

PP97/2018-1

171 Hart Street ELLIMINYT

C/A: 32 SEC: A

Two Lot Subdivision

Rod Bright & Associates Pty Ltd

Officer - Ian Williams

EXHIBITION FILE

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

Supplied by Anthony Bright
Submitted Date 15/02/2018

Application Details

Application Type Planning Permit for a Subdivision
Version 1
Applicant Reference Number 17-38
Application name or Estate name McNaughton
Responsible Authority Name Colac Otway Shire
Responsible Authority Reference Number(s) (Not Supplied)
SPEAR Reference Number S117537S
Application Status Submitted
Planning Permit Issue Date NA
Planning Permit Expiry Date NA

The Land

Primary Parcel 171 HART STREET, ELLIMINYT VIC 3250
Volume 1524/Folio 735
SPI 32~A\PP2586
CPN 9784
Zone: 32.03 Low Density Residential

The Proposal

Plan Number (Not Supplied)
Number of lots 2
Proposal Description Two (2) Lot Subdivision
Estimated cost of the development for which a permit is required \$ 0

Existing Conditions

Existing Conditions Description There is an existing dwelling, shedding and yard for an excavation business on the proposed Lot 1. The proposed Lot 2 is a cleared vacant allotment with some shedding.

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

Applicant Contact

Applicant Contact Mr Anthony Bright
Rod Bright and Associates Pty Ltd
26 Murray Street, Colac, VIC, 3250
Business Phone: 03 5231 4883
Email: rodbright@iprimus.com.au

Applicant

Applicant D.J. & C.L. McNaughton

Owner

Owner

(Owner details as per Applicant)

Declaration

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

I, Anthony Bright, declare that all the information supplied is true.

Authorised by

Organisation

Anthony Bright

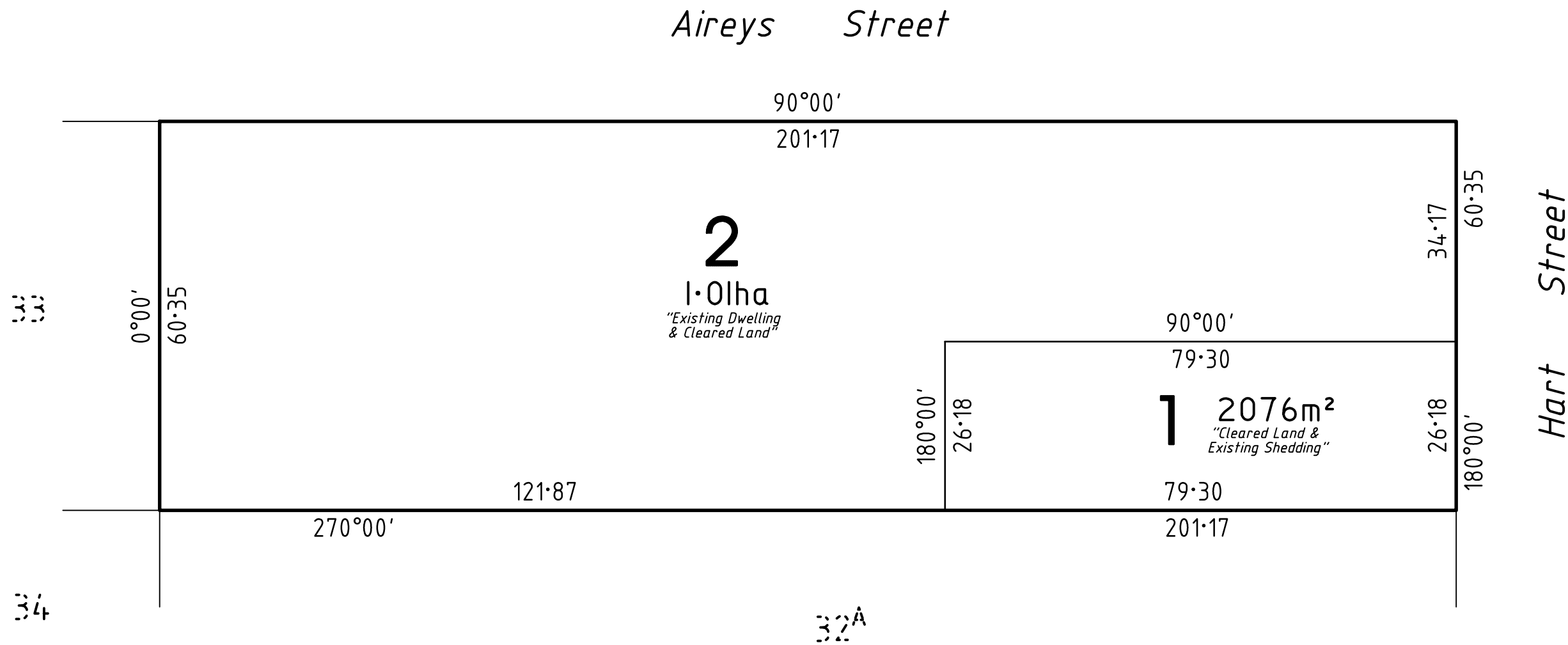
Rod Bright and Associates Pty Ltd

**PLAN OF PROPOSED SUBDIVISION
CROWN ALLOTMENT 32 - SECTION A
PARISH OF ELLIMINYT
COUNTY OF POLWARTH
RE: D.J. & C.L. McNAUGHTON
SCALE 1:750** (Original Sheet Size A3)

ROD BRIGHT & ASSOCIATES PTY LTD
LICENSED SURVEYORS & TOWN PLANNERS
26 MURRAY STREET COLAC 3250
TEL 5231 4883 ACN 007 206 975

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Land contained within C/T Vol. 1524 Fol. 735.



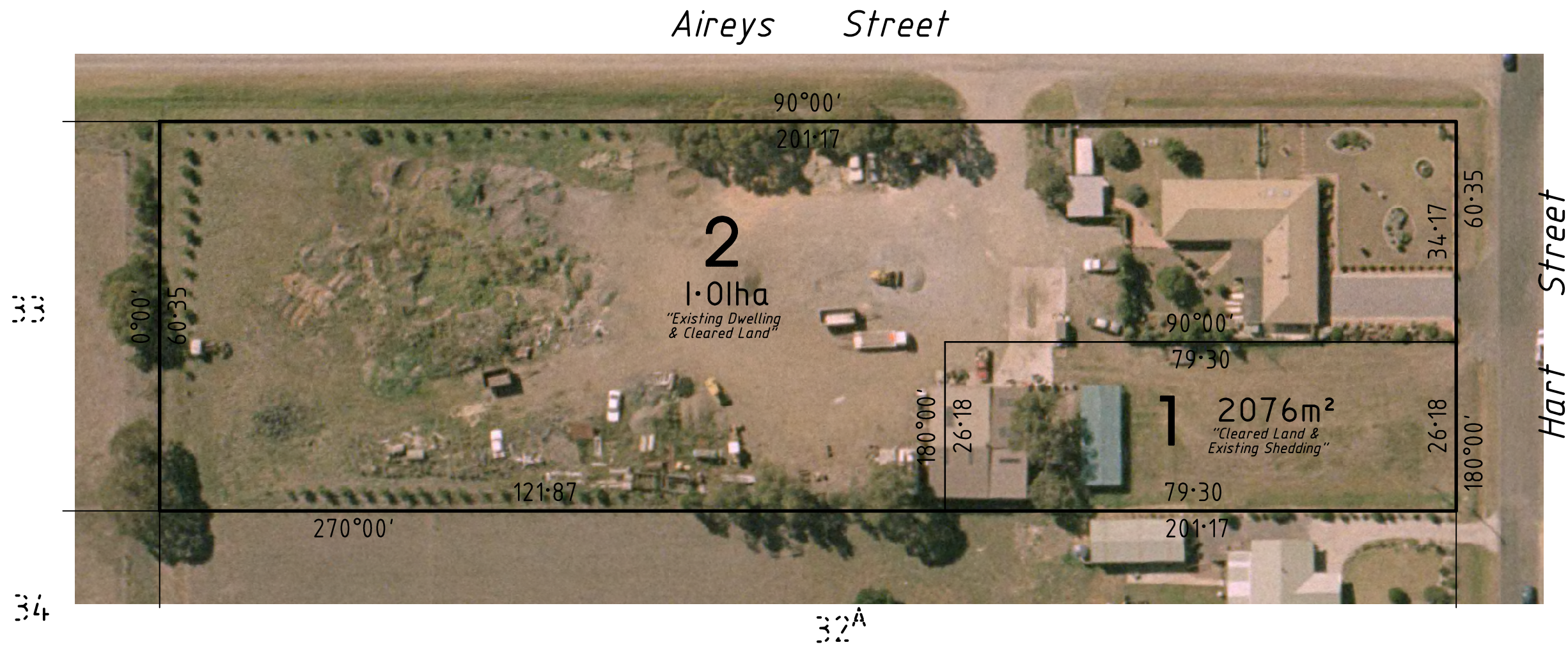
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Land contained within C/T Vol. 1524 Fol. 735.

