

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:

39 Gandini Lane, Lima South,
Lot 1,2 and 3 PS315896,
Parish of Lima

The application is for a permit to:

Resubdivide three existing lots into two lots and
The removal of an easement

The applicant for the permit is:

Nidhi Satokar
Oxley & Company

The application reference number is:

P0047/24
DA7653

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:

30 May 2024

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



Application for Planning Permit for a Subdivision

Supplied by Nidhi Satokar
Submitted Date 23/04/2024

Application Details

Application Type Planning Permit for a Subdivision
 Version 1
Applicant Reference Number S10738
Responsible Authority Name Benalla Rural City Council
Responsible Authority Reference Number(s) (Not Supplied)
SPEAR Reference Number S229131C
Application Status Submitted
Planning Permit Issue Date NA
Planning Permit Expiry Date NA

The Land

Primary Parcel 39 GANDINI LANE, LIMA SOUTH VIC 3673
 Lot 1/Plan PS315896
 SPI 1\PS315896
 CPN A12900
Zone: 35.07 Farming
Overlay: 44.06 Bushfire Management

Parcel 2 39 GANDINI LANE, LIMA SOUTH VIC 3673
 Lot 2/Plan PS315896
 SPI 2\PS315896
 CPN A12900
Zone: 35.07 Farming
Overlay: 44.06 Bushfire Management

Parcel 3 39 GANDINI LANE, LIMA SOUTH VIC 3673
 Lot 3/Plan PS315896
 SPI 3\PS315896
 CPN A12900
Zone: 35.07 Farming
Overlay: 44.06 Bushfire Management

The Proposal

Plan Number (Not Supplied)
Number of lots 2
Proposal Description Two lot re-subdivision with variation to encumbering easement E-2 (unused/no asset): The proposal seeks to re-subdivide three existing titles under the same ownership. The proposed re-subdivision is to create two new lots, one for the existing house and a balance vacant lot of 40ha to allow for the use for a dwelling.

Existing Conditions

Existing Conditions Description

The subject land consists of three 3 lots (all under single ownership) with collective area of 57.97ha under FZ.

Title Information - Does the proposal breach an encumbrance on Title?

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

Applicant Contact

Applicant Contact

Nidhi Satokar
Oxley & Company
45 Ovens Street, Wangaratta, VIC, 3677
Business Phone: 0357216255
Email: nsatokar@oxleyco.com.au

Applicant

Applicant

Trevor Pendergast
39 Gandini Lane, Lima South, VIC, 3672
Mobile Phone: 0429866162
Email: pendergast4@bigpond.com

Owner

Owner

Trevor Gordon Pendergast
Pendari Gandini Lane Lane, Benalla, VIC, 3672
Mobile Phone: 0429866162
Email: pendergast4@bigpond.com



Declaration

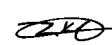
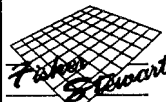
I, Nidhi Satokar, declare that the owner (if not myself) has been notified about this application.



I, Nidhi Satokar, declare that all the information supplied is true.

Authorised by Organisation

Nidhi Satokar
Oxley & Company

PLAN OF SUBDIVISION	STAGE No. /	LTO USE ONLY EDITION 1	PLAN NUMBER PS 315896 T			
LOCATION OF LAND PARISH: LIMA TOWNSHIP: _____ SECTION: C CROWN ALLOTMENT: 26 (PART) CROWN PORTION: _____ LTO BASE RECORD: LITHO SHEET 1 (2998) TITLE REFERENCES: C/T. VOL. 9596 FOL. 227 LAST PLAN REFERENCE/S: LP 14-8093 E LOT 1 POSTAL ADDRESS: (At time of subdivision) AMG Co-ordinates (of approx centre of land in plan)		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: SHIRE OF BENALLA REF: 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6: / / 3. This is a statement of compliance issued under Section 18 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date 12 / 6 / 92 Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /				
VESTING OF ROADS AND/OR RESERVES		NOTATIONS				
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is not a staged subdivision. Planning permit No. 924 DEPTH LIMITATION 15.24 METRES BELOW THE SURFACE APPLIES TO ALL THE LAND IN THE PLAN.				
ROAD R1	SHIRE OF BENALLA					
SURVEY THIS PLAN IS IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) IN PROCLAIMED SURVEY AREA No.						
EASEMENT INFORMATION		LTO USE ONLY				
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE: 5 / 5 / 93				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	LTO USE ONLY PLAN REGISTERED TIME 10.45 DATE 5 / 5 / 93  Assistant Registrar of Titles	
E-1	TRANSMISSION OF ELECTRICITY	SEE DIAG.	INST. No 1263070	SECV		
E-2	POWERLINE	15	THIS PLAN SECTION 103B SEC ACT 1958	SECV	SHEET 1 OF 2 SHEETS	
 FISHER STEWART PTY.LTD. • Engineers • Surveyors • Development Consultants 27 WELSFORD ST SHEPPARTON 3630 PO BOX 741 TEL 058 214966 FAX 058 312228		LICENSED SURVEYOR (PRINT) J. B. MOORE SIGNATURE DATE / / REF SS4620-2 VERSION B		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3		

PLAN OF SUBDIVISION	STAGE No. /	LTO USE ONLY EDITION 1	PLAN NUMBER PS 315896 T			
LOCATION OF LAND PARISH: LIMA TOWNSHIP: _____ SECTION: C CROWN ALLOTMENT: 26 (PART) CROWN PORTION: _____ LTO BASE RECORD: LITHO SHEET 1 (2998) TITLE REFERENCES: C/T. VOL. 9596 FOL. 227 LAST PLAN REFERENCE/S: LP 14-8093 E LOT 1 POSTAL ADDRESS: (At time of subdivision) AMG Co-ordinates (of approx centre of land in plan)		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: SHIRE OF BENALLA REF: 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6: / / 3. This is a statement of compliance issued under Section 18 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date 12 / 6 / 92 Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /				
VESTING OF ROADS AND/OR RESERVES		NOTATIONS				
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is not a staged subdivision Planning permit No. 924 DEPTH LIMITATION 15.24 METRES BELOW THE SURFACE APPLIES TO ALL THE LAND IN THE PLAN.				
ROAD R1	SHIRE OF BENALLA					
SURVEY THIS PLAN IS IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) IN PROCLAIMED SURVEY AREA No.						
EASEMENT INFORMATION		LTO USE ONLY				
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE: 5 / 5 / 93				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	LTO USE ONLY PLAN REGISTERED TIME 10.45 DATE 5 / 5 / 93  Assistant Registrar of Titles	
E-1	TRANSMISSION OF ELECTRICITY	SEE DIAG.	INST. No 1263070	SECV		
E-2	POWERLINE	15	THIS PLAN SECTION 103B SEC ACT 1958	SECV	SHEET 1 OF 2 SHEETS	
 FISHER STEWART PTY.LTD. • Engineers • Surveyors • Development Consultants 27 WELSFORD ST SHEPPARTON 3630 PO BOX 741 TEL 058 214966 FAX 058 312228		LICENSED SURVEYOR (PRINT) J. B. MOORE SIGNATURE DATE / / REF SS4620-2 VERSION B		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3		

PLAN OF SUBDIVISION	STAGE No. /	LTO USE ONLY EDITION 1	PLAN NUMBER PS 315896 T			
LOCATION OF LAND PARISH: LIMA TOWNSHIP: _____ SECTION: C CROWN ALLOTMENT: 26 (PART) CROWN PORTION: _____ LTO BASE RECORD: LITHO SHEET 1 (2998) TITLE REFERENCES: C/T. VOL. 9596 FOL. 227 LAST PLAN REFERENCE/S: LP 14-8093 E LOT 1 POSTAL ADDRESS: (At time of subdivision) AMG Co-ordinates (of approx centre of land in plan)		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: SHIRE OF BENALLA REF: 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6: / / 3. This is a statement of compliance issued under Section 18 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date 12 / 6 / 92 Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /				
VESTING OF ROADS AND/OR RESERVES		NOTATIONS				
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is not a staged subdivision. Planning permit No. 924 DEPTH LIMITATION 15.24 METRES BELOW THE SURFACE APPLIES TO ALL THE LAND IN THE PLAN.				
ROAD R1	SHIRE OF BENALLA					
SURVEY: THIS PLAN IS IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) IN PROCLAIMED SURVEY AREA No.						
EASEMENT INFORMATION		LTO USE ONLY				
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE: 5 / 5 / 93				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	LTO USE ONLY PLAN REGISTERED TIME 10.45 DATE 5 / 5 / 93  Assistant Registrar of Titles	
E-1	TRANSMISSION OF ELECTRICITY	SEE DIAG.	INST. No 1263070	SECV		
E-2	POWERLINE	15	THIS PLAN SECTION 103B SEC ACT 1958	SECV	SHEET 1 OF 2 SHEETS	
 FISHER STEWART PTY.LTD. • Engineers • Surveyors • Development Consultants 27 WELSFORD ST SHEPPARTON 3630 PO BOX 741 TEL 058 214966 FAX 058 312228		LICENSED SURVEYOR (PRINT) J. B. MOORE SIGNATURE DATE / / REF SS4620-2 VERSION B		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3		

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

PLAN OF SUBDIVISION

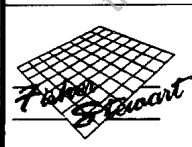
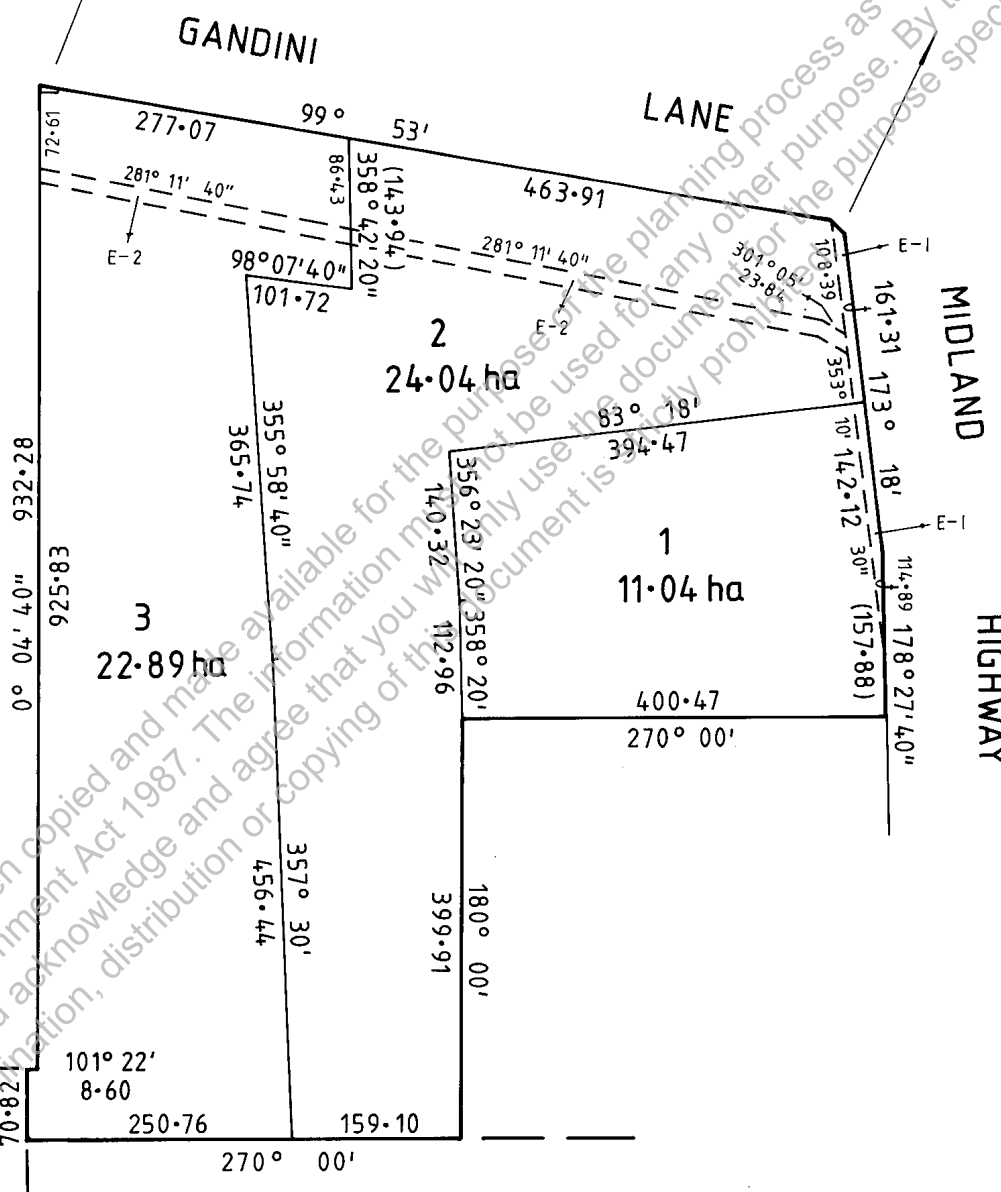
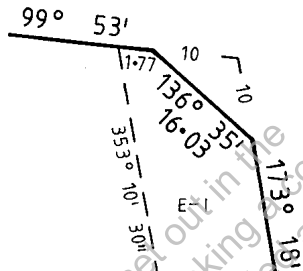
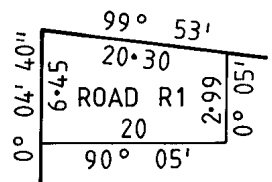
STAGE No.

