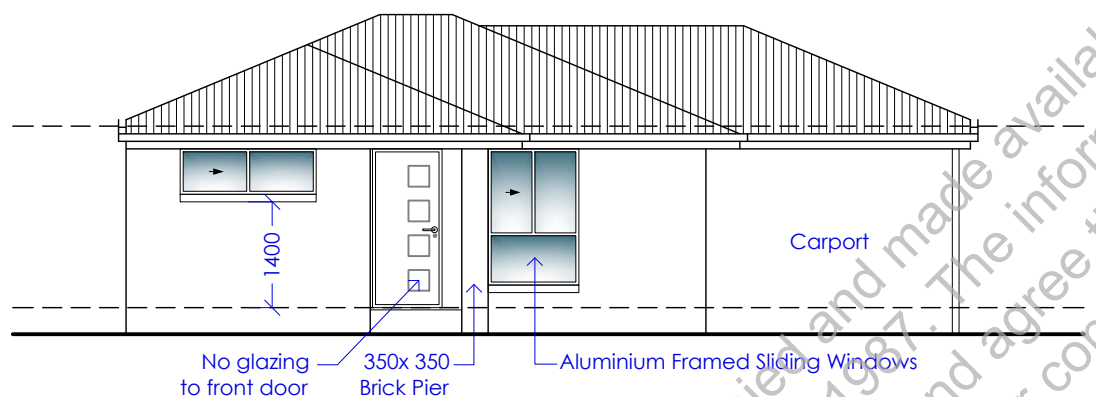
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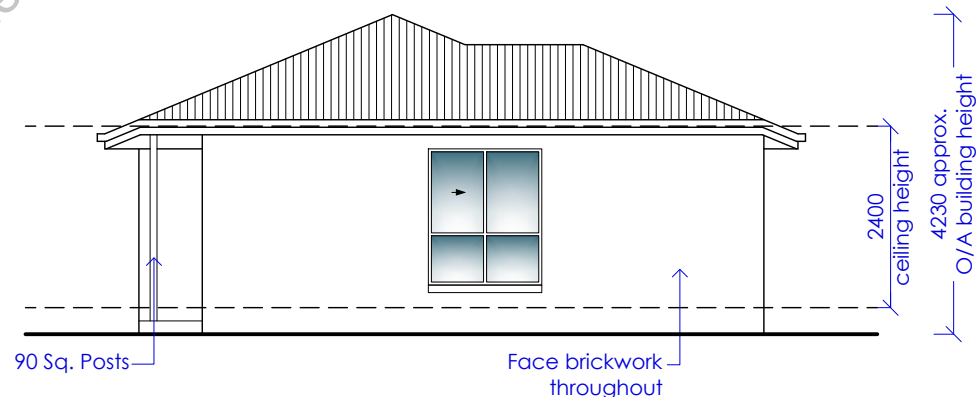
DWELLING 3 - NORTH ELEVATION



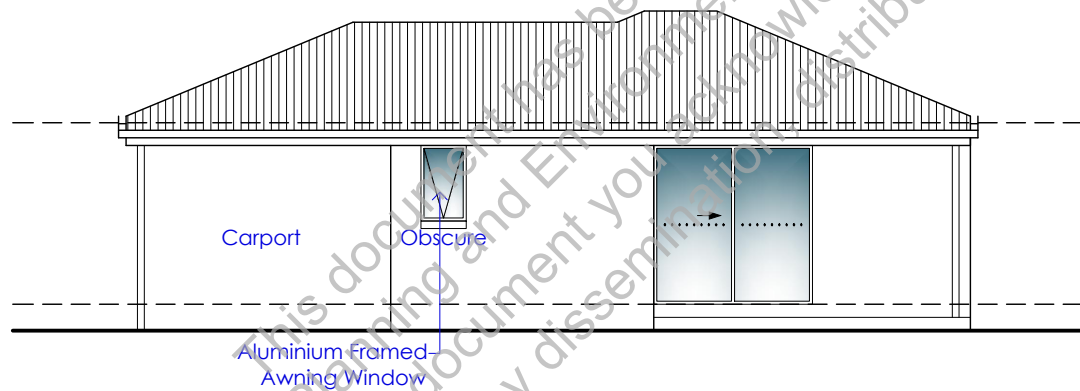
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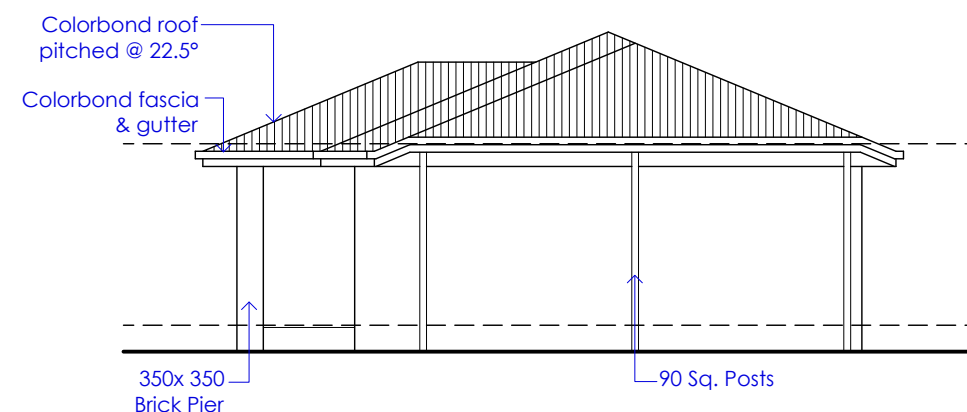
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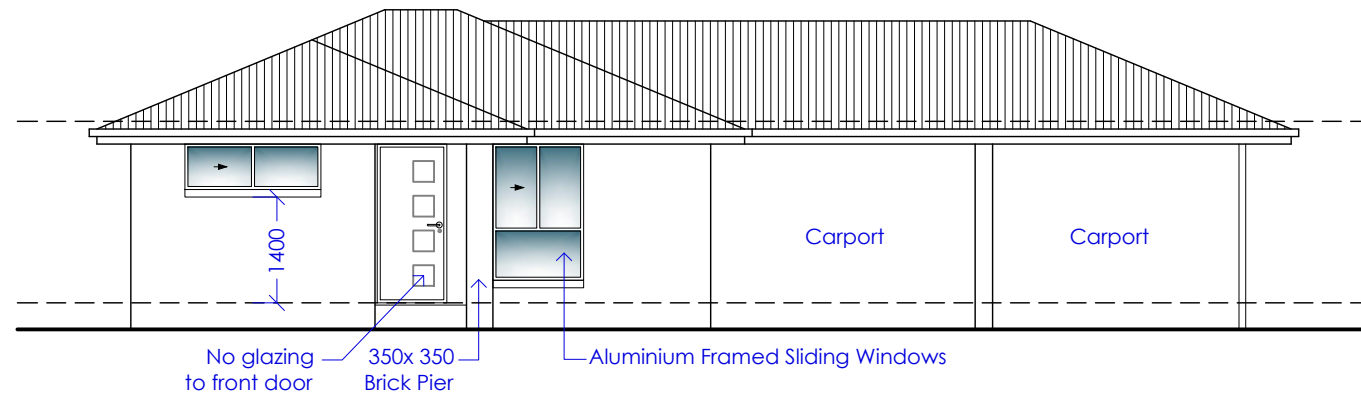
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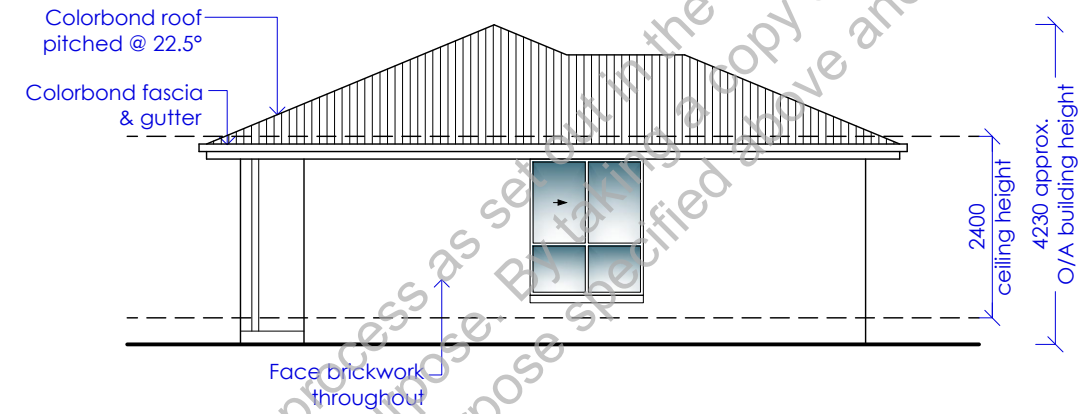
