



## Application for Planning Permit and Certification

**Supplied by** Stephen Szostak  
**Submitted Date** 07/07/2023

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### Application Details

**Application Type** Planning Permit and Certification under the Subdivision Act  
Version 1  
**Applicant Reference Number** 4405  
**Responsible Authority Name** Central Goldfields Shire Council  
**Responsible Authority Reference Number(s)** 059/23, 059/23  
**SPEAR Reference Number** S207375P

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### The Land

**Primary Parcel** 87 LOCH STREET, MARYBOROUGH VIC  
3465  
Crown Allotment No 11H  
Section No 11  
Parish Name MARYBOROUGH  
SPI 11H~11\PP3071  
CPN 53720.087  
**Zone:** 32.08 General Residential  
**Overlay:** 44.04 Land Subject to Inundation

**Parcel 2** 87 LOCH STREET, MARYBOROUGH VIC  
3465  
Crown Allotment No 11G  
Section No 11  
Parish Name MARYBOROUGH  
SPI 11G~11\PP3071  
CPN 53720.087  
**Zone:** 32.08 General Residential  
**Overlay:** 44.04 Land Subject to Inundation

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### The Proposal

**Subdivision Act (1988) Dealing Type** Section 22 (Subdivision)  
**Plan Number** PS903240V  
**Number of lots** 3  
**Proposal Description** 3 lot subdivision in support of development  
**Estimated cost of the development for which a permit is required \$** 4000

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### Existing Conditions

**Existing Conditions Description** 3 units under construction  
**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

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**Applicant Contact**

**Applicant Contact**

Mr Stephen Szostak  
Adept Surveys  
161 Sydney Road, Coburg, VIC, 3058  
Business Phone: (03) 93837878  
Email: [surveys@adeptsurveys.com.au](mailto:surveys@adeptsurveys.com.au)

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**Applicant**

**Applicant**

[REDACTED]

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**Owner**

**Owner 1**

**Owner 2**

(Owner details as per Applicant)

Construction Projects Melbourne Pty Ltd  
11/186 Queen Street, Campbelltown, NSW,  
2560

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**Declaration**

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

I, Stephen Szostak, declare that all the information supplied is true.

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

**Authorised by**

**Organisation**

Stephen Szostak  
Adept Surveys



PHOTO 3



PHOTO 2

**Legend:**

- ① → PHOTO NUMBER, LOCATION & DIRECTION
- OVERHEAD SUPPLY (ELECTRICITY)
- OVERHEAD SUPPLY (TELECOMMUNICATIONS)
- DIGITISED FROM AERIAL IMAGERY
- EDGE OF BITUMEN
- TOP OF BANK
- TOE OF BANK
- STORMWATER DRAINAGE (UNDERGROUND)
- ⊙ SEWER PIT
- ⊙ ELECTRICITY POLE
- ⊙ TELEPHONE PIT
- ⊙ FIRE HYDRANT

W N H W D WINDOW / NON HABITABLE / UPPER WINDOW / DOOR

**Notations:**

LEVELS SHOWN THUS  $\pm 100.00$  ARE TO THE AUSTRALIAN HEIGHT DATUM IN METRES BASED ON GNSS RTK OBSERVATIONS AND PM 278 RL = 250-512

CONTOUR INTERVAL IS 0.2 METRES

SITE AREA: 14.75m<sup>2</sup>

FENCING SHOWN IS TO SCALE

TITLE BOUNDARIES ARE REPRESENTED BY THICK LINES

ONLY VISIBLE SERVICES ARE SHOWN ON THIS PLAN

**Parish:** MARYBOROUGH  
**Section:** 11  
**Crown Allotment:** 11G, 11H  
**Crown Portion:**  
**Site Address:** 87 LOCH STREET MARYBOROUGH, VIC, 3465  
**Certificate of Title:** VOL 10814 FOL 418  
**Last Plan Reference:** TP523697B  
**Surveyor:** JEREMY PEARCE  
**Date of Survey:** 24/05/2021

**Client:** JONTIAN GROUP PTY LTD

**Project:** PROPOSED ALTERATION

**Details**

Plan of Survey, Features and Levels



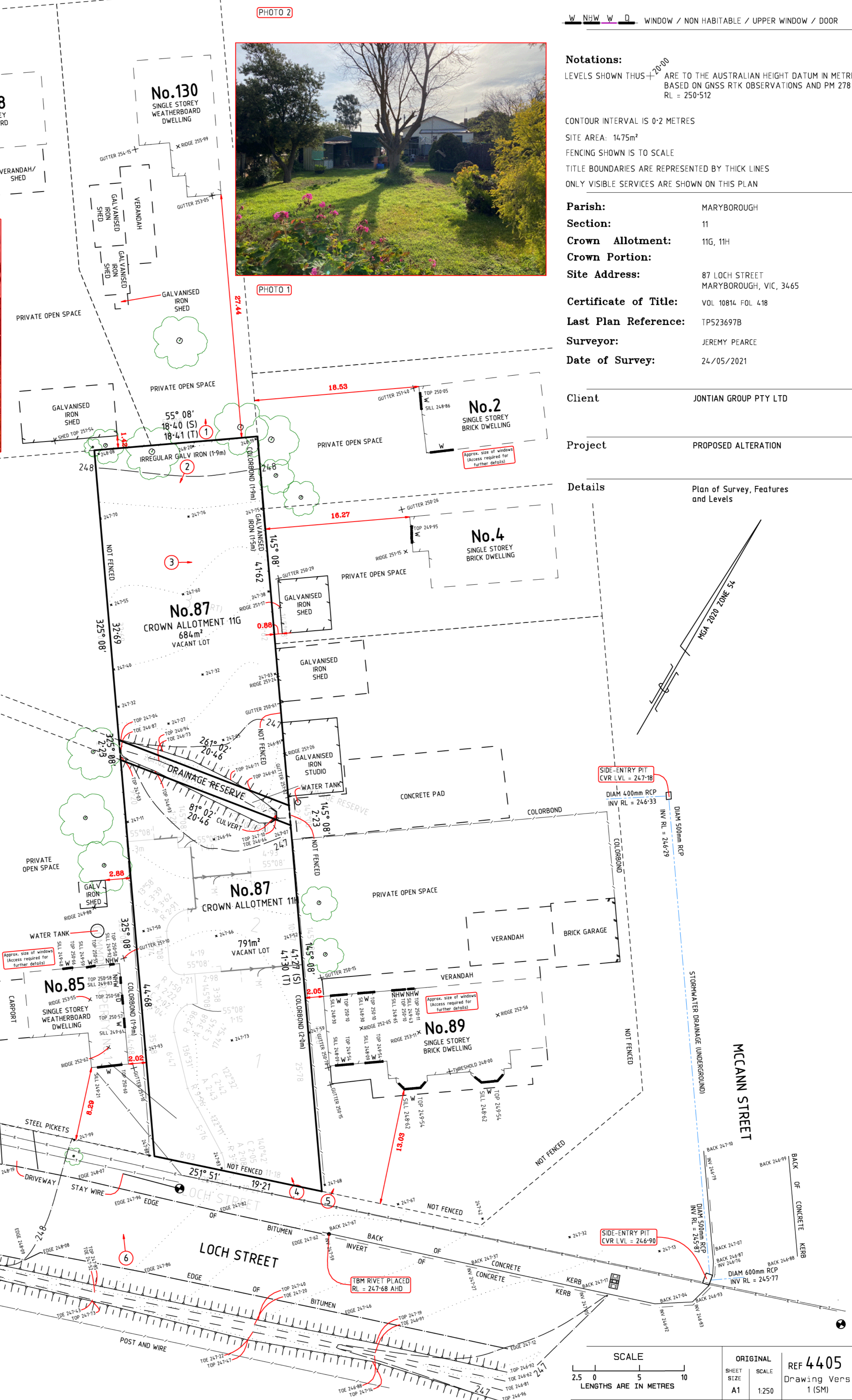
PHOTO 4



PHOTO 5



PHOTO 6



**PS903240V - SITE CONDITIONS**

SITE CONDITIONS OVERLAID WITH PROPOSED SUBDIVISION BOUNDARIES PS903240V (ver 2)

SITE ADDRESS: 87 LOCH STREET, MARYBOROUGH  
 PLANNING APPLICATION No. 059-23  
 RESPONSE TO RFI (DATED: 04/12/2023) ITEM 1  
 PROPOSED SUBDIVISION BOUNDARIES PS903240V (ver 2) SHOWN IN GREY

BOUNDARIES SHOWN BY THICK CONTINUOUS HATCHED LINES ARE DEFINED BY BUILDINGS

LOCATION OF BOUNDARIES DEFINED BY BUILDINGS:-

MEDIAN: BOUNDARIES MARKED 'M'  
 EXTERIOR FACE: ALL OTHER BOUNDARIES

SCALE  
 2.5 0 5 10  
 LENGTHS ARE IN METRES

ORIGINAL SCALE REF 4405  
 SHEET SCALE Drawing Vers. 1 (SM)  
 A1 1:250



**Adept Surveys Pty Ltd**  
 161 Sydney Road  
 Coburg 3058  
 PO Box 45 Moreland 3058  
 Ph: (03) 9383 7878  
 A.C.N. 152 478 503



**Clause 56 - Residential Subdivision**  
**Planning Assessment Report**  
87 Loch Street, Maryborough, VIC, 3465

Council: Central Goldfields Shire Council  
Subdivision Class: 3 lots  
Planning Zone: General Residential Zone – Schedule 1 (GRZ1)  
Planning Overlay: Land Subject to Inundation Overlay (LSIO)

*Last Revised: 29/05/2024*  
*Document prepared by: Adept Surveys*

See attached previous Clause 55 Response for successful permit application (No: D054/22) at appendix A.

