

PP59/2019-1

11 Treetops Terrace SKENES CREEK

Lot: 5 PS: 719586 V/F: 12012/386

Construction of Dwelling

Kris Thomas Building Design & Drafting Services

Officer - Ian Williams

EXHIBITION FILE

This document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

Submissions to this planning application will be accepted until a decision is made on the application.

If you would like to make a submission relating to a planning permit application, you must do so in writing to the Planning Department

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Planning Enquiries
Phone: (03) 5232 9400
Email: inq@colacotway.vic.gov.au
Web: www.colacotway.vic.gov.au

Office Use Only

VicSmart?

YES NO

Specify class of VicSmart application:

Application No.:

Date Lodged: / /

Application for a Planning Permit

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

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

⚠ Questions marked with an asterisk (*) must be completed.

⚠ If the space provided on the form is insufficient, attach a separate sheet.

i Click for further information.

Clear Form

Application Type

Is this a VicSmart application?*

No Yes

If yes, please specify which

VicSmart class or classes:.....

⚠ If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application.

Pre-application Meeting

Has there been a pre-application meeting with a Council planning officer?

No Yes

If 'Yes', with whom?:

Date:

day / month / year

The Land **i**

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

Street Address *

Unit No.: St. No.: 11 St. Name: Treetops Terrace
Suburb/Locality: Skenes Creek Postcode: 3233

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

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

A Lot No.: 5 Lodged Plan Title Plan Plan of Subdivision No.: 719586
OR
B Crown Allotment No.: Section No.:
Parish/Township Name:

The Proposal

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

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

Single dwelling

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

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

Cost \$900000.00

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

If the application is for land within metropolitan Melbourne (as defined in section 3 of the *Planning and Environment Act 1987*) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit www.sro.vic.gov.au for information.

Existing Conditions **i**

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Vacant

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

Title Information **i**

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details i

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

Applicant *

The person who wants the permit.

Name:		
Title: Mr	First Name: Kris	Surname: Thomas
Organisation (if applicable): Kris Thomas Building Design & Drafting Services		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 60	St. Name: Noel Street
Suburb/Locality: Apollo Bay	State: Vic	Postcode: 3233

Please provide at least one contact phone number *

Contact information for applicant OR contact person below	
Business phone:	Email: kris@ktbuildingdesign.com.au
Mobile phone: 0455 865 402	Fax:

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

Contact person's details*		Same as applicant <input checked="" type="checkbox"/>
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		Same as applicant <input type="checkbox"/>
Title: Mr	First Name: Casey	Surname: Clements
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 32	St. Name: Hodges Road
Suburb/Locality: Chum Creek	State: Vic	Postcode: 3777
Owner's Signature (Optional):	Date:	
	day / month / year	

Information requirements

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist.

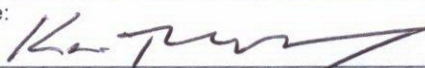
Is the required information provided?

Yes No

Declaration i

This form must be signed by the applicant *


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

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.	
Signature: 	Date: 6/03/2019
	day / month / year

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Checklist

Have you:

- Filled in the form completely?
- Paid or included the application fee? Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
-  Provided all necessary supporting information and documents?
 - A full, current copy of title information for each individual parcel of land forming the subject site.
 - A plan of existing conditions.
 - Plans showing the layout and details of the proposal.
 - Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
 - If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts)
 - If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.
- Completed the relevant council planning permit checklist?
- Signed the declaration above?

Need help with the Application?

If you need help to complete this form, read More Information at the end of this form.

For help with a VicSmart application see Applicant's Guide to Lodging a VicSmart Application at www.planning.vic.gov.au

General information about the planning process is available at www.planning.vic.gov.au

Assistance can also be obtained from Council's planning department.

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Colac Otway Shire
 PO Box 283
 Colac VIC 3250
 2-6 Rae Street
 Colac VIC 3250

Contact information
 Phone: (03) 5232 9400
 Email: inq@colacotway.vic.gov.au

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

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60 Noel Street Apollo Bay, Victoria, 3233.

Ph: 0352 377 427 Email: kris@ktbuildingdesign.com.au
Fax: 0352 377 272 Web: www.ktbuildingdesign.com.au

6 March 2019

Planning Department
Colac Otway Shire
PO Box 283
COLAC, VIC 3250



Dear Relevant Planner,
Please find enclosed a planning permit application and supporting information for the proposed dwelling at 11 Treetops Terrace, Skenes Creek.

Credit card payment form for the planning permit application fee of \$1358.30 enclosed.

I trust you will find the above information to your satisfaction but please do not hesitate to contact me on ☎ 52377427 if you require any additional information.

Yours sincerely

Kris Thomas



60 Noel Street Apollo Bay, Victoria, 3233.

Ph: 0352377427 Email: kris@ktbuildingdesign.com.au
Fax: 0352377272 Web: www.ktbuildingdesign.com.au

'Information' to accompany the planning permit application for proposed dwelling.

PROPERTY: 11 Treetops Terrace, Skenes Creek

1 ADDITIONAL INFORMATION CHECKLIST

Documents attached to support the application for planning permit include:

DOCUMENT NAME	DATE
Information (this document)	6/03/2019
Application for a planning permit form	6/03/2019
3 copies of set of 6 design drawings, prepared by Kris Thomas Building Design & Drafting Services comprising: 1. Neighbourhood and Site Description Plan - @ 1:200 2. Design Response Site Plan - @ 1:200 3. Lower Floor Plan - @ 1:100 4. Upper Floor Plan - @ 1:100 5. Elevations 1 - @ 1:100 6. Elevations 2 - @ 1:100	5/11/2018
Planning Property Report	5/11/2018
Certificate of Title, Lot 5 Plan of Subdivision 719586H Vol. 08679 Fol. 861	Search current as at 6/03/2019
Geotechnical Assessment Report by St Quentin	February 2019

2 APPLICATION

The Applicant for planning permit, is Kris Thomas of Kris Thomas Building Design & Drafting Services, 60 Noel Street, Apollo Bay 3233. (mob. 0455 865 402, email kris@ktbuildingdesign.com.au)

The owner of the land 11 Treetops Terrace Skenes Creek is Casey Clements of 32 Hodges Road Chum Creek 3777.

Existing conditions

The 916 square meter site is vacant and is clear of vegetation. The site slopes downward from the rear of the block to the street, with views to the front to the sea. The adjoining properties are vacant.

Proposal

The proposed works consist of a new double storey dwelling with associated garage, deck and balcony.

No significant vegetation is to be removed to accommodate the proposed dwelling.

3 PLANNING CONTROLS

Zone: Township Zone

Overlays:

- Bushfire Management Overlay (Schedule 2)
- Design Development Overlay (Schedule 4)
- Erosion Management Overlay (Schedule 1)
- Neighbourhood Character Overlay (Schedule 1)
- Significant Landscape Overlay (Schedule 2)

Aboriginal Cultural Heitage Sensitivity

TOWNSHIP ZONE

The proposed dwelling is considered to be consistent with the purpose of the zone. The works are compliant with the objectives of Clause 54, refer to Design Response Site Plan and drawings for details.

OVERLAYS

BUSHFIRE MANAGEMENT OVERLAY

A permit is required to construct a building or carry out works, the dwelling is to be constructed to BAL-29, defensible space is to be provided around the dwelling to the property boundary, a static water supply and vehicle access is to be provided in accordance with CFA requirements.

DESIGN AND DEVELOPMENT OVERLAY

A permit is not required to construct a building or carry out works.

EROSION MANAGEMENT OVERLAY

A permit is required to construct a building or carry out works, refer to the Geotechnical Assessment Report prepared for the site.

NEIGHBOURHOOD CHARACTER OVERLAY

The proposed dwelling is compliant with the objectives of the Neighbourhood Character Overlay and the objectives of Clause 54. The proposed works are also compliant with the modified Standards of Clause 54 apart from Standard A5 Site Coverage and Standard A10 Side and Rear Setbacks.

The proposed site coverage is 22.2% which is 2.2% greater than that prescribed. The side setbacks are 3.0m on both sides with encroachment of 1.1m on the east side and 1.2m on the west side. The variations to the modified standards are considered reasonable given that the variations are relatively minor and there is expected to be minimal impact to any future adjoining dwellings whilst maintaining a spacious open character consistent with the existing neighbourhood character. Refer to Design Response Site Plan and drawings for details.

SIGNIFICANT LANDSCAPE OVERLAY

No significant native vegetation is to be removed to accommodate the proposed dwelling. Existing site vegetation conditions are to remain unaltered.

ABORIGINAL CULTURAL HERITAGE SENSITIVITY

The development works are considered to be not of a high impact activity and to not require by the regulations a Cultural Heritage Management Plan.

CONCLUSION & RECOMMENDATION

The proposal is considered to have addressed the relevant Planning Scheme considerations. We therefore recommend favourable consideration of the proposed dwelling on the bases of the information provided within this report.

I trust you will find the above information to your satisfaction but please don't hesitate to contact me on 52377427 if you require any additional information.

Regards

Kris Thomas

SITE PHOTOGRAPHS



Photograph 1 Aerial image of subject site (Google Earth)



Photograph 2 View to subject site from street



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

VOLUME 12012 FOLIO 386

Security no : 124076440695R
Produced 06/03/2019 09:19 AM

LAND DESCRIPTION

Lot 5 on Plan of Subdivision 719586H.
PARENT TITLE Volume 08679 Folio 861
Created by instrument PS719586H 31/08/2018

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CASEY RUSSELL CLEMENTS of 32 HODGES ROAD CHUM CREEK VIC 3777
AR478456R 21/09/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AR478457P 21/09/2018
COMMONWEALTH BANK OF AUSTRALIA

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

AGREEMENT Section 173 Planning and Environment Act 1987
AN764951V 24/04/2017

DIAGRAM LOCATION

SEE PS719586H 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: 11 TREETOPS TERRACE SKENES CREEK VIC 3233

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 21/09/2018

DOCUMENT END



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Document Type	Plan
Document Identification	PS719586H
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Document Assembled	06/03/2019 09:28

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PLAN OF SUBDIVISION		EDITION 1		PS 719586H			
LOCATION OF LAND PARISH: KRAMBRUK TOWNSHIP: SKENES CREEK SECTION: 3A CROWN ALLOTMENT: 13 CROWN PORTION: TITLE REFERENCE: Vol. 8679 Fol. 861 Vol. Fol. Vol. Fol. LAST PLAN REFERENCE: TP380097U POSTAL ADDRESS: 20-26 OLD COACH ROAD (at time of subdivision) SKENES CREEK 3233 MGA CO-ORDINATES: E: 735 900 ZONE: 54 (of approx centre of land N: 5 710 520 GDA 94 in plan)			Council Name: Colac Otway Shire Council Reference Number: S3/2016-1 Planning Permit Reference: PP144/2013-1 SPEAR Reference Number: S080339B Certification This plan is certified under section 11 (7) of the Subdivision Act 1988 Date of original certification under section 6: 01/06/2017 Statement of Compliance This is a statement of compliance issued under section 21 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has been satisfied Digitally signed by: Ian Williams for Colac Otway Shire on 16/08/2018				
VESTING OF ROADS AND/OR RESERVES			NOTATIONS				
IDENTIFIER		COUNCIL/BODY/PERSON					
RESERVE No.1 RESERVE No.2		COLAC OTWAY SHIRE POWERCOR AUSTRALIA LTD					
NOTATIONS							
DEPTH LIMITATION: 30.48 Below the surface							
SURVEY: This plan is/is not based on survey. STAGING: This is/is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No.							
EASEMENT INFORMATION							
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)							
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of			
E-1,E-4 E-1,E-4 E-2,E-3,E-4	Powerline Drainage Pipeline or Ancillary Purposes	2 2 See Plan	C/E AE195582A C/E AE195581C This Plan (Section 136 Water Act 1989)	Powercor Australia Ltd Colac Otway Shire Council Barwon Region Water Corporation			
GOODISON & ASSOCIATES LICENSED SURVEYORS LEVEL 1 424 BRIDGE ROAD RICHMOND 3121 TEL: 9428-1818 FAX: 9428-0015 E-mail: office@goodisonsurveying.com.au		SURVEYORS FILE REF: 13512 Digitally signed by: Bernard Goodison (Goodison & Associates), Surveyor's Plan Version (8), 13/03/2018, SPEAR Ref: S080339B		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 3		
				PLAN REGISTERED TIME: 9:10AM DATE: 31/08/2018 H.T Assistant Registrar of Titles			



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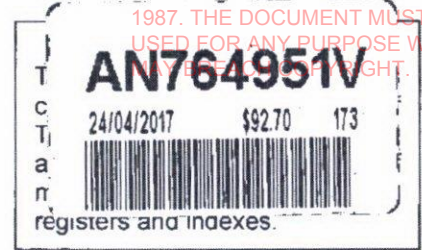
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Application by a responsible authority for the recording of an agreement

Section 181 **Planning and Environment Act 1987**

Form 21



Lodged by:

Name: Harwood Andrews
 Phone: 5225 5225
 Address: 70 Gheringhap Street, Geelong 3220
 Ref: 5AJS:21607817
 Customer code: 2235J

The responsible authority, having made an agreement referred to in section 181(1) of the **Planning and Environment Act 1987**, requires a recording to be made in the Register for the land.

Land: *(insert Volume and Folio reference) (if part only, define the part)*
 Certificate of Title Volume 8679 Folio 861

Responsible authority: *(name and address)*
 Colac Otway Shire Council, 2-6 Rae Street, COLAC 3250

Section and Act under which agreement made:
 Section 173 *Planning and Environment Act 1987*

A copy of the agreement is attached to this application:

Signature for the responsible authority: 

Name of officer: Gareth Smith

Date: 7-4-17

General Manager
Development & Community Services

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**SECTION 173 AGREEMENT
PLANNING AND ENVIRONMENT ACT 1987**

COLAC OTWAY SHIRE COUNCIL
Responsible Authority

- and -

VALMA MARIETTE DEPPELER
Owner

in relation to land at:

20-26 OLD COACH ROAD, SKENES CREEK, VICTORIA

AN764951V

24/04/2017 \$92.70



THIS AGREEMENT is made the 7 day of April 2017

PARTIES:

1. **Colac Otway Shire Council** of 2-6 Rae Street, Colac, Victoria, 3250 (**Responsible Authority**)
2. **Valma Mariette Deppeler** of 13 Montrose Avenue, Apollo Bay, Victoria, 3233 (**Owner**)

RECITALS:

- R.1. The Owner is the registered proprietor of the land known as 20-26 Old Coach Road, Skenes Creek, Victoria, being Crown Allotment 13 Section 3A Township of Skenes Creek Parish of Krambruk, Certificate of Title Volume 08679 Folio 861 (**Land**).
- R.2. The Responsible Authority is responsible for the administration and enforcement of the Planning Scheme pursuant to the provisions of the Act.
- R.3. The Responsible Authority issued planning permit number PP144/2013-1 on 15 December 2015 allowing a 'Seven (7) Lot Subdivision, Removal of Native Vegetation (11 trees) and Associated Works in accordance with the endorsed plans' (**Permit**).
- R.4. Conditions 33 and 34 of the Permit provide as follows:

Mandatory Condition

33. *Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:*
 - *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-1 of the Colac Otway Planning Scheme.*
 - *Incorporate the plan prepared in accordance with Clause 52.47-2.4 of this planning scheme and approved under this permit.*
 - *State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Bushfire Management Plan

34. *The Bushfire Management Plan (Attachment 3 – Bushfire Management Plan & Attachment 4- Draft Planning Permit Conditions) must be endorsed to form part of the permit, be included as an annexure to the section 173 agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.*
- R.5. This Agreement is entered into between the Responsible Authority and the Owner pursuant to section 173 of the Act in order to:

- a. meet the requirements of conditions 33 and 34 of the Permit;
- b. to achieve the objectives of planning in Victoria; and
- c. to exempt the need for a further planning permit for a single Dwelling pursuant to clause 44.06-1 of the Planning Scheme,

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AN764951V



IT IS AGREED AS FOLLOWS:

1. DEFINITIONS

In this Agreement unless inconsistent with the context or subject matter:

- 1.1. **Act** means the *Planning and Environment Act 1987* (Vic).
- 1.2. **Agreement** means this Agreement and any agreement executed by the parties varying or expressed to be supplemental to this Agreement.
- 1.3. **Bushfire Management Plan** means 'Attachment 3 Bushfire Management Plan' and 'Attachment 4 Draft Planning Permit Conditions' to the Bushfire Management Statement, 20-26 Old Coach Road Skenes Ck, MTES December 2014, as endorsed by the Responsible Authority on 22 December 2015 and amended from time to time in accordance with clause 3.3. A copy of the Bushfire Management Plan as at the date of this Agreement is included at annexure A.
- 1.4. **Bushfire Mitigation Measures** means all measures set out in the Bushfire Management Plan.
- 1.5. **CFA** means the Country Fire Authority and includes its agents, officers, employees, servants, workers and contractors and any subsequent person or body fulfilling the same statutory obligations.
- 1.6. **Current Address for Service**
 - 1.6.1. for the Responsible Authority means the address shown under the heading "Parties" in this Agreement or any other address provided by the Responsible Authority to the Owner for any purpose or purposes relating to this Agreement; and
 - 1.6.2. for the Owner means the address shown under the heading "Parties" in this Agreement or any other address provided by the Owner to the Responsible Authority for any purpose or purposes relating to the Land or this Agreement.
- 1.7. **Current Email Address for Service**
 - 1.7.1. for the Responsible Authority means inq@colacotway.vic.gov.au or any other email address provided by the Responsible Authority to the Owner for the express purpose of electronic communication regarding this Agreement; and
 - 1.7.2. for the Owner means any email address provided by the Owner to the Responsible Authority for the express purpose of electronic communication regarding the Land or this Agreement.