PLAN NUMBER

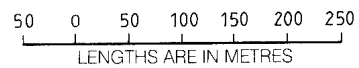
PS 315896 T

APPROX. TRUE NORTH

ENLARGEMENTS
NOT TO SCALE



FISHER STEWART PTY.LTD.
 • Engineers • Surveyors •
 Development Consultants
 27 WELSFORD ST SHEPPARTON 3630
 PO BOX 741
 TEL 058 214966 FAX 058 312228



ORIGINAL
SCALE SHEET
1:5000 A3

LICENSED SURVEYOR (PRINT) **J. B. MOORE**
 SIGNATURE DATE / /
 REF **SS4620-2** VERSION **B**

SHEET 2 OF 2 SHEETS
 DATE / /
 COUNCIL DELEGATE SIGNATURE

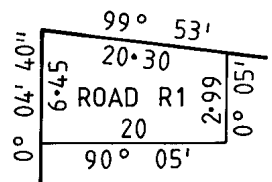
PLAN OF SUBDIVISION

STAGE No.

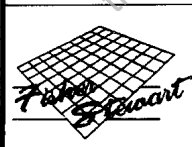
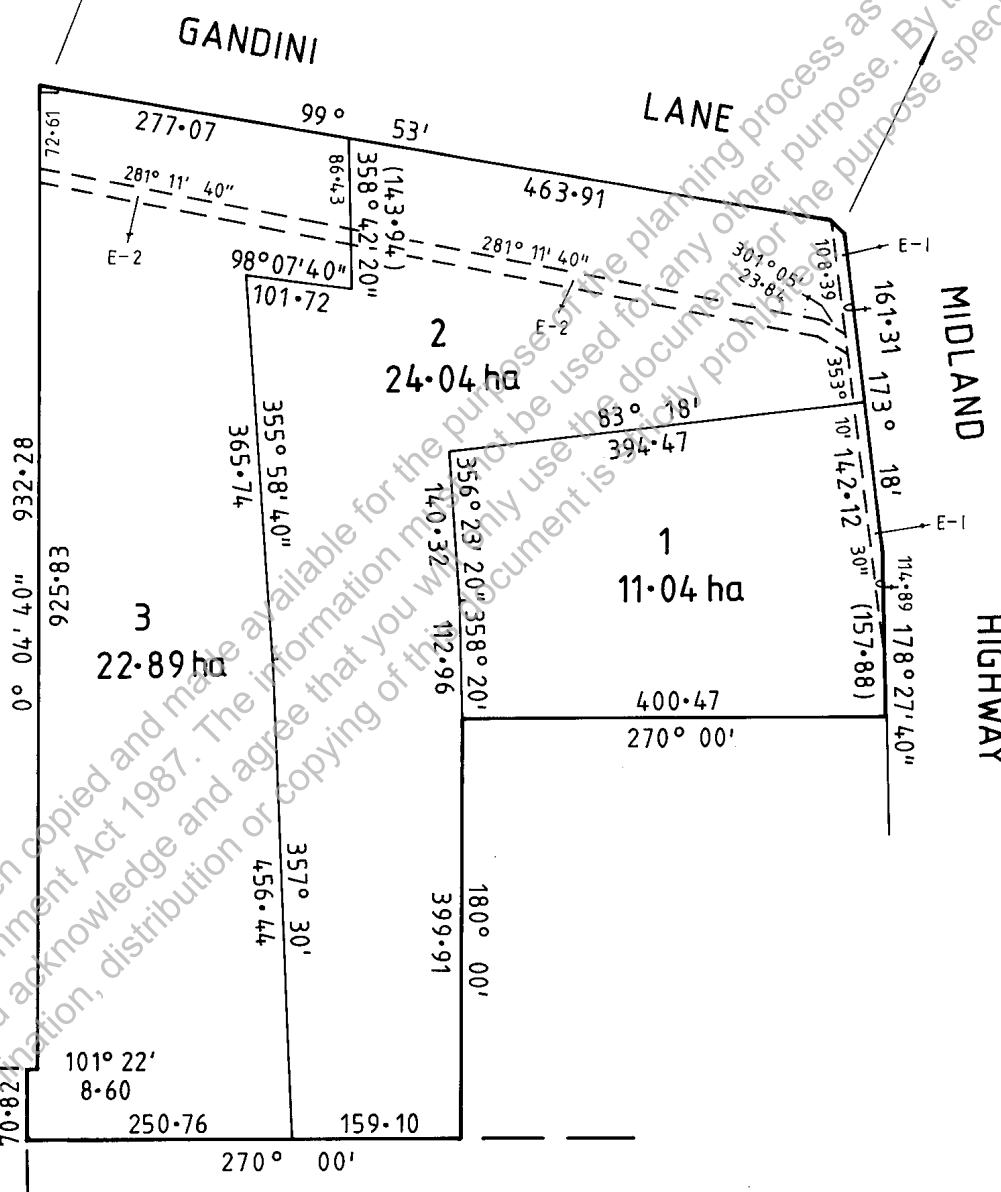
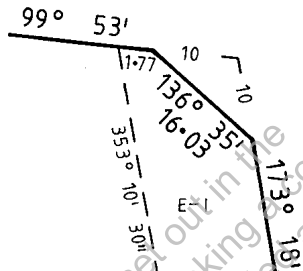
PLAN NUMBER

PS 315896 T

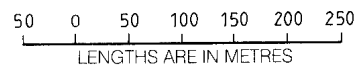
APPROX. TRUE NORTH



ENLARGEMENTS
NOT TO SCALE



FISHER STEWART PTY.LTD.
 • Engineers • Surveyors •
 Development Consultants
 27 WELSFORD ST SHEPPARTON 3630
 PO BOX 741
 TEL 058 214966 FAX 058 312228



ORIGINAL
SCALE SHEET
1:5000 A3

LICENSED SURVEYOR (PRINT) **J. B. MOORE**
 SIGNATURE DATE / /
 REF **SS4620-2** VERSION **B**

SHEET 2 OF 2 SHEETS
 DATE / /
 COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION

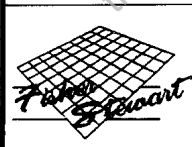
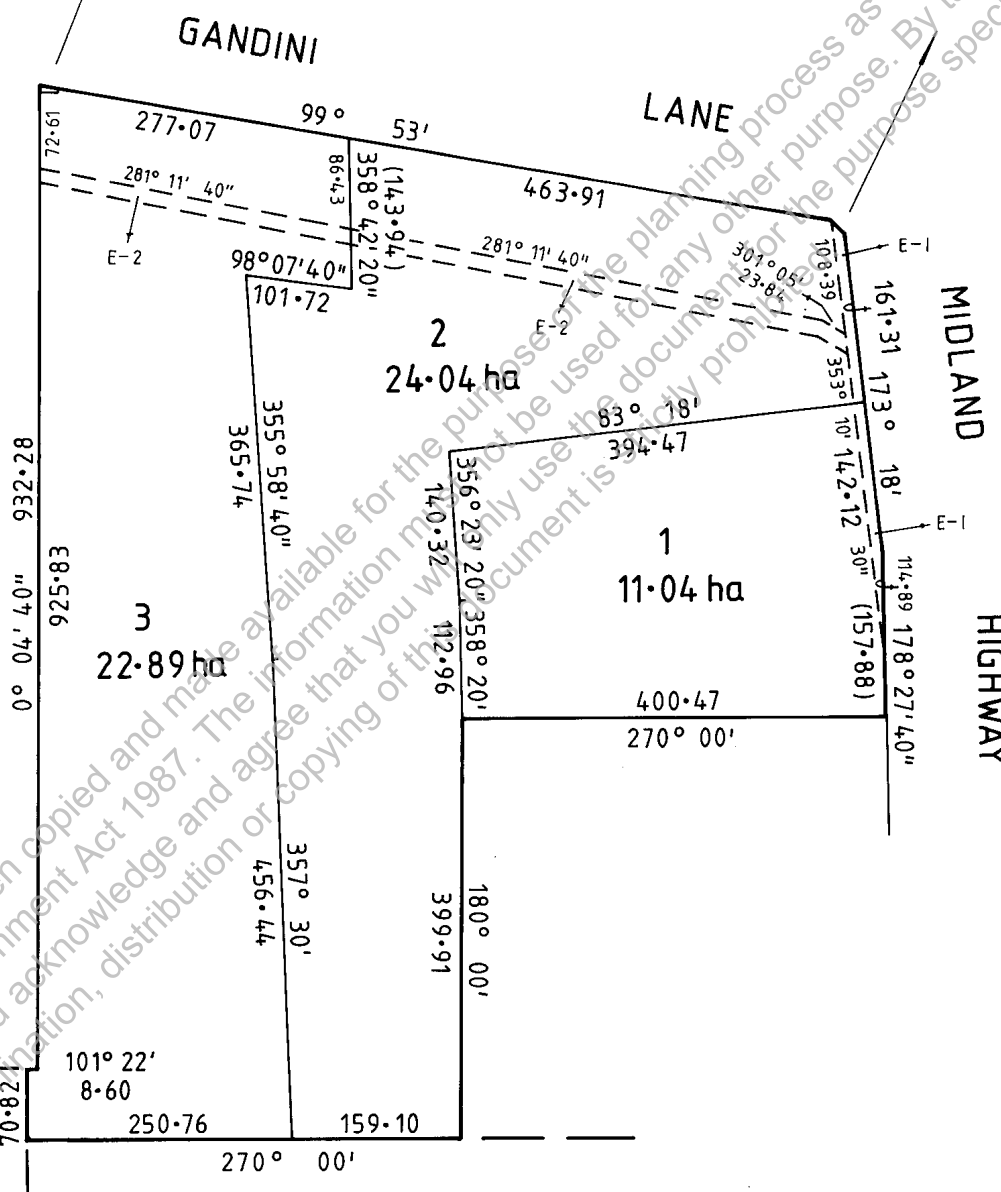
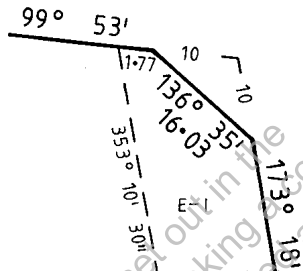
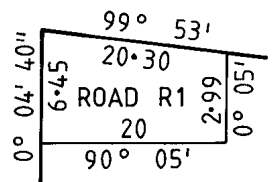
STAGE No.

PLAN NUMBER

PS 315896 T

APPROX. TRUE NORTH

ENLARGEMENTS
NOT TO SCALE

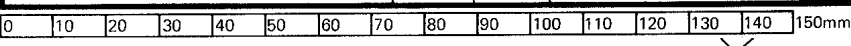


FISHER STEWART PTY.LTD.
 • Engineers • Surveyors •
 Development Consultants
 27 WELSFORD ST SHEPPARTON 3630
 PO BOX 741
 TEL 058 214966 FAX 058 312228

ORIGINAL
 SCALE SHEET
 SIZE
 1:5000 A3

LICENSED SURVEYOR (PRINT) **J. B. MOORE**
 SIGNATURE DATE / /
 REF **SS4620-2** VERSION **B**

SHEET 2 OF 2 SHEETS
 DATE / /
 COUNCIL DELEGATE SIGNATURE



Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 10113 FOLIO 619

Security no : 124112785972F
Produced 20/02/2024 11:50 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 315896T.
PARENT TITLE Volume 09596 Folio 227
Created by instrument PS315896T 05/05/1993

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
TREVOR GORDON PENDERGAST of "PENDARI" GANDINI LANE BENALLA 3672
T413620A 15/11/1994

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG634288P 16/07/2009
NATIONAL AUSTRALIA BANK LTD

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

DIAGRAM LOCATION

SEE PS315896T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 39 GANDINI LANE LIMA SOUTH VIC 3673

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 23/10/2016

DOCUMENT END

Delivered from the LANDATA® System by GlobalX Pty Ltd

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 10113 FOLIO 620

Security no : 124112785947H
Produced 20/02/2024 11:50 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 315896T.
PARENT TITLE Volume 09596 Folio 227
Created by instrument PS315896T 05/05/1993

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
TREVOR GORDON PENDERGAST of "PENDARI" GANDINI LANE BENALLA 3672
T413619A 15/11/1994

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG634288P 16/07/2009
NATIONAL AUSTRALIA BANK LTD

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

DIAGRAM LOCATION

SEE PS315896T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 39 GANDINI LANE LIMA SOUTH VIC 3673

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 23/10/2016

DOCUMENT END

Delivered from the LANDATA® System by GlobalX Pty Ltd

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 10113 FOLIO 621

Security no : 124112785892S
Produced 20/02/2024 11:49 AM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 315896T.
PARENT TITLE Volume 09596 Folio 227
Created by instrument PS315896T 05/05/1993

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
TREVOR GORDON PENDERGAST of "PENDARI" GANDINI LANE BENALLA 3672
T413618D 15/11/1994

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG634288P 16/07/2009
NATIONAL AUSTRALIA BANK LTD

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

DIAGRAM LOCATION

SEE PS315896T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 39 GANDINI LANE LIMA SOUTH VIC 3673

