



Application for a Planning Permit

Lodgement Date: **14 March 2025**

Application Number: **PLA0039/25**

Lodgement Method: **Online**

Original Permit Number: **Not Applicable**

- ◆ Original Permit Number only relates to Amendment Applications
- ◆ All information in this form was submitted by the Applicant at the time of Lodgement.

The Land

Property Address*	45-47 Loch Street YARRAGON VIC 3823
Land Legal Description*	V 6117 F 233 Lot 2 LP 320024 Warragul Parish
Other Related Property	
Other Related Land	V 6117 F 233 Lot 2 LP 320024 Warragul Parish

The Proposal

Category*	Subdivision of 2 Lots
Proposal*	Subdivision of land into two (2) lots.
Estimated Cost*	\$0.00

Application Information

Pre-Application Meeting*	No
Existing Land Use*	Residential / Accommodation
Encumbrances on Title*	No

Applicant and Owner Details

Applicant Details*

Surname/Company:

First Name:

Postal Address:

Mobile Phone:

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Work Phone:

Email Address:

Advertised

Agent/Contact Details

Surname/Company:

First Name:

Postal Address:

Mobile Phone:

Work Phone:

Home Phone:

Email Address:

Owner Details*

Surname/Company:

Attachment Details

Town Planning Report (DOC-25-25933)

Arborist Report (DOC-25-25934)

Clause 56 Assessment (DOC-25-25935)

PS320024B (DOC-25-25936)

Volume_10111_Folio_242_VicPackageSearch_1741926971 (DOC-25-25937)

321976-FS00_AERIAL Image (DOC-25-25938)

Subdivision Plan (DOC-25-25939)

Applicant Declaration

I understand and declare that:

- I am the Applicant;
- all information provided within this application is true and correct; and
- the property/land owner (if not myself) has been notified of the application.

*I agree to the declaration terms**

Yes

The personal information requested on this form is being collected to enable council to consider the permit application. Council will use this information for this purpose or one closely related and may disclose this information to third parties for the purpose of their consideration and review of the application.

These third parties generally include, but are not limited to:

Transport Infrastructure Agencies such as VicRoads and VLine

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The specific referral bodies will be dependent on factors such as the proposed activities and the location of the applicable property. Applicants are encouraged to familiarise themselves with potential referral bodies. 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 of the application as part of a planning process specified in the Planning and Environment Act 1987.

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

Page 1 of 1

VOLUME 10111 FOLIO 242

Security no : 124122845769T
Produced 14/03/2025 03:33 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 320024B.
PARENT TITLE Volume 06117 Folio 233
Created by instrument PS320024B 22/04/1993

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE S774722U 05/11/1993
COMMONWEALTH BANK OF AUSTRALIA

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 PS320024B 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: 45-47 LOCH STREET YARRAGON VIC 3823

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

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PLAN OF SUBDIVISION

Stage No. LTO use only

EDITION 1

P.S. 320024B Advertised

Location of Land

Parish: WARRAGUL
Township: YARRAGON
Section: 11
Crown Allotment: 12 (PART)
Crown Portion: _____
(5898)
LTO base record: LITHO TOWNSHIP OF YARRAGON
Title References: VOL 6117 FOL 233

Last Plan Reference: _____
Postal Address: 45-47 LOCH STREET SOUTH
YARRAGON

AMG Co-ordinates: E 417700
(Of approx. centre of plan) N 5770560 Zone 55

Vesting of Roads or Reserves

Identifier	Council/ Body/ Person
Nil	Nil

Council Certification and Endorsement

Council Name: SHIRE ON NARRACAN Ref: 882415

- This plan is certified under section 6 of the Subdivision Act 1988.
- ~~This plan is certified under section 11(7) of the Subdivision Act 1988.~~
~~Date of original certification under section 6 / /~~
- This is a statement of compliance issued under section 21 of the Subdivision Act 1988.

Open Space

(I) A requirement for public open space under section 18 Subdivision Act 1988 ~~has~~ / has not been made.

~~(II) The requirement has been satisfied.~~

~~(III) The requirement is to be satisfied in Stage~~

Council Delegate
Council Seal

Date 12 / 11 / 92

Notations

Depth Limitation:
15.24 METRES BELOW THE SURFACE

Staging This ~~is~~ / is not a staged subdivision
Planning Permit No.

THE LAND BEING SUBDIVIDED IS SHOWN ENCLOSED
BY CONTINUOUS THICK LINES.

Survey:- This plan ~~is~~ / is not based on survey.

To be completed where applicable.

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

Easement Information

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/ In Favour Of
E-1	SEWERAGE	3	THIS PLAN	LATROBE REGION WATER AUTHORITY

LTO use only
Statement of Compliance
/ Exemption Statement

Received ☒

Date 19 / 3 / 93

LTO use only
PLAN REGISTERED

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LAND & ENGINEERING SURVEYORS
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26 CONTINGENT ST TRAFALGAR (056) 331577
TRAMWAY ROAD MORWELL (051) 341368

LICENSED SURVEYOR (Print)

SIGNATUR _____ DATE / /

REF 364 VERSION 01

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PLAN OF SUBDIVISION

Stage No.

Plan Number

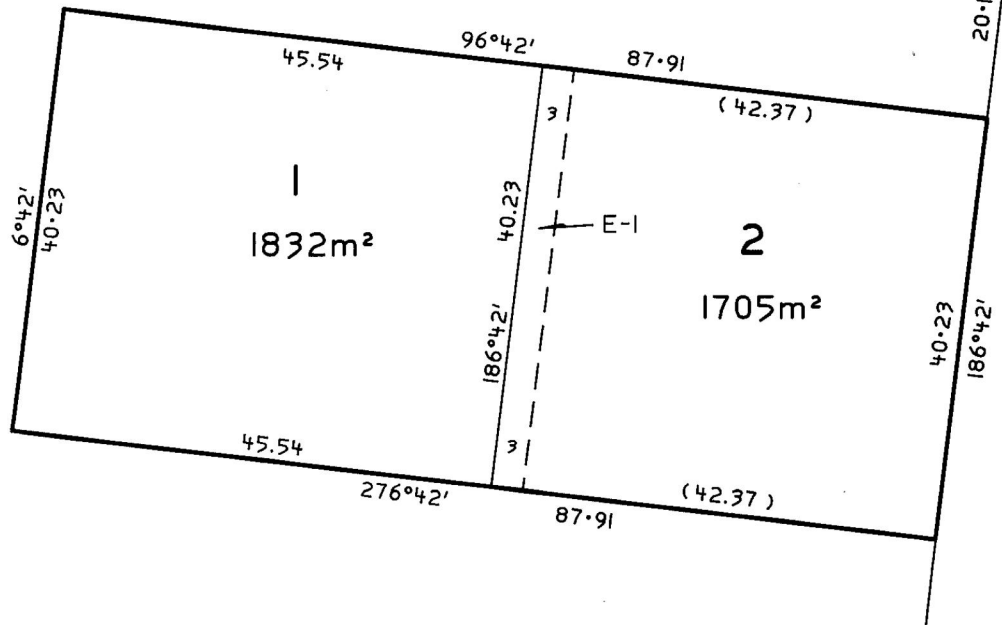
P.S. 320024B

Advertised



MARKET STREET

LOCH STREET SOUTH



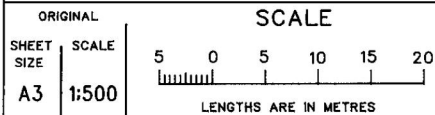
ROSS & WORTH PTY. LTD.