AN764951V



1.8. **Current Number for Service**

1.8.1. for the Responsible Authority means 03 5232 9586 or any other facsimile number provided by the Responsible Authority to the Owner for the express purpose of facsimile communication regarding this Agreement; and

1.8.2. for the Owner means any facsimile number provided by the Owner to the Responsible Authority for the express purpose of facsimile communication regarding the Land or this Agreement.

1.9. **Dwelling** has the same meaning as in the Planning Scheme.

1.10. **Land** means the land described in Recital R.1.

1.11. **Mortgagee** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as Mortgagee of the Land or any part of it.

1.12. **Owner** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as the proprietor or proprietors of an estate in fee simple of the Land or any part of it, and includes a mortgagee in possession.

1.13. **Owner's Obligations** includes the Owner's specific obligations and the further covenants of the Owner.

1.14. **party or parties** means the Owner and the Responsible Authority under this Agreement as appropriate.

1.15. **Permit** means the planning permit issued by the Responsible Authority described in Recital R.3 including the plans endorsed under it and as amended from time to time.

1.16. **Planning Scheme** means the Colac Otway Planning Scheme and any successor instrument or other planning scheme which applies to the Land.

1.17. **Responsible Authority** means Colac Otway Shire Council in its capacity as:

1.17.1. the authority responsible for administering and enforcing the Planning Scheme; and

1.17.2. a municipal council within the meaning of the *Local Government Act 1989* (Vic),

and includes its agents, officers, employees, servants, workers and contractors, and any subsequent person or body which is the responsible authority or municipal council.

2. INTERPRETATION

In the interpretation of this Agreement unless inconsistent with the context or subject matter:

2.1. The singular includes the plural and the plural includes the singular.

2.2. A reference to a gender includes a reference to all other genders.

2.3. Words (including defined expressions) denoting persons will be deemed to include all trusts, bodies and associations, corporate or unincorporated, and vice versa.

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- 2.4. A reference to a person includes a reference to a firm, corporation, association or other entity and their successors in law.
- 2.5. A reference to a statute includes any statute amending, consolidating or replacing that statute and includes any subordinate instruments made under that statute.
- 2.6. The Recitals to this Agreement are and will be deemed to form part of this Agreement including any terms defined within the Recitals.
- 2.7. References to the parties will include their transferees, heirs, assigns, and liquidators, executors and legal personal representatives as the case may be.
- 2.8. Reference to a document or agreement includes reference to that document or agreement as changed, novated or replaced from time to time.
- 2.9. Where a word or phrase is given a definite meaning in this Agreement, a part of speech or other grammatical form for that word or phrase has a corresponding meaning.
- 2.10. Where a word or phrase is not defined in this Agreement, it has the meaning as defined in the Act, or, if it is not defined in the Act, it has its ordinary meaning.

3. SPECIFIC OBLIGATIONS OF THE OWNER

Exemption from the need to obtain a planning permit

3.1. The Owner agrees that:

- 3.1.1. this Agreement has been prepared for the purpose of creating an exemption from the need to obtain a planning permit for a single Dwelling on a lot created from the subdivision of the Land under clause 44.06-1 of the Planning Scheme;
- 3.1.2. the exemption from the need to obtain a planning permit for a single Dwelling under clause 44.06-1 of the Planning Scheme is subject to compliance with clause 3.2 of this Agreement.

Compliance with the Bushfire Mitigation Measures

3.2. The Owner agrees that if a Dwelling is constructed on the Land without obtaining a planning permit under clause 44.06-1 of the Planning Scheme, unless the prior written consent of the Responsible Authority and the CFA is obtained, all the Bushfire Mitigation Measures must:

- 3.2.1. be implemented at the full cost of the Owner; and
- 3.2.2. following implementation, be maintained at the full cost of the Owner at all times in accordance with any requirements specified in the Bushfire Management Plan;

to the satisfaction of the Responsible Authority.

Amendments to the Bushfire Management Plan

3.3. The Owner agrees that the Bushfire Management Plan must not be amended unless the prior written consent of the Responsible Authority and the CFA is obtained.


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4. FURTHER COVENANTS OF THE OWNER

The Owner warrants and covenants with the Responsible Authority that:

- 4.1. It is the registered proprietor (or entitled to be so) of the Land.
- 4.2. Save as shown in the certificate of title to the Land, there are no mortgages, liens, charges, easements or other encumbrances or any rights inherent in any person affecting the Land or any part of it and not disclosed by the usual searches.
- 4.3. Neither the Land nor any part of it is subject to any right obtained by adverse possession or subject to any easements, rights or encumbrances mentioned in section 42 of the *Transfer of Land Act 1958 (Vic)*.
- 4.4. It will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Land or any part of it without first providing to its successors a copy of this Agreement.
- 4.5. It will within 28 days of written demand pay to the Responsible Authority the Responsible Authority's reasonable costs (including legal or other professional costs) and expenses of and incidental to the:
 - 4.5.1. negotiation, preparation, execution and recording of this Agreement;
 - 4.5.2. assessment, negotiation, preparation, execution and recording of any proposed amendment to this Agreement; and
 - 4.5.3. determination of whether any of the Owner's obligations have been undertaken to the satisfaction of the Responsible Authority or to give consent to anything under this Agreement.

To the extent that such costs and expenses constitute legal professional costs, the Responsible Authority may at its absolute discretion have these costs assessed by the Law Institute of Victoria and in that event the parties will be bound by the amount of that assessment, with any fee for obtaining such an assessment being borne equally by the Responsible Authority and the Owner. Such costs payable by the Owner will include the costs and disbursements associated with the recording, cancellation or alteration of this Agreement in the Register.

- 4.6. It will do all that is necessary to enable the Responsible Authority to make application to the Registrar of Titles to record this Agreement in the Register in accordance with the Act, including the signing of any further agreement, acknowledgment or other document.
- 4.7. Until such time as this Agreement is recorded in the Register, the Owner must ensure that successors in title will give effect to this Agreement, and do all acts and sign all documents which will require those successors to give effect to this Agreement, including executing a deed agreeing to be bound by the terms of this Agreement.

5. FURTHER ASSURANCE

The parties to this Agreement will do all things necessary (including signing any further agreement, acknowledgement or document) to give full effect to the terms of this Agreement and to enable this Agreement to be recorded in the Register in accordance with the Act.

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6. AMENDMENT

This Agreement may be amended only in accordance with the requirements of the Act.

7. NO WAIVER

No waiver by any party of any default in the strict and literal performance of or compliance with any provision, condition or requirement in this Agreement will be deemed to be a waiver of strict and literal performance of and compliance with any other provision, condition or requirement of this Agreement nor to be a waiver of or in any way release any party from compliance with any provision, condition or requirement in the future nor will any delay or omission of any party to exercise any right under this Agreement in any manner impair the exercise of such right accruing to it thereafter.

8. NO FETTERING OF POWERS OF RESPONSIBLE AUTHORITY

The parties acknowledge and agree that this Agreement does not fetter or restrict the power or discretion of the Responsible Authority to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Land or relating to any use or development of the Land.

9. INTEREST ON OVERDUE MONEYS

Any amount due under this Agreement but unpaid by the due date incurs interest at the rate prescribed under section 227A of the *Local Government Act 1989* (Vic) and any payment made shall be first directed to payment of interest and then the principal amount owing.

10. NOTICES

All notices and other communications under this Agreement will be sent by prepaid mail, by hand delivery, email or by facsimile to the Current Addresses for Service, Current Email Address for Service or Current Number for Service of the parties, and may be sent by an agent of the party sending the notice. Each notice or communication will be deemed to have been duly received:

- 10.1. not later than seven business days after being deposited in the mail with postage prepaid;
- 10.2. when delivered by hand;
- 10.3. if sent by email, at the time of receipt in accordance with the *Electronic Transactions (Victoria) Act 2000* (Vic);
- 10.4. if sent by facsimile transmission upon completion of that transmission and production of a transmission report stating that the facsimile was sent to the addressee's facsimile number.

11. COSTS ON DEFAULT

If the Owner defaults in the performance of any obligations under this Agreement the Owner will pay to the Responsible Authority its reasonable costs of action taken to achieve compliance with this Agreement.

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12. INVALIDITY OF ANY CLAUSE

Notwithstanding anything to the contrary in this Agreement, if any provision of this Agreement will be invalid and not enforceable in accordance with its terms, all other provisions which are self-sustaining and capable of separate enforcement without regard to the invalid provisions will be and continue to be valid and enforceable in accordance with those terms.

13. AGREEMENT BINDING ON SUCCESSORS OF OWNERS

This Agreement will extend to and bind the Owner's successors, assigns, administrators, transferees and legal personal representatives and the obligations imposed upon them will also be binding on their successors, transferees, purchasers, mortgagees and assigns as if each of them had separately executed this Agreement.

14. JOINT OBLIGATIONS

In the case of each party that consists of more than one person (including in that expression any corporation) each of those persons covenants, agrees and declares that all of the covenants, agreements, declarations and consents contained in this Agreement and made and given by that party have been entered into, made and given and are binding upon that person both severally and also jointly with the other person or persons constituting that party.

15. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties in connection with its subject matter and supersedes all previous agreements or understandings between the parties in connection with its subject matter.

16. COMMENCEMENT AND ENDING OF AGREEMENT

16.1. This Agreement will commence on the date that it bears.

16.2. This Agreement will end in accordance with the provisions of the Act.

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EXECUTED AS A DEED

Signed, sealed and delivered as a deed by the Parties.

SIGNED on behalf of **COLAC OTWAY SHIRE COUNCIL** by the person holding the title of General Manager, Development and Community Services (or the person acting in that role from time to time), pursuant to an instrument of delegation authorised by a Council resolution, in the presence of:

Signature of delegate

Gareth Smith

Name of delegate

**General Manager
Development & Community Services**

Signature of witness

J. Proctor-Smith

Name of witness

SIGNED SEALED AND DELIVERED by the said **Valma Mariette Deppeler** by her attorney **Peter Andrew Deppeler** under Power of Attorney dated the 17th day of August 20 1999 and who certifies that the said power has not been varied or revoked, in the presence of:

Attorney

Signature of witness

Peter Andrew Deppeler

Name of witness

STUART LESTER HOLBERY
an Australian Legal Practitioner
within the meaning of the
Legal Profession Uniform Law (Victoria)
119 Murray Street, Colac Victoria 3250

Annexure A – Bushfire Management Plan

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23 Bushfire Management Statement
Proposed new residential sub-division in a Bushfire Management Overlay

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20-26 Old Coach Rd
Skenes Ck
MTES December 2014

Attachment 4 Draft planning permit conditions

Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- a) State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-1 of the Colac Otway Planning Scheme.
- b) Incorporate the plan prepared in accordance with Clause 52.47-2.4 of the planning scheme and approved under this permit.
- c) State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The agreement must also require that:

- d) Any future dwelling on Lots 1-7 must be designed and constructed to achieve a minimum Bushfire Attack Level (BAL) of BAL-29
- e) Before a dwelling on Lot 1 is occupied, a 10,000 litre water tank constructed of concrete or metal and providing an effective water supply for fire fighting purposes must be provided on the lot. The tank must incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting), and the outlet/s of the water tank must be within 4m of the access way and be unobstructed.
- f) Before a dwelling on each of Lots 2-7 is occupied, a 5,000 litre water tank constructed of concrete or metal and providing an effective water supply for fire fighting purposes must be provided on that lot.
- g) Before a dwelling on each of Lots 1-7 is occupied, defendable space must be provided for that lot in accordance with the endorsed Bushfire Management Plan to the satisfaction of the Responsible Authority.
- h) The endorsed Bushfire Management Plan must not be altered unless otherwise agreed in writing by the Responsible Authority.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.



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Department of Environment, Land, Water and Planning Planning Property Report

from www.planning.vic.gov.au on 05 November 2018 04:22 PM

Address: 11 TREETOPS TERRACE SKENES CREEK 3233

Lot and Plan Number: Lot 5 PS719586

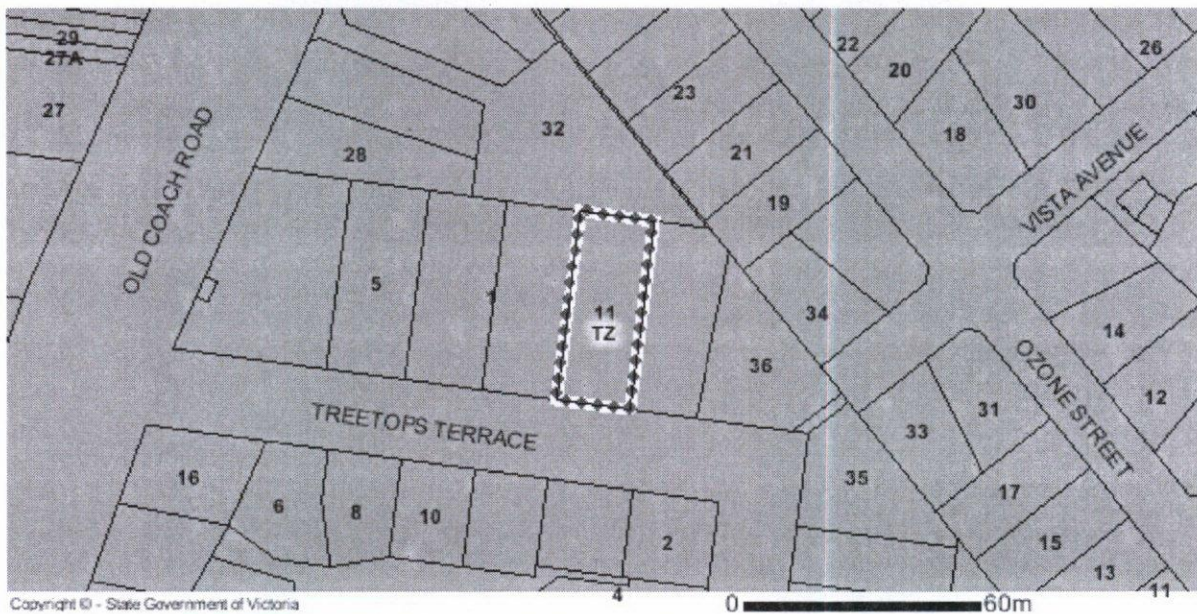
Local Government (Council): COLAC OTWAY Council Property Number: 26418

Directory Reference: VicRoads 519 N11

Planning Zone

TOWNSHIP ZONE (TZ)

SCHEDULE TO THE TOWNSHIP ZONE (TZ)



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

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R12 - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	-- Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway	Tram	River, stream	Lake, waterbody
---------	------	---------------	-----------------

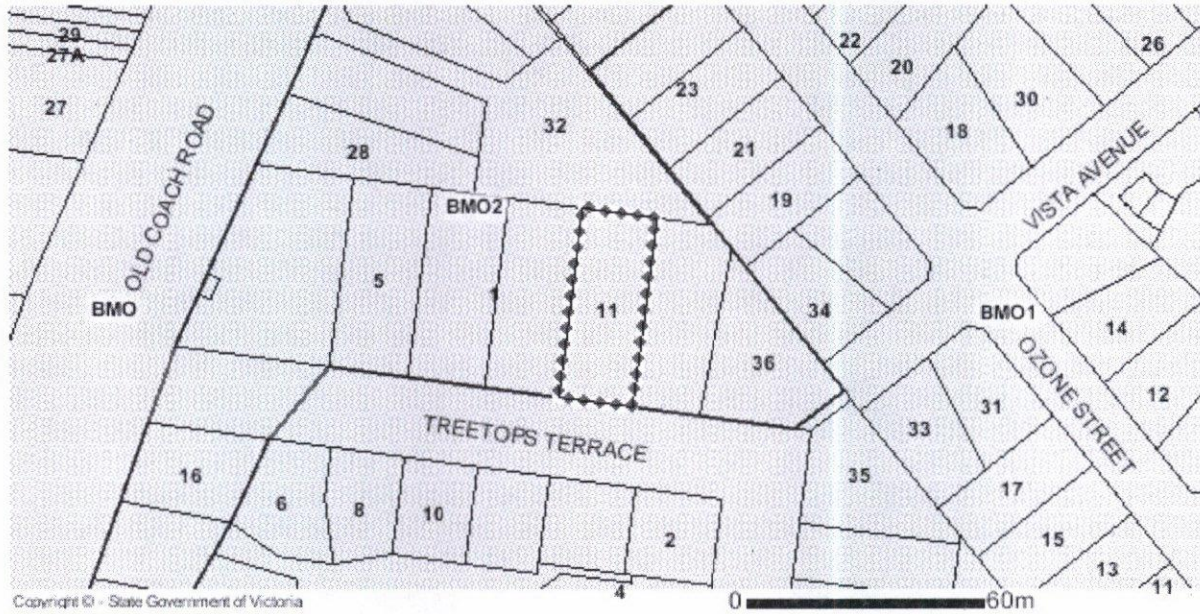
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Planning Overlays

