

Planning Permit Application



Submitted on	1 July 2025, 1:51PM
Receipt number	19
Related form version	5

VicSmart

Does your application meet VicSmart requirements? No

If yes, please specify which clause/s apply:

Pre-Application Meeting

Has there been a pre-application meeting with a Shire planning officer? No

Who did you talk to?

When?

The Land

Does the land have a street address? Yes

Property Number 46560.516

Unit No

Street Address 16-20 Tuaggra Street

Township Maryborough

Business Name

Postcode 3465

Formal Land Description

Option A - Lot No: 1

Title Plan

No:	246640B
Option B - Crown Allotment No:	
Section No:	
Parish/Township Name:	
*Does this application relate to more than one address?	Yes

*Additional Formal Land Description

Option A - Lot No:	7
	Title Plan
No:	273578A
Option B - Crown Allotment No:	
Section No:	
Parish/Township Name:	
**Does this application relate to another address?	No

**Additional Formal Land Description

Option A - Lot No:	
No:	
Option B - Crown Allotment No:	
Section No:	
Parish/Township Name:	

Title Information

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?	No
Provide a full, current copy of the title for each individual parcel of land forming the subject site.	No. 16 FULL TITLE.pdf No. 20 FULL TITLE.pdf

The Proposal

Please provide a description of the proposal below:

DEMOLITION OF DWELLING AND CONSTRUCTION OF GARDEN
CENTER AREA AND PARKING

Provide additional information about the proposal, including:

[Complete Planning Submission - 16-20 Tuaggra Street, Maryborough.pdf](#)
[PLANNING DRWGS.pdf](#)

Estimated cost of development for which the permit is
required:

Cost \$80,000.00

Existing Conditions

Describe how the land is used and developed now:

No. 16 has an existing dwelling and associated outbuildings.
No. 20 is Mitre 10 Hardware

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

[PLANNING DRWGS.pdf](#)

Applicant and Owner Details

Title

First Name

WAYNE

Surname

QUINN

Organisation or Business Name

waq drafting

Unit No

Street No and Name

Town

Postcode

State

Business phone

Mobile

Email

waqdraft@gmail.com

Is the preferred contact person for the application different
from the applicant?

No, same as applicant

Contact person's details

Title

First Name

Surname

Organisation or Business Name

Unit No

Street No and Name

Town

Postcode

State

Business phone

Mobile

Email

Owner

Is the owner different from the applicant?

Yes

Owner details

Title

First Name

BERNARD

Surname

CRAMERI

Organisation or Business Name

Mitre 10

Unit No

Street No and Name

Town

Postcode

State

Owner's signature

Date

01/07/2025

Declaration

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.



[Link to signature](#)

Date

01/07/2025

Checklist

Provided all the necessary supporting information and documents?

A full, current copy of title 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 permit checklist

Application for Planning Permit

16-20 Tuaggra Street, Maryborough

Construction of an extension to an existing Trade Supplies Store

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Requirements detailed in this document do not guarantee survival of the buildings or the occupants. The client is strongly encouraged to develop and practice a bushfire survival plan.

Information and assistance including a template for a Bushfire Survival Plan is provided as part of the 'Fire Ready Kit' available through the CFA website at www.cfa.vic.gov.au or through your local CFA Regional office.

Version Control			
Version 1.0	PLN20/25	10 June 2025	Planning Submission

Executive Summary

Key information		Details				
Address		16-20 Tuaggra Street, Maryborough				
Title Details		Lot 1 on TP246640 Lot 1 on TP 340313 Land in PC 383841 Crown Allotment 5, 7 and 7A Section 48B Township of Maryborough				
Area		7682m ²				
Proposal		Extension to existing trade supplies store				
Zoning		Commercial 2 Zone (C2Z) (Partly affected - location of works) Commercial 1 Zone (C1Z) (Partly affected – no works within C1Z) Mixed Use Zone (MUZ) (Partly affected – no works within MUZ)				
Overlays		Heritage Overlay - Schedule 206 (HO206) Land Subject to Inundation Overlay (LSIO)				
Planning Policy Framework		Clause no.			Purpose	
		13		Environmental Risks and Amenity		
		13.03-1S Floodplain management 13.05-1S Noise management				
		15		Built Environment and Heritage		
		15.01-1S Urban design 15.01-2S Building design 15.03-1S Heritage conservation				
		17		Economic Development		
		17.01-1S Diversified Economy 17.01-1S Diversified Economy – Loddon Mallee South 17.01-1S Diversified Economy – Central Goldfields				
Why is a permit required?	Provision	Permit Required?	Under Which Clause?	Why/why isn't a permit required?		
Zone:	C2Z	Yes	34.02-4	To construct a building or construct or carry out works		
Overlays:	HO206	Yes	43.01-1	To construct a building or construct or carry out works		
	LSIO	Yes	44.04-2	To construct a building or construct or carry out works		
	Any zone/overlay where a permit is not triggered will not be further discussed below					
Particular Provisions:	Easements		52.02	No – Not relevant		
	Signs		52.05	No – Not relevant		
	Car Parking		52.06	No – Sufficient car parking provided (in excess of 10%)		
	Bushfire Protection Exemptions		52.12	No – Not relevant		
	Native Vegetation		52.17	No – Not relevant		

Key information	Details		
	Telecommunications Facility	52.19	No – Not relevant
	Adjacent to TRZ	52.29	No – Access is existing and no alteration to this access is proposed.
	Bicycle Parking	52.34	Yes – reduction required
	Bushfire Planning	53.02	No – Not relevant
	Uses and Activities with Potential Adverse Impacts	53.10	No – Not relevant
	Stormwater	53.18	No – No additional built form
	Two or more dwellings on a lot and residential buildings	55	No – Not relevant
	Residential Subdivision	56	No – Not relevant
	<i>Any provision where a permit is not triggered will not be further discussed below unless necessary to demonstrate why a planning permit is not required</i>		
Cultural Heritage	A CHMP is not required. The site is not located within an area of Aboriginal Cultural Heritage Sensitivity.		
Referrals:	Provision	Organisation	Determining/Recommending
	66.03 – An application under the overlay outside the waterway management district of Melbourne Water Corporation	Relevant floodplain management authority	Recommending
Public Notice	The responsible authority will decide if notice is required under Section 52(1)(a) of the <i>Planning and Environment Act 1987</i> . It is expected that the application will be notified.		
Documents referred to in this submission	Development Plans (the Plans) – WAQ Drafting (Project No 24018 (16/04/2025))		

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Proposal

The application proposes to demolish an existing dwelling located to the southeast of the existing trade supplies store to expand the garden centre associated with the existing trade supplies store.

The store (Creameries' Mitre 10) has existed on the site for an extended period of time.

The existing car parking layout does not allow for traffic to circulate and adequately access all available car parking spaces when the car parking is full, or some car parking spaces are occupied.

Further, the garden centre portion of the trade supplies store is sought to be expanded into the adjoining parcel of land to provide an improved offering to customers.

To provide for the proposed expansion of the garden centre, an existing dwelling and associated outbuilding will be demolished.

There are not proposed to be any buildings and works associated with proposed expansion apart from security fencing and additional shade sails to provide protection to plants within the centre.

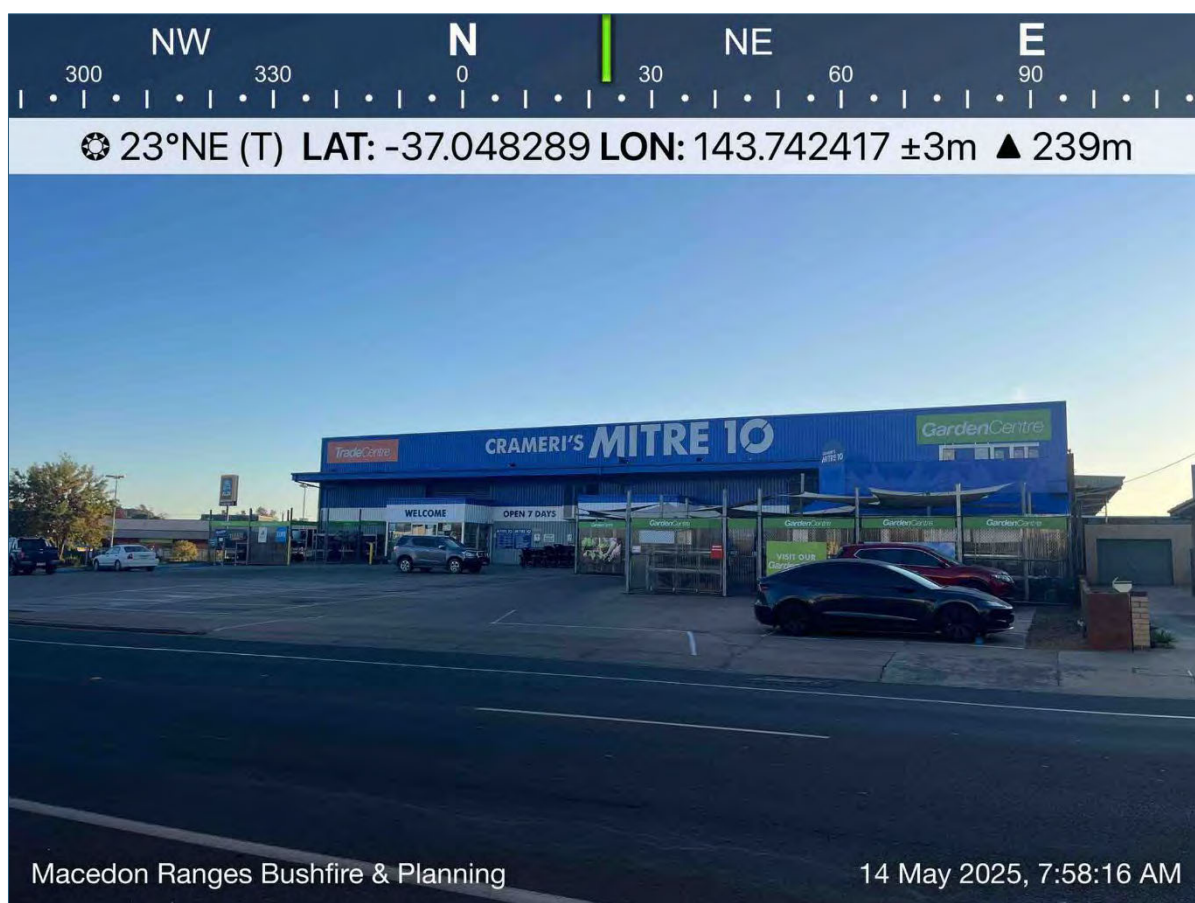


Figure 1 – Subject site



Figure 2 – Existing Site Plan - Drawn by WAQ Drafting

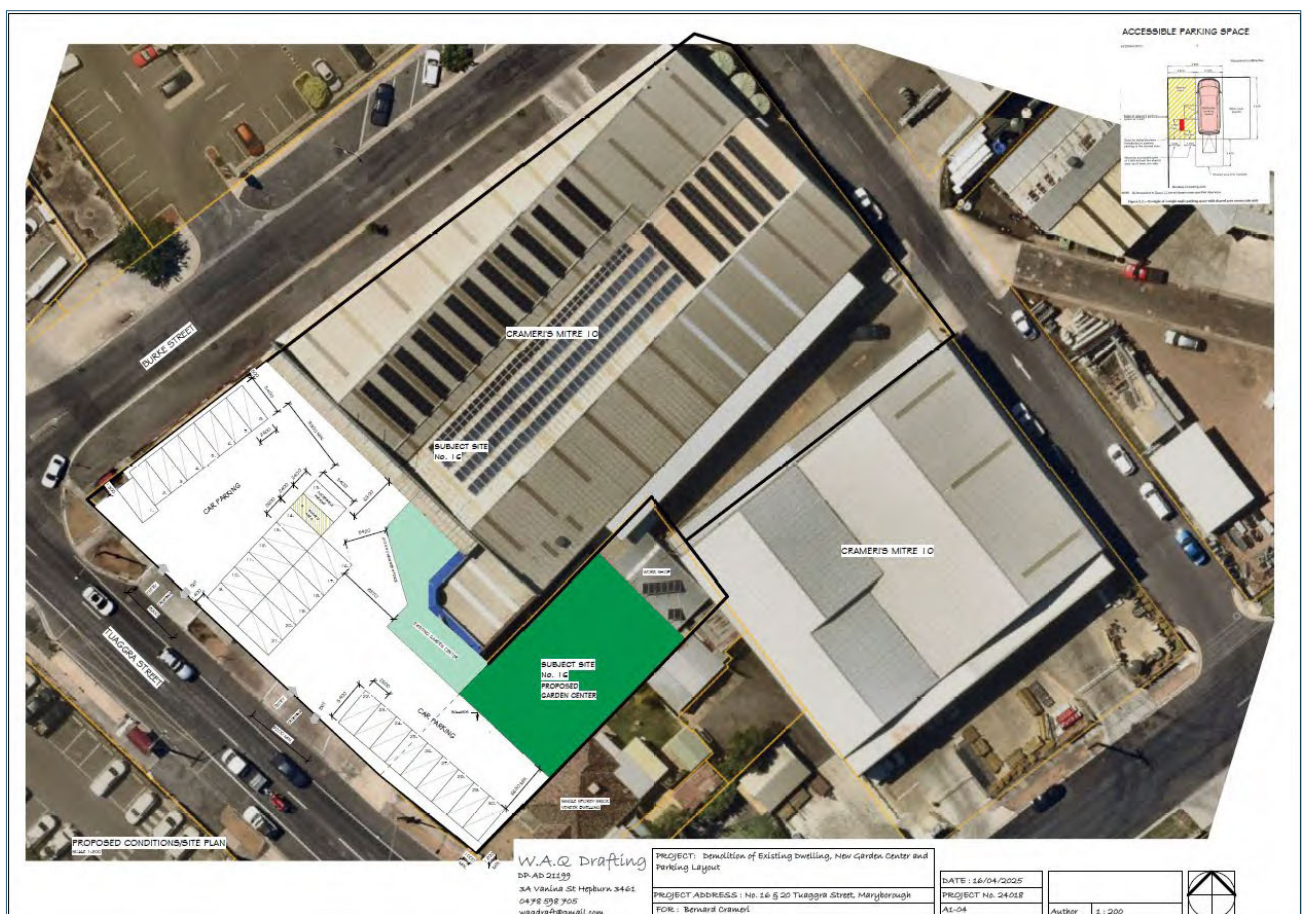


Figure 3 – Proposed Layout - Drawn by WAQ Drafting

Subject Site and Surrounds

Subject Site

The site is irregular in shape and includes several titles of land and encompasses the following approximate dimensions.

- Northern boundary: 100 metres (Crameri Lane)
- Eastern boundary: 88 metres (Part Burns Street, part internal)
- Southern boundary: 67 metres (Tuaggra Street)
- Western boundary: 98 metres (Burke Street)

The site has a total area of 40.45 hectares and is formally known as Lot 1 on LP146817.



Figure 4 - Site details - Source www.land.vic.gov.au

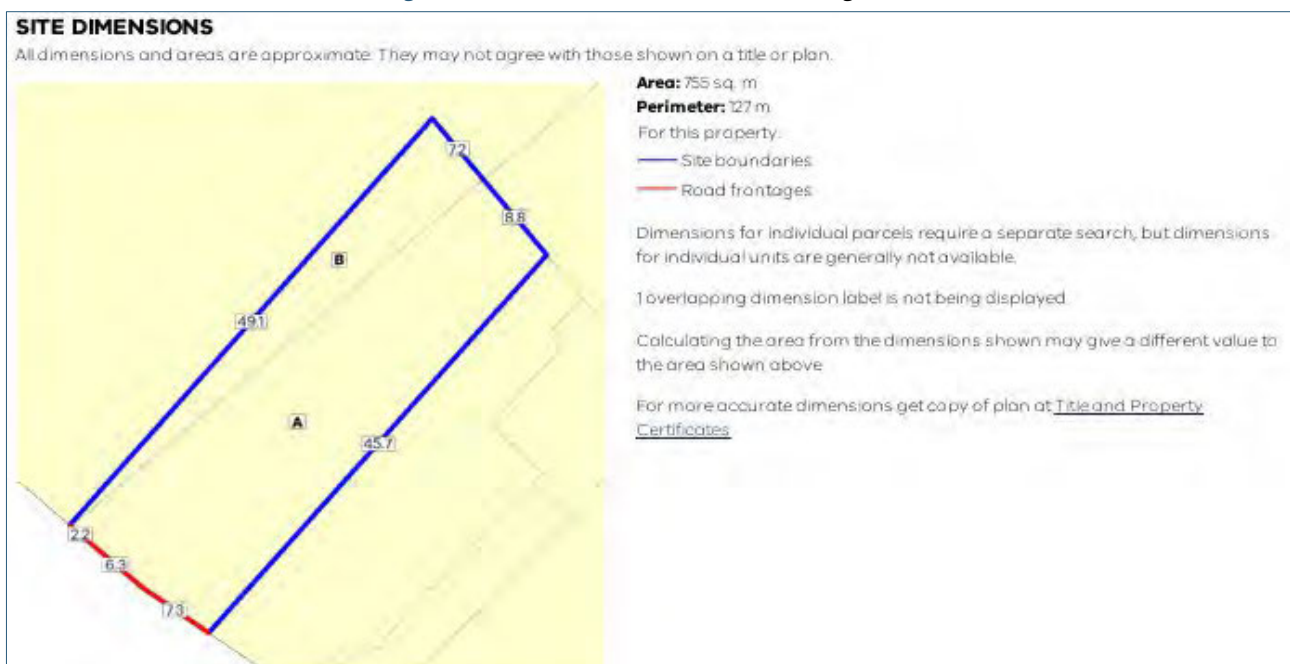


Figure 5 - Site Details - Source www.land.vic.gov.au

The site contains the existing trade supplies store and dwelling with associated outbuildings. The site includes both a Mitre 10 and a CRT rural supplies store. Drive through collection of larger items is able to be undertaken upon Burke Street (CRT) and Burns Street, exiting to Crameri Lane for Mitre 10.

