

PP230/2019-1

**2280 Colac Ballarat Road WEERING,
2282 Colac Ballarat Road WEERING**

**Lot: 1 TP: 137406 V/F: 9757/069, LIC: 2025411, Lot: 1 LP:
75049 V/F: 8654/262, Lot: 1 TP: 427419 V/F: 8657/222, Lot: 1
TP: 305590 V/F: 10217/164, Lot: 2 TP: 305590 V/F: 10217/164,
Lot: 3 TP: 305590 V/F: 10217/164, Lot: 1 TP: 80040 V/F:
10217/163, Lot: 4 TP: 305590 V/F: 10217/164**

Two (2) Lot Subdivision of Land

Rod Bright & Associates Pty Ltd & C A Bath & G I Bath

Officer - Erin Sonego

EXHIBITION FILE

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Submissions to this planning application will be accepted until a decision is made on the application.

If you would like to make a submission relating to a planning permit application, you must do so in writing to the Planning Department

Supplied by Anthony Bright
Submitted Date 02/10/2019

Application Details

Application Type Planning Permit and Certification under the Subdivision Act
Version 1
Applicant Reference Number 10-04/19
Application name or Estate name Bath
Responsible Authority Name Colac Otway Shire
Responsible Authority Reference Number(s) PP230/2019-1, S28/2019-1
SPEAR Reference Number S147794E

The Land

Primary Parcel 2280 COLAC-BALLARAT ROAD, WEERING VIC 3251
Lot 1/Plan TP137406
SPI 1\TP137406
CPN 10652
Zone: 35.07 Farming

Parcel 2 2280 COLAC-BALLARAT ROAD, WEERING VIC 3251
Lot 1/Plan LP75049
SPI 1\LP75049
CPN 10652
Zone: 35.07 Farming

Parcel 3 2280 COLAC-BALLARAT ROAD, WEERING VIC 3251
Lot 1/Plan TP427419
SPI 1\TP427419
CPN 10652
Zone: 35.07 Farming

Parcel 4 COLAC-BALLARAT ROAD, WEERING VIC 3251
Lot 1/Plan TP220317
SPI 1\TP220317
Zone: 35.07 Farming

Parcel 5 125 PIERCES ROAD, WEERING VIC 3251
Lot 1/Plan TP305590
SPI 1\TP305590
CPN 11400
Zone: 35.07 Farming

Parcel 6 125 PIERCES ROAD, WEERING VIC 3251
Lot 1/Plan TP80040
SPI 1\TP80040
CPN 11400
Zone: 35.07 Farming

Parcel 7 125 PIERCES ROAD, WEERING VIC 3251
Lot 2/Plan TP305590
SPI 2\TP305590

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Parcel 8

CPN 11400
Zone: 35.07 Farming
125 PIERCES ROAD, WEERING VIC 3251
Lot 3/Plan TP305590
SPI 3\TP305590
CPN 11400
Zone: 35.07 Farming

Parcel 9

125 PIERCES ROAD, WEERING VIC 3251
Lot 4/Plan TP305590
SPI 4\TP305590
CPN 11400
Zone: 35.07 Farming

The Proposal

Subdivision Act (1988) Dealing Type	Section 22 (Subdivision)
Plan Number	PS833746Y
Number of lots	2
Proposal Description	Two (2) Lot Plan of Subdivision
Estimated cost of the development for which a permit is required \$	0

Existing Conditions

Existing Conditions Description	See attached Existing Conditions Diagram
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 173 agreement or other obligation such as an easement or building envelope.

Applicant Contact

Applicant Contact	Mr Anthony Bright Rod Bright and Associates Pty Ltd 26 Murray Street, Colac, VIC, 3250 Business Phone: 03 5231 4883 Email: rodbright@iprimus.com.au
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Applicant

Applicant	G.I. & C.A. Bath 12 Petjuli Street, Colac, VIC, 3250 Australia Mobile Phone: 0427 346 353
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Owner

Owner	(Owner details as per Applicant)
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Declaration

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

I, Anthony Bright, declare that all the information supplied is true.

I, Anthony Bright, apply to have the attached plan of subdivision / consolidation certified under the Subdivision Act 1988 and to have advice of street numbers allocated.

Authorised by Organisation

Anthony Bright
Rod Bright and Associates Pty Ltd

ROD BRIGHT & ASSOCIATES PTY. LTD.
LAND SURVEYORS & TOWN PLANNERS
A.C.N. 007 206 975 A.B.N. 50 007 206 975

Tel. (03) 5231 4883
Fax. (03) 5231 4883

2nd October 2019.

REF: 10-04/19

Manager of Planning,
Colac Otway Shire,
P.O. Box 283,
COLAC...VIC. 3250

Dear Sir,

RE: PLAN SHOWING PROPOSED SUBDIVISION
CROWN ALLOTMENTS 158A, 158B(Pt), 166A(Pt), 167A, 167B and 170C(Pt)
PARISH OF ONDIT
2280 COLAC-BALLARAT ROAD, WEERING
C/T's Vol. 10217 Fol. 163, Vol. 9757 Fol. 069, Vol. 8654 Fol. 262, Vol. 8657 Fol.
222, Vol. 8073 Fol. 796 and Vol. 12147 Fol. 590
RE: G.I. & C.A. Bath Pty Ltd.

Please find enclosed a summary page of the Planning Permit Application of the Plan of Proposed Subdivision for the above property, which has been submitted to Colac Otway Shire using **SPEAR**.

The application comprises the following documents:

- Planning Permit Application;
- Copy of Titles;
- Plan of Proposed Subdivision;
- Existing Conditions Diagram.
- Plan of Subdivision

We have requested our client's to forward to you their cheque for \$1492.90 covering Planning Permit and Certification Fees upon receipt of your invoice.

We await receipt of the Planning Permit in due course and offer the following in support of our Application.

The property currently consists of six (6) titles and eight (8) separately saleable allotments. Lot 1 on TP968036Q comprises of approximately 25.49ha of cleared grazing land and the existing dwelling. Lots 2 and 3 on TP968036Q comprises of the predominately dry lake bed on 10.54ha. Lot 1 on TP137406T comprises of approximately 42.98ha of cleared grazing and cropping land. Lot 1 on TP220317E comprises of approximately 684m² and contains the existing driveway to the

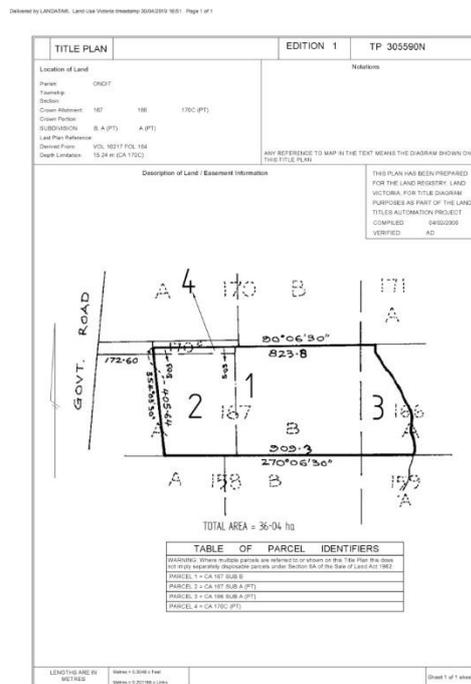
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28 Murray Street,
Colac 3250
P.O. Box 374

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dwelling. Lot 1 on TP80040Y comprises of approximately 1.429 ha, was formerly the railway line from Irrewarra to Beeac and onto Ballarat, and now contains cleared grazing and cropping land and some of the landscaping surrounding the existing dwelling. Lot 1 on TP427419S comprises of approximately 1.43ha, was formerly the railway line from Irrewarra to Beeac and onto Ballarat and now contains cleared grazing and cropping land. Lot 1 on LP75049 comprises of approximately 1821m² and now comprises the remnants of the old house garden with the dwelling long since gone.

This permit application seeks approval to realign the boundaries between these lots to create a smaller lot around our client's dwelling, leaving the agricultural land to be incorporated into the one title. Our client spoke to Ian Williams of council earlier this year in March, showing him copies of title including the below plan TP305590N:



produced a new title plan TP968036Q as shown included in the titles. The advice was that unfortunately the parent title Vol. 5692 Fol. 393 was drawn in error in 1930.

We note that the sale could legally proceed with no input from council by increasing the area around the dwelling to accord with the eastern most boundary of Lot 1 on TP968036Q. We advise that this would be a negative outcome in relation to the farm zone and recommend council visit the site and observe the crop currently growing surrounding the existing dwelling. It is for this reason we seek approval to consolidate all the farmland into one holding and the dwelling into a second. Given the realignment of boundaries is a simple matter we kindly request council facilitate approval of the application and subdivision in a timely manner.

The Plan of Subdivision shows a small portion of land as N.I.S indicating that it does not form part of this title. This land was formerly part of the railway line and is currently Crown Land with the Vol 11764 Fol. 592 details assigned to it.

Planning Policy Framework

14.01-1S Protection of agricultural land.

The objective is to protect the state's agricultural base by preserving productive farmland. In considering a proposal to subdivide council should consider the:

Desirability and impacts of removing the land from primary production, given its agricultural productivity.
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Our clients have owned this property for approximately 45 years. During that time, the land within the Proposed Lot 1 has been predominately fenced off as part of the driveway, dwelling and house yard rather than being used for agricultural production. The land and the dwelling are not large enough to be sustainable as a farming enterprise within its own right in the current economic climate. The approval of this application will have no impact on agricultural production of the land, rather it will enhance the agricultural production by consolidating the agricultural land onto its own title.
--

Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.

The dwelling is existing with a reasonable buffer surrounding it, protecting it from the surrounding farm land and similarly protecting the surrounding farm land from the dwelling. We contest that the realignment maintains reasonable land values, as the prospective farming contractor has been able to obtain fertile agricultural soil for cropping without the impost of having to purchase a dwelling not required to carry out the farming enterprise. The existence of the dwelling however cannot be ignored and for it to so readily find a new family ensures the local CFA and sporting clubs and the township of Beeac have potential new numbers and security moving forward. For the dwelling to have a new family reduces environmental waste, as regularly noted around our farming district where old dwellings have been allowed to become derelict.

Compatibility between the proposed or likely development and the existing use of the surrounding land.

The existing dwelling has an existing garden and tree plantations around it acting as a buffer from much of the surrounding farm land. The proposed Lot 1 takes into account these existing features, ensuring privacy for both parties and surrounding landholdings. The two uses are clearly delineated with this application only seeking to reflect that through a subdivision.

The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.

Not applicable as the application is for a subdivision, so approval of such has no impact on the above either way.

Land Capability

We contest that approval of the subdivision increases the productivity and capability of the land. Our clients when first making this land their home, ran a dairy herd. Unfortunately, times have changed, making this an extremely difficult proposition today, reflected in the number of dairy farms in the immediate vicinity today. Utilising the land for cropping is a viable outcome from a farm business perspective although this is large scale farming and the existence of dwellings are a hindrance rather than an attraction to crop farmers.

14.01-2S Sustainable agricultural land use.

The objective is to encourage sustainable agricultural land use. Amongst other things council are to provide strategies to:

Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

The prospective purchaser of the proposed Lot 2 currently contracts to farmers all across the district. The purchase of this and other land holdings enables them to scale back and put that knowledge and expertise into their own land. Being situated close to their home enables them to manage the business sustainably without the requirement of having to purchase additional infrastructure.

Facilitate ongoing productivity and investment in high value agriculture.

We contend that the investment placed in the land will increase as a result of approval to this application. It is still possible for our client to sell Lot 1 on TP968036Q on approximately 25.49ha along with Lot 1 on TP220317E with no input from council. This unfortunately results in good quality cropping land going out of production and instead becoming part of the house allotment. We contend council refusal would be counterintuitive to the above and the whole purpose of the scheme.

Local Planning Policy Framework

21.02-2 Land Use Vision.

Rural Living.

Rural living development will occur in accordance with the Rural Living Strategy 2011. Development will occur in areas associated with settlements and established rural residential precincts where there are fewer environmental, social, land use and servicing constraints and impacts on productive farming uses are minimised.

We contend that the above is not applicable in this application given we are dealing with a built environment not seeking to create additional dwellings in the farming zone, nor does the entitlement of additional dwellings become a potential issue. We note that the Rural Living Strategy 2011 relies on Ministerial Direction #6 (which applies to the planning scheme amendments providing for rezoning of land to Rural Living, Low Density Residential etc) and the Rural Land Strategy 2007. This strategy proposed *"no change to the planning scheme"* for this area and neither are we requesting one as part of this application.

We recognize council do not adopt this same view and do wonder what they intend happen to all of these excess dwellings over time, given their adopted Rural Land Strategy of 2007 states that *"agriculture is one of the greatest economic contributors to the shire"* and that *"To maintain viability, many farms will have to increase in size"* with one of the key issues identified in the Strategy being *"farm consolidation and expansion is evident and is*

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considered fundamental to the long term protection of the agricultural base of the shire.

Given to facilitate the above a farmer, by default is not only purchasing farmland, but also additional dwellings and infrastructure which is of value to the community in the form of people for sports clubs, CFA and general neighbourhood safety and is an impost on society to remove (expenses in disconnecting power, water, telecommunications and demolition of dwelling, sheds, garden etc), we are bemused as to how the farmer is to continue expanding. As was proven in this instance, the proposed Lot 1 which is less than 27 km from Colac (a 22 minute drive which is considered nothing in Melbourne or the larger metropolitan areas) or 40km to Lismore (a 27 minute drive to work which again makes those getting up in the dark in Geelong to commute to Melbourne look silly), is of more value to someone obtaining an off-farm income because of the existence of the dwelling, sheds and garden, than for the nearby farmer. This is a real example of the failure in planning policy as it is currently interpreted.

We contend that by realigning the boundary between the two lots, places all of the viable farm land within the one holding. The landholder in the proposed Lot 1 will obtain an off-farm income. The farm land being owned and managed by the one person will be maintained to a higher standard given the greater security of ownership and ability to obtain loans for improvements. The proposed Lot 1 utilises existing infrastructure and has the potential to run an agricultural business such as calf raising to support the dairy industry or a native plant nursery similar to Oz Trees which currently grows approximately 1,000,000 seedlings annually on 2 hectares.

Support of this application would be a reflection of council's support for our farmers in developing this farming enterprise despite the obstacles placed in their way such as the difficult export market.

Agriculture.

High quality agricultural land will be protected.

We are not seeking to change anything that does not already exist on the ground only the ownership patterns of the land. It is well recognized that in the majority of cases, ownership brings with it greater investment and care of the resource.

Agricultural diversity and a sustainable forestry and timber industry will be encouraged in the region.

As previously advised the approval of this application enables the purchaser of the proposed Lot 2 to consolidate their business in close proximity to their home, rather than travel around the western districts as they are currently required to do.

Grazing and cropping farming practices are the preferred land uses in areas designated as "farmland of strategic significance".

Not applicable as the above is not influenced by this application.

21.05 Economic Development.

21.05-1 Agriculture.

The objectives are amongst other things to maintain the viability of large-scale agriculture and the retention of areas of farmland of strategic significance and other high-quality agricultural land for agricultural use. To limit the further fragmentation of rural land by subdivision and to encourage the consolidation of rural land. To ensure that lots resulting from subdivision are of a sufficient size to be of benefit to

agricultural production. To achieve all of the above the council are advised to adopt the following strategies with regard to Dwellings:

Discourage the development of dwellings on lots that do not meet the minimum lot area of the zone or relevant schedule unless it can be demonstrated that the dwelling is required to carry out an intensive agricultural activity on the land or is required to achieve the environmental protection of the land.

Not applicable as the application is not for the construction of a dwelling. There is a dwelling existing on the proposed Lot 1 which currently does not meet the minimum lot size of the zone. The realignment of the boundaries to reduce the area around the proposed Lot 1 whilst consolidating the balance land into the proposed Lot 2 is a positive outcome for this location.

Development of the land for a dwelling should avoid or minimise the removal of native vegetation and be sited and designed to reduce visual prominence within the landscape.

Not applicable as the application is not for the construction of a dwelling.

Development of the land should not lead to a localised concentration of dwellings so as to change the established land uses and/or character of the rural locality.

Not applicable in that the concentration of dwellings will not vary as a result of the application/development.

Development of the land for the purposes of a dwelling should be compatible with and not adversely impact upon any of the following:

- ***Any existing agricultural production or timber harvesting activities on surrounding land.***

Not applicable as everything is existing and operating in the configuration that this application is seeking to formalise. The future sale of either property is secure in that all conditions are existing and transparent for prospective purchasers.

- ***The environmental characteristics of the land including vegetation, natural systems and water quality.***

Not applicable as everything is existing and operating in the configuration that this application is seeking to formalise. The proposed subdivision boundaries take into account existing vegetation buffers.

- ***The rural character and landscape values of the area, including visual and environmental impact.***

Not applicable as everything is existing and operating in the configuration that this application is seeking to formalise.

With regard to Subdivisions:

Discourage the subdivision of rural land that creates small lots for existing dwellings or vacant lots for the purpose of a dwelling.

The strategy of discouraging subdivision of rural land to create a small lot for an existing dwelling is counter to all other strategies within the Colac Otway Planning Scheme such as *"farms will require access to affordable land for future growth and expansion. Future land use planning should enable opportunities for expansion of the medium to large farms". "Farm consolidation and expansion is evident and is considered fundamental to the long term protection of the agricultural base of the Shire."*

We have here a "real life" example of why councils above strategy is hampering our agricultural industry as opposed to assisting as we believe it was intended to do when drafted. In this instance our client when coming to sell the farm found that the dwelling and proximity to the township of Colac and its associated facilities has placed the value of this farm in the lifestyle market. In this instance they were lucky to hold many titles enabling them to sell the dwelling on a smaller holding and ensure the balance of the farm is maintained for high yield agricultural use. The approval of this application ensures even more land would be utilised for grazing and cropping.

