

Address:

Lot details & restrictions:

Lot 1 on Plan of Subdivision No. 306823Y (Volume: 10061, Folio: 769). No easements or title restrictions.

Area, topography & services:

The land has area of 115.1 hectares formed in an irregular shape. It is largely flat, but falls gently away along its southeastern perimeter. Reticulated electricity is being connected.

Soil Type:

The land has Woodside Class soils (see below), which are appropriate for grazing.

Strategy Plans:

The land is in Planning Unit 8: Coastal – see below. It is not located in the Macalister Irrigation District or a Brown Coal Resource area – see below.

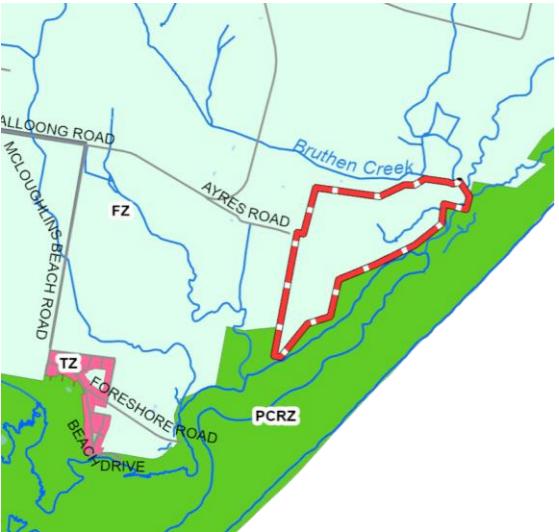
Zoning & Overlays:

Farming Zone with Environmental Significance Overlay (Schedule 2) across the southern portion - see below.

Improvements:

The northwest portion of the property accommodates shipping containers and a demountable site office, which are accessed via a gravel driveway that extends over to them from a crossover to Ayres Road at the north end of the property's west boundary road frontage. The site office is located approximately 110 metres from the west boundary. Outside of the buildings a mixture of industrial and agricultural materials and various types of vehicles are stored outdoors. A greenhouse is under construction to the south of these buildings. The north & west boundaries are fenced with post and wire treatments. The balance of the land is unimproved with a coastal wetland occupying the southeastern fringe of the property.

