Planning Report

Crown Allotment 11 Section J Parish of Berringa
And Crown Allotment 14 Section 1 Parish of Berringa

Cemetery Road
Bethanga

Boundary adjustment and Dwelling
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1. **INTRODUCTION**

EDM Group has been engaged by the owners of Crown Allotments 11 and 14, Cemetery Road, Bethanga (Appendix 1) to prepare this Planning Report to accompany an application that seeks Council approval for a boundary adjustment to create two lots of approximately 4.3ha and 95ha respectively. This application also seeks support for the purposes of a dwelling on the 4.3ha lot to be created as a result of the boundary adjustment.

Associated with this application is also a request to undertake a road exchange so as to relocate the unmade government road that runs through the western section of CA14 to the northern boundary adjacent to the Cemetery.

As will be outlined within this report the proposal complies with the relevant provisions of the Towong Shire Planning Scheme and facilitates orderly planning of the land resulting in two lots consistent with the relevant zone provisions applicable to the land.

2. **SUBJECT LAND**

The subject land comprises two lots described as Crown Allotment 11, Section J Parish of Berringa and Crown Allotment 14, Section 1 Parish of Berringa Cemetery Road, Bethanga (being land contained within Certificate of Title Vol. 07505 Fol. 060 and Vol. 09056 Fol. 282 respectively - See Appendix 2).

Crown Allotment 11 has an area of 69.88ha while Crown Allotment 14 has an area of 29.32ha. Legal and practical access is via Cemetery Road that extends along the western boundary of the property (Photo 1).

![Photo 1: Old stables and holding yards. Cemetery Road frontage to the right.](image)

The subject land is located within the narrow valley of the Bethanga Creek, set on the western slope of a hill that rises 508m AHD. The entire property slopes up to the west from the Cemetery Road frontage, with the rear section of CA11 containing part of the hill top. The land falls within the landscape classification of Hills on Gneiss (figure 1) comprising moderate to steep slopes.
The property is essentially a broad acre grazing property with scattered remnant vegetation located across the property. The property has a westerly and south westerly aspect offering long views across to Lake Hume and beyond (Photo 2).

CA11 is cleared and given to grazing. It wraps around the Bethanga Cemetery located on the western boundary of the lot. This larger lot contains steeper country to the east and north east.

The smaller CA14 is also cleared and given to grazing but contains on the western boundary of the property an old stable and holding yards adjacent to the road frontage (Photo 1). Running through the title of CA14 is an unmade government road which is unfenced.
The Department of Natural Resources Land Resource Assessment identifies the land as having moderate agricultural capability (see figure 2). Areas of moderate classed land exhibit some landform and soil limitations and its use is generally restricted to broad acre enterprises (e.g., grazing and on gentler slopes broad acre cropping).

3. PROPOSAL

The proposal seeks a boundary adjustment of existing Crown Allotments 11 and 14 to create two lots of approximately 4.3ha with the subsequent creation of a large single balance lot of approximately 95ha (Appendix 3). The proposal also seeks approval for a dwelling to be located upon proposed Lot 1 of 4.3ha (Figure 3).

The proposed dwelling is to be situated towards the centre of proposed Lot 1 partially on the government road reserve that runs through the property. The building envelope position is ideal in this area where slopes are modest and suitable for the purposes of a dwelling. Located to the west of steeper land which provides a significant backdrop, the site is not of particular prominence in the landscape when viewed from public road, nearby properties or the Lake itself.

As part of the proposal it is proposed to undertake a land exchange to relocate the government road that runs through the centre of proposed Lot 1. The land exchange will move the government road further north along the southern boundary of the Bethanga Cemetery, as indicated at figure 3.

Proposed Lot 1 will contain the old stables and holding yard as well as the building envelope for the proposed dwelling. No native vegetation is required to be removed of the erection of the dwelling and provision can be made for supply of electricity and telephone services to the site. On-site water disposal is practical and feasible.
The proposal has been framed in a manner that takes into consideration site opportunities and constraints. With respect to the boundary adjustment the following comments are offered:

- It produces lot sizes that are in keeping with those in the general area and that cater well for traditional broad-acre agriculture.
- The proposal creates a lot configuration that responds well to site opportunities and constraints as well as existing infrastructure.
- The proposal engages existing fence lines.
- It will not result in the fragmentation or alienation of high quality agricultural land.
- No native vegetation is to be removed as a result of the boundary adjustment.
• Makes provision for legal and practical access to both proposed lots.