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REF 3642

VERSION 01

SHEET 2 OF 2 SHEETS

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TWO LOT SUBDIVISION APPLICATION

45-47 LOCH STREET, YARRAGON
MARCH 2025

PREPARED FOR

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This report has been prepared by the office of Spiire
Level 6, 414 La Trobe Street PO Box 16084 **Melbourne** Victoria 3000

Issue Date	Rev No	Authors	Checked	Approved
03/2025	00	FS/TB	AB	AB

Spiire Job Number: 321976

Citation: Spiire 2025, Town Planning Report for
Authors Spiire Australia Pty Ltd. Project Number 321976

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1. INTRODUCTION

1.1 OVERVIEW

This report has been prepared by Spiire Australia Pty Ltd (Spiire), on behalf of [redacted] in support of a planning permit application. This application seeks approval for a two lot subdivision of land at 45-47 Loch Street, Yarragon (the Site).

The Site is located within the Baw Baw Shire Council and subject to the Baw Baw Planning Scheme (the Scheme).

The purpose of this report is to:

- ▶ Provide site and surrounding context;
- ▶ Provide a detailed description of the proposal, and
- ▶ Assess the proposal against relevant planning controls, policies and guidelines within the Baw Baw Planning Scheme.

This report is supported by, and should be read in conjunction with the following:

- ▶ Appendix A – Current Certificate of Title;
- ▶ Appendix B – Plan of Subdivision, prepared by Spiire;
- ▶ Appendix C – Arboricultural Assessment and Report, prepared by [redacted], [redacted], and [redacted];
- ▶ Appendix D – Clause 56 Assessment, prepared by Spiire.

1.2 PROJECT SYNOPSIS

A summary of the details relating to this planning permit application are provided in Table 1.

Table 1: Project synopsis

Property Address	45-47 Loch Street, Yarragon	
Parcel Details	Lot 2 on Plan of Subdivision 320024 Volume 10111, Folio 242	
Site area	1,705 sqm	
Planning Controls	Planning Scheme	Baw Baw Planning Scheme
	Zone	General Residential Zone – Schedule 1 (GRZ1)
	Overlay	Development Contributions Plan Overlay – Schedule 1 (DPO1)
Proposal	Subdivision of land into two lots	
Planning Permit Triggers	Clause 32.08-3	A permit is required to subdivide land within the GRZ1.
Bushfire Prone Area	No	
Cultural Heritage	The subject site is not located within an area identified as Aboriginal Cultural Heritage Sensitivity.	

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2. SITE CONTEXT

2.1 SUBJECT SITE

The Site occupies approximately 1,705 sqm of land and is square in shape. The Site is occupied by a single storey weatherboard dwelling, multiple outbuildings and scattered vegetation.

The site is accessible via a single-width crossover located centrally to the Site along the Loch Street frontage. The Site frontage is defined by a wide verge, large street tree and horizontal timber fencing. The existing dwelling is located on the southern area of the site with an east-west orientation.

Figure 1 depicts the existing streetscape of the site along Loch Street.



Figure 1. Streetscape along Loch Street

Source: Google maps

The land directly adjoining the site can be described as follows:

- ▶ North: Modern single storey dwellings within small lots
- ▶ East: Loch Street abuts the front of the site running north-south and connecting to the Princes Highway. The streetscape is defined by wide verges and pedestrian links.
- ▶ South: A similar style dwelling occupies the site with extensive established vegetation.
- ▶ West: The western lot is currently vacant of any development and remains as grassland. Further west of the Site is the Downton Park Recreation Reserve Playground.

Figure 2 illustrates the site boundaries and existing conditions.

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Figure 2: Subject site (outlined in red)

Source: Google Maps

2.2 SURROUNDING AREA

Yarragon is located at the foothills of the Strzelecki Ranges and is defined as touristic village with rural living lifestyles.

The Site is located within an established residential area, with the built form character comprising a mix of older and modern housing stocks. Several of Yarragon's public services are nearby. Notably the Downton Park Reserve and associated recreational facilities, Yarragon Primary School and the town centre including the Yarragon Railway Station.

An overview of the Site and surrounds is provided in Figure 3.



Figure 3. Site (red) and surrounds

Source: Vicplan

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2.3 TITLE DETAILS

The Site is legally identified as Lot 2 on Plan of Subdivision 320024B. A current copy of the Certificate of Title is provided in Appendix A to this report.

A three metre wide sewerage easement (E-1) exists within the site in favour of Latrobe Region Water Authority. This easement is located along the western boundary and traverses the site from north to south.

Details from the Certificate of Title is illustrated in Figure 4.



Figure 4. Certificate of Title

Source: Landata

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3. PROPOSAL

This application seeks the approval for a two-lot subdivision for the purpose of facilitating future residential development opportunities. In accordance with the purpose of the General Residential Zone, this subdivision will encourage a diversity of housing types and growth.

Specifically, the proposed subdivision includes:

- ▶ **Proposed Lot 1** will comprise an area of 921smq with a 21.72m frontage to Loch Street. The land will utilise the existing crossover and retain the existing dwelling.
- ▶ **Proposed Lot 2** will comprise an area of 784sqm with a 18.51m frontage along Loch Street. A new single-width vehicle crossover located to the north of the existing street tree will provide access. This design layout has been developed in conjunction with the Arboricultural Report provided in Appendix C.

Refer to the proposed Plan of Subdivision, prepared by Spiire in Appendix B, for specifics of the proposed subdivision.

An indicative proposed boundary is illustrated in Figure 5.

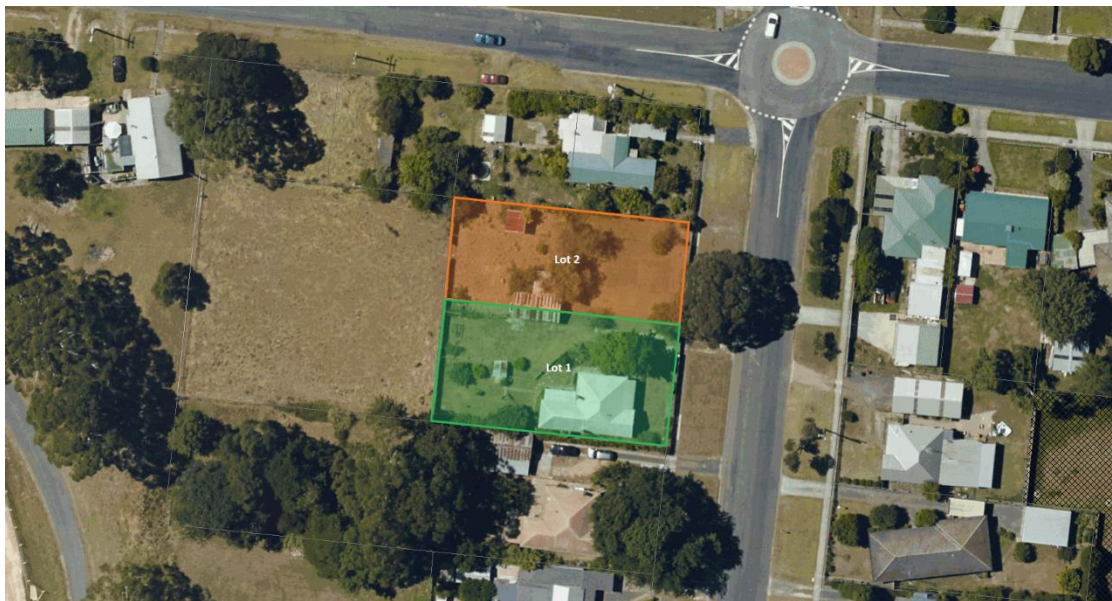


Figure 5. Indicative proposed subdivision

As part of the subdivision process, the existing outbuilding central to the site will be removed.