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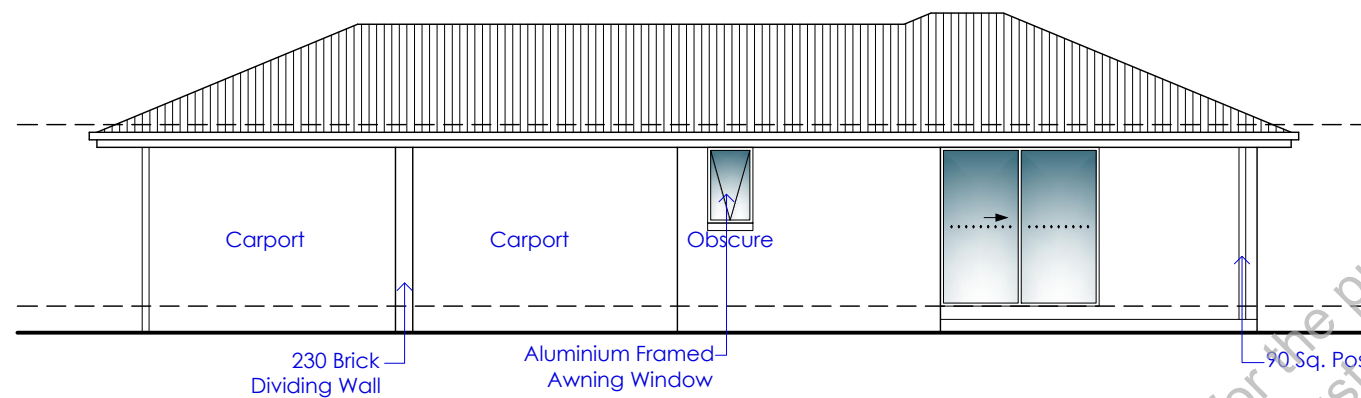
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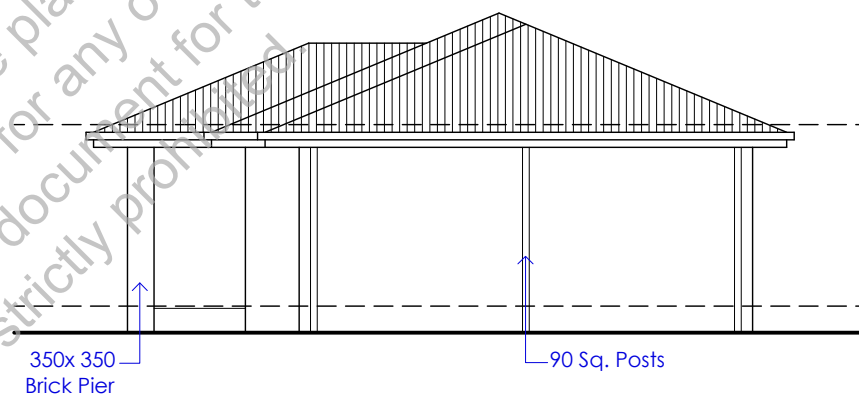
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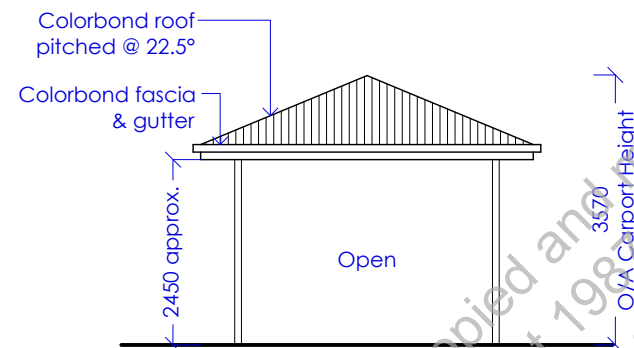
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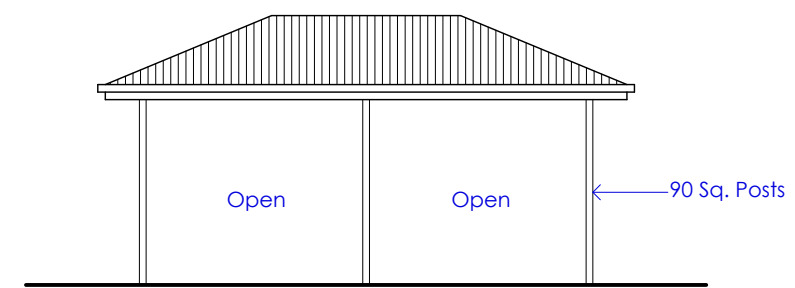
DWELLING 5 - SOUTH ELEVATION