As will be discussed further in this report, the proposal is not inconsistent with the requirements of the Rural Activity Zones and is not inconsistent with previous decisions of Council within a similar landuse context.

![Photo 4: View from southern boundary of proposed house lot](image)

4. PLANNING CONTROLS

4.1 Towong Planning Scheme

The subject land is located within the Rural Activity Zone (RAZ) under the provisions of the Towong Planning Scheme (Appendix 4).

Rural Activity Zone

Relevant purposes of the Rural Activity Zone include:

• To provide for the use of land for agriculture
• To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.
• To ensure that the use and development does not adversely affect the surrounding land uses.
• To provide for the use and development of land for the specific purposes identified in a schedule to this zone.
• To protect and enhance natural resources and the biodiversity of the area.
• To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The zone provides at Clause 35.08-3 that a permit is required for a subdivision. Each lot must be at least the area specified for the land in a schedule to the zone, however a permit may be granted to create smaller lots if the subdivision is the re-subdivision of existing lots and the number of lots is not increased.

Within Clause 35.08-1 dwellings are considered to be a ‘Section2’ (permit required) use. Apart from the general decision guidelines set out in Clause 65 of the planning scheme there are a number of specific decision guidelines set out in clause 35.08-5 relating to the use and development of the land that are required to be taken into account.
These specific guidelines relate not only to general issues such as ‘whether the land is suitable’ but also include consideration of the maintenance of farm production and a range of environmental issues.

4.2 Significant Landscape Overlay

The Significant Landscape Overlay applies to the land (See Appendix 4). The Significant Landscape Overlay includes the following purposes:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify significant landscapes.
- To conserve and enhance the character of significant landscapes.

Schedule 1 to the SLO contains the following statement relation to the landscape character to be achieved.

- To protect the visual quality and significance of the prominent hills, slopes and extensive open landscapes in the Shire, including those classified by the National Trust.
- To protect the nature of the rural areas surrounding Lake Hume and its tributaries.
- To protect the rural landscape form insensitively designed development.
- To maintain and protect the diversity of landscapes, native fauna, remnant vegetation and sites of historical, botanical and zoological significance.
- To provide for the development of tourism oriented activities complementing the special nature of Lake Hume.
- To recognize and protect the landscape conservation and scientific importance of the Lake Hume.
- To protect the Lake and surrounding landscapes from visual intrusion and inappropriate development.
- To maintain passive recreational development of the land for the enjoyment of all visitors.
- To encourage land development consistent with sustainable rural land management.

Clause 44.03-2 states that a permit is required to construct a building or construct or carry out works.

COMMENT: The nominated building envelope occupies a relatively inconspicuous position within the landscape and will not be particularly obtrusive when viewed from neighbouring properties or public places. The building envelope occupies mid-slope position, with elevated terrain to the east providing an effective backdrop for the development. Trees located to the east of the building envelope will assist in softening the landscape impacts of the development. The proposal is sympathetic to the landscape values afforded by the site and the sensitive placement of the building envelope coupled with the application of Council’s started Significant Landscape Overlay conditions will ensure an outcome that is respectful of the landscape values of the Lake Hume environs.
4.3 Decision Guidelines

In addition to the matters set out above the purpose of the zone and the relevant decision guidelines also require that consideration be given to matters such as the planning scheme's State Planning Policy Framework (SPPF), the Local Planning Policy Framework (LPPF), and orderly planning.

4.4 State Planning Policy Framework

The SPPF seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. The following policies areas are deemed to be relevant to this proposal and need to be taken into account when assessing the application.

Protection of Catchments, Waterways and Ground Water (Cl. 15.01)

COMMENT: The land contains no permanent waterways. All wastewater generated by the proposed dwelling can be managed in accordance with statutory requirements and there is nothing contained within the proposal that directly impacts on surface or ground water quality.

Conservation of native flora and fauna - Cl.15.09

COMMENT: No native vegetation is required to be removed as a result of this proposal.

Agriculture (Cl. 17.05)

COMMENT: The subject land is not considered to be of high agricultural quality within a regional or state context and is located within a traditional broad- accusation area. The area displays typical traits of a transitional rural area in that it is in close proximity to Bethanga, has high levels of amenity and has moderate productive agricultural capability. The proposal is aimed at allowing for a future dwelling on the land while at the same time reinforcing and encouraging the prevailing agricultural uses, promoting better farm management and securing the longer term agricultural future of the property. Farm gate output will not be reduced by the proposal.

