



Office Use Only

VicSmart: **No**
Specify class of VicSmart application:
Application No: **REFPA20230162**
Date Lodged: **20/09/2023**

Application for Planning Permit

If you need help to complete this form, read [How to complete the Application for Planning Permit form](#).

 Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.


 Questions marked with an asterisk (*) are mandatory and must be completed.

 If the space provided on the form is insufficient, attach a separate sheet.

Application type

Is this a VicSmart Application?*

No
If yes, please specify which VicSmart class or classes:

 If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application

Pre-application meeting

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

False

If 'yes', with whom?:

Date:

day / month / year

The Land


Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address*

Unit No:	St. No: 17	St. Name: Homebush Road
Suburb/Locality: Avoca		Postcode: 3467

Formal Land Description*

Complete either A or B

 This information can be found on the certificate of title.


A Lodged Plan Title Plan Plan of Subdivision

OR

B


If this application relates to more than one address, please attach details.

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.


① For what use, development or other matter do you require a permit?*

4 Lot Subdivision

 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.

① Estimated cost of development for which the permit is required*

Cost \$0.00

 You may be required to verify this estimate
Insert '0' if no development is proposed


Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

Existing Conditions

Describe how the land is used and developed now*

Eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Vacant

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


Title Information

Encumbrances on title*

If you need help about the title, read: [How to complete the Application for Planning Permit form](#)

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes. (if 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments' eg restrictive covenants.)

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit

Name:		
Title: <input type="text"/>	* First Name <input type="text"/>	Surname: <input type="text"/>
Organisation (if applicable): <input type="text"/>		
Postal Address		If it is a PO Box, enter the details here:
Unit No: <input type="text"/>	St. No <input type="text"/>	St. Name: <input type="text"/>
Suburb/Locality <input type="text"/>	State: <input type="text"/>	Postcode: <input type="text"/>

Owner *

The person or organisation who owns the land

Name:		
Title: <input type="text"/>	First Name <input type="text"/>	Surname: <input type="text"/>
Organisation (if applicable): <input type="text"/>		

Where the owner is different from the applicant, provide the details of that person or organisation.

Postal Address		If it is a PO Box, enter the details here:	
Unit No.:	St. No.:	St. Name:	
Suburb/Locality:		State:	Postcode:
Owner's Signature (optional):		Date:	
		day / month / year	

Information Requirements


Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist.

Is the required information provided?

- Yes
 No

Declaration

This form must be signed by the applicant*

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit

I declare that I am the applicant; and that all the information in this application is true and correct and the owner (if not myself) has been notified of the permit application.



Signature:

Date: 20 September 2023

day / month / year

Checklist

Have you:

<input type="checkbox"/>	Filled in the form completely?	 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
<input type="checkbox"/>	Paid or included the application fee?	
	Provided all necessary supporting information and document?	
<input type="checkbox"/>	A full and current copy of the information for each individual parcel of land forming the subject site.	
<input type="checkbox"/>	A plan of existing conditions.	
<input type="checkbox"/>	Plans showing the layout and details of the proposal.	
<input type="checkbox"/>	Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.	
<input type="checkbox"/>	If required, a description of the likely effect of the proposal (eg traffic, noise, environmental impacts).	

Lodgement

Lodge the completed and signed form and all documents with:

Pyrenees Shire Council
5 Lawrence Street BEAUFORT Vic 3373

Telephone: (03) 5349 1100

Contact information:
Telephone: (03) 5349 1100
Email: pyrenees@pyrenees.vic.gov.au

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

VOLUME 08194 FOLIO 953

Security no : 124106993486L
Produced 20/06/2023 10:52 AM

LAND DESCRIPTION

Lot 1 on Title Plan 222834W.
PARENT TITLE Volume 06852 Folio 330
Created by instrument A568069 17/07/1958

REGISTERED PROPRIETOR

Estate Fee Simple

[REDACTED]

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP222834W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

[REDACTED]

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

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

Street Address: 21 HOMEBUSH ROAD AVOCA VIC 3467

ADMINISTRATIVE NOTICES

NIL

eCT Control 21479V GOLDFIELDS LEGAL PTY LTD
Effective from 29/05/2023

DOCUMENT END

TITLE PLAN	EDITION 1	TP 222834W
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Location of Land

Parish: AVOCA
 Township: AVOCA
 Section: A4
 Crown Allotment: 23(PT)
 Crown Portion:

Last Plan Reference:
 Derived From: VOL 8194 FOL 953
 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: 19/11/1999
 VERIFIED: SO'C

