



Application for Planning Permit for a Subdivision

Supplied by Angela Plazzer
Submitted Date 28/08/2024

Application Details

Application Type Planning Permit for a Subdivision
Version 1
Applicant Reference Number 23H0359
Application name or Estate name Peter Westley
Responsible Authority Name West Wimmera Shire Council
Responsible Authority Reference Number(s) PA1185
SPEAR Reference Number S235456V
Application Status Referred
Planning Permit Issue Date NA
Planning Permit Expiry Date NA

The Land

Primary Parcel 311 BROOKS ROAD, SERVICETON VIC 3420
Crown Allotment No 22
Section No 2
Parish Name LEEOR
SPI 22~2\PP2985
CPN 1005487
Zone: 35.07 Farming
Overlay: 42.01 Environmental Significance

Parcel 2 THREE CHAIN ROAD, SERVICETON VIC 3420
Crown Allotment No 26
Section No 2
Parish Name LEEOR
SPI 26~2\PP2985
CPN 1004969
Zone: 35.07 Farming
36.04 Transport
Overlay: 42.01 Environmental Significance

The Proposal

Plan Number (Not Supplied)
Number of lots 2
Proposal Description 2-lot subdivision
Estimated cost of the development for which a permit is required \$ 0

Existing Conditions

Existing Conditions Description The site contains land used for agriculture.
Title Information - Does the proposal breach an encumbrance on Title? The proposal does not breach an encumbrance on title, such as a restrictive covenant, section

Applicant Contact

Applicant Contact

Angela Plazzer
Ferguson Perry Surveying Pty Ltd
62 McLachlan Street, Horsham, VIC, 3400
Business Phone: 53822023
Email: aplazzer@fergusonperry.com.au

Applicant

Applicant

Peter Westley
90 Ormerod Street, Naracoorte, SA, 5271
Business Phone: 8762 3600
Email: peter@wdnlaw.com.au

Owner

Owner 1

[Redacted]
[Redacted]

Owner 2

[Redacted]
[Redacted]

Owner 3

[Redacted]
[Redacted]

Owner 4

[Redacted]
[Redacted]

Owner 5

[Redacted]
[Redacted]

Declaration

I, Angela Plazzer, declare that the owner (if not myself) has been notified about this application.

I, Angela Plazzer, declare that all the information supplied is true.

Authorised by

Organisation

Angela Plazzer
Ferguson Perry Surveying Pty Ltd

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

Page 1 of 1

VOLUME 08869 FOLIO 049

Security no : 124117417207E
Produced 14/08/2024 09:47 AM

LAND DESCRIPTION

Crown Allotment 22 Section 2 Parish of Leeor.

PARENT TITLES :

Volume 02721 Folio 031 Volume 08869 Folio 048

Created by instrument D947869 29/01/1971

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 6 of a total of 20 equal undivided shares

Joint Proprietors

[REDACTED]

all of 730 FRANCES ROAD BORDERTOWN SA 5268

As to 7 of a total of 20 equal undivided shares

Sole Proprietor

[REDACTED]

of 3 PHILLIPS STREET KANIVA VIC 3419

As to 7 of a total of 20 equal undivided shares

Sole Proprietor

[REDACTED]

of 3 PHILLIPS STREET KANIVA VIC 3419

AX784783Q 04/03/2024

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 TP615254B 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: 311 BROOKS ROAD SERVICETON VIC 3420

ADMINISTRATIVE NOTICES

NIL

eCT Control 19741X WESTLEY DIGIORGIO NORCOCK
Effective from 04/03/2024

DOCUMENT END

TITLE PLAN		EDITION 1		TP 615254B	
Location of Land Parish: LEEOR Township: Section: 2 Crown Allotment: 22 Crown Portion: Last Plan Reference: Derived From: VOL 8869 FOL 049 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: 29/08/2000 VERIFIED: HG	
<div style="display: flex; align-items: center; justify-content: space-between;"> <div style="width: 10%;">  </div> <div style="width: 80%; text-align: center;">  </div> <div style="width: 10%;"></div> </div>					
TOTAL AREA = 311A OR 28P					
LENGTHS ARE IN LINKS		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 09637 FOLIO 196

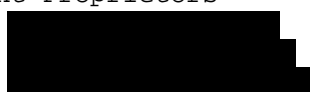
Security no : 124115412322B
Produced 30/05/2024 02:40 PM

LAND DESCRIPTION

Crown Allotment 26 Section 2 Parish of Leeor.
PARENT TITLE Volume 02669 Folio 702
Created by instrument L642511B 01/05/1985

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

 all of 730 FRANCES ROAD BORDERTOWN SA 5268
AX772558Q 28/02/2024

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 TP335681Q FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX772288T (E)	NOMINATION OF ECT TO LC	Completed	28/02/2024
AX772556U (E)	DISCHARGE OF MORTGAGE	Registered	28/02/2024
AX772558Q (E)	TRANSFER	Registered	28/02/2024
AX795383V (E)	TRANSFER CONTROL OF ECT	Completed	07/03/2024

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: THREE CHAIN ROAD SERVICETON VIC 3420

ADMINISTRATIVE NOTICES

NIL

eCT Control 19741X WESTLEY DIGIORGIO NORCOCK
Effective from 07/03/2024

DOCUMENT END

TITLE PLAN		EDITION 1		TP 335681Q	
Location of Land			Notations		
Parish: LEEOR					
Township:					
Section: 2					
Crown Allotment: 26					
Crown Portion:					
Last Plan Reference:					
Derived From: VOL 9637 FOL 196			ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN		
Depth Limitation: NIL					
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: 28/02/2000 VERIFIED: BH	
<div><div>GOVT. ROAD</div><div>GOVT. ROAD</div><div>GOVT. ROAD</div><div>GOVT. ROAD</div><div>90°00' 704.9</div><div>180°00' 402.34</div><div>90°00' 300.95</div><div>180°00' 664.5</div><div>270°00' 1005.8</div><div>0°00' 1066.8</div><div>26 95.19</div><div>27 22</div></div>					
LENGTHS ARE IN METRES		Metres = 0.3048 x Feet Metres = 0.201168 x Links		Sheet 1 of 1 sheets	

From www.planning.vic.gov.au at 28 August 2024 05:19 PM

PROPERTY DETAILS

Crown Description: Allot. 26 Sec. 2 PARISH OF LEEOR

Address: THREE CHAIN ROAD SERVICETON 3420

Standard Parcel Identifier (SP): 26-2\PP2985

Local Government Area (Council): WEST WIMMERA

www.westwimmera.vic.gov.au

Council Property Number: 1004969 (Part)

Planning Scheme: West Wimmera

[Planning Scheme - West Wimmera](#)

Directory Reference: Vicroads 24 B7

This parcel is one of 5 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: Grampians Wimmera Mallee Water