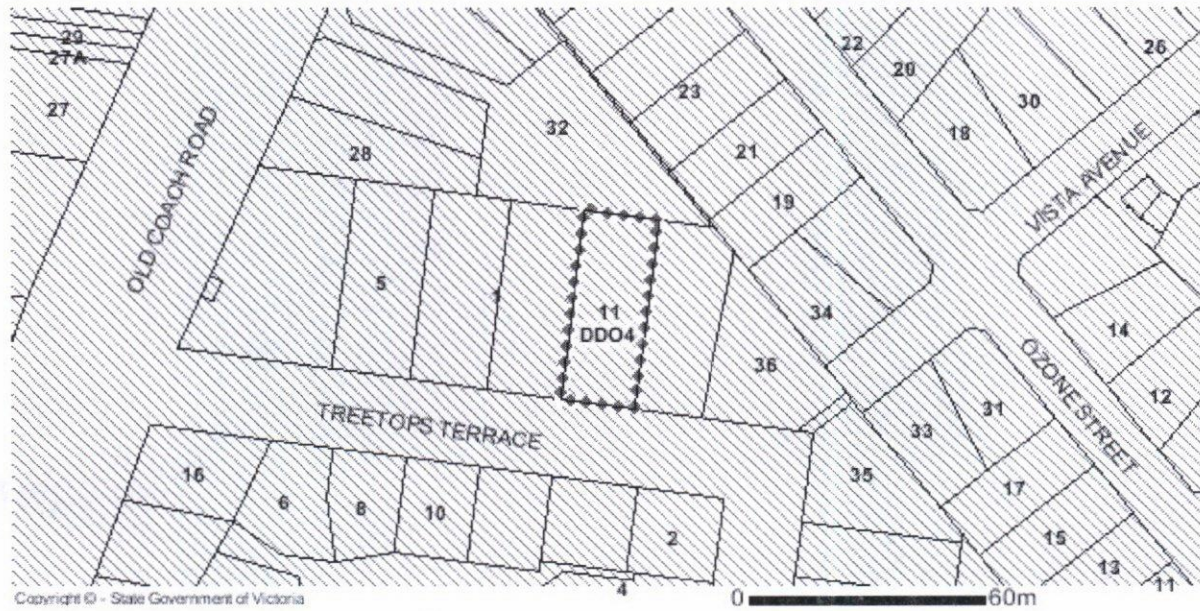
BUSHFIRE MANAGEMENT OVERLAY (BMO)

BUSHFIRE MANAGEMENT OVERLAY - SCHEDULE 2 (BMO2)



DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 4 (DDO4)



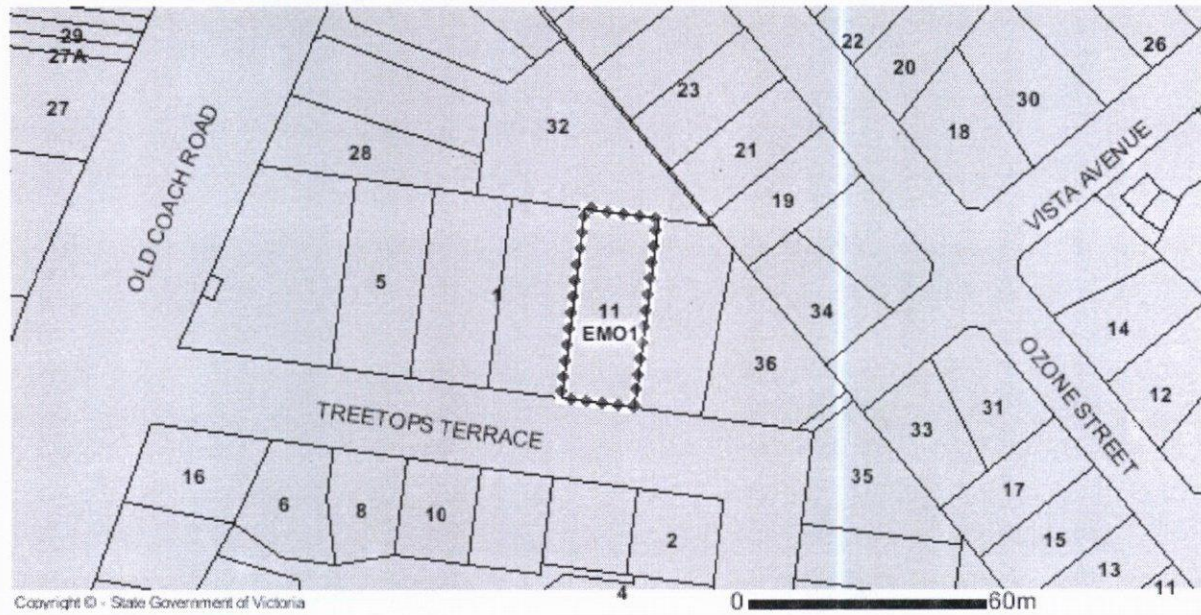
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Planning Overlays

EROSION MANAGEMENT OVERLAY (EMO)

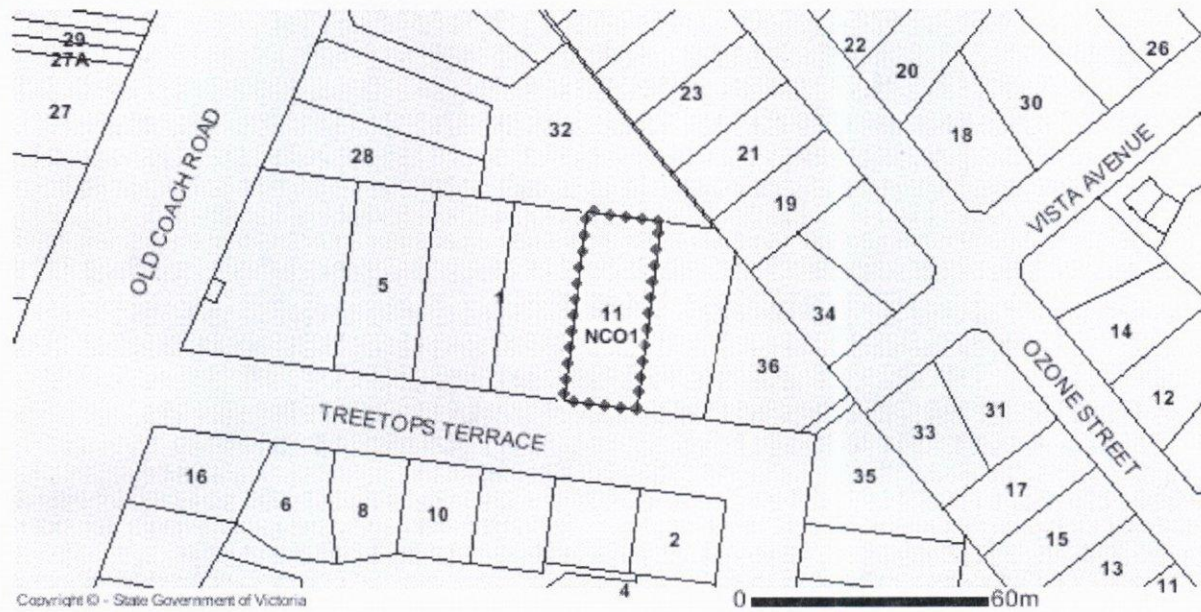
EROSION MANAGEMENT OVERLAY - SCHEDULE 1 (EMO1)



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NEIGHBOURHOOD CHARACTER OVERLAY (NCO)

NEIGHBOURHOOD CHARACTER OVERLAY - SCHEDULE 1 (NCO1)



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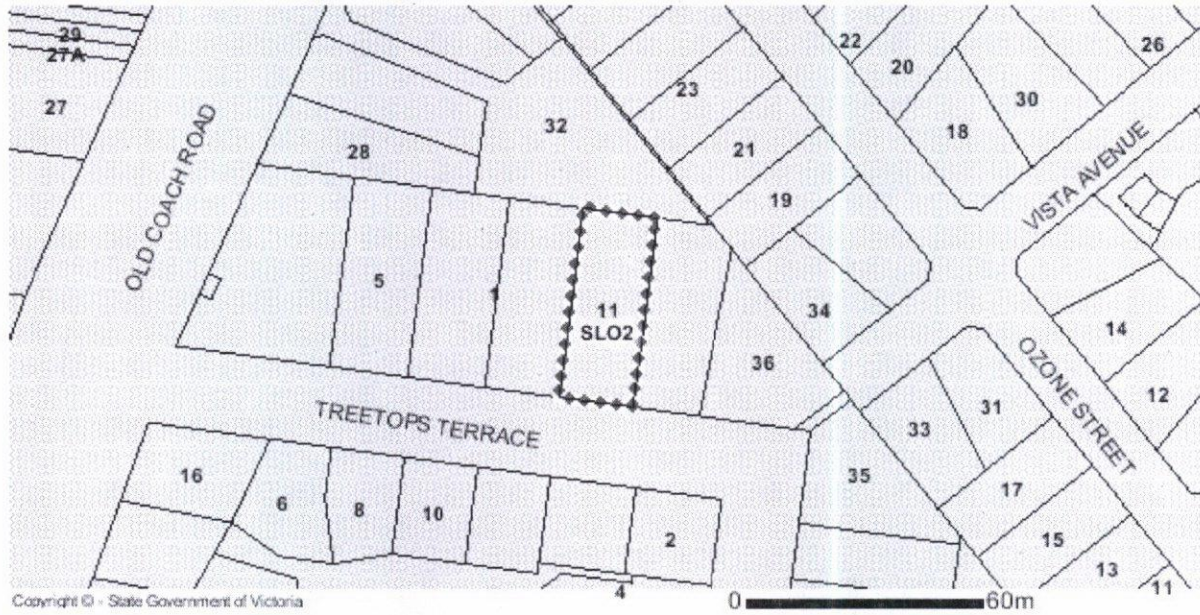
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Planning Overlays

SIGNIFICANT LANDSCAPE OVERLAY (SLO)

SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 2 (SLO2)



Overlays Legend

- | | |
|--|--------------------------------------|
| AEO - Airport Environs | IPO - Incorporated Plan |
| BMO - Bushfire Management | LSIO - Land Subject to Inundation |
| CLPD - City Link Project | MAE01 - Melbourne Airport Environs 1 |
| DCPD - Development Contributions Plan | MAE02 - Melbourne Airport Environs 2 |
| DDO - Design & Development | NCO - Neighbourhood Character |
| DDOPT - Design & Development Part | PO - Parking |
| DPO - Development Plan | PAO - Public Acquisition |
| EAO - Environmental Audit | RO - Restructure |
| EMO - Erosion Management | RCO - Road Closure |
| ESO - Environmental Significance | SBO - Special Building |
| FO - Floodway | SLO - Significant Landscape |
| HO - Heritage | SMD - Salinity Management |
| ICPD - Infrastructure Contributions Plan | SRD - State Resource |
| Railway | VPO - Vegetation Protection |
| Tram | River, stream |
| Lake, waterbody | |

Note: due to overlaps some colours on the maps may not match those in the legend.

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Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2007, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

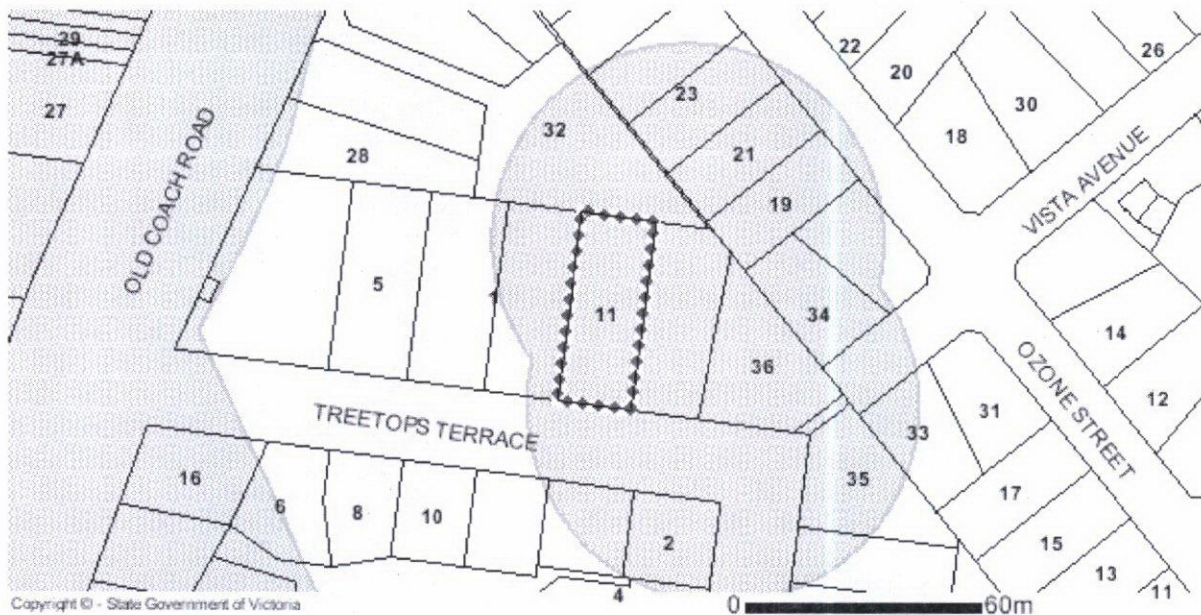
Under the Aboriginal Heritage Regulations 2007, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.aav.nrms.net.au/aavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2007, can also be found here - <https://www.vic.gov.au/aboriginalvictoria/heritage/planning-and-heritage-management-processes.html>



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Further Planning Information

Planning scheme data last updated on 30 October 2018.

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, local, particular and general 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 [Planning Schemes Online](#)

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the Planning & Environment Act 1987.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to [Titles and Property Certificates](#)

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 [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

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Geotechnical Assessment Report

11 Treetop Terrace, Skenes Creek

February 2019

**Prepared for:
Casey Clements**

**Report Date:
15854G**

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APPENDICES

Borehole plan..... Appendix A

Borelogs..... Appendix B

Site photographs..... Appendix C

Geotechnical Declaration: Form A Appendix D

Report Addendum..... Attachment

EXECUTIVE SUMMARY

We have been commissioned to investigate the site conditions at the address shown provide a geotechnical assessment report to meet the requirements of the Colac Otway Shire Planning Scheme Amendment C68: Schedule 1 to the Erosion Management Overlay (EMO).

Our geotechnical landslide risk assessment has found there are possible landslide events in the area, common to many sites in Otway region. However, subject to our recommendations and assessment of the risks, we conclude that there are no geotechnical reasons to prevent the issue of a permit to build the proposed residence on this site.

Following our geotechnical assessment for the proposed development and at the nominated location on this site, we have judged the landslide risk is "low" and that a landslide risk assessment in accordance with guidelines published by the Australian Geomechanics Society (AGS) journal Volume 42 No 1 of March 2007, entitled "Landslide Risk Management", is not required.

1.0 INTRODUCTION

Colac Otway Shire have developed an erosion management overlay (EMO1) for certain geological areas where potential risk of erosion or landslide have been identified.

Landslides, erosion and other forms of earth / rock movements are common throughout the Otway Ranges and are a continual natural process of geomorphological shaping of the land. Developments of sites in geologically active areas are potentially at risk of damage from natural soil or rock movements.

Whilst the risks due to soil movement can usually be identified and steps often be taken to mitigate or reduce the risks to acceptable levels, it is not always feasible to entirely eliminate the risks of damage or personal injury entirely.

2.0 SCOPE OF REPORT

St. Quentin Consulting was commissioned by the client to provide a geotechnical assessment on the property to meet the requirements of the Colac Otway Shire: EMO1.

The purpose of the assessment is to identify possible landslide hazards on the subject site near the proposed development location and to provide guidance and options for possible risk mitigation.

