

Application for Planning Permit

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 on 5624 2411.

The personal information requested on this form is being collected to enable council to consider the application. Council will use this information for this purpose or one directly related and may disclose this information as required by law in accordance with the *Privacy and Data Protection Act 2014*. The applicant may apply to council for access and/or amendment of the information by contacting council's freedom of information/privacy officer on 5624 2411

Section 1: T	he Land							
Unit Number		Street	Number [Street Name	Sandstock		
Town	Warragul				Postcode	3820		
Formal Land D Complete eithe								
Section A								
Lot Number	1201		Type of Plar	OL	odged plan		Number	639485J
				ОТ	ītle Plan			
				• F	Plan of Subdivisior	ſ		
Section B								
Crown Allotment Number			Section Nu	ımber		Parish/ Township Name	×	

Section 2: 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?

Two lot subdivision (adjacent to a Road Zone Category 1)	This document has been copied and made available for the planning process as set out in the Planning and Environment
	Act 1987.
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South Multichers . 2325	Page 1 of 44



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

Estimated cost of development for which the permit is required

NIA

Section 3: Existing Conditions

Describe how the land is used and developed now

Vacant. Refer to Planning Report for further details.

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

Section 4: 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?

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

No 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).

Section 5: Applicant and Owner Details

Applicant The person whe	o wants the pe	ermit.			This document has been copied and made available for the planning process
Title		First Name			as set out in the Planning and Environment Name 87 Act 1987
Organisation (if	C/- Millar Me	errigan			The information must not be used for any other purpose.
applicable)					By taking a copy of this document, you acknowledge and agree that you will
Postal Address					only use the document for the purpose specified above and that any
Unit Number		Street or Post	Box Number	3	dissemination, distribution or copying of this document is strictly prohibited.
Street Name	Sandilands	s St	Town	South Me	Page 2 of 44

Contact Person's Details

Please provide details of the preferred contact person if this is different from the applicant.

Same as applicant			
Title	First Name Jamie	Last Name	Kenyon
Organisation	Millar Merrigan		
(if applicable)			
Postal Address			
Unit Number	Street or Post Box Number 126		
Street Name	Merrindale Drive Town Croydon		Postcode 3136
Contact Inform	mation		
Best Contact	87209500 E-mail planning@mill	armerrigan.cor	n.au
Phone Number			
Fax Number			
Owner			
The person or	organisation who owns the land.		
Same as			
applicant			
Title	First Name	Last Name	
Organisation			
(if			
applicable)			
Postal Address	S		
Unit Number	Street or Post Box Number		
Street Name	Town		Postcode
		This docur	nent has been copied and
I declare th	nat I am the owner of the above stated property; and that the	ne detailseabyou	
Signature:		Act 1987.	Maria Maria Maria anta Maria
		The inform other purp	nation must not be used for any ose.
Section 6: D	Declaration		a copy of this document, you
		acknowled	lge and agree that you will
✓ I declare t (if not mys	hat I am the applicant; and that all the information in this an self) has been notified of the permit application.		e ଶିଡିଆନାମେନ୍ଦ୍ରୋମ୍ବର ସୁହାର ଅନ୍ତର କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ୟ କାର୍ଯ୍ Ibove and that any
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Signature.	Aling owner 8		
	U V	Page 3 of	44

Section 7: Pre-Application Meeting

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

Yes● No		
If 'Yes' with whom?	What date was the meeting held?	

Section 8: Checklist

Have you:

- Filled in the form completely
- Paid or included the application fee
- Provided a full, current copy of the title information for each individual parcel of land, forming the subject site
- Provided a plan of the existing conditions
- Provided plans showing the layout and details of the proposal
- Provided any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist
- Provided a description of the likely effect of the proposal (if required)
- Completed the relevant Council planning permit checklist
- Completed the declaration in Section 7
- Provided a contact phone number and e-mail address

Section 9: Lodgement

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

By Post:

Planning Department Baw Baw Shire Council PO Box 304 Warragul, VIC, 3820

In Person: Customer Service Centres 90 Smith Street Warragul 33 Young Street Drouin

Contact information:

Telephone:	5624 2411
Fax:	5622 2287

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Land Development Consultants

In reply quote: 226531/1.1 jk:sc Document Id: 180604 to council - planning application

15 June 2018

Planning Department Baw Baw Shire Council PO Box 304 WARRAGUL VIC 3820

Dear Sir/Madam

Re: Planning Application – 1 Sandstock Drive, Warragul

On behalf of our client TAG – Waterford P/L we submit this planning application for a *two-lot subdivision (adjacent to a Road Zone Category 1).* Accompanying this application is the following documentation that was supplied to Council via email on the 18 June 2018:

- Planning application form and copy of Title;
- Planning Report (by Millar Merrigan, May 2018);
- Site Analysis Plan (by Fd Architects, 5 September 2016);
- Subdivision Plan (by Fd Architects, 29 March 2018); and
- Survey Plan.

Please note that enclosed is a cheque for **\$1,265.60** which covers the relevant Council fee for a subdivision application.

We trust that the information supplied is satisfactory seek your timely progression on this application. However, if you have any further queries in relation to this application feel free to contact the undersigned.

Yours faithfully Millar | Merrigan

Shay Chandrakaran Environmental Planner

t 03 8720 9509 e <u>schandrakaran@millarmerrigan.com.au</u>

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T (03) 8720 9500 F (03) 8720 9501 admin@millarmerrigan.com.au millarmerrigan.com.au

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

Page 1 of 1

Security no : 124071150173J Produced 05/04/2018 03:53 pm

LAND DESCRIPTION

VOLUME 11351 FOLIO 690

Lot 1201 on Plan of Subdivision 639485J. PARENT TITLE Volume 11331 Folio 936 Created by instrument PS639485J 11/05/2012

REGISTERED PROPRIETOR

Estate Fee Simple Sole Proprietor TAG-WATERFORD RISE PTY LTD of 3 SANDILANDS STREET SOUTH MELBOURNE VIC 3205 AN300785C 22/11/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AN300786A 22/11/2016 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.

AGREEMENT Section 173 Planning and Environment Act 1987 AJ553159A 19/03/2012

DIAGRAM LOCATION

SEE PS639485J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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------STATEMENT------END OF REGISTER SEARCH STATEMENT------
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Additional information: (not part of the Register Search Statement)

Street Address: 1 SANDSTOCK DRIVE WARRAGUL VIC 3820

ADMINISTRATIVE NOTICES	This document has been copied and made available for the planning process			
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eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA Effective from 23/11/2016	The information must not be used for any other purpose.			
DOCUMENT END	By taking a copy of this document, you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.			
Title 11351/690	Page 6 of 44			

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Advertised

FORM 18

Section 181

19/03/2012

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

Planning and Environment Act 1987

Lodged at the Land Titles office by:

Name: WARCEFIELD + JOUR AWYEN

Phone:

Address:

Ref:

Customer Code: 2881A

The Authority having made an agreement referred to in section 181(1) of the **Planning and Environment Act 1987** requires a recording to be made in the Register for the land.

Land: C/T Volume 11331 Folio 936

Authority: (name and address) Baw Baw Shire Council Civic Place WARRAGUL VIC 3820

Section and Act under which agreement made:

Section 173 Agreement Planning & Environment Act 1987

A copy of the Agreement is attached to this Application.

Signature for	the	Authority:	R) In
---------------	-----	------------	---	---------

Position held: MANAGER STATUTORY PLANNING

Name of Officer: PETER MEWHINNEY

Date 14. MARCH 2012.

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AJ553159A

\$107.50

173

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THIS AGREEMENT is made the 14th day of March 2012

Advertised

BETWEEN

Baw Baw Shire Council of **Civic Place Warragul** (hereinafter called "Council")



AND **Baw Baw Developments Pty Ltd** of **3** Napier Street, Warragul (hereinafter called the "Owner")

Whereas:

- 1. The Owner is the registered proprietor of Lots 1223 to 1227 PS 639485J (the "Land") being a subdivision of the land comprised in Certificate of Title Volume 11331 Folio 936
- 2. The Council and the Owner have agreed to enter into an agreement under Section 173 of the Planning and Environment Act 1987 to provide, as set out in Condition No 8 of Planning Permit No PSB 0038/09. A that:
 - a) No part of any building, excepting a chimney or aerial or similar service apparatus to the satisfaction of the responsible authority, may be erected or built at a height greater than 142 metres AHD or in the case of lot in the extreme south-western corner (to the south of any lot at the mid point of the ridge), 141m AHD.
 - b) Lots having an abuttal to the land to the west must provide a two metre wide landscape strip along the common boundary to be planted with trees and shrubs and thereafter maintained so as to in time form a visual screen when viewed from the west to the satisfaction of the responsible authority.

Now this agreement witnesseth and the parties agree and covenant as follows:

- 1. Without limiting the operation or effect which this Agreement otherwise has, the parties acknowledge that this Agreement is made pursuant to the provisions of Section 173 of the Planning and Environment Act 1987.
- 2. This Agreement shall come into force immediately upon execution by both parties hereto or the approval by the Registrar of Titles of Plan of Subdivision PS 639485J whichever is the later, and shall run with the "Land".
- 3. The Owner covenants that it will bring this Agreement to the attention of all purchasers, mortgagees, transferees and assignees of the "Land".
- 4. Each of the parties hereto shall respectively sign and execute all such further all such furthe and deeds and do all acts and things as the other party shall crasonably require for completely effectuating this Agreement.

