

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:

55 and 56 Stephens Road, Tatong
Lot 1, PS710078 and Lot 1, LP207554, Parish of Moorngag

The application is for a permit to:

Resubdivide two existing lots

The applicant for the permit is:

Mr Andrew Rotherham
Premise Group Services Pty Ltd – Albury

The application reference number is:

P0160/23
DA7607

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must:

- * **be made to the responsible authority in writing;**
- * **include the reasons for the objection; and**
- * **state how the objector would be affected.**

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

The Responsible Authority will not decide on the application before:

15 February 2024

If you object, the Responsible Authority will tell you its decision.

Application for Planning Permit for a Subdivision

Supplied by	Anthony O'Neill
Submitted Date	05/12/2023
Modified by	Andrew Rotherham (Premise Group Services Pty Ltd - Albury)
Modified Date	10/01/2024

Application Details

Application Type	Planning Permit for a Subdivision Version 2
Applicant Reference Number	P000753
Application name or Estate name	Farmilo
Responsible Authority Name	Benalla Rural City Council
Responsible Authority Reference Number(s)	P0160/23, DA7607
SPEAR Reference Number	S222713H
Application Status	Lodged with Responsible Authority
Planning Permit Issue Date	NA
Planning Permit Expiry Date	NA

The Land

Primary Parcel	56 STEPHENS ROAD, TATONG VIC 3673 Lot 1/Plan PS710078 SPI 1\PS710078 CPN A18892 Zone: 35.07 Farming Overlay: 44.06 Bushfire Management
Parcel 2	56 STEPHENS ROAD, TATONG VIC 3673 Lot 1/Plan LP207554 SPI 1\LP207554 CPN A12370 Zone: 35.07 Farming Overlay: 44.06 Bushfire Management

The Proposal

Plan Number	PS917941
Number of lots	2
Proposal Description	Re-subdivision of existing lots
Estimated cost of the development for which a permit is required \$	0

Existing Conditions

Existing Conditions Description	grazing land with dwelling on 1 lot.
Title Information - Does the proposal breach an encumbrance on Title?	The proposal does not breach an encumbrance on title, such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope.

Applicant Contact

Applicant Contact

Mr Andrew Rotherham
Premise Group Services Pty Ltd - Albury
598 Macauley Street, Albury, NSW, 2640
Business Phone: (02) 60580100
Mobile Phone: 0428572150
Email: andrew.rotherham@premise.com.au

Applicant

Applicant

(Applicant details as per Applicant Contact)

Owner

Owner 1

Timothy & Ester Cann
56 Stephens Road, Tatong, VIC, 3673

Owner 2

Samantha Farmilo
55 Stephens Road, Tatong, VIC, 3673

Declaration

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

I, Andrew Rotherham, declare that all the information supplied is true.

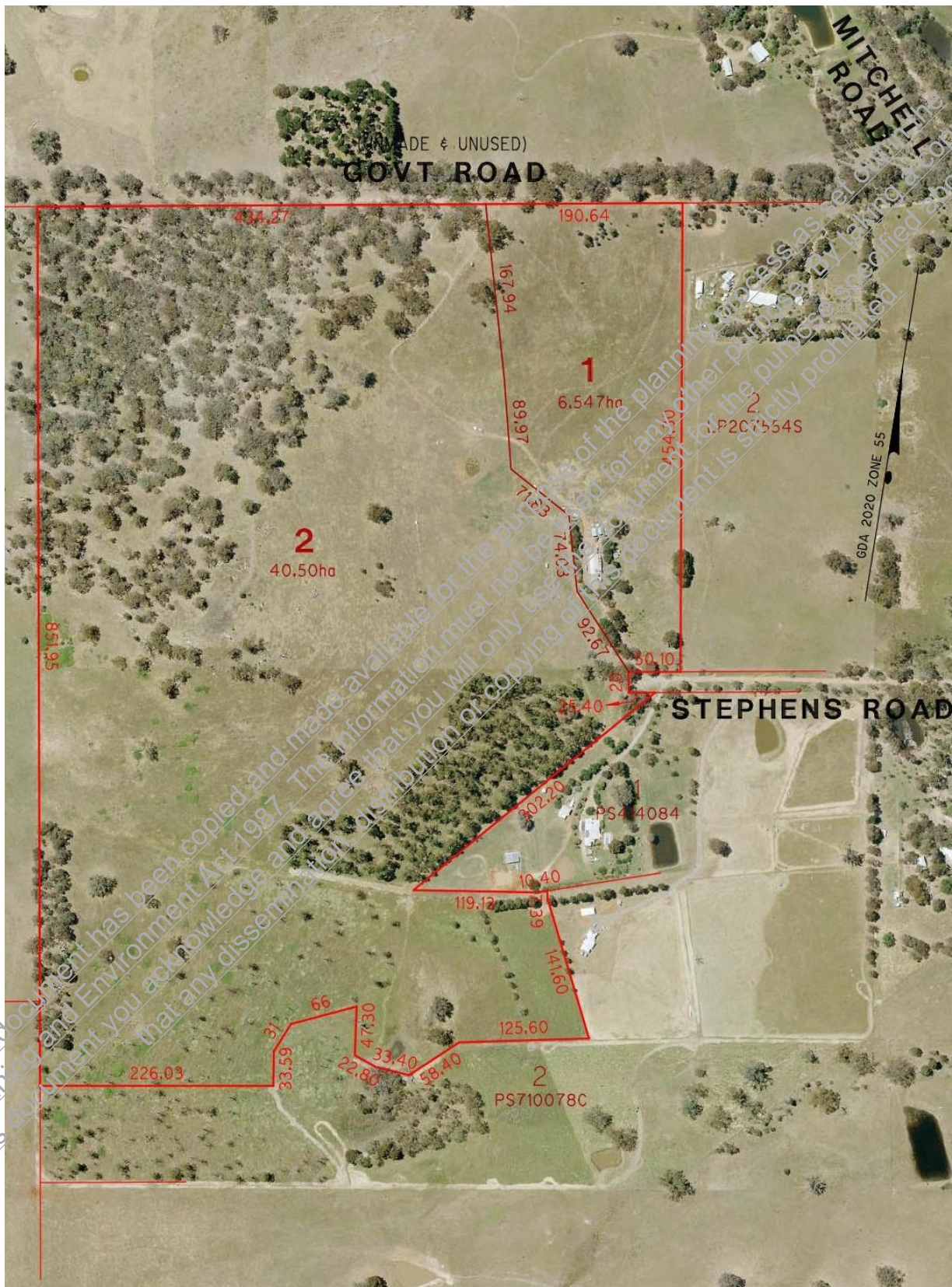
**Authorised by
Organisation**

Andrew Rotherham
Premise Group Services Pty Ltd - Albury

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PLANNING REPORT
Proposed re-subdivision.
55 and 56 Stephens Road, Tatong

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Proposed re-subdivision plan 55 and 56 Stephens Road, Tatong