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4. PLANNING CONTEXT

The proposal triggers the requirement for a planning permit to subdivide land pursuant to Clause 36.03-3 of the General Residential Zone.

A detailed assessment of the proposed subdivision against the relevant planning policy provisions set out in the following section (Section 5) of this report.

4.1 MUNICIPAL PLANNING STRATEGY

The following local planning strategies is considered relevant to the proposal:

- ▶ *Clause 02.03 Strategic Directions*

4.2 PLANNING POLICY FRAMEWORK

The following planning frameworks relate to this application:

- ▶ *Clause 11 Settlement*
 - *Clause 11.01-1S Settlement*
 - *Clause 11.01-1R Settlement – Gippsland*
 - *Clause 11.01-1L-03 Secondary Towns – Moderate Growth*
 - *Clause 11.02-1S Supply of urban land*
 - *Clause 11.03-6S Regional and local places*
- ▶ *Clause 15 Built Environment and Heritage*
 - *Clause 15.01-1S Urban design*
 - *Clause 15.01-3S Subdivision design*
 - *Clause 15.01-5S Neighbourhood character*
- ▶ *Clause 16.01-3S Housing*
 - *Clause 16.01-1S Housing Supply*
 - *Clause 16.01-3S Rural residential development*
- ▶ *Clause 19 Infrastructure*
 - *Clause 19.03-2S Infrastructure design and provision*

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4.3 ZONE

The Site is located within the General Residential Zone – Schedule 1 (GRZ1). The purpose of the GRZ is to:

- ▶ *To encourage development that respects the neighbourhood character of the area.*
- ▶ *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- ▶ *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-3, a permit is required for the subdivision of land. An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56.

An assessment of this proposal against the relevant requirements of Clause 56 is provided in Appendix D.

The Site in relation to the zone is illustrated in Figure 6.

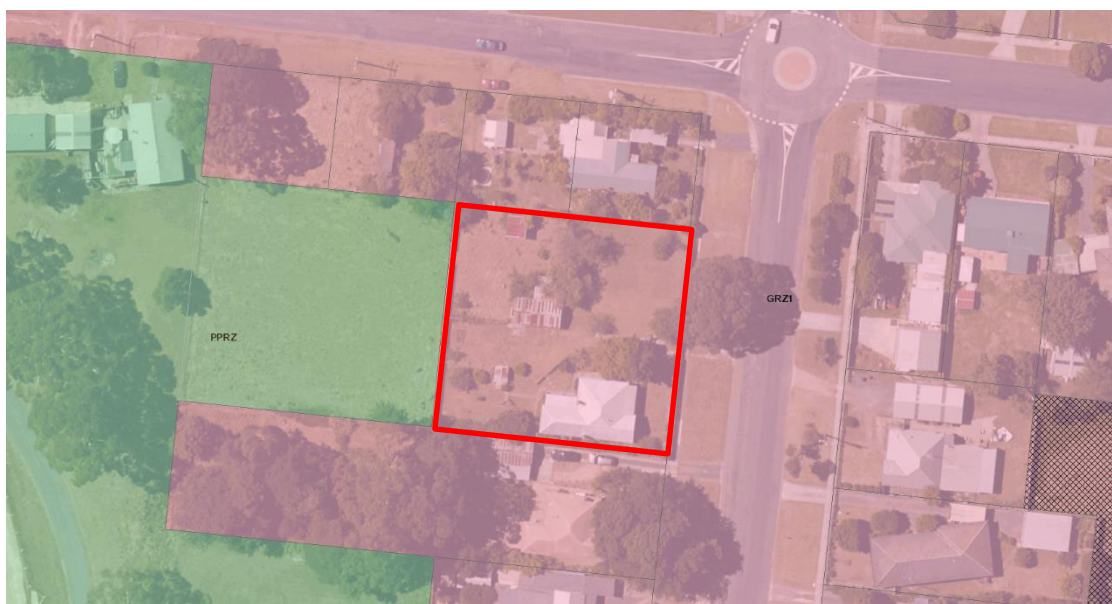


Figure 6. Zoning and subject site (outlined in red)

Source: Vicplan

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4.4 OVERLAYS

The Site is affected by the Development Contributions Plan Overlay – Schedule 1 (DCPO1).

The purpose of the DCPO is to:

- ▶ *To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*

Figure 7 illustrates the subject site in relation to the overlay.



Figure 7. DCPO1 and the subject site (outlined in red)

Source: Vicplan

Schedule 1 to this overlay relates to the *Baw Baw Shire Development Contributions Plan*. The subject site is located within designated *Area 48* which applies to all land within the boundaries of the Baw Baw Shire municipality outside the Warragul and Drouin areas.

A payable levy applies to development within the DCPO1 for the Site relative to Development Infrastructure and Community Infrastructure Levies.

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4.5 PARTICULAR PROVISIONS

4.5.1 CLAUSE 56 – RESIDENTIAL SUBDIVISION

These provisions apply to an application to subdivide land within the General Residential Zone. An assessment of this proposal against the objectives and standards of this clause is provided in Appendix D.

4.6 GENERAL PROVISIONS

4.6.1 CLAUSE 65.02 – APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate. A brief assessment of this clause is provided in Section 5.5.1 of this report.

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5. PLANNING ASSESSMENT

This application has been prepared having careful regard to the relevant Planning Policy. The proposed subdivision is consistent with the broad intention and provisions of the MPS and PPF, which is discussed further below.

5.1 MUNICIPAL PLANNING STRATEGY

The strategic direction of the Baw Baw Planning Scheme is outlined in Clauses 02.03. Specifically, Clause 02.03-1 relates to settlement and housing within Baw Baw. This subdivision will facilitate opportunity for residential development within the township of Yarragon as encouraged by The Scheme.

The township is characterised as being a secondary town, consisting mostly of residential development with moderate growth. This subdivision will facilitate further moderate growth whilst respecting the preferred character of the township being detached housing as detailed in Clause 02.03-4.

