

SUBJECT LAND

| Address: | Aerodrome Road | 165 Lower Heart Road | 215 Lower Heart Road | 243 Lower Heart Road |
|------------------------|--|--|---|--|
| Lot Details: | Lot 2 on CS1714G | Lot 2 on LP212361A | Lot 2 on PS649519M | Lot 2 on 703126J |
| Title Particulars: | Volume: 10239, Folio: 389 | Volume: 09823, Folio: 784 | Volume: 11380, Folio: 495 | Volume: 10817, Folio: 655 |
| Title Restrictions: | Easements set aside for water supply, drainage & way | 1 easement set aside for water supply & drainage | 1 easement set aside for water supply & drainage | 4 easements set aside for water supply & drainage |
| Area, shape & slope | 44.55ha, irregular shape & flat | 25ha, irregular shape & flat | 14.59ha, irregular shape & flat | 30.79ha, irregular shape & flat |
| Soil Type: | Tinamba | | | |
| Agricultural Capacity: | High – Macalister Irrigation District | | | |
| Planning Unit: | 2: Macalister | | | |
| Zoning: | Farming | | | |
| Overlays: | Design & Development Overlay (Schedule 6) | | Design & Development Overlay (Schedule 6) & Airport Environments Overlay (Schedule 2) | |
| Aboriginal Heritage: | No | | | |
| Improvements: | Improved pastures, irrigation channels & fencing. Shared access to Aerodrome Road. | Dwelling, improved pastures, irrigation channel & fencing. | Improved pastures, irrigation channels & fencing. | Dwelling, improved pastures, irrigation channel & fencing. |

AERIAL PHOTOGRAPH OF THE SUBJECT SITE (OUTLINED YELLOW), SHOWING THE APPLICABLE ZONES & OVERLAYS AND IMPROVEMENTS ON SURROUNDING LAND



SHARED ACCESS TO LOT 2 ON CS1714G



VIEW OF 165 LOWER HEART RD



VIEW OF 215 LOWER HEART RD



VIEW OF 243 LOWER HEART RD



VIEW OF 450 AERODROME RD



VIEW LOOKING WEST ALONG AERODROME RD



VIEW LOOKING WEST ALONG LOWER HEART RD

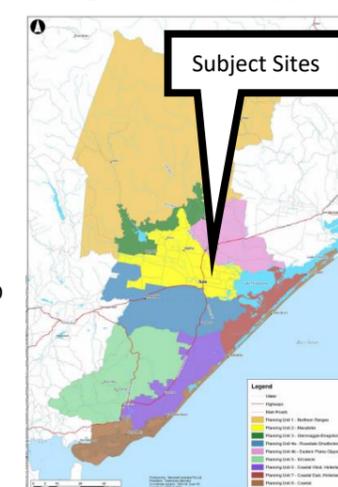


ADJOINING PROPERTIES:

The subject sites collectively abut:

- 450 Aerodrome Road, East Sale for a distance of 463.04 metres along the western half of its 1,208.56 metre long dog-legged north boundary. This property has area of 6.684ha formed across two parts on either side of a common property that is shared with Lot 2 on CS1714G. It is used for rural residential purposes with a single dwelling and associated outbuildings located in close proximity to the common boundary with the subject site;
- 486 Aerodrome Road along the balance of the northern boundary. This property has area of 8.9ha formed in an irregular shape. It is used for rural residential purposes with a single dwelling and associated outbuildings located approximately 160m from the common boundary with the subject site;
- 243 Lower Heart Road along its east boundary. As discussed elsewhere in this application, this property is presently being subdivided by D & T Goff to create Lot 2 on PS703126J, which will subsequently be re-subdivided if a permit is granted to allow the current proposal to proceed. This property currently has area of 90.24 hectares formed in an irregular shape. It accommodates the Goff's dwelling in its southwest corner, approximately 10 metres from the boundary being formed with Lot 2 on PS703126J. This property, i.e. Lot 1 on PS703126J, will have area of 59.45ha once the titles are registered;
- Lower Heart Road along three sections of the dog-legged 1,514.22 metre long south boundary. This road reserve has width of 20 metres and accommodates a 2-way, un-marked, bitumen-sealed roadway with grassed open drains. The road frontage is broken by 3 rural residential properties, i.e. 117, 219 & 239 Lower Heart Road. These properties have approximate areas of 2.1ha, 1.74ha and 1.4ha respectively. They each gain access from Lower Heart Road and contain single dwellings that are located within 10m, 40m & 100m of the common boundary with the subject site respectively;
- 141 Lower Heart Road along a 759.82m long stretch at the southern end of its 1,433.94 metre long, dog-legged west boundary. This property has area of approximately 20ha formed in an irregular shape. It accommodates a single dwelling in its southwest corner that is located approximately 320 metres from the common boundary with the subject site; and,
- 400 Aerodrome Road along the northern balance of its west boundary. This property has area of approximately 53ha and is farmed as part of a much broader holding. An abandoned dwelling is located on the west side of the property.

