NOTICE OF AN APPLICATION  
FOR PLANNING PERMIT

| The land affected by the application is located at: | PS545668  
39 Malcolm Street Mansfield Vic |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The application is for a permit to:</td>
<td>Buildings and works - extension to the existing building for managers residence, storage shed and business identification signage</td>
</tr>
<tr>
<td>The applicant for the permit is:</td>
<td>Bell Legal &amp; Planning</td>
</tr>
</tbody>
</table>
| The application reference number is:             | Application No: P036/20  
File Reference: DA1523/2 |
| You may look at the application and any documents that support the application at the office of the Responsible Authority. This can be done during office hours and is free of charge. | Mansfield Shire Council  
33 Highett St  
Mansfield, 3722  
Ph: 5775 8555  
Email: council@mansfield.vic.gov.au |

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

An objection must:

* be sent to the Responsible Authority in writing;
* state that it is an objection against the proposal;
* include the reasons for the objection; and
* state how the objector would be affected.

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

The Responsible Authority will not decide on the application before: 7 July 2020

PLEASE NOTE: Pursuant to the Planning and Environment Act any submissions may be made available to the public. This is for the sole purpose of enabling consideration and review as part of a planning process. The document must not be used for any purpose which may breach any copyright.
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 *

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.: A
- Lodged Plan  ☐ Title Plan  ☐ Plan of Subdivision
- No.: 545668X

B

- Crown Allotment No.: CP No.1 on PS545668X
- 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? *

Partial demolition and extension of the existing building for a manager's residence, storage shed and business identification signage.

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

Cost $250,000

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 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.

Alzburg Resort

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.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Title:</th>
<th>First Name:</th>
<th>Surname:</th>
</tr>
</thead>
</table>

**Organisation (if applicable): Bell Legal & Planning**

<table>
<thead>
<tr>
<th>Postal Address:</th>
<th>Unit No.:</th>
<th>St. No.:</th>
<th>St. Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kilmore</td>
<td></td>
<td></td>
<td>PO Box 129</td>
</tr>
</tbody>
</table>

**Suburb/Locality:** Kilmore  
**State:** VIC  
**Postcode:** 3764

**Contact information for applicant OR contact person below**

- **Business phone:** 0448 793 795  
- **Email:** admin@belllegalplanning.com.au

**Mobile phone:**  
**Fax:**

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

**Contact person's details**

<table>
<thead>
<tr>
<th>Name:</th>
<th>Title:</th>
<th>First Name:</th>
<th>Surname:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ms</td>
<td>Angelina</td>
<td>Bell</td>
</tr>
</tbody>
</table>

**Organisation (if applicable): Bell Legal & Planning**

<table>
<thead>
<tr>
<th>Postal Address:</th>
<th>Unit No.:</th>
<th>St. No.:</th>
<th>St. Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kilmore</td>
<td></td>
<td></td>
<td>PO Box 129</td>
</tr>
</tbody>
</table>

**Suburb/Locality:** Kilmore  
**State:** VIC  
**Postcode:** 3764

**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.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Title:</th>
<th>First Name:</th>
<th>Surname:</th>
</tr>
</thead>
</table>

**Organisation (if applicable): Seacombe Banner Pty Ltd**

<table>
<thead>
<tr>
<th>Postal Address:</th>
<th>Unit No.:</th>
<th>St. No.:</th>
<th>St. Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mansfield</td>
<td>39</td>
<td></td>
<td>Malcolm Street</td>
</tr>
</tbody>
</table>

**Suburb/Locality:** Mansfield  
**State:** VIC  
**Postcode:** 3714

**Owner's Signature (Optional):**

| Date: | day / month / year |

---

**Information requirements**

Is the required information provided?

- **Yes**  
- **No**

**Declaration**

This form must be signed by the applicant *

WARNING: 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; and the owner (if not myself) has been notified of the permit application.

| Signature: | Date: 30/04/2020 | day / month / year |

---

**Date:** 30/04/2020  
**Day / month / year**
Checklist

Have you:

☑ Filled in the form completely?

☐ Paid or included the application fee? □ Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

☐ Provided all necessary supporting information and documents?

☐ A full, current copy of site information for each individual parcel of land forming the subject site.

