



# Application for a Planning Permit

Lodgement Date: **9 October 2025**

Application Number: **PLA0179/25**

Lodgement Method: **Online**

Original Permit Number: **Not Applicable**

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

## The Land

Property Address\* **506 Willow Grove Road TRAFALGAR VIC 3824**

Land Legal Description\* **V 8264 F 632 Lot 1 TP 3608E Yarragon Parish**

Other Related Property

Other Related Land

## The Proposal

Category\* **Single dwelling**

Proposal\* **Construction of a single storey replacement dwelling**

Estimated Cost\* **\$800000.00**

## Application Information

Pre-Application Meeting\* **No**

Existing Land Use\* **Agriculture**

Encumbrances on Title\* **No**

## Applicant and Owner Details

### Applicant Details\*

Surname/Company: **Slap Architects**

First Name:

Postal Address:

Mobile Phone:

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Work Phone:

Email Address:

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### Agent/Contact Details

Surname/Company: **Slap Architects**

First Name:

Postal Address:

Mobile Phone:

Home Phone:

Work Phone:

Email Address:

### Owner Details\*

Surname/Company:

First Name:

### Attachment Details

[2998 Planning Cover Letter \(2998 Planning Cover Letter.pdf\)](#)

[Willow Grove Road Feature and Levels \(Willow Grove Road Feature and Levels.pdf\)](#)

[2998TP-001-003 \(2998TP-001-003.pdf\)](#)

[2998 Planning Submission\\_ 506 Willow Grove Rd Trafalgar \(2998 Planning Submission\\_ 506 Willow Grove Rd Trafalgar-6432.pdf\)](#)

[Copy of Plan \(Copy of Plan-3416.pdf\)](#)

[Copy of Title \(Copy of Title-6767.pdf\)](#)

### Applicant Declaration

I understand and declare that:

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

*I agree to the declaration terms\**

**Yes**

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**Act 1987.**

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

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

Transport Infrastructure Agencies such as VicRoads and VLine

Energy/Utilities Providers

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The specific referral bodies will be dependent on factors such as the proposed activities and the location of the applicable property. Applicants are encouraged to familiarise themselves with potential referral bodies. Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review of the application as part of a planning process specified in the Planning and Environment Act 1987.

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If you have any concerns or require access to the information held by Council, please contact us on 5624 2411.

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

Page 1 of 1

VOLUME 08264 FOLIO 632

Security no : 124128650959E  
Produced 03/10/2025 11:25 AM**LAND DESCRIPTION**

Lot 1 on Title Plan 003608E.  
PARENT TITLE Volume 06880 Folio 955  
Created by instrument A886087 04/01/1960

**REGISTERED PROPRIETOR**

Estate Fee Simple

**ENCUMBRANCES, CAVEATS AND NOTICES**

COVENANT as to part D382330

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

**DIAGRAM LOCATION**

SEE TP003608E 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: 506 WILLOW GROVE ROAD TRAFALGAR VIC 3824

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 17888B WAKEFIELD LAWYERS  
Effective from 17/02/2025

DOCUMENT END

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Document Type	<b>Plan</b>
Document Identification	<b>TP003608E</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>03/10/2025 11:25</b>

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## TITLE PLAN

EDITION 1

TP 003608E

## Location of Land

Parish: YARRAGON  
 Township: ---  
 Section C  
 Crown Allotment: 31 (PART)  
 Crown Portion: ---

LTO Base Record:  
 Last Plan Reference:  
 Title Reference: VOL 8264 FOL 632

Depth Limitation: 15.24m

## Notations

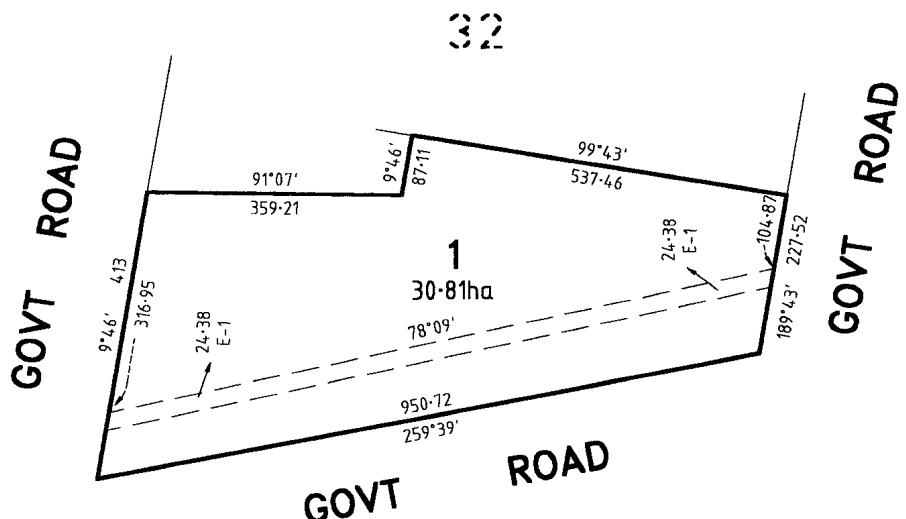
Lengths on this Plan were originally shown in Links and have been converted to Metres

## Easement Information

Easement References	Purpose/Authority	Width (Metres)	Origin	Land benefitted/In favour of
E-1	—	SEE DIAG	SE D 382330	ESSO

The WBCM Group has prepared this Plan for Land Titles Office diagram purposes

WBCM group



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LENGTHS ARE IN METRES

SCALE  
1:7500SHEET  
SIZE  
A3

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5.00 A.R.T

D382330

10-56 342329 MAY-6-69

D382330

(G.D.)

DD382330-1-9

ARTHUR ROBINSON & CO.

VICTORIA

ers to Commonwealth Trading Bank

## CREATION OF EASEMENT

WE

all formerly of Waterloo Road Moe but now all of Seven Mile Road  
Trafalgar Farmers

(hereinafter called "the Grantor") being registered as the proprietor of an estate in fee simple in the land secondly herein-after described subject to the encumbrances notified hereunder in consideration of the sum of \$ 771.18 paid to us DO HEREBY TRANSFER and GRANT unto ESSO EXPLORATION AND PRODUCTION AUSTRALIA INC. of 380 Lonsdale Street Melbourne, and HEMATITE PETROLEUM PROPRIETARY LIMITED of 500 Bourke Street Melbourne and their transferees in fee simple the registered proprietor or proprietors for the time being of ALL THOSE pieces of land being the whole of the land described in Certificates of Title Volume 8718 Folio 882 Volume 8718 Folio 883 Volume 8718 Folio 886 Volume 8718 Folio 887 Volume 8718 Folio 888 Volume 8718 Folio 889 and Volume 5992 Folio 297 and Lot 2 on Plan of Subdivision Number 72314 Parish of Glencoe South and being part of the land described in Crown Grant Volume 5643 Folio 486 (hereinafter called "the Grantees") at all times hereafter the full and free liberty and right, as appurtenant to the lands comprised in the said Certificates of Title (which lands are hereinafter referred to as the "dominant tenement"), on over under and through ALL THAT piece of land delineated and coloured blue on the plan annexed hereto (hereinafter referred to as the "servient tenement") being part of Crown Allotment 31 Section C

Parish of Yarragon and being part of the land more particularly described in Certificate of Title Volume 8264 Folio 632

to lay down, construct, change the size and number of, operate, maintain, inspect, patrol (including aerial patrol), alter, remove, replace, reconstruct and/or repair one or more pipelines designed to convey or conveying oil and other liquid or gaseous hydrocarbons, natural and artificial gas and any products or by-products thereof and any other substance which may be transported by pipeline together with all the works of the Grantees useful in connection with or incidental to their undertaking including but without limiting the generality of the foregoing all such communication and power systems (including pole lines), drips, valves, valve chambers, manholes, inspection pits, fittings, meters, connections and all other equipment and appurtenances whether or not similar to the foregoing as may be useful or convenient in connection therewith or incidental thereto (hereinafter called "the Grantees' appliances") and together with the right for the Grantees and their surveyors, engineers, servants, agents, licensees, contractors, sub-contractors and others authorised by them (hereinafter called "the Grantees' associates")—

- (1) to enter upon and remain pass and repass on and over the servient tenement for all or any of the purposes aforesaid and with or without vehicles, plant and equipment of any description;
- (2) to clear the servient tenement and cut and remove timber, trees, undergrowth, crops and fences and construct and maintain gates in fences crossing the servient tenement and the other adjacent land of the Grantor as the Grantees shall consider necessary or desirable.