4.5 Municipal Strategic Statement

The MSS provides the following relevant discussion in relation to rural productivity:

The Shire is one of the most productive municipal areas with the Ovens and Murray Region of Victoria, generating $50 to $60 million per annum from agriculture. Timber is also a major landuse and the Shire supplies 25% of the Victoria North East Region's timber.

Agriculture remains the major industry of the Shire. Based mainly on dry land grazing and irrigated dairying along the river valleys. In the coming years agricultural activity is expected to expand and diversify, particularly in the west and south western regions of the Shire as the viability of intensive agricultural pursuits emerge.

Clause 21.07 states that:

The agricultural production within the hire occurs on approximately 30% of the total land area of the Shire, however, the Shire leads all other municipalities in the region in terms of value for all categories of agricultural production.

The Shire's reliance on the now declining agricultural sector has been further affected by the climatic conditions of the past decade and the occurrence of a prolonged drought and major bushfires.
Whilst agriculture is the major economic activity within the Shire there has been minimal attempt at value adding of the processing of raw agricultural product within the Shire.

Clause 21.07-2-1 further states the Key Issues of the Shire as:

- Need to facilitate innovative business opportunities and agricultural projects to address declining returns of traditional agriculture.

Relevant Objectives include:

- Encouragement of diversification of the economic base and agricultural diversity by attracting industries which will add to the employment base of the Shire.
- To ensure that the use and development of rural land is compatible and complementary to agricultural activities.

COMMENT: The current proposal is not inconsistent with the strategic policy intent of the Towong Planning Scheme. The MSS seeks to foster growth within Towong Shire in a manner that does not compromise identified environmental values. The MSS specifically seeks the protection of important landscapes and high quality agricultural land within the Towong Shire.

It is contended that the proposal does not fragment or alienate high quality agricultural land and offers a position within the landscape that does not have undue prominence and will not compromise the landscape values of the Lake Hume environs. It thereby delivers a planning outcome clearly supported by the MSS.

4.6 Local Planning Policy Framework

Lake Hume Environs – Cl. 22.06

This policy applies to the use and development of Farming, Rural Activity and Rural Living zoned land adjoining or within 200 meters of Lake Hume. The policy basis states;

Lake Hume is a significant water, natural environment and tourist resource. The development of land abutting this lake needs to be carefully assessed having regard to:
- Water quality and effluent disposal adjacent to these lakes.
- Visual amenity of the landscape.

Relevant Objectives of the policy are:

- To prevent development from degrading water quality and polluting Lake Hume.
- To protect the natural environment and, riparian area surrounding Lake Hume from obtrusive development that may spoil the undeveloped landscape features of the environs of Lake Hume.
- To ensure that development is sited and designed to minimize any impact from an aesthetic perspective.
- To prevent inundation for development by rising water levels.

COMMENT: The proposal is consistent with the stated policy objectives because the proposed dwelling will be greater than 200 metres form the Lake Hume, all waste water can be managed in accordance with the statutory requirements and the location of the proposed building has appropriate regard to the topographic constraints of the site. With regard to the design of the building, it is understood that Council’s standard conditions will apply.
Rural Housing (Cl. 2.15)

This policy applies to proposals for residential development in the Farming, Rural Conservation and Rural Activity Zones. The basis of the policy is:

- Proposals that provide for dwellings in rural areas need to consider the environmental conditions, the protection for agricultural activities and the need for development to support existing towns.

Relevant objectives of this policy are:

- To ensure that any proposal address the following matters:
  - The capability of the land of being used for a wide variety of small scale intensive agricultural and horticultural uses, other than the grazing or keeping of livestock.
  - Lot sizes which can be varied according to the environment and to the proposed use of the land.
  - That the land is not in an area designated as of high agricultural value or high environmental hazard such as flooding, erosion or fire hazard.
  - Depending on the extent of development, as assessment be carried out on the impact of the development on major and local roads.

COMMENT: With regard to the ‘impact’ of the proposal as articulated by the policy, the proposal has taken into account the following:

- The water catchment of Lake Hume, and other watercourses.

Waste water disposal can be undertaken in accordance with the requirements of the Septic Tank Code of Practice and all relevant waterway buffers can be satisfied with ease.

- The topography of the site.

