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Clear Form

**Office Use Only**

VicSmart?  YES  NO

Specify class of VicSmart application:

Application No.: \_\_\_\_\_ Date Lodged: / /

# Application for a Planning Permit

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

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

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

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

Click for further information.

## Application Type

Is this a VicSmart application?\*

No  Yes

If yes, please specify which

VicSmart class or classes:.....

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

## Pre-application Meeting

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

No  Yes

If 'Yes', with whom?:

Date:

day / month / year

## The Land

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

**Street Address \***

Unit No.:	St. No.:	St. Name:
Suburb/Locality:		Postcode:

**Formal Land Description \***

Complete either A or B.

This information can be found on the certificate of title.

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


A  Lot No.:   Lodged Plan  Title Plan  Plan of Subdivision  No.:


**OR**


B  Crown Allotment No.:   Section No.:


Parish/Township Name:

## The Proposal


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

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

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

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

Cost \$


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

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

## Existing Conditions

**Describe how the land is used and developed now \***

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

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

## Title Information


**Encumbrances on title \***

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

Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)

No

Not applicable (no such encumbrance applies).

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

## Applicant and Owner Details

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

### Applicant \*

The person who wants the permit.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable): Conlan Hamilton (Croydon) Pty Ltd C/- Millar Merrigan		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name: PO Box 247
Suburb/Locality: Croydon		State: VIC Postcode: 3136

Please provide at least one contact phone number \*

<b>Contact information for applicant OR contact person below</b>	
Business phone: 8720 9500	Email:
Mobile phone:	Fax:

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

<b>Contact person's details*</b>		Same as applicant <input type="checkbox"/>
Name:		
Title:	First Name: Dennis	Surname: Graf
Organisation (if applicable): Millar Merrigan		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name: PO Box 247
Suburb/Locality: Croydon		State: VIC Postcode: 3136

### Owner \*

The person or organisation who owns the land

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

Name:		Same as applicant <input type="checkbox"/>
Title:	First Name:	Surname:
Organisation:		
Postal Address:		
Unit No.:		
Suburb/Locality:		
Owner's Signature (Optional):		Date: day / month / year

## Information requirements


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


Is the required information provided?

Yes  No

## Declaration

This form must be signed by the applicant \*

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

I declare that I am the applicant; and that all the information in this application is true and correct. If I am not the owner (if not myself) has been notified of the permit application.		
Signature: 	Millar Merrigan	Date: 27/7/2021
		day / month / year

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

VOLUME 10374 FOLIO 157

Security no : 124089009033E  
Produced 31/03/2021 08:45 AM

LAND DESCRIPTION

Lot 3 on Title Plan 010492G.  
PARENT TITLE Volume 08948 Folio 023  
Created by instrument V237077U 03/02/1998

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
WORKFORCE CREATION PTY LTD of 1599 WHANREGARWEN ROAD MOLESWORTH VIC 3718  
AN841389R 17/05/2017

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP010492G 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)

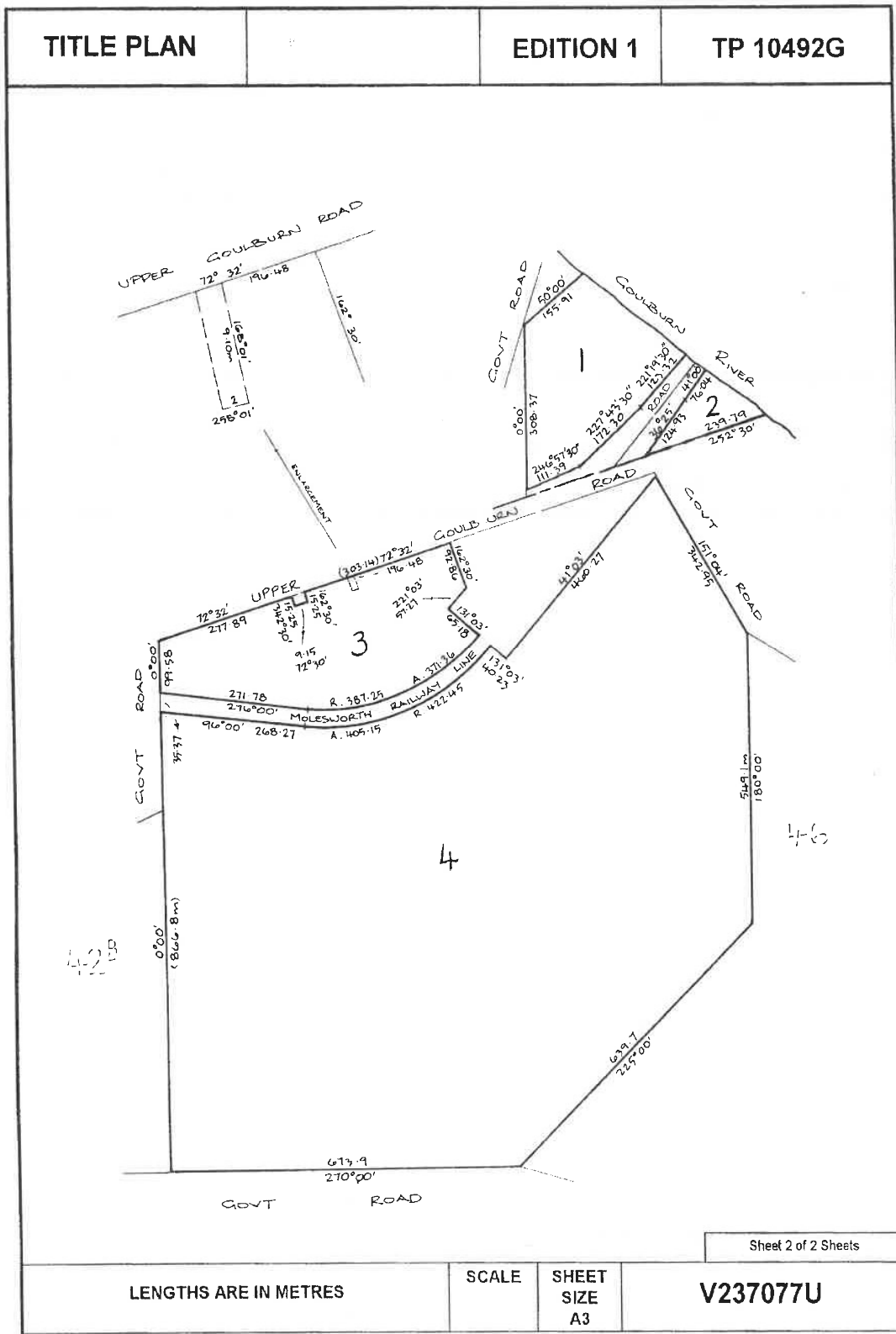
Street Address: 1599 WHANREGARWEN ROAD MOLESWORTH VIC 3718

DOCUMENT END

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<b>TITLE PLAN</b>		<b>EDITION 1</b>	<b>TP10492G</b>
<b>Location of Land</b>		<b>Notations</b>	
Parish: WHANREGARWEN Township: Section: Crown Allotment: 46A(PART) Crown Portion:  LTO Base Record: DCMB Last Plan Reference: LP64644 (LOT 2) Title References: CT/V.8948F.023 Depth Limitation: NIL		<b>WATERWAY NOTATION:</b> LOTS 1 & 2 IN THIS PLAN MAY ABUT CROWN LAND THAT MAY BE SUBJECT TO A CROWN LICENCE TO USE	
<b>Easement Information</b>			
<b>Easement Reference</b>	<b>Purpose / Authority</b>	<b>Width (Metres)</b>	<b>Origin</b>
E-1	S.E.C	SEE PLAN	K553263
			<b>Land benefitted / In favour of</b>
			S.E.C
THIS PLAN HAS BEEN PREPARED FOR LAND TITLES OFFICE TITLE DIAGRAM PURPOSES  Checked by <i>[Signature]</i> Date 18, 3, 98 Assistant Registrar of Titles			
SEE SHEET 2 FOR DIAGRAM			
<b>LENGTHS ARE IN METRES</b>		<b>SCALE</b>	<b>SHEET SIZE</b> A3
		<b>FILE NO: V237077U</b>	
© Victorian Land Titles Office Drawn By:		DEALING CODE:	
		Sheet 1 of 1	



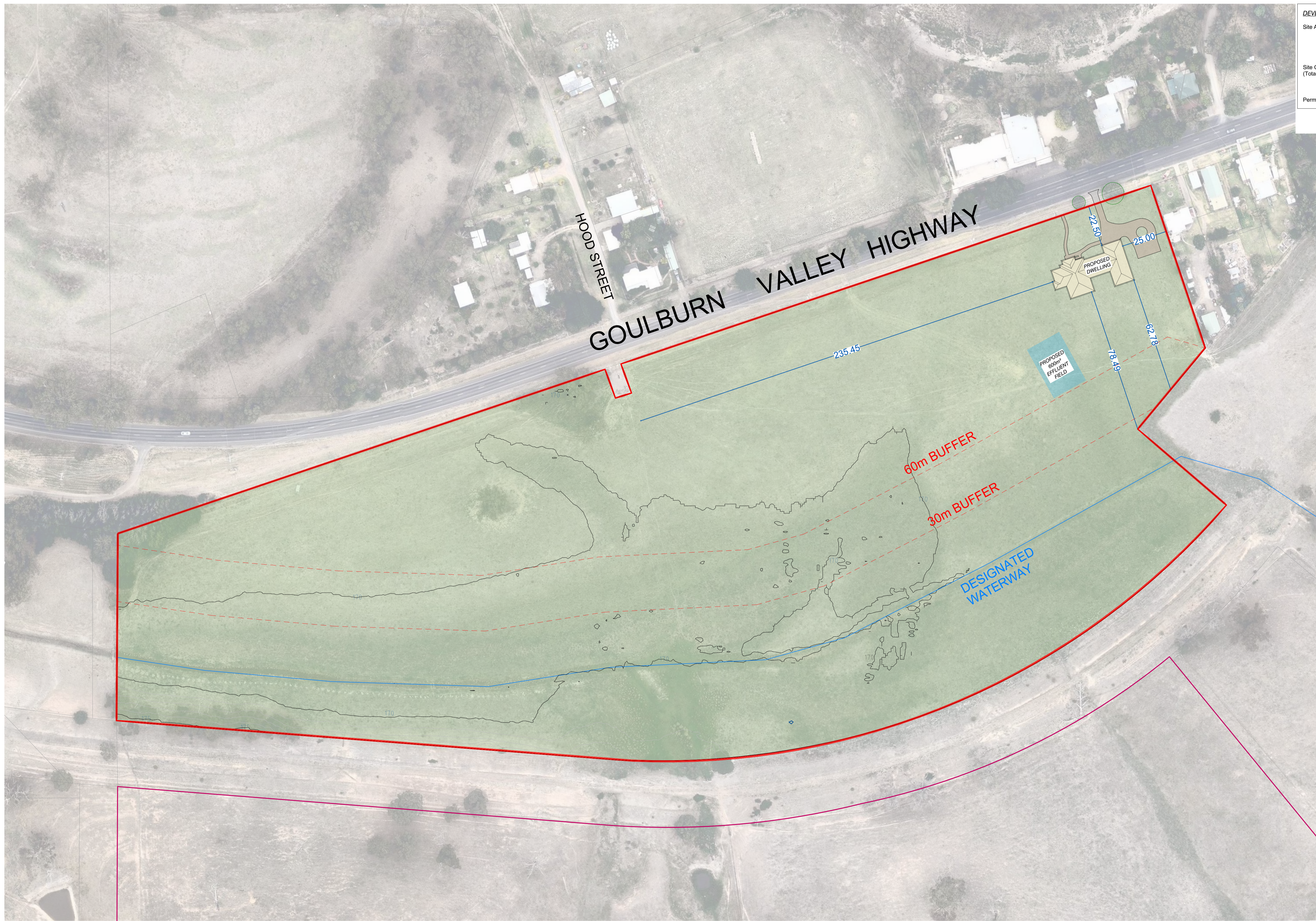
Sheet 2 of 2 Sheets

LENGTHS ARE IN METRES

SCALE

SHEET  
SIZE  
A3

**V237077U**



**DEVELOPMENT SUMMARY:**

Site Area:	11.4ha
Ground floor area (inc. garage & porch)-	621m <sup>2</sup>
Alfresco-	67m <sup>2</sup>
Total floor area-	688m <sup>2</sup> - 74sqgs
Site Coverage (buildings): (Total impervious area)	688m <sup>2</sup> = 0.6%
Gravel Driveways & path-	510m <sup>2</sup>
Permeable area:	99.4%

- NOTES:**
- This plan is to be read in conjunction with the Ground Floor Plan (27379P2), and the Building Elevations (27379P3). It has been prepared as part of a town planning submission.
  - Planning- The site is contained within the Farming Zone. It is covered by a Bushfire Management Overlay, Environmental Significance Overlay - Schedule 1, Flood Overlay, Land Subject to Inundation Overlay and Aboriginal Cultural Heritage Sensitivity.
  - Proposal- It is proposed to construct a single dwelling on a block.
  - Car Parking & Access- The proposed single storey dwelling has nine bedrooms and an attached double garage. Access- A proposed concrete crossover will provide private access off Whanregarwen Road.
  - Contours shown are to the Australian Height Datum.
  - A effluent field is proposed for sewer and wastewater.

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Version	Description	Drafted	Checked	Issue Date
01	Prepared for planning purposes	CB	MB	22/07/2021

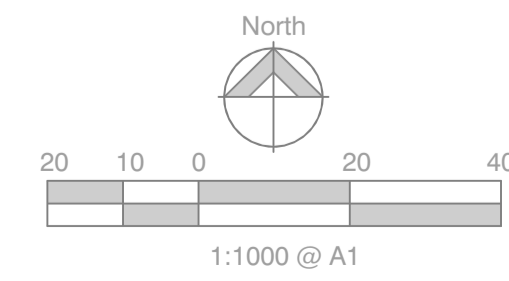
**SUBJECT TO APPROVAL**

**Millar | Merrigan**

Land Development Consultants

Civil Engineering  
Land Surveying  
Landscape Architecture  
Project Management  
Town Planning  
Urban Design  
SAI GLOBAL Quality ISO 9001

**Millar & Merrigan Pty Ltd** ACN 005 541 668  
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 M(03) 8720 9500 R(03) 5134 8611  
 www.millarmerrigan.com.au  
 admin@millarmerrigan.com.au



**OVERALL SITE LAYOUT PLAN**  
**PROPOSED DEVELOPMENT**

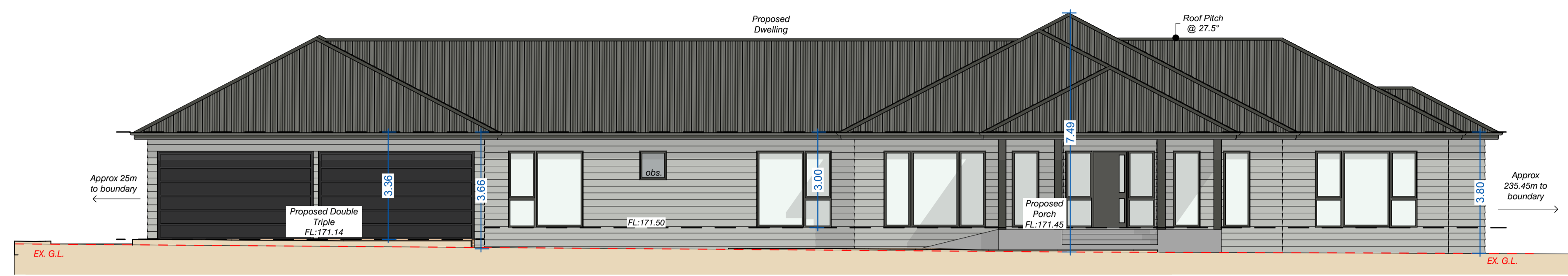
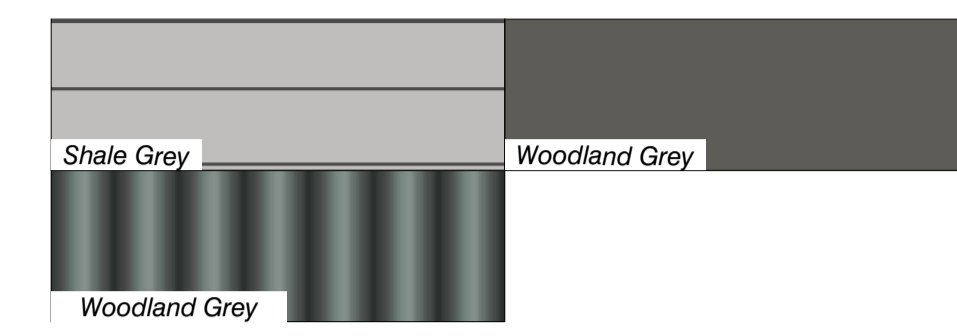
Lot 3, 1599 Whanregarwen Road, Molesworth  
 Murrindindi Shire Council

**27379 P1**  
 Version 01

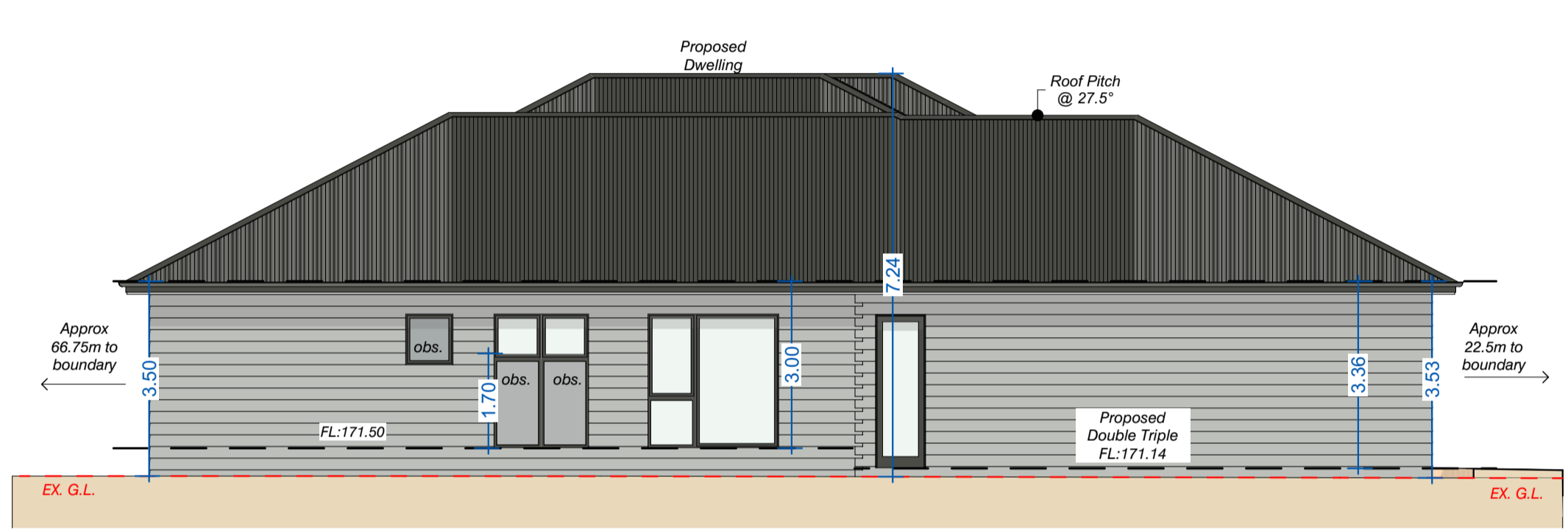
**MATERIALS, FINISHES & COLOURS:**

External Walls:	Weatherboard	James Hardie	'Shale Grey'
External Render Post:	Rendered	Colorbond	'Woodland Grey'
Roofing:	Bluescope	Colorbond	'Woodland Grey'
Gutters:	Metal	Colorbond	'Woodland Grey'
Fascias:	Metal	Colorbond	'Woodland Grey'
Window & Door Frames:	Aluminium	Colorbond	'Woodland Grey'
Garage Door:	Panels	Colorbond	'Woodland Grey'

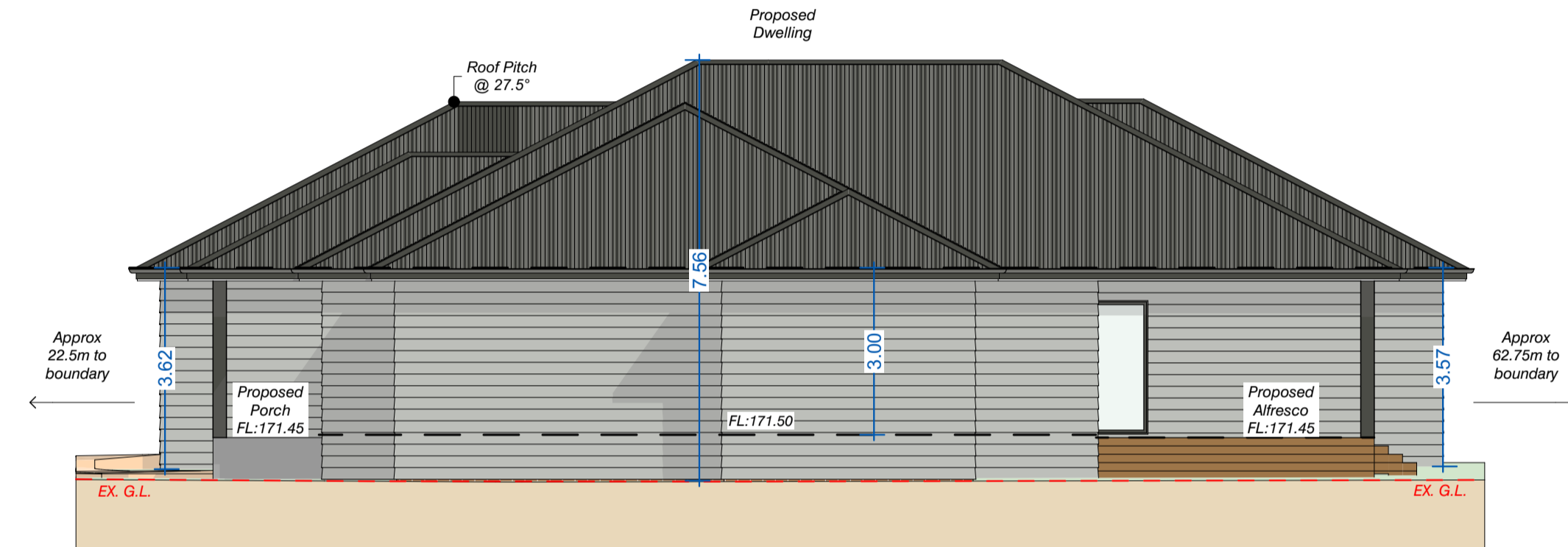
Note: Colours may be similar to those listed above to allow for variation between brands