DWELLING 5 - WEST ELEVATION



CARPORT 1 - SOUTH ELEVATION



CARPORT 1 - EAST ELEVATION

PROJECT
Proposed Six Dwelling
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Benalla VIC 3672.

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B. Saunders

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Client/ M. McCoy

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1:100 1m 2m 3m 4m

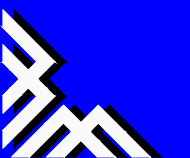
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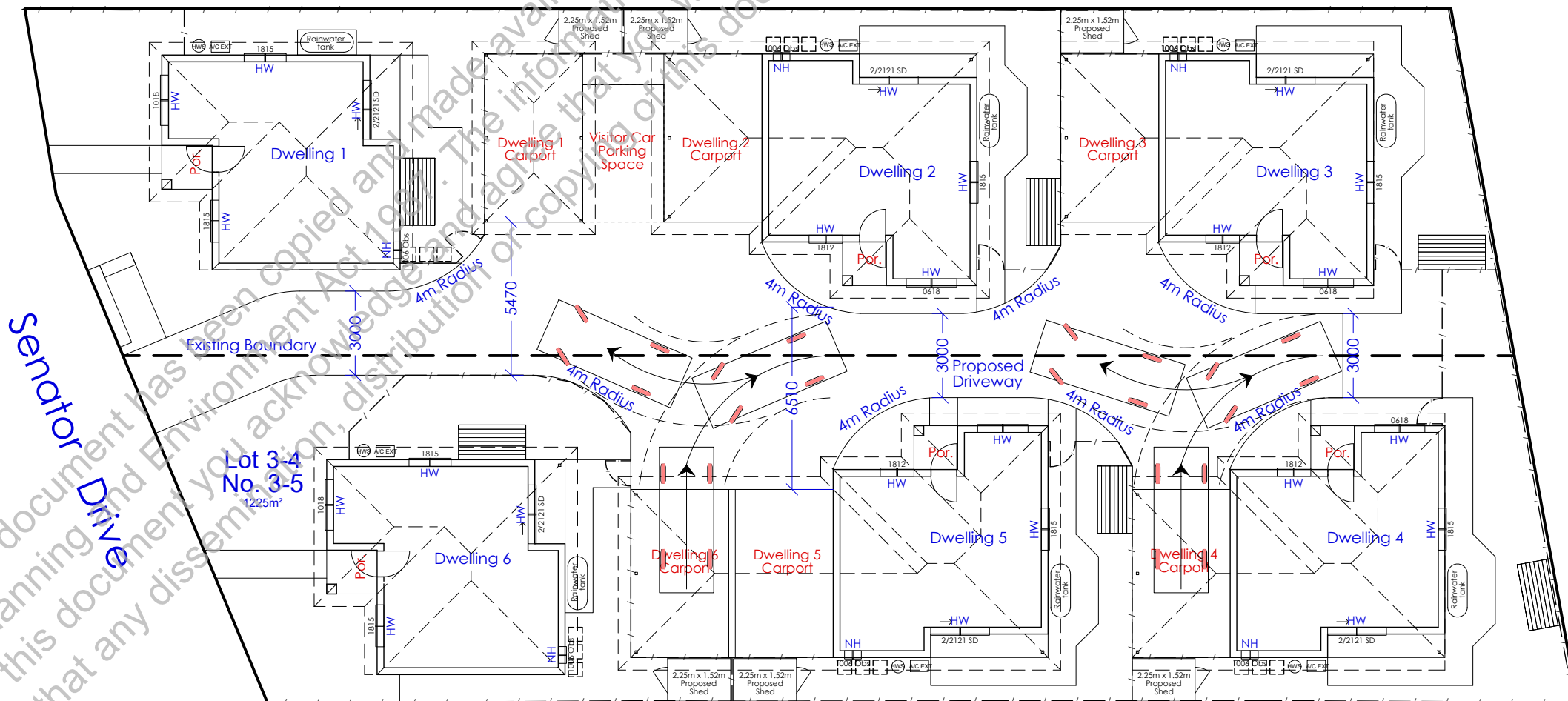
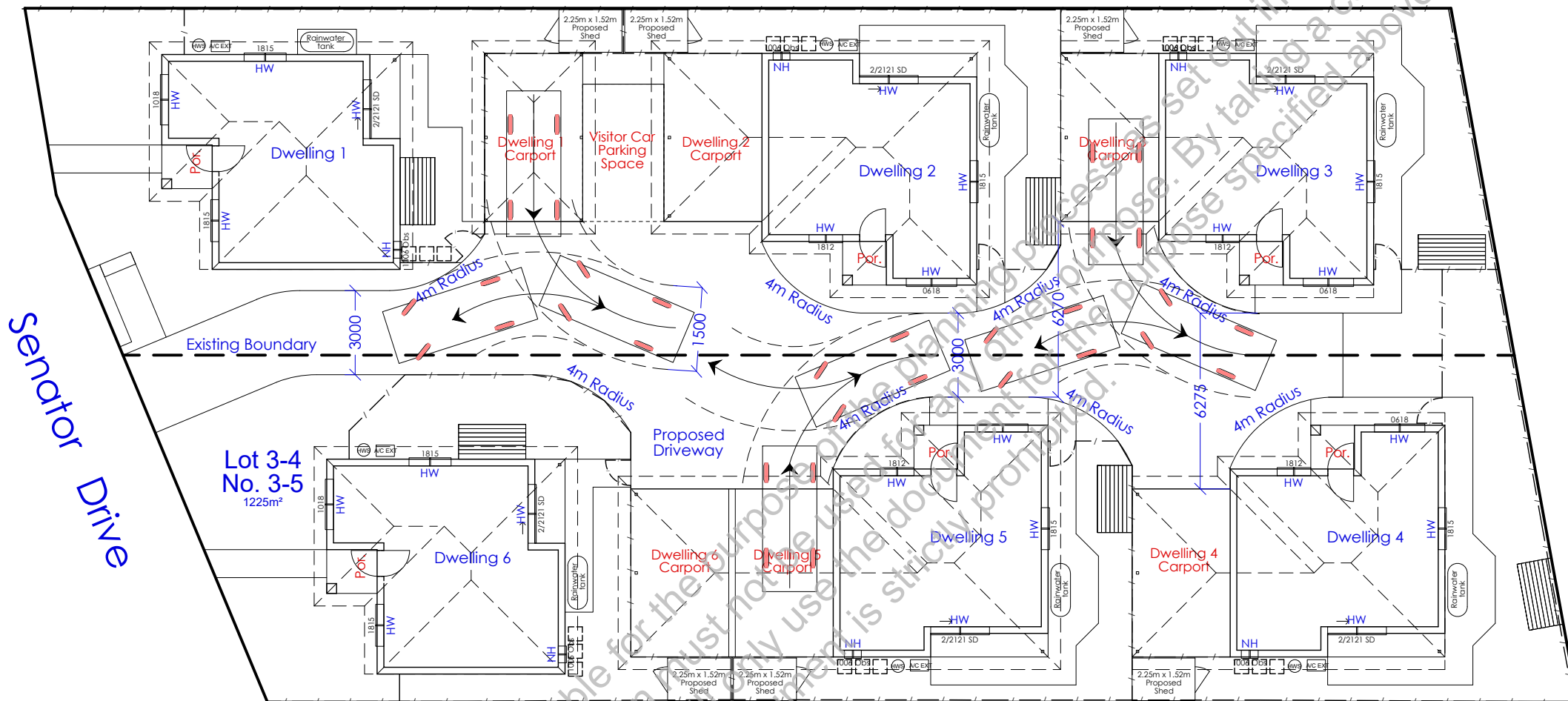
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VEHICLE TURNING CIRCLES



Turning Circles

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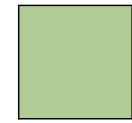
GARDEN AREA

PLANNING SCHEME REQUIREMENTS

Garden Area Requirement:
 Lot Size Minimum percentage of Garden Area

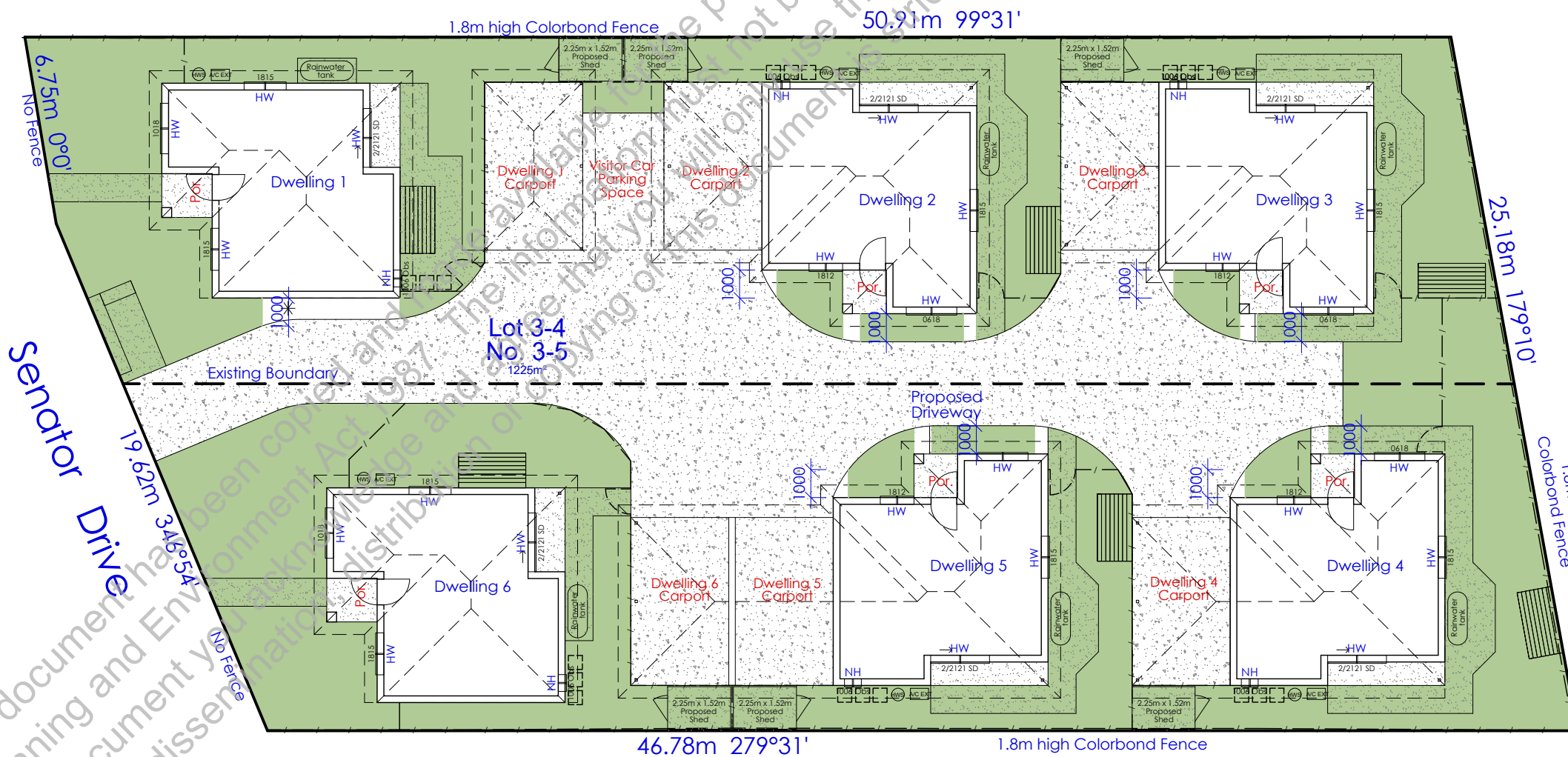
Up to 500m ²	25%
501 - 650m ²	30%
Above 650m ²	35%