CLAUSE	RESPONSE
<b>56.01 SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE</b>  <b>56.01-1</b> <i>Subdivision site and context description</i>	<ul style="list-style-type: none"><li>○ See previous Clause 55 Response for successful permit application (No: D054/22) associated with construction of three dwellings</li><li>○ Site constitutes 2 vacant crown allotments (11G &amp; 11H) severed by a drainage reserve.</li></ul>



CLAUSE	RESPONSE
<p><b>56.01-2</b>  <i>Subdivision design response</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> <li>• The proposed subdivision consists of 3 lots being divided in accordance with the approved development planning permit and in accordance with endorsed drawings.</li> <li>• Crown allotment 11H will contain most of the subdivision/development works and 11G will remain part of proposed lot 3.</li> </ul>
<p><b>56.02 POLICY IMPLEMENTATION</b></p>	
<p><b>56.02-1</b>  <i>Strategic implementation objective</i>   <i>Standard C1</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<p><b>56.03 LIVABLE AND SUSTAINABLE COMMUNITIES</b></p>	
<p><b>56.03-1</b>  <i>Compact and walkable neighbourhoods objectives</i>   <i>Standard C2</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<p><b>56.03-2</b>  <i>Activity centre objective</i>   <i>Standard C3</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>



CLAUSE	RESPONSE
<b>56.03-3</b> <i>Planning for community facilities objective</i>  <i>Standard C4</i>	<ul style="list-style-type: none"> <li>See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<b>56.03-4</b> <i>Built environment objective</i>  <i>Standard C5</i>	<ul style="list-style-type: none"> <li>See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<b>56.03-5</b> <i>Neighbourhood character objective</i>  <i>Standard C6</i>	<ul style="list-style-type: none"> <li>See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<b>56.04 LOT DESIGN</b>	
<b>56.04-1</b> <i>Lot diversity and distribution objectives</i>  <i>Standard C7</i>	Not Applicable
<b>56.04-2</b> <i>Lot area and building envelopes objective</i>  <i>Standard C8</i>	Complies <ul style="list-style-type: none"> <li>See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<b>56.04-3</b> <i>Solar orientation of lots objective</i>	Complies <ul style="list-style-type: none"> <li>See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>



<i>Standard C9</i>	
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CLAUSE	RESPONSE
<b>56.04-4</b> <i>Street orientation objective</i>  <i>Standard C10</i>	Not Applicable
<b>56.04-5</b> <i>Common area objectives</i>  <i>Standard C11</i>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> <li>• Common Property (driveway and landscaping) to be owned by Owners Corporation which all lots will have equal stake within.</li> </ul>

**56.05 URBAN LANDSCAPE**

<b>56.05-1</b> <i>Integrated urban landscape objectives</i>  <i>Standard C12</i>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<b>56.05-2</b> <i>Public open space provision objectives</i>  <i>Standard C13</i>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>

**56.06 ACCESS AND MOBILITY MANAGEMENT**

<b>56.06-1</b> <i>Integrated mobility objectives</i>  <i>Standard C14</i>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>



<p><b>56.06-2</b>  <i>Walking and cycling network objectives</i></p> <p><i>Standard C15</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
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CLAUSE	RESPONSE
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<p><b>56.06-3</b>  <i>Public transport network objectives</i></p> <p><i>Standard C16</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<p><b>56.06-4</b>  <i>Neighbourhood street network objective</i></p> <p><i>Standard C17</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<p><b>56.06-5</b>  <i>Walking and cycling network detail objectives</i></p> <p><i>Standard C18</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<p><b>56.06-6</b>  <i>Public transport network detail objectives</i></p> <p><i>Standard C19</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<p><b>56.06-7</b>  <i>Neighbourhood street network detail objective</i></p> <p><i>Standard C20</i></p>	<ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>
<p><b>56.06-8</b>  <i>Lot access objective</i></p>	<p>Complies</p> <ul style="list-style-type: none"> <li>• See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>





<i>Standard C21</i>	
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CLAUSE	RESPONSE
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**56.07 INTEGRATED WATER MANAGEMENT**

<b>56.07-1</b> <i>Drinking water supply objectives</i>  <i>Standard C22</i>	Complies Water supply and sewerage will be provided to each lot, to the requirements of local water authority.
<b>56.07-2</b> <i>Reused and recycled water objective</i>  <i>Standard C23</i>	Complies It is not proposed to recycle water within the proposed subdivision and water recycled off-site is not available.
<b>56.07-3</b> <i>Waste water management objective</i>  <i>Standard C24</i>	Complies The site will be connected to a reticulated water system to the requirements of local water authority.
<b>56.07-4</b> <i>Stormwater management objectives</i> <i>Standard C25</i>	<ul style="list-style-type: none"> <li>See previous Clause 55 Response for successful permit application associated with construction of three dwellings</li> </ul>

**56.08 SITE MANAGEMENT**

<b>56.08-1</b> <i>Site management objectives</i>  <i>Standard C26</i>	Construction of development (as per Planning Permit No: D054/22) to comply with relevant council standards and relevant authority rules and guidelines.
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CLAUSE	RESPONSE
<b>56.09 UTILITIES</b>	
<b>56.09-1</b> <i>Shared trenching objectives</i>  <i>Standard C27</i>	Complies Trenching will be shared (in Common Property) where possible.
<b>56.09-2</b> <i>Electricity, telecommunications and gas objectives</i>  <i>Standard C28</i>	Complies <ul style="list-style-type: none"> <li>• The lots will be connected to electricity and telecommunications in accordance with the relevant requirements of the supply/servicing agency.</li> <li>• The lots may be connected gas if required in accordance with the relevant requirements of the supply/servicing agency.</li> </ul>
<b>56.09-3</b> <i>Fire hydrants objective</i>  <i>Standard C29</i>	Complies The site is within urban setting with sufficient spacings of hydrants and fire plugs to accommodate mains water for fire fighting purposes.
<b>56.09-4</b> <i>Public lighting objective</i>  <i>Standard C30</i>	Complies Lighting may be provided in accordance with development permit issued and with the relevant Australian standards where required.

**Below as supplied in response to RFI (dated: 04/12/2023)**

Clause 32.08-11 – Maximum building height requirement for a dwelling, small second dwelling or residential building

There is no maximum building height or maximum number of storeys specified in the schedule 1 to General Residential Zone (GRZ) for this site. When no maximum building height or maximum number of storeys specified in the schedule, the building height must not:

- Exceed 11 metres
- Contain no more than three storeys



Since the south east corner of the site is affected by a 'Land Subject To Inundation Overlay (LSIO)', the advice of the North Central Catchment Management Authority (NCCMA) was sought as to the required Finished Floor Levels (FFL) for this project. This was conducted as part of the development approval process for Planning Permit D054/22. The advice is summarised as follows:

- Dwellings to have a FFL of 248.1m AHD (Australian Height Datum)
- Garages to have a FFL of 247.95 AHD

As described in clause 32.08-11, the vertical distance is to originate from the designated FFL by the NCCMA.

The approved development endorsed by Central Goldfields Shire under Planning Permit No: D054/22, contains three buildings which are **single storey** and have a vertical distance from the FFL of **4.4m** at proposed dwelling 1 and **3.81m** at proposed dwelling 3 (refer to sheet 4 of 4 that depicts elevation views of the proposed buildings). These requirements are met.

The NCCMA documentation has been uploaded to SPEAR as "Other Document Type" titled "NCCMA – advice" for council perusal.