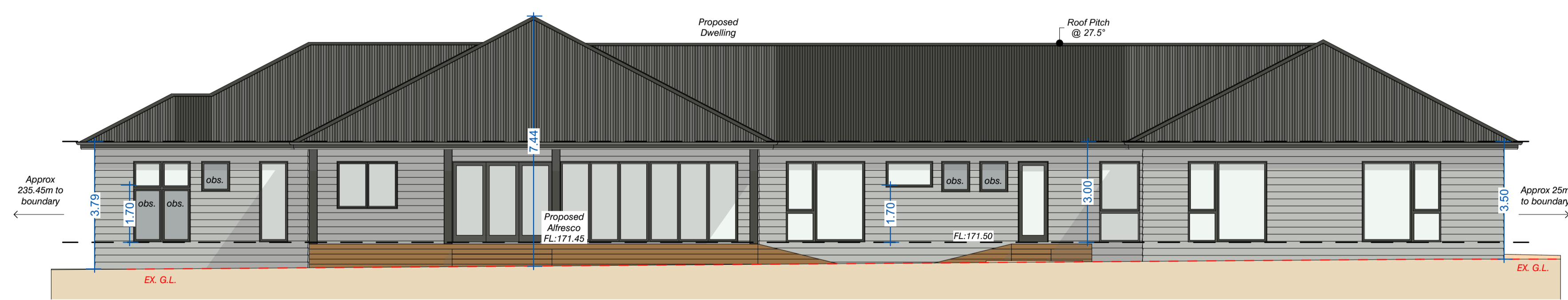
**LOT 3: 1599 WHANREGARWEN ROAD - STREETSCAPE NORTH ELEVATION**



**EAST ELEVATION**



**WEST ELEVATION**



**SOUTH ELEVATION**

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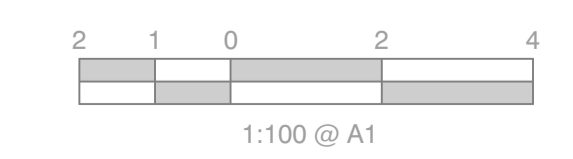
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Land Development Consultants

Civil Engineering  
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Landscape Architecture  
Project Management  
Town Planning  
Urban Design

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**BUILDING ELEVATIONS**  
PROPOSED DEVELOPMENT  
Lot 3, 1599 Whanregarwen Road, Molesworth  
Murrindindi Shire Council

**27379 P3**  
Version 01





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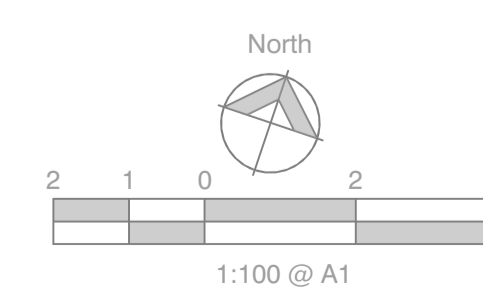
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Project Management  
Town Planning  
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 admin@millarmerrigan.com.au



## GROUND FLOOR PLAN

### PROPOSED DEVELOPMENT

Lot 3, 1599 Whanregarwen Road, Molesworth  
Murrumbidgee Shire Council

27379 P2  
Version 01

**SUBJECT TO APPROVAL**

# Planning Report

LOT 3, 1599 WHANREGARWEN ROAD, MOLESWORTH



Use and Development of a Dwelling in FZ within 100m of a RDZ1 and a dwelling in different ownership, Building and Works in LSIO, ESO1, Development associated with Accommodation in a BMO, and Create Access to a RDZ1

Millar | Merrigan

Land Development Consultants

Millar & Merrigan Pty Ltd

2737 Regional Road  
Millar Merrigan  
005 500 000

Metro:

2737 Millar Drive  
00 000 207  
000000000 03 0720 0500  
000000 003 0720 0500

Regional:

5000 Regional Road  
Millar Merrigan  
000000 000000000000 0000  
000000 000000000000 0000

PREPARED BY MILLAR MERRIGAN ON BEHALF OF:

000 00000

FORMAL LAND DESCRIPTION:

0003 0000002

PROPOSAL:

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d000000 00 d000000 000000000 000000 000 0 0000 00000  
D000000 000000000000 d 000 000000 0 d000000 0 0 M0 0000 d 000000 000000  
00 0 RD00

RESPONSIBLE AUTHORITY:

Millar Merrigan Pty Ltd

DOCUMENT STATUS:

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## EXECUTIVE SUMMARY

Morrison Management proposes to develop and construct a dwelling within 100m of a RDZ1 and a dwelling in different ownership, Building and Works in LSI0, ESO1, Development associated with Accommodation in a BMO, and Create Access to a RDZ1 on Lot 3, 1599 Whanregarwen Road, Molesworth.

The development is located on Lot 3, 1599 Whanregarwen Road, Molesworth. The site is currently zoned R2. The development is proposed to be used for residential purposes. The site is currently vacant and the development is proposed to be used for residential purposes.

The site is located within the Farming Zone and is currently zoned R2. The development is proposed to be used for residential purposes. The site is currently vacant and the development is proposed to be used for residential purposes.

The site is located within the Land Subject to Inundation (LSIO) and Floodplain Overlay (FO) zones. The development is proposed to be used for residential purposes. The site is currently vacant and the development is proposed to be used for residential purposes.

The site is located within the Environmental Significance Overlay, Schedule 1 (ESO1) zone. The development is proposed to be used for residential purposes. The site is currently vacant and the development is proposed to be used for residential purposes.

The site is located within the Bushfire Management Overlay zone. The development is proposed to be used for residential purposes. The site is currently vacant and the development is proposed to be used for residential purposes.

The site is located within the Aboriginal Cultural Heritage Sensitivity zone. The development is proposed to be used for residential purposes. The site is currently vacant and the development is proposed to be used for residential purposes.

The development is proposed to be used for residential purposes. The site is currently vacant and the development is proposed to be used for residential purposes.

# 1 SITE DESCRIPTION

## Size, Shape and Use

The subject site is a rectangular parcel of land located in the Goulburn Valley region. The site is bounded by the Goulburn Valley Highway to the north and the Murrumbidgee River to the east. The site is currently used for agricultural purposes and is zoned for rural use. The site is approximately 100m wide and 200m long. The site is situated on a slight rise and is surrounded by other agricultural land. The site is currently used for grazing and is suitable for a range of agricultural activities. The site is well-served by infrastructure, including roads and utilities. The site is a good location for a range of agricultural activities and is well-served by infrastructure.

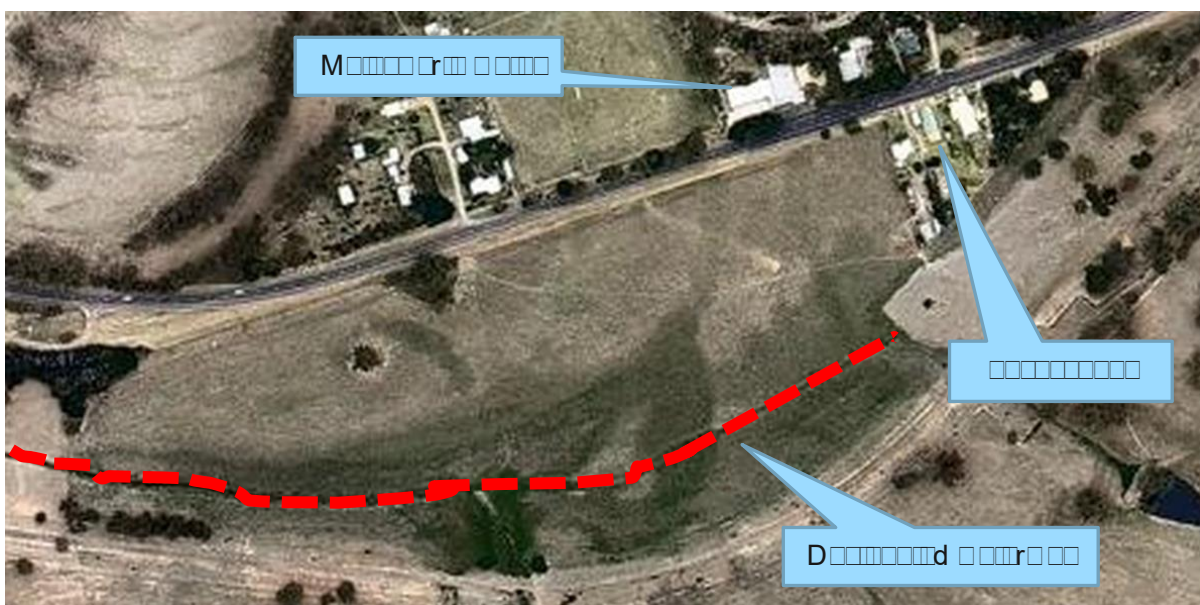


Figure 1: Aerial photograph of subject site.



Photograph 1: Looking south-east across the site from Goulburn Valley Highway.

## Fencing and Site Access

The site is currently fenced with a standard agricultural fence. The site is accessed via a road that runs along the Goulburn Valley Highway. The site is well-served by infrastructure, including roads and utilities. The site is a good location for a range of agricultural activities and is well-served by infrastructure.



Photograph 2: Views into the site from Goulburn Valley Highway (north-east corner of the site – looking south-west).  
Photos Source: Google Street Maps

**Vegetation**

Placeholder text consisting of a series of small, illegible characters.



Photograph 3: Looking south-west at the small cluster of trees that are located along the northern boundary of the site.



Photograph 4: Trees located along the western boundary of the site as seen from the Goulburn Valley Highway.

Services, Easements & Restrictions

There are no services, easements or restrictions identified on the subject land. The subject land is located within the Rural Planning Scheme (RPS) and is zoned for rural use. The subject land is not subject to any easements or restrictions.

Topography

The subject land is located on a gentle slope. The topography of the subject land is generally flat to gently sloping. The subject land is not subject to any easements or restrictions.

**2 SURROUNDING AREA**

The surrounding area is generally rural in nature. The surrounding area is zoned for rural use. The surrounding area is not subject to any easements or restrictions.

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The surrounding area is generally rural in nature. The surrounding area is zoned for rural use. The surrounding area is not subject to any easements or restrictions.

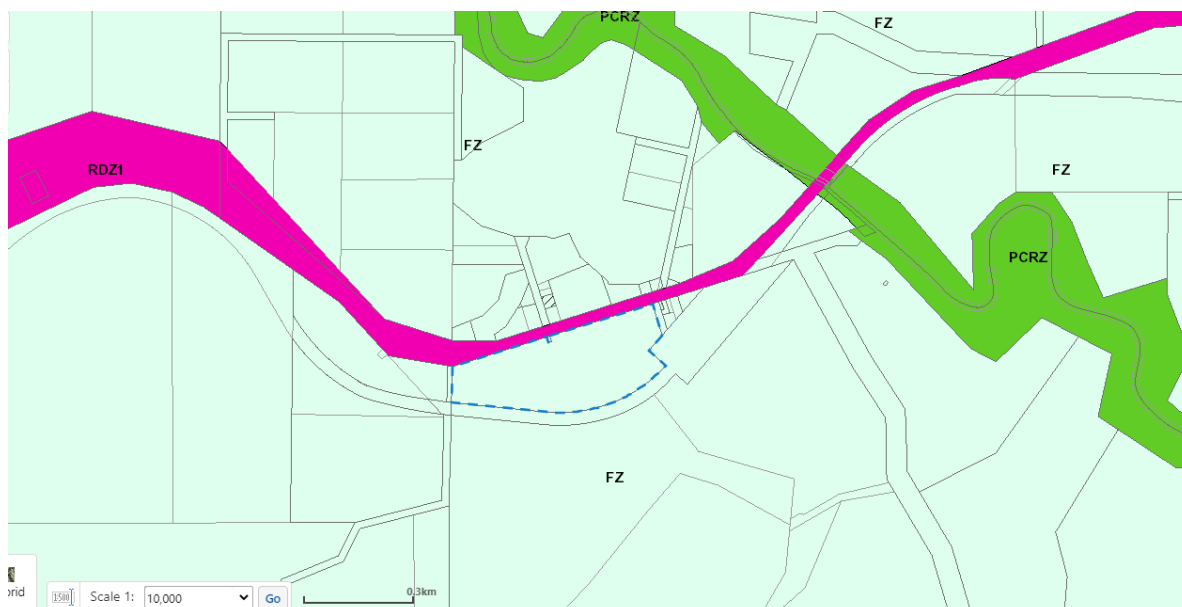


Figure 2: Surrounding Pattern of Land Use (source: VicPlan).



### 3 PROPOSAL

The proposed development is located on the east side of Goulburn Valley Highway, south of Hood Street. The site is bounded to the north by Hood Street, to the east by Goulburn Valley Highway, and to the south and west by a residential zone boundary. The site is currently zoned as a residential zone and is subject to various planning controls.

The proposed development consists of a residential building with a footprint of approximately 1,200 square metres. The building is located on the east side of the site, adjacent to Goulburn Valley Highway. The site also includes a designated waterway and a 100m buffer zone from the dwelling. The proposed development is consistent with the planning controls for the residential zone.

The proposed development is consistent with the planning controls for the residential zone. The site is located in a residential zone and is subject to various planning controls. The proposed development is consistent with the planning controls for the residential zone.

- The proposed development is consistent with the planning controls for the residential zone.
- The proposed development is consistent with the planning controls for the residential zone.

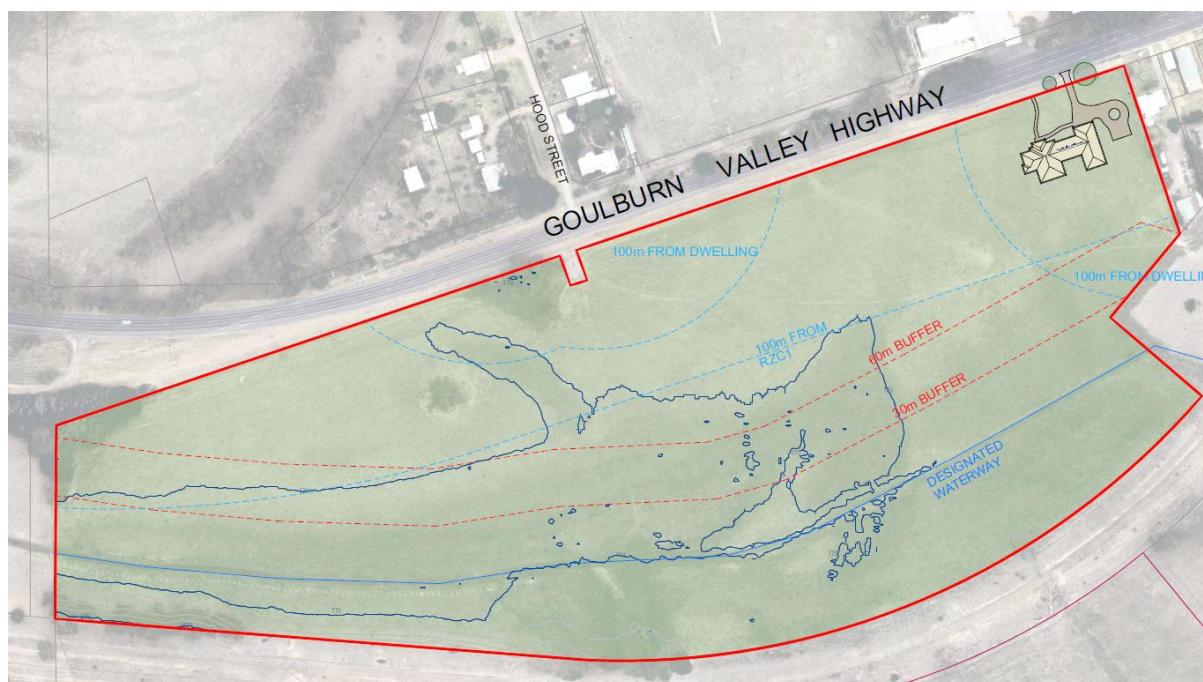


Figure 3: Overall Site Plan

The proposed development is consistent with the planning controls for the residential zone. The site is located in a residential zone and is subject to various planning controls. The proposed development is consistent with the planning controls for the residential zone.





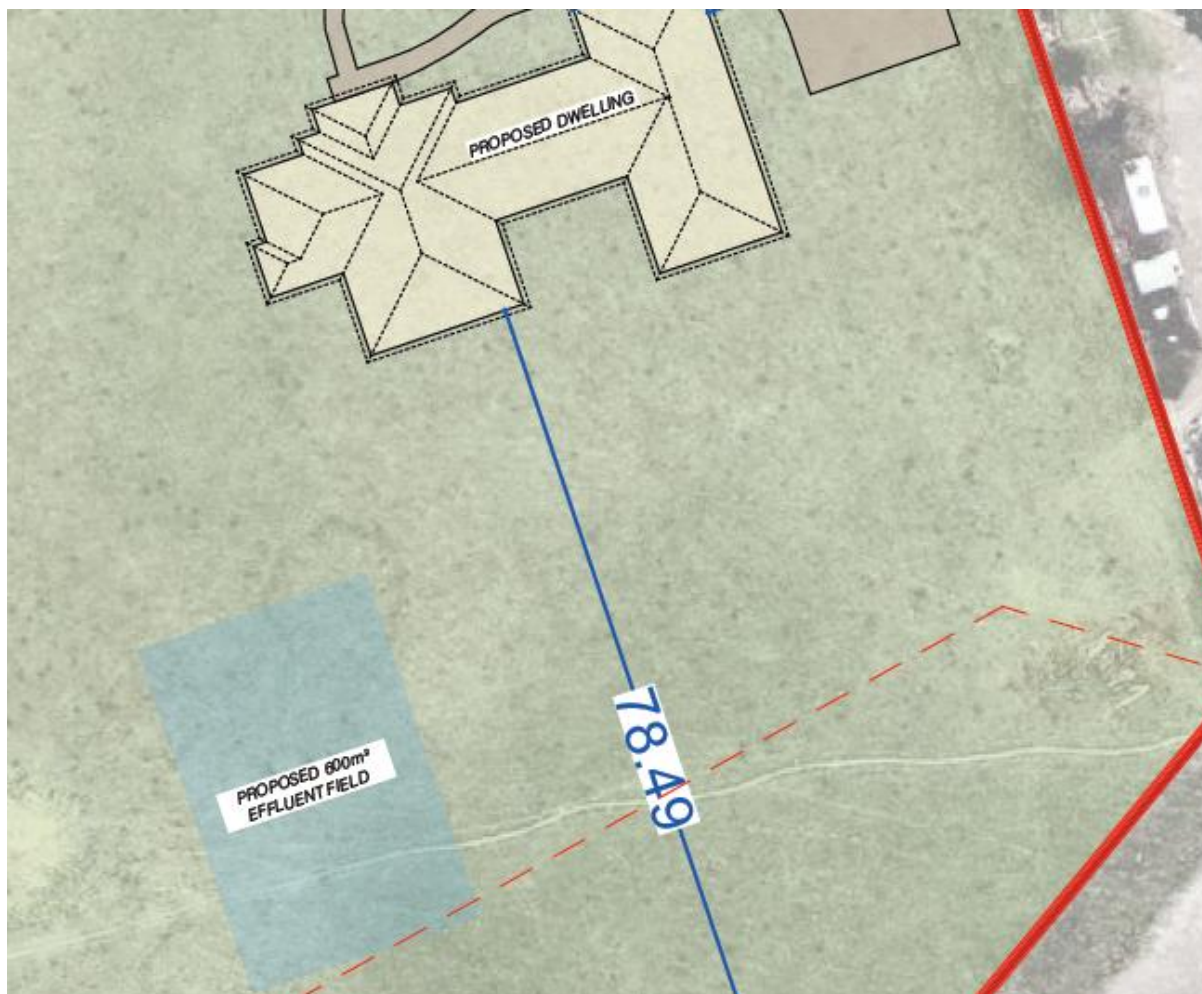


Figure 7: Site layout indicates location of effluent field.

Figure Two shows the best estimate 100-year ARI flood level and flood depths for the location described above. Based on available ground surface level information, at least half of each of the three lots is inundated to a depth in excess of 0.8 metres during a 100-year ARI (1% AEP) type flood event.



## 4 PLANNING POLICY FRAMEWORK

This section describes the planning policy framework for the Council's area. It sets out the various planning policies that apply to the area and the circumstances in which they will be applied.

### Zoning

Clause 35.07 – Urban Use Zones

### Overlays

- Clause 2.0 – Environmental Management Overlay (EMO)
- Clause 3.03 – Design and Architecture Overlay (DAO)
- Clause 4.0 – Heritage Overlay (HO)
- Clause 5.0 – Municipal Management Overlay (MMO)

### Planning Policy Framework (PPF)

#### PPF

Clause 1.0 – Planning Policy Framework

#### MSS/LPP

- Clause 3.02 – Municipal Strategic Statement (MSS)
- Clause 4.0 – Local Planning Policy (LPP)

### Particular Planning Provisions

- Clause 52.0 – Urban Use Zones
- Clause 52.2 – Design and Architecture Overlay (DAO)
- Clause 53.02 – Heritage Overlay (HO)
- Clause 5 – Design and Architecture Overlay (DAO)

## 4.1 PERMIT TRIGGERS

This section describes the permit triggers for the various planning policies and overlays that apply to the Council's area.

Planning Control	Permit Trigger
<u>Clause 35.07 - FZ</u>	<ul style="list-style-type: none"> <li>• Any proposed use of land is not permitted under the relevant Urban Use Zone</li> <li>• Any proposed use of land is not permitted under the relevant Urban Use Zone</li> <li>• Any proposed use of land is not permitted under the relevant Urban Use Zone</li> </ul>
<u>Clause 42.01 – ESO1</u>	<ul style="list-style-type: none"> <li>• Any proposed use of land is not permitted under the relevant Environmental Management Overlay</li> </ul>
<u>Clause 44.04 – LSIO</u>	<ul style="list-style-type: none"> <li>• Any proposed use of land is not permitted under the relevant Local Strategic Importance Overlay</li> </ul>
<u>Clause 44.06 - BMO</u>	<ul style="list-style-type: none"> <li>• Any proposed use of land is not permitted under the relevant Business Management Overlay</li> </ul>
<u>Clause 52.29 – Land adjacent to a RDZ1</u>	<ul style="list-style-type: none"> <li>• Any proposed use of land is not permitted under the relevant Rural Design Zone</li> </ul>

## 4.2 ZONING

The proposed development is located within the **Farming Zone, (Clause 35.03)** of the Planning Scheme. The objectives of the Farming Zone are:

- 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.