ADMINISTRATIVE NOTICES

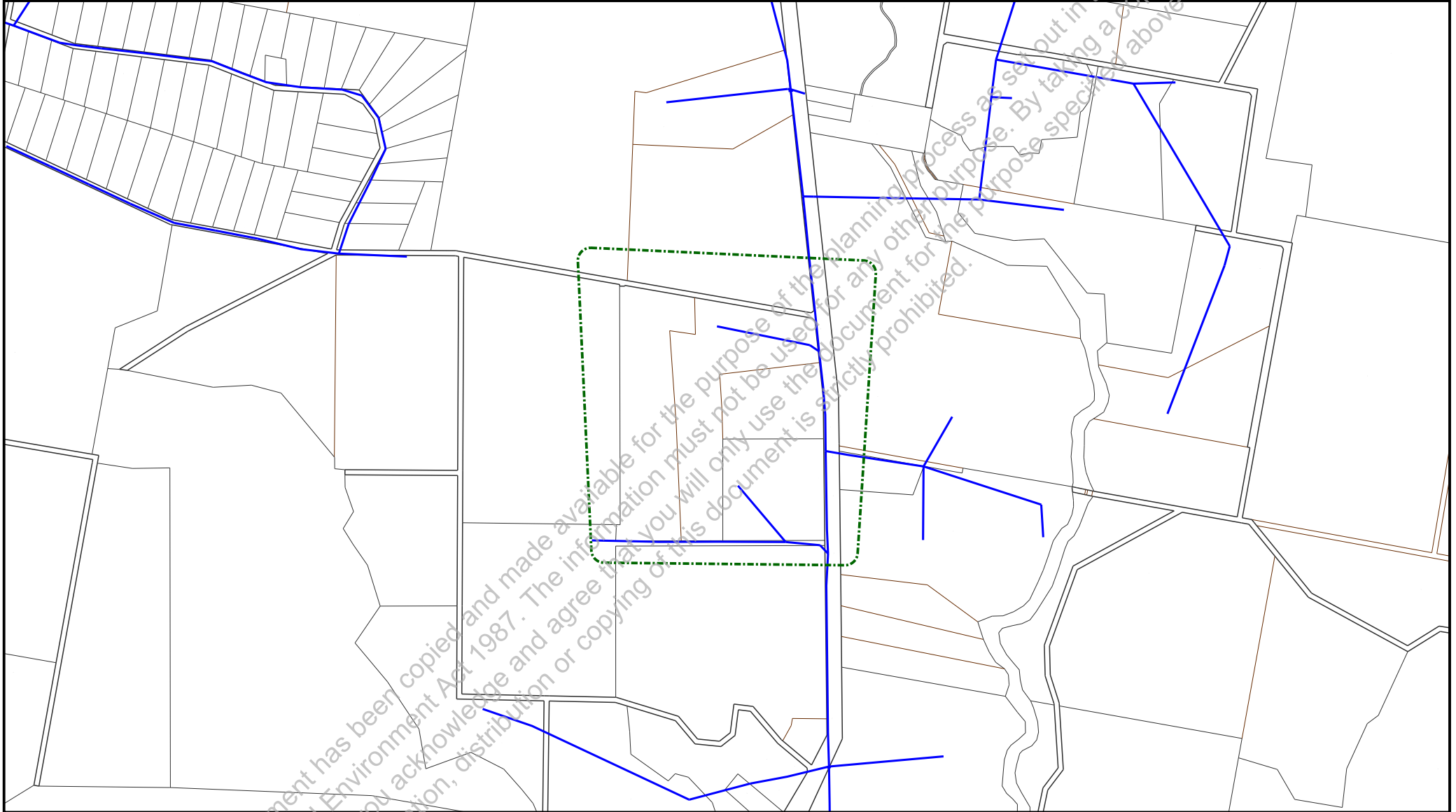
NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 23/10/2016

DOCUMENT END

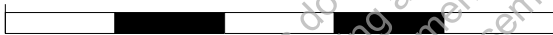
Delivered from the LANDATA® System by GlobalX Pty Ltd

OVERVIEW ONLY - NOT FOR EXCAVATION PURPOSES



This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

0m 300m 600m 900m 1200m 1500m



Plot Date: 19/03/2024

Warning!

Please be advised this is a high level representation only and may not indicate all AusNet Services assets in the area or the exact location of identified assets.
This plan must not be used for the purpose of ascertaining asset locations for excavation. Please read all conditions and information on the attached information sheets.

Note: The information contained on this plan is only valid for 28 days from the date of issue.

Directory Reference

Melway No Map Ref
Vic Roads 48 B 6
ESMAP No Map Ref
Boho 2,500/20.7

AMG Extents

SW 408342 E 5926444 N
NE 414055 E 5929731 N

TOWN PLANNING REPORT

Re-subdivision
to create two lots

ADDRESS

39 Gandini Lane,
LIMA SOUTH VIC 3673

DATE

23 APRIL 2024



OXLEY + CO

SURVEYORS ENGINEERS PLANNERS
DEVELOPMENT CONSULTANTS

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Oxley & Company

PO Box 382

Wangaratta VIC 3676

P: (03) 57216255 | F: (03) 5721 2779 | E: nsatokar@oxleyco.com.au

© Oxley & Company 2020

The information contained in this document is confidential and intended solely for the use of the client identified in the report for the purpose for which it has been prepared and no representation is made or is to be implied as being made to any third party. Use or copying of this document in whole or part without the written permission of Oxley & Company constitutes an infringement of copyright. The Intellectual property contained in this document remains the property of Oxley & Company

Revision Table

Revision	Date	Details	Prepared By
1	17/04/2024	Draft Report	NS
2	18/04/2024	Updated Report	NS
3	23/04/2024	Review	AC

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Contents

1.0	Introduction.....	4
1.1	Permit requirements under the Benalla Planning Scheme	4
2.0	Site Analysis.....	5
2.1	Title Particulars	5
2.2	Subject Land.....	5
2.3	Surrounding Land.....	9
3.0	The Proposal.....	10
3.1	Proposed Re-subdivision.....	10
4.0	Planning Scheme Controls.....	13
4.1	Zone	13
4.2	Overlays	14
4.3	Particular Provisions	15
4.3.1	Clause 53.02 Bushfire Planning	15
4.4	Clause 65 Decision Guidelines	15
5.0	Policy Assessment	16
5.1	Municipal Planning Strategy (MPS).....	16
5.2	Planning Policy Framework (PPF).....	17
6.0	Conclusion	19
	Appendix 1 – Copy of titles.....	20
	Appendix 2 – Proposed Re-subdivision Plan Ref.S10738 V1.....	21
	Appendix 3 – DBYD AusNet Electricity Services Map.....	22

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. This information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

1.0 Introduction

This report has been prepared by Oxley and Company on behalf of the landowner in support of a planning permit application to the Rural City of Benalla for a revision of easement and a two-lot re-subdivision of three existing lots (lots 1, 2 & 3 on PS315896T) of the subject land known as 39 Gandini Lane, Lima South 3673.

The proposal seeks to re-subdivide three existing titles under the same ownership. The proposed re-subdivision is to create two new lots, one for the existing house and a balance vacant lot of 40ha to allow for the use for a dwelling.

The subject land is within a Farming Zone (FZ) under the Benalla Planning Scheme and is partially subjected to the Bushfire Management Overlay (BMO). This report addresses the relevant provisions of the Benalla Planning Scheme, including the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF).

This application is accompanied by:

- Copy of Titles
 - Vol. 10113 Fol. 619
 - Vol. 10113 Fol. 620
 - Vol. 10113 Fol. 621
- Proposed Re-subdivision Plan Ref. S10738 V1
- Dial Before You Dig information – AusNet Electricity Services Map

1.1 Permit requirements under the Benalla Planning Scheme

The following provisions of the Benalla Planning Scheme trigger a planning permit in this instance:

- Pursuant to Clause 35.07-3 of the Farming Zone, and Clause 44.06-3 of the Bushfire Management Overlay, a permit is required for the subdivision of land.

This application seeks to waive the requirements under the Bushfire Management Overlay provisions and consequently, the Bushfire Planning provisions under Clause 53.02. A summary of the relevant requirements are discussed at Section 4.2 of this report.

2.0 Site Analysis

2.1 Title Particulars

The Certificate of Titles relevant to this application shows that the land is in the ownership of the following:

Title Details	Ownership
VOLUME 10113 FOLIO 619 LAND DESCRIPTION Lot 1 on PS315896T	Sole Proprietor TREVOR GORDON PENDERGAST of "PENDARI" GANDINI LANE BENALLA 3672
VOLUME 10113 FOLIO 620 LAND DESCRIPTION Lot 2 on PS315896T	Sole Proprietor TREVOR GORDON PENDERGAST of "PENDARI" GANDINI LANE BENALLA 3672
VOLUME 10113 FOLIO 621 LAND DESCRIPTION Lot 3 on PS315896T	Sole Proprietor TREVOR GORDON PENDERGAST of "PENDARI" GANDINI LANE BENALLA 3672

Table 1 Ownership and Title details

There are two encumbering easements registered in the above property certificates, one for transmission of electricity (E-1) in favour of SECV and other for a powerline (E-2) which is also in favour of SECV. The northeast boundary of Lot 3 is under 20.30m width Encumbering Easement Road (R-1). A copy of the Certificate of Title is attached as Appendix 1.

2.2 Subject Land

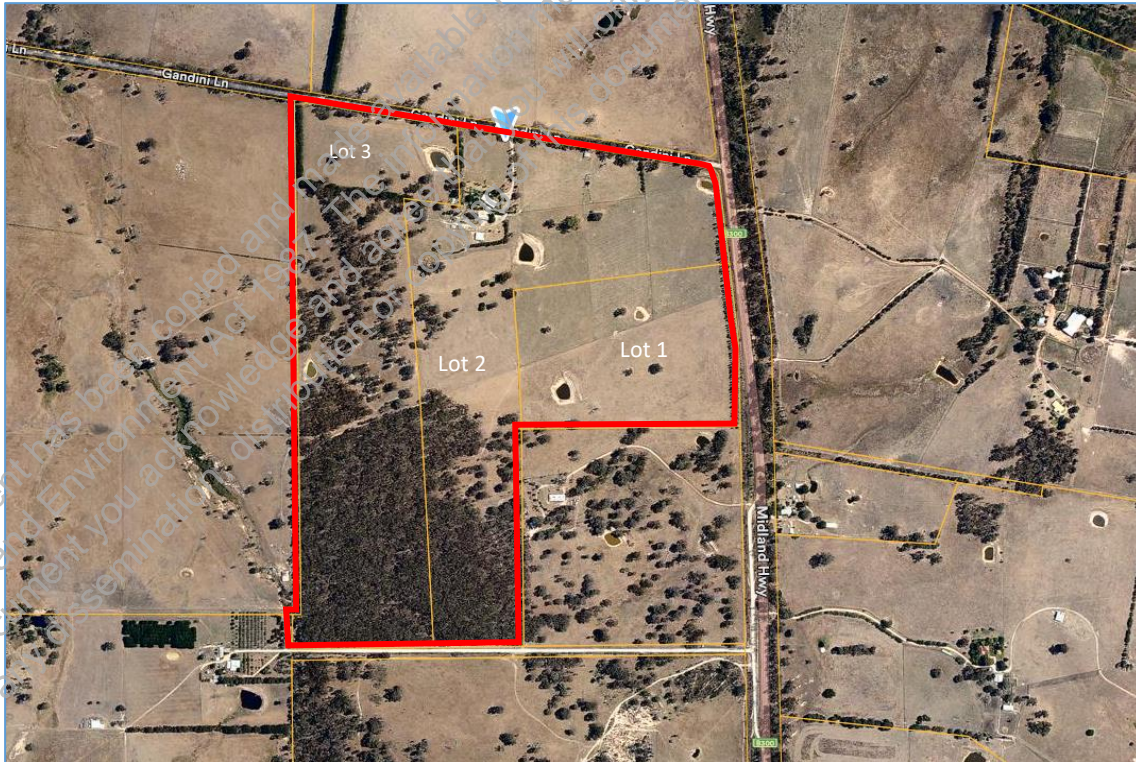


Figure 1 Location of subject land Source: Nearmaps Lima South April 2024 (Aerial imagery 2010)

The subject land consists of three lots under the same ownership. These lots are described as Lot 1, Lot 2, and Lot 3 on Plan of Subdivision 315896T. Collectively, they have a single address as 39 Gandini Lane with a cumulative site area of 57.97 hectares. The land is located in the rural locality of Lima South, which is the southwestern region of the municipality. Swanpool township is 4.9 kilometers south, and the urban area of Benalla is 28 kilometers north of the subject land.

Figure 1 above shows the site location. The subject land fronts two major roads Gandini Lane to the north and Midland Highway (which is zoned TRZ2) to the east. Additionally on the west and south of the subject land, there is a Council Road casement (*as shown in Before You Dig information*).

Existing Lot 1 on PS315896T is vacant and has an area of 11.04ha. There is an easement (E-1) running along the east boundary for transmission of electricity. While a line of trees borders the east boundary, the lot itself has sparsely scattered trees. The lot has a dam linked to the waterway that originates from the Broken River to the east. The land is currently used for agriculture and grazing purposes (as shown in the figure 2 below).



Figure 2 View of Lot 1 showing all trees are on the east boundary line.

Existing Lot 2 on PS315896T, with an area of 24.04 ha, has two easements (E-1 and E-2) affecting the land. E-1 for the transmission of electricity, traverses along the eastern boundary of Lot 2 and continues all the way through the Midland Highway road reserve. E-2 is for a power line connected to E-1 and runs horizontally approx. 100m parallel to the northern boundary of Lot 2. It is an overhead powerline terminating on a pole in front of the existing dwelling near the driveway. This lot has an existing dwelling with connection to utilities (electricity, telecommunications, on-site water supply and on-site wastewater system) and obtains existing access from Gandini Lane. The below figures 3 and 4 shows the existing access road from Gandini Lane, and power pole within existing Lot 2, respectively. The lot has thick vegetation on the southern section of the parcel, which is within the Bushfire Management Overlay (BMO). See section 4.2 for overlay mapping.