Discourage the realignment of boundaries which create small lots for existing dwellings unless the re-subdivision contributes to the restructure and/or consolidation of agricultural holdings into larger farming units.

We contend our application as submitted meets all the requirements above and accordingly should be recommended for approval.

Encourage the consolidation and restructure of agricultural land into larger parcels that meet the subdivision minimum under the zone or schedule to the zone.

Not applicable given all the existing titles are less than the minimum under the zone including the one containing the dwelling. Approval of the application does result in the consolidated farm land approaching the minimum lot size for the area of 80ha though.

Ensure that small lot subdivisions or excisions facilitate sustainable rural production and do not prejudice surrounding rural activities.

We contend consolidating more of the agricultural land into the farming enterprise is a positive outcome in the farm zone and facilitates sustainable rural production for the prospective purchaser of the proposed Lot 2 who is a successful agricultural contractor.

Discourage boundary realignment (re-subdivision) if they rely on land which was previously a road reserve, utility lot, crown land or are of insufficient size to support a dwelling.

Not applicable.

1.6 Maintain land for agricultural production.

Not applicable as what is proposed is a reflection of what exists on the ground.

1.7 Improve land management practices associated with sustainable agricultural production.

Support of this application would be a reflection of council's support for our clients hard work and business acumen in developing this farming enterprise despite the obstacles placed in their way such as the difficult export market, the requirement of having to upscale with the associated expenses of needing to purchase infrastructure which was not necessarily required to carry out the day to day operations.

1.8 Avoid the fragmentation of productive agricultural land.

Not applicable as we are operating within existing conditions on the ground. Should the application be considered as creating fragmentation then we contest the dwelling generated said fragmentation not the application and surely it is not proposed no dwelling exist on productive agricultural land.

With regard to Land Management:

Support development which will provide economic and social benefits while not adversely affecting farmland of strategic significance, water catchments, timber production and environmental and landscape attributes.

Approval of this application provides the prospective purchaser of the proposed Lot 2 with greater security in their farming operations.

Ensure that existing dairying and other agricultural producers are protected from encroachment by conflicting developments such as hobby farms.

We contend that the 25.49ha with a dwelling and an owner deriving an off-farm income is a hobby farm. Luckily, the balance of the cleared grazing and cropping land is attractive to a farming contractor who surrounds this land. The existing environment provides transparent clarity as to the differing land uses. The space around the dwelling in the proposed Lot 1 is more than sufficient should the landowner chose to carry out an agricultural activity such as that at Oz Trees which currently grows 1,000,000 seedlings a year on 2 hectares of land.

Apply a strict interpretation of the Farming Zone provisions to ensure incompatible land uses (including dwellings) do not negatively impact on the ability to farm.

The dwelling is already existing. The realignment of titles enables the paper titles to reflect what already exists on the ground and has done for many years, thus approval of said application must be considered to encourage retention of productive agricultural land. The retention of the dwelling enables the retention of population to help support the rural community and recognises the financial and environmental value of the dwellings as opposed to the cost to society of demolishing this dwelling and all associated infrastructure.

Protect farmland of strategic significance and other high quality agricultural land for sustainable agriculture use and development.

We contend approval of this application achieves all of the above. The application is to reflect on the paper title what has in fact existed for many years on the ground. It was even believed to be to have this configuration by lan Williams when queried by our client. Approval of this application delineates the two distinct uses and enables each party with surety when dealing with banks and when investing in new business ventures moving forward.

Protect the environment significance of key sites while allowing limited diversification into new agricultural uses.

Not applicable.

Encourage tourist related development in association with agricultural enterprises in appropriate locations where development does not compromise use of land for agriculture.

Not applicable, this is an application to realign the boundaries between several existing titles to reflect how the land has been used.

Encourage land management practices that are sustainable and protect the environment.

Not applicable, this is an application to realign the boundaries between existing titles to reflect how the land has been used.

Provide for innovative agricultural activities that do not detract from the long-term sustainability of large-scale agriculture.

Not applicable, this is an application to realign title boundaries between existing titles to reflect how the land has been used.

Introduce the Rural Activity Zone to selected areas, which better provide for uses and development that are compatible with agriculture and the environmental and landscape characteristics of the area with a focus on areas with moderate to low agricultural capability and in close proximity to the coast or within the Otway Ranges to provide for tourism.

Not applicable, this is an application to realign title boundaries between existing titles to reflect how the land has been used.

The decision guidelines with regard to Clause 21.05 require council to consider as appropriate:

Whether it has been adequately demonstrated that the dwelling is genuinely required to carry out a long-term agricultural activity on the land and whether a dwelling is reasonably required on the land having regard to the size of the lot, intensity and ongoing nature of the proposed agricultural activity.

We contend that given the dwelling on the Proposed Lot 1 has not been genuinely required to carry out the agricultural activity on the 25.49ha title for more than the past decade it is difficult to see how it may be now. Given this land has been now purchased by a family clearly obtaining an off-farm income whilst the balance has been purchased by a cropping contractor it would be considered reasonable that the cropping parcel be consolidated into a larger holding without the impost of containing an unnecessary dwelling.

Whether it has been adequately demonstrated that the dwelling is necessary to improve, or provide for, the ongoing protection of the environmental qualities of the land.

Not applicable, this is an application to realign title boundaries between existing titles to reflect how the land has been used for many years now.

Whether the commercial agricultural activities of the existing farm are compromised by a reduction in the size of the existing farm, which may include a tenement or multi-lot holding.

We contend refusal of this application will compromise the agricultural activities of the existing farm. Even whilst our client ran the dairy farm the existing dwelling, driveway and associated gardens did not form part of the agricultural activities, however it is noted this does not apply for all the 25.49ha. The existence of the dwelling on Lot 1 on TP968036Q, has increased the land value such that it was not achievable for those in the cropping industry to purchase the land, yet the land is required by the cropping enterprise for its ongoing operations.

Whether the dwelling requires the removal of vegetation or is intrusive on the landscape

Not applicable, this is an application to realign title boundaries between existing titles to reflect how the land has been used.

Whether there is a need for planting of vegetation and construction of fences within the excised lot to reduce and potential impacts.

Not applicable, the dwelling on the Proposed Lot 1 has an established garden and ample space to the south and east should additional plantings be required by the purchaser of the Proposed Lot 1 over time.

Whether the proposal will lead to a concentration of lots that would change the general use and character of the rural area.

Not applicable, this is an application to realign title boundaries between existing titles to reflect how the land has been used.

Whether an adequate distance is maintained from dwellings to limit impacts on agricultural and forestry activities, including the setbacks required under the zone.

Not applicable, this is an application to realign title boundaries between existing titles to reflect how the land has been used.

Whether there is the need for any approval to be conditional upon the applicant entering into an agreement under Section 173 of the Act to prevent the further subdivision of the land and the construction of a dwelling on any lot created other than in accordance with the minimum lot size in the zone.

Not applicable, upon approval of this application there are no "as-of-right" scenarios generated. Accordingly, any potential change of uses require a planning permit with council, which may assess them according to the applicable policy of the time.

Whether there is the need for an agreement under Section 173 of the Act acknowledging the possible off-site impacts of adjoining or nearby agricultural activities.

We note this as a viable option initiated by VCAT several years ago to ensure prospective land holders understood that they were purchasing land within the farming environment and with that purchase came an understanding and acceptance that noises, smells and other farm related matters were to be expected as part of living surrounded by farming operations. Whether in practice this has been found to reduce the number of complaints from life-style allotments we do not have any figures to comment. Whether those who have said covenant on their title understand what it means and accordingly refrain from any complaints we do not have any figures to comment. Common sense would say that this is not limited to just those on purchasing blocks on small life-style allotments but more so as a conflict of personalities and we are unsure as to how council proposes to legislate against that. We would even argue that it occurs outside of the farming environment in townships and cities and perhaps a change of approach to complaint handling may be more appropriate.

When considering a planning permit application to excise a lot containing a dwelling it is policy that:

- It can be demonstrated that farming can be continued on the balance lot unhindered;
- The dwelling is not required for the farming use of the property;
- The dwelling is in a habitable condition;
- The dwelling is at the front of the property and long narrow lots or battle axe lots are discouraged; and
- The dwelling is serviced by a sealed road or a rural gravel access road.

Colac-Ballararat is a bitumen VicRoads road, with the dwelling approximately 27km from the township of Colac. The proposed Lot 1 containing the existing dwelling and associated infrastructure is along the north of the allotment and is roughly rectangular in shape other than the access. The access is within an existing title and is constructed and fenced in accordance with this existing title. Our clients have owned this parcel of land for over 40 years now.

Zone

35.07 Farming Zone.

The purpose of the zone is set out in clause 35.07 and is in summary to preserve agricultural activities. The scheme also sets out that subdivision should promote effective land management practices and infrastructure provision.

The land is within the Farming Zone of the Colac Otway Shire Planning Scheme and

under this zone the minimum lot size for subdivision is 80 hectares. The local and state planning policy for Colac Otway Shire allows for lots to be less than the minimum lot size under certain criteria. Dot point number 1 under Clause 35.07-3 notes a permit may be issued to create smaller lots if the subdivision is to create a lot for an existing dwelling, provided the subdivision is only for two lots. Dot point number 2 under Clause 35.07-3 notes a permit may be issued to create smaller lots if the subdivision is the re-subdivision of existing lots and the number of lots is not increased. The subdivision as proposed achieves this outcome as it is for the re-subdivision of 8 separately saleable allotments into 2 lots.

As described above, it is held that the subdivision as proposed will not impact on the agricultural use of the land and therefore meets the criteria and objectives of the Farming Zone.

- 1.1 The subject site is currently described in C/T Vol. 10217 Fol. 163, Vol. 12147 Fol. 590, Vol. 9757, Fol. 069, Vol. 8654 Fol. 262. Vol. 8657 Fol. 222 and Vol. 8073 Fol. 796. in the name of G.I. & C.A. Bath.
- 1.2 The land is rectangular in shape approximately 1000m deep along the northern most boundary, and approximately 800m wide fronting Colac-Ballarat Road.
- 1.3 The site is located on the east side of Colac-Ballarat Road, approximately 23km north of the intersection with Princes Highway and approximately 27km north east of the township of Colac.
- 1.4 The land is predominately cleared grazing land as shown on the "Existing Conditions Diagram".
- 1.5 Topography of the subject land and surrounding area is typically flat to slightly undulating where the dwelling is.

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:

Compliance with the relevant objectives of Clause 35.07-6 is indicated below.

Agricultural Issues

Whether the use or development will support and enhance agricultural production.

- As we are only excising an existing dwelling, the only change to the agricultural production of the land will be an increase due to more land being consolidated with the cropping land.

Whether the use or development will permanently remove land from agricultural production.

- As previously advised, we are working within what already exists i.e.: the proposed Lot 2 is predominately cleared grazing land and will continue to be utilized for agricultural production as part of our client's farming operation. The proposed Lot 1 has an existing dwelling, associated shedding and

infrastructure that has been proven as unnecessary for agricultural production through the recent sale of this land.

The potential for the use of development to limit the operation and expansion of adjoining and nearby agricultural uses.

- The existing dwelling has existing gardens and tree plantations around it. It is imagined that this be built upon to act as a buffer to the surrounding farmland as the young family make the land their own. The proposed Lot 1 considers these existing features, ensuring privacy for both parties and surrounding landholdings whilst also allowing for more trees to be planted if deemed necessary.

The capacity of the site to sustain the agricultural use.

- Not applicable as we are not applying for a change of use.

The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.

- Not applicable as we are working within existing conditions.

Dwelling Issues

Whether the dwelling will result in the loss or fragmentation of productive agricultural land.

- Not applicable as the dwelling is existing along with the infrastructure associated with it.

Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.

- As previously mentioned, this dwelling exists on a 25.49ha title which could be sold with no input from council legally. We contend it would be a better outcome should council approve this application enabling the consolidation of the grazing and cropping land into the one parcel.

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.

- The dwelling exists, as too are the adjacent activities providing good transparency for prospective purchasers.

Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

- The dwelling is existing with a reasonable buffer surrounding it protecting it from the surrounding farmland and similarly protecting the surrounding farm land from the dwelling.

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.

- Not applicable as already discussed the dwelling is existing. The proposed Lot 2 is less than 80ha, this being the minimum “viable” lot size under the Colac Otway Shire Planning Scheme.

Decision Guidelines

The decision guidelines require the Responsible Authority to have regard to a number of issues associated with the preservation of rural land prior to considering applications of the type. These include State and Local policies, Catchment and land protection issues, land capabilities and rural land use.

In this particular application it is held that the proposal meets state and local policies because it is explicitly outlined in the planning scheme. The issues associated with land capability, drainage etc. are not affected by this subdivision, primarily because we are working within what already exists.

The significant issues are considered to be those listed under the heading “Rural Issues”; these issues pertain to the long-term operation of the farm for agricultural purposes and whether the proposal impacts on this operation. No discernable additional impact will occur as a result of the proposed subdivision. Rural production from the land will not alter after the subdivision takes place as we are not applying to create or change anything that is not already in existence.

Overlays

Non applicable.

The subject land is affected by an area of Cultural Heritage Sensitivity. A Cultural Heritage Management Plan in accordance with the Aboriginal Heritage Regulations 2007 is not required as a 2-lot subdivision is not deemed an activity of “high impact” under Regulation 46 of the Aboriginal Heritage Regulations 2007.

Summary

This type of application is permitted under the provisions of the Colac Otway Shire Planning Scheme, under the Farming Zone. It is considered to be a relatively straight forward application that meets the relevant criteria and policies of the scheme. It will have a positive impact on farm production from the land and will provide for improved utilization of the current land holding for agricultural purposes. We highly recommend council visit the site and view the quality of the crop growing today.

Yours faithfully,



A.E. Bright,
ROD BRIGHT & ASSOCIATES
encl.

copy: G.I. & C.A. Bath.
Arundell, Murray & Ryan (J. Ryan)

ROD BRIGHT & ASSOCIATES PTY. LTD.
LAND SURVEYORS & TOWN PLANNERS
A.C.N. 007 206 975 A.B.N. 50 007 206 975

Tel. (03) 5231 4883
Fax. (03) 5231 4883

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26 Murray Street,
Colac 3250
P.O. Box 571

OWNERS CONSENT

To **COLAC OTWAY SHIRE COUNCIL**

We, Rod Bright & Associates Pty. Ltd., Licensed Surveyors, of 26 Murray Street, COLAC 3250; Telephone 52-314883 hereby advise that we have been appointed to act on behalf of the land owners in obtaining re-certification for the Plan of Subdivision **PS833746Y – Vers 1**.

Copies of this submission will be provided to the land owners for their information and records, and payment of council fees will be met by them as evidence of their consents.

The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

PS833746Y

PLAN SHOWING PROPOSED SUBDIVISION

CROWN ALLOTMENTS 158A, 158B(Pt), 166A(Pt), 167A, 167B and 170C(Pt)
 PARISH OF ONDIT, COUNTY OF GRENVILLE
 RE: G.I AND C.A BATH PTY. LTD.

1
 684m² (2 Parts)



Note: See Plan of Subdivision PS833746Y (unregistered) for full title and easement details.
 Dated: 2nd October 2019.