Existing Conditions Diagram



REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 01524 FOLIO 735

Security no : 1240703953530
Produced 15/02/2018 04:42 pm

LAND DESCRIPTION

Crown Allotment 32 Section A Parish of Elliminyt.
PARENT TITLE Volume 01047 Folio 319
Created by instrument 0125705 03/01/1884

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
DUNCAN JOHN MCNAUGHTON
CATHERINE LORRETTA MCNAUGHTON both of COROROOKE
L225675M 27/08/1984

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AC069841A 16/05/2003
NATIONAL AUSTRALIA BANK LTD

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

DIAGRAM LOCATION

SEE TP546297P 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: 171 HART STREET ELLIMINYT VIC 3250

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED (59)
Effective from
22/10/2016

DOCUMENT END



Imaged Document Cover Sheet

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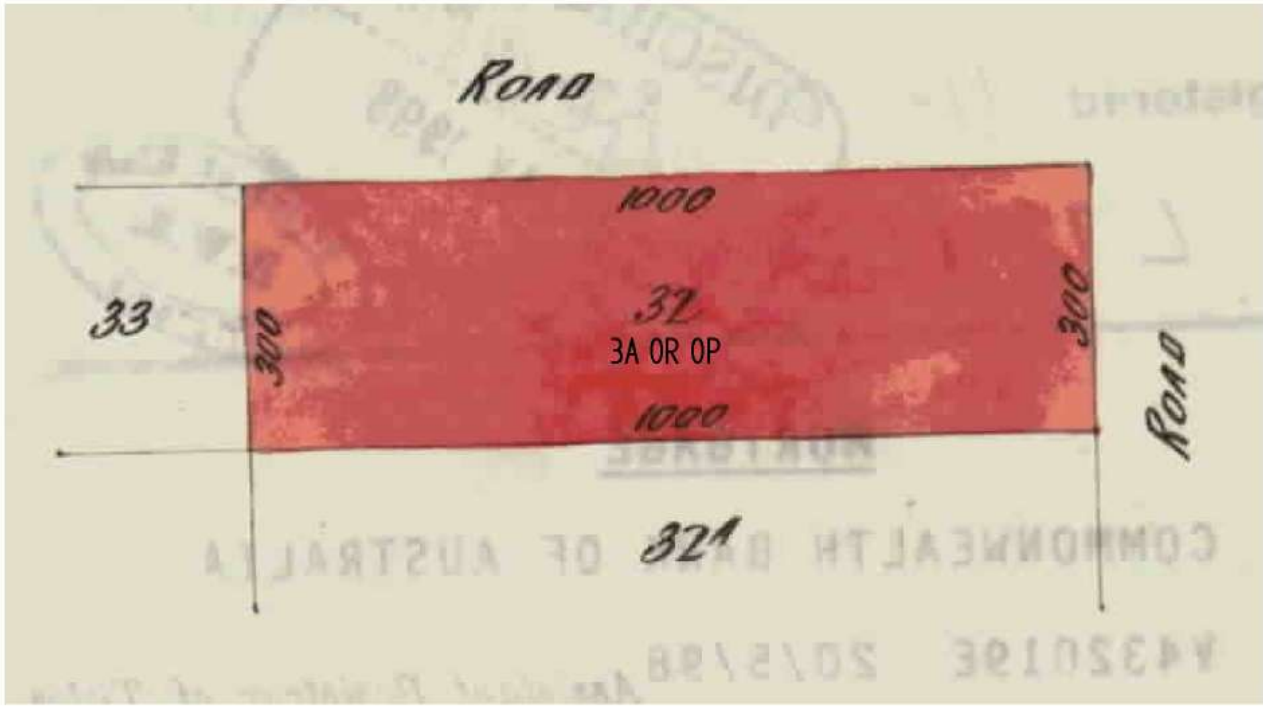
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TITLE PLAN		EDITION 1	TP 546297P
Location of Land Parish: ELLIMINYT Township: Section: A Crown Allotment: 32 Crown Portion: Last Plan Reference: Derived From: VOL 1524 FOL 735 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	

Description of Land / Easement Information

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

COMPILED: 29/06/2000
 VERIFIED: AC



Site Description & Design Response

Proposed 2 Lot Subdivision

171 Hart Street, Elliminyt

D.J. & C.L. McNaughton

February 2018



Rod Bright & Associates Pty Ltd

Licensed Land Surveyors and Planners

26 Murray St Colac 3250

Ph (03) 5231 4883

rodbright@iprimus.com.au



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1.0 Subdivision site and context description

The following information is provided in accordance with clause 56.01-1 Colac Otway Planning Scheme – Neighbourhood site and context description.

1.1 Title particulars and location

Address: 171 Hart Street, Elliminyt

Comprising allotment: Crown Allotment 32, Section A – being Certificate of Title Vol. 1524 Fol. 735.

There are no easements present on title.

The land fronts both Hart Street and Aireys Street, Elliminyt.

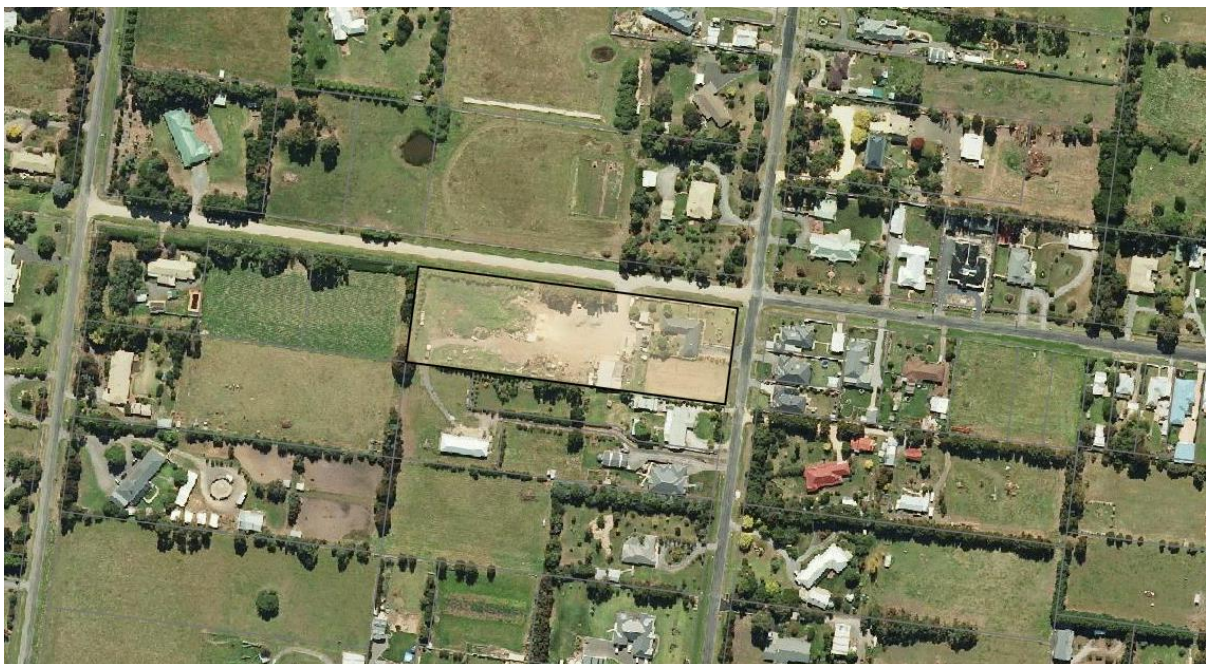


Figure 1: Site context plan.

1.2 Land use

The land has an existing brick dwelling associated shedding and garden fronting Hart Street with access to the shedding from Aireys Street. The remainder of the property is vacant.

The proposed Lot 1 is a fenced, vacant, dwelling allotment which also incorporates a shed beyond the fenced allotment, to meet the minimum area requirements of the zone. The proposed Lot 1 is to enable our client to build a new dwelling more suitable to their needs, the existing dwelling on Lot 2 will be for one of their sons who works in the excavation business, with the business to continue as is for the time being. We propose keeping the shed on the proposed Lot 1, as a dwelling will shortly be constructed on the land, making the removal and reinstatement a costly exercise.

1.6.1 State Planning Policy Framework:

Clause	11.05-1	Regional settlement networks
	11.05-4	Regional planning strategies and principles
	15.01-1	Urban design
	15.01-2	Urban design principles
	15.01-3	Neighbourhood and subdivision design
	15.01-4	Design for safety
	15.02	Sustainable development
	15.02-1	Energy and resource efficiency
	16.01-2	Location of residential development
	19.03-2	Water supply, sewerage and drainage
	19.03-3	Storm water
	19.03-4	Telecommunications

1.6.2 Local Planning Policy Framework

Clause	21.03-2	Settlement – Colac
	21.07	References (Colac Structure Plan)

1.7 Aboriginal Cultural Heritage

The site is not located within an area of Aboriginal Cultural Heritage Sensitivity, and a cultural heritage management plan is not required for the development in accordance with the (Vic) *Aboriginal Heritage Regulations 2007*.

2.0 Residential Subdivision - Design Response (56.01-2)

2.1 Subdivision Design

The subdivision proposes the creation of 2 new residential allotments, with existing access from Hart Street (Lot 1) and existing access from both Hart Street and Aireys Street (Lot 2)

Lot 1 will comprise 2076m² and Lot 2 will contain 1.01ha. Lot 1 is currently a cleared allotment with existing shedding. Lot 2 contains an existing brick dwelling, associated shedding and garden.