Figure 3 Existing access to Gandini Lane from Lot 2



Figure 4 View from the existing driveway of the power pole (end of line) on lot 2

Lot 3 on PS315896T has an area of 22.84 ha and is subject to the E-2 powerline easement that continues from Lot 2 to the east. The easement runs approximately 100 meters horizontally parallel to the northern boundary of this lot. However, there is no existing asset provided within this section of the easement (see Appendix 3 -DBYD AusNet Map). This lot too has thick vegetation on its southern side, which is also under the Bushfire Management Overlay. Whereas the northern section of the parcel approx. 135m from the north boundary has trees along the boundary and only a couple of trees within the northern side of the lot. As registered on title plan, this lot has a 20m Road Reserve (R-1) on the northeast corner (see Appendix 1) abutting Gandini Lane. This northeast corner has regrowth trees as shown in the figure 5 below.



Figure 5 View from Gandini Lane of the Road Reserve of lot 3 see growth trees (on the right).

To summarise, the cumulative subject land area is 57.87ha with depth and frontage of being approximately 1,000m and 760m, respectively. The existing condition as observed from figure 1 map, contains regrowth trees on boundaries facing roads, few scattered trees in Lot 1 and dense native vegetation only within southern area of Lots 2 and 3. Therefore, only this specific portion of the site is impacted by BMO and the northern and eastern areas of the overall landholding remains unimpacted.

The land is currently used for grazing purposes. There are six dams on the subject land, two per lot. There are no reticulated water and sewage services in the region as these utilities are currently being managed on site. The overhead power lines are supplied by AusNet. The main lines run along Midland Highway, with a branch line that traverses an easement and terminates near the existing house on Lot 2 (via easement E-2). In terms of access, only Lot 2 has a functional 6m wide (approx.) access to Gandini Lane and Lot 3 has a 20m wide road reserve (R-1) located in the northwestern corner.

2.3 Surrounding Land

The surrounding area is predominantly agricultural land. The Broken River is more than 1,000m east to the Midland Highway and more than 4,000m west to the western lot boundary. The nearest access to some local services, school and football club is in the Swanpool township which is approx. 4km north from the subject site connected through the Midland Highway.

Further to the southeast and west, it becomes mountainous and densely vegetated which is zoned for Public Conservation and Resource (PCRZ), Strathbogie State Forest which is approx. 1,500m southwest to the subject land and Samaria State Park to the southeast which is more than 3,000m away.

Further there is a wetland Broken River Streamside Reserve 450m north of site across the Midland Highway is thickly vegetated. The lots in the region predominantly comprises of large pastoral parcels used for a mix of grazing and cropping. An aerial image of the subject site and the surrounding land is shown below at Figure 6.

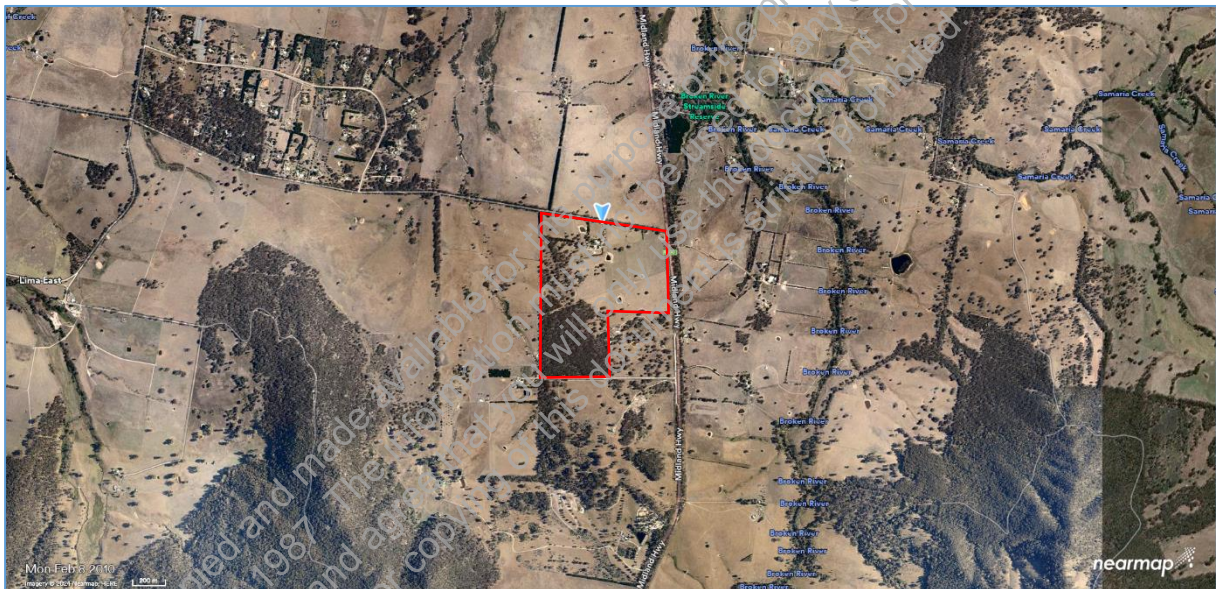


Figure 6 site Surroundings Source: Nearmaps Lima South April 2024 (Aerial imagery 2010)

The lot sizes in the immediate surroundings vary, for instance, there is a 60 lot subdivision observed 700m northwest to the subject land (zoned under RLZ) with lot sizes ranging from 2ha to 4ha, a 4 lot subdivision 450m east on the Midland Highway in FZ where lot sizes range between 4ha to 100ha, 4 lot subdivision approx. 1200m south of subject land under FZ with lot sizes ranging from 4ha to 52ha etc. The site surrounding lot sizes can be observed from the map at Figure 7.

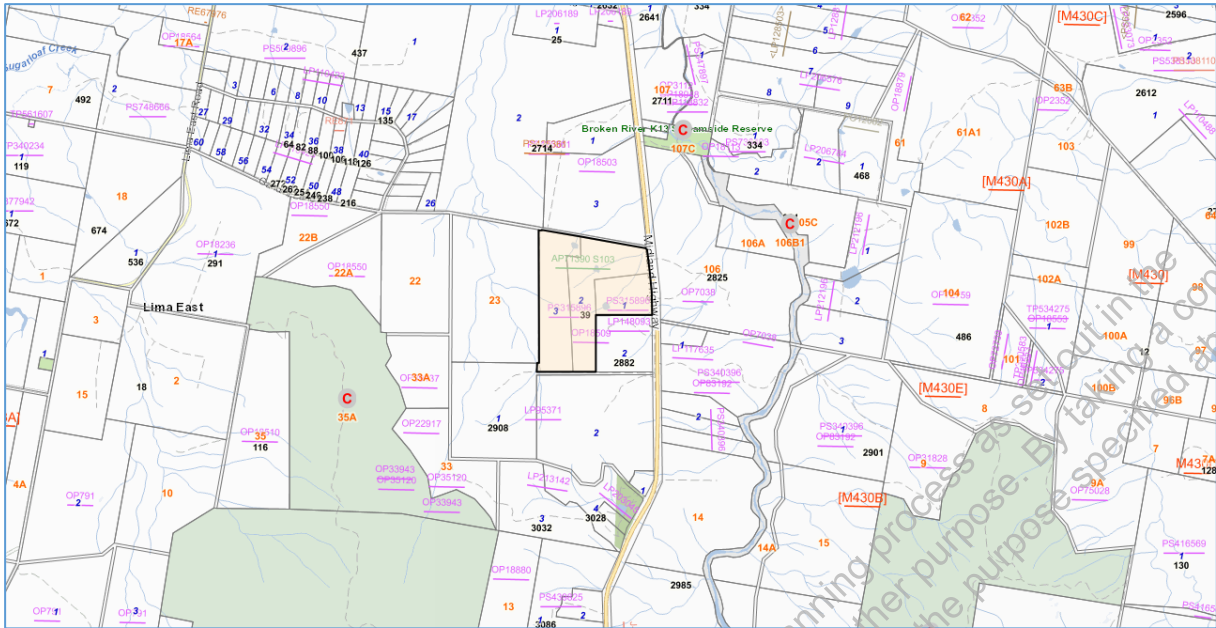


Figure 7 Surroundings lot sizes Source: LASSI April 2024

3.0 The Proposal

3.1 Proposed Re-subdivision

The application seeks approval for a re-subdivision of three lots to create two new lots, one for the existing house and a balance vacant lot of 40ha to allow for the use of the balanced lot for a dwelling. The proposal also seeks approval to vary easement E-2, which currently grants access for electricity supply. It's important to note that there are currently no existing power lines or infrastructure within this portion of the easement that we propose modifying over proposed Lot 2. The proposed plan for re-subdivision and variation to easement is at figure 8 below and at Appendix 2.

The proposed development is detailed in Table 2 below:

Lot	Area (ha)	Proposal details / Use and development
1	17.49	<ul style="list-style-type: none"> Retains the existing development containing dwelling and domestic sheds Existing septic system will be contained within the lot
2	40.48	<ul style="list-style-type: none"> Will provide for a future rural dwelling and agricultural equipment to support farming uses Removal of section of existing easement (E-2) running through proposed lot as no physical asset is present

Table 2 Proposed re-subdivision details

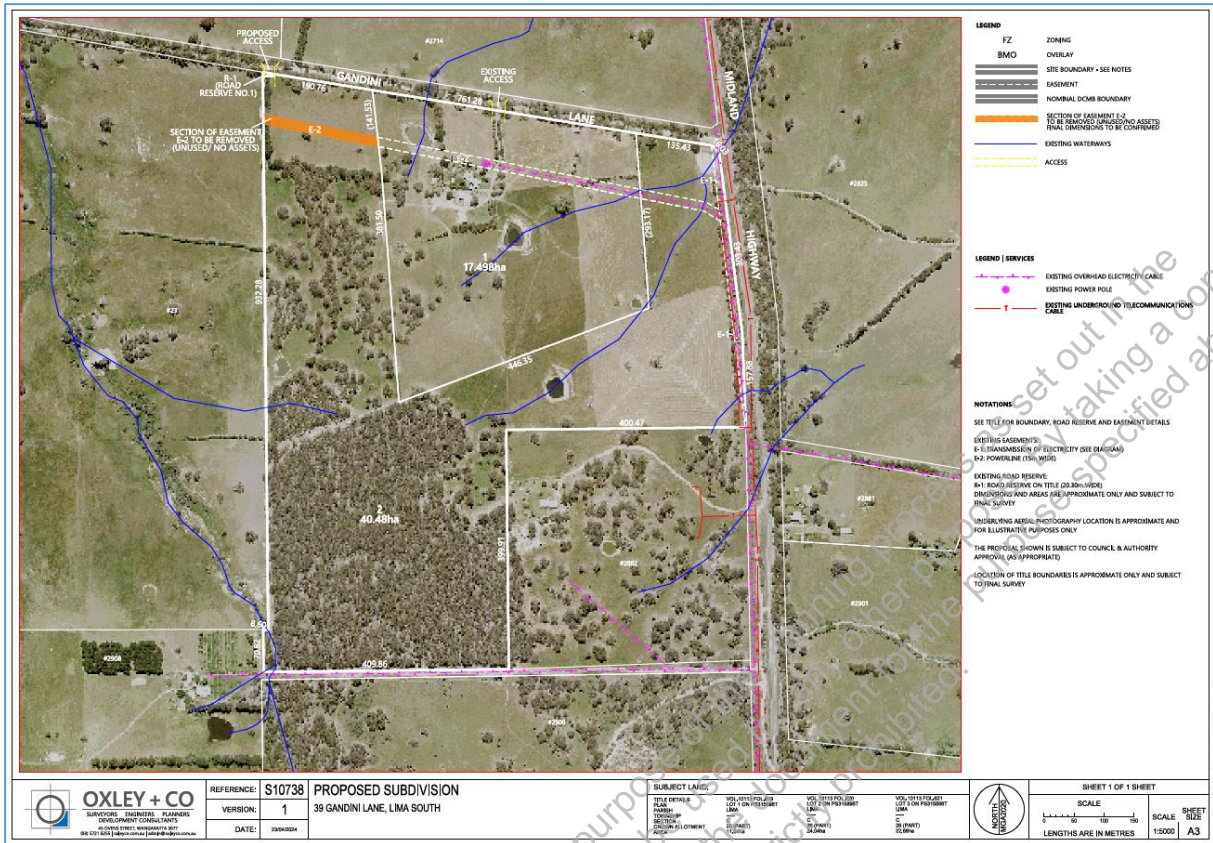


Figure 8 Proposed re-subdivision Reference S10738 version 1

The proposed Lot 1 is merely to create a more sizable lot for the existing dwelling with no changes to the existing house building envelope and no changes or impact on the current water supply and on-site wastewater system. The proposed Lot 2 is the balance vacant lot of 40ha to allow for the future use of a dwelling. Therefore, the current water and septic systems will not be impacted under the proposal, all will be managed on site under the existing utilities. The existing dwelling's connection to the power supply is advantageous for the proposed Lot 1. The 14-meter-wide easement (E-2) allows for extending electricity supply directly to Lot 1's new western boundary to provide power supply to proposed Lot 2.