Site Area : 1225m²
 Garden Area Required = 35% : 428.75m²
 Garden Area Proposed : 494.49m²



Garden Area

Complies



Garden Area

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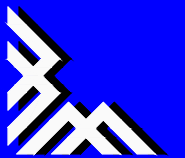
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Job: 25652
Version 1 – 23/07/24



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Objective	Response
<p>55.01 Neighbourhood and Site Description and Design Response</p>	
<p>An application must be accompanied by: A neighbourhood and site description. A design response.</p>	
<p>55.01-1 Neighbourhood and site description</p> <p>The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe: In relation to the neighbourhood</p> <ul style="list-style-type: none"> - 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. <p>In relation to the site:</p> <ul style="list-style-type: none"> - 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. - Any other notable features or characteristics of the site. <p>If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.</p> <p>Satisfactory neighbourhood and site description</p> <p>If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.</p> <p>The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.</p> <p>This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.</p>	<p>Neighbourhood & Site Description</p> <p>Street Grid and Lot Sizes The surrounding streets form a roughly rectangular grid. The lots vary within 450m² to 1600m². The bulk of the sites are occupied by single dwellings.</p> <p>Architectural Styles The architectural style within the area consists of contemporary houses recently built.</p> <p>Roof Details In the area, most of the houses have metal roofs. Roof pitches vary within the area as well as roof shapes. Both hip and gabled roofs are common.</p> <p>Front Fences There is not an existing front fence, and most blocks in the area do not have a front fence.</p> <p>Topography The area is relatively flat.</p> <p>Public Transport The town bus services the area.</p> <p>Street Trees The majority of street trees are 3 to 6m high and are located along the nature strips of most blocks.</p> <p>Household Gardens The existing gardens in the area are of high quality.</p> <p>Site Shape and Orientation The sites are long and rectangular in shape with the narrow side abutting the street. The combined lot area is approximately 1225m², with the long sides running roughly East - West</p> <p>Site Topography The site is flat for all practical purposes.</p> <p>Current Usage The site is currently vacant.</p> <p>Abutting Properties The property on southern boundary is occupied by weatherboard house with metal roof. The property on Northern boundary is brick veneer with tiled roof.</p> <p>Site Contamination The site is not known to be contaminated.</p> <p>Existing Trees There are no significant trees located on the site which would affect the proposed location of the new dwellings.</p> <p>Views from the Site There are no views from this site except to the street.</p>

	<p>Other Notable Features There are no other notable features or characteristics of the site. This site has been classified as being in the General Residential Zone.</p> <p>See Plans See plans for further information on the site, adjoining properties and its relationship to the town centre.</p>
<p>55.01-2 Design response</p> <p>The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> - 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. <p>The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.</p>	<p>Refer to design response B1 below, plans and elevations.</p>

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55.02 Neighbourhood Character and Infrastructure	Response
<p>55.02-1 Neighbourhood character objectives</p> <p>To ensure that the design respects the existing neighborhood character or contributes to a Preferred neighborhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p> <p>Standard B1</p> <p>The design response must be appropriate to the neighborhood and the site.</p> <p>The proposed design must respect the existing or preferred neighborhood character and respond to the features of the site.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant neighbourhood character objective, policy or statement set out in this scheme. The neighbourhood and site description. The design response. 	<p>Design Response B1</p> <p>The design was derived by studying aspects produced in the site analysis and relevant council regulations. The existing houses in the area consist of a variety of contemporary styles.</p> <p>The proposed multi-dwelling development consists of six detached single storey dwellings. The finish of the dwellings will be face brickwork with metal roofs which will modernise the buildings and complement the streetscape.</p> <p>The design respects the existing neighbourhood character by being of a low scaled built form with area in front of the dwellings set aside for landscaping.</p> <p>Design Satisfies Standards & Objectives.</p>
<p>55.02-2 Residential policy objectives</p> <p>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p> <p>Standard B2</p> <p>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.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies. <p>The design response.</p>	<p>Design Response B2</p> <p>The subject site is located within the General Residential Zone of the Benalla Planning Scheme.</p> <p>This 6 Unit proposal supports Clause 11.01-1L Settlement by being situated in an urban area that is consistent with the Benalla Structure Plan for this type of infill residential development. The proposed development also provides a more diverse range of housing options for existing and future population, especially for low-income tenants that require affordable accommodation.</p> <p>State Planning Policy The proposed medium density development supports the following statements under State Planning Policy - Clause 16.01-1S Housing Supply:</p> <ul style="list-style-type: none"> - Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport. - Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

	<ul style="list-style-type: none"> - Encourage the development of well-designed housing that incorporates universal design and adaptable internal dwelling design. <p>The proposed medium density development supports the following statements under State Planning Policy - Clause 16.01-2S Housing Affordability.</p> <p>Improve housing affordability by:</p> <ul style="list-style-type: none"> - Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities. - Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community. - Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes. <p>Increase the supply of well-located affordable housing by:</p> <ul style="list-style-type: none"> - Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts. <p>Design Satisfies Standards & Objectives.</p>
<p>55.02-3 Dwelling diversity objective</p> <p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p> <p>Standard B3</p> <p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <p style="padding-left: 40px;">Dwellings with a different number of bedrooms.</p> <p style="padding-left: 40px;">At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</p>	<p>Design Response B3</p> <p>There are less than 10 dwellings in total. Therefore, this Standard is not applicable.</p> <p>Design satisfies standards & objectives.</p>
<p>55.02-4 Infrastructure objectives</p> <p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p> <p>Standard B4</p> <p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>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.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority</p>	<p>Design Response B4</p> <p>Development will be connected to reticulated services - Electricity, Gas, Water and Sewerage subject to the authorities indicating there is capacity within their system. This will be confirmed when the council refers the application to them for comment.</p> <p>Design satisfies standards & objectives.</p>

<p>must consider:</p> <p>The capacity of the existing infrastructure.</p> <p>In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.</p> <p>If the drainage system has little or no spare capacity, the capacity of the development to provide for storm water drainage mitigation or upgrading of the local drainage system.</p>	
<p>55.02-5 Integration with the street objective</p> <p>To integrate the layout of development with the street.</p> <p>Standard B5</p> <p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Development should be oriented to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. 	<p>Design Response B5</p> <p>There is no high front fencing proposed. The proposed development will be orientated to the street and internal accessway.</p> <p>The development is not next to any existing public open space to complement.</p> <p>Design satisfies standards & objectives.</p>

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55.03 Site Layout and Building Massing	Response
<p>55.03-1 Street setback objective</p> <p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p> <p>Standard B6</p> <p>Walls of buildings should be set back from streets: At least the distance specified in a schedule to the zone, or</p> <p>If no distance is specified in a schedule to the zone, the distance specified in Table B1.</p> <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots. The visual impact of the building when viewed from the street and from adjoining properties. The value of retaining vegetation within the front setback. 	<p>Design Response B6</p> <p>According to the standard, for this development the front setback should be a minimum of 5.0m. The development has a proposed setback of 4.0 from the street. We believe this setback would be more appropriate, as this creates the opportunity for use of the space at the rear of the site.</p> <p>There are existing setbacks in the area that are less than 4m. For example No. 2 Senator Drive has a 2.8m approx.. setback and No. 6 Senator Drive has a 3.7m setback. Therefore, the proposed 4m front setback will be consistent with the existing neighbourhood character.</p> <p>Design does not satisfy standards. It does satisfy the objectives.</p>
<p>55.03-2 Building height objective</p> <p>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p> <p>Standard B7</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>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant neighbourhood character objective, policy or statement set out in this scheme. 	<p>Design Response B7</p> <p>As no maximum height is nominated in the zone – 9m is the maximum. The maximum heights are less than 9m.</p> <p>Design satisfies standards & objectives.</p>