Responsible Council: WESTERN VICTORIA

Urban Water Corporation: Grampians Wimmera Mallee Water

Responsible Assembly: LOWAN

Municipal Water: Outside drainage boundary

Power Distributor: POWERCOR

STATE ELECTORATES

OTHER

Registered Aboriginal Party: Barengi Gadjin Land Council

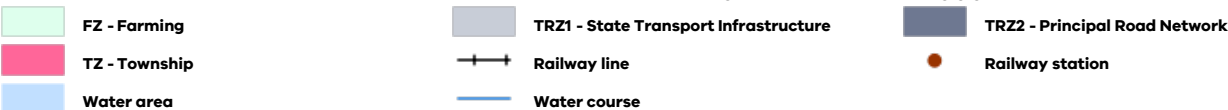
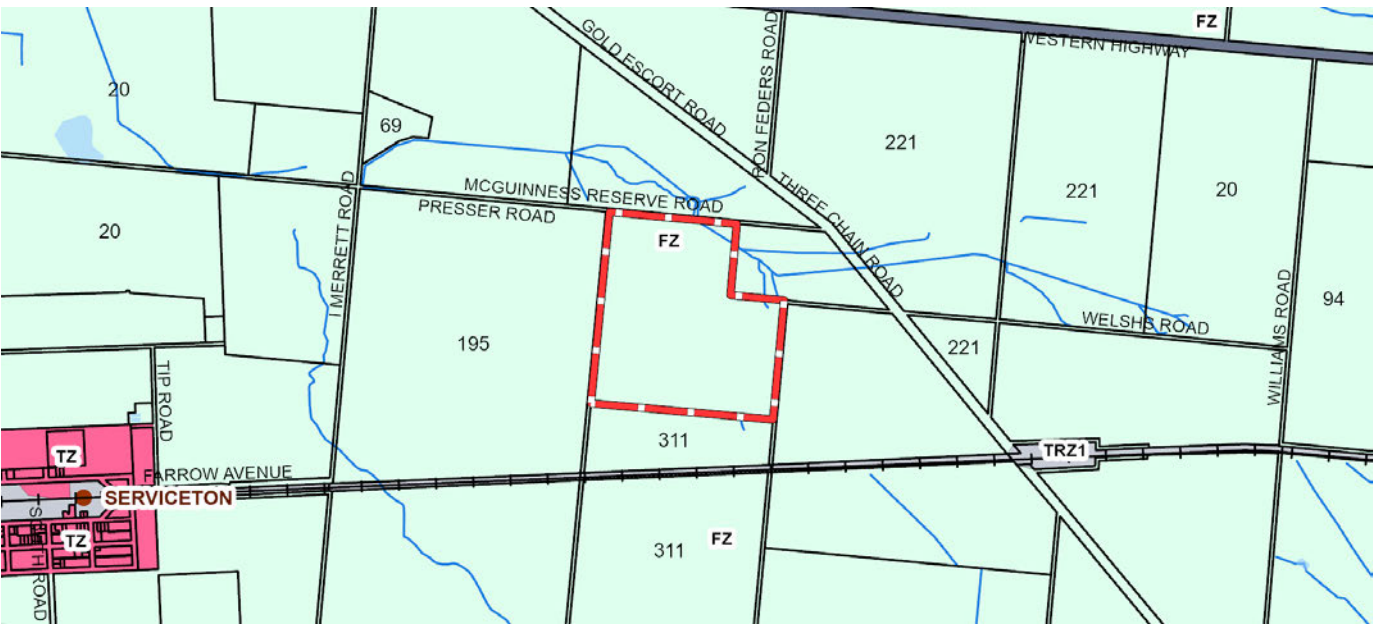
Aboriginal Corporation

[View location in VicPlan](#)

Planning Zones

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

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

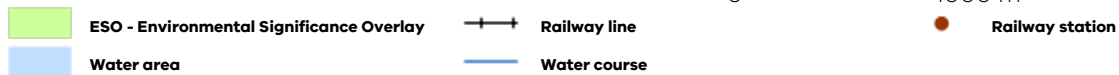


Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Planning Overlays

[ENVIRONMENTAL SIGNIFICANCE OVERLAY \(ESO\)](#)

[ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 \(ESO2\)](#)

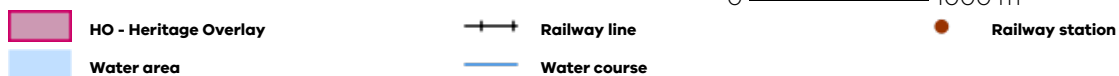
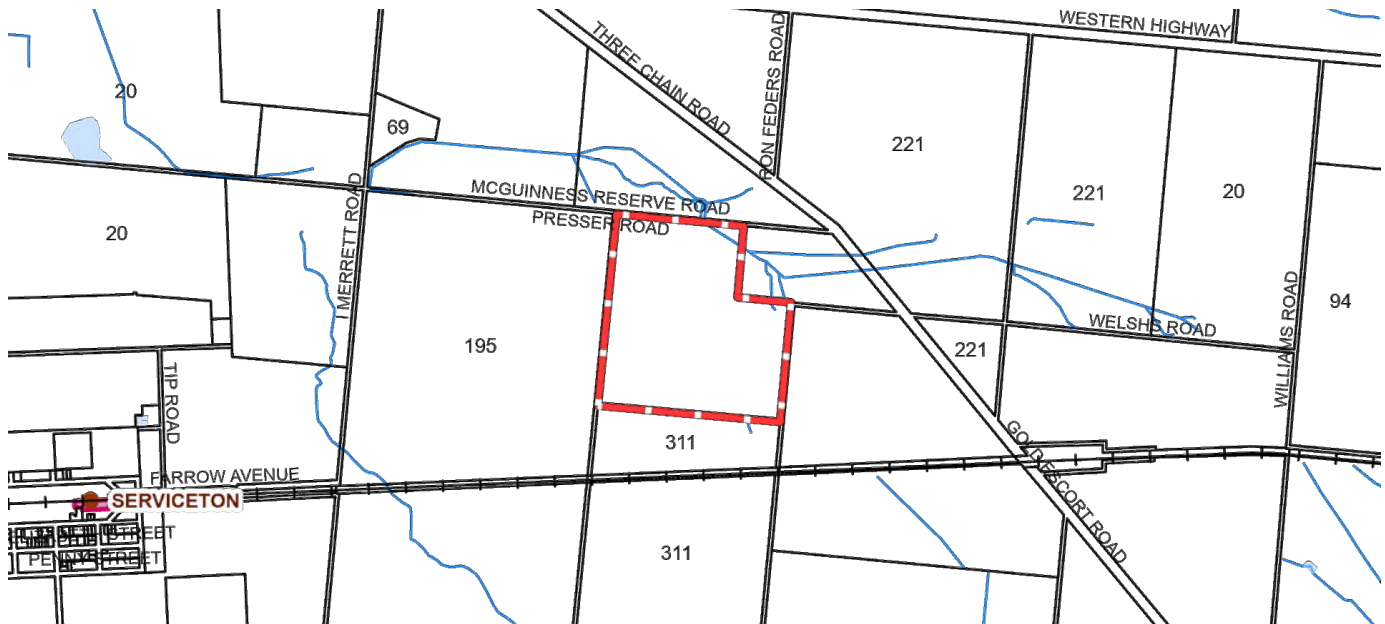


Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

[HERITAGE OVERLAY \(HO\)](#)



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

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

Further Planning Information

Planning scheme data last updated on 21 August 2024.