SURVEYORS FILE REF: 10-04/19

ROD BRIGHT & ASSOCIATES PTY LTD
 LICENSED SURVEYORS & TOWN PLANNERS
 26 MURRAY STREET COLAC 3250
 TEL 5231 4883 ACN 007 206 975

SCALE 1:5000
 50 0 50 100 150 200
 LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE: A3

SHEET 1 of 1

ANTHONY EDWARD BRIGHT, VERSION 1



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 10217 FOLIO 163

Security no : 124079548484K
Produced 02/10/2019 11:39 AM

LAND DESCRIPTION

Lot 1 on Title Plan 080040Y.
PARENT TITLE Volume 08619 Folio 946
Created by instrument T461532U 13/12/1994

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GEORGE IAN BATH
CAROLYN ANN BATH both of WEERING
T461532U 13/12/1994

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS119586A 29/04/2019
CLARKE & BARWOOD LAWYERS COLAC LTD

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 TP080040Y 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: 125 PIERCES ROAD WEERING VIC 3251

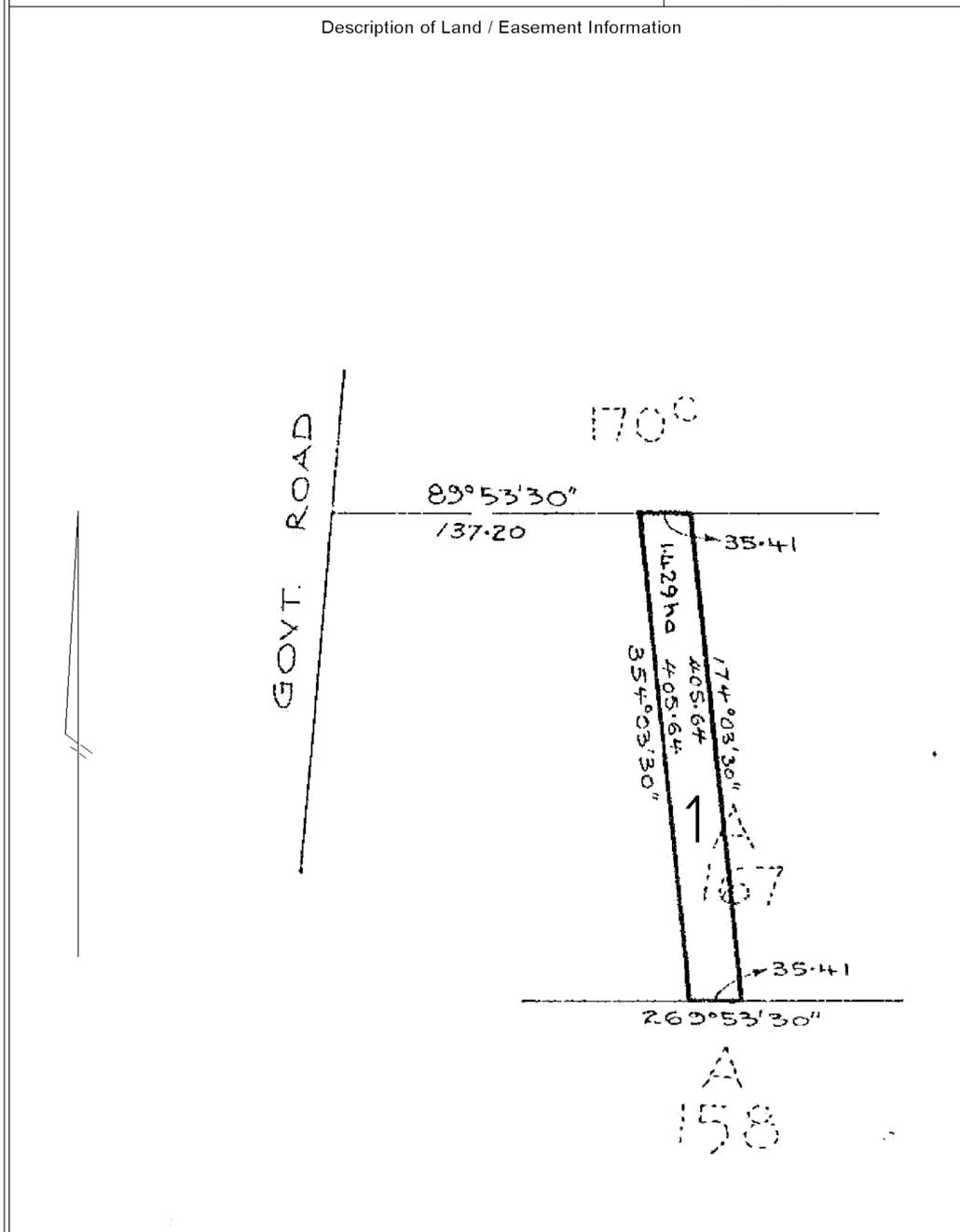
DOCUMENT END

TITLE PLAN	EDITION 1	TP 80040Y
------------	-----------	-----------

Location of Land

Parish: ONDIT
 Township:
 Section:
 Crown Allotment: 167
 Crown Portion:
 SUBDIVISION A(PT)
 Last Plan Reference:
 Derived From: VOL 10217 FOL 163
 Depth Limitation: NIL

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN



THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 20/07/1999
 VERIFIED: BC

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 = SUBDIVISION A(PT) OF CA 167



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 08073 FOLIO 796

Security no : 124079547910J
Produced 02/10/2019 11:26 AM

LAND DESCRIPTION

Lot 1 on Title Plan 220317E.
PARENT TITLE Volume 02850 Folio 972
Created by instrument 2694373 08/12/1954

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GEORGE IAN BATH
CAROLYN ANN BATH both of 2280 COLAC-BALLARAT ROAD WEERING VIC 3251
AS421799V 08/08/2019

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 TP220317E FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	TRANSFER	STATUS	DATE
AS421799V (O)		Registered	08/08/2019

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

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

Street Address: COLAC-BALLARAT ROAD WEERING VIC 3251

DOCUMENT END

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TITLE PLAN		EDITION 1	TP 220317E
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Location of Land

Parish: ONDIT
 Township:
 Section:
 Crown Allotment: 170C (PT)
 Crown Portion:
 Last Plan Reference: LP 3984
 Derived From: VOL 8073 FOL 796
 Depth Limitation: 50 FEET

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 18/11/1999
 VERIFIED: SO'C

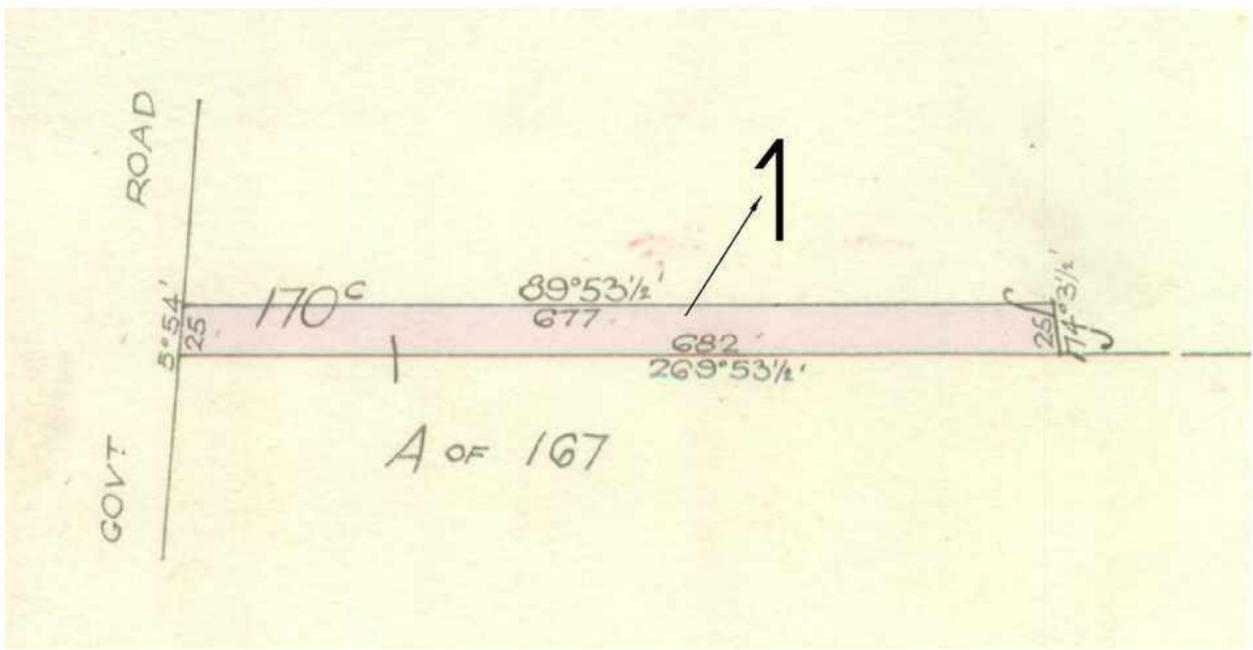


TABLE OF PARCEL IDENTIFIERS	
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962	
PARCEL 1 = LOT 1 (PT) ON LP 3984	



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 09757 FOLIO 069

Security no : 124079548704V
Produced 02/10/2019 11:43 AM

LAND DESCRIPTION

Lot 1 on Title Plan 137406T.
PARENT TITLES :
Volume 08983 Folio 368 to Volume 08983 Folio 369
Created by instrument M791601A 13/04/1987

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
GI & CA BATH PTY LTD of 2280 COLAC-BALLARAT ROAD WEERING VIC 3251
AH262918U 31/05/2010

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 TP137406T 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: 2280 COLAC-BALLARAT ROAD WEERING VIC 3251

DOCUMENT END

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TITLE PLAN EDITION 1 TP 137406T

Location of Land
 Parish: ONDIT
 Township:
 Section:
 Crown Allotment: 158 167
 Crown Portion:
 Subdivision: A (PT), B A (PT)
 Last Plan Reference: LP75049
 Derived From: VOL 9757 FOL 069
 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: 08/09/1999
 VERIFIED: PJ

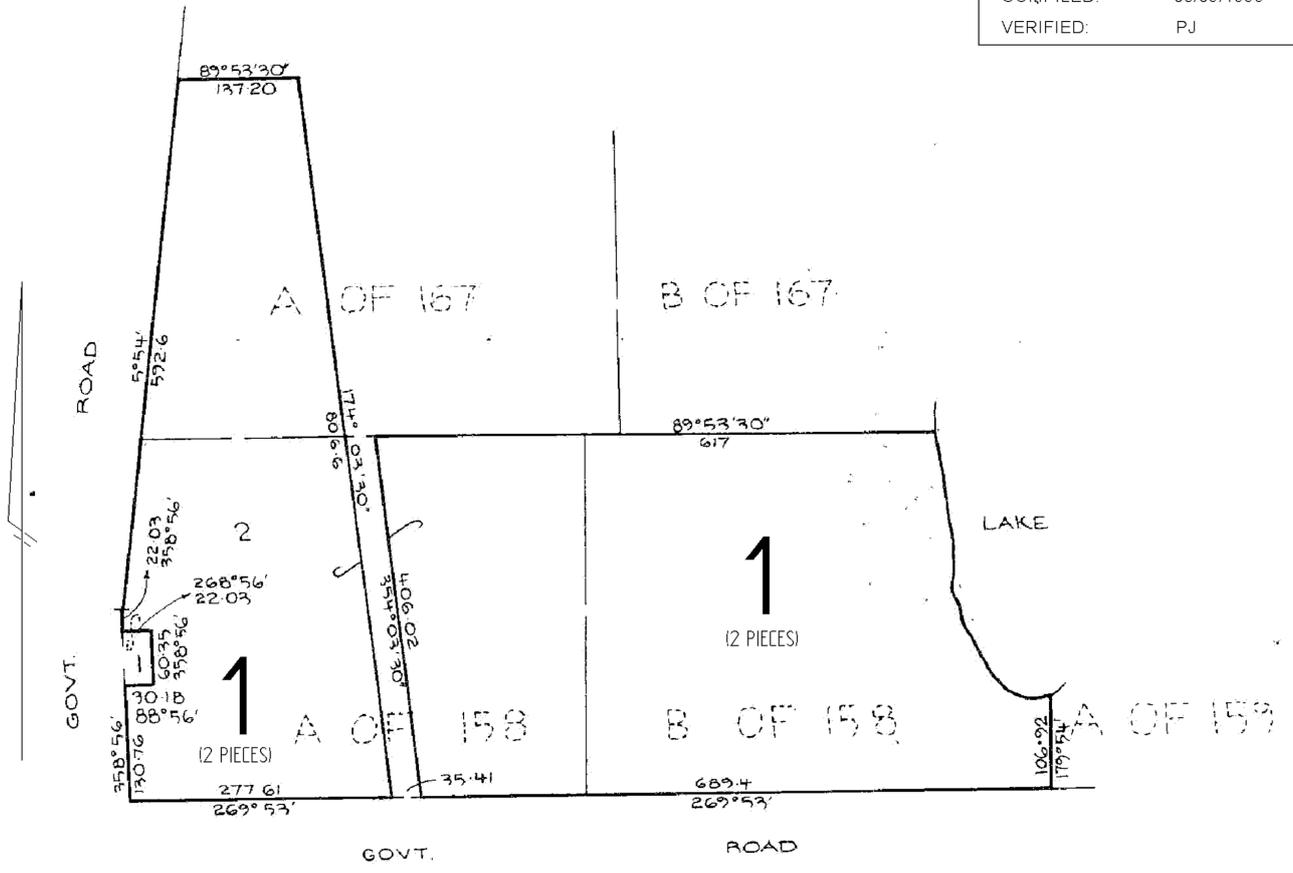


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = LOT 2 (PTS) ON LP75049



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 12147 FOLIO 590

Security no : 124079548664P
Produced 02/10/2019 11:42 AM

LAND DESCRIPTION

Lot 1 on Title Plan 968036Q.
PARENT TITLE Volume 10217 Folio 164
Created by instrument AS444922V 16/08/2019

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GEORGE IAN BATH
CAROLYN ANN BATH both of 12 PETJULI STREET ELLIMINYT VIC 3250
AS444922V 16/08/2019

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS119586A 29/04/2019
CLARKE & BARWOOD LAWYERS COLAC LTD

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 TP968036Q FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	STATUS	DATE
AS444922V (E)	APPLICATION FOR NEW FOLIO Registered	09/09/2019

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

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

ADMINISTRATIVE NOTICES

NIL

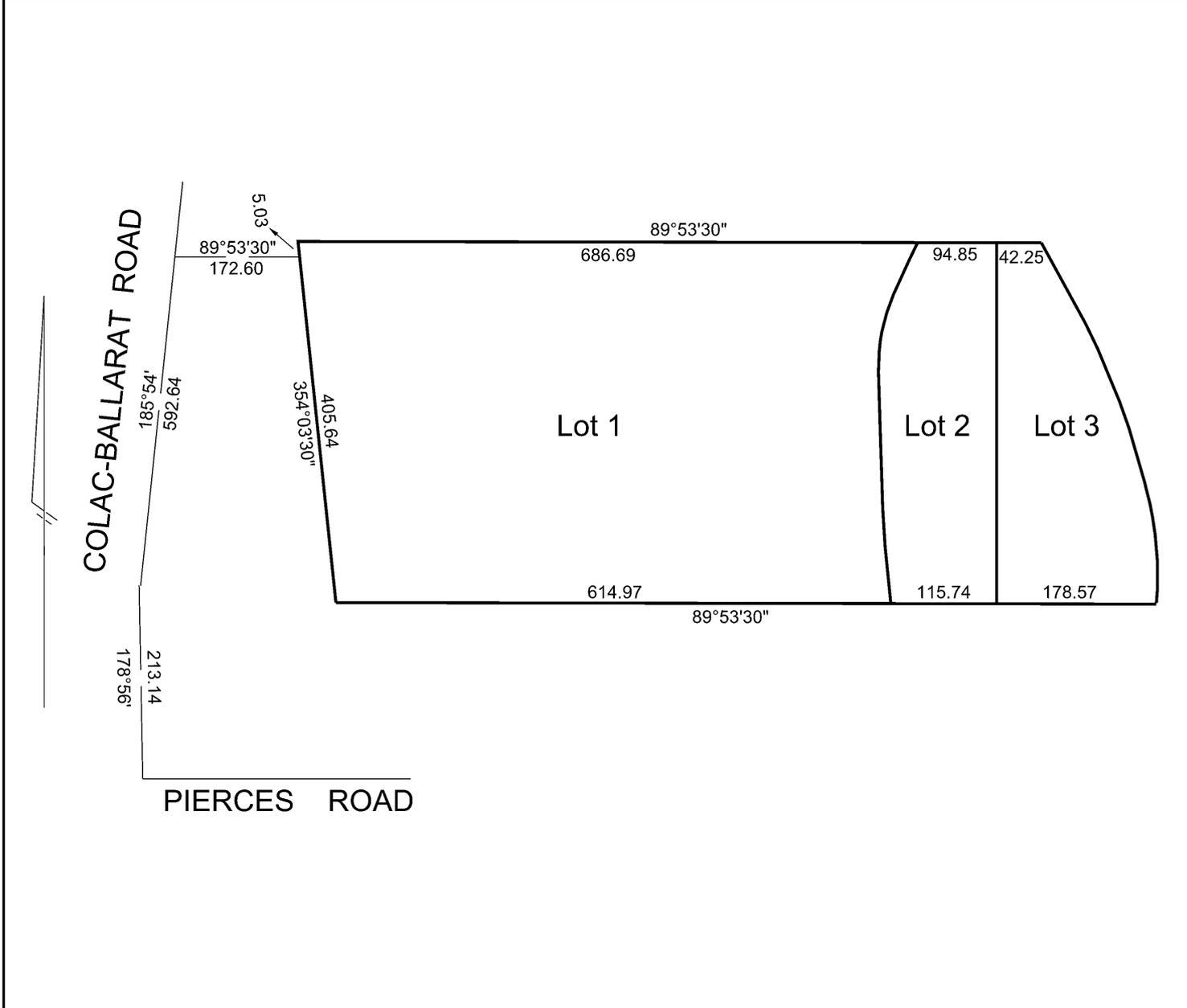
eCT Control
Effective from 01/01/0001

DOCUMENT END

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TITLE PLAN	EDITION 1	TP 9680360
LOCATION OF LAND PARISH: ONDIT TOWNSHIP: SECTION: CROWN ALLOTMENT: 166A(PT), 167A(PT), 167B, 170C(PT) CROWN PORTION: LAST PLAN REFERENCE: DERIVED FROM: VOL. 10217 FOL. 164 DEPTH LIMITATION: 15.24m (CA 170C ONLY)		NOTATIONS

EASEMENT INFORMATION					THIS PLAN HAS BEEN PREPARED BY LAND VICTORIA FOR TITLE DIAGRAM PURPOSES Checked by: D.R. Date: 9 / 9 / 2019 Assistant Registrar of Titles
E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD) A - APPURTENANT EASEMENT					
Easement Reference	Purpose	Width (Metres)	Origin	Land benefited / In favour of	



LENGTHS ARE IN METRES	SCALE —	DEALING / FILE No: AS444922V	DEALING CODE: 32-1
		GOVERNMENT GAZETTE No:	SHEET 1 OF 1



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 08657 FOLIO 222

Security no : 124079543952L
Produced 02/10/2019 09:35 AM

LAND DESCRIPTION

Lot 1 on Title Plan 427419S.
PARENT TITLE Volume 03458 Folio 490
Created by instrument C660177 09/12/1966

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
GI & CA BATH PTY LTD of 2280 COLAC-BALLARAT ROAD WEERING VIC 3251
AH262918U 31/05/2010

ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE TP427419S 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: 2280 COLAC-BALLARAT ROAD WEERING VIC 3251