#### **Uploaded to SPEAR are supporting documentation/diagrams:**

- "PS903240V - OVERLAY DIAGRAM" – overlays endorsed development design over proposed subdivision boundaries
- Approved Development Planning Permit D054/22 – council issued planning permit for development of site (3 dwellings)
- "Endorsed Plans [Planning Permit No: D054/22]" - council endorsed plans for development of site (3 dwellings)
- "Plan of Survey, Features & Levels - 87 Loch St, Maryborough" – existing conditions Plan of Survey supporting proposed development/subdivision
- "NCCMA – advice" - North Central Catchment Management Authority flood level advice obtained to support development of site
- "PS903240V - SITE CONDITIONS" – existing conditions Plan of Survey with proposed subdivision overlaid

**Adept Surveys Pty. Ltd.**  
161 Sydney Road, Coburg, VIC 3058  
Tel: 03 9383 7878  
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Email: [info@adeptsurveys.com.au](mailto:info@adeptsurveys.com.au)



- Appendix A: Clause 55 Report Town Planning Report



**TOWN  
PLANNING  
SUBMISSION**

**87 Loch Street,  
Maryborough**

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Prepared on behalf of:	Jontian Group
Version:	V1 April 2022
Author:	Katrina Crumpler BSSci, MSocSci, (RMIT) MPIA
Inner Urban Town Planning	M: [REDACTED] E: katrina@innerurbanplanning.com

## 1.0 Introduction

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Planning approval is sought for the construction of three (3) dwellings on land at 87 Loch Street, Maryborough.

The site is within a General Residential Zone pursuant to the provisions of the Central Goldfields Planning Scheme and is covered by a Land Subject to Inundation Overlay (Schedule 1 and Schedule 2).

The proposed development requires the following approvals pursuant to the Central Goldfields Planning Scheme:

- Construct two or more dwellings on a lot pursuant to Clause 32.08-6 of the General Residential Zone.
- To construct a building or construct or carry out works pursuant to Clause 44.04-2 of the Land Subject to Inundation Overlay.

This report provides an assessment of the proposal against the relevant provisions of the Central Goldfields Planning Scheme and should be read in conjunction with:

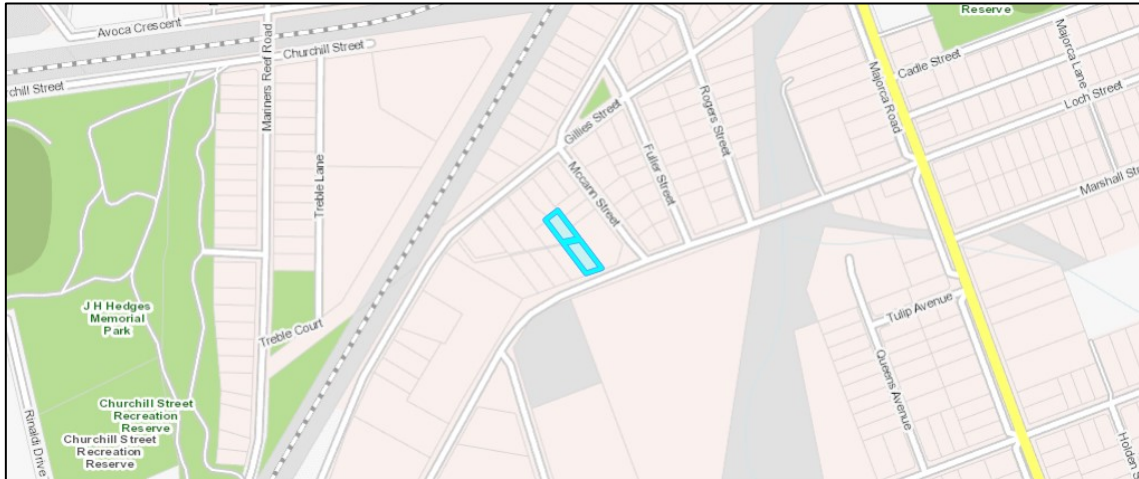
- Architectural Plans prepared by Jontian Group.
- A Flood Information Report prepared by North Central CMA.

## 2.0 Site and Zone Context

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### 2.1 Subject Site

The subject site is located on the northern side of Loch Street, within an established residential area of Maryborough.



**Cadastral map of the subject site**

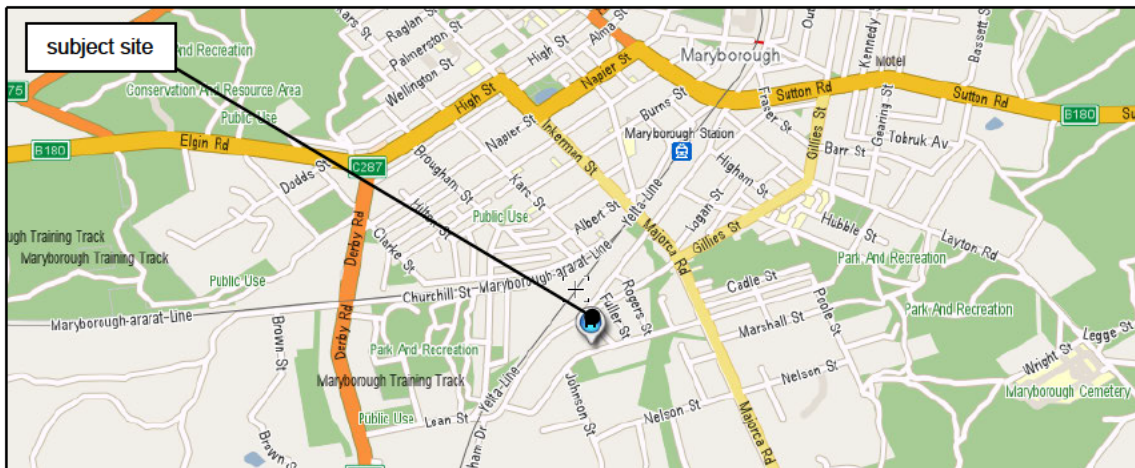
The land comprises two allotments and is described as Crown Allotment 11G, Section 11 and Crown Allotment 11H, Section 11, Parish of Maryborough. No covenants encumber the land however a drainage reserve is featured in the central section of the land, between the two parcels of land. The title plan 523697B on which the site sits identifies that the grantee of the land is entitled to sink wells for water however that any gold, silver or minerals mined on the land are reserved for the crown and mining rights will be subject to the right of any person being the holder of a miners right or mining lease.

The allotments combine to form an irregularly shaped parcel of land with an angled frontage to Loch Street of 19.21 metres and a combined maximum length of 82.92 metres to the eastern boundary. The overall site area is 1475 square metres.

The land is relatively flat, is free of development and does not contain any vegetation of significance with some plantings close to the perimeter.



## 2.2 Surrounds



**Location Map (Source: Melways)**

The subject site is located within an established residential area of Maryborough less than 1600 metres to the south of the Maryborough Town Centre.

Loch Street, to the site's frontage, is a local road that extends east to west through the municipality connecting residents to the Railway Street to the west and Majorca Road to the east. Nature strips and kerbs are featured to both sides of the road reserve.

The Regional Bus to Maryborough Station provides a stop on the corner of Mariners Reef Road, 800 metres from the site, connecting residents to the Maryborough Town Centre and regional V-Line.

The site is well serviced by retail, recreational and community facilities with the Maryborough Town Centre being relatively close to the site. The area presents several educational opportunities including Maryborough Education Centre (P-12), St Augustine's School and Highfield College as well as having several childcare centres and kindergartens nearby. There are recreational facilities close to the subject site with the Churchill Street Recreational Reserve and Jack Pascoe Reserve being within walking distance.

The subject site is not located within an identified neighbourhood character precinct within the planning scheme. Residential properties surrounding the subject are varied in architectural styles that were predominately developed in the 1970's – 1980's with some older dwellings immediately opposite the site. The built form is predominantly single storey in scale with a varied setback pattern to the frontage. The materials common to the development include brick and weatherboard dwellings with tiled hipped or pitched roof forms. Landscaping is not a prominent feature with the garden areas are open and low scale with low

scale visually permeable front fencing common. One to two crossovers are common with alongside the dwellings or to the rear within secluded private open space areas.



**Aerial Map (Source: Mapshare Vic)**

In relation to the site's immediate context, the abutting land to the west at 85 Loch Street has been developed with a single storey weatherboard dwelling with a hipped roof form. The dwelling is setback from all boundaries and is provided with an area of secluded private open space is provided to the rear of the dwelling. A crossover abuts the western side of the frontage providing access to an attached carport alongside the dwelling.

To the east of the site, the land at 89 Loch Street has been developed with a single dwelling orientated to Loch Street (setback 13.09 metres) and an area of secluded private open space is provided to the rear. A crossover is provided to the McCann Street abuttal which provides access to a detached garage that abuts the eastern boundary.

In addition, to the east of the site two allotments (2 & 4 McCann Street) abut the eastern boundary. Each lot has been developed with a single dwelling orientated to McCann Street and an area of secluded private open space (with outbuildings) abutting the common boundary.

## 3.0 Proposal

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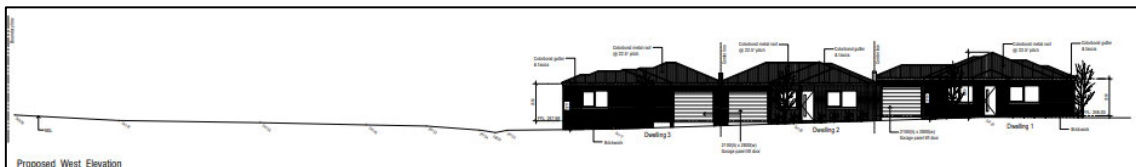
Planning approval is sought for the construction of three (3) dwellings on land at 87 Loch Street, Maryborough.