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

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

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

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

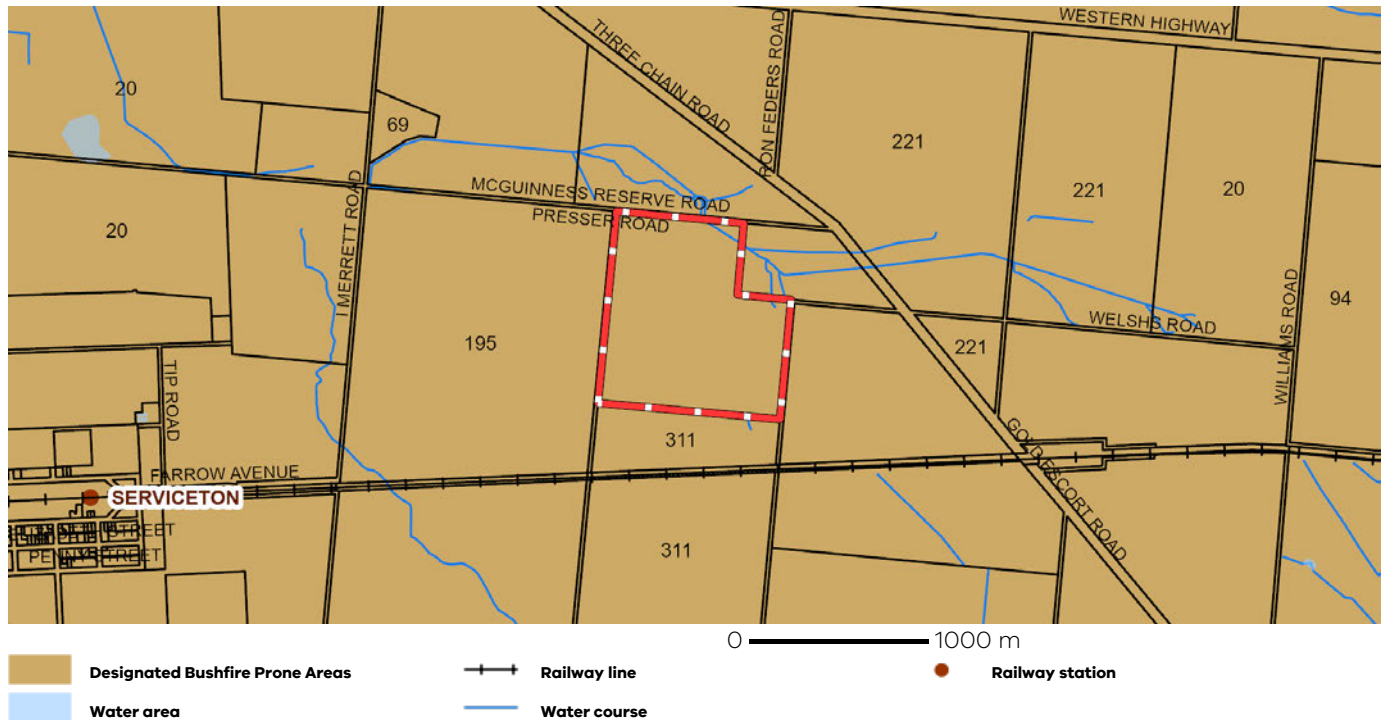
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This parcel is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

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

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

Native Vegetation

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

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

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

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 28 August 2024 05:19 PM

PROPERTY DETAILS

Crown Description: **Allot. 22 Sec. 2 PARISH OF LEEOR**
Address: **311 BROOKS ROAD SERVICETON 3420**
Standard Parcel Identifier (SP): **22-2\PP2985**
Local Government Area (Council): **WEST WIMMERA**
Council Property Number: **1005487 (Part)**
Planning Scheme: **West Wimmera**
Directory Reference: **Vicroads 24 B8**

www.westwimmera.vic.gov.au

[Planning Scheme - West Wimmera](#)

This parcel is one of 2 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: **Grampians Wimmera Mallee Water** is active Council:
Urban Water Corporation: **Grampians Wimmera Mallee Water** is active Assembly:
Municipal Water: **Outside drainage boundary**
Power Distributor: **POWERCOR**

STATE ELECTORATES

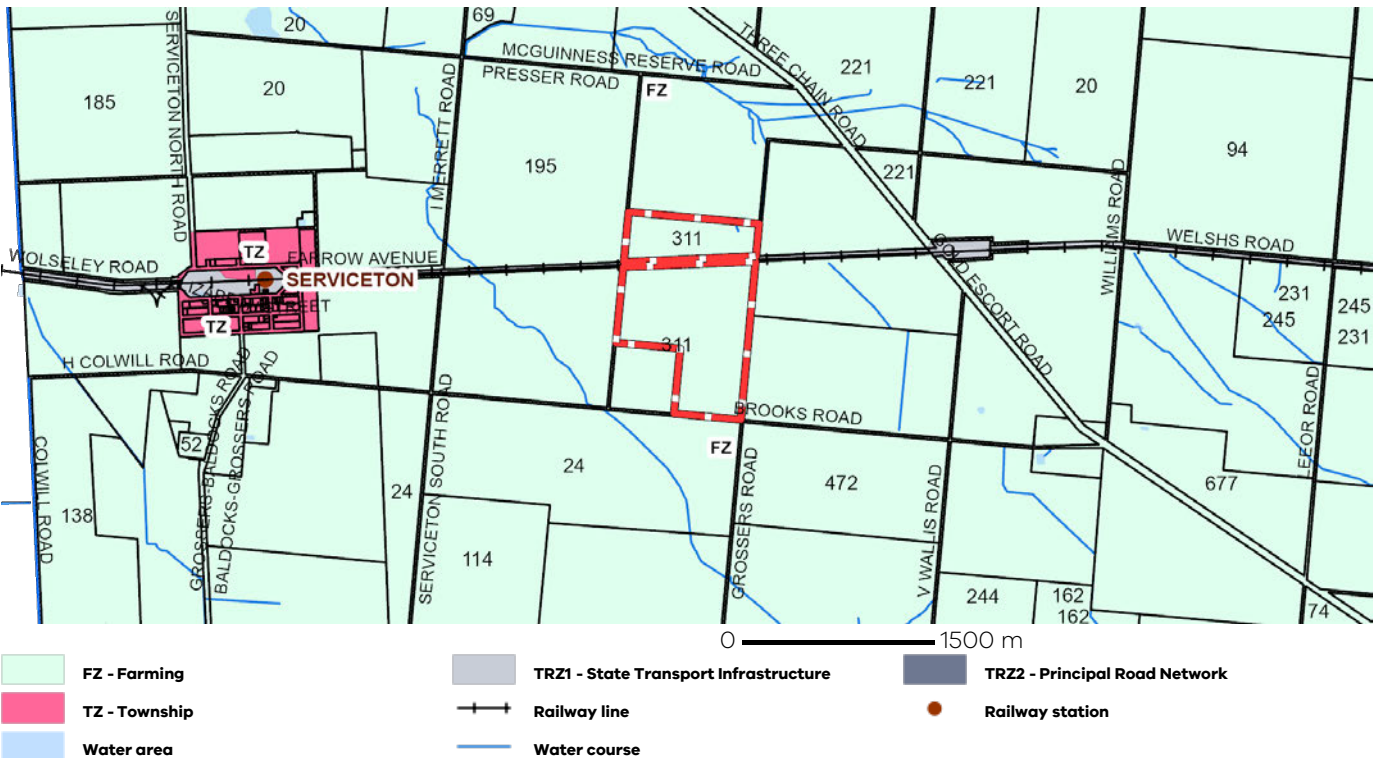
WESTERN VICTORIA
LOWAN
OTHER
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Aboriginal Corporation

[View location in VicPlan](#)