3.0 DEVELOPMENT DESCRIPTION

The proposed development is the construction a new dwelling two storey dwelling on the site.

Supplied plans indicate that the development will be positioned near the rear of the site. Plans and elevations prepared by the designer are considered to be an accurate representation of the proposed works. Refer to the proposed plans (referenced in our geotechnical declaration) and our attached photos and diagrams.

4.0 TESTING PROGRAM AND FINDINGS

4.1 Data gathering – desk top studies and previous investigations

There have been many of private and published landslide risk assessment reports conducted in the Otway Ranges (refer references). These reports suggest that landslide hazards are evident in particular areas and that inappropriate development can result in and contribute to slope failure.

In preparation of our field investigation of the site, preliminary data was gathered from the following sources:

- Colac Otway Shire – landslide details and website information: inventory of known major landslides within the Shire developed by A.S. Miner Geotechnical and Dahlhaus Environmental Geology Pty Ltd.
- Corangamite Catchment Management Authority – ‘CCMA’ published landslide details, susceptibility mapping, field guide and information on its website.
- Department of Primary Industries – GeoVic website: details on geological features and mapping and the Victorian Resources Online website: information about soil properties.
- Federation University– UB Spatial: digital database of landslide, erosion features.
- Aerial photos and maps published by Nearmap.com & Googlemaps.com.
- Previous investigations and reports by us and other consultants, published and unpublished.
- Plans and elevations prepared by the designer.
- Previous site classification report prepared by others.

4.2 Field investigations

4.2.1 Site inspection and mapping

A thorough geomorphological appraisal of the site was conducted, identifying the main features of the site and the surrounding area to identify evidence of slope instability and past slope failures. Slope angles were measured with an inclinometer.

A plan showing the approximate borehole location and plan showing main geomorphic features is presented in Appendix A.

4.2.2 Site description and geomorphology

The existing site is vacant and part of a recent subdivision development. The site features a small site cut (batter) of about 1.0m at the rear of the site to that has been constructed to accommodate the proposed residence and a fill batter at the front of the site. We understand the proposed residence will be sited within the cut area only. The geomorphology across the subdivision area indicates relatively low slope angles. The overall natural slope of the land is judged to be about 10° toward the south which is consistent with the slope in the local area.

We noted surface cut-off drains had been constructed on the upslope of the property (above the existing site cut) with run-off directed toward the front of the site and connected to the legal point of discharge.

The attached photos (in Appendix C) also show various views of the site including some of the above-mentioned features.

4.2.3 Sub-surface conditions

Two boreholes were drilled as deep as possible in the proposed development area using hand equipment and one excavation exposure was inspected. Disturbed soil samples were continuously collected logged and hand classified by an experienced and qualified geologist or geotechnical engineer. A description of the soil types observed in the boreholes is shown in Appendix B.

Our investigation has revealed the soil profile comprises mainly silty sand and silty clay derived from weathering of Cretaceous age sandstone sediments known as the Eumeralla Formation. The composition of the soil layers in and near the proposed house area indicates the soil is “residual” having been formed in-situ and have judged the presence of significant colluvium onsite is unlikely. This is also supported by exposed shallow weathered rock (at about 1.0m). Refer also to the following section for a description of previous nearby movements.

4.2.5 Groundwater conditions

No permanent table was encountered during testing however a “perched water table” often develops after prolonged wet periods in the upper soil layers. Such a perched water table may prove problematic if construction is commenced after wet periods. Deep excavations may collapse without warning after wet periods. More details on drainage are given in Section 8.2.

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4.3 Previous landslide movements

There are several large landslide features in the Skenes Creek locality, however no significant landslide features were identified on the subject site. Inventory Mapping (collated by A.S. Miner Geotechnical and Dahlhaus Environmental Geology Pty Ltd), refer Figure 2 & 3 identify a number of large landslide features including one emanating from the north and encompassing the site (Roberts 2006-2004). We have judged the concave and poorly drained geomorphology locally infers a possible ancient 'fossil' landslide however the boundaries may not be accurate informed by residual soil and presence of shallow rock encountered in our borehole logs.

We have previously noted surface run-off and minor 'rill' erosion (scour) noted in the vicinity of Treetops Terrace reserve and adjacent street, including Vista Avenue. We noted however that remedial works / mitigation measures have since been constructed and reduced visible erosion. Refer Appendix C for photographs.

The relatively low slope angle suggests it is relatively stable however we suspect the ongoing creep is likely in steep unsupported however unlikely to significantly affect the residence given the existing site cut and founded depth (into rock). Note that we are aware of more recent creep that has occurred within the Skenes Creek township that has affected open excavations and existing dwellings, resulting in building movement and minor structural damage. Similar creep could impact areas of the site, particularly open excavations or unsupported cuts.

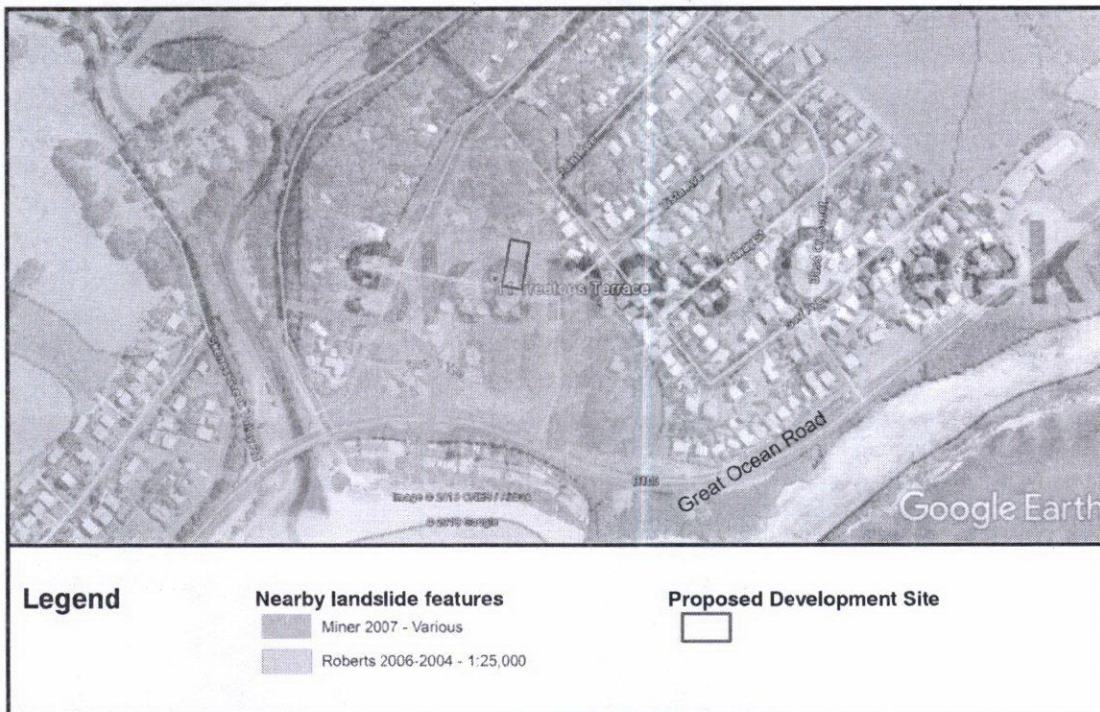


Figure 2: Google Earth and Department of Primary Industries Skenes Creek Colac-Otway Shire Landslide Inventory Mapping Overlay (A.S. Miner Geotechnical and Dahlhaus Environmental Geology Pty Ltd)

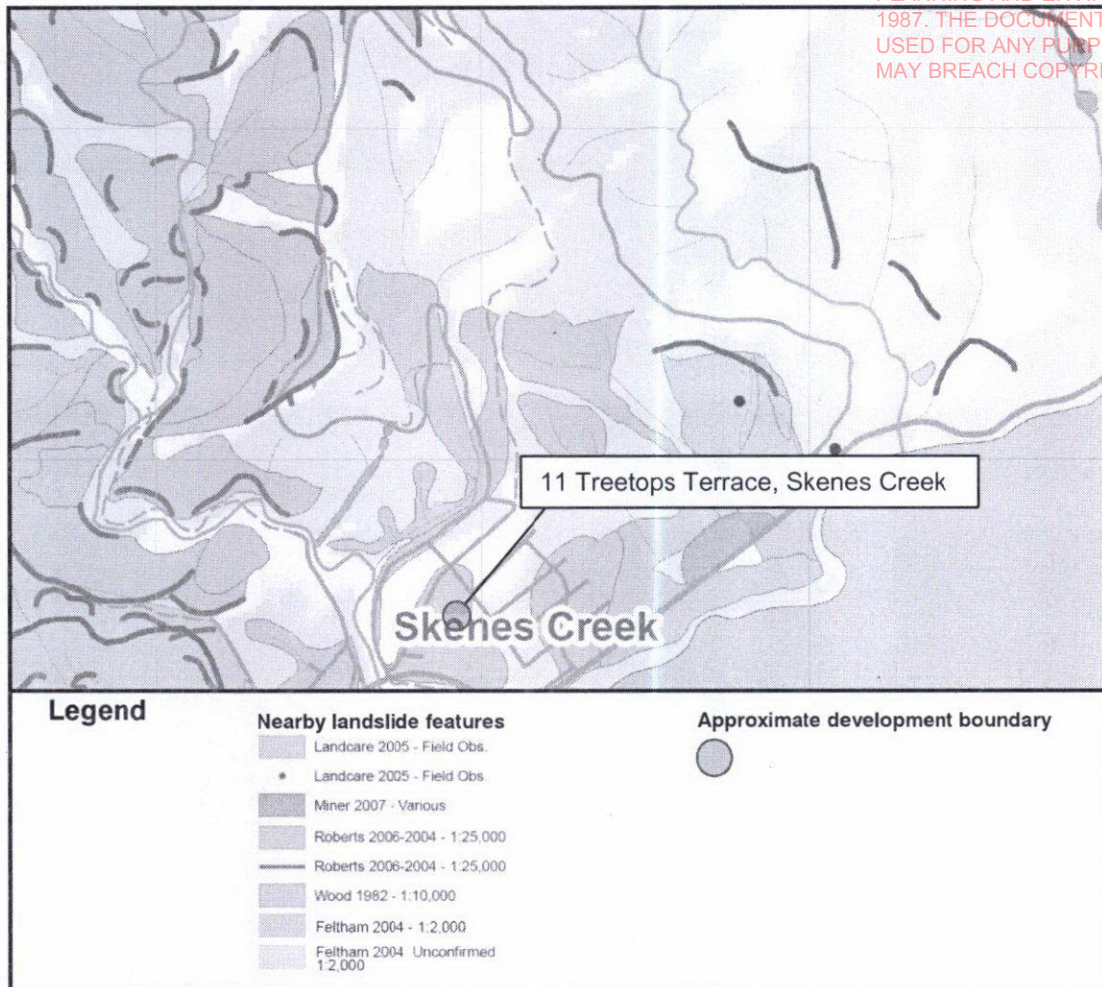


Figure 3: Department of Primary Industries Kennett River Colac-Otway Shire Landslide Inventory Mapping (A.S. Miner Geotechnical and Dahlhaus Environmental Geology Pty Ltd)

5.0 GEOTECHNICAL STATEMENT REQUIRED BY EMO SCHEDULE 1

In accordance with Colac Otway Shire Planning Scheme, Erosion Management Overlay (EMO)_44.01 we provide the following information.

5.1 Practitioner details

The author of this report is Cameron Farrar, a professional geotechnical engineer with a Bachelor of Engineering and is registered member of the Institute of Engineers and Australian Geomechanics Society. The author has 17 years of experience in geotechnical engineering and management of slope instability issues and landslip risk management.

5.2 Currency

This report is based on field measurements made less than 12 months ago.

5.3 Site description

Refer to section 4.2.2.

5.4 Site assessment plans

Appendix A show slope details of the development site area.

5.5 Sub-surface conditions

Borelogs, presented in Appendix B and section 4.2.3 describe the site's subsurface features.

5.6 Natural slope failure

Past failures and were identified on and near the site. Refer to section 4.3.

5.7 Site investigations

A site investigation was conducted to examine and sample the soil profile in order to assess the geotechnical/geological model. Details of the soil conditions revealed are included in this report (Appendix B) and are described in item 4.2.3 above.

5.8 Sub-surface investigation

Geological soil and rock samples were recovered from test boreholes for examination by a professional geotechnical engineer.

5.9 Landslide risk

The risks for slope instability hazards identified are of an acceptable risk level and will remain so over the design life of the proposed development (as presented in development plans).

5.10 Development suitability

The subject lot is suitable for the proposed development and the proposed development can meet the acceptable risk criteria, as defined in the EMO schedule.

In our opinion the development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject lot or adjoining or nearby land.

The subject lot is suitable for the proposed development and the proposed development can meet the tolerable risk criteria, as defined in the EMO schedule.

5.11 Special conditions and inspections

In our opinion and subject to our recommendations, no other special geotechnical conditions are required for approval of the development and a program of periodic inspections is not required.

5.12 Time frame

If the proposed works are not completed within 12 months of the date of this report this report may need to be re-evaluated.

6.0 SUMMARY OF RISKS AND CONCLUSION

Our geotechnical assessment has not identified significant risks of loss of life and damage to property on the site. We have determined the risks associated with building on the proposed site are "low" and that a landslide risk assessment is not warranted for the proposed development.

7.0 RECOMMENDATIONS

7.1 Site recommendations

We have no geotechnical objections to the construction of an appropriately designed development. The proposed development is considered appropriate for the site.

Note that an increase in slope failure and erosion can be expected if an inappropriate development is undertaken or if site maintenance is neglected. Maintaining the site drainage and monitoring the site and buildings for any evidence of soil or slope movement are very important aspects of the ongoing site maintenance requirements.

7.2 Drainage management

Careful attention to drainage is essential to reduce the slope failure and erosion. Therefore, surface water must therefore be prevented from ponding anywhere on or near the site.

The drains must be positioned and constructed with sufficient fall to discharge completely to prevent water from accumulating in the soil anywhere near the buildings. Any blockages must be cleared and repaired promptly.

Care must also be taken to ensure that all levelled areas (vehicle parking bays, recreation areas etc.) have a slight fall ($\geq 2^\circ$) to prevent surface water from ponding or seeping into the ground and diverted away from the buildings.

We have previously noted surface run-off and minor 'rill' erosion noted in the vicinity of Treetops Terrace and adjacent streets. We expect the similar surface erosion may occur, particularly in steep cuts and fill could occur. We recommend steep batters be protected using a suitable geotextile and include re-vegetation where practical.

7.3 Site vegetation

Suitable vegetation significantly improves the stability of a site by reducing the soil moisture content, minimising soil erosion and binding the soil structure together. Large trees should be retained wherever possible. Where large tree removal is necessary to accommodate the proposed building, they should be cut off at ground level with the root structures left intact.

7.4 Site excavations and fill batters

All site excavations and unsupported filled zones deeper than 1.0m must be retained by engineer-designed retaining walls with appropriate drainage features or be constructed with a flat batter angle ~ 30°.

The construction of appropriately designed walls or battered slopes will reduce the risk of soil movement and the collapse of any proposed site excavations.

7.5 Site classification

This site has been classified M in accordance with Section 2 of AS2870-2011 which suggests moderately reactive soil conditions. We estimate the characteristic surface movement to range between 20-40mm, for climate category 1.

Australian Standard AS2870-2011 provides the following system of site classification for residential footing designs:

Site Classification	Foundation Type
A	Most sand and rock sites with negligible ground movement from moisture change
S	Slightly reactive clay sites subject to slight ground movement from moisture change
M	Moderately reactive clay sites subject to moderate ground movement from moisture change
H1/H2	Highly reactive
E	Extremely reactive
P	Sites with environmental factors that may affect the performance of the building including trees, deep fill, recently removed building, abnormal moisture conditions, soft soils, landslide risk or erosion.

NOTE 1: AS2870-2011 recommends a site inspection during excavation to confirm the soil profile.

NOTE 2: The above classification is made assuming that the site will not change significantly before construction of the proposed building. Site cuts greater than 500mm or the placement of addition uncontrolled fill is considered a significant change and the site may need to be re-classified.

We recommend that an experienced structural engineer be commissioned to design footings and any retaining structures higher than 1m.

We recommend all footings extend into highly weathered rock and the footing system be designed to resist possible differential movement due to the variation of surface movement across the building envelope due to the previous site cut.

7.6 Raft slab footings

The use of an engineer designed raft slab for a Class M classification is considered appropriate. The slab must be detailed as specified in Section 5 and constructed in accordance with Section 6 of AS2870-2011.