☐ A plan of existing conditions.

☐ Plans showing the layout and details of the proposal.

☐ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

☐ If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

☐ If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.

☐ Completed the relevant council planning permit checklist?

☑ Signed the declaration above?

Need help with the Application?

If you need help to complete this form, read More Information at the end of this form.

For help with a VicSmart application see Applicant’s Guide to Lodging a VicSmart Application at www.planning.vic.gov.au

General information about the planning process is available at www.planning.vic.gov.au

Assistance can also be obtained from Council’s planning department.

Lodgement

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

Deliver application in person, by post or by electronic lodgement.
Our Ref: AB:20005

29 April 2020

BY EMAIL: council@mansfield.vic.gov.au

Statutory Planning
Mansfield Shire Council
Private Bag 1000
MANSFIELD VIC 3724

Dear Sir/Madam

Application for Planning Permit - 39 Malcolm Street, Mansfield

Please refer to the enclosed Application for a Planning Permit for the partial demolition and construction of an extension for a manager’s residence, storage shed and business identification signage at 39 Malcolm Street, Mansfield.

Please also find enclosed:

- Application submission;
- Copy of current certificates of title;
- Demolition plan;
- Proposed site plan;
- Existing floor plan;
- Proposed floor plan;
- Elevation plans;
- Shed plans; and
- Business identification sign details – design and mounting structure.

Please email an invoice for the application fee so that I may arrange payment.

Yours faithfully
Bell Legal & Planning

Angelina Bell
Principal Solicitor

Endl.
APPLICATION FOR PLANNING PERMIT

Construction of a manager’s residence, storage shed and business identification signage

39 Malcolm Street, Mansfield

Introduction

A planning permit is sought for the demolition of a small section of the existing building, the demolition of a small storage shed, the extension of the existing building for a manager’s residence, a new storage shed and business identification signage at 39 Malcolm Street, Mansfield (Subject Land). The Subject Land is located in the Mansfield Shire and is governed by the Mansfield Planning Scheme (Scheme).
**Site description**

The Subject Land is located on the north-east corner of the intersection of Malcolm and Highett Streets in Mansfield. Access to the Subject Land is gained from Malcolm Street along the southern frontage of the property. The Subject Land is rectangular in shape, having a 140.82m frontage to Malcolm Street and 101.6m frontage to Highett Street, and is approximately 1.4 hectares in size. 39 Malcolm Street consists of several parcels. The proposed extension containing the manager’s residence and the new storage shed are both located on Lot A on PS545668X. The proposed sign is located on Common Property No.1 on PS545668X.

Please refer to the attached certificates of title for Lot A on PS545668X (volume 11005 folio 052) and Common Property No. 1 on PS545668X (volume 11005 folio 053), the parcels relevant to the proposal.

The Subject Land contains the Alzburg Resort, which provides tourist accommodation, ski hire and conference facilities. The resort consists of the main heritage building with numerous subsequent extensions, a ski hire building, accommodation units, swimming pool, barbeque area, storage buildings and a large carparking area. The Subject Land was formerly the Convent of Mercy and Sacred Heart College and the heritage significance of the main building has resulted in it being included in the Heritage Overlay.

The surrounding land includes residential properties, St Marys Hall and St Francis Xavier Catholic Church to the north, St Marys Primary School to the east, residential properties on the southern side of Malcolm Street, and the Mansfield District Hospital on the western side of Highett Street.

The Subject Land is in the General Residential Zone and is subject to the Heritage Overlay (HO3). The surrounding land to the north, east and south is also in the General Residential Zone and the hospital site on the western side of Highett Street is in the Public Use Zone Schedule 3. Refer to the zoning map at Figure 2 and Heritage Overlay map at Figure 3 below.

![Figure 2 - Map showing the zoning of the Subject Land and surrounds.](image-url)
Proposal

The proposal includes:

- Demolition of a small section of the main building containing an office and the bedroom and living room of the one-bedroom staff accommodation unit, renovating and reconfiguring the staff accommodation, and extending the building to include a three-bedroom manager’s residence.
- Removing a storage shed in the north-east corner of the property and replacing it with a new storage shed in the same location.
- Erecting a business identification sign on the Highett Street side of the property.