<p>Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</p> <p>The design response.</p> <p>The effect of the slope of the site on the height of the building.</p> <p>The relationship between the proposed building height and the height of existing adjacent buildings.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p>	
<p>55.03-3 Site coverage objective</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>Standard B8</p> <p>The site area covered by buildings should not exceed:</p> <p style="padding-left: 40px;">The maximum site coverage specified in a schedule to the zone, or</p> <p style="padding-left: 40px;">If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <p style="padding-left: 40px;">Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p style="padding-left: 40px;">The design response.</p> <p style="padding-left: 40px;">The existing site coverage and any constraints imposed by existing development or the features of the site.</p> <p style="padding-left: 40px;">The site coverage of adjacent properties.</p> <p style="padding-left: 40px;">The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</p>	<p>Design Response B8</p> <p>No maximum is specified in zone therefore 60% is the maximum.</p> <p>The site coverage is approximately 41.13%, which is less than 60%.</p> <p>Design satisfies standards & objectives.</p>
<p>55.03-4 Permeability and stormwater management objectives</p> <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>Standard B9</p> <p>The site area covered by the pervious surfaces should be at least:</p> <p style="padding-left: 40px;">The minimum area specified in a schedule to the zone, or</p> <p style="padding-left: 40px;">If no minimum is specified in a schedule to the zone, 20 percent of the site.</p> <p>The stormwater management system should be designed to:</p>	<p>Design Response B9</p> <p>There is no minimum specified in the zone therefore 20% is the minimum.</p> <p>The site permeability is approximately 30.5%, which is greater than 20%.</p> <p>The stormwater management system has not yet been designed but will be designed by a drainage engineer to meet current best practice performance objectives for stormwater quality.</p>

Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

The design response.

The capacity of the site to incorporate stormwater retention and reuse.

The existing site coverage and any constraints imposed by existing development.

The capacity of the drainage network to accommodate additional stormwater.

The capacity of the site to absorb run-off.

The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Design satisfies standards & objectives.

55.03-5 Energy efficiency objectives

To achieve and protect energy efficient dwellings and residential buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

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.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

The design response.

The size, orientation and slope of the lot.

The existing amount of solar access to abutting properties.

The availability of solar access to north-facing windows on the site.

Design Response B10

All of the dwellings will have north facing living areas. Our proposed development does not affect the solar efficiency of the adjoining properties.

Any shadows cast from our development do not affect the adjoining properties.

It should be noted that the fence shadows have in many instances – greater shadows.

Design satisfies standards & objectives.

<p>55.03-6 Open space objective</p> <p>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p> <p>Standard B11</p> <p>If any public or communal open space is provided on site, it should:</p> <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. <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant plan or policy for open space in the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. <p>The design response.</p>	<p>Design Response B11</p> <p>The communal open space in this development is generally the driveway accessing the car spaces for all dwellings. It will be fronted by dwellings 2, 3, 4 & 5 and shall be overlooked by windows. See Plans. The Communal Open Space is accessible and useable.</p> <p>Design satisfies standards & objectives.</p>
<p>55.03-7 Safety objective</p> <p>To ensure the layout of development provides for the safety and security of residents and property.</p> <p>Standard B12</p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p> <p>Decision guideline</p> <p>Before deciding on an application, the responsible authority must consider the design response.</p>	<p>Design Response B12</p> <p>The entrances to dwellings 1 & 6 are not obscured or isolated from the street.</p> <p>The entrances to dwellings 2 – 5 are not obscured or isolated from internal access ways.</p> <p>Planting will be designed to eliminate any unsafe spaces.</p> <p>The driveway is visible from the dwellings. The occupants shall be able to provide surveillance of the spaces.</p> <p>The private open spaces within the development have not been designed to enable use as public thoroughfares.</p> <p>Design satisfies standards & objectives.</p>
<p>55.03-8 Landscaping objectives</p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p> <p>Standard B13</p> <p>The landscape layout and design should:</p>	<p>Design Response B13</p> <p>The landscape plan has the following characteristics in the design.</p>

<p>Protect any predominant landscape features of the neighbourhood.</p> <p>Take into account the soil type and drainage patterns of the site.</p> <p>Allow for intended vegetation growth and structural protection of buildings.</p> <p>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</p> <p>Provide a safe, attractive and functional environment for residents.</p> <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant neighbourhood character objective, policy or statement set out in this scheme. Any relevant plan or policy for landscape design in the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. The design response. The location and size of gardens and the predominant plant types in the neighbourhood. The health of any trees to be removed. Whether a tree was removed to gain a development advantage 	<p>Provide a safe, attractive, functional environment for the occupants.</p> <p>Consider soil type and drainage,</p> <p>Specify themes, paving types etc.</p> <p>Dwelling shall be structurally protected from intended vegetation. There are no existing themes on the site to be retained.</p> <p>Design satisfies standards & objectives.</p>
<p>55.03-9 Access objective</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p> <p>Standard B14</p> <p>The width of access ways or car spaces should not exceed:</p> <ul style="list-style-type: none"> 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. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised.</p>	<p>Design Response B14</p> <p>The existing crossover will remain to provide access to the shared driveway. All roads will be at least 3 metres wide and have an internal radius of 4 metres.</p> <p>Accessways do not exceed 33% of the frontage.</p> <p>The position of the crossovers ensure that the on-street car parking spaces are maximised.</p> <p>Access is provided for emergency vehicles entering the site. Delivery vehicles will be capable of entering most of the site.</p>

<p>Developments must provide for access for service, emergency and delivery vehicles.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> The design response. The impact on the neighbourhood character. The reduction of on-street car parking spaces. The effect on any significant vegetation on the site and footpath. 	<p>Design satisfies standards & objectives.</p>
<p>55.03-10 Parking location objectives</p> <p>To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments.</p> <p>Standard B15</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> Be reasonably close and convenient to dwellings and residential buildings. Be secure. Be well ventilated if enclosed <p>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 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.</p> <p>Decision guideline</p> <p>Before deciding on an application, the responsible authority must consider the design response.</p> <p>Car Parking</p> <p>The table contained in Clause 52.06-5 of the Planning Scheme states that car parking must be provided at a ratio of:</p> <ul style="list-style-type: none"> 1 car space to each one- or two-bedroom dwelling, plus; 2 car spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom) plus; 1 car space for visitors to every 5 dwellings for developments of 5 or more dwellings. 	<p>Design Response B15</p> <p>The layout of the car parking will allow safe and efficient movement within the site, while still being a convenient distance from the buildings.</p> <p>All driveways shall be at least 1.5 metres from habitable room windows, or window sills are at least 1.4m above accessway - see plans.</p> <p>Design satisfies standards & objectives.</p> <p>Design Response B16</p> <p>All Dwellings are regarded as one-bedroom dwellings with the required single car space provided.</p> <ul style="list-style-type: none"> 1 Visitor parking space is provided. <p>Design satisfies standards & objectives.</p>

55.04 Amenity Impacts	Response
<p>55.04-1 Side and rear setback objective</p> <p>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.</p> <p>Standard B17</p> <p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <p style="padding-left: 40px;">At least the distance specified in a schedule to the zone, or</p> <p style="padding-left: 40px;">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.</p> <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 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings. Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary. Whether the wall abuts a side or rear lane. 	<p>Design Response B17</p> <p>All side and rear setbacks will be as per the code, in the absence of specified distance 1 metre plus 0.3 metres for every metre over 3.6 has been provided.</p> <p>Design satisfies standards & objectives</p>
<p>55.04-2 Walls on boundaries objective</p> <p>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.</p> <p>Standard B18</p> <p>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:</p> <p style="padding-left: 40px;">For a length of more than the distance specified in a schedule to the zone; or</p> <p style="padding-left: 40px;">If no distance is specified in a schedule to the zone, for a length of more than:</p>	<p>Design Response B18</p> <p>There are no boundaries with abutting walls.</p> <p>Design satisfies standards & objectives.</p>

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.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

Any relevant neighbourhood character objective, policy or statement set out in this scheme.