### Response: FZ rural living

The proposal accords with the objectives of the FZ as follows:

- The introduction of a dwelling to the land will offer a tourism aspect through the provision of farm-stay, B&B type accommodation;
- The site is not identified as a high-quality agricultural area (ESO) and nearby land uses support accommodation and residential activities. The proposal is consistent with the surrounding land uses, which offer hospitality options in the nearby hotel/motel and camping ground;
- The dwelling is sited with suitable setbacks to property boundaries to protect existing farming land and respects the privacy of the abutting residential property to the east, whilst still providing the housing in proximity to existing residential areas;
- The proposed accommodation will offer communal areas for guests, so it is essential that the client lives on site to offer hospitality to all guests during their stay.

**Clause 35.07-1** use of land for a dwelling is 'as of right' where the use is consistent with the objectives of the zone. **Clause 35.07-2** requires that the use is consistent with the objectives of the zone.

### Response: FZ Use of land for a dwelling

*Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.*

**An all-weather driveway has been proposed to provide access to the dwelling and B&B. Although there are no requirements for service and emergency vehicle access given the length of the driveway, it has been designed to offer a suitably dimensioned turning area if needed. Refer to the Bushfire Management Statement for further details.**

*The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.*

**No reticulated sewerage is available and as such a septic system is to be installed to service the dwelling and B&B. An LCA will be prepared post permit before a septic tank permit is sought. The land is clearly of sufficient size to cater for waste treatment on site.**

<p>The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.</p>	<p>Reticulated water is available to the site and as such water tanks will be offered to provide a fire-fighting supply of a minimum of 10,000L.</p>
<p>The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.</p>	<p>Reticulated electricity is available and the proposed dwelling will be connected to this infrastructure.</p>

Clause 35.07-4 requires that the proposed development must not be located within 200m (distance) of the following:

- 100m from a RDZ1;
- 40m RDZ2;
- 20m from any other road;
- 5m from any boundary;
- 100m from a dwelling not in the same ownership;
- 100m from a waterway, wetlands or designated flood plain.

Clause 35.07-4 also requires that the proposed development must not:

- Change the rate of flow or the discharge point of water across a property boundary.
- Increase the discharge of saline groundwater.

**Response: FZ Buildings and Works**

Given the size of the land, a permit is required for the use of a dwelling, and it is noted that the dwelling is located within 100m of the RDZ1, which triggers a permit for this setback. The use of the site for a B&B is a Section 1 use and will encourage increased tourism and trade to the town.

The location and floor levels of the building are responsive to the flood risks of the site, and it will be constructed to a BAL12.5 rating in accordance with the bushfire risks of the surrounding landscape.

The site is relatively flat, ensuring that excessive earthworks is not required, and as such, will not change the rate of flow or the discharge point of water across a property boundary nor increase the discharge of saline ground water and as such don't trigger a permit.

The proposed development must comply with the FZ provisions and must also comply with Clause 65 of the Planning Policy Framework.

General issues:

- 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.



**Response: FZ – Decision Guidelines General Issues**

**Planning Policies are met as outlined in this report and the proposal is not contrary to any Regional Catchment Strategy. The site is of suitable size to accommodate on-site waste treatment and will not impact surrounding ground water sources.**

**It is considered that the land has the capability of providing accommodation uses, and the proposed land use is consistent with the surrounding land uses, being hospitality offered at the hotel/motel and nearby campground. The neighbouring site to the east is a small residential allotment and as such, will not cause a conflict of use either.**

**The building has been sited to provide ease of access to the township's infrastructure, facilities and services.**

*Dwelling Issues:*

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *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.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *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.*

**Response: FZ – Decision Guidelines Dwelling Issues**

**The land is in separate ownership to surrounding farming land and introduction of a dwelling will therefore not cause any fragmentation. As discussed above the dwelling / B&B is appropriately sited and separated from surrounding farmland to avoid adverse impacts to either activity. Introduction of a dwelling / B&B to this site is not considered to create a proliferation of residential activities in the area given the eclectic lot pattern and fact that most contain dwellings or small businesses. Good separation is maintained between dwellings and the proposal continues this pattern.**

*Environmental issues:*

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *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.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

**Response: FZ – Decision Guidelines Environmental Issues**

**The proposed works will have no impact on native vegetation, given the site is predominantly laid to grass, and are not near any waterways to ensure that no detriment will be caused to water quality or ecosystems. Wastewater will be treated in accordance with EPA requirements.**

Design and siting issues:

- *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.*
- *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.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures.*

**Response FZ – Decision Guidelines Design and Siting Issues:**

**The dwelling has been sited in response to land conditions and is of a scale that will not cause detriment to the wider landscape. The design is of a low scale, with non-reflective materials that respond to the surrounding landscape qualities.**

**Infrastructure and on-site sewerage treatment will be provided on site and as such will not cause detriment to amenity.**

**Given the new access off an RDZ1, the application will be referred to Vicroads for comment, but at this stage it is assumed that the proposed access is safe and no traffic management measures are required.**

**4.3 OVERLAYS**

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- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

□□□□□□□□□□ Clause 44.04-2□□ □□□□ □□□□□□□□□□ □□□ □□□□□□□□ □□□□□

**Response: LSIO**

**The dwelling has been sited to avoid the areas of the site that offer the highest flood risks, as advised by the Goulburn Broken Catchment Management Authority (GBCMA)**

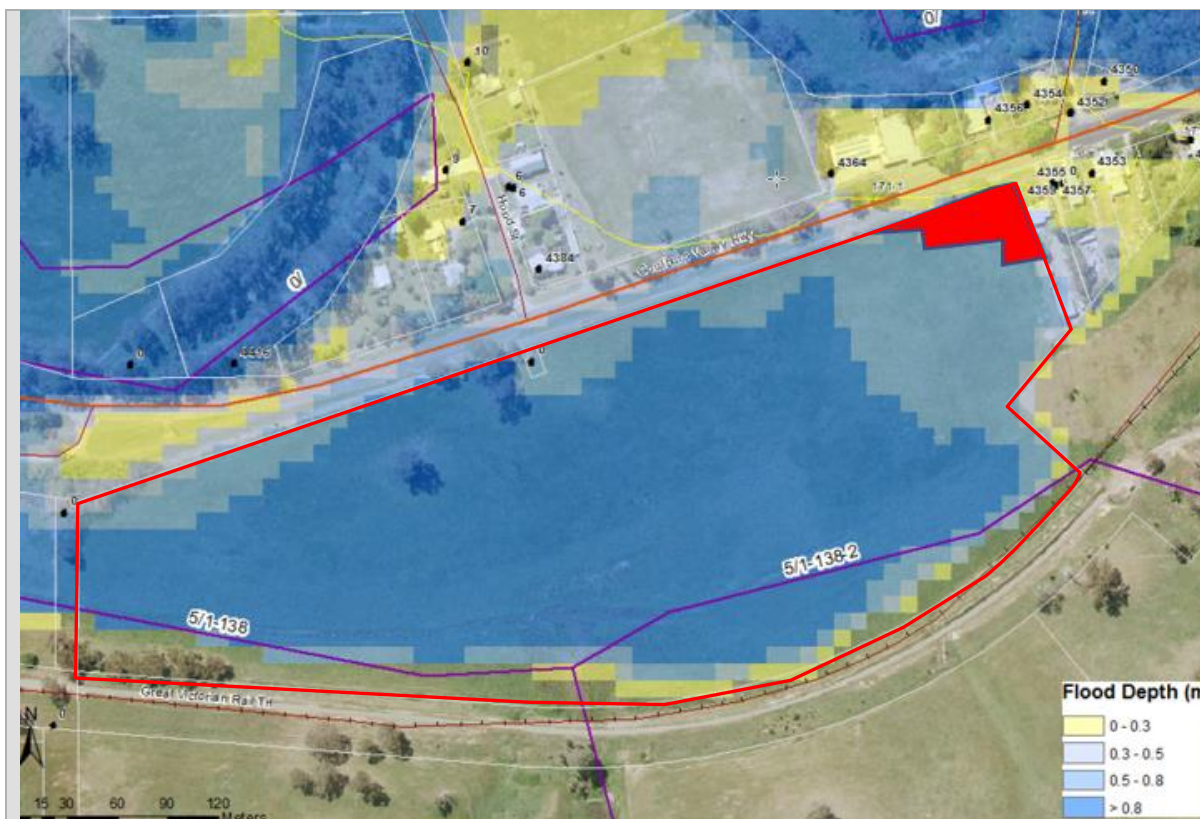


Figure 9: Flooding risk across the site, proposed dwelling location indicated in red

Appropriate advice from GBCMA advises that floor levels should accommodate a minimum of 171.0 metres AHD at the western extent of Lot 3. The proposed building has been designed and will be constructed with these measurements in mind to ensure flood risk is mitigated. Please refer to the full advice by GBCMA (attached) for more information. It is understood that additional referral to GBCMA may be a preferred approach by Council given the extent of the LSIO.

Environmental Significance Overlay – Schedule 1 (ESO1)

- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

Recognise the finite nature of high quality agricultural land

- Protect high quality agricultural land because of its versatility, productivity and ability to sustain a wide range of agricultural uses without degradation
- Protect the potential production from high quality agricultural land
- Prevent the unsustainable development of high quality agricultural land that may result in the loss of the quantity or quality of the land and limit the full productive potential of the land
- Prevent the conversion of high quality agricultural land to non soil based development

Response: ESO1

Response: ESO1

No significant vegetation is impacted by the proposed works, given the site is mostly laid to grass. The subject site is not recognised to offer high-quality agricultural land and is only 11.4ha in size, and as such is not sizeable enough to warrant a productive agricultural use. However, it is perfectly located for holiday accommodation, given its proximity to the town centre, the local hotel and the additional holiday accommodation offered by the motel, and camping ground in the Recreation Reserve opposite the site. Molesworth is recognised for its access to the Goulburn River and the scenic walks and trails available in the area.

The placement of the building responds to the site constraints, namely the risk of flooding and bushfire and the proposed construction will consider these aspects in the design and materials used.

The Floodway Overlay is a planning scheme that is designed to protect waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding. The Floodway Overlay is designed to ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting. The Floodway Overlay also reflects any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made. The Floodway Overlay also protects water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria). The Floodway Overlay also ensures that development maintains or improves river and wetland health, waterway protection and flood plain health.

- To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.
- To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.
- To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

The Floodway Overlay is designed to protect waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding. The Floodway Overlay is designed to ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting. The Floodway Overlay also reflects any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made. The Floodway Overlay also protects water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria). The Floodway Overlay also ensures that development maintains or improves river and wetland health, waterway protection and flood plain health.

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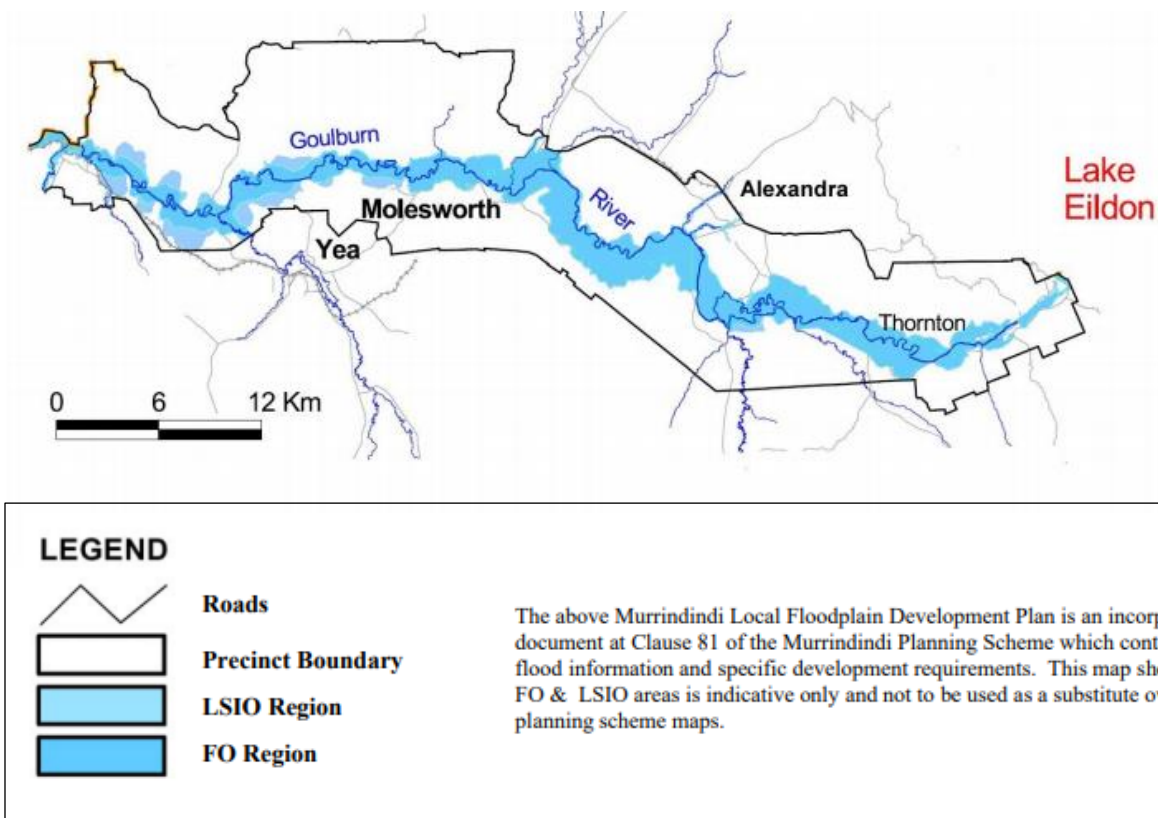


Figure 10: Murrindindi local floodplain development plan

...

**Response – Floodway Overlay:**

Preliminary flood management advice has been sought from Goulburn Broken Catchment Management Authority (GBCMA) and their referral to guidelines in relation to developments in flood affected areas and/or within proximity to waterways has been valued and incorporated into the proposed design of the dwelling:

- [Guidelines for Development in Flood Affected Areas](#) (DELWP, 2019)
- [Guidelines for the Protection of Water Quality](#) (NEPRC, 2016)

However, given the site of the dwelling is outside the scope of the FO, it is assumed that the application will not require additional referral to the GBCMA on this aspect, but respect Council’s advice on this matter.

... *Bushfire Management Overlay (Clause 44.06)* ...

- 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.

Clause 44.06-2 requires that a bushfire hazard assessment be prepared for the proposed dwelling in accordance with the requirements of the Bushfire Management Overlay (BMO).

Clause 44.06-3 requires that the assessment include the following:

- A bushfire hazard site assessment;
- A bushfire hazard landscape assessment;
- A bushfire management statement.

Clause 44.06-4 requires that the assessment be prepared in accordance with the requirements of Clause 53.02.

**Response Bushfire Management Overlay:**

The proposed dwelling triggers a permit under the BMO and as such a detailed Bushfire Management Statement has been prepared. It addresses all applicable requirements of the overlay and outlines measures to ensure that risk to life and property is mitigated to an acceptable level. Refer to the attached report for further details.

**4.4 PLANNING POLICY FRAMEWORK**

The objectives of Planning in Victoria are fostered through appropriate land use and development planning policies and practices which investigate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

*The objectives of Planning in Victoria are fostered through appropriate land use and development planning policies and practices which investigate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.*

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

*Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.*

The condition, location and route of available vehicle access and its suitability for safe and efficient egress before and during a bushfire. Provision of adequate water storage for rural dwellings, as follows:

- The condition, location and route of available vehicle access and its suitability for safe and efficient egress before and during a bushfire.
- Provision of adequate water storage for rural dwellings, as follows:
  - Being proximate to the dwelling requiring the water storage.
  - Having a minimum storage capacity of 55,000 litres of water of which a minimum reserve of 10,000 litres is to be held at all times for firefighting purposes.
  - Being fitted with a gate valve and a 64mm, 3 thread round male coupling to CFA specifications to enable quick connection and full utilisation of all water.
  - Being environmentally unobtrusive or screened.

Strategic Directions (2.03) requires that the assessment be prepared in accordance with the requirements of the Bushfire Planning (Clause 13.02-1L) and the Bushfire Management Overlay (BMO).

**Response: Environmental Risks**

As outlined above a Bushfire Management Statement has been prepared to address bushfire risk and ensure an appropriate design response.

Protection of Agricultural Land (Clause 14.01-1S) seeks to protect the state’s agricultural base by Strategic Directions (2.03)

- *Protecting high quality agricultural land for ongoing agricultural use.*
- *Protecting rural land for productive agricultural uses and compatible rural uses.*
- *Ensuring that the use and development of rural land protects and enhances agricultural potential and the productive capacity of the land and surrounding land.*
- *Supporting existing agricultural production activities, including beef and sheep grazing, horticulture, cropping, vegetable growing, aquaculture, timber production and niche products.*
- *Supporting emerging agricultural industries that are compatible with existing agricultural practices, including horticulture, intensive animal production, agroforestry, farm gate agricultural sales, boutique, niche agriculture, agricultural processing, value adding industries and carbon farming.*
- *Supporting the evolution of agriculture in response to improved practices and climate change.*
- *Ensuring that agricultural land is not developed for primarily residential purposes.*
- *Discouraging the fragmentation of rural land into lots incapable of productive agricultural and rural use.*
- *Protecting water catchments from inappropriate use and development, particularly the Goulburn River valley and its tributaries.*

**Response: Protection of Agricultural Land**

The land is not identified as an area of high quality agricultural land and the introduction of one dwelling, including a B&B, is considered to be ‘limiting’ new housing in accordance with overarching policies. The dwelling has been sited to avoid the designated waterway that traverses the site and will not cause loss of quality of ground water, through appropriate sewerage treatment on site.

Strategic Directions (2.03)

*Remaining native vegetation on private land is highly fragmented and usually occurs in small or narrow linear remnants, increasing the importance of roadside and riparian vegetation. Land clearing, invasion of weeds and loss of habitat are particular threats to this vegetation.*

**Response: Environmental and Landscape Values**

As discussed above, the site contains no significant vegetation and the proposed design allows ample space for further landscaping to occur, that will see the introduction of more canopy trees, indigenous to the area. A landscape design may be submitted as a condition of permit if deemed necessary.

Residential development in non-serviced towns (Clause 16.01-2L)

- *Support new and expanded residential and rural living development in smaller townships and settlements.*
- *Encourage residential and rural living development that protects areas of environmental value and avoids areas of environmental hazard, particularly bushfire.*
- *Enforce clear settlement boundaries that take into consideration local character, bushfire risk, and the impacts on other land uses, particularly agriculture.*

**Response: Residential development in non-serviced towns**

The proposal supports new and expanded residential and rural living development in smaller townships and settlements, thus the proposal of a dwelling with an associated B&B use is completely in accordance with this. The proposal is located a substantial distance from the Goulburn River and whilst it is located within a BMO a Bushfire Management Statement has been prepared ensuring the proposal is acceptable. As mentioned previously the dwelling is proposed on a portion of the site near the existing residential areas of Molesworth and the proposed B&B is located in proximity to other uses of a similar nature such as the motel and campground ensuring the local character and land use compatibility were taken into account.

**4.5 PARTICULAR PROVISIONS**

[Placeholder]

**CARPARKING (CLAUSE 52.06)**

[Placeholder]

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and Planning Policy Framework;*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality;*
- *To support sustainable transport alternatives to the motor car;*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities;*
- *To ensure that car parking does not adversely affect the amenity of the locality; and*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

[Placeholder]

[Placeholder]

**Response: Carparking**

A double garage is attached to the dwelling cater for parking requirements in accordance with a dwelling with 3 or more bedrooms.

Given that the building is also to be used for a B&B, and this is not a specified use under Clause 52.06-5, a further 5 spaces are provided in the driveway to cater for parking for an additional 10 people, in accordance with maximum persons away from their home requirements under the FZ

**LAND ADJACENT TO A ROAD ZONE, CATEGORY 1(CLAUSE 52.29)**

[Placeholder]

- *To ensure appropriate access to identified roads.*
- *To ensure appropriate subdivision of land adjacent to identified roads.*

[Placeholder]

- *Create or alter access to a road in a Road Zone, Category 1.*





## 6 CONCLUSION

The following conclusions are based on the information provided and the assumptions made in the assessment.

- The land is zoned *Farming Zone* and is primarily used for agricultural purposes. The assessment has identified that the proposed development is not consistent with the objectives of the *Farming Zone*.
- The land is not zoned for residential purposes and the proposed development is not consistent with the objectives of the *Residential Zone*.
- The land is not zoned for commercial purposes and the proposed development is not consistent with the objectives of the *Commercial Zone*.
- The land is not zoned for industrial purposes and the proposed development is not consistent with the objectives of the *Industrial Zone*.
- The land is not zoned for community purposes and the proposed development is not consistent with the objectives of the *Community Zone*.
- The land is not zoned for environmental purposes and the proposed development is not consistent with the objectives of the *Environmental Significance Overlay*.
- The land is not zoned for flood-prone areas and the proposed development is not consistent with the objectives of the *Flooding Overlay*.
- The land is not zoned for bushfire-prone areas and the proposed development is not consistent with the objectives of the *Bushfire Management Overlay*.
- The land is not zoned for roads and the proposed development is not consistent with the objectives of the *Road Zone*.
- The land is not zoned for heritage purposes and the proposed development is not consistent with the objectives of the *Heritage Overlay*.
- The land is not zoned for public utility purposes and the proposed development is not consistent with the objectives of the *Public Utility Zone*.

Millar | Merrigan

# Bushfire Management Statement

LOT 3, 1599 WHANREGARWEN ROAD, MOLESWORTH



Construction of a single dwelling with B&B

Reference: 27319

Millar & Merrigan Pty Ltd

100 Millar Street  
Melbourne VIC 3000  
Phone 005 500 0000

Metro:

202 Millar Street  
Melbourne VIC 3000  
Phone 03 720 5000

Regional:

500 Millar Street  
Melbourne VIC 3000  
Phone 03 720 5000

PREPARED BY MILLAR MERRIGAN ON BEHALF OF:

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FORMAL LAND DESCRIPTION:

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PROPOSAL:

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AUTHORITY:

Millar Street 00000 0000000

DOCUMENT STATUS:

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# 1 EXECUTIVE SUMMARY

Our proposed M... Bushfire Management Overlay (BMO) (Clause 44.06) ... R... 3500 ... R... M...

Our proposed M... Bushfire Planning (Clause 53.02) ... d...