The proposed development will feature Dwelling 1 orientated to Loch Street with a front setback of 9.0 metres. The remaining dwellings will be attached and provided in tandem to the rear of Dwelling 1, accessed via a shared accessway alongside the western boundary.

Dwellings 1 will feature a porch/entry, three bedrooms, a central bathroom, laundry and kitchen/living area with direct access to a secluded private open space area together with a single garage with tandem space.

Dwellings 2-3 are attached, and each provided with a porch/entry, single garage, two bedrooms, central bathroom, laundry and kitchen/living room that opens to a secluded private open space area.

The dwellings will feature hipped colorbond roof form and will feature a mixed palette of materials and finishes including brick with painted elements.



### Western Elevation (accessway)

Screening will not be required as a result of the design (no internal overlooking), the single storey scale and boundary fencing.

A single crossover is provided to the western side of the frontage, providing access to a shared accessway that will abut the western boundary.

A development summary is provided below:

	Scale of Development	Number of Bedrooms	Car Parking Provisions	SPOS Provisions
<b>Dwelling 1</b>	Single Storey	3	2	28.74m <sup>22</sup>
<b>Dwelling 2</b>	Single Storey	3	2	30.09m <sup>2</sup>
<b>Dwelling 3</b>	Single Storey	2	1	746.31m <sup>2</sup>
		<b>Site Coverage</b>		20.74%
		<b>Permeability</b>		67.27%
		<b>Garden Area</b>		67.27%

## 4.0 Relevant Planning Provisions

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Clauses of the Central Goldfields Planning Scheme of relevance to the application are identified below:

### 4.1 Planning Policy Framework

- **Clause 11**      **Settlement**
  - 11.01      Victoria
  - 11.01-1S      Settlement
  - 11.01-1R      Settlement – Loddon Mallee South
  - 11.03-1S      Activity Centres
  
- **Clause 15**      **Built Environment and Heritage**
  - 15.01-1S      Urban design
  - 15.01-2S      Building design
  - 15.01-4S      Healthy neighbourhoods
  - 15.01-5L      Neighbourhood character
  - 15.02-1L      Environmentally sustainable development
  
- **Clause 16**      **Housing**
  - 16.01      Residential Development
  - 16.01-1S      Housing Supply
  - 16.01-4S      Housing affordability
  
- **Clause 18**      **Transport**
  - 18.01-1S      Land use and transport planning
  - 18.02-1S      Sustainable personal transport
  - 18.02-4S      Car parking

### 4.2 Local Planning Policy Framework

- 02.01      Central Goldfields – Context
- 02.02      Vision
- 02.03-5      Built Environment and Heritage
- 02.04      Central Goldfields Strategic Framework Plans

- 11.01-1L Settlement – Central Goldfields

### **4.3 Zoning**

- 32.08 General Residential Zone (Schedule 1)

### **4.4 Overlays**

- 44.04 Land Subject to Inundation Overlay

### **4.4 Particular and General Provisions**

- 52.06 Car Parking
- 55 Two or More Dwellings on a Lot and Residential Buildings
- 65 Decision guidelines

## **5.0 Planning Assessment**

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### **5.1 Preamble**

An assessment of the proposed development requires consideration of the following matters:

- The level of strategic support at both the local and state Planning Policy Framework levels.
- The appropriateness of the proposed development having regard for neighbourhood character objectives of the Planning Scheme.
- Amenity considerations for the future occupiers and surrounding residents as addressed by Clause 55 of the Planning Scheme.
- Considerations regarding the Land Subject to Inundation Overlay encumbering the land.
- Car parking and access considerations pursuant to Clause 52.06 of the Planning Scheme.

A consideration of these matters is provided below.

### **5.2 Strategic Considerations**

The relevant policy directions outlined in the scheme encourage the development of well-designed buildings which make effective use of existing infrastructure and provide additional housing opportunities.

Development of the subject site for infill residential development is consistent with policies of the Central Goldfields Planning Scheme that identify the need to increase the supply of housing in existing urban areas to make better use of existing infrastructure. The additional housing stock that results is required to improve housing choice and to ensure supply is sufficient to meet demands of the growing population.

Clause 11.0 (Settlement) and Clause 16 (Housing) of the Central Goldfields Planning Scheme seek to facilitate sustainable development that takes full advantage of existing settlement patterns by consolidating established urban areas. The policies identify the need for a diversity of housing types to locate in areas where good access to services is available in accordance with the following objectives:

### **Clause 11.01-1R Settlement – Loddon Mallee South**

*Manage and support growth in Castlemaine, Gisborne, Kyneton and Maryborough as employment and service hubs that reinforce the network of communities in the region.*

### **Clause 16.01-1S Housing supply**

*Objective: To facilitate well-located, integrated and diverse housing that meets community needs.*

*Strategies:*

- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- *Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

The Central Goldfields Planning Scheme's municipal statement further identifies the importance of Maryborough as a sub-regional centre and the changing demographic challenges the area faces:

### **Clause 02.01 - Context**

*Maryborough is the Shire's largest centre with a population of 8,003 people (Victoria in Future, State Government of Victoria, 2019) and is situated 164 kilometres from Melbourne and approximately 60 kilometres from Ballarat and Bendigo. The town provides a significant sub-regional hub of retail, industry and services for central Victoria.*

*The Shire has a competitive housing advantage with a choice of housing options and affordable real estate including significant heritage dwellings.*



The Strategic Directions Settlement statement notes:

**Clause 02.03-1 Settlement**

*Maryborough is expected to experience small but steady (Victoria in Future, State Government of Victoria, 2019) population growth over the next ten years. Maryborough performs an important regional function as a centre for retail and commerce, employment and community services.*

Maryborough is noted as a sub-regional centre within the settlement hierarchy and the role and identity is described as:

*Major centre for employment, retailing, services and administration.  
Identity defined by forest setting, heritage and compact central area.*

Council's Land Use Framework Plan seeks to accommodate that demand by providing housing opportunities within areas that are close to Activity Centres, employment areas and the transport network, within the existing urban area so not to conflict with agricultural uses as shown below:



**Excerpt From Maryborough Structure Plan at Clause 02.04**

Council's Planning Policy Framework identifies the need to provide additional affordable housing opportunities within the existing townships and settlements:

***02.03-6 Housing***

*Council seeks to manage the development of housing in its townships and settlements by:*

- *Encouraging the provision of innovative residential housing that is energy efficient and affordable.*

These housing themes are further expanded at Clause 11.01-1L Settlement – Central Goldfields of the Planning Scheme where Council seeks to:

***Clause 11.01-1L Settlement***

*Provide medium density residential opportunities close to Maryborough Central Business Area.*

In accordance with these policies, it is submitted that the proposed development addresses these policy objectives by providing three (3) additional, more compact, and affordable dwellings that relate well to the site and its surrounds. This is achieved whilst also providing development with good onsite amenity residents within an established residential area that is within close proximity to a wide range of community and commercial facilities.

The subject site is within a General Residential Zone, which amongst other objectives, seeks:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

The provisions of this zone which infer more intensive development rights are considered to have been satisfied by the current proposal by virtue of providing for a sympathetic design that is responsive to its surrounding context and avoids adverse offsite amenity impacts.

Having regard to the relevant provisions outlined above, it is submitted that the proposed development is consistent with policy objectives of the Central Goldfields Planning Scheme, including those contained and the Planning Policy Frameworks as detailed further below.

### **5.3 Neighbourhood Character and Urban Design**

The proposal provides a high-quality design that responds to the characteristics of the immediate area. The siting and design of the built form articulates a contemporary development that sits comfortably between older, traditional-style houses and more recent residential developments nearby.

Neighbourhood character considerations required to be addressed by the application are detailed at the Decision Guidelines of the GRZ1, ResCode Standard B1 (Neighbourhood Character) and Clause 02-03-5 Built Environment and Heritage.

Clause 02-03-5 Built Environment and Heritage references that different built form outcomes are expected across the municipality:

*Heritage and townscape character are strong built form elements of towns in the shire.*

...

*Council seeks to protect heritage assets and promote built form improvements by:*

- *Preserving and enhancing the visual amenity and character of Maryborough and the shire's townships.*
- *Maintaining and enhancing the character and qualities of the Maryborough Central Business Area by retaining its compact urban form, pedestrian scale and heritage character.*

In considering these matters it is submitted that the subject site is located within the established urban settlement area close to the Maryborough CBD and the proposed built form will enhance the existing suburban character of the immediate vicinity.

The proposed development is single storey and appears as a single dwelling when viewed from Loch Street which will ensure it sits comfortably with the surrounding established built form. The development is "compact" and the

scale of development is pedestrian scale which will serve to enhance the visual amenity and character.

Dwelling 1 is orientated to the streetscape and crossovers have been minimised, with a single crossover proposed to the western side of the frontage. In this way it is submitted that the proposed development has responded to the residential context within which it is proposed.