The design response.

The extent to which walls on boundaries are part of the neighbourhood character

The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.

The orientation of the boundary that the wall is being built on.

The width of the lot.

The extent to which the slope and retaining walls or fences reduce the effective height of the wall.

Whether the wall abuts a side or rear lane.

The need to increase the wall height to screen a box gutter.

55.04-3 Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

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.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Design Response B19

All adjoining properties will not be impacted in terms of natural light into existing windows. See plans.

Design satisfies standards & objectives.

<p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p> <p>Decision guidelines Before deciding on an application, the responsible authority must consider: The design response.</p> <p>The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</p>	
<p>55.04-4 North-facing windows objective</p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p> <p>Standard B20</p> <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</p> <p>Decision guidelines Before deciding on an application, the responsible authority must consider: The design response.</p> <p>Existing sunlight to the north-facing habitable room window of the existing dwelling.</p>	<p>Design Response B20</p> <p>The design complies as is, as the development does not impact on any north facing room windows. See Plans.</p> <p>Design satisfies standards & objectives.</p>
<p>55.04-5 Overshadowing open space objective</p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p> <p>Standard B21</p> <p>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.</p> <p>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.</p> <p>Decision guidelines Before deciding on an application, the responsible authority must consider: The design response. The impact on the amenity of existing dwellings. Existing sunlight penetration to the secluded private open space of the existing dwelling. The time of day that sunlight will be available to the secluded private open space of the existing dwelling. The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p>	<p>Design Response B21</p> <p>As shown on the plans, more than 40m² unshadowed private open space area remains between the hours of 9am and 3pm on 22 September.</p> <p>The sunlight to the secluded private open spaces of the adjoining properties is not reduced any more than permitted.</p> <p>Refer to plans.</p> <p>Design satisfies standards & objectives.</p>

55.04-6 Overlooking objective.

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

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.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.

Have sill heights of at least 1.7 metres above floor level.

Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.

Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.

Permanent, fixed and durable.

Designed and coloured to blend in with the development.

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

Decision guidelines

Before deciding on an application, the responsible authority must consider:

The design response.

The impact on the amenity of the secluded private open space or habitable room window.

The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.

The internal daylight to and amenity of the proposed dwelling or residential building.

Design Response B22

Overlooking does not apply due to the boundary fences being a minimum of 1.8m high and the finished floor level of all dwellings being less than 800mm above ground level at the boundary.

Design satisfies standards & objectives.

<p>55.04-7 Internal view's objective</p> <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p> <p>Standard B23</p> <p>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.</p> <p>Decision guideline</p> <p>Before deciding on an application, the responsible authority must consider the design response.</p>	<p>Design Response B23</p> <p>The dwellings are single storey dwellings. The internal fences 1.8m high will restrict overlooking. See Plans.</p> <p>Design satisfies standards & objectives.</p>
<p>55.04-8 Noise impacts objectives</p> <p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p> <p>Standard B24</p> <p>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</p> <p>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p> <p>Decision guideline</p> <p>Before deciding on an application, the responsible authority must consider the design response.</p>	<p>Design Response B24</p> <p>Noise sources (if any) will not be located near adjoining bedrooms of adjoining dwellings. These dwellings are near busy roads, railway lines or industry and in the design process we have considered these issues. Windows to habitable rooms have been located and designed to limit this noise.</p> <p>Design satisfies standards & objectives.</p>

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55.05 On-Site Amenity and Facilities	Response
<p>55.05-1 Accessibility objective</p> <p>To encourage the consideration of the needs of people with limited mobility in the design of developments.</p> <p>Standard B25</p> <p>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.</p>	<p>Design Response B25</p> <p>The development will be single storey which will allow easy accessibility for D/A people. Steps at the entrances have been minimised.</p> <p>Design satisfies standards & objectives.</p>
<p>55.05-2 Dwelling entry objective</p> <p>To provide each dwelling or residential building with its own sense of identity.</p> <p>Standard B26</p> <p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> 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. 	<p>Design Response B26</p> <p>The dwellings have been designed with Porticos to emphasise the entry, giving the dwellings a sense of personal address. The entrance porticos have been located to be visible from the access roads.</p> <p>Design satisfies standards & objectives.</p>
<p>55.05-3 Daylight to new windows objective</p> <p>To allow adequate daylight into new habitable room windows.</p> <p>Standard B27</p> <p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> 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. <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> The design response. Whether there are other windows in the habitable room which have access to daylight. 	<p>Design Response B27</p> <p>Habitable room windows will all have a minimum light view to outside of 3m².</p> <p>Design satisfies standards & objectives.</p>

55.05-4 Private open space objective

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

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.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

The design response.

The useability of the private open space, including its size and accessibility.

The availability of and access to public or communal open space.

The orientation of the lot to the street and the sun.

Design Response B28

All dwellings shall have Private open space of 40m² minimum. See Plans.

All Secluded Private Open spaces shall have convenient access to a living room - see plans, with a minimum area of 25m² and a minimum width of 3m.

Design satisfies standards & objectives.

55.05-5 Solar access to open space objective

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

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.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

The design response.

The useability and amenity of the secluded private open space based on the sunlight it will receive.

Design Response B29

Secluded Private Open space is located on the North or East side for all dwellings. All Private open spaces have access to north sunlight. Therefore, the orientation meets the desired location, gaining the majority of the sunlight throughout the day.

Secluded private open spaces is located to ensure they will have solar access.

Design satisfies standards & objectives.

55.05-6 Storage objective

To provide adequate storage facilities for each dwelling.

Standard B30

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

Design Response B30

A lock up shed is to be provided with a capacity of 6m³ for each dwelling.

Design satisfies standards & objectives.

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55.06 Detailed Design	Response								
<p>55.06-1 Design detail objective</p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p> <p>Standard B31</p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> Facade articulation and detailing, Window and door proportions, Roof form, and Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting. Whether the design is innovative and of a high architectural standard. 	<p>Design Response B31</p> <p>The external walls of the dwellings are to be face brickwork with colorbond roofs to complement the existing houses in the area. The elevations will feature a portico and hip roof.</p> <p>Design satisfies standards & objectives.</p>								
<p>55.06-2 Front fence's objective</p> <p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p> <p>Standard B32</p> <p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> 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. <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="92 1787 762 1928"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Road Zone, Category 1</td> <td>2 metres</td> </tr> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> <tr> <td>Other Streets</td> <td>1.5 metres</td> </tr> </tbody> </table> <p>Decision guidelines</p> <p>Before deciding on an application, the responsible authority must consider:</p>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres	Street Context	Maximum front fence height	Other Streets	1.5 metres	<p>Design Response B32</p> <p>There will be no front fence as many homes in the area have no front fence.</p> <p>Design satisfies standards & objectives.</p>
Street Context	Maximum front fence height								
Streets in a Road Zone, Category 1	2 metres								
Street Context	Maximum front fence height								
Other Streets	1.5 metres								

<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The setback, height and appearance of front fences on adjacent properties.</p> <p>The extent to which slope and retaining walls reduce the effective height of the front fence.</p> <p>Whether the fence is needed to minimise noise intrusion.</p>	
<p>55.06-3 Common property objectives</p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p> <p>Standard B33</p> <p>Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p>Design Response B33</p> <p>The communal open spaces will be generally the driveways. They shall be overlooked by various windows of the dwellings to ensure surveillance of these spaces. There will be no secluded areas of Communal Spaces which cannot be overlooked by dwelling windows.</p> <p>The communal open spaces will be managed by the owner of the property.</p> <p>Design satisfies standards & objectives.</p>
<p>55.06-4 Site services objectives</p> <p>To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p> <p>Standard B34</p> <p>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.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p> <p>Bin and recycling enclosures should be located for convenient access by residents.</p> <p>Mailboxes should be provided and located for convenient access as required by Australia Post.</p> <p>Decision guideline</p> <p>Before deciding on an application, the responsible authority must consider the design response.</p>	<p>Design Response B34</p> <p>Bins will be located in the secluded private open spaces and brought out onto the nature strip by the occupant when required.</p> <p>A mailbox will be installed adjacent to accessway.</p> <p>Design satisfies standards & objectives.</p>

VIC Lot Plan Search: Lot 3 of Plan PS910144B

Related Addresses

Order Details

Address	Municipality	Council Property Number
73 COWAN STREET, BENALLA 3672	BENALLA	A1354

Related Titles

Order Details

Volume/Folio	Status
12521/097	OK

PRINTED ON 23/07/2024

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

VOLUME 12521 FOLIO 097

Security no : 124116848627C
Produced 23/07/2024 02:24 PM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 910144B.
PARENT TITLE Volume 10794 Folio 046
Created by instrument PS910144B 10/12/2023

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
RURAL HOUSING NETWORK LTD of LEVEL 4 111-113 HUME STREET WODONGA VIC 3690
AY126714B 21/06/2024

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.