1. **Applicant:** Premise, 598 Macauley Street, Albury NSW

2. **Owners:**

Philippuss Mostert of 24 Cornwall Place, Maribyrnong 3032 &

Timothy & Esther Cann both of 56 Stephens Road, Tatong 3673

3. **Title Details:**

55 Stephens Road: Volume 11486 Folio 340 being lot 1 on LP 207554S.

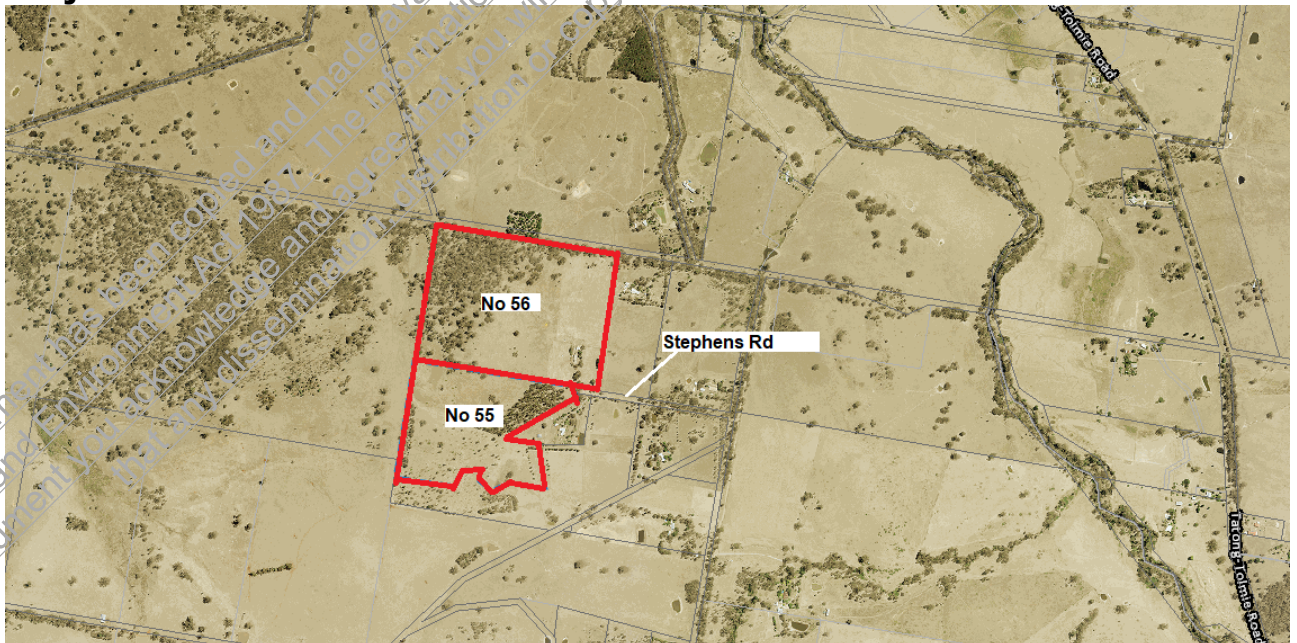
56 Stephens Road: Volume 09765 Folio 772 being Lot 1 on PS 710078C.

4. **Restrictive Covenants:** Instrument AK754870D is included on title in the form of a section 173 agreement in which the owner covenants that:

- *Adjoining and nearby land is used for agricultural activities that have right to continue under the Farming Zone and may create offsite amenity impacts for residential and non-agricultural uses.*
- *The land may not be further subdivided so as to increase the number of lots.*

The proposal does not breach the agreement. A copy of Instrument AK754870D is attached to this report.

5. **Subject site and surrounds**



Aerial photo showing the location of the subject land.

The subject site is located at the western end of Stephens Road, Tatong. Stephens Road is a constructed and unsealed road which runs off Mitchell Road. The subject land consists of two lots. Lot 1 on LP 207554S which has an area of 28.21ha and is rectangular in shape and lot 1 on PS710078 which adjoins to the south and is

The subject land is located approximately 2Kms south west of Tatong township.

the way of and

6. Proposal:

The proposed lot 1 will be irregular in shape and include an existing dwelling located in the southern section of the lot. The site is cleared apart from some scattered trees around the house. Access to this lot will be via an existing vehicle crossing off Stephens Road.

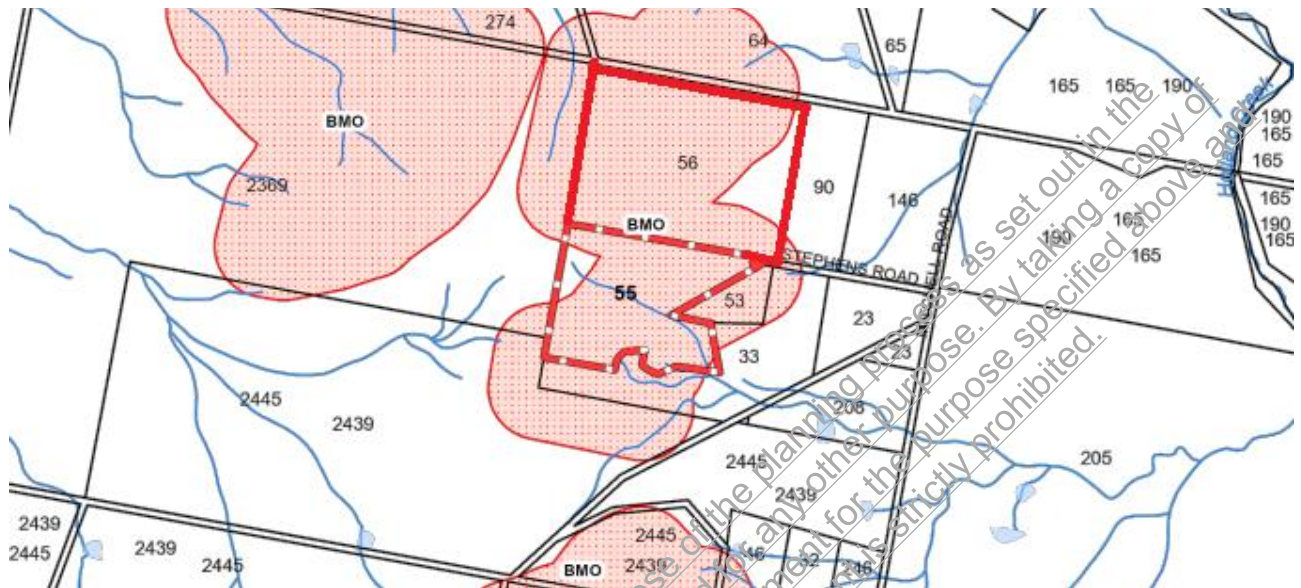
The proposed lot 2 will also be irregular in shape. It includes existing areas of vegetation in the north west corner and on the western side of the site. Apart from some scattered trees the site is cleared agricultural land. Access to the site is via an vehicle crossing at the end of Stephens Road. An indicative location for a dwelling is proposed in the south east corner of the site.

7. Zoning – Farming Zone (FZ)



Zoning map showing the subject site outlined.

8. Overlay – Bushfire Management Overlay (BMO)



Bushfire Management Overlay map showing the extent of the overlay over the subject land.

9. Permit Triggers:

- Pursuant to Clause 35.07-3 (Subdivision in the Farming Zone) of the Benalla Planning Scheme a permit is required to subdivide land. Each lot must be at least 40ha however a permit may be granted to create smaller lots if any of the following apply:
 - *The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.*
 - *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*
 Both of the above apply to the proposed subdivision.
- Pursuant to Clause 46.06-2 (Permit requirements in the BMO) of the Benalla Planning Scheme a permit is required to subdivide land.

10. Assessment against scheme:

Zoning of the land and any relevant overlay provisions

10.1 Farming Zone

The purpose of the Farming Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect*

the use of land for agriculture.

- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

The proposal is generally consistent with the purpose of the zone as productive agricultural land is retained.