The slope of the proposed lot is approximately 12.5% from Cemetery Road to the rear boundary. At the proposed house site the land levels out to less than 10% and is suitable for the construction of a dwelling.

- The management of farming of land on adjoining property.

The proposal will not restrict or inhibit the farming of land on adjoining property.

- Environment of the area.

The subject land contains no areas of important natural habitat and the proposal requires the removal of no native vegetation.

- Fire hazard of the area and the proposed development.

The area is not included within the Wildfire Management Overlay contained within the Towong Planning Scheme.

With regard to the ‘house siting and design’ matters, the proposal provides the following outcomes in accordance with the direction provided by the policy:

- A main axis orientation that is broadly east-west.

- Mid-slope position

It is understood that non reflective colours and surfaces for all exterior building materials will be a requirement of any permit issued, in line with the policy requirements.
Rural Subdivision (Cl. 22.16)

This policy applies to subdivision of land located within the Farming, Rural Conservation and Rural Activity Zones. The basis of the policy is:

The subdivision of rural land has been a major element of development in the Shire and has facilitated lifestyle choices and more intensive use of agricultural land. Subdivision needs to take into account the constraints and opportunities provided by the site and infrastructure and servicing requirements of the development.

Relevant objectives of this policy are:

- To identify site opportunities and use this information in the design, layout and servicing of rural subdivision.
- To ensure that rural living subdivisions do not develop in areas of high agricultural significance nor adversely impact on existing agricultural activity.

COMMENT: The proposal appropriately takes account of site opportunities and constraints and is not prejudicial to the continued operation of agricultural industries of the productive capacity of the land. It is reiterated that high quality agricultural land will not be fragmented by the proposed boundary adjustment and dwelling and there will be no reduction in farm gate output. The proposal is not inconsistent with the North East Catchment Management Strategy. In terms of environmental considerations, no native vegetation is required to be removed and there are no apparent water quality issues arising from the proposal. Nothing is contained within the proposal that will compromise agricultural, landscape character and environmental values.

5. RURAL ACTIVITY ZONE

Relevant purposes of the Rural Activity Zone include:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture
- To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.
- To ensure that use and development of land for the specific purposes identified in the schedule to this zone.
- To protect and enhance natural resources and the biodiversity of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Clause 35.08-5 provides a range of decision guidelines that are required to be considered by the Responsible Authority. With respect to these heads of consideration the following statements are offered:

General issues

- The proposal is not inconsistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The proposal is not inconsistent with the North East Catchment Management Authority Regional Catchment Strategy.
• The land is more than capable of accommodating the boundary adjustment and proposed dwelling. The subject land is capable of accommodating a suitable effluent field.

• The two lot subdivision allows for the retention of the future agricultural production of the land.

• The subject land is suitable for the proposed boundary adjustment and dwelling and is compatible with surrounding and adjoining land uses.

Agricultural issues

• The boundary adjustment will support and enhance the agricultural production of the land. The proposal secures the agricultural future of the property by producing a large balance lot while producing a lot configuration better suited to a proposed dwelling for the smaller lot.

• The proposal will not limit the operation and expansion of adjoining and nearby agricultural uses.

• The subject land has adequate capacity to sustain the boundary adjustment and proposed dwelling which will not inhibit the agricultural use of the land.

• The land is well serviced by existing infrastructure and nothing within this proposal will compromise the agricultural qualities of the land.

• No integrated land management plan has been prepared for the site.

Dwelling issues

• The proposed dwelling will not result in the loss or fragmentation of productive agricultural land.

• The proposed dwelling will not be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery.

• The proposed dwelling will not adversely affect the operation and expansion of adjoining and nearby agricultural uses.

Environmental issues

• There will be no discernible environmental impact as a result of the proposal. Existing fence lines can be engaged. There will be no direct impacts on soil and water quality.

• The impact of the use or development on the flora, fauna and landscape features of the locality is not relevant in this instance. The proposed new boundaries and dwelling will not require the removal of native vegetation.

• The protection and enhancement of the natural environment and the character of the area, including the retention of vegetation and fauna habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridge lines, property boundaries, discharge and recharge areas is not relevant in this instance.

• The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation can be provided that comply with statutory requirements.
Design and Siting Issues

- Through sensitive siting and design, the impact of the future dwelling on the natural environment, major roads, vistas and water features should be kept to a minimum.