AGREEMENT Section 173 Planning and Environment Act 1987
AX199883X 29/08/2023

DIAGRAM LOCATION

SEE PS910144B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY126713D (E)	DISCHARGE OF MORTGAGE	Registered	21/06/2024
AY126714B (E)	TRANSFER	Registered	21/06/2024

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

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

Street Address: 73 COWAN STREET BENALLA VIC 3672

ADMINISTRATIVE NOTICES

NIL
eCT Control 18119W HARRIS LIEBERMAN SOLICITORS PTY LTD
Effective from 21/06/2024

DOCUMENT END

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Department of Environment, Land, Water & Planning

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Status	Registered	Dealing Number	AY126714B
Date and Time Lodged	21/06/2024 03:04:18 PM		

Lodger Details

Lodger Code	18119W
Name	HARRIS LIEBERMAN SOLICITORS PTY LTD
Address	
Lodger Box	
Phone	
Email	
Reference	

TRANSFER

Jurisdiction	VICTORIA
--------------	----------

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Land Title Reference

12521/097

Transferor(s)

Name	VARNSEN INDUSTRIES PTY LTD
ACN	652526371

Estate and/or Interest being transferred

Fee Simple

Consideration

\$AUD 172500.00

Transferee(s)

Tenancy (inc. share)	Sole Proprietor
Name	RURAL HOUSING NETWORK LIMITED
ACN	085171428
Address	
Floor Type	LEVEL
Floor Number	4



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Street Number 111
To Street Number 113
Street Name HUME
Street Type STREET
Locality WODONGA
State VIC
Postcode 3690

Duty Transaction ID

5993459

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of VARNSEN INDUSTRIES PTY LTD
Signer Name MATTHEW SUSSMILCH
Signer Organisation HDC LEGAL
Signer Role AUSTRALIAN LEGAL PRACTITIONER
Execution Date 21 JUNE 2024

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of RURAL HOUSING NETWORK LIMITED
Signer Name ANN MARIE EAGLE
Signer Organisation HARRIS LIEBERMAN SOLICITORS PTY LTD
Signer Role AUSTRALIAN LEGAL PRACTITIONER
Execution Date 20 JUNE 2024

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Statement End.



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Status	Registered	Dealing Number	AY126713D
Date and Time Lodged	21/06/2024 03:04:18 PM		

Lodger Details

Lodger Code	18119W
Name	HARRIS LIEBERMAN SOLICITORS PTY LTD
Address	
Lodger Box	
Phone	
Email	
Reference	

DISCHARGE OF MORTGAGE OR CHARGE

Jurisdiction	VICTORIA
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Land Title Reference

12521/097

Mortgagee or Annuitant

Name	PERPETUAL CORPORATE TRUST LTD
ACN	000341533

Mortgage or Charge Number

AV051190B

The mortgagee or annuitant discharges the land described from the moneys or annuity secured by the mortgage(s) or charge(s) specified.



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Execution

1. The Certifier has retained the evidence supporting this Registry Instrument or Document.
2. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.
3. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to verify the identity of the mortgagee or his, her or its administrator or attorney.

Executed on behalf of	PERPETUAL CORPORATE TRUST LTD
Signer Name	CRAIG DOUGLAS GREEN
Signer Organisation	GADENS LAWYERS
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	20 JUNE 2024

File Notes:

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Status	Registered	Dealing Number	AX199883X
Date and Time Lodged	29/08/2023 12:17:04 PM		

Lodger Details

Lodger Code	19629R
Name	HDC LEGAL
Address	
Lodger Box	
Phone	
Email	
Reference	Linke162100-5

APPLICATION TO RECORD AN INSTRUMENT

Jurisdiction	VICTORIA
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Estate and/or Interest

FEE SIMPLE

Land Title Reference

10794/046

Instrument and/or legislation

RECORD - AGREEMENT - SECTION 173
Planning & Environment Act - section 173

Applicant(s)

Name	BENALLA RURAL CITY COUNCIL
Address	
Property Name	CUSTOMER SERVICE CENTRE
Street Number	1
Street Name	BRIDGE
Street Type	STREET
Locality	BENALLA
State	VIC
Postcode	3672



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Additional Details

Refer Image Instrument

The applicant requests the recording of this Instrument in the Register.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of BENALLA RURAL CITY COUNCIL
Signer Name MATTHEW SUSSMILCH
Signer Organisation MATTHEW JAMES SUSSMILCH
Signer Role AUSTRALIAN LEGAL PRACTITIONER
Execution Date 29 AUGUST 2023

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This Agreement is made under Section 173 of The Planning and Environment Act 1987 (Vic) on this

24th day of August 2023

BETWEEN

BENALLA RURAL CITY COUNCIL

of 1 Bridge Street East, Benalla in the State of Victoria

("the Council")

AND

VARNSEN INDUSTRIES PTY LTD (ACN 652 526 371)

of 5 Noarana Drive Benalla in the State of Victoria

("the Owner")

RECITALS:

- A. **THE** Owner is the registered proprietor of the land presently contained and described within Certificate of Title Volume 10794 Folio 046 ("the land").
- B. **THE** Benalla Rural City Council is the authority responsible for the administration and enforcement of the Benalla Planning Scheme in relation to the land. ("the Responsible Authority").
- C. **THE** Council has issued Planning Permit Number P0202/21 ("the permit"), for a four-lot subdivision of the land.
- D. **IT** is a condition of the permit that the Owner enters into this Agreement with the Council.

OPERATIVE PROVISIONS:

1. **THE** Owner acknowledges and agrees that except with the prior written consent of the Responsible Authority:
 - (a) All stormwater falling on the roof of each habitable building on the Lot must be collected and conveyed to a rainwater tank, or series of tanks, with a storage capacity of at least 5,000 litres.
 - (b) The required tank(s) must be installed prior to the commencement of the use of the respective buildings or as directed by the Responsible Authority, whichever occur first.
 - (c) Each rainwater tank installed pursuant to this Agreement must incorporate a drawdown outlet, not more than 25mm in diameter, installed in a manner that ensures that a reserve capacity of at least 2,500 litres will be restored following drawdown.

- (d) The discharge from all drawdown outlets and tank overflow outlets must be collected and conveyed by pipes to a nominated legal point of discharge.
- (e) All works prescribed by this Agreement are to be completed to the satisfaction of the Responsible Authority.
- (f) Works prescribed by this Agreement may not be altered in any shape or form without the prior written consent from the Responsible Authority.
- (g) Each rainwater tank system will be maintained to the satisfaction of the Responsible Authority.
- (h) A duly appointed officer of the Responsible Authority will be allowed to inspect the rainwater tank system at mutually agreed times to ensure compliance with this Agreement.

2. **Costs**

Prior to the issue of a statement of compliance the permit holder must pay the full costs of preparing, executing and registering the Agreement, and provide the Authority with written confirmation that the Agreement has been lodged according to Section 181 of the Act.

3. **THIS** agreement is made under Section 173 of the Planning and Environment Act 1987 (Vic) and the Owners acknowledge that:

- (a) the obligations imposed on the Owner under this agreement are to take effect as covenants which are annexed to and run at law and in equity with the land and each and every part or parts of the land;
- (b) this agreement binds the Owners' successors in title, assigns, legal or personal representatives and transferees, the registered proprietor or proprietors for the time being of the land in each and every part or parts of the land; and
- (c) the Owner must, should Council so request, execute all documents and do all further things required by the Council in order to ensure that the Registrar of Titles enters and records a Memorandum of this Deed under Section 181 of the Planning and Environment Act 1987 (Vic) on the Certificate or Certificates of Title for the land as soon as possible after the date of this agreement.