ZONING MAP



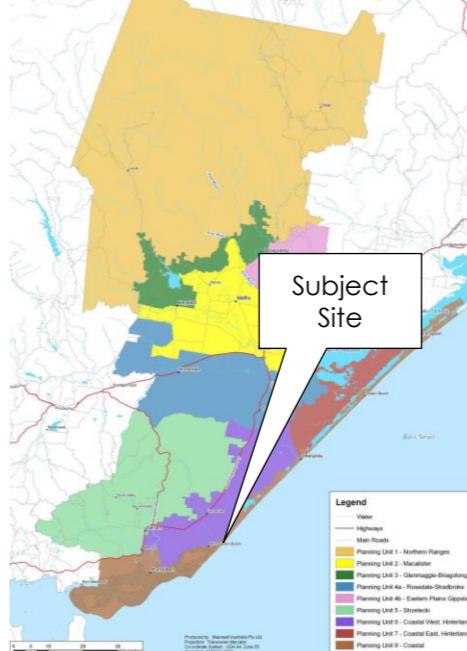
OVERLAY MAP



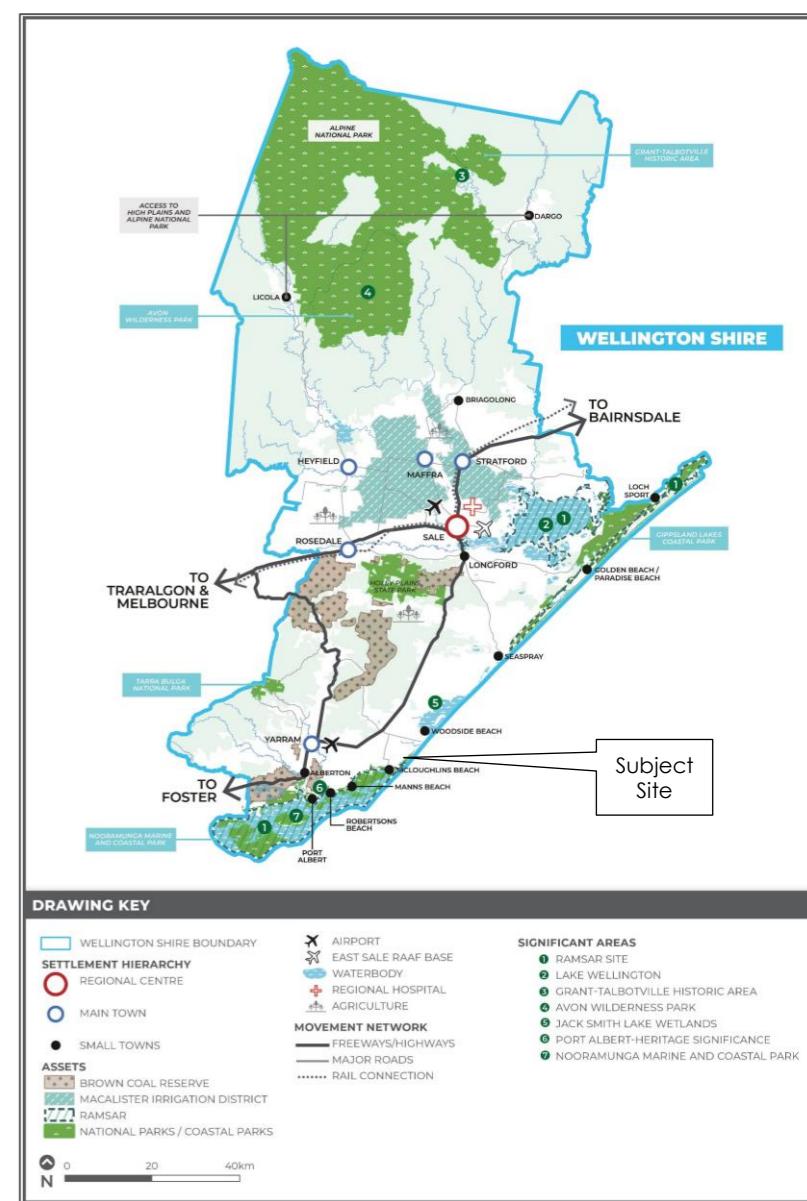
ABORIGINAL HERITAGE MAP



PLANNING UNITS MAP



STRATEGIC FRAMEWORK PLAN



SEARCH STATEMENT

Victoria
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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respect to their ongoing connection to the Country, History and Culture. The Victorian Government extends this respect to their Elders.

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

Page 1 of 1
VOLUME 10061 FOLIO 769
Security no : 124119260169K
Produced 23/10/2024 12:15 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 306823Y.
PARENT TITLES :
Volume 01990 Folio 947 Volume 02990 Folio 888 Volume 06357 Folio 206
Volume 09363 Folio 762
Volume 09777 Folio 674 to Volume 09977 Folio 675
Created by instrument PS306823Y 07/04/1992

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
ANDREW DONNEZ
EMILY DONNEZ both of AYRES ROAD WOODSIDE VIC 3874
AU6950207 16/08/2021

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 PS306823Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-END OF REGISTER SEARCH STATEMENT-

PLAN OF SUBDIVISION STAGE NO. **1** LTO use only **EDITION 1** Plan Number **PS 306823 Y**

Location of Land
Parish: BALLOONG

Council Certificate and Endorsement
Council Name: Shire of Altona-North Ref: 44/90
1. This plan is certified under section 8 of the Subdivisions Act 1988.
2. This plan is certified under section 11(1) of the Subdivisions Act 1988.
3. This is a statement of compliance issued under section 21 of the Subdivisions Act 1988.

LTO Base Record:
Title Reference: SEE NOTES BELOW

Last LTO Reference:
Last LTO Reference: REEFS BEACH ROAD
Last LTO Reference: WOODSIDE

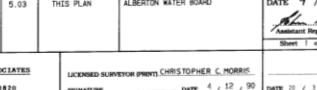
AMC Co-ordinates: E-493 000 N-729 000 Zone: 55
Easting: 6397268 Northing: 9363762

Vesting of Roads and/or Reserves:
Vesting Council/Body/Persons: Council/Body/Persons
Identifier: NIL
NIL

Staging: This plan is not staged Planning Permit No: 647/90
Depth Limitation: N/A

NOTES:
NOTE 6: ON THIS PLAN IS NOT THE SUBJECT OF THIS SURVEY
NOTE 7: THE CARRIAGeway EASEMENT CREATED BY STMENTMENT 16/27935 IS REMOVED UPON REGISTRATION OF THIS PLAN BY AGREEMENT

TITLE REFERENCE: 1090/947 2900/988 63257/206 9363/762
Survey: This plan is/was based on survey
This survey has been connected to permanent marks noted in Proclaimed Survey Area No.