Our proposed ... Grassland ... Forest ... Low-threat ... 25 ...

Our ... Grassland ... Forest ... Low-threat ... 25 ...

Our ... 30 ...

Our ... 30 ...

Our ... 0.000 ...

Our ... BMO ... Clause 53.02 ...

# 2 IMPORTANT ASSUMPTIONS

Our ...

Our ...

### 3 INTRODUCTION

Murray Murrumbidgee Catchment Council (Council) is pleased to announce the Murray Murrumbidgee Catchment Council Bushfire Management Overlay (BMO) and Bushfire Planning (Clause 53.02) (BPP) and Farming Zone (FZ) and Clause 53.02-4 (C53.02-4) overlays.

The Bushfire Management Overlay (Clause 44.06) (BMO) is designed to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire. The BMO is designed to identify areas where the bushfire hazard warrants bushfire protection measures to be implemented. The BMO is designed to ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

- 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.

The BMO is designed to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire. The BMO is designed to identify areas where the bushfire hazard warrants bushfire protection measures to be implemented. The BMO is designed to ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The Bushfire Planning (Clause 53.02) (BPP) and Farming Zone (FZ) and Clause 53.02-4 (C53.02-4) overlays are designed to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

## 4 PROPOSAL

The proposed site layout plan is shown in Figure 1. The plan shows the proposed site layout, including the proposed building footprint, parking area, and landscaping. The plan also shows the proposed site boundaries, including the 100m and 150m setbacks from the dwelling, and the 10m and 20m buffers from the designated waterway. The plan is shown in Figure 1.

The proposed site layout plan is shown in Figure 1. The plan shows the proposed site layout, including the proposed building footprint, parking area, and landscaping. The plan also shows the proposed site boundaries, including the 100m and 150m setbacks from the dwelling, and the 10m and 20m buffers from the designated waterway. The plan is shown in Figure 1.

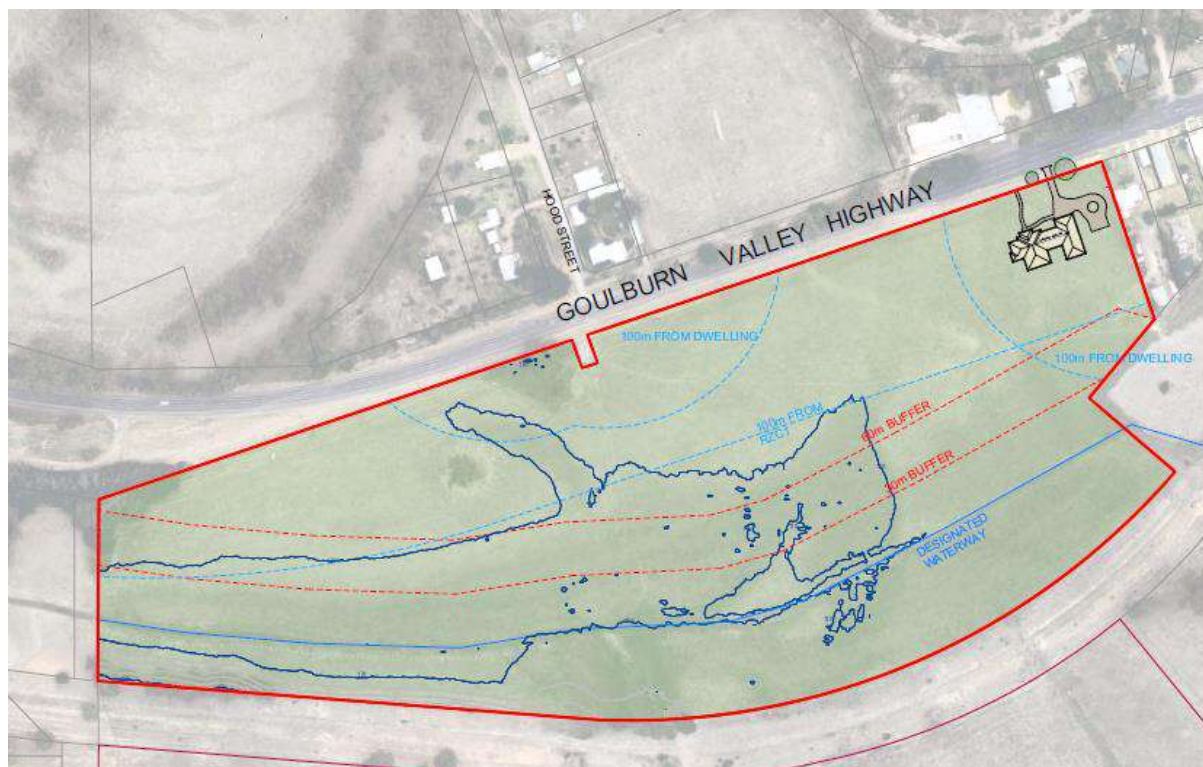


Figure 1: Proposed site layout plan



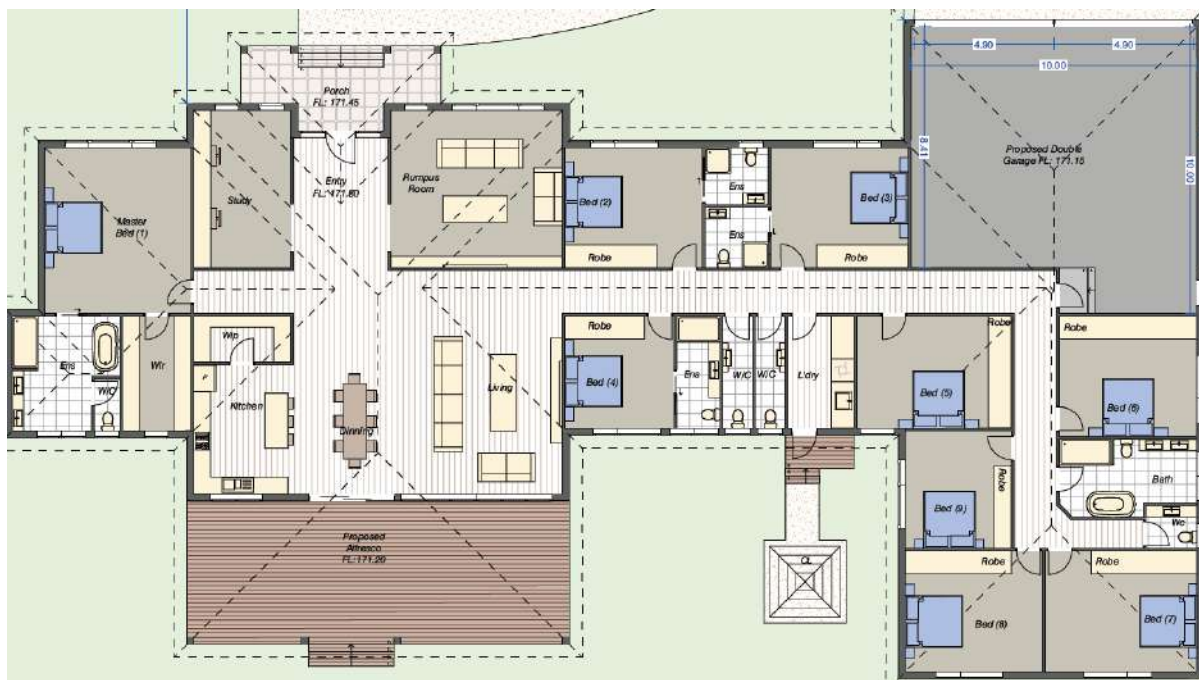


Figure 2: Proposed floor plan



Figure 3: Driveway layout and additional guest parking spaces

## 5 PLANNING PROVISIONS

**Farming Zone (35.03)** The purpose of this zone is to provide for the use of land for agriculture.

- 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..

**Clause 35.07-2** Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

The purpose of this zone is to provide for the use of land for agriculture.

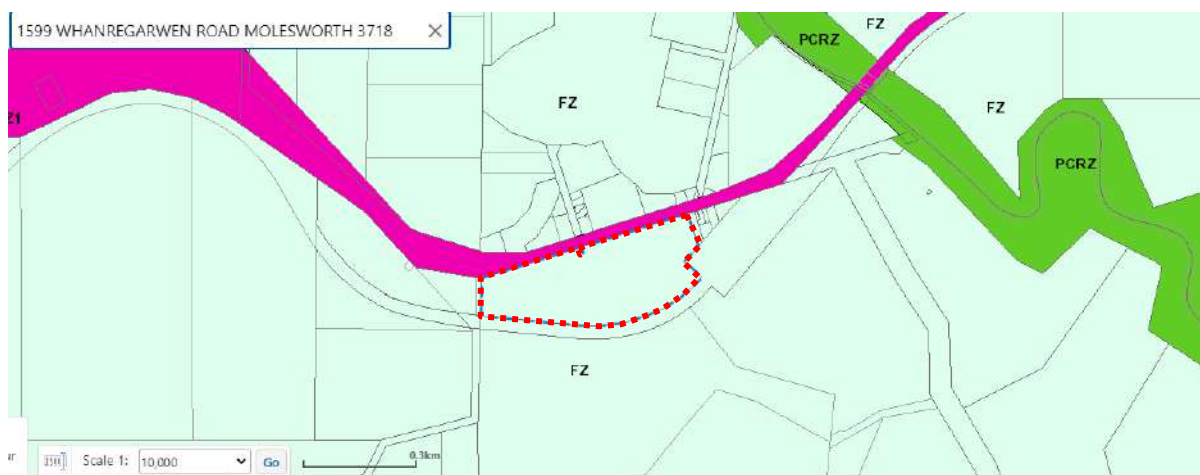


Figure 4: Land Zoning

**Land Subject to Inundation Overlay** The purpose of this overlay is to ensure that the use and development of land is consistent with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

**Floodway Overlay** The purpose of this overlay is to ensure that the use and development of land is consistent with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

**Environmental Significance Overlay, Schedule 1 (ESO1)** The purpose of this overlay is to ensure that the use and development of land is consistent with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

**Bushfire Management Overlay (44.06) (BMO)** The purpose of this overlay is to ensure that the use and development of land is consistent with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

referred to in clause 44.06-3 of the Victorian Planning Provisions (VPP) is the Bushfire Mitigation Overlay (BMO). The BMO is a planning overlay that is applied to areas that are at risk of bushfire. The BMO is applied to areas that are identified in the Bushfire Mitigation Overlay Schedule 1 of the VPP. The BMO is applied to areas that are identified in the Bushfire Mitigation Overlay Schedule 1 of the VPP.

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Figure 5 shows the extent of the BMO in the area of 1599 Whanregarwen Road, Molesworth 3718. The BMO is shown in pink and the BPA is shown in blue.

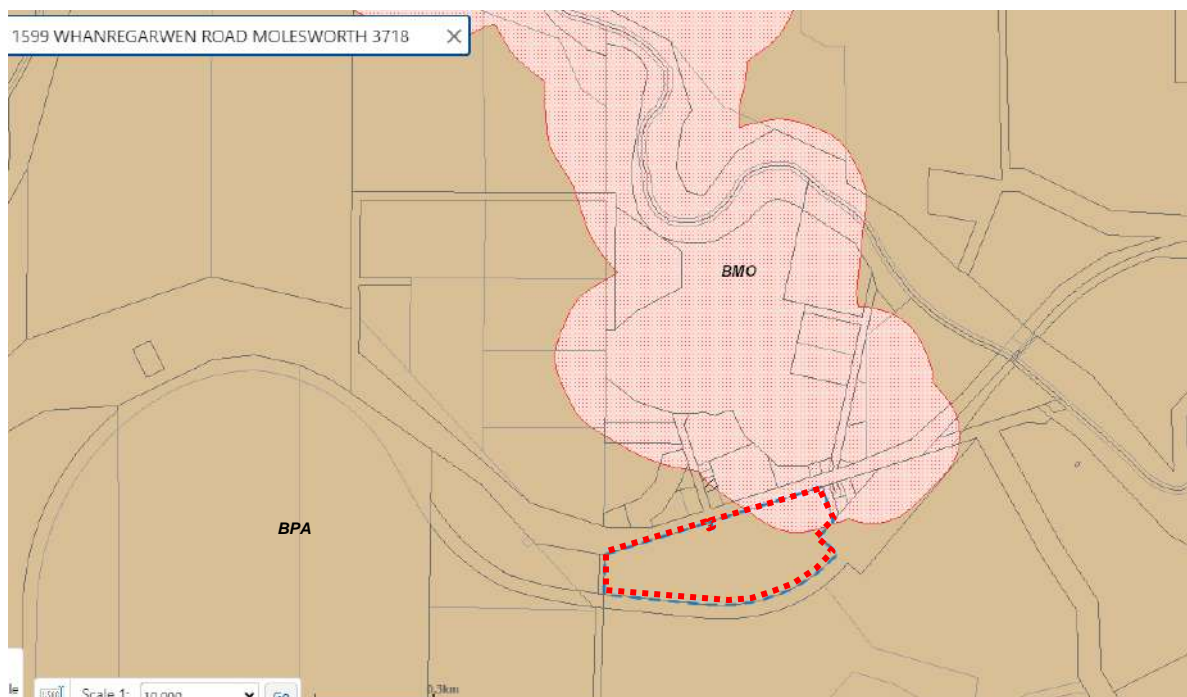


Figure 5: Extent of BMO (source: Vicplan)

Clause 44.06-3 of the Victorian Planning Provisions (VPP) requires that bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

*The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.*

Clause 13.02 - Bushfire of the Victorian Planning Provisions (VPP) requires that planning authorities must strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 13.02-3 of the Victorian Planning Provisions (VPP) requires that planning authorities must:

- Give priority to the protection of human life by:
  - Prioritising the protection of human life over all other policy considerations.
  - Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.

- o Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

Morrison and Associates is pleased to announce the release of Clause 13.02-L Bushfire Planning which sets out the requirements for bushfire risk management in rural areas. The clause is a key component of the Victorian Planning Provisions (VPP) and will be implemented from 2008. The clause is designed to ensure that bushfire risk is considered at all stages of the planning process and to provide a clear framework for decision makers.

- The condition, location and route of available vehicle access and its suitability for safe and efficient egress before and during a bushfire.
- Provision of adequate water storage for rural dwellings, as follows:
  - o Being proximate to the dwelling requiring the water storage
  - o Having a minimum storage capacity of 55,000 litres of water of which a minimum reserve of 10,000 litres is to be held at all times for firefighting purposes.
  - o Being fitted with a gate valve and a 64mm, 3 thread round male coupling to CFA specifications to enable quick connection and full utilisation of all water.
- Being environmentally unobtrusive or screened.

The clause also sets out requirements for the design and construction of buildings in rural areas. This includes requirements for the siting and design of buildings, the use of building materials, and the location of storage areas for flammable materials. The clause also addresses the need to balance the protection of natural environmental values with fire protection objectives.

The clause also sets out requirements for the design and construction of buildings in rural areas.

- The siting and design of buildings so as to reduce fire risk and damage, including appropriate building materials, static water supply, the location of storage areas for flammable materials, the nature and location of landscaping, windbreaks and road access
- The need to balance the protection of natural environmental values with fire protection objectives, including when deciding on vegetation management approaches or fuel reduction measures.

Clause 65 – Decision Guidelines requires decision makers to consider the following factors when making decisions about bushfire risk management in rural areas:
 

- The nature and location of the land and the surrounding area
- The nature and location of the buildings and other structures on the land
- The nature and location of the vegetation and other natural features on the land
- The nature and location of the roads and other infrastructure on the land
- The nature and location of the water supply and other services on the land
- The nature and location of the bushfire risk management measures on the land

The clause also sets out requirements for the design and construction of buildings in rural areas. This includes requirements for the siting and design of buildings, the use of building materials, and the location of storage areas for flammable materials. The clause also addresses the need to balance the protection of natural environmental values with fire protection objectives.

## 6 BUSHFIRE HAZARD SITE ASSESSMENT

### 6.1 THE SITE

The site is located on the corner of Road 100 and Road 101, approximately 100m from the intersection. The site is bounded by Road 100 to the north, Road 101 to the east, and a fence line to the south. The site is currently used for agricultural purposes and is surrounded by rural vegetation.

The site is situated in a rural area with a mix of agricultural land and residential properties. The surrounding area includes a public toilet, a church, and a food and wine company. The site is located near the Mansfield-Taleroo Rail Trail, which runs along the southern boundary of the site.

The site is bounded by Road 100 to the north, Road 101 to the east, and a fence line to the south. The site is currently used for agricultural purposes and is surrounded by rural vegetation. The site is located near the Mansfield-Taleroo Rail Trail, which runs along the southern boundary of the site.

The site is bounded by Road 100 to the north, Road 101 to the east, and a fence line to the south.



Figure 6: Aerial Image of site



Figure 7: Site assessment (150m radius)



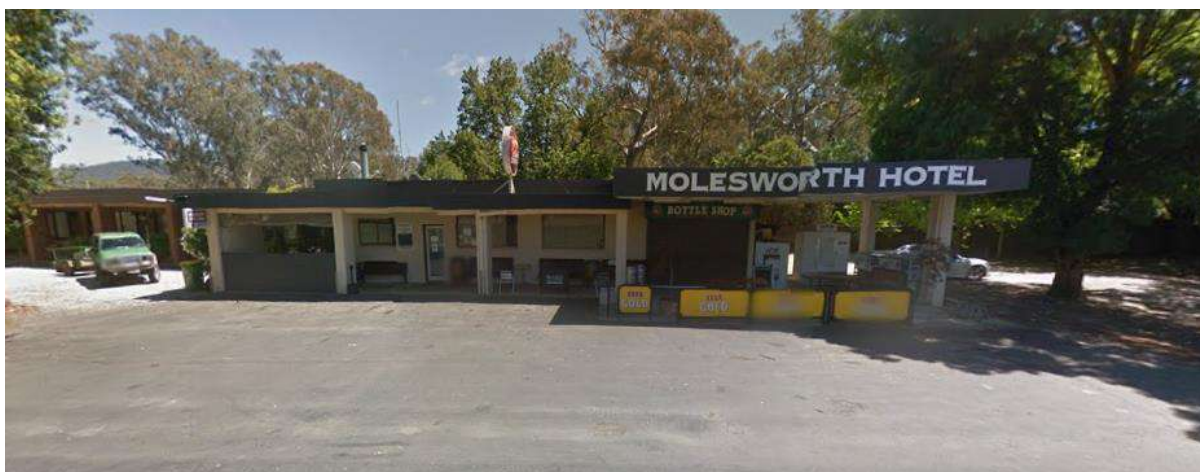
Photograph 1: Looking east across the site from the Goulburn Valley Highway towards the approximate location of the proposed dwelling (photos source: Google Maps)



Photograph 2: Looking south across the site from in front of the former Molesworth Hotel



Photograph 3: Looking at the neighbouring properties to the east of the site.



Photograph 4: Looking across the road from the site at the former Molesworth Hotel



Photograph 5: Small scattering of trees along the northern boundary of the site as it abuts the Goulburn Valley Highway



Photograph 6: Small cluster of shrubs along the western extremity of the subject site, here seen from Goulburn Valley Highway

## 6.2 BUSHFIRE BEHAVIOUR

The vegetation on the site is primarily native grassy woodland, which is considered to be of low bushfire risk. The vegetation is well-maintained and free of dead material, which further reduces the risk of bushfire. The site is also well-watered, which helps to keep the vegetation healthy and green.

The site is located in a low bushfire risk area, and the vegetation is well-maintained and free of dead material, which further reduces the risk of bushfire. The site is also well-watered, which helps to keep the vegetation healthy and green.








EMBER ATTACK	RADIANT HEAT	LOCALISED FLAME CONTACT	FLAME CONTACT FROM FIRE FRONT	EXTREME FIRE BEHAVIOUR
				
<ul style="list-style-type: none"> <li>• May occur from the hazard in very close proximity to a building (nearby trees, neighbouring houses).</li> <li>• May occur from fire behaviour in the surrounding landscape.</li> <li>• Most common way houses catch fire during a bushfire.</li> <li>• Occurs when small burning twigs, leaves and bark are carried by wind, landing in and around a building.</li> <li>• Can happen before, during and after a bushfire.</li> </ul>	<ul style="list-style-type: none"> <li>• Occurs from the hazard in close proximity to a building (up to 150 metres).</li> <li>• The heat you can feel from a fire.</li> <li>• Can ignite surfaces without flame contact or ember attack.</li> <li>• Dries out vegetation ahead of a bushfire so that it burns more readily.</li> </ul>	<ul style="list-style-type: none"> <li>• Occurs from the hazard in close proximity to a building (up to 50 metres).</li> <li>• Direct flame contact from individual elements, such as vegetation, fences or structures.</li> <li>• Burning elements may arrive from neighbouring land.</li> <li>• Can occur in areas where the vegetation is modified or is managed as a garden.</li> <li>• Not direct flame contact from a moving fire front.</li> </ul>	<ul style="list-style-type: none"> <li>• Occurs from the hazard in close proximity to a building (150 metres).</li> <li>• Direct flame contact from a fire front where vegetation is in a mostly natural state (such as in national parks).</li> <li>• Occurs when a building is in close proximity to the vegetation.</li> <li>• May arise in lower risk areas (such as from a local park) or in higher risk areas (larger vegetated areas such as forests and coastal reserves).</li> </ul>	<ul style="list-style-type: none"> <li>• Occurs from fire behaviour in the surrounding landscape, including where it interacts with the hazard in close proximity to a building.</li> <li>• Arises in high risk landscapes, with long fire runs, steep topography and vegetation in a mostly natural state.</li> <li>• Influenced by fuel loads and drought conditions.</li> <li>• Associated with high temperatures, wind, cyclonic winds, lightning.</li> <li>• Extreme ember attack will occur.</li> <li>• Associated with weather as seen on Black Saturday.</li> <li>• Any fire that starts and takes hold will be so intense that life safety may be seriously compromised.</li> </ul>

Figure 8: Forms of Bushfire Attack (DELWP, Planning Permit Applications Bushfire Management Overlay, Technical Guide)

Fire speed increases uphill. For every 10° slope, the fire will double its speed.

Fire speed decreases downhill. For every 10° of downhill slope, the fire will halve its speed.