Design Response

The design response responds to the site and context description by way of the following:

- The proposed 2 lot subdivision with allotment sizes of approximately 2076m² (Lot 1) and 1.01ha (Lot 2) is an appropriate response to the surrounding pattern of development which comprises of a mix of medium and low-density development.
- The lot sizes will enable suitable area for compliance with the Residential Subdivision (clause 56) objectives of the planning scheme.
- There is no significant vegetation or site features within the allotments which require protection and consideration as part of the subdivision.

- There are existing cross-overs for the proposed Lots 1 and 2, although should any works be required to satisfy council’s infrastructure department that can be satisfied by permit conditions.
- There are no specific site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

Both lots are designed to cater for traditional residential development with single dwellings on each allotment and adequate private open space and solar access. The proposed Lot 2 is sufficient in area to enable a 6 Lot redevelopment in the future assuming storm water and sewerage infrastructure requirements can be met.

Compliance with the relevant objectives of Clause 56 is demonstrated below.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

56.03-5 Neighbourhood Character:

56.03-5 Neighbourhood Character Objective

To design subdivisions that respond to neighbourhood character

Standard C6

Subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

Response

A preferred neighbourhood character is not identified for this area of Elliminyt. An absence of formal kerb & channel on both sides of Hart Street and Aireys Street or footpaths on the west side of Hart Street and both sides of Aireys Street, along with the use of the extended surrounding land for grazing or pasture creates a rural aesthetic. Surrounding houses are generally single dwellings, varying in design, cladding type and era.

The proposed subdivision is consistent with the above objective by:

- Neighbourhood character in the area is developing and will evolve in response to this new development.

56.04 LOT DESIGN

56.04-2 Lot area and building envelopes objective

To provide lots with dimensions and areas that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easement and the retention of significant vegetation and site features.

Standard C8

Lots greater than 500m² should be able to contain a rectangle measuring 10m by 15m and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standard are met, and
- The building envelope is shown as a restriction on a PS registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant PS or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirement of the building regulations.
- Existing and proposed easement on lots.
- Significant vegetation and site features.

Response

The proposed subdivision is consistent with the above objective by:

Both lots are capable of containing a building envelope exceeding 10m by 15m.

A building envelope has not been designated on lot 1 to enable flexibility in dwelling design and placement.

56.04-3 Solar orientation of lots objective

To provide good solar orientation of lots and solar access for future dwellings.

Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

Response:

The proposed subdivision is consistent with the above objective by:

- The long axis of the lots are within the range north 20 degrees west to north 30 degrees east.
- Lots will retain solar access due to their size and absence of large scale development.

56.04-5 Common area objectives

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision for common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.

Response:

Common areas are not proposed as part of this subdivision.

56.06 ACCESS & MOBILITY MANAGEMENT

56.06-8 Lot access objective

To provide for safe vehicle access between roads and lots

Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Response:

There are existing cross-overs enabling access to both lots from Hart Street (Lots 1 & 2) and Aireys Street (Lot 2). The design and construction of any new cross-over will be in accordance with the requirements of Colac Otway Shire as specified by planning permit as conditions.

56.07 INTEGRATED WATER MANAGEMENT

56.07-1 Drinking Water Supply Objective

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

Standard C22

The supply of drinking water must be:

Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.

Provided to the boundary of all lots in the subdivision to the satisfaction for the relevant water authority.

Response:

The supply of drinking water will be provided to the boundary of Lot 1 in accordance with the requirements of Barwon Water as specified by planning permit conditions.

56.07-2 Reused and recycled water objective

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23

Reused and recycled water systems must be:

Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, EPA and DHS.

Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Response:

Reused and recycled water systems will be provided and designed if required by Barwon Water as permit conditions.

56.07-3 Waste water management objective

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24

Waste water systems must be:

Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the EPA.

Consistent with any relevant approved domestic waste water management plan.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Response

Reticulated sewerage will be provided to the boundary of Lot 1 and Lot 2 in the subdivision (it currently crosses proposed title boundaries).

56.07-4 Urban runoff management objectives

To minimise damage to properties and inconvenience to residents from urban run-off.

To ensure that the street operates adequately during major storm events and provides for public safety

To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.

Standard C25

The urban stormwater management system must be: designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.....and in accordance with standards and specifications detailed under this clause.

Response:

Connection to the existing stormwater system will be provided to the new lots and in accordance with the requirements of Colac Otway Shire.

Excess runoff will be directed into the appropriate legal point of discharge, as required by Colac Otway Shire.

56.08 SITE MANAGEMENT

56.08 Site Management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.

To encourage the re-use of materials from the site and recycled materials in the construction of subdivision where practicable.....

Standard C26

A subdivision site must describe how the site will be managed prior to and during the construction period and may set out requirements from managing: erosion and sediment, dust, run-off, litter concrete and other construction wastes, chemical contamination, vegetation and natural features planned for retention.

Response:

A site management plan (including erosion management) will be submitted to Colac Otway Shire prior to commencement of works, should it be required.

56.09 UTILITIES

56.09-1 Shared Trenching Objective

To maximise the opportunities for shared trenching

To minimise constrains on landscaping within street reserves.....

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services

Response:

Shared trenching will be utilised where possible within the development.

56.09-2 Electricity, communications and gas objectives

To provide public utilities to each lot in a timely, efficient and cost effective manner.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

The telecommunications system must be designed in accordance with the requirements of the relevant telecommunications servicing agency.....and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Response:

Electricity and telecommunications will be supplied to the lots in accordance with relevant permit requirements of the relevant infrastructure providers.

The proposal is consistent with relevant planning scheme policies and strategies, the purpose and decision guidelines of the relevant zone and applicable overlays, as described below.

The subdivision of the site provides the following outcomes responding to the above planning policies and strategies:

State Planning Policy Framework

11.05-4 Regional planning strategies and principles

The subdivision of the site provides the following outcomes responding to the above planning policies and strategies:

- Enables growth at a location where utility, transport, commercial and social infrastructure and services are available.
- The development is not located in areas with risk of natural hazards such as bushfire and flooding.

15.01-1 Urban design, 15.01-2 Urban design principles, 15.01-3 Neighbourhood and subdivision design, 15.01-4 Design for safety.

The subdivision of the site provides the following outcomes responding to the above planning policies and strategies:

- The development takes into account the natural, cultural and strategic context of its location.
- The design of the subdivision provides larger lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

15.02 Sustainable development, 15.02-1 Energy and resource efficiency

The subdivision of the site provides the following outcomes responding to the above planning policies and strategies:

- The subdivision enables infill development in an existing residential area, thus contributing to efficiencies in infrastructure and service provision

16.01-2 Location of residential development

The subdivision of the site provides the following outcomes responding to the above planning policies and strategies:

- Contributes to the supply of land within the established urban area to reduce the pressure on fringe development.
- Provides an opportunity for increased residential density to help consolidate urban areas.

3.5.2 Local Planning Policy Framework

Clause 21.03-2 Settlement – Colac

The subdivision of the site provides the following outcomes responding to the above planning policies and strategies:

- Consolidation or land supply around the town centre and activity nodes taking into account heritage constraints.
- Creates opportunities for infill development which will be appropriate and compatible for the prevailing character of the area.

Clause 65 Colac Otway Planning Scheme

Subdivision Decision Guidelines

The design, development, subdivision and use of the site, as proposed, provide the following outcomes responding to the above decision guidelines, (if not referred to elsewhere in this document):

- The land is suitable for subdivision, with the development enabling infill development in an established area of Elliminyt.
- Stormwater drainage from the development will not detrimentally impact surrounding land or the existing stormwater system.
- The proposed subdivision pattern is consistent with traditional residential development. This is suitable in the proposed location, which is further from the CBD, where higher density development is encouraged through the Colac Structure Plan.

- The subdivision will not be staged. No common property areas are proposed.
- All services are available to the site: power, gas, telecommunications, reticulated water and sewer. The appropriate connections will be made as part of the subdivision in accordance with the requirements of the relevant servicing authorities.

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3.0 Summary

The proposal for a residential subdivision is a positive outcome for this area of Elliminyt, which otherwise is underutilised, despite being located in a central area of the town.

Overall, the proposal is consistent with relevant state and local planning policy.