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Advertised

5. The Owner covenants with the Council that:

a) That no part of any building, except a chimney or aerial or similar service apparatus to the Suthsfadion of the found, constructed on Lots 1223 to 1225 PS 6394851 may be erected to a height greater than 142m AHD or in the case of Lot 1227 above 141m AHD or 6m above the base

than 142m AHD or in the case of Lot 1227 above 141m AHD or 6m above the base of the lowest retaining wall constructed within the lot and parallel to the western boundary of the lot.

- b) The owner of the lot will plant and maintain a 2m wide landscape strip along the western boundary of the lot so as to in time form a visual screen to the development when viewed from the west to the satisfaction of the responsible authority. Prior to undertaking the planting the owner shall submit to and have approved by the Council a landscape plan detailing species, location and number of plants to be planted. Landscaping shall include species which will at maturity be of four metres or greater in height so as to clearly exceed the height of the boundary fence. Some consistency of planting species must be maintained across the properties subject to this requirement in terms of species as specified by the Council. Planting must take place within three (3) months of practical completion of a dwelling on the lot or twelve (12) months after transfer of the certificate of title to the lot from the developer, whichever is soonest or at such time as may be agreed to in writing by the Council having regard to factors such as works commencing on a dwelling in proximity to the expiry of the twelve month qualification.
- 6. The Owner covenants that it will prepare or cause to be prepared an application under Section 181 of the Planning and Environment Act 1987 to enable the registration of this Agreement at the Land Registry and the Owner further agrees to pay (on request) the Council's costs and expenses in connection with this agreement including anything done in anticipation of this Agreement and the enforcement of any obligations imposed on the owners excepting the cost of any unsuccessful enforcement action.
- 7. The Owner covenants that it will as soon as practicable upon the formation of this Agreement take all steps reasonably necessary to enter a memorandum of this Agreement on the Certificate of Title to the Land in accordance with Section 181 of the Planning and Environment Act 1987 so that it shall run with the "Land".
- 8. Whenever herein the word "Owner" shall mean the person or persons entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple of the whole or part of the "Land".

EXECUTED AS A DEED

Executed by **Baw Baw Developments Pty Ltd** by being signed by those persons who are authorised to sign for the company.

Full Name Gary William Tomasetti Usual Address 20 Bell Park Close Warragul,3820

Full Name Michael Thomas Blackwood Director... Usual Address 72 McFarlanes Road Lillico, 3820

Director... By taking a copy of this document, you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of