- The impact on the character and appearance of the area or feature of architectural, historic or scientific significance, or of natural scenic beauty or importance, has some relevance. To this end, due regard has been made with regard to the siting of the proposed building envelope to ensure protection of identified landscape values. The dwelling will be discretely located well set back from the road and is not in the vicinity of any other dwellings in the location.

- The location and design of existing infrastructure will allow for the proposed dwelling to easily obtain connection to the existing infrastructure. The existing road infrastructure is excellent and telecommunication infrastructure is available to service the land. On site water collection and effluent disposal will be relied upon.

- No traffic management measures will be required in this instance.

6. GENERAL PROVISIONS - CLAUSE 65 (DECISION GUIDELINES)

Clause 65 states that because discretions exists for a permit to be issued this does not mean that a permit must be issued. Rather, the provisions at Clause 65 make it clear that consideration needs to be given to whether the outcome is one which is acceptable having regard to such matters as the Scheme's policies and orderly planning.

In response the following comments are provided, as appropriate, in respect of the decision guidelines provided for at clause 65.01 and 65.02.

6.1 Approval of an application or plan (Cl. 65.01)

- The orderly planning of the area.

  COMMENT: It is contended that the proposal represents orderly planning for the subject land. The lots will still ensure landuse outcomes which are compatible with existing and surrounding land uses. The configuration of the lots has been previously discussed and is very much consistent with subdivision pattern of the location. The proposed new dwelling will not fragment highly agricultural land.

- The effect on the amenity of the area.

  COMMENT: The proposal will not have an adverse impact on the amenity of the area nor will it impact upon rural character.

- The proximity of the land to any public land.

  COMMENT: The land abuts a government road along the western boundary of the property and a Public Use Zone. There are no issues associated with public-private land interface that would preclude the subdivision.

- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.

  COMMENT: No issues identified as relevant.
• Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

COMMENT: No issues identified as relevant.

• The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

COMMENT: No removal of native vegetation is proposed.

• The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

COMMENT: The land is not the subject of flood, erosion or wildfire overlay controls.

6.2 Approval of an application to subdivide land (Cl. 65.02)

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

• The suitability of the land for subdivision.

COMMENT: The subject land is suitable for subdivision with the proposed lots having regard to site constraints, infrastructure and existing land uses. The proximity of the proposed dwelling to the road allows for a simple boundary adjustment with few consequences for the broader farm operation. The proposal is responsive to site characteristics and is consistent with subdivision patterns in the immediate area.

• The existing use and possible future development of the land and nearby land.

COMMENT: See previous discussion. These uses will not change as a result of this application succeeding, and encourages the on-going use of the land for agricultural purposes.

• The availability of subdivided land in the locality, and the need for the creation of further lots.

COMMENT: The availability of lots is not relevant in this instance.

• The effect of development on the use or development of other land which has a common means of drainage.

COMMENT: Existing drainage patterns downstream of the subject land will not be affected by the proposal.

• The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.

COMMENT: The proposal has taken into account the physical characteristics of the land and does not require the removal of native vegetation.

• The density of the proposed development and the area and dimensions of each lot in the subdivision.
COMMENT: The density of the proposal results is an average lot size of over 49.65 hectares which is not inconsistent with the existing average lot size in the locality. There will be no significant material change to the appearance of this locality as a result of this proposal.

- The layout of roads having regard to their function and relationship to existing roads.
  
  COMMENT: The land has good road frontage to Cemetery Road that runs along the western boundary of the property.

- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
  
  COMMENT: No movement of pedestrians or vehicles is proposed throughout the development.

  - The provision and location of reserves for public open space and other community facilities.
  
  COMMENT: Not Applicable.

- The staging of the subdivision.
  
  COMMENT: Not Applicable.

- The design and siting of buildings having regard to safety and the risk of spread of fire.
  
  COMMENT: Not Applicable.

- The provision of off-street parking.
  
  COMMENT: Not Applicable.

- The provision and location of common property.
  
  COMMENT: Not Applicable.

- The functions of any body corporate.
  
  COMMENT: Not applicable

- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
  
  COMMENT: Electricity and telephone services are currently available to the land.

- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
  
  COMMENT: The land is capable of treating and retaining all sewage and sullage within the boundaries of the proposed dwelling lot.
• Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

COMMENT: No removal of native vegetation is envisaged with the current subdivision design.