5.2 PLANNING POLICY FRAMEWORK

Settlement within Victoria and secondary towns such as Yarragon within the Shire of Baw Baw is considered in Clause 11.01. Providing growth in regional areas supports the continuing settlement and dependencies smaller towns hold in relation to larger townships. Growth in secondary towns, including Yarragon, is encouraged where growth is to respect the rural character of the township. The proposal will provide for lot dimensions and areas that positively respond to the character of Yarragon's residential areas.

The site is identified as residential zone land use, which is to respect existing rural character as demonstrated within the Yarragon Framework Plan. A copy of this plan is provided in Figure 8.

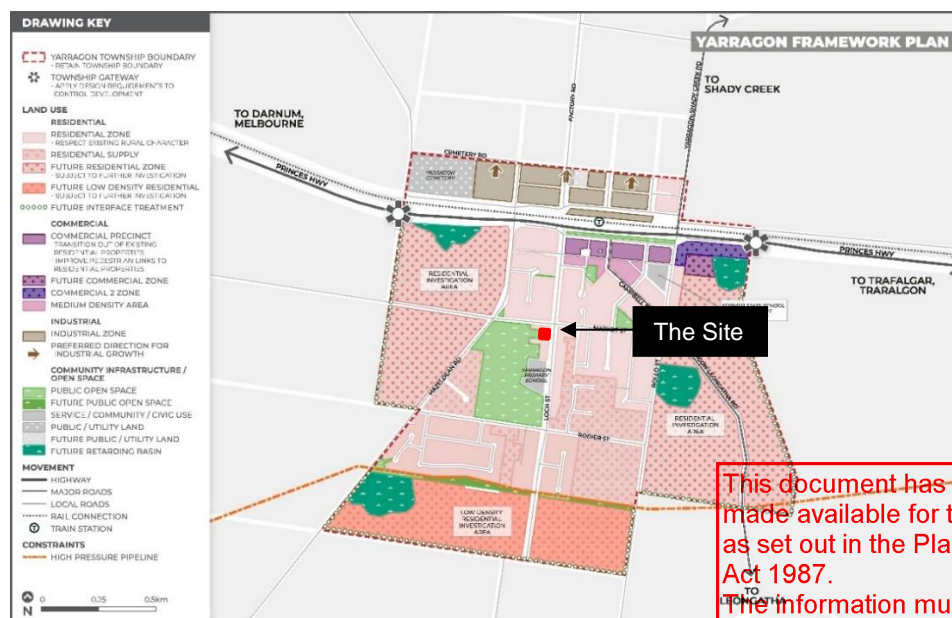


Figure 8. Yarragon Framework Plan

Source: Baw Baw Planning Scheme

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Planning for urban consolidation is considered in Clause 11.02-1S, and notes that opportunities for intensification should occur in existing urban areas. Being located within an established residential area, this subdivision responds directly to policy. Planning for regional and local places seeks to facilitate integrated place-based planning and consider specific directions of planning for neighbourhoods.

Creating safe and well-design urban environments is at the forefront of Clause 15.01. This subdivision design assists in providing varied lot to accommodate an open selection of dwelling types to meet the future needs of residents. This subdivision remains consistent with the neighbourhood character identified as rural living as the pattern and size of subdivision reflects existing lot sizes to the immediate area.

Residential development must ensure housing supply and community facilities are well-located and integrated. This subdivision is appropriately located to facilitate increased residential consolidation, housing diversity and plan for future neighbourhoods pursuant to Clause 16.01-1S.

5.3 GENERAL RESIDENTIAL ZONE

The proposed subdivision has been designed to respond favourably to the purpose and decision guidelines of the GRZ.

The layout of the proposed subdivision reflects the residential character of the established residential area. By providing for common residential lot dimensions and area, the proposed vacant allotment (Lot 2) will provide for opportunity to accommodate a variety of future dwelling design.

The Site is located within close proximity to services and transport which is encouraged by the zone and relevant policy.

5.4 PARTICULAR PROVISIONS

5.4.1 CLAUSE 56 ASSESSMENT

An assessment of this proposal against the provisions of the residential subdivision is provided in Appendix D to this report.

5.5 GENERAL PROVISIONS

5.5.1 APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Clause 65.02 outlines decision guidelines relevant to subdivision applications. In response to the relevant decision guidelines, it is noted that:

- ▶ The land is suitable for subdivision given the large lot size and existing pattern of surrounding lot sizes.
- ▶ This plan of subdivision accounts for the protection of vegetation, particularly the street tree along the Loch Street frontage.
- ▶ As the residential land is underutilised for proposed Lot 2, this subdivision will make for greater land use and accommodations for future residential development.
- ▶ Future development will be serviced by existing infrastructure.

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5.6 ARBORICULTURAL REPORT

Following pre-lodgement discussions relative to the large street tree along the Site frontage to Loch Street, an arborist assessment was submitted. Both Council's Planning and Street Tree Departments reviewed the arborist report to determine suitability of a new crossover to service proposed Lot 2.

This arborist assessment examined the potential for a newly created crossover in proximity to the existing street tree, including consideration of the health street tree. The assessment provides measures to minimise impacts. Key findings from the report include:

- ▶ High retention value of the subject tree with local-indigenous origin.
- ▶ The subject tree is in proximity to the proposed crossover works and will experience encroachment of its Tree Protection Zone (TPZ). The total encroachment will be less than 10 percent of the total TPZ and is considered a minor encroachment.
- ▶ Special construction techniques will not be required if the proposed crossover sitting of 500mm south of the north boundary to proposed Lot 2 is maintained.

A copy of the Arboricultural Assessment and Report, May 2024 prepare by Simon Marshall (Jardine Johnstone) is provided in Appendix C.



LEGEND						Site Address		Title		Date	
Assessed tree	Shaded Root Zone	Tree Protection Zone	Proposed crossover	Encroachment of proposed works on TPZ		45-47 Loch Street, Yarragon		Attachment 2 - Tree Location and TPZ Plan		28/05/2024	
Tree no.	Species	TPZ (m)	SRZ (m)	TPZ area (m²)	encroach area (m²)	Client		Base plan version		Drawing	
1	Eucalyptus radiata	13.56	3.66	577.66	47.95	C/O T. Blackmore		1-200 at A2		Drawing	

Figure 9. Arborist Crossover Location Plan

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6. CONCLUSION

This application seeks a two-lot subdivision of 45-47 Loch Street, Yarragon.

This report sets out the details of the planning permit application having regard to the relevant provisions of the Baw Baw Planning Scheme.

In summary, the proposal is considered appropriate and should be supported by Council for the following reasons:

- ▶ The proposal is consistent with the Municipal Planning Strategy, Planning Policy Framework contained within the Baw Baw Planning Scheme.
- ▶ The residential subdivision satisfies the purpose, objectives and standards of the General Residential Zone, including Clause 56.
- ▶ The proposed subdivision will facilitate future residential development within Yarragon as a secondary township in the Baw Baw Region.
- ▶ The plan of subdivision is reflective of the site conditions and surrounds.
- ▶ Careful consideration has been given to ensure that a large existing street tree is not impacted by the proposal.

On this basis, Spiire trusts that the information provided above and the appendices to this report provide sufficient information for the considerations of Council to issue a planning permit.