The primary building materials of face brickwork and painted elements are appropriate and used elsewhere within the site's residential context and will create a level of visual interest when viewed from the street network.

The materiality of the development, roofing profiles, fencing and garden treatments will moderate the development and provide an individual sense of address to Loch Street.

The design response is sensitively designed proposing development that will sit comfortably within the constraints of the site and reflects the prevailing single storey built form. Landscaping is proposed which will soften the built form ensuring it sits comfortably within the suburban context.

With the exception the garage boundary wall, the built form is setback from all site boundaries, with potential for landscaping within side setback areas and alongside the accessway, ensuring a buffer between the new built form and the existing dwellings that surround the site.

Dwelling 3 is provided an extensive secluded private open space area of 746.31 square metres to the rear of the lot which will ensure that the rear yard character of large open areas is supported by the application.

As shown above, the application provides a considered response to and is considered consistent with the objectives of Clause 02.03-5 of the Central Goldfields Planning Scheme and the General Residential Zone by providing for satisfactory development within a location that is designated for residential growth within the township settlement boundary.

#### **5.4 Clause 55 – Two or More Dwellings on a Lot**

The proposal to develop the site with more than one dwelling requires an assessment against requirements at Clause 55 of the Central Goldfields Planning Scheme. A detailed assessment is provided at Attachment 1 of this submission.

The assessment identifies that the proposed development responds appropriately to all objectives of at Clause 55 the planning scheme in order to provide for appropriate amenity and character outcome.

Character considerations related to building height, site coverage and site permeability are all satisfied by the development.

The proposal provides generous secluded private open space areas to the rear of each dwelling in the form of a yard with additional open space areas provided to the front of the site for Dwelling 1. The secluded private open space areas with feature good solar access and will be accessible directly from common living areas. Habitable rooms within the development benefit from daylight access, ensuring there is no reliance upon borrowed light.

Each dwelling will have a clearly identifiable front entrance with articulated porch areas to provide shelter and a sense of address. The dwellings will provide passive surveillance to the street by way of habitable room windows addressing the frontage. The layout of garages and the accessways will facilitate efficient entry and egress from the site and will still allow for landscaping across the frontage.

With regards to onsite amenity of future residents, the proposed dwellings will have comfortable floor plans with internal areas having good access to parking, storage and utilities.

The development minimises offsite amenity impacts with boundary setbacks that substantially address requirements of the relevant standards together with the single storey scale of development. This minimises issues of overshadowing.

## **5.5 Overlay Controls**

### **Land Subject to Inundation Overlay**

The subject site sits within the Land Subject to Inundation Overlay (LSIO) which has the following purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*

- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

The applicant is seeking advice from the referral authority, North Central CMA, and upon receipt will incorporate finished floor levels into the design response that will satisfy the predicated flood levels that may result at this location.

## 5.6 Access and Car Parking

In accordance with the requirements of Clause 52.06, the proposed development generates the following statutory car parking requirements:

Land Use	Applied Parking Rate	Parking Measure	Required Parking	Provided Parking
<b>Dwelling</b>	<i>1 spaces to each one or two-bedroom dwelling</i>	2 dwellings	2 spaces	2 spaces
	<i>2 spaces to each three or more-bedroom dwelling</i>	1 dwelling	2 spaces	2 spaces
<b>Total</b>			<b>4 spaces</b>	<b>4 spaces</b>

As the table above demonstrates, car parking for the development is provided in accordance with requirements of the Planning Scheme with covered parking available for each dwelling within a single garage for the two bedroom dwellings and a single garage/tandem space arrangement for the three bedroom dwelling. No visitor parking space is required as fewer than five dwellings are proposed.

The proposed development is considered to adequately address the design standards at Clause 52.06-9 related to car parking as a result of the following:

- Providing accessways that have minimum widths of 3.0 metres
- Allowing all vehicles to safely enter and exit the site in forward direction;
- Providing minimum headroom of 2.4 metres for car parking spaces;
- Providing a garage with car parking dimensions in accordance with the table at Clause 52.06-9; and
- Achieving a flat gradient for parking spaces and the accessways.

## 5.6 General Provisions

Clause 65 of the Central Goldfields Planning Scheme requires that before deciding on an application or approval of a plan, the Responsible Authority must consider a number of matters. An assessment against these provisions is provided as follows:

- The proposal is consistent with the matters set out in Section 60 of the *Planning and Environment Act 1987*.
- The proposal is consistent with the Planning Policy Framework, including the Municipal Strategic Statement.
- The proposal is consistent with the purpose of the General Residential Zone and overlay controls affecting the land.
- The proposed development respects the orderly planning of the area.
- The proposed development would not have an adverse impact on the amenity of the area.
- There is no public land within proximity of the site.
- The proposed development would not cause or contribute to land degradation, salinity or reduce water quality.
- The proposed development will be connected to underground drainage and as such will not have any adverse impact on the quality of stormwater within and exiting the site.
- The subject site does not contain any indigenous native vegetation in the meaning of the Planning Scheme.
- The proposed development would not contribute to any flood, erosion or fire hazard.

## **6.0 Conclusion**

---

It is submitted that the proposal to construct three dwellings on land at 87 Loch Street, Maryborough is consistent with the Planning Policy Framework and other relevant provisions set out in the Central Goldfields Planning Scheme.

The proposed development provides a satisfactory response to the existing neighbourhood character and objectives of Clause 55. The result is that the development will provide a high standard of onsite amenity without unreasonably affecting the amenity of the adjoining dwellings.

We submit that the proposal is worthy of Council support.



## Attachment 1: Clause 55 Assessment

CLAUSE	STANDARD	ASSESSMENT
55.02-1 Neighbourhood Character	B1	<p><b>COMPLIES</b></p> <p>The design response is appropriate to the area and respects the existing and emerging character of the area as outlined in the detailed discussions that form part of the report.</p>
55.02-2 Residential Policy	B2	<p><b>COMPLIES</b></p> <p>The proposal satisfies the residential policy objectives as discussed in the attached report.</p>
55.02-3 Dwelling Diversity	B3	<p><b>COMPLIES</b></p> <p>The application includes a mixture of 2-3 bedrooms that are single storey.</p>
55.02-4 Infrastructure	B4	<p><b>COMPLIES</b></p> <p>The site is located in an established residential area of Maryborough where the existing infrastructure can accommodate any additional demands likely to result from the proposed development.</p>
55.02-5 Integration with the Street	B5	<p><b>COMPLIES</b></p> <p>The dwellings will be oriented to the street frontage or the common accessway and will each be provided with legible and easily identifiable entrances.</p>
55.03-1 Street Setback	B6	<p><b>COMPLIES</b></p> <p>The subject site features a building on the adjoining lots facing the street with an average setback of 10.66 metres, therefore a setback of 9.0 metres is standard.: A setback of 9.0 metres is provided for Dwelling 1.</p>
55.03-2 Building Height	B7	<p><b>COMPLIES</b></p> <p>The proposed development is single storey and satisfies the maximum height requirement.</p>
55.03-3 Site Coverage	B8	<p><b>COMPLIES</b></p> <p>Site coverage of 20.74 percent is proposed.</p>
55.03-4 Permeability	B9	<p><b>COMPLIES</b></p> <p>Permeable surfaces will cover 67.27 percent of the site.</p>
55.03-5 Energy Efficiency	B10	<p><b>COMPLIES</b></p> <p>The proposal includes common living areas that open onto open space areas that respond to the orientation of the site.</p> <p>Shadow diagrams submitted with the application demonstrate that overshadowing of abutting properties will be acceptable.</p>

CLAUSE	STANDARD	ASSESSMENT
55.03-6 Open Space	B11	<b>COMPLIES</b> There is no public land adjoining the lot.
55.03-7 Safety	B12	<b>COMPLIES</b> Dwelling 1 will be oriented to the street and will provide passive surveillance to the street network with windows orientated to the street. The remaining dwellings will be orientated to the common accessway and will provide passive surveillance of that area.
55.03-8 Landscaping	B13	<b>COMPLIES</b> The site does not contain significant vegetation which warrants retention as part of the proposed development. Sufficient space will be provided within the private open space areas to accommodate landscaping including canopy trees.
55.03-9 Access	B14	<b>COMPLIES</b> The proposed crossover which will occupy 16% of the 19.21 metre frontage.
55.03-10 Parking Location	B15	<b>COMPLIES</b> Easily accessible parking is provided for each dwelling in a single garage or single garage and tandem parking space The garages will be secure and well ventilated.
55.04-1 Side and Rear Setbacks	B17	<b>COMPLIES</b> Side and rear setbacks are provided in accordance with the standard.
55.04-2 Walls on Boundaries	B18	<b>COMPLIES</b> A single boundary wall is proposed which complies with the standard.
55.04-3 Daylight to Existing Windows	B19	<b>COMPLIES</b> The development provides appropriate setbacks and light courts to neighbouring habitable room windows.
55.04-4 North Facing Windows	B20	<b>COMPLIES</b> There are no north facing windows within proximity to the site.