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In the presence of



Witness

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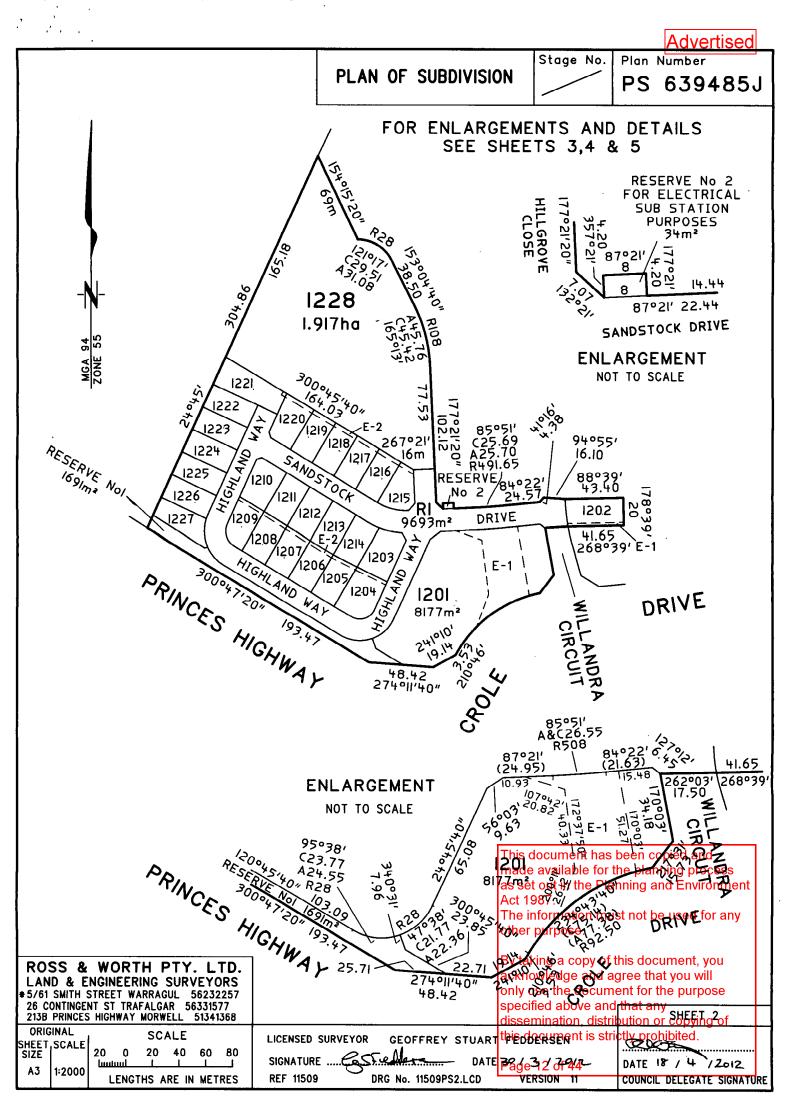
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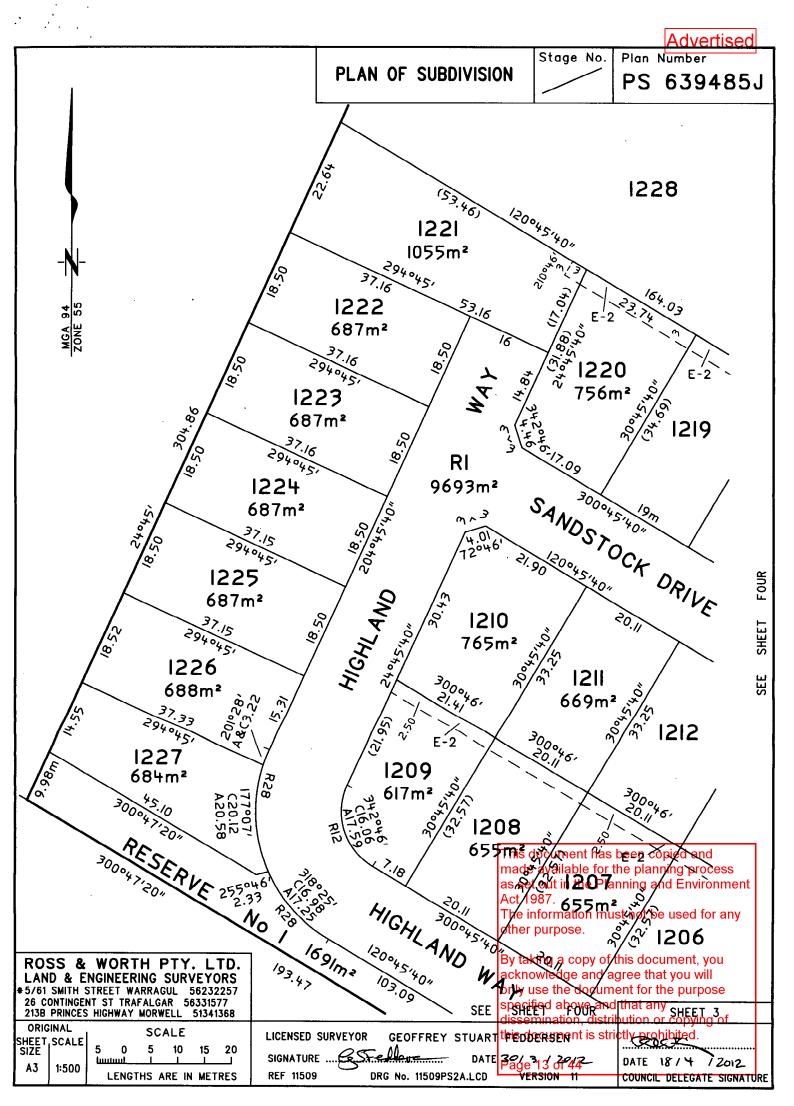
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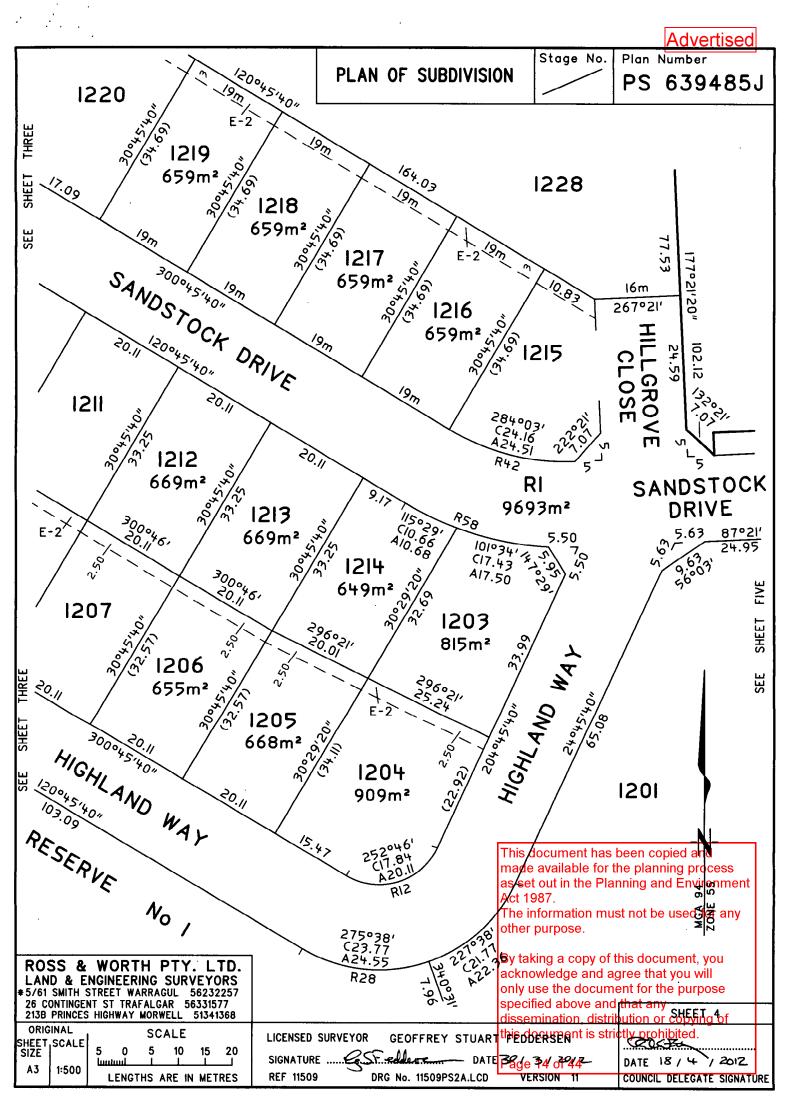
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Township			<i>C</i>							•		
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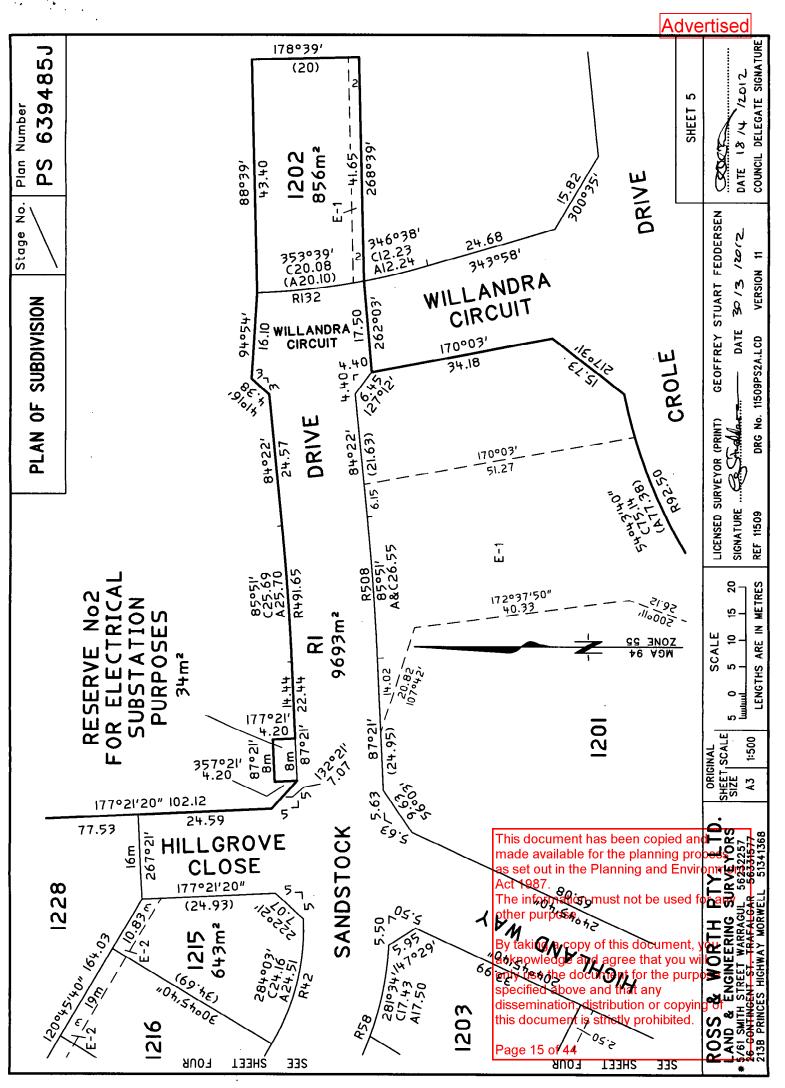
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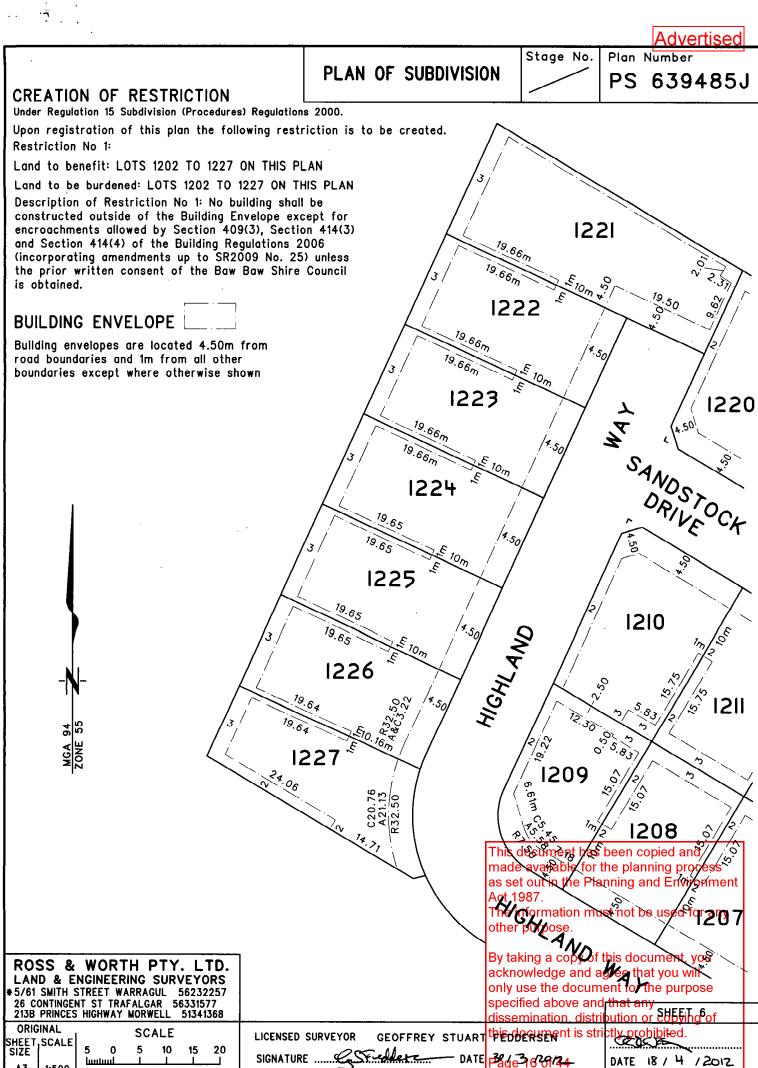