DOCUMENT END

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TITLE PLAN	EDITION 1 TP 427419S
Location of Land Parish: ONDIT Township: Section: Crown Allotment: Crown Portion: Last Plan Reference: LP3984 Derived From: VOL 8657 FOL 222 Depth Limitation: NIL	ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information	THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 05/05/2000 VERIFIED: AA
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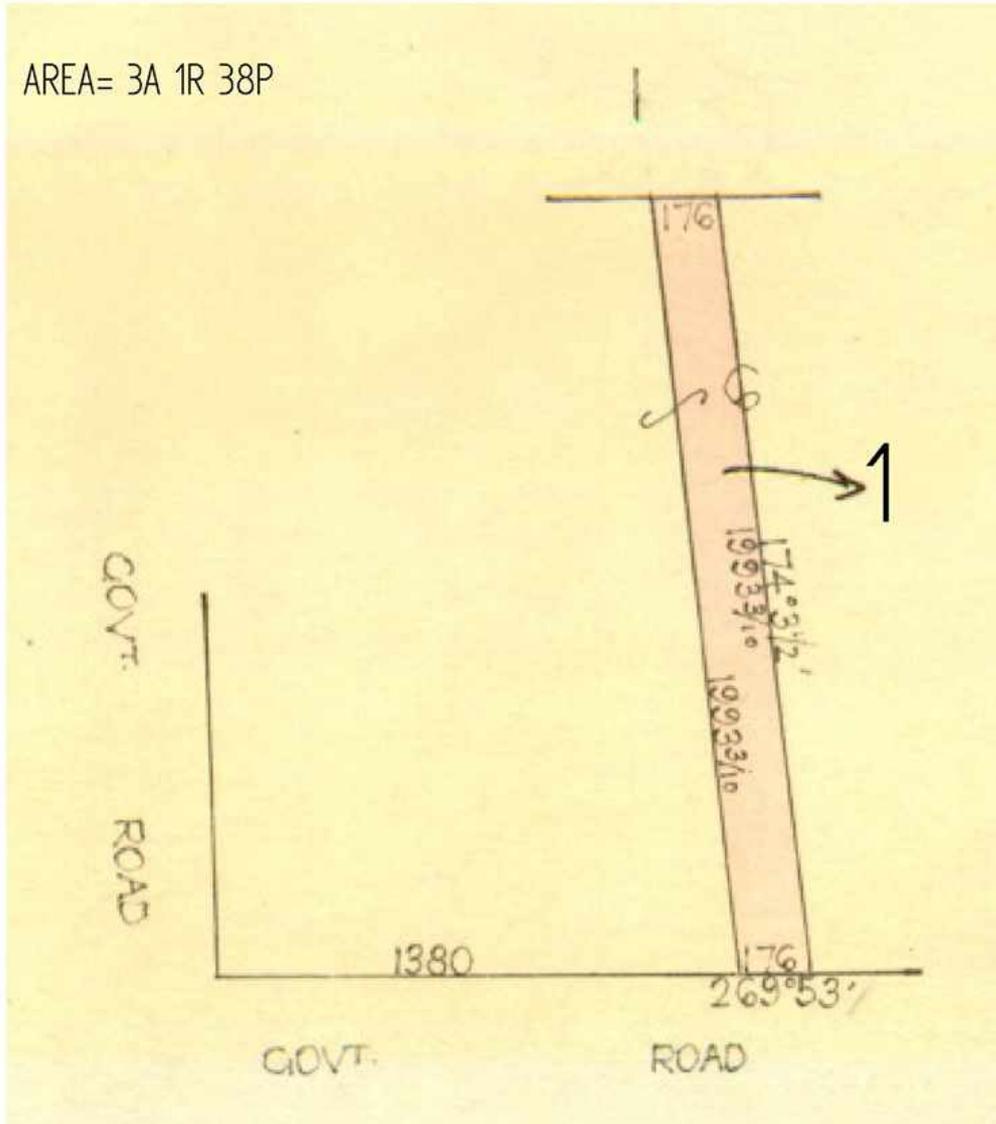


TABLE OF PARCEL IDENTIFIERS
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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 08654 FOLIO 262

Security no : 124079543935E
Produced 02/10/2019 09:35 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 075049.
PARENT TITLE Volume 02850 Folio 972
Created by instrument C638752 15/11/1966

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
GI & CA BATH PTY LTD of 2280 COLAC-BALLARAT ROAD WEERING VIC 3251
AH262918U 31/05/2010

ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE LP075049 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: 2280 COLAC-BALLARAT ROAD WEERING VIC 3251

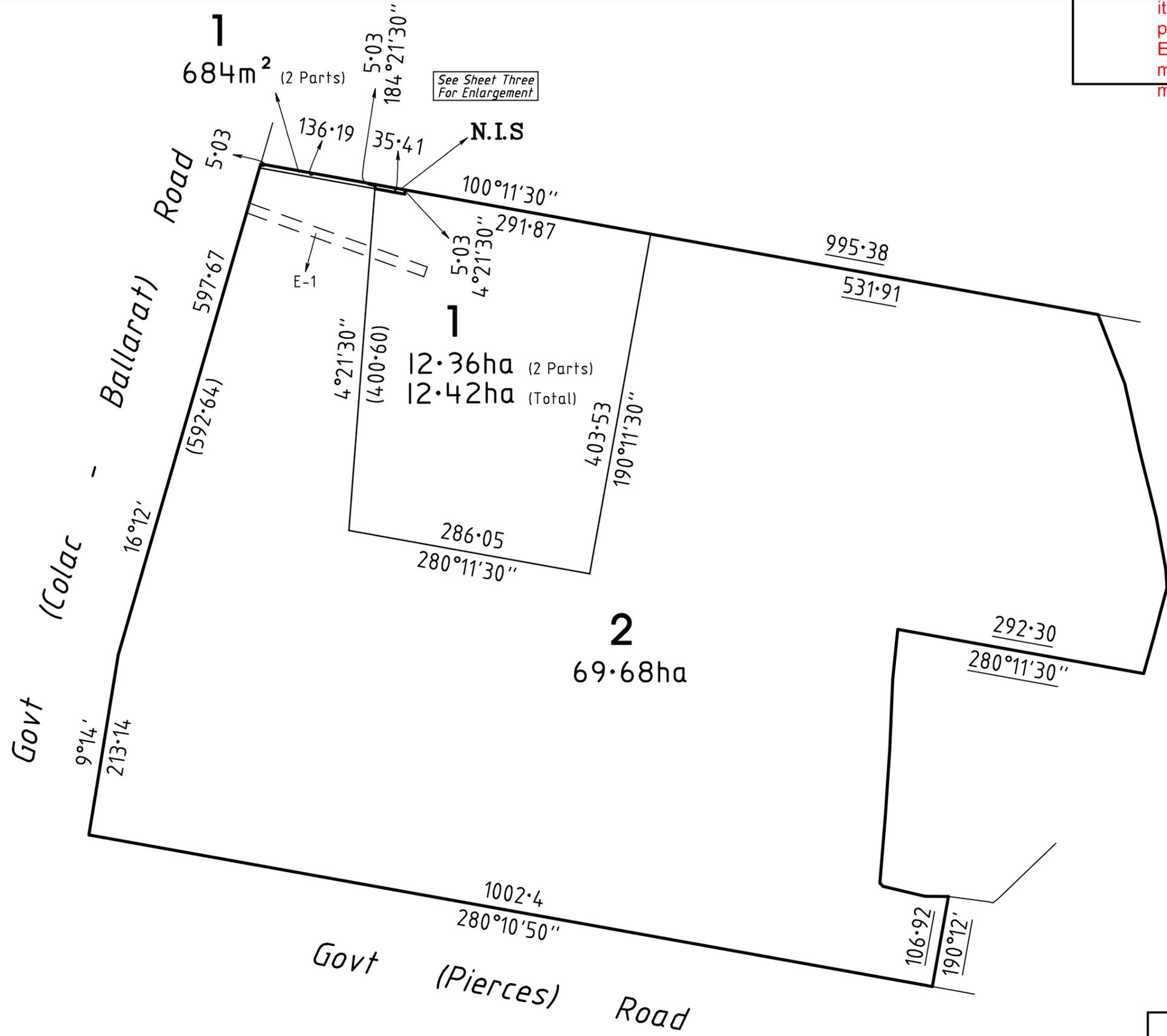
DOCUMENT END

PS833746Y

PLAN OF SUBDIVISION			EDITION 1	
LOCATION OF LAND			Council Name: Colac Otway Shire	
PARISH: of Ondit TOWNSHIP: _____ SECTION: CROWN ALLOTMENT: 158A, 158B(Pt), 166A(Pt), 167A, 167B and 170C(Pt) CROWN PORTION: TITLE REFERENCE: Vol. 10217 Fol. 163, Vol. 12147 Fol. 590, Vol. 9757 Fol. 069, Vol. 8654 Fol. 262, Vol. 8657 Fol. 222 & Vol. 8073 Fol. 796 LAST PLAN REFERENCE: LP75049, TP427419S, TP137406T, TP80040Y, TP968036Q & TP220317E POSTAL ADDRESS: 2280 Colac-Ballarat Road, Weering 3251 MGA 94 CO-ORDINATES: E: 730 850 ZONE: 54 (of approx centre of land in plan) N: 5 776 750			SPEAR Reference Number: S147794E	
VESTING OF ROADS AND/OR RESERVES			NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON		The dimensions shown underlined thus <u>106.92</u> have not been derived by survey. The area of Lot 2 has been derived by calculation, utilising the field survey from LP3984.	
Nil	Nil			
NOTATIONS				
DEPTH LIMITATION 15.24m below the surface applies to Crown Allotment 170C (Part) only.				
SURVEY: This plan is is not based on survey. STAGING: This is is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). 7 & 27 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	Powerline	12m	This Plan - Section 88 of the Electricity Industry Act 2000	Powercor Australia Limited
ROD BRIGHT & ASSOCIATES PTY LTD LICENSED SURVEYORS & TOWN PLANNERS 26 MURRAY STREET COLAC 3250 TEL 5231 4883 ACN 007 206 975		SURVEYORS FILE REF: 10-04/19		ORIGINAL SHEET SIZE: A3
		Digitally signed by: Anthony Bright, Licensed Surveyor, Surveyor's Plan Version (1), 02/10/2019, SPEAR Ref: S147794E		SHEET 1 OF 3 SHEETS

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PS833746Y



SURVEYORS FILE REF: 10-04/19

ROD BRIGHT & ASSOCIATES PTY LTD
 LICENSED SURVEYORS & TOWN PLANNERS
 26 MURRAY STREET COLAC 3250
 TEL 5231 4883 ACN 007 206 975

SCALE 1:5000

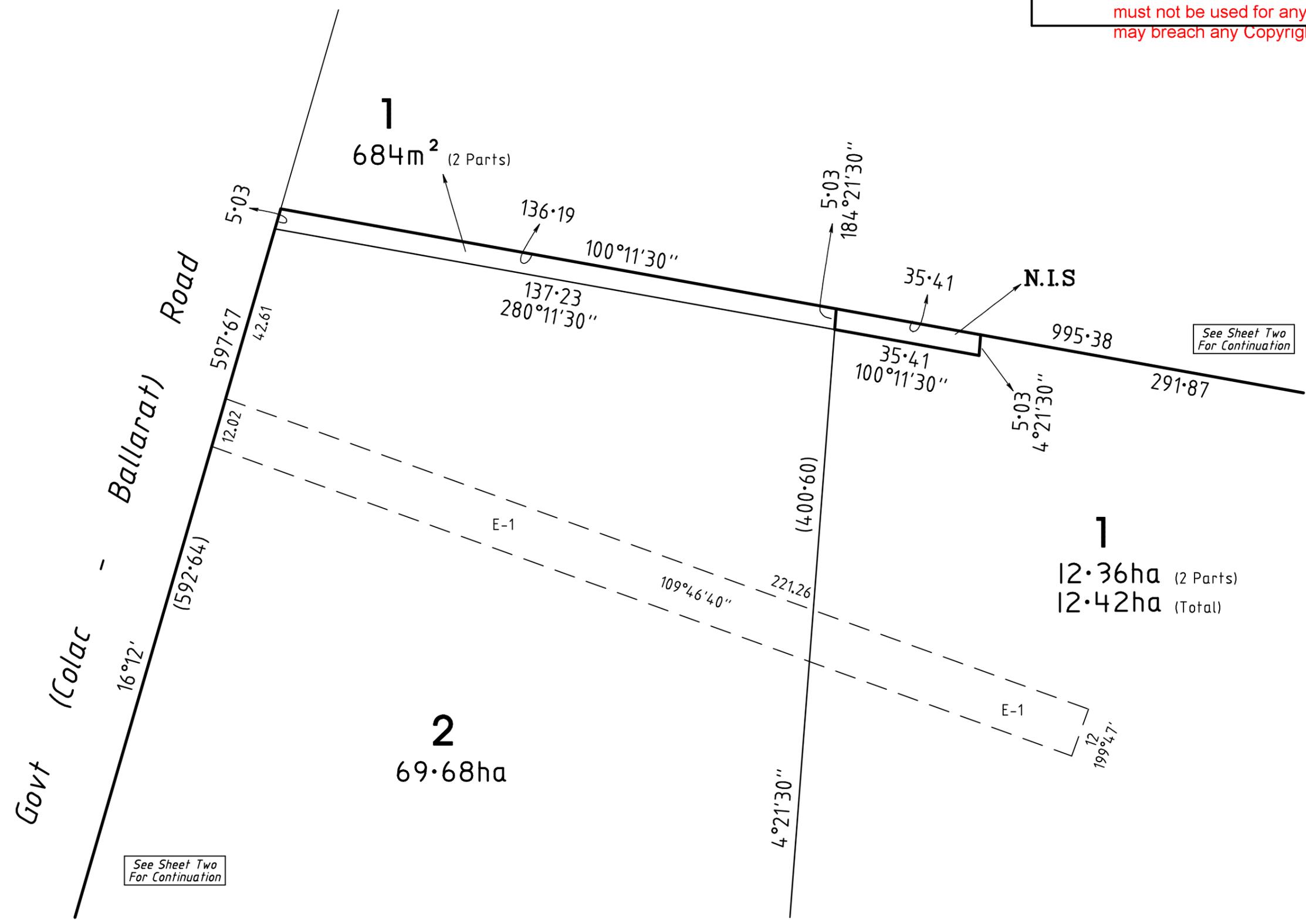
LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE: A3 SHEET 2

Digitally signed by: Anthony Bright, Licensed Surveyor,
 Surveyor's Plan Version (1),
 02/10/2019, SPEAR Ref: S147794E

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PS833746Y



SURVEYORS FILE REF: 10-04/19

ROD BRIGHT & ASSOCIATES PTY LTD
 LICENSED SURVEYORS & TOWN PLANNERS
 26 MURRAY STREET COLAC 3250
 TEL 5231 4883 ACN 007 206 975

SCALE 1:1000

 Digitally signed by: Anthony Bright, Licensed Surveyor,
 Surveyor's Plan Version (1),
 02/10/2019, SPEAR Ref: S147794E

ORIGINAL SHEET SIZE: A3
 SHEET 3

Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 1 TP137406

Address: 2280 COLAC-BALLARAT ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 10652 (Part)

Directory Reference: VicRoads 92 C4

This parcel is one of 3 parcels comprising the property.

For full parcel details get the free Basic Property report at [Property Reports](#)

See next page for planning information

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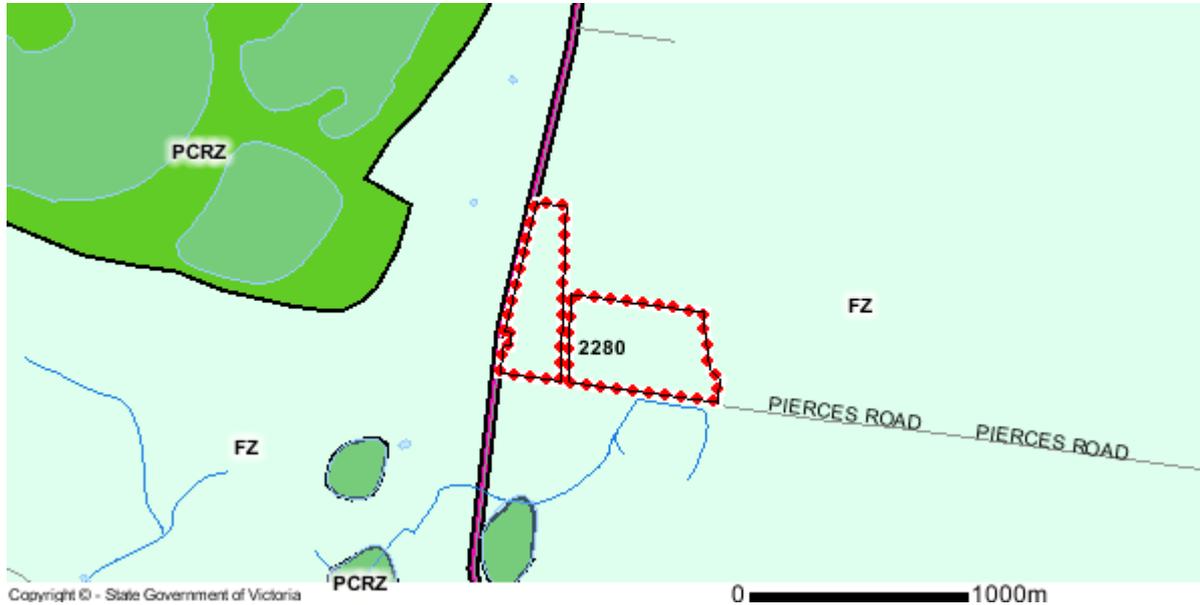
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Planning Zone

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.