(Source: DELWP, Planning Permit Applications Bushfire Management Overlay, Technical Guide)

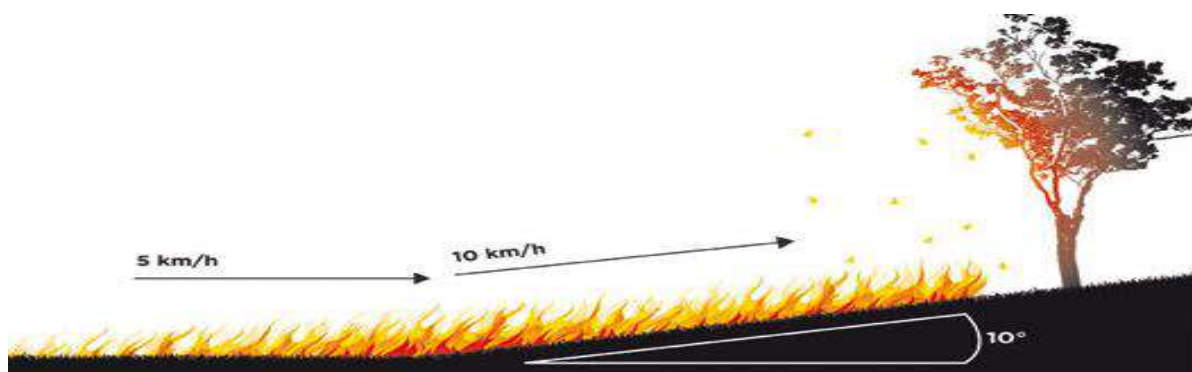


Figure 9: How fire speed increase uphill (source: DELWP, Planning Permit Applications Bushfire Management Overlay, Technical Guide)

Fire speed increases uphill. For every 10° slope, the fire will double its speed.

Fire speed decreases downhill. For every 10° of downhill slope, the fire will halve its speed.

Figure 10: Bushfire Behaviour

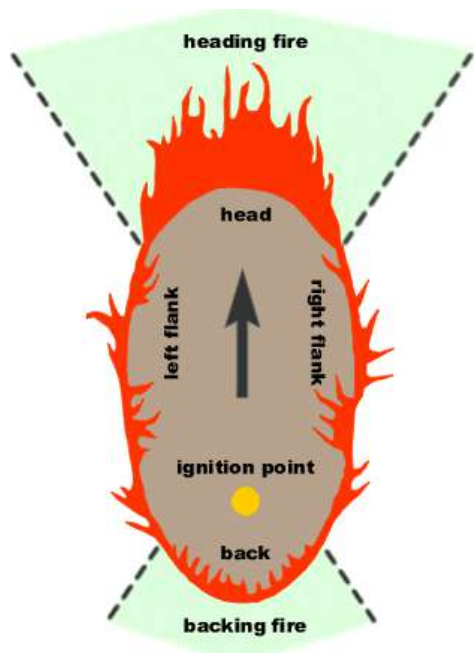


Figure 10: Bushfire Behaviour

- **Head fire** – the fire moving forward
- **Flank fire** – the fire moving along the sides
- **Back fire** – the fire moving backward

Figure 10: Bushfire Behaviour

### 6.3 VEGETATION

The Bushfire Management Overlay (BMO) and AS3959 are used to assess the risk of bushfire to buildings and infrastructure. The BMO is a zoning overlay that identifies areas at risk of bushfire and requires owners to take measures to reduce the risk. AS3959 is a standard that provides guidelines for the design and construction of buildings in bushfire-prone areas.

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- Vegetation of any type that is more than 100 m from the site.
- Single areas of vegetation less than 1 ha in area and not within 100 m of other areas of vegetation being classified.
- Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other or of other areas of vegetation being classified.
- Strips of vegetation less than 20 m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20 m of the site or each other, or other areas of vegetation being classified.
- Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, **roads**, footpaths, buildings and rocky outcrops.
- Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, **maintained lawns**, golf courses (such as playing areas and

fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), **cultivated gardens**, commercial nurseries, **nature strips** and windbreaks.

**NOTES:**

1. Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short-cropped grass for example, to a nominal height of 100 mm).
2. A windbreak is considered a single row of trees used as a screen or to reduce the effect of wind on the leeward side of the trees.

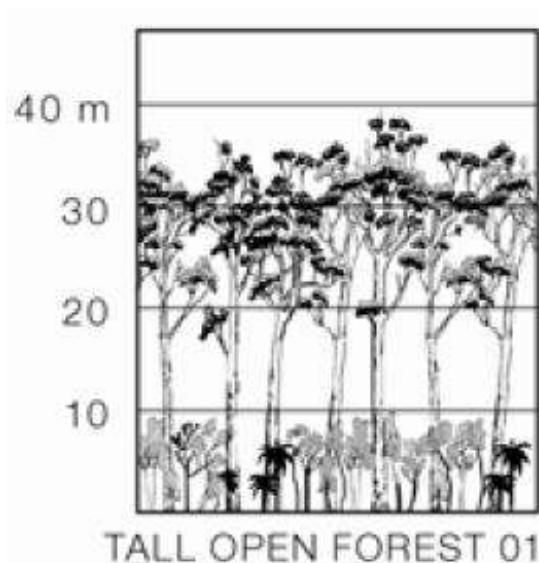


Photograph 7: Manicured gardens of residential property abutting the Molesworth Hotel



Photograph 8: Residential site abutting the subject site has managed gardens that present as low threat conditions.

The assessment area is bounded by the Mooloolah Creek Recreation Reserve to the north and the Mooloolah Creek to the east. The assessment area is bounded by the Mooloolah Creek to the north and the Mooloolah Creek to the east. The assessment area is bounded by the Mooloolah Creek to the north and the Mooloolah Creek to the east.

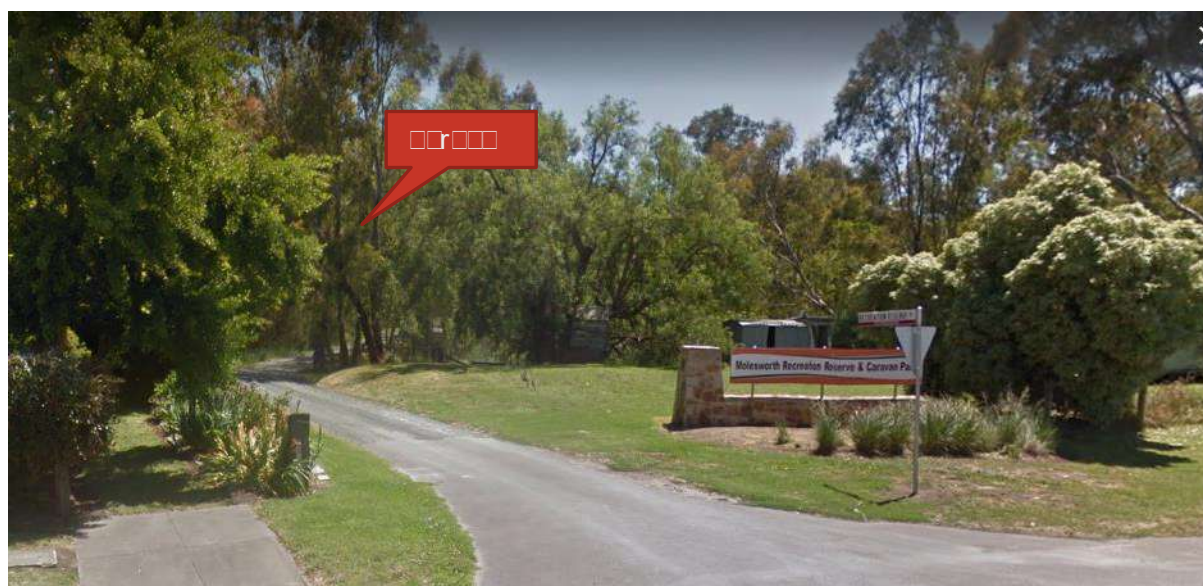


**Tall Open Forest:**

- 0-30 m tall trees
- 30-70 m tall trees (e.g. eucalyptus, acacia, or other species)
- scattered trees and shrubs

Figure 11: Tall Open Forest (Sourced from AS3959)

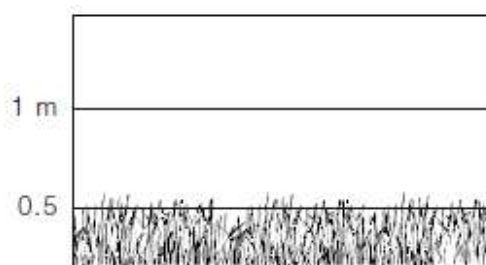
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Photograph 9: Forest canopy trees around the perimeter of the camping ground and recreation reserve at the northern extremity of the assessment area

The assessment area is bounded by the Mooloolah Creek Recreation Reserve to the north and the Mooloolah Creek to the east. The assessment area is bounded by the Mooloolah Creek to the north and the Mooloolah Creek to the east. The assessment area is bounded by the Mooloolah Creek to the north and the Mooloolah Creek to the east.

G Grassland (unmanaged) (Appears in Table 2.4.4 FDI 50 only (see Note 1))	Low open shrubland	19	All forms, including situations with shrubs and trees, if the overstorey foliage cover is less than 10%.
	Hummock grassland	20	
	Closed tussock grassland	21	
	Tussock grassland	22	
	Open tussock	23	
	Sparse open tussock	24	
	Dense sown pasture	25	
	Sown pasture	26	
	Open herbfield	27	
	Sparse open herbfield	28	



CLOSED TUSOCK GRASSLAND G-21



TUSOCK GRASSLAND G-22

Figure 12: Extract from AS3959 - Grassland



Photograph 10: Scattered trees on the site and behind the abutting residential properties to the east account for less than 10% canopy cover and as such is deemed as grassland.



Photograph 11: Looking south-east across grassland on site and surrounding areas

## 6.4 SLOPE

The site is located on a gentle slope of approximately 5% to 7% and is surrounded by grassland. The slope is consistent with the surrounding area and does not present any significant challenges for development. The site is situated on a gentle slope of approximately 5% to 7% and is surrounded by grassland. The slope is consistent with the surrounding area and does not present any significant challenges for development.

Molesworth Road and the surrounding area is a flat, open landscape with a few scattered trees and a large lagoon. The terrain is mostly level, with a few gentle slopes. The lagoon is a significant feature, and the surrounding area is a mix of open fields and some residential or commercial buildings. The road is a straight, paved road that runs through the center of the area.

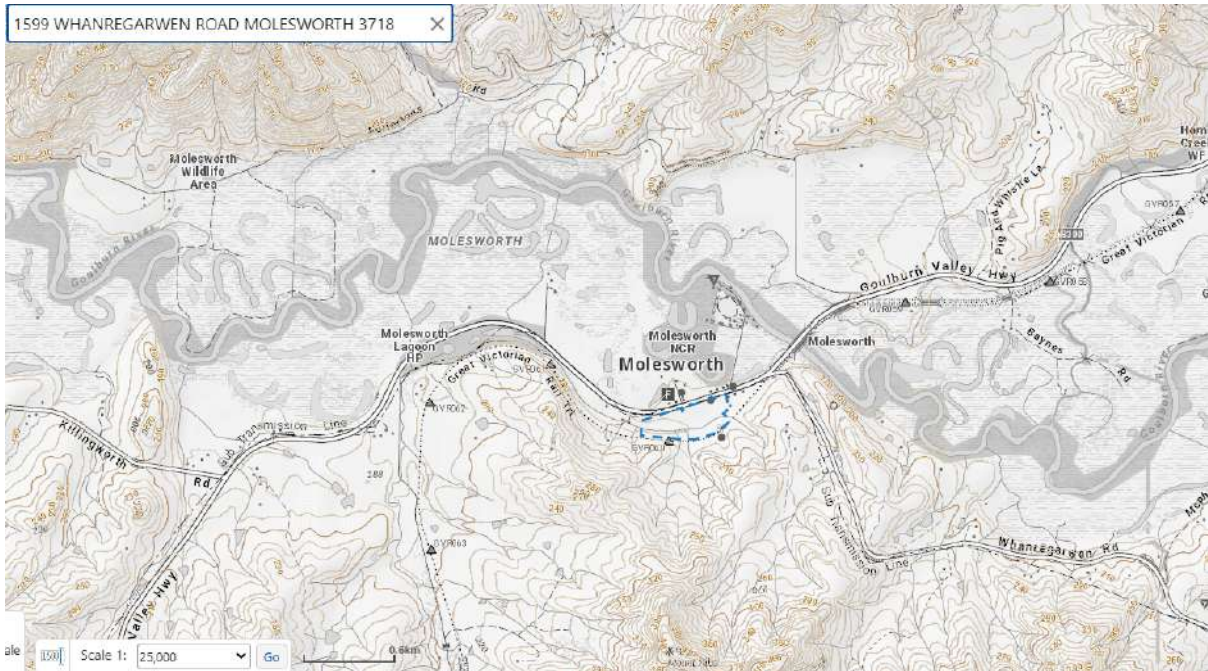


Figure 13: Topography in Surrounding Area (source: Vicplan, 10m contours indicated)

## 7 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

### 7.1 LANDSCAPE ASSESSMENT

Planning Permit Applications Bushfire Management Overlay (BMO) requires a Bushfire Hazard Landscape Assessment (BHLSA) for all applications for a BMO. The BHLSA is a detailed assessment of the bushfire hazard to the proposed development and the surrounding landscape. It is required for all applications for a BMO, regardless of whether the development is a new building or a modification to an existing building.

- The BHLSA should identify the bushfire hazard to the proposed development and the surrounding landscape.
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(Source: Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP, 2017).

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(Source: Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP, 2017).

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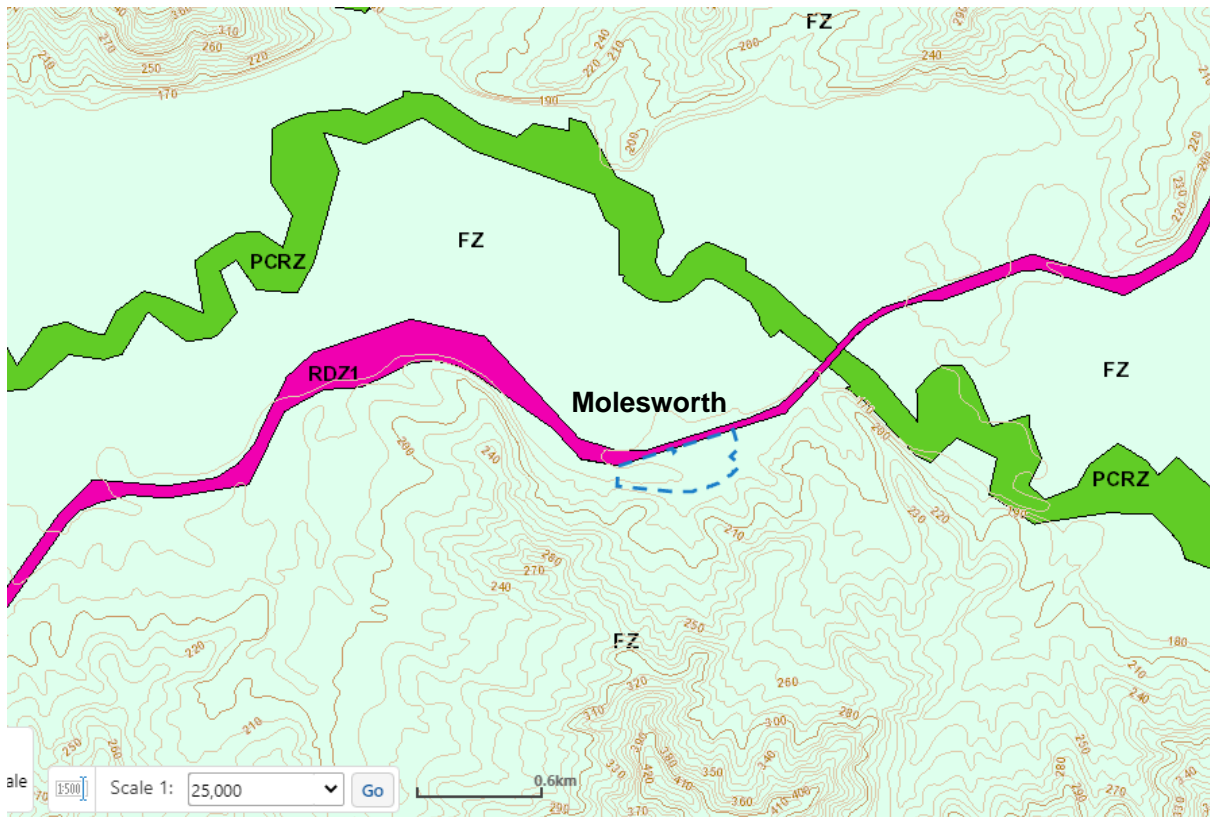


Figure 14: Surrounding Zoning (source: Vicplan)

The surrounding zoning is primarily Farm Zone (FZ) and Public Conservation Reserve Zone (PCRZ). The Molesworth area is zoned RDZ1. The map shows the layout of these zones relative to the Molesworth site, which is highlighted with a blue dashed circle.

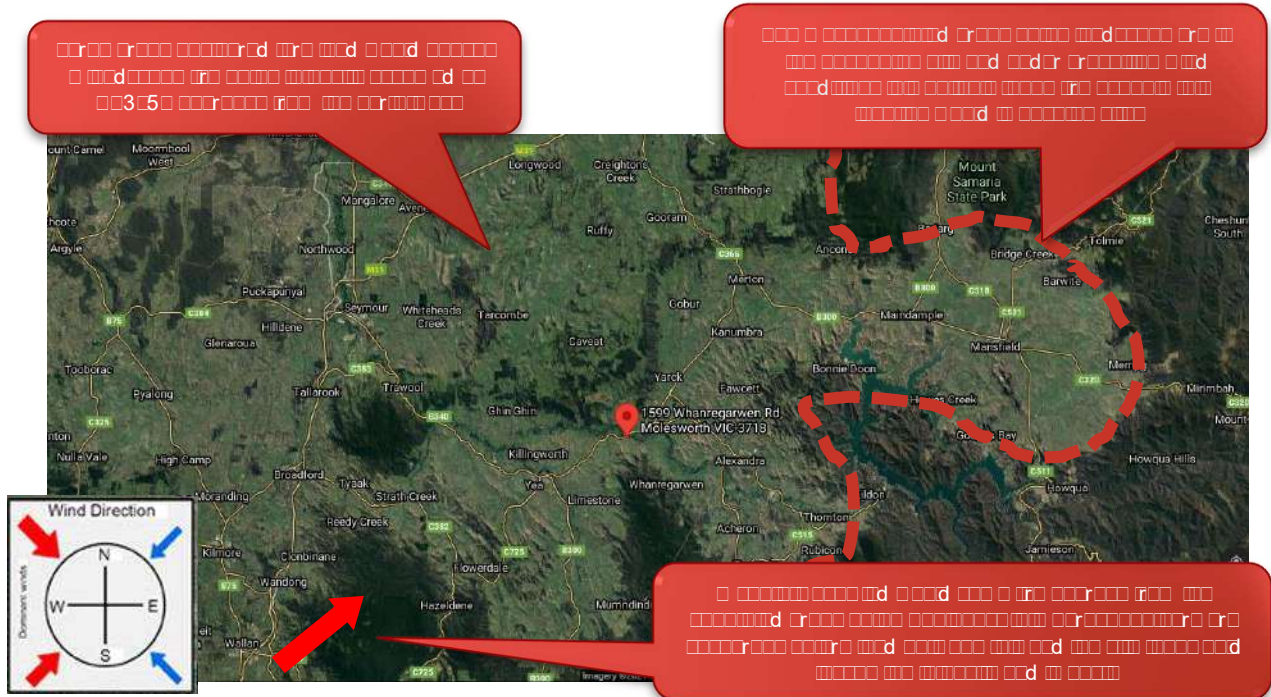


Figure 15: Landscape Assessment (potential fire runs indicated with red arrows, flank fire indicated by red dotted line).



... 5 ... M ...

- The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site;
Bushfire can only approach from one aspect and the site is located in a suburban, township or urban area managed in a minimum fuel condition;
Access is readily available to a place that provides shelter from bushfire. This will often be the surrounding developed area.

(source: Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP, 2017).

Murrindindi ...

Murrindindi Municipal Council (MMC) (2020 -2023) ...

Risk in Murrindindi

The vegetation and topography of the municipality create a number of challenges for fire management. The shire is heavily treed with 48% tree cover predominantly in the mountainous sections spread throughout of the shire including the sub alpine and alpine areas around Lake Mountain Alpine Resort. These areas have a number of steep escarpments and highly varying topography, are heavily vegetated, have limited access or egress and have a number of water courses flowing through them. Murrindindi Shire also has a number of neighbouring municipalities with a large percentage of tree cover and fires can spread from these municipalities into Murrindindi Shire or from Murrindindi Shire into these municipalities (e.g. Yarra Ranges). All of these factors combine to make fire control and response difficult in Murrindindi Shire.

The municipality of Murrindindi has experienced a number of fires over the years and was particularly impacted by the 2009 'Black Saturday' Fires. The combination of topography, climate, vegetation, coupled with the increasing number of people living in and visiting high fire risk localities during the fire danger period poses a significant issue for the municipality.

... 200 ... 5 ...

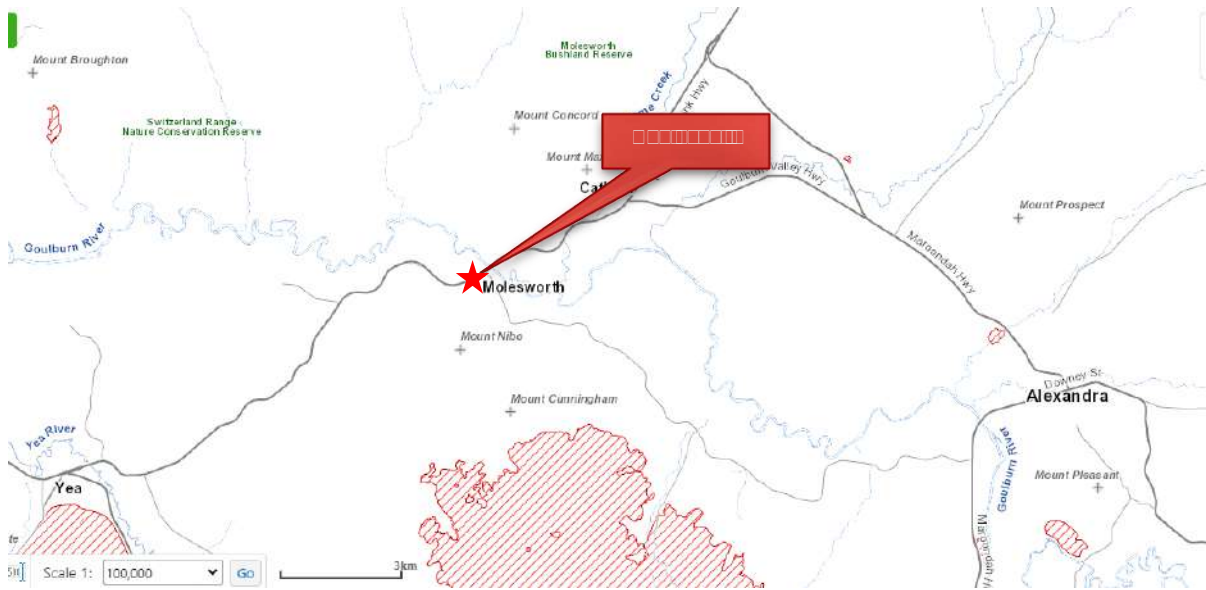


Figure 16: Bushfires in the region surrounding Molesworth (Naturekit)

### 7.2 BUSHFIRE SCENARIOS

As part of the project, a series of bushfire scenarios were developed to assess the potential impacts of bushfires on the project area. These scenarios were based on the location and extent of bushfires in the region surrounding Molesworth, as shown in Figure 16. The scenarios were developed using a combination of historical bushfire data and expert advice from local bushfire experts.