Should you have any questions about this request, please do not hesitate to contact me 03 9993 7061 or alternatively at

Yours sincerely,

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APPENDIX A

CERTIFICATE OF TITLE

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APPENDIX B

PLAN OF SUBDIVISION

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APPENDIX C

ABORICULTURAL ASSESSMENT AND REPORT

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APPENDIX D

CLAUSE 56 ASSESSMENT

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CLAUSE 56 – RESIDENTIAL SUBDIVISION ASSESSMENT

Assessment Summary

The following table provides an overview of which aspects of the development require a variation to the standards of Clause 56.

Objectives/ Standard	Complies?	Objectives/ Standard	Complies?
C6 Neighbourhood Character	✓	C23 Reused and recycled water	N/A
C8 Lot area and building envelopes	✓	C24 Waste water management	✓
C9 Solar orientation of lots	✓	C25 Stormwater management	✓
C11 Common area	N/A	C26 Site management	✓
C21 Lot access	✓	C27 Shared trenching	✓
C22 Drinking water supply	✓	C28 Electricity and telecommunications objectives	✓

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56.03 Neighbourhood and sustainable communities

	Compliance	Comment
56.03-5 Neighbourhood character		
<p><i>To design subdivisions that respond to neighbourhood character.</i></p> <p>Standard C6</p> <p>Subdivision should:</p> <ul style="list-style-type: none"> • Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme. • Respond to and integrate with the surrounding urban environment. • Protect significant vegetation and site features. 	✓	<p>The neighbourhood character of Yarragon is defined by its rural character. The large lot sizes, exceeding 500 sqm, integrate seamlessly into the existing residential environment.</p> <p>This subdivision design satisfies the neighbourhood character objective by appropriately responding to the preferred rural residential character as outline in the Yarragon Framework Plan.</p> <p>Protection of significant vegetation is met through the retention of the large street tree to the Site frontage. The lot and crossover is strategic in reducing impacts to existing vegetation and site features. This is supported by the Arboricultural Assessment and Report (Appendix C).</p>

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56.04 Lot design

	Compliance	Comment
56.04-2 Lot area and building envelopes		
<p><i>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</i></p> <p>Standard C8</p> <p>Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope. A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> The objectives of the relevant standards are met, and The building envelope is shown as a restriction on a plan of subdivision registered under the <i>Subdivision Act 1988</i>, or is specified as a covenant in an agreement under Section 173 of the Act. <p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations. Existing or proposed easements on lots. Significant vegetation and site features. 	✓	<p>Lot area and building envelopes are considered in the plan of subdivision which is designed to deliver appropriate site access and facilitate appropriate siting of future development.</p> <p>Both lots will exceed 500 square metres and are therefore able to contain a rectangle envelope of 10 by 15 metres. Should a future building be developed in Lot 2, appropriate siting and design requirements to relevant Building Regulations will be able to be satisfied.</p> <p>The design of the subdivision will support the protection of solar access, easements and significant vegetation for future dwellings. A three-metre sewerage easement is present along the western boundary and development of this site will not impact the easement function.</p>

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	Compliance	Comment
56.04-3 Solar orientation of lots		
<p><i>To provide good solar orientation of lots and solar access for future dwellings.</i></p> <p>Standard C9</p> <p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> • The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south. • Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north. • Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street. 	✓	<p>Dimensions of lots are adequate in providing solar access. Both objectives and standards of Clause 56.04-3 are satisfied in the relationship each lot has to abutting properties.</p> <p>Whilst the long axis of the lots are not within the specified range, solar access is not prohibited or impacted due to the large lot sizes.</p>

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	Compliance	Comment
56.04-5 Common area		

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

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

To maintain direct public access throughout the neighbourhood street network.

N/A

This subdivision does not create common land and is therefore not included in the provision of the lot layout.

Standard C11

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

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

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54.06 Access and mobility management

	Compliance	Comment
56.06-8 Lot access		

To provide for safe vehicle access between roads and lots.

✓

Safe vehicles access between Loch Street and the lots will be provided through individual single-width crossovers.

Standard C21

Table C1 Design of roads and neighbourhood streets

Access Street – Level 2

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Proposed Lot 1 will retain the existing crossover and see no change to access.

Loch Street is classified as an Access Street – Level 2. The large verge widths allow safe entry and exit.

The crossover to proposed Lot 2 will be positioned 500mm from the northern property boundary to the Loch Street frontage. This positioning is designed to protect the existing large street tree.

56.07-1 Drinking water supply

To reduce the use of drinking water.

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

Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

✓

The provision of water services to the site is existing.

Drinking water will be supplied through existing infrastructure, in accordance with the relevant water authority.

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	Compliance	Comment
56.07-2 Reused and recycled water		

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

N/A

Recycled water is not available in this location.

Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-3 Waste water management

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

✓

Waste water will be managed through existing infrastructure. Any detailed design requirements are appropriate for submission under condition of permit.

Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with a domestic waste water management plan adopted by the relevant council.

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

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	Compliance	Comment
56.07-4 Stormwater management		

Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

✓

The proposal will be provided with appropriate stormwater management which can meet best practice and will be designed in accordance with the relevant authority requirements.

Any requirements for detailed designs are appropriate for submission via a condition of permit if required by Council.

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56.08 Site Management

	Compliance	Comment
56.08-1 Site management		
<p><i>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</i></p> <p><i>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</i></p> <p><i>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</i></p> <p>Standard C26</p> <p>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> • Erosion and sediment. • Dust. • Run-off. • Litter, concrete and other construction wastes. • Chemical contamination. • Vegetation and natural features planned for retention. <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	✓	<p>The scale of the two lot subdivision is not envisaged to result in any significant impacts relative to site management.</p> <p>Site management will be carried out in accordance with any requirements specified by the appropriate authority to ensure that off-site impacts are mitigated.</p>

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56.09 Utilities

	Compliance	Comment
56.09-1 Shared trenching		
<p><i>To maximise the opportunities for shared trenching.</i></p> <p><i>To minimise constraints on landscaping within street reserves.</i></p> <p>Standard C27</p> <p>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	✓	Where possible, shared trenching will be included for future services.
56.09-2 Electricity and telecommunications		
<p><i>To provide public utilities to each lot in a timely, efficient and cost effective manner.</i></p> <p><i>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</i></p> <p>Standard C28</p> <p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p>	✓	Electricity and telecommunications will be provided in accordance with the relevant authority requirements; noting that Lot 1 is occupied by an existing dwelling already connected to these services.

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ARBORICULTURAL ASSESSMENT AND REPORT

Site:
45-47 Loch Street, Yarragon

Commissioned by:

Report Prepared by:

Ad. Dip. Hort. and Arb.

May 2024
V.01

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Version table

Version	Author	Ref plan	Date	Changes
V.01			29/05/2024	First draft

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Executive summary

The objective of the Arboricultural Impact Assessment is to undertake a review of the condition of the trees or vegetation on or adjoining 45-47 Loch Street, Yarragon, to examine a proposed crossover plan and the likely impacts on the assessed tree, and to provide tree protection measures to minimise impacts to the tree from proposed works.