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

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Planning Overlay

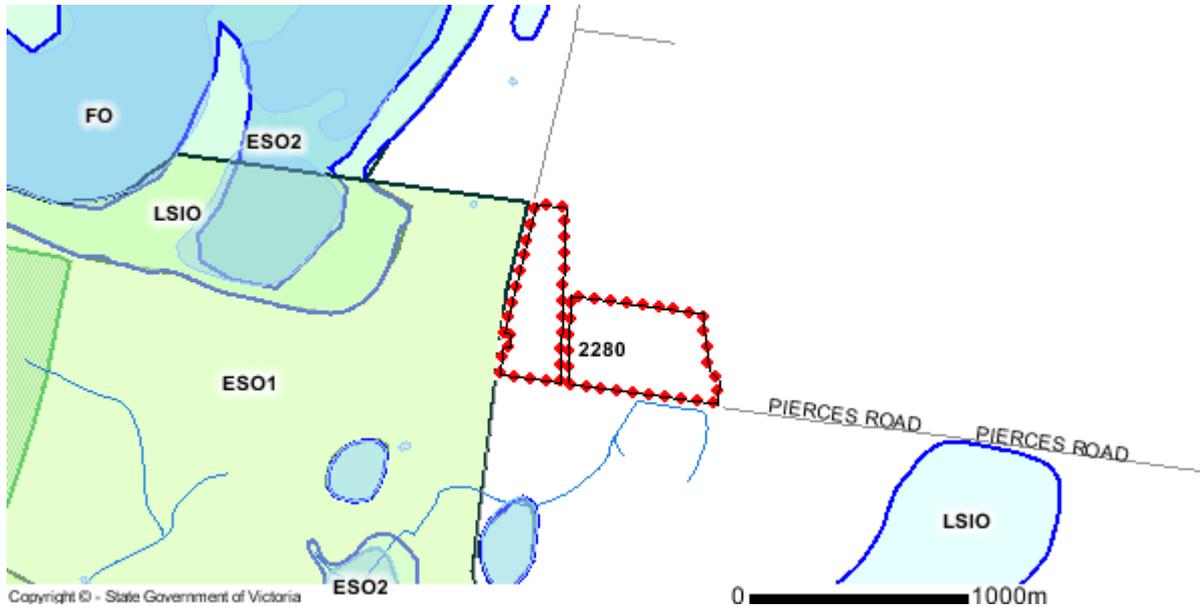
None affecting this land - there are overlays in the vicinity

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

FLOODWAY OVERLAY (FO)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

SIGNIFICANT LANDSCAPE OVERLAY (SLO)



Overlays Legend

AEO - Airport Environs	IPO - Incorporated Plan
BMO - Bushfire Management	LSIO - Land Subject to Inundation
CLPO - City Link Project	MAEO1 - Melbourne Airport Environs 1
DCPO - Development Contributions Plan	MAEO2 - Melbourne Airport Environs 2
DDO - Design & Development	NCO - Neighbourhood Character
DDOPT - Design & Development Part	PO - Parking
DPO - Development Plan	PAO - Public Acquisition
EAO - Environmental Audit	RO - Restructure
EMO - Erosion Management	RCO - Road Closure
ESO - Environmental Significance	SBO - Special Building
FO - Floodway	SLO - Significant Landscape
HO - Heritage	SMO - Salinity Management
ICPO - Infrastructure Contributions Plan	SRD - State Resource
Railway	VPD - Vegetation Protection
Tram	Lake, waterbody
River, stream	

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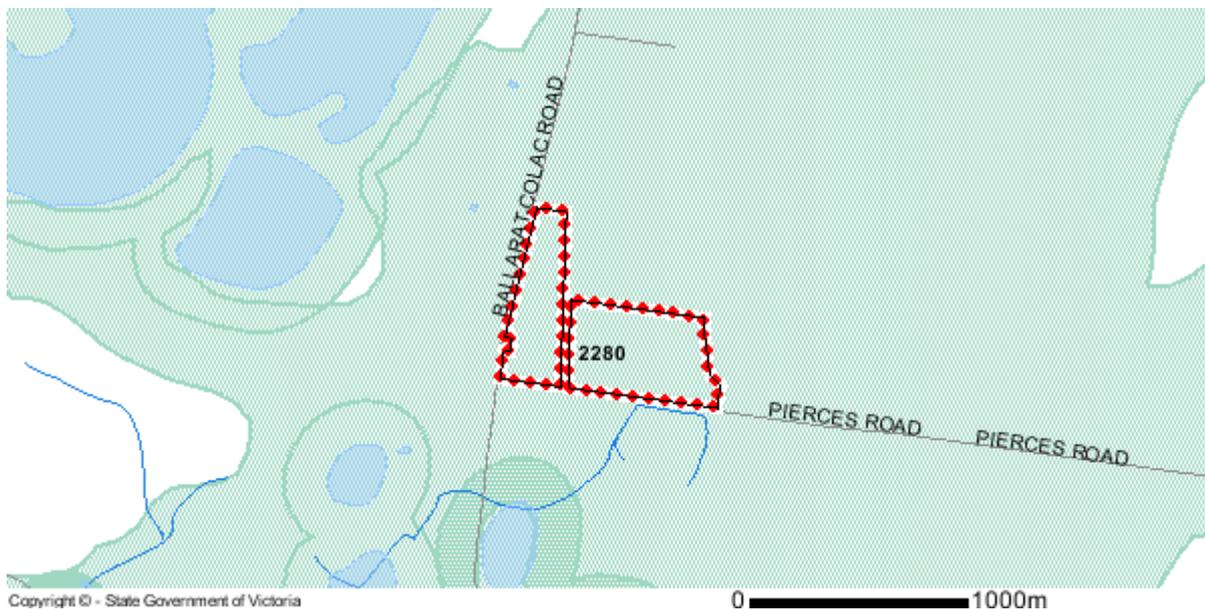
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Further Planning Information

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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 1 LP75049

Address: 2280 COLAC-BALLARAT ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 10652 (Part)

Directory Reference: VicRoads 92 C4

This parcel is one of 3 parcels comprising the property.

For full parcel details get the free Basic Property report at [Property Reports](#)

See next page for planning information

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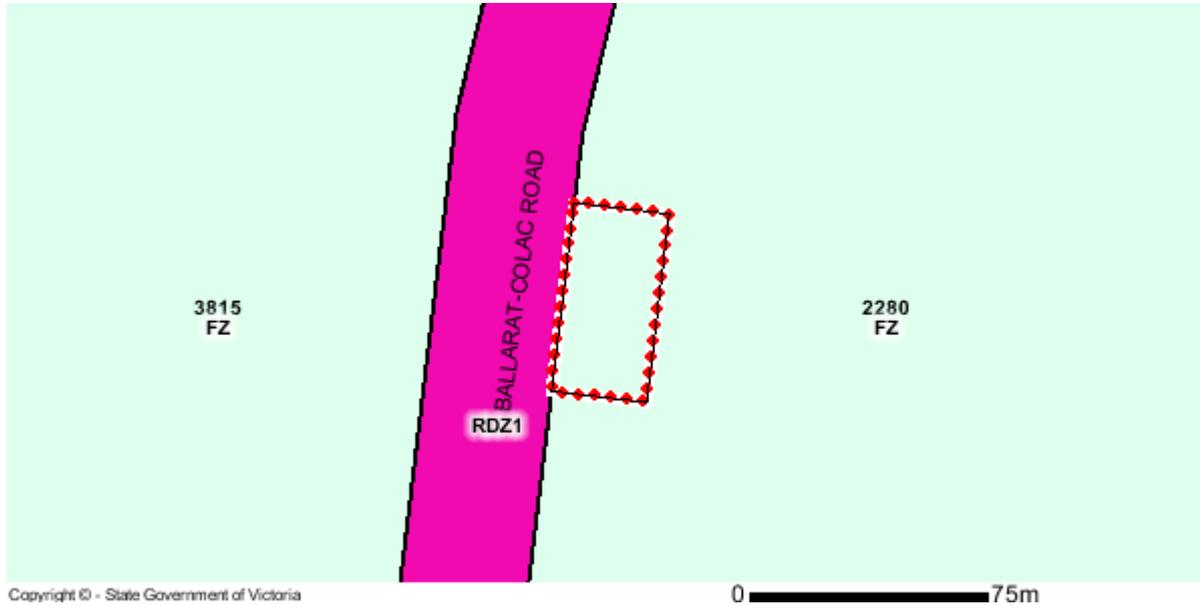
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Planning Zone

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



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

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

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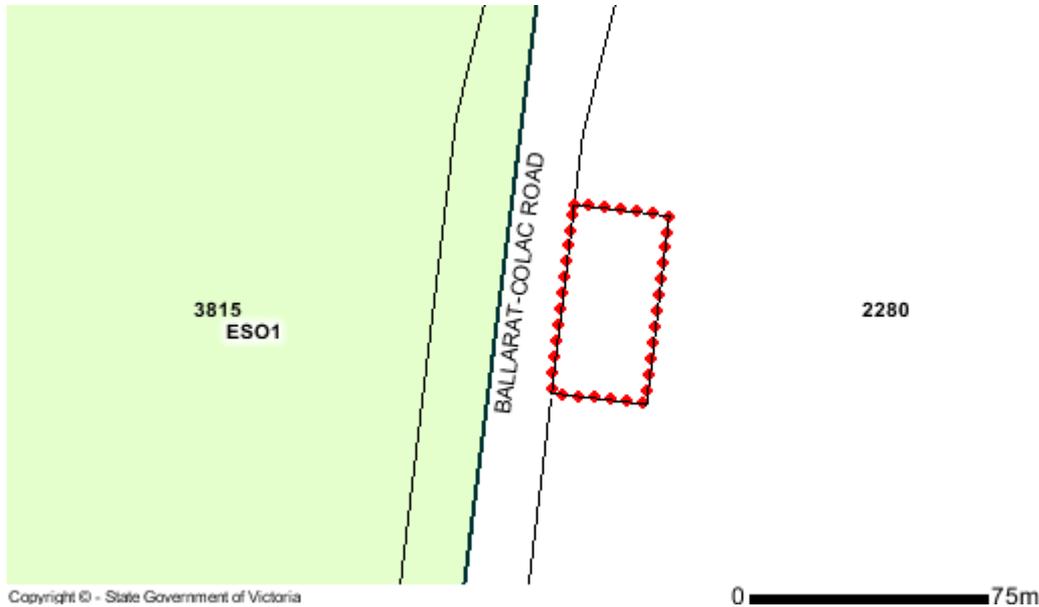
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Planning Overlay

None affecting this land - there are overlays in the vicinity

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)



Overlays Legend

- | | |
|--|--------------------------------------|
| AEO - Airport Environs | IPO - Incorporated Plan |
| BMO - Bushfire Management | LSIO - Land Subject to Inundation |
| CLPO - City Link Project | MAEO1 - Melbourne Airport Environs 1 |
| DCPO - Development Contributions Plan | MAEO2 - Melbourne Airport Environs 2 |
| DDO - Design & Development | NCO - Neighbourhood Character |
| DDOPT - Design & Development Part | PD - Parking |
| DPO - Development Plan | PAO - Public Acquisition |
| EAO - Environmental Audit | RO - Restructure |
| EMO - Erosion Management | RCO - Road Closure |
| ESO - Environmental Significance | SBO - Special Building |
| FO - Floodway | SLO - Significant Landscape |
| HO - Heritage | SMO - Salinity Management |
| ICPO - Infrastructure Contributions Plan | SRD - State Resource |
| Railway | VPD - Vegetation Protection |
| Tram | River, stream |
| Lake, waterbody | |

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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 1 TP427419

Address: 2280 COLAC-BALLARAT ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 10652 (Part)

Directory Reference: VicRoads 92 C4

This parcel is one of 3 parcels comprising the property.

For full parcel details get the free Basic Property report at [Property Reports](#)

See next page for planning information

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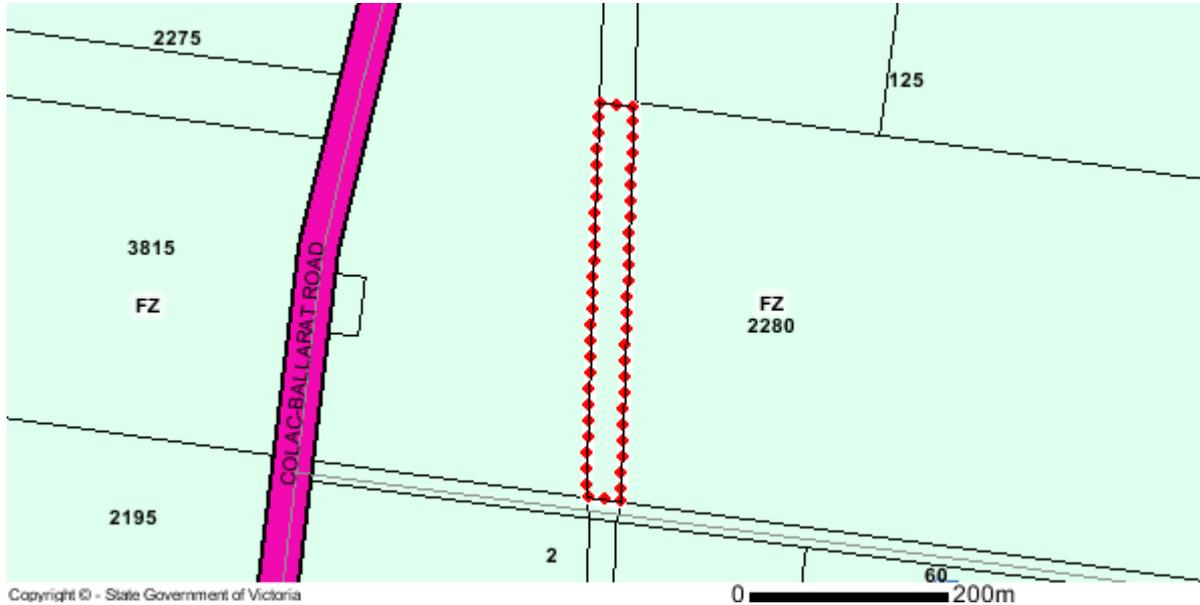
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Planning Zone

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.

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

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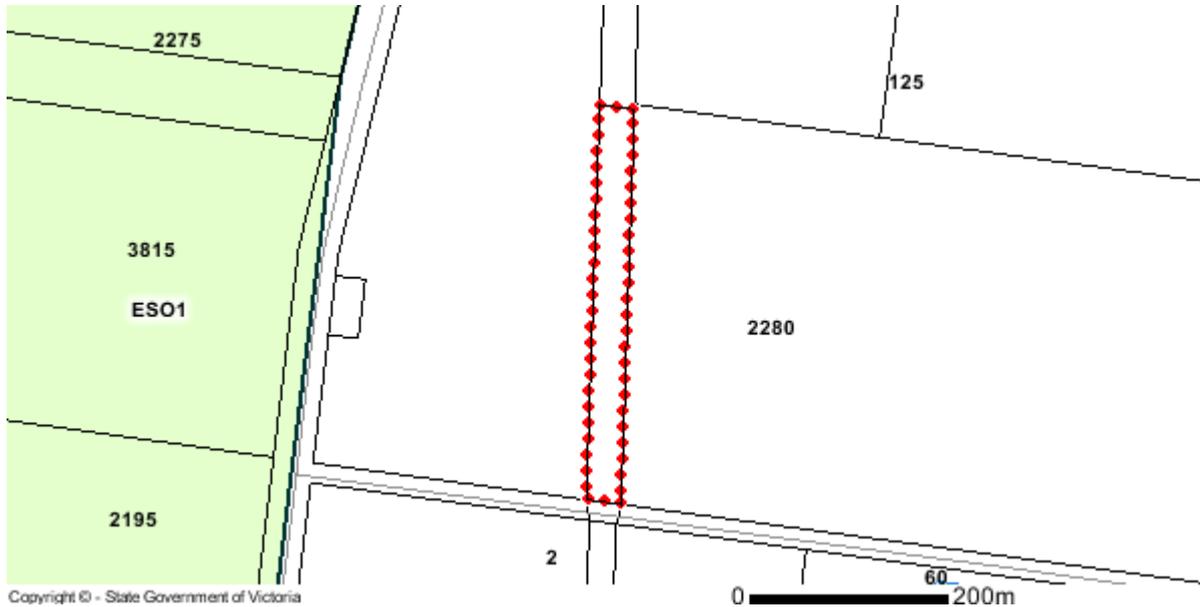
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Planning Overlay

None affecting this land - there are overlays in the vicinity

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)



Overlays Legend

- | | |
|--|--------------------------------------|
| AEO - Airport Environs | IPO - Incorporated Plan |
| BMO - Bushfire Management | LSIO - Land Subject to Inundation |
| CLPO - City Link Project | MAEO1 - Melbourne Airport Environs 1 |
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| DDO - Design & Development | NCO - Neighbourhood Character |
| DDOPT - Design & Development Part | PD - Parking |
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| EAO - Environmental Audit | RO - Restructure |
| EMO - Erosion Management | RCO - Road Closure |
| ESO - Environmental Significance | SBO - Special Building |
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| Railway | VPD - Vegetation Protection |
| Tram | River, stream |
| Lake, waterbody | |

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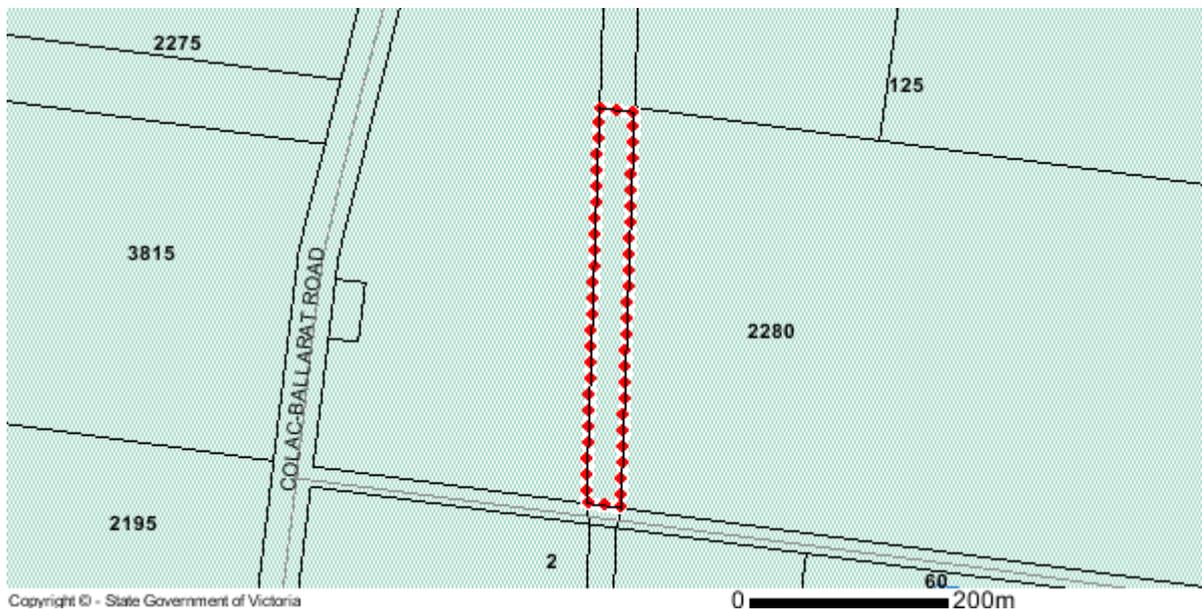
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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 1 TP220317