The two trade supplies stores are established within a large sheet metal building that is coloured in each stores corporate colours and includes signage to direct customers to entrances and also detail various offerings of the businesses.

Surrounding area

The area surrounding the site is used for a mix of commercial, mixed use and residential purposes.

To the north of the site are large trade supplies type businesses, some dwellings and recreation uses. To the east is a mix of industrial uses, a train line with residential beyond.

To the south is a supermarket, department store and a range of specialty shops. The Maryborough train station is also to the south.

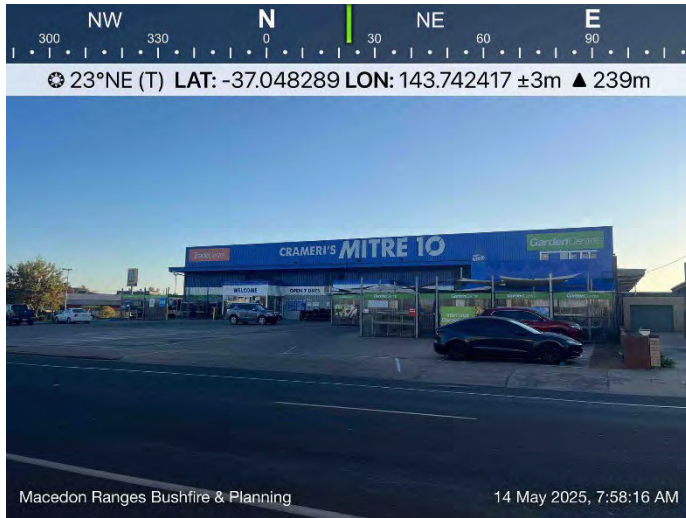
To the west is a mix of retail premises, supermarket, dwellings and childcare centre.

The main commercial centre of the township of Maryborough is located approximately 500m to the west of the site.



Figure 6 - Surrounding area. Source VicMap Aerial (State Government of Victoria, 2023)

Table 1 - Photos of site and surrounds



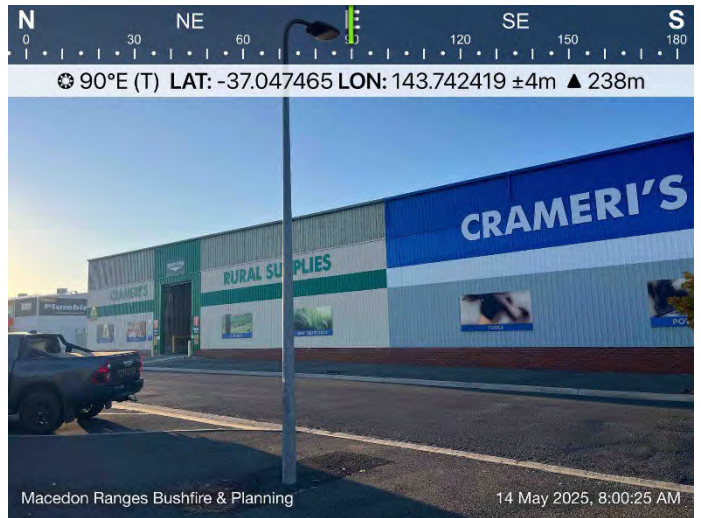
Mitre 10 store on site



Mitre 10 garden centre



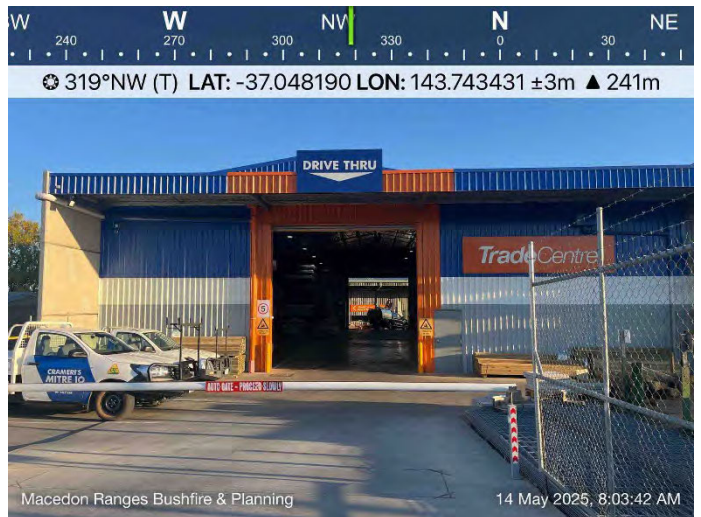
Along Tuaggra Street to northwest



Western elevation of the site



Exit of drive through associated with Mitre 10



Entry to drive through (Mitre 10)



Buildings to the southeast of the site



Supermarket and department store to the south of the site



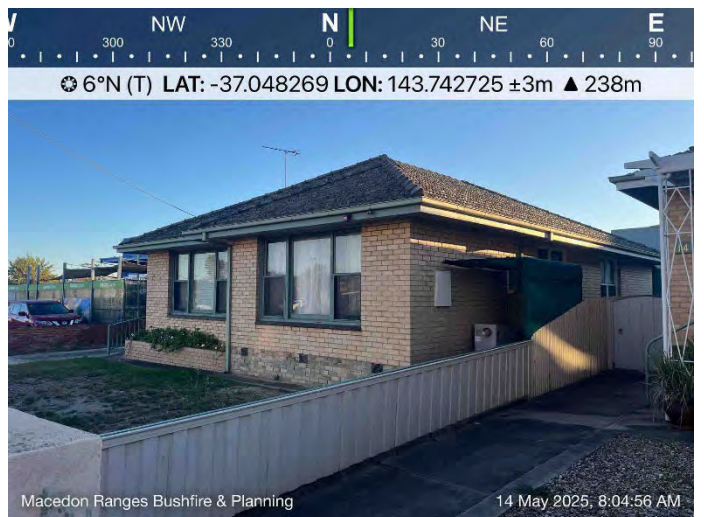
Northwest along Crameri Lane



Dwelling at 12 Tuaggra Street



Outbuilding of dwelling at 16 Tuaggra to be demolished



Dwelling at 16 Tuaggra Street to be demolished

Planning Provisions

Municipal Strategic Statement

The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause no.	Purpose
02.01	Context
02.02	Vision
02.03-1	Settlement
02.03-3	Environmental risks and amenity
02.03-5	Built Environment and Heritage
02.03-7	Economic Development

Planning Policy Framework

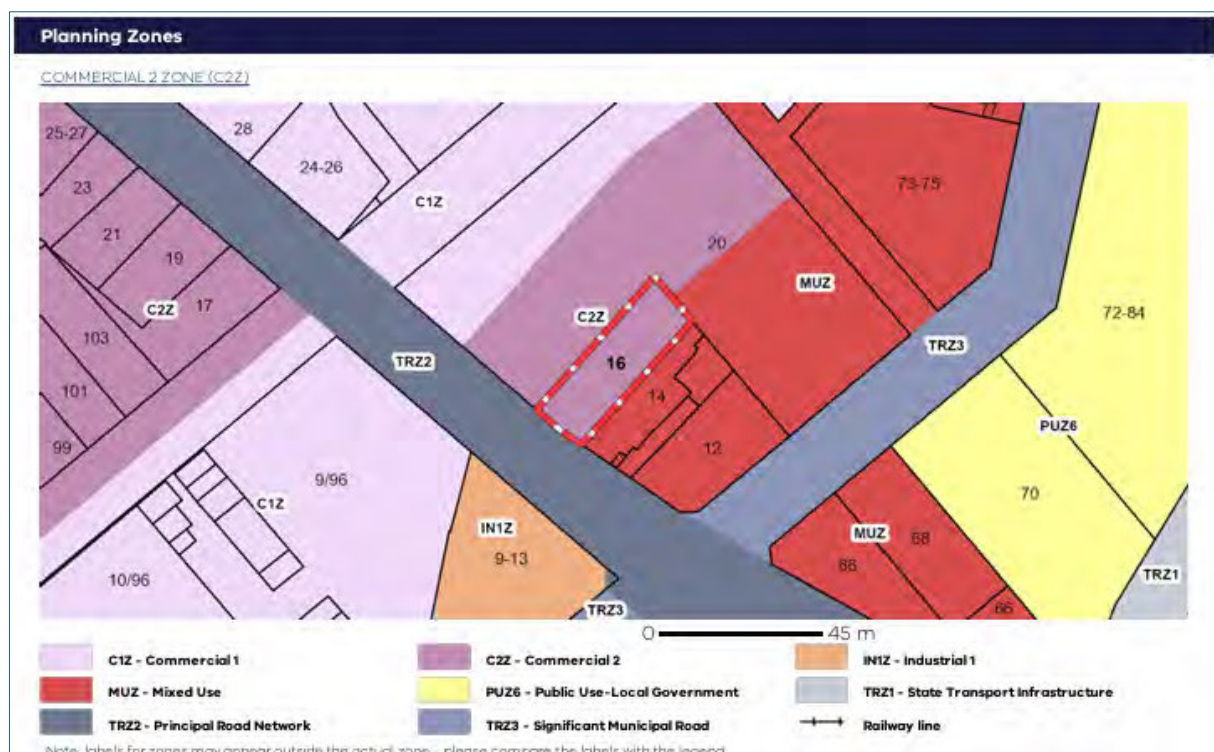
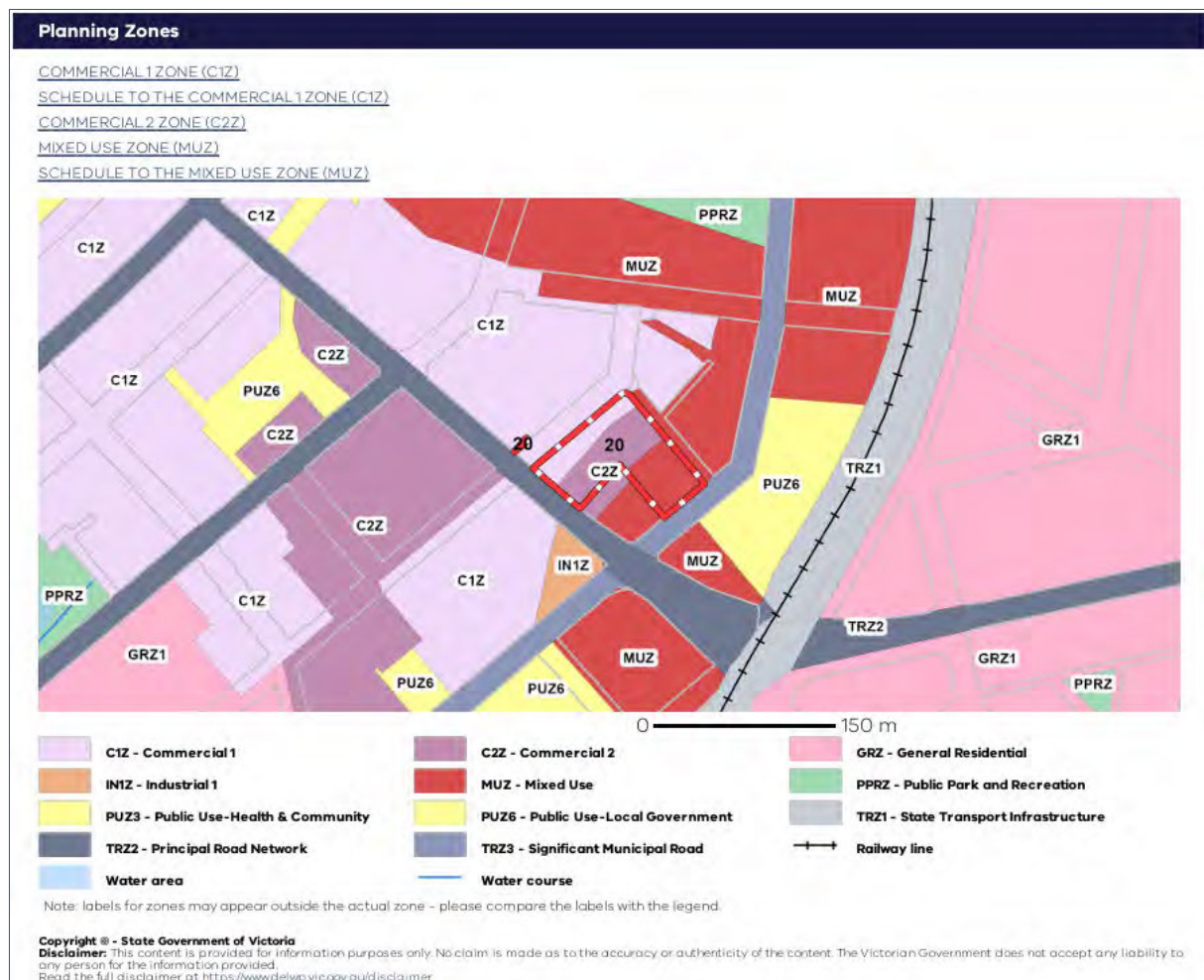
The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause no.	Objective
13	Environmental Risks and Amenity
13.03-1S Floodplain management	<i>To assist the protection of:</i> • Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows. • The natural flood carrying capacity of rivers, streams and floodways. • The flood storage function of floodplains and waterways. • Floodplain areas of environmental significance or of importance to river, wetland or coastal health.
13.05-1S Noise management	To assist the management of noise effects on sensitive land uses.
15	Built Environment and Heritage
15.01-1S Urban design	<i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>
15.01-2S Building design	<i>To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</i>
15.03-1S Heritage conservation	<i>To ensure the conservation of places of heritage significance.</i>
17	Economic Development
17.01-1S Diversified Economy	<i>To strengthen and diversify the economy.</i>

17.01-1R Diversified Economy – Loddon Mallee South	• <i>Support the ongoing role and contribution of the region’s small towns, settlements and non-urban areas through investment and diversification of their economies.</i> • <i>Support and develop emerging and potential growth sectors such as tourism, renewable energy, resource recovery and other green industries.</i> • <i>Facilitate new manufacturing and food processing industries that build on supply chains and take advantage of well-located and affordable land.</i> • <i>Facilitate access to natural resources where appropriate, including sand and stone, minerals, timber and renewable energy potential.</i>
17.01-1L Diversified Economy – Central Goldfields	• <i>Prioritise new and emerging business sectors, including co-working spaces, business incubators and spaces for social enterprise.</i> • <i>Encourage industries such as manufacturing, intensive agriculture and horticulture to locate in areas near roads and rail freight options, with sewerage and water services.</i>

Statutory Planning Controls

The relevant planning provisions that affect the site are as follows and are depicted below in **Error! Reference source not found.** and Figure 8.



Zone

The site is partly zoned Commercial 2, Commercial 1 and Mixed Use pursuant to Clauses 34.01, 34.02 and 32.04 of the Scheme.

The location of the works are limited to land zoned Commercial 2.

Commercial 2 Zone (C2Z)

The purpose of the C2Z is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

Permit Requirement

A permit is required under Clause 34.02-4 of the Scheme to construct or carry out buildings and works.