The report provides an overview of the site characteristics, the arboricultural condition of the tree and determines the retention value of the tree which is located in the road reserve adjacent to 45-47 Loch Street, Yarragon.

1. Introduction

- 1.1 Jardine Johnstone has been engaged by [redacted] of Spiire consulting to provide an arboricultural assessment and report regarding the health, structural integrity, and retention value of 1 existing tree located in the road reserve adjacent to 45-47 Loch Street, Yarragon. (the "subject site").
- 1.2 Recommendations are also required regarding actions to minimise impacts of a proposed crossover to the subject tree.

2. Brief

- 2.1 To inspect the site in question, namely 45-47 Loch Street, Yarragon.
- 2.2 To inspect 1 existing tree on the subject site shown numbered on the Tree Location Plan attached to this report.
- 2.3 To provide an objective appraisal of the above-mentioned tree within the context of the proposed works, particularly regarding potential encroachment of proposed works into the Tree Protection Zone (TPZ) of the assessed tree.
- 2.4 To recommend actions to minimise any impacts upon the tree in question.

3. Methods

- 3.1 [redacted] I of Jardine Johnstone carried out a site inspection in May 2024.
- 3.2 The tree was inspected from the ground and observations of the surrounding area were made.
- 3.3 Plant trunk diameter was measured with a diameter tape. Height and canopy spread was estimated. A TPZ was calculated to determine encroachment of works.
- 3.4 Data collected on site was analysed by [redacted] collated into report format, and relevant recommendations were formulated.

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4. Observations

- 4.1 The site is a residential allotment with one tree in the vicinity of the proposed crossover. There are no trees in the adjacent properties which will be directly impacted by the proposed crossover.
- 4.2 Details of observations made, and data recorded are found at Attachment 1 – Site Tree Data.
- 4.3 A tree retention value rating system has been used as part of the assessment. This system correlates elements of plant condition with the amenity and ecological value of the plants, within the context of the site. The rating of the assessed plants is found in Table 1 below. Appendix 1 sets out the definitions of retention value, and other definitions and ratings used in this report.
- 4.4 Photographs of the assessed tree was taken and are found at Attachment 1.

5. Vegetation Retention Value

- 5.1 Table 1 below demonstrates the retention value of the subject tree, in the context of the site.

Tree no.	Retention Value	Type	Life Stage	ULE	Health	Struct	Comment
1	High	Locally-indigenous	Mature	20+	Good	Good	Very attractive and healthy large specimen.

5.2 Discussion of condition and retention value

The site features one plant with good health and good structure, which is of a locally-indigenous origin, though is likely planted. It is a very attractive and healthy large specimen. As such, it has been given a high retention value.

6. Development design review

- 6.1 The brief for this Arboricultural report is to assess the street tree which could be affected by the proposed crossover.
- 6.2 **Tree 1** is in proximity to the proposed crossover works and requires encroachment calculations to determine the level of encroachment of works into the TPZ, according to specifications in AS AS4970-2009 Protection of trees on development sites.

7. Arboricultural impact assessment

- 7.1 If any of the plants on the site are to be retained, protective works will be required to ensure the health of the plants is not compromised. This section of the report sets out appropriate protective measures for any plants to be retained on the site. The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for each plant is provided in Table 2 below and sets out an area around each plant to be retained (radius from the trunk of each tree) within

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which works are prohibited or are to be controlled according to the recommendations below.

Table 2. Tree Protection Zones, Structural Root Zones, and TPZ Encroachment

Tree no.	Species	TPZ (m)	SRZ (m)	TPZ area (m ²)	encroach area (m ²)	encroach %
1	Eucalyptus radiata	13.56	3.66	577.66	47.93	8.29

7.2 Encroachment of works

7.2.1 **Tree 1** will experience encroachment of its TPZ by the proposed crossover. As shown in table 2 above and on the attached Tree Location and TPZ Plan, the total encroachment into the TPZ of **Tree 1** will be less than 10% of the total TPZ area, which is considered minor encroachment.

7.3 Encroachment mitigation techniques

7.3.1 Crossover

Pursuant to the provisions of AS 4970-2009 section 3.3.4 (TPZ encroachment considerations), special construction techniques will not be required if the current siting of the crossover (at 500mm south of the north boundary of the subject site) is maintained.

8. Site Tree Protection Measures

8.5.5 The following measures apply to all trees to be retained on site unless protection measures are otherwise specified.

Education: All persons involved in the development of the site must be informed verbally and in writing of the tree protection requirements for the site.

Fencing: Trees within the general work area (not just the footprint of the works) must be fenced off. The Tree Protection Zone (TPZ) of trees to be protected needs to be an effective barrier against root plate disturbance. The TPZ must correlate with the TPZ set out in Table 2 of this report and must be fenced with chain mesh panels inserted into concrete base blocks with the tops of the posts clamped together, or similar. Movement of the fence is strictly prohibited. Fencing should be installed after initial tree removal operations and before any other works are commenced. Where the TPZ is within close proximity of the footprint of the proposed works, the fence is to be set back 500mm from the footprint of the works, to allow for access.

Signage: Clear signage stating 'Tree Protection Zone - No Entry' shall be provided on at least three sides of the fence to ensure all contractors to the site understand the purpose of the fencing.

Mulching: The TPZ needs to be mulched to retain soil moisture and compensate for loss of absorbing roots outside of the TPZ. Left over time, the mulch assists in alleviating soil compaction. The mulch should be organic mulch free of weed

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seed. It is to be hand spread within the fenced area to a depth of 75 millimetres, avoiding direct contact with the trunk of the tree.

Prohibited Activities: Within a Tree Protection Zone (TPZ) there must be:

- no alteration or disturbance to existing grade of any kind;
- no changes to the grade by adding fill, excavating or scraping;
- no storage of construction materials or equipment;
- no storage of soil, construction waste or debris;
- no disposal of any liquids e.g. concrete sludge, gas, oil, paint; and
- no movement of vehicles, equipment or pedestrians.

These requirements should be used as guidelines for all other areas where tree roots are impacted.

Root Pruning: Pruning of roots consistent with an approved plan requires the services of a qualified arborist or approved tree professional and must be done in accordance with AS4373-2007.

Above-Ground Pruning: Any pruning of branches must be carried out by a qualified arborist or other approved tree professional and must be done in accordance with AS4373-2007.

Service Installation: Installation of services can seriously damage root systems. Service installation needs to have regard for the protection and preservation of the critical root zone of a tree. Boring under a tree or a tree's root system will often prevent the need for open trench excavation and preserve tree roots within the specified critical root zone of a tree. There must be no root severance as a result of the installation for plumbing and electrical connections within the specified critical root zones of any tree. Services under slabs or sub floors can also be clipped or suspended over critical root zones or excavated outside critical root zones.

Retaining Walls: The construction of retaining walls should use the principles of pier and beam construction. Specifications for this type of wall must be confirmed by an architect or appropriately qualified engineer.

Irrigation: Providing supplemental irrigation for trees under water stress may be the single most important treatment. Irrigation should be designed to wet the soil within the TPZ to the depth of the root zone and to replace that water once it is depleted. Light, frequent irrigation should be avoided. Irrigation should completely wet the root zone within the TPZ and should then dry out prior to a subsequent watering. This should occur October through to April inclusive.