Easement Information:
Legend: A - Appointment Easement E - Encumbering Easement R - Encumbered Easement (Road)
LTO use only
Statement of Compliance/Endorsement Statement
Received: Date: 1 / 1 / 91
LTO use only
PLAN REGISTERED
TIME: 2:05 PM
DATE: 7 / 4 / 92
Signature: 
Sheet 1 of 5 Sheets

CHRISTOPHER C. MORRIS & ASSOCIATES
Licensed Surveyors
48 Queen St., Warragul, 3820
Ph (03) 52 6326 Fax (03) 52 3372

LICENSED SURVEYOR (PRINT): CHRISTOPHER C. MORRIS
Signature: 
DATE: 4 / 12 / 90
REF: 1210
VERSION: 1
COUNCIL DELEGATE SIGNATURE: 
Original sheet size A3

PLAN OF SUBDIVISION Stage No. **1** Plan Number **PS 306823 Y**

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Parish: BALLOONG

Council Certificate and Endorsement
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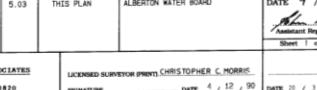
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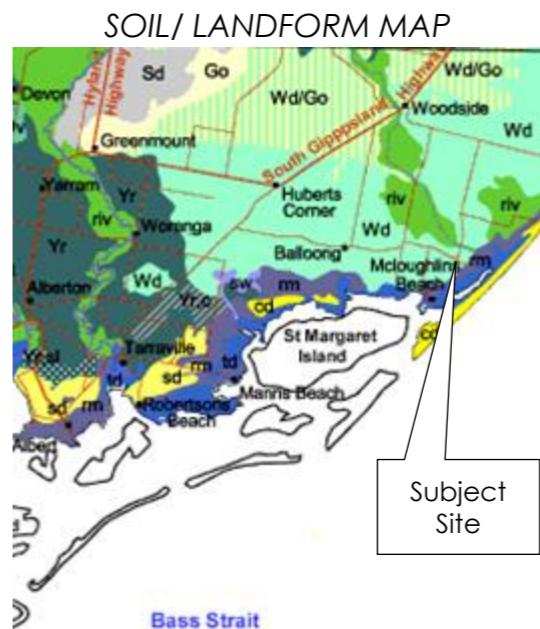
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Wd - Woodside

CROSSOVER TO THE SUBJECT SITE FROM AYRES ROAD



DIMENSIONED AERIAL PHOTO OF THE SUBJECT SITE



MAGNIFIED VIEW OF THE DEVELOPED NORTHWEST PORTION OF THE SUBJECT SITE



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ADJOINING PROPERTIES:

The subject site abuts:

- Lot 2 on PS306823Y along its 566.01 metre long, dog-legged north boundary for a distance of 1,401.39 metres across all four corners. This property has an area of 75.73 hectares formed in an irregular shape. It is vacant land, apart from a gravel track that bisects it in an east-west direction. Otherwise, it is fenced with a post and wire treatment and mostly covered in pasture grass. Bruthen Creek traverses through the southern portion of this property before entering the subject site. A Building Site Access to this property is available via a thin access leg that connects back to Balloong Road on its west boundary.
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- Lot 3 on PS306823Y along the southern balance of its northern boundary. This property has an area of 60.65 hectares formed in an irregular shape. It accommodates a farm shed in its northeast portion that is located approximately 730 metres from the common boundary with the subject site. Otherwise, it is fenced with a post and wire treatment and covered in pasture grass and the same coastal wetland as occupies the southeast perimeter of the subject site. Access to this property is available via a crossover to Reeves Beach Road, which abuts its eastern boundary;
- Crown Allotment 17A4, Section 2, Parish of Balloong along its 1,989.14 metre long, dog-legged eastern boundary for a distance of 128.11 metres at the north end. This property has an area of approximately 24.8 hectares formed in an irregular shape. It is devoid of improvements and largely covered in coastal scrub and the same wetland as occupies the southeast perimeter of the subject site. Access to this property is available via its east boundary frontage to an unmade portion of Reeves Beach Road;
- Crown Allotment 52C, Parish of Balloong along the balance of its eastern boundary and its 1,642.3 metre long, dog-legged western boundary for a distance of approximately 270 metres at the south end. This property has an area of approximately 189.5 hectares formed in an irregular shape and is set aside as a foreshore reserve. It is devoid of improvements and largely covered in coastal scrub and the same wetland as occupies the southeast perimeter of the subject site. Access to this property is available via its north boundary frontage to Foreshore Road;
- Ayres Road along the centre of its west boundary for a distance of approximately 880 metres. This road reserve is only made at the northern tip of the abutment, where it comprises a two-way gravel track, with grassed shoulders and rural style drainage down both sides. It connects back to Balloong Road approximately 550 metres from the frontage to the subject site; and,
- 1188 Balloong Road along the northern balance of its east boundary. This property has an area of approximately 65.9 hectares formed in a rectangular shape. It accommodates a single dwelling in its northern portion that is located approximately 1,070 metres from the common boundary with the subject site. This property has been cleared and is covered in pasture grass. It appears to be used to graze livestock. Bruthen Creek bisects this property in an east-west direction. Access is gained via a crossover to Balloong Road that is opposite the dwelling.