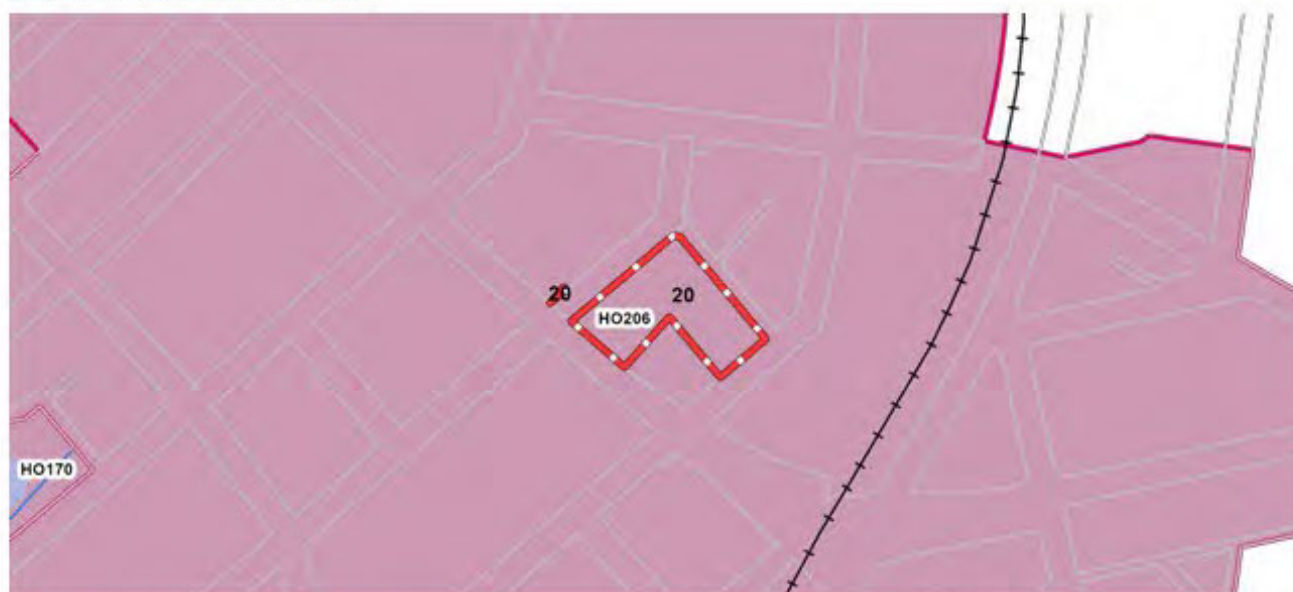
Overlays

The site is affected by the following overlays as detailed in **Figure 9**.

Planning Overlays

HERITAGE OVERLAY (HO)

HERITAGE OVERLAY - SCHEDULE (HO206)



LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

LAND SUBJECT TO INUNDATION OVERLAY - SCHEDULE 1 (LSIO1)

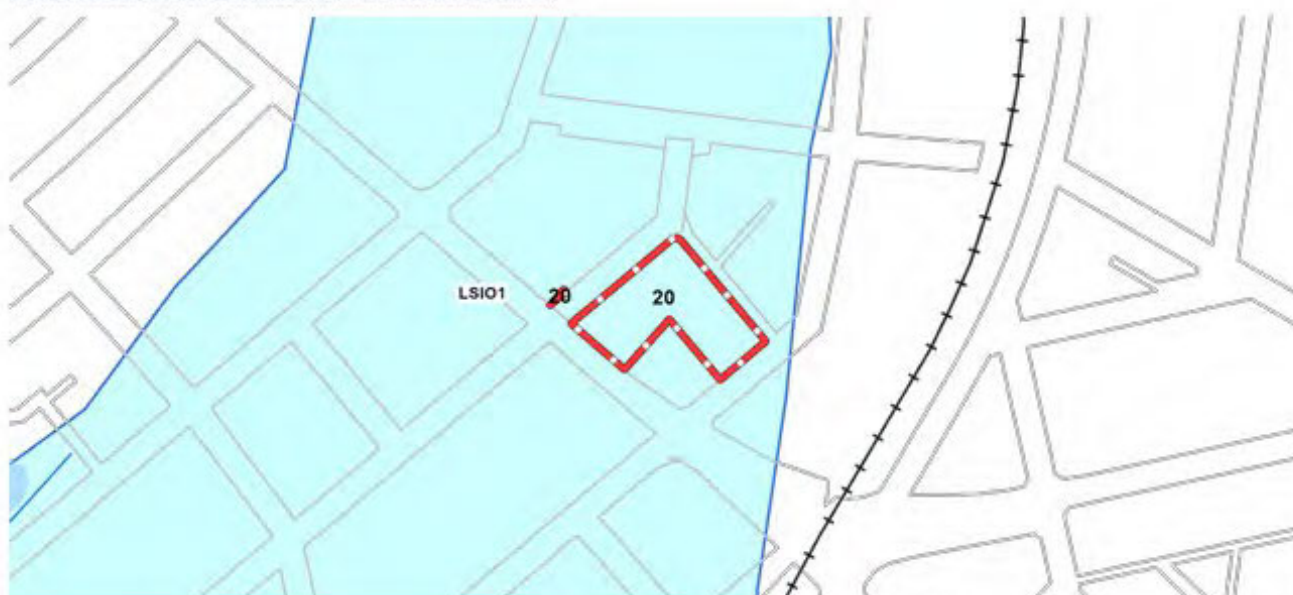


Figure 8 - Overlays affecting the site (State Government of Victoria, 2023)

Heritage Overlay – Schedule 206 (HO206)

The site is affected by the HO206 pursuant to Clause 43.01 of the Scheme.

The purpose of the HO 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.*

The Schedule to the Heritage Overlay identifies that Heritage Overlay Schedule 206 relates to the Maryborough Area.

Permit Requirement

Clause 43.01-1 states amongst other things that a permit is required to:

- Construct a building or construct or carry out works.
- Demolish a building.
- Construct a fence.

Land Subject to Inundation Overlay – Schedule 1

The site is affected by the LSIO1 pursuant to Clause 44.04 of the Scheme.

The purpose of the LSIO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

Permit Requirement

Clause 44.04-2 states amongst other things that a permit is required to construct a building or to construct or carry out works including a fence.

Particular Provisions

Clause 52.06 – Car parking

This provision applies to an application to increase the floor area of an existing use.

Pursuant to Clause 52.06-2, before a new use commences, the number of car parking spaces required by 52.06-5 must be provided.

The application proposes an extension to an existing trade supplies store.

Table 1 to Clause 52.06-5 of the Scheme requires that a total of 10 per cent of the site area of land used for trade supplies must be set aside for the parking of vehicles.

The site has a total area of 7682m² (including both Mitre 10 and CRT). The total area of the car parking area to the front of the site is 1371m².

This equates to a total of 17.8% of the site area being set aside for the purpose of car parking and access.

It is noted that a large portion of the site is also set aside for the purpose drive-through collection of bulky items which would further increase the area set aside for access associated with the trade supplies use.

As in excess of the area required for car parking has been provided on the site, a permit is not required to reduce the amount of car parking on the site.

The car parking spaces are all at least 2.6m wide by 5.4m long with aisle widths to access car parks in excess of 6.4m.

It is noted that the aisle adjacent to car park 16 is only 5.4m wide. This is only a very small reduction across the overall car park and given the expected slow pace of vehicles in this location, the provision of the additional car parking space on the site is a preferable option to less parking spaces being provided on the site.

Clause 52.29 – Land Adjacent to the Principal Road Network

The purpose of this clause is:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

Permit Requirement

A planning permit is required under clause 52.29-2 of the scheme (amongst other things) if it is proposed to create or alter access to road in a Transport Zone.

It is noted that access is existing, and there is not proposed to be any physical change to attain access to the site.

In line with the findings of Moser v Baw Baw SC [2023] VCAT 367 (5 April 2023) and Greater Shepparton City Council v D'Agostino [2016] VCAT 1355, where the following relevant matters were found when considering if a permit is required under Clause 52.29-2:

- Clause 52.29-2 requires a permit to “create or alter access”. Such a permit can only be required for either the use of land or development of land. Accordingly, the creation of access and the alteration of access must either be a use of land or development of land.
- The intensification of an existing use is not a separate category of use under the Act that is regulated under the Act or under the scheme. To the contrary, s.6(3) of the Act protects the existing use of land, buildings or works lawfully used or in existence prior to the coming into operation of a scheme or an amendment to a scheme.
- A change in terms of volume, frequency or type of traffic attending land is not of itself a change in the use of land and there is no warrant to read into clause 52.29.02 that the permit required under that provision is only required where another provision of the planning scheme requires a permit.

On the basis of the above, as the application does not seek to make any physical changes to the access to the site and access is existing, a planning permit is not required to create or alter access under this clause therefore it will no longer form part of this assessment.

Clause 52.34 – Bicycle Parking

Purpose

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Permit Requirement

Pursuant to Clause 52.34-1, a new use must not commence, or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

It is further noted that where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

The application proposes an extension to an existing trade supplies store. The extension is approximately 480m².

The extension would necessitate the provision of one additional bicycle space be provided on the site. Due to the nature of the proposed use being for trade supplies and the bulky nature of the vast majority of the products sold at the site, it is not anticipated that the extension to the existing building would generate additional bicycle traffic to the site.

Any bicycle parking will be able to be accommodated within the existing street furniture or adjacent to the existing building.

A permit would therefore be required to reduce the amount of bicycle parking required on the site.

Clause 53.18 – Stormwater

Purpose

- *To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.*

Pursuant to Clause 53.18-1, this clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the applications listed within the clause.

The application does not seek to increase the gross floor area associated with the existing trade supplies store. The demolition of the dwelling will allow for a greater area to be used for the garden centre associated with the trade supplies store but will not increase the gross floor area of the building.

The development is therefore considered to not be an application that this clause applies as it is an application that meets one of the following exemptions:

- *An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.*
- *An application to construct a building with a gross floor area not exceeding 50 square metres.*
- *An application to construct or carry out works with an area not exceeding 50 square metres.*

This clause will therefore no longer form part of this assessment.

General Provisions

Clause 66 – Referral and notice provisions.

Provision/ Clause	Organisation
Section 55 Referrals - Determining	
Nil	

Provision/ Clause	Organisation
Section 55 Referral - Recommending	
66.03 – An application under the overlay outside the waterway management district of Melbourne Water Corporation	Relevant floodplain management authority

Operational Provisions

Clause 71.02-3 – Integrated Decision Making

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

What are the key considerations?

The key considerations in relation to this application can be summarised as follows:

- Whether the proposal responds to the Planning Policy Framework
- Whether the proposal responds to the objectives and decision guidelines of the applicable zoning and overlays

Response to Policy Framework

Clause no.	Objective
13	Environmental Risks and Amenity
13.03-1S Floodplain management	<i>To assist the protection of:</i> • Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows. • The natural flood carrying capacity of rivers, streams and floodways. • The flood storage function of floodplains and waterways. • Floodplain areas of environmental significance or of importance to river, wetland or coastal health.
13.05-1S Noise management	To assist the management of noise effects on sensitive land uses.
Response: The trade supplies business is existing on the site and has done so for an extended period of time. The proposed extension to the garden centre does not introduce an additional sensitive land use and will also not make any significant impact on the natural flow of floodwaters. The size and extent of the existing building on the site will already have an impact on the flow of floodwaters and the proposed extension to the garden centre that will only include a larger fenced area will not have a significant impact on changing the direction of floodwaters or increasing the risk of floodwater adversely impacting on properties downstream. The site operates between normal business hours. The expansion of the garden centre will not increase noise levels from the site. The site is also located within a commercial/mixed uses area close to other uses that have similar noise generation impacts. A garden centre is considered to be one of the lower noise generating components of the trade supplies use and its expansion close to the dwelling to the southeast of the site is not expected to have an adverse impact.	
15	Built Environment and Heritage
15.01-1S Urban design	<i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>
15.01-2S Building design	<i>To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</i>
15.03-1S Heritage conservation	<i>To ensure the conservation of places of heritage significance.</i>

Response:

The built form of the expanded garden area is not expected to have an adverse impact on the amenity of the area. The existing building is of a significant size and is an expected built form outcome for the site. The expansion of the garden centre will provide additional fencing and shade sails that will largely be no taller than a single storey-built form.

The proposed expansion will result in a similar built form to what is existing on the site.

The dwelling to be removed to provide for the expansion has not been identified as being individually significant with respect to heritage. Despite the site being affected by the Heritage Overlay, the HO206 is a wide-reaching precinct overlay that is currently being reviewed.

The 2023 review identifies that should the findings of the review of this overlay be adopted, the site would no longer be included within a heritage overlay.

17	Economic Development
17.01-1S Diversified Economy	<i>To strengthen and diversify the economy.</i>
17.01-1R Diversified Economy – Loddon Mallee South	• <i>Support the ongoing role and contribution of the region's small towns, settlements and non-urban areas through investment and diversification of their economies.</i> • <i>Support and develop emerging and potential growth sectors such as tourism, renewable energy, resource recovery and other green industries.</i> • <i>Facilitate new manufacturing and food processing industries that build on supply chains and take advantage of well-located and affordable land.</i> • <i>Facilitate access to natural resources where appropriate, including sand and stone, minerals, timber and renewable energy potential.</i>
17.01-1L Diversified Economy – Central Goldfields	• <i>Prioritise new and emerging business sectors, including co-working spaces, business incubators and spaces for social enterprise.</i> • <i>Encourage industries such as manufacturing, intensive agriculture and horticulture to locate in areas near roads and rail freight options, with sewerage and water services.</i>

Response:

The expansion of the proposed garden centre component of the trade supplies store will provide an expanded retail experience and support the local economy and increase retail and employment opportunities within Maryborough.

Zoning

Commercial 2 Zone (C2Z)

The purpose of the C2Z at Clause 34.02 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

Permit Requirement

A permit is required under Clause 34.02-4 of the Scheme to construct or carry out buildings and works.

Response to the purpose of the zone and the conservation values of the schedule

The application proposes to expand an existing, established trade supplies store on the site. There will not be an increase in noise as a consequence of the expanded area and the modified car parking layout will improve traffic circulation and pedestrian safety on the site.

Decision Guidelines

Clause 34.02-7 requires the responsible authority to consider the following decision guidelines before deciding on an application under the overlay:

Decision Guideline	Comment
General Issues	
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i> <i>The interface with adjoining zones, especially the relationship with residential areas.</i>	The application responds positively to the MPS and PPF as has been detailed earlier in this report. The expanded garden centre will continue to provide an acceptable built form response from the public realm without adversely impacting on adjoining uses. Land to the east is zone Mixed Use. While dwellings are present to the east, the surrounding land uses are predominantly commercial/light industrial in nature and are located in a high traffic volume area. The quiet nature of the garden centre and low scale, permeable (apart from dividing fence) nature of the expansion will provide an appropriate interface.
Use	
<i>The effect that existing uses may have on the proposed use.</i> <i>The drainage of the land.</i> <i>The availability of and connection to services.</i> <i>The effect of traffic to be generated on roads.</i> <i>The interim use of those parts of the land not required for the proposed use.</i> <i>If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.</i>	The existing trade use of the land is not proposed to be changed/modified. Only an expansion to the garden centre and rearrangement of the car park layout is proposed. There will be no change to operating hours and no meaningful impact on services. Traffic safety will be improved on the site. No alteration to the access is proposed however.
Subdivision	
<i>The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.</i> <i>Any natural or cultural values on or near the land.</i> <i>Streetscape character.</i> <i>Landscape treatment.</i>	Not applicable.
Building and works	
<i>The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.</i> <i>The provision of car parking.</i> <i>The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.</i> <i>Defining the responsibility for the maintenance of buildings, landscaping and paved areas.</i> <i>The availability of and connection to services.</i> <i>Any natural or cultural values on or nearby the land.</i>	The car parking layout will greatly improve pedestrian safety on the site. The car park will allow traffic circulation to occur throughout the site while still maintaining the existing access points to the site. The built form on the site is well setback from the street and how the building is maintained will remain as existing. Car parking in accordance with clause 52.06 is provided. The car parking area will continue to be a sealed, all weather surface. Stormwater will continue to be directed into the legal discharge point of the site.

-
- Outdoor storage, lighting, and stormwater discharge.
 - The design of buildings to provide for solar access.
-

Overlays

Heritage Overlay – Schedule 206 (HO206)

The site is affected by the HO206 pursuant to Clause 43.01 of the Scheme.

The purpose of the HO 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.

The Schedule to the Heritage Overlay identifies that Heritage Overlay Schedule 206 relates to the Maryborough Area.