8.6 Tree Protection and Management Plan

- 8.6.1 Upon development approval (issue of planning permit) and as per table 1 in AS-4970-2009, tree protection measures for trees to be retained can be determined and specifications of tree protection measures can be elaborated upon through a Tree Protection and Management Plan.

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9. Conclusion

- 9.1 **Tree 1** will experience encroachment of its TPZ by the proposed crossover. The total encroachment into the TPZ of **Tree 1** will be less than 10% of the total TPZ area, which is considered minor encroachment.
- 9.2 Pursuant to the provisions of AS 4970-2009 section 3.3.4 (TPZ encroachment considerations), special construction techniques will not be required if the current siting of the crossover is maintained.

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New Job - Tree Report

17 May 2024

Attachment 1 - Site Tree Data

Date	17 May 2024
Site / Location	45-47 loch Street, Yarragon

Tree Details

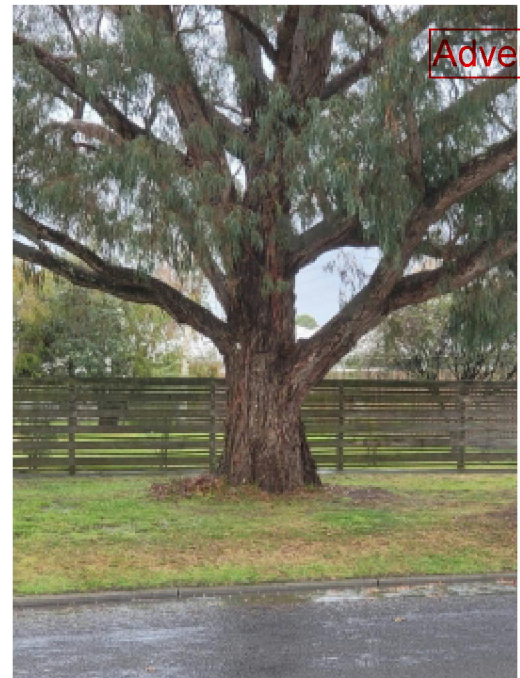
Tree Number 1

Species	Eucalyptus radiata
Common Name	Narrow leaf peppermint
Type	Locally-indigenous
Life Stage	Mature
Height (m)	20
Width (m)	20
DBH (mm)	1125
Base Diameter (mm)	1270
TPZ (m)	13.56 m
SRZ	3.66 m
TPZ area (m ²)	577.66
Health	Good
Structure / Form	Good
Ornamental Value	High
Environmental Significance	High
ULE	20+
Retention Value	High
Notes	Very attractive and healthy large specimen.
Photo/s of Tree	

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Page 2

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<div>Legend</div> <div><div> Assessed tree</div><div> Structural Root Zone</div><div> Tree Protection Zone</div><div> Proposed crossover</div><div> Encroachment of proposed works on TPZ</div></div>						
Tree no.	Species	TPZ (m)	SRZ (m)	TPZ area (m²)	encroach area (m2)	encroach %
1	Eucalyptus radiata	13.56	3.66	577.66	47.93	8.29

Jardine Johnstone
ENVIRONMENT AND PLANNING

Site Address

45-47 Loch Street,
Yarragon

Client

re

Title

Attachment 2 -
Tree Location
and TPZ Plan

Base plan version:

N/A - (derived from site measure)

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Page 50 of 52

Date

29/05/2024

Drawn by

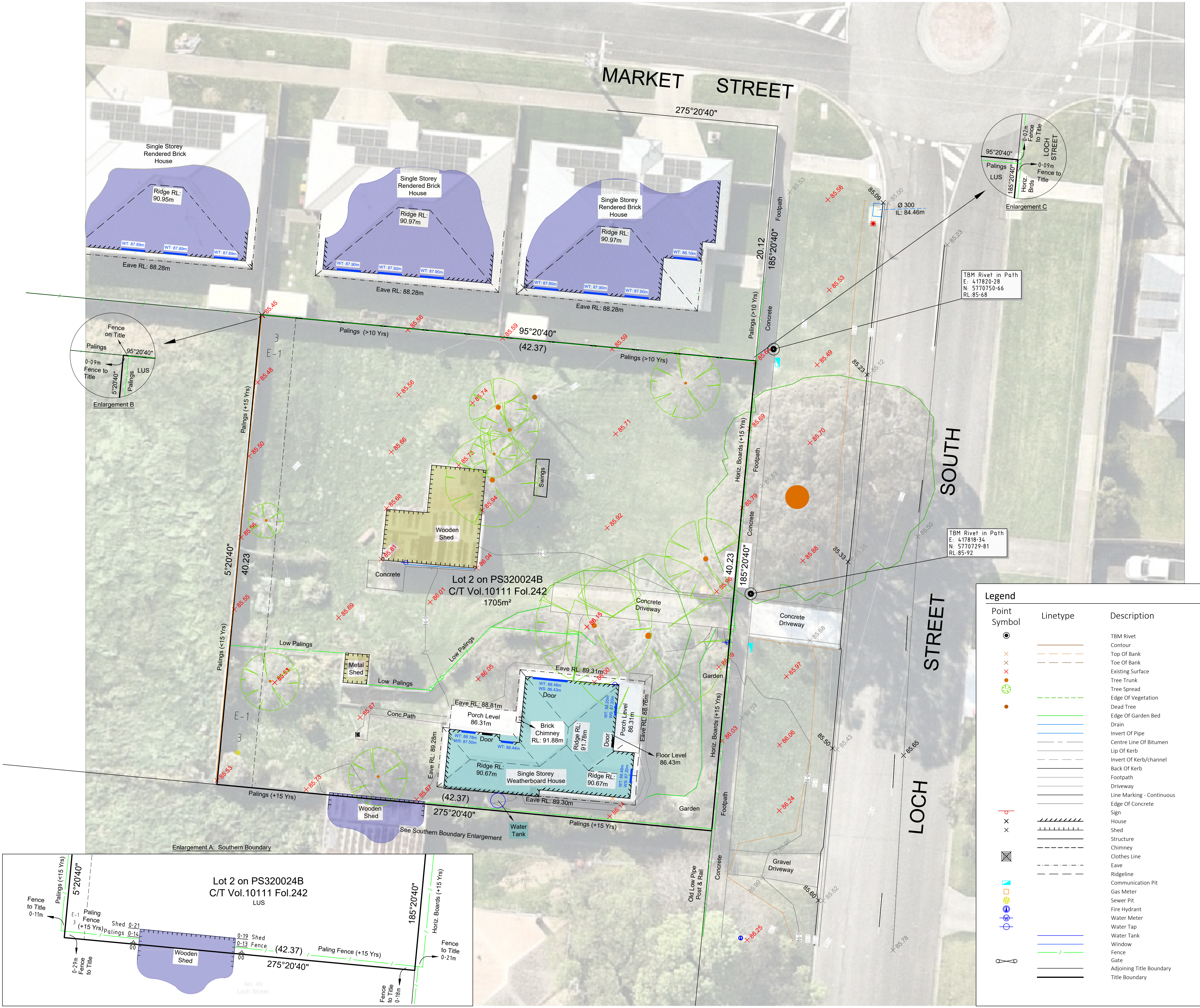
SM

Scale

1:200 at A2

Drawing

TLP01



Notations

Date of Survey : 30/10/2024

Subject Land is Lot 2 on PS320024B (C/T Vol.10111 Fol.242)

Lengths shown are in metres

Levels are to the Australian Height Datum (AHD) vide GNSS observations to Moe PM 156 (RL 84.679)

Bearing Datum is Map Grid of Australia 2020 (MGA2020)

Contour interval is 0.20m

A depth limitation of 15.24m beneath the surface applies to the subject land.