Clause 35.07-6 – Decision guidelines:

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, the responsible authority must consider, as appropriate the following guidelines:

Guideline:	Response:
General issues <ul style="list-style-type: none"> -The Municipal Planning Strategy and the Planning Policy Framework. -Any Regional Catchment Strategy and associated plan applying to the land. -The capability of the land to accommodate the proposed use or development, including the disposal of effluent. -How the use or development relates to sustainable land management. -Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses. -How the use and development makes use of existing infrastructure and services 	<p>See clause 11.3, 11.4 and 11.5 below.</p> <p>There is no relevant strategy affecting this land.</p> <p>No development is proposed.</p> <p>The land is currently used for a sustainable farming use. The proposed subdivision will not reduce the area of land used for farming.</p> <p>No new development or use is proposed.</p> <p>No new use or development is proposed</p>
Agricultural issues and the impacts from non-agricultural uses <ul style="list-style-type: none"> -Whether the use or development will support and enhance agricultural production. -Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production. -The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses. 	<p>The proposed subdivision will not result in any change to the area of land available for agricultural production.</p> <p>The subdivision will not adversely affect soil quality or permanently remove land from agricultural production.</p> <p>No new use or development is proposed.</p> <p>The area of land to sustain agriculture</p>

<p>-The capacity of the site to sustain the agricultural use.</p> <p>-The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</p> <p>-Any integrated land management plan prepared for the site.</p> <p>- Whether Rural worker accommodation is necessary having regard to:</p> <ul style="list-style-type: none"> • The nature and scale of the agricultural use. • The accessibility to residential areas and existing accommodation, and the remoteness of the location. <p>-The duration of the use of the land for Rural worker accommodation</p>	<p>will not change.</p> <p>The site includes access to water and adjoins a made road.</p> <p>Not applicable.</p> <p>Not applicable</p> <p>Not applicable</p>
<p>Accommodation issues</p> <p>-Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</p> <p>-Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</p> <p>-Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</p> <p>-The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.</p> <p>-The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:</p> <ul style="list-style-type: none"> • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or 	<p>No new dwellings proposed.</p> <p>No new dwellings proposed.</p> <p>No new dwellings proposed.</p> <p>No new dwellings proposed.</p> <p>Not applicable</p>

<ul style="list-style-type: none"> An incorporated document approving a wind energy facility; or A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>. <p>-The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</p>	<p>Not applicable</p>
<p>Environmental issues</p> <p>-The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</p> <p>-The impact of the use or development on the flora and fauna on the site and its surrounds.</p> <p>-The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.</p> <p>-The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</p>	<p>There will be no impact on the natural physical features and resources of the area resulting from this proposal.</p> <p>No native vegetation will be removed as part of this application.</p> <p>There will be no change to biodiversity of the area resulting from this proposal.</p> <p>The existing on-site effluent disposal area for the existing house will not be impacted by the proposed subdivision.</p>
<p>Design and siting issues</p> <p>-The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.</p> <p>-The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</p> <p>-The impact on the character and appearance of the area or features of architectural, historic or</p>	<p>Not applicable</p> <p>No new buildings proposed.</p> <p>No new buildings proposed.</p>

<p>scientific significance or of natural scenic beauty or importance.</p> <p>-The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</p> <p>-Whether the use and development will require traffic management measures.</p> <p>-The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:</p> <ul style="list-style-type: none"> • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or • A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>. <p>-The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</p>	<p>The proposal will have no impact on existing infrastructure.</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>
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10.2 Bushfire Management Overlay (BMO)

The purpose of the BMO is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Although no development is proposed as part of this subdivision, a bushfire management plan for an indicative dwelling site has been prepared to demonstrate a dwelling could be sited on lot 2 where the risk to life and property from bushfire can be reduced to an acceptable level. A copy of the Bushfire Management plan accompanies this report.

10.3 Planning Policy Framework

Clause 13.02-1S (Bushfire planning) has the following objective:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The application is accompanied by a bushfire management plan which includes a bushfire hazard site assessment, a bushfire hazard landscape assessment and a bushfire management statement. The application also meets the requirements of Clause 53.02.

Clause 14.01-1S (Protection of agricultural land) has the following objective:

To protect the state's agricultural base by preserving productive farmland.

And includes the strategy:

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

The proposal will ensure the preservation of productive agricultural land as the area of land available for agriculture is not reduced. The proposal results in one lot now meeting the minimum lot size for the Farming zone.

Clause 14.01-1L (Rural dwellings and subdivision policy) includes policy guidelines that support small lot excisions that:

- *Allows a "once-only" excision of existing dwellings on a lot of less than 40 hectares that existed prior to the 1st May 2003 subject to a Section 173 Agreement prohibiting further subdivision if the minimum lot size for dwellings is not met and prohibiting any further dwelling irrespective of land size.*
 - *Contains a dwelling in a habitable condition.*
 - *Does not create irregular shaped lots.*

- Does not result in a cluster of dwellings that are not directly related to the agricultural use of the land.
- Does not adversely affect nearby farms through residential amenity concerns.
- Is 0.4 hectares or greater.
- Has access by an all weather road.
- Is capable of accommodating onsite wastewater disposal.

The proposal meets the above requirements.

11. Relevant Particular Provisions

The application must meet the requirements of Clause 53.02 (Bushfire Planning). Refer to the attached bushfire management plan which includes a bushfire hazard site assessment, a bushfire hazard landscape assessment and a bushfire management statement.

12. General Provisions

Decision guidelines of Clause 65.01- Approval of an application or Plan

Guideline	Response
The matters set out in Section 60 of the Act.	All relevant matters have been considered.
Any significant effects the environment, including the contamination of land, may have on the use or development.	There are no environmental effects which will impact the subdivision.
The municipal planning strategy and the Planning Policy Framework	Refer to discussion above.
The purpose of the zone, overlay or other provision.	The proposal is consistent with the purpose of the Farming Zone, BMO and VPO.
Any matter required to be considered in the zone, overlay or other provision.	All relevant matters have been considered.
The orderly planning of the area.	The proposal is considered orderly planning as the lot sizes meet the default minimum.
The effect on the environment, human health and amenity of the area.	The proposed subdivision will have no impact on the environment, human health or the amenity of the area.
The proximity of the land to any public land.	Not applicable
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	Not applicable to a subdivision.

Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	No further development is proposed.
The extent and character of native vegetation and the likelihood of its destruction.	The proposal will have no impact on native vegetation.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Not applicable
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.	Refer to attached Bushfire Management plan. The proposed subdivision will not impact flooding or erosion.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Not applicable

Decision guidelines of Clause 65.02 – Approval of a subdivision

Guideline	Response
The suitability of the land for subdivision.	The subdivision provides for the continued agricultural use of the land.
The existing use and possible future development of the land and nearby land	No change to existing or future use of the land.
The availability of subdivided land in the locality, and the need for the creation of further lots	The proposal does not create any further lots.
The effect of development on the use or development of other land which has a common means of drainage.	No further development proposed.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.	The proposed subdivision will not impact characteristics of the land. There will be no impact on native vegetation.
The density of the proposed development.	No change to density
The area and dimensions of each lot in the subdivision.	The area and dimensions of each lot are sufficient to meets the requirements of the existing use and development.
The layout of roads having regard to their function and relationship to existing roads.	No change to road layout
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.	Not applicable
The provision and location of reserves for public open space and other community facilities.	Not applicable

The staging of the subdivision.	Not applicable
The design and siting of buildings having regard to safety and the risk of spread of fire.	Existing buildings are sufficiently setback having regard to safety and the risk of spread of fire
The provision of off-street parking.	Not applicable
The provision and location of common property.	Not applicable
The functions of any body corporate.	Not applicable
The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.	Electricity is available
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	The lots all have capacity to treat and retain all sewage and sullage within the boundaries of each lot
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	The subdivision will have no impact on native vegetation
The impact the development will have on the current and future development and operation of the transport system.	Not applicable

13. Conclusion

The proposal is for a boundary alignment between 2 lots which will result in one vacant lot that meets the minimum lot size for the farming zone and a smaller lot includes an existing dwelling. The outcome will improve the current situation which consists of two lots less than the minimum lot size. The proposal meets the requirements for an excision of an existing dwelling onto a small lot.