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



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

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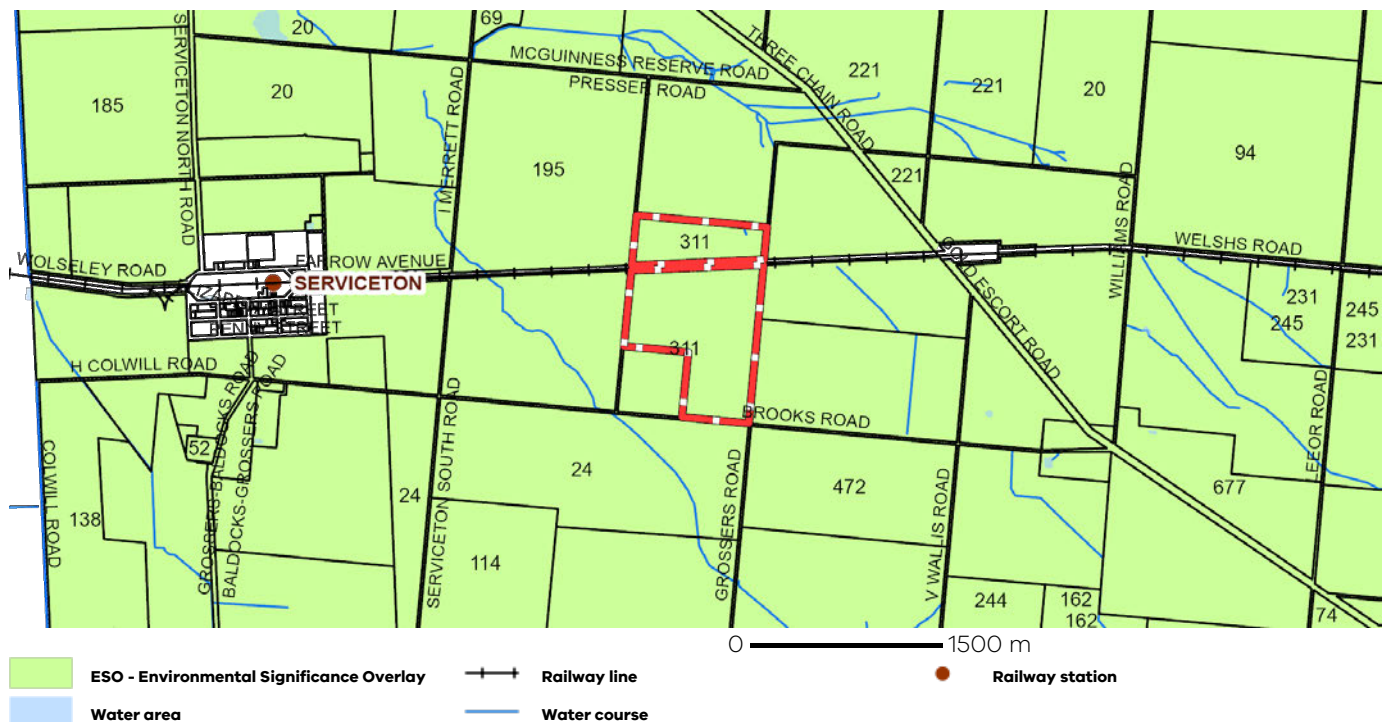
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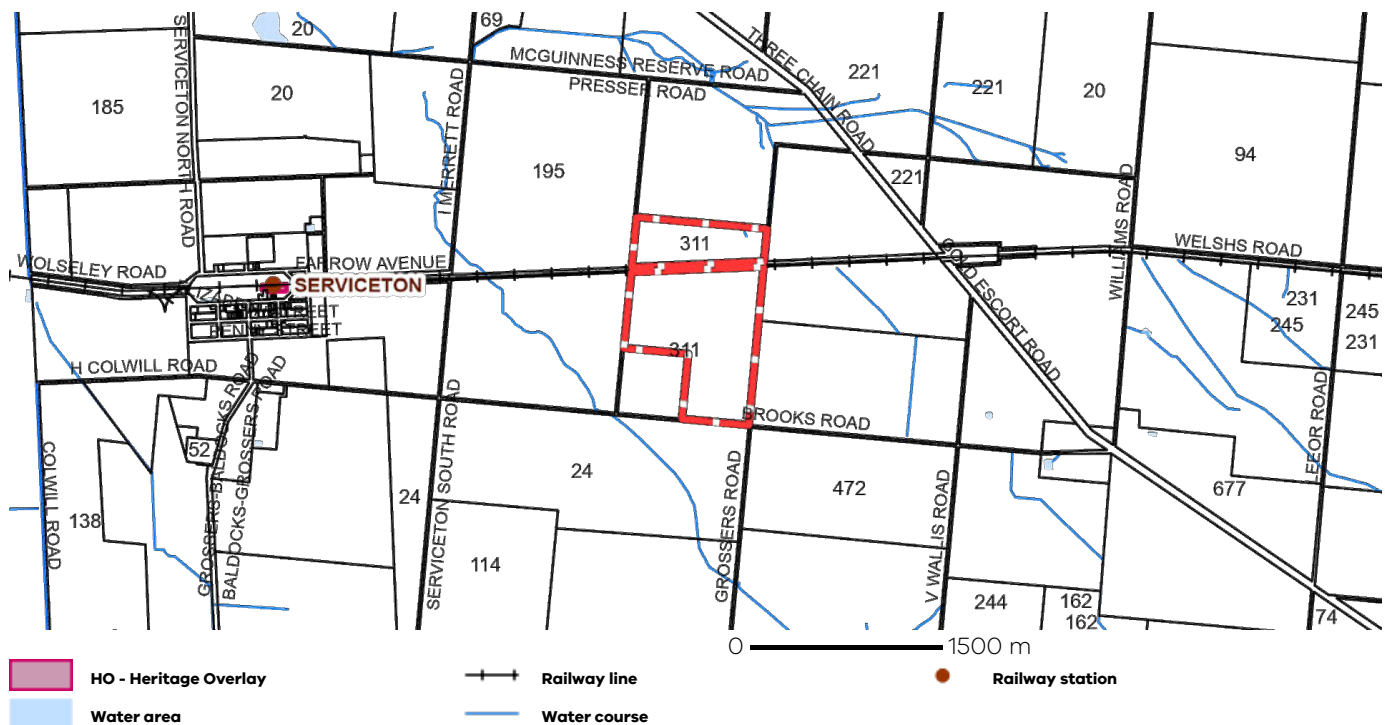
[ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 \(ESO2\)](#)