In terms of access, proposed Lot 1 has an existing access to Gandini Lane, located in the middle of the northern boundary of the subject land. For proposed Lot 2, a new access is proposed at the northwest corner of the subject land leveraging the existing road reserve (R-1) vested under the Shire of Benalla. However, it will require removal of a few regrowth trees within the road reserve. The below two figures 9 and 10 shows the current access for lot 1 and proposed access for lot 2, respectively.



Figure 9 Existing access to Gandini Lane to be retained for proposed Lot 1



Figure 10 View from Gandini Lane of the Road Reserve of proposed 2 - see regrowth trees (on the right).

The re-subdivision design has considered the size, shape, orientation, existing assets and natural features of the land, as well as the pattern of existing development. The proposal is submitted to be consistent with the prevailing rural character of the surrounding area and street layout by retaining the access and existing development in situ. The existing elements onsite such as scattered trees and the Bushfire Management Overlay that covers some areas of the south section have also been considered into the re-subdivision design.

As demonstrated in the proposed re-subdivision plan, there will be no impact to any native trees as a result of new boundaries. Subject to the appropriate location of access prior to construction, a few regrowth trees within the road reserve may need to be removed. Moreover, the proposal respects the existing layout and the rural character of the surrounding area as there are other similar farming allotments within all directions.

4.0 Planning Scheme Controls

4.1 Zone

The site is located within the Farming Zone (FZ) under the Benalla Planning Scheme. Figure 11 below shows the zoning of the subject land and surrounds.

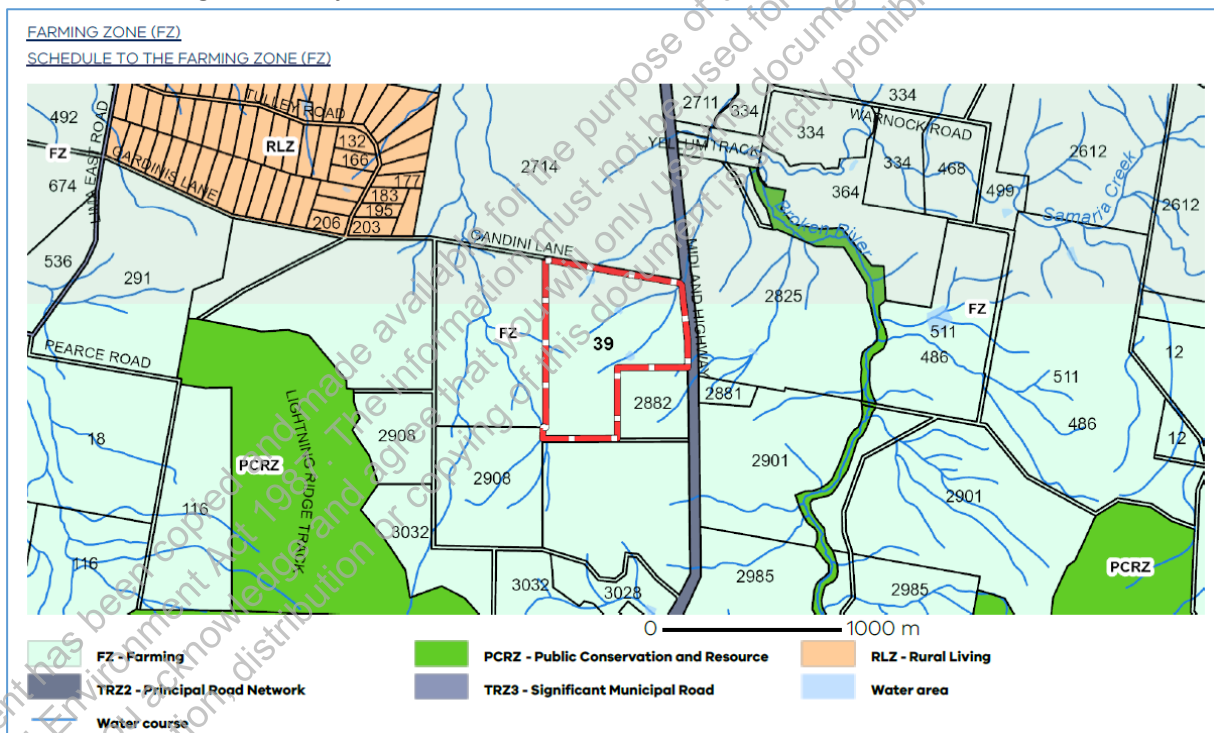


Figure 11 Zoning plan Source: Planning Property Report April 2024

The relevant purposes of the FZ are:

- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Under Clause 35.07-3 Subdivision:

A permit is required to subdivide land.

- *Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.*

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

- *The subdivision is to create a lot for an existing dwelling. The subdivision must be a two-lot subdivision.*
- *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*
- *No additional development on the existing dwelling is proposed, thus not impacting the current water and sewage systems.*

It is submitted that the proposal is consistent with the purposes and subdivision requirements of the FZ:

- The proposal re-subdivides three existing lots into two, therefore it does not increase the number of lots on the land.
- The use of the land remains to be predominantly for agricultural purposes.
- The smaller proposed Lot 1 having area of 17.49 ha has an existing dwelling with access to a road, and the balance vacant lot (Lot 2) of 40ha is within the minimum subdivision area and allows for the future use of a dwelling.

In summary, we submit that the proposed re-subdivision of two lots is consistent with the context, existing development pattern and agricultural use of the land, rural character of the surrounding land and the provisions of the Farming Zone, where applicable.

4.2 Overlays

Pursuant to the Benalla Planning Scheme, the subject land is partially affected by the Bushfire Management Overlay (BMO), as detailed in Figure 12 below.

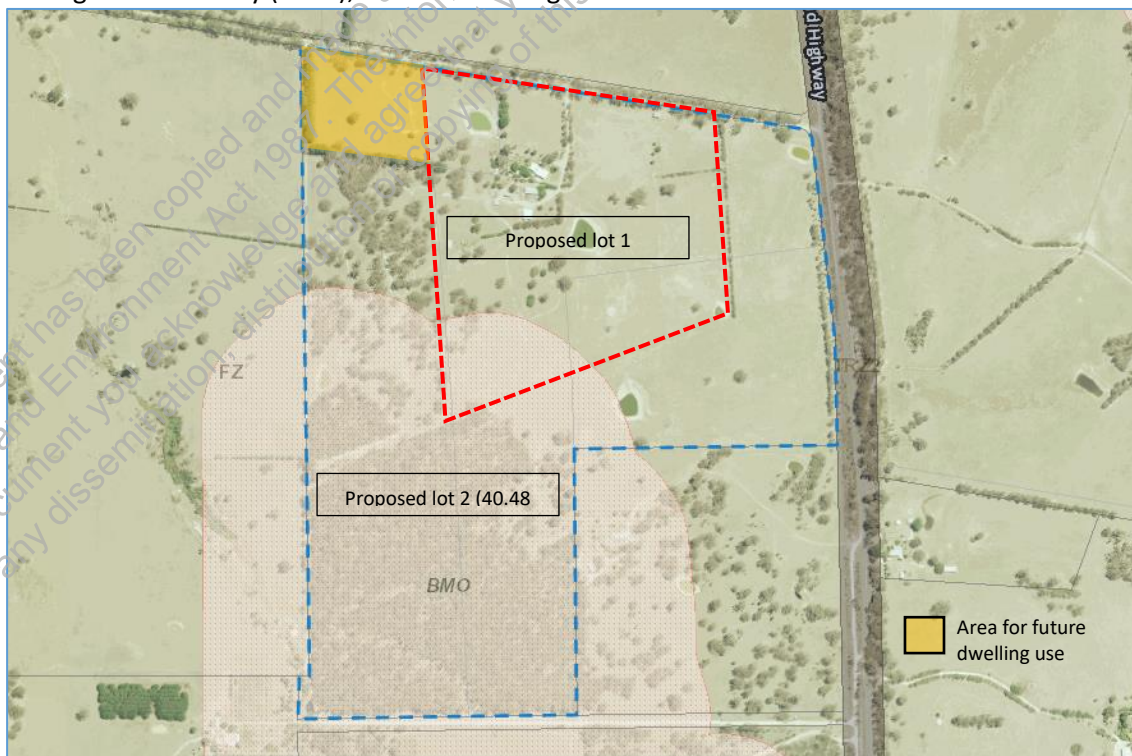


Figure 12 Bushfire Management Overlay plan - impacted and non-impacted area Source of basemap: VicPlan April 2024

The relevant purposes of the BMO are:

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Currently, the BMO partially affects the subject land to the south only. As per the Clause 44.06-2 of the BMO triggers a planning permit *to subdivide land*. However, the proposed re-subdivision plan (as shown in figure 12 above) demonstrates that proposed Lot 1 has an existing dwelling and Lot 2's area for dwelling use as per Fig 12 is a minimum of 180m away from the BMO making it outside of any risk.

Given that the proposal is to; re-subdivide existing lots with a dwelling already existing on one lot and provide a balance vacant lot of 40ha to allow for the use of a dwelling, essentially does not create new lots or propose new development (within the BMO), it is submitted that the requirements and an assessment be waived under the BMO provisions of Clause 44.06-3 and Clause 53.02 Bushfire Planning. Therefore, it is requested that a planning permit will not be required in this case.

4.3 Particular Provisions

4.3.1 Clause 53.02 Bushfire Planning

As previously stated above in section 4.2, the proposed re-subdivision contains an existing dwelling on proposed Lot 1 and merely leaves the remaining 40 ha as proposed Lot 2 with a probability of future dwelling. The re-subdivision of the subject land reduces the number of lots by one. Implying no new lots are being created nor creating any significant physical changes apart from some modification to the existing fencing and driveway access/crossing (outside of the BMO). Thus, it is submitted that a Bushfire Planning assessment under the Clause is not necessary and that a waiver is requested for this application.

4.4 Clause 65 Decision Guidelines

The general decision guidelines for buildings and subdivision are contained within Clause 65 of the Benalla Planning Scheme. Table 3 below lists the decision guidelines and provides a response of compliance.

Clause 65.02 Relevant issues	Response
<i>The suitability of the land for subdivision.</i>	This application demonstrates that the proposed re-subdivision can occur without contradicting the Benalla Planning Scheme and the applied zone and overlay. The smaller proposed lot (Lot 1) contain the existing dwelling with no change in building envelope. The larger lot (Lot 2) is of 40.48 ha. The proposed re-subdivision of the subject site meets the relevant requirements of Clause 35.07-3 and therefore is accordingly suitable for subdivision.
<i>The existing use and possible future development of the land and nearby land.</i>	The existing use and future use of the land is for grazing and cropping, and the existing dwelling will not be impacted, nor it will impact on the future use of the surrounding land.

<i>The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.</i>	The re-subdivision pattern responds well to the physical environment by retaining the larger area of land for continued use for an agricultural purpose.
<i>The area and dimensions of each lot in the subdivision.</i>	The proposed re-subdivision creates two lots: <ul style="list-style-type: none"> • A larger lot of approximately 40.48 hectares. • A smaller lot of approximately 17.49 hectares containing the existing dwelling. This meets the zoning requirement of creating a smaller lot for the existing dwelling while ensuring the remaining land, without a dwelling, is at least 40 hectares.
<i>The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.</i>	All utilities including electricity, water & wastewater systems of existing dwelling will be entirely within the new lot boundaries. Further, altering the existing electricity arrangements via proposed Lot 1 to provide access to supply for any future development on new Lot 2 will be required as shown on the plan at Appendix 2. However, the existing easement (E-2) over proposed Lot 2 will be removed as there are no physical assets.
<i>If the land is not seweraged and no provision has been made for the land to be seweraged, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.</i>	The wastewater systems of existing dwelling will be entirely within the new lot boundaries, there is no change to the proposed lot except few modifications to the fence on the subject land. Proposed Lot 2 is 40.48ha which provides more than sufficient space to allow for disposal on site for any future development, subject to Council approval.

Table 3 Clause 65 Decision Guidelines and responses

5.0 Policy Assessment

5.1 Municipal Planning Strategy (MPS)

The Municipal Planning Strategy (MPS) provides a succinct overview of the overarching strategic policy directions of the municipality which focuses on location and regional context. The MPS describes important local planning issues, the vision and strategic directions for future land use and development for the municipality.

The following strategic directions are relevant to this application and are supported as part of the proposed re-subdivision located within the Benalla Rural City, specifically the locality of Lima South.

- **Clause 02.03-2** relates to *Environmental and landscape values* which seeks to protect and enhance biodiversity values, ecosystem health and remnant vegetation including significant rural landscapes. The subject site contains a few scattered remnant trees and is in close proximity to waterways and its riparian environment. As the proposal seeks to re-subdivide the existing lots only with no new development proposed, remnant native vegetation on site and the rural landscape of the subject and surrounding land would not be impacted.
- **Clause 02.03-4** relates to *Natural resource management* which refers to the importance of maintaining and protecting agricultural land and water quality in the municipality being that the agricultural sector is a significant economic industry and social resource. Apart from having existing dwelling on the land, agricultural operations also co-exist with the residential use. Farming activities include animal grazing and cropping which occurs on almost half of the entire subject land. The proposal aims to maintain the existing land and activities

dedicated for agriculture and does not propose any amenity impacts between agricultural uses and rural lifestyle as only a re-subdivision of existing allotments will be involved.