During our investigation revealed a suitable founding depth for slab beams was found as follows:

Borehole	Minimum Founding Depth	Minimum Beam Depth	Founding Stratum	Minimum Allowable Bearing Capacity
1	1200 mm	500mm	Highly Weathered Rock	200 kPa
2	700 mm	500mm	Highly Weathered Rock	200 kPa
3	1300 mm	500mm	Highly Weathered Rock	200 kPa

NOTE: The above quoted depths were determined from surface level at the time of testing and may vary across the site or if the site is cut and/or filled. We recommend the footings penetrate the recommended "Founding Stratum" by at least 200mm.

7.7 Pad / Strip footings

Due to the presence of isolated fill in the vicinity of the swim spa, isolated footings may prove to provide a more cost-effective solution. On this basis, we recommend engineer-designed footings designed according to the principles of AS 2870-2011 Section 4 and constructed in accordance with Sections 5 & 6.

During our investigation revealed a suitable founding depth for strip/pad was found as follows:

Borehole	Minimum Founding Depth	Founding Stratum	Minimum Allowable Bearing Capacity
1	1200 mm	Highly Weathered Rock	200 kPa
2	700 mm	Highly Weathered Rock	200 kPa
3	1300 mm	Highly Weathered Rock	200 kPa

NOTE: The above quoted depths were determined from surface level at the time of testing and may vary across the site or if the site is cut and/or filled. We recommend the footings penetrate the recommended

7.8 Bored piers

Where deep bored piers are required, we recommend the following design parameters, presented in Table 4. These values are based on our test results and compared to published tables where required.

Depth below surface	Soil material	Undrained shear strength (Su)	Friction angle (ϕ)
1500mm	weathered rock	150 kPa	30°

#According to Terzaghi and Peck (1967)** the cohesion value of compacted sand / clay fill should be taken as zero and the strength should be derived from the friction angle (ϕ). Reference to published tables indicates that a friction angle (ϕ) of 20° would be appropriate for the design process in the sand / clay fill if required for the design process.

Note that in clay soils such as occurs in some of the boreholes on this site, an allowance should be made for shrinkage of the clay away from the footing at shallow depths. We recommend that "skin friction" be assumed to be zero for depths shallower than 1.0m below finished surface level.

7.9 In-fill floor recommendations

In-fill type floor slabs for garages, verandahs etc., be separated from walls and footings by a compressible strip and contain regular saw cuts or groove joints to control cracking. Such slabs are not considered to be a structural part of the building and minor cracking or movement may occur.

7.10 General recommendations

The satisfactory performance of buildings on this site depends on good engineering and building practice. This includes:

- a) Design of an appropriate development for the site;
- b) Use of flexible construction materials whenever possible which are "movement tolerant" (eg. clad frame is preferable to brick and articulated brick or stone walls are preferable to non-articulated);
- c) Minimisation of site excavations wherever possible and the provision of adequate retaining structures and drainage for cut faces (or batter at an appropriate angle);
- d) A re-vegetation program including planting suitable trees and shrubs (preferably indigenous) at an appropriate distance from the buildings to help support the soil and minimise erosion;
- e) Appropriate site drainage to ensure surface water, excess roof water and household effluent (where relevant) does not pond or seep into the ground near building envelope;
- f) Diversion on uncontained water around the building envelope area and be widely dispersed laterally well below the house site;
- g) regular maintenance by the owner, including clearing of surface drains, sub-surface drains, repair of leaking plumbing, monitoring the site and buildings for any evidence of soil or slope movement and seeking immediate advice should any building distress become apparent.

Refer also to the attached Appendices for more general advice.

ST QUENTIN CONSULTING



Cameron Farrar
Geotechnical Engineer, MIE Aust (Reg No 4367740)

References

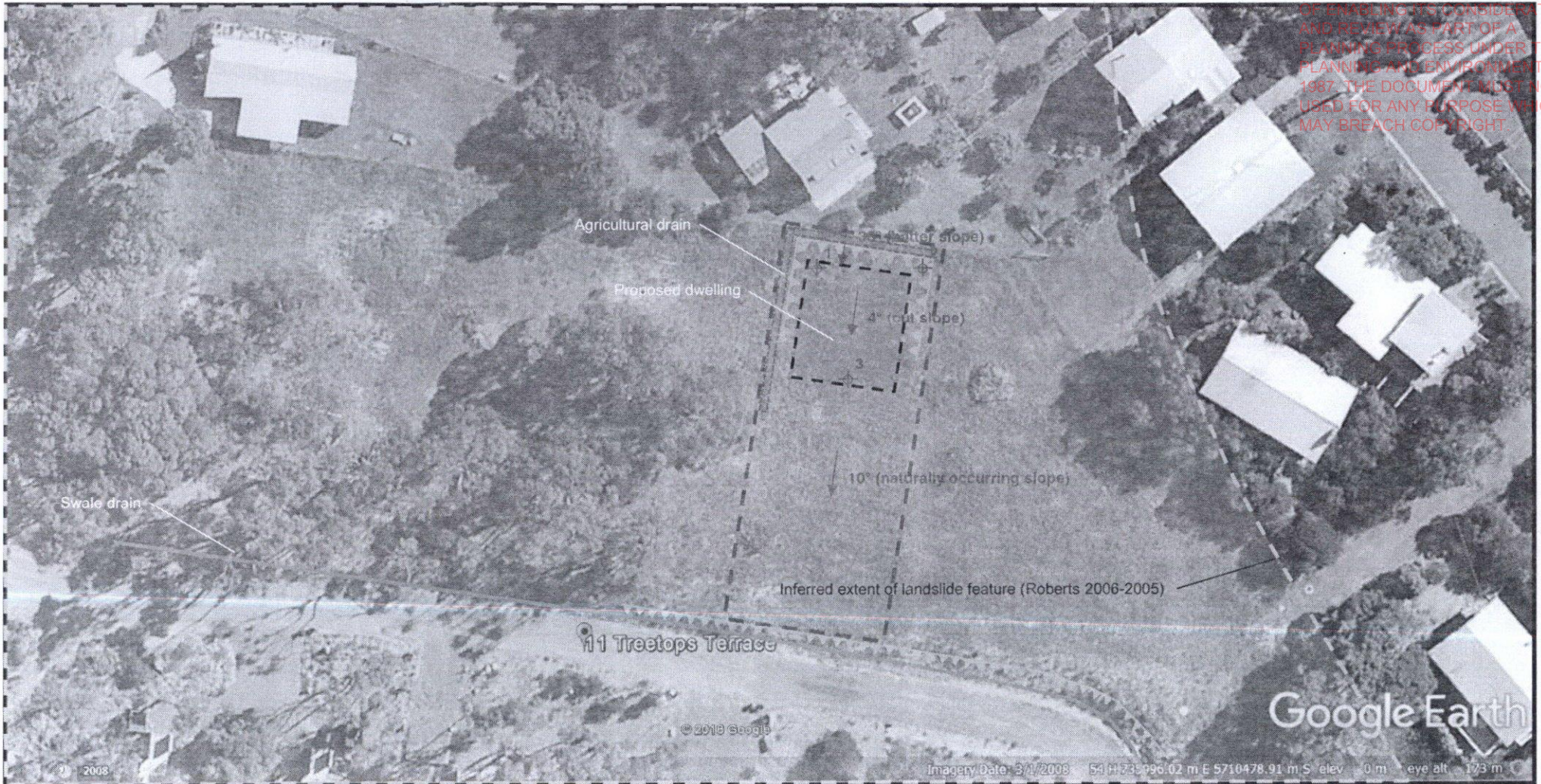
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Appendix A
Borehole location

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

Test site location plan:
 11 Treetops Terrace,
 Skenes Creek
 Map source: Google Earth,
 January 2008

Legend:


	Test site		Scarp
	Study area		Water course
	Break in slope (convex)		Inferred colluvium
	Break in slope (concave)		Proposed development
	Ridgeline		Slope

Project Ref:
 15854G





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Appendix B
Borelogs


BOREHOLE LOG		Test Methods: AS1289.1.2.1 VicRoads TB40 AS1289.6.3.2 AustStab Nat07 AS1726 AS1547		 ST. QUENTIN Surveyors									
Client: Andrew & Angela Hayes Location: 11 Treetops Terrace Skenes Creek, Victoria		Project No.: 15854G Borehole No.: BH 1 Date: 26/02/2019		Sheet: 1 of 1 Logged by: C.F. Checked by: C.F.									
Depth (metres)	Graphic Log	Material Description <small>Type, Plasticity, Colour, Particle characteristics</small>	Degree of Weathering				Soil Profile Photograph	Rock Strength			Sample / Test	Test Results	Geology and additional observations
			XW	HW	MW	SW		FS	L	M			
0.2		Silty Sand (SM) Fine to medium grained, brown, dry											
0.30													
0.4		Sandy Clay (Cl) Fine to medium grained, brown, dry											
0.6													
0.8													
1.0													
1.10													
1.2		Extremely weathered rock (XW) Very low strength rock, sandstone/mudstone, yellow											
1.20		Highly weathered rock (HW) Low strength rock, sandstone, yellow/orange											
1.30		Borehole 1 terminated at 1.3m											
1.4													
1.6													
1.8													
2.0													
2.2													
2.4													
Method: <input checked="" type="checkbox"/> Hand Auger <input type="checkbox"/> Auger Drilling <input type="checkbox"/> Roller/Tricone <input type="checkbox"/> Washbore <input type="checkbox"/> Non Destructive Digging		Degree of Weathering XW Extremely Weathered Rock HW Highly Weathered Rock MW Moderately Weathered Rock SW Slightly Weathered Rock FR Fresh Rock	Rock Strength L Low M Medium H High EH Extremely High	Samples & Field Tests U50 Undisturbed Sample 50mm U63 Undisturbed Sample 63mm DS Disturbed Sample BS Bulk Disturbed Sample ES Environmental Sample	PP Pocket Penetrometer (kPa) N Standard Penetration Test V Pilon Shear Vane (kPa) DCP Dynamic Cone Penetrometer Test								

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BOREHOLE LOG		Test Methods: AS1289.1.2.1 VicRoads TB40 AS1289.6.3.2 AustStab Nat07 AS1726 AS1547		 ST. QUENTIN Surveyors & Engineers										
Client: Andrew & Angela Hayes Location: 11 Treetops Terrace Skenes Creek, Victoria		Project No.: 15854G Borehole No: BH 2 Date: 26/02/2019		Sheet: 1 of 1 Logged by: C.F. Checked by: O.R.										
Depth (metres)	Graphic Log	Material Description <small>Type, Plasticity, Colour, Particle characteristics</small>	Degree of Weathering				Soil Profile Photograph	Rock Strength				Sample / Test	Test Results	Geology and additional observations
			XW	HW	MW	SW		FS	L	M	H			
0.2 0.4 0.6 0.8 1.0 1.2 1.4 1.6 1.8 2.0 2.2 2.4		Very low strength rock, sandstone/mudstone, yellow												
		Borehole 2 terminated at 0.6m on highly weathered rock												

Method: <input checked="" type="checkbox"/> Hand Auger <input type="checkbox"/> Auger Drilling <input type="checkbox"/> Roller/Tricone <input type="checkbox"/> Washbore <input type="checkbox"/> Non Destructive Digging	Degree of Weathering XW Extremely Weathered Rock HW Highly Weathered Rock MW Moderately Weathered Rock SW Slightly Weathered Rock FR Fresh Rock	Rock Strength L Low M Medium H High EH Extremely High	Samples & Field Tests U50 Undisturbed Sample 50mm U63 Undisturbed Sample 63mm DS Disturbed Sample BS Bulk Disturbed Sample ES Environmental Sample	PP Pocket Penetrometer (kPa) N Standard Penetration Test V Picon Shear Vane (kPa) DCP Dynamic Cone Penetrometer Test
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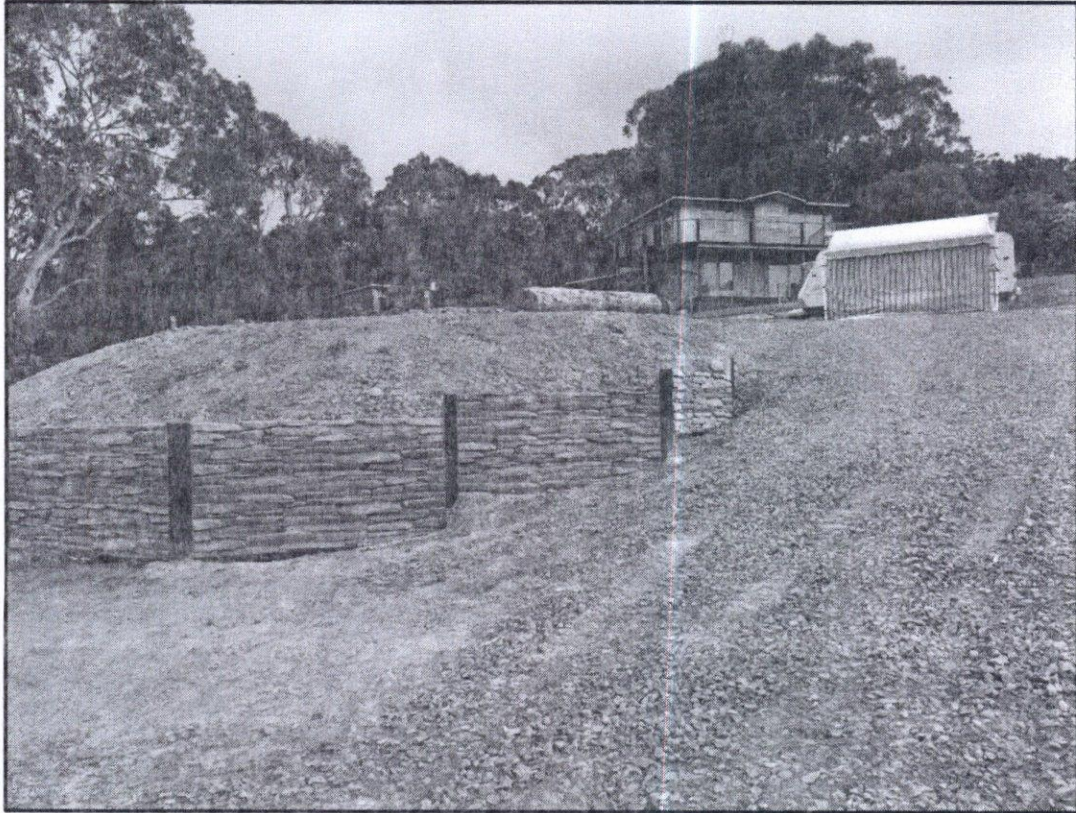
BOREHOLE LOG		Test Methods: AS1289.1.2.1 VicRoads TB40 AS1289.6.3.2 AustStab Nat07 AS1726 AS1547		 ST. QUENTIN Surveyors										
Client: Andrew & Angela Hayes		Project No.: 15854G		Sheet: 1 of 1										
Location: 11 Treetops Terrace Skenes Creek, Victoria		Borehole No.: BH 3		Logged by: C.F.										
		Date: 26/02/2019		Checked by: C.F.										
Depth (metres)	Graphic Log	Material Description <small>Type, Plasticity, Colour, Particle characteristics</small>	Degree of Weathering				Soil Profile Photograph	Rock Strength				Sample / Test	Test Results	Geology and additional observations
			XW	HW	MW	SW		FS	L	M	H			
0.2		Silty Sand (SM) Fine to medium grained, brown, dry												
0.30														
0.4		Sandy Clay (Cl) Fine to medium grained, brown, dry												
0.6														
0.8														
1.0														
1.10														
1.2		Extremely weathered rock (XW) Very low strength rock, sandstone/mudstone, yellow												
1.20														
1.30		Highly weathered rock (HW) Low strength rock, sandstone, yellow/orange												
1.30														
1.4		Borehole 3 terminated at 1.3m												
1.6														
1.8														
2.0														
2.2														
2.4														
Method: <input checked="" type="checkbox"/> Hand Auger <input type="checkbox"/> Auger Drilling <input type="checkbox"/> Roller/Tricone <input type="checkbox"/> Washbore <input type="checkbox"/> Non Destructive Digging		Degree of Weathering XW Extremely Weathered Rock HW Highly Weathered Rock MW Moderately Weathered Rock SW Slightly Weathered Rock FR Fresh Rock	Rock Strength L Low M Medium H High EH Extremely High		Samples & Field Tests U50 Undisturbed Sample 50mm U63 Undisturbed Sample 63mm DS Disturbed Sample BS Bulk Disturbed Sample ES Environmental Sample PP Pocket Penetrometer (kPa) N Standard Penetration Test V Pilcon Shear Vane (kPa) DCP Dynamic Cone Penetrometer Test									

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Appendix C
Site photographs

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Existing development area (north view)



Existing development area (south view)

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Adjacent site (east view)



Adjacent site (west view)

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Existing site cut rear (north view)

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Ozone Street frontage, surface erosion following rain event (22.03.17)