CLAUSE	STANDARD	ASSESSMENT
55.04-5 Overshadowing Open Space	B21	<p><b>COMPLIES</b></p> <p>Shadow diagrams submitted with the application demonstrate that overshadowing of abutting properties is within acceptable parameters under the standard.</p>
55.04-6 Overlooking	B22	<p><b>COMPLIES</b></p> <p>The single storey scale proposed and fence locations will ensure that overlooking does not occur.</p>
55.04-7 Internal Views	B23	<p><b>COMPLIES</b></p> <p>The single storey scale proposed and fence locations will ensure that overlooking does not occur.</p>
55.04-8 Noise Impact	B24	<p><b>COMPLIES</b></p> <p>There are no noise sources located in close proximity to the site and the residential development will not generate unreasonable offsite noise impacts.</p>
55.05-1 Accessibility	B25	<p><b>COMPLIES</b></p> <p>At grade entrances are provided to each dwelling.</p>
55.05-2 Dwelling Entry	B26	<p><b>COMPLIES</b></p> <p>The entrances to each dwelling are clearly visible from the street or the common accessway. Entrances will be sheltered appropriately to create a sense of personal address.</p>
55.05-3 Daylight to New Windows	B27	<p><b>COMPLIES</b></p> <p>The necessary light courts are provided</p>
55.05-4 Private Open Space	B28	<p><b>COMPLIES</b></p> <p>The common living areas of each dwelling will open onto secluded private open space areas that exceed the standard area requirements.</p>
55.05-5 Solar Access to Open Space	B29	<p><b>COMPLIES</b></p> <p>No direct south facing private open space areas are provided with each SPOS area receiving adequate solar access throughout the day.</p>
55.05-6 Storage	B30	<p><b>COMPLIES</b></p> <p>Storage is available within the enlarged garage of each dwelling.</p>

CLAUSE	STANDARD	ASSESSMENT
55.06-1 Design Detail	B31	<p><b>COMPLIES</b></p> <p>The proposed development, including design detailing, responds appropriately to the built form and neighbourhood character policies as discussed in the attached report.</p>
55.06-2 Front Fences	B32	<p><b>COMPLIES</b></p> <p>No front fencing is proposed.</p>
55.06-3 Common Property	B33	<p><b>COMPLIES</b></p> <p>The common accessway will be easily maintained within a body corporate arrangement.</p>
55.06-4 Site Services	B34	<p><b>COMPLIES</b></p> <p>Sufficient space is provided for services to be installed and maintained.</p> <p>The location of bins, mailboxes and meters will be easily accessible for providers such as Australia Post.</p>

# PLAN OF SUBDIVISION

EDITION 1

PS903240V

## LOCATION OF LAND

**PARISH:** MARYBOROUGH

**TOWNSHIP:** -

**SECTION:** 11

**CROWN ALLOTMENT:** 11G & 11H

**CROWN PORTION:** -

**TITLE REFERENCE:** VOL 10814 FOL 418

**LAST PLAN REFERENCE:** TP523697B

**POSTAL ADDRESS:** 87 LOCH STREET  
(at time of subdivision) MARYBOROUGH, VIC 3465

**MGA2020 CO-ORDINATES:** E: 743 555      ZONE: 54  
(of approx centre of land in plan)      N: 5 895 082

**Council Name:** CENTRAL GOLDFIELDS SHIRE COUNCIL

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS  
  
FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES

## NOTATIONS

**DEPTH LIMITATION** 15.24m

**SURVEY:**  
This plan is based on survey.

**STAGING:**  
This is not a staged subdivision.  
Planning Permit No.

This survey has been connected to permanent marks No(s). Maryborough PM69 & Maryborough PM278

In Proclaimed Survey Area No.1

BOUNDARIES SHOWN BY THICK CONTINUOUS HATCHED LINES ARE DEFINED BY BUILDINGS

LOCATION OF BOUNDARIES DEFINED BY BUILDINGS:-

MEDIAN: BOUNDARIES MARKED 'M'  
EXTERIOR FACE: ALL OTHER BOUNDARIES

## EASEMENT INFORMATION

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

EASEMENTS AND RIGHTS IMPLIED BY SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLY TO ALL THE LAND IN THIS PLAN

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

### Adept Surveys Pty Ltd



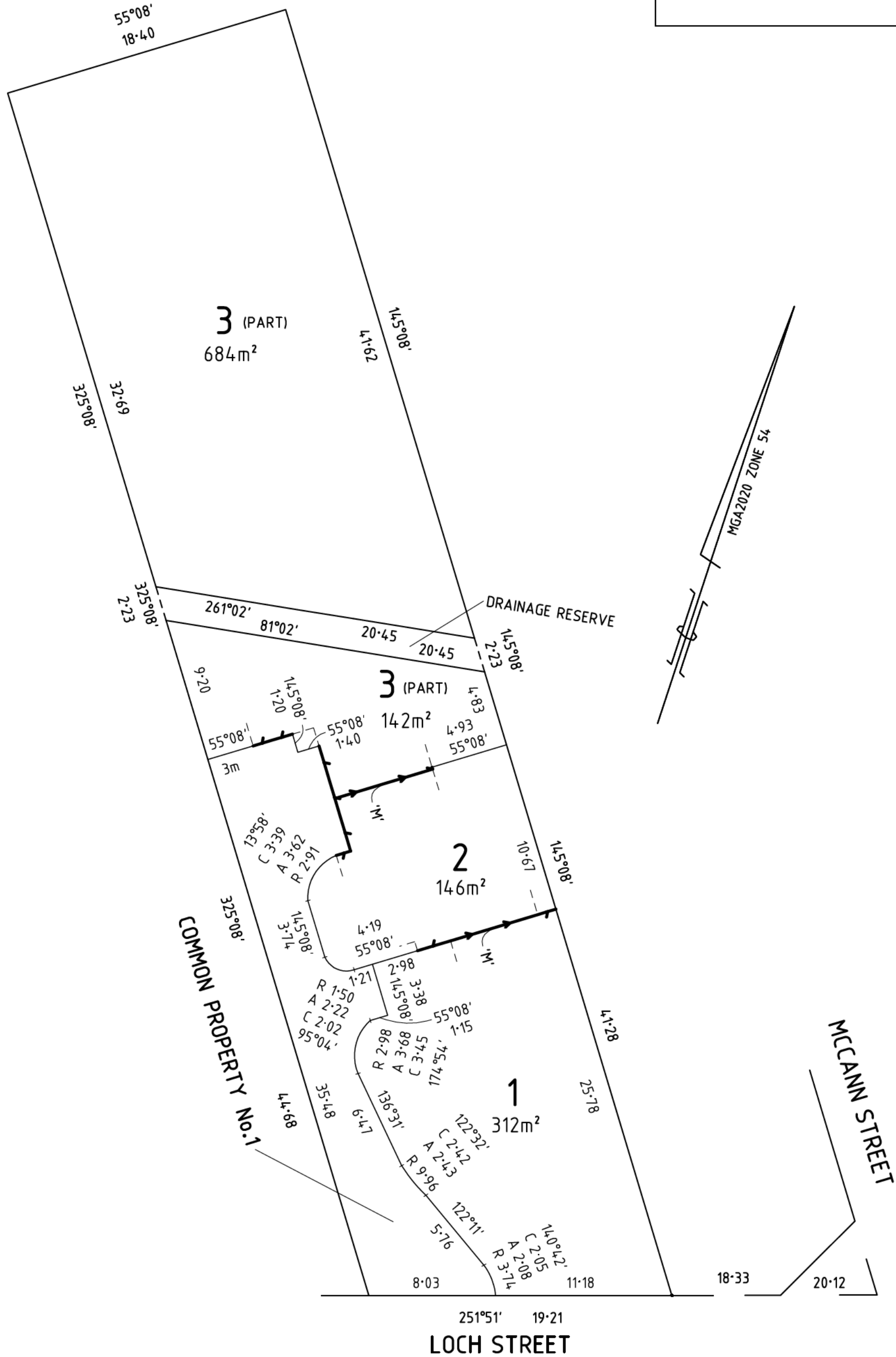
161 Sydney Road  
Coburg 3058  
PO Box 45 Moreland 3058  
Ph: (03) 9383 7878  
A.C.N. 152 478 503

SURVEYORS FILE REF: 4405

ORIGINAL SHEET  
SIZE: A3

SHEET 1 OF 2 SHEETS

JEREMY C. PEARCE, VERSION 2 (PRELIM)

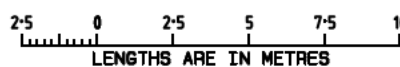


**Adept Surveys Pty Ltd**



161 Sydney Road  
Coburg 3058  
PO Box 45 Moreland 3058  
Ph: (03) 9383 7878  
A.C.N. 152 478 503

SCALE  
1:250



ORIGINAL SHEET  
SIZE: A3

SHEET 2

JEREMY C. PEARCE, VERSION 2 (PRELIM)