Frank Darke MPIA
November 2023

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

Page 1 of 1

VOLUME 09765 FOLIO 772

Security no : 124111465934E

Produced 21/12/2023 03:19 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 207554S.

PARENT TITLES :

Volume 07413 Folio 559 Volume 08942 Folio 453 Volume 08942 Folio 455

Volume 08978 Folio 605

Created by instrument LP207554S 25/08/1987

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SAMANTHA JANE FARMILO of 209 PAGE STREET MIDDLE PARK VIC 3206

AX580502P 19/12/2023

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 or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP207554S FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX580501R (E)	DISCHARGE OF MORTGAGE	Registered	19/12/2023
AX580502P (E)	TRANSFER	Registered	19/12/2023

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

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

Street Address: 56 STEPHENS ROAD TATONG VIC 3673

ADMINISTRATIVE NOTICES

NIL

eCT Control 20421K JUST CONVEYANCING
Effective from 19/12/2023

DOCUMENT END

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

Page 1 of 1

VOLUME 11486 FOLIO 340

Security no : 124109956348J
Produced 22/10/2023 06:28 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 710078C.

PARENT TITLES :

Volume 10621 Folio 342 to Volume 10621 Folio 344

Created by instrument PS710078C 09/04/2014

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

PHILIPPUS JACOBUS MOSTERT of 24 CORNWALL PLACE MARIBYRNONG VIC 3032
AT676649H 09/10/2020

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AT676650Y 09/10/2020
COMMONWEALTH BANK OF AUSTRALIA

COVENANT PS414084J 10/04/2001

COVENANT PS429123S 13/12/2001

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 as to part Section 173 Planning and Environment Act 1987
AK754870D 03/12/2013

DIAGRAM LOCATION

SEE PS710078C 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: 55 STEPHENS ROAD TATONG VIC 3673

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 09/10/2020

DOCUMENT END

Imaged Document Cover Sheet

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Document Assembled	22/10/2023 19:02

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LP207554 S

EDITION 3
PARISH SH.1

L1180 Sh.1

NOTATIONS

LAND APPROPRIATED OR SET APART
Roads within continuous thick lines for carriageway purposes.

AS TO THE LAND SHOWN MARKED A-1
APPURTENANT WAY EASEMENT IN FAVOUR OF LOT 2 ON THIS PLAN CREATED IN AX043454V

DEPTH LIMITATION 15M - CA 22^A

TO BE COMPLETED WHERE APPLICABLE
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS NOS:
IN PROCLAIMED SURVEY AREA NO.

THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES. VOL.7413, FOL.559
TITLE REF.: VOL.8978, FOL.605
VOL.8942, FOL.453, VOL.8942, FOL.455
LAST PLAN REF.: LP 95136, LP 95137 (LOT 1)

PLAN OF SUBDIVISION

COUNTY DELATITE
PARISH MOORNGAG
CROWN ALLOTMENTS 22^A, 25, 25^B
24(PART) & 26(PART)

NUMBER OF SHEETS IN PLAN 1
NUMBER OF THIS SHEET 1

SCALE
80 0 100 200 300 400
LENGTHS ARE IN METRES

ORIGINAL SCALE SHEET SIZE
1:8000 A3

OFFICE USE ONLY

LP 207554 S

VICTORIA

207554S

CERTIFICATION BY SURVEYOR

AMENDMENTS

SURVEYORS REF
1180/3

CERTIFICATE OF MUNICIPAL CLERK

MUNICIPALITY SHIRE OF BENALLA COUNCIL REF.

LIST OF MODIFICATIONS

CAND	MODIFICATION	DEALING No.	DATE	A.R.T.	EDN. No.
LOT 2	APPURTENANT EASEMENT	AX043454V	13/07/23	YZ	3

DATE _____ MUNICIPAL CLERK _____

OFFICE USE ONLY

APPROVAL DATE 25/8/87

DATE	A.R.T.	EDN. No.
13/07/23	YZ	3

(ASSISTANT) REGISTRAR OF TITLES

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Document Type	Plan
Document Identification	PS710078C
Number of Pages (excluding this cover sheet)	2
Document Assembled	22/10/2023 18:33

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PLAN OF SUBDIVISION

UNDER SECTION 32A OF THE SUBDIVISION ACT 1988.

STAGE NO. LRS use only

EDITION 1

PS710078C

03/12/2013 \$123 PS



Location of Land

Parish: MOORNGAG
Township: -----
Section: -----
Crown Allotment: 24 (PART), 25^B (PART)
Crown Portion: -----

Title Reference: Vol. 10621 Fol. 342
 Vol. 10621 Fol. 343
 Vol. 10621 Fol. 344

Last Plan Reference: PS 4291235

Postal Address: 53 Stephens Road
 (at time of subdivision) Tatong 3673

MGA94 Co-ordinates E 418 900
 (of approx. centre of N 5 932 650 Zone: 55
 land in plan)

Vesting of Roads and/or Reserves

Identifier	Council/Body/Person
NIL	NIL

Council Certification

Council Name: BENALLA RURAL CITY Ref: S2925
 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.

PUBLIC OPEN SPACE

- (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made.
 (ii) The requirement has / has not been satisfied.
 (iii) The requirement is to be satisfied in Stage:
 (iv) The requirement has been satisfied for:

Council Delegate: [Signature] Joe T. [Signature]
 Council Seal: [Seal] print name
 Date: 20/12/2012

This plan is re-certified under section 11(7) of the Subdivision Act 1988.

Council Delegate: signature
 Council Seal: print name
 Date: / /

Notations

Staging

This is not a staged subdivision
 Planning Permit No. P0083/12

Depth Limitation

DOES NOT APPLY

The body corporate on PS 4291235 dissolves on registration of this plan.

Underlined dimensions are the result of this survey.
 All other dimensions are derived from title.

Survey

This plan is based on survey.

This survey has been connected to permanent marks no(s) -
 In Proclaimed Survey Area No. -

Easement Information

Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement or other Encumbrance
 A - Appurtenant Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Power Line	11	PS 414084J Section 44 of the Electricity Industry Act 1993	Electricity Services Victoria

LRS use only

Statement of Compliance/
 Exemption Statement

Received ☒

Date 03/12/2013

LRS use only

PLAN REGISTERED
 TIME: 13:26
 DATE: 09/04/2014
 Anthony Haynes
 Assistant Registrar of Titles

Sheet 1 of 2 Sheets

Monger & Tomkinson
 PROJECT MANAGERS DEVELOPMENT PLANNERS
 LICENSED SURVEYORS CIVIL ENGINEERS
 TEL: (03) 5762 1934 FAX: (03) 5762 5190
 SHOP 6 CECILY COURT 66 NUNN STREET PO BOX 34,
 BENALLA 3672
 WEB: www.tomkinson.com EMAIL: benalla@tomkinson.com

LICENSED SURVEYOR ALAN EDWARD MONGER

SIGNATURE [Signature] 01/11/2012

REF 3709

VERSION 05

DATE 20/12/2012

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

PLAN OF SUBDIVISION

UNDER SECTION 32^A OF THE SUBDIVISION ACT 1988.