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DRG No. 11509PS2A.LCD

VERSION 11

COUNCIL DELEGATE SIGNATURE

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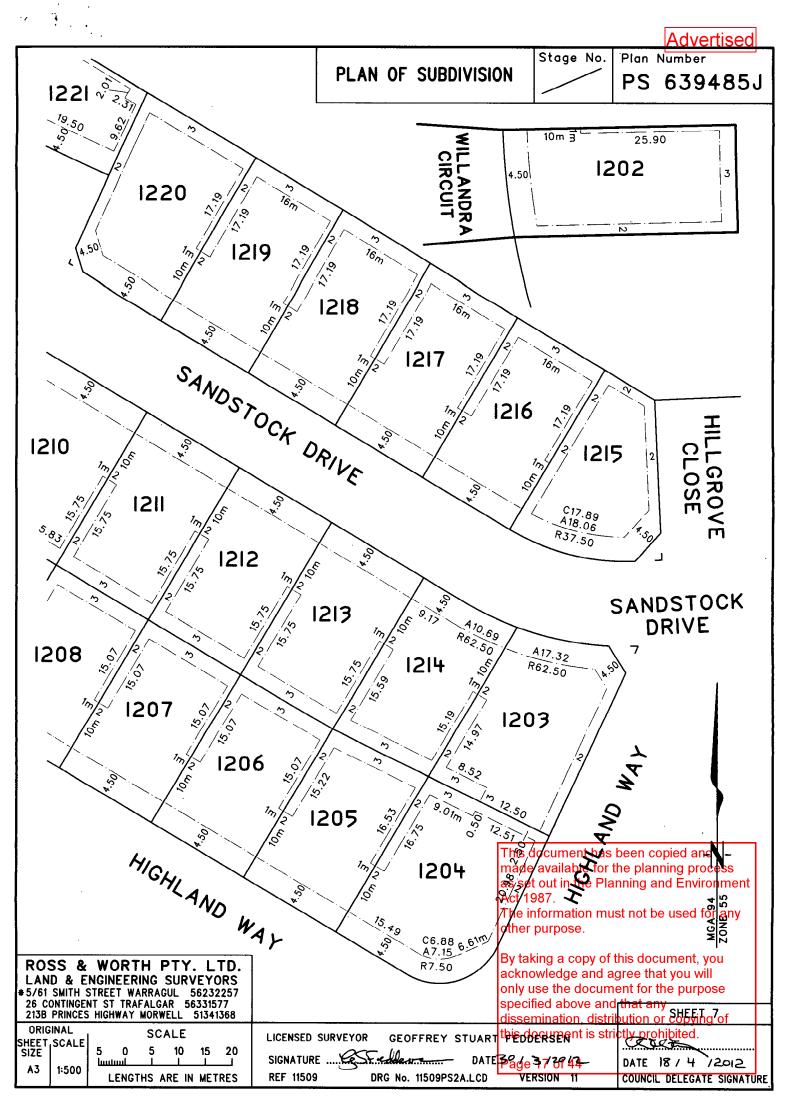
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WATERFORD RISE ESTATE PLAN OF SUBDIVISION Stoge No. Plan Number PLAN STORE CREATION OF RESTRICTION Under Regulation 15 Subdivision (Procedures) Regulations 2000. Uppor registration to 1 this plan the following restriction is to be created. Restriction No 2: Land to benific LOTS 1202-1227 (both inclusive) ON THIS PLAN AND LOT CPS 635464L Land to be burdened LOTS 1202-1227 (both inclusive) ON THIS PLAN AND LOT CPS 635464L Land to be burdened LOTS 1202-1227 (both inclusive) ON THIS PLAN AND LOT CPS 635464L Land to be burdened LOTS 1202-1227 (both inclusive) ON THIS PLAN Description of Restriction No 2: (1) at any time build, construct, erect or cause, allow or allow to be built constructed or to remain on the burdened lot: (a) any develing after time a dealing? (b) any develing after time a dealing? (c) any develing other than a dealing? (c) any meet or other texture acotad metricial oproved in vertical (c) which incluse a double lot of 18 505 augures metrics of the and reliably or other and the dealing? (c) 130 square metrics if the Lot is more than 500 square metrics in area: (c) which incluses a double lot of 18 505 augures metrics of the air area: (d) which incluses a double lot of 18 505 augures metrics of the air and and the dealing? (e) which are observed to a store than 500 square metrics in area: (e) which incluses a double lot of 18 505 augures metrics of the metrics in area: (f) which incluses a double lot of 18 505 augures and the air and any dealing within fire Lots in all directions of the Lot helding these bavelopments Pty. Ld.: (f) any terret bana seven metrics from the front boundary. (c) any afferdeff (f) any error frace time than a seven contructed 18 metrics in height above the natural surface level and constructed of limber, with timber cosplia and appead posts: (f) any retaining will with	ivered by LANDATA®. Land Use Victoria timestamp 05/04/2018 1	16:02 Page 8 of 8						
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Millar | Merrigan

Land Development Consultants



1 SANDSTOCK DRIVE, WARRAGUL TWO LOT SUBDIVISION (ADJACENT TO A ROAD ZONE CATEGORY 1)

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Document Status

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1. Introduction & Executive Summary

On behalf of TAG – Waterford Rise P/L we are submitting this planning application for a two-lot subdivision (adjacent to Road Zone Category 1) at 1 Sandstock Drive, Warragul.

The site is an irregular shaped allotment located on the eastern periphery of Warragul and is surrounded by mostly standard residential housing. The site comprises of 8,117sqm and is currently vacant; however, a Council drain and ~30m wide drainage easement crosses the site.

The site is contained within the <u>General Residential Zone, Schedule 1 (GRZ1)</u> which encourages growth, that respects the neighbourhood character of the area and in locations offering good access to services and transport.

The land is also affected by the <u>Development Contributions Plan Overlay</u>, <u>Schedule 1&2</u> (<u>DCPO1&2</u>). Schedule 2 to the Overlay refers to land within the Warragul Development Contributions area shown as DCPO1 and provides a summary of required contributions for the applicable area – Charge Area 4 (External Drainage).

The applicant intends to develop the site with a petrol station toward the southern end of the subject site, with the balance of the site to cater for other uses. To facilitate the development of the site, it was deemed most appropriate to subdivide the land into two allotments and separate future uses.

This application seeks to demonstrate how the subdivision and development is appropriate in terms of achieving State and Local planning objectives and policies and, in the Baw Baw Planning Scheme.

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2. Existing Site Conditions

The site is a large, irregular shaped allotment that comprises of 8,117sqm. It is a residentially zoned allotment located to the north of Princes Way.

The site is bordered by Sandstock Drive, Highland Highway, Willandra Circuit and Crole Drive. A public recreational reserve is located to the north and standard residential housing to the east and west.

The site is currently vacant and void of significant vegetation; however, a Council drain and ~30m wide drainage easement crosses the northern portion of the site.

A Site and Context plan has been prepared and accompanies this application (see Figure 2).

There are no significant cultural features noted on the land. All services are available to the land. The site falls toward the drainage easement that crosses the site.



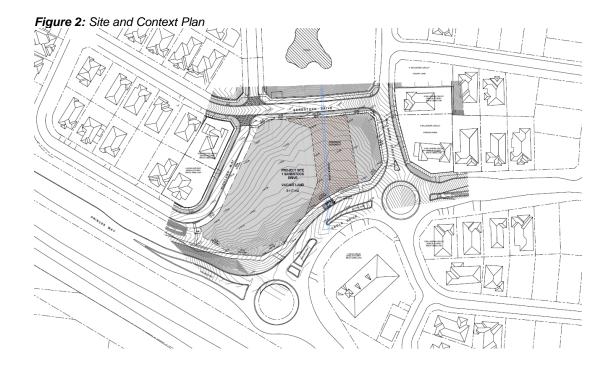
Figure 1: Aerial photograph

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2.1 Site Opportunities & Constraints

A thorough assessment of the site and surrounding neighbourhood has resulted in the compilation of the following site opportunities and constraints. The proposal has been designed to respond accordingly to the opportunities and constraints identified.

Opportunities

- To provide for utilisation of a large and well located residential site;
- To provide for redevelopment within existing urban area that can accommodate such growth; and
- To take advantage of existing access points.

Constraints

- Location of future development; and
- Drainage easement.

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2.2 Surrounding Pattern of Development

The site is located on the western periphery of Warragul; thus, the area is characterised by a mix of rural and residential allotments. The Shire is characterised by several small towns and rural settlements, with Warragul being a designated Regional Centre. A Regional Centre is defined as a settlement with large, diverse population and housing base with all essential services, including education, hospitals and interchange points for public transport. Large employment bases with strong connections with surrounding settlements.

The site is a vacant pocket of land within a developed residential neighbourhood. Standard residential housing is predominately restricted to the north of Princes Way and surrounds the site, whereas, low density residential housing is located directly south of Princes Way.

Princes Way is a major arterial road and classified as a Road Zone Category 1. See Figure 3 below for surrounding uses.



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3. Proposed Subdivision

Given the particular site conditions, the future proposed development of the site. The surrounding neighbourhood character and the applicable planning controls, it is considered appropriate to subdivide the site into two allotments.

The future development of a service station will be wholly contained within proposed Lot 1 which is to comprise of 3,502sqm. This allotment will have direct frontage to Crole Drive to the east and Princes Way to the south. A 16.3m wide crossing is proposed from Crole Drive to provide safe and efficient access to the site.

Proposed Lot 2 is the balance allotment and has direct abuttal to Sandstock Drive to the north, Willandra Circuit to the east, and Highland way to the west. It is to comprise of 4,615sqm with the majority of the land encumbered by the existing ~30m wide drainage easement.

Given that proposed Lot 2 has abuttal to three separate roads and there is no development proposed, it was not considered necessary to commit to a crossing to provide access to this allotment at this stage. The location of a future crossover to this allotment can be determined as part of a future development application.

The proposal provides a logical subdivision layout to accommodate the proposed development and results in two generous allotments.

The existing drainage easement will be contained within Lot 2.

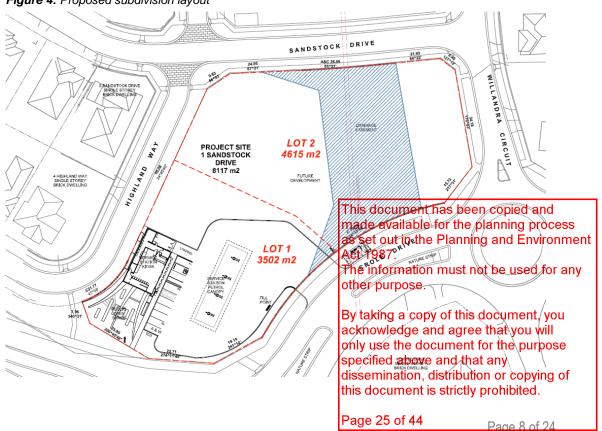
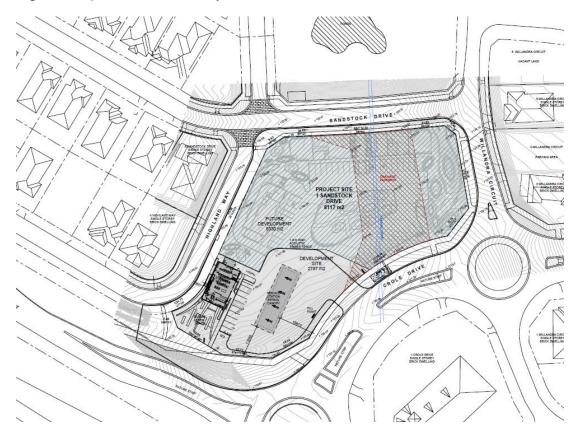


Figure 4: Proposed subdivision layout

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Figure 5: Proposed service station layout



3.1 Proposed Access

As previously mentioned, access to Lot 1 is to be achieved via a proposed 16.3m wide concrete crossing from Crole Drive. The crossover can accommodate passing vehicles and provides for safe and efficient access to a future service station.