And the Grantor for himself his heirs executors administrators and assigns registered proprietor or proprietors of the servient tenement and every part thereof hereby covenants with the Grantees and each of them to the extent that the burden of this covenant may run with and bind the servient tenement and every part thereof and that the benefit thereof may be annexed to and run with the dominant tenement that the Grantor shall not without the prior written consent of the Grantees plant or permit to be planted any trees or shrubs on the servient tenement or excavate, drill, install, erect or permit to be excavated, drilled, installed or erected on or under the servient tenement or any part thereof any pit, well, foundation, pavement or other structure or installation nor shall the Grantor alter or disturb or permit to be altered or disturbed (other than by the processes of nature) the present grades and contours of the servient tenement but otherwise the Grantor shall have the right fully to use and enjoy the servient tenement subject always to and so as not to interfere with the rights and privileges hereby granted and conferred upon the Grantees.

The Grantor and the Grantees hereby mutually covenant and agree one with the other of them as follows:—

A. The consideration hereinbefore mentioned is acknowledged by the Grantor to be in full satisfaction of all moneys payable for the granting of this easement in favour of the Grantees.

B. The Grantees will compensate the Grantor for damage done from and after the date this instrument shall have been delivered to the Grantees to the Grantor's crops, timber, pasture lands, live stock, improvements and other property on the servient tenement or any land of the Grantor adjacent thereto by reason of the exercise of the rights hereinbefore granted. In the event of any difference arising between the Grantor and the Grantees as to the amount of such compensation the same shall be determined in the manner provided in the Arbitration Act 1958. Any compensation paid by the Grantees to the Grantor shall include compensation for damage done to the crops, timber, pasture lands, live stock, improvements and other property on the servient tenement or any land of the Grantor adjacent thereto in which any tenant, sharefarmer or other person has any interest and the Grantor agrees to indemnify the Grantees against any claim by any such tenant, sharefarmer or other person for any damage done by the Grantees in the performance of their rights under this easement.

C. The Grantees shall as soon as weather and soil conditions permit and subject to the restrictions hereinbefore contained and insofar as it is practicable so to do bury and maintain all pipelines so as not to interfere unreasonably with the use of the servient tenement.

D. Notwithstanding any rule of law or equity the pipes (which term shall include all pipelines and the Grantees' appliances) brought onto laid or erected upon or buried in or under the servient tenement by the Grantees shall at all times remain the property of the Grantees and their assigns notwithstanding that the same may be annexed or affixed to the freehold and shall at any time and from time to time be removable in whole or in part by the Grantees and their assigns.

E. Unless otherwise agreed by the Grantor and the Grantees upon the discontinuance of the use of the servient tenement by the Grantees the Grantees may at their option leave the pipe or any part thereof and the Grantees' appliances in the ground but if the Grantees damage the property of the Grantor during the removal of the pipe or appliances the Grantees will compensate the Grantor upon the terms and in the manner contained in Clause B hereof.

F. The Grantees performing and observing the covenants, and conditions on their part to be observed and performed shall and may peacefully hold and enjoy the rights, liberties, privileges and easement hereby granted without hindrance, molestation or interference on the part of the Grantor or of any person firm or corporation claiming by, through, under or in trust for the Grantor.

G. All notices to be given hereunder may be given by prepaid registered or certified letter addressed to the Grantor by being forwarded to the registered proprietor for the time being at his latest address shown in the Register Book and to the Grantees at 380 Lonsdale Street Melbourne or such other address as the Grantor and Grantees may respectively from time to time designate in writing and any such notice shall be deemed to have been given and copied to the address on the third day following that on which the same is posted.

H. Neither this instrument nor anything herein contained shall affect or prejudice the rights of the Grantees or the Grantees' associates under the Pipelines Act 1967 or under any consent granted pursuant to Section 22 of the said Act under any permit granted pursuant to Section 12 of the said Act or any written permission given pursuant to Section 22 (1) of the said Act or any other rights of the Grantees under the said Act.

I. The Grantor will execute every such deed, instrument or assurance and do every such thing for further or more effectively securing the rights and interests of the Grantees to or in the servient tenement or any part or parts thereof pursuant to these presents as shall by the Grantees be reasonably required.

Form No. 4, 1/9/67.

LE A 101  
\* \* \* \* \*  
200

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J. Wherever the singular or masculine is used it shall be construed as if the plural feminine or neuter, as the case may be had been used where the context or the party or parties hereto so require and the rest of the sentence shall be construed as if the grammatical and other changes thereby rendered necessary had been made and where more than one Grantor is a party hereto the covenants herein contained shall extend to and bind such Grantors jointly and each of them severally.

DATED this 25th day of March One thousand nine hundred and sixty-one

SIGNED by the said

and }  
} in Victoria in the presence of:

SIGNED by the said

}  
} in Victoria in the presence of:

EXECUTED by ESSO EXPLORATION AND PRODUCTION  
AUSTRALIA INC. by being SIGNED SEALED AND  
DELIVERED in Victoria by

101.000  
its attorney under Power Number 156054 in the presence of:

EXECUTED by HEMATITE PETROLEUM PROPRIETARY  
LIMITED by being SIGNED SEALED AND DELIVERED in  
Victoria by

its attorney under Power Number 156054 in the presence of:

ENCUMBRANCES REFERRED TO:  
Nil.

under Mortgage Number in the Register Book of part of the abovementioned land, hereby executed  
to the above Creation of Easement and Restrictive Covenant and to this Easement and Restrictive Covenant  
taking priority over the said Mortgage and to an endorsement to that effect being made on the said Mortgage  
being the Mortgage

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1st Copy — Cons't Div. for Company.  
2nd Copy — R/W Agent.  
3rd Copy — Landowner.  
4th Copy — Solicitor.