STAGE NO.

PLAN NUMBER

PS 710078C

MAG. NORTH

B 2

18.82ha

NOT IN
SUBDIVISION

2
15.94ha

STEPHENS ROAD

GOVT. ROAD

25 0 25 50 75 100 125
LENGTHS ARE IN METRES

ORIGINAL
SCALE SHEET
SIZE
1:2500 A3

LICENSED SURVEYOR ALAN EDWARD MONGER

SIGNATURE *Alan Edw Monger* 01/11/2012

REF 3709

VERSION 05

Sheet 2

DATE 20/12/2012
COUNCIL DELEGATE SIGNATURE

Monger & Tomkinson
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Section 181

**APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MAKING OF A
RECORDING OF AN AGREEMENT**

Planning and Environment Act 1987



Lodged at the Land Titles Office by:

Name: *Sargeants - Bens 1/6*
Phone:
Address:
Ref: *43834*

Customer Code:

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: **VOLUME 10621 FOLIO 342**

Authority: **BENALLA RURAL CITY COUNCIL**

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

A copy of the agreement is attached to this application

Signature for the Authority:

Name of Officer:

Office held:

Date:

A handwritten signature in black ink, appearing to read 'Joel Ingham'.

JOEL INGHAM

Planning Co-ordinator

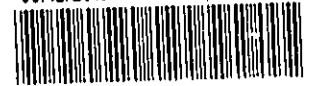
2/9/2013

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03/12/2013

\$113

173



**Agreement under Section 173
of the Planning and Environment
Act 1987**

Subject Land: 53 Stephens Road Tatong 3673
being the land described in Certificate of Title
Volume 10621 folio 342

Benalla Rural City Council

and

**Frank Albert Noble and
Yvonne Betty Noble**

**The Practitioners
Australian Lawyers
P.O. Box 323 SOMERVILLE 3912
DX 19211 SOMERVILLE
Tel: 0429 405 091**

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AK754870D

03/12/2013 \$113 173



Agreement

DATE 21 9 /2013

BETWEEN

Benalla Rural City Council
of Civic Centre Fawckner Drive Benalla

(Council)

AND

Frank Albert Noble and
Yvonne Betty Noble
both of 53 Stephens Road Tatong 3673

(Owner)

RECITALS

- A. Council is the Responsible Authority pursuant to the Act for the Planning Scheme.
- B. The Owner is or is entitled to be the registered proprietor of the Subject Land.
- C. On 1st October 2012 the Council issued a Planning Permit No: **P0083/12 (Planning Permit)** allowing the Owner to subdivide the land into two lots.

Conditions 5 and 18 of the Planning Permit require the Owner to enter into this Agreement to provide for the matters set out in those conditions of the Planning Permit.
A copy of the Planning Permit is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.

- D. The parties entered into this agreement:
 - (i) to give effect to the requirements of the Planning Permit; and
 - (ii) to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Subject Land.

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03/12/2013

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THE PARTIES AGREE

1. INTERPRETATION

1.1 Definitions

In this Agreement, unless the context otherwise requires:

Act means the *Planning and Environment Act 1987*

Agreement means this Agreement and any Agreement executed by the parties expressed to be supplemental to this Agreement.

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 Subject land or any part of it

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

Party or Parties means the Owner and Council under this Agreement as appropriate.

Planning Scheme means the **Benalla Planning Scheme** and any other Planning Scheme that applies to the Subject Land.

Subject Land means the land situated at **53 Stephens Road Tatong** being the land described in Certificate of Title Volume **10621 folio 342**.

1.2 General

In this Agreement, unless the context otherwise requires:

- (a) the singular includes the plural and visa versa;
- (b) a reference to a gender includes a reference to each other gender;
- (c) a reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law;
- (d) if a party consists of more than one person this Agreement binds them jointly and each of them severally;
- (e) a term used in this Agreement has its ordinary meaning unless that term is defined in this Agreement. If the term is not defined in this Agreement and it is defined in the Act it has the meaning defined in the Act.
- (f) a reference to an Act, regulation or a Planning Scheme includes any Acts, regulations or amendments, consolidating or replacing the Act, regulation or Planning Scheme.
- (g) The introductory clauses of this Agreement will be deemed to form part of this Agreement.
- (h) The obligations of the Owner under this Agreement, will take effect as separate and as several covenants which are annexed to and run at law and in equity with the Subject Land.

1.3 Headings

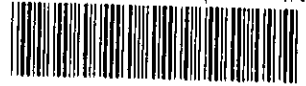
In this Agreement, headings are for convenience of reference and do not affect the Interpretation of this Agreement.

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2. SPECIFIC OBLIGATIONS OF THE OWNER

The Owner covenants, acknowledges and agrees that:

- (a) adjoining and nearby land is used for agricultural activities that have a right to continue under the Farming Zone and may create offsite amenity impacts for residential and non - agricultural uses.
- (b) the land may not be further subdivided so as to increase the number of lots.

3. FURTHER OBLIGATIONS OF THE OWNERS

3.1 Notice and Registration

The Owner further covenants and agrees that the Owner will bring this Agreement to the attention of all prospective purchasers, lessees, mortgagees, chargees, transferees and assigns.

3.2 Further actions

The Owner further covenants and agrees:

- 3.2.1 the Owner will do all things necessary to give effect to this Agreement;
- 3.2.2 the Owner will consent to Council making application to the Registrar of Titles to make a recording of this Agreement in the register on the Certificate of Title of the Subject Land in accordance with Section 181 of the Act and do all things necessary to enable Council to do so including signing any further Agreements, acknowledgment or document or procuring the consent to this Agreement of any mortgagee or caveator to enable the recording to be made in the Register under that section.

3.3 Council's costs to be paid

The Owner further covenants and agrees that the Owner will immediately pay the Council, Council's reasonable costs and expenses (including legal expenses) of and incidental to the preparation, drafting, finalisation, engrossing, execution, registration and enforcement of this Agreement which are and until paid, will remain a debt due to Council by the Owner.

4. AGREEMENT UNDER SECTION 173 OF THE ACT

Council and the Owner agree that without limiting or restricting the respective powers to enter into this Agreement and in so far as it can be so treated, this Agreement is made as a deed pursuant to Section 173 of the Act and the obligations of the Owner under this Agreement are obligations to be performed by the Owner as conditions subject to which the Subject Land may be used and developed for the specified purposes.

5. OWNERS WARRANTIES

Without limiting the operation or affect which this Agreement has, the Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has an interest, either legal or equitable, in the Subject Land which may be affected by the Agreement.

6. SUCCESSORS IN TITLE

Without limiting the operation or affect which this Agreement has, the Owner must ensure that until such time as a memorandum of this Agreement is registered on the Title to the Subject Land, successors in title shall be required to:-

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03/12/2013

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173



- 6.1 give effect to and do all acts and execute all documents which will require those successors to give effect to this Agreement; and
- 6.2 execute a deed agreeing to be bound by the terms of this Agreement.

7. GENERAL MATTERS

7.1 Notices

A notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- 7.1.1 by delivering it personally to that party;
- 7.1.2 by sending it by pre-paid post addressed to that party at the address set out in this Agreement or any new address subsequently notified to each party from time to time;
- 7.1.3 by sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party by hand delivery or pre-paid post.

7.2 Service of notice

A notice or other communication is deemed to be served:

- 7.2.1 if delivered, on the next following business day;
- 7.2.2 if posted, on the expiration of seven business days after the date of posting; or
- 7.2.3 if sent by facsimile, on the next following business day unless the receiving party has requested re-transmission before the end of that business day.

