

WCON3/2019-1

5 Noel Street APOLLO BAY

Lot: 13 PS: 532591 V/F: 11044/849

**Consent to construct outside the dwelling and
garage building envelopes on the Site Layout
Plan referred to in Section 173 Agreement
AF530307B (13/12/2007)**

Apollo Bay Building Group

Officer – Vikram Kumar

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



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

Office Use Only

Fee:

Receipt Type:

Application No:

Receipt No:

Application for Written Consent

Please print clearly or complete the form electronically

▲ Privacy Notice: Information collected with this application will only be used to consider and determine the application. It may be made available for public inspection in accordance with section 51 of the *Planning and Environment Act 1987*.

The land

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

Street Address

| | | |
|-----------------------------|-----------|-----------------------|
| Unit No: | St. No: 5 | St. Name: NOEL STREET |
| Suburb/Locality: APOLLO BAY | | Postcode: 3233 |

Formal Land Description

▲ This information can be found on the certificate of title.

| | |
|-----------------------|------------------|
| Lot No: 13 | Plan No: 532591F |
| OR | |
| Crown Allotment No: | Section No: |
| Parish/Township Name: | |

Applicant Details

Provide details of the applicant and the owner of the land

Applicant

The person or organisation making the application

| | | |
|---|------------------|----------------------|
| Title: MR | Name: TYSON HOLT | |
| Organisation (if applicable): APOLLO BAY BUILDING GROUP | | |
| Unit No: | St. No: 10 | St. Name: OAK AVENUE |
| Postal Address | | |
| Suburb/Locality: APOLLO BAY | State: VIC | Postcode: 3233 |

Contact Details

| | |
|--------------------------------|----------------------------|
| Business Phone: (03) 52 377880 | Mobile Phone: 0439 376 844 |
| Email: tyson@abbg.com.au | |

Owner

The person or organisation who owns the land

| | | |
|-------------------------------|----------------------------|--------------------------|
| <input type="checkbox"/> | Same as Applicant | |
| Title: MR | Name: JEAN-PHILIPPE PECTOR | |
| Organisation (if applicable): | | |
| Postal Address | | |
| Unit No: | St. No: 370 | St. Name: PHILLIPS TRACK |
| Suburb/Locality: FERGVSON | State: VIC | Postcode: 3237 |

The Proposal

Describe what your submission/proposal is for

CONSENT TO CONSTRUCT OUTSIDE THE BUILDING ENVELOPE ON THE SITE LAYOUT PLAN - REFERENCED TO IN SECTION 173 AGREEMENT AF930307B (13/12/2007).
CONSENT TO VARY THE DESIGN GUIDELINES.

The Restriction (if applicable)

What is the clause/section/part of the applicable restriction

DESIGN GUIDELINES & SITE LAYOUT PLAN AS PER SECTION 173 AGREEMENT.

Justification

Provide your justification for not being able to comply with the restriction

REFER TO WC COVER LETTER.

Declaration

This form must be signed by the applicant

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 Written Consent Application.

Signature: 

Date: 7/11/19

Checklist

Have you?

- Filled in the form completely?
- Paid or included the application fee?
- Provided supporting information and documents?
- Signed the declaration above?

Lodgement

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

Mail: Colac Otway Shire
PO Box 283
COLAC VIC 3250
Office: 2-6 Rae Street, Colac VIC 3250
Apollo Bay: Information Centre 100 Great Ocean Road, Apollo Bay VIC 3250
Email: ing@colacotway.vic.gov.au

Contact Information
Phone: 03 5232 9400

26 AUGUST 2019

Building Dept.
Colac Otway Shire,
PO BOX 283
COLAC, VIC, 3250

Dear Sirs

**PROPOSED SINGLE DWELLING
5 NOEL STREET, APOLLO BAY**

**REPORT & CONSENT [DISPENSATION] SITING MATTERS
DOCUMENTS INCLUDED IN APPLICATION**

- Report & Consent application form duly completed & signed
- Architectural drawings set [A3 size]– drawing no's RC-00 – RC05 [6 sheets]
- Design statement [see below]
- Planning scheme assessment [see below]
- Current title information

DESIGN STATEMENT

EXISTING CONDITIONS

The site is within planning zones GRZ1, DD06 & VPO1.

PLOT 13 – PS 532591F

The existing land size is 314m². 22.15m x 14.16m boundary lengths.

There are no trees on the site.

There is building envelope restriction on the site.

There is a 3m x 2m easement in the south east corner with a 2m easement running adjacent to the east boundary within plot 3 Noel Street.

There are currently vacant plots to the immediate surroundings of 5 Noel Street. East [No.3 Noel St], West [No.7A Noel St] and South [No.16B Trafalgar St].

Noel Street and existing crossover/ site access is located to the North.

The majority of the surrounding dwellings within this precinct have street setbacks of 4m.

Below are photos taken recently of the site and the surrounding properties.

Studio 40 Building Design

15 Cochranes Road

Moorabbin VIC 3189

0424 628 631

studio@studio40.com.au

www.studio40.com.au

ABN 604 723 41167



The following copied documents are 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.

Studio 40 Building Design

15 Cochranes Road

Moorabbin VIC 3189

0424 628 631

studio@studio40.com.au

www.studio40.com.au

ABN 604 723 41167



VIEW OF SITE LOOKING SOUTH FROM NOEL STREET



VIEW OF 3 NOEL STREET PLOT LOOKING SOUTH FROM NOEL STREET



VIEW LOOKING EAST ALONG NOEL STREET. 1 NOEL STREET ON THE LEFT

The following copied documents are 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.

Studio 40 Building Design

15 Cochranes Road

Moorabbin VIC 3189

0424 628 631

studio@studio40.com.au

www.studio40.com.au

ABN 604 723 41167



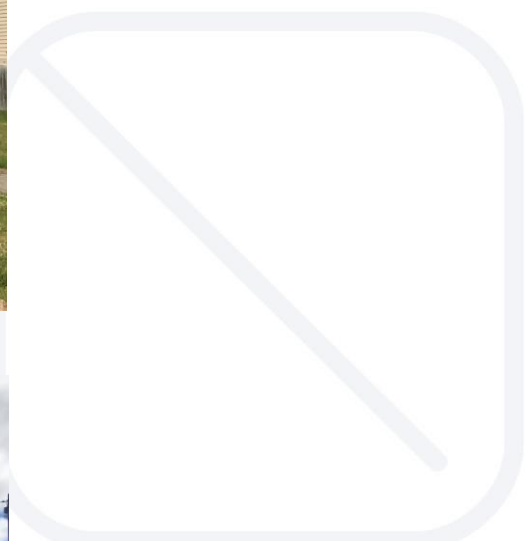
VIEW OF 7A NOEL STREET PLOT LOOKING SOUTH FROM NOEL STREET



VIEW OF 7C NOEL STREET LOOKING SOUTH FROM NOEL STREET



VIEW OF 9-13 NOEL STREET LOOKING WEST



The following copied documents are 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.

Studio 40 Building Design

15 Cochranes Road

Moorabbin VIC 3189

0424 628 631

studio@studio40.com.au

www.studio40.com.au

ABN 604 723 41167



VIEW OF 9-13 NOEL STREET LOOKING SOUTH FROM NOEL STREET



VIEW OF 1 NOEL STREET LOOKING FROM TRAFALGAR STREET



VIEW OF 1 NOEL STREET LOOKING FROM SUBJECT SITE



PLANNING SCHEME SITING ASSESSMENT

STREET SETBACKS – [STANDARD A3]

New dwelling - 4m setback, road zone is not classed as Category 1 thus complies.

BUILDING HEIGHT [STANDARD A4] – DD06 takes precedence.

Max building height to ridge above NGL is less than 8m max height thus complies.

SITE COVERAGE [STANDARD A5] – GRZ1.

Site area = 314m²

Proposed house area = 152m² = 48% site coverage

Requirement is max 60% thus complies

PERMEABILITY [STANDARD A6]

Site area = 314m²

Proposed permeable area = 136m² = 44% permeable surfaces

20% requirement thus complies

ENERGY EFFICIENCY PROTECTION [STANDARD A7]

First floor alfresco area is located facing North East with roof over providing large roof overhang to provide shading to large glazed areas.

Larger roof overhang to the north to protect large north facing glazing.

The first floor overhangs the ground floor to provide shading to most ground floor windows.

All glazing to be doubled glazed

SIGNIFICANT TREES [STANDARD A8]

Not applicable.

SIDE AND REAR SETBACKS [STANDARD A10]

New Dwelling has been designed to be within the setback Diagram A1

Refer to proposed elevations.

WALLS ON BOUNDARIES [STANDARD A11]

The east garage wall is on the boundary. 3.2m high x 6.9m wide.

Title boundary – 22.15m long – 10m = 12.15m / 4 = 3.05m

Length of wall on boundary allowance = 13.05m

Length of wall on boundary = 6.9m thus complies.

DAYLIGHT TO EXISTING HABITABLE ROOM WINDOWS [STANDARD A12]

Not applicable

SOLAR ACCESS TO NEIGHBOURS EXISTING NORTH FACING HABITABLE ROOM WINDOWS [STANDARD A13]

Not applicable

OVERSHADOWING OF NEIGHBOURS RECREATIONAL PRIVATE OPEN SPACE [STANDARD A14]

Not Applicable

OVERLOOKING [STANDARD A15]

Not Applicable as no windows overlook Private open spaces or habitable windows within 9m.

DAYLIGHT TO NEW HABITABLE ROOM WINDOWS [STANDARD A16]

Not applicable

PRIVATE OPEN SPACE [STANDARD A17]

Secluded private open space located to the south & west is 100m²

This is above the required 80m² and has a min dimension greater than 3m thus complies.

FRONT FENCE HEIGHTS [STANDARD A20]

Not applicable.

Studio 40 Building Design

15 Cochranes Road

Moorabbin VIC 3189

0424 628 631

studio@studio40.com.au

www.studio40.com.au

ABN 604 723 41167



REASON/ JUSTIFICATION FOR REPORT & CONSENT

The reason for this application is to apply for a dispensation to build outside of the building envelope assigned to this plot.

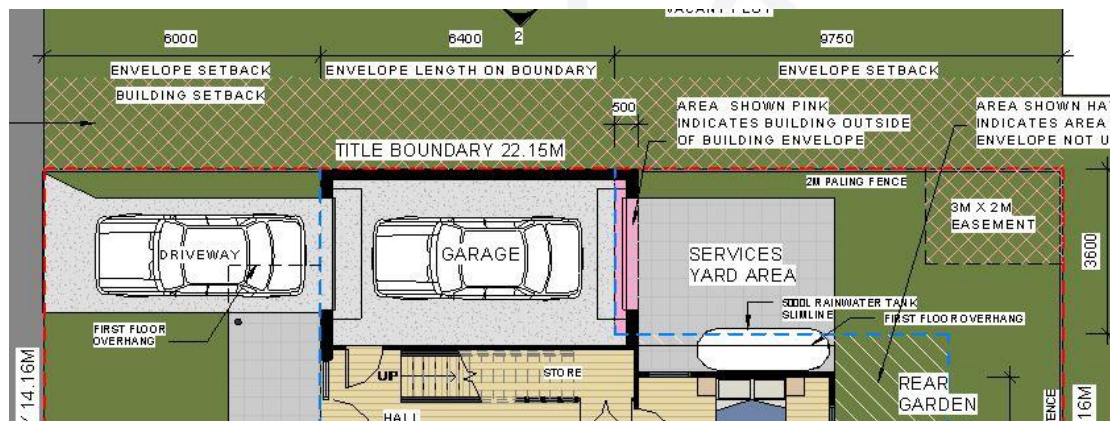
We request to build outside the assigned envelope in 2 locations –

To the North & South of the envelope.

1 - Request to build outside of the building envelope to the South –

The building envelope is shaped to accommodate a single garage along the east boundary. The length is 6.4m and we would like to increase the garage length slightly by 500mm to the south so as to fit a large SUV/ ute type vehicle in it. 6m length less masonry wall thickness is quite small. Therefore we request an extra 500mm in length to be practical.

See excerpt from ground floor plan below. Area shown pink is the additional area requested outside of the building envelope.



As noted in the wall on boundary assessment, this wall length of 6.9m would normally comply if there was no building envelope restriction.

1 - Request to build outside of the building envelope to the North –

The building envelope has a street setback dimension of 6m from the North Boundary.

The majority of the houses in this Precinct have street setbacks of 4m.

The Road zone is not Category 1 and therefore a 4m street setback would normally be acceptable.

The following copied documents are 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.

We request that a portion of the ground & first floor to have a street setback of 4.0m from the North Boundary in Lieu of the 6m Building envelope dimension.

We also request to have a partial north facing roof overhang of 2.5m street setback to protect the large glazing at first floor living level to improve the energy efficiency performance as encouraged in Standard A7 energy efficiency protection standard.

The 4m setback at both ground and first floor will be in keeping with the majority of this precinct and also compliant with the Standard A3 street setback.

Studio 40 Building Design

15 Cochranes Road

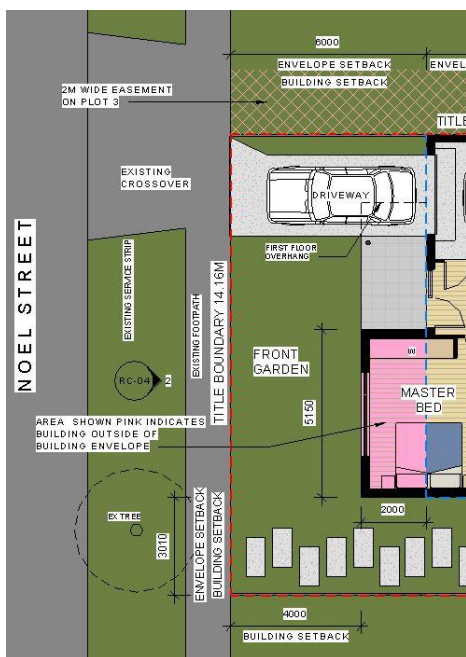
Moorabbin VIC 3189

0424 628 631

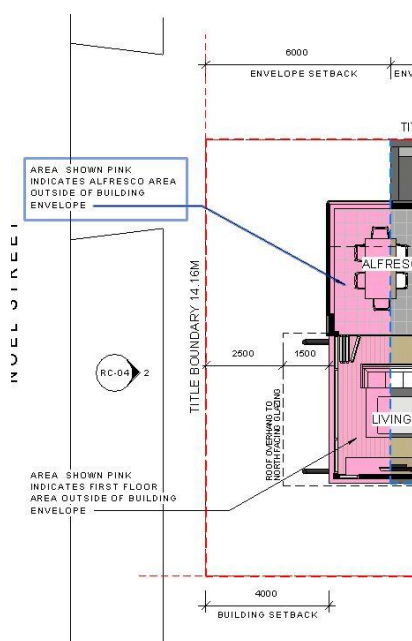
studio@studio40.com.au

www.studio40.com.au

ABN 604 723 41167



Part Ground floor plan



Part First floor plan

SUMMARY

To summarize, the proposed design complies with all planning scheme siting matters including the street setback A3 standard and we feel these requests to build outside of this dated building envelope on this property is justified.