Address: COLAC-BALLARAT ROAD WEERING 3251

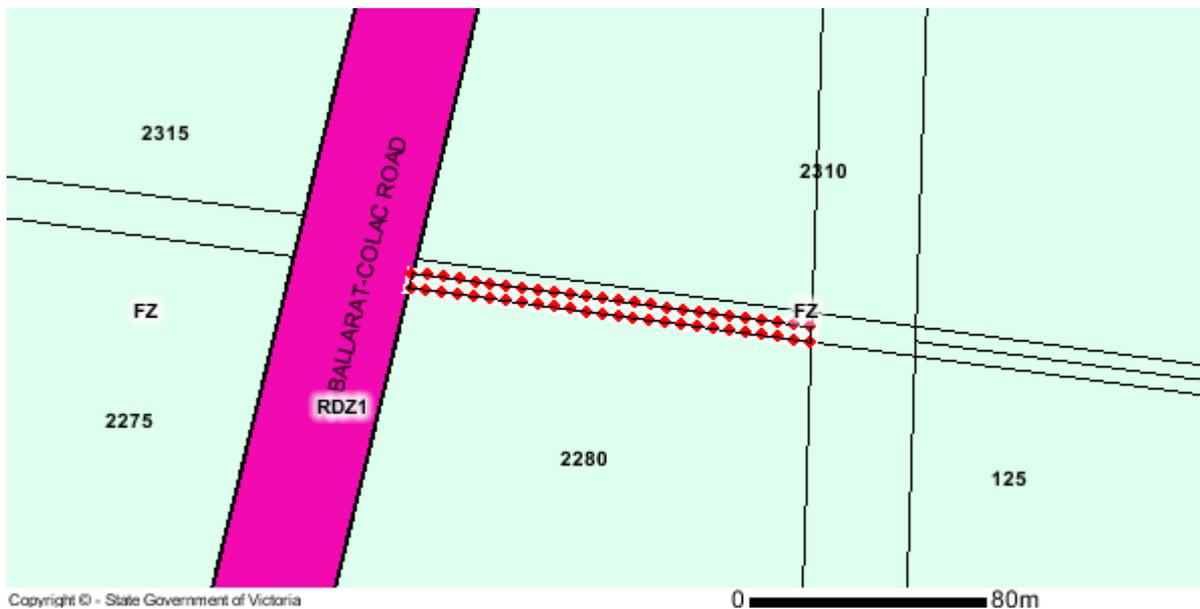
Local Government (Council): COLAC OTWAY **Council Property Number:** N/A

Directory Reference: VicRoads 92 C3

Planning Zone

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



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C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
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GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

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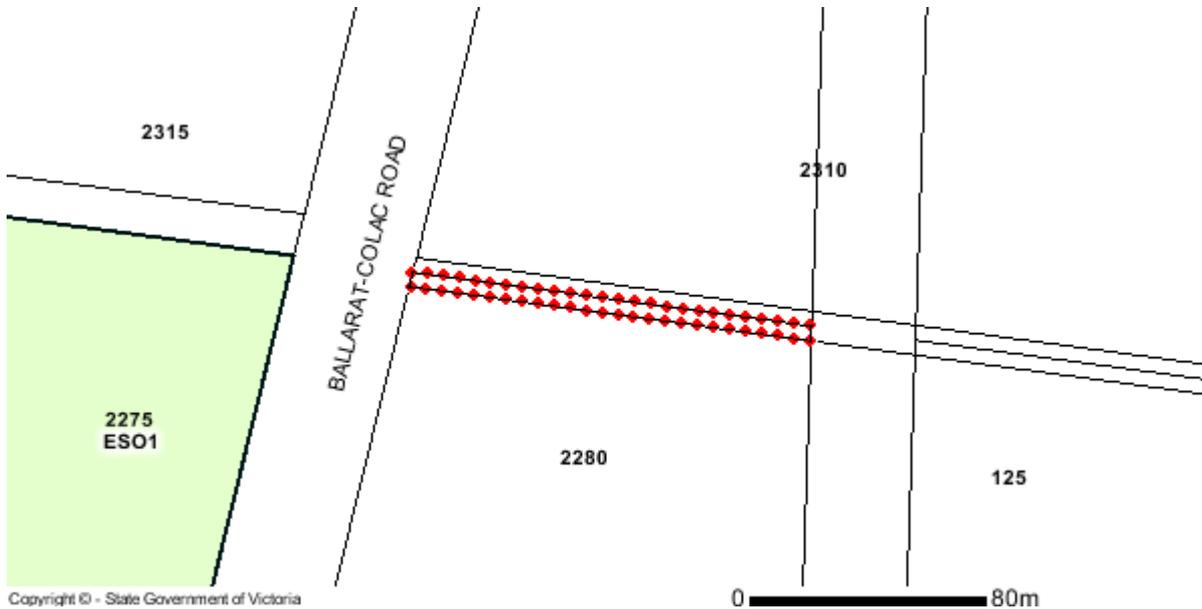
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Planning Overlay

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Overlays Legend

- | | |
|--|--------------------------------------|
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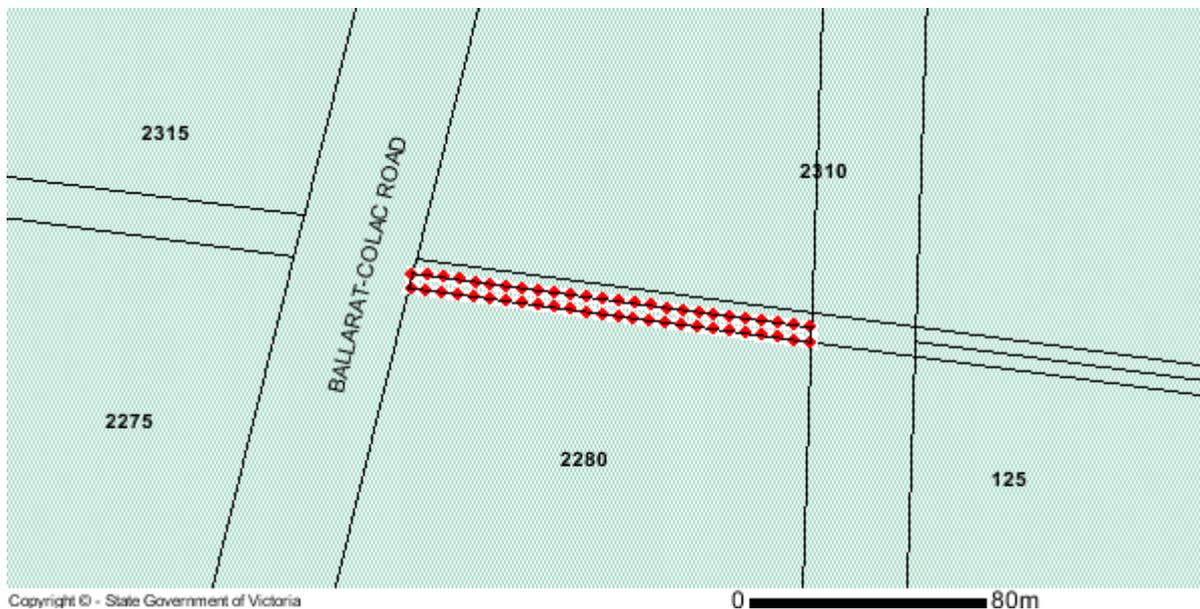
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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 1 TP305590

Address: 125 PIERCES ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 11400 (Part)

Directory Reference: VicRoads 92 C4

This parcel is one of 6 parcels comprising the property.

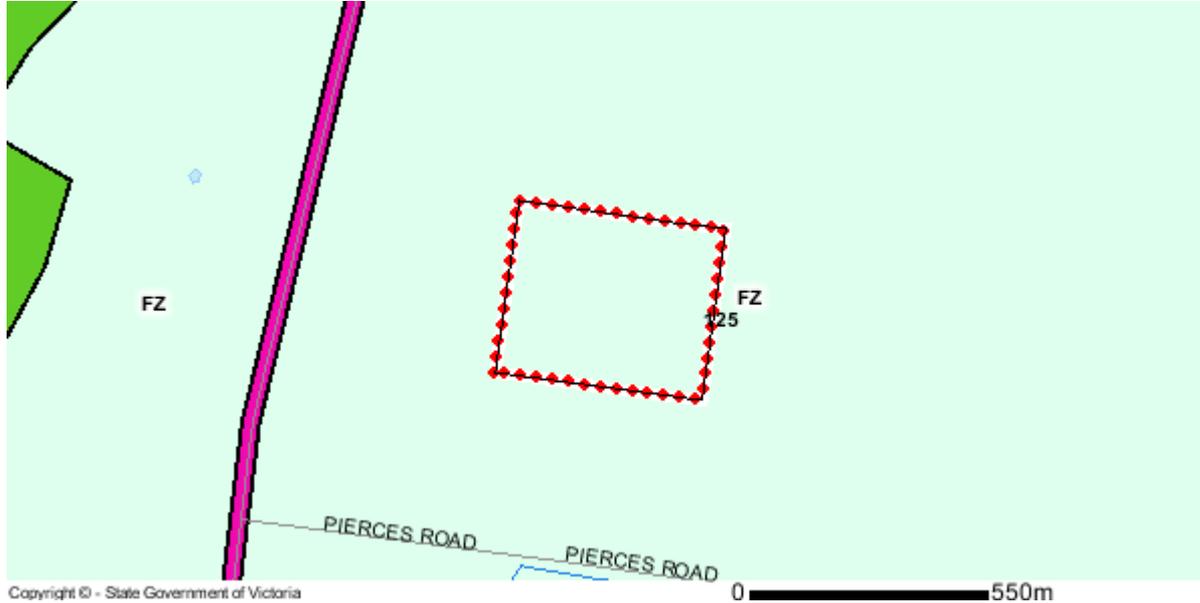
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Planning Zone

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



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Zones Legend

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C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

+++++ Railway

--- Tram

— River, stream

— Lake, waterbody

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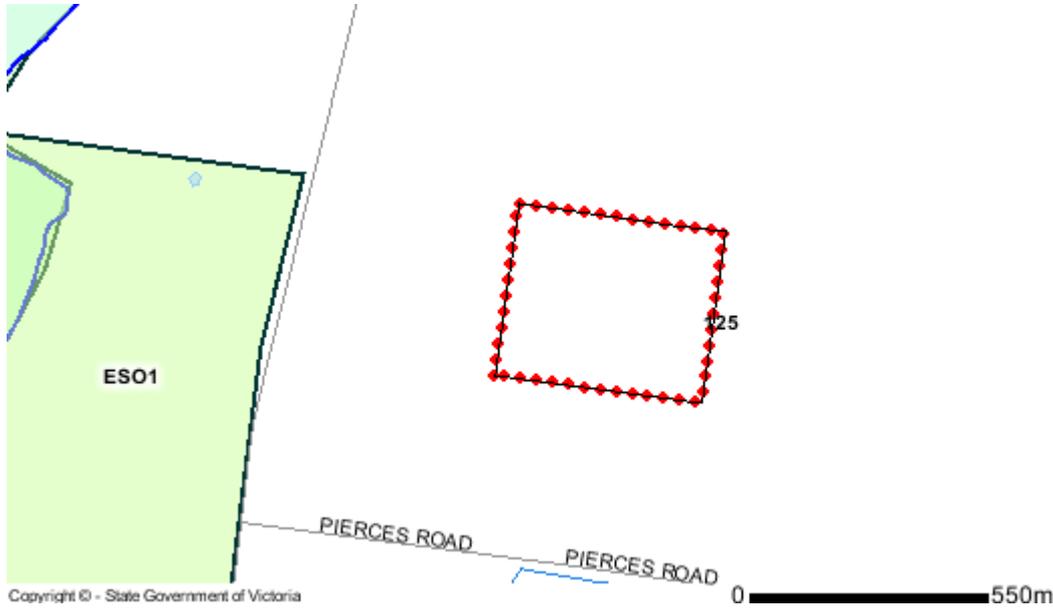
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Planning Overlay

None affecting this land - there are overlays in the vicinity

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

[LAND SUBJECT TO INUNDATION OVERLAY \(LSIO\)](#)



Overlays Legend

AEO - Airport Environs	IPO - Incorporated Plan
BMD - Bushfire Management	LSIO - Land Subject to Inundation
CLPD - City Link Project	MAEO1 - Melbourne Airport Environs 1
DCPO - Development Contributions Plan	MAEO2 - Melbourne Airport Environs 2
DDO - Design & Development	NCO - Neighbourhood Character
DDOPT - Design & Development Part	PD - Parking
DPO - Development Plan	PAO - Public Acquisition
EAO - Environmental Audit	RO - Restructure
EMO - Erosion Management	RCO - Road Closure
ESO - Environmental Significance	SBO - Special Building
FO - Floodway	SLO - Significant Landscape
HO - Heritage	SMO - Salinity Management
ICPO - Infrastructure Contributions Plan	SRD - State Resource
Railway	VPD - Vegetation Protection
Tram	
River, stream	Lake, waterbody

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Areas of Aboriginal Cultural Heritage Sensitivity

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Further Planning Information

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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 1 TP80040

Address: 125 PIERCES ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 11400 (Part)

Directory Reference: VicRoads 92 C3

This parcel is one of 6 parcels comprising the property.

For full parcel details get the free Basic Property report at [Property Reports](#)

See next page for planning information

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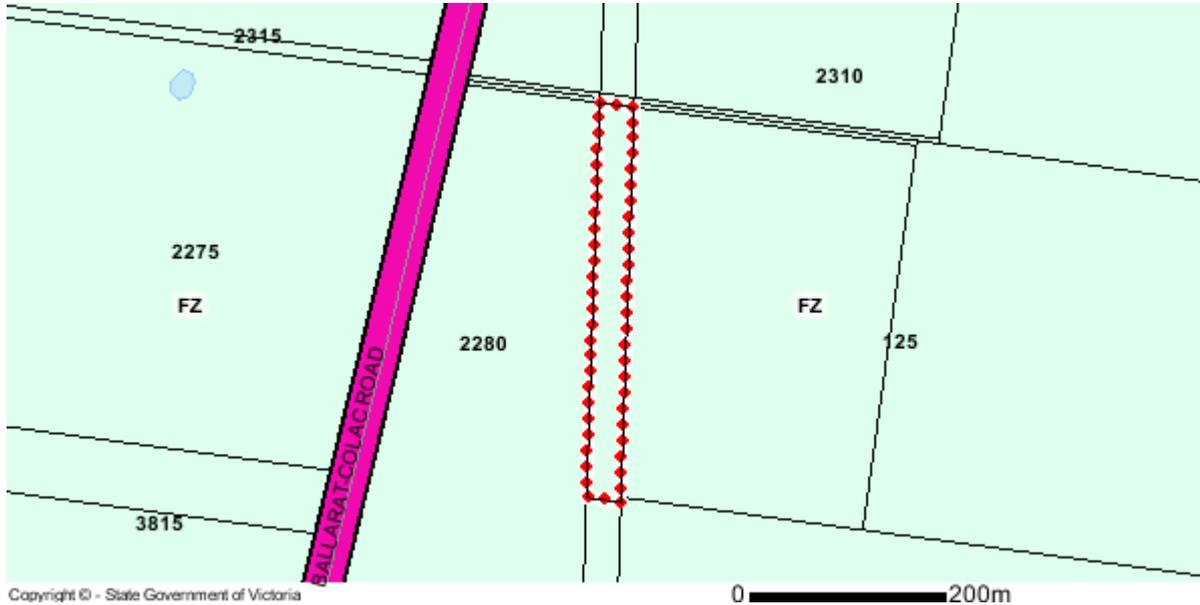
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Planning Zone

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.