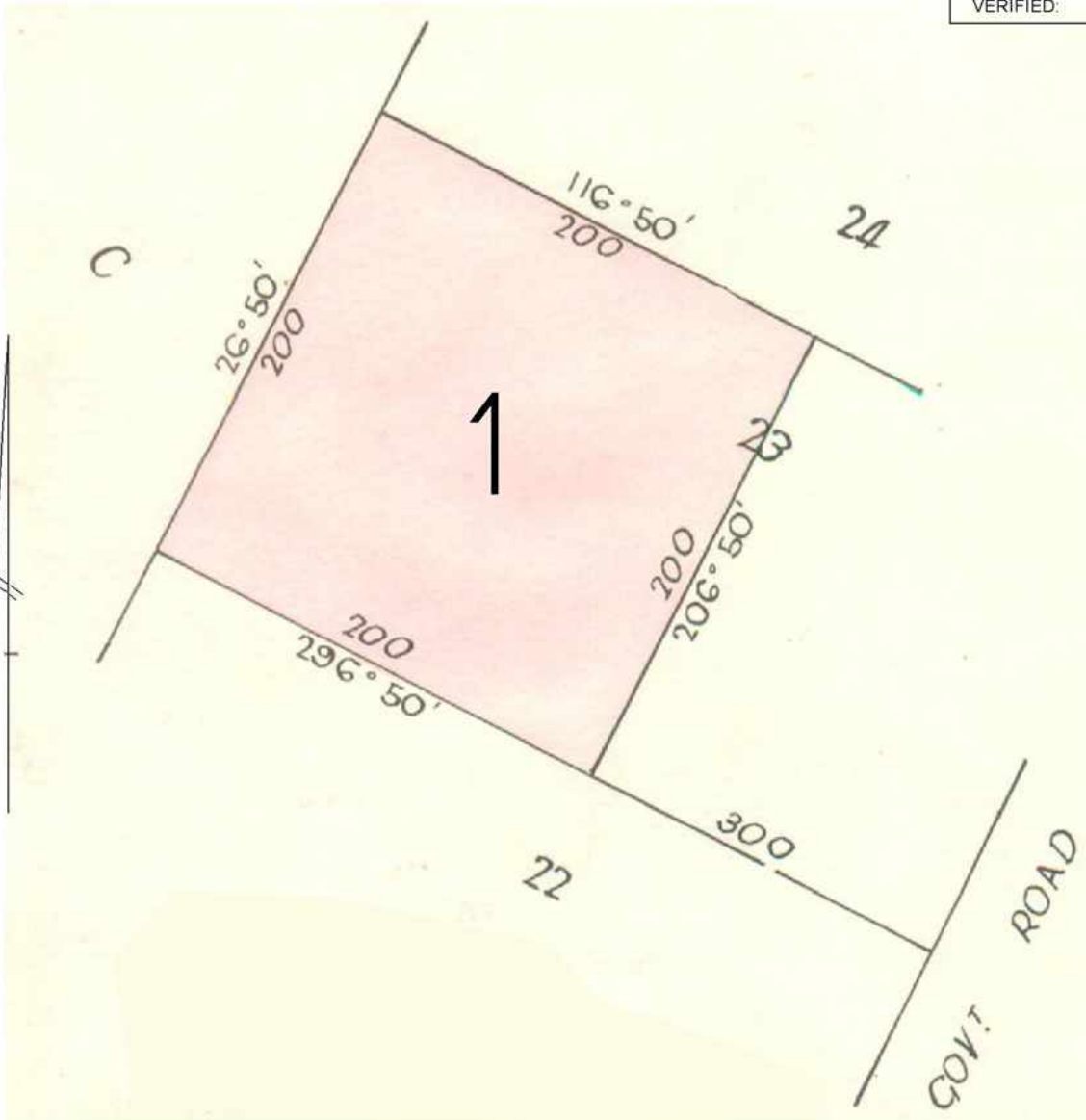


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = CA 23 (PT)

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

Page 1 of 1

VOLUME 08092 FOLIO 577

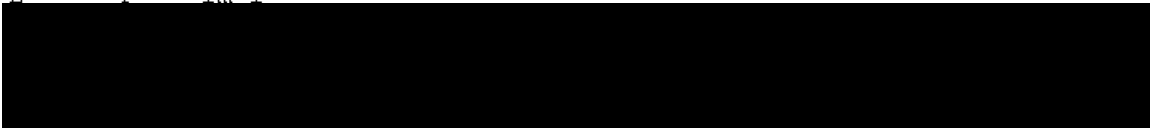
Security no : 124106985390L
Produced 19/06/2023 11:12 PM

LAND DESCRIPTION

Crown Allotment 22 Section A4 Township of Avoca Parish of Avoca.
PARENT TITLE Volume 04684 Folio 707
Created by instrument A034241 06/09/1955

REGISTERED PROPRIETOR

E F im l



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 TP268293W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS



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

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

Street Address: 21 HOMEBUSH ROAD AVOCA VIC 3467

ADMINISTRATIVE NOTICES

NIL

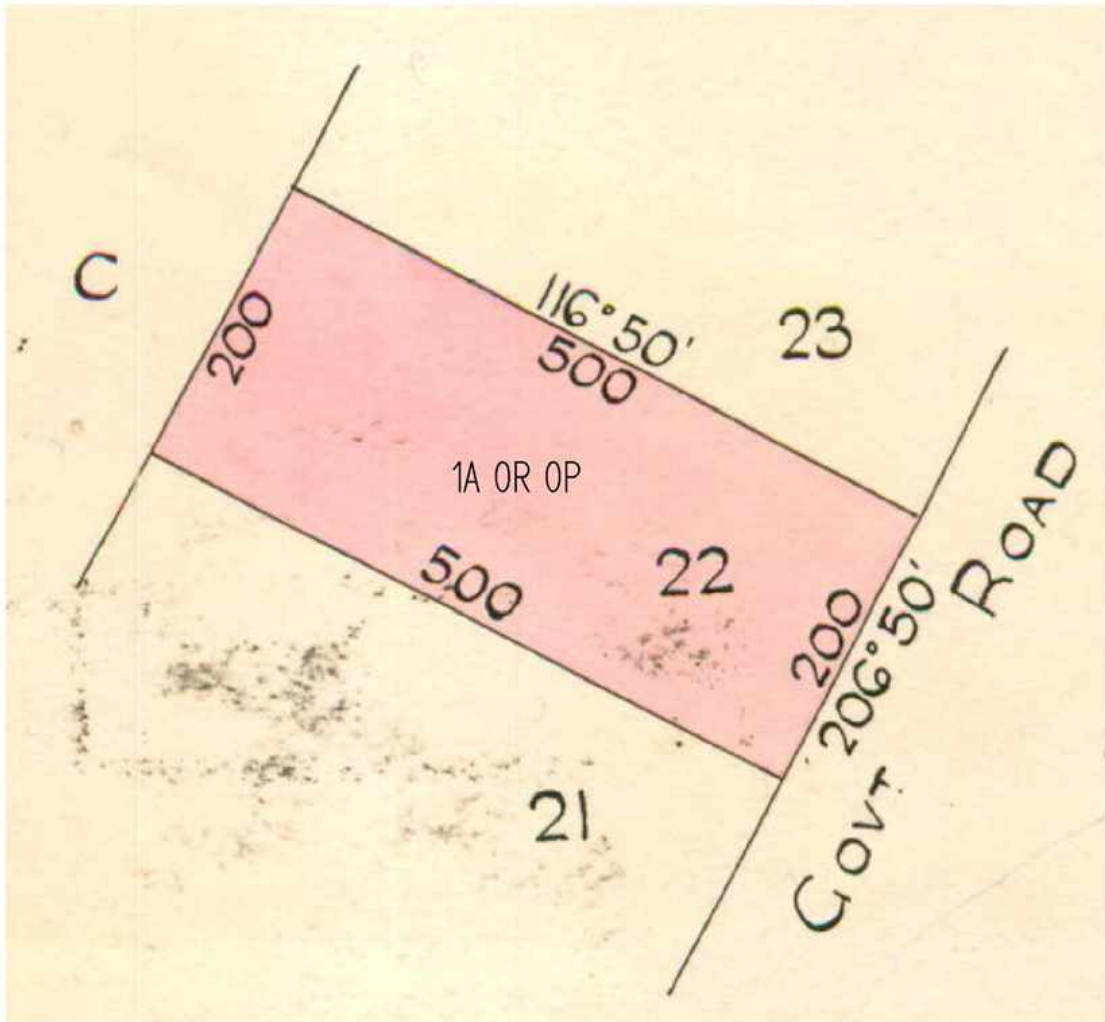
eCT Control 21479V GOLDFIELDS LEGAL PTY LTD
Effective from 29/05/2023