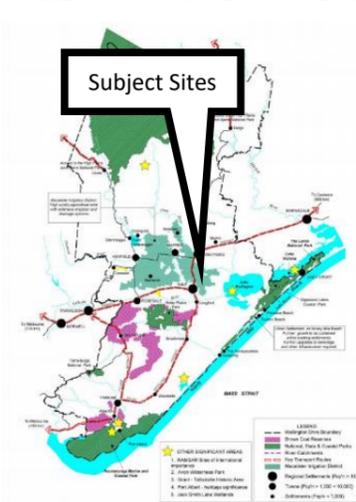
PLANNING UNITS MAPS



SOIL TYPE



WELLINGTON FRAMEWORK PLAN



Planning Policy Framework & Municipal Strategic Statement:

The proposed re-subdivision has been designed to transfer land out of the Derek & Gwen’s property into two adjoining farms, i.e. the Smith’s and the Goff’s. In order to facilitate a further re-subdivision of a cluster subdivision, it is necessary to split the land being transferred to the Smith’s into two lots, so complications posed by the rules surrounding cluster subdivisions can be avoided. The outcome will be the creation of:

- A 8.096 hectare lot for Derek and Gwen so they can semi-retire from farming while maintaining enough land to keep their horses;
- A 31.49 hectare lot for Carl & Dianne Smith so they can expand their farm holding;
- A 23.24 hectare lot for Carl & Dianne Smith’s Superannuation fund to further expand their farm. Noting that this lot will be further re-subdivided with other land in the cluster plan that it is part of once this re-subdivision is complete; and,
- A 52.1 hectare lot for D. & T. Goff so they can expand their farm holding.

This outcome accords with the policy objectives of:

- **Clauses 14.01, 21.01-2 and 21.17-2** as it will have the effect of transferring irrigated agricultural land from one farm to two others prior to the semi-retirement of one farm owner, whilst allowing them to keep some horses in retirement;
- **Clauses 18.04-1S and 22.05** as it will leave ample land within proposed Lots 2 & 4 for any future dwellings to be constructed outside of the RAAF Base East Sale flight path; and,
- **Clause 22.02** as it will not lead to any additional dwelling entitlements, change the farming character of the area or reduce the amount of land in agricultural use.

The purpose of the zone and overlays:

The proposed re-subdivision has been designed to comply with the purpose of **Clause 35.07** by:

- Creating lots that will allow the perpetuation of farming on the viable agricultural land within the site;
- Not creating any new land uses that would impact upon the capacity of adjoining land to continue its use for productive agriculture; and,
- Avoiding impacts upon the operation of channels within the property and retaining easement access to the existing water supply and pump shed to allow proposed Lot 2 to gain access to additional water for irrigation.

The proposed re-subdivision has been designed to comply with the purpose of **Clause 45.02** by:

- Creating lots upon which excessive aircraft noise can be avoided; and,
- Not increasing the number of dwelling entitlements in the flight path.

Any matter required to be considered in the zone, overlay or other provision:

The proposed re-subdivision has been designed to comply with the decision guidelines set out at **Clause 35.07-5** by:

- Avoiding the need for any works that would have an impact upon the channels within the land, in accordance with the objectives of the West Gippsland Catchment Management Strategy;
- Creating two lots that can accommodate their respective uses, i.e. rural residential lifestyle within proposed Lot 1 and ongoing irrigated farming on proposed Lots 2-4;

- Retaining adequate space within proposed Lot 1 for the wastewater management system associated with the existing dwelling to remain within the property boundaries;
- Avoiding creating any impacts upon adjoining and nearby agricultural uses; and,
- Avoiding the need for upgrades to existing roads, or creating any traffic management issues.

Orderly Planning:

The proposed re-subdivision has been designed to allow the transfer of most of the irrigated farmland in the applicant’s farm over to two adjoining farms in a manner that will:

- improve their viability to achieve ongoing dairy farming; and,
- avoid unnecessary complications created by the fact that one of the lots is part of a cluster subdivision.

Council has consistently granted planning permits in similar circumstances. So, approval will represent a consistent, or orderly, approach to planning.

The effect on the amenity of the area:

The proposed re-subdivision will not lead to any changes in land use or works near any dwellings. This will mitigate against any amenity impacts.

Factors likely to cause or contribute to land degradation, salinity or reduce water quality

The proposed re-subdivision does not necessitate any significant works that will lead to salinity, land degradation or a reduction in water quality.

Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site

The proposed re-subdivision does not necessitate any significant works and will not change stormwater outfall arrangements.

The extent and character of native vegetation and the likelihood of its destruction:

No significant native vegetation will be impacted by the proposal.

Whether native vegetation is to be or can be protected, planted or allowed to regenerate:

No significant native vegetation will be impacted by the proposal.

The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard:

The site is not susceptible to erosion, flood or bushfire risk.

Loading and unloading facilities and any associated amenity, traffic flow and road safety impacts:

The site retains ample space for the loading/unloading of vehicles associated with the agricultural and rural residential uses.

In relation to matters raised at **Clause 65.02** that aren’t covered above, we note that:

- The density and layout of the proposed subdivision is shown opposite;
- Anecdotal evidence suggests that there is strong demand for irrigated farmland within the Macalister Irrigation District;



- The development will not require any new roads or include common property;
- A new crossover will be required for proposed Lot 2, but existing access points can be used for the other three lots;
- There remains ample space for carparking within each proposed lot; and,
- Proposed Lot 1 will enjoy access to the existing electricity connection.

PLAN OF PROPOSED SUBDIVISION

PARISH OF SALE
SECTION A
CROWN ALLOTMENTS 23 (PART), 24A & 30 (PART)

LAST PLAN REF: CS 1714 (LOT 3)
LP 212361A (LOT 2)
PS 649519N (LOT 2)
PS 703126J (LOT 2)
TITLE REF: VOL. 10239, FOL. 389
VOL. 9823, FOL. 784
VOL. 11380, FOL. 495
VOL. 10817, FOL. 655 (PART)



NOTE: REFER TO TITLES FOR DETAILS OF EASEMENTS SHOWN HEREON



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SURVEYORS REF
1901159

SCALE
1 : 5000

50 0 50 100 150 200
LENGTHS ARE IN METRES

ORIGINAL SHEET
SIZE: A3

SHEET 1 OF 3

VERSION 1, DATE: 02/09/2019