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

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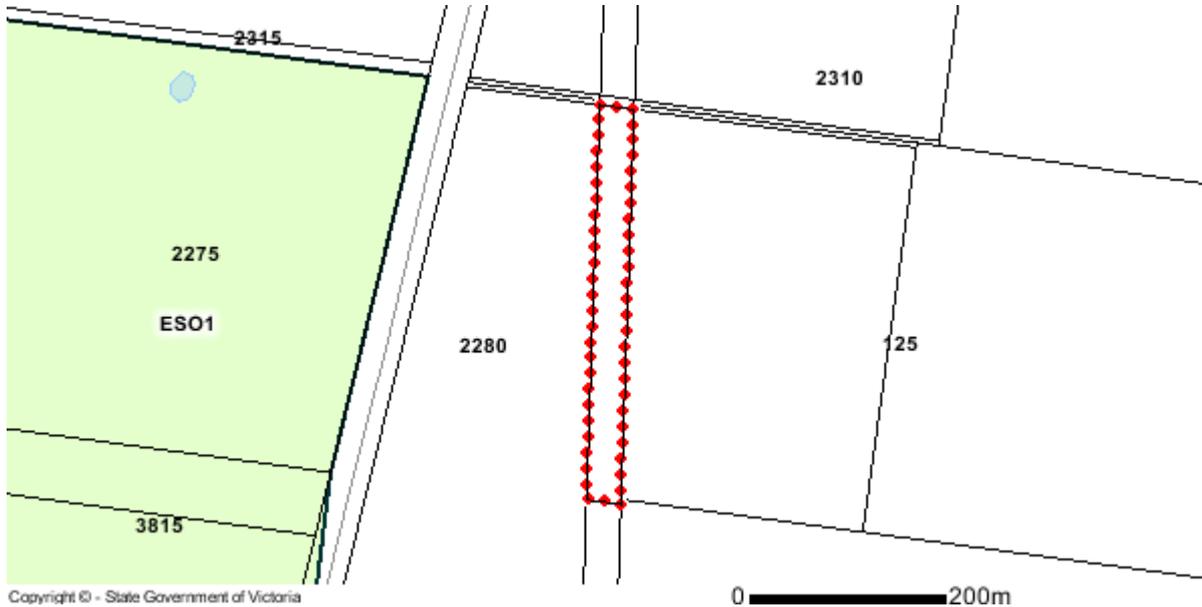
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Planning Overlay

None affecting this land - there are overlays in the vicinity

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)



Overlays Legend

- | | |
|--|--------------------------------------|
| AEO - Airport Environs | IPO - Incorporated Plan |
| BMO - Bushfire Management | LSIO - Land Subject to Inundation |
| CLPO - City Link Project | MAEO1 - Melbourne Airport Environs 1 |
| DCPO - Development Contributions Plan | MAEO2 - Melbourne Airport Environs 2 |
| DDO - Design & Development | NCO - Neighbourhood Character |
| DDOPT - Design & Development Part | PD - Parking |
| DPO - Development Plan | PAO - Public Acquisition |
| EAO - Environmental Audit | RO - Restructure |
| EMO - Erosion Management | RCO - Road Closure |
| ESO - Environmental Significance | SBO - Special Building |
| FO - Floodway | SLO - Significant Landscape |
| HO - Heritage | SMO - Salinity Management |
| ICPO - Infrastructure Contributions Plan | SRD - State Resource |
| Railway | VPD - Vegetation Protection |
| Tram | River, stream |
| Lake, waterbody | |

Note: due to overlaps some colours on the maps may not match those in the legend.

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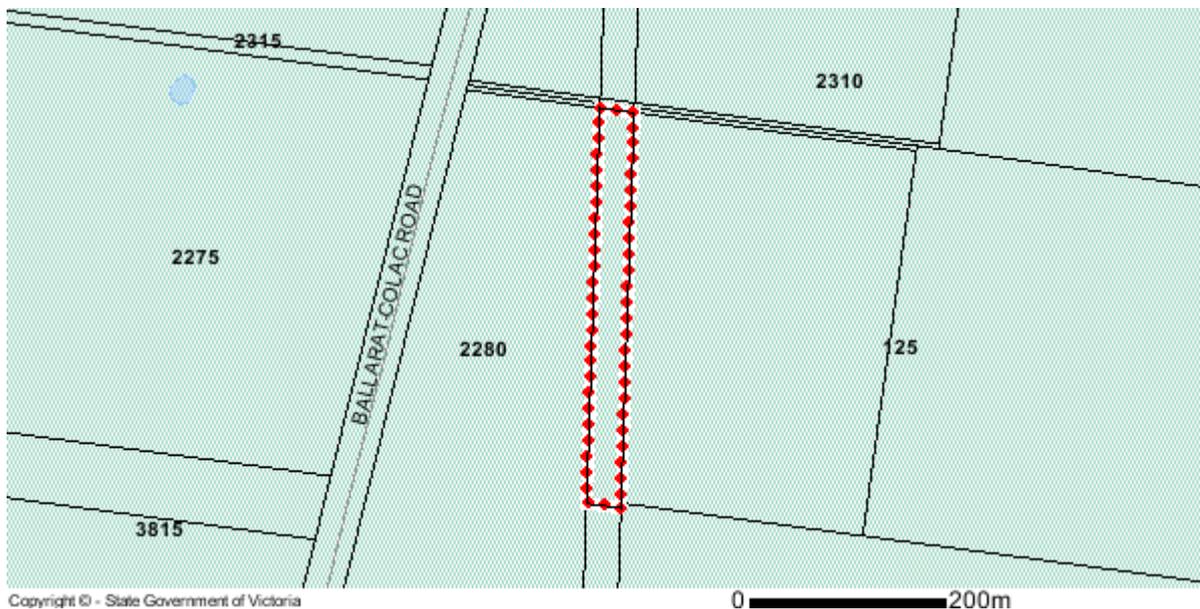
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Further Planning Information

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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 2 TP305590

Address: 125 PIERCES ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 11400 (Part)

Directory Reference: VicRoads 92 C3

This parcel is one of 6 parcels comprising the property.

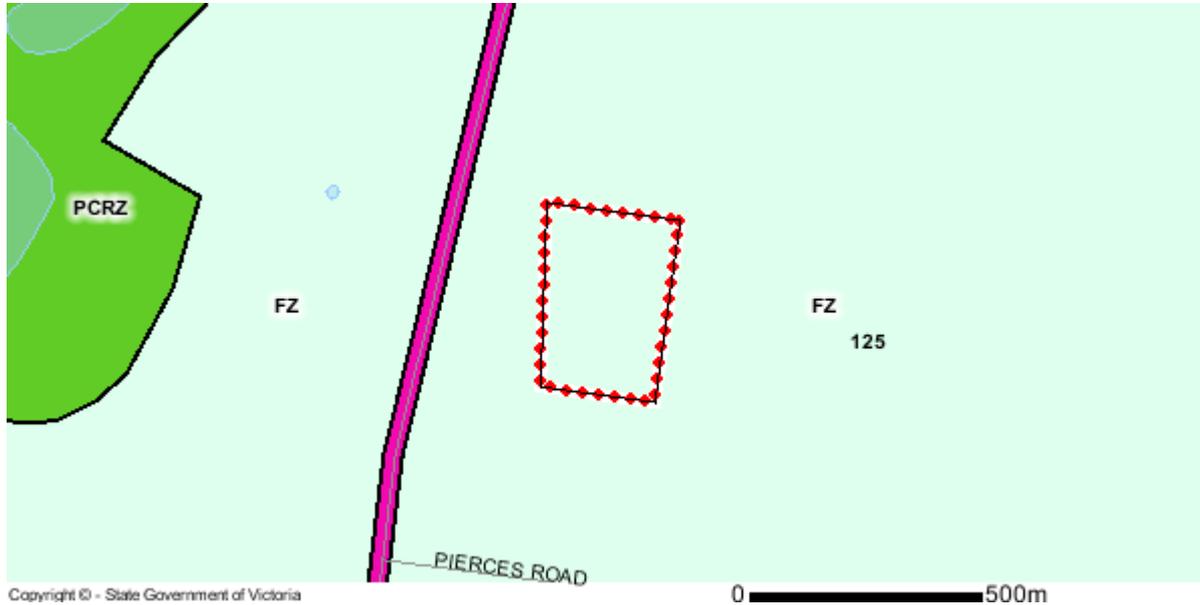
For full parcel details get the free Basic Property report at [Property Reports](#)

See next page for planning information

Planning Zone

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.

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PDZ - Priority Development	RDZ2 - Road - Category 2
C2Z - Commercial 2	PPRZ - Public Park & Recreation	RGZ - Residential Growth
CA - Commonwealth Land	PUZ1 - Public Use - Service & Utility	RLZ - Rural Living
CCZ - Capital City	PUZ2 - Public Use - Education	RUZ - Rural
CDZ - Comprehensive Development	PUZ3 - Public Use - Health Community	SUZ - Special Use
DZ - Dockland	PUZ4 - Public Use - Transport	TZ - Township
ERZ - Environmental Rural	PUZ5 - Public Use - Cemetery/Crematorium	UFZ - Urban Floodway
FZ - Farming	PUZ6 - Public Use - Local Government	UGZ - Urban Growth
GRZ - General Residential	PUZ7 - Public Use - Other Public Use	Urban Growth Boundary
GWAZ - Green Wedge A	PZ - Port	
GWZ - Green Wedge		

Railway
 Tram
 River, stream
 Lake, waterbody

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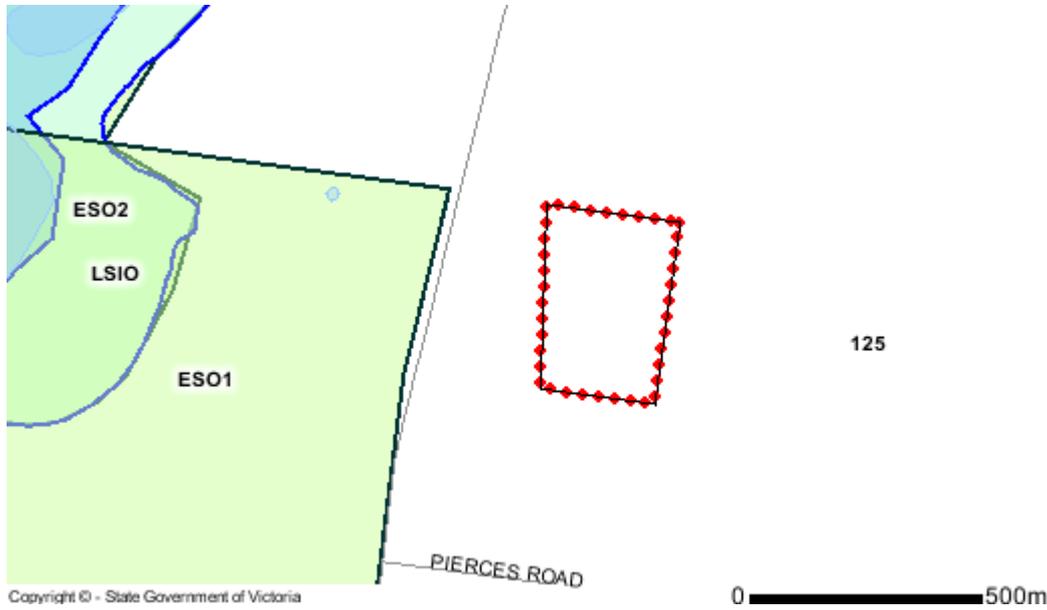
Planning Overlay

None affecting this land - there are overlays in the vicinity

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

[FLOODWAY OVERLAY \(FO\)](#)

[LAND SUBJECT TO INUNDATION OVERLAY \(LSIO\)](#)



Overlays Legend

AEO - Airport Environs	IPO - Incorporated Plan
BMO - Bushfire Management	LSIO - Land Subject to Inundation
CLPO - City Link Project	MAEO1 - Melbourne Airport Environs 1
DCPO - Development Contributions Plan	MAEO2 - Melbourne Airport Environs 2
DDO - Design & Development	NCO - Neighbourhood Character
DDOPT - Design & Development Part	PO - Parking
DPO - Development Plan	PAO - Public Acquisition
EAO - Environmental Audit	RO - Restructure
EMO - Erosion Management	RCO - Road Closure
ESO - Environmental Significance	SBO - Special Building
FO - Floodway	SLO - Significant Landscape
HO - Heritage	SMO - Salinity Management
ICPO - Infrastructure Contributions Plan	SRD - State Resource
Railway	VPO - Vegetation Protection
Tram	River, stream
Lake, waterbody	

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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 3 TP305590

Address: 125 PIERCES ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 11400 (Part)

Directory Reference: VicRoads 92 C4

This parcel is one of 6 parcels comprising the property.

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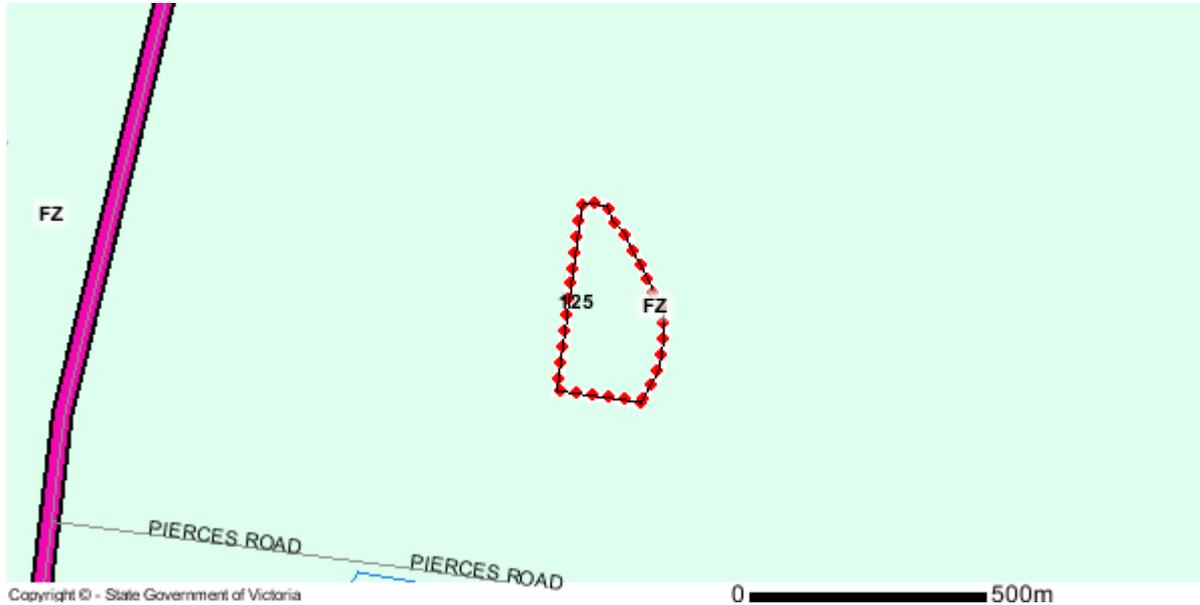
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Planning Zone

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



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C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
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CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
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FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

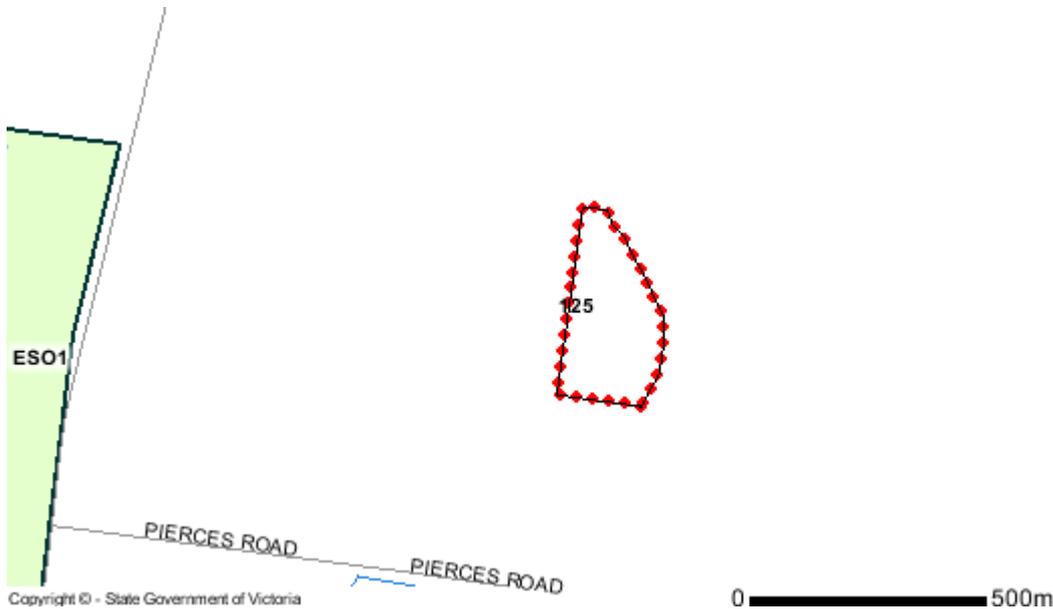
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Planning Overlay

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



Overlays Legend

- | | |
|--|--------------------------------------|
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| Railway | VPD - Vegetation Protection |
| Tram | River, stream |
| Lake, waterbody | |

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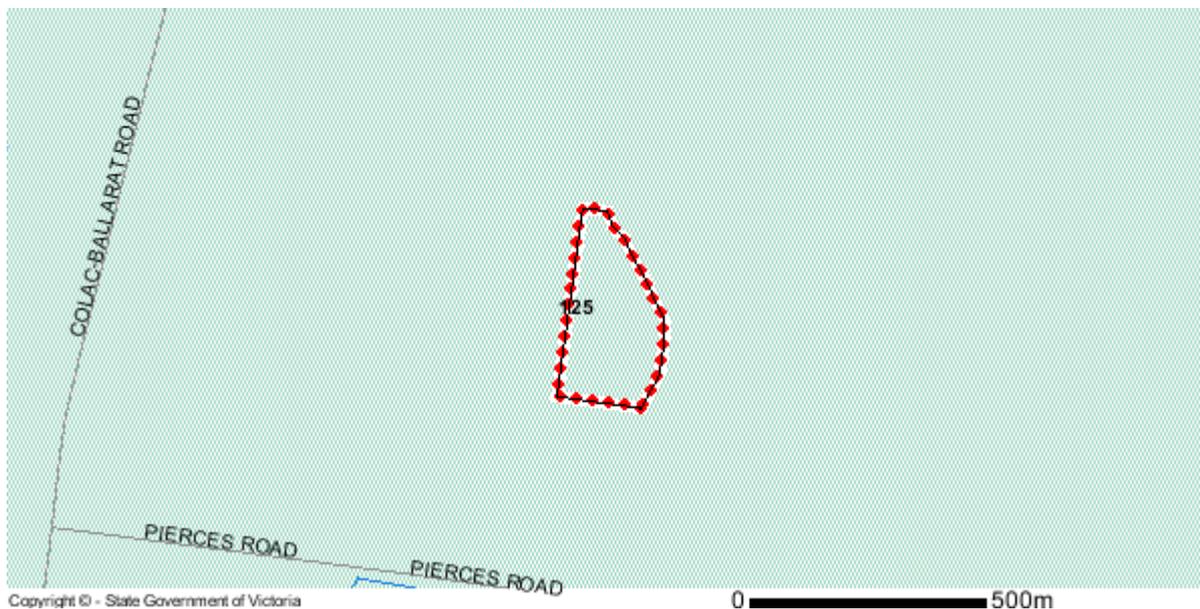
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Planning Property Report

from www.planning.vic.gov.au on 02 October 2019 07:33 PM

Lot and Plan Number: Lot 4 TP305590

Address: 125 PIERCES ROAD WEERING 3251

Local Government (Council): COLAC OTWAY **Council Property Number:** 11400 (Part)