Planning Property Report

from www.planning.vic.gov.au on 15 February 2018 05:07 PM

Crown Description: Allot. 32 Sec. A ELLIMINYT

Address: 171 HART STREET ELLIMINYT 3250

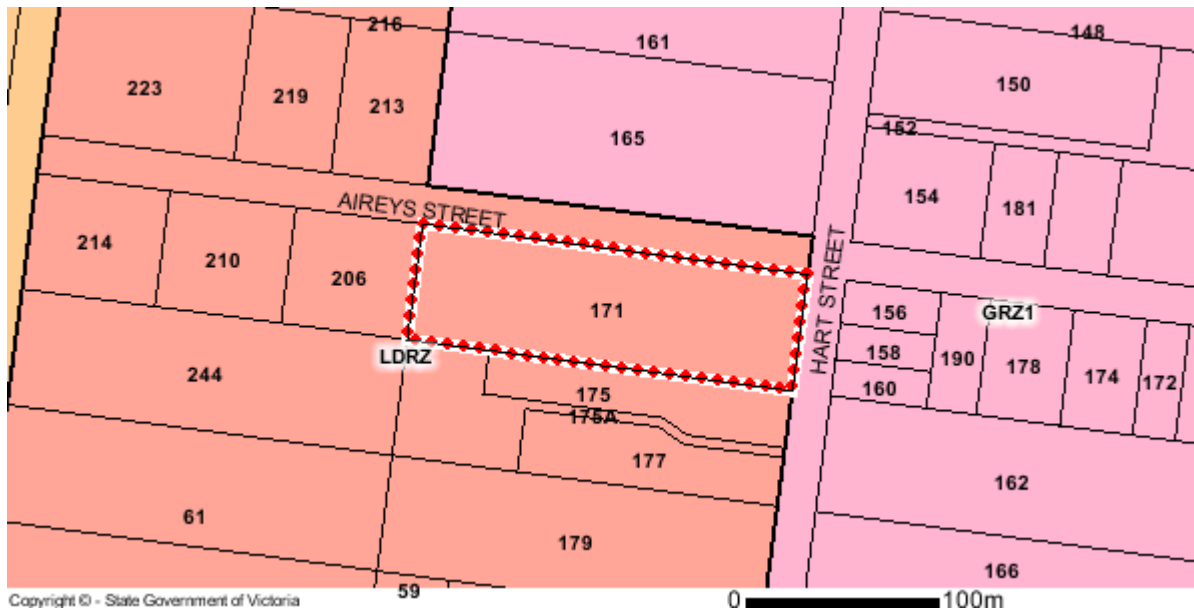
Local Government (Council): COLAC OTWAY **Council Property Number:** 9784

Directory Reference: VicRoads 520 C8

Planning Zone

LOW DENSITY RESIDENTIAL ZONE (LDRZ)

SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE (LDRZ)



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

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	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 Overlay

None affecting this land - there are overlays in the vicinity

DEVELOPMENT PLAN OVERLAY (DPO)



Overlays Legend

AEO - Airport Environs	IPO - Incorporated Plan
BMO - Bushfire Management	LSIO - Land Subject to Inundation
CLPO - City Link Project	MAEO1 - Melbourne Airport Environs 1
DCPO - Development Contributions Plan	MAEO2 - Melbourne Airport Environs 2
DDO - Design & Development	NCO - Neighbourhood Character
DDOPT - Design & Development Part	PD - 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	SMO - Salinity Management
ICPO - Infrastructure Contributions Plan	SRD - State Resource
Railway	VPD - 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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Further Planning Information

Planning scheme data last updated on 14 February 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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Tel. (03) 5231 4883
Fax. (03) 5231 4883

20 July 2018

REF: 17-38

Colac Otway Shire
P.O. Box 283
COLAC VIC 3250

Attention: Ian Williams, Senior Statutory Planner

Dear Ian,

**RE: PLANNING PERMIT APPLICATION
PROPOSED 2 LOT SUBDIVISION PP97/2018-1
171 HART STREET, ELLIMINYT
RESPONSE TO REQUEST FOR FURTHER INFORMATION**

We refer to Colac Otway Shire's request for further information of 24 May 2018.

Please refer to the attached site analysis responding to clause 32.03-5, which documents the site in terms of existing buildings, existing and proposed driveways, existing vegetation and the proposed building envelope for Lot 1. Following are site photos and service asset plans which provide additional site information.

The lot size of 2076m² responds to the minimum lot size for the LDRZ within sewerred areas and provides a balance between the smaller residential lots to the east of Hart Street (zoned GRZ1) and the historically larger surrounding lots to the north, south and west. The lot size will enable the balance of the land to be subdivided into five ~2000m² lots in the future, maximising efficiency of land use provision in the context of the zone.

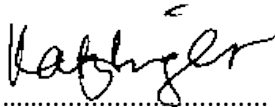
The land is currently used for a dwelling and the McNaughton's excavation and earth moving business is established on the land. The buildings are used as a 'store' for the business which we would expect to enjoy existing use rights under clause 63.01, with the use continuously operating for more than 15 years. The use is Section 2 or 3 (depending whether accepted as being used in conjunction with the occupation of a resident of a dwelling on the lot). However, the use in Section 2 or 3 for which an existing use right is established may continue provided the provisions in 63.05 are met.

The proposed lot boundary will cross existing buildings (this will be verified by survey after the permit issued. If a minor adjustment can accommodate the entire building within a lot the proposed boundary will be altered). Our clients advise the new lot 1 will initially be transferred to a family member and a new dwelling constructed, and the buildings and the land on Lot 2 and partially on Lot 1 will continue their current use.

If the sheds can be retained in their current location for a period of time, i.e. if existing use rights can be considered to apply to the newly created lot for a period of 1-2 years before the sheds are removed, this would assist the applicants in the short term.

In relation to stormwater drainage, it is intended that Lot 1 runoff will be piped into swale drain on Hart Street.

Yours sincerely,



.....
Katy Bright
ROD BRIGHT & ASSOCIATES

encl.

copy: J McNaughton



Figure 1: Google Earth streetview image – existing dwelling corner Hart and Aireys Streets.



Figure 2: Proposed Lot 1 with existing internal fence and sheds to rear.



Figure 3: Existing cypress screen Aireys Street.



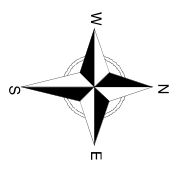
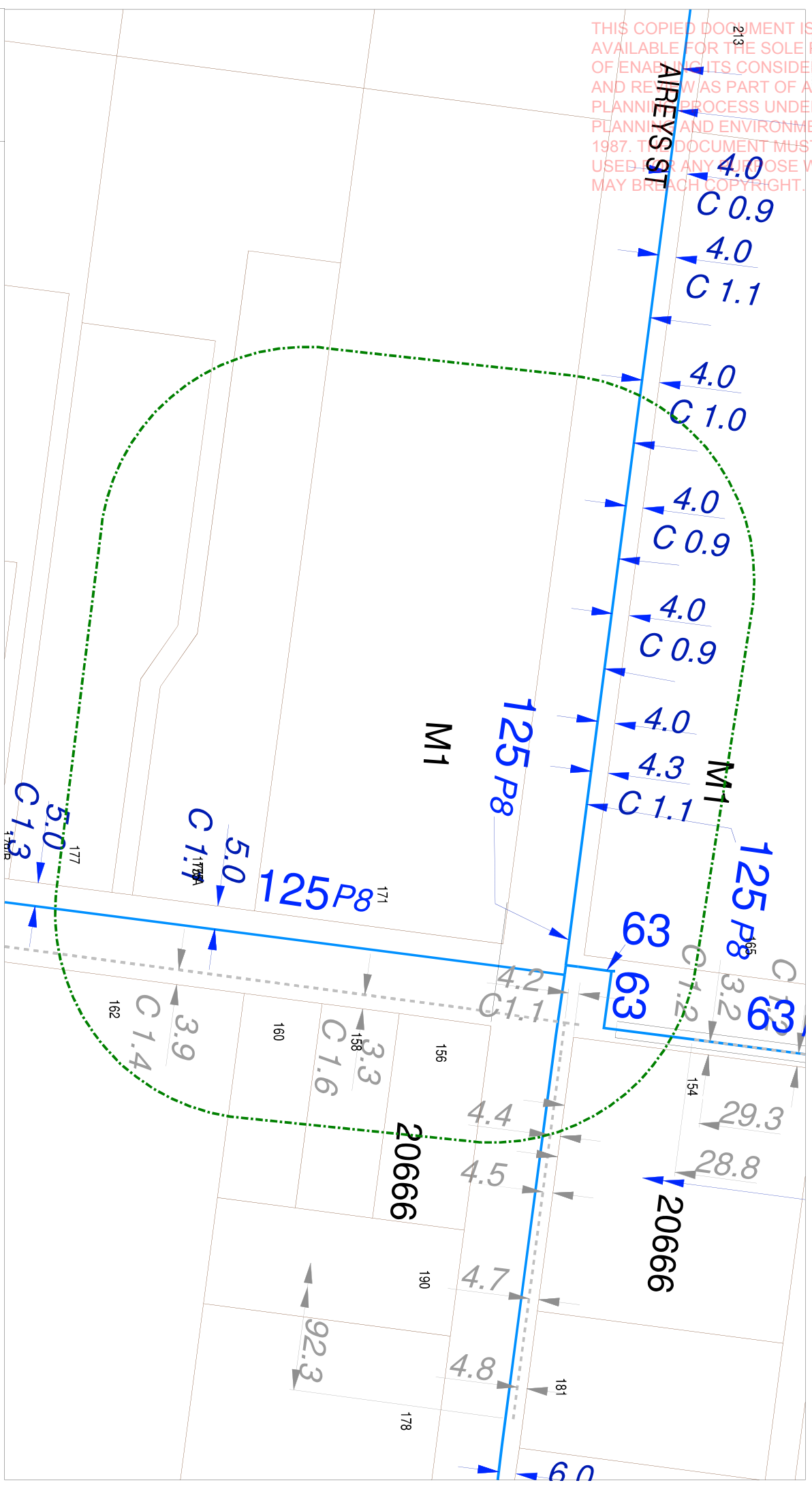
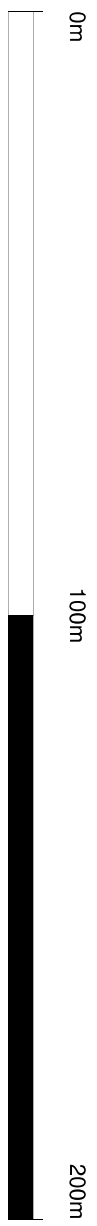
Figure 4: Existing yard McNaughton's Earthmoving.