The area of the main building to be demolished is a small section of a previous extension with an existing skillion roof. The new area will include this demolished area and then extend further out in line with the existing building to create a manager’s residence. This area is located on the southern side of the original building and does not interfere with or include any part of the fabric of the original heritage building. The extension is designed to marry in with the existing look of the building by duplicating the existing colour scheme and materials. This side of the building is used for staff car parking and the extension to the building will not remove any car spaces. The requirement for one additional car space pursuant to Table 1 of clause 52.06-5 can be easily accommodated on site.

The shed to be removed is a tin shed of approximately 3m x 4m. It has no heritage significance. The new storage shed is 11.8m long, 5.8m wide and 3.44m in height to the top of the ridge. The shed consists of 3 bays, fully enclosed, with two of the bays having a roller door for access. It will be of colourbond steel construction and, being located in the very north-east corner of the property, will have no impact on any adjoining neighbour, namely the Catholic church land and the Catholic primary school.
The new business identification sign is to be located on the Common Property No.1, shown on the certificate of title volume 11005 folio 053. The location of the sign is in the area immediately adjacent to Lot 1 and lies between Lot 1 and the western boundary of the Subject Land. The sign will be located such that it will be visible to traffic travelling south along Highett Street. The sign’s dimensions are 2.4m wide by 2.1m high and will be mounted approximately 1.2m above ground level on a steel structure.

Please refer to the attached:

- Demolition plan;
- Proposed site plan;
- Existing floor plan;
- Proposed floor plan;
- Elevation plans;
- Shed plans; and
- Plans for the business identification sign – design and mounting structure.

Permit Triggers

The following planning permit triggers apply to this application:

- Clause 32.08-9 General Residential Zone - a permit is required to construct a building or construct or carry out works associated with a Section 2 use.

- Clause 43.01 Heritage Overlay - a permit is required to demolish or remove a building, and to construct a building or construct or carry out works.

NB: The proposed sign is not located within the Heritage Overlay.

- Clause 52.05-13 Signage – Category 3 – High amenity areas – a permit is required for a business identification sign.

Zoning

Clause 32.08 General Residential Zone

The purpose of the General Residential Zone (GRZ) is:

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

The proposal is consistent with the purpose of the GRZ. The existing use on the Subject Land is not changing and the proposed development is minor relative to the existing development on the whole of the site. The proposed new manager’s residence will not have a detrimental impact on the
residential uses and development of the general area as the proposed works are not close to any boundaries. The proposed storage shed in the north-east corner of the site adjoins land owned by the Catholic Church and this adjoining land will not be adversely impacted by the proposed shed.

The appearance of the proposed development will be in keeping with the current design of the buildings on the Subject Land.

Overlays

Clause 43.01 Heritage Overlay

The purpose of the Heritage Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The HO applies to the part of the Subject Land known as Lot A on PSS45668X. The Subject Land is listed in the schedule to the HO as HO3 as follows:

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External Paint Controls apply?</th>
<th>Internal Alteration Controls apply?</th>
<th>Tree Controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01A</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO3</td>
<td>Alzburg Comfort Resort (previously Convent of Mercy and Sacred Heart College)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>39 Malcolm Street, Mansfield</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

The Shire of Mansfield Stage One Heritage Survey, June 2015, identified, assessed and documented post-contact places of cultural significance within Mansfield and Jamieson. The survey included recommendations for statutory protection of particular heritage places. Amongst others, the Alzburg Resort, known at the time as the Alzburg Comfort Resort, was considered as part of the study. Amendment C39, gazetted on 8 February 2018, applied the Heritage Overlay to 32 individual places of local heritage significance, one of which was the Alzburg Resort. The Subject Land has undergone extensive alterations and additions over time that have been built onto and next to the heritage building. The proposed manager’s residence removes only a small part of a later extended section of the building that is currently used for staff accommodation. The proposed extension does not extend past the line of the existing southern-most wall of the building and with the proposed matching colour scheme and materials, the proposed works will not detract from the character and appearance of the original building. Although the existing shed in the north-east corner is also within the Heritage Overlay, it holds no heritage significance whatsoever. Furthermore, the location of the shed is such that it cannot be seen from any public realm and will have no impact on the heritage character of the site.