It is submitted that the proposal is consistent with the vision and aligned with the strategic directions within Clauses 02.03-2 and 02.03-4 of the Municipal Planning Strategy (MPS), as the proposed re-subdivision of two lots is permitted within the rural area given the existing use and title boundaries.

5.2 Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) comprises general principles and objectives of planning in Victoria which planning authorities must take into account and give effect to.

The following PPF policies (Clauses 12, 13 and 14) are considered relevant to the proposed development.

Clause 12 Environmental and landscape values

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Clause 12.01-1S Protection of biodiversity

Objective

To protect and enhance Victoria's biodiversity.

Strategies

- *Avoid impacts of land use and development on important areas of biodiversity.*
- *Support land use and development that contributes to protecting and enhancing habitat for indigenous plants and animals in urban areas.*

Clause 13 Environmental Risks and Amenity

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- *Land use and development compatibility.*
- *Effective controls to prevent or mitigate significant impacts.*

Clause 13.02-1S Bushfire planning

Strategies

Protection of human life

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

Clause 14 Natural Resource Management

Planning should ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.

Clause 14.01-1S Protection of agricultural land

Objective

To protect the state's agricultural base by preserving productive farmland.

Strategies

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Clause 14.01-1L Rural dwellings and subdivision policy

Policy application

This policy applies to applications for dwellings and subdivision in the Farming Zone.

Strategies

Discourage dwellings on existing small lots except where either:

- Substantial services and infrastructure works have been completed.
- The site has no agricultural potential and native vegetation will be retained.
- It will not inhibit the agricultural practices of existing farms.

Ensure dwellings and subdivisions are designed to respond to the site, landform, vegetation, waterways, drainage lines, services, adjoining land uses, dwellings and ongoing agricultural activities.

Table 4 PPF policies

The proposed re-subdivision of two lots and variation to easement (E-2) is consistent with the Planning Policy Framework and supports the state-wide and local policies that stipulate agricultural production and protection of agricultural land, as well as minimisation to risk and protection of biodiversity.

The application aims to support the preceding PPF objectives and strategies and several ways, such as that the proposed re-subdivision:

- Number of lots is not increased.
- Respects the importance of agricultural use and land by formulating an improved and more cohesive layout with proposed Lot 2 being within the larger farming land and.
- Lot 1 will continue to be used for grazing and cropping activities.
- Does not propose any native or significant vegetation on site to be removed and therefore, will not impact on the biodiversity of the area.
- No change to the existing dwelling building envelope on proposed Lot 1 and simply leaving the 40.48ha balance lot on proposed Lot 2 for the future use of a dwelling.
- Does not increase any bushfire risk to the residential dwellings and landowners as there would be no change to the existing structures and the current use and development. It is merely a modification to internal boundaries of the lots.

6.0 Conclusion

The proposal is for a re-subdivision of two lots in the Farming Zone and partially affected by the Bushfire Management Overlay. The subject land is located within the rural settlement of Lima South and is predominantly utilised for agricultural purposes with one existing dwelling and some sheds for domestic and agricultural purposes. This application seeks approval for the re-subdivision of the lots as described above. We have considered the existing and ongoing use of the land within the rural context of the area. Additionally, we request a variation to easement (E-2), as there are currently no assets located on the specific section proposed for removal.

The proposal has been assessed against the relevant provisions of the Benalla Planning Scheme and is considered consistent with the following:

- Municipal Planning Strategy
- Planning Policy Framework
- Farming Zone
- Bushfire Management Overlay
- Clause 65 Decision Guidelines

In view of this, it is suggested that Council is able to support the proposal and respectfully request approval of the re-subdivision proposal and variation to easement (E-2) with the issuance of a planning permit.

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Appendix 1 – Copy of titles

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Appendix 2 – Proposed Re-subdivision Plan Ref.S10738 V1

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Appendix 3 – DBYD AusNet Electricity Services Map

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

From www.planning.vic.gov.au at 23 April 2024 04:27 PM

PROPERTY DETAILS

Address: **39 GANDINI LANE LIMA SOUTH 3673**
 Lot and Plan Number: **More than one parcel - see link below**
 Standard Parcel Identifier (SPI): **More than one parcel - see link below**
 Local Government Area (Council): **BENALLA**
 Council Property Number: **A12900**
 Planning Scheme: **Benalla**
 Directory Reference: **Vicroads 48 B6**

www.benalla.vic.gov.au

[Planning Scheme - Benalla](#)

This property has 3 parcels. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
 Urban Water Corporation: **North East Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
 Legislative Assembly: **EUROA**

OTHER

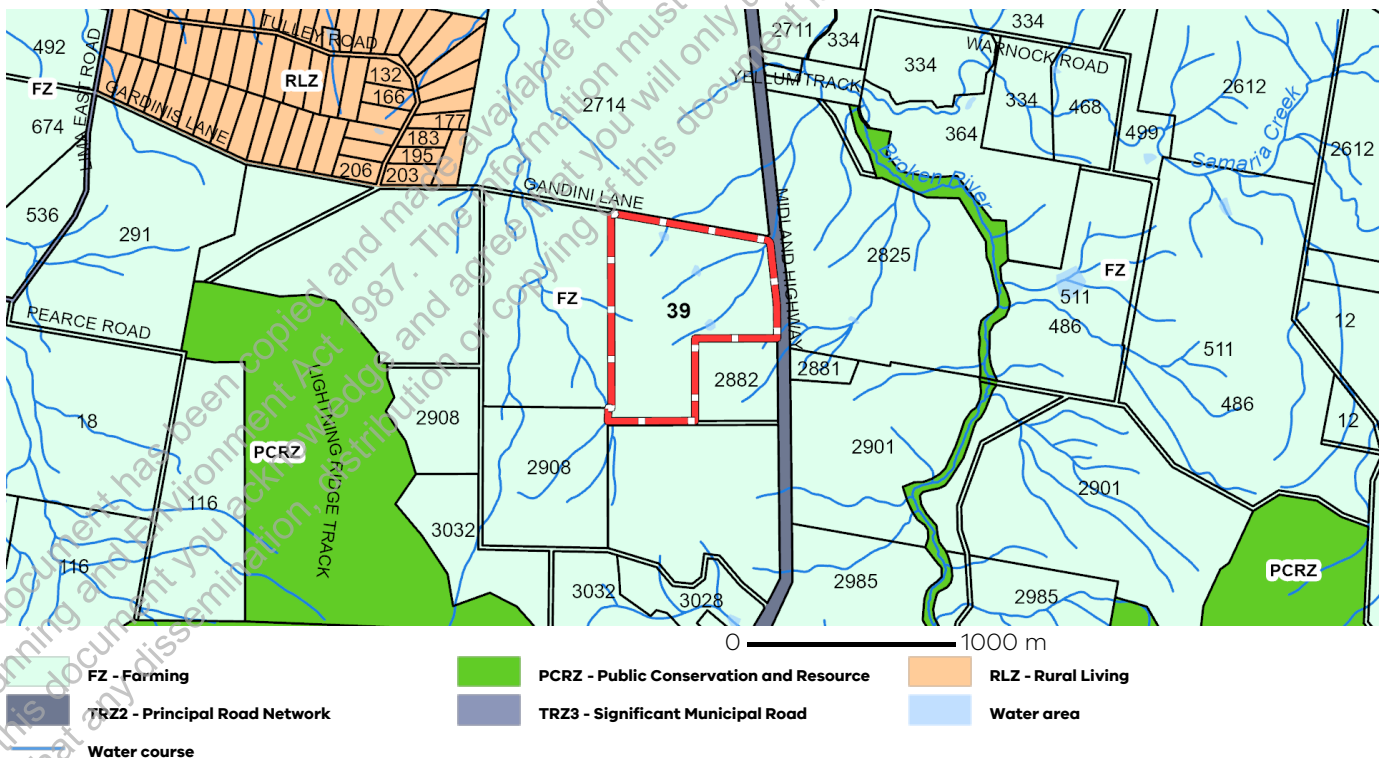
Registered Aboriginal Party: **Taungurung Land and Waters Council Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\)](#)



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

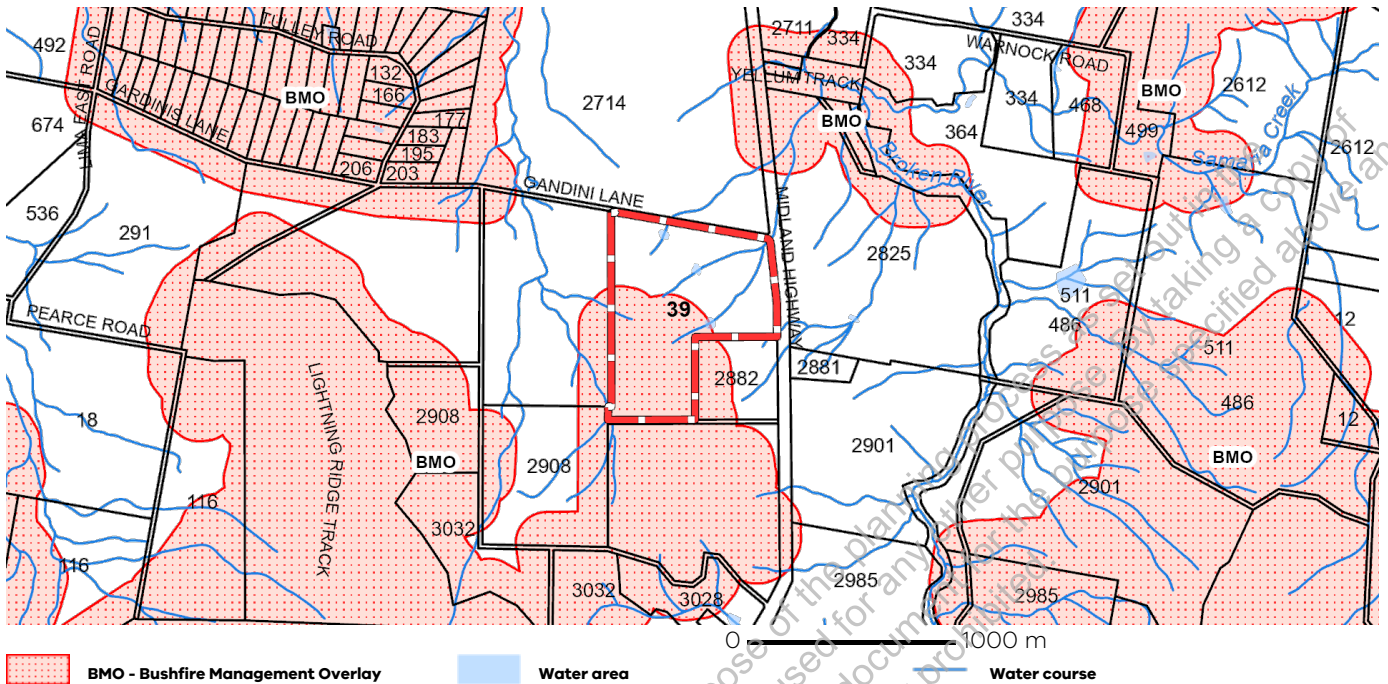
Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlay

BUSHFIRE MANAGEMENT OVERLAY (BMO)



Further Planning Information

Planning scheme data last updated on 7 December 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

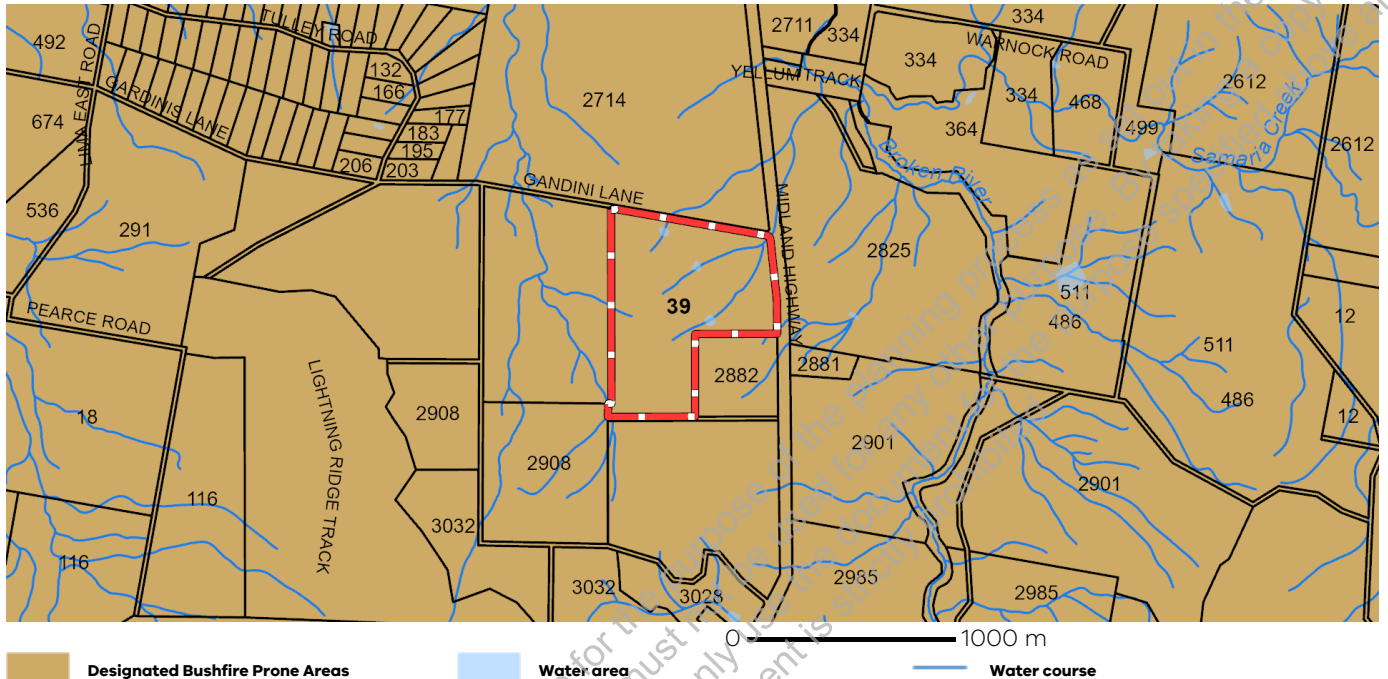
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](http://Native%20vegetation%20(environment.vic.gov.au)) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](http://NatureKit%20(environment.vic.gov.au))