Given that Lot 2 has abuttal to three separate roads and there is currently no proposed development on this land, it is considered unnecessary to provide a location for an access point. A crossover can be provided as part of a future development application for this allotment.

4.0 Planning Policy Framework

The following is an outline of the planning policy framework relevant to the site. A comprehensive analysis of the proposal against this matrix of applicable policy is provided below. This document has been copied and made available for the planning process

Zoning Clause 32.08	General Residential Zone – Schedu	as set out in the Plai	nning and Environment
Overlays Clause 45.06	Development Contributions Plan O		
State Planning Policy Framework (SPPF) Various clauses		acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of	
Municipal Strat Clause 21.03	egic Statement (MSS) Settlement	this document is striv Page 26 of 44	



Clause 21.04	Main Towns
Clause 21.06	Natural Environment and Resource Management

Other Requirements

Clause 56.01	Residential Subdivision
Clause 52.29	Land adjacent to Road Zone Category 1
Clause 65	Decision Guidelines

4.1 Zoning

Pursuant to the City of Casey Planning Scheme, the property is zoned <u>General Residential</u>, <u>Schedule 1 (GRZ1)</u>. The proposal is in accordance with the relevant purposes of the zone, which alongside implementing state and local planning policy are:

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

Pursuant to <u>Clause 32.08-3</u> a planning permit is required to subdivide land.

An application to subdivide land other than an application to subdivide land into lots each containing an existing dwelling or car parking space must meet the requirements of Clause 56 (2 lot subdivision).

An application to subdivide land that creates a vacant lot less than 400sqm capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400sqm contains at least 25% as garden area.

Response – General Residential Zone, Schedule 1 (GRZ1):

It is the applicant's intention that the site be developed with a service station in the future, in accordance with the General Residential Zoning of the land. The proposal simply seeks to subdivide the land in a logical manner to separate the service station on a private allotment. The balance of the allotment can cater for a variety of uses, however it should be noted that it is encumbered by a ~30m wide easement.

Pursuant to Clause 32.08-3, an application to subdivide land that creates a vacant lot capable of development for residential dwelling, must ensure that each lot creates contains the minimum garden area set out in Table 1 above. Given that the proposed allotments exceed 400sqm, the garden area requirement does not apply.

The subject land is located on the outskirts of Warragul and abuts a major arterial road, with developed residential land to the east and west; therefore, it is appropriately located to contain a mix of land uses. The proposed subdivision allows for separate land uses to occur on private allotments and will not impact on the surrounding amenity or functions. This document has been copied and

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The subject site is cover by a <u>Development Contributions</u> Plan Overlay (DCRO 122) comment <u>Schedule 1 – Baw Baw Shire Development Contributions</u> Plan and Schedule 2 – <u>Warragul Development Contributes Plan</u> which identifies and a subject so development any contributions. The proposal is in accordance with the printing purpose of the overlay, which alongside implementing State and Local Planning Policy is: By taking a copy of this document, you

• To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provide development can complete provide and facilities before development can complete friend works for the provide development can complete development can complete friend works for the provide development can complete the provide development can complete development can can can be added and the provide development can be added and the provid

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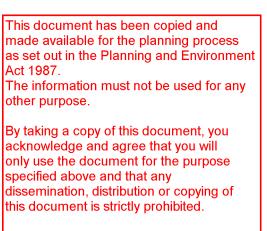
Pursuant to Clause 45.06-1 - A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

Pursuant to Schedule 2, the subject site is located within Charge Area 4 (External Drainage) as per Figure 5 and Table 1 below:

 Table 1: Summary of contributions for Charge Area 4 (External Drainage) in 2014 dollars

FACILITY	LEVIES PAYABLE BY THE DEVELOPMENT		
	Development Infrastructure	Community infrastructure	
	All development	Residential	
	Per net developable hectare	Per dwelling	
Drainage	\$27,321	-	
DCP preparation	\$46		
TOTAL	\$27,367	\$0	

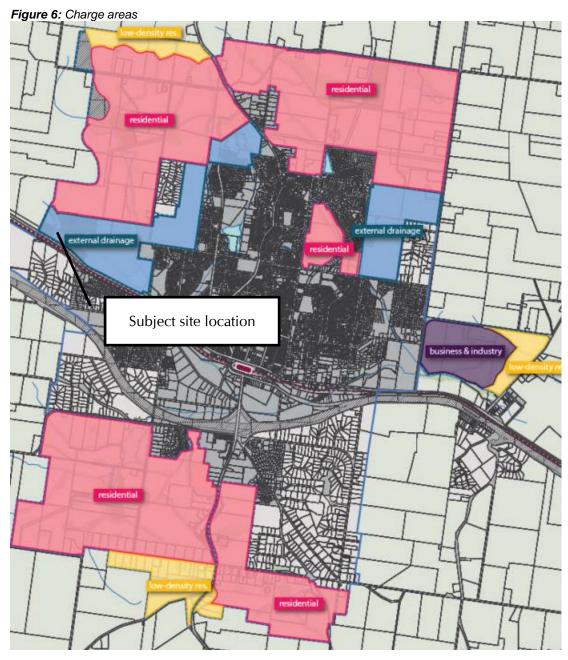
The development infrastructure levy is payable by all development per net developable hectare as set out in the *Warragul Development Contributions Plan*.



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Response DCPO2: It is noted that the site falls within 'Charge Area 4' (refer to Figure 5) which relates to drainage infrastructure. A summary of the applicable charges is outlined in Table 1. The development infrastructure levy is payable by all development per net developable hectare as set out in the Warragul Development **Contributions Plan.**

State Planning Policy Framework 4.2

The SPPF seeks to ensure that the objectives of Planning in the Planning and Environment appropriate land use and development planning policies and practices which investigate any relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Settlement (Clause 11) states that:

Planning is to anticipate and respond to the needs of existing anti-function of existing anti-function of the surpose through provision of zoned and serviced land for housing entryloging the tration and open space, commercial and community facilities and intrastructure. Flathing is tribution of copying of recognise the need for, and as far as practicable contribute towards.

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. Health and safety.

- Diversity of choice.
- . Adaptation in response to changing technology.
- . Economic viability.
- . A high standard of urban design and amenity.
- . Energy efficiency.
- . Prevention of pollution to land, water and air.
- . Protection of environmentally sensitive areas and natural resources.
- . Accessibility.
- . Land use and transport integration.

Planning is to prevent environmental problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.

The following *Objectives* are applicable to this proposal:

Urban Growth (11.02)

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Planning for Growth Areas (11.02-3)

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.

Sequencing of development (11.02-4)

To manage the sequence of development in growth areas so that services are available from early in the life of new communities.

Environmental and Landscape Values (Clause 12) states that:

Planning should protect sites and features of nature conservation, biodiversity, geological or landscape value.

The following *Objective* is applicable to this application:

Landscape (12.04-2)

To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

Built Environment & Heritage (Clause 15) states that:

Planning should achieve high quality urban design and architecture that:

- Contributes positively to local urban character and sense of place has been copied and made available for the planning process
 Reflects the particular characteristics, aspirations and set use in the planning and Environment community.
- . Enhances liveability, diversity, amenity and safety difter proving the interaction of the used for any
- . Promotes attractiveness of towns and cities within broader strategic contexts

. Minimises detrimental impact on neighbouring property acknowledge and agree that you will

The following *Objectives* are applicable to this application use the document for the purpose specified above and that any

<u>Urban Design (15.01-1)</u>

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To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Urban design principles (15.01-2)

To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimizing detrimental impact on neighbouring properties; and

Landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.

Neighbourhood and Subdivision design (15.01-3)

To ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods.

Design for Safety (15.01-4)

To improve community safety and encourage neighbourhood design that makes people feel safe.

<u>Cultural identity and neighbourhood character (15.01-5)</u> To recognise and protect cultural identity, neighbourhood character and sense of place.

Energy and resource efficiency (15.02-1)

To encourage land use and development that is consistent with the efficient use of energy and the minimization of greenhouse gas emissions.

Heritage Conservation (15.03-1)

To ensure the conservation of places of heritage significance.

Housing (Clause 16)

States that:

- . Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.
- New housing should have access to services and be planned for long term sustainability, including walking to activity centres, public transport, schools and open space
- Planning for housing should include land for affordable housing.

The following *Objectives* are applicable to this application:

Integrated housing (16.01)

To promote a housing market that meets community needs.

Location of residential development (16.01-2) To locate new housing in or close to activity centres and employment for the planning process other strategic redevelopment sites that offer good access to services and transport Environment Act 1987. Strategic redevelopment sites (16.01-3) The information must not be used for any To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne. By taking a copy of this document, you Housing diversity (16.01-4) acknowledge and agree that you will To provide for a range of housing types to meet increas indiversed needs and for the purpose specified above and that any dissemination, distribution or copying of Housing affordability (16.01-5) To deliver more affordable housing closer to jobs, transport and services.