This design takes into consideration the current context of the site and is considerably more in keeping with the precinct design than the original building envelope outline.

I trust all the relevant documents are included to process the application however if you do require any further information please do not hesitate to contact me

Yours Faithfully

Michael Roberts

encl

5 NOEL ST
APOLLO BAY

REPORT & CONSENT SET

DATE 26-08-2019



PROJECT
NEW DWELLING
5 NOEL STREET
APOLLO BAY

SHEET TITLE
COVER SHEET

SCALE
1 : 1

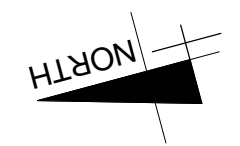
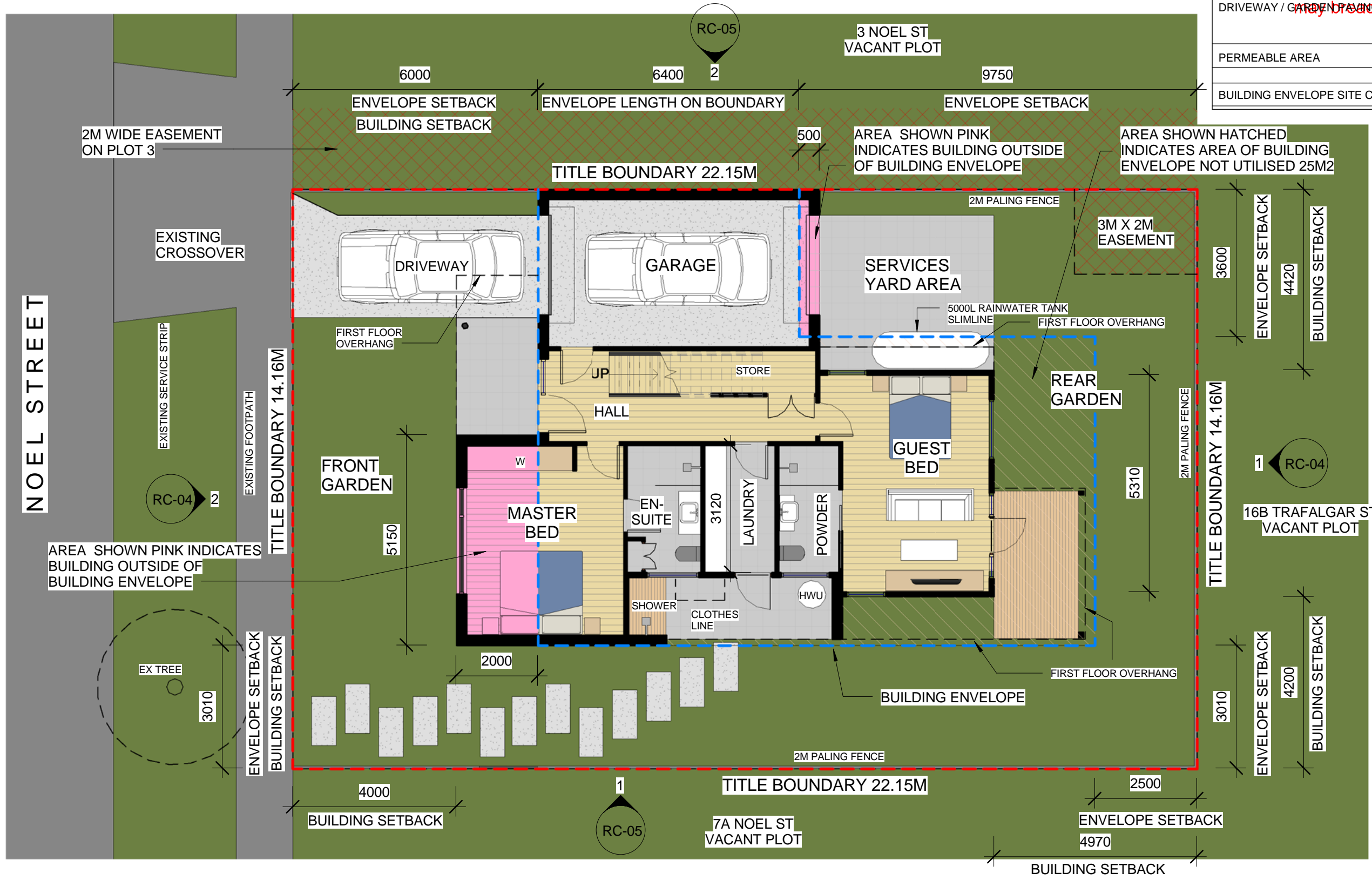
DATE
26-08-2019

PROJECT NUMBER
1809

SHEET NUMBER
RC-00

The following copied documents are 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.

| PROPOSED AREA SCHEDULE | | |
|---------------------------------|--------------------|---------------|
| LAND AREA | 304 m ² | SITE COVERAGE |
| PROPOSED HOUSE SITE COVERAGE | 152 m ² | 48% |
| DRIVEWAY / GARAGE / SERVICES | 26 m ² | 8% |
| PERMEABLE AREA | 136 m ² | 44% |
| BUILDING ENVELOPE SITE COVERAGE | 126m ² | 40% |



PROJECT
 NEW DWELLING
 5 NOEL STREET
 APOLLO BAY

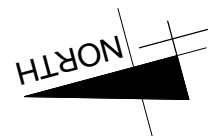
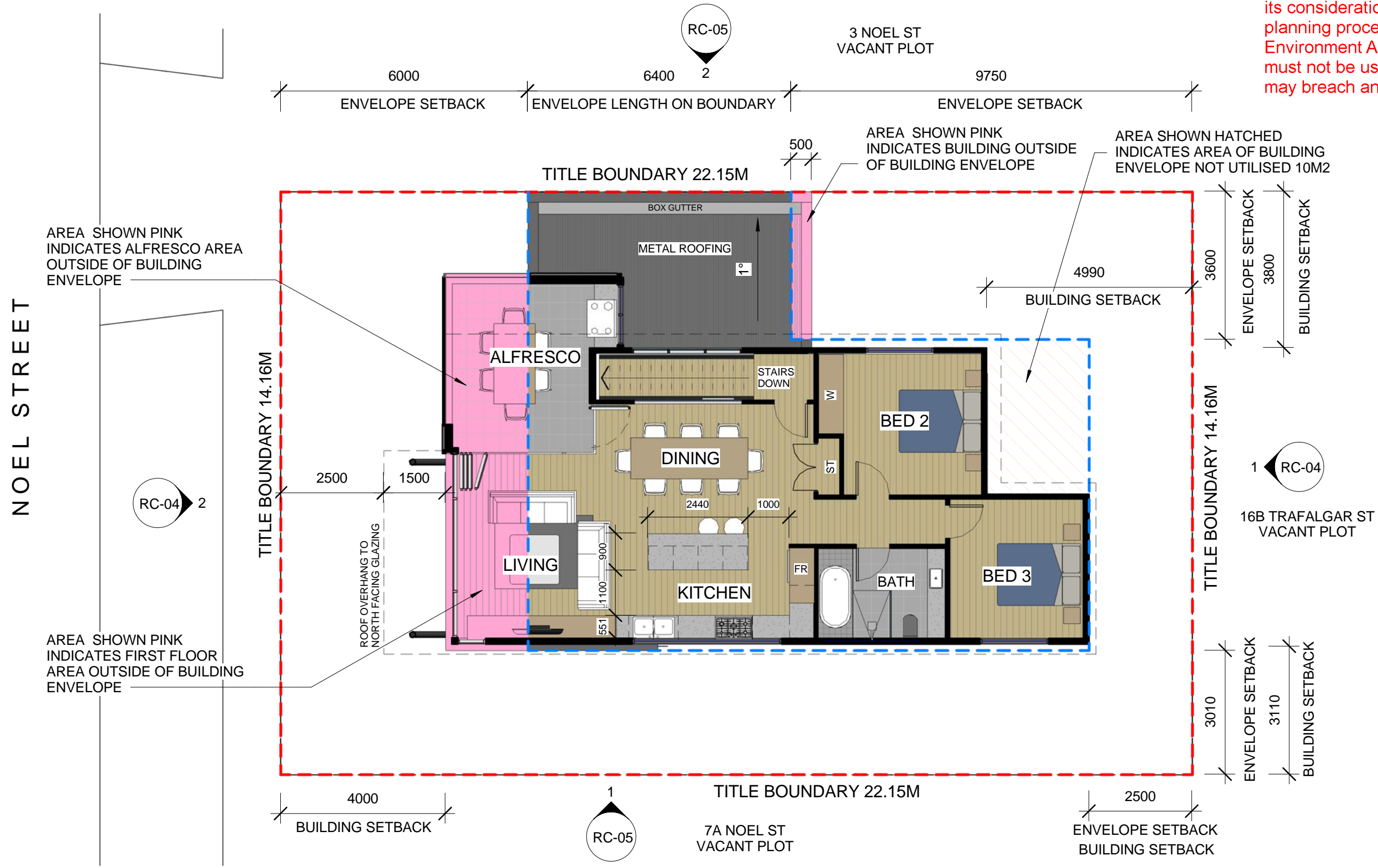
SHEET TITLE
 PROPOSED GROUND FLOOR PLAN

SCALE
 As indicated
 DATE
 26-08-2019

PROJECT NUMBER
 1809
 SHEET NUMBER
 RC-01



The following copied documents are 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.



PROJECT
NEW DWELLING
5 NOEL STREET
APOLLO BAY

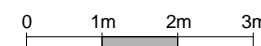
SHEET TITLE
PROPOSED FIRST FLOOR PLAN

SCALE
1 : 100

PROJECT NUMBER
1809

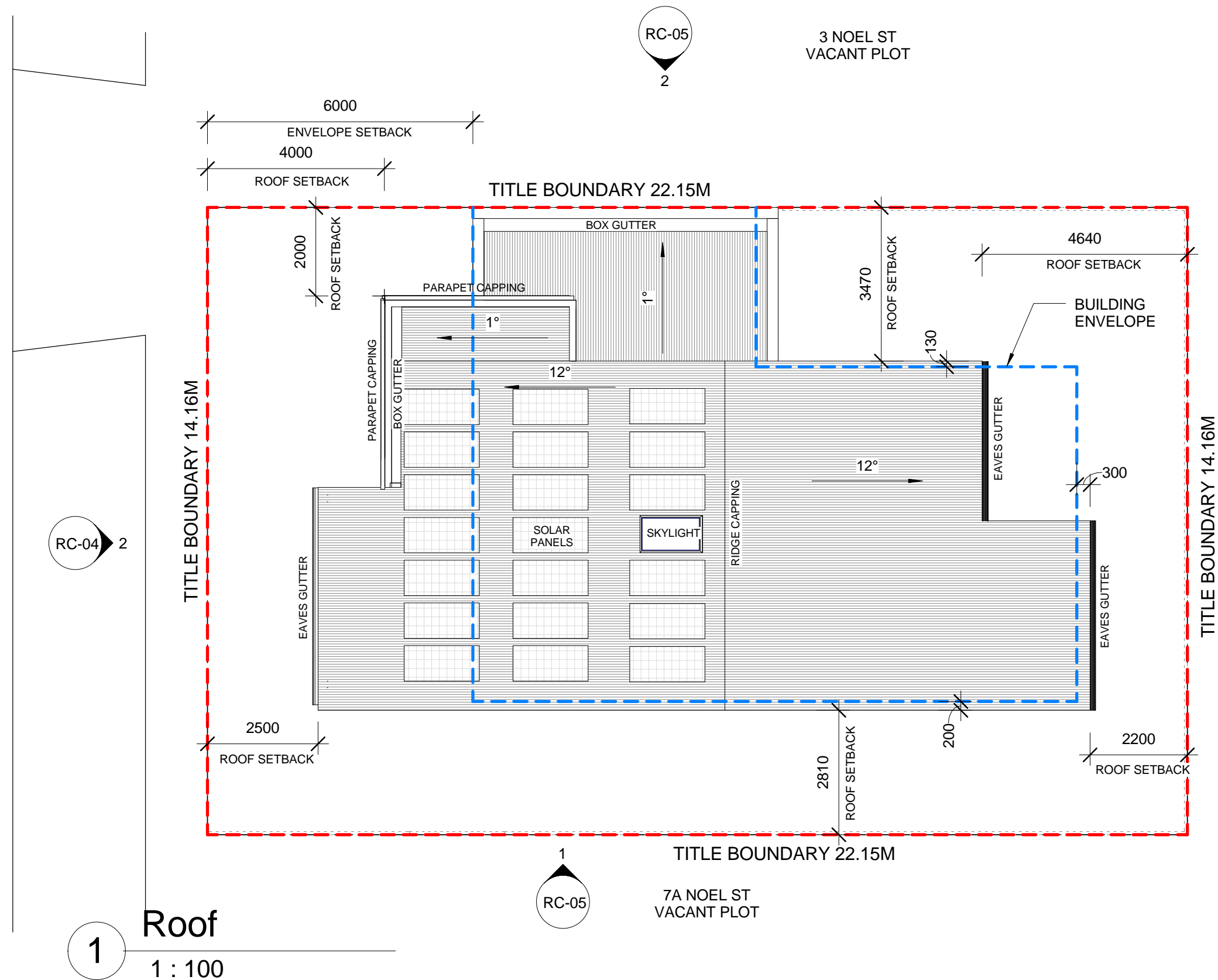
DATE
26-08-2019

SHEET NUMBER
RC-02



The following copied documents are 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.

NOEL STREET



RC-04 2

RC-05 2

3 NOEL ST VACANT PLOT

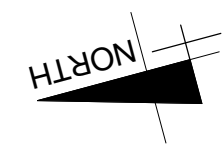
RC-04 1

16B TRAFALGAR ST VACANT PLOT

RC-05 1

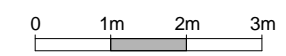
7A NOEL ST VACANT PLOT

1 Roof 1 : 100



PROJECT
NEW DWELLING
5 NOEL STREET
APOLLO BAY

SHEET TITLE
PROPOSED ROOF PLAN



SCALE
1 : 100
DATE
26-08-2019

PROJECT NUMBER
1809
SHEET NUMBER
RC-03

The following copied documents are 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.