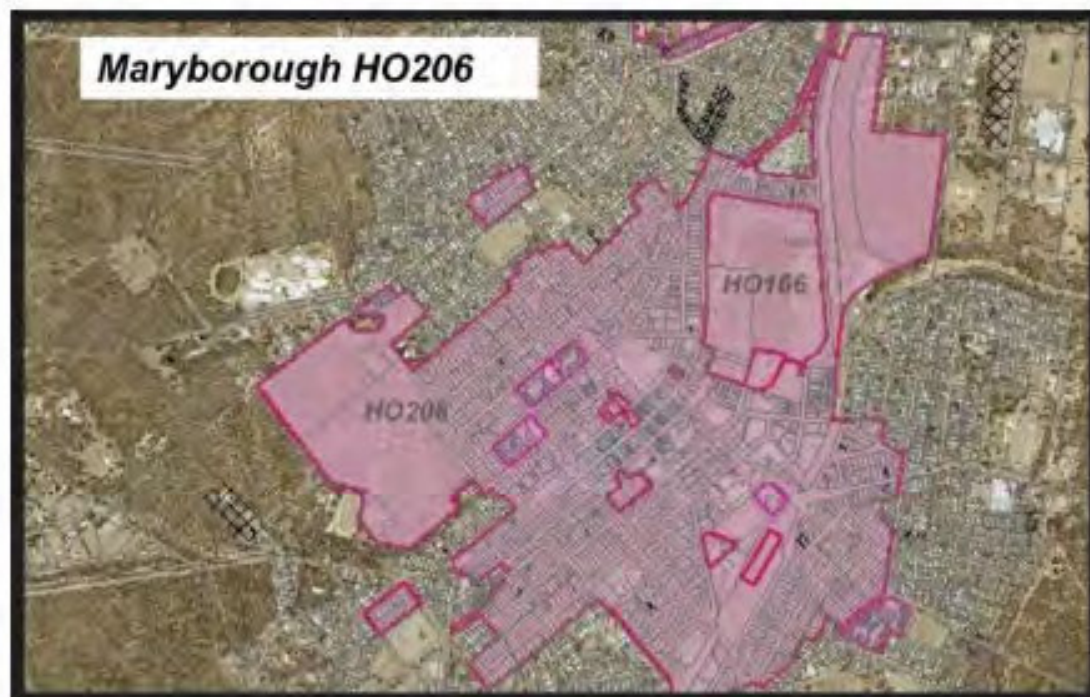
Central Goldfields Planning Scheme contains five local heritage places in Maryborough which are currently included in the Heritage Overlay. These include a large heritage precinct area, Heritage Overlay 206: Maryborough Area (HO 206) and four individual places.

During 2023, a review of the Heritage Overlay covering much of Maryborough was conducted. The review revealed that the overlay (called HO 206) covers a broad blanket area, including many places that are not of heritage significance.

It is proposed that the single HO 206 be replaced with a number of defined heritage precincts and places, with clear descriptions of what should be protected, and guidelines on how to do this. In some areas it is proposed that the Heritage Overlay be removed altogether.

Affected Area

Existing Heritage Overlay:



Proposed New Heritage Overlay:

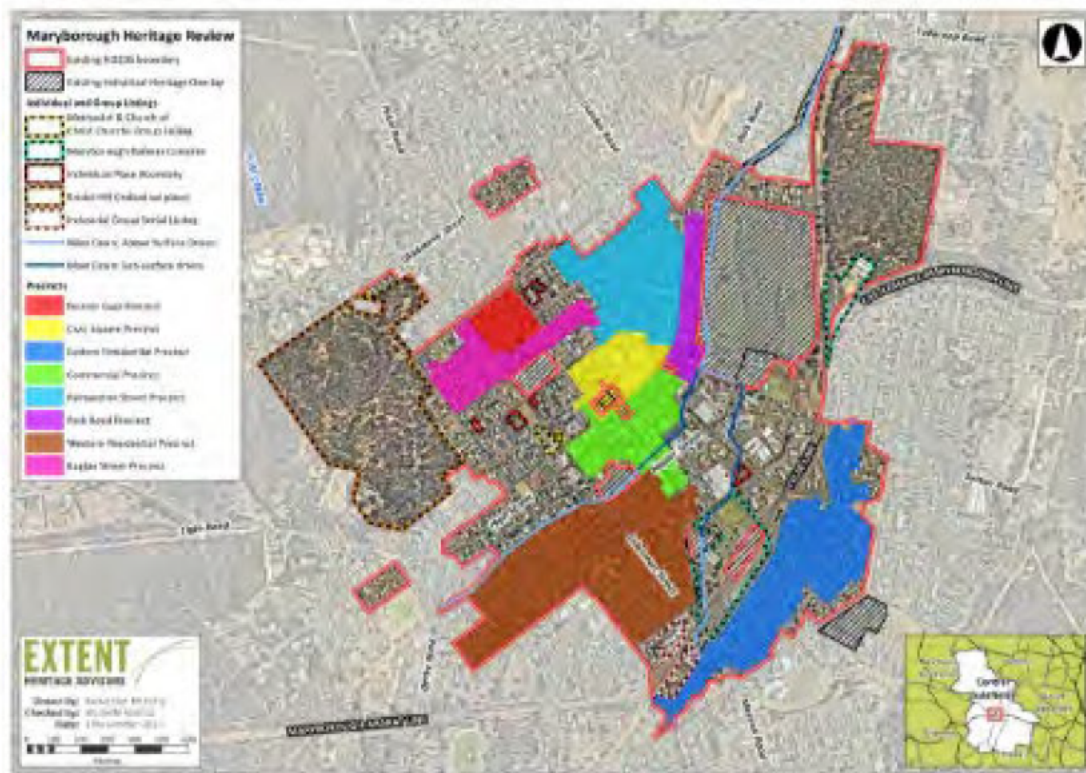


Figure 9 - Mapping identifying findings of recent review of Heritage Overlay HO206

The subject site is one of those areas that the Heritage Overlay is sought to be removed. While this is important to note, the Heritage Overlay still affects the site and must be considered.

Permit Requirement

Clause 43.01-1 states amongst other things that a permit is required to:

- Construct a building or construct or carry out works.
- Demolish a building.
- Construct a fence.

Before deciding on an application, clause 43.01-8 includes a number of decision guidelines that the responsible authority to consider before deciding on an application under the overlay:

Table 2 - Decision Guidelines – HO206

Decision Guideline	Comment
• The Municipal Planning Strategy and the Planning Policy Framework.	See response provided previously.
• The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.	The dwelling to be demolished and existing building on the site do not have any site-specific identified heritage significance. A recent review of the HO206 identifies that the site is recommended to no longer be included within a heritage overlay.
• Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.	As above, the site has not site-specific heritage significance.
• Any applicable heritage design guideline specified in the schedule to this overlay.	Not applicable.

Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.	The expanded garden centre will continue to provide an acceptable built form in response from the public realm. The buildings with heritage significance on the opposite side of Tuaggra Street will not be adversely impacted by the proposed expansion of the garden centre.
Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.	The proposed development will predominantly be permeable as it relates to the extension to the garden area. The Tuaggra elevation already includes this design response and it is not considered that the extension to this existing built form will have an adverse impact on the amenity of the area. The surrounding built form, including the development on the subject site includes a built form with sheer walls and built to boundary development. This includes buildings like the heritage building on the opposite side of Tuaggra Street.
Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.	The existing dwelling to be removed does not hold any identified site-specific heritage significance. The 2023 HO206 review does not seek to include this dwelling or any of the adjoining dwellings in a heritage overlay should the recommendations be adopted and a future planning scheme amendment be approved.
Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.	The proposed works will not have an adverse impact on the significance of any identified heritage place.
Whether the proposed subdivision will adversely affect the significance of the heritage place.	Not applicable
Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.	Not applicable
Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.	Not applicable
Whether the topping or development will adversely affect the health, appearance or significance of the tree.	Not applicable
Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.	Not applicable

On the basis of the above, it is considered that the proposed development is appropriate with respect to the purpose and decision guidelines of the HO206.

Land Subject to Inundation Overlay – Schedule 1

The site is affected by the LSIO1 pursuant to Clause 44.04 of the Scheme.

The purpose of the LSIO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.
- To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.
- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.
- To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health

Permit Requirement

Clause 44.04-2 states amongst other things that a permit is required to construct a building or to construct or carry out works including a fence.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Decision guidelines of Clause 44.04-8	
Decision Guideline	Comment
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	Such a response has been provided previously.
<i>Any local floodplain development plan.</i>	No such plan exists.
<i>Any comments from the relevant floodplain management authority.</i>	The application is required to be referred to the relevant floodplain authority.
<i>The existing use and development of the land.</i>	The site includes a signification building with an area within the front setback of the site that is fenced associated with the garden centre on the site. The are of fencing is proposed to be increased.
<i>Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.</i>	There is no other portion of the site that the development could be located. The development is located on the highest elevation possible on the site where no other buildings are located.
<i>Alternative design or flood proofing responses.</i>	There are no other reasonable design options that the proposed development could reflect. The fenced area is located close to the existing building on the site and is not expected to be designed as such that it would have an adverse impact on the natural flow path of floodwaters.
<i>The susceptibility of the development to flooding and flood damage.</i>	The development will not be overly susceptible to flood damage. Should it be impacted by floods, it would be easily able to be replaced. Further, should the development be carried away during a flood event, it is not expected that it would have a significant impact on adjoining built form.
<i>The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:</i> <i>The frequency, duration, extent, depth and velocity of flooding of the site and accessway.</i> <i>The flood warning time available.</i> <i>Tidal patterns.</i> <i>Coastal inundation and erosion.</i> <i>The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.</i>	There is not expected to be a significant risk to life, health and safety as a consequence of the proposed development. A small extension to an existing garden centre associated with a trade supplies store is proposed. The site could be prepared to limit the impacts of rising floodwaters.
<i>The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.</i>	The proposed extension to the garden centre is not expected to have a significant impact on the redirection or obstruction of floodwaters.
<i>The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream</i>	There will not be an impact on rive health as a consequence of the proposed development.

- Any other matters specified in a schedule to this overlay.

No matters listed within the schedule.

Particular Provisions

Clause 52.34 – Bicycle Parking

Purpose

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Permit Requirement

Pursuant to Clause 52.34-1, a new use must not commence, or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

The application proposes an extension to an existing trade supplies store. The extension is approximately 480m².

The extension would necessitate the provision of one additional bicycle space be provided on the site.

Decision Guidelines

Decision guidelines of Clause 52.34-4	
Decision Guideline	Comment
• Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.	The site is used for trade supplies store and currently does not provide any formalised bicycle parking facilities. The nature of the use does not lend itself to generating much bicycle traffic due to the bulky nature of the good sold. There are many informal areas to park a bicycle should customers ride to the store. Staff can take a bicycle inside the store within the ample back of house and storage areas.
• The location of the proposed land use and the distance a cyclist would need to travel to reach the land.	The site is located close to the Maryborough CBD. Public transport options are available and ample car parking is also provided.
• The users of the land and their opportunities for bicycle travel.	Staff may choose to cycle to the site. There are limited bicycle lanes within the immediate proximity to the site and the roads do carry traffic volumes that make cycling in this area somewhat difficult. As noted previously, the large nature of the goods sold in the trade supplies store make it unlikely for customers to ride to the site.
• Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.	No shower and change rooms are required to be provided.
• The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand	Not applicable.

over time or because of efficiencies gained from the consolidation of shared bicycle facilities.

- | | |
|--|---|
| • Australian Standard AS2890.3:2015, <i>Parking Facilities Part 3: Bicycle Parking</i> (Standards Australia, 2015) | No bicycle parking is deemed necessary. |
| • Any relevant bicycle parking strategy or equivalent. | No such strategy exists. |

Conclusion

The application proposes the construction of an extension to an existing trade supplies store. The extension only involves an increase in the garden centre area associated with the store and a redesign and relining of the car park.

No alteration to access is required.

The dwelling to be removed to allow for the extension does not included any site-specific heritage protection and it is noted that no heritage protection would be included on the site should the recent heritage overlay review be adopted and a planning scheme amendment completed.

No vegetation removal is required.

There is not expected to be any impact on flood risk as a result of the proposed development.

It is on this basis that it is considered that the proposed development is appropriate and warrants Council Support.

References

DTP. (2024). *VicPlan*. Retrieved from <https://mapshare.vic.gov.au/vicplan/>

State Government of Victoria. (2023, May 10). *VicMap Basemaps*. Retrieved from <https://www.land.vic.gov.au/>

Appendix 1 – Title and Title Plan

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

Page 1 of 1

VOLUME 08360 FOLIO 287

Security no : 124123717039L
Produced 15/04/2025 03:16 PM

LAND DESCRIPTION

Lot 1 on Title Plan 246640B.
PARENT TITLE Volume 01509 Folio 673
Created by instrument B332580 12/12/1961

REGISTERED PROPRIETOR

[REDACTED]

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP246640B 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: 16 TUAGGRA STREET MARYBOROUGH VIC 3465

ADMINISTRATIVE NOTICES

[REDACTED]

Imaged Document Cover Sheet

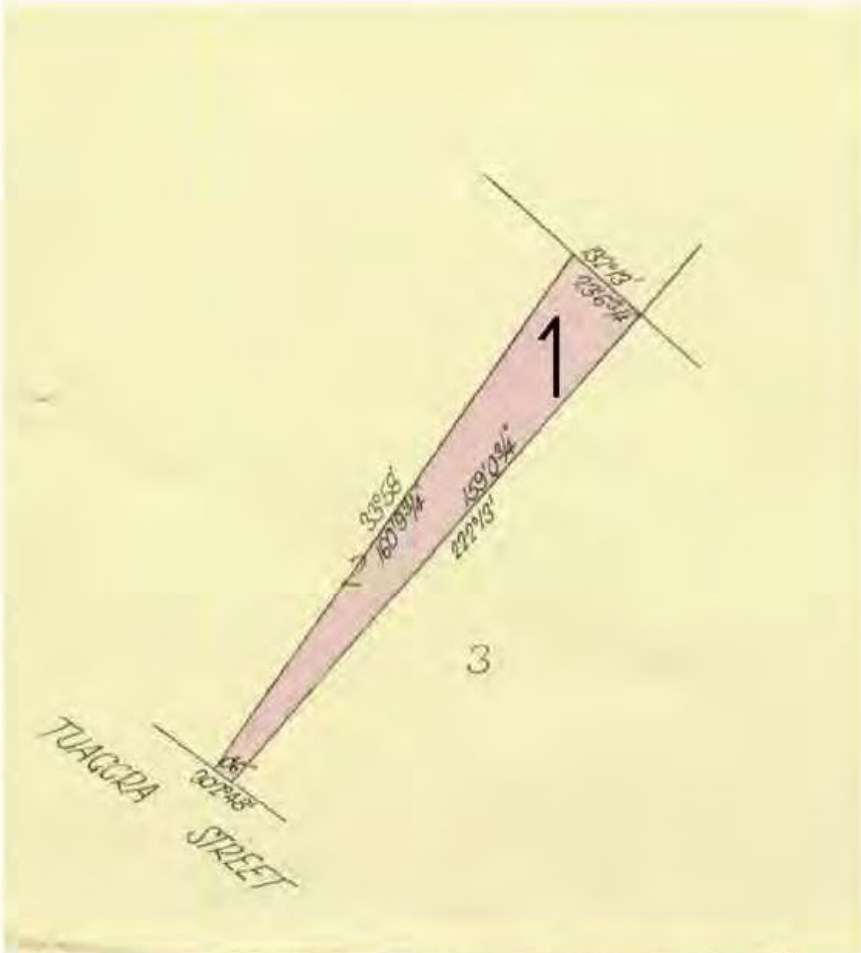
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TITLE PLAN		EDITION 1	TP 340313S			
Location of Land Parish: MARYBOROUGH Township: MARYBOROUGH Section: 48B Crown Allotment: 2(PT) Crown Portion: Last Plan Reference: Derived From: VOL 8399 FOL 523 Depth Limitation: 50 FEET		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN				
Description of Land / Easement Information			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 02/03/2000 VERIFIED: GB			
 						
<table border="1" style="width: 100%;"> <tr> <th style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td> WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 </td> </tr> <tr> <td> PARCEL 1 = CA 2 (PT) </td> </tr> </table>				TABLE OF PARCEL IDENTIFIERS	WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962	PARCEL 1 = CA 2 (PT)
TABLE OF PARCEL IDENTIFIERS						
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PARCEL 1 = CA 2 (PT)						
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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 07836 FOLIO 063

Security no : 124123717901Y
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LAND DESCRIPTION

Crown Allotment 5 Section 48B Township of Maryborough Parish of Maryborough.
PARENT TITLE Volume 04396 Folio 024
Created by instrument 2548826 24/03/1953

REGISTERED PROPRIETOR

[REDACTED]

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP273578A 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: 20 TUAGGRA STREET MARYBOROUGH VIC 3465

DOCUMENT END

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TITLE PLAN		EDITION 1	TP 287724N
Location of Land Parish: MARYBOROUGH Township: MARYBOROUGH Section: 48B Crown Allotment: 7 Crown Portion: Last Plan Reference: Derived From: VOL 4344 FOL 738 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Description of Land / Easement Information		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 25/01/2000 VERIFIED: AD	
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TITLE PLAN		EDITION 1	TP 358959Q
Location of Land Parish: MARYBOROUGH Township: MARYBOROUGH Section: 48B Crown Allotment: 7A Crown Portion: Last Plan Reference: Derived From: VOL 6562 FOL 206 Depth Limitation: 50 FEET		Notations SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 6562 FOL. 206 AND NOTED ON SHEET 2 OF THIS PLAN ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Description of Land / Easement Information			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 20/03/2000 VERIFIED: PC
COLOUR CODE Y = YELLOW			
LENGTHS ARE IN LINKS Metres = 0.3048 x Feet Metres = 0.201168 x Links		Sheet 1 of 2 sheets	

TITLE PLAN	TP 358959Q
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LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS
CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT

All THAT PIECE OF LAND in the said State containing
three perches and one-half of a perch more or less being Allotment seven^A of Section forty-eight^B in the
Town of Maryborough Parish of Maryborough County of Talbot

delineated with the measurements and abutments thereof in the map drawn in the margin of these presents and therein colored yellow PROVIDED nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any wells or springs of water upon or within the boundaries of the said land for any and for all purposes as though she held the land without limitation as to depth EXCEPTED nevertheless unto Us Our heirs and successors all gold and silver and minerals as defined in the Mines Act 1928 in upon or under or within the boundaries of the land hereby granted AND reserving to Us Our heirs and successors free liberty and authority for Us Our heirs and successors and Our and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver and minerals as aforesaid and to extract and remove therefrom any such gold silver and minerals and to search for and work dispose of and carry away the said gold silver and minerals lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver and minerals and the working of all mines seams lodes and deposits containing such gold silver and minerals in upon or under the land hereby granted AND ALSO reserving to Us Our heirs and successors—

- (i) all petroleum as defined in the Mines (Petroleum) Act 1935 on or below the surface of the said land and
- (ii) the right of access for the purpose of searching for and for the operations of obtaining such petroleum in any part or parts of the said land and
- (iii) rights of way for access and for pipe-lines and other purposes necessary for obtaining and conveying such petroleum in the event of such petroleum being obtained in any part or parts of the said land.