DIMENSIONED AERIAL PHOTO OF THE SUBJECT SITE WITH ADJOINING PROPERTIES LABELLED



ACROSS 1188 BALLOONG ROAD FROM AYRES ROAD



CROSSOVER TO 1188 BALLOONG ROAD



LOOKING EAST ALONG AYRES ROAD



LOOKING WEST ALONG AYRES ROAD



THE PROPOSAL:

It is proposed to construct a warehouse on the property in order to store all of the machinery and materials presently being stored outside.

This warehouse will be constructed with steel walls and roof and have dimensions of 18 metres x 66 meters x 8.4 metres (maximum height). It will sit on a concrete slab and be connected to reticulated electricity via a supply extension that is being negotiated with Ausnet Services.

It will be located 80 metres from the west boundary and be accessed via an extension to the existing gravel driveway. All stormwater falling on the roof of the warehouse will be collected in tanks to provide a fire-fighting & potable drinking water supply.

A site plan, floorplan and elevations of the proposed warehouse are provided below.

It is noted that all of the industrial related material and machinery to be stored in the shed will eventually be sold off and the shed will purely be used to store agricultural machinery. The landowner aims to complete this sell-off by mid-2026.

The landowner will not employ any staff, i.e. Ahmet and Emine will be the only people working on the farm or in the shed.

The landowner will also construct a small dwelling on the land to live in until a larger home can be built. Once that occurs the small dwelling will be used as a 'small second dwelling'.

It is noted that these two land uses and the building and works associated with them do not require a planning permit due to their setbacks from boundaries and locations outside the Environmental Significance Overlay (Schedule 2). It is also noted that the building and works are located outside the area with potential aboriginal heritage sensitivity.

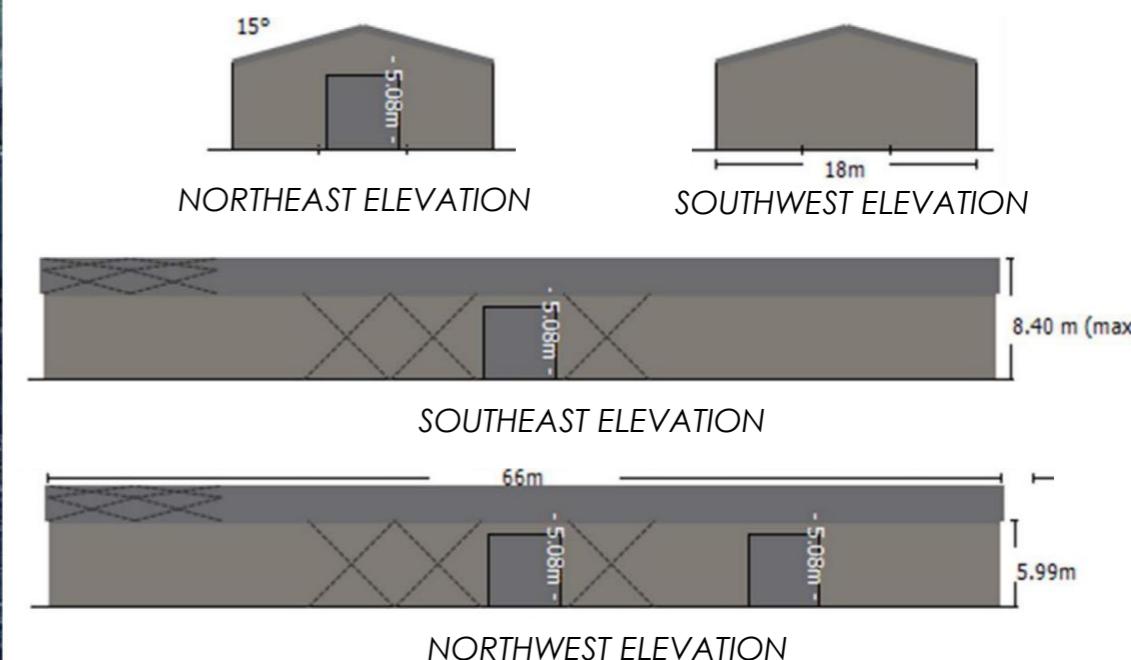
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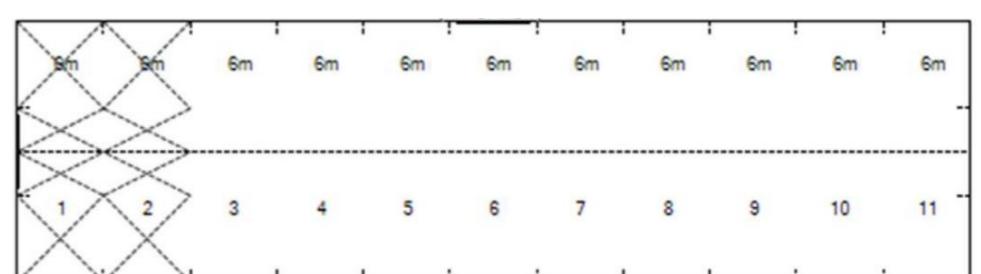
PROPOSED SITE PLAN