7.3 No waiver

Any time or other indulgence granted by 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 or any of the rights or remedies of Council in relation to the terms of this Agreement.

7.4 Severability

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

7.5 No Fettering of Councils Powers

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council to make decisions or impose any requirements or conditions in connection with the granting of any planning approval applicable to the Subject Land or relating to the any use or development of the Subject Land.

8. COMMENCEMENT OF AGREEMENT

Unless otherwise provided in this Agreement, this Agreement commences from the date of this Agreement.

AK754870D

03/12/2013

\$113

173



EXECUTED as a Deed

Signed Sealed and delivered by
the duly authorised and delegated officer
of the **BENALLA RURAL CITY COUNCIL**
in the presence of:

Witness Signature

Delegated Officer

Witness

Witness

SIGNED by the said

FRANK ALBERT NOBLE

YVONNE BETTY NOBLE

in the presence of:

Witness

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Registrar of Titles
Land Titles Office
Marland House
570 Bourke Street
MELBOURNE



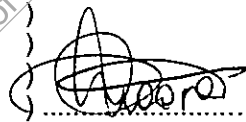
**APPLICATION TO REGISTER AN AGREEMENT UNDER SECTION 173 OF THE
PLANNING AND ENVIRONMENT ACT 1987**


Registered Proprietors: Frank Albert Noble and Yvonne Betty Noble

National Australia Bank Limited A.B.N. 12 004 044 937 as Mortgagee pursuant to
Registered Mortgage numbered U257143K hereby consents to the within
Agreement.

**EXECUTED by NATIONAL AUSTRALIA BANK
LIMITED** by being signed sealed and delivered in
Victoria by its Attorney

who holds the position of Level 3 Attorney under
Power of Attorney dated 1/3/2007 (a certified
copy of which is filed in Permanent Order Book
No 277 Page No 025 Item 35) in the presence of:


.....
) Attorney
)
)


.....
Signature of Witness

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Document Type	Plan
Document Identification	PS429123S
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PLAN OF SUBDIVISION		STAGE NO.	LTO use only EDITION 1	Plan Number PS 429123S				
Location of Land Parish: MOORNGAG Township: — Section: — Crown Allotment: 24 AND 25B (PART) Crown Portion: — LTO Base Record: Parish Plan Title Reference: Vol. 10577 Fol. 743 Last Plan Reference: PS 414084J (LOT 2) Postal Address: RMB 4799 (at time of subdivision) Benalla 3673 AMG Co-ordinates E 418800 Zone: 55 (of approx. centre of land in plan) N 5932500		Council Certification and Endorsement Council Name: Shire of Delatite Ref: S2201 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. <u>OPEN SPACE</u> (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 3 / 7 / 99 Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / /						
Vesting of Roads or Reserves <table border="1"><thead><tr><th>Identifier</th><th>Council/Body/Person</th></tr></thead><tbody><tr><td>—</td><td>—</td></tr></tbody></table>		Identifier	Council/Body/Person	—	—	Notations Staging This is/is not a staged subdivision Planning Permit No. PS/99/00003 Depth Limitation does not apply.		
Identifier	Council/Body/Person							
—	—							
Survey This plan is/is not based on survey This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No.								
Easement Information Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement or other Encumbrance A - Appurtenant Easement R - Encumbering Easement (Road)			LTO use only Statement of Compliance/ Exemption Statement Received <input checked="" type="checkbox"/> Date 8 / 11 / 01					
Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of				
E - 1	Power Line	11	PS 414084J - Sec 44 of the Electricity Industry Act 1993	Electricity Services Victoria				
			LTO use only PLAN REGISTERED TIME 8:55AM DATE 13 / 12 / 01 Assistant Registrar of Titles Sheet 1 of 4 Sheets					
LICENSED SURVEYOR (PRINT) Alan Edward MONGER		DATE 1 / 7 / 1999						
SIGNATURE.....		DATE 3 / 7 / 99						
REF 2041		VERSION 8						
		COUNCIL DELEGATE SIGNATURE						
		Original sheet size A3						

PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 429123S

B2

1
18.44ha

COMMON PROPERTY
NOT IN
SUBDIVISION

2
16.01ha

GOVT. ROAD

Sheet 2 of 4 Sheets

ORIGINAL

SCALE
1:2500
SHEET
SIZE
A3

SCALE

25 0 50 100

LENGTHS ARE IN METRES

LICENSED SURVEYOR (PRINT) Alan E. MONGER

SIGNATURE DATE 1 / 7 /1999

REF 2041

VERSION 8

DATE / /

COUNCIL DELEGATE SIGNATURE

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PLAN OF SUBDIVISION

Stage No.