7. DISCUSSION

As noted above, it is contended that the proposal is not inconsistent with the purposes of the Rural Activity Zone or relevant provision contained within the Local Planning Policy Framework. The proposal is therefore considered to be both appropriate and reasonable in the circumstances and is seen as an important strategic decision to secure the agricultural future of the farm. This position is supported as follows:

1) This proposal will not cause fragmentation of high quality agricultural land.

2) The proposal does not require the removal of native vegetation.

3) The proposed lot sizes are in keeping with those of the immediate area and cater well for the on-going use of the land for broad-acre agriculture.

4) The proximity of the proposed dwelling will not impact on the Significant Landscape and environmental values of the land.

5) A recent copy of the Title is attached (Appendix 2). In accordance with the requirements of the Planning and Environment (Restrictive Covenants) Act 2000, Council is advised that there are no restrictive covenants that affect the subject land.

8. CONCLUSION

This submission demonstrates firstly that the proposal is consistent with the provisions of the Towong Planning Scheme and secondly that the design response and resultant lot layout would be both appropriate and reasonable in the circumstances. For these reasons, it is submitted that the proposal deserves the support of Council.

Jacqui Bright
Planner
EDM Group
15/05/08
Ref: 28041
APPENDIX 1

SITE CONTEXT
APPENDIX 2

TITLE PARTICULARS
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

LAND DESCRIPTION


PARENT TITLE Volume 03446 Folio 018

Created by instrument 2368653 11/12/1950

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

THOMAS ROBERT MARTIN of RMB 8555 VIA WODONGA VIC 3691
AC759419N 25/03/2004

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP448384R FOR FURTHER DETAILS AND BOUNDARIES

END OF CERTIFICATE

REGISTRAR OF TITLES
TOTAL AREA = 275A 3R 24P
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

LAND DESCRIPTION
Crown Allotment 14 Section 1 Parish of Berringa,
PARENT TITLE Volume 07505 Folio 059
Created by instrument F292097 06/05/1974

REGISTERED PROPRIETOR
Estate Fee Simple
Sole Proprietor
THOMAS ROBERT MARTIN of RMB 8555 VIA WODONGA VIC 3691
ACT59415N 25/03/2004

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION
SEE TP262368Y FOR FURTHER DETAILS AND BOUNDARIES

END OF CERTIFICATE

THIS CERTIFICATE CONTAINS INFORMATION CORRECT AT THE TIME OF PRINTING. CURRENT INFORMATION SHOULD BE OBTAINED BY A SEARCH OF THE REGISTER.
APPENDIX 3

DESIGN RESPONSE AND PROPOSED PLAN OF SUBDIVISION
BETHANGA 3691
Cemetery Road
Section I
Crown Allotments 11 and 14
Proposed Plan of Subdivision
APPENDIX 4

PROPERTY REPORTS

Crown Description: Allot. 11 Sec. J PARISH OF BERRINGA
Address: LAKE ROAD BETHANGA 3691
Standard Parcel Identifier (SPI): 11~JIPP2126
Local Government (Council): TOWONG Council Property Number: 212900 (Part)
Directory Reference: Vicroads 36 C4
Note: This parcel is part of a property. Try searching by address to find the details of the property.

Parcel Details
This is 1 parcel of 5 parcels comprising the property. The parcel searched for is marked with an * in the table below.

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<th>SPI</th>
<th>Lot/Plan or Crown Description</th>
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State Electorates
Legislative Council: NORTHERN VICTORIA (2005)
Legislative Assembly: BENAMBRA (2001)

Utilities
Regional Urban Water Business: North East Water
Rural Water Business: Goulburn-Murray Water
Melbourne Water: outside drainage boundary
Power Distributor: SP AusNet (Information about choosing an electricity retailer)

Planning Zone Summary
Planning Zone: RURAL ACTIVITY ZONE (RAZ)
Planning Overlay: SIGNIFICANT LANDSCAPE OVERLAY (SLO)
SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1 (SLO1)

Planning scheme data last updated on 8 May 2008.
This report is not a substitute for a Planning Certificate.
For a Planning Certificate (provides statutory protection under Section 200, Planning & Environment Act 1987) go to Titles and Property Certificates
For complete Planning Scheme Provisions go to Planning Schemes Online

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Crown Description: Allot. 11 Sec. J PARISH OF BERRINGA
Address: LAKE ROAD BETHANGA 3691
Local Government (Council): TOWONG Council Property Number: 212900 (Part)
Directory Reference: Vicroads 36 C4

Planning Zone

RURAL ACTIVITY ZONE (RAZ)
SCHEDULE TO THE RURAL ACTIVITY ZONE

Zones Legend

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Planning Overlay

SIGNIFICANT LANDSCAPE OVERLAY (SLO)
SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1 (SLO1)

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.
Visit Planning Maps Online where you can view a map with the individual overlays.