PROPOSED ELEVATIONS



PROPOSED FLOORPLAN



Planning Policy Framework & Municipal Planning Strategy:

The proposal involves the use and development of an 18m x 66m x 8.4m (high) steel warehouse (shed) 80 metres from the subject site's western boundary. This building will be used to store agricultural and industrial materials that are presently stored in shipping containers or outdoors. The land upon which the proposed use will sit is in the Farming Zone. However, upon the finalisation of the sell-off of the more industrial materials, equipment and machinery, the shed will be used purely to store agricultural equipment and produce, meaning it will become part of a Section 1 use.

As such, the proposal accords with the policy objectives of:

- **Clauses 11.01-1S, 11.01-1R and 11.01-1L** insofar as it will assist a farmer to store machinery and materials in a more appropriate manner that is less disruptive to the farming of surrounding land; and,
- **Clauses 14.01-1S, 14.01-1L** insofar as it will not remove a significant amount of viable agricultural land from production and will be used purely to support agriculture 18 months after the permit is issued.

The purpose of the zone and overlays:

The proposed use and development of the land with a warehouse has been designed to comply with the purpose of **Clause 35.07** by:

- Avoiding the loss of an extensive amount of productive agricultural land through the construction of an appropriate building to support a purely farming use on the land once the industrial material is sold off;
- Siting the warehouse 80 metres from the nearest boundary so as not to disrupt the use of the adjoining land for farming; and,
- Avoiding the need to remove any native vegetation.

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

The proposed warehouse has been designed to comply with the decision guidelines set out at **Clause 35.07-6** by:

- Allowing enough space for all of the materials presently stored outdoors on the land to be stored undercover;
- Not requiring any additional staffing to attend the site so as to avoid disruption to surrounding farms from excessive amounts of traffic;
- Ensuring that all vehicle reversing movements associated with the use can be carried out on site;
- Limiting the extent of stormwater runoff by collecting all rain falling on the roof of the warehouse in tanks to provide a fire-fighting & potable drinking water supply for the proposed dwelling(s) on the land;
- Providing reticulated electricity to the warehouse so as to make best of use of available infrastructure; and,
- Avoiding the need for removal of any significant vegetation.

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Orderly Planning:

The proposed use and development of the land for a warehouse has been designed to avoid disrupting adjoining agricultural uses to the north and the wetland in the coastal reserve to the south. It does not represent a high risk to the amenity of nearby residential land uses, as all industrial materials presently being stored outdoors will be kept in a building with electricity and a concrete floor until they are sold. Council has consistently granted planning permits in similar circumstances. Hence, approval of the proposal will represent a consistent, or orderly approach to planning.

The effect on the amenity of the area:

The proposed warehouse will be used to store industrial materials that are presently stored outdoors. This will be achieved without disrupting or generating additional vehicle movements. Hence, no external landowners will suffer an increased impact upon their amenity.