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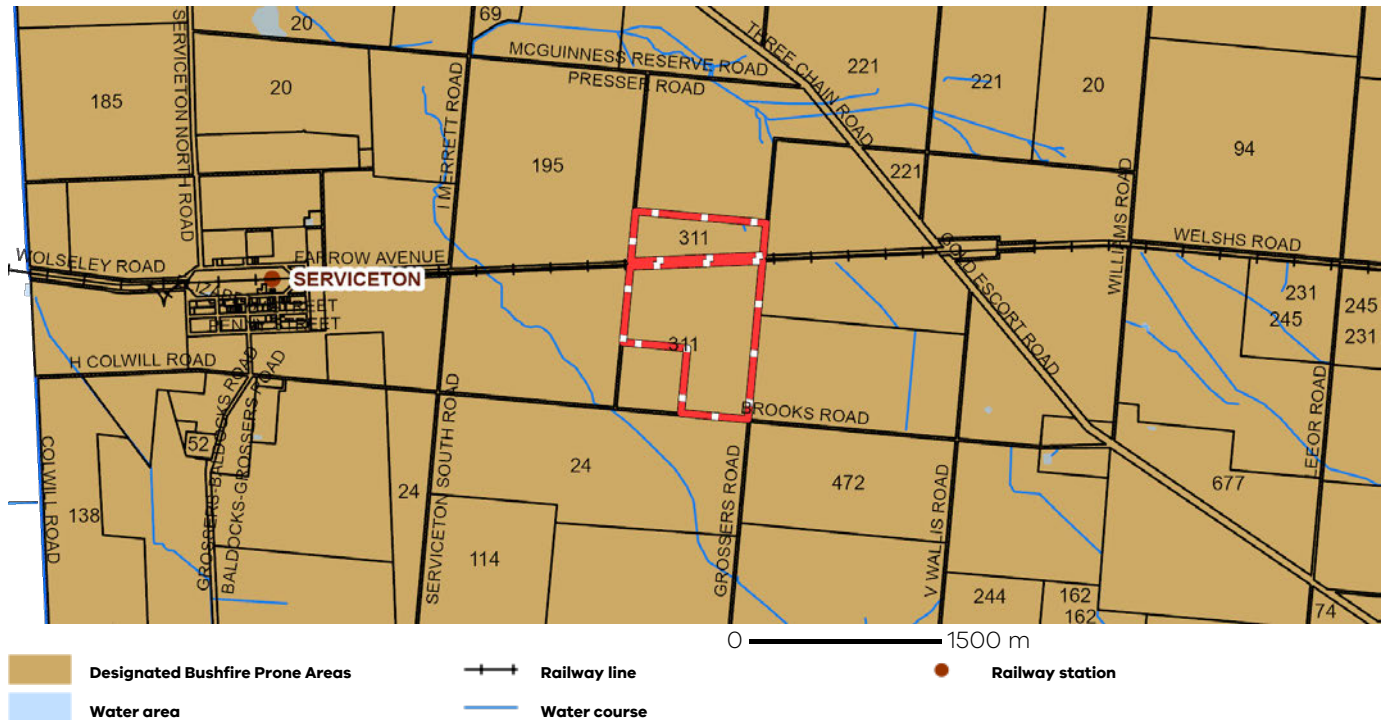
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You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)

Our Ref: 23H0359
Your Ref:

PLANNING REPORT

Proposed 2-Lot Subdivision at 311 Brooks Road and Three Chain Road, Serviceton

SUPPORTING DOCUMENTS IN SPEAR

- Plan of Proposed Subdivision
- Copy of Title Search
- Plan Showing Existing Features
- Planning Property Report

Our reference number	23H0359
Date	14/08/2024
Prepared by	Angela Plazzer <i>Bachelor Urban, Rural and Environmental Planning, La Trobe University</i> Planning Manager/Office Manager, Ferguson Perry Surveying Pty Ltd



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1. Introduction

This application seeks a planning permit for a 2-lot subdivision (re-subdivision) of Crown allotments 22 and 26 Section 2 Parish of Leoor and Lots 1 and 2 on TP368990 at 311 Brooks Road and Three Chain Road, Serviceton. The land is described in Certificates of Title Volume 8869 Folio 049 and Volume 09637 Folio 196.

The land is zoned Farming Zone (FZ) and is affected by the Environmental Significance Overlay – Schedule 2 (ESO2). This report provides a response to the requirements of the FZ, ESO2 and the Decision Guidelines of Clause 65 as well as relevant policies of the West Wimmera Planning Scheme.

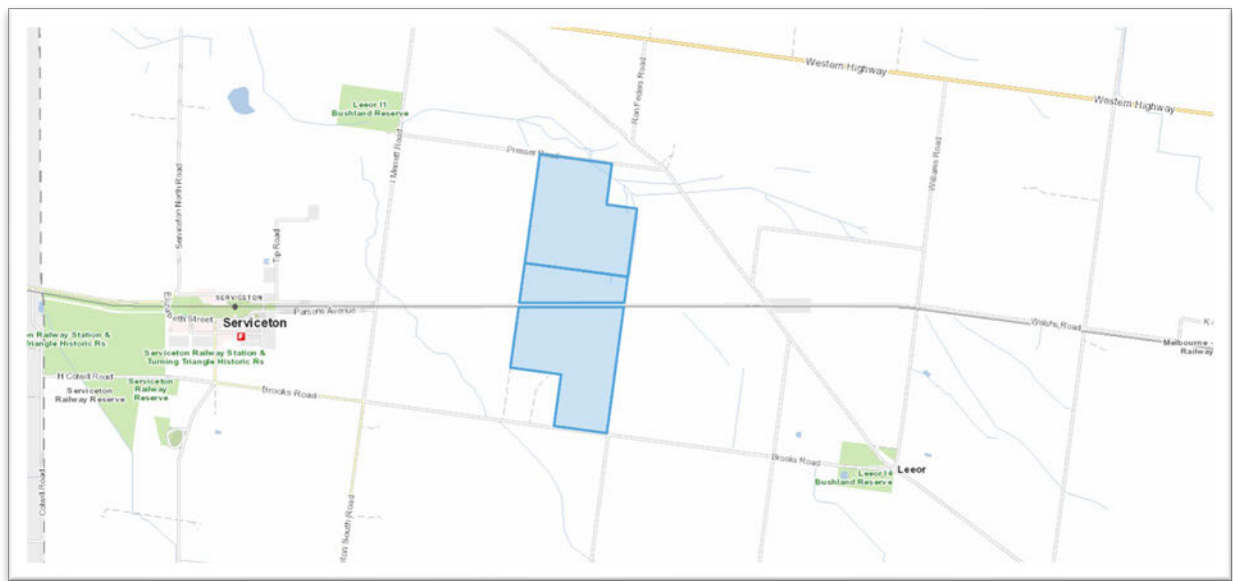


Figure 1 Subject site outlined in blue (DEECA)

2. Application details

Address:	311 Brooks Road and Three Chain Road, Serviceton
Land description:	Crown allotments 22 and 26, Section 2 Parish of Leeor
Proposal:	2-lot subdivision (re-subdivision)
Scheme:	West Wimmera Planning Scheme
Zone:	Farming Zone
Overlays:	Environmental Significance Overlay – Schedule 2

3. Site and surrounds



Figure 2 Map showing aerial photo of site (DEECA)

The subject site comprises Crown allotments 22, 26 Section 2 Parish of Leeor at 311 Brooks Road and Three Chain Road, Serviceton. The site has a total area of 220ha of farmland divided into several paddocks used for cropping. The site is mostly cleared by contains some scattered native vegetation. Access to the site is taken from crossovers to Stimson Road in the south, Presser Road in the north and Three Chain Road in the east.

The site abuts a lot containing farmland and a dwelling in the south-western corner, an unnamed government road to the west, Presser Road to the north, farmland to the east, Brooks Road to the south and land zoned Transport Zone 1 – State Transport Infrastructure containing the Melbourne to Adelaide railway runs east-west through the site. The surrounding area is comprised of land in the FZ that is mostly used for cropping interspersed with dwellings. Nearby lots in the FZ vary in shape and size up to around 130ha.

4. Proposal

The application seeks a planning permit for a 2-lot subdivision (re-subdivision) of the land in Crown allotments 22 and 26 Section 2 Parish of Leeor at 311 Brooks Road and Three Chain Road, Serviceton. It is proposed that Lot 1 will have a total area of 129ha. Access to Lot 1 will be taken from two existing crossovers to Presser Road in the north.

Lot 2 will have an area of 91.2ha and will take access from a crossover to Brooks Road in the south. The lots will be divided by a railway. Both proposed lots will consist entirely of productive agricultural land and it is intended that they will continue to be used for cropping. The application does not propose any new use or development and no vegetation will be removed to facilitate the proposed subdivision. Please see the Plan of Proposed Subdivision attached with this application on SPEAR for further details.