2 North Elevation
1 : 100



1 South Elevation
1 : 100



PROJECT
NEW DWELLING
5 NOEL STREET
APOLLO BAY

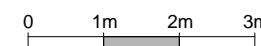
SHEET TITLE
PROPOSED ELEVATIONS 1

SCALE
1 : 100

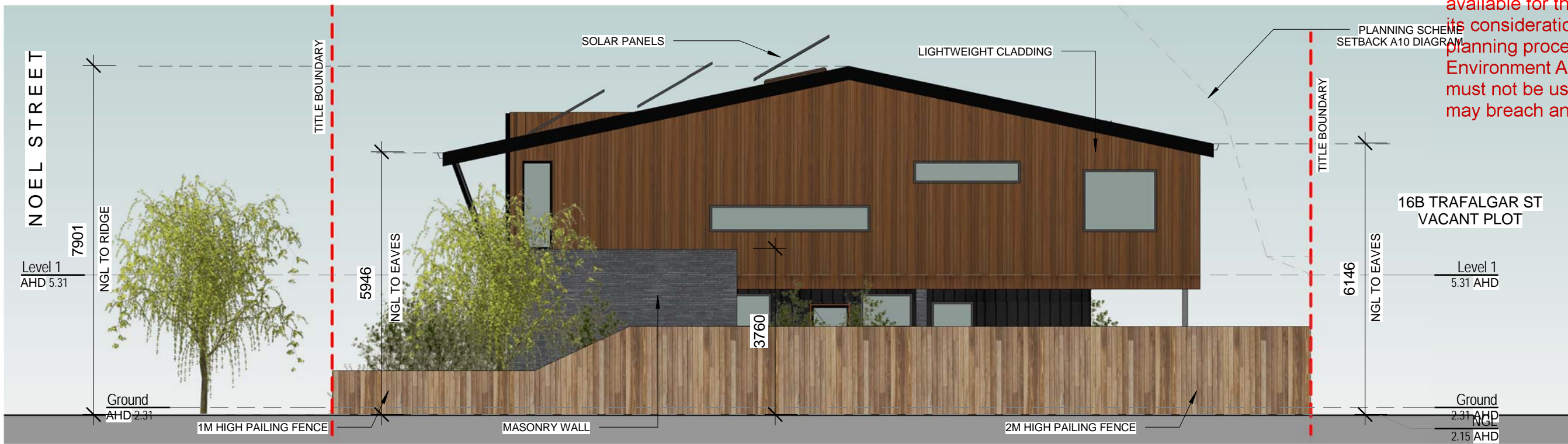
PROJECT NUMBER
1809

DATE
26-08-2019

SHEET NUMBER
RC-04



The following copied documents are 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.



West Elevation

1

1 : 100



East Elevation

2

1 : 100



PROJECT
NEW DWELLING
5 NOEL STREET
APOLLO BAY

SHEET TITLE
PROPOSED ELEVATIONS 2



SCALE
1 : 100
DATE
26-08-2019

PROJECT NUMBER
1809
SHEET NUMBER
RC-05



Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

The following copied documents are 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.

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

VOLUME 11044 FOLIO 849

Security no : 124079073772C
Produced 30/08/2019 09:46 AM

LAND DESCRIPTION

Lot 13 on Plan of Subdivision 532591F.
PARENT TITLES :
Volume 00866 Folio 131 Volume 04471 Folio 149 Volume 09560 Folio 394
Created by instrument PS532591F 18/12/2007

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
JEAN-PHILIPPE PECTOR
JULIA JAY MALCOLM both of 370 PHILLIPS TRACK FERGUSON VIC 3237
AQ491082R 28/11/2017

ENCUMBRANCES, CAVEATS AND NOTICES

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

AGREEMENT Section 173 Planning and Environment Act 1987
AF530307B 13/12/2007

DIAGRAM LOCATION

SEE PS532591F 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: 5 NOEL STREET APOLLO BAY VIC 3233

DOCUMENT END

The following copied documents are 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.

Volume 11044 Folio 849
124069296375G Page 1 / 1
Produced 28/11/2017 12:26 hr



CERTIFICATE OF TITLE - VICTORIA

Under the Transfer of Land Act 1958

I certify that the registered proprietor is the proprietor of the estate and interest in the land subject to the encumbrances, caveats and notices described

Alvin J. McRae



REGISTRAR OF TITLES

LAND DESCRIPTION

Lot 13 on Plan of Subdivision 532591F.
PARENT TITLES :
Volume 00866 Folio 131 Volume 04471 Folio 149 Volume 09560 Folio 394
Created by instrument PS532591F 18/12/2007

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
JEAN-PHILIPPE PECTOR
JULIA JAY MALCOLM both of 370 PHILLIPS TRACK FERGUSON VIC 3237
AQ491082R 28/11/2017

ENCUMBRANCES, CAVEATS AND NOTICES

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

AGREEMENT Section 173 Planning and Environment Act 1987
AF530307B 13/12/2007

DIAGRAM LOCATION

SEE PS532591F FOR FURTHER DETAILS AND BOUNDARIES

END OF CERTIFICATE

COPY



THIS CERTIFICATE CONTAINS INFORMATION CORRECT AT THE TIME OF PRINTING.
CURRENT INFORMATION SHOULD BE OBTAINED BY A SEARCH OF THE REGISTER.



Imaged Document Cover Sheet

The following copied documents are 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.

The document following this cover sheet is an imaged document supplied by LANDATA®, Land Use Victoria.

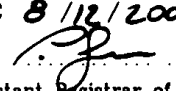
| | |
|---|-------------------------|
| Document Type | Plan |
| Document Identification | PS532591F |
| Number of Pages (excluding this cover sheet) | 4 |
| Document Assembled | 30/08/2019 09:48 |

Copyright and disclaimer notice:

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

The document is invalid if this cover sheet is removed or altered.

The following copied documents are 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.

| | | | | |
|---|---------------------|--|-------------------|---|
| PLAN OF SUBDIVISION | | STAGE NO. | LR use only | Plan Number |
| | | EDITION 1 | PS 532591F | |
| Location of Land Parish: KRAMBRUK Township: APOLLO BAY Section: 1 Crown Allotments: 8, 9, 10, 6 (PART) & 7 (PART) Crown Portion: Title Reference: VOL 9560 FOL 394, VOL 4471 FOL 149 & VOL 0866 FOL 131 Last Plan Reference: CP 157562G & TP 793267S Postal Address: 1 - 7 NOEL STREET (at time of subdivision) APOLLO BAY, 3233 MGA Co-ordinates: E 732 330 Zone: 54 (of approx. centre of land in plan) N 5 706 400 | | Council Certification and Endorsement Council Name: COLAC OTWAY SHIRE COUNCIL Ref: 574/07 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage . . . Council Delegate Council Seal Date 13 / 12 / 07 Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / / | | |
| Vesting of Roads and/or Reserves | | | | |
| Identifier | Council/Body/Person | Notations | | |
| NIL | | Staging This plan is/is not a staged subdivision Planning Permit No. PP62/05A Depth Limitation DOES NOT APPLY Other Purposes: | | |
| | | Survey This plan is/is not based on survey This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No. 78 | | |
| Easement Information | | | | |
| Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement(Road) | | | | LR use only |
| SECTION 12(2) OF THE SUBDIVISION ACT APPLIES TO ALL THE LAND ON THIS PLAN | | | | Statement of Compliance/ Exemption Statement |
| Easement Reference | Purpose | Width (Metres) | Origin | Land Benefited/In Favour Of |
| E-1 & E-4 | SEWERAGE | SEE DIAG | THIS PLAN | BARWON WATER |
| E-2 & E-4 | DRAINAGE | SEE DIAG | THIS PLAN | LOTS ON THIS PLAN |
| E-3 | DRAINAGE | 1-50 | THIS PLAN | LOTS ON THIS PLAN |
| | | | | Received <input checked="" type="checkbox"/> |
| | | | | Date 14 / 12 / 07 |
| | | | | LR use only |
| | | | | PLAN REGISTERED |
| | | | | TIME 2:49 |
| | | | | DATE 8 / 12 / 2007 |
| | | | |  |
| | | | | Assistant Registrar of Titles |
| | | | | Sheet 1 of 8 sheets |
| TONY JEAVONS SURVEYS LAND SURVEYORS PO BOX 196 APOLLO BAY PHONE (03) 52376757 FAX (03) 52376949 EMAIL tjsurveys@bigpond.com | | LICENSED SURVEYOR (PRINT) ANTHONY HAROLD JEAVONS SIGNATURE DATE 04/12/2007 REF 1869 VERSION 18 | | DATE 13 / 12 / 07 COUNCIL DELEGATE SIGNATURE Original sheet size A3 |

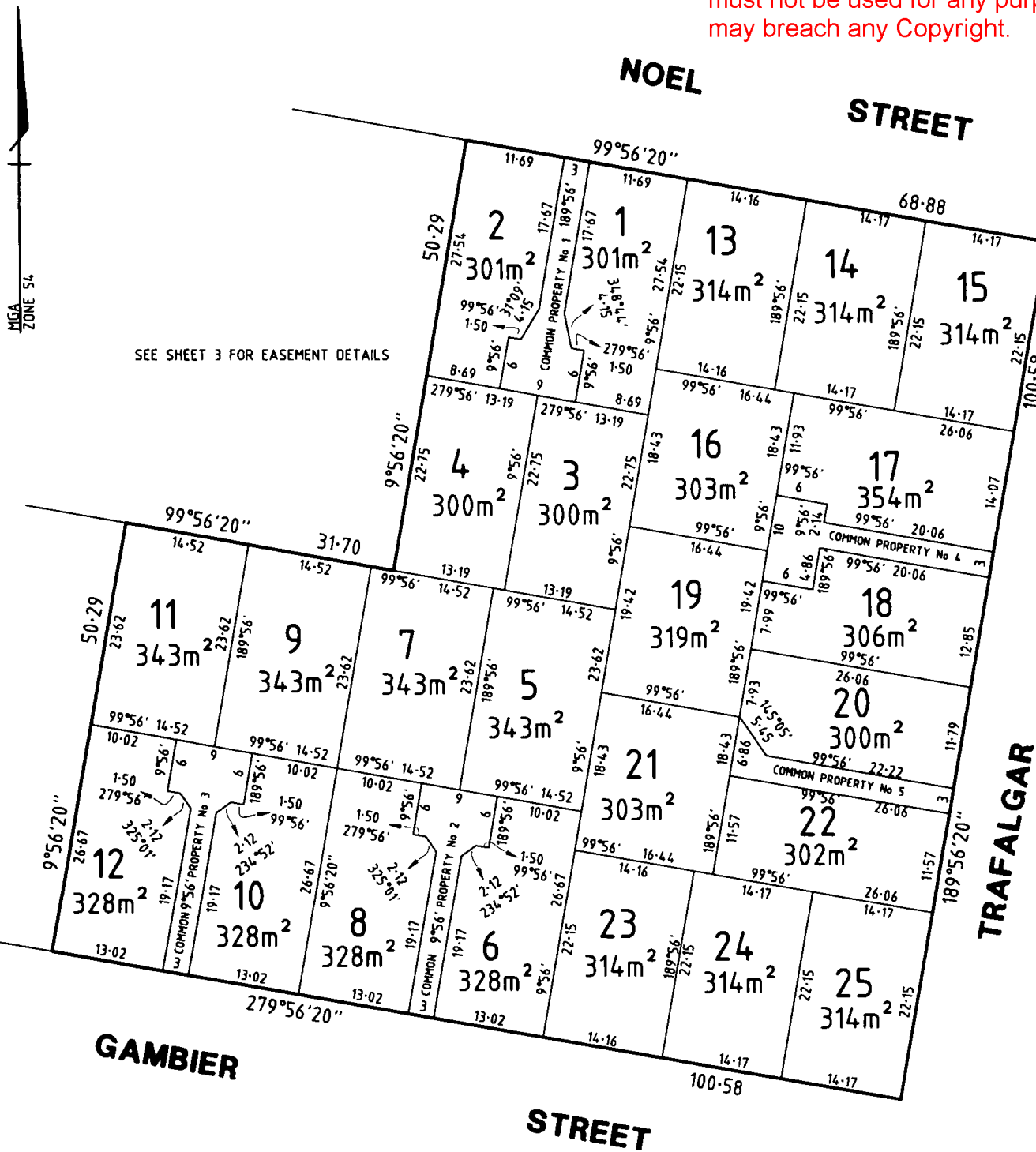
The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

PLAN OF SUBDIVISION

STAGE NO.

Plan Number

PS 532591E



SEE SHEET 3 FOR EASEMENT DETAILS

SEE SHEET 3 FOR EASEMENT DETAILS

TONY JEAVONS SURVEYS

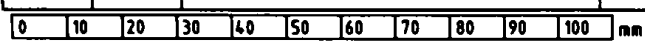
LAND SURVEYORS
 PO BOX 196
 APOLLO BAY
 PHONE (03) 52376757 FAX (03) 52376949
 EMAIL tjsurveys@bigpond.com

Sheet 2 of 8 sheets

| | |
|---------------|------------------------------|
| ORIGINAL | SCALE |
| SCALE 1:500 | <p>LENGTHS ARE IN METRES</p> |
| SHEET SIZE A3 | |