Application for planning permit – Report 20005, Version 2
Manager’s residence, storage shed and signage – 39 Malcolm Street, Mansfield
There are no application requirements specified in the schedule to the Heritage Overlay and the schedule does not include a statement of significance for the Alzburg Resort as a heritage place.

The proposed sign is on common property and this area is not included in the Heritage Overlay.

Planning Policy Framework

The relevant sections of the Planning Policy Framework are addressed as follows:

CLAUSE 15 BUILT ENVIRONMENT AND HERITAGE

Clause 15.01-2S Building Design

Objective:

- To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

The proposed development responds and contributes to the context of its location. It will not have a detrimental impact on any neighbouring properties, nor will it impact the public realm or the natural environment. The form, scale and appearance of the proposed development will not detract from the existing development on the Subject Land.

Clause 15.01-5S Neighbourhood character

Objective

- To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

The proposed development has been designed to blend in with the existing development on the Subject Land, thereby minimising any potential impact to the general character of the area.

Clause 15.03-1S Heritage conservation

Objective

- To ensure the conservation of places of heritage significance.

The proposed development does not impact on nor detract from the heritage building. The development proposed is located on the southern side of the building where significant extensions have already been constructed. The original fabric of the heritage building and the viewlines to the front of the heritage building are not being impacted upon.
CLAUSE 17 TOURISM

Clause 17.04-1R Tourism – Hume

Strategies

- Support opportunities for nature-based tourism throughout the region...
- Support large commercial tourism uses in urban locations or rural areas of lower agricultural value and away from areas identified as strategic agricultural land.
- Facilitate rural tourism activities that support agricultural enterprises such as cellar door and farm gate sales and accommodation in appropriate locations.
- Support the region’s network of tracks and trails and activities that complement and extend their use.

The existing use of the Subject Land supports and enhances tourism in Mansfield and the surrounding area by providing accommodation for people visiting the area for a range of activities, including the rail trail, Lake Eildon and Mount Buller. The proposed sign on Hightett Street will provide identification for the existing business to travellers along Hightett Street where there is currently no business identification signage.

Local Planning Policy Framework

The relevant sections of the Local Planning Policy Framework are addressed as follows:

CLAUSE 21.00 MUNICIPAL STRATEGIC STATEMENT

Clause 21.04 Heritage and Character

Overview

- The history of settlement and development of areas ensures that the Shire is rich in natural, cultural and built heritage.
- The character of Mansfield is linked to its heritage, which is expressed most clearly through its extant original buildings. These include prominent buildings within the central retail area of High Street, as well as less obvious residential buildings.

Key Issues

- There is a lack of documentation and research into the significance of the extant built heritage of Mansfield.
- The location of the extant buildings within the centre of Mansfield Township, with its prominent streetscape and lineal open space, provides the opportunity for an integrated presentation of these elements in order to strengthen the town centre overall.
- The location of some of the key heritage buildings of Mansfield Township around the central High Street/Hightett Street intersection, which also contains the Police Memorial, provides the opportunity to consider the street system as an integral component of the built heritage.
- The lack of identification of the Shire’s heritage assets.
- The tourism and economic potential of the local heritage.
Objective 1

- To ensure all known and potential heritage buildings and places are protected.

Strategies

- Strategy 1.1 Provide for the protection of built heritage
- Strategy 1.2 Encourage appropriate redevelopment of heritage sites to ensure they can be adapted for ongoing use.

The relevant parcel of the Subject Land containing the former Convent of Mercy and Sacred Heart College has been protected by the application of the Heritage Overlay in 2018. This has ensured the ongoing protection of the buildings by requiring permission for development of the site. The proposed extension of the building to include a manager’s residence ensures that the exiting use of the Subject Land can continue and will be enhanced by the presence of a live-in manager.

Clause 21.09 Mansfield Township

Overview

- Mansfield Township has a population that is expected to grow from an estimated population of 3,120 (2011) to 3,855 in 2031. This growth will need to be supported by an additional 900 dwellings to 2031.
- Mansfield Township is the only urban centre with significant growth potential and provides all major services and infrastructure for the community. Commercial and retail growth will occur within and around the shopping centre. There is a need for more industrial land to service demand.
- Existing infrastructure is capable of servicing growth however there is a need to increase water storage capacity.