DOCUMENT END

TITLE PLAN		EDITION 1	TP 268293W
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<p>Location of Land</p> <p>Parish: AVOCA Township: AVOCA Section: A4 Crown Allotment: 22 Crown Portion:</p> <p>Last Plan Reference: Derived From: VOL 8092 FOL 577 Depth Limitation: NIL</p>	<p style="text-align: center;">Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
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<p>Description of Land / Easement Information</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 12/01/2000 VERIFIED: AA</p>
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PLAN OF SUBDIVISION

EDITION 1

PS 916128 R

LOCATION OF LAND

PARISH : AVOCA
TOWNSHIP : AVOCA
SECTION : A⁴
CROWN ALLOTMENTS : 22 & PART 23
CROWN PORTION : ----
TITLE REFERENCES : VOL. 8092 FOL. 577
VOL. 8194 FOL. 953
LAST PLAN REFERENCE : TP 268293W
TP 222834W
POSTAL ADDRESS : 17-19 HOMEBUSH ROAD
(At time of subdivision) AVOCA 3467
MGA Co-ordinates
(of approx centre of land in plan) E 720 100 ZONE: 54
N 5 893 280 GDA 2020

COUNCIL CERTIFICATION AND ENDORSEMENT
COUNCIL NAME: PYRENEES SHIRE COUNCIL

**THIS IS A PRELIMINARY PLAN SUBJECT TO
APPROVAL BY REFERRAL AUTHORITIES,
COUNCIL AND EXAMINATION AND
REGISTRATION BY LAND USE VICTORIA.**

VESTING OF ROADS AND/OR RESERVES

NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

NOTATIONS

DEPTH LIMITATION does not apply to the land in this plan

SURVEY:
This plan is based on survey.

STAGING:
This is not a staged subdivision.
Planning Permit No.

This survey has been connected to permanent marks No(s). 40, 45, 58
In Proclaimed Survey Area No.

EASEMENT INFORMATION

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

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	PIPELINES OR ANCILLARY PURPOSES	3	THIS PLAN - SECTION 136 OF THE WATER ACT 1989	CENTRAL HIGHLANDS REGION WATER CORPORATION



Stantec Australia Pty. Ltd.
ABN: 17 007 820 322
1315 Sturt Street (PO Box 563W, Ballarat West), Ballarat, VIC Australia 3350
Tel: 03 5330 8888 Fax: 03 5333 3815
Email: BusinessServices.VIC@stantec.com Web: www.stantec.com/australia

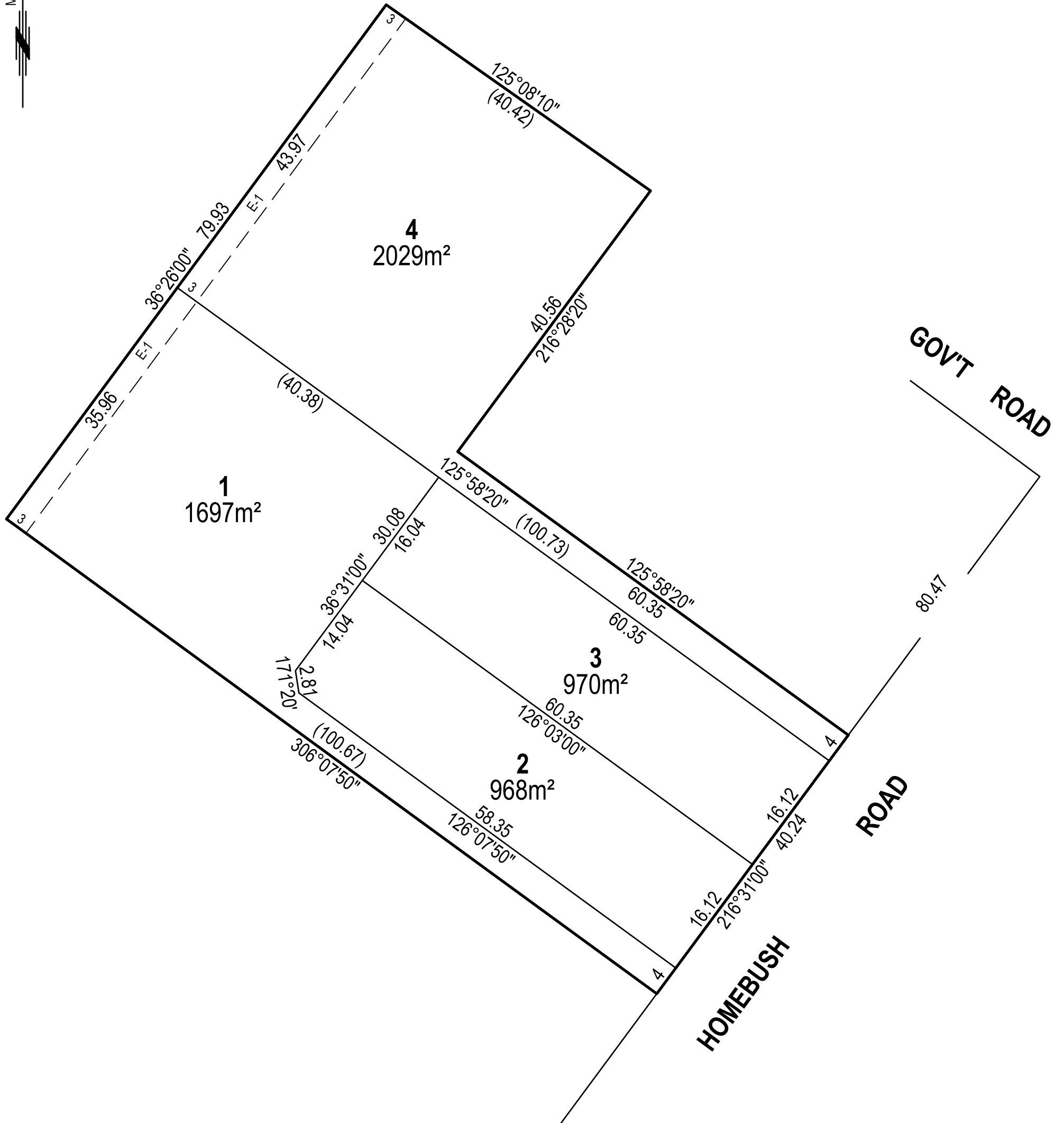
FILE REF: 304401015-400-02B-PS02.dwg
DATE: 12/09/2023

SURVEYOR: MICHAEL CRAIG WILSON
VERSION: 2

ORIGINAL SHEET
SIZE: A3

SHEET 1 OF 2

M.G.A. 2020
ZONE 54



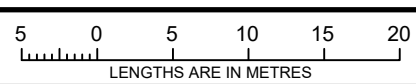
THIS IS A PRELIMINARY PLAN SUBJECT TO APPROVAL BY REFERRAL AUTHORITIES, COUNCIL AND EXAMINATION AND REGISTRATION BY LAND USE VICTORIA.