LICENSED SURVEYOR (PRINT) ANTHONY HAROLD JEAVONS
 SIGNATURE _____ DATE 9/11/2007
 REF 1869 VERSION 18

DATE 13/12/07
 COUNCIL DELEGATE SIGNATURE _____
 Original sheet size A3



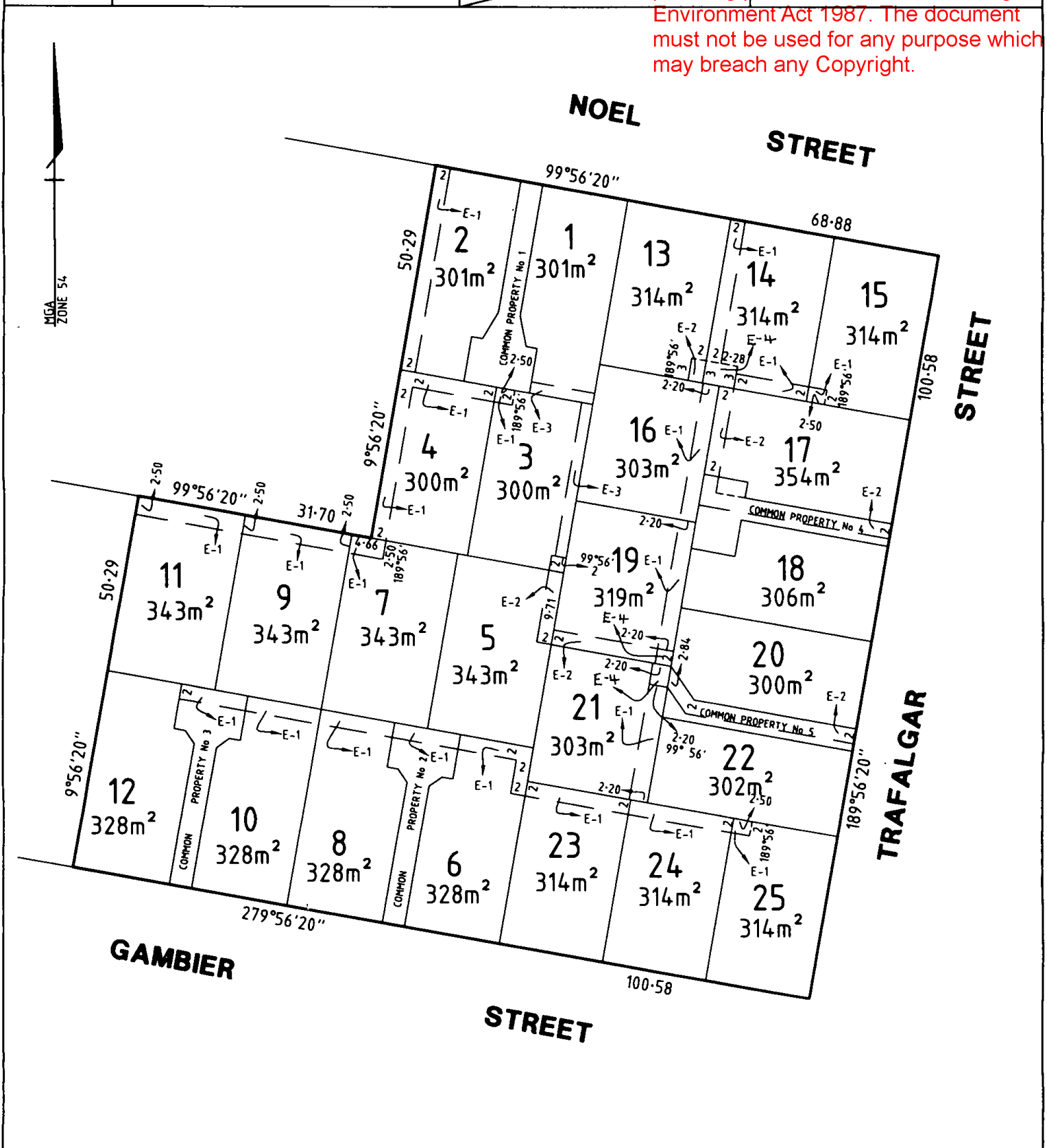
The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

PLAN OF SUBDIVISION

STAGE NO.

Plan Number

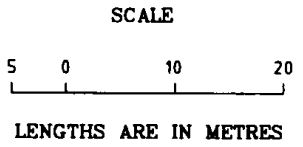
PS 532591F



TONY JEAVONS SURVEYS
 LAND SURVEYORS
 PO BOX 196
 APOLLO BAY
 PHONE (03) 52376757 FAX (03) 52376949
 EMAIL tjsurveys@bigpond.com

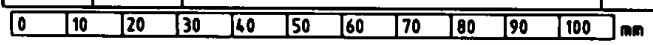
Sheet 3 of 8 sheets

ORIGINAL
 SCALE SHEET
 SIZE
 1:500 A3



LICENSED SURVEYOR (PRINT) ANTHONY HAROLD JEAVONS
 SIGNATURE DATE 04/12/2007
 REF 1869 VERSION 18

DATE 13/12/07
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3



The following copied documents are 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.

PS532591F

**FOR CURRENT OWNERS CORPORATION DETAILS
SEE OWNERS CORPORATION SEARCH REPORT**

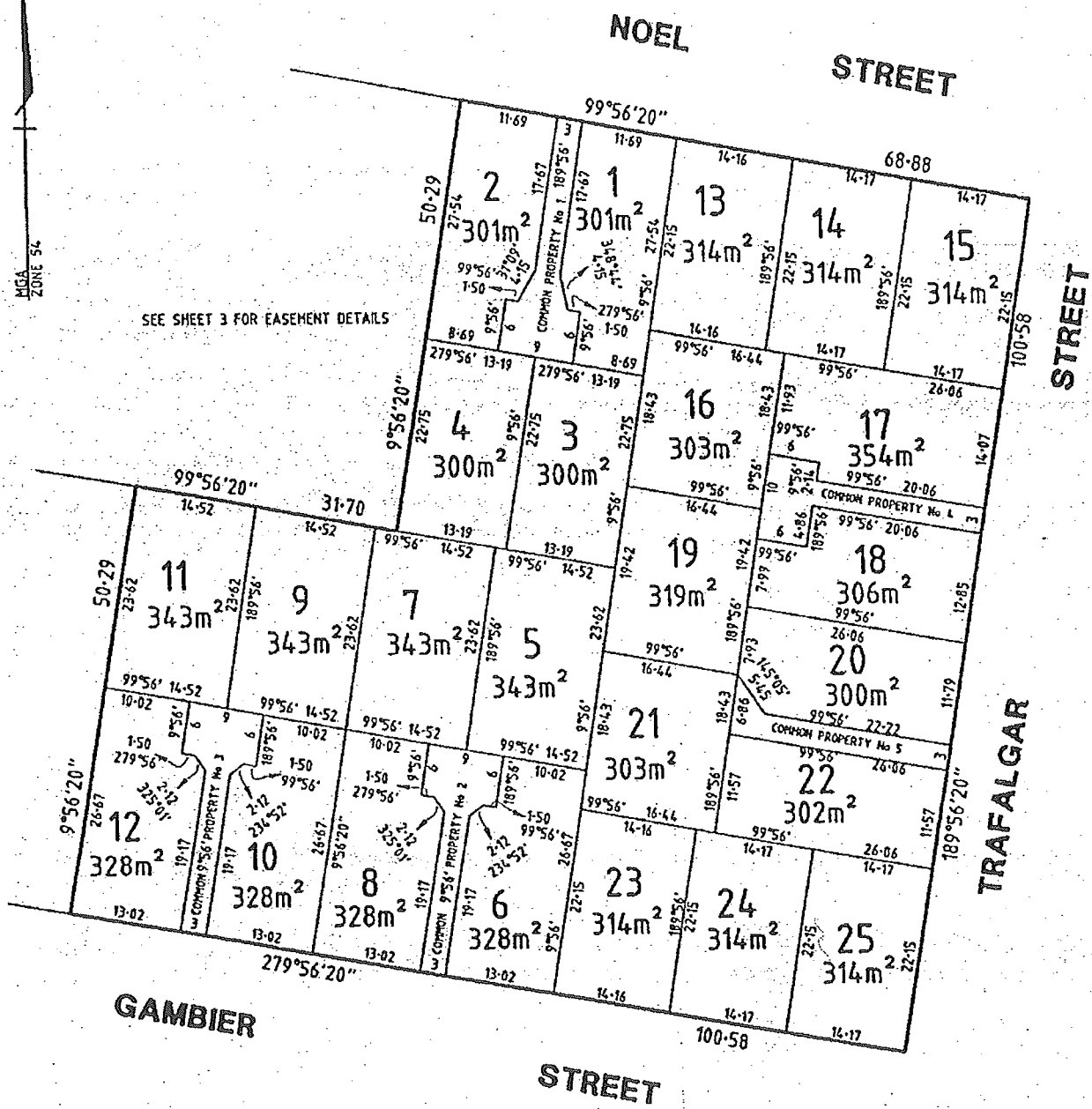
SHEETS 4 TO 8

The following copied documents are 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.

PLAN OF SUBDIVISION

STAGE NO.

PS 532591F



SEE SHEET 3 FOR EASEMENT DETAILS

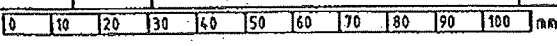
TONY JEAVONS SURVEYS
 LAND SURVEYORS
 PO BOX 196
 APOLLO BAY
 PHONE (03) 52376757 FAX (03) 52376949
 EMAIL tjsurveys@bigpond.com

Sheet 2 of 8 sheets

| | | | |
|----------|------------|-----------------------|--|
| ORIGINAL | | SCALE | |
| SCALE | SHEET SIZE | 5 0 10 20 | |
| 1:500 | A3 | LENGTHS ARE IN METRES | |

LICENSED SURVEYOR (PRINT) ANTHONY HAROLD JEAVONS
 SIGNATURE _____ DATE 9/11/2007
 REF 1869 VERSION 18

DATE 8/12/07
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

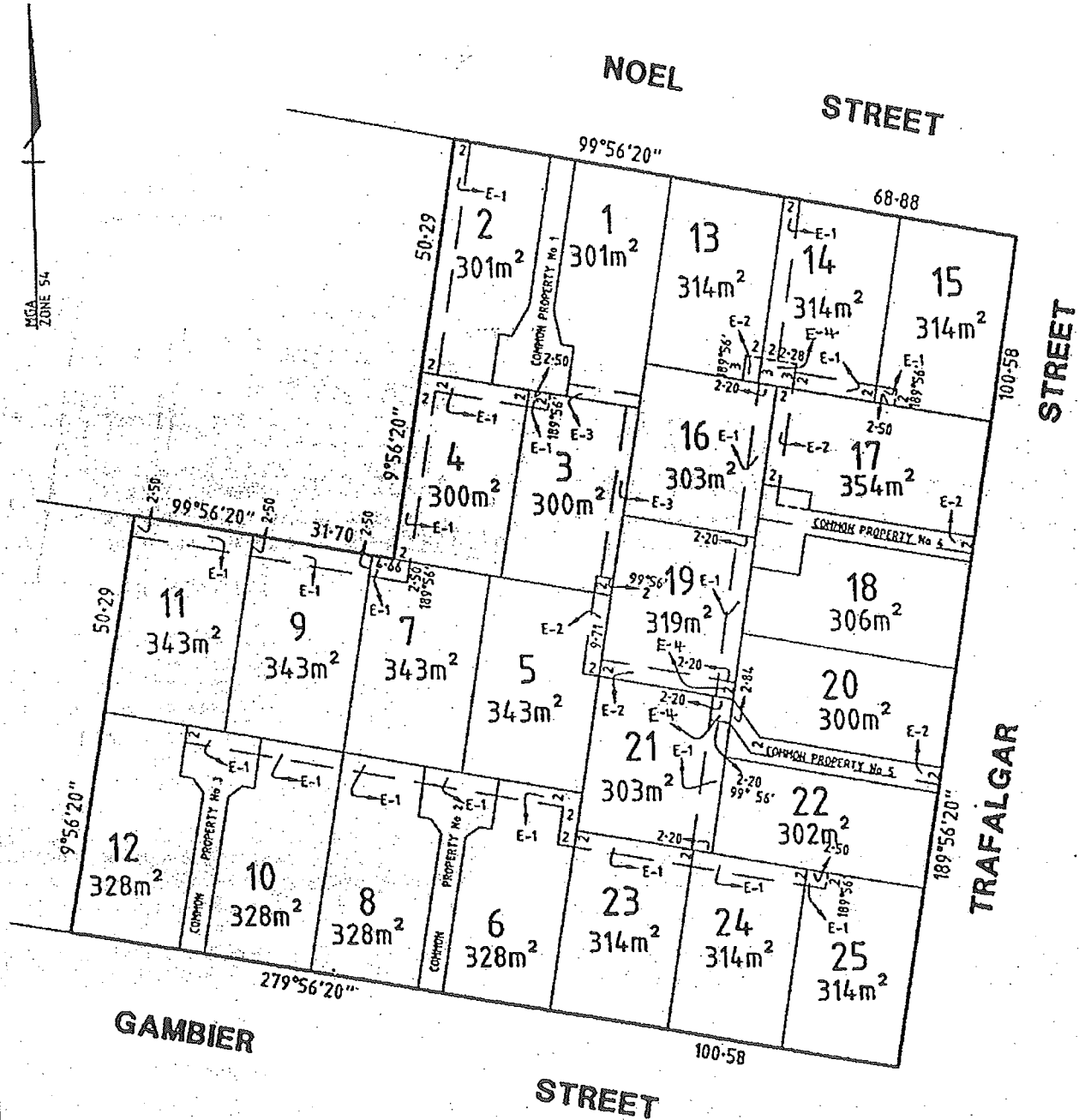


The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

PLAN OF SUBDIVISION

STAGE NO.

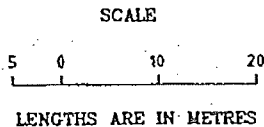
Plan Number
PS 532591F



TONY JEAVONS SURVEYS
 LAND SURVEYORS
 PO BOX 196
 APOLLO BAY
 PHONE (03) 52376757 FAX (03) 52376949
 EMAIL tjsurveys@bigpond.com

Sheet 3 of 8 sheets

ORIGINAL
 SCALE SHEET
 SIZE
 1500. A3



LICENSED SURVEYOR (PRINT) ANTHONY HAROLD JEAVONS
 SIGNATURE DATE 04/12/2007
 REF 1869 VERSION 18

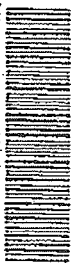
DATE 13/12/07
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3