Directory Reference: VicRoads 92 C3

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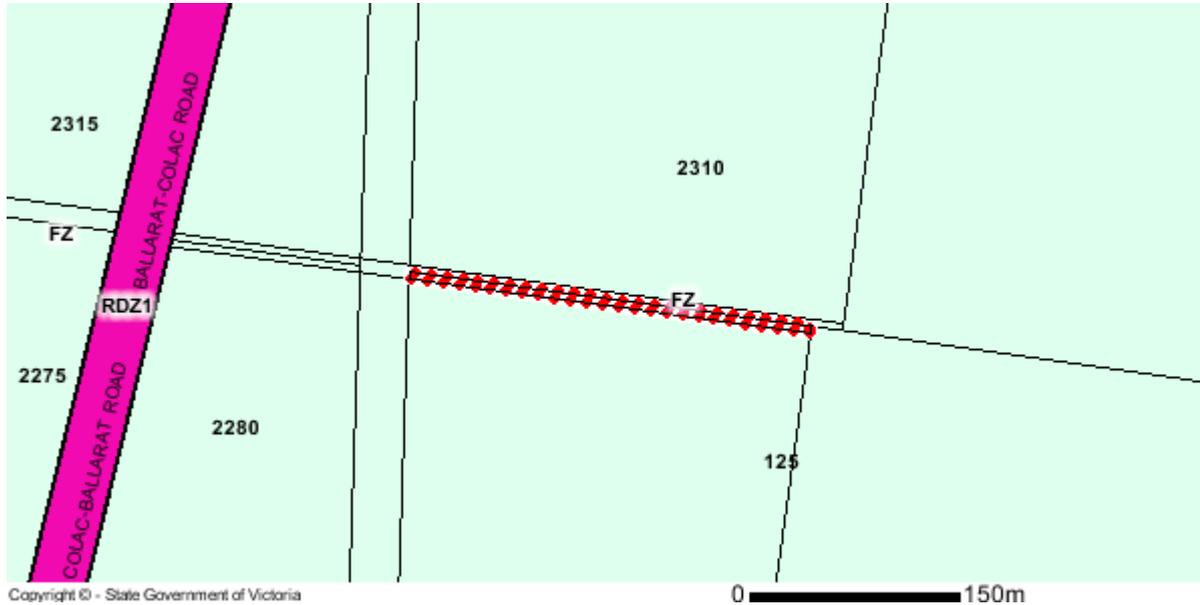
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Planning Zone

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



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Zones Legend

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B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	

Railway
 Tram
 River, stream
 Lake, waterbody

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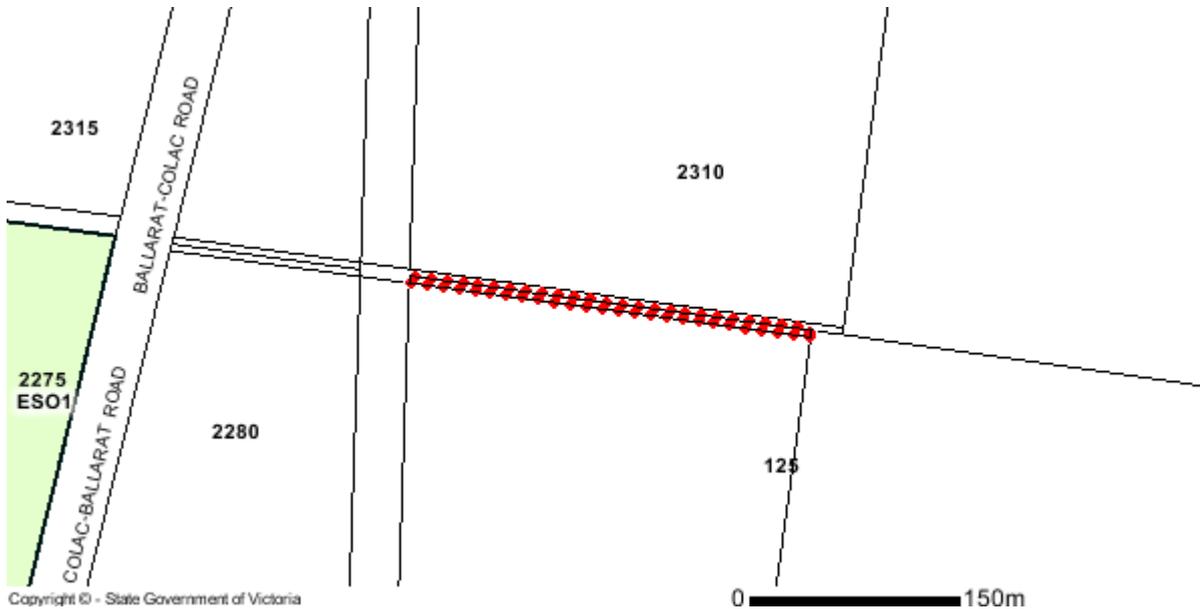
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Planning Overlay

None affecting this land - there are overlays in the vicinity

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)



Overlays Legend

AEO - Airport Environs	IPO - Incorporated Plan
BMO - Bushfire Management	LSIO - Land Subject to Inundation
CLPO - City Link Project	MAEO1 - Melbourne Airport Environs 1
DCPO - Development Contributions Plan	MAEO2 - Melbourne Airport Environs 2
DDO - Design & Development	NCO - Neighbourhood Character
DDOPT - Design & Development Part	PD - Parking
DPO - Development Plan	PAO - Public Acquisition
EAO - Environmental Audit	RO - Restructure
EMO - Erosion Management	RCO - Road Closure
ESO - Environmental Significance	SBO - Special Building
FO - Floodway	SLO - Significant Landscape
HO - Heritage	SMO - Salinity Management
ICPO - Infrastructure Contributions Plan	SRD - State Resource
Railway	VPD - Vegetation Protection
Tram	River, stream
Lake, waterbody	

Note: due to overlaps some colours on the maps may not match those in the legend.

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Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

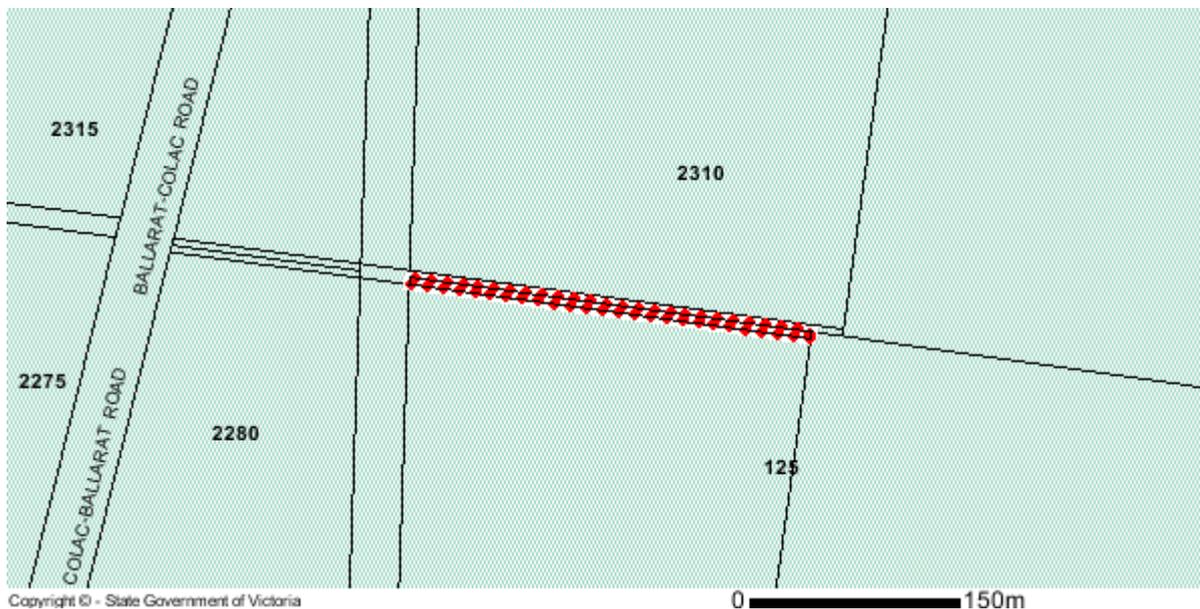
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.aav.nrms.net.au/aavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.vic.gov.au/aboriginalvictoria/heritage/planning-and-heritage-management-processes.html>



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Further Planning Information

Planning scheme data last updated on 19 September 2019.

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 [Planning Schemes Online](#)

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](#)

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 [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

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ROD BRIGHT & ASSOCIATES PTY. LTD.
LAND SURVEYORS & TOWN PLANNERS
A.C.N. 007 206 975 A.B.N. 50 007 206 975

Tel. (03) 5231 4883
Fax. (03) 5231 4883

21st November 2019

REF: 10-04/19

Ms E. Sonogo,
Statutory Planner,
Colac Otway Shire,
P.O. Box 283,
COLAC ...VIC. 3250

Dear Erin,

RE: PLAN OF SUBDIVISION PS833746Y
2280 COLAC-BALLARAT ROAD, WEERING
PLANNING PERMIT No. PP230/2019
RE: G.I. & C.A. BATH PTY. LTD.

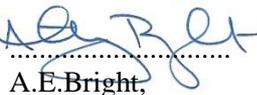
Further to our submission of the 2nd October and your correspondence of the 15th November we enclose a copy of the Plan of Proposed Subdivision coloured up to indicate the eight separately saleable allotments. As already advised in our submission, our client is able to sell Lot 1 on TP220317E and Lot 1 on TP968036Q with an area of 25.49ha, with no input from council and accordingly no associated angst. This enables someone to have legal access, a dwelling and cleared grazing/cropping land on 25.49ha, in a location and of an area that has proven over time to be impractical from a farming perspective.

Given our client already has sale agreements with two different parties, one wanting the dwelling on a smaller acreage and the other wanting the surrounding farmland for cropping (which is already in the ground growing) and with the farmer utilising part of Lot 1 on TP968036Q also for farming, a strong argument could be mounted that refusal to the application by council is counter to the intent of the Farm Zone. Surely it is in the States interest that good farming land be utilised for that purpose with the security of ownership for farmers ensuring that use can continue.

We note council state “..in the context the surrounding lands are relatively large contiguous lots..” and query the validity of that argument. Enclosed is a Plan showing the various parcels bounded by Barpinba Road, Colac-Ballararat Road, Pierces Road and Weering School Road, approximately 3km by 2.5 km. We advise that the Parish Plan originally set aside 38 allotments of 40 Acres to 79 Acres within this area including internal roads. The number of separately saleable allotments appears to now have increased to closer to 50 lots as per the enclosed VicMap Plan. Based upon this fact the rest of your correspondence becomes disingenuous, especially when noting the location of existing dwellings and associated acreage to that title.

We believe that a site meeting with our client’s may better clarify to council what the application is for. We trust that we have been of assistance in this matter and await advice of aforementioned meeting or receipt of the Planning Permit in due course.

Yours faithfully,



A.E.Bright,
ROD BRIGHT & ASSOCIATES
encl.

copy: G.I. & C.A Bath Pty Ltd
J. Ryan (Arundell, Murray & Ryan)

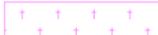
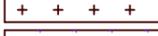
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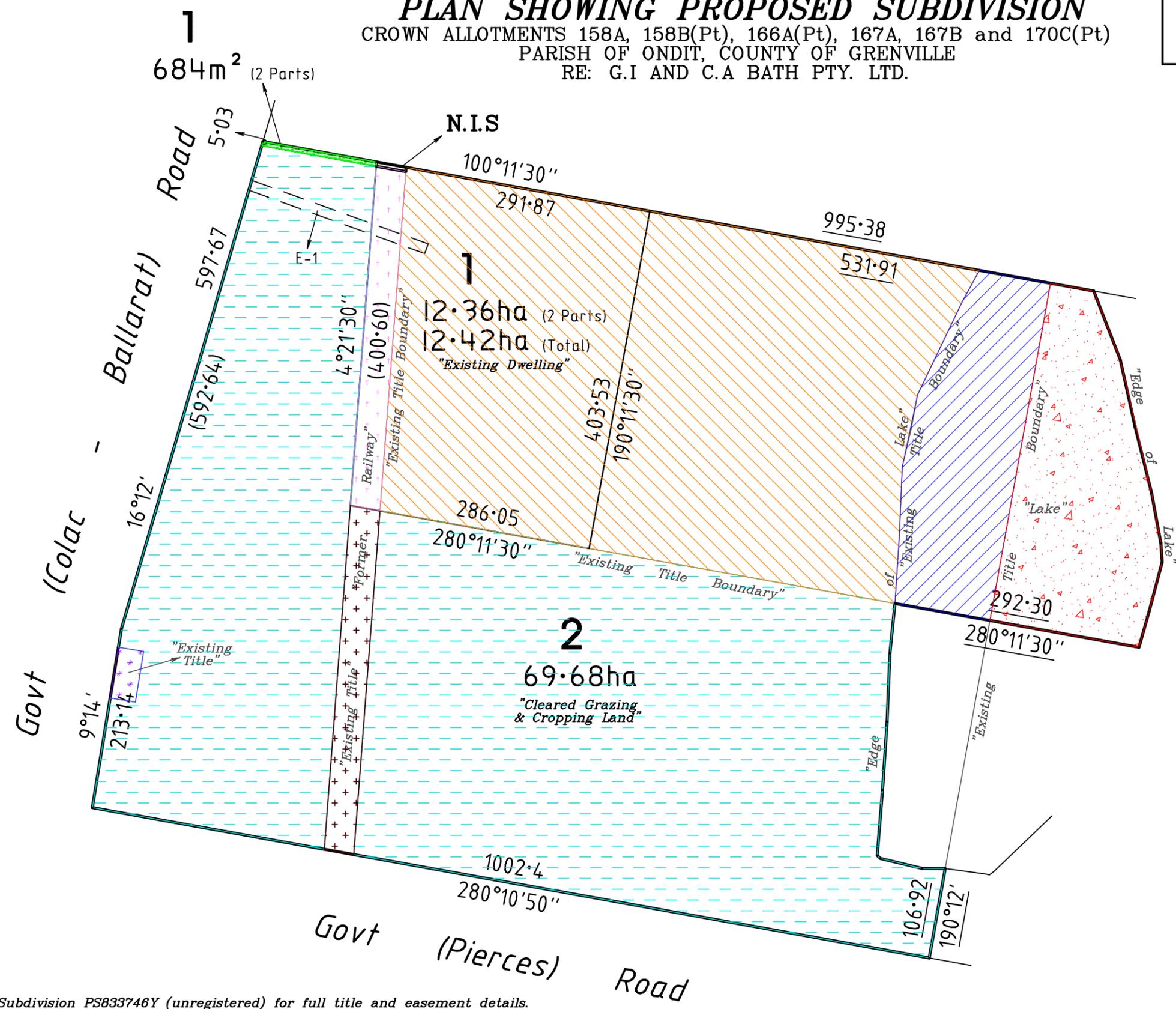
28 Murray Street,
Colac 3250
P.O. Box 374

PLAN SHOWING PROPOSED SUBDIVISION
 CROWN ALLOTMENTS 158A, 158B(Pt), 166A(Pt), 167A, 167B and 170C(Pt)
 PARISH OF ONDIT, COUNTY OF GRENVILLE
 RE: G.I AND C.A BATH PTY. LTD.

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PS833746Y

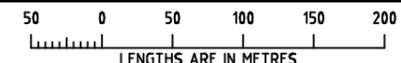
- Separately Saleable Allotments*
-  Lot 1 on TP80040Y
 -  Lot 1 on TP220317E
 -  Lot 1 on TP137406T
 -  Lot 1 on TP968036Q
 -  Lot 1 on TP427419S
 -  Lot 1 on LP75049
 -  Lot 2 on TP968036Q
 -  Lot 3 on TP968036Q



Note: See Plan of Subdivision PS833746Y (unregistered) for full title and easement details.
 Dated: 2nd October 2019.

SURVEYORS FILE REF: 10-04/19

ROD BRIGHT & ASSOCIATES PTY LTD
 LICENSED SURVEYORS & TOWN PLANNERS
 26 MURRAY STREET COLAC 3250
 TEL 5231 4883 ACN 007 206 975

SCALE 1:5000

 LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE: A3
 SHEET 1 of 1

ANTHONY EDWARD BRIGHT, VERSION 1

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<p>Co-ordinates of Plot Corners</p> <p>NW 729403,5779533</p> <p>SW 729232,5775540</p> <p>MGA Zone 54</p>	<p>Data Source: Vicmap Property</p> <p>0 200 400 600 800 1000 1200 1400 1600 1800 2000m</p> <p>Scale of Metres (1:25,000)</p> <p>MGA Zone 54</p> <p>Vicroads- 92 C3 (ed.8)</p> <p>Created 4:44 PM on Nov 20, 2019</p>	<p>Co-ordinates of Plot Corners</p> <p>NE 736021,5779250</p> <p>SE 735851,5775257</p> <p>MGA Zone 54</p>
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WARNING: No warranty is given as to the accuracy or completeness of this map. Dimensions are approximate. For property dimensions, undertake a Title search.