# OWNERS CORPORATION SCHEDULE

PS903240V

Owners Corporation No. 1

Plan No. PS903240V

Land affected by Owners Corporation: 1-3 inclusive

Common Property No.: 1

Limitations of Owners Corporation: Unlimited

Notations

Totals		
	Entitlement	Liability
This schedule	300	300
Balance of existing OC	0	0
Overall Total	300	300

## Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
1	100	100									
2	100	100									
3	100	100									

Adept Surveys  
161 Sydney Road Coburg VIC 3058

Surveyors file reference: 4405

Jeremy Pearce / v2

SHEET 1

ORIGINAL SHEET  
SIZE: A3

# PLAN OF SUBDIVISION

EDITION 1

PS903240V

## LOCATION OF LAND

**PARISH:** MARYBOROUGH  
**TOWNSHIP:** -  
**SECTION:** 11  
**CROWN ALLOTMENT:** 11G & 11H  
**CROWN PORTION:** -  
**TITLE REFERENCE:** VOL 10814 FOL 418

**LAST PLAN REFERENCE:** TP523697B  
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 (at time of subdivision) MARYBOROUGH, VIC 3465

**MGA2020 CO-ORDINATES:** E: 743 555 ZONE: 54  
 (of approx centre of land in plan) N: 5 895 082

Council Name: Central Goldfields Shire Council  
 SPEAR Reference Number: S207375P

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

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 FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES

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**STAGING:**  
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 Planning Permit No.

This survey has been connected to permanent marks No(s). Maryborough PM69 & Maryborough PM278  
 In Proclaimed Survey Area No.1

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LOCATION OF BOUNDARIES DEFINED BY BUILDINGS:-  
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 EXTERIOR FACE: ALL OTHER BOUNDARIES

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

EASEMENTS AND RIGHTS IMPLIED BY SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLY TO ALL THE LAND IN THIS PLAN

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

### Adept Surveys Pty Ltd



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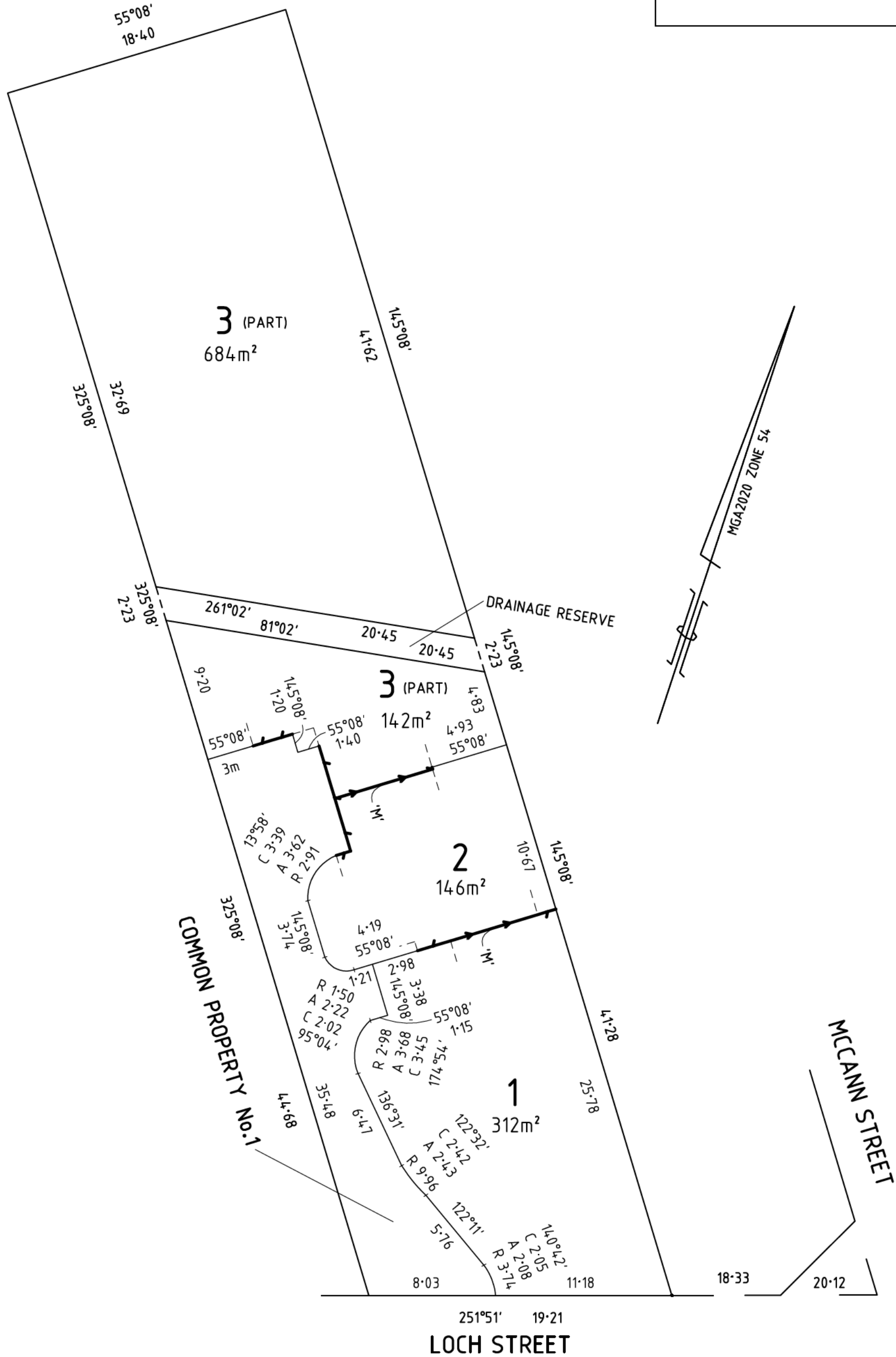
SURVEYORS FILE REF: 4405

ORIGINAL SHEET  
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SHEET 1 OF 2 SHEETS

JEREMY C. PEARCE, VERSION 2 (PRELIM)



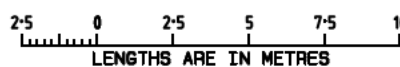


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SCALE  
1:250



ORIGINAL SHEET  
SIZE: A3

SHEET 2

JEREMY C. PEARCE, VERSION 2 (PRELIM)

# OWNERS CORPORATION SCHEDULE

PS903240V

Owners Corporation No. 1

Plan No. PS903240V

Land affected by Owners Corporation: 1-3 inclusive

Common Property No.: 1

Limitations of Owners Corporation: Unlimited

Notations

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This schedule	300	300
Balance of existing OC	0	0
Overall Total	300	300

## Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
1	100	100									
2	100	100									
3	100	100									

Adept Surveys  
161 Sydney Road Coburg VIC 3058

Surveyors file reference: 4405

SHEET 1

ORIGINAL SHEET  
SIZE: A3

Surveyor: Jeremy Pearce (Adept Surveys)  
Surveyor's Version: 2

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

VOLUME 10814 FOLIO 418

Security no : 124107455412S  
Produced 07/07/2023 03:55 PM

**LAND DESCRIPTION**

Crown Allotment 11G Section 11 and Crown Allotment 11H Section 11 Parish of Maryborough.

PARENT TITLE Volume 07695 Folio 101

Created by instrument AC959270G 05/07/2004

**REGISTERED PROPRIETOR**

Estate Fee Simple

[REDACTED]

**ENCUMBRANCES, CAVEATS AND NOTICES**

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP523697B FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NUMBER

[REDACTED]

STATUS

[REDACTED]

DATE

[REDACTED]

[REDACTED]

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

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

**ADMINISTRATIVE NOTICES**

NIL

[REDACTED]

DOCUMENT END

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Document Assembled	<b>07/07/2023 15:56</b>

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TITLE PLAN	EDITION 1	TP 523697B
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**Location of Land**

Parish: MARYBOROUGH  
 Township:  
 Section: 11  
 Crown Allotment: 11G, 11H  
 Crown Portion:

Last Plan Reference:  
 Derived From: VOL 7695 FOL 101  
 Depth Limitation: 50 FEET

**Notations**

SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 7695 FOL. 101 AND NOTED ON SHEET 2 OF THIS PLAN