From www.planning.vic.gov.au at 23 April 2024 04:27 PM

PROPERTY DETAILS

Address: **39 GANDINI LANE LIMA SOUTH 3673**
 Lot and Plan Number: **More than one parcel - see link below**
 Standard Parcel Identifier (SPI): **More than one parcel - see link below**
 Local Government Area (Council): **BENALLA**
 Council Property Number: **A12900**
 Planning Scheme: **Benalla**
 Directory Reference: **Vicroads 48 B6**

www.benalla.vic.gov.au

[Planning Scheme - Benalla](#)

This property has 3 parcels. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
 Urban Water Corporation: **North East Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
 Legislative Assembly: **EUROA**

OTHER

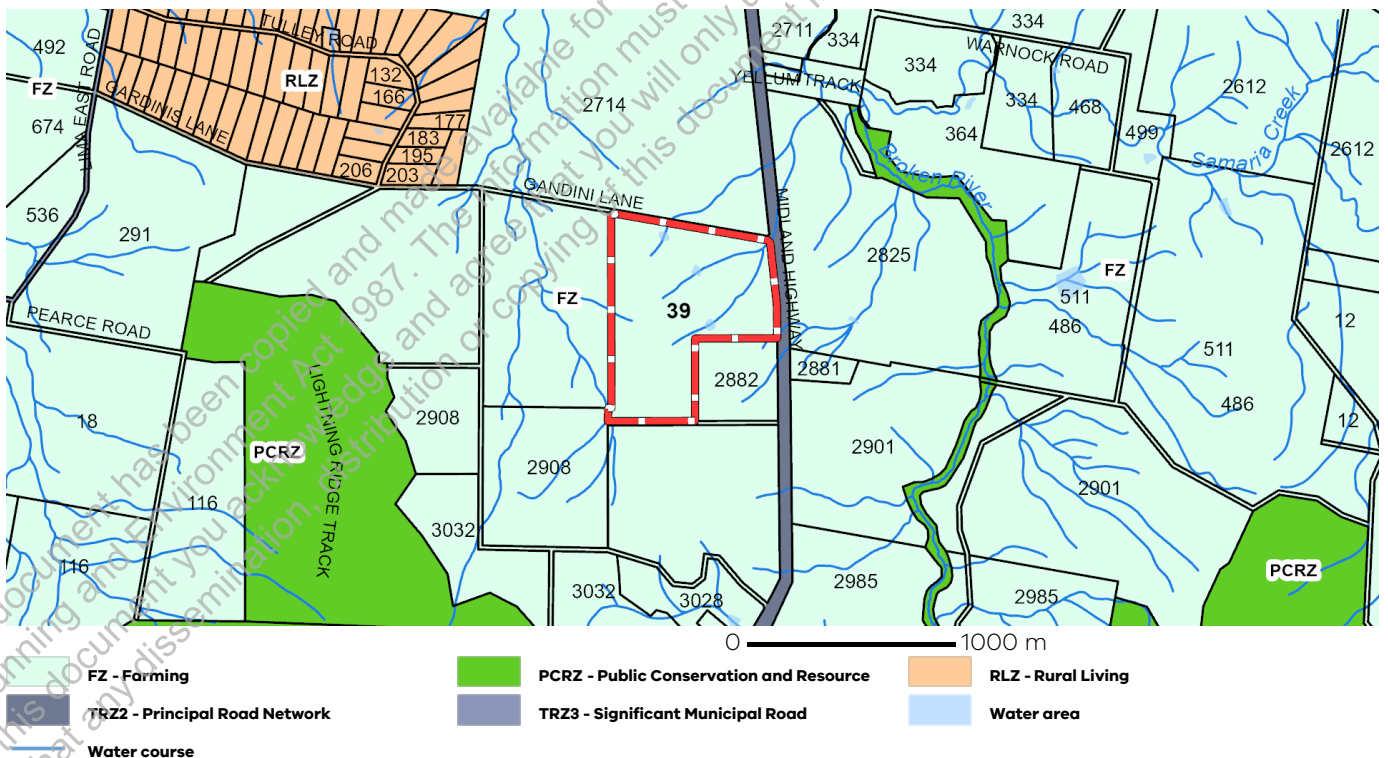
Registered Aboriginal Party: **Taungurung Land and Waters Council Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\)](#)



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

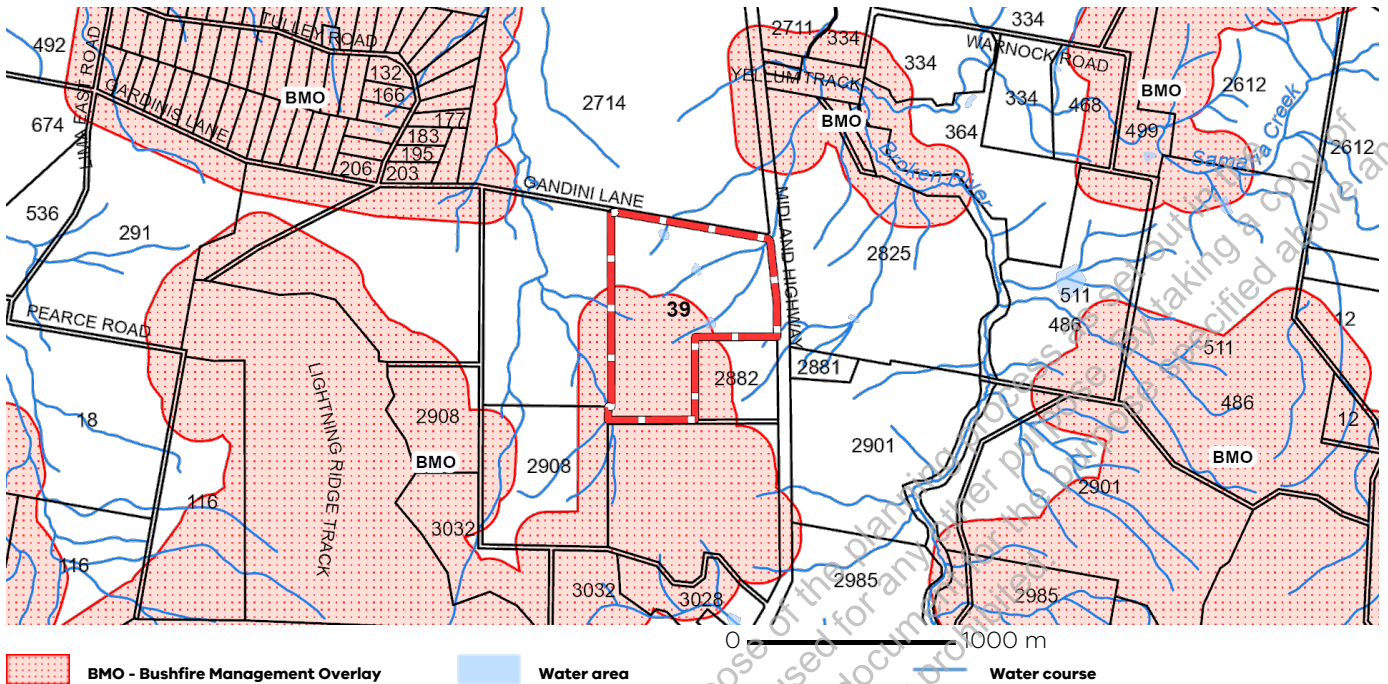
Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlay

BUSHFIRE MANAGEMENT OVERLAY (BMO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Further Planning Information

Planning scheme data last updated on 7 December 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

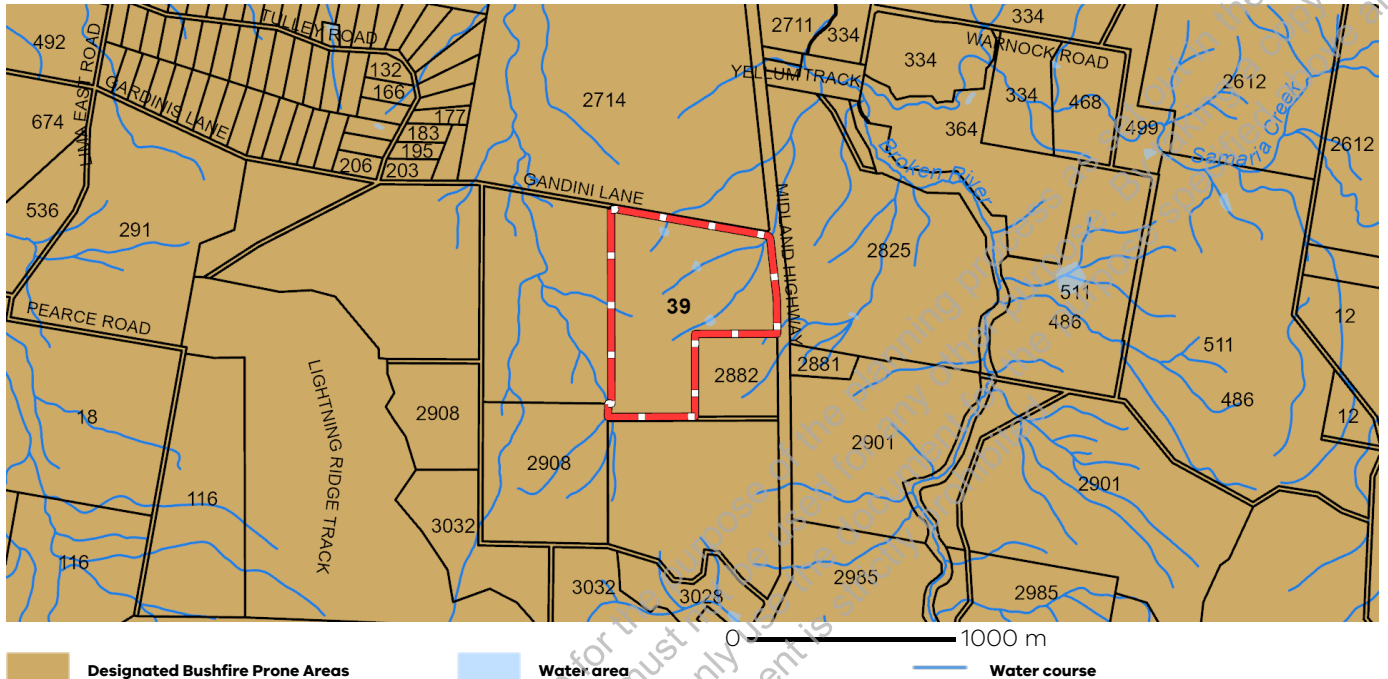
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://www.environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)

From www.planning.vic.gov.au at 23 April 2024 04:27 PM

PROPERTY DETAILS

Address: **39 GANDINI LANE LIMA SOUTH 3673**
 Lot and Plan Number: **More than one parcel - see link below**
 Standard Parcel Identifier (SPI): **More than one parcel - see link below**
 Local Government Area (Council): **BENALLA**
 Council Property Number: **A12900**
 Planning Scheme: **Benalla**
 Directory Reference: **Vicroads 48 B6**

www.benalla.vic.gov.au

[Planning Scheme - Benalla](#)

This property has 3 parcels. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
 Urban Water Corporation: **North East Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
 Legislative Assembly: **EUROA**