FILE REF: 304401015-400-02B-PS02.dwg



Stantec Australia Pty. Ltd.
ABN: 17 007 820 322
1315 Sturt Street (PO Box 563W, Ballarat West), Ballarat, VIC Australia 3350
Tel: 03 5330 8888 Fax: 03 5333 3815
Email: BusinessServices.VIC@stantec.com Web: www.stantec.com/australia

SCALE
1:500



SURVEYOR: MICHAEL CRAIG WILSON
VERSION: 2

ORIGINAL SHEET
SIZE: A3

SHEET 2

LAND DESCRIPTION
 VOL. 08092 FOL. 577 CA22 TP268293W
 VOL. 08194 FOL. 953 LOT 1 TP222834W

CROWN DESCRIPTION
 TOWNSHIP of AVOCA
 PARISH of AVOCA
 SECTION A4
 CROWN ALLOTMENT(S) 22 & 23 (PART)

DATUM INFORMATION

LEVEL DATUM:
 LEVELS SHOWN ARE TO: AHD
 AHD BASED UPON: AVOCA PM 45
 SMES No. 203200450
 HEIGHT 236.109m
 QUOTED 20/06/2023

CO-ORDINATE DATUM:
 THE CO-ORDINATE DATUM IN THIS DRAWING IS: LOCAL

PM 45 HAS TRUE MGA2020 COORDINATES:
 E - 720258.446
 N - 5893409.637
 COMBINED SCALE FACTOR (CSF) OF 1.0001606

LEGEND

PM	↑
RIVET	•
ORM BOLT	•
ORM PIPE	•
STAR PICKET	•
SPIKE	•
TOP OF BANK	—
TOE OF BANK	—
NATURAL SURFACE	—
TREE	•
DRAIN - CONCRETE	—
WING WALL	—
PIPE	—
CL	—
BITUMEN - EDGE	—
FORMATION - EDGE	—
PATH	—
DRIVEWAY	—
PAVING - EDGE	—
FLOOR LEVEL	•
HOUSE	—
SHED	—
VERANDAH	—
DOOR	—
WIN TOP	—
WIN SILL	—
ROOF APEX	—
DOWN PIPE	—
GUTTER-TOP	—
ELECTRICITY - POLE	•
ELECTRICITY - PIT	•
ELECTRICITY - OVER HEAD	—
TELSTRA - PIT	•
SEWER - PIT	•
SEWER INSPECTION SHAFT	•
SEWER MAIN (CLASS - D)	—
STOP VALVE	•
FENCE	—
GATE	—
ROUND POST	•
SQUARE POST	•
STEEL POST	•

EXPLANATORY NOTES

1. DATA ON THIS PLAN MAY ONLY BE MANIPULATED WITH THE PERMISSION OF STANTEC AUSTRALIA
2. ACCURACY OF DETAIL LOCATION ±0.05m.
3. ACCURACY OF REDUCED LEVELS ±0.02m
4. THIS HARDCOPY PLAN IS A VERIFICATION PLOT OF COMPUTER FILE : 304401015 REFS-20230622-01.dwg DATE : 03/07/2023.
5. LOCATION OF ABUTTING BUILDINGS AND ENVIRONS IS INDICATIVE ONLY UNLESS OTHERWISE SHOWN.
6. TREE SPREAD SHOWN ON THIS PLAN IS INDICATIVE ONLY.
7. ONLY SIGNIFICANT TREES HAVE BEEN LOCATED AND SHOWN ON THIS PLAN.
8. ONLY VISIBLE SERVICES ARE SHOWN ON THIS PLAN.
9. CONTOURS SHOWN TO 0.2m INTERVALS.
10. LOCATION OF AERIAL IMAGE INDICATIVE ONLY.
11. DETAILS VISIBLE IN AERIAL IMAGE MAY/MAY NOT REPRESENT EXISTING SITE CONDITIONS.

Original Sheet Size A1

SCALE 1:200



REV	DATE	AMENDMENTS	DRAWN
01	29/06/2023	ORIGINAL RELEASE	01

Surveyors: C WHITE
 Drawn: C WHITE
 Checked: M C WILSON
 Job Ref: 304401015 REFS-20230622-01.dwg

I, Michael Craig Wilson of CARDNO NOW STANTEC 1315 Sturt Street, BALLARAT 3350, certify that this plan has been prepared from a survey made under my direct supervision in accordance with the Surveying Act 2004 and completed on 22 June 2023 that this plan is accurate and correctly represents the adopted boundaries and that the survey accuracy accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.

Michael Craig Wilson
 Licensed Surveyor

Date 29/06/2023

SHEET 1 OF 2

Stantec
 Stantec Australia Pty. Ltd.
 ABN: 17 007 820 322
 1315 Sturt Street (PO Box 563W, Ballarat West), Ballarat, VIC Australia 3350
 Tel: 03 5330 8888 Fax: 03 5333 3815
 Email: victoria@cardno.com.au Web: www.cardno.com.au

Municipality : Pyrenees Shire

**PLAN OF FEATURE & LEVEL SURVEY
 & BOUNDARY RE-ESTABLISHMENT
 17 - 19 & REAR 21 HOMEBUSH ROAD AVOCA.**

LAND DESCRIPTION
VOL. 08092 FOL. 577 CA22 TP268293W
VOL. 08194 FOL. 953 LOT1 TP222834W

CROWN DESCRIPTION
TOWNSHIP of AVOCA
PARISH of AVOCA
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AHD BASED UPON: AVOCA PM 45
SMES No. 203200450
HEIGHT 236.109m
QUOTED 20/06/2023