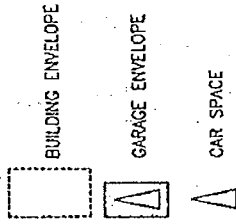
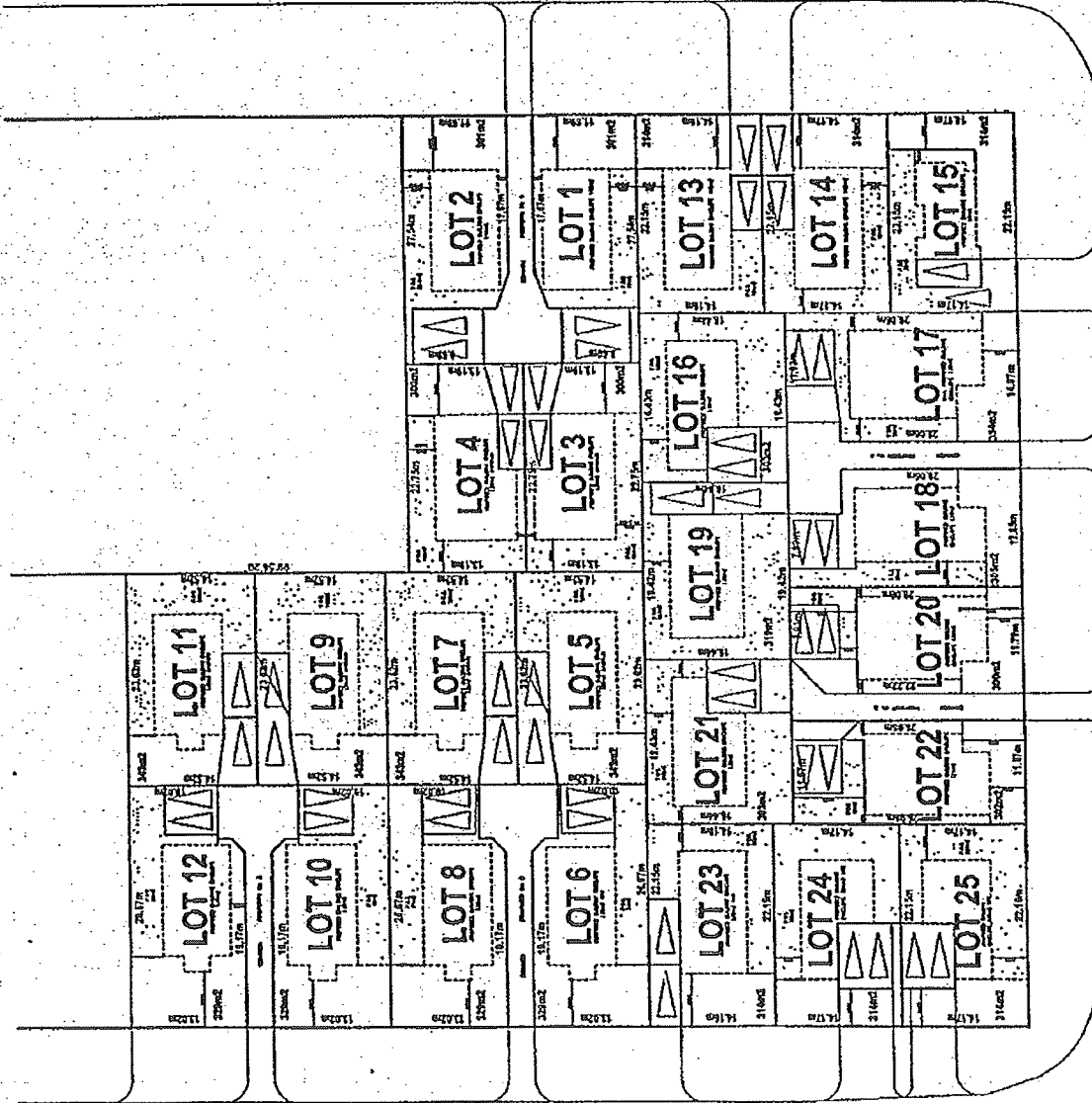
The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright

AF530307B

13/12/2007 \$97 173



GAMBIER STREET



EGOLAC-OTWAY SHIRE
 EXPOSED PLAN FORMING PART OF
 PLANNING PERMIT NO. 042565
 AMENDED PLAN DATE 29/11/07
 ORIGINAL ISSUED DATE 11/05/05
 SHEET 11
 PLANNING OFFICER

NOTES
 1. THE LOTS ARE TO BE DEVELOPED AS RESIDENTIAL LOTS.
 2. ALL ENVELOPES ARE TO BE DEVELOPED AS PER THE PLANNING PERMIT.
 3. THE LOTS ARE TO BE DEVELOPED AS PER THE PLANNING PERMIT.
 4. THE LOTS ARE TO BE DEVELOPED AS PER THE PLANNING PERMIT.
 5. THE LOTS ARE TO BE DEVELOPED AS PER THE PLANNING PERMIT.

PERMIT OFFICE



042565
 RCA021
 MARK J. GRANWICK ARCHITECTS

282 La Trobe Terrace, Newtown, Vic. 3220
 Tel (03) 5220 3896

TRAFALGAR STREET

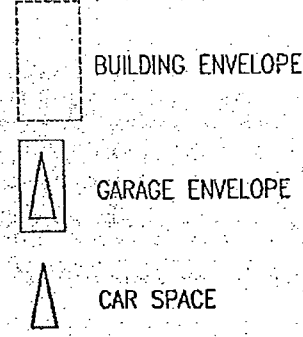
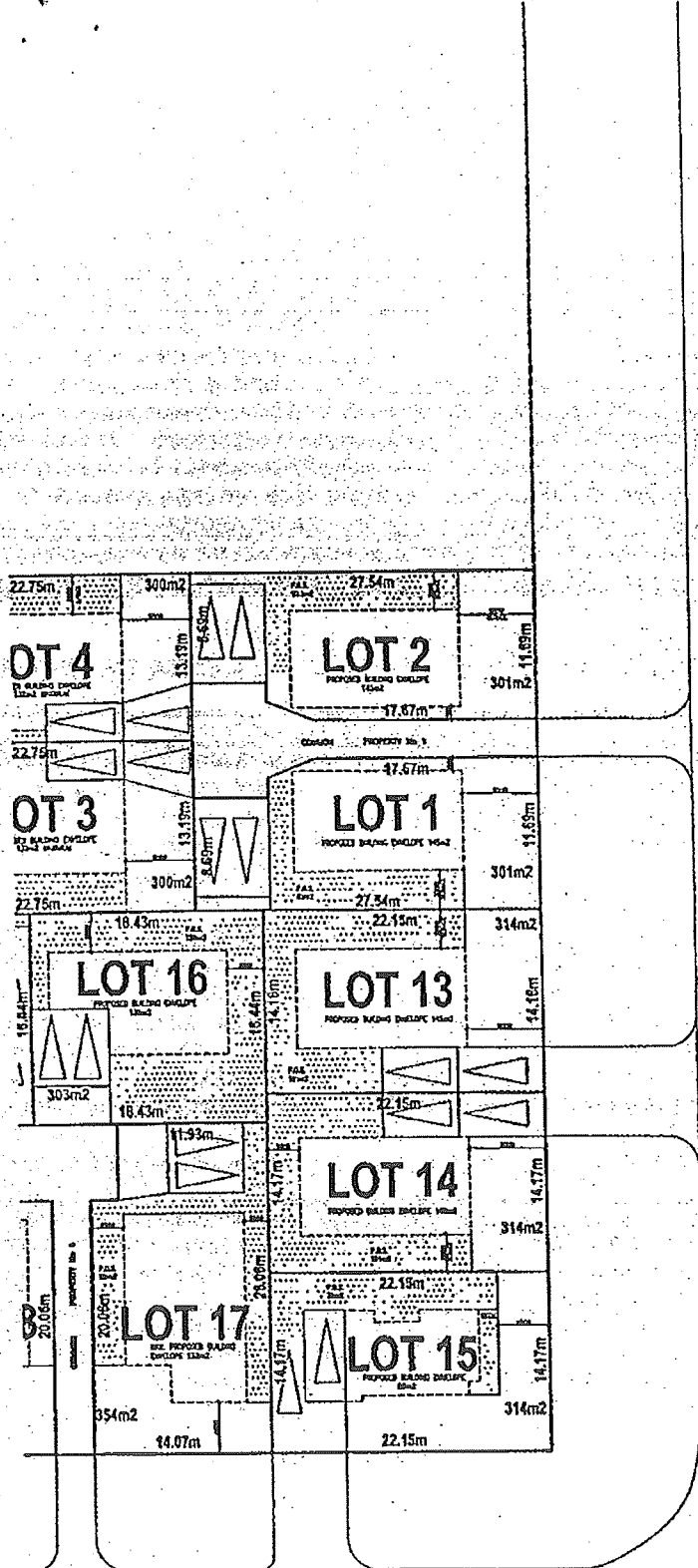
- Rev 1 10-10-06 LOTS 1, 13 & 14 RUDO ENVELOPE AMENDED
- Rev 2 07-13-06 ALTERNATIVE CARPARKING
- Rev 3 01-07-06 LOTS 2, 6, 7, 10, 12 CARPARKS INCREASED, LOT 18 INCREASED IN SIZE, LOT 17 DECREASED IN SIZE
- Rev 4 06-08-06 COMMON PROPERTIES INCREASED FOR VEHICLES ACCESS
- Rev 5 10-08-06 COMMON PROPERTIES INCREASED FOR VEHICLES ACCESS & VARIOUS LOT SIZES REDUCED AS A RESULT
- Rev 6 10-08-06 LOTS 15 & 24 FOOTPRINTS AMENDED WITH BACK TO TRAFALGAR INCREASED TO THE MIN. AREA REQUIRED.

1:500 @ A3

Site Layout Plan
 Ocean Edge
 Apollo Bay

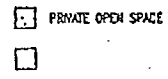
The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

AF590307B



NOEL STREET

- NOTES:
1. THIS EXERCISE IS TO SHOW POSSIBLE BUILDING ENVELOPES.
 2. ALL DWELLINGS HAVE BEEN ASSUMED TO BE 2 STOREY, 3 BEDROOM, 2 CARSPACE DWELLINGS FOR THIS EXERCISE.
 3. ALL BUILDING ENVELOPES POSITIONED TO MAXIMISE NORTHERLY ASPECT FOR BACKYARD/COURTYARD AREAS WHERE POSSIBLE.
 4. ALL DIMENSIONS TO BE CHECKED WITH PLAN OF SUBDIVISION DRAWING NO. PS 532591F TONY JEVONS SURVEYS.



T R E E T

E AMENDED.
 : CARPARKING.
 EASED. LOT 18
 EASED IN SIZE.
 EHICLE ACCESS
 TO LOTS 1 & 2.
 EHICLE ACCESS
 ID AS A RESULT.
); SETBACK
 I. 4M REQUIRED.

1:500 @ A3

292 La Trobe Terrace, Newtown, Vic., 3220
 Tel (03) 5229 3896

0426
 RCA02 F

MARK GRATWICK ARCHITECTS

The following copied documents are 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.

Section 181

APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MA RECORDING OF AN AGREEMENT



Planning & Environment Act 1987

Lodged by:

Name: WILLIAM CLYDESDALE
~~Rennick & Gaylor~~
Phone: ~~(03) 9843 1911~~ 0400 341179
Address: ~~PX 12406 Gamberwell~~ 22/11/350 St Kilda Rd
Ref: Customer Code PDB:50171 MELBOURNE 3004

Privacy Collection Statement
The information from this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes in the Victorian Land Registry.



The 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: Certificates of Title Volume 4471 Folio 149, Volume 0866 Folio 131 and Volume 9560 Folio 394

Authority: Colac Otway Shire of 2-6 Rae Street, Colac in the State of Victoria

Section and Act under which agreement made: Section 173 of the Planning and Environment Act 1987.

A copy of the agreement is attached to this application.

Dated: 12 day of December 2007

THE COMMON SEAL of the Colac Otway Shire was hereto affixed in accordance with its local law Number 4:

Tracey A Slater
Tracey A Slater
Chief Executive Officer



SECTION 173 AGREEMENT

This Agreement is made 12th of December 2007

Between

Colac Otway Shire of 2-6 Rae Street, Colac in the State of Victoria ("the Council")

and

Apollo Blue Investments Pty Ltd (ACN 107 348 836) of Level 11, 380 St Kilda Road, Melbourne in the State of Victoria ("the Owner")

AF530307B



Background

- A. The Owner is registered as the proprietor of the Land.
- B. The Council is the Responsible Authority of the Scheme, being a scheme approved under the Act.
- C. On 17 August 2005, the Council issued the Planning Permit.
- D. The Planning Permit provides for a 25 Lot subdivision of the Land.
- E. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be treated this Agreement is made as a Deed under Section 173 of the Act.
- F. As at the date of this Agreement, the Land is encumbered by Mortgage No. AE242251R in favour of the Mortgagee. The Mortgagee has consented to the Owner entering into this Agreement with respect to the Land.
- G. The parties enter into this Agreement:
 - (i) to give effect to the requirements of the Permit; and
 - (ii) to achieve and advance the objectives of planning in Victoria and the objectives of the Scheme in respect of the Land.

Operative Provisions

1. Definitions & Interpretation

- 1.1 In this Agreement, unless inconsistent with the context or subject matter: -
 - (a) "Act" means the Planning & Environment Act 1987 or any modification, amendment or re-enactment thereof.
 - (b) "Agreement" means this agreement and any agreement executed by the parties expressed to be supplemental to this Agreement.
 - (c) "Design Guideline Document" means the document headed 'Ocean Edge Apollo Bay Design Guidelines' endorsed by the Council under condition 23 of the Planning Permit, a copy of which is attached.
 - (d) "Land" means all of the land comprised in Certificates of Title Volume 4471 Folio 149, Volume 0866 Folio 131 and Volume 9560

Folio 394 and any reference to the Land in the Agreement includes any lot created by the subdivision of the Land or any part of it.

- (e) "Lot" means a lot created by the subdivision of the Land.
- (f) "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.
- (g) "Owner" means the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor of an estate in fee simple of the Land or any part thereof.
- (h) "Planning Permit" means Planning Permit No. PP62/05 (or an amendment to the permit).
- (i) "Scheme" means the Colac Otway Planning Scheme.
- (j) "Site Layout Plan" means the document headed 'Site Layout Plan No. 0426 RCA02 Revision F' endorsed by the Council, a copy of which is attached.

- 1.2 Words importing the singular include the plural and vice versa and words importing the masculine include the feminine and the neuter.
- 1.3 A reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
- 1.4 If a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 1.5 A term used in this Agreement has its ordinary meaning unless that term is defined in this Agreement. If a term is not defined in this Agreement and it is defined in the Act it has the meaning as defined in the Act.
- 1.6 A reference to an Act, Regulation or the Scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or Scheme.
- 1.7 The introductory clauses to this Agreement are and will be deemed to form part of this Agreement.
- 1.8 The obligations of the Owner under this Agreement, will take effect as separate and several covenants which are annexed to and run at law and equity with the Land provided that if the Land is subdivided, this Agreement must be read and applied so that each subsequent owner of a lot is only responsible for those covenants and obligations which relate to that owner's lot.

2. Commencement

This Agreement comes into force and effect from its date at which time the burden of this Agreement shall run with and be annexed to the Land with Council having the benefit.

3. Owner's covenants

3.1 Subject to clause 3.2, the Owner covenants and agrees:

AF530307B



- (a) that any development of the Land must be in accordance with the Design Guideline Document;
- (b) that no development (except for fences and water tanks) shall occur outside the building and garage envelopes designated on the Site Layout Plan.

3.2 The Design Guideline Document and Site Layout Plan may be varied in relation to a particular Lot:

- (a) with the written consent of the Council, the person or company who is registered as the proprietor of the Lot and Apollo Blue Investments Pty Ltd (ACN 107 348 836); or
- (b) if Apollo Blue Investments Pty Ltd (ACN 107 348 836) is no longer registered as a corporation or is wound up, with the written consent of the Council and the person or company who is registered as the proprietor of the Lot.