The scenarios were developed to assess the potential impacts of bushfires on the project area under a range of conditions. The scenarios were developed to assess the potential impacts of bushfires on the project area under a range of conditions. The scenarios were developed to assess the potential impacts of bushfires on the project area under a range of conditions.

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## 8 DEFENDABLE SPACE & CONSTRUCTION STANDARDS

### 8.1 DEFENDABLE SPACE

Defendable space is the area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire. The term 'defendable space' is defined as the area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire. The term 'defendable space' is defined as the area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.

*An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.*

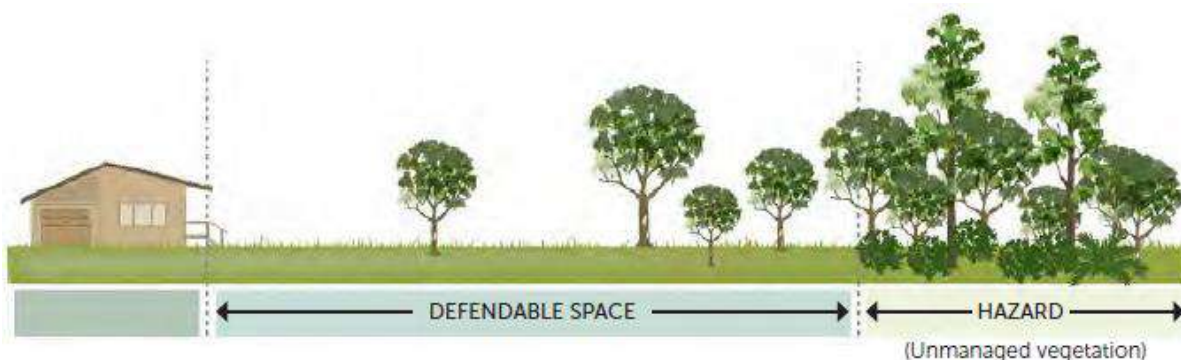


Figure 17: Defendable Space

### 8.2 CONSTRUCTION STANDARDS

AS 3959-2009 provides the minimum standards for the construction of buildings in bushfire-prone areas. The standards are based on the Bushfire Attack Level (BAL) and are designed to ensure that buildings are able to withstand the effects of bushfire. The standards are based on the Bushfire Attack Level (BAL) and are designed to ensure that buildings are able to withstand the effects of bushfire.



Figure 18: Defendable Space & Construction Requirements (source: DELWP)

Clause 53.02-5 requires that buildings in bushfire-prone areas must be constructed to meet the minimum standards for the construction of buildings in bushfire-prone areas. The standards are based on the Bushfire Attack Level (BAL) and are designed to ensure that buildings are able to withstand the effects of bushfire.

The minimum defendable space for Forest is 50m. The minimum defendable space for Grassland is 19m. The minimum defendable space for Low-threat is 2.5m. The minimum defendable space for Clause 53.02 is 2.5m.

Grassland (Upslope or flat)		Low Threat
BAL 12.5	19m	Defendable space is 50m for Forest and 2.5m for Low Threat.
BAL 19	3m	
BAL 29	2m	
BAL 40	2m	

Table 1: BAL & defendable space

The minimum defendable space for Forest is 50m. The minimum defendable space for Grassland is 19m. The minimum defendable space for Low-threat is 2.5m. The minimum defendable space for Clause 53.02 is 2.5m.

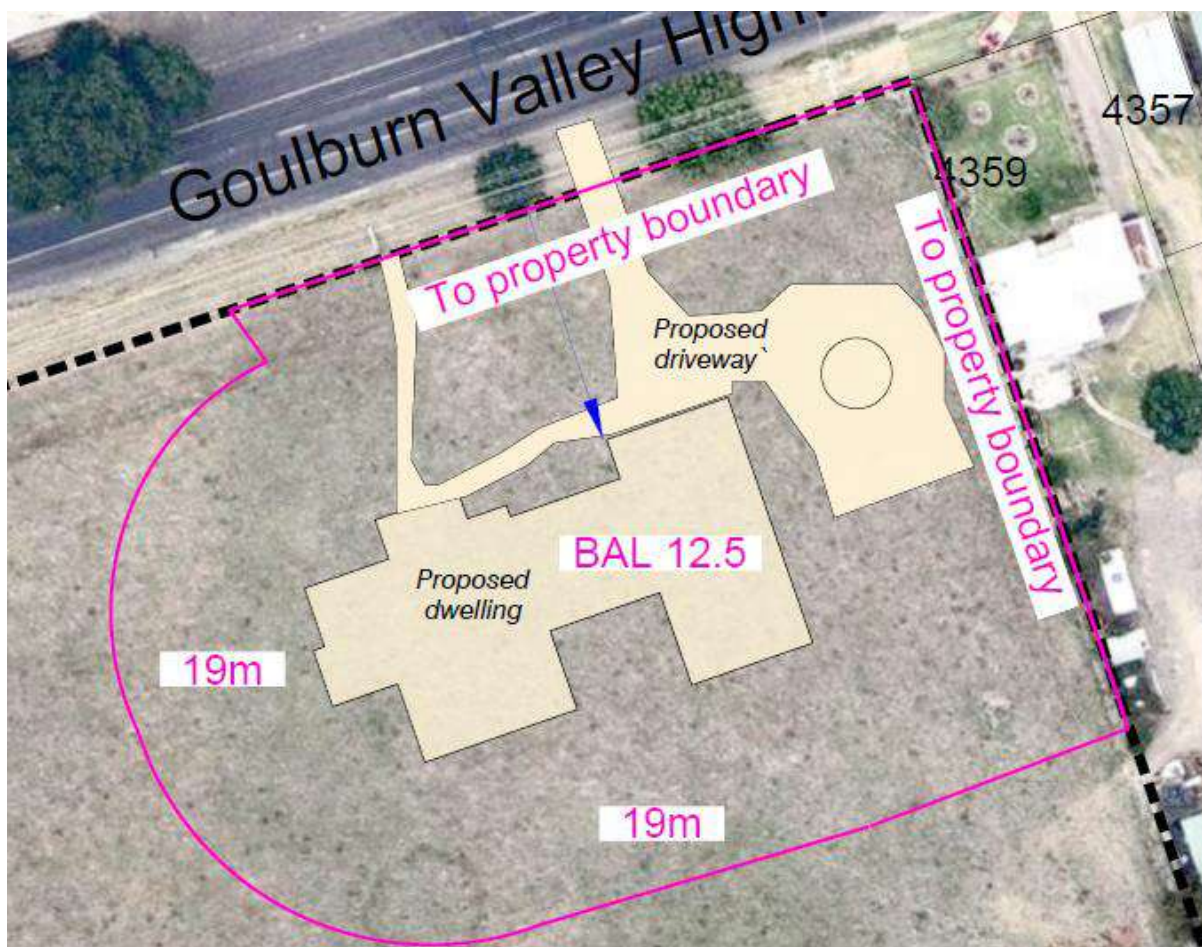


Figure 19: BAL 12.5 defendable space in response to varying conditions in each direction

8.3 VEGETATION MANAGEMENT

...

...

... Clause 53.02 ...

- Grass must be short cropped and maintained during the declared fire danger period.
• All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
• Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
• Plants greater than 10 centimetres in height at maturity must not be placed within 3 metres of a window or glass feature of the building.
• Shrubs must not be located under the canopy of trees.
• Individual and clumps of shrubs must not exceed 5sqm in area and must be separated by at least 5 metres.
• Trees must not overhang or touch any elements of the building.
• The canopy of trees must be separated by at least 5 metres.
• There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

... Landscaping for Bushfire ...

## 9 BUSHFIRE MANAGEMENT STATEMENT

The applicant is proposing to develop the subject land as a residential lot in accordance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.

- Development Objectives  
The development objectives are to ensure that the development is in accordance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.
- Approved Measures (AM)  
The applicant has implemented the following measures to ensure compliance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.
- Approved Measures (AM)  
The applicant has implemented the following measures to ensure compliance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.
- Development Objectives  
The development objectives are to ensure that the development is in accordance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.

Clause 53.02-3 requires that the development be in accordance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4 requires that the development be in accordance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.

Clause 53.02-4 requires that the development be in accordance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.

### 9.1 BUSHFIRE PROTECTION OBJECTIVES

#### REQUIREMENT

##### 53.02-4.1 Landscape, siting and design objectives

- Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.
- Development is sited to minimise the risk from bushfire.
- Development is sited to provide safe access for vehicles, including emergency vehicles.
- Building design minimises vulnerability to bushfire attack.

##### Approved Measures

###### AM 2.1

The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.

###### AM 2.2

A building is sited to ensure the site best achieves the following:

- The maximum separation distance between the building and the bushfire hazard.
- The building is in close proximity to a public road.
- Access can be provided to the building for emergency service vehicles.

###### AM2.3

The applicant has implemented the following measures to ensure compliance with the provisions of the Bushfire Planning (Clause 53.02) of the BMO and Clause 53.02 of the BMO.

**ASSESSMENT**

M2

It is considered that the proposed 7 storey structure complies with the relevant fire safety requirements. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.

The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. whereas heavier fuels may be ignited by the front but don't actually contribute to it. Implementation of the fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.

It is considered that the proposed structure complies with the relevant fire safety requirements. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.

M2:2

The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.

M 2:3

More structural details are provided to demonstrate compliance with the relevant fire safety requirements. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.

It is considered that the proposed structure complies with the relevant fire safety requirements. The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.

- The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.
- The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.
- The fire safety assessment is based on the assumption that the structure is protected by a fire resistant structure for a period of 2 hours.

**REQUIREMENT**

**53.02-4.2 Defendable Space and Construction**

- Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

**Approved Measures**

**AM 3.1**

A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person's unit, industry, office or retail premises is provided with defendable space in accordance with:

- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or
- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.

The building is constructed to the bushfire attack level that corresponds to the defensible space provided in accordance with Table 2 to Clause 53.02-5

**ASSESSMENT**

**AM 3**

Detailed description of the assessment for AM 3, including references to Table 2 and Clause 53.02-5, and the BAL-12.5 rating.

**REQUIREMENT**

**52.47-2.3 Water Supply and Access**

- A static water supply is provided to assist in protecting property.
- Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

**Approved Measures**

**AM 4.1**

- A building used for a dwelling is provided with:
  - A static water supply for firefighting and property protection purposes specified in Table 4 to Clause 53.02-5.
  - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.
- The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

**ASSESSMENT**

**AM 4**

Detailed description of the assessment for AM 4, including references to Clause 13.02L and Table 4.

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Additional assessment details for AM 4, including references to Clause 13.02L Bushfire Planning and Table 4.





Photograph 12: Fire hydrant located within 120m of the subject site.

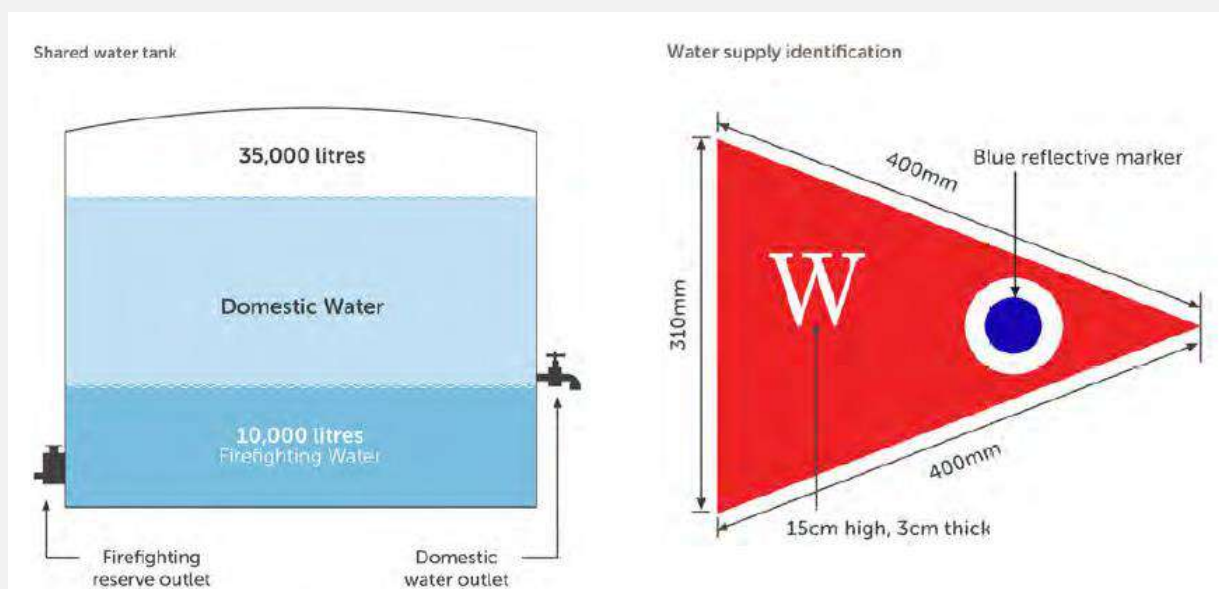


Figure 20: Water Tank Requirements (source: Technical Guide: Planning Permit Applications in the Bushfire Management Overlay – Sept 2017)

The diagram illustrates the requirements for a shared water tank and the identification of water supply. The tank must contain 35,000 litres of domestic water and 10,000 litres of firefighting water. The firefighting water must be stored in a separate compartment at the bottom of the tank, with a dedicated firefighting reserve outlet. The domestic water outlet is located on the right side of the tank. The water supply identification sign is a red pennant-shaped sign with a white border and a white "W" in the center. The sign is 310mm high, 15cm high, and 3cm thick. The top and bottom slanted sides of the sign are 400mm long. A blue reflective marker is located on the right side of the sign.

## 10 BUILDING REQUIREMENTS

The proposed development is **BAL-12.5** and should be designed to meet the requirements of the relevant building codes and standards.

The proposed development should be designed to meet the requirements of AS3959 and should be designed to meet the following requirements:

- Structural
- Fire safety
- Electrical
- Mechanical
- Fire-retardant treated timber
- R1000
- Fire-rated glass
- Fire and smoke protection

The proposed development should be designed to meet the requirements of the relevant building codes and standards and should be designed to meet the following requirements: 220mm and 225mm fire-rated glass

The proposed development should be designed to meet the requirements of the relevant building codes and standards for **BAL-12.5**

## 11 LANDSCAPING

The proposed development should be designed to meet the requirements of the relevant building codes and standards and should be designed to meet the following requirements: 3m

The proposed development should be designed to meet the requirements of the relevant building codes and standards and should be designed to meet the following requirements: Landscaping for Bushfire

## 12 CONCLUSION & RECOMMENDATIONS

The proposed development is designed to meet the requirements of the relevant building codes and standards and should be designed to meet the following requirements: 220mm and 225mm fire-rated glass

The proposed development is designed to meet the requirements of the relevant building codes and standards and should be designed to meet the following requirements: *Planning for Bushfire (Clause 53.02)*, *Bushfire Management Overlay*

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

When the development is completed, the applicant must ensure that the development complies with the requirements of the **BMO** and AS3959 and that the development is maintained to the satisfaction of the responsible authority on a continuing basis. The applicant must ensure that the development complies with the requirements of the **BMO** and AS3959 and that the development is maintained to the satisfaction of the responsible authority on a continuing basis.

- The applicant must ensure that the development complies with the requirements of the **BMO** and AS3959 and that the development is maintained to the satisfaction of the responsible authority on a continuing basis.
- The applicant must ensure that the development complies with the requirements of the **BMO** and AS3959 and that the development is maintained to the satisfaction of the responsible authority on a continuing basis.
- The applicant must ensure that the development complies with the requirements of the **BMO** and AS3959 and that the development is maintained to the satisfaction of the responsible authority on a continuing basis.

The applicant must ensure that the development complies with the requirements of the **Bushfire Management Overlay** and **Clause 53.02 – Bushfire Planning** and that the development is maintained to the satisfaction of the responsible authority on a continuing basis.

The applicant must ensure that the development complies with the requirements of the **Merrindind** and that the development is maintained to the satisfaction of the responsible authority on a continuing basis.

The applicant must ensure that the development complies with the requirements of the **Merrindind** and that the development is maintained to the satisfaction of the responsible authority on a continuing basis.

**Millar I Merrigan**

## 13 REFERENCES

Department of Environment, Land, Water and Planning

*Regional Bushfire Planning Assessment*

Department of Environment, Land, Water and Planning

- *Planning Permit Applications: Bushfire Management Overlay, Technical Guide (September 2017)*
- *MapShare*
- *VicPlan*
- *Naturekit*

Department of Environment, Land, Water and Planning

*FSG LUP 0002*

*Requirements for Water Supply & Access in the Bushfire Management Overlay*

Department of Environment, Land, Water and Planning

*FSG LUP 0003*

*Assessing Vegetation in a Bushfire management Overlay*

Department of Environment, Land, Water and Planning (2022)

*Planning for Bushfire Victoria, Guidelines for Meeting Victoria's Bushfire Planning Requirements*

Standards Australia (2009) *Standards Australia*

*AS3959 – Construction of Buildings in a Bushfire Prone Areas*

Department of Environment, Land, Water and Planning (2020)

*Fact Sheet No. 06*

Department of Environment, Land, Water and Planning (2020)

*Atlas of Australian Resources: Vegetation*

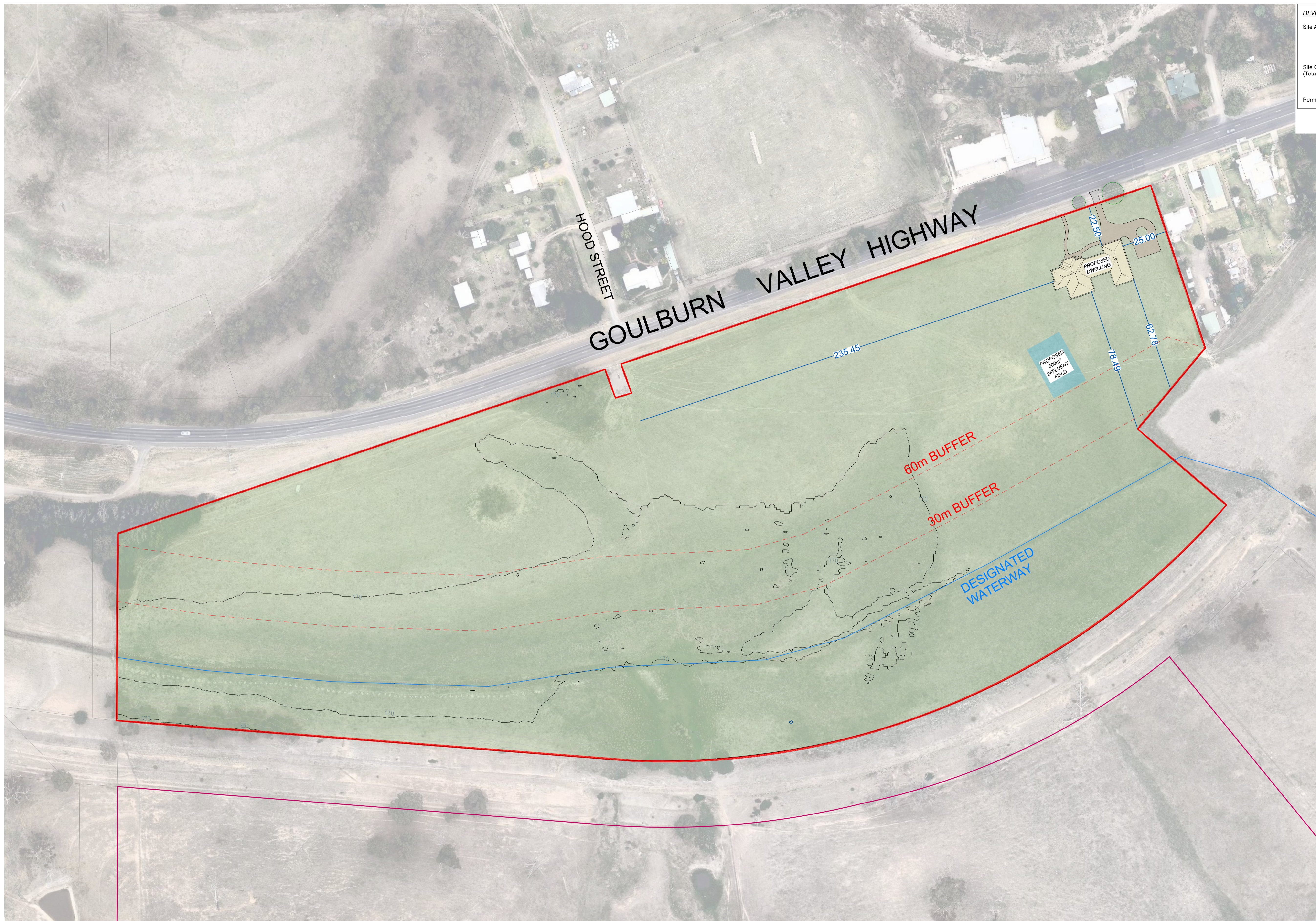
Marshall and Marshall

- *Vegetation of Victoria*
- *Vegetation of Victoria*
- *Marshall and Marshall's Vegetation of Victoria (2020-2023)*

## APPENDIX 1: DEVELOPMENT PLANS

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**DEVELOPMENT SUMMARY:**

Site Area:	11.4ha
Ground floor area (inc. garage & porch)-	621m²
Alfresco-	67m²
Total floor area-	688m² - 74sqgs
Site Coverage (buildings): (Total impervious area)	688m² = 0.6%
Gravel Driveways & path-	510m²
Permeable area:	99.4%

- NOTES:**
- This plan is to be read in conjunction with the Ground Floor Plan (27379P2), and the Building Elevations (27379P3). It has been prepared as part of a town planning submission.
  - Planning- The site is contained within the Farming Zone. It is covered by a Bushfire Management Overlay, Environmental Significance Overlay - Schedule 1, Flood Overlay, Land Subject to Inundation Overlay and Aboriginal Cultural Heritage Sensitivity.
  - Proposal- It is proposed to construct a single dwelling on a block.
  - Car Parking & Access- The proposed single storey dwelling has nine bedrooms and an attached double garage. Access- A proposed concrete crossover will provide private access off Whanregarwen Road.
  - Contours shown are to the Australian Height Datum.
  - A effluent field is proposed for sewer and wastewater.