Figure 5: Existing sheds “store” accessed from Aireys Street.



Figure 6: As above.



NOTE: AusNet Services has taken care to ensure that the locations of Gas Mains shown on this plan are accurate however some variations from records do exist and complete accuracy is not guaranteed. It is essential that the position of pipes be proved on site by hand excavation. AusNet Services shall not be liable for any loss damage claim or demand incurred either directly or indirectly resulting from any act or omission which was made in reliance in whole or in part upon this plan.

Warning - Take Precautions if Printing this Plot in Black & White.
 All planned mains shall be treated as live mains, as mains under pressure may be in existence.

- - - - - Gas Transmission Pipeline
- - - - - Gas Distribution Mains
- - - - - Planned Gas Assets
- - - - - Requested Area



Colac Otway
SHIRE

Sequence Number: 73590711
Job Number: 14595007
Location: 171 Hart Street, Elliminyt VIC 3250

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Scale: 1:1000



- Stormwater Pit
- Bore Hole
- Stormwater Pipe
- Minor Road
- Local Road
- Arterial Road
- Property Boundary
- Crown Land
- Waterway
- Landfill

DISCLAIMER: While reasonable measures have been taken to ensure the accuracy of the information contained in this plan response, neither Colac Otway Shire Council or PelicanCorp shall have any liability whatsoever in relation to any loss, damage, cost or expense arising from the use of this plan response or the information contained in it or the completeness or accuracy of such information. Use of such information is subject to and constitutes acceptance of these terms.

Incorporates Vicmap Data:



<http://creativecommons.org/licenses/by/4.0/>

Colac Otway Shire Council

2-6 Rae Street,
COLAC, VIC, 3250
Ph: 03 5232 9400
Fax: 03 5232 1046


Email: inq@colacotway.vic.gov.au
Web: www.colacotway.vic.gov.au

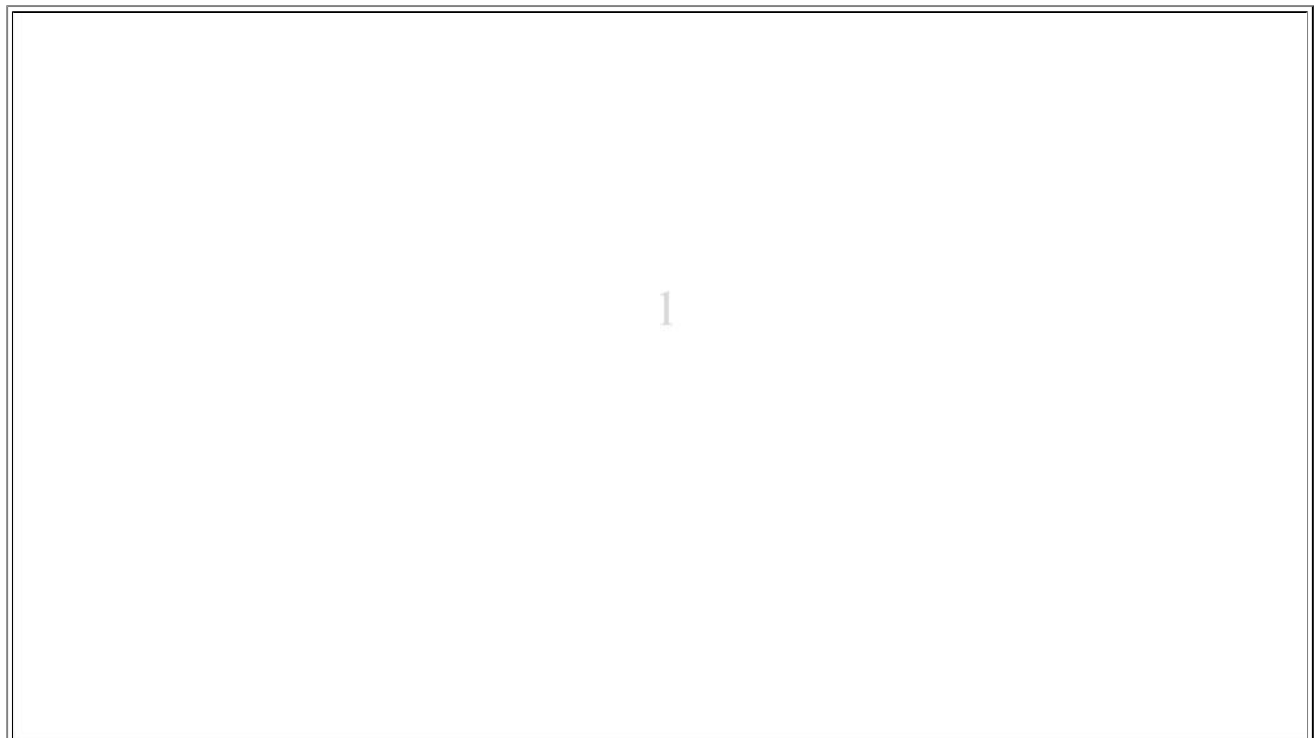







The Essential First Step.

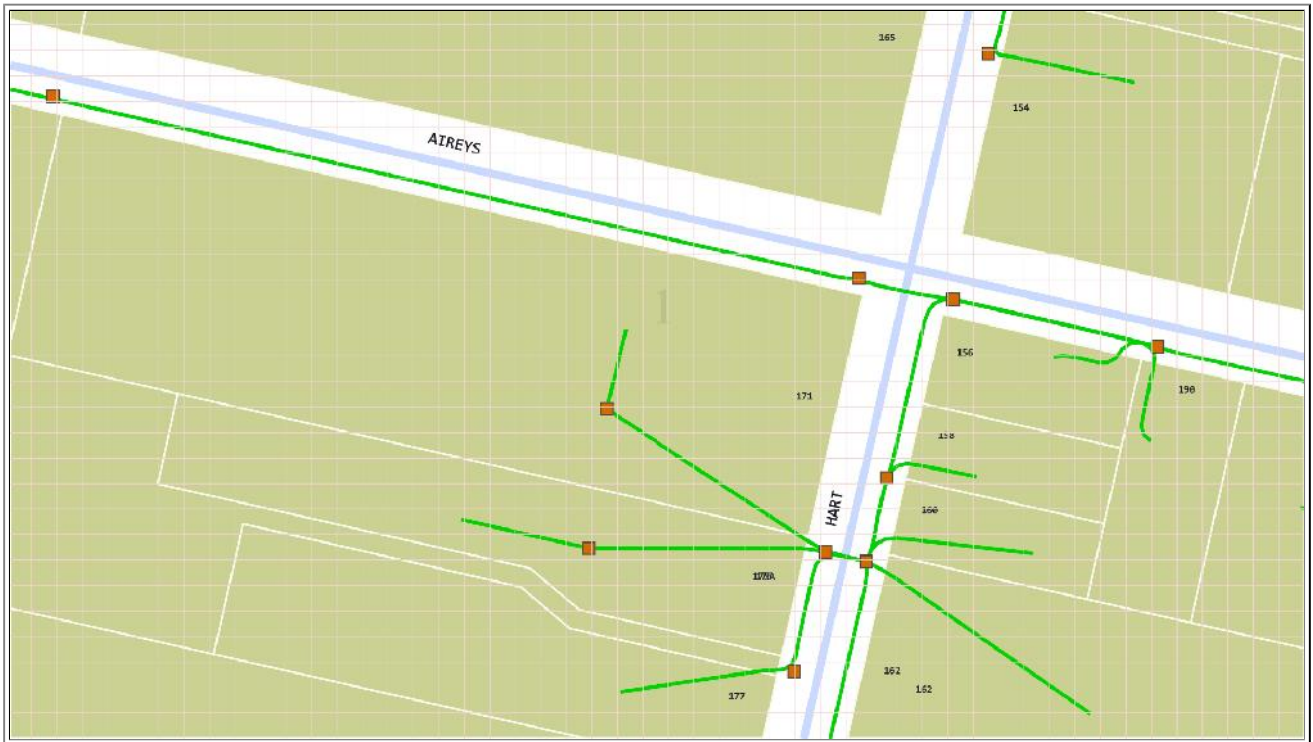


Indicative Plans

Issue Date:	18/07/2018	 DIAL BEFORE YOU DIG www.1100.com.au
Location:	171 Hart Street, Elliminyt, VIC-3250	



	LEGEND	
	Type: Telco Technology: Copper	Scale 0 20 40 60 Meters 1:2000 1 cm equals 20 m
Assets	 IN-SERVICE: Cable/ Duct/ Trench	 Pit/Manhole
	 DESIGNED/CONSTRUCTED: Cable/ Duct/ Trench	



Emergency Contacts

You must immediately report any damage to **nbn**TM network that you are/become aware of. Notification may be by telephone - 1800 626 329.