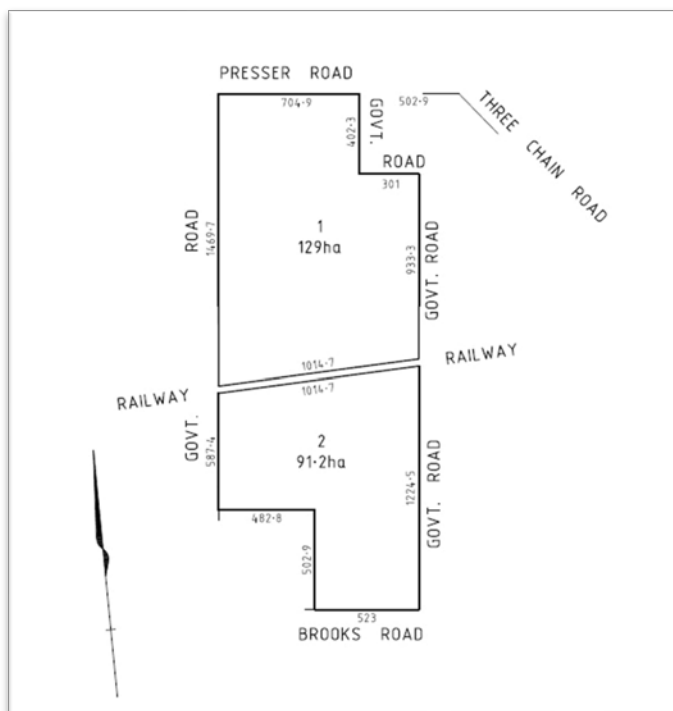


Figure 3 Proposed subdivision

5. Permit triggers

A permit is required under Clause 35.07-3 and Clause 42.01-2 to subdivide land.

6. Planning provisions

Zoning

Farming Zone

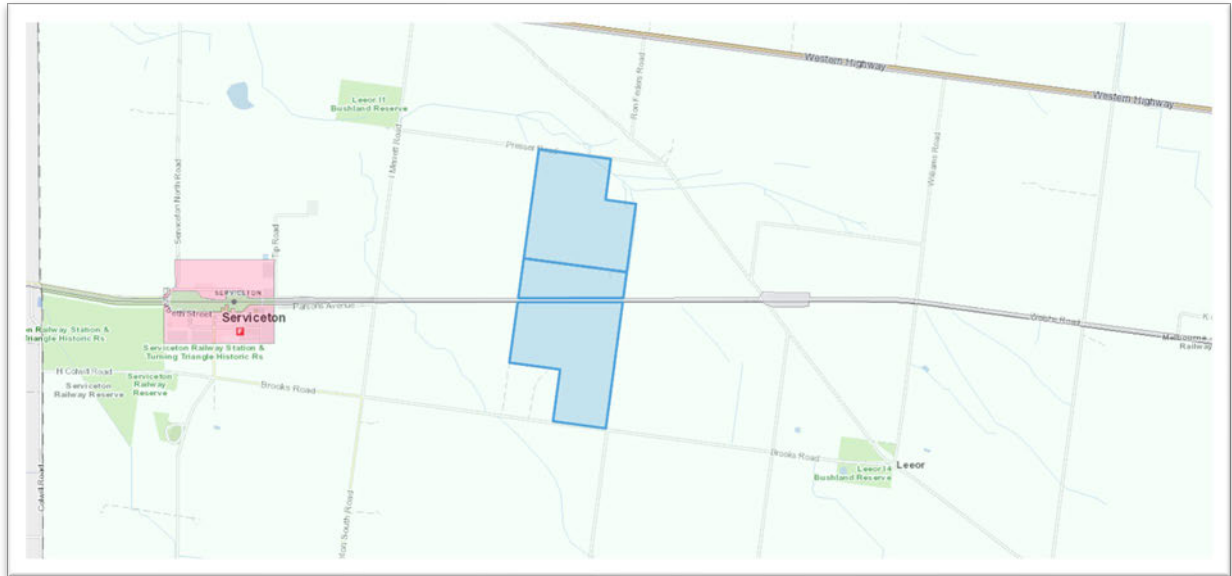


Figure 4 Map showing FZ (DECA)

The purpose of the Farming Zone outlined at **Clause 35.07** is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Comment

The proposed subdivision is in keeping with the purpose of the FZ as all productive agricultural land will be retained on the proposed lots and will continue to be used for agriculture. The proposed lots meet the minimum subdivision area of 80ha specified in the schedule to the FZ. A response to the relevant Decision Guidelines of the FZ is in Table 1 below.

Table 1 Farming Zone Decision Guidelines

Issue	Comment
<p>General issues</p> <ul style="list-style-type: none"> • The Municipal Planning Strategy and the Planning Policy Framework. • Any Regional Catchment Strategy and associated plan applying to the land. • The capability of the land to accommodate the proposed use or development, including the disposal of effluent. • How the use or development relates to sustainable land management. • Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses. • How the use and development makes use of existing infrastructure and services 	<p>As discussed in the body of this report, the proposal is in line with the directions set out in the West Wimmera Planning Scheme, particularly Clause 14.01-1L (Protection of agricultural land – West Wimmera), Clause 14.01-1S (Protection of agricultural land), and Clause 14.01-2S (Sustainable agricultural land use). It is understood that there is no strategy or plan associated with the Wimmera Regional Catchment Strategy which is relevant to the consideration of this proposed subdivision.</p> <p>The proposal will not adversely affect adjoining and nearby land uses or the ongoing use of the land on the subject site for agriculture. The proposed lots will make use of existing infrastructure including fencing, access and roads.</p>
<p>Agricultural issues and the impacts from non-agricultural uses</p> <ul style="list-style-type: none"> • Whether the use or development will support and enhance agricultural production. • Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production. • The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses. • The capacity of the site to sustain the agricultural use. • The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure. • Any integrated land management plan prepared for the site. 	<p>The proposed subdivision will support the continued use of the land for agriculture and the capacity of the site to sustain agricultural uses and the agricultural qualities of the land will not be diminished by the proposal. The proposal will not adversely impact on the operation or the potential for expansion of adjoining and nearby agricultural uses with the proposed lots. An integrated land management plan has not been prepared for the site as it is not considered relevant to the proposal.</p>
<p>Dwelling issues</p> <ul style="list-style-type: none"> • Whether the dwelling will result in the loss or fragmentation of productive agricultural land. • Whether the dwelling will be adversely affected by agricultural activities on 	<p>N/A The site does not contain any dwellings.</p>

<p>adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</p> <ul style="list-style-type: none"> • Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses. • The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture. 	
<p>Environmental issues</p> <ul style="list-style-type: none"> • The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts. • The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance. • The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities. • Whether the use or development will require traffic management measures. 	<p>There will be no change to the physical features and resources of the area that would impact on soil and water quality. The existing native vegetation on the site will be retained and there will be no impacts on existing flora and fauna as a result of the proposal. Existing infrastructure including fencing, roads and access are adequate to service the proposed lots.</p>
<p>Design and siting issues</p> <ul style="list-style-type: none"> • The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land. • The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts. • The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance. • The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities. • Whether the use and development will require traffic management measures. 	<p>The proposed subdivision will not result in the loss of any productive agricultural land and there will be no impact on the appearance or character of the area as there is no new development contemplated by the proposal. The location of existing and proposed infrastructure is suitable and there are no traffic management measures required.</p>