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Appendix D

Geotechnical Declaration: Form A

FORM	A	Geotechnical Declaration and Verification Development Application	
Office Use Only			
<p>To be submitted with planning application. It must accompany the Geotechnical Assessment and/or Landslip Risk Assessment. This form is essential to verify that the Geotechnical Assessment and/or Landslip Risk Assessment has been prepared in accordance with Cl 44.01 of the Colac Otway Planning Scheme and that the author of the Assessment/s is a geotechnical engineer or engineering geologist as defined by this clause.</p>			
Section 1		Related Application	
Planning Application Number (if known)			
DA Site Address	11 Treetop Terrace, Skenes Creek		
DA Applicant	Casey Clements		
Section 2		Geotechnical Assessment and /or Landslip Risk Assessment	
Details	Title: Geotechnical Assessment Report 11 Treetop Terrace, Skenes Creek		
	Author's Company/Organisation Name: St Quentin Consulting		Report Reference No: 15854G
	Author: Cameron Farrar		Dated: February 2019
Section 3		Checklist	
<p>Geotechnical Requirements (Tick as appropriate)</p> <p>Yes No</p>		<p>Assessment and/or Landslip Risk Assessment. The report must also cover any additional matters required by Clause 44.01. This checklist must accompany each report. Each item is to be cross-referenced to the section or page of the Geotechnical Assessment and/or Landslip Risk Assessment which addresses that item.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A review of readily available history of slope instability in the site or related land as per: Section 4.1 and 4.3	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	An assessment of the risk posed by all reasonably identifiable geotechnical hazards as per: Section 6	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plans and sections of the site and related land as per: Section 4.2.2 and Appendix A & B	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Presentation of a geological model as per: Section 4.2.3 and Appendix A & B	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs and/or drawings of the site as per: Appendix A, B & D	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A conclusion as to whether the site is suitable for the development proposed to be carried out as per: Section 7	
<input type="checkbox"/>	<input type="checkbox"/>	If any items above are ticked No, an explanation is to be included in the report to justify why.	
		Subject to recommendations and conditions relevant to:	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Selection and construction of footing systems	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Earthworks	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Surface and sub surface drainage	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommendations for the selection of structural systems consistent with the geotechnical assessment of the risk	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any conditions that may be required for the ongoing mitigation and maintenance of the site	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Highlighting and detailing the inspection regime to provide adequate notification for all necessary inspections	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	State Design life adopted: 50 years	
<p>NOTE: THIS FORM IS ADAPTED FROM: PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007 Australian Geomechanics Vol 42 No 1 March 2007</p>			

FORM	A	Geotechnical Declaration and Verification Development Application	
Section 4 List of pertinent drawings and documents referenced in Geotechnical Report			
Document	Description	Reference	Date
Site plan	Kris Thomas Building Design: Neighbourhood & Site Description Plan	Sheet 1 of 6	5/11/18
Design Response	Kris Thomas Building Design: Design Response Site Plan	Sheet 2 of 6	5/11/18
Floor plan (Lower)	Kris Thomas Building Design: Lower Floor Plan	Sheet 3 of 6	5/11/18
Floor plan (Upper)	Kris Thomas Building Design: Upper Floor Plan	Sheet 4 of 6	5/11/18
Elevations 1	Kris Thomas Building Design: Elevations North & East	Sheet 5 of 6	5/11/18
Elevations 2	Kris Thomas Building Design: Elevations South & West	Sheet 6 of 6	5/11/18
Section 5 Declaration			
Declaration (Tick all that apply)		I am a geotechnical practitioner as defined by the Schedule 1 to the Erosion Management Overlay and on behalf of the company below:	
Yes	<input checked="" type="checkbox"/>	No	I am a geotechnical engineer or engineering geologist as defined by the Colac Otway Planning Scheme and on behalf of the company below
Yes	<input checked="" type="checkbox"/>	N/A	I am aware that the Geotechnical Assessment and/or Landslip Risk Assessment I have either prepared or am technically verifying (referenced above) is to be submitted in support of a planning application for the proposed development site (referenced above) and its findings will be relied upon by the Colac Otway Shire Council in determining the planning application
Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/> I prepared the Geotechnical Assessment and/or Landslip Risk Assessment referenced above in accordance with the Colac Otway Planning Scheme and the AGS Guidelines 2007as defined in the planning scheme.
Yes	<input checked="" type="checkbox"/>	No	I technically verify that the Geotechnical Assessment and/or Landslip Risk Assessment referenced above has been prepared in accordance with the Colac Otway Planning Scheme and the AGS Guidelines 2007 as appropriate.
Yes	<input checked="" type="checkbox"/>	No	I technically verify that the Geotechnical Assessment prepared for the planning application for the site confirms the land can meet the acceptable risk criteria specified in the schedule to Clause 44.01 of the Colac Otway Planning Scheme taking into account the total development and site disturbance proposed.
Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/> I technically verify that the Landslip Risk Assessment prepared for the planning application for the site confirms the land can meet the tolerable risk criteria specified in the schedule to Clause 44.01 of the Colac Otway Planning Scheme taking into account the total development and site disturbance proposed.
Section 6 Geotechnical Engineer or Engineering Geologist Details			
Company/ Organisation Name		St Quentin Consulting	
Name (Company Representative)	Surname: Farrar		Mr /Mrs /Other: Mr
	Given Names: Cameron		
	Chartered Professional Status: Member Institute of Engineers		Registration No: 4367740
Signature			Dated: 20/02/2018

GEOTECHNICAL INVESTIGATION ADDENDUM

TESTING PROGRAMME & REPORT

1. Report has been prepared by qualified persons and based on current available standards.
2. Recommendations are based on the assumption that limited test positions are representative of the sub-surface profile.
3. Whilst care has been taken to accurately report on the sub-surface conditions across the site it is not possible to anticipate unexpected sub-surface variations given the limited testing performed.
4. Changes in legislative policy may require report update or additional testing.

The purpose of this report is to conduct a limited and preliminary geotechnical investigation. Where any variation or anomalies are encountered, we recommend additional investigation and reporting by us to resolve any potential issues.

GENERAL COMMENTS

St Quentin Consulting does not accept responsibility for our report where it has been altered or not reproduced in full, including addendum.

Dimensions, slope, test locations are approximate only and must not be used for calculation of positioning.

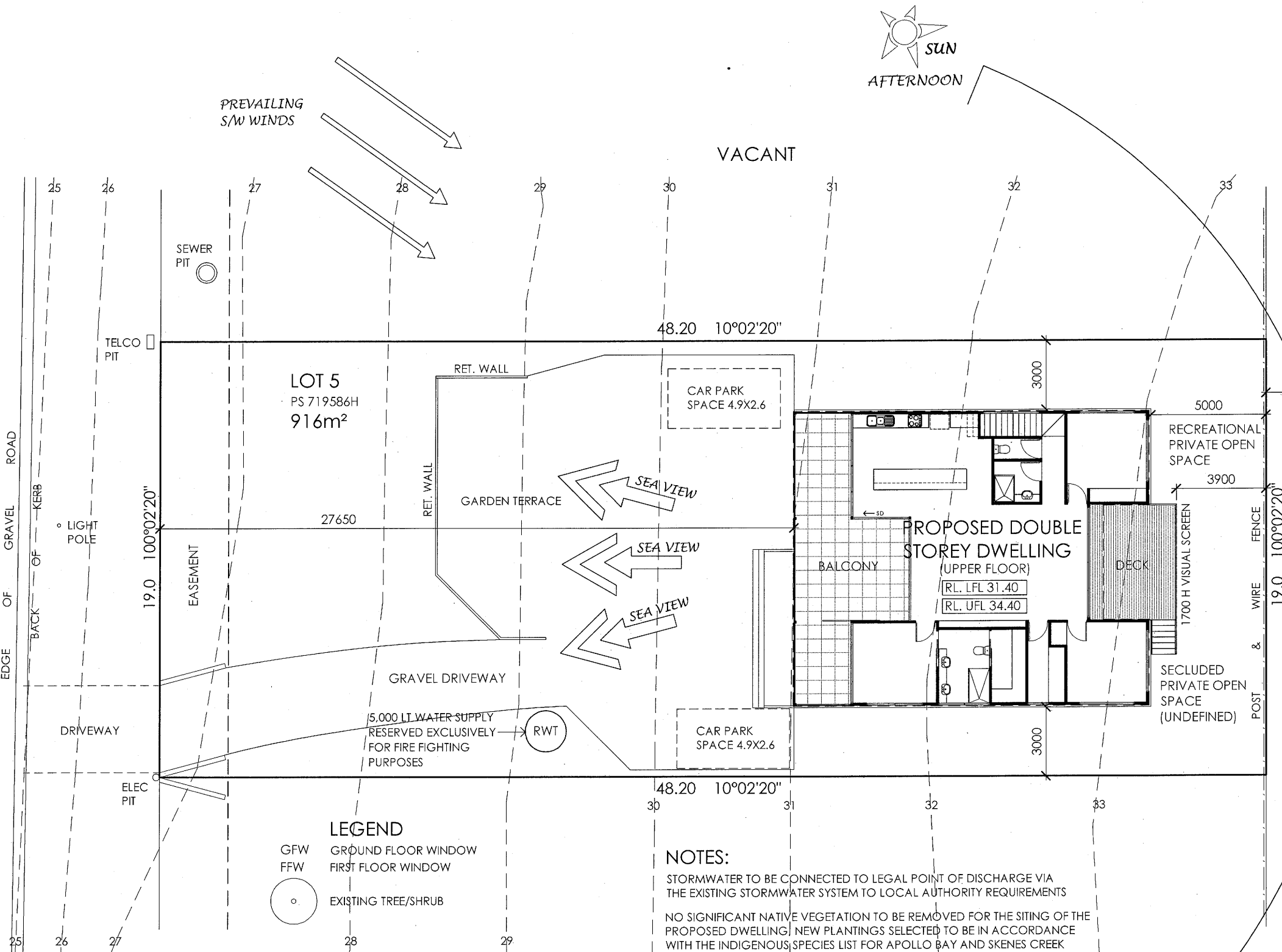
Recommendations are based on information regarding the site and development type provided by the client or agent. If information supplied is not accurate or if significant changes are required our report may be inappropriate. We cannot accept responsibility for significant changes and anticipate additional fees should further tests or report update be required.

Offset distance to any subsurface excavations must not exceed the minimum angle of repose for the in-situ naturally occurring soil. We estimate the maximum angle of repose for sand is 30 and 45 for clay soils. We do not recommend steeper angles unless competent rock is encountered.

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CLAUSE 54 OBJECTIVES
 NEIGHBOURHOOD CHARACTER OBJECTIVE
 STANDARD A1. THE PROPOSED DWELLING HAS BEEN DESIGNED TO RESPOND TO THE FEATURES OF THE SITE AND CONTRIBUTE TO THE PREFERRED NEIGHBOURHOOD CHARACTER
 STANDARD A2. THE PROPOSED DWELLING IS ORIENTED TO THE STREET
 STANDARD A3 MODIFIED REQUIREMENT. THE PROPOSED FRONT SETBACK IS 27.65m
 STANDARD A4 MODIFIED REQUIREMENT. BUILDING HEIGHT IS 7.7m APPROX., WITHIN 8.0m SHIRE SCHEDULE
 STANDARD A5 MODIFIED REQUIREMENT
 SITE COVERAGE - AREA OF ALLOTMENT - 91.6m²
 - AREA OF BUILDINGS - 203.8m²
 - SITE COVERAGE - 22.2%

THIS COPIED DOCUMENT IS MADE AVAILABLE FOR THE SOLE PURPOSE OF ENABLING ITS CONSIDERATION OF THE PROPOSED DWELLING UNDER THE PLANNING AND ENVIRONMENT ACT 1987. THE DOCUMENT MUST NOT BE USED FOR ANY PURPOSE WHICH MAY BREACH COPYRIGHT.

EXIST. WEATHERBOARD HOUSE
 NOTE: SECLUDED AND RECREATIONAL PRIVATE OPEN SPACE LOCATED TO THE NORTH SIDE OF DWELLING

STANDARD A6 PERMEABILITY EXCEEDS 20%, 45.3% APPROX.
 STANDARD A7 THE PROPOSED DWELLING IS ORIENTED TO MAKE USE OF SOLAR ENERGY WITH NO UNREASONABLE REDUCTION OF SOLAR GAIN TO ADJOINING PROPERTIES
 STANDARD A8 NO TREE/SHRUB TO BE REMOVED FOR THE SITING OF THE PROPOSED DWELLING
 AMENITY IMPACTS
 STANDARD A10 MODIFIED REQUIREMENT PROPOSED SIDE SETBACKS ARE 3.0m, REAR SETBACK 5.0m WITH A DECK ENCROACHMENT OF 1.1m
 STANDARD A11 MODIFIED REQUIREMENT NO WALLS TO BE CONSTRUCTED ON BOUNDARIES
 STANDARD A12 NO EFFECT ON DAYLIGHT TO EXISTING HABITABLE ROOM WINDOWS
 STANDARD A13 NO EFFECT ON SOLAR ACCESS TO EXISTING NORTH FACING HABITABLE ROOM WINDOWS
 STANDARD A14 NO UNREASONABLE OVERSHADOWING TO EXISTING PRIVATE OPEN SPACE
 STANDARD A15 NO OVERLOOKING WITHIN 9.0m TO EXISTING SECLUDED PRIVATE OPEN SPACE OR HABITABLE ROOM WINDOWS
 ON-SITE AMENITY AND FACILITIES
 STANDARD A16 PROPOSED HABITABLE ROOM WINDOWS HAVE ADEQUATE DAYLIGHT
 STANDARD A17 PRIVATE OPEN SPACE 80m² MIN.
 STANDARD A18 PRIVATE OPEN SPACE ORIENTED TO RECEIVE SOLAR GAIN
 STANDARD A19 MODIFIED REQUIREMENT THE PROPOSED DWELLING HAS BEEN DESIGNED WITH RESPECT TO THE EXISTING AND PREFERRED NEIGHBOURHOOD CHARACTER
 STANDARD 20 NO NEW FRONT FENCE PROPOSED

NOTES:
 STORMWATER TO BE CONNECTED TO LEGAL POINT OF DISCHARGE VIA THE EXISTING STORMWATER SYSTEM TO LOCAL AUTHORITY REQUIREMENTS
 NO SIGNIFICANT NATIVE VEGETATION TO BE REMOVED FOR THE SITING OF THE PROPOSED DWELLING. NEW PLANTINGS SELECTED TO BE IN ACCORDANCE WITH THE INDIGENOUS SPECIES LIST FOR APOLLO BAY AND SKENES CREEK
 CAR PARKING SPACES PROVIDED IN PROPOSED GARAGE AND DRIVEWAY
 SITE CONDITIONS ARE TO MEET THE REQUIREMENTS OF THE GEOTECHNICAL REPORT PREPARED FOR THE SITE
 SITE FEATURES, LEVELS AND CONTOURS ARE BASED ON THE FEATURE PLAN BY GOODISON & ASSOCIATES LICENSED SURVEYORS DATED 10/08/2016
 BUILDINGS AND WORKS ARE TO BE CONSTRUCTED TO BAL-29 IN ACCORDANCE SCHEDULE 2 TO THE BUSHFIRE MANAGEMENT OVERLAY

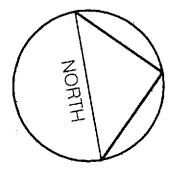
DESIGN RESPONSE SITE PLAN

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 60 Noel Street Apollo Bay, Victoria, 3233.
 Ph: 0352 377 427 Email: kris@ktbuildingdesign.com.au
 Fax: 0352 377 272 Web: www.ktbuildingdesign.com.au