PROVIDED ALWAYS that the said land is and shall be subject to be resumed for mining purposes under Section 168 of the Land Act 1928.

AND PROVIDED also that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a mining lease or mineral lease under the Mines Act 1928 or any corresponding previous enactment to enter therein and to mine for gold silver or minerals within the meaning of the said Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which such person would for the time being be entitled to mine for gold and silver in and upon Crown lands PROVIDED that compensation shall be paid to the said

GRANTEE

her executors administrators assigns or transferees by such person for surface damage to be done to such land by reason of mining thereon such compensation to be determined as provided for the time being by law and the payment thereof to be a condition precedent to such right of entry.

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

Page 1 of 1

VOLUME 12587 FOLIO 348

Security no : 124125179650R
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LAND DESCRIPTION

Land in Plan of Consolidation 383841A.

PARENT TITLES :

Volume 04942 Folio 355 to Volume 04942 Folio 356

Volume 08224 Folio 791 Volume 08669 Folio 300

Volume 10481 Folio 430 to Volume 10481 Folio 431

Created by instrument PC383841A 04/12/2024

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

BERNARD JOSEPH CRAMERI of 9-13 TUAGGRA STREET MARYBOROUGH VIC 3465

PC383841A 04/12/2024

ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE PC383841A 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: 20 TUAGGRA STREET MARYBOROUGH VIC 3465

ADMINISTRATIVE NOTICES

NIL

eCT Control 21479V GOLDFIELDS LEGAL PTY LTD

Effective from 04/12/2024

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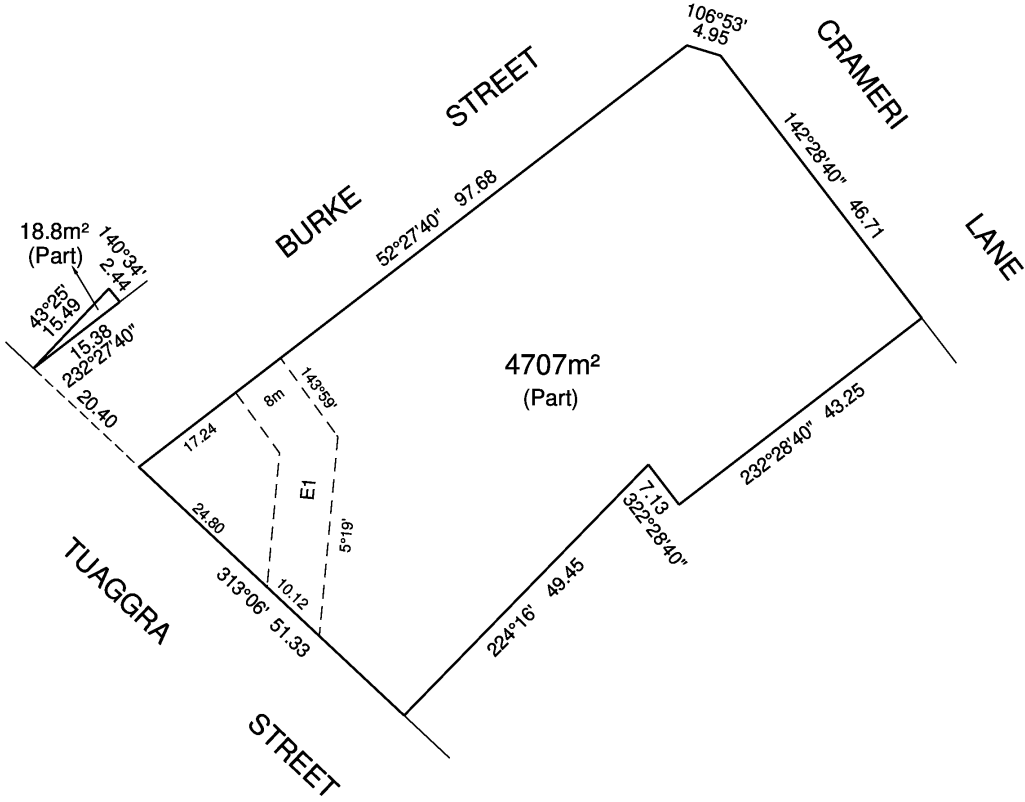
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Document Identification	PC383841A
Number of Pages (excluding this cover sheet)	2
Document Assembled	10/06/2025 11:11

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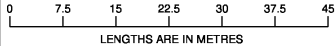
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PLAN UNDER SECTION 22 OF THE SUBDIVISION ACT 1988 PLAN OF CONSOLIDATION			EDITION 1		PC383841A	
LOCATION OF LAND PARISH: MARYBOROUGH TOWNSHIP: MARYBOROUGH CROWN DESCRIPTION: CA. 1 (PT), 2 (PT), 5A, 5B, 8 (PT), 11C, CROWN SECTION 48A, 48B TITLE REFERENCES: VOL. 8224 FOL. 791 VOL. 4942 FOL. 355 VOL. 10481 FOL. 430 VOL. 8669 FOL. 300 VOL. 10481 FOL. 431 VOL. 4942 FOL. 356 LAST PLAN REFERENCE: LOT 1 ON TP618793 LOT 1 ON TP369500 LOTS 11C~48B,5A~48B,5B~48B ON PP5508 LOT 1 ON TP372314 POSTAL ADDRESS: 20 TUAGGRA STREET (at time of subdivision) MARYBOROUGH 3465 VIC MGA CO-ORDINATES: E 743 910 ZONE: 54 (approx. centre of land in plan) N 5 896 315			Council Name: Central Goldfields Shire Council Council Reference Number: C011-24 Planning Permit Reference: Planning permit not required SPEAR Reference Number: S237755B Certification This plan is certified under section 6 of the Subdivision Act 1988 Statement of Compliance This is a statement of compliance issued under section 21 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has not been made Digitally signed by: Peter Field for Central Goldfields Shire Council on 25/10/2024			
VESTING OF ROADS AND/OR RESERVES						
IDENTIFIER		COUNCIL/BODY/PERSON				
NIL		NIL				
NOTATIONS						
DEPTH LIMITATION:		A Depth Limitation of 15m below the surface applies to C.A. 5B, 11C in this plan. A Depth Limitation of 15.24m below the surface applies to C.A. 1, 2, 5A in this plan.				
This is an ePlan This is not a staged subdivision SURVEY: This plan is based on survey.						
EASEMENT INFORMATION						
LEGEND:		A-Appurtenant Easement		E-Encumbering Easement		
				R-Encumbering Easement (Road)		
IDENTIFIER	PURPOSE	WIDTH (m)	ORIGIN	LAND BENEFITED/IN FAVOUR OF		
E1	DRAINAGE	8	CROWN GRANT VOL. 10481 FOL. 430	CENTRAL GOLDFIELDS SHIRE		
Dickson Hearn Pty Ltd 3/92 Bridge Mall Ballarat VIC 3350 Phone: 03 5333 2225 Fax: 03 5333 3220			SURVEYORS FILE REF: 9907 Digitally signed by: RUSSELL JOHN DICKSON, Licensed Surveyor, Surveyor's Plan Version (1), 02/10/2024, SPEAR Ref: S237755B		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 2 Land Use Victoria Plan Registered 01:09 PM 04/12/2024 Assistant Registrar of Titles	



Dickson Hearn Pty Ltd
3/92 Bridge Mall
Ballarat VIC 3350
Phone: 03 5333 2225
Fax: 03 5333 3220

SCALE
1 : 750



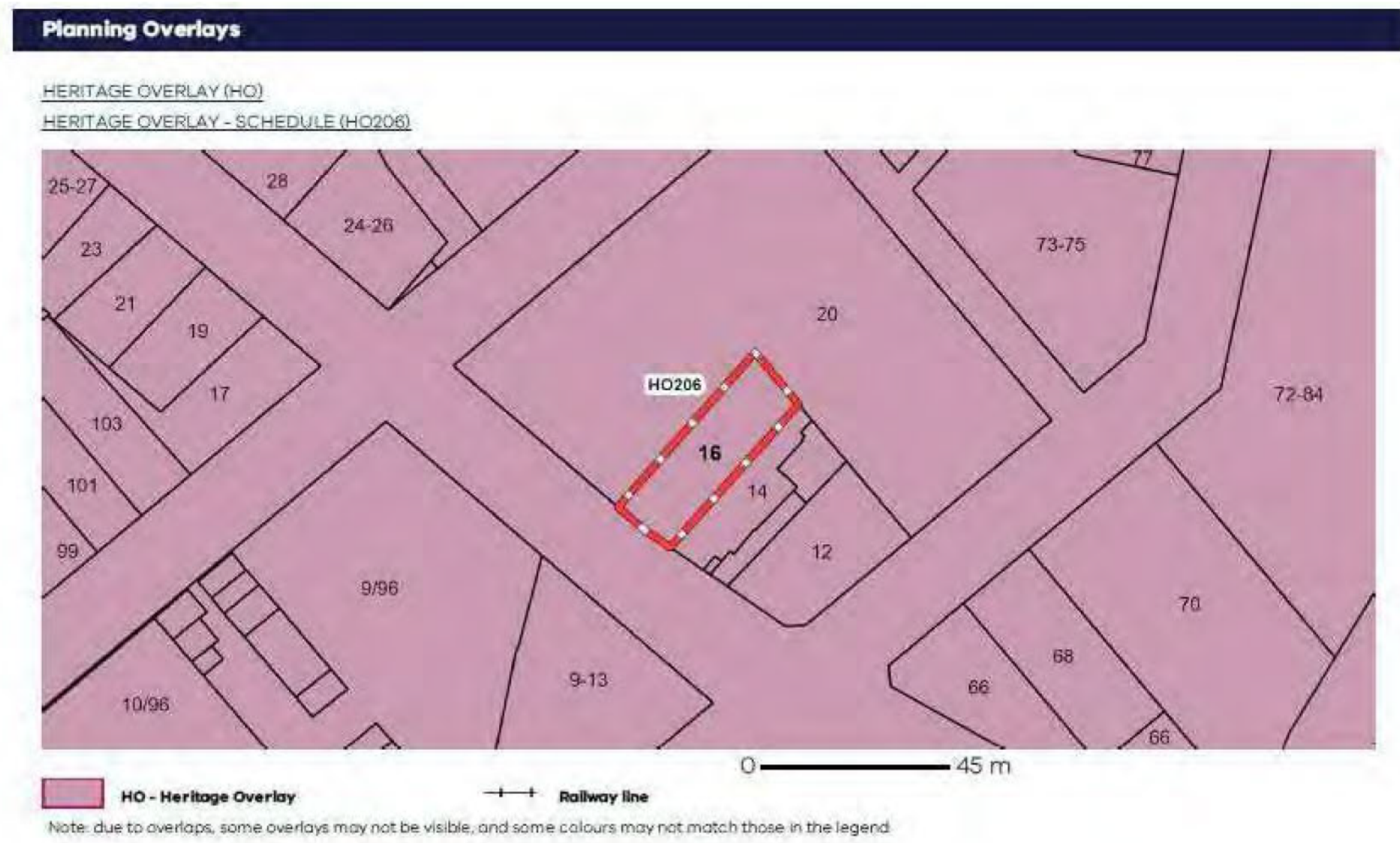
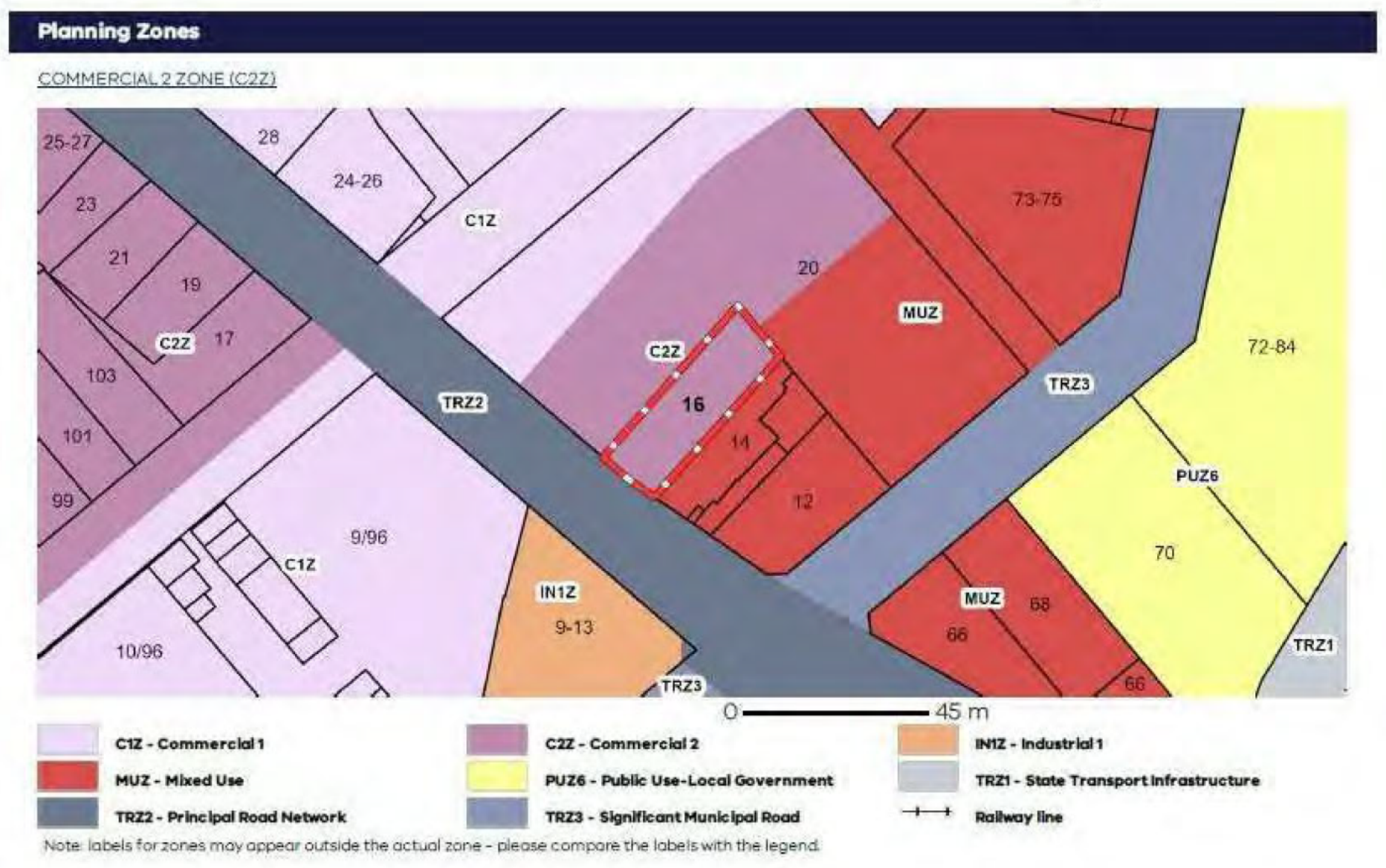
ORIGINAL SHEET
SIZE: A3

SHEET 2

Digitally signed by: RUSSELL JOHN DICKSON, Licensed Surveyor,
Surveyor's Plan Version (1),
02/10/2024, SPEAR Ref: S237755B

Digitally signed by:
Central Goldfields Shire Council,
25/10/2024,
SPEAR Ref: S237755B

Appendix 2 – Plans



W.A.Q Drafting
DP-AD 21199
3A Vanina St Hepburn 3461
0478 598 705
waqdraft@gmail.com

PROJECT: Demolition of Existing Dwelling, New Garden Center and Parking Layout
PROJECT ADDRESS : No. 16 & 20 Tuaggra Street, Maryborough
FOR : Bernard Cramer

DATE : 16/04/2025		
PROJECT No. 24018		
A1-01		
Author		

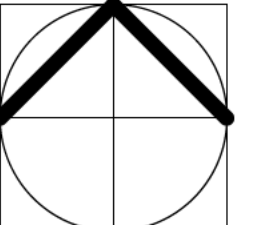


W.A.Q Drafting
DP-AD 21199
3A Vanina St Hepburn 3461
0478 598 705
waqdraft@gmail.com

PROJECT: Demolition of Existing Dwelling, New Garden Center and Parking Layout
PROJECT ADDRESS : No. 16 & 20 Tuaggra Street, Maryborough
FOR : Bernard Crameri

DATE : 16/04/2025
PROJECT No. 24018
A1-02

Author	1 : 200
--------	---------





DEMOLITION SITE PLAN
SCALE 1:100

DEMOLITION NOTES :

All materials and work practices shall comply with, but not limited to, the Building Regulations 2018, the National Construction Code Series 2016 Building Code of Australia Vol 2 and all relevant current Australian standards (as amended) referred to therein. These specifications specify only the minimum standard of work for the demolition works on residential projects, and all workmanship and precautions shall be to best trade practice.