Objective 3 – Settlement, Housing and Character

- To encourage development that respects the unique character and location of Mansfield Township and protects areas of natural, environmental, architectural and cultural significance.

Strategy

- Strategy 3.1 Implement the Mansfield Heritage Survey and provide appropriate statutory protection for places of heritage significance.

The Subject Land was included in the Heritage Overlay through Amendment C39, gazetted on 8 February 2018, and thus has statutory protection.
Particular provisions

Clause 52.05 Signs

Purpose

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The proposed sign is located on an area of the Subject Land not impacted by the Heritage Overlay. The sign is fully contained within the curtilage of the land and immediately adjacent to the sign is the unit on Lot 1, softening the impact of the sign. The proposed sign will not be illuminated and the area around the sign is in a landscaped garden. See Figure 4 for a view from Highett Street to the location of the sign, and Figures 5 and 6 showing the view looking north and south towards the sign from within the Subject Land.

Figure 4 – Street view of sign location.
Figure 5 – View of the location of the sign, looking north, showing the sign located within the Subject Land between the boundary and the path along-the side of the units.

Figure 6 – View of the location of the sign looking south. Highett Street lies to the right of the sign in the photo.
Signs in the General Residential Zone are in Category 3 – High amenity areas. The proposed sign is characterised as a business identification sign. A permit is required for a business identification sign pursuant to Clause 52.05-13. There are no specified conditions for a business identification sign.

The proposed sign will be the only business identification sign on the Highett Street side of the Subject Land. The general manager of the Alzburg Resort, through discussions with Council planning officers, has agreed to remove one of the existing signs in Malcolm Street to facilitate the approval of the proposed sign in Highett Street. The sign to be removed in Malcolm Street is shown in Figure 7.

Figure 7 – Sign to be removed, located on Malcolm Street to the west of the access driveway.

Clause 52.06 Car parking

Purpose

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the 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.
• 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.

The Subject Land currently has a large car and bus parking area in the south-western corner, located to the left of the Malcolm Street entrance. The area to the right of the entrance is reserved for staff car parking. Table 1 of clause 52.06-5 sets out the car parking requirements that apply to uses listed in the table. The car parking requirement only relates to the proposed development of the Subject Land, not to the existing use of the land. Council planning officers have advised that the existing use can be defined as a "motel". The required car spaces for a manager's residence connected with a motel is one car space:

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motel</td>
<td>1</td>
<td>1</td>
<td>To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
</tbody>
</table>

The area allocated for staff car parking has more than adequate space to accommodate the required car space. Furthermore, the temporary storage located adjacent to the staff car park will be removed once the proposed storage shed has been erected. This will provide more space in this area for any required additional car spaces.

General Provisions

Clause 65 Decision Guidelines

Clause 65.01 Approval of an application or plan

<table>
<thead>
<tr>
<th>Guideline</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>The matters set out in s60 of the Planning and Environment Act 1987.</td>
<td>The proposed development is consistent with the objectives of the Scheme and satisfies the Scheme’s requirements.</td>
</tr>
<tr>
<td>The Municipal Planning Strategy and the Planning Policy Framework.</td>
<td>The MPS and PPF have been addressed above.</td>
</tr>
<tr>
<td>The purpose of the zone, overlay or other provision.</td>
<td>The proposed development is consistent with the purposes of the GRZ and has addressed the requirements of the HO, clause 52.05 and clause 52.06.</td>
</tr>
<tr>
<td>Any matter required to be considered in the zone, overlay or other provisions.</td>
<td>All matters have been considered and the proposed development satisfies the requirements of the zone, overlay, and other provisions.</td>
</tr>
<tr>
<td>The orderly planning of the area.</td>
<td>The proposed development will not impact on the surrounding land uses and development and is consistent with the planning of the area.</td>
</tr>
<tr>
<td>The effect on the amenity of the area.</td>
<td>The proposal will not have an effect on the amenity of the area.</td>
</tr>
<tr>
<td>The proximity of the land to any public land.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</td>
<td>The proposal will have no impact on stormwater.</td>
</tr>
<tr>
<td>The extent and character of native vegetation and the likelihood of its destruction.</td>
<td>No native vegetation is required to be removed for the proposal.</td>
</tr>
<tr>
<td>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</td>
<td>Not applicable.</td>
</tr>
</tbody>
</table>