Plan Number

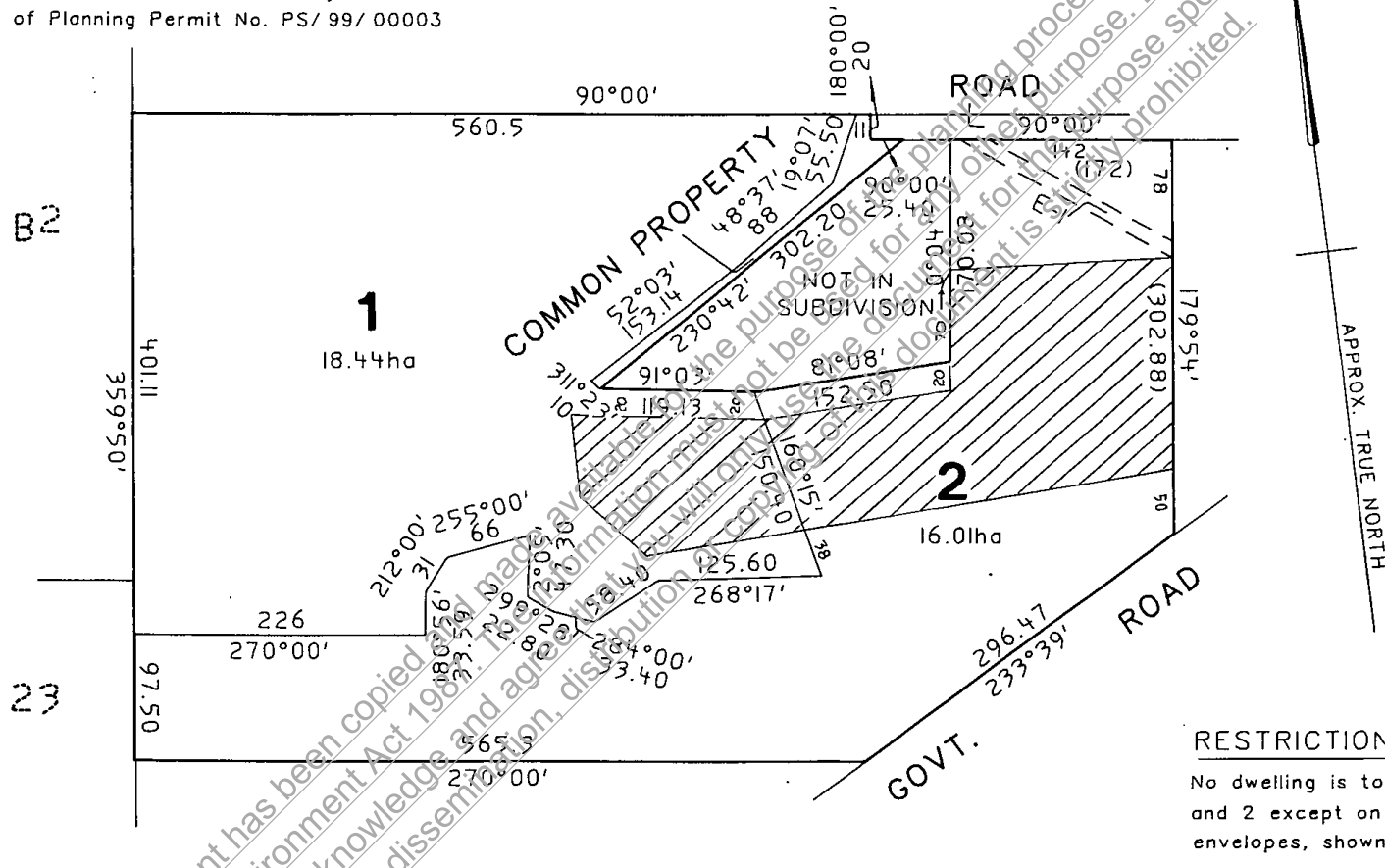
PS 429123S

OTHER PURPOSE OF PLAN CREATION OF RESTRICTION

Burdened Land: Lots 1 and 2

Benefitted Land: Lots 1 and 2

Grounds for Restriction: By direction
of Planning Permit No. PS/99/00003

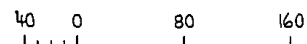


Sheet 3 of 4 Sheets

ORIGINAL

SCALE
1:4000
SHEET
SIZE
A3

SCALE



LENGTHS ARE IN METRES

LICENSED SURVEYOR (PRINT) Alan E. MONGER

SIGNATURE DATE 1 / 7 / 1999

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PS429123S

FOR CURRENT BODY CORPORATE DETAILS SEE BODY CORPORATE SEARCH REPORT

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		LICENSED SURVEYOR (PRINT) Alan Edward MONGER SIGNATURE..... DATE 1 / 7 / 1999 REF 2041 VERSION 8		DATE 3 / 7 / 99 COUNCIL DELEGATE SIGNATURE Original sheet size A3										

PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 429123S

B2

1
18.44ha

COMMON PROPERTY
NOT IN
SUBDIVISION

2
16.01ha

GOVT. ROAD

Sheet 2 of 4 Sheets

ORIGINAL

SCALE SHEET
1:2500 SIZE
A3

SCALE

25 0 50 100

LENGTHS ARE IN METRES

LICENSED SURVEYOR (PRINT) Alan E. MONGER

SIGNATURE DATE 1 / 7 / 1999

REF 2041

VERSION 8

DATE / /

COUNCIL DELEGATE SIGNATURE

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PLAN OF SUBDIVISION

Stage No.

Plan Number

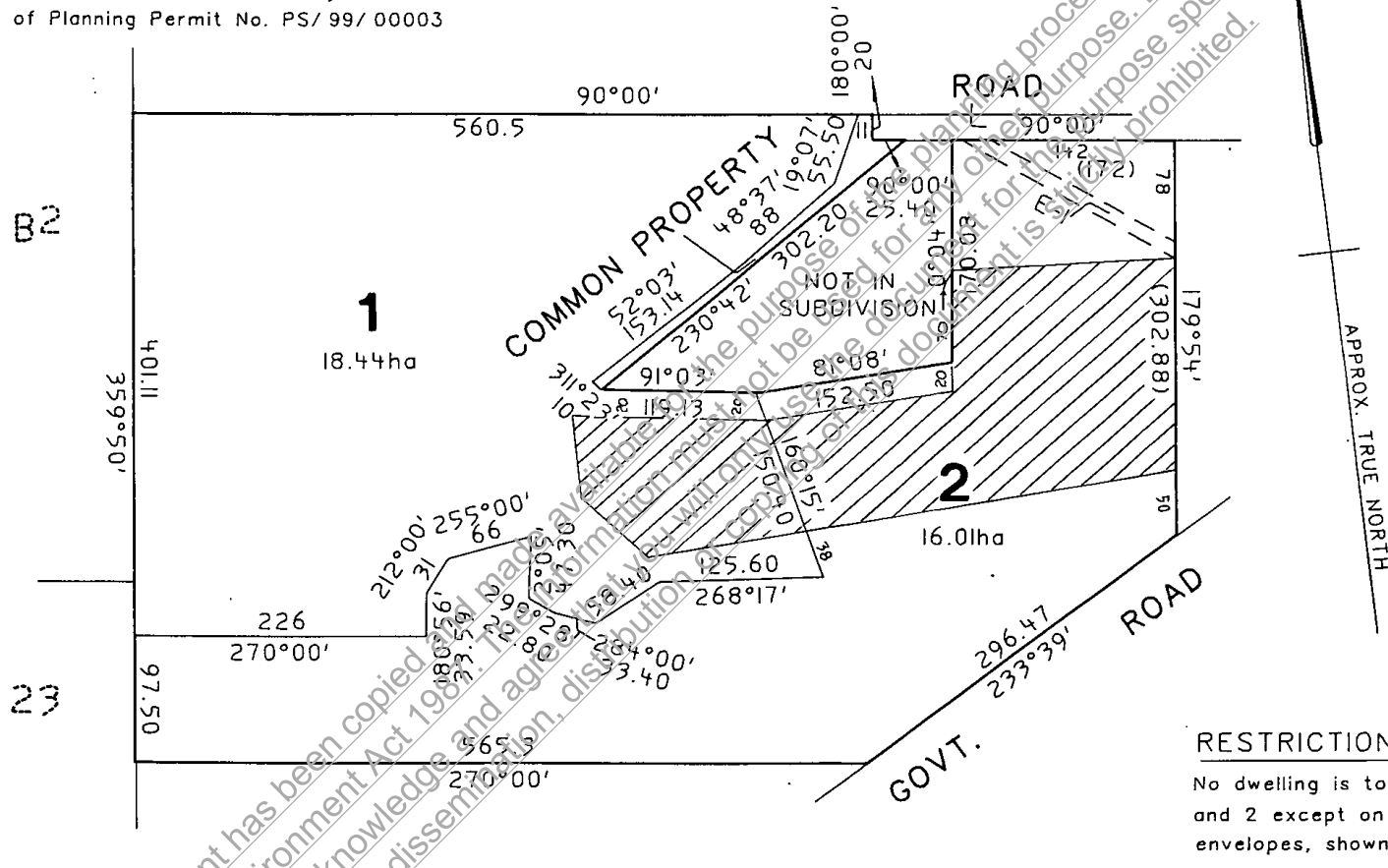
PS 429123S

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Burdened Land: Lots 1 and 2

Benefitted Land: Lots 1 and 2

Grounds for Restriction: By direction
of Planning Permit No. PS/99/00003



RESTRICTION

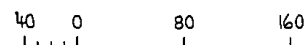
No dwelling is to be built on Lots 1 and 2 except on the building envelopes, shown thus: 

Sheet 3 of 4 Sheets

ORIGINAL

SCALE
1:4000
SHEET
SIZE
A3

SCALE



LENGTHS ARE IN METRES

LICENSED SURVEYOR (PRINT) **Alan E. MONGER**

SIGNATURE DATE 1 / 7 / 1999

REF 2041

VERSION 8

DATE / /

COUNCIL DELEGATE SIGNATURE

PS429123S

FOR CURRENT BODY CORPORATE DETAILS
SEE BODY CORPORATE SEARCH REPORT

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BUSHFIRE MANAGEMENT STATEMENT**2 LOT RURAL RE-SUBDIVISION****55 & 56 Stephens Road Tatong****CLAUSE 53.02 BUSHFIRE PLANNING**