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THE CO-ORDINATE DATUM IN THIS DRAWING IS: LOCAL

PM 45 HAS TRUE MGA2020 COORDINATES:
E - 720258.446
N - 5893409.637
COMBINED SCALE FACTOR (CSF) OF 1.0001606

LEGEND

PM	↑
RIVET	•
ORM BOLT	•
ORM PIPE	•
STAR PICKET	•
SPIKE	▲
TOP OF BANK	—
TOE OF BANK	—
NATURAL SURFACE	—
TREE	●
DRAIN - CONCRETE	D
WING WALL	—
PIPE	—
CL	—
BITUMEN - EDGE	—
FORMATION - EDGE	—
PATH	—
DRIVEWAY	—
PAVING - EDGE	—
FLOOR LEVEL	•
HOUSE	—
SHED	—
VERANDAH	—
DOOR	—
WIN TOP	—
WIN SILL	—
ROOF APEX	—
DOWN PIPE	—
GUTTER-TOP	—
ELECTRICITY - POLE	⊙
ELECTRICITY - PIT	⊖
ELECTRICITY - OVER HEAD	E
TELSTRA - PIT	⊖
SEWER - PIT	⊖
SEWER INSPECTION SHAFT	⊖
SEWER MAIN (CLASS - D)	S
STOP VALVE	H
FENCE	—
GATE	—
ROUND POST	⊙
SQUARE POST	⊙
STEEL POST	⊙

EXPLANATORY NOTES

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Original Sheet Size A1

SCALE 1:200



REV	DATE	AMENDMENTS	DRAWN
01	29/06/2023	ORIGINAL RELEASE	01

Surveyors C WHITE
Drawn C WHITE
Checked M C WILSON
Job Ref. 304401015 REFS-20230622-01.dwg

SHEET 2 OF 2

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Michael Craig Wilson
Licensed Surveyor

Date 29/06/2023

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Email: victoria@cardno.com.au Web: www.cardno.com.au

Municipality : Pyrenees Shire

**PLAN OF FEATURE & LEVEL SURVEY
& BOUNDARY RE-ESTABLISHMENT
17 - 19 & REAR 21 HOMEBUSH ROAD AVOCA.**

From www.planning.vic.gov.au at 21 September 2023 11:42 AM

PROPERTY DETAILS

Address: **17 HOMEBUSH ROAD AVOCA 3467**
 Crown Description: **More than one parcel - see link below**
 Standard Parcel Identifier (SPI): **More than one parcel - see link below**
 Local Government Area (Council): **PYRENEES**
 Council Property Number: **218031110**
 Planning Scheme: **Pyrenees**
 Directory Reference: **Vicroads 556 D2**

www.pyrenees.vic.gov.au

[Planning Scheme - Pyrenees](#)

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

UTILITIES

Rural Water Corporation: **Grampians Wimmera Mallee Water**
 Urban Water Corporation: **Central Highlands Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **POWERCOR**

STATE ELECTORATES

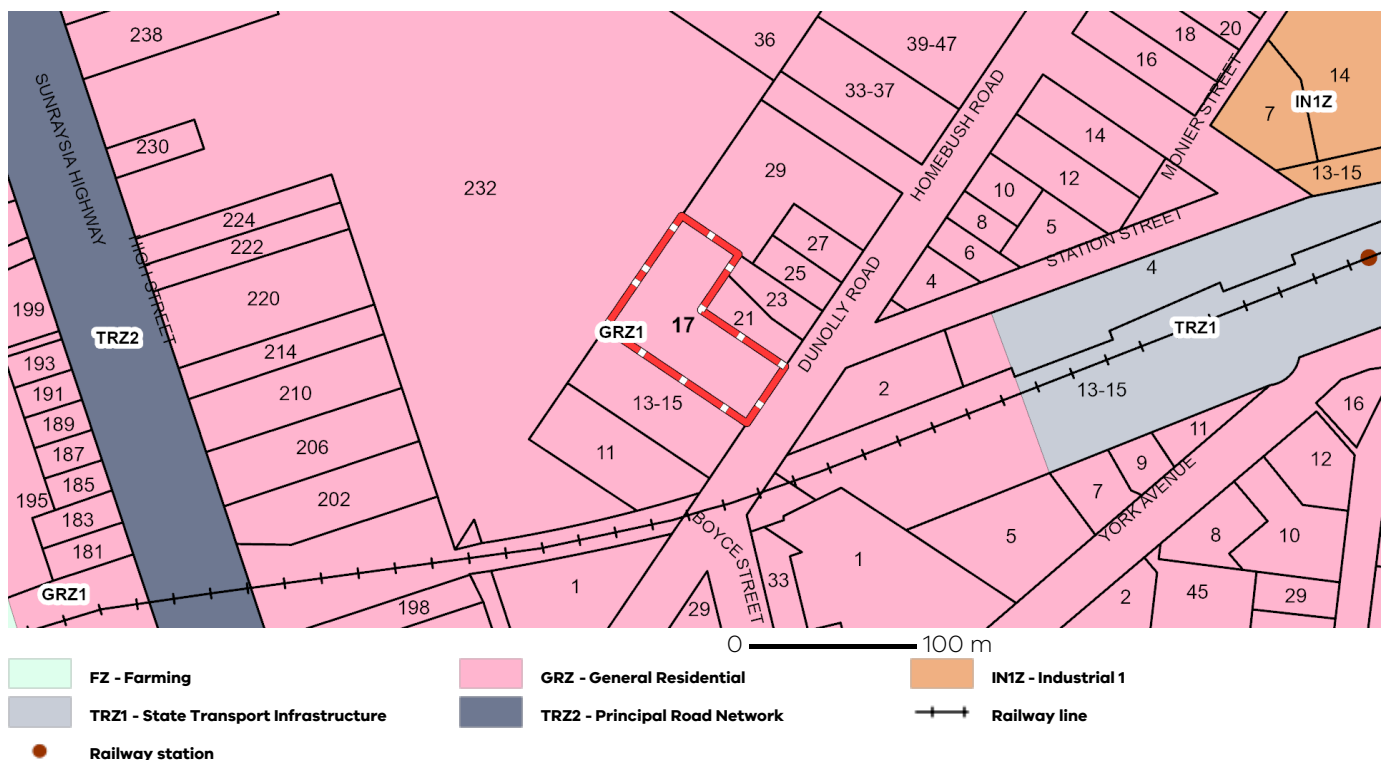
Legislative Council: **WESTERN VICTORIA**
 Legislative Assembly: **RIPON**
OTHER
 Registered Aboriginal Party: **Dja Dja Wurrung Clans Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)



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

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 Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

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).

Planning Overlay

None affecting this land - there are overlays in the vicinity

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

[BUSHFIRE MANAGEMENT OVERLAY \(BMO\)](#)

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\)](#)

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

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



Further Planning Information

Planning scheme data last updated on 13 September 2023.