Conclusion

The proposed partial demolition, extension of the building for a manager’s residence, storage shed and business identification signage at 39 Malcolm Street, Mansfield is consistent with the existing use of the Subject Land and the purpose and objectives of the General Residential Zone and the Heritage Overlay. We therefore respectfully request that a planning permit for the partial demolition and for the construction of a manager’s residence, storage shed and business identification signage on the Subject Land be issued at your earliest convenience.

Angelina Bell
Principal Solicitor
Bell Legal & Planning

30 April 2020
REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 11005 FOLIO 052

LAND DESCRIPTION

Lot A on Plan of Subdivision 545668X.

PARENT TITLES:
Volume 02276 Folio 620  Volume 02552 Folio 365
Created by instrument PS545668X 27/04/2007

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
SEACOMBE BANNER PTY LTD of "HAMILTON MORELLO ACCOUNTANTS" 852 CANTERBURY ROAD BOX HILL VIC 3128
PS545668X 27/04/2007

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM756290U 07/05/2016
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 PS545668X 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: 39 MALCOLM STREET MANSFIELD VIC 3722

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END
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**PLAN OF SUBDIVISION**

**LOCATION OF LAND**
- **Parish:** Mansfield
- **Township:** Mansfield
- **Section:** 3
- **Crown Allotment:** 16, 17 & 18
- **Crown Portion:**

**TITLE REFERENCE:** C/T Vol 2552 Fol 345, & Vol 2274 Fol 670

**LAST PLAN REFERENCE:** TP522632M and TP629747J

**POSTAL ADDRESS:** 39 Malcolm Street

**MEC Co-ordinates:**
- E 418 930
- M 5898 326
- Zone 55

**VESTING OF ROADS AND/OR RESERVES**

<table>
<thead>
<tr>
<th>IDENTIFIER</th>
<th>COUNCIL/BODY/PERSON</th>
</tr>
</thead>
<tbody>
<tr>
<td>MIL</td>
<td>MIL</td>
</tr>
</tbody>
</table>

**THE ELECTRICAL METER BOXES SERVING ALL LOTS EXCLUDING LOT A) ARE DEEMED TO BE PART OF THE APPROPRIATE COMMON PROPERTY. THE POSITIONS OF THESE METER BOXES ARE NOT SHOWN ON THE DIAGRAMS.**

**LOT NO'S 1 - 12 INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN.**

| COMMON PROPERTY NO 3 & BODY CORPORATE NO 3 HAVE BEEN OMITTED FROM THIS PLAN. |

<table>
<thead>
<tr>
<th>NOTATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>STAGING: This is a stage 1 stage subdivision. Planning permit No: P22504.</td>
</tr>
</tbody>
</table>

**DEPTH LIMITATION 15-24 METRES BELOW THE SURFACE APPLIES TO CROWN ALLOTMENT 18 ONLY.**

**BOUNDARIES SHOWN BY THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS.**

**LOCATION OF BOUNDARIES DEFINED BY BUILDINGS.**

**MEDIAN BOUNDARIES MARKED "M"**

**INTERIOR FACE OF CEILING: UPPER BOUNDARIES FOR LOTS 1 TO 6 (INCLUSIVE) & LOTS 13 TO 16 (INCLUSIVE) - MARKED "MT"**

**THE LOWER BOUNDARIES FOR LOTS 1 TO 6 (INCLUSIVE) & 13 TO 16 (INCLUSIVE) LIE 2 METRES BELOW THE SITE**

**EXTENDING FACE: ALL OTHER BOUNDARIES REFER TO CROSS SECTIONS FOR FURTHER DETAILS.**

<table>
<thead>
<tr>
<th>EASEMENT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEGEND: A-Appurtenant Easement</td>
</tr>
</tbody>
</table>