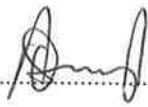
4. **THE** provision of or a right created under this agreement may not be:

- (a) waived except in writing signed by the party granting the waiver; or
- (b) varied except in writing signed by the parties.

5. **THE** rights powers and remedies provided in this agreement are cumulative with and not exclusive of the rights, powers and remedies provided by law independently of this agreement including, without limitation, the Council's rights and powers as the Responsible Authority.

EXECUTED AS A DEED by the parties on the day and the date first hereinbefore appearing

SIGNED by **BENALLA RURAL CITY**)
COUNCIL by its duly authorised delegate in)
the presence of:


.....
Council Delegate

.....
NILUSH NEAL SINGH
.....
Full Name

SIGNED SEALED AND DELIVERED by)
VARNSEN INDUSTRIES PTY LTD (ACN)
652 526 371) in accordance with *Section*
127(1) of the Corporations Act 2001


.....
Bruce Andrew Linke - Director

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PLAN OF SUBDIVISION		EDITION 1	PS910144B		
LOCATION OF LAND PARISH: BENALLA TOWNSHIP: ---- SECTION: A CROWN ALLOTMENT: 1 (PART) CROWN PORTION: ---- TITLE REFERENCE: VOL.10794 FOL.046 LAST PLAN REFERENCE: PS513545V (LOT 1) POSTAL ADDRESS: 73 COWAN STREET (at time of subdivision) BENALLA 3672 MGA2020 CO-ORDINATES: E: 407745 ZONE: 55 (of approx centre of land in plan) N: 5952920		Council Name: Benalla Rural City Council Council Reference Number: S3197/22 Planning Permit Reference: P0202/21 SPEAR Reference Number: S196473T Certification This plan is certified under section 6 of the Subdivision Act 1988 Statement of Compliance This is a statement of compliance issued under section 21 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has not been made Digitally signed by: Nilesh Neal Singh for Benalla Rural City Council on 23/10/2023			
VESTING OF ROADS AND/OR RESERVES		NOTATIONS			
IDENTIFIER	COUNCIL/BODY/PERSON				
NIL	NIL				
NOTATIONS		BOUNDARIES SHOWN AS THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS LOCATION OF BOUNDARIES DEFINED BY BUILDINGS: EXTERIOR FACE: BOUNDARIES MARKED "E"			
DEPTH LIMITATION		Does not apply.			
SURVEY:		This plan is based on survey.			
STAGING:		This is not a staged subdivision. Planning Permit No. P0202/21			
		This survey has been connected to Permanent Marks No(s). 100, 256			
		In Proclaimed Survey Area No. 62			
EASEMENT INFORMATION					
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
E-1	SEWERAGE	2.5	THIS PLAN	NORTH EAST REGION WATER CORPORATION	
 OXLEY + CO SURVEYORS ENGINEERS PLANNERS DEVELOPMENT CONSULTANTS 45 OVENS STREET, WANGARATTA 3677 (03) 5721 6255 oxleyco.com.au admin@oxleyco.com.au		SURVEYORS FILE REFERENCE: S9563 Digitally signed by: ALASTAIR DOUGLAS KEMP, Licensed Surveyor, Surveyor's Plan Version (3), 01/06/2023, SPEAR Ref: S196473T	VERSION: 3 ORIGINAL SHEET SIZE: A3	SHEET 1 OF 2 SHEETS PLAN REGISTERED TIME: 7:58am DATE: 10/12/23	B.J.S. Assistant Registrar of Titles

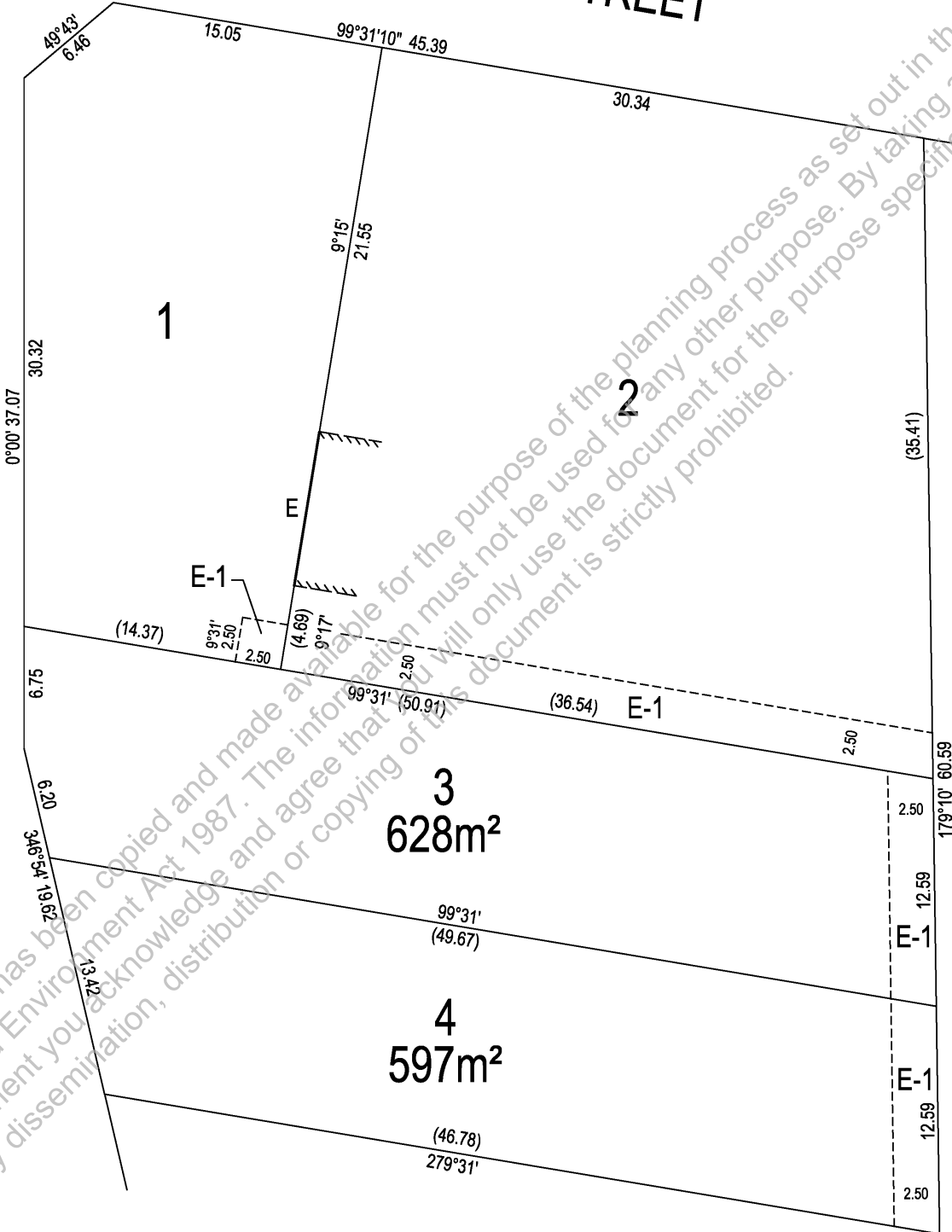
PS910144B

MGA2020
ZONE 55

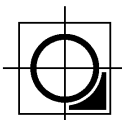


SENATOR DRIVE

COWAN STREET



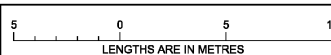
SURVEYORS FILE REFERENCE: **S9563** VERSION: **3**



OXLEY + CO

SURVEYORS ENGINEERS PLANNERS
DEVELOPMENT CONSULTANTS
45 OVENS STREET, WANGARATTA 3677
(03) 5721 6255 | oxleyco.com.au | admin@oxleyco.com.au

SCALE
1:250



ORIGINAL SHEET
SIZE: A3

SHEET 2

Digitally signed by: ALASTAIR DOUGLAS KEMP, Licensed Surveyor,
Surveyor's Plan Version (3),
01/06/2023, SPEAR Ref: S196473T

Digitally signed by:
Benalla Rural City Council,
23/10/2023,
SPEAR Ref: S196473T