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 property 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.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://www.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 \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)

Planning Report 17 Homebush Road, Avoca

4 Lot Subdivision
Ref No : 304401015

Contact Information

Stantec Australia Pty Ltd
ABN 17 007 820 322

1315 Sturt Street
Ballarat VIC 3350
Australia

www.stantec.com

Phone +61 3 5330 8888

Document Information

Prepared for [REDACTED]
Proposal Name 4 Lot Subdivision
Job Reference 304401015
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Author(s)

Name	Andrew Grey	Date	14 September 2023
Job Title	Principal Town Planner		

Approved By

Name	Andrew Grey	Date Approved	14 September 2023
Job Title	Principal Town Planner Regional UIPL		

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Attachments

Attachment 1	Planning Application Form (SPEAR)
Attachment 2	Copy of Title Documents
Attachment 3	Plan of Survey
Attachment 4	Proposed Plan of Subdivision
Attachment 5	Clause 56 Assessment

1. Introduction

Stantec has been engaged to submit a Planning Permit Application for a 4 lot subdivision of land at 17 Homebush Road, Avoca.

2. Permit Triggers

A permit is required for the above proposal under the following provisions of the Pyrenees Planning Scheme:

> **General Residential Zone** 32.08-3 Subdivision of Land

3. Subject Site and Context

The site consists of two land titles as follows:

- Vol. 8092 Fol. 577 described as Crown Allotment 22 Section A4 Township of Avoca Parish of Avoca
- Vol. 8194 Fol. 953 described as Lot 1 on Title Plan 222834W



Map of site, titles and surrounding properties

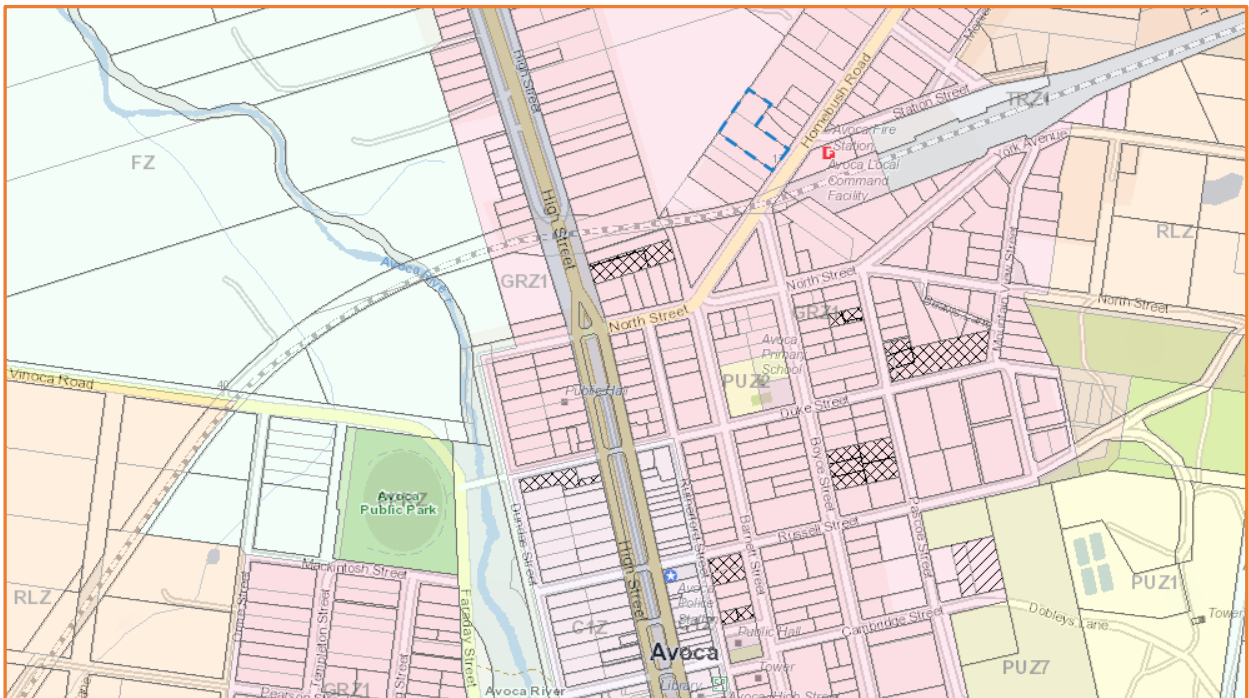
The subject site is located on the west side of Homebush Road. It is an L shape with a frontage to Homebush Road of approximately 40.25 metres and a total area of 5,665sqm

The subject land is vacant, some structures having been removed recently. There are two large canopy trees situated at the rear.



Aerial photograph of site and surround

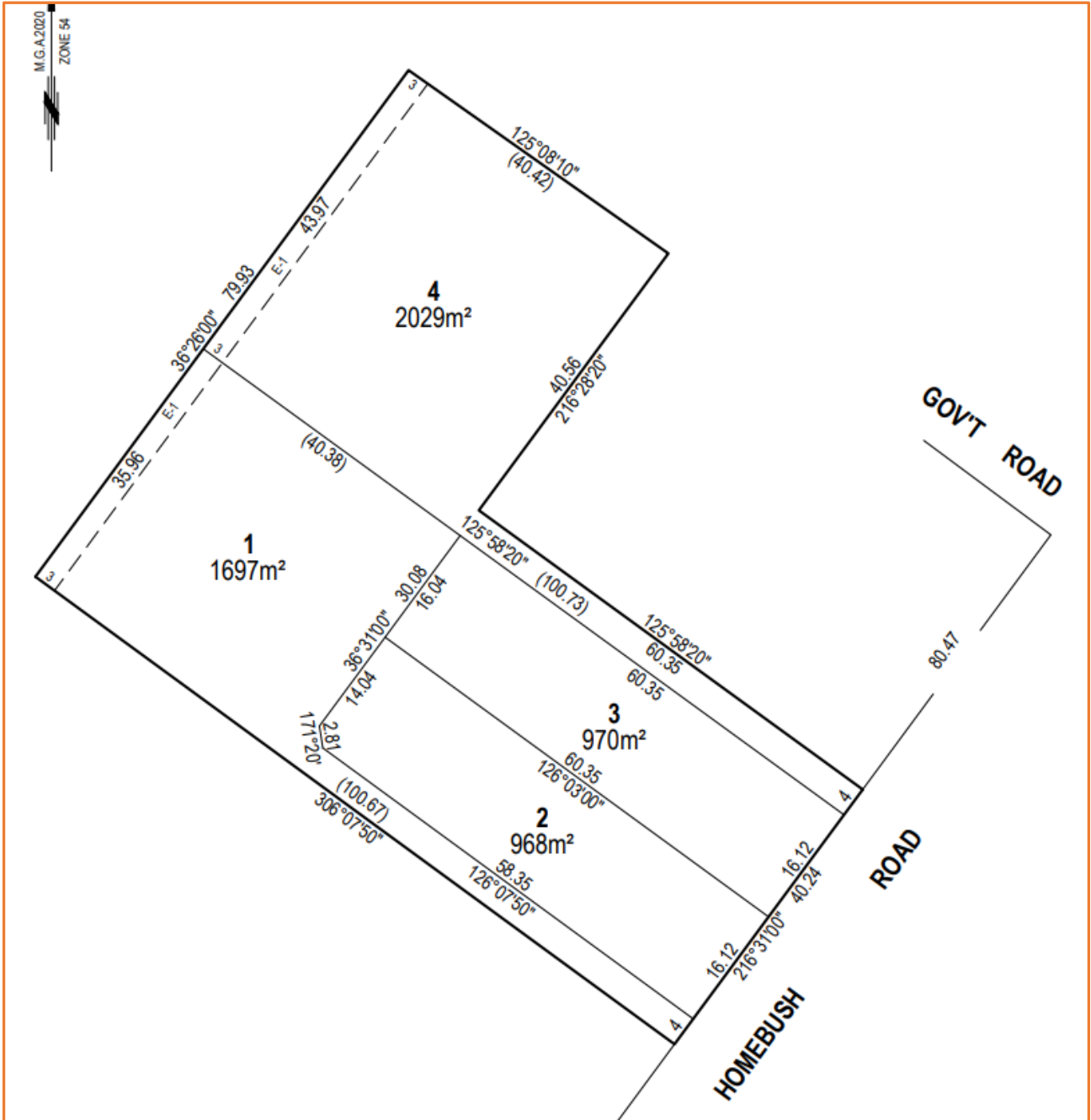
The land is zoned General Residential Zone – Schedule 1 and is not affect by any overlays. The land is situated in the northern art of the Avoca township within comfortable walking distance of the town centre, the train centre as well as passive and active open space areas.