Ms Katy Bright
Rod Bright & Assoc. Pty Ltd
26 Murray Street
Colac

VIC

18/07/2018
Reference Number 73590712

3250



Dear Customer

Thankyou for your enquiry on 18/07/2018 regarding the work at:
171 Hart Street Elliminyt

A SEARCH OF OUR RECORDS SHOWS THAT THERE ARE UNDERGROUND ELECTRICITY ASSETS WITH MISSING DETAILS WITHIN THE AREA OF YOUR REQUEST

DO NOT PROCEED UNTIL YOU HAVE READ THIS NOTICE IN FULL

The following information is attached for your reference:

- Underground Electricity Asset location details
- Underground Electricity Hazard Awareness Instructions

To ensure that your proposed works do not impact on your safety or our assets please proceed as follows:

- Read all attached documents and observe the Exclusion Zones defined in the Underground Electricity Hazard Awareness Instructions
- Contact us for further advice with regards to the Underground Electricity Assets with missing details within the area of your request.

Contact details are available on the first page of the attached Underground Electricity Hazard Awareness Instructions (including **Request for Site Visit**)

Please note that **no work is to be undertaken in the vicinity of our Underground Electricity Assets that may breach the Exclusion Zones** (as defined by the Underground Electricity Hazard Awareness Instructions) until the completion of a further technical assessment of the area.

Upon receipt of your **Request for Site Visit** form you will be contacted by a responsible officer to assess your requirements. A site visit will be organised if required. During the site visit we will determine the location of our assets and any Permit to Work conditions applicable to your works. We will also be able to provide further details of any additional works which may be required to enable you to safely complete your proposed works.

Please note that the Permit to Work site visit timeframes are subject to enquiry volumes and specific site locations, therefore it may require up to 10 working days to contact you and arrange a site visit

Regards, CitiPower & Powercor Dial Before You Dig (DBYD) response team



Dial Before You Dig (DBYD) Electricity Asset Location Information

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CitiPower/Powercor
Locked Bag 14090, Melbourne VIC 8001
General Enquiries Telephone: 132 206



To: ('Enquirer')
Rod Bright & Assoc. Pty Ltd - Ms Katy Bright
26 Murray Street
Colac VIC 3250

Enquiry Details

Utility ID	50020
Sequence Number	73590712
Enquiry Date	18/07/2018 15:42
Response	DANGER - Permit May Be Required
Address	171 Hart Street Elliminyt
Location in Road	Not Supplied
Activity	Planning & Design

Enquirer Details

Customer ID	1750821		
Contact	Ms Katy Bright		
Company	Rod Bright & Assoc. Pty Ltd		
Email	katy@rodbrightlds.com.au		
Phone	0415 635 420	Mobile	Not Supplied

Enquirer Responsibilities

This notification is valid for 28 days from the issue date. CitiPower/Powercor assets are critical infrastructure and great care must be taken to avoid asset damage and risk to public safety. The information supplied in the DBYD Response is intended to be indicative only. External parties should make their own enquiries to ensure the accuracy of the information, including but not limited to:

- Check that the location of the dig site indicated is correct, if not you must submit a new enquiry.
- Should your scope of works change or the plan validity dates expire, you must submit a new enquiry.
- If you do not understand the plans provided please contact CitiPower/Powercor prior to works commencing.
- Always perform an onsite inspection to establish the presence of assets.
- Ensure you adhere to any State legislative requirements regarding Duty of Care and safe digging requirements.

Report any asset damage immediately on 132 206. Note: CitiPower/Powercor reserves the right to recover compensation for damages.

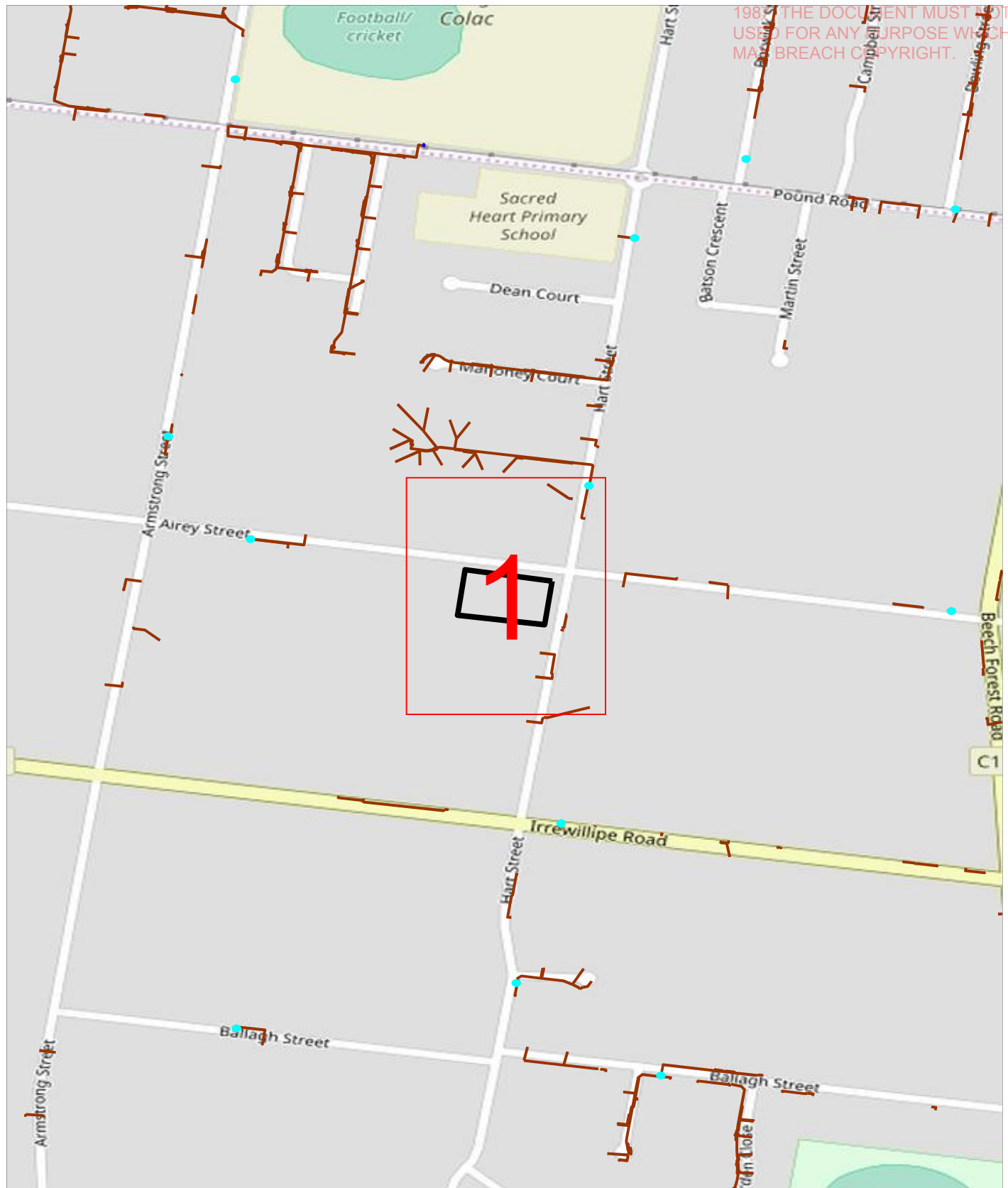
Locality Map

Sequence No: 73590712

171 Hart Street Elliminyt

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MAP IS A GUIDE ONLY- REFER TO CABLE PLANS FOR ACCURATE ASSET LOCATIONS



LEGEND:

- DBYD Work Area
- SWER Substation
- High Voltage Cable
- Communication Cable
- Zone Substation
- Distribution Substation
- Low Voltage Cable
- Earth Cable

This map represents the location of the submitted DBYD Work Area and all CitiPower/Powercor responses are based on this location. It is the responsibility of the enquirer to ensure the accuracy of the DBYD Work Area.