**ESSO EXPLORATION AND PRODUCTION AUSTRALIA INC**  
**AND HEMATITE PETROLEUM PROPRIETARY LIMITED**

**RIGHT-OF-WAY EASEMENT**  
**REQUIRED FOR PIPELINE**

OWNERS:

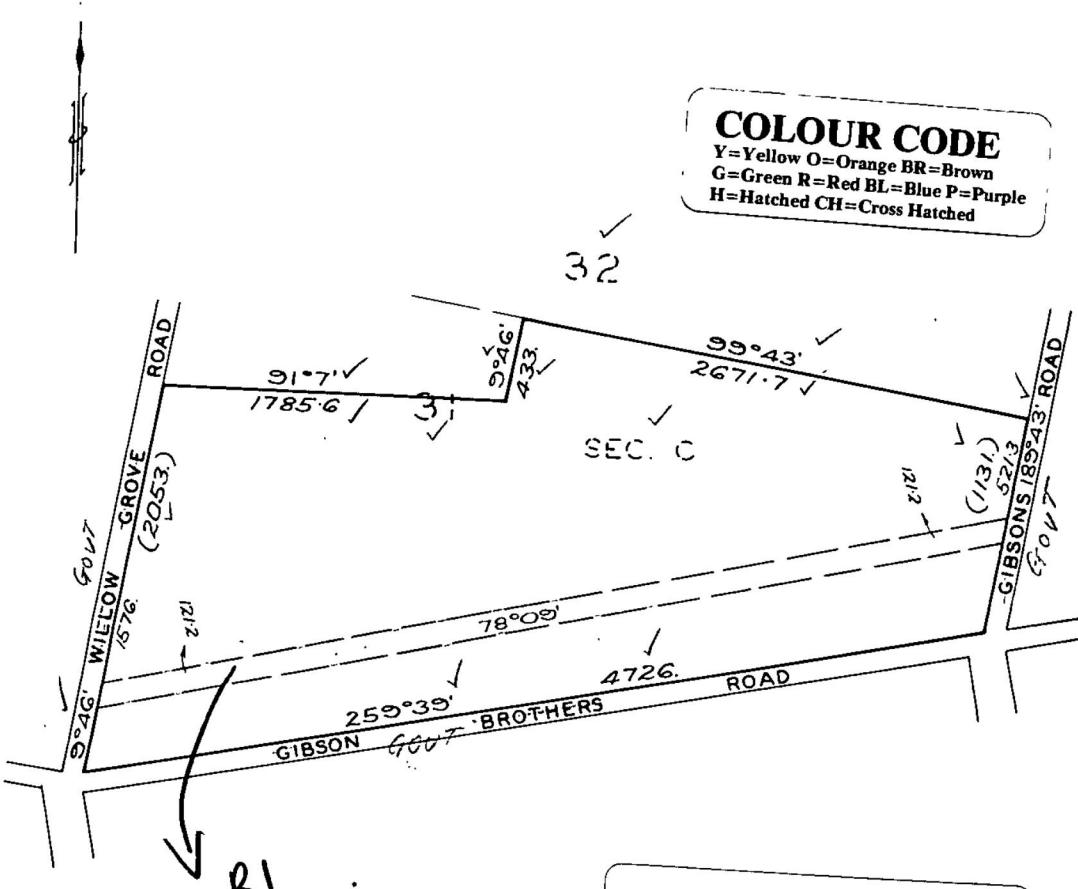
ADDRESS: WATERLOO ROAD, MOE.

PART OF CROWN ALLOTMENT 31 SECTION C  
PARISH OF YARRAGON

Certificate of Title VOLUME 8264  
Area 5A. 3R. 55/10P - 5.78422 Ac. FOLIO 632

COUNTY OF BULN BULN

Scale: 8 CHAINS to an inch  
Measurements are in LINKS



I certify that this plan has been made by me, agrees with title, is mathematically correct and the easement being created has been reasonably located in accordance with title position.

*Hebulliver*

Licensed Surveyor  
Date 27/6/69

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RIGHT-OF-WAY OR  
EASEMENT NUMBER  
YG - 448

Page 10 of 32

Ref. No.  
5601

Plan No.  
264

**D A GANNON & ASSOCIATES**  
in association with  
CULLIVAN & CO

*Hebulliver, 6/12/69*  
Licensed Surveyor

Advertised

Natural Resources and Environment  
AGRICULTURE • RESOURCES • CONSERVATION • LAND MANAGEMENT

PLANNING

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DD382330-3-1

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To the Registrar of Titles,

Please register this Creation of Easement and on completion  
return Certificate of Title Volume 8264 Folio 632 to  
**COMMONWEALTH TRADING BANK OF AUSTRALIA** *PO Box 121*  
*PARALGA*



*H. Lazzarotto*

Dated the ..... day of ..... 196....

ERNESTO LAZZAROTTO,  
UMBERTO LAZZAROTTO,  
and  
RENATO LAZZAROTTO

ESSO EXPLORATION AND  
PRODUCTION AUSTRALIA INC. AND  
HEMATITE PETROLEUM  
PROPRIETARY LIMITED

**CREATION OF EASEMENT**

to



A memorandum of the within instrument  
has been entered in the Register Books

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ARTHUR ROBINSON & CO.  
Solicitors  
447 Collins Street, Melbourne, 3000.

YG-448

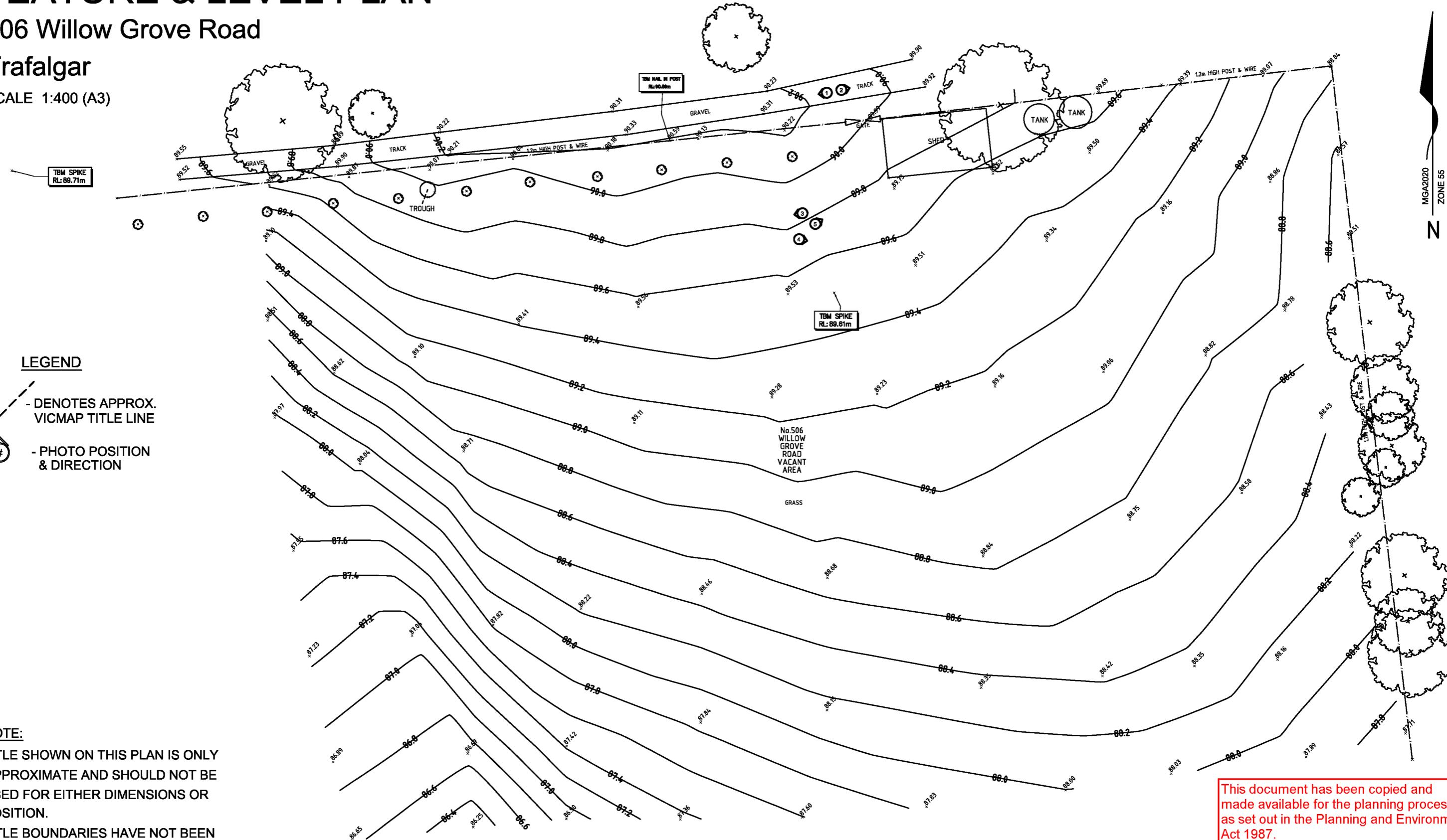
# FEATURE & LEVEL PLAN

506 Willow Grove Road

Trafalgar

SCALE 1:400 (A3)