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

The proposed warehouse use does not necessitate any significant works near any declared watercourses and all stormwater will be collected in tanks for re-use. So, it won't lead to land degradation or water quality impacts.

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

As above.

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

The proposed warehouse has been designed to avoid the removal of any significant native vegetation.

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

As above.

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 subject site is not identified as being subject to erosion or flood hazard. It is in a bushfire prone area and this will be considered at building permit stage.

The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

The proposed warehouse is located 80 metres from the west boundary road frontage. So, it will not disrupt vehicle access into the site, or vehicle movements on Ayres Road generally.

The impact the use or development will have on the current and future development and operation of the transport system.

As above.

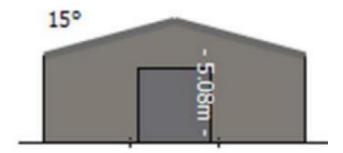
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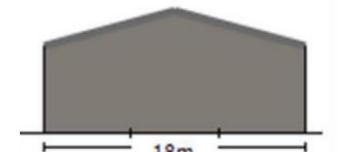
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PROPOSED ELEVATIONS

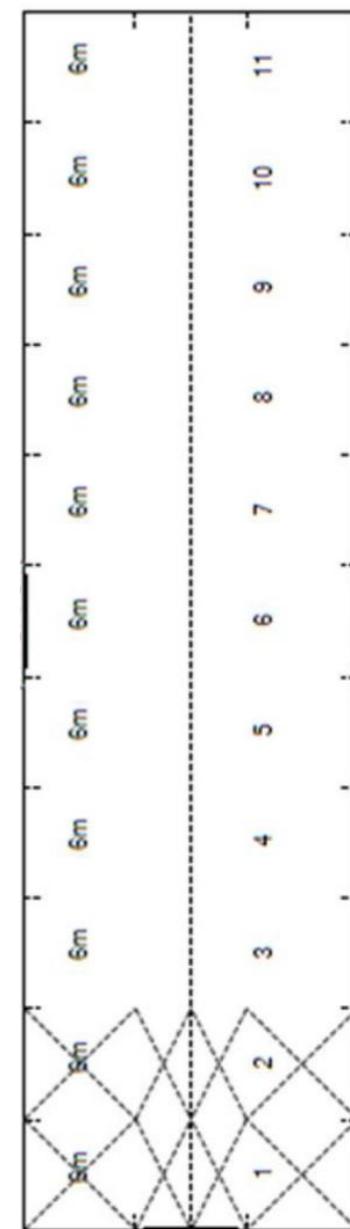


NORTHEAST ELEVATION

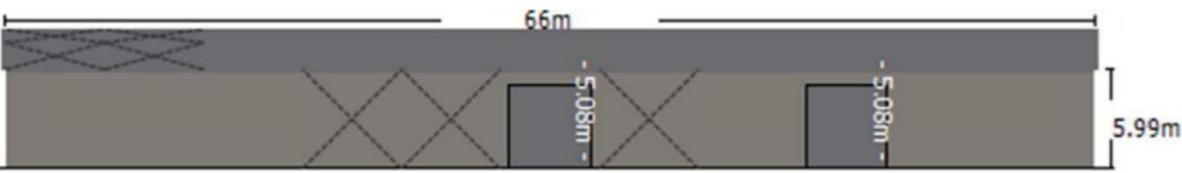


SOUTHWEST ELEVATION

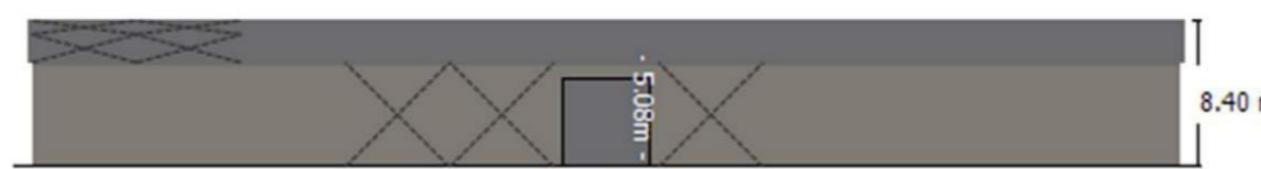
PROPOSED FLOORPLAN



PROPOSED ELEVATIONS



NORTHWEST ELEVATION



SOUTHEAST ELEVATION