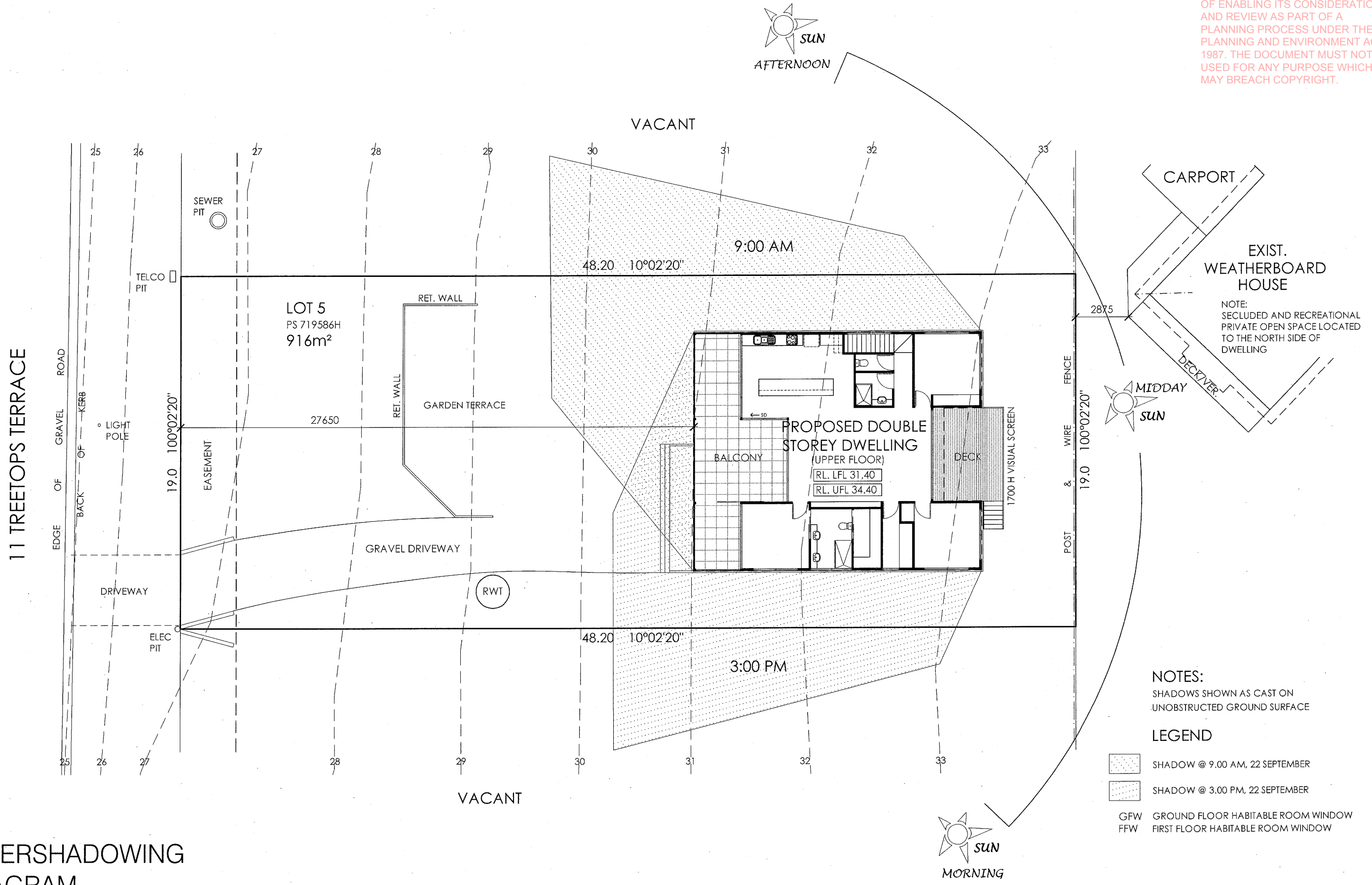
No.	DATE	AMENDMENT
A	18-4-19	ALTERATION TO NOTES (CFA TANK)
B	28-5-19	INDICATION OF CAR PARKS
C	4-6-19	REMOVAL OF SCREEN

CLIENT: **C. CLEMENTS**
 PROJECT: **PROPOSED DWELLING**
 SITE: **11 TREETOPS TERRACE SKENES CREEK 3233**

TITLE: **DESIGN RESPONSE SITE PLAN**
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DESIGN: **KT**
 DRAWN: **KT**
 CHECKED:
 RBP No. **DP-AD 24574**
 DATE: **4/06/2019**
 SHEET No. **2 OF 9** REV. **C**
 SCALE: **1:200 @ A3**
 JOB No. **18-064**



OVERSHADOWING DIAGRAM

NOTES:
SHADOWS SHOWN AS CAST ON UNOBSTRUCTED GROUND SURFACE

LEGEND

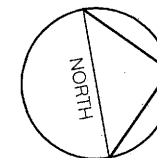
- SHADOW @ 9.00 AM, 22 SEPTEMBER
- SHADOW @ 3.00 PM, 22 SEPTEMBER
- GFW GROUND FLOOR HABITABLE ROOM WINDOW
- FFW FIRST FLOOR HABITABLE ROOM WINDOW

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No.	DATE	AMENDMENT
A	4-6-19	REMOVAL OF SCREEN

CLIENT: **C. CLEMENTS**
 PROJECT: **PROPOSED DWELLING**
 SITE: **11 TREETOPS TERRACE SKENES CREEK 3233**






TITLE: **OVERSHADOWING DIAGRAM**
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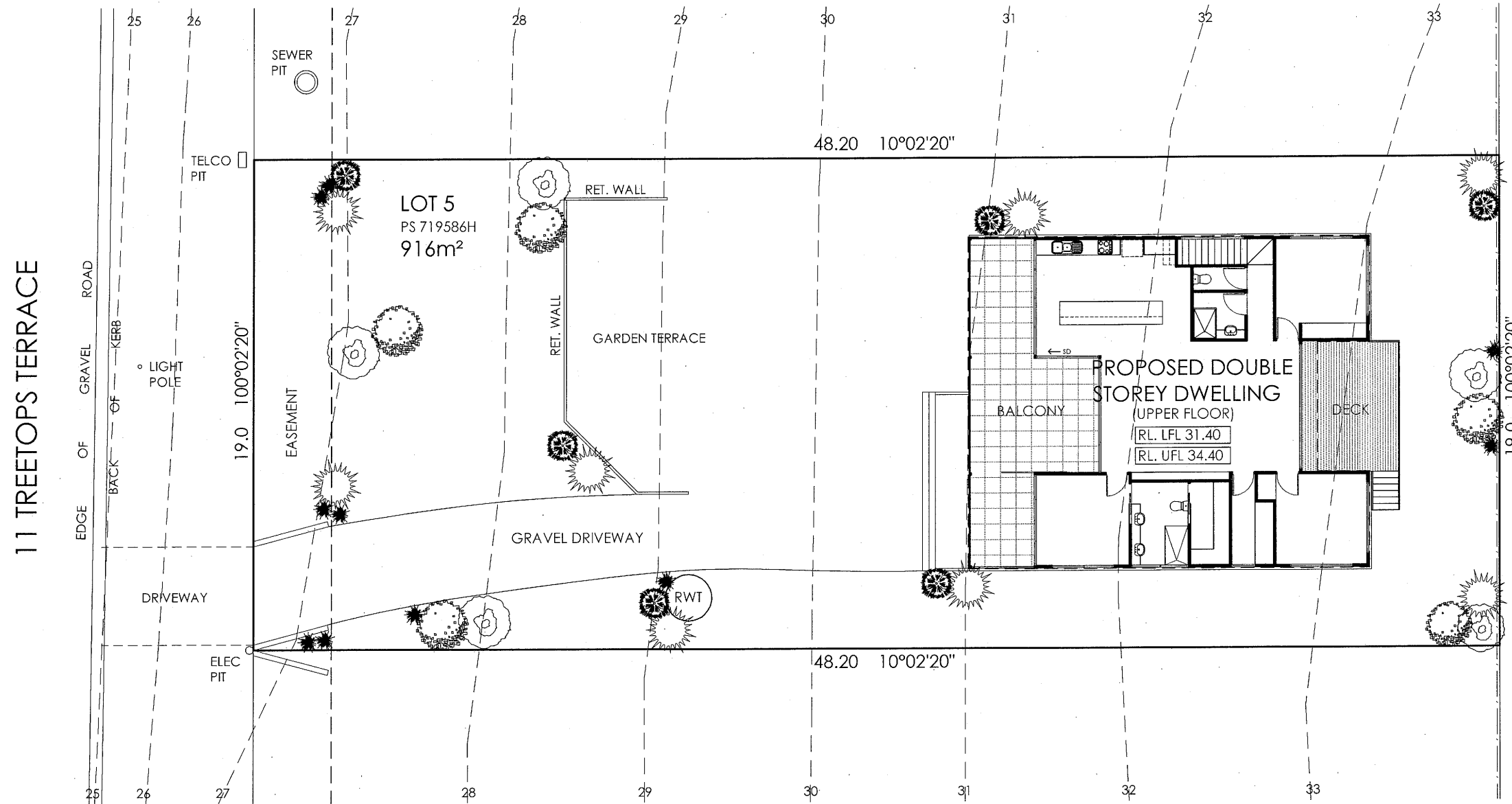


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 DRAWN: **KT**
 CHECKED:
 RBP No. **DP-AD 24574**

DATE: **4/06/2019**
 SHEET No. **3 OF 9** REV. **A**
 SCALE: **1:200 @ A3**
 JOB No. **18-064**

PLANTING SCHEDULE

BOTANICAL NAME	COMMON NAME	MAX. WIDTH	MAX. HEIGHT
 <i>Oleria lirata</i>	Snowy Daisy bush	2.0-3.0m	2.0-5.0m
 <i>Arcacia Verticillata</i>	Pricky Moses	1.0-3.0m	2.0-4.0m
 <i>Westringia glabra</i>	Coastal Rosemary	1.0m	1.0m
 <i>Banksia spinulosa</i>	Hairpin Banksia	2.0m	2.0m
 <i>Lomandra confertifolia</i>	Lime Tuff	0.5m	0.5m

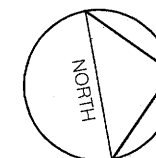


LANDSCAPE PLAN

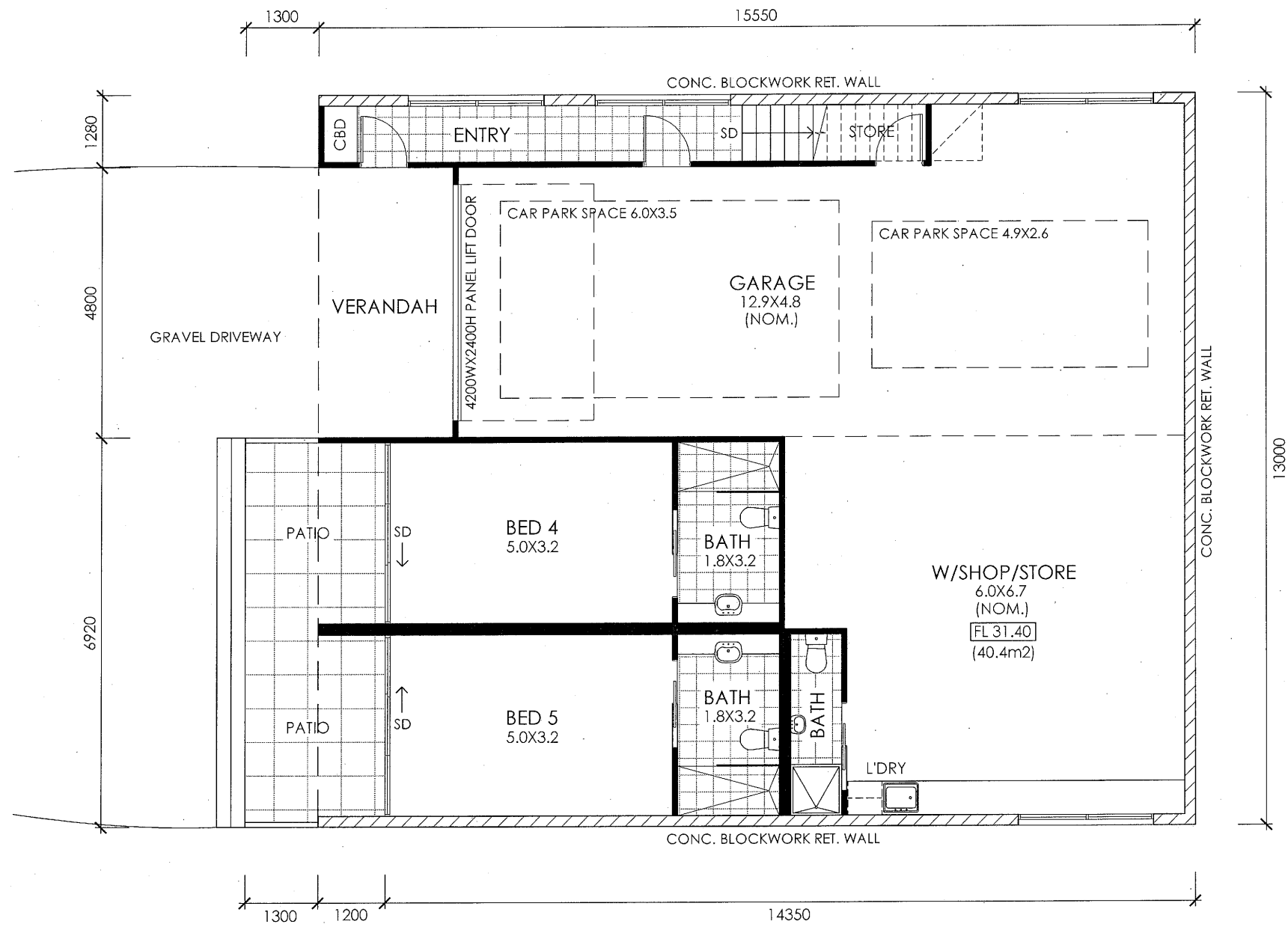
No.	DATE	AMENDMENT
A	4-6-19	REMOVAL OF SCREEN

CLIENT: **C. CLEMENTS**
PROJECT: **PROPOSED DWELLING**
SITE: **11 TREETOPS TERRACE SKENES CREEK 3233**

TITLE: **LANDSCAPE PLAN**
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DRAWN: KT	SHEET No. 4 OF 9 REV. A
CHECKED:	SCALE: 1:200 @ A3
RBP No. DP-AD 24574	JOB No. 18-064



LEGEND:

- 90mm TIMBER STUD FRAMED WALL
- CONC. BLOCK WALL

AREAS:

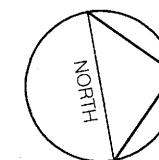
GROSS FLOOR AREA:	
LOWER FLOOR	182.9m ²
UPPER FLOOR	141.5m ²
TOTAL	324.4m ²
BALCONY	43.1m ²
DECK	19.2m ²

LOWER FLOOR PLAN

No.	DATE	AMENDMENT
A	28-5-19	INDICATION OF CAR PARK SPACES
B	4-6-19	REMOVAL OF SCREEN

CLIENT: **C. CLEMENTS**
 PROJECT: **PROPOSED DWELLING**
 SITE: **11 TREETOPS TERRACE SKENES CREEK 3233**

TITLE: **LOWER FLOOR PLAN**
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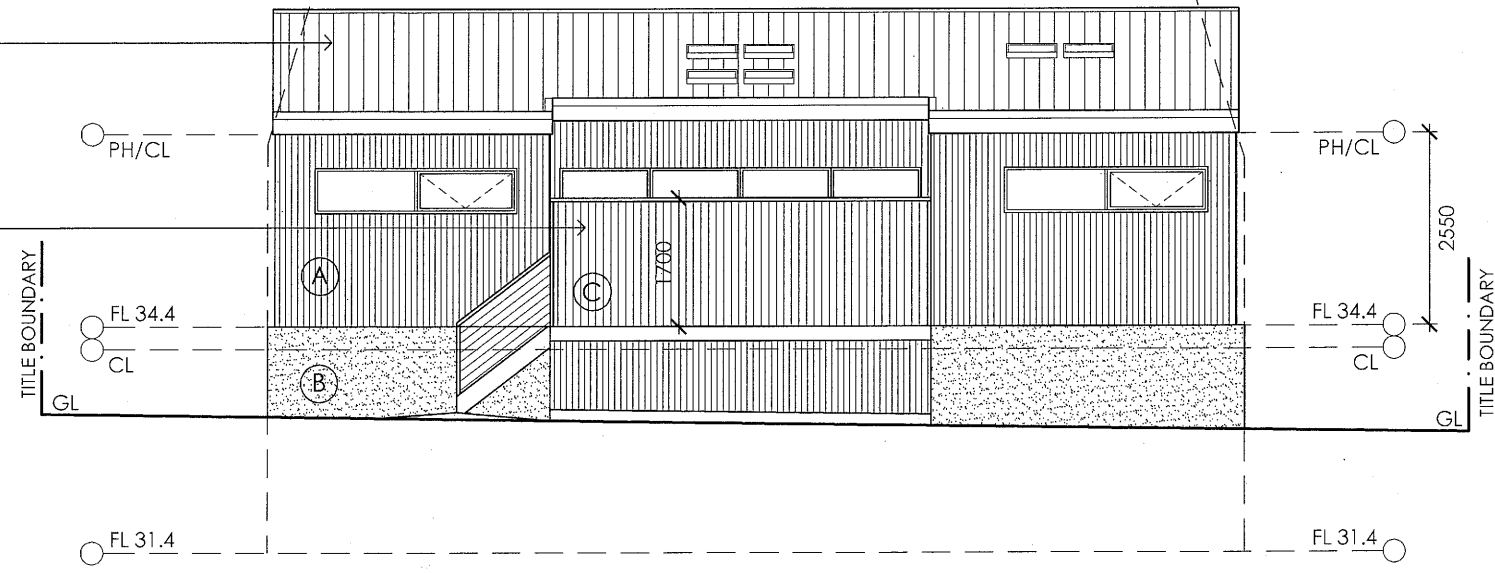
DESIGN: KT	DATE: 4/06/2019
DRAWN: KT	SHEET No. 5 OF 9 REV. B
CHECKED:	SCALE: 1:100 @ A3
RBP No. DP-AD 24574	JOB No. 18-064