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ndstock Drive, Warragul <u>Infrastructure (Clause 19) states that:</u>

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

The following *Objectives* are applicable to this application:

Water supply, sewerage and drainage (19.03-2)

To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

<u>Stormwater (19.03-3)</u> To reduce the impact of stormwater on bays and catchments

Telecommunications (19.03-4)

To facilitate the orderly development, extension and maintenance of telecommunication infrastructure.

Response SPPF:

The proposed subdivision is compatible with the SPPF as the site is in an area zoned as General Residential where a mix of land uses is permitted. The proposal seeks to subdivide the land in a logical manner to contain the service station in one allotment and the balance of the site to cater for other uses.

The subject site is located within an area that is designated for future growth and the proposed subdivision will facilitate this process. The proposed subdivision will aid in provision of additional housing opportunities and community services.

The proposal has been designed to respond to and respect the environmental and landscape character of the area, with no vegetation required to be removed, and ample space available for future developments to incorporate landscaping.

The subdivision layout offers a high level of surveillance with Lot 1 & Lot 2 having direct frontage to roads.

4.3 Municipal Strategic Statement (MSS)

The following components of the Baw Baw Local Planning Policy Framework are relevant to this application:

Settlement (21.03)

Settlement Overview (in part):

Provision for population growth within the main township areas should:

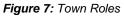
- Prevent further reduction of water quality within the Proclaimed Water Catchments actively used for water supply.
- Maximise the use of infrastructure.
- Lessen conflict in agricultural areas between adviculture and made available for the planning process uses.
 Lessen conflict in agricultural areas between adviculture and made available for the planning process as set out in the Planning and Environment
- Maximise the efficient use of community services and facilities.
- Assist in increasing the viability of such facilit
- Ensure the viability of local businesses and shopping areas.
- Improve service delivery due to increased population increased populat

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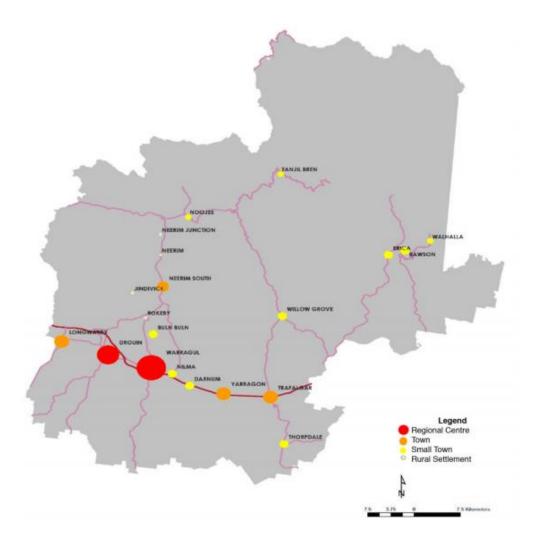
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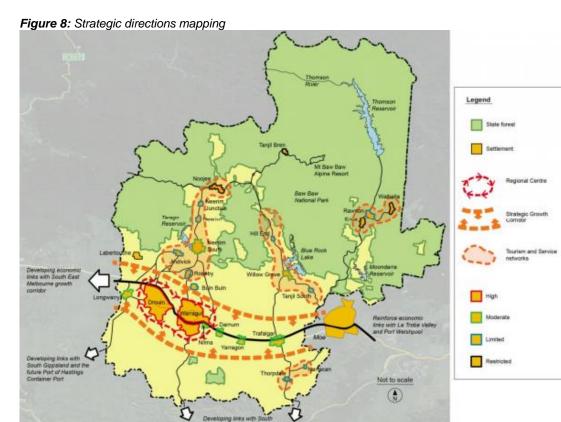
Directions for growth (21.03-3)

Based on the proposed settlement directions up to 2036 the main growth centres are (relevant points only):

• Warragul and Drouin, which will develop as sustainable high-growth settlements.

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Objective 1:

Build a close-knit community which appreciates the unique country town character of the settlements in the Shire.

Strategies to achieve the objective:

- Guide population and development to settlements where land has already been zoned or committed (i.e. within a planning framework) for residential purposes and has ready access to existing infrastructure and services.
- Achieve population growth and development in a manner that respects the distinctive character-defining attributes of the respective settlements.
- Encourage housing design solutions that provide a diversity of dwelling types that is responsive to emerging demographic trends and associated lifestyle needs.
- Respect the existing rural village character of smaller towns while providing for infill development.
- Maintain clear distinctions and physical separations between settlements in the Shire
- Limit further dispersed housing on agricultural and by defining protections for rural lifestyle living within and surrounding existing settlehe fast the planning process
- Promote sufficient growth for smaller communities to support Viability of town services and retail functions and provide tourism opport viability of town
- Provide public open space, including parks, squares and dsails, to reflect the rural identity of the Shire while providing amenity and active links to commercial and By taking a copy of this document, you address.
- Establish defined edges to urban areas where the purpose
- Facilitate intensification of residential development with the source of the source of

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- Ensure services and infrastructure are planned and delivered efficiently in association with new residential development.
- Encourage the clustering of community and civic services including schools, sporting and recreation facilities to create local activity centres.
- Promote formal and informal hubs, spaces and places that bring people together and enhance the experience of neighbourhood and township living.
- Facilitate walking, cycling and forms of non-motorised transport as an integral part of urban life.
- Retain high visual quality of rural landscapes, including preservation of view corridors and vantage points within the urban area.

Objective 2:

Encourage employment and consolidate industry.

Strategies to achieve the objective:

- Build on the geographic advantages and transport infrastructure of the Shire as a key processing and distribution hub servicing the metropolitan and Gippsland regions.
- Protect agricultural land and activities to maintain their long-term sustainable use
- Encourage niche agricultural industries and intensive farming and manufacturing and processing industries in appropriate locations.
- Minimise future investment requirements for infrastructure by guiding population and development to settlements that have capacity in existing services and good accessibility to major transport routes.
- Encourage mixed-use development, including residential in Commercial Zones for the townships where infrastructure is available.
- Encourage appropriate economic development in areas of the Shire that has tourism, recreation or environmental attractions.
- Ensure sufficient commercial land is provided to allow towns to play an appropriate • retail role as their population increases, providing employment and reducing escape expenditure.
- Ensure sufficient industrial land supply is available to meet the future demand and support the economic base of the Shire.
- Provide sufficient land, including agricultural, commercial and industrial, to enable an increase in job opportunities in the Shire and ensure land supply does not constrain economic development.
- Facilitate improved local public transport systems and links to connect the main towns with small settlements.

Objective 3:

Conserve and protect natural environments and minimise risks as a result of future growth. This document has been copied and

Strategies to achieve the objective:

- Ensure sustainable management of agriculture and productive rural land use activities and existing natural attributes. The information must not be used for any
- Protect native vegetation on private and public ather purpose.
- Support tourism based on the Shire's environmental values By taking a copy of this document, you
- Protect local sensitive environments such aschnatarenarsannithire andt argund • townships. only use the document for the purpose
- Direct population and development to the existing settlements botthat natural attributes and attractive landscapes are not detrimentally affected.

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- Provide residential opportunities in settlements where there are limited environmental risks e.g. flooding, erosion and landslip and bushfire risk.
- Protect declared water supply catchments through directing development to settlements where reticulated sewer systems are available.
- Direct population growth and development away from high risk bushfire locations

Main Towns (21.04)

Objectives:

- To provide the flexibility for development to occur in each town to accommodate the needs of its population as well as to facilitate the Settlement network
- To facilitate development in accordance with the specific town plans attached to this clause.

Warragul (21.04-3)

Context:

Warragul is a regional centre providing residential, commercial, health, education, cultural and industrial activities. It began as a railway town in the 1870s serving the pioneering timber and farming communities. Its distinct character is provided by a collection of heritage buildings, trees and structures, hilly topography, farmland setting and garden suburb development.

The township boundary provides for a long-term supply (to about the year 2050) of residential land for the town.

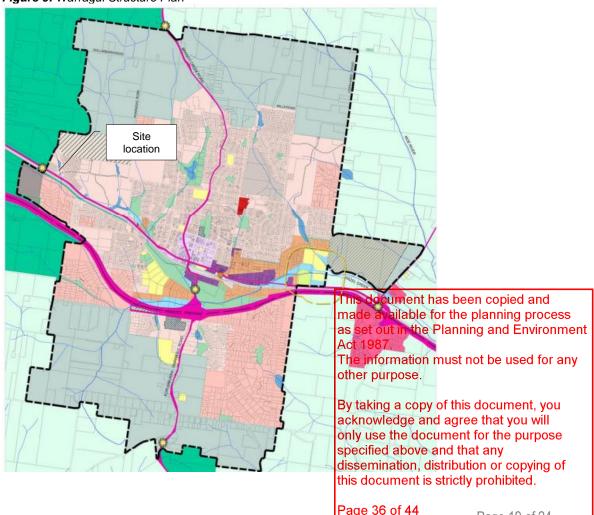


Figure 9: Warragul Structure Plan

Natural Environment and Resource Management (21.06)

Council will consider planning applications and make decisions in accordance with the following vision:

To ensure the protection, conservation and sustainable management of the Shire's • natural environment.

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- To recognise the State and National importance of the Shire's resources while ensuring they are utilised in a way that maintains a high-quality life for residents.
- To recognise the Shire's natural environment as the habitat for a wide range of • indigenous flora and fauna and the importance of providing for the long-term survival of these species.