Precautions must be taken before and during demolition in accordance with AS 2601-2001: The Demolition of Structures .

During the progress of the demolition the works shall be under the continuous supervision of the Demolisher or of an experienced foreman, and demolition shall be executed storey by storey commencing at the roof and working downwards.

The demolition must not be commenced until the precautionary measures have been inspected and approved by the Relevant Building Surveyor.

The Demolisher shall construct a temporary crossing placed over the footpath, as required by the Council.

No part of any external wall on or within 3.00m of a street alignment may be pulled down, except during the hours that the Relevant Building Surveyor directs.

Protective outriggers, fences, awnings, hoarding, harnacades and the like must be installed where necessary to guard against danger to life or property or when required by the Relevant Building Surveyor.

All practicable precautions shall be taken to avoid danger from collapse of a building when any part of a framed or partly framed building is removed.

Demolished material shall not be allowed to remain on any floor or structure if the weight of the material exceeds the safe carrying capacity of the floor or structure, and such material shall not be so piled or stacked that it will endanger workmen or other persons, and shall be removed as soon as practicable from the site.

No wall, chimney or other structure or part of a structure shall be left unattended or unsupported in such a condition that it may collapse due to wind or vibration or other-wise become dangerous.

Before demolition is commenced, and also during the progress of such works, all electrical cable or apparatus which are liable to be a source of danger - other than cable or apparatus used for the demolition works - shall be disconnected.

Arrangements shall be made with the Relevant Electrical Supply Authority for the disconnection of electrical mains supply except that, where partial demolition is proposed, the licensed Electrical Contractor shall satisfy the Relevant Electrical Supply Authority that the portion of the building to be demolished has been isolated.

The Demolisher shall be responsible for the disconnection of all telecommunication supplies.

The Demolisher shall be responsible to cut and seal any storm water, sewer pipes, water services, gas services and the like.

The position of capped sewer and storm water drains, sealed-off water supply lines, gas supply lines and the like are to be clearly marked on the site.

Any septic tank(s) on the demolition site shall be emptied and filled with clean sand, or removed entirely, and any soak well, leach drains or similar apparatus shall be removed or filled with clean sand.

Any swimming pools, ponds or the like either on the demolition site or on the neighbouring allotments where affected by the demolition works shall be adequately fenced and made safe, so as to comply with 'AS 1926 Swimming Pool Safety' Parts 1 & 2 prior to commencement of any demolition works.

Materials removed or displaced from the building shall not be placed in any street, road or right of way and, before commencing, where required, shall be kept sprayed with water so as to prevent any nuisance from dust.

Materials removed or displaced from the building being demolished or materials left standing shall not be burned on the demolition site.

It is the builder's responsibility to carry out an audit prior to the commencement of any works to determine if asbestos is present in the existing works. Where any asbestos product is found in the proposed works area during initial inspection or during the course of the demolition works the builder shall engage an authorised and registered contractor for safe removal and lawful disposal.

A Building Permit is required prior to the commencement of these works. The release of these documents is conditional to the Owner obtaining the required Building Permit.



DWELLING TO BE DEMOLISHED
TUAGGRA STREET VIEW

SCALE: N.T.S

W.A.Q Drafting
DP-AD 21199
3A Vanina St Hepburn 3461
0478 598 705
waqdraft@gmail.com

PROJECT: Demolition of Existing Dwelling, New Garden Center and
Parking Layout

PROJECT ADDRESS : No. 16 & 20 Tuaggra Street, Maryborough

FOR : Bernard Cramerí

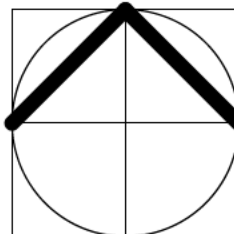
DATE : 16/04/2025

PROJECT No. 24018

A1-03

Author

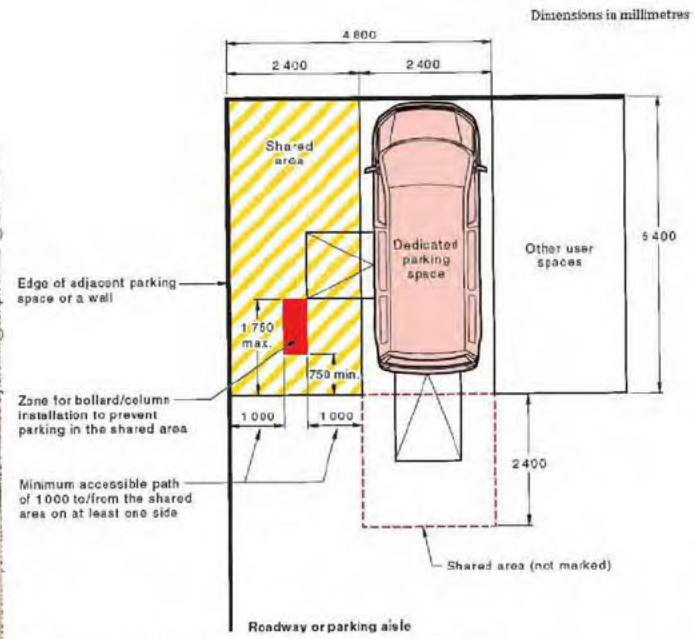
1 : 100



ACCESSIBLE PARKING SPACE

AS 2910.6:2022

4



NOTE: All dimensions in figures 2.2 are minimum unless specified otherwise.
Figure 2.2 — Example of a single angle parking space with shared area on one side only



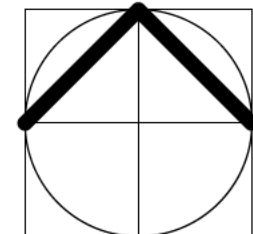
PROPOSED CONDITIONS/SITE PLAN
SCALE 1:200

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0478 598 705
waqdraft@gmail.com

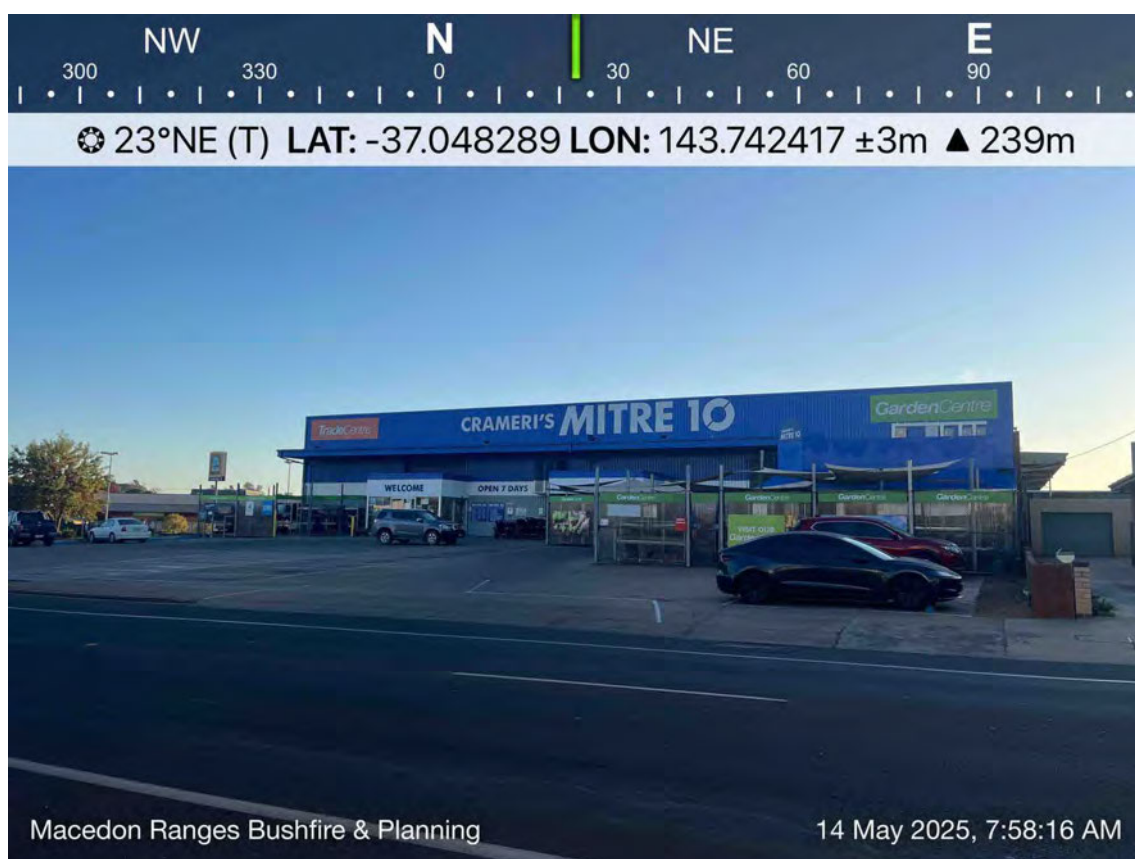
PROJECT: Demolition of Existing Dwelling, New Garden Center and
Parking Layout
PROJECT ADDRESS : No. 16 & 20 Tuaggra Street, Maryborough
FOR : Bernard Cramerí

DATE : 16/04/2025
PROJECT No. 24018
A1-04

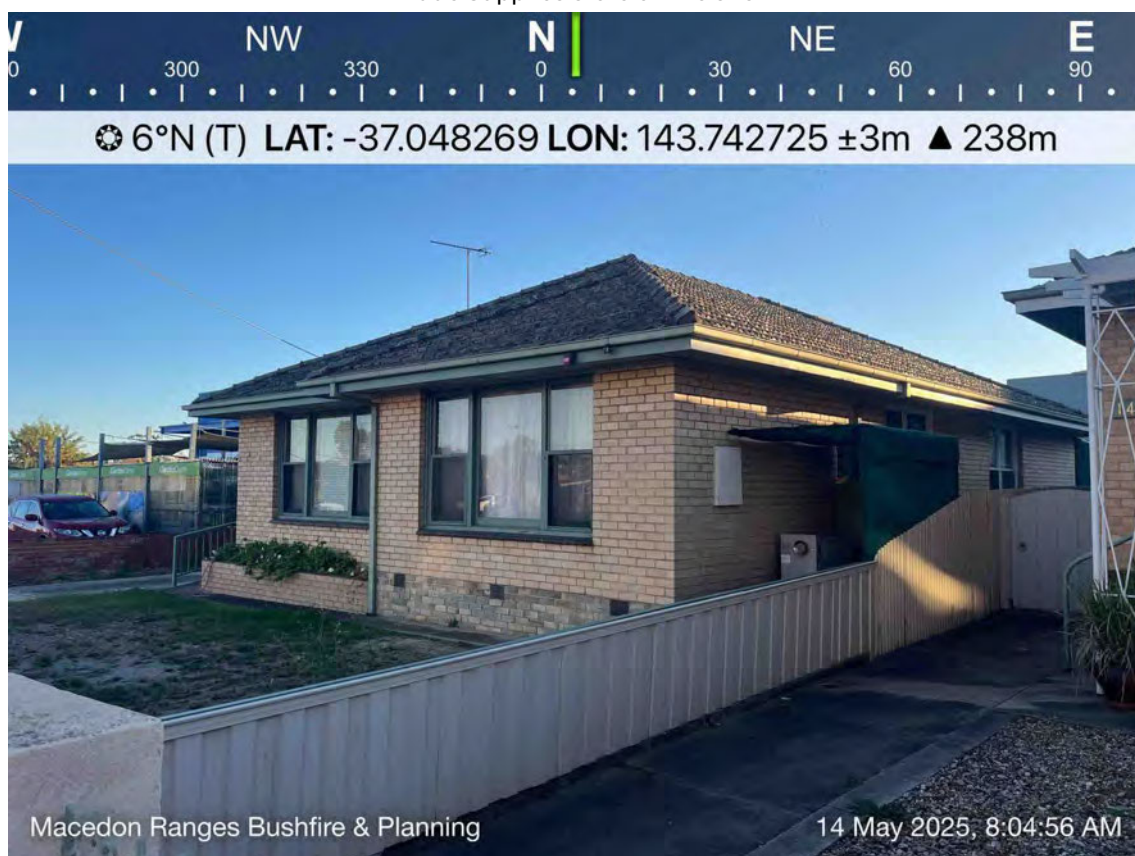
Author 1 : 200



Appendix 3 – Site Photos



Trade Supplies store on the site



Dwelling to be demolished



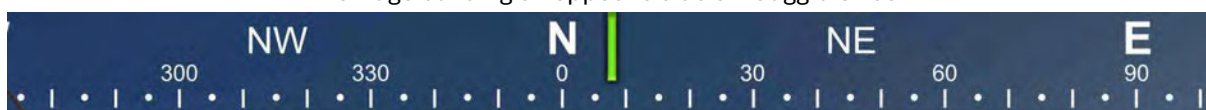
☀ 163°S (T) LAT: -37.048059 LON: 143.742417 ±5m ▲ 238m



Macedon Ranges Bushfire & Planning

14 May 2025, 7:59:09 AM

Heritage building on opposite side of Tuaggra Street



☀ 8°N (T) LAT: -37.048080 LON: 143.742857 ±3m ▲ 241m



Macedon Ranges Bushfire & Planning

14 May 2025, 8:08:34 AM

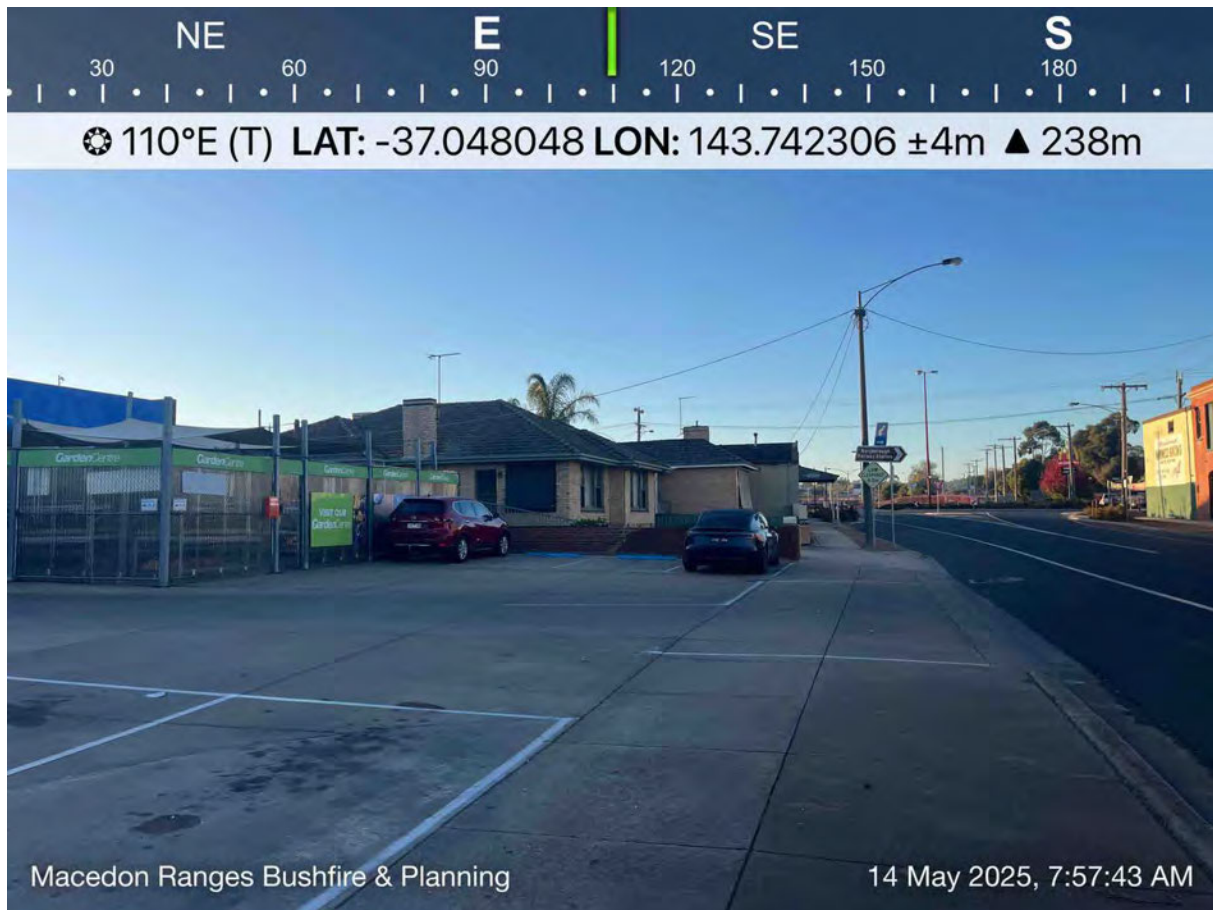
Garage associated with dwelling to be demolished