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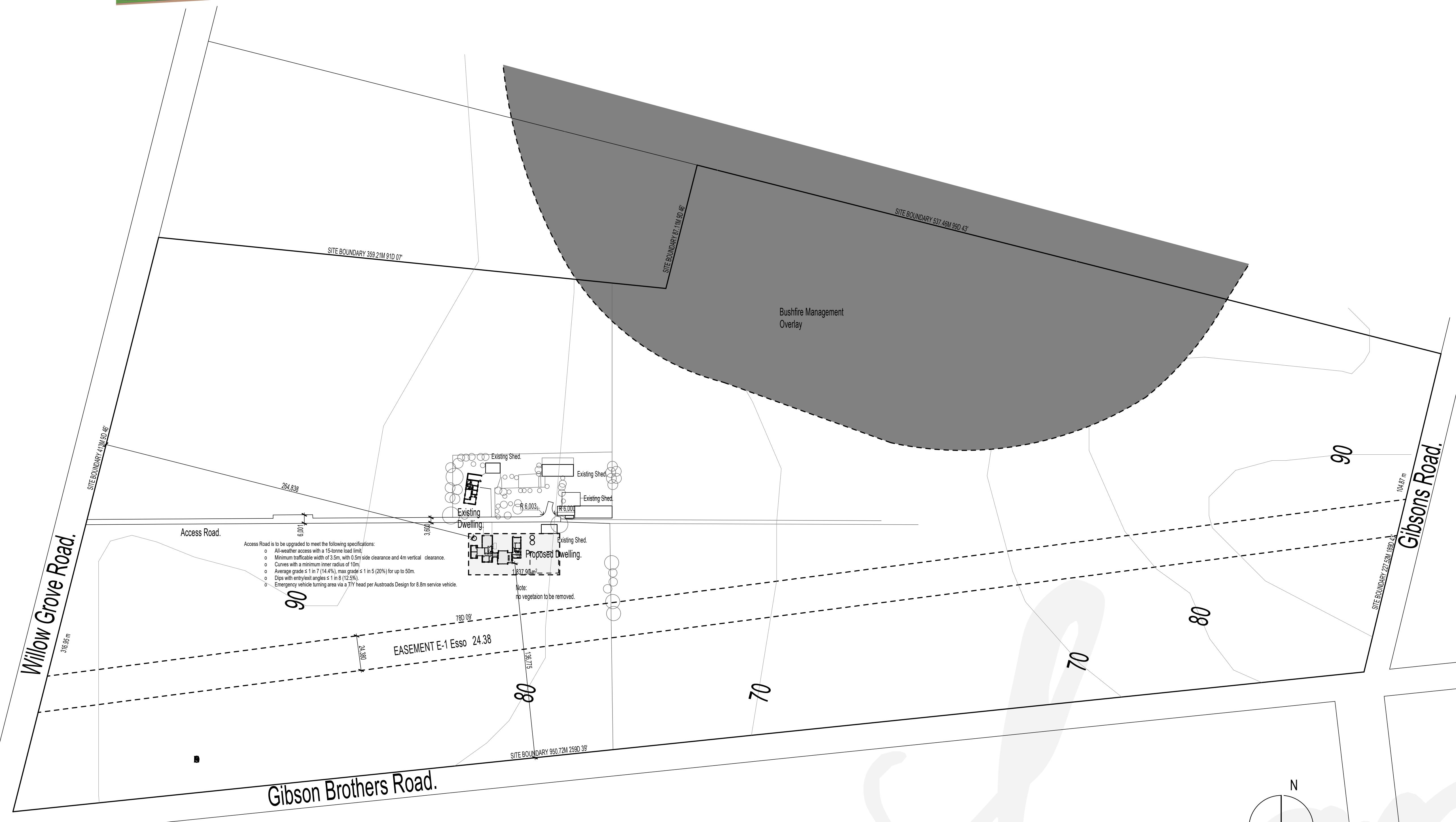
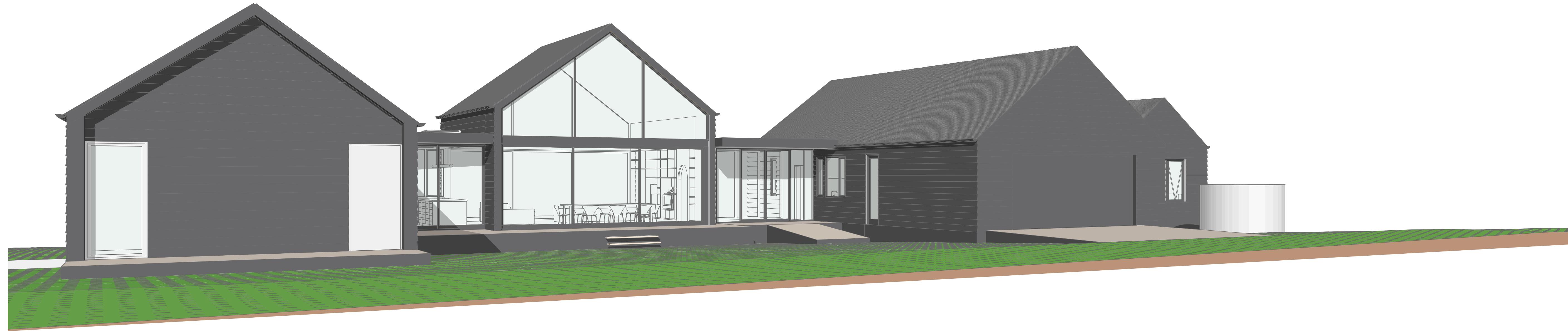
**NOTE:**  
- LEVELS SHOWN ON THIS PLAN  
ARE TO A.H.D BASED ON  
MOE PM 274 (R.L. 66.500)

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VERSION: 1 - 09/25  
Page 14 of 32

A3



Location Plan  
Easement type and dimensions indicated.  
Existing buildings and structures are indicated and use noted.  
Outline indicates buildings removed from property boundaries indicated.  
Dimensions and materials of necessary to proposed dwelling noted.  
Note added indicating no vegetation to be removed.