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Version	Description	Drafted	Checked	Issue Date
01	Prepared for planning purposes	CB	MB	22/07/2021

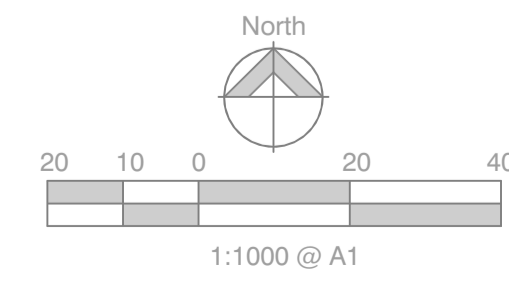
**SUBJECT TO APPROVAL**

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Land Development Consultants

Civil Engineering  
Land Surveying  
Landscape Architecture  
Project Management  
Town Planning  
Urban Design  
SAI GLOBAL Quality ISO 9001

**Millar & Merrigan Pty Ltd** ACN 005 541 668  
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 www.millarmerrigan.com.au  
 admin@millarmerrigan.com.au



**OVERALL SITE LAYOUT PLAN  
PROPOSED DEVELOPMENT**

Lot 3, 1599 Whanregarwen Road, Molesworth  
Murrindindi Shire Council

**27379 P1**  
Version 01



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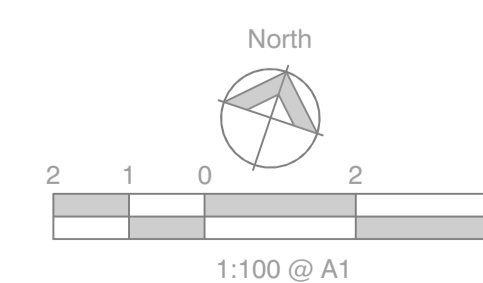
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01	Prepared for planning purposes	CB	MB	22/07/2021

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admin@millarmerrigan.com.au



**GROUND FLOOR PLAN**

**PROPOSED DEVELOPMENT**

Lot 3, 1599 Whanregarwen Road, Molesworth  
Murrumbidgee Shire Council

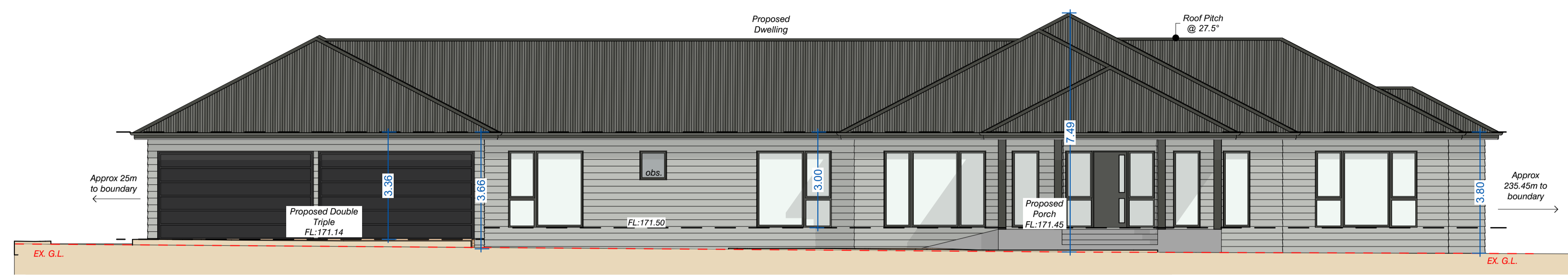
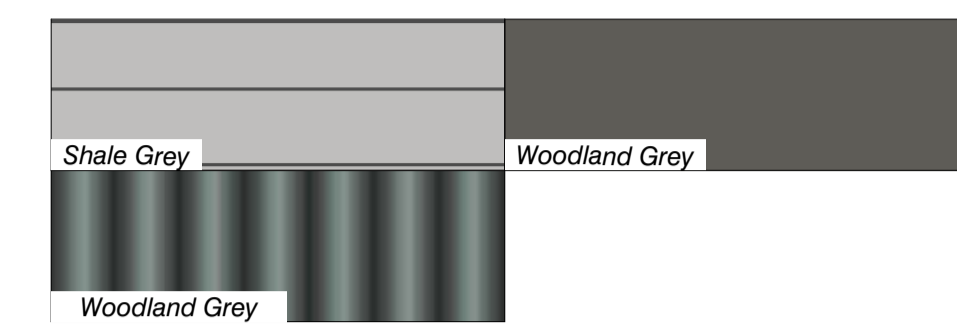
**27379 P2**  
Version 01

**SUBJECT TO APPROVAL**

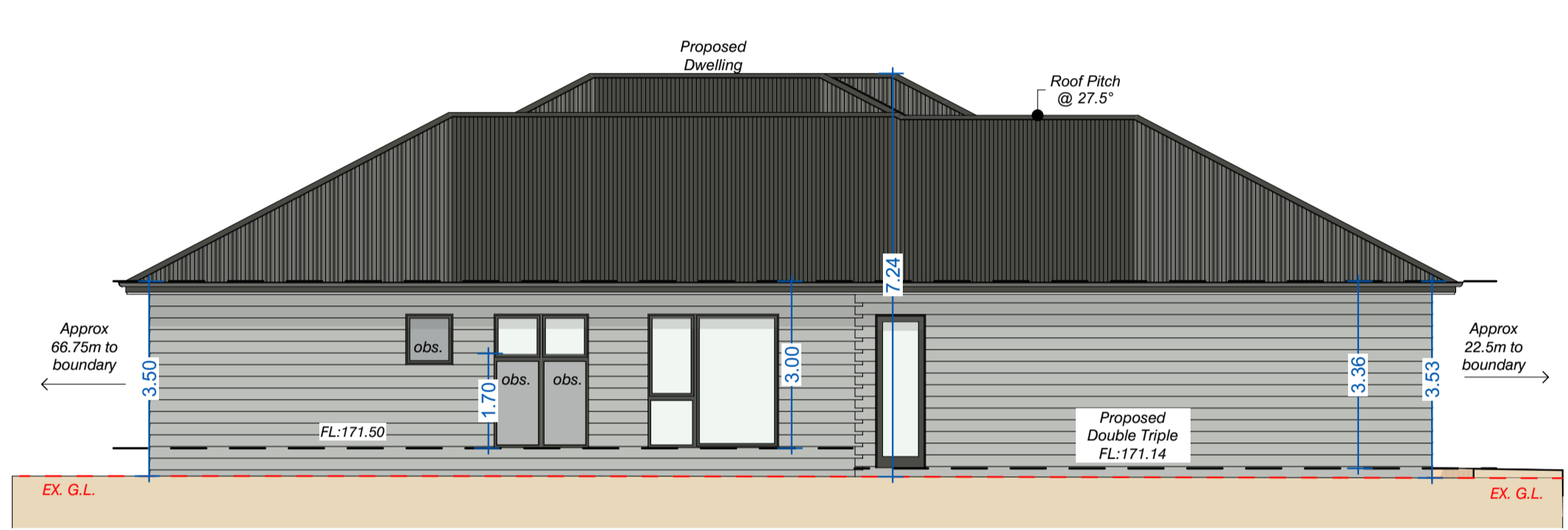
**MATERIALS, FINISHES & COLOURS:**

External Walls:	Weatherboard	James Hardie	'Shale Grey'
External Render Post:	Rendered	Colorbond	'Woodland Grey'
Roofing:	Bluescope	Colorbond	'Woodland Grey'
Gutters:	Metal	Colorbond	'Woodland Grey'
Fascias:	Metal	Colorbond	'Woodland Grey'
Window & Door Frames:	Aluminium	Colorbond	'Woodland Grey'
Garage Door:	Panels	Colorbond	'Woodland Grey'

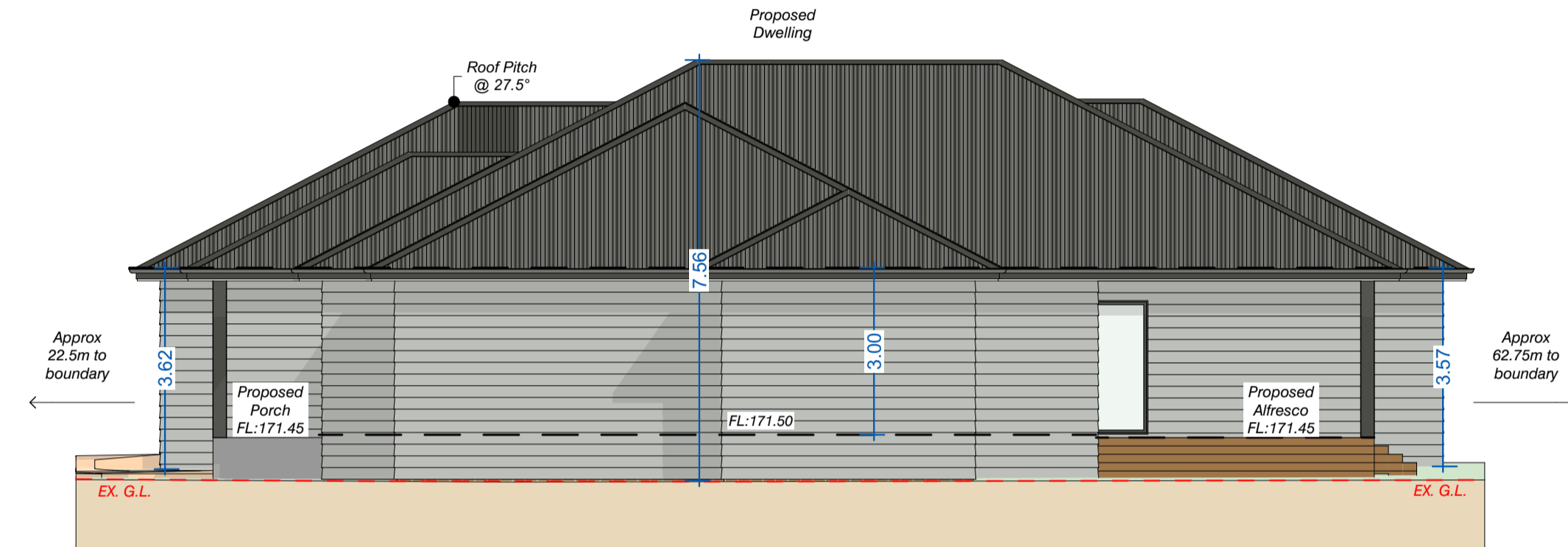
Note: Colours may be similar to those listed above to allow for variation between brands



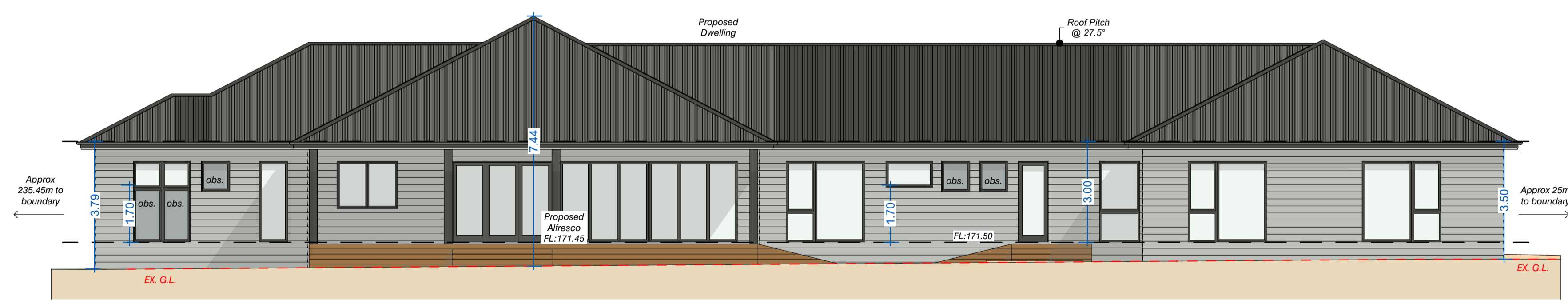
**LOT 3: 1599 WHANREGARWEN ROAD - STREETSCAPE NORTH ELEVATION**



**EAST ELEVATION**



**WEST ELEVATION**



**SOUTH ELEVATION**

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Version	Description	Drafted	Checked	Issue Date
01	Prepared for planning purposes	CB	MB	22/07/2021

**SUBJECT TO APPROVAL**

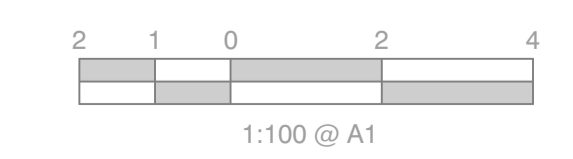
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**BUILDING ELEVATIONS**  
PROPOSED DEVELOPMENT  
Lot 3, 1599 Whanregarwen Road, Molesworth  
Murrindindi Shire Council

**27379 P3**  
Version 01



## APPENDIX 3: PROPERTY REPORT

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From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 05 July 2021 04:18 PM

## PROPERTY DETAILS

Lot and Plan Number: **Lot 3 TP10492**  
 Address: **1599 WHANREGARWEN ROAD MOLESWORTH 3718**  
 Standard Parcel Identifier (SPI): **3\TP10492**  
 Local Government Area (Council): **MURRINDINDI**  
 Council Property Number: **5404 (Part)**  
 Planning Scheme: **Murrindindi**  
 Directory Reference: **Vicroads 62 A4**

[www.murrindindi.vic.gov.au](http://www.murrindindi.vic.gov.au)

[Planning Scheme - Murrindindi](#)

This parcel is one of 12 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

## UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**  
 Urban Water Corporation: **Goulburn Valley Water**  
 Melbourne Water: **Outside drainage boundary**  
 Power Distributor: **AUSNET**

## STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**  
 Legislative Assembly: **EILDON**

## OTHER

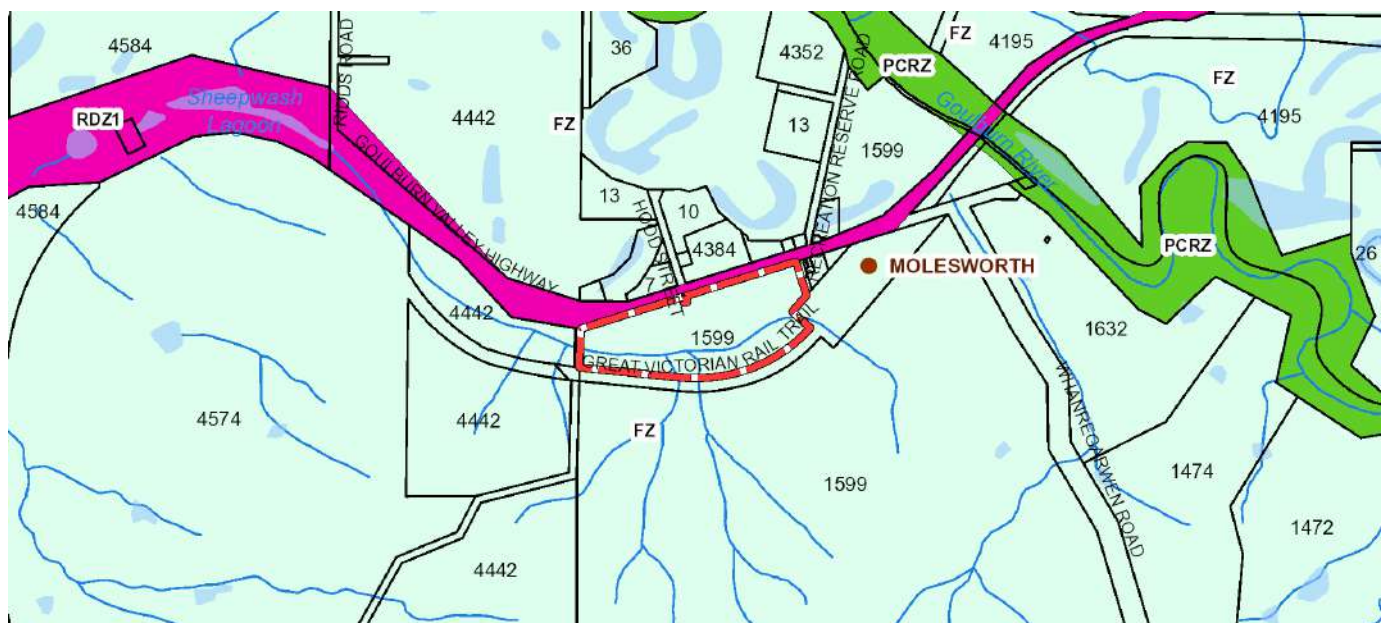
Registered Aboriginal Party: **Taungurung Land and Waters Council Aboriginal Corporation**

[View location in VicPlan](#)

## Planning Zones

[FARMING ZONE \(FZ\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\)](#)



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

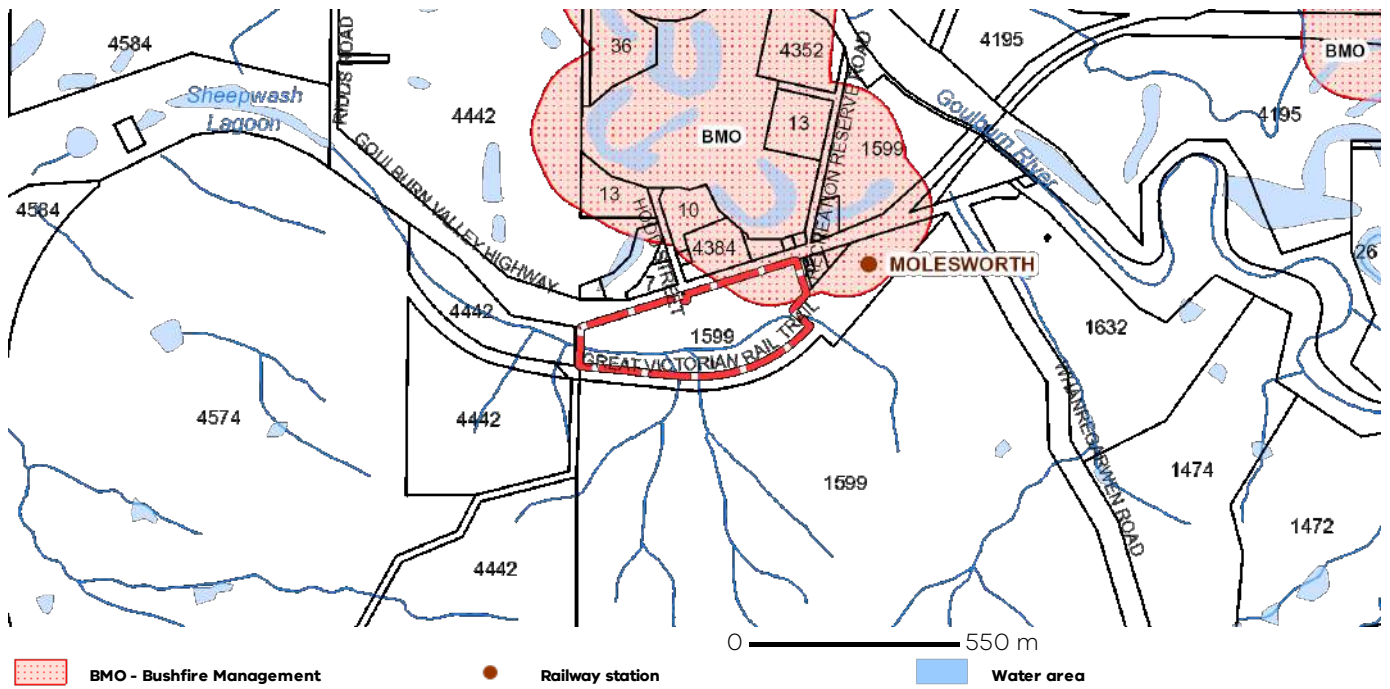
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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

## Planning Overlays

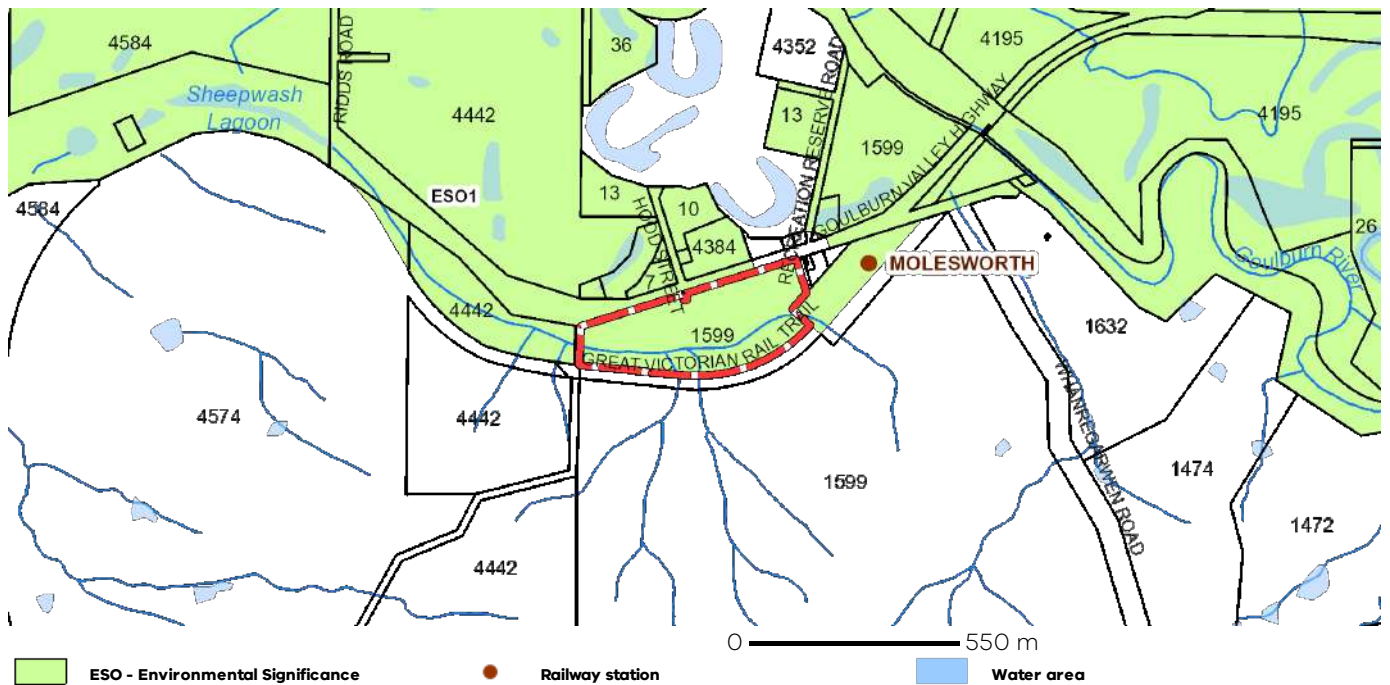
### BUSHFIRE MANAGEMENT OVERLAY (BMO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

### ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

#### ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)

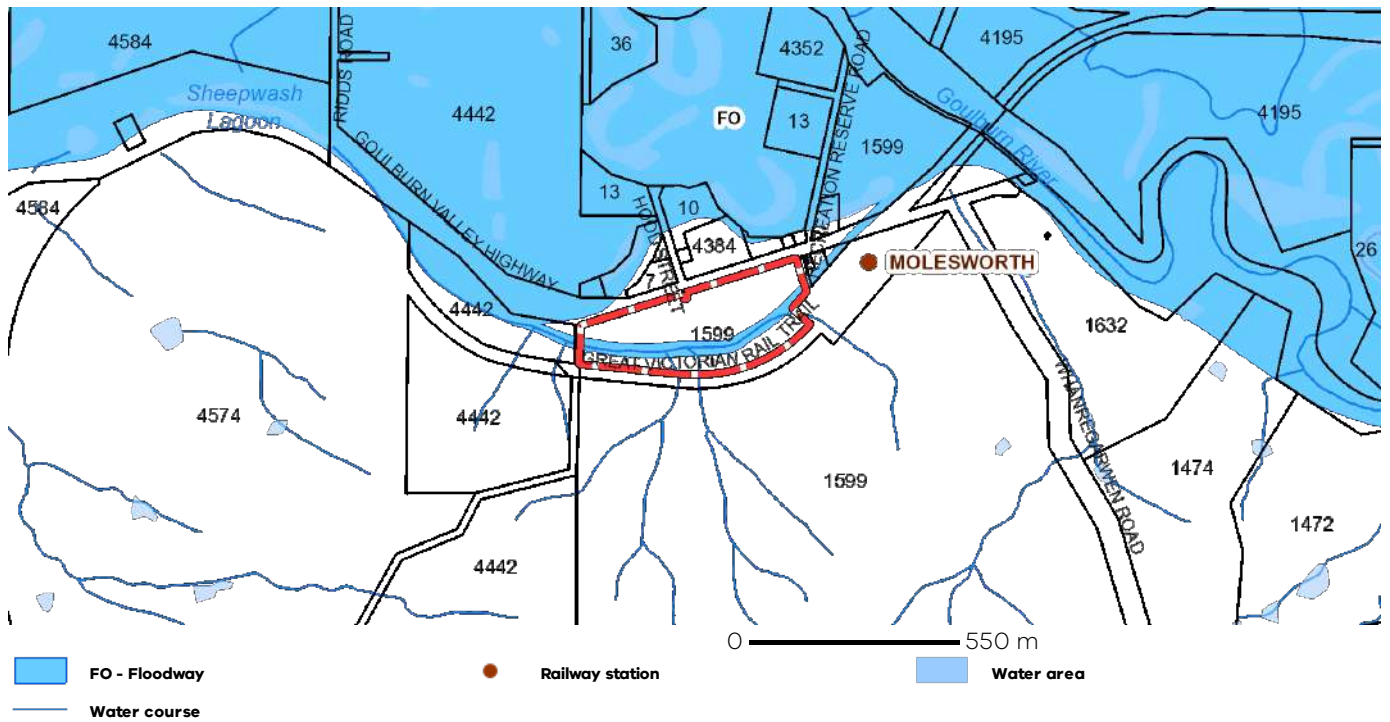


Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

## Planning Overlays

### FLOODWAY OVERLAY (FO)

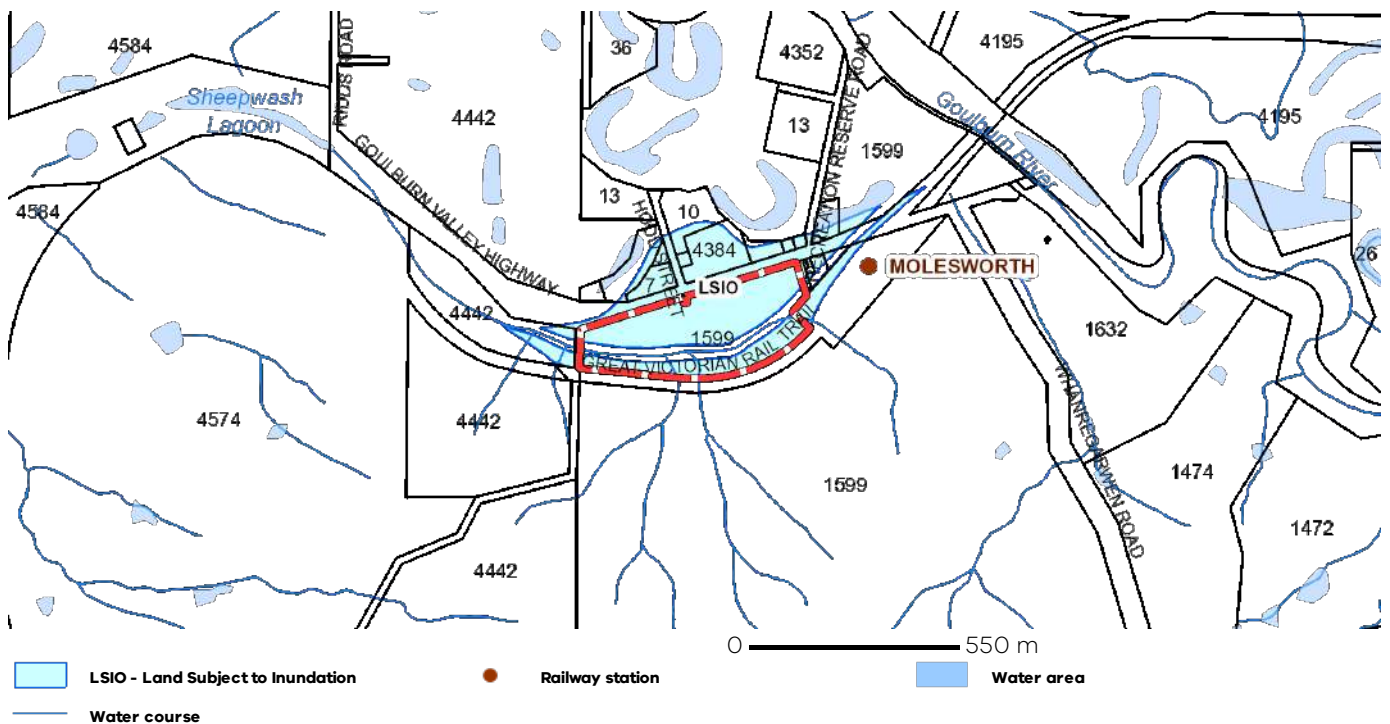
### FLOODWAY OVERLAY SCHEDULE (FO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

### LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

### LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)



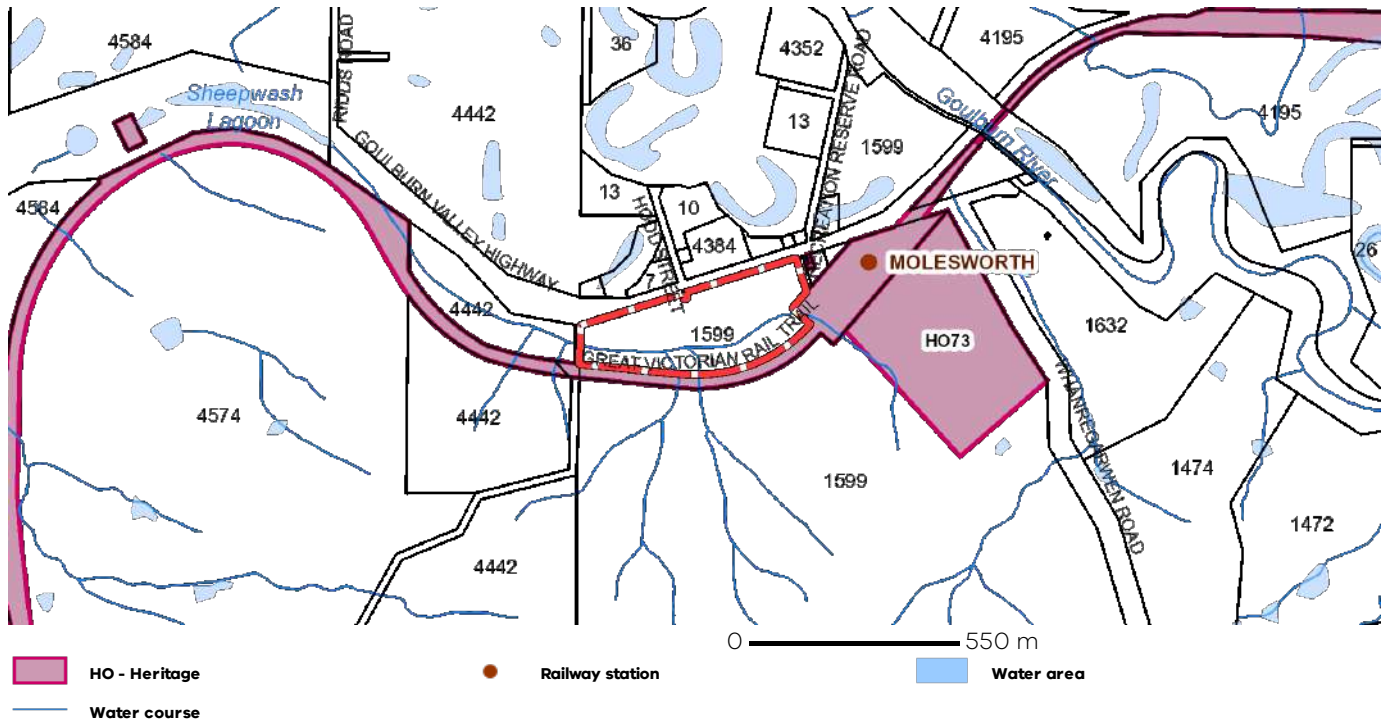
Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

## Planning Overlays

### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

#### HERITAGE OVERLAY (HO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

## Areas of Aboriginal Cultural Heritage Sensitivity

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

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

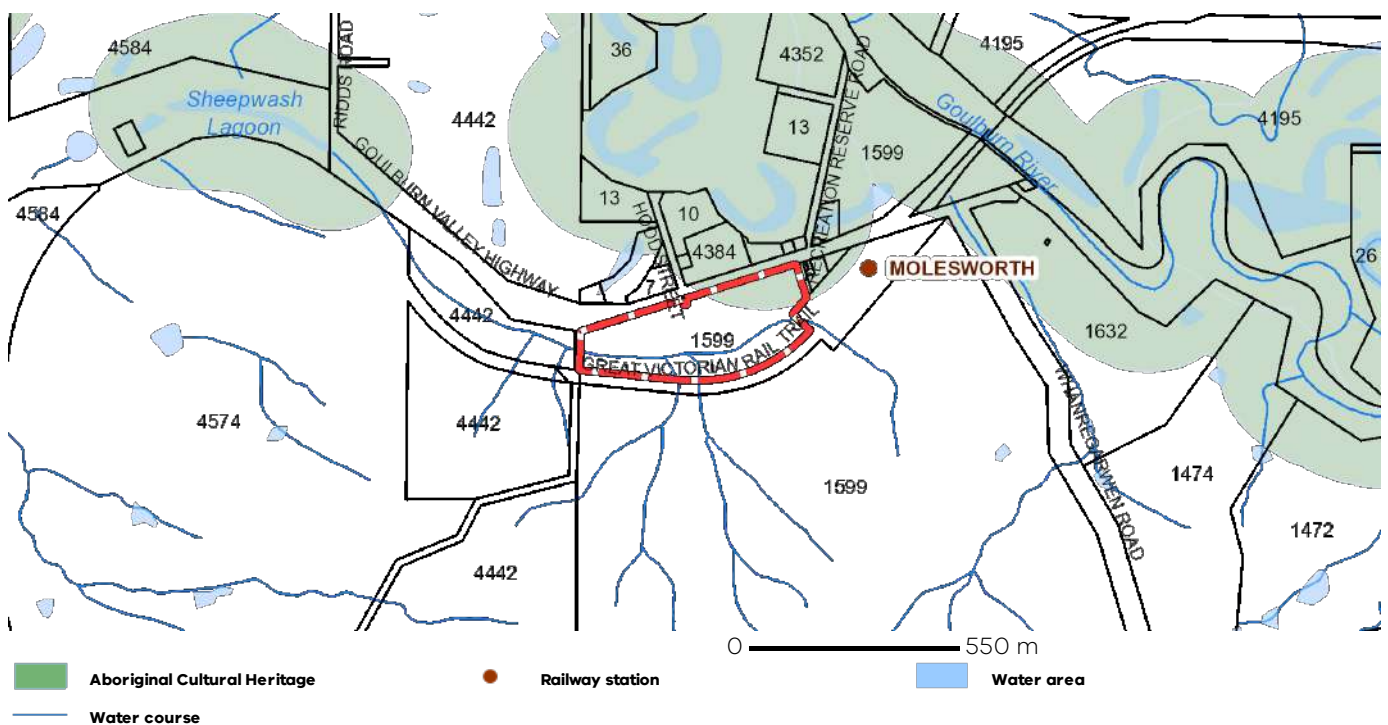
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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

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

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

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



## Further Planning Information

Planning scheme data last updated on 30 June 2021.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

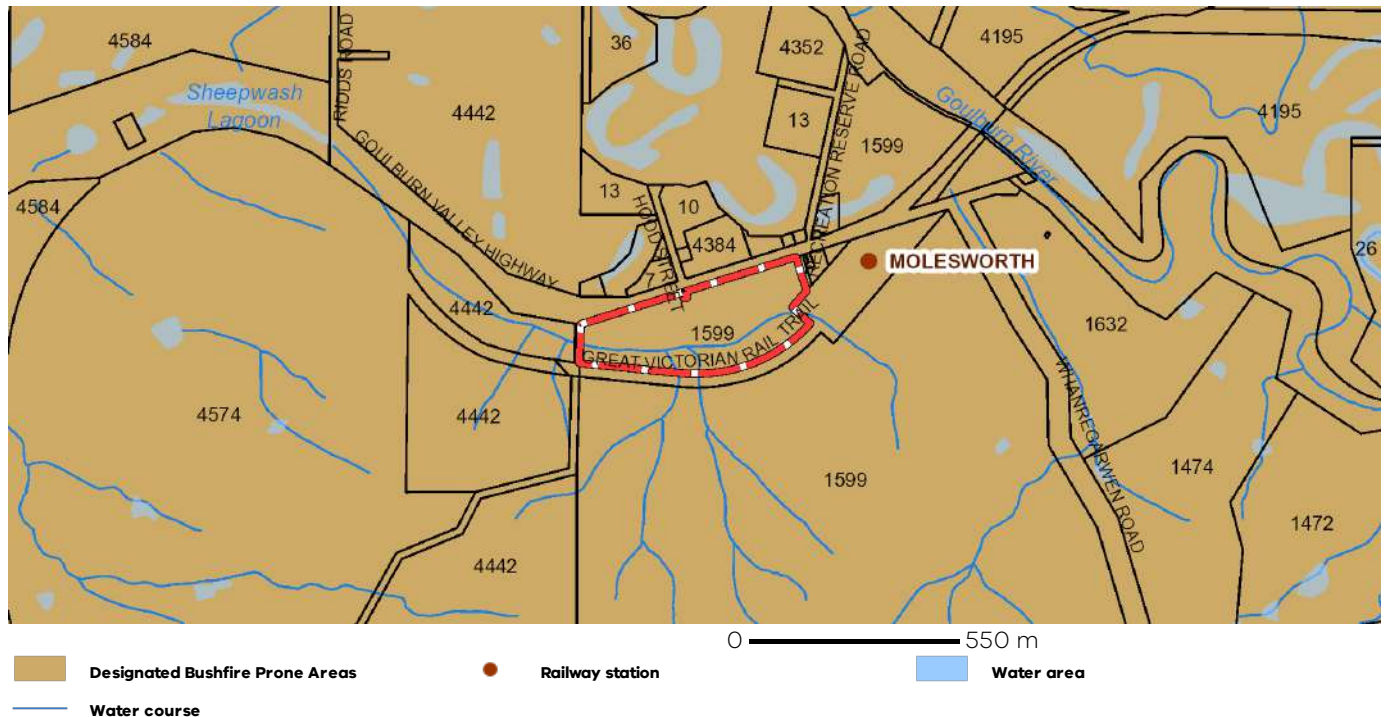
For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

## Designated Bushfire Prone Areas

**This parcel is in a designated bushfire prone area.**  
**Special bushfire construction requirements apply. Planning provisions may apply.**



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <https://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>

Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

## Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on his property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://www.environment.vic.gov.au/) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://www.environment.vic.gov.au/naturekit/)



## APPENDIX 4: BUSHFIRE MANAGEMENT PLAN

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**Construction Standard:**

The dwelling is to be designed and constructed to a minimum construction standard of BAL-12.5

**Access:**

Access for fire fighting vehicles must meet the following requirements:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a trafficable width of 3.5m.
- Be clear of encroachments for at least 0.5m on each side and 4m vertically.
- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 percent)(8.1 degrees) with a maximum of no more than 1 in 5 (20 percent) (11.3 degrees) for no more than 50m.
- Dips must have no more than a 1 in 8 (12.5 percent) (7.1 degrees) entry and exit angle.

**Defendable Space:**

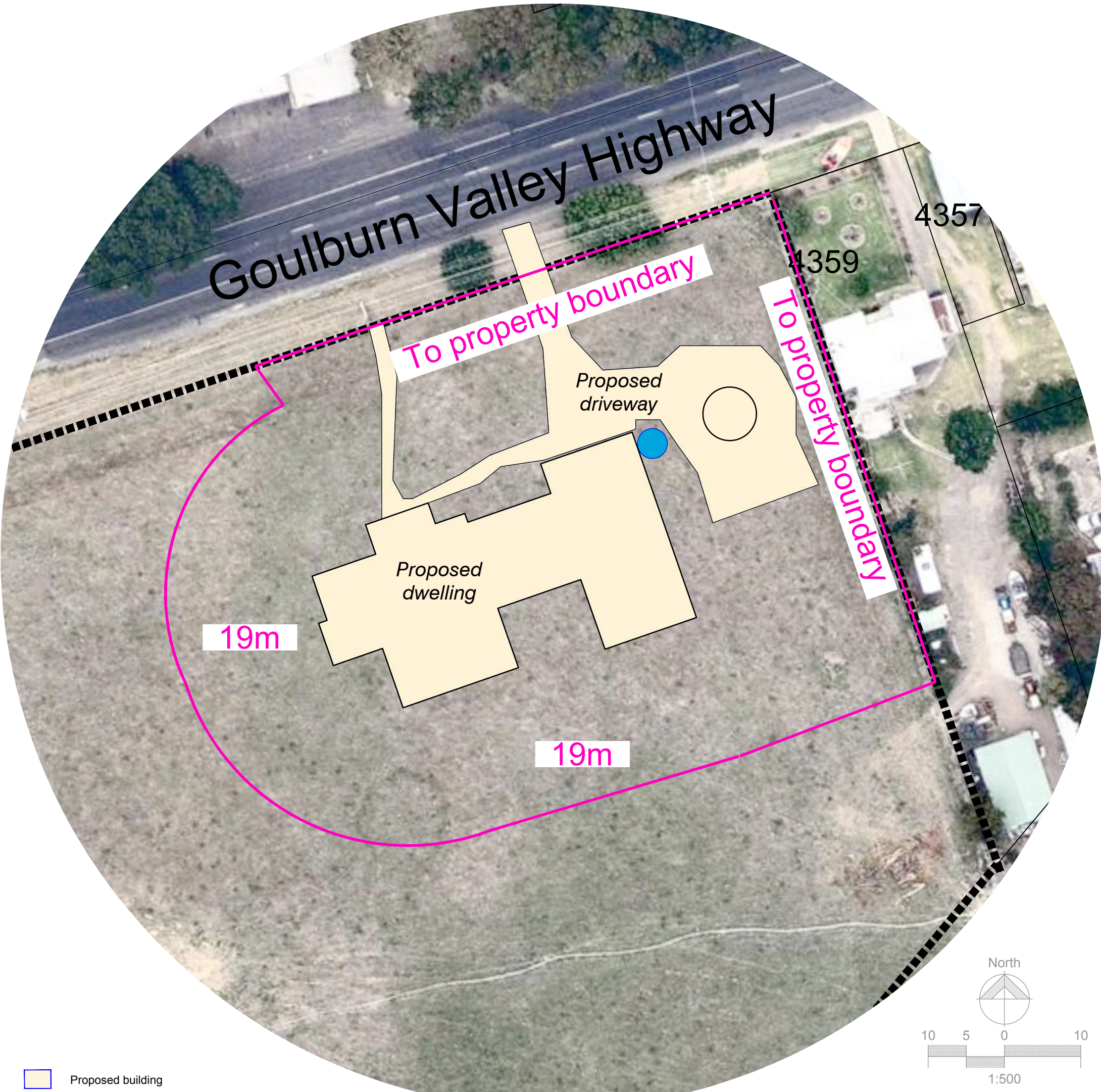
Defendable space will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5sqm in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

**Water Supply:**

A minimum 10,000L effective water supply for fire fighting purposes is to be installed. Water supply must meet the following requirements:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for fire fighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable fro the building or appropriate identification signage to the satisfaction of the responsible authority.
- Be located within 60m of the outer edge of he approved building
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).



- Proposed building
- Site Boundary
- Defendable space
- Proposed water tank
- Access

# Millar | Merrigan

## BUSHFIRE MANAGEMENT PLAN

Lot 3, 1599 Whanregarwen Road, Molesworth  
27379 BMP1 (July 2021)