Heritage building on opposite side of Tuaggra Street



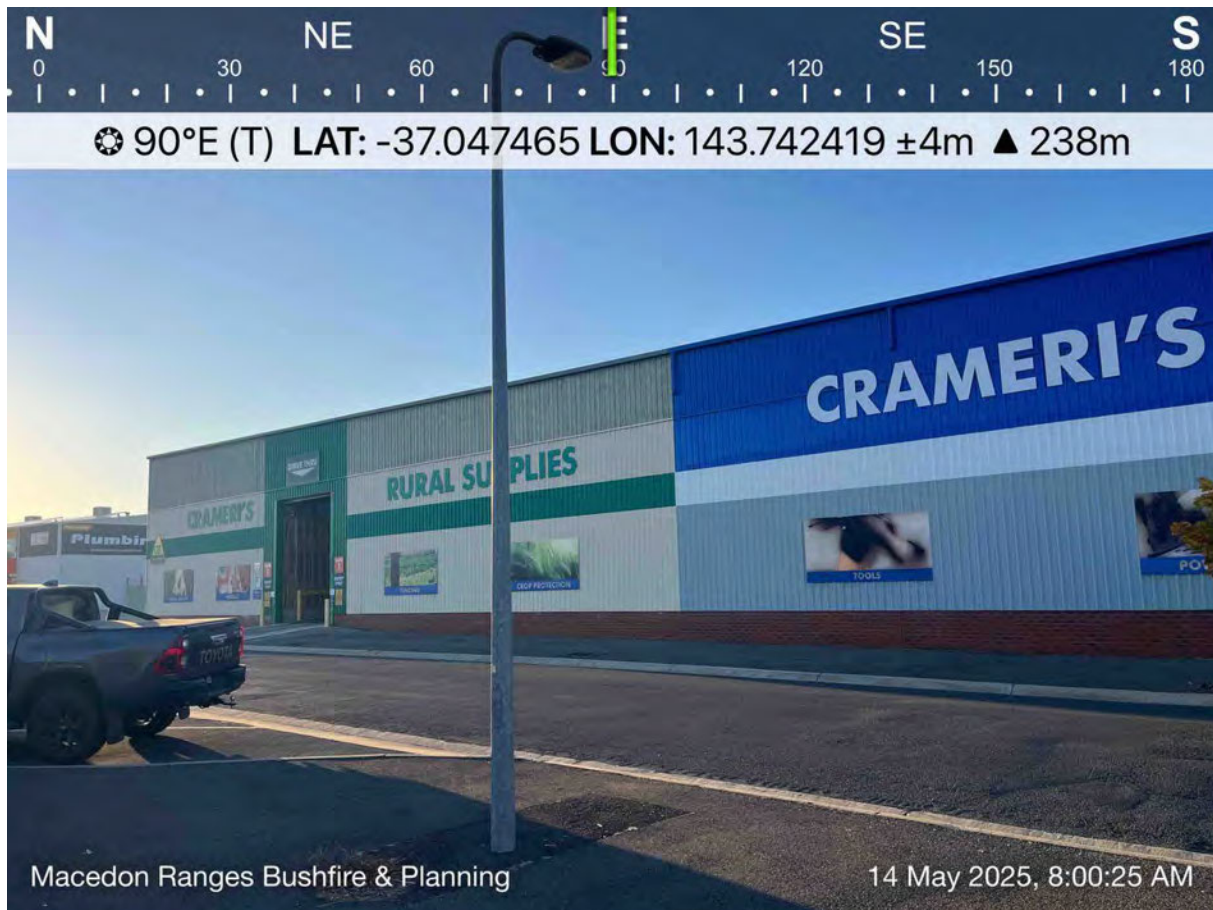
Adjoining supermarket to west



Dwelling to be demolished and car park to be relined



Tuaggra Street looking west



Western elevation of existing building



Exit of drive through to Crameri Lane



mrbp.com.au

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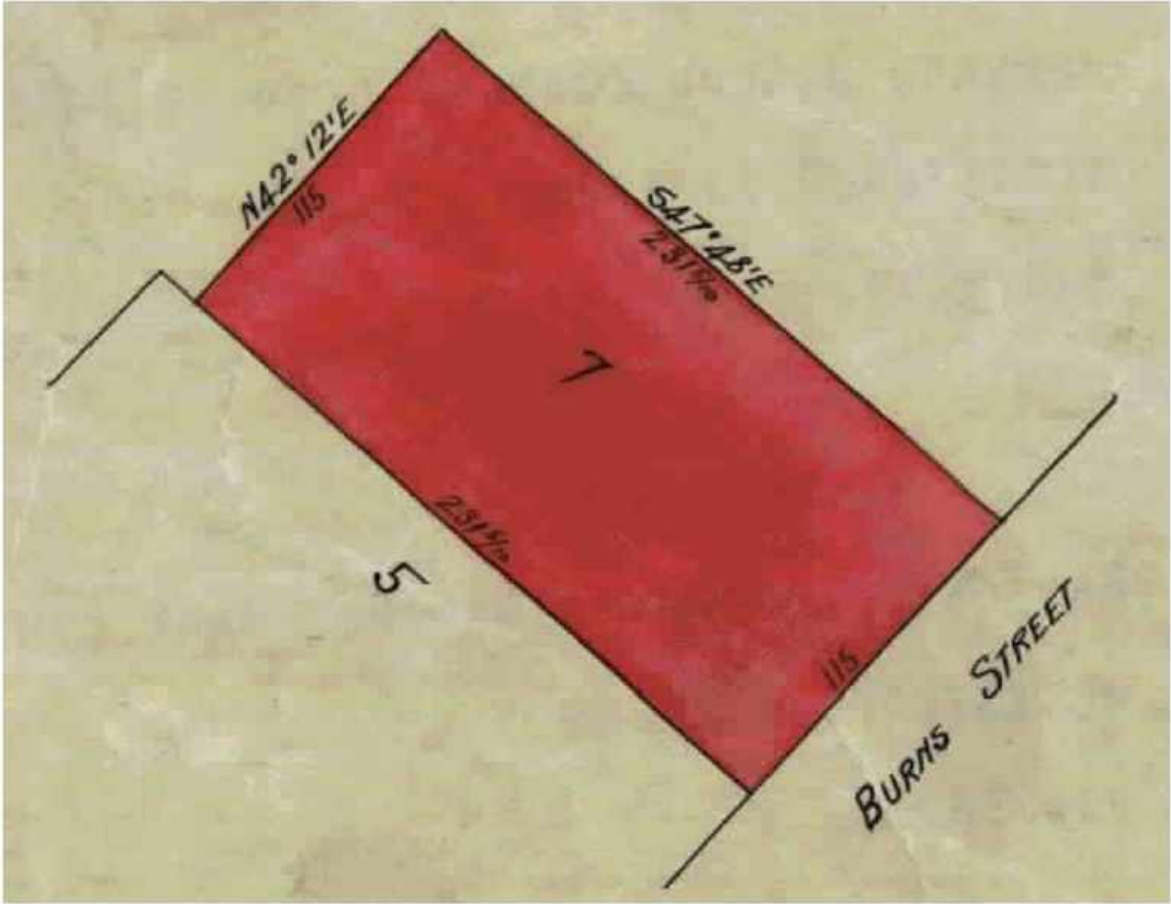
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Description of Land / Easement Information		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 25/01/2000 VERIFIED: AD	
			
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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 07836 FOLIO 063

Security no : 124123717901Y
Produced 15/04/2025 03:28 PM

LAND DESCRIPTION

Crown Allotment 5 Section 48B Township of Maryborough Parish of Maryborough.
PARENT TITLE Volume 04396 Folio 024
Created by instrument 2548826 24/03/1953

REGISTERED PROPRIETOR

[REDACTED]

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP273578A 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: 20 TUAGGRA STREET MARYBOROUGH VIC 3465

DOCUMENT END

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TITLE PLAN		EDITION 1		TP 273578A	
Location of Land			Notations		
Parish: MARYBOROUGH Township: MARYBOROUGH Section: 48B Crown Allotment: 5 Crown Portion:					
Last Plan Reference: Derived From: VOL 7836 FOL 063 Depth Limitation: NIL			ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN		
Description of Land / Easement Information			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 17/01/2000 VERIFIED: P.C.		
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Location of Land Parish: MARYBOROUGH Township: MARYBOROUGH Section: 48B Crown Allotment: 7A Crown Portion: Last Plan Reference: Derived From: VOL 6562 FOL 206 Depth Limitation: 50 FEET		Notations SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 6562 FOL. 206 AND NOTED ON SHEET 2 OF THIS PLAN ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Description of Land / Easement Information			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 20/03/2000 VERIFIED: PC
COLOUR CODE Y = YELLOW			
LENGTHS ARE IN LINKS		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 2 sheets

TITLE PLAN		TP 358959Q
LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT All THAT PIECE OF LAND in the said State containing three perches and one-half of a perch more or less being Allotment seven^A of Section forty-eight^B in the Town of Maryborough Parish of Maryborough County of Talbot delineated with the measurements and abutals thereof in the map drawn in the margin of these presents and therein colored yellow PROVIDED nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any wells or springs of water upon or within the boundaries of the said land for any and for all purposes as though She held the land without limitation as to depth EXCEPTING nevertheless unto Us Our heirs and successors all gold and silver and minerals as defined in the <i>Mines Act</i> 1928 in upon or under or within the boundaries of the land hereby granted AND reserving to Us Our heirs and successors free liberty and authority for Us Our heirs and successors and Our and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver and minerals as aforesaid and to extract and remove therefrom any such gold silver and minerals and to search for and work dispose of and carry away the said gold silver and minerals lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver and minerals and the working of all mines seams lodes and deposits containing such gold silver and minerals in upon or under the land hereby granted AND ALSO reserving to Us Our heirs and successors— (i) all petroleum as defined in the <i>Mines (Petroleum) Act</i> 1935 on or below the surface of the said land and (ii) the right of access for the purpose of searching for and for the operations of obtaining such petroleum in any part or parts of the said land and (iii) rights of way for access and for pipe-lines and other purposes necessary for obtaining and conveying such petroleum in the event of such petroleum being obtained in any part or parts of the said land. PROVIDED ALWAYS that the said land is and shall be subject to be resumed for mining purposes under Section 168 of the <i>Land Act</i> 1928. AND PROVIDED also that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a mining lease or mineral lease under the <i>Mines Act</i> 1928 or any corresponding previous enactment to enter therein and to mine for gold silver or minerals within the meaning of the said Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which such person would for the time being be entitled to mine for gold and silver in and upon Crown lands PROVIDED that compensation shall be paid to the said GRANTEE her executors administrators assigns or transferees by such person for surface damage to be done to such land by reason of mining thereon such compensation to be determined as provided for the time being by law and the payment thereof to be a condition precedent to such right of entry.		
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TITLE PLAN		EDITION 1	TP 340313S						
Location of Land Parish: MARYBOROUGH Township: MARYBOROUGH Section: 48B Crown Allotment: 2(PT) Crown Portion: Last Plan Reference: Derived From: VOL 8399 FOL 523 Depth Limitation: 50 FEET		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN							
Description of Land / Easement Information		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 02/03/2000 VERIFIED: GB							
<table><tr><th colspan="2">TABLE OF PARCEL IDENTIFIERS</th></tr><tr><td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td></tr><tr><td colspan="2">PARCEL 1 = CA 2 (PT)</td></tr></table>				TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = CA 2 (PT)	
TABLE OF PARCEL IDENTIFIERS									
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962									
PARCEL 1 = CA 2 (PT)									
LENGTHS ARE IN FEET & INCHES		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets						

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

Page 1 of 1

VOLUME 08360 FOLIO 287

Security no : 124123717039L
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LAND DESCRIPTION

Lot 1 on Title Plan 246640B.
PARENT TITLE Volume 01509 Folio 673
Created by instrument B332580 12/12/1961

REGISTERED PROPRIETOR

[REDACTED]

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP246640B 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: 16 TUAGGRA STREET MARYBOROUGH VIC 3465

ADMINISTRATIVE NOTICES

NIL

[REDACTED]