02	12.11.2025	TOWN PLANNING ISSUE Revision 2	LC	LC
01	03.10.2025	TOWN PLANNING ISSUE	DN	CHC
ISSUE DATE		DETAILS		

Sedunary Lake & Partners  
T: 03 550 0600 F: 03 550 0600  
1/11, 11th Street, Trafalgar  
PO Box 655, Bairnsdale VIC 3875  
www.slaparchitects.com.au  
ACN 005 645 812

*slap* ARCHITECTS

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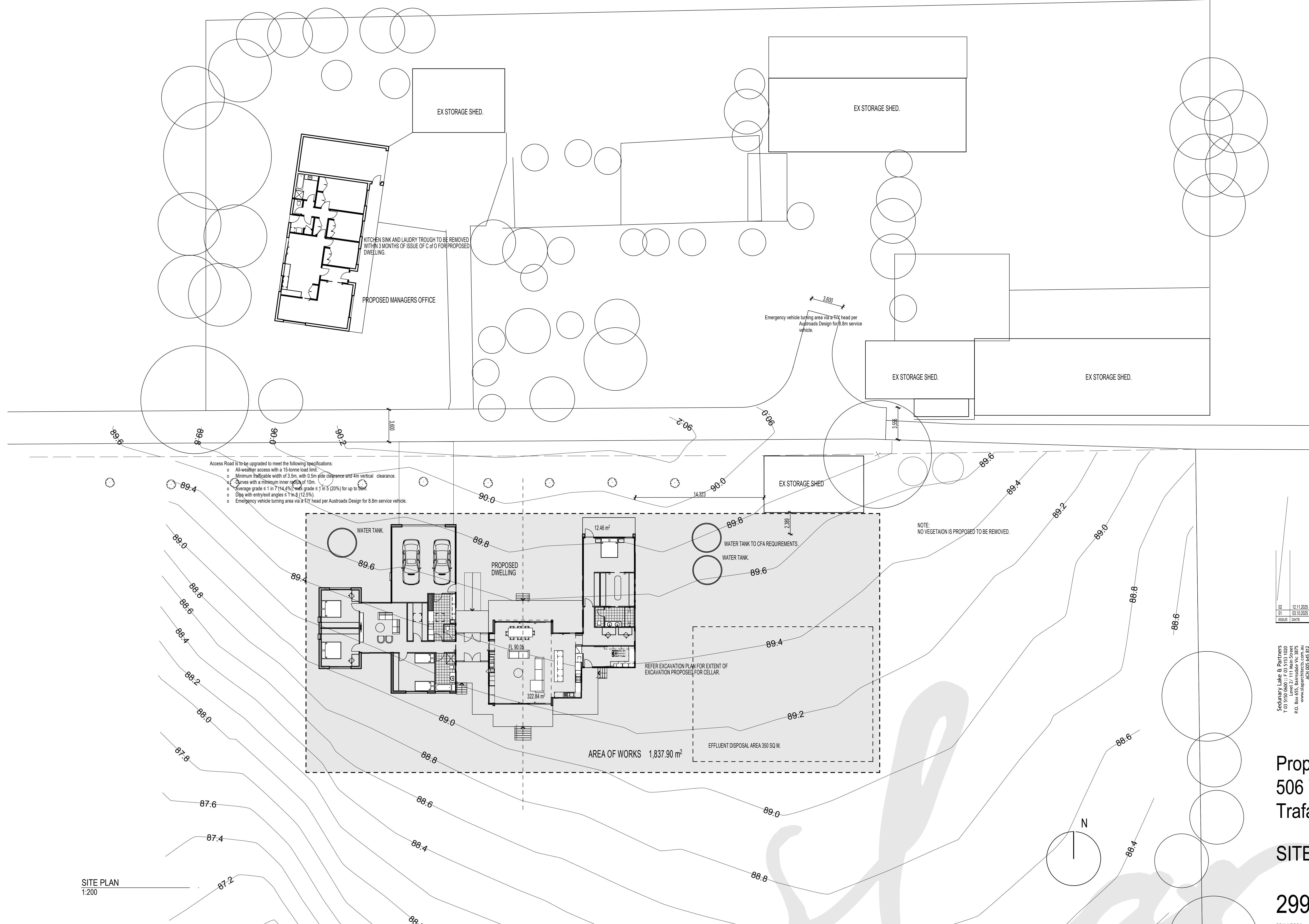
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2998 TE-001-02

28/11/2025

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# Proposed Residence 506 Willow Grove Road Trafalgar