3.3 The Owner covenants and agrees:

- (a) to do all things necessary to enter a Memorandum of this Agreement on the respective Certificate of Title to the Land in accordance with Section 181 of the Act, including signing any further agreement, acknowledgement or document to enable the Memorandum to be registered under that section;
- (b) to pay on demand to the Council its reasonable costs and expenses in connection with:-
 - (i) the preparation and execution of this Agreement; and
 - (ii) the lodging of an Application at the Land Titles Office to have a Memorandum of this Agreement entered on the Certificate of Title to the Land.
- (c) to submit to the Council a copy of the Certificate of Title after the registration of this Agreement by Land Registry;
- (d) to do all things necessary including the signing of any further agreements, undertakings, covenants, consents, approvals or other documents necessary for the purpose of ensuring it carries out its covenants, agreement and obligations under this Agreement and to enable the Council to enforce the performance by the Owner of such covenants, agreements and undertakings.
- (e) to bring this Agreement to the attention of all lessees, mortgagees, chargees, transferees and assigns.

4. General

4.1 Any time or other indulgence granted by the Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of the Council in relation to the terms of this Agreement.

4.2 If a court, arbitrator, tribunal or other competent authority determines that a

AF530307B

13/12/2007 \$97 173



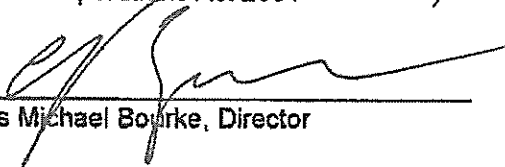
word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.

- 4.3 It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of the Council 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.
- 4.4 Unless otherwise provided in this Agreement, this Agreement commences from the date of this Agreement

Executed as a Deed

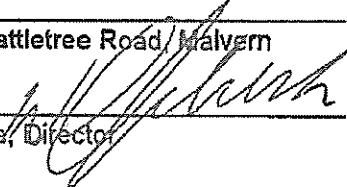
EXECUTED by APOLLO BLUE)
 INVESTMENTS PTY LTD)
 (A.C.N. 107 348 836) pursuant to section)
 127 of the Corporations Act 2001)





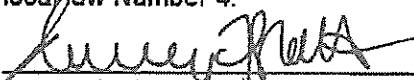
 Nicholas Michael Bourke, Director

Address: 2/197 Wattletree Road, Malvern


 William Clydesdale, Director

Address: 103 CALADIAN ST LAKE WENDEBICER VIC 3355

THE COMMON SEAL of the Colac Otway Shire was hereunto affixed in accordance with its local law Number 4:



 Tracey A Slatter
 Chief Executive Officer



AE530307B

MORTGAGEE'S CONSENT



The property known as 1-7 Noel Street, Apollo Bay in the State of Victoria being the property described in Certificates of Title Volume 4471 Folio 149, Volume 866 Folio 131 and Volume 9560 Folio 394 is subject to the following Mortgages:-

- 1. Mortgage to Australia and New Zealand Banking Group Limited as Mortgagee of Registered Mortgage No. AE242251R.

The above Mortgagee, Australia and New Zealand Banking Group Limited, consents to Apollo Blue Investments Pty Ltd entering into this Agreement and in the event that the Mortgagee becomes Mortgagee-in-possession, the said Mortgagee agrees to be bound by the covenants and conditions of this Agreement.

EXECUTED by Australia and New Zealand Banking Group Limited (ACN 005 357 522) in the presence of)))

Executed for and on behalf of Australia and New Zealand Banking Group Limited ABN 11 005 357 522 under Power of Attorney dated 18 November 2002 registered in Victoria, a copy of which is held in the Permanent Order Book no. 277 Page 019 folio. Item 5 by MICHAEL NOLAN who certifies that he/she is a Manager/Senior Executive and that he/she has not received notice of revocation of that Power.

.....
Director/Secretary
[Signature]
.....

[Signature]

Witness

OCEAN EDGE APOLLO BAY DESIGN GUIDELINES

1. INTRODUCTION & APPROVAL PROCESS

1.1 Introduction

These Design Guidelines have been developed to provide for the construction of well designed dwellings which complement the coastal and landscape character of the site and its surrounds. The guidelines contain design suggestions (DS) as well as building design and landscaping requirements (DR). All building design and landscaping requirements (DR) must be met. Compliance with the building design and landscaping requirements (DR) is required under the provisions of the agreement prepared under Section 173 of the Planning and Environment Act 1987 which applies to all lots within Plan of Subdivision PS 532591F.

1.2 Approval Requirement

A planning permit is not required to construct a single dwelling on a lot over 300m² in area within a Residential 1 Zone. Before designing or constructing buildings you must check with Council (Colac Otway Shire) to establish if other planning controls apply which result in site development requiring planning approval. Planning Scheme and Building Regulation/Building Code of Australia provisions have precedence over these design guidelines. Construction of more than one dwelling on a lot or the further subdivision of a lot (other than boundary realignment or lot consolidation) is not permitted.

The construction of any site buildings including fences and site landscaping must comply with all building design and landscaping requirements (DR) listed below.

1.3 Approval Process

Before lodging an application for Building Approval (Building Permit) the attached building design and landscaping requirements checklist shall be completed and all design requirement provisions must be met.

A Building Permit must not be issued by the relevant Building Surveyor unless all mandatory building design and landscaping requirements (DR) are met. This may be referred to within a Section 173 Agreement under the Planning and Environment Act 1987.

AF530307B

13/12/2007 \$97 173



| | |
|-------------------------------|------------------|
| CULAC-OTWAY SHIRE | |
| ENDORSED PLAN FORMING PART OF | |
| PLANNING PERMIT No. | PP62105C |
| AMENDED PLAN DATE | 29/11/07 |
| ORIGINAL ISSUED DATE | 17/8/05 |
| SHEET 1 of 7 | AFrom |
| DG. | PLANNING OFFICER |



2. DESIGN GUIDELINES

2.1 How to use the Guidelines

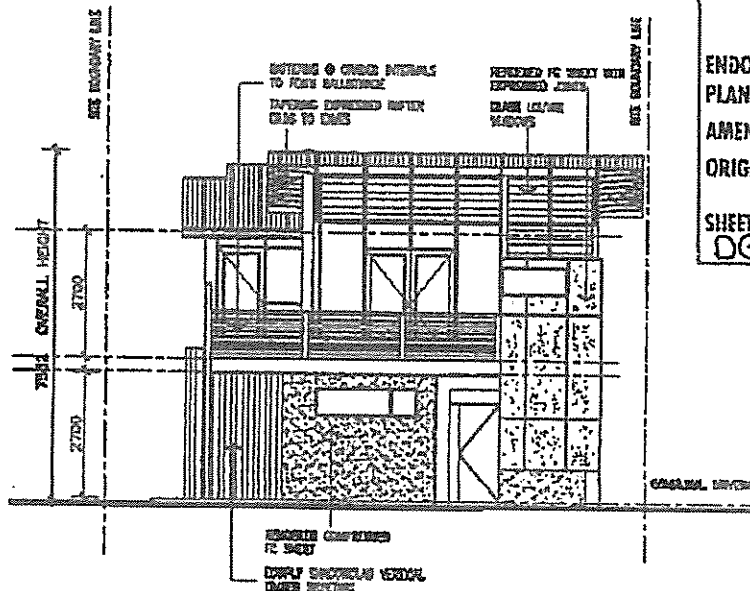
The following guidelines contain both design suggestions (DS) and a number of mandatory design requirements (DR). The mandatory design requirements (DR) are prescriptive and must be met. A Guideline checklist is provided in Sections 3 and 4. Applicants should check their applications against the checklist prior to seeking building approval to ensure their application has addressed all aspects of the guidelines.

2.2 Buildings

2.2.1 Building styles

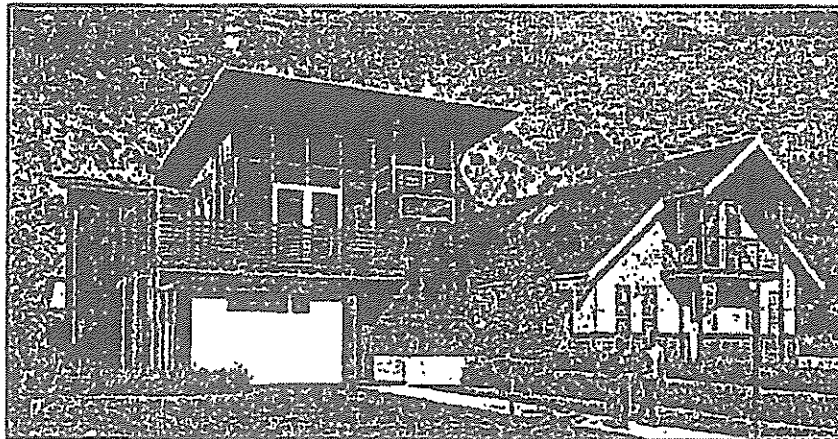
The site sits within an attractive coastal township with strong coastal environmental and built form characteristics. Site development is to respond to and complement this character by incorporating the following design elements:

- Contemporary architecture that has a coastal or beach home character and identity;
- Buildings which have a light weight appearance through the use of lightweight frames and structural elements (e.g. use of glass and steel or other lightweight forms, in preference to extensive wall areas of brick, stone etc.)
- Disaggregated structures with interesting spaces and projections rather than solid bulky, box like structures with blank walls;
- Simple but interesting architectural form and rooflines;
- Facades that utilise light, shade and texture rather than smooth, uninterrupted single coloured surfaces;
- Use of timber, natural materials and other innovative types of cladding in preference to substantial use of brickwork or blockwork;
- Use of muted colours.



| | |
|-------------------------------|------------------|
| COLAC-OTWAY SHIRE | |
| ENDORSED PLAN FORMING PART OF | |
| PLANNING PERMIT No. | PP62105C |
| AMENDED PLAN DATE | 29/11/07 |
| ORIGINAL ISSUED DATE | 17/8/05 |
| SHEET 27 | CL/Elom |
| DG | PLANNING OFFICER |

- DR9 No more than 50% of total wall surface of any dwelling shall feature brickwork.
- DR10 Roof materials of all buildings shall be limited to 'Colorbond' steel or similar products (not zincalume or galvanised iron) of muted tonings (refer DR11). Colorbond metallic steel or high gloss finish products are not to be used.
- DR11 Roofs and other painted surfaces of all buildings are to be of subdued colours and should be drawn from the attached Subdued Colours Palette or utilise similar shades and tints where such colours are no longer available or if other paint products need to be sourced.



Buildings address street, feature mix of materials, feature articulation and design elements

CLACKEN SHIRE
PLAN FORMING PART OF
PERMIT No. 09 63105
29/11/07
AMENDED PLAN DATE
ORIGINAL ISSUED DATE 17/8/05
SHEET 5 of 7
JDB PLANNING OFFICER

2.2.3 Building siting

A building and garage envelope plan has been prepared for each lot which forms part of the Section 173 Agreement. The building envelope and garage envelope provides the minimum setbacks from property boundaries for all building, garage, carports and structures (other than fences) and these include houses, pergolas, verandahs, garages, carports and outbuildings.

- DR12 All buildings, garages and structures (except for fences and water tanks) are to be located within the nominated building and garage envelopes.

2.2.4 Garages, carports and outbuildings

Garages and carports must be designed so that they are integrated into the building form and do not dominate the building form or streetscape.

- DR13. Lots fronting a street providing single car garages or carports, must be setback from the frontage at least 4.9m to allow for a single car to tandem park in front of the garage or level with the main dwelling setback. The main dwelling setback is determined as the setback beyond which more than 50% of the front façade of the dwelling is sited.

AF530307B

13/12/2007 \$97 173





- DR14 Lots fronting a street providing double garages and carports must be setback at least 4.0 metres from the frontage and must be located within the designated garage envelope. Where a double garage is located forward of the ground floor dwelling the upper level of the dwelling must extend over the entire garage. Projecting garage walls may include windows or appropriate articulation elements including eaves, verandahs or pergolas etc.
- DR15 Where visible from the street garage doors are to consist of tilt panels, folding doors or similar (roller doors are not to be used).
- DR16 Freestanding garages or outbuildings must be designed to use complementary design, materials, finishes and colours as the dwelling on the lot. Outbuildings must not be constructed of zincalume or galvanised steel.
- DR17 No more than one vehicular access driveway or crossover is permitted per lot (unless shared with another lot). Where provided as part of the subdivision development the constructed crossover must be utilised.

2.2.5 Energy Efficient Design

- DR18 All dwelling plans should achieve at least 5 star rating or an equivalent home energy rating scheme.
- DS2 Dwellings should be sited and designed to achieve the following:
 - Orientated to make appropriate use of solar energy.
 - Sited and designed to ensure the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced
 - Internal room planning to maximise sunlight access through the dwelling
 - Windows which are orientated for sun access in winter and cross-ventilation for summer
 - Encourage landscape design that assists in facilitating entry of sunlight into the dwelling, particularly in winter.
- DS3 Where possible, building openings and private open space areas should be orientated to maximise winter solar penetration - generally to the north and east. Solar shade elements should also be incorporated into the residential built form as should appropriately sized window openings on west facing facades.