Overlays

Environmental Significance Overlay – Schedule 2

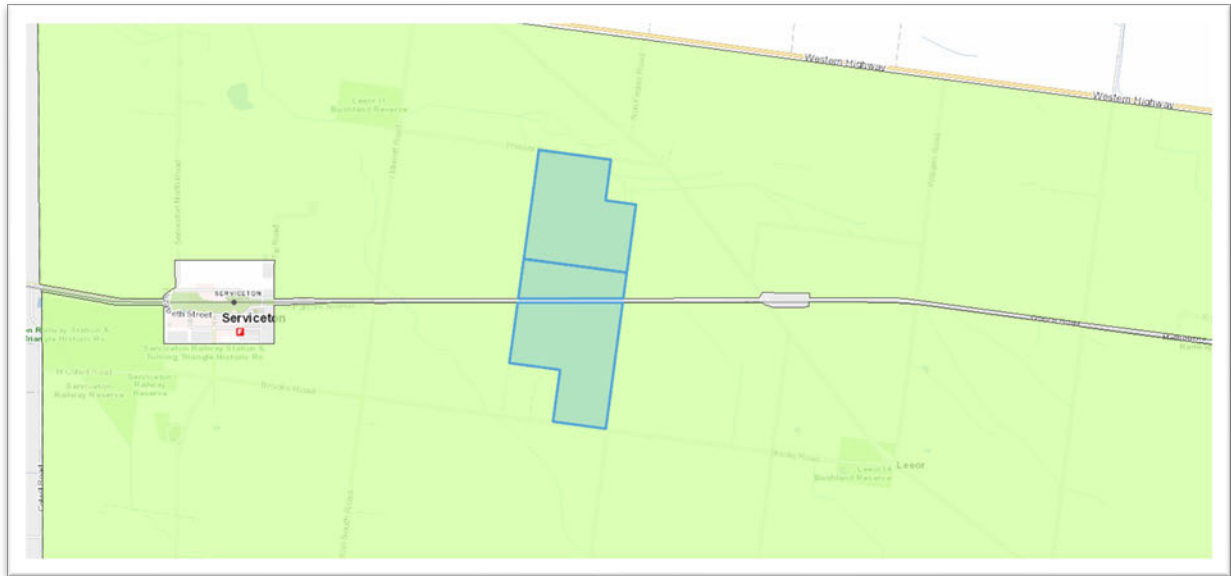


Figure 5 Map showing ESO2 (DEECA)

The ESO2 applies to land designated as habitat areas for the Red-Tailed Black Cockatoo, which is classified as an endangered species. The environmental objectives to be achieved for the ESO2 are outlined as follows:

- To protect the habitat of the endangered Red-tailed Black Cockatoo.
- To ensure the availability of suitable nesting sites for the Red-tailed Black Cockatoo through the protection of live and dead hollow bearing trees and other suitable trees within the bird's known nesting area.
- To protect the feeding habitat of the Red-tailed Black Cockatoo through the retention of Buloke and Stringybark trees.

The proposed subdivision does not conflict with these environmental objectives as the removal of native vegetation is not required.

7. Planning Policy Framework

Clause 14.01-1L (Protection of agricultural land – West Wimmera) seeks to consolidate land holdings in the Farming Zone in order to increase economies of scale and create more viable farming systems. The proposed subdivision is consistent with this policy as it will not cause fragmentation by increasing the number of lots and instead will re-subdivide the existing lots so that they are more viable and practicable.

Clause 14.01-1S (Protection of agricultural land) seeks to protect Victoria’s agricultural base by preserving productive farmland. The proposed subdivision is consistent with this policy as the productive agricultural land on the site will be retained in lots which exceed the minimum subdivision area of 80ha and will continue to be used for agriculture.

Clause 14.01-2S (Sustainable agricultural land use) encourages sustainable agricultural land use through strategies which include ensuring that agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources and assisting genuine farming enterprises to embrace opportunities and adjust flexibly to market changes. The proposal is consistent with the policy as it will support the long-term agricultural use of the land on lots.

8. Clause 65 Decision Guidelines

Clause 65.01 (Approval of an application or plan)

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act. The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

Comment

All relevant clauses of the West Wimmera Planning Scheme have been addressed and the proposal is consistent with the objectives of planning in Victoria, the orderly planning of the area and the purpose and requirements of the FZ and ESO2. The proposal will have no impact on the amenity of the area and will not result in the removal of any native vegetation.

The proposal will not impact the natural physical features of the site or water quality nor will it impact the quality of the stormwater within and exiting the site. The site is located within a Designated Bushfire Prone Area and the land will continue to be managed to mitigate the risk of bushfire to an acceptable level.

Clause 65.02 (Approval of an application to subdivide land)

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

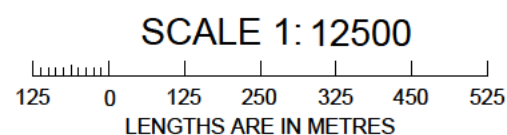
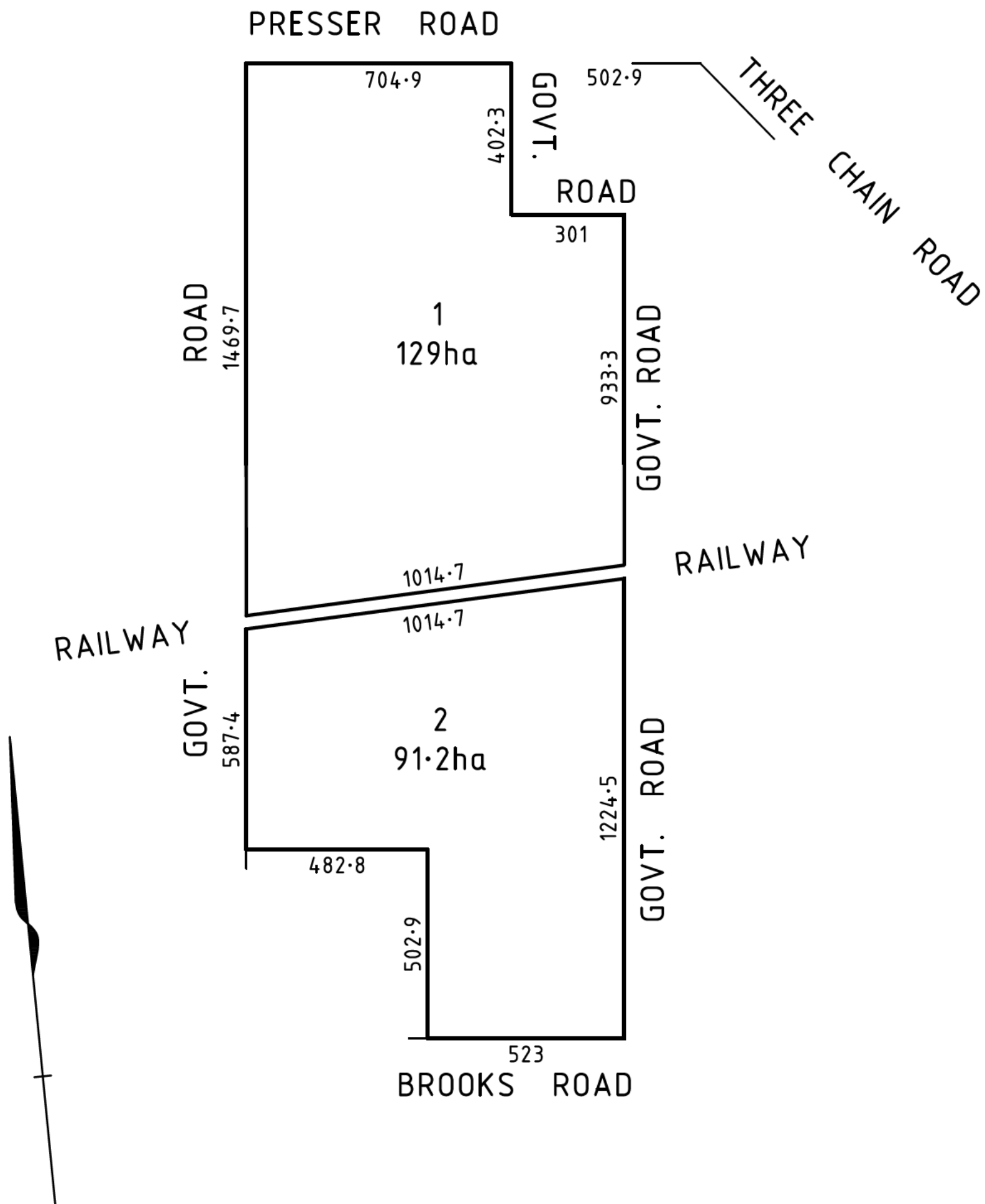
- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The area and dimensions of each lot in the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *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.*