# SITE PLAN

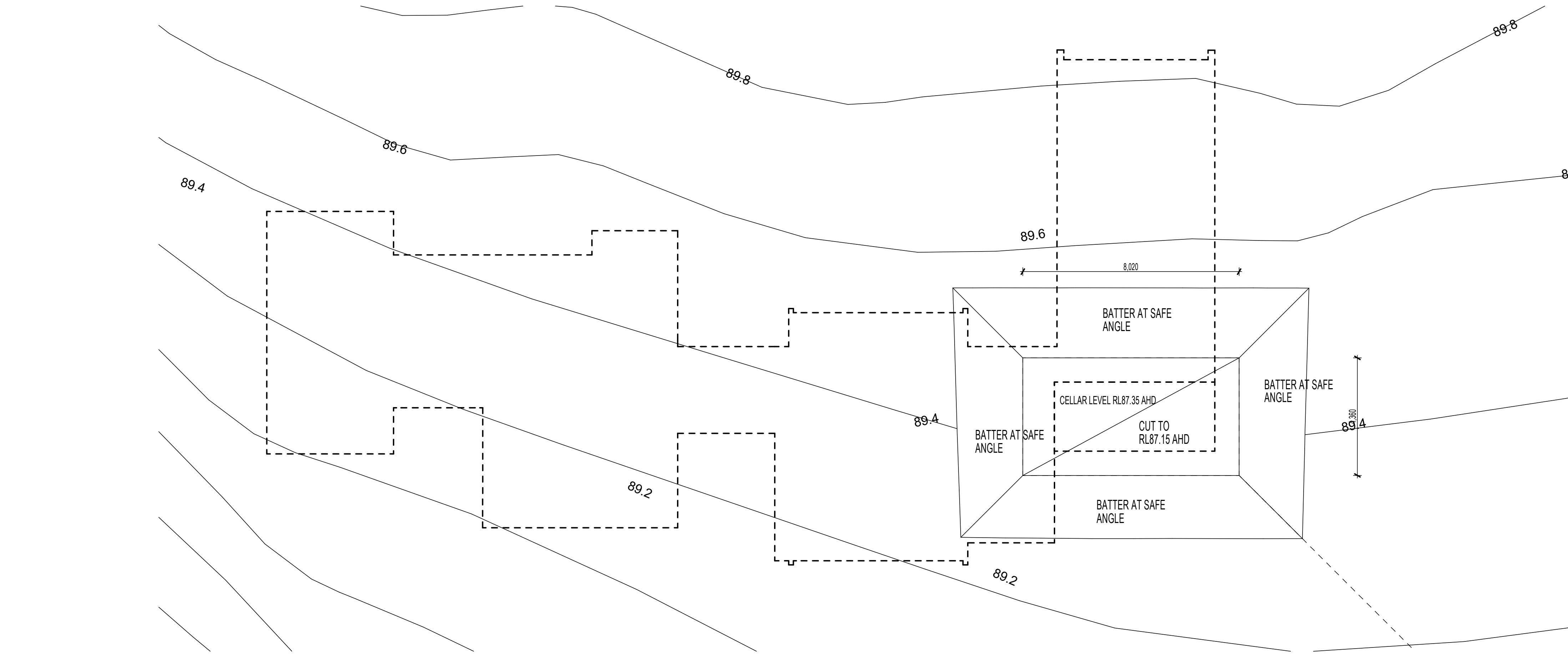
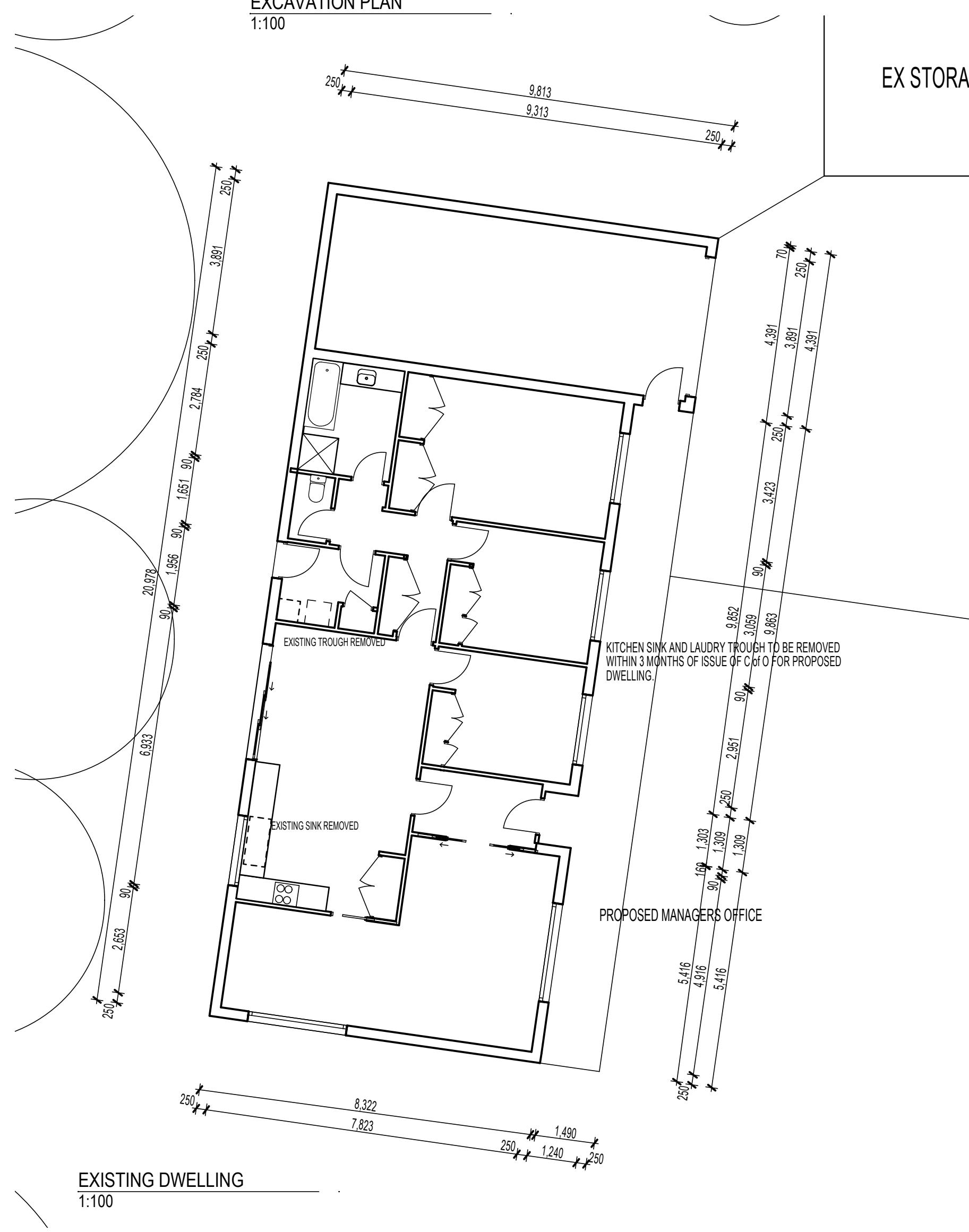
2998

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TP-002-02

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EXCAVATION PLAN  
1:100EXISTING DWELLING  
1:100

Excavation plan added.  
Existing Dwelling floor plans added.  
01 12.11.2025 TOWN PLANNING ISSUE Revision 2 LC LC  
02 12.11.2025 TOWN PLANNING ISSUE LC LC  
ISSUE DATE DETAILS DRN CHK

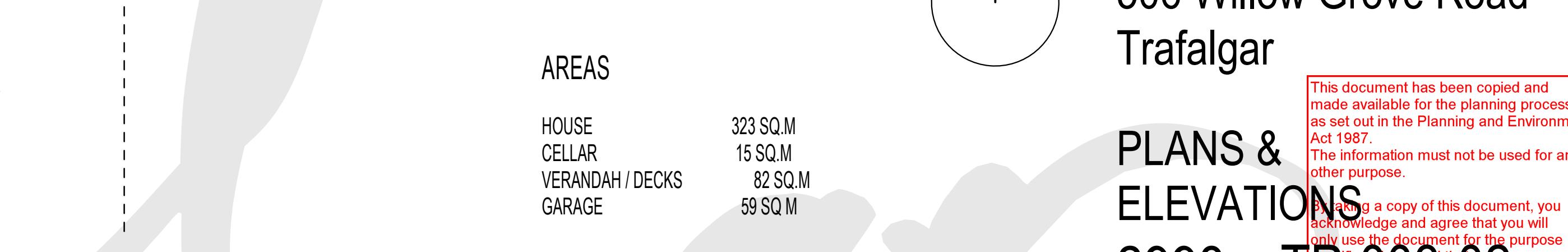
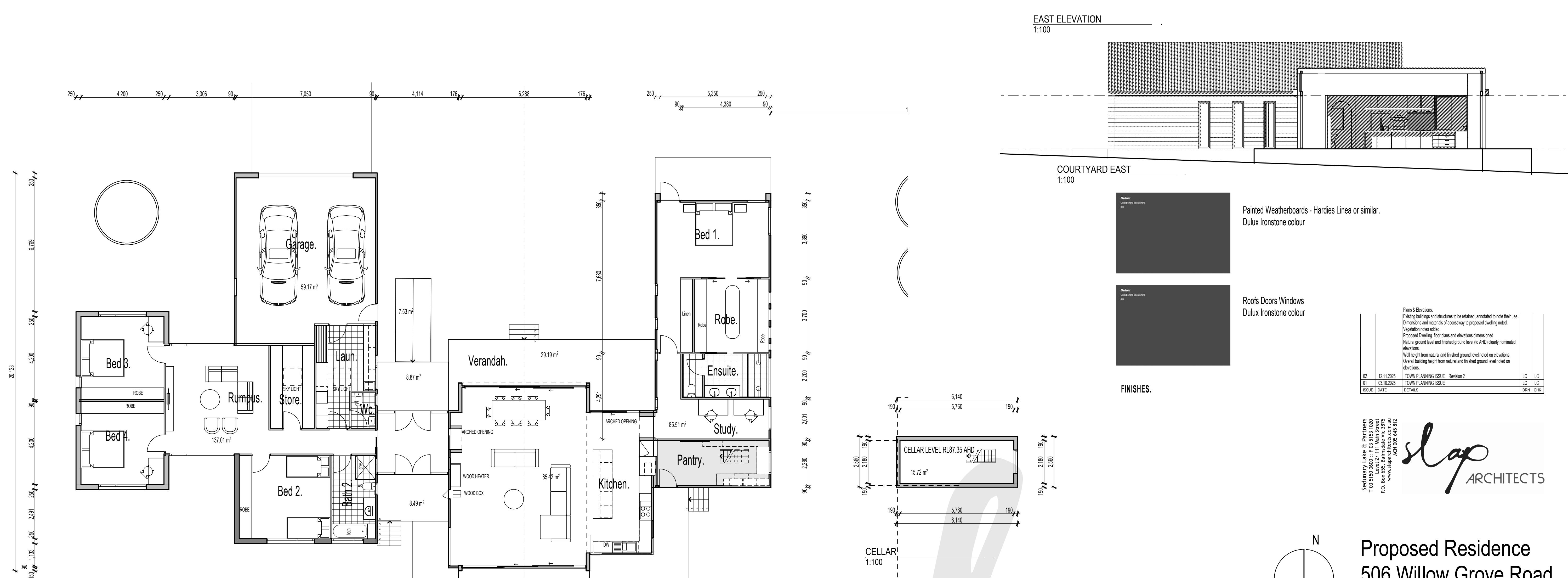
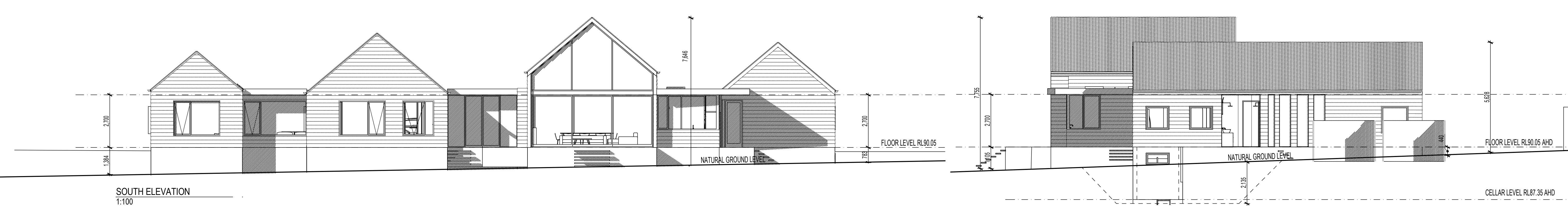
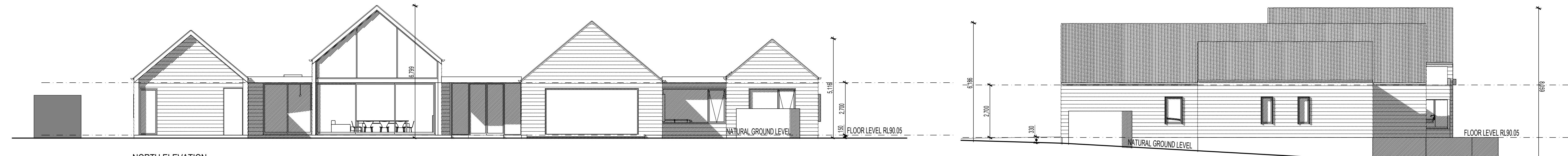
Sedunary Lake & Partners  
T: 03 550 0600 F: 03 515 0202  
1/111 Birrells Rd, Birrells VIC 3875  
PO Box 655 Birrells VIC 3875  
www.slaparchitects.com.au  
ACN 005 645 812