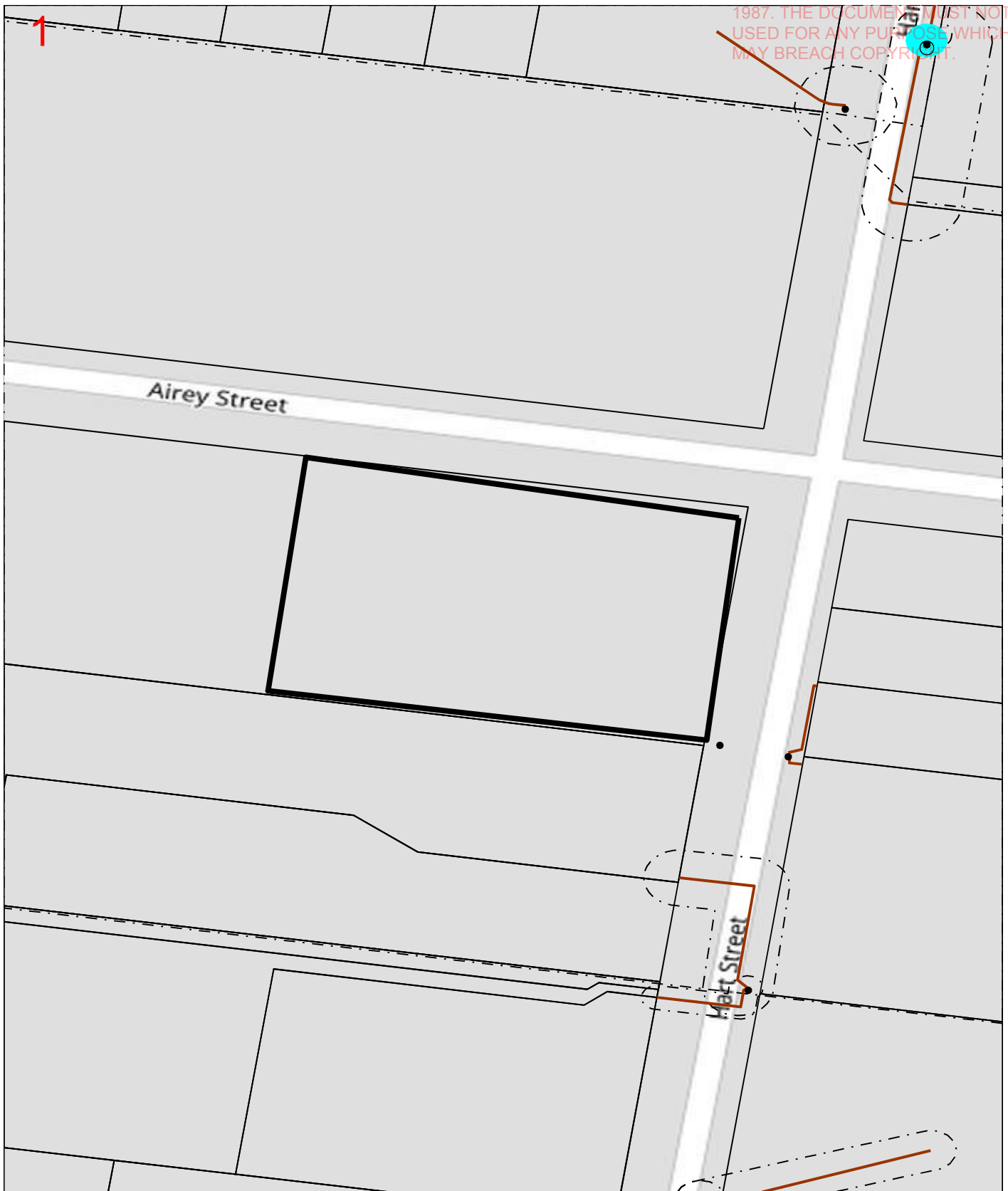
0 0.06km



Imagery sourced from Open StreetMaps

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MAP IS A GUIDE ONLY- REFER TO CABLE PLANS FOR ACCURATE ASSET LOCATIONS



LEGEND:

- DBYD Work Area
- SWER Substation
- High Voltage Cable
- Communication Cable
- Pole (Subtransmission)
- Pole (LV)
- Zone Substation
- Distribution Substation
- Low Voltage Cable
- Earth Cable
- Pole (HV)
- Property Boundary

This map represents the location of the submitted DBYD Work Area and all CitiPower/Powercor responses are based on this location. It is the responsibility of the enquirer to ensure the accuracy of the DBYD Work Area.

0 0.01km



Imagery sourced from Open StreetMaps

UNDERGROUND ELECTRICITY HAZARD AWARENESS INSTRUCTIONS

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For CitiPower & Powercor Dial Before You Dig customers

Always complete a **Dial Before You Dig** request before you proceed with any work plans



If there are Underground Electricity assets identified within your work area please ensure that you carefully evaluate all of the information provided

If any part of your proposed works impacts on the **EXCLUSION ZONES** shown on the next page then before proceeding you must contact CitiPower/Powercor to determine if a **PERMIT TO WORK** is required and to organise a **SITE VISIT**

Site Visit/Permit To Work applications may be lodged at:

<https://www.citipower.com.au/working-with-us/suppliers/online-permit-applications/site-visit/>

If you need assistance to determine if you need a Site Visit please call:



CitiPower on 1300 301 101



Powercor on 132 206

Underground Electricity Asset Location Details Accuracy:

The Underground Electricity asset location details provided with this response are based on the best information available at the time

All reasonable care has been taken to ensure the accuracy of the information provided but complete accuracy cannot be guaranteed

Please be aware that the Underground Electricity Asset depths shown on the attached plans are accurate at the time of recording, however, due to works undertaken over the years by parties other than CitiPower/Powercor the Underground Electricity Asset depths may differ to those shown on the plans

Contact with Underground Electricity Cables can cause serious injury or death

**If you observe any Underground Electricity Assets
that do not appear on the records provided**

Stop Work Immediately

and contact CitiPower/Powercor on the above numbers

UNDERGROUND ELECTRICITY HAZARD AWARENESS INSTRUCTIONS

For CitiPower & Powercor Dial Before You Dig customers



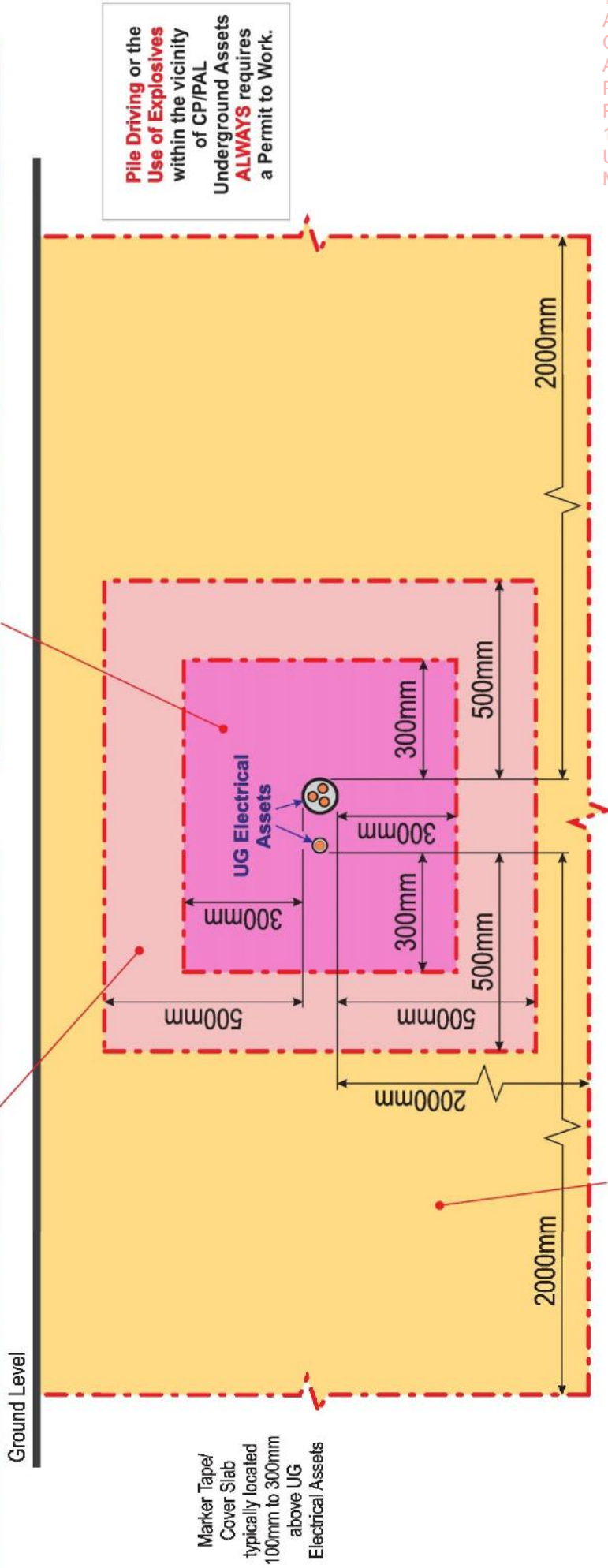
EXCLUSION ZONES

500mm Exclusion Zone
Heavy Machinery & Mechanical Excavation

Heavy (Crawler Type) Machinery operation and Mechanical Excavation within a 500mm distance of Underground Electricity Assets requires a Permit to Work

300mm Exclusion Zone
Hand Tools Only

All Excavation within a 300mm distance of Underground Electricity Assets requires a Permit to Work and must only be performed with Hand Tools



Marker Tape/
Cover Slab
typically located
100mm to 300mm
above UG
Electrical Assets

Pile Driving or the Use of Explosives within the vicinity of CP/PAL Underground Assets **ALWAYS** requires a Permit to Work.

2000mm Exclusion Zone
Works within this area that require a Site Technical Assessment and may require a Permit to Work includes:

- Pot Hole Boring Machine (Vertical Boring), Directional Boring Machine, Excavations Parallel to Underground Electricity Assets, Excavations Across Underground Electricity Assets

For Underground Electricity Asset location purposes:

Careful Excavation by hand may be performed under a Permit to Work above energised Underground Electricity Assets within the Exclusion Zone. Excavation must cease once either Marker Tape, Cover Slab or top of asset is located. All excavation must be performed BY HAND using only non-powered tools. No disturbance of the Marker Tape, the Protective Cover or the Asset is allowed. Any disturbance must be reported immediately to CitiPower/Powercor.