Comment

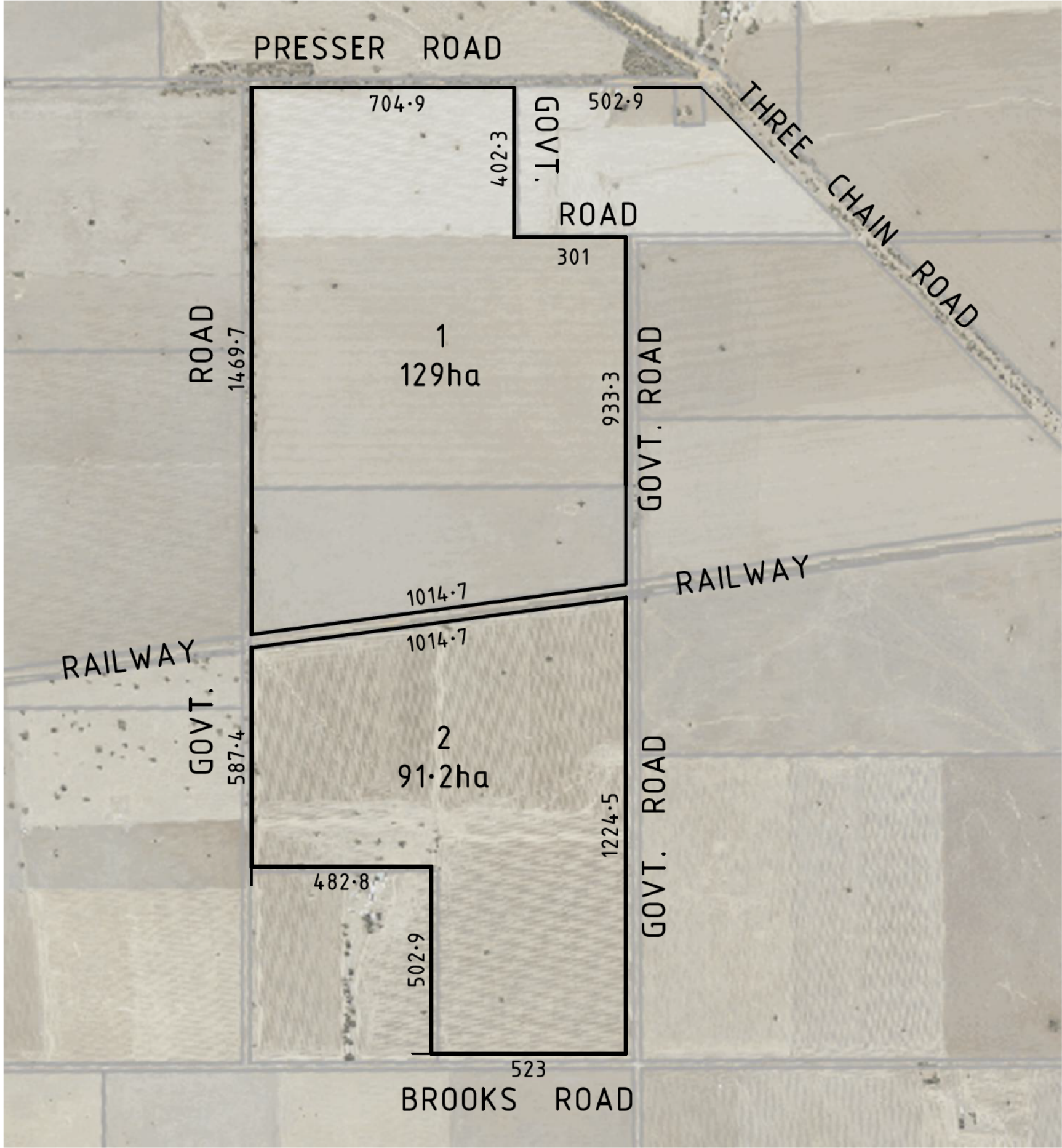
The land is suitable for the proposed subdivision as the proposed lots meet the minimum subdivision area specified in the schedule to the FZ, will be serviceable by existing infrastructure and will not impact on the agricultural use or future development or potential expansion of nearby land. The application does not contemplate any new development and the use of the land on each proposed lot will not change. The removal of native vegetation is not proposed and there will be no increase in the risk of spread of fire or threats to safety as a result of the proposal.

9. Conclusion

The proposal will have no foreseeable negative impacts on the surrounding land or the physical features of the site and will have a positive outcome with regard to state, regional and local planning policies. On this basis, the proposed subdivision should be supported by West Wimmera Shire Council subject to fair and reasonable conditions.



NOTATIONS			PLAN OF PROPOSED SUBDIVISION			
THE DIMENSIONS SHOWN HEREON ARE APPROXIMATE AND ARE SUBJECT TO SURVEY.			311 BROOKS ROAD, SERVICETON PARISH OF LEEOR CROWN ALLOTMENT 22, 26 SECTION 2			
<div><div><div>Ferguson Perry Surveying Pty Ltd 62 McLachlan Street Horsham, Victoria 3400 ABN 76126 194 483</div><div><div>T (03) 5382 2023 F (03) 5381 1544 E admin@fergusonperry.com.au</div><div>A member of Alexander Symonds Group</div><div>+ Property + Land Development + + Construction + Mining + + Spatial Information Management +</div></div><div><div>Ferguson Perry Surveying</div></div></div></div>	SUBDIVISION BOUNDARIES HAVE BEEN ESTIMATED FROM AERIAL PHOTOGRAPHY FOR CONCEPTUAL PURPOSES. SURVEY WILL ACCORD WITH THE BOUNDARY LAYOUT, BUT DISTANCES MAY VARY IN EXCESS OF 10m.					
	SURVEYORS REF.				OFFICE USE ONLY	
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SCALE 1: 12500

125 0 125 250 325 450 525

LENGTHS ARE IN METRES

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PLAN OF PROPOSED SUBDIVISION
SHOWING EXISTING FEATURES

311 BROOKS ROAD, SERVICETON
PARISH OF LEEOR
CROWN ALLOTMENT 22, 26
SECTION 2