Encumbrances - E-1 is a 3-metre wide Sewerage easement in favour of Latrobe Region Water Authority, created in PS320024B.

Underground services have not been surveyed. Before You Dig Australia searching and any required service proving should e conducted prior to any design and/or construction.

Features and Levels shown on this plan are for general design works only - any critical dimensions required should be requested independently of this plan. Prior to any demolition, excavation or construction on this site the relevant Authorities should be contacted to ascertain detailed locations of all existing services and the possible locations of future services.

For site dimensions and easement details please refer to the relevant Certificate of Title.

3D Triangles and some layers have been frozen off for the purpose of clarity on the plan but can be thawed as required within the Digital CAD file.

The position of fencing and other occupation in relation to the title boundaries has been exaggerated for the purpose of clarity, and only applies at the natural surface level on the date of survey and does not show any encroachments that may exist below the natural surface.


All Temporary Bench Marks (TBMs shown on this plan should be verified and confirmed by all contractors prior to any construction.

Aerial image shown is a Nearmap image from 10/09/2024.

This plan should be viewed in conjunction with the accompanying survey report.

I, Scott Alexander Deas of Spiire Australia Pty. Ltd. 414 La Trobe Street Melbourne 3000 certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the **Surveying Act 2004** and completed on 30/10/2024, that this plan is accurate and correctly represents the adopted boundaries and that the survey accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.

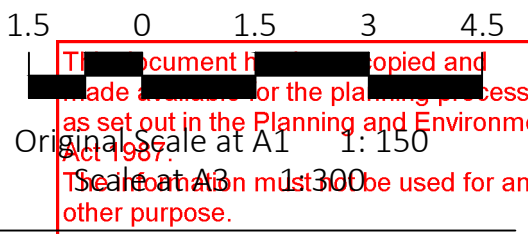
Date: 20/01/2025


Licensed Surveyor,
Surveying Act 2004

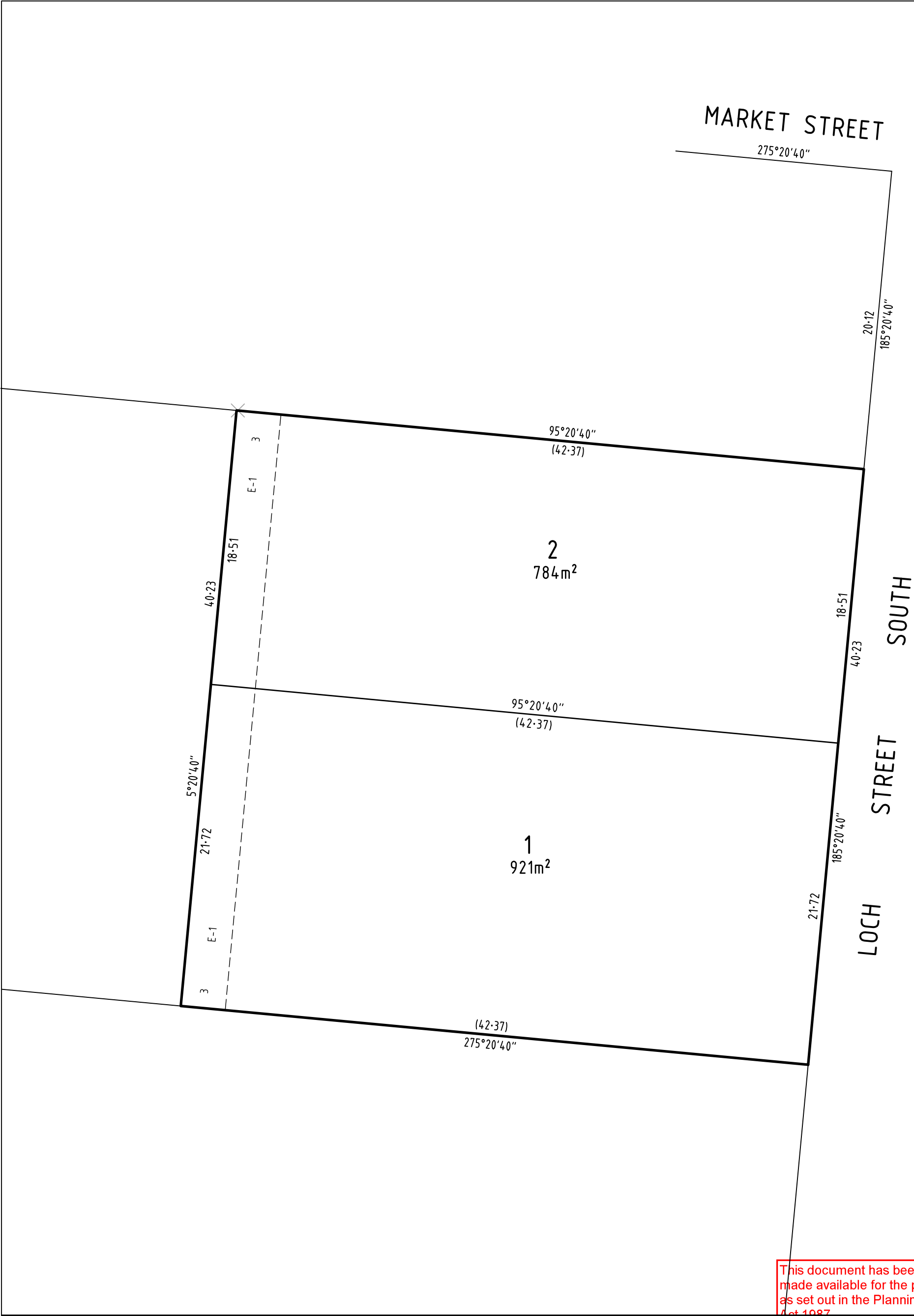
Plan of Feature & Levels / Title Re-establishment

45-47 Loch Street
Yarragon

Sheet	1	of	1
Reference	321976-F500.dwg		
Version	1		
Date	28/11/2024		
Drawn by	JB	Checked by	SAD



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Proposed 2-Lot Subdivision Option 2


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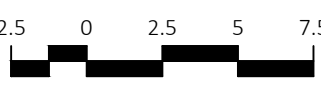
Notations

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour of
E-1	Sewerage	3	PS320024B	Latrobe Region Water Authority

Sheet	1 of 2
Reference	321976-P01.dwg
Version	1
Date	08/01/2025
Drawn by	GM Checked by SD



MGA2020 ZN55



Scale at A3 1:250