**EASEMENTS AND RIGHTS IMPLIED BY SECTION 1221 OF THE SUBDIVISION ACT APPLY TO THE WHOLE OF THE LAND IN THIS PLAN EXCEPT FOR THE LAND CONTAINED IN LOT A.**

<table>
<thead>
<tr>
<th>Easement Reference</th>
<th>Purpose</th>
<th>Width (Meters)</th>
<th>Origin</th>
<th>Land Benefited/In Favor Of</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-1</td>
<td>PIPELINES OR ANCILLARY PURPOSES</td>
<td>SEE DIAG</td>
<td>THIS PLAN (SECTION 154, WATER ACT 1999.)</td>
<td>GOULBURN VALLEY REGION WATER AUTHORITY</td>
</tr>
</tbody>
</table>

**COUNCIL CERTIFICATION AND ENDORESEMENT**

**COUNCIL NAME:** Mansfield Shire

1. This plan is certified under Section 6 of the Subdivision Act 1988.
2. This plan is certified under Section 1221 of the Subdivision Act 1999.
3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.

**OPEN SPACE**

(a) A requirement for public open space under Section 16 of the Subdivision Act 1988 has not been met.

(b) The requirement has been satisfied.

(c) The requirement is to be satisfied in Stage...

<table>
<thead>
<tr>
<th>Council Delegate</th>
<th>Council Seal</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>20/12/2006</td>
</tr>
</tbody>
</table>

**RE-ENDOURED UNDER SECTION 1171 OF THE SUBDIVISION ACT 1988.**

**COUNCIL DELEGATE SIGNATURE**

**DATE**

---

**EarthTech**
Survey & Spatial Solutions
108 Wyndham Street, Stepperton PO Box 777, Stepperton 3950
Tel 03 6081 8777 Fax 03 6081 0289

**LICENSED SURVEYOR (PRINT)**...Michael Meehan...

**SIGNATURE**...DATE 31/7/06

**REF** 200521/SU003 VERSION 3

**DATE**

---

**COUNCIL DELEGATE SIGNATURE**

**DATE**

**ORIGINAL SHEET SIZE** A3
Owners corporation information formerly contained on Sheets 5, 6, 7, 8

of this plan is now available in the Owners Corporation Search Report

Sheets 6, 7, 8 have been removed from this plan
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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 11005 FOLIO 053  Security no : 124082768283D
No CofT exists  Produced 24/04/2020 05:10 PM

LAND DESCRIPTION

Common Property 1 on Plan of Subdivision 545668X.
PARENT TITLES:
Volume 02274 Folio 620  Volume 02552 Folio 365
Created by instrument PS545668X 27/04/2007

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
OWNERS CORPORATION 1 PLAN NO. PS545668X of LEVEL 1 296 DONCASTER ROAD BALWYN NORTH VIC 3104
PS545668X 27/04/2007

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances affecting Common Property that are derived from an encumbrance shown on titles to lots affected by the Owners Corporation.

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 PS545668X 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)

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS545668X

DOCUMENT END
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THE ELECTRICAL METER BOXES SERVICING ALL LOTS EXCLUDING LOT A ARE DEEMED TO BE PART OF THE APPROPRIATE COMMON PROPERTY. THE POSITIONS OF THESE METER BOXES ARE NOT SHOWN ON THE DIAGRAMS.

LOT NO'S 7 - 12 EXCLUSIVE! HAVE BEEN OMITTED FROM THIS PLAN.

COMMON PROPERTY NO 3 & BODY CORPORATE NO 3 HAVE BEEN OMITTED FROM THIS PLAN.

EASEMENT INFORMATION

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

EASEMENTS AND RIGHTS IMPLIED BY SECTION 22(1) OF THE SUBDIVISION ACT APPLY TO THE WHOLE OF THE LAND IN THIS PLAN EXCEPT FOR THE LAND CONTAINED IN LOT A.