*slap*  
ARCHITECTS

Proposed Residence  
506 Willow Grove Road  
Trafalgar

EXCAVATION  
PLAN  
2998 T-004-02

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# Proposed Residence 506 Willow Grove Road Trafalgar

# PLANS & ELEVATIONS

## 2998 TP-003-02

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Planning Officer  
Baw Baw Shire Council  
PO Box 304  
Warragul VIC 3820

Dear Sir/Madam,

**Application No.: PLA0179/25**

**Proposal: Development of a Replacement Dwelling**

**Location: 506 Willow Grove Road TRAFALGAR VIC 3824 V 8264 F 632 Lot 1 TP 3608E  
Yarragon Parish**

In reply to your request for information dated the 31<sup>st</sup> October 2025

On behalf of our client, we wish to apply for planning approval of the above-mentioned project.

Please find attached the following documents for your information:

1. Copy of Covenant.
2. Architectural Drawings numbered: 2998 TP001rev 02, TP002rev02, TP003rev02 and TP004
3. Revised Planning Report.
4. Bushfire Report.

Drawing TP001rev 02 indicates:

- . Easement updated to note easement type and dimensions.
- . Existing buildings to be retained noted. their use.
- . Setbacks of proposed dwelling from property boundaries.
- . Dimensions and materials of accessway to proposed dwelling.

Drawing TP002rev 02 indicates:

- . Easement updated to note easement type and dimensions.
- . Existing buildings to be retained noted.
- . Setbacks of proposed dwelling from property boundaries.
- . Floor plan of the existing dwelling, showing how the dwelling will be decommissioned.
- . Proposed use of the existing dwelling indicated.
- . Annotation noting the Timeline of proposed decommissioning.

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Drawing TP003rev 02 indicates:

- . Floor level of proposed dwelling including Cellar to AHD.
- . Wall heights from natural and finished ground level.
- . Natural ground level and finished ground level clearly nominated on all elevations.

Drawing TP04 indicates:

- . Proposed excavation for Cellar.
- . Dimensioned floor plan of the existing dwelling, showing how the dwelling will be decommissioned.
- . Annotation noting the proposed use of the existing dwelling following decommissioning.
- . Annotation noting the timeline of proposed decommissioning.

Should you require any further information, please do not hesitate to contact me on

Yours faithfully  
SLAP ARCHITECTS

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## APPLICATION FOR A PLANNING PERMIT

### Replacement Dwelling

506 Willow Grove Road Trafalgar

Prepared for: Baw Baw Shire Council  
Prepared by: Slap Architects

Version 2.0  
28<sup>th</sup> November 2025

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# APPLICATION FOR PLANNING PERMIT FOR REPLACEMENT DWELLING

## 506 WILLOW GROVE ROAD TRAFALGAR

A planning permit is required under the provisions of the Farming Zone. The requirements of the zone are addressed throughout the submission and within the supporting documentation.

### INTRODUCTION

- We act on behalf of the applicant for the planning permit at 506 Willow Grove Road Trafalgar.
- This planning submission has been prepared in support of an application for a replacement Dwelling.
- This submission addresses relevant provisions of the Baw Baw Planning Scheme to assist Council planning officers in considering the merit of the proposed development.
- Approval is sought for a replacement dwelling of 382m<sup>2</sup> including garage.

### SITE & SURROUNDS

- The subject site is located at 506 Willow Grove Road Trafalgar, identified as land Lot 1 on Title Plan 003608E. PARENT TITLE Volume 06880 Folio 955
- A copy of the title and relevant Plan is contained in Appendix A
- The subject site is not affected by any covenants or agreements.

### PROPOSAL

- Approval is sought for a replacement dwelling of 382m<sup>2</sup> including garage.
- The proposed use and development is indicated in the proposed development plans as contained in Appendix B.

### USE

- The subject site is currently used for farming.

### DWELLING REQUIREMENTS

- Access to be provided via an all-weather road suitable for emergency vehicles available for the planning process
- The dwelling will be connected to a reticulated electricity supply or have an alternative energy source.
- All wastewater from the dwelling is to be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 1987.
- Roof drainage will be directed to water tanks for the storage of potable water and for firefighting purposes.
- The dwelling will be connected to a reticulated electricity supply or have an alternative energy source.

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## ACCESS

- Access to the property is via an existing crossover on Willow Grove Road.
- The access road is to be upgraded to meet the following specifications:
  - All-weather access with a 15-tonne load limit.
  - Minimum trafficable width of 3.5m, with 0.5m side clearance and 4m vertical clearance.
  - Curves with a minimum inner radius of 10m.
  - Average grade  $\leq 1$  in 7 (14.4%), max grade  $\leq 1$  in 5 (20%) for up to 50m.
  - Dips with entry/exit angles  $\leq 1$  in 8 (12.5%).
  - Emergency vehicle turning area via a T/Y head per Austroads Design for 8.8m service vehicle.