2.2.6 Landscaping and fences

The site sits within an important coastal environment. The design guidelines encourage landscaping treatments to be integrated into the overall building design treatment and respond to the indigenous coastal vegetation character of the area. Front fences are not generally encouraged.

| | |
|-------------------------------|------------------|
| GOLAC-OTWAY SHIRE | |
| ENDORSED PLAN FORMING PART OF | |
| PLANNING PERMIT No. | PP62105C |
| AMENDED PLAN DATE | 29/11/07 |
| ORIGINAL ISSUED DATE | 17/8/05 |
| SHEET 6 of 7 | Alf from |
| | PLANNING OFFICER |

3. MANDATORY DESIGN REQUIREMENTS ASSESSMENT CHECKLIST

| DR | Requirement | Yes | No |
|----|--|-----|----|
| 1 | All dwellings are to be architect designed. The architects brief must include reference to these design guidelines | | |
| 2 | Articulation devices including voids, projections, verandahs, decks, pergolas and open balustrade treatments are to be used as appropriate to break up large facades | | |
| 3 | At least 30% of the dwellings street facing façade and northern façade (utilising appropriate screening treatments) shall comprise of windows | | |
| 4 | All ground and first floor façades will include feature windows (this includes opaque glass treatments or high sill window treatments where necessary to meet Rescode Building requirements) | | |
| 5 | Dwellings must not exceed 7.5m in height. Angular roof forms (not gable roofs) may protrude into airspace above 7.5m for a maximum length of 1.0m and to a maximum height of 8.0m | | |
| 6 | Roof forms must consist of gable, curved or angular roof forms or a combination of these forms. Where gable roof forms are to be used they should ensure that they incorporate the first floor level. Gable roof forms are not to be used atop a two storey dwelling. No flat roofs are permitted unless the flat roof represents less than 30% of the total roof area | | |
| 7 | Provision must be made for eaves and/or roof overrun/overhang of at least 0.3m in width | | |
| 8 | No dwelling wall shall consist of a single material, colour or finish | | |
| 9 | No more than 50% of total wall surface of any dwelling shall feature brickwork. | | |
| 10 | Roof materials of all buildings shall be limited to 'Colorbond' steel or similar products (not zincalume or galvanised iron) of muted tonings (refer DR11). Colorbond metallic steel or high gloss finish products are not to be used. | | |
| 11 | Roofs and other painted surfaces of all buildings are to be of subdued colours and should be drawn from the attached Subdued Colours Palette or utilise similar shades and tints where such colours are no longer available or if other paint products need to be sourced. | | |
| 12 | All buildings, garages, carports and structures (except for fences and water tanks) are to be located within the nominated building and garage envelope. | | |
| 13 | Lots fronting a street providing single car garages or carports must be setback from the frontage at least 4.9m to allow for a single car to tandem park in front of the garage or level with the main dwelling setback. The main dwelling setback is determined as the setback beyond which more than 50% of the front façade of the dwelling is sited | | |
| 14 | Lots fronting a street providing double garages and carports must be setback at least 4.0 metres from the frontage and must be located within the designated garage envelope. Where a double garage is located forward of the ground floor dwelling the upper level of the dwelling must extend over the entire garage. Projecting garage walls may include windows or appropriate articulation elements including eaves, verandahs or pergolas etc. | | |
| 15 | Where visible from the street garage doors are to consist of tilt panels, folding doors or similar (roller doors are not to be used). | | |
| 16 | Freestanding garages or outbuildings must be designed to use complementary design, materials, finishes and colours as the dwelling on the lot. Outbuildings must not be constructed of zincalume or galvanised steel. | | |
| 17 | No more than vehicular access driveway or crossover is permitted per lot. Where provided as part of the subdivision development the constructed crossover must be utilised. | | |
| 18 | All dwelling plans should achieve at least 5 star rating or an equivalent home energy rating scheme | | |
| 19 | Where a front fence is proposed it must not exceed 1.2m and must consist of one of the following fence treatments only: <ul style="list-style-type: none"> • Brush • Timber or timber with wire mesh • Natural stone | | |

AF530307B

13/12/2007 \$97 173



DR19 Where a front fence is proposed it must not exceed 1.2m and must consist of one of the following fence treatments only:

- Brush
- Timber or timber with wire mesh
- Natural stone

DR20 Side boundary fencing shall not exceed a height of 1.2 metres between the street boundary and dwelling frontage. On corner lots the secondary frontage may be fenced to a maximum height of 1.6m consisting of timber (capped) or brush or wire mesh (with timber frame) where supporting a hedge or other landscaping. For such sites the side street fence shall not extend above 1.2m in height between the front building line and primary street frontage.

DR21 Side boundary fencing shall not be located within 0.5m of any common property.

DR22 Only locally indigenous vegetation may be planted within the front setback area of all dwellings with the exception of lawn (native grasses are encouraged). Vegetation to be planted in the front setback area is to be selected from the attached vegetation lists (being Otways Bioregion EVC1: Coastal Dune Scrub/Coastal Dune Grassland Mosaic, EVC 161: Coastal Headland Scrub, EVC 16: Lowland Forest and the Shire of Colac Otway 'Apollo Bay & Skenes Creek Indigenous Species List Tree list') or other indigenous planting list suitable for Apollo Bay as prepared by the Shire of Colac Otway or Department of Sustainability and Environment from time to time.

DS4 A landscape plan for the front setback area must be prepared. The landscape plan is to provide for the planting of at least 2 trees or medium shrubs (6 for corner sites) from the attached vegetation lists in addition to other trees, shrubs and plants so that at least 60% of the front setback consists of non-grassed or pervious surfaces.

DS23 No environmental weeds, as referred to in the 'Environmental Weeds of the Colac Otway Shire' brochure are to be planted on or allowed to invade the site.

2.2.7 Water Tanks

Water tanks are strongly encouraged.

DS5 Each property may provide for a water tank on site to provide for 4,500 litres of water storage.

DS6 Any water tanks should be inconspicuously located within the lot and not be easily visible from any public area (e.g. street). It should be preferably be built under ground or constructed using muted colours which are not highly reflective and screened from public view by planting or buildings.

AF530307B

13/12/2007 \$97 173



| | |
|-------------------------------|------------------|
| COLAC-OTWAY SHIRE | |
| ENDORSED PLAN FORMING PART OF | |
| PLANNING PERMIT No. | PP03105C |
| AMENDED PLAN DATE | 29/11/07 |
| ORIGINAL ISSUED DATE | 17/8/05 |
| SHEET 7 of 7 | PLAN OFFICER |
| | PLANNING OFFICER |

| | | | |
|----|---|--|--|
| 20 | Side boundary fencing shall not exceed a height of 1.2 metres between the street boundary and dwelling frontage. On corner lots the secondary frontage may be fenced to a maximum height of 1.6m consisting of timber (capped) or brush or wire mesh (with timber frame) where supporting a hedge or other landscaping. For such sites the side street fence shall not extend above 1.2m in height between the front building line and primary street frontage. | | |
| 21 | Side boundary fencing shall not be located within 0.5m of any common property. | | |
| 22 | Only locally indigenous vegetation may be planted within the front setback area of all dwellings with the exception of lawn (native grasses are encouraged). Vegetation to be planted in the front setback area is to be selected from the attached vegetation lists (being Otways Bioregion EVC1: Coastal Dune Scrub/Coastal Dune Grassland Mosaic, EVC 161: Coastal Headland Scrub, EVC 16: Lowland Forest and the Shire of Colac Otway 'Apollo Bay & Skenes Creek Indigenous Species List Tree list') or other indigenous planting list suitable for Apollo Bay as prepared by the Shire of Colac Otway or Department of Sustainability and Environment from time to time. | | |
| 23 | No environmental weeds, as referred to in the 'Environmental Weeds of the Colac Otway Shire' brochure are to be planted on or allowed to invade the site. | | |

4. DESIGN SUGGESTION ASSESSMENT CHECKLIST

| DS | Suggestion | Yes | No |
|----|---|-----|----|
| 1 | Preferred materials for walls of dwellings include but are not restricted to: <ul style="list-style-type: none"> weatherboard stained or painted Ecoply shadow clad timber cladding rendered compressed FC sheet natural rock or stone face brickwork concrete rendered, bagged or painted brickwork in muted tones | | |
| 2 | Dwellings should be sited and designed to achieve the following: <ul style="list-style-type: none"> Orientated to make appropriate use of solar energy. Sited and designed to ensure the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced Internal room planning to maximise sunlight access through the dwelling Windows which are orientated for sun access in winter and cross-ventilation for summer Encourage landscape design that assists in facilitating entry of sunlight into the dwelling, particularly in winter. | | |
| 3 | Where possible, building openings and private open space areas should be orientated to maximise winter solar penetration - generally to the north and east. Solar shade elements should also be incorporated into the residential built form as should appropriately sized window openings on west facing facades. | | |
| 4 | A landscape plan for the front setback area must be prepared. The landscape plan is to provide for the planting of at least 2 trees or medium shrubs (6 for corner sites) from the attached vegetation lists in addition to other trees, shrubs and plants so that at least 60% of the front setback consists of non-grassed or pervious surfaces. | | |
| 5 | Each property may provide for a water tank on site to provide for 4,500 litres of water storage | | |
| 6 | Any water tanks should be inconspicuously located within the lot and not be easily visible from any public area (e.g. street). It should be preferably be built under ground or constructed using muted colours which are not highly reflective and screened from public view by planting or buildings. | | |

AF530307B

13/12/2007 597 173

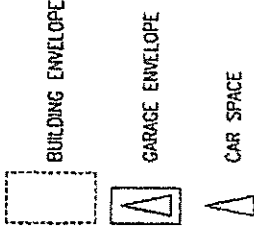
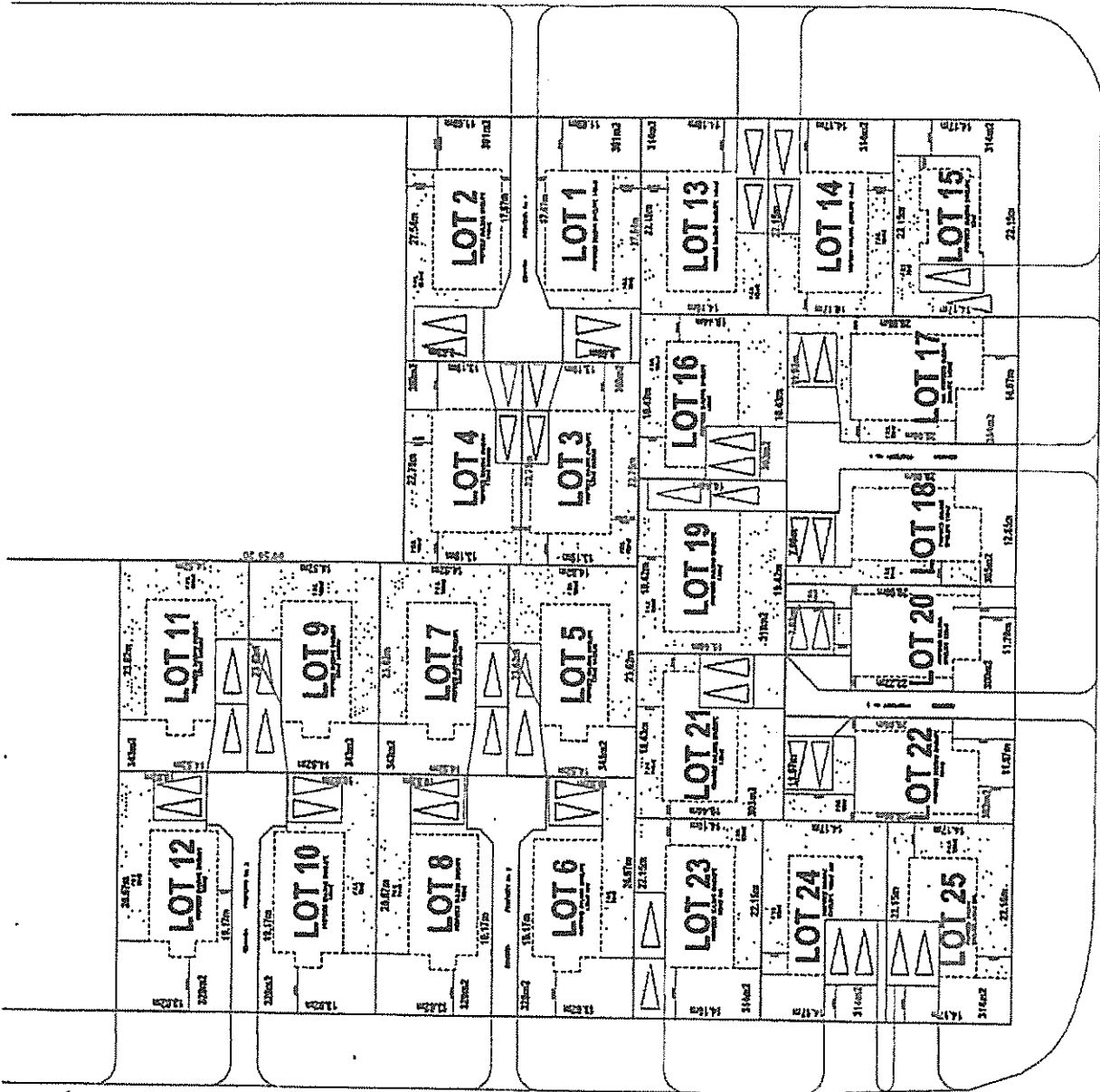


AF530307B

13/12/2007 \$97 173



GAMBIER STREET



NORTH

COLAC-OTWAY SHIRE
ENDORSED PLAN FORMING PART OF
PLANNING PERMIT No. PPS2007-07
APPROVED PLAN DATE 29/11/07
ORIGINAL ISSUED DATE 17/11/05
SHEET 1 of 1
M. J. O'Brien
PLANNING OFFICER

- NOTES
1. SEE LICENSE TO COPY, ACCESS & REPRODUCE DRAWINGS.
 2. ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE SPECIFIED.
 3. ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE SPECIFIED.
 4. ALL DIMENSIONS TO BE OBTAINED FROM PLAN OF APPROVED DRAWING.
 5. ALL DIMENSIONS TO BE OBTAINED FROM PLAN OF APPROVED DRAWING.

FINISH GROUND GRADE

TRAFALGAR STREET

- Rev A 10-10-05 LOTS 1, 13 & 14 BLDG ENVELOPE AMENDED
- Rev B 07-12-05 ALTERNATIVE CARSPACING
- Rev C 01-07-05 LOTS 1, 8, 10 & 12 CROSSOVERS INCREASED, LOT 16 & 17 CARSPACING INCREASED, LOT 17 DECREASED IN GCE
- Rev D 04-08-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev E 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev F 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev G 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev H 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev I 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev J 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev K 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev L 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev M 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev N 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev O 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev P 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev Q 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev R 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev S 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev T 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev U 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev V 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev W 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev X 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev Y 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14
- Rev Z 10-05-05 COMMON PROPERTIES INCREASED FOR VEHICLES TO LOTS 1, 13 & 14

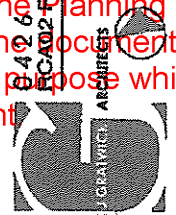
Site Layout Plan

Ocean Edge

Apollo Bay

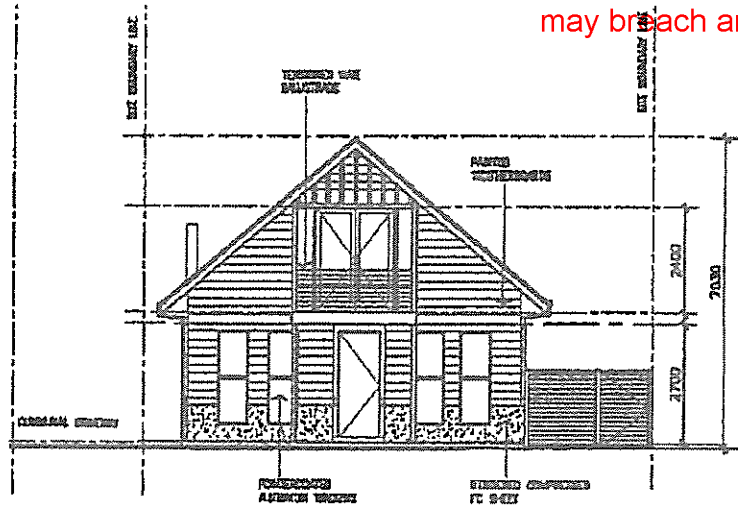
1500 @ A3

202 La Trobe Terrace, Newtown, Vic. 3220
Tel (03) 5223 3898

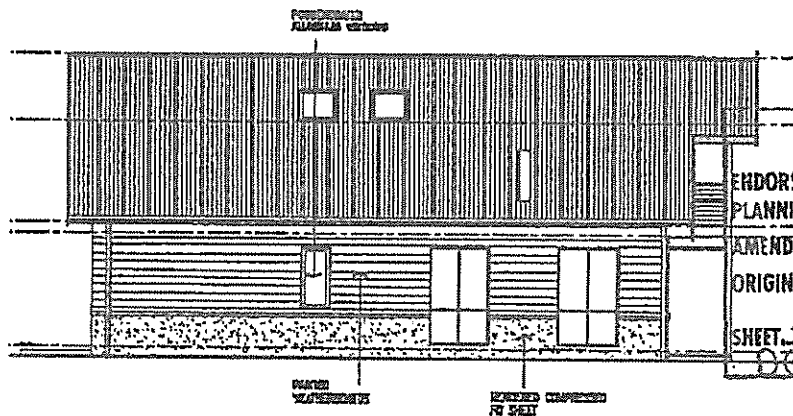


The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

AF530307B
13/12/2007 497 173



Gable roof form incorporating upper level, mix of materials and finishes, lightweight balustrade and use of eaves etc



COLAC-OTWAY SHIRE
ENDORSED PLAN FORMING PART OF
PLANNING PERMIT No. PP62105C
REVISED PLAN DATE 29/11/07
ORIGINAL ISSUED DATE 17/8/05
SHEET 4 of 7
05
Planning Officer

Use of windows on side elevations – wall to void ratio, roof overhang

DR7 Provision must be made for eaves and/or roof overrun/overhang of at least 0.3m in width.