Map showing Zoning and Locality

4. Proposal

It is proposed to subdivide the land into four lots as per the plan of subdivision below. All lots would have direct access from Homebush Road.

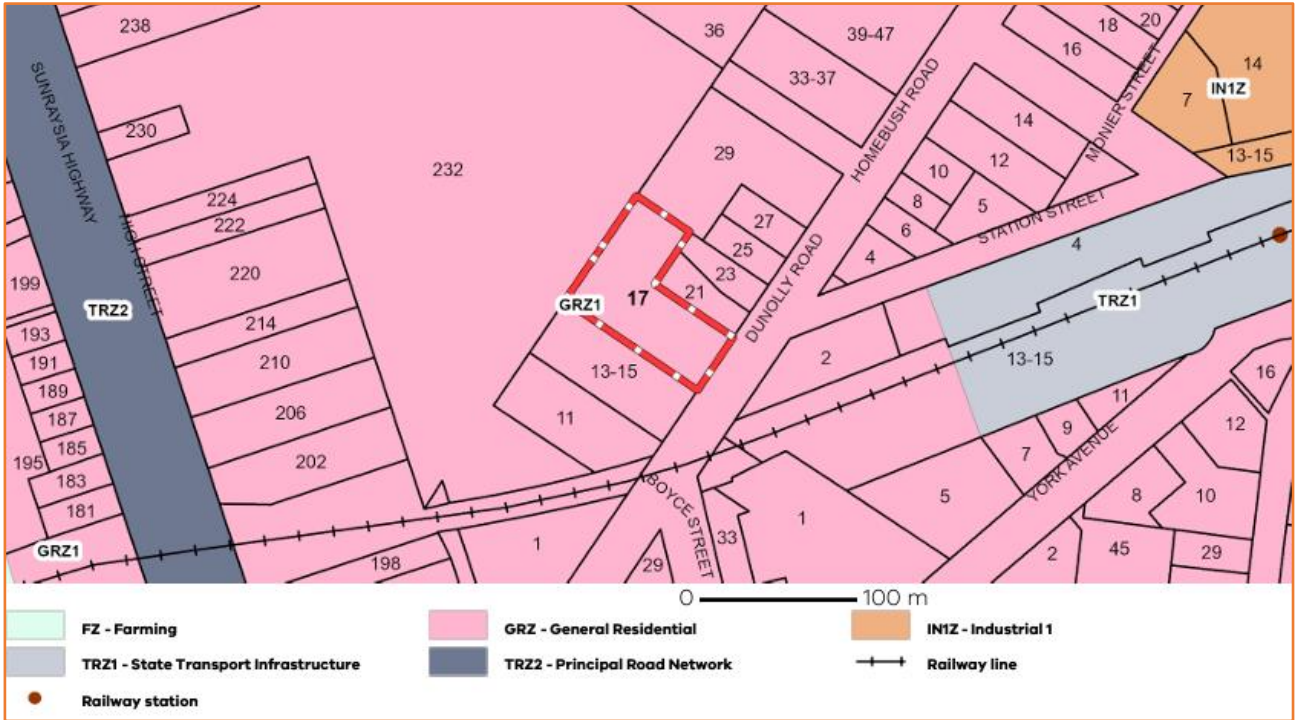


Plan of Proposed Subdivision

5. Planning Controls

5.1 General Residential Zone

The subject site is within the General Residential – Schedule 1 of the Pyrenees Planning Scheme.



Zoning Map

The purpose of the General Residential Zone is:

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

Response :The proposed subdivision will provide for a mixture of lot sizes which respect the neighbourhood character and are located close to existing services and infrastructure.

5.2 Subdivision

Under Clause 32.08-3 of the Planning Scheme, a permit is required to subdivide land included within the **General Residential Zone**. An application to subdivide land must meet the requirements of Clause 56.

Response : Refer to attached Clause 56 assessment.

Decision guidelines relevant to this proposal are as follows:

- > The Municipal Planning Strategy and the Planning Policy Framework.
- > The purpose of this zone.
- > The objectives set out in a schedule to this zone.
- > Any other decision guidelines specified in a schedule to this zone.
- > The pattern of subdivision and its effect on the spacing of buildings.
- > For subdivision of land for residential development, the objectives and standards of Clause 56.

Response: *The proposal is consistent with MPS and PPF, particularly in relation to urban consolidation, neighbourhood character, accessibility and liveable communities. This is further discussed in section 8 of this report.*

The application as presented will facilitate substantial housing growth in an established area, in line with the purpose of the General Residential Zone. The proposed subdivision design will enable development which can create a character which compliments the existing residential area. The proposed subdivision also meets the standards of Clause 56 of the Victorian Planning Provisions as per the submitted assessment.

5.3 Overlay

The land is not affected by any overlays.

6. Particular Provisions

6.1 Public Open Space Contribution and Subdivision

Under the provisions of Clause 53.01, a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under Section 18 of the Subdivision Act 1988.