Overlays Legend
- Airport Environments
- City Link Project
- Design & Development
- Design & Development (Part)
- Development Contributions Plan
- Environmental Audit
- Environmental Significance
- Erosion Management
- Floodway
- Heritage
- Incorporated Plan
- Land Subject to Inundation
- Land Subject to Inundation & Floodway
- Melbourne Airport Environments 1
- Melbourne Airport Environments 2
- Neighbourhood Character
- Public Acquisition
- Restructure
- Road Closure
- Salinity Management
- Significant Landscape
- Special Building
- State Resource
- Vegetation Protection
- Wildfire Management

Planning scheme data last updated on 8 May 2008.
This report is not a substitute for a Planning Certificate.
For a Planning Certificate (provides statutory protection under Section 200, Planning & Environment Act 1987) go to Titles and Property Certificates
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Crown Description: Allot. 14 Sec. 1 PARISH OF BERRINGA
Address: LAKE ROAD BETHANGA 3691
Standard Parcel Identifier (SPI): 14~1JPP2126
Local Government (Council): TOWONG Council Property Number: 212900  (Part)
Directory Reference: Vicroads  36 C4
Note: This parcel is part of a property. Try searching by address to find the details of the property.

Parcel Details
This is 1 parcel of 5 parcels comprising the property. The parcel searched for is marked with an * in the table below.

<table>
<thead>
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<th>Lot/Plan or Crown Description</th>
<th>SPI</th>
<th>Lot/Plan or Crown Description</th>
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<td>11A~JPP2126</td>
<td></td>
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</tr>
</tbody>
</table>

State Electorates
Legislative Council: NORTHERN VICTORIA (2005)
Legislative Assembly: BENAMBRA (2001)

Utilities
Regional Urban Water Business: North East Water
Rural Water Business: Goulburn-Murray Water
Melbourne Water: outside drainage boundary
Power Distributor: SP AusNet (Information about choosing an electricity retailer)

Planning Zone Summary
Planning Zone: RURAL ACTIVITY ZONE (RAZ)
Schedule to the Rural Activity Zone
Planning Overlay: SIGNIFICANT LANDSCAPE OVERLAY (SLO)
SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1 (SLO1)

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Planning Zone

RURAL ACTIVITY ZONE (RAZ)
SCHEDULE TO THE RURAL ACTIVITY ZONE

Zones Legend

| BLZ - Business 1 | IN1Z - Industrial 1 |
| B2Z - Business 2 | IN2Z - Industrial 2 |
| B3Z - Business 3 | IN3Z - Industrial 3 |
| B4Z - Business 4 | LDRZ - Low Density Residential |
| B5Z - Business 5 | MUZ - Mixed Use |
| CA - Commonwealth Land | PCZ2 - Public Conservation & Resource |
| CCZ - Capital City | PDZ - Priority Development |
| CDZ - Comprehensive Development | PPR2 - Public Park & Recreation |
| DZ1 - Dockland - Schedule 1 | PUZ1 - Public Use - Service & Utility |
| ERZ - Environmental Rural | PUZ2 - Public Use - Education |
| FZ - Farming | PUZ3 - Public Use - Health Community |
| GWAZ - Green Wedge A | PUZ4 - Public Use - Transport |
| GWZ - Green Wedge | PUZ5 - Public Use - Cemetery / Crematorium |
|                     | PUZ6 - Public Use - Local Government |
|                     | PUZ7 - Public Use - Other Public Use |
|                     | R1Z - Residential 1 |
|                     | R2Z - Residential 2 |
|                     | R3Z - Residential 3 |
|                     | RAZ - Rural Activity |
|                     | RCZ - Rural Conservation |
|                     | RDZ1 - Road - Category 1 |
|                     | RDZ2 - Road - Category 2 |
|                     | RLZ - Rural Living |
|                     | RUZ - Rural |
|                     | SUZ - Special Use |
|                     | TZ - Township |
|                     | URF2 - Urban Floodway |

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