2.2.2 Materials and colours:

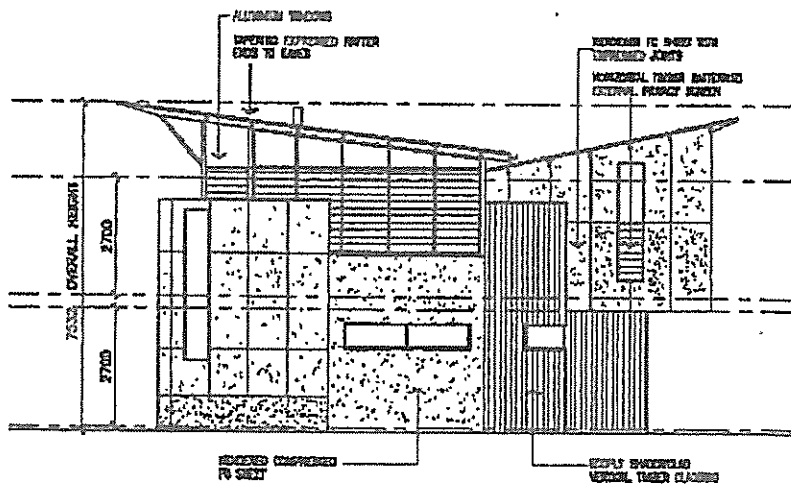
The use of timber, natural materials and other innovative types of cladding are encouraged to provide articulation to dwelling walls and front interfaces.

DS1 Preferred materials for walls of dwellings include but are not restricted to:

- weatherboard stained or painted
- Ecoply shadow clad timber cladding
- rendered compressed FC sheet
- natural rock or stone
- face brickwork
- concrete rendered, bagged or painted brickwork in muted tones.

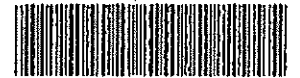
DR8 No dwelling wall shall consist of a single material, colour or finish.

- DR1 All dwellings are to be architect designed. The architects brief must include reference to these design guidelines.
- DR2 Articulation devices including voids, projections, verandahs, decks, pergolas and open balustrade treatments are to be used as appropriate to break up large facades.
- DR3 At least 30% of the dwelling's street facing façade and northern façade (utilising appropriate screening treatments) shall comprise of windows.
- DR4 All ground and first floor façades will include feature windows (this includes opaque glass treatments or high sill window treatments where necessary to meet Rescode Building requirements).
- DR5 Dwellings must not exceed 7.5m in height. Angular roof forms (not gable roofs) may protrude into airspace above 7.5m for a maximum length of 1.0m and to a maximum height of 8.0m.



AF530307B

13/12/2007 \$97 173



Example of façade articulation, roof forms, building height, materials mix

- DR6 Roof forms must consist of gable, curved or angular roof forms or a combination of these forms. Where gable roof forms are to be used they should ensure that they incorporate the first floor level. Gable roof forms are not to be used atop a two storey dwelling. No flat roofs are permitted unless the flat roof represents less than 30% of the total roof area.

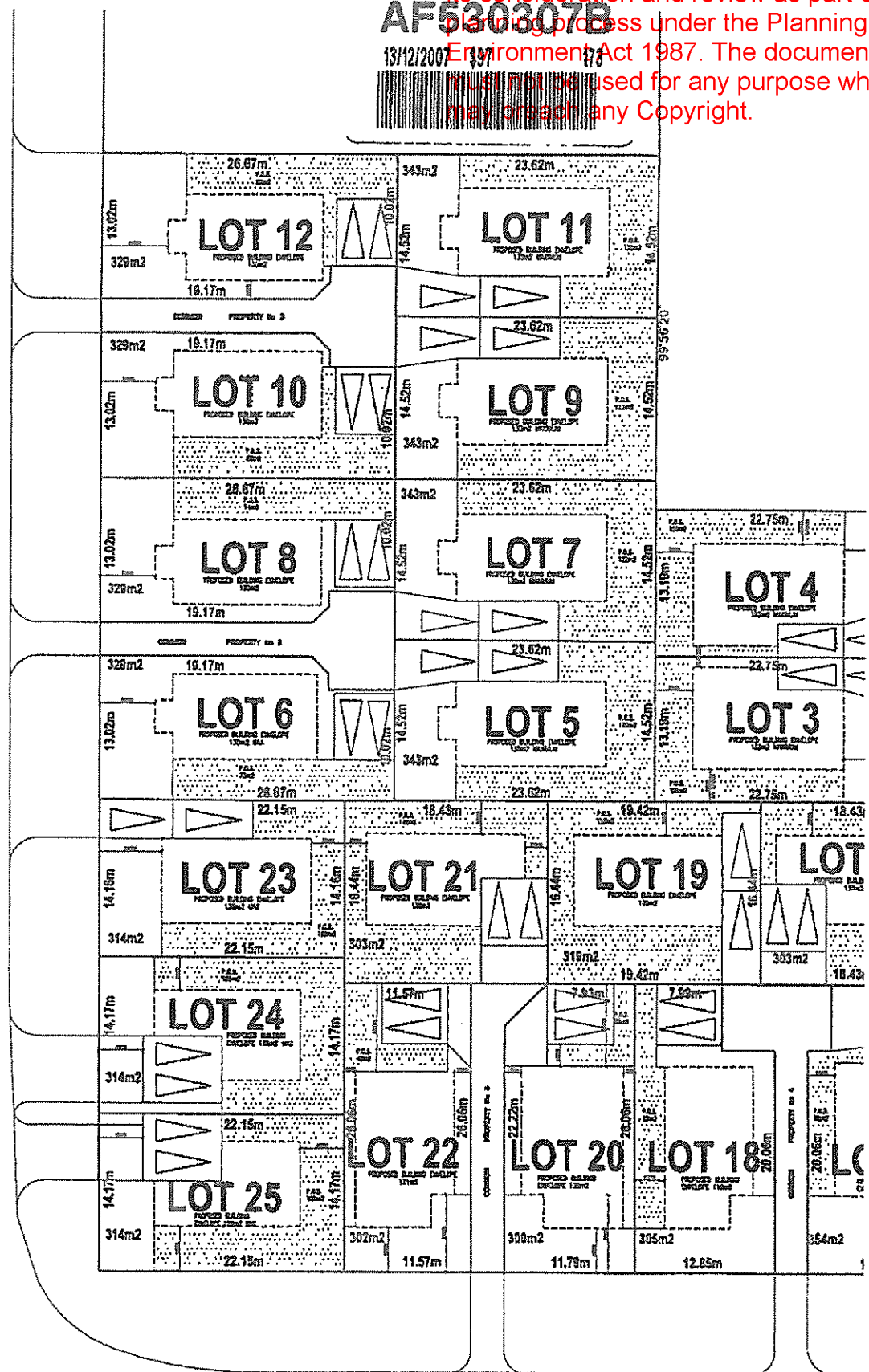
COLAC-OTWAY SHIRE

ENDORSED PLAN FORMING PART OF
 PLANNING PERMIT No. PP62105C
 AMENDED PLAN DATE 29/11/07
 ORIGINAL ISSUED DATE 17/05
 SHEET 3 of 7 Q/From
 DG 1/PLANNING PERMIT

The following copied documents are 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 may not be used for any purpose which may breach any Copyright.

AF530307B
 13/12/2007 10:57


GAMBIER STREET



TRAFALGAR STREET

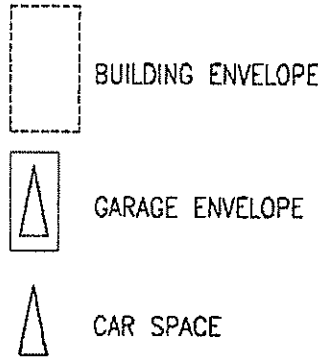
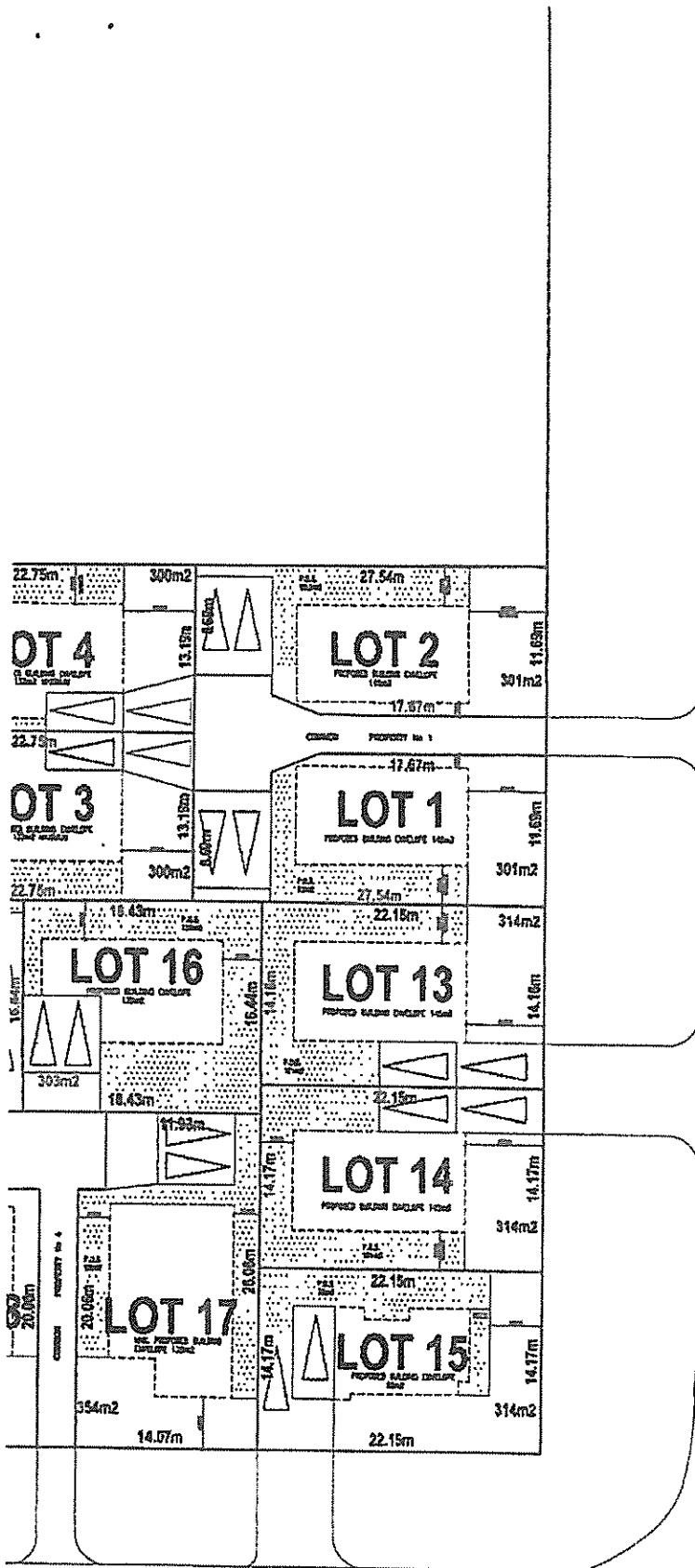
- Rev F 15-12-05 LOTS 1, 13 & 14 BLDG ENVELOPE AMMENDED.
- Rev E 07-12-08 ALTERNATIVE CARPARKING.
- Rev D 01-07-05 LOT 1, 2, 6, 8, 10 & 12 CROSSOVERS INCREASED. LOT 18 INCREASED IN SIZE; LOT 17 DECREASED IN SIZE.
- Rev C 08-08-05 COMMON PROPERTIES INCREASED FOR VEHICLE ACCESS TO LOTS 1 & 2.
- Rev B 19-05-05 COMMON PROPERTIES INCREASED FOR VEHICLE ACCESS & VARIOUS LOT SIZES REDUCED AS A RESULT.
- Rev A 10-06-05 LOTS 15 & 25 FOOTPRINTS AMMENDED; SETBACK TO TRAFALGAR ST INCREASED TO THE MIN, 4M REQUIRED.

Site Layout Plan

Ocean Edge

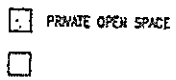
Apollo Bay

AF530307B
 13/12/2007 4:59
 173



NOEL STREET

- NOTES:
1. THIS EXERCISE IS TO SHOW POSSIBLE BUILDING ENVELOPES.
 2. ALL DWELLINGS HAVE BEEN ASSUMED TO BE 2 STOREY, 3 BEDROOM, 2 CARSPACE DWELLINGS FOR THIS EXERCISE.
 3. ALL BUILDING ENVELOPES POSITIONED TO MAXIMISE NORTHERLY ASPECT FOR BACKYARD/COURTYARD AREAS WHERE POSSIBLE.
 4. ALL DIMENSIONS TO BE CHECKED WITH PLAN OF SUBDIVISION DRAWING NO: PS 532591F TONY JEAVONS SURVEYS.



T R E E T

EMENDED.
 CARPARKING.
 BASED. LOT 18
 BASED IN SIZE.
 ECHILE ACCESS
 TO LOTS 1 & 2.
 ECHILE ACCESS
 ID AS A RESULT.
 SETBACK
 1.4M REQUIRED.

1:500 @ A3

292 La Trobe Terrace, Newtown, Vic., 3220
 Tel (03) 5229 3896

0426
 RCA02 F

MARK GRATWICK ARCHITECTS