Overview (21.06-2)

- The Shire contains mountainous country, rural areas and significant water catchments. These all play a significant role in the provision of the State's water and natural resources.
- The natural environment of the Shire provides a variety of pastoral, rural and bushland landscapes which are greatly valued by residents and visitors for their recreational, economic, spiritual and cultural attributes.
- The natural environment provides flora and fauna habitats as described in Clause 21.06-3 Biodiversity that have cultural and biological significance. The utilisation of resources from these habitats requires informed and sensitive management in order to protect them in the long term.
- The demands on the natural environment to harvest its resources such as water, landscapes, timber and extractive materials, soil fertility – have an impact on its sustainable ecological management.

Baw Baw Shire falls mainly within two catchments, being the Westernport and West Gippsland catchments. Land use and development within catchments may have an impact on water quality, biodiversity and natural resource management both within and outside the Shire. Therefore, a whole of catchment approach is required for the management of natural resources in the exercise of decision-making.

Response MSS:

The proposal is in accordance with the Baw Baw Shire's MSS as the site is located within Warragul which is identified as a major town where an increase in housing density and provision of new services is encouraged. The proposal provides for two sizeable allotments, with proposed Lot 1 to contain a service station. The balance allotment can accommodate other uses in line with the General Residential Zoning of the land.

The site is located within a fully serviced area and lends itself to a subdivision of this nature. No significant vegetation will be impacted on and the subdivision will facilitate the consolidation of new uses to accommodate the needs of the growing population. mode available for the

4.4	Other provisions	as set out in the Planning and Environment Act 1987. The information must not be used for any
	Land Adjacent to a Road Zone, Category 1 (C	Clause 52:29 Durpose.
	<u>Purpose:</u> To ensure appropriate access to identified roads	By taking a copy of this document, you s. To enscire appropriate system with sign of will only use the document for the purpose
	land adjacent to identified roads Permit requirement:	specified above and that any dissemination, distribution or copying of
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• A road in a Road Zone, Category 1.

Response: In accordance with the provisions of *Clause 52.29* a permit is sought for the subdivision of land adjacent to a Road 1 Category. It is noted that the application will be referred to the relevant road authority. It should be noted that a crossover is proposed from Crole Drive and no access is proposed from Princes Way.

Clause 56 - Subdivision

-

The Purpose of Clause 56 Subdivision relevant to this application is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To create liveable sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - Metropolitan Melbourne growth areas.
 - Infill sites within established residential areas.
 - Regional cities and towns.
 - To ensure residential subdivision design appropriately provides for:
 - Policy implementation.
 - Livable and sustainable communities.
 - Residential lot design.
 - Urban landscape.
 - Access and mobility management.
 - Integrated water management.
 - Site management.
 - Utilities.

An application to subdivide land <u>must</u> meet all of the objectives included in the clauses specified in the zone and <u>should</u> meet all of the standards included in the clauses specified in the zone.

ASSESSMENT – 3 - 15 LOT SUBDIVISION (applicable standards only)

CLAUSE 56	Proposed Development (Yes/No/Partially/N/A)	
56.03 LIVEABLE AND SUSTAINABLE COMMUNITIES		
STANDARD C6, Neighbourhood Character	Yes. The site is located on the periphery of Warragul, adjacent to Princes Highway. The proposed two lot subdivision will not negatively impact on the surrounding area, but simply allocates the future service station within Lot 1. The balance of the site can accommodate a range of other uses, in accordance with the General Residential Zoning of the land.	
56.04 LOT DESIGN		
STANDARD C8, Lot Area and Building Envelopes	Yes. The proposed allotments are well dimensioned and can easily accommodate the future uses and associated services. The submitted plan shows the proposed subdivision overlayed with the future development. Additional building envelopes and not necessary for Lot 2 as it is generouls be size the planing size the planing of the planet of the planing of the planet of	
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STANDARD C9, Solar Orientation of Lots	Yes. The proposed subdivision simply follows the plan of the future development of the site. Due to the large nature of the proposed lots, they are well orientated and achieve appropriate solar access.	
STANDARD C11, Common Area	N/A. No area of common property is proposed.	
56.06 ACCESS AND MOBI STANDARD C21, Lot Access	LITY MANAGEMENT Partially. Access is gained to Lot 1 via a proposed crossover from Crole Drive. It is considered unnecessary at this stage to provide an access-way to proposed Lot 2, as it maintains abuttal to several roads and the future development of this land is currently unknown. A future application to develop Lot 2 would be subject to providing a crossover to provide access to this lot.	
56.07 INTEGRATED WATE		
STANDARD C22, Drinking Water Supply	Yes. Reticulated water can be made available to the site, making more efficient use of existing infrastructure in the area.	
STANDARD C23, Reused and Recycled Water	Yes. The proposed lots are large and capable of containing re- used and recycled water systems to reduce the unnecessary use of drinking water.	
STANDARD C24, Waste Water Management	Yes. Reticulated sewerage and drainage is available within the area and can be extended to service the new lots.	
STANDARD C25, Urban Run-Off Management	Yes. All minor drainage will be designed and installed to Council's requirements. It is submitted that the proposal will not result in damage or inconvenience to residents from urban runoff. A 30m wide drainage easement currently exists on site.	
56.08 SITE MANAGEMENT		
STANDARD C26, Site Management	Yes. The site will be managed to the satisfaction of the Responsible Authority prior to and during any construction works relating to this subdivision.	
56.09 UTILITIES		
STANDARD C27, Shared Trenching	Yes. All services are currently available within the area. Any new servicing will utilise shared trenching where possible.	
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STANDARD C28, Electricity, Telecommunications and Gas	Yes. Electricity, gas and Telstra are available for the planning proces be extended to service the procession of the relevant requirements of the relevant other purpose.	
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Planning Report

22653 – 1 Sandstock Drive, Warragul

4.7 Clause 65 Considerations

Clause 65 contains a number of Decision Guidelines that the responsible authority must consider when deciding whether a proposal will produce an acceptable outcome. Of particular relevance to this application are the provisions of <u>65.02 Approval of an application to subdivide land</u>. Decision guidelines are as follows:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

Response – Clause 65:

The proposal has considered the relevant decision guidelines of Clause 65.01 and 65.02.

The site is well located within an industrial area of Warragul where it has an established use and appropriate access from major roads it is been copied and subdivision given its location, size and existing physical conditions of the physical conditions of the physical conditions of the physical conditions and density are considered to be appropriate for site and neighbourhood conditions is not be used for any other purpose.

Ample off-street parking is provided and all reticulated services are available to the subject site. No vegetation is required to be removed as part of this application of Ample space is available for new landscaping once the document for the purpose

The proposal meets the requirements of the State and Cocal Playming Scheme.

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5. Conclusion

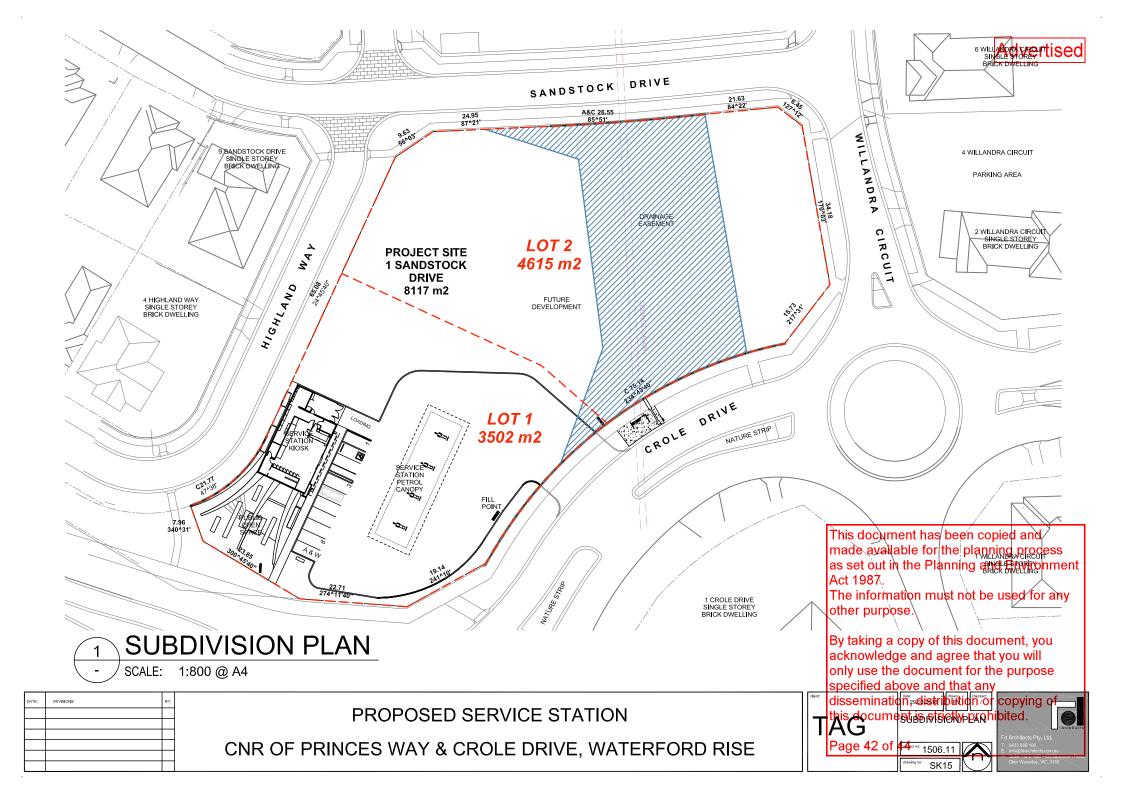
For the reasons detailed in the body of this report, we submit that the proposed subdivision is appropriate to accommodate future development of a service station on one allotment and the balance allotment to cater for a range of uses. It has considered the purpose and decision guidelines under the General Residential Zone. The proposal is consistent and complies with the decision guidelines stated within <u>Clause 65</u>.