<table>
<thead>
<tr>
<th>Easement Reference</th>
<th>Purpose</th>
<th>Width (Meters)</th>
<th>Origin</th>
<th>Land Benefited/in Favour Of</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-1</td>
<td>PIPELINES OR ANNUAL PURPOSES</td>
<td>SEE DIAG</td>
<td>THIS PLAN (SECTION 136, WATER ACT 1989), GOULBURN VALLEY REGION WATER AUTHORITY</td>
<td></td>
</tr>
</tbody>
</table>

LICENSED SURVEYOR (PRINT).....MICHAEL MEEHAN.....
SIGNATURE.....DATE 31/7/06...
REF 200521/SU03 VERSION 3..
Owners corporation information formerly contained on Sheets 5, 6, 7, 8 of this plan is now available in the Owners Corporation Search Report Sheets 6, 7, 8 have been removed from this plan
NOTE
ALL BOUNDARY LOCATIONS, DIMENSIONS & LEVELS TO BE TAKEN FROM SURVEYORS INFORMATION ONLY.
CHECK ALL LEVELS ON SITE BEFORE ANY WORK COMMENCES.

ALL EXTERNAL DOORS TO HAVE WEATHER STRIPES ALL GAPS AND CRACKS TO BE SEALED AROUND WINDOWS AND DOORS FRAMES TO ENERGY RATING REPORT.

EXISTING BUILDING LINE

2100

5385

EXISTING BUILDING LINE

10 HIGHET STREET,
MANSFIELD VIC 3722

PH - 03 5779 1577
DP AD 57

PROJECT DETAILS

Client
Pat Bono

Site Address
Malcolm St
Mansfield

Title Information
Lot A PS 545668X

Local Authority & Planning Permit No.
Mansfield Shire Council

PLANNING PERMIT

Bushfire Attack Level
BAL

Construction as per AS 1684 - 2009 as detailed on

Energy Rating Report
Star

Wind Rating
N -

DRAWING DETAILS

Drawing
ELEVATIONS

Date
September 2019

Drawn

Issue
Rev 1

A05

Scale
1:100
FLOORPLAN
SCALE 1:100

Shedco Mansfield
20 Dundas Court
Mansfield, 3722
P: 0419 966 352
F:

Proposed Garage: Enduro
39 Malcom Street
Mansfield, VIC, 3722

Floor Plan

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All Dimensions In Millimetres U.N.O.
1. FRONT ELEVATION  
SCALE 1:100

2. RIGHT ELEVATION  
SCALE 1:100

3. REAR ELEVATION  
SCALE 1:100

4. LEFT ELEVATION  
SCALE 1:100

Shedco Mansfield
20 Dundas Court
Mansfield, 3722
P: 0419 986 352

Client: Pat Bono  
Proposed Garage: Enduro  
39 Malcom Street
Mansfield, VIC, 3722

Elevations Drawn:  
Shedco Mansfield

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SHEDCO MANSFIELD

Drawing Name: Shedco Mansfield

Drawing Number: 1/11/2019

Sheets Size: Scale 1:100

Description:
- COLORBOND® VEE RIDGE CAPPING
- COLORBOND® 0.47 TCT CORRUGATED ROOF CLADDING
- COLORBOND® QUAD 115 EAVE GUTTER
- WHITE UPVC 95D DOWNPIPE
- COLORBOND® 0.47 TCT CORRUGATED WALL CLADDING
- COLORBOND® CORNER FLASHING

Shedco Mansfield
20 Dundas Court
Mansfield, 3722
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OPENING SCHEDULE

<table>
<thead>
<tr>
<th>MARK</th>
<th>TYPE</th>
<th>HEIGHT</th>
<th>WIDTH</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>D0-1</td>
<td>ROLLER DOOR</td>
<td>2400</td>
<td>3000</td>
<td>COLORBOND® STRAMIT RAD A - ROLLER DOOR</td>
</tr>
</tbody>
</table>
REAR LEFT ELEVATION
SCALE 1:100

Shedco Mansfield
20 Dundas Court
Mansfield, 3722
P: 0419 986 352
F:

Pat Bono
Proposed Garage: Enduro
39 Malcom Street
Mansfield, VIC, 3722

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ALZBURG RESORT
MANSFIELD

Ski Hire
1-3 Bedroom Self-Contained Apartments
Free WIFI - Pool, Spa & Sauna
Conference & Events
Sign is to be 2400mm x 2100mm
Leqs are 100 x 50 RHS steel beams