PLANNING ISSUE	RESPONSE
<i>Purpose</i>	
<ul style="list-style-type: none"> • To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. • To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire. • To ensure that the location, design and construction of development appropriately responds to the bushfire hazard. • To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level. • To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level. 	<p>This application supports the intention of all applicable policies.</p> <p>It is unlikely that the proposed subdivision of the subject land will endanger human life.</p> <p>No new dwelling or building is proposed as part of this subdivision.</p>
<i>53.02-4 Bushfire protection objectives</i>	
<i>53.02-4.1 Landscape, siting and design objectives</i>	
<p>Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.</p> <p>Development is sited to minimise the risk from bushfire.</p> <p>Development is sited to provide safe access for vehicles, including emergency vehicles.</p> <p>Building design minimises vulnerability to bushfire attack.</p>	<p>A building envelope that can comply with the requirements of clause 53.02-4.4 has been shown on proposed lot 2. There is an existing dwelling on Proposed lot 1. The building envelope is sited on proposed lot 2 to minimise the risk from bushfire with access to the Stephens Road.</p>
<i>53.02-4.2 Defendable space and construction objective</i>	
<p>Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.</p>	<p>The required defendable space is for a veg type of Woodland upslope/flat is 33m. The building construction standard is Bal 12.5.</p>
<i>53.02-4.3 Water supply and access objectives</i>	
<p>A static water supply is provided to assist in protecting property.</p> <p>Vehicle access is designed and constructed to enhance safety in the event of a bushfire.</p>	<p>Any dwelling that may be sought in the future would require a separate planning application due to the BMO.</p> <p>The lots have vehicle access to Stephens Road.</p>
<i>53.02-4.4 Subdivision objectives</i>	
<p>To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.</p> <p>To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.</p>	<p>N/A as the land is not zoned for residential or rural residential purposes.</p>

53.02-4.5 Decision guidelines	
<p>Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:</p> <ul style="list-style-type: none"> • The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. • The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application. • The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development. • Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort. • Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land. Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented. • If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding. • Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding. 	<p>This application supports the intention of all applicable policies.</p> <p>Please see attached documents.</p> <p>No new dwellings are proposed as part of this subdivision, so the level of risk is unlikely to increase as a result of the subdivision. Any future dwelling would require their own planning application and assessment against the requirements of Bushfire planning requirements of the planning scheme.</p> <p>The objectives of 53.02-4 have been addressed.</p> <p>Not applicable to this application.</p> <p>Not applicable to this application.</p> <p>Not applicable to this application.</p>

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Bushfire Hazard Site Assessment

The subject land is at 55 & 56 Stephens Rd, Tatong and the vegetation in the 150m assessment zone and on the site beyond is grassland with some plantations that constitute woodland. From the shown building envelope the land slopes down to the east and west. There is an area of native bushland to the In the NW corner and to the west of lot 2. (see attached Bushfire Hazard Site Assessment Plan)

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Bushfire Hazard Landscape Assessment

The land is generally cleared farmland with some plantations and native vegetation on the north west section of lot 2 with scattered native vegetation further to the west.

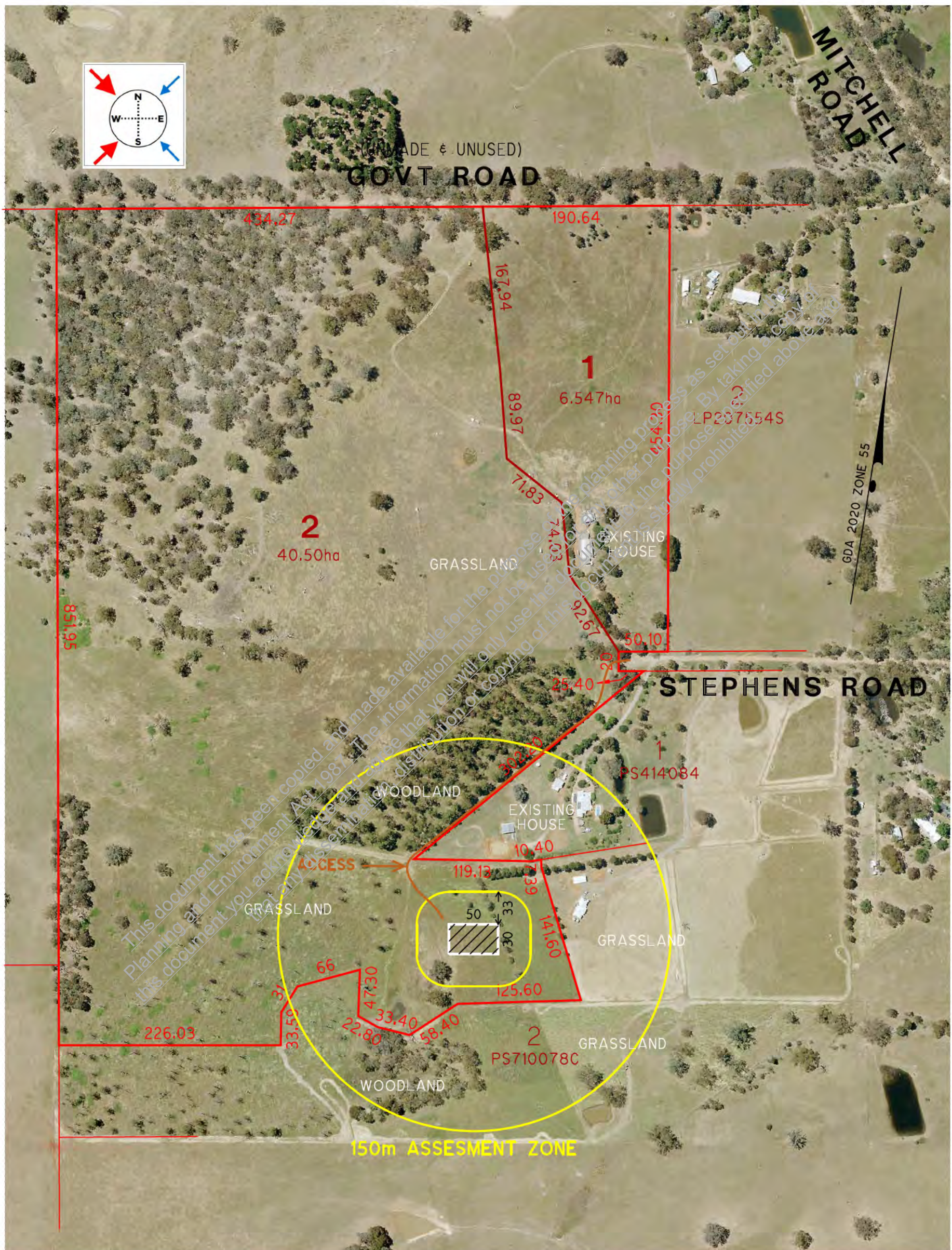
The site is situated 3km South West of the township of Tatong. There are areas of state forest to the south and east (approx. 3.5km) generally farmland to the West & North.

The most likely future bushfire scenario would be a grass fire approaching the areas of native bush to the west or north and then forming fire that could spread into the grassland or woodland of the subject property or result in ember attack on the subject property. The site would have an escape route to the N to Tatong and Benalla or North then west to the Midland Highway and south to Mansfield or North to Benalla. The nearest Neighbourhood Safer Place – Bushfire Place of Last Resort is at Tatong Recreational Reserve Community Hub which is a 5 min drive to the north and is 3.4 km away.

See attached Bushfire Hazard Landscape Assessment Plan.

This application is for a re-subdivision of existing rural lots that is generally cleared. The proposal does not propose any new dwellings.

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