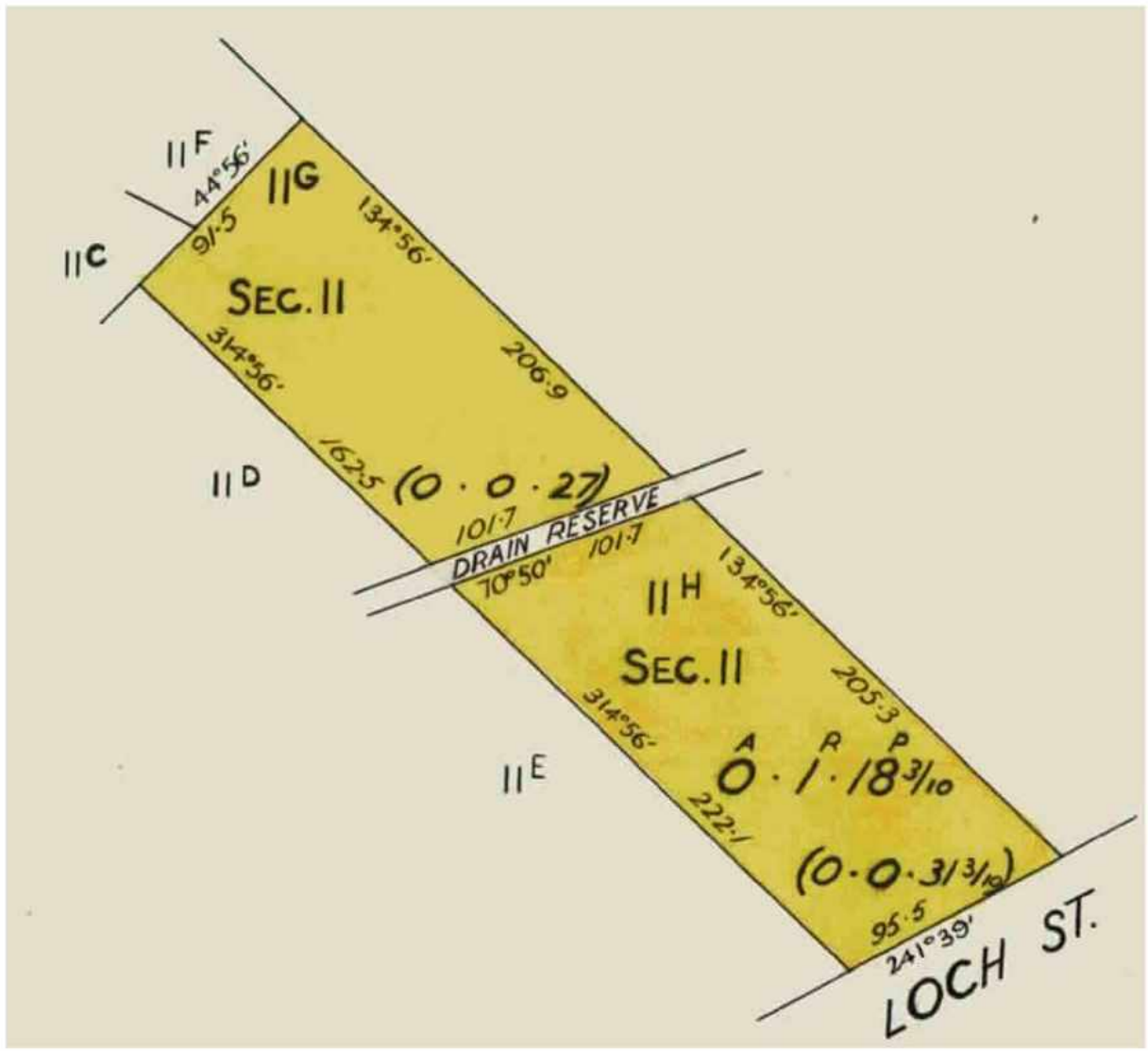
ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

**Description of Land / Easement Information**

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 29/05/2000  
 VERIFIED: BH

**COLOUR CODE**  
 Y = YELLOW



TITLE PLAN

TP 523697B

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

All THAT PIECE OF LAND in the said State containing one rood eighteen perches and three-tenths of a perch more or less being Allotments eleven<sup>G</sup> and eleven<sup>H</sup> of Section eleven in the Parish of Maryborough County of Talbot

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

- (i) all petroleum as defined in the *Mines (Petroleum) Act 1935* on or below the surface of the said land and
- (ii) the right of access for the purpose of searching for and for the operations of obtaining such petroleum in any part or parts of the said land and
- (iii) rights of way for access and for pipe-lines and other purposes necessary for obtaining and conveying such petroleum in the event of such petroleum being obtained in any part or parts of the said land.

PROVIDED ALWAYS that the said land is and shall be subject to be resumed for mining purposes under Section 163 of the *Land Act 1928*.

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

GRANTEE

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

# PS903240V - OVERLAY DIAGRAM

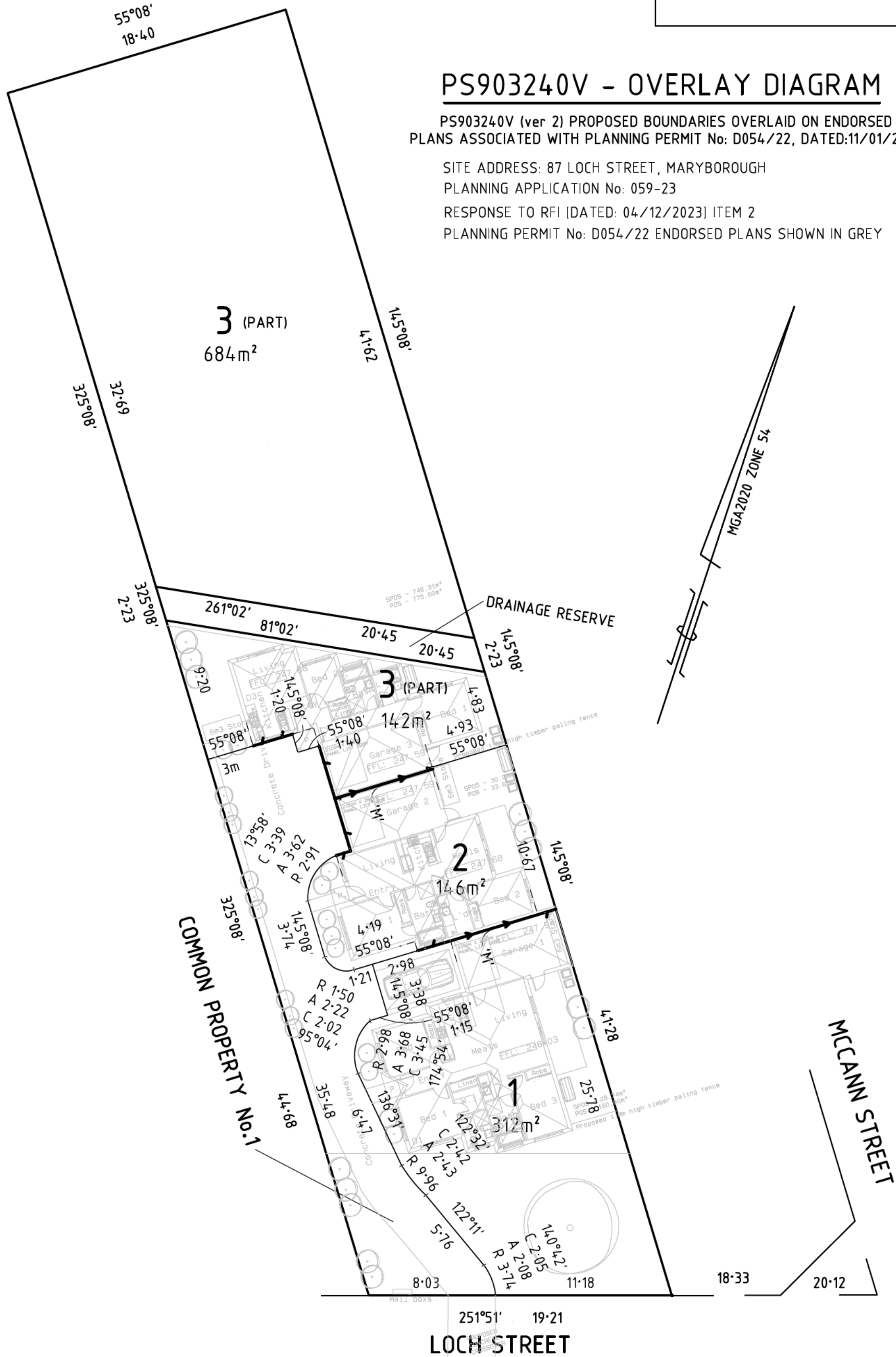
PS903240V (ver 2) PROPOSED BOUNDARIES OVERLAID ON ENDORSED PLANS ASSOCIATED WITH PLANNING PERMIT No: D054/22, DATED:11/01/2023

SITE ADDRESS: 87 LOCH STREET, MARYBOROUGH

PLANNING APPLICATION No: 059-23

RESPONSE TO RFI [DATED: 04/12/2023] ITEM 2

PLANNING PERMIT No: D054/22 ENDORSED PLANS SHOWN IN GREY

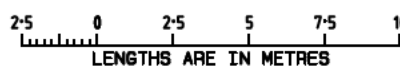


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A.C.N. 152 478 503

SCALE  
1:250



ORIGINAL SHEET  
SIZE: A3

SHEET 1

JEREMY C. PEARCE, VERSION 2 (PRELIM)