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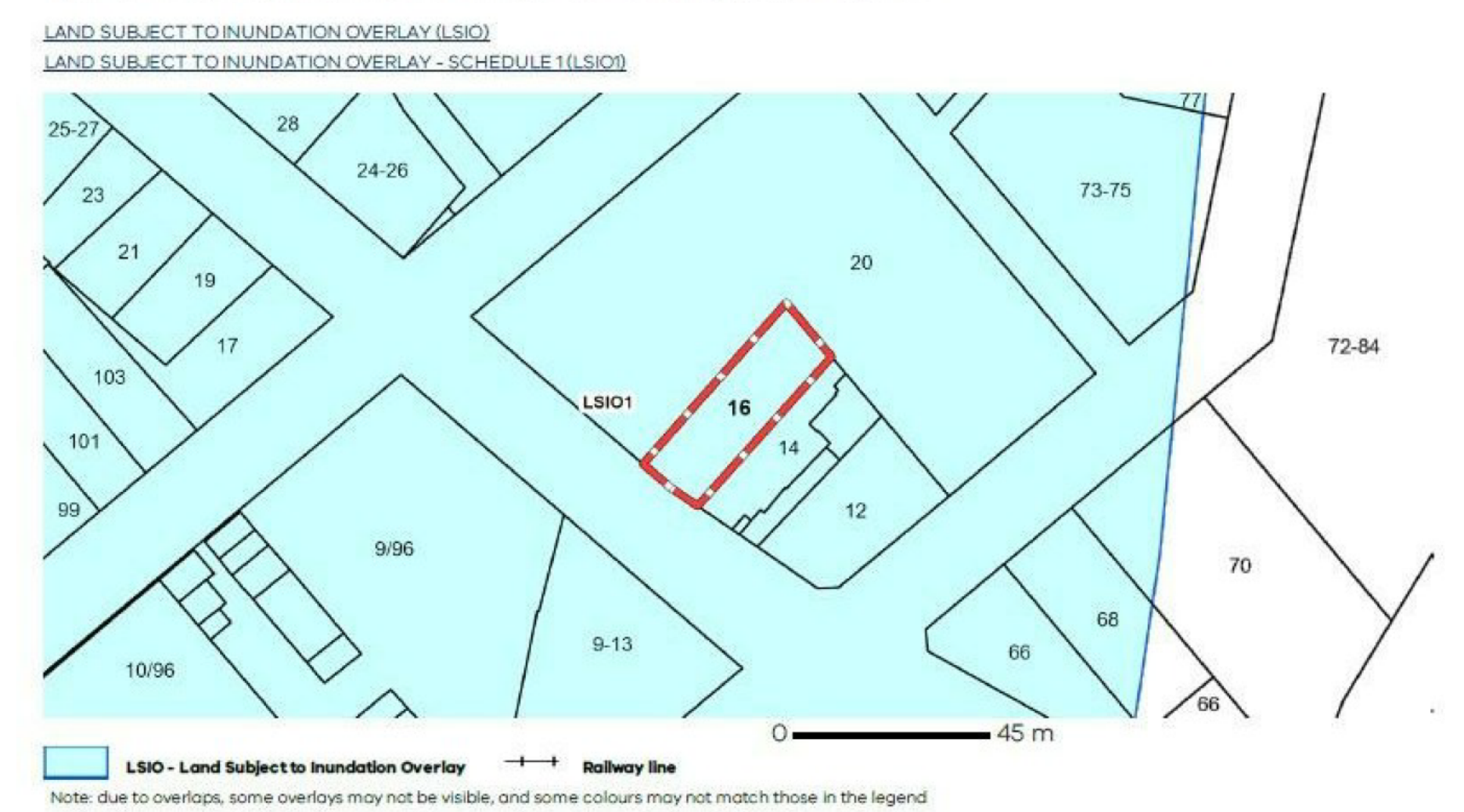
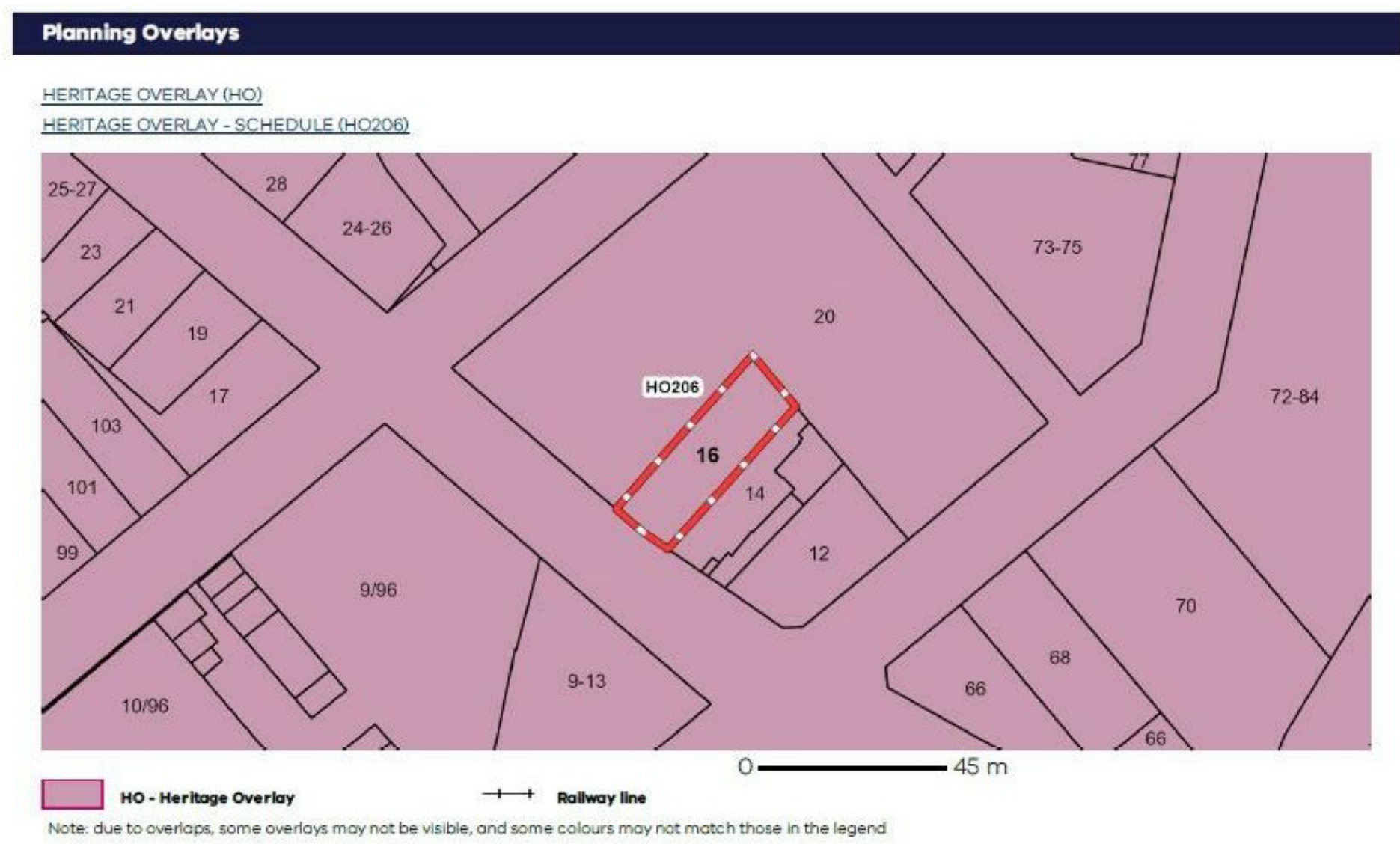
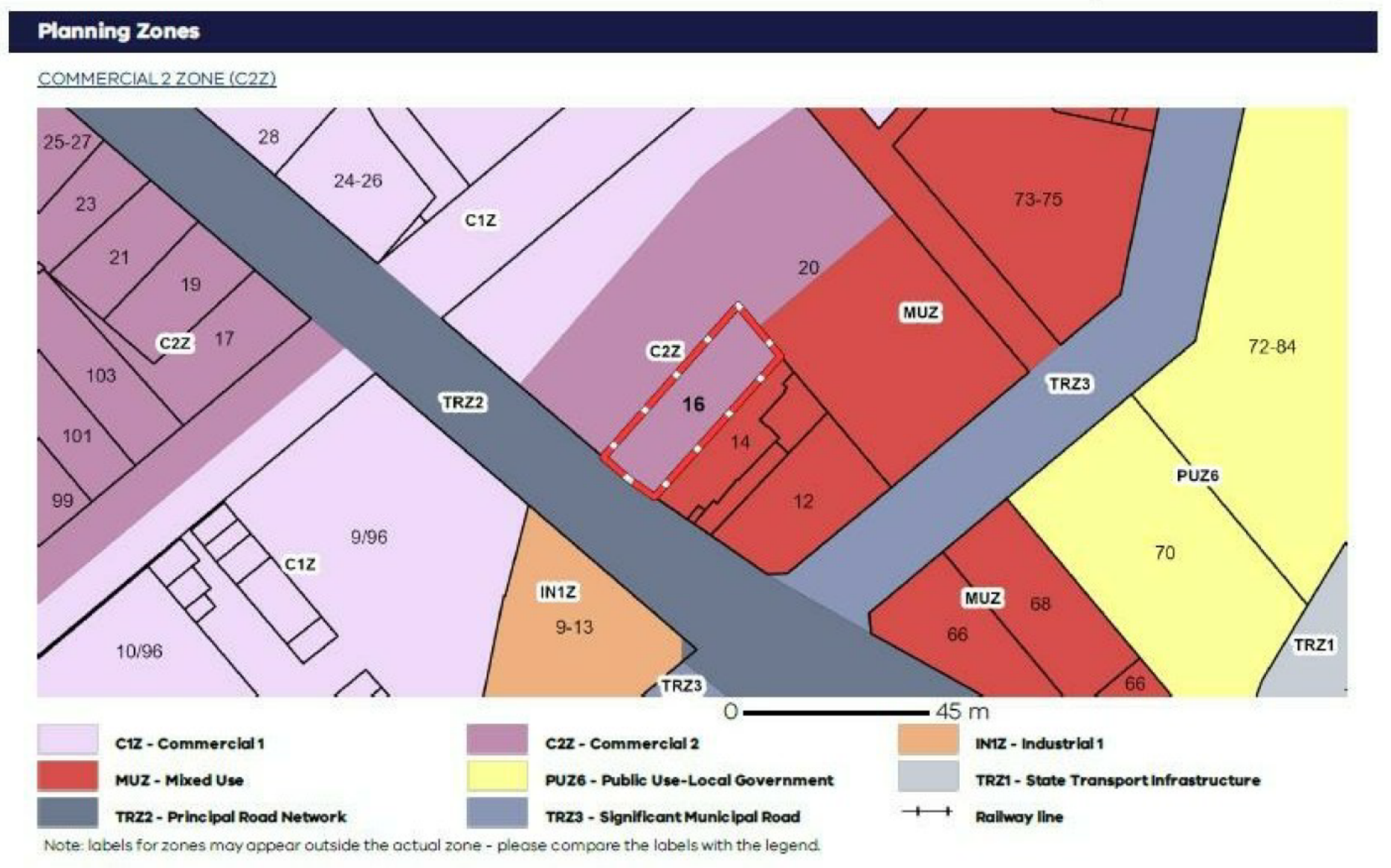
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TITLE PLAN		EDITION 1	TP 246640B						
Location of Land Parish: MARYBOROUGH Township: MARYBOROUGH Section: 48B Crown Allotment: 3 (PT) Crown Portion: Last Plan Reference: Derived From: VOL 8360 FOL 287 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN							
Description of Land / Easement Information			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 14/12/1999 VERIFIED: AA						
<table border="1"> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2">PARCEL 1 = CA 3 (PT)</td> </tr> </table>				TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = CA 3 (PT)	
TABLE OF PARCEL IDENTIFIERS									
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962									
PARCEL 1 = CA 3 (PT)									
LENGTHS ARE IN FEET & INCHES		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets						



AREA CONTEXT PLAN

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PROJECT: New Garden Center and Parking Layout
PROJECT ADDRESS : No. 16 & 20 Tuaggra Street, Maryborough
FOR : Bernard Crameri

DATE : 16/04/2025	PLANNING ISSUE 18/6/25	
PROJECT No. 24018		
A1-01	Author	

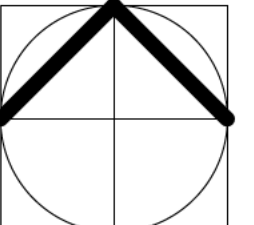


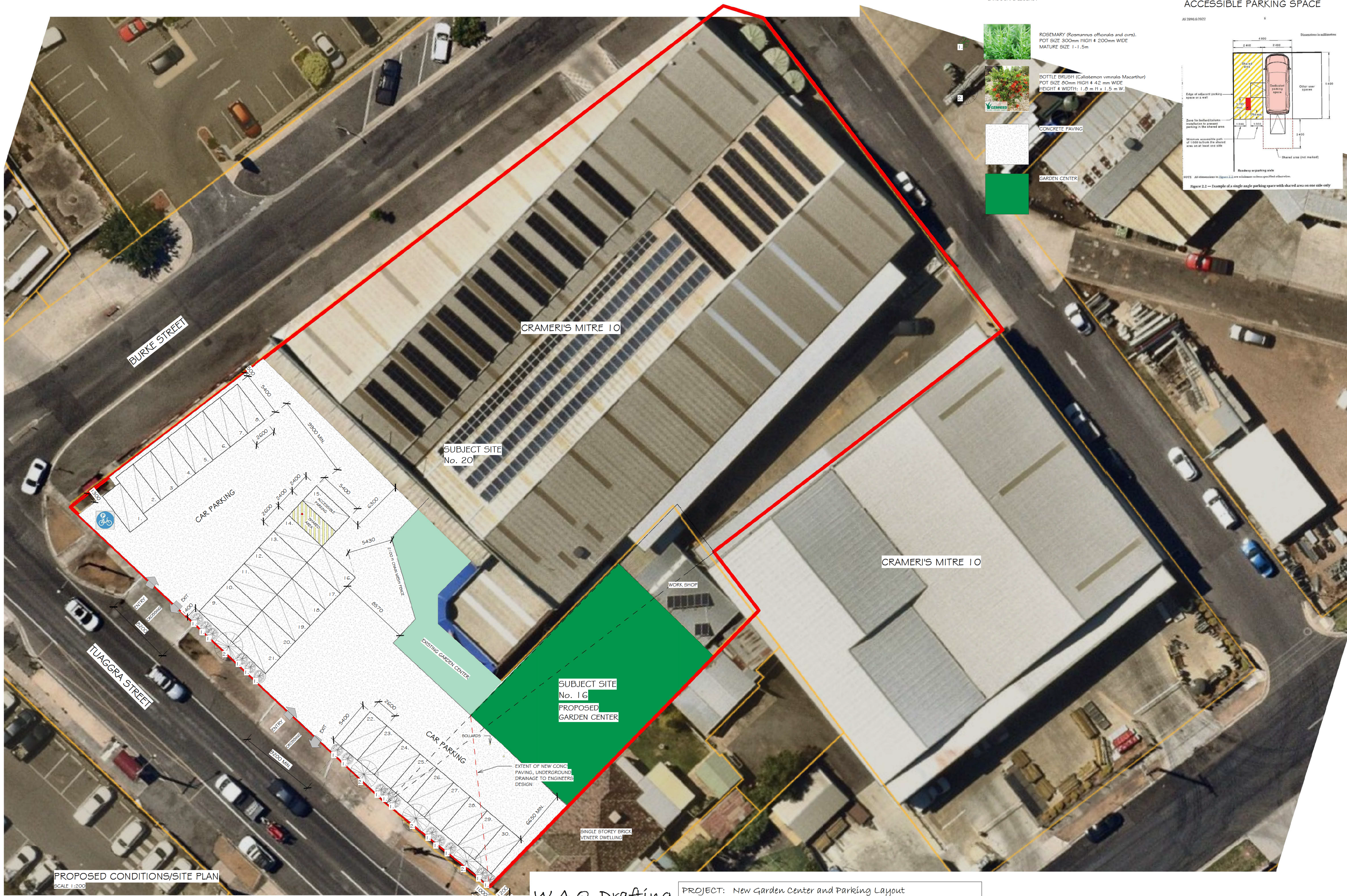
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PROJECT No. 24018
A1-02

PLANNING ISSUE 18/6/25	
Author	1 : 200





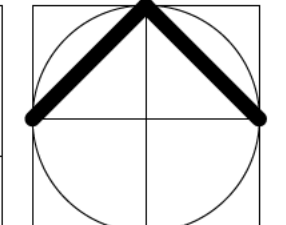
PROPOSED CONDITIONS/SITE PLAN
SCALE 1:200

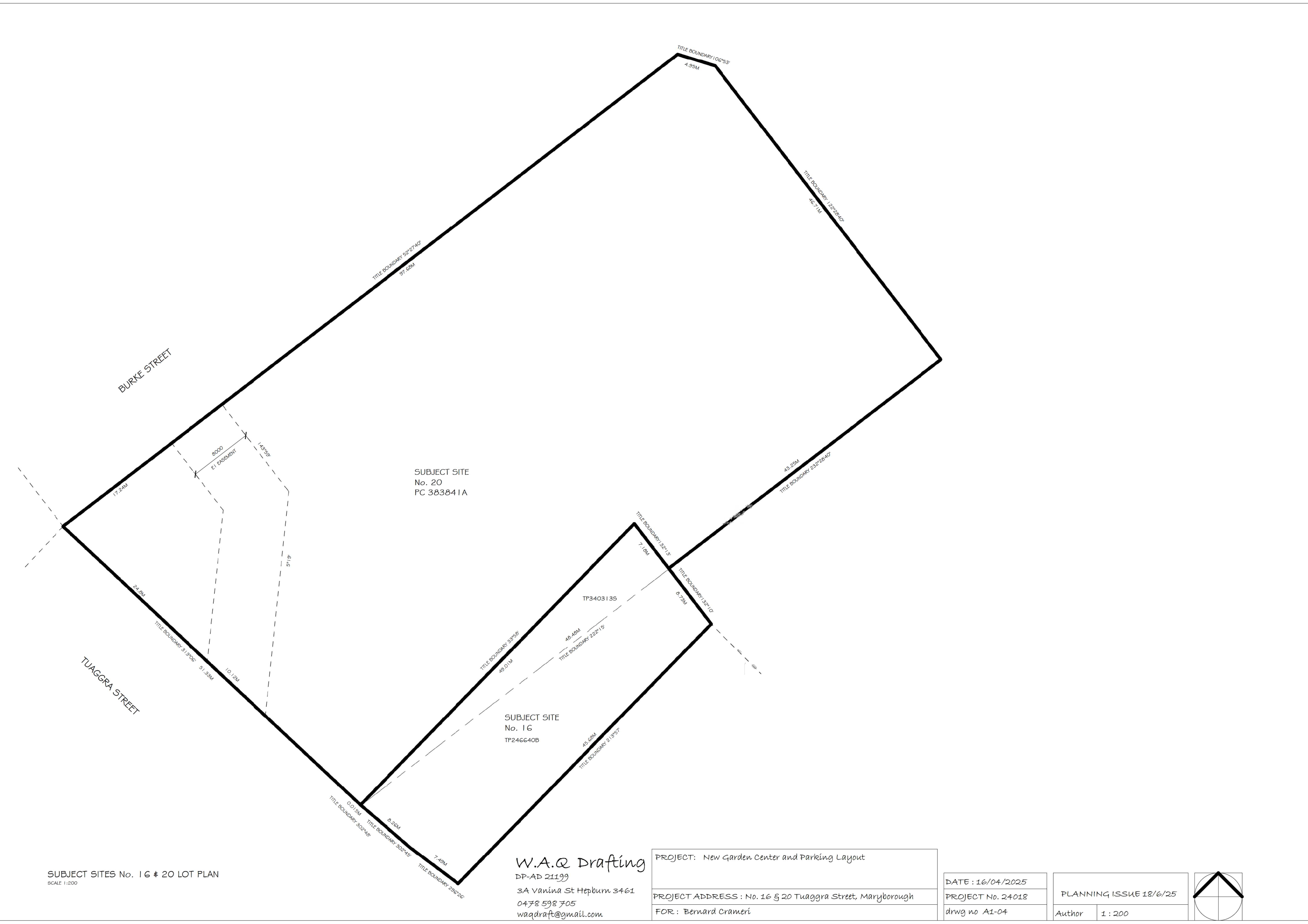
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FOR : Bernard Crameri

DATE : 16/04/2025
PROJECT No. 24018
A1-03

PLANNING ISSUE 18/6/25
Author 1 : 200





SUBJECT SITES No. 16 & 20 LOT PLAN
SCALE 1:200

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drwg no A1-04

PLANNING ISSUE 18/6/25	
Author	1 : 200