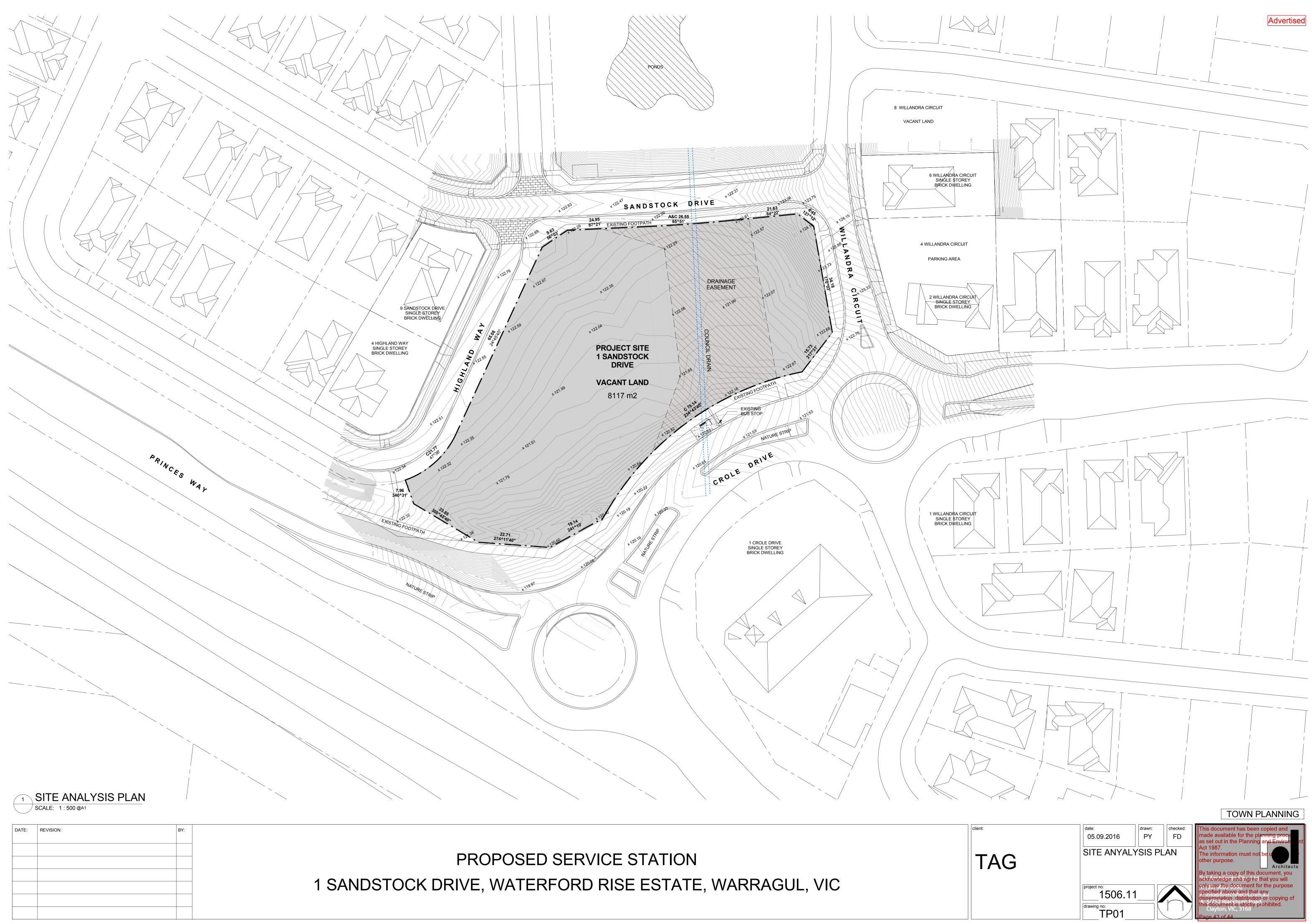
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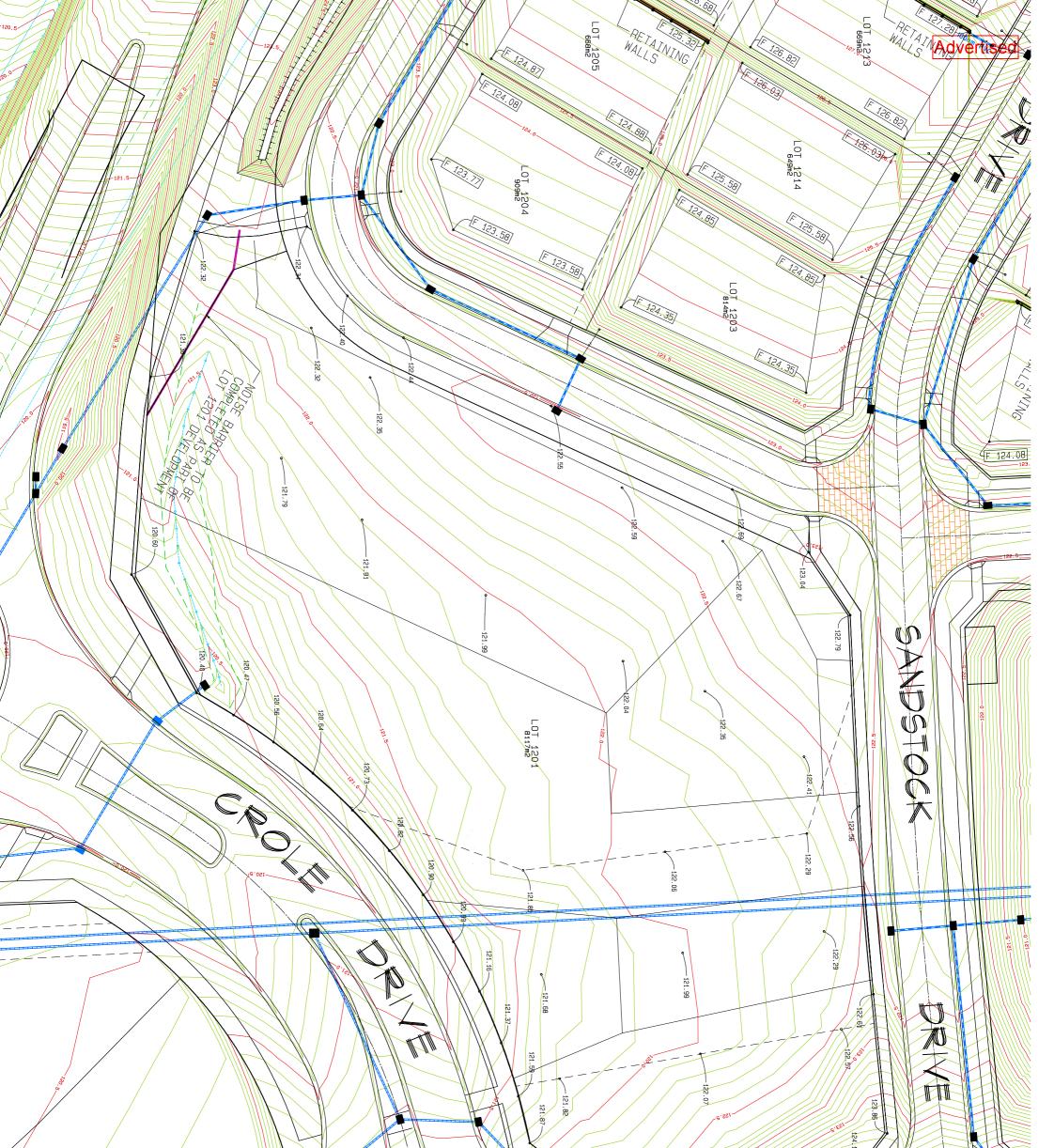
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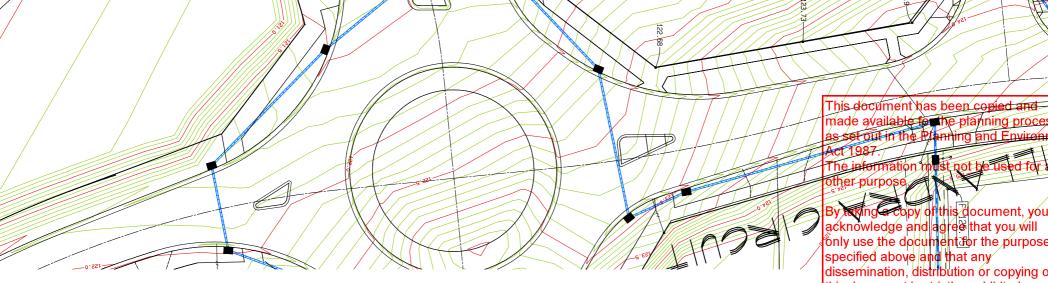
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