Response : There is no amount specified in the schedule to this clause. It is therefore a question for Council as to whether they should require a public open space contribution. As per Section 18(1A) Council must consider whether, as a result of the subdivision, there will be a need for more open space in the neighbourhood of the subdivision.

6.2 Native Vegetation

Under the provisions of Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply if the table to Clause 52.17-7 specifically states that a permit is not required.

A permit exemption is established by subdivisions which create lots less than 0.4hectares in area. This is considered consequential loss of native vegetation in the Guidelines for the removal of native vegetation, 2017. Therefore a permit is required for the removal of native vegetation at the subdivision stage.

Clause 52.17-7, Table of Exemptions, states that no Permit is required for the removal of planted vegetation, being “*native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding*”.

Response : *The previous owners of the subject land have confirmed that the two large native canopy trees in the rear of the property were planted in the 1950’s.*

The location of the trees and the fact that there are only two trees on the property would appear to support this anecdotal evidence. If these trees were established and grew naturally then it would be strange that others would not have also been retained.

6.4 Residential Subdivision

Clause 56 of the Planning Scheme sets out various objectives and standards which Planning Permit applications for residential subdivision must meet.

Response : *Refer to the attached Clause 56 assessment for full details of all requirements relevant to this application.*

Decision Guidelines

Under the provisions of Clause 65.02, before deciding on an application to subdivide land, the responsible authority must also consider the following relevant decision guidelines :

- > 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 design and siting of buildings having regard to safety and the risk of spread of fire.
- > The provision of off-street parking.
- > The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- > Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

Response : *The land is suitable for subdivision as it is close to existing infrastructure/services and is appropriately zoned to encourage housing growth. The density of the proposal and pattern of subdivision proposed are in keeping with the neighbourhood character and with existing residential subdivision in the area, which already comprises a mixture of lot sizes and housing types. The density, area and dimensions of each lot are appropriate and capable of containing dwellings, private open space, parking and access in accordance with relevant requirements.*

The proposed infill development is proposed to provide for the orderly planning of the area by using existing road and service connections. There is good availability of utility services whilst the proposed road reserve design can sufficiently supply all lots now and into the future, with all required utility provisions for residential development are available in close proximity to the site. The site is also within close proximity of public land for recreation purposes, notably the Avoca Public Park.

There is no common property or body corporate proposed and the land will be seweraged, therefore these decision guidelines are not relevant.

Policy Framework

It is considered the proposal is consistent with the relevant State, Regional and Local Planning Policies as outlined below:-

8.1 Municipal Planning Strategy

02.03-1 – Settlement – Avoca functions as a rural service centre for the Shire’s agricultural base. Avoca’s role as an important community and services centre should be supported by accommodating conventional residential lots within the town and low-density and rural living lots west of the town and on the small rural lots on the high ground to the east of the township.

02.03-5 – Housing – Pyrenees Shire seeks to:

- > Encourage a diverse range of housing to attract and maintain a socially diverse population base.
- > Encourage medium-density housing in central locations in established townships, with good accessibility to transport, shops, infrastructure and community facilities.

Response :*The proposed subdivision will give effect to the MPS by providing for additional residential lots in Avoca which could allow for a diverse range of housing.*

8.2 Planning Policy Framework

11.01-1S – Settlement – This policy aims to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Relevant strategies to achieve this are to :

- > Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
- > Support sustainable development of the regional centres, including Maryborough.
- > Create and reinforce settlement boundaries.
- > Provide for growth in population and development of facilities and services across a regional or sub-regional network.
- > Limit urban sprawl and direct growth into existing settlements
- > Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Response :*The proposed subdivision will give effect to this policy by providing for growth within an existing settlement.*

11.01-1R – Settlement – Central Highlands – A relevant strategy is to provide local and sub-regional services at Avoca, Ballan, Beaufort, Clunes, Creswick, Daylesford and Smythesdale to support ongoing growth, particularly closer to Melbourne and Ballarat where towns will provide a key opportunity to target growth pressure.

Response :*The proposed subdivision will give effect to this policy by providing for growth within an Avoca.*

11.02-1S – Supply of Urban Land – The objective of which is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. A relevant strategy of which is to consider opportunities for the consolidation, redevelopment and intensification of existing urban areas.

Response :The proposed subdivision will give effect to this policy by providing for consolidation of an existing urban area.

13.02-1S – Bushfire Planning – This policy aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. This policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land which is within a designated bushfire prone area or subject to a Bushfire Management Overlay.

In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*, bushfire risk should be considered when assessing planning applications for subdivisions of more than 10 lots.

Response :The site is partially within a bushfire prone area. The proposed smaller lots are likely to be better managed to reduce fuel loads on the land. This should reduce any vulnerability of the area to a grassfire approaching from the north/north-west.

The site itself has good connections to the centre of Avoca where life can be better protected from the affects of bushfire.

15.03-2S – Aboriginal Cultural Heritage – Aims to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Response :The site is not within an Area of Aboriginal Cultural Heritage Sensitivity as defined by the *Aboriginal Heritage Regulation 2018*.

16.01-1S – Housing Supply – Aims to facilitate well-located, integrated and diverse housing that meets community needs.

Response :The proposed subdivision will give effect to this policy by providing housing in an appropriate location.

16.01-1S – Location of residential development in Pyrenees Shire – Strategies include to direct residential development to areas within townships that have the potential to accommodate infill development and where water and sewerage services are provided.

Response :The proposed subdivision will give effect to this policy by providing infill residential development that can be service by sewer and water.

16.01-2S – Housing Affordability – The objective of which it to deliver more affordable housing closer to jobs, transport and services.

Response :The proposed subdivision will give effect to this policy by increasing the supply of residential land in Avoca.

19.03-2S – Infrastructure Design and Provision – Aims to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community by providing an integrated approach to the planning and engineering design of new subdivision and development and integrating developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

Response :The proposed subdivision will give effect to this policy by providing fully services lots.

9. Conclusion

The application seeks a planning permit for a four lot subdivision. The intent of the proposal is to increase opportunities for residential development on land which is close to existing services in Avoca and has all the necessary infrastructure to support growth.

The proposal is consistent with the Planning Policy Framework in relation to infill development within existing rural service centres. The proposal will increase the supply of residential land in Avoca which will put downward pressure on prices. The subdivision would also provide an opportunity to increase the diversity of housing types within the township.

The proposed subdivision complies with the provisions of the General Residential Zone and has a high level of compliance with Clause 56.

For the reasons outlined in this report, it is considered the subdivision is appropriate and should therefore be supported by Council.



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Andrew Grey
Principal Town Planner