CLAUSE 54.04-1 SETBACK DIAGRAM (SHOWN AT FACE OF DWELLING ELEVATION)

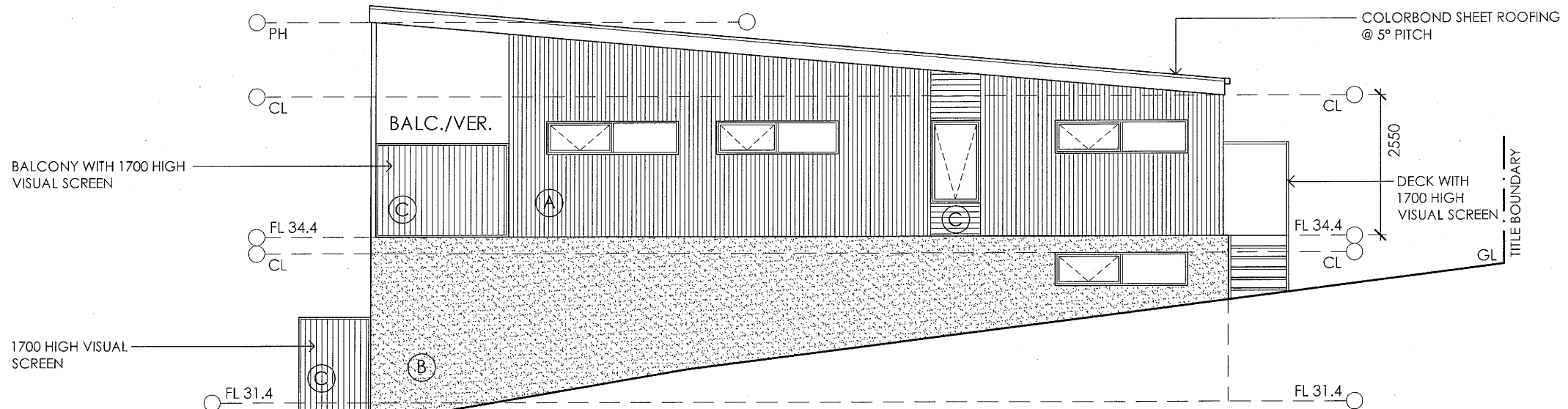
CLAUSE 54.04-1 SETBACK DIAGRAM (SHOWN AT FACE OF DWELLING ELEVATION)

COLORBOND SHEET ROOFING @ 5° PITCH

DECK WITH 1700 HIGH VISUAL SCREEN



NORTH ELEVATION



EAST ELEVATION

EXTERNAL MATERIAL & COLOUR SCHEDULE

- (A) CORRUGATED METAL SHEET - COLORBOND MONUMENT (OR SIMILAR)
- (B) CONCRETE BLOCK WITH RENDER FINISH - COLORBOND DUNE (OR SIMILAR)
- (C) TIMBER CLADDING - NATURAL FINISH
- ROOF CLADDING, FASCIA & GUTTERS - COLORBOND MONUMENT (OR SIMILAR)
- WINDOWS AND TRIMS - COLORBOND MONUMENT (OR SIMILAR)

ELEVATIONS 1

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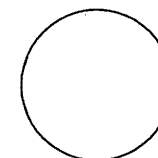
No.	DATE	AMENDMENT
A	18-4-19	ALTERATION TO MATERIALS
B	4-6-19	REMOVAL OF SCREEN

CLIENT: **C. CLEMENTS**
 PROJECT: **PROPOSED DWELLING**
 SITE: **11 TREETOPS TERRACE SKENES CREEK 3233**

TITLE: **ELEVATIONS 1**
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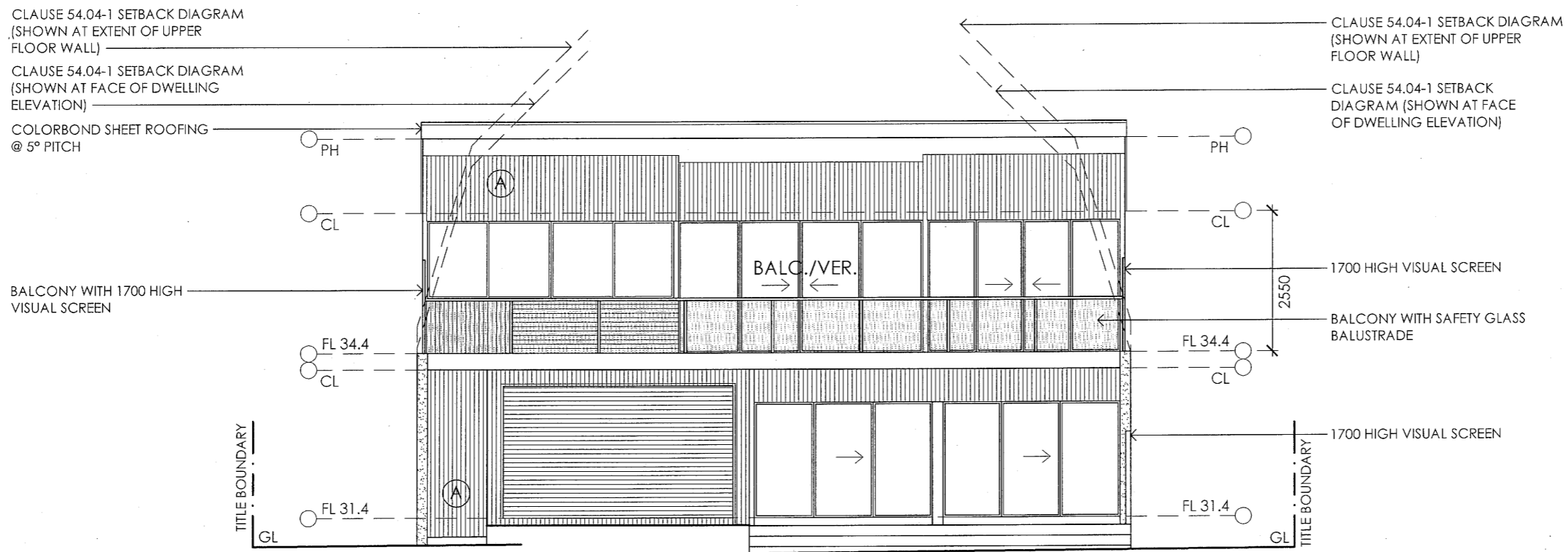
MEMBER

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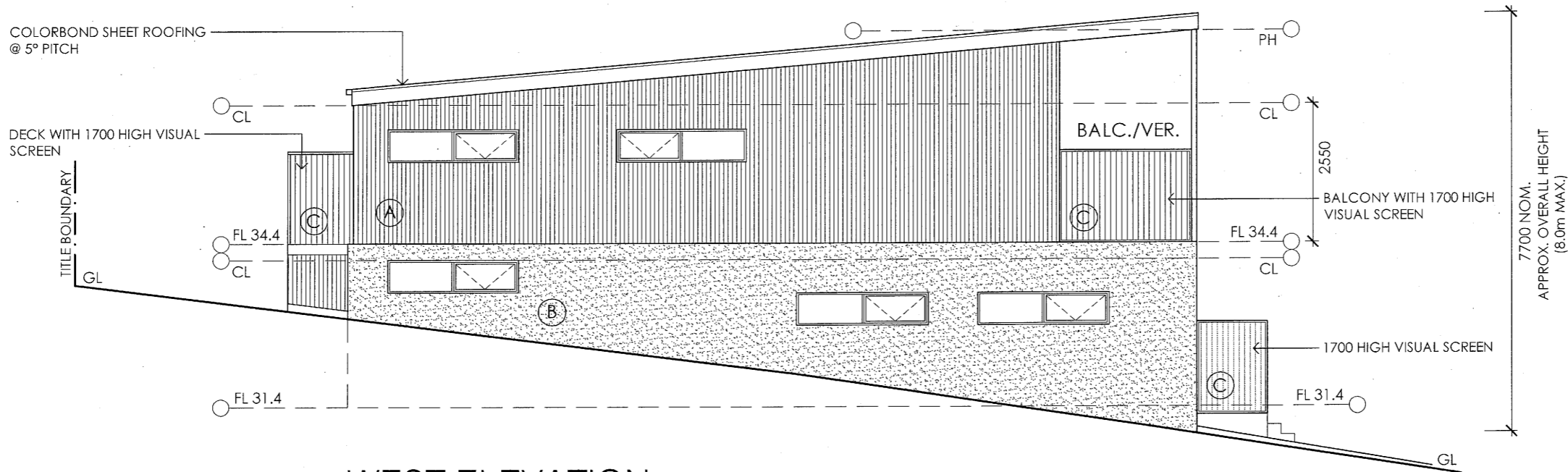


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 DRAWN: **KT** SHEET No. **7 OF 9** REV. **B**
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SOUTH ELEVATION



WEST ELEVATION

EXTERNAL MATERIAL & COLOUR SCHEDULE

- (A) CORRUGATED METAL SHEET - COLORBOND MONUMENT (OR SIMILAR)
 - (B) CONCRETE BLOCK WITH RENDER FINISH - COLORBOND DUNE (OR SIMILAR)
 - (C) TIMBER CLADDING - NATURAL FINISH
- ROOF CLADDING, FASCIA & GUTTERS - COLORBOND MONUMENT (OR SIMILAR)
- WINDOWS AND TRIMS - COLORBOND MONUMENT (OR SIMILAR)

ELEVATIONS 2

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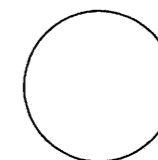
No.	DATE	AMENDMENT
A	18-4-19	ALTERATION TO MATERIALS AND SETBACK LINES
B	4-6-19	REMOVAL OF SCREEN

CLIENT: **C. CLEMENTS**
 PROJECT: **PROPOSED DWELLING**
 SITE: **11 TREETOPS TERRACE SKENES CREEK 3233**

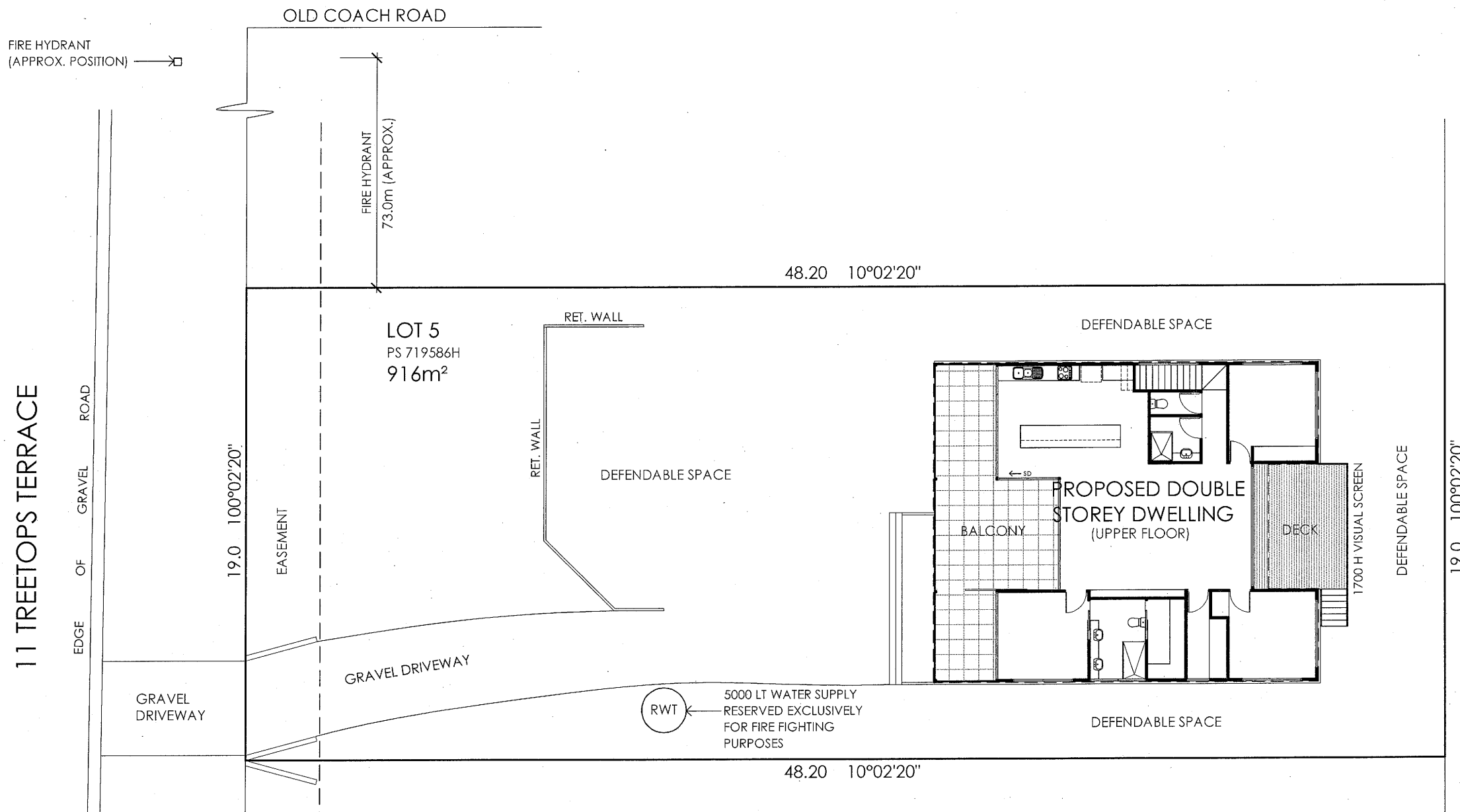
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 RBP No. **DP-AD 24574** JOB No. **18-064**



BUSHFIRE PROTECTION MEASURES

DEFENDABLE SPACE

- DEFENDABLE SPACE IS PROVIDED FOR A DISTANCE OF 30m AROUND THE DWELLING OR TO THE PROPERTY BOUNDARY WHICHEVER IS THE LESSER AND MANAGED IN ACCORDANCE WITH THE FOLLOWING:
- GRASS MUST BE SHORT CROPPED AND MAINTAINED DURING THE DECLARED FIRE DANGER PERIOD.
- ALL LEAVES AND VEGETATION DEBRIS MUST BE REMOVED AT REGULAR INTERVALS DURING THE DECLARED FIRE DANGER PERIOD.
- WITHIN 10 METRES OF A BUILDING, FLAMMABLE OBJECTS MUST NOT BE LOCATED CLOSE TO THE VULNERABLE PARTS OF THE BUILDING.
- PLANTS GREATER THAN 10 CENTIMETRES IN HEIGHT MUST NOT BE PLACED WITHIN 3m OF A WINDOW OR GLASS FEATURE OF THE BUILDING.
- SHRUBS MUST NOT BE LOCATED UNDER THE CANOPY OF TREES.
- INDIVIDUAL AND CLUMPS OF SHRUBS MUST NOT EXCEED 5 SQ. METRES IN AREA AND MUST BE SEPARATED BY AT LEAST 5 METRES.
- TREES MUST NOT OVERHANG OR TOUCH ANY ELEMENTS OF THE BUILDING.
- THE CANOPY OF TREES MUST BE SEPARATED BY AT LEAST 2 METRES
- THERE MUST BE A CLEARANCE OF AT LEAST 2 METRES BETWEEN THE LOWEST TREE BRANCHES AND GROUND LEVEL.

CONSTRUCTION STANDARD

- DWELLING DESIGNED AND CONSTRUCTED TO A MINIMUM BUSHFIRE ATTACK LEVEL OF BAL -29

WATER SUPPLY

THE FOLLOWING REQUIREMENTS APPLY:

- AN EFFECTIVE CAPACITY OF 5000 LITRES
- BE STORED IN AN ABOVE GROUND WATER TANK CONSTRUCTED OF CONCRETE OR METAL.
- HAVE ALL FIXED ABOVE GROUND WATER PIPES AND FITTINGS REQUIRED FOR FIREFIGHTING PURPOSES MADE OF CORROSIVE RESISTANT METAL.
- INCLUDE A SEPARATE OUTLET FOR OCCUPANT USE.

MANDATORY CONDITION

THE BUSHFIRE PROTECTION MEASURES FORMING PART OF THIS PERMIT OR SHOWN ON THE ENDORSED PLANS, INCLUDING THOSE RELATING TO CONSTRUCTION STANDARDS, DEFENDABLE SPACE, WATER SUPPLY AND ACCESS, MUST BE MAINTAINED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY ON A CONTINUING BASIS. THIS CONDITION CONTINUES TO HAVE FORCE AND EFFECT AFTER THE DEVELOPMENT AUTHORISED BY THIS PERMIT HAS BEEN COMPLETED

BUSHFIRE MANAGEMENT PLAN