Excavation Below Underground Electricity Assets:

All excavation BELOW Underground Electricity Assets outside of the Exclusion Zone must ensure that there is no disturbance to the asset and that the area is restored to full pre-excavation integrity upon reinstatement

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Asset Types

- Water
- Recycled Water
- Gravity Sewer
- Pressure Sewer

Feature Types

- Pipes
- Decommissioned Pipe
- Fitting / Manhole
- Offset

OH&S Hazard Types

- Cracked AC Pipe
- Asbestos in Wrapping
- Benzene Detected
- LEL Detected
- Contaminated Ground



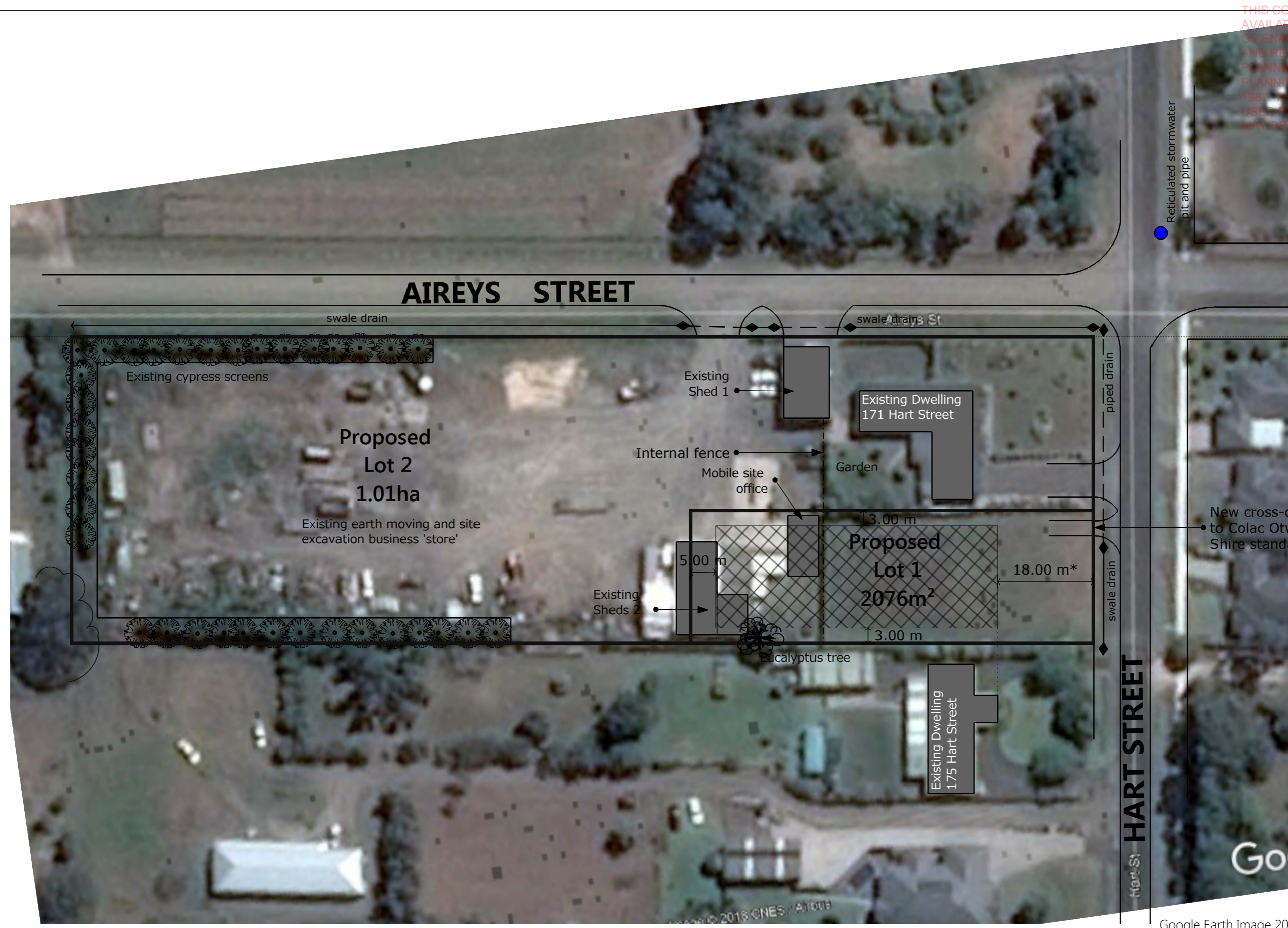
Scale: 1:750

Plan No: 1

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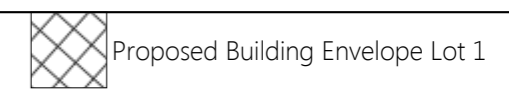
PLANS MUST BE PRINTED IN COLOUR

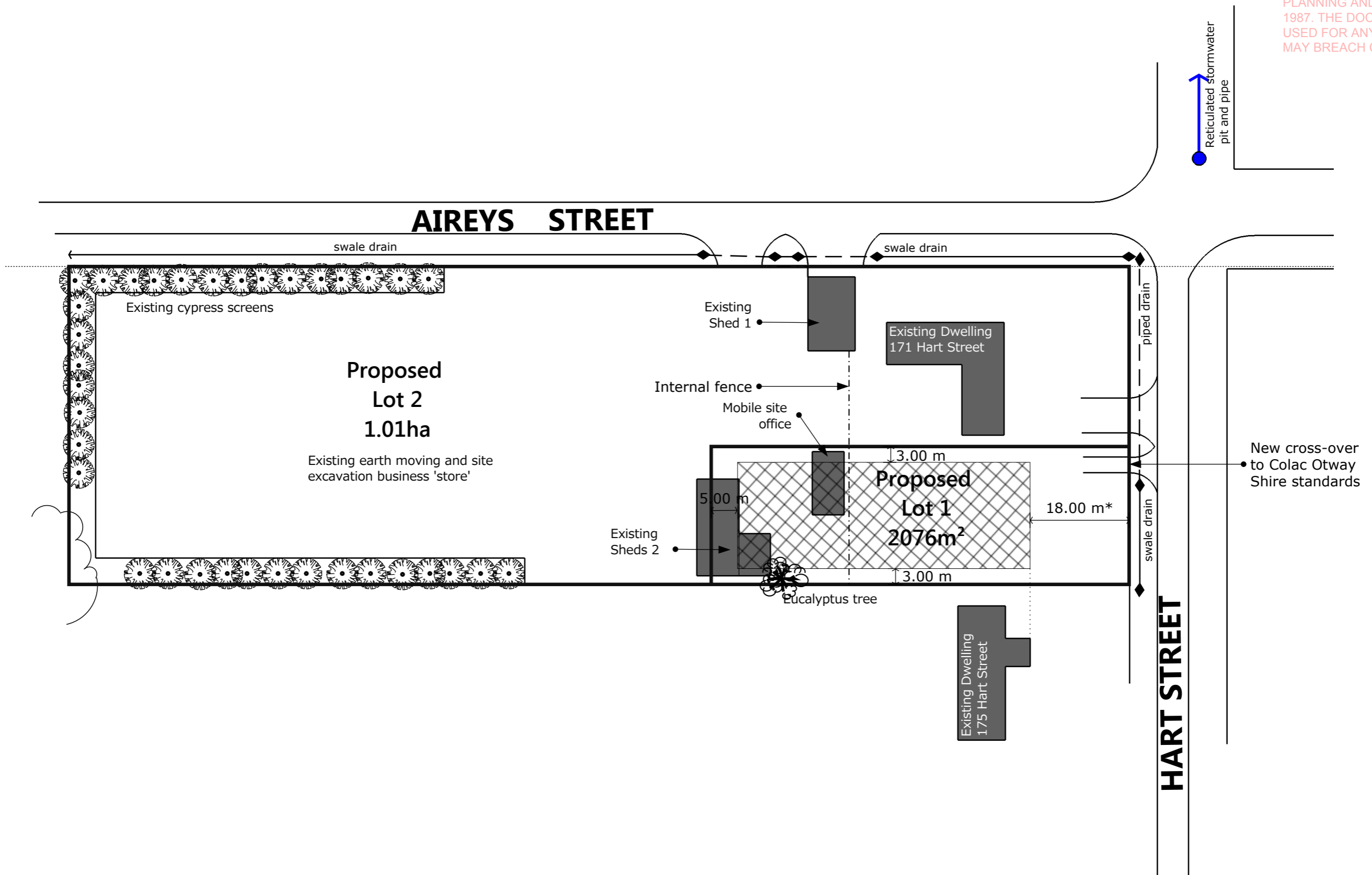




Google Earth Image 2017

Note: Location of title boundaries, imagery, vegetation and service subject to survey. Refer to proposed plan of subdivision for dimensions and bearings.
 *Building envelope front setback distance consistent with front setback of adjoining dwelling to south, as determined by survey, 18m estimated.





Note: Location of title boundaries, imagery, vegetation and services subject to survey. Refer to proposed plan of subdivision for dimensions and bearings.
 *Building envelope front setback distance consistent with front setback of adjoining dwelling to south, as determined by survey, 18m estimated.

 Proposed Building Envelope Lot 1