## FIRE FIGHTING WATER

A firefighting water supply is proposed with:

- Minimum 10,000-litre capacity in an above-ground concrete or metal tank.
- Corrosion-resistant metal pipes and fittings.
- Separate outlet for occupant use.
- Clear identification and signage.
- Location within 60m of the building and 4m of unobstructed accessway.
- BSP 65mm ball/gate valve and CFA-compatible coupling.
- Pipework of at least 65mm (excluding CFA coupling).

## APPENDIX

- Appendix A      Copy of Title
- Appendix B      Development Plans
- Appendix C      Bushfire Management Plan

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## CLAUSE 13.02

### BUSHFIRE

#### Clause 13.02-1S

##### BUSHFIRE PLANNING

###### Policy application

This policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land that is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

- Refer bushfire management plan
- All dwellings are to be constructed to BAL12.5 as required by BMP
- Firefighting vehicle access requirements ie. accessway width and CFA turning area requirements are indicated on site plan.
- Water storage tanks to CFA requirements are provided to dwelling.

###### Objectives

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

###### Strategies - Protection of human life

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

###### Bushfire hazard identification and assessment

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

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## Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the *Building Act 1993* or regulations made under that Act.
- Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.
- Considering and assessing the bushfire hazard on the basis of:
  - Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;
  - Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;
  - Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and
  - The site for the development.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.
- Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.

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## CLAUSE 14.01

### AGRICULTURE

#### Clause 14.01-1S

#### PROTECTION OF AGRICULTURAL LAND

##### Objectives

To protect the state's agricultural base by preserving productive farmland.

##### Strategies

Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context. Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas. Protect strategically important agricultural and primary production land from incompatible uses. Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Identify areas of productive agricultural land by consulting with the Department of Energy, Environment and Climate Action and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- The proposal meets the objective of preserving productive farmland.
- The productive farmland proposed to be used for the replacement dwelling is approximately 1,350 sqm, which is less than 0.5% of the total farm area (310,000 sqm), ensuring the vast majority of land remains available for farming.
- The proposed replacement dwelling footprint is confined to a small envelope and located within the same zone as the existing dwelling and auxiliary buildings, avoiding fragmentation of productive land and maintaining continuity of agricultural operations.
- The proposal does not involve subdivision or permanent removal of significant productive land; the farm remains intact as a single productive unit.

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- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

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**Clause 14.01-11****DWELLINGS AND SUBDIVISION IN RURAL AREAS****Objectives**

To ensure that the development of dwellings and subdivision, including the creation of small lots for existing dwellings, minimises the loss of productive agricultural land and does not prejudice activities associated with agricultural production.

To provide guidance for development of dwellings that are integral to the substantial commercial farming or tourism use of the land.

**Strategies**

Discourage the development of a dwelling on land that is used for small-scale grazing animal production unless there are special management requirements relating to the grazing of stock.

Discourage the development of a dwelling unless it is required for a commercial farming purpose or for an approved tourism business to the satisfaction of the Responsible Authority.

Discourage dwellings on lots where wastewater cannot be retained and treated within the lot.

Limit the area associated with a dwelling and ancillary buildings and facilities so that the area for agriculture or rural purposes is maximised.

Discourage the development of dwellings close to a neighbouring dwelling or a farming activity node such as; stockyards, dairy shed or effluent treatment ponds.

Encourage consolidation of vacant lots within the property (being lots in the same ownership which adjoin each other or are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve) on which the dwelling is proposed.

**Policy guidelines**

Consider as relevant:

- A business plan or farm management plan clearly demonstrates that a dwelling is required for a commercial farming purpose (including small scale grazing animal

- Existing dwelling will be repurposed as a Manager's Office, supporting farm operations.
- Decommissioning of the existing dwelling (removal of kitchen and laundry facilities) will occur within three months of the issue of occupancy certificate the proposed replacement dwelling.
- Proposal will have no adverse impact on rainwater runoff or water quality. Stormwater runoff will be managed on-site; no external drainage or water supply is required.
- The existing area associated with the existing dwelling and ancillary buildings is approximately 6250 sqm. The proposed additional area is 1350sqm.
- The proposed replacement dwelling is further away, than the existing dwelling, from the neighbouring dwelling and farming activity node.
- The proposed replacement dwelling provides modern accommodation that meets the expectations of the current owners of the property, supporting ongoing agricultural use.

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production) or an approved tourism business on the land.

- Limiting a dwelling and ancillary buildings and facilities, to within a 2000 square metre envelope.
- Setting dwellings back at least 100 metres from a neighbouring dwelling or a farming activity node.
- An agreement under Section 173 of the Act, that ensures that the lot cannot be subdivided to create an additional lot and cannot be used for any further dwelling.
- That a proposal for a new dwelling adjacent to two or more existing dwellings constitutes a 'concentration' or 'proliferation' of dwellings in the area when considering the Dwelling Decision guidelines under clause 35.07.

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## CLAUSE 35.07

### FARMING ZONE

#### Clause 35.07-6

#### APPLICATION REQUIREMENTS FOR DWELLINGS

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.

#### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### General issues

- 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.

#### Agricultural issues and the impacts from non-agricultural uses

- 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 proposal will not affect CMA strategies.
- The proposed works support and enhance agricultural production by providing modern accommodation that meets the expectations of the current owners of the property.
- The site is gently sloping land and as such the proposed replacement dwelling will require only excavation for the cellar.
- The proposed works will have no effect on the operation and expansion of adjoining and nearby agricultural uses.
- The proposed works will have no effect on the agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Effluent disposal will be managed on site. Refer site plan.
- The proposed works will affect the management of the existing property. The use is compatible with the adjoining nearby land uses.
- The proposed replacement dwelling is an upgrade of the existing residence, providing a level of accommodation that will support and enhance agricultural production. The proposed works will remove approx. 1350sqm of agricultural land.

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- 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.
- Whether Rural worker accommodation is necessary having regard to:
  - The nature and scale of the agricultural use.
  - The accessibility to residential areas and existing accommodation, and the remoteness of the location.
  - The duration of the use of the land for Rural worker accommodation.

### ***Accommodation issues***

- 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 adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- 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.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

- The proposed replacement dwelling will result in a loss of 1350sqm of agricultural land.
- The proposed replacement dwelling is adjacent to the existing ancillary buildings on the site, enhancing the cluster of rural buildings.

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## Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

## Design and siting issues

- 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.

- The site is gently sloping land and as such the proposed replacement dwelling will require only excavation for the cellar. See excavation plan.
- There is no proposed removal of trees or vegetation, the proposed works will not affect the flora and fauna on the site and its surrounds.
- The proposed on-site effluent disposal area has been located to minimise any impact of nutrient loads on waterways and native vegetation. Refer Site Plan
- The proposed replacement dwelling footprint is confined to a small envelope and located within the same zone as the existing dwelling and auxiliary buildings, avoiding fragmentation of productive land and maintaining continuity of agricultural operations
- The proposed replacement residence is a high-quality contemporary design that references the shape and form of the surrounding buildings on the site.
- The proposed cladding materials and colours are sympathetic to the existing buildings on the site and surroundings.
- Existing infrastructure including roads, drainage and telecommunications will not be impacted by the proposed works.
- Traffic management will not be required.

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