OTHER

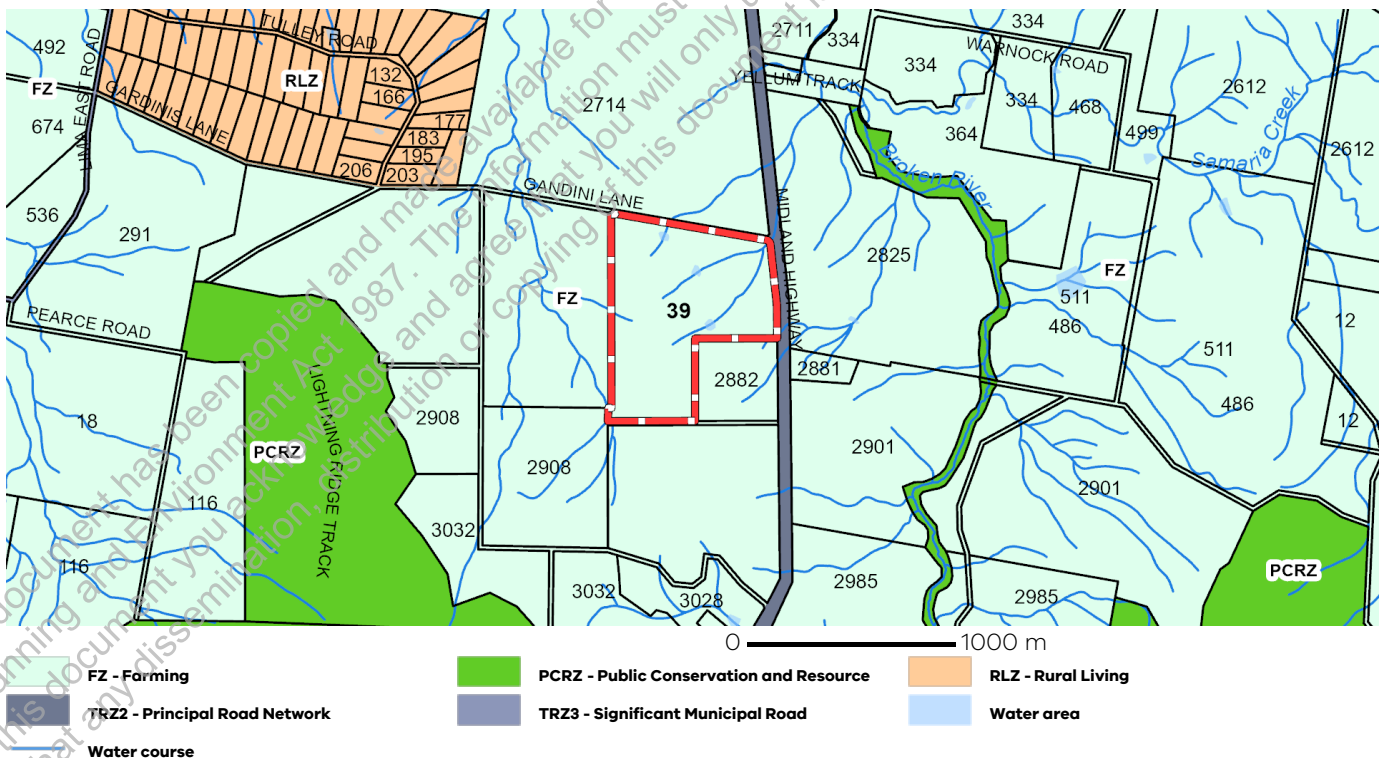
Registered Aboriginal Party: **Taungurung Land and Waters Council Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\)](#)



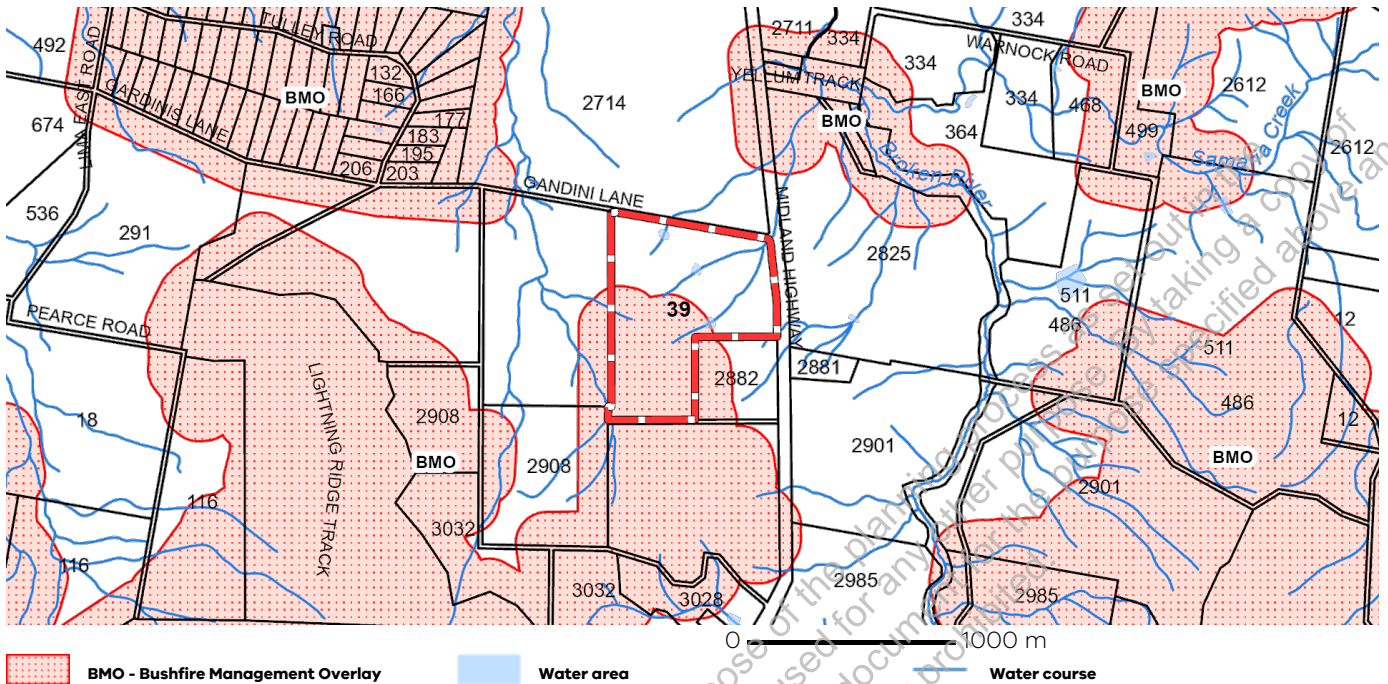
Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlay

BUSHFIRE MANAGEMENT OVERLAY (BMO)



Further Planning Information

Planning scheme data last updated on 7 December 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

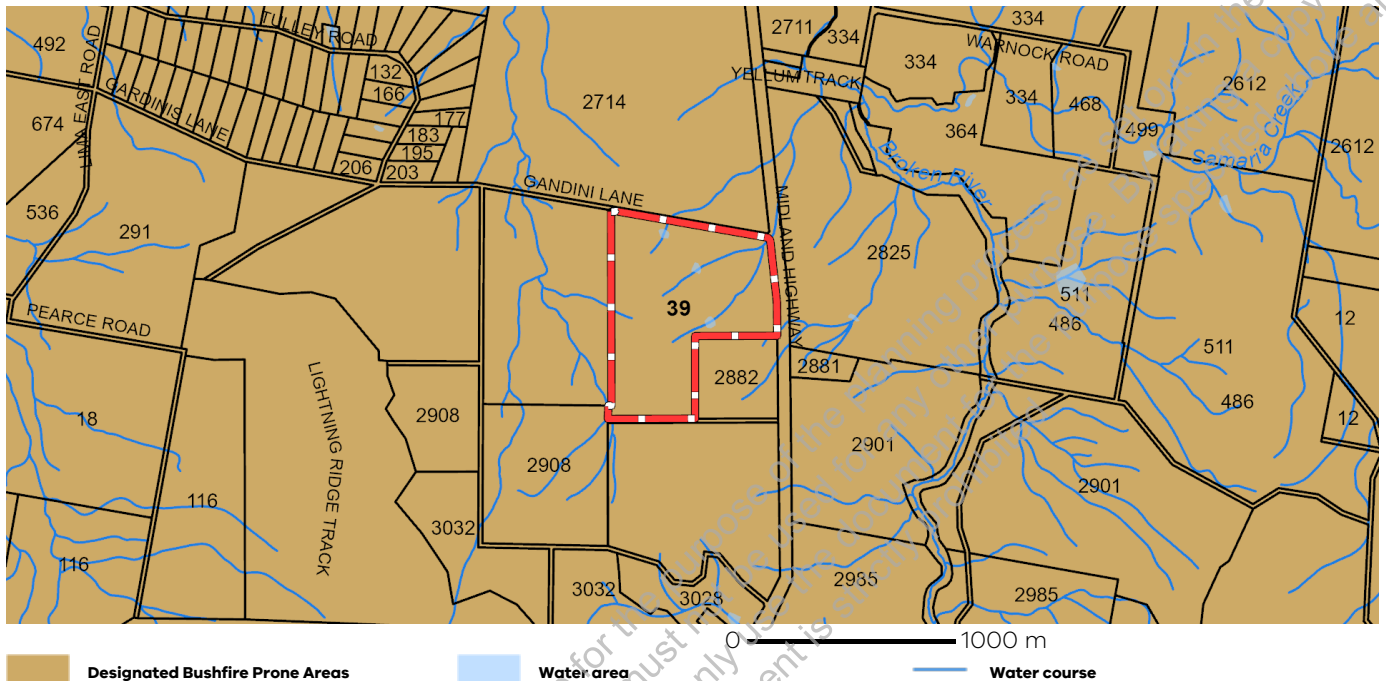
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://www.environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)



LEGEND

FZ	ZONING
BMO	OVERLAY
	SITE BOUNDARY - SEE NOTES
	EASEMENT
	NOMINAL DCMB BOUNDARY
	SECTION OF EASEMENT E-2 TO BE REMOVED (UNUSED/NO ASSETS) FINAL DIMENSIONS TO BE CONFIRMED
	EXISTING WATERWAYS
	ACCESS

LEGEND | SERVICES

	EXISTING OVERHEAD ELECTRICITY CABLE
	EXISTING POWER POLE
	EXISTING UNDERGROUND TELECOMMUNICATIONS CABLE

NOTATIONS

SEE TITLE FOR BOUNDARY, ROAD RESERVE AND EASEMENT DETAILS

EXISTING EASEMENTS:
 E-1: TRANSMISSION OF ELECTRICITY (SEE DIAGRAM)
 E-2: POWERLINE (15m WIDE)

EXISTING ROAD RESERVE:
 R-1: ROAD RESERVE ON TITLE (20.30m WIDE)
 DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

UNDERLYING AERIAL PHOTOGRAPHY LOCATION IS APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY

THE PROPOSAL SHOWN IS SUBJECT TO COUNCIL & AUTHORITY APPROVAL (AS APPROPRIATE)

LOCATION OF TITLE BOUNDARIES IS APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

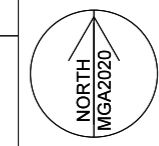
OXLEY + CO
 SURVEYORS ENGINEERS PLANNERS
 DEVELOPMENT CONSULTANTS
 45 OVENS STREET, WANGARATTA 3677
 (03) 5721 6255 | oxleyco.com.au | admin@oxleyco.com.au

REFERENCE:	S10738
VERSION:	1
DATE:	23/04/2024

PROPOSED SUBDIVISION
 39 GANDINI LANE, LIMA SOUTH

SUBJECT LAND:

TITLE DETAILS	VOL.10113 FOL.619	VOL.10113 FOL.620	VOL.10113 FOL.621
PLAN	LOT 1 ON PS315896T	LOT 2 ON PS315896T	LOT 3 ON PS315896T
PARISH	LIMA	LIMA	LIMA
TOWNSHIP	C	C	C
SECTION	26 (PART)	26 (PART)	26 (PART)
CROWN ALLOTMENT	11.04ha	24.04ha	22.89ha
AREA			



SHEET 1 OF 1 SHEET

SCALE

0 50 100 150

LENGTHS ARE IN METRES

SCALE	SHEET SIZE
1:5000	A3



LEGEND

FZ	ZONING
BMO	OVERLAY
	SITE BOUNDARY - SEE NOTES
	EASEMENT
	NOMINAL DCMB BOUNDARY
	SECTION OF EASEMENT E-2 TO BE REMOVED (UNUSED/NO ASSETS) FINAL DIMENSIONS TO BE CONFIRMED
	EXISTING WATERWAYS
	ACCESS

LEGEND | SERVICES

	EXISTING OVERHEAD ELECTRICITY CABLE
	EXISTING POWER POLE
	EXISTING UNDERGROUND TELECOMMUNICATIONS CABLE

NOTATIONS

SEE TITLE FOR BOUNDARY, ROAD RESERVE AND EASEMENT DETAILS

EXISTING EASEMENTS:
 E-1: TRANSMISSION OF ELECTRICITY (SEE DIAGRAM)
 E-2: POWERLINE (15m WIDE)

EXISTING ROAD RESERVE:
 R-1: ROAD RESERVE ON TITLE (20.30m WIDE)
 DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

UNDERLYING AERIAL PHOTOGRAPHY LOCATION IS APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY

THE PROPOSAL SHOWN IS SUBJECT TO COUNCIL & AUTHORITY APPROVAL (AS APPROPRIATE)

LOCATION OF TITLE BOUNDARIES IS APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

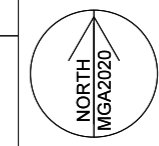
OXLEY + CO
 SURVEYORS ENGINEERS PLANNERS
 DEVELOPMENT CONSULTANTS
 45 OVENS STREET, WANGARATTA 3677
 (03) 5721 6255 | oxleyco.com.au | admin@oxleyco.com.au

REFERENCE:	S10738
VERSION:	1
DATE:	23/04/2024

PROPOSED SUBDIVISION
 39 GANDINI LANE, LIMA SOUTH

SUBJECT LAND:

TITLE DETAILS	VOL.10113 FOL.619	VOL.10113 FOL.620	VOL.10113 FOL.621
PLAN	LOT 1 ON PS315896T	LOT 2 ON PS315896T	LOT 3 ON PS315896T
PARISH	LIMA	LIMA	LIMA
TOWNSHIP	C	C	C
SECTION	26 (PART)	26 (PART)	26 (PART)
CROWN ALLOTMENT	11.04ha	24.04ha	22.89ha
AREA			



SHEET 1 OF 1 SHEET

SCALE

0 50 100 150

LENGTHS ARE IN METRES

SCALE	SHEET SIZE
1:5000	A3