

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose.



By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.



Figure 1: Proposed Plan of Subdivision

**ADJOINING PROPERTIES:**

The subject sites collectively abut:

- 91 Boisdale-Valencia Creek Road along the full extent of their 355 metre long north boundary. This property has area of 72.4 hectares formed across two parcels and is used for dairy farming. A dwelling is located approximately 500 metres from the common boundary with the subject site. The land is covered in improved, irrigated pastures. Access is gained via a gravel crossover to Boisdale-Valencia Creek Road;
- Boisdale-Valencia Creek Road long the full extent of their 245.6 metre long east boundary. This road reserve has a width of 20 metres where it abuts the subject site. It accommodates a 2-way, line-marked bitumen road with grassed, rural-style drainage down both sides. It connects the township of Boisdale, which is 570 metres to the south, with the larger town of Maffra, which is a further 7.5km to the south;
- 122 Back Valencia Creek Road along the full extent of their 503.6 metre long, dog-legged southwest boundary. This property has area of approximately 168.5 hectares formed across three irregular shaped parcels. It accommodates a dwelling that is located in the eastern portion, approximately 1.15 kilometres from the common boundary with the subject site. This property is cleared with its irrigated pastures used for dairy farming. Access is gained via a crossover to Back Valencia Creek Road, which abuts its western boundary.

DWELLING AT 91 BOISDALE-VALENCIA CREEK ROAD



LOOKING NORTH ALONG BOISDALE-VALENCIA CREEK ROAD



LOOKING SOUTH ALONG BOISDALE-VALENCIA CREEK ROAD



122 BACK VALENCIA CREEK ROAD FROM BOISDALE-VALENCIA CREEK RD.



**DIMENSIONED AERIAL PHOTO OF THE SUBJECT SITE (OUTLINED WHITE) WITH (KNOWN) BOUNDARY DIMENSIONS & SURROUNDING DEVELOPMENT LABELLED**



**This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose.**

**By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.**

**THE PROPOSAL:**

**PROPOSED PLAN OF SUBDIVISION WITH THE LAND SUBJECT TO INUNDATION OVERLAY SHOWN SHADED BLUE**

The landowner is seeking to sell her house on Lot 1 on LP113305. However, she wishes to annexe 4,879m<sup>2</sup> of land in the southern portion of Lot 2 on LP113305 into the smaller house lot so as to:

- provide a better buffer between the existing house and her adjoining farmland on Lot 2 on LP113305. This will serve to avoid amenity impacts upon the future residents of the dwelling; and,
- Bring the existing outbuildings in the southern portion of Lot 2 on LP113305, which she presently uses for domestic storage in conjunction with her dwelling into the same lot as the house.

To achieve this, she is seeking to realign the boundary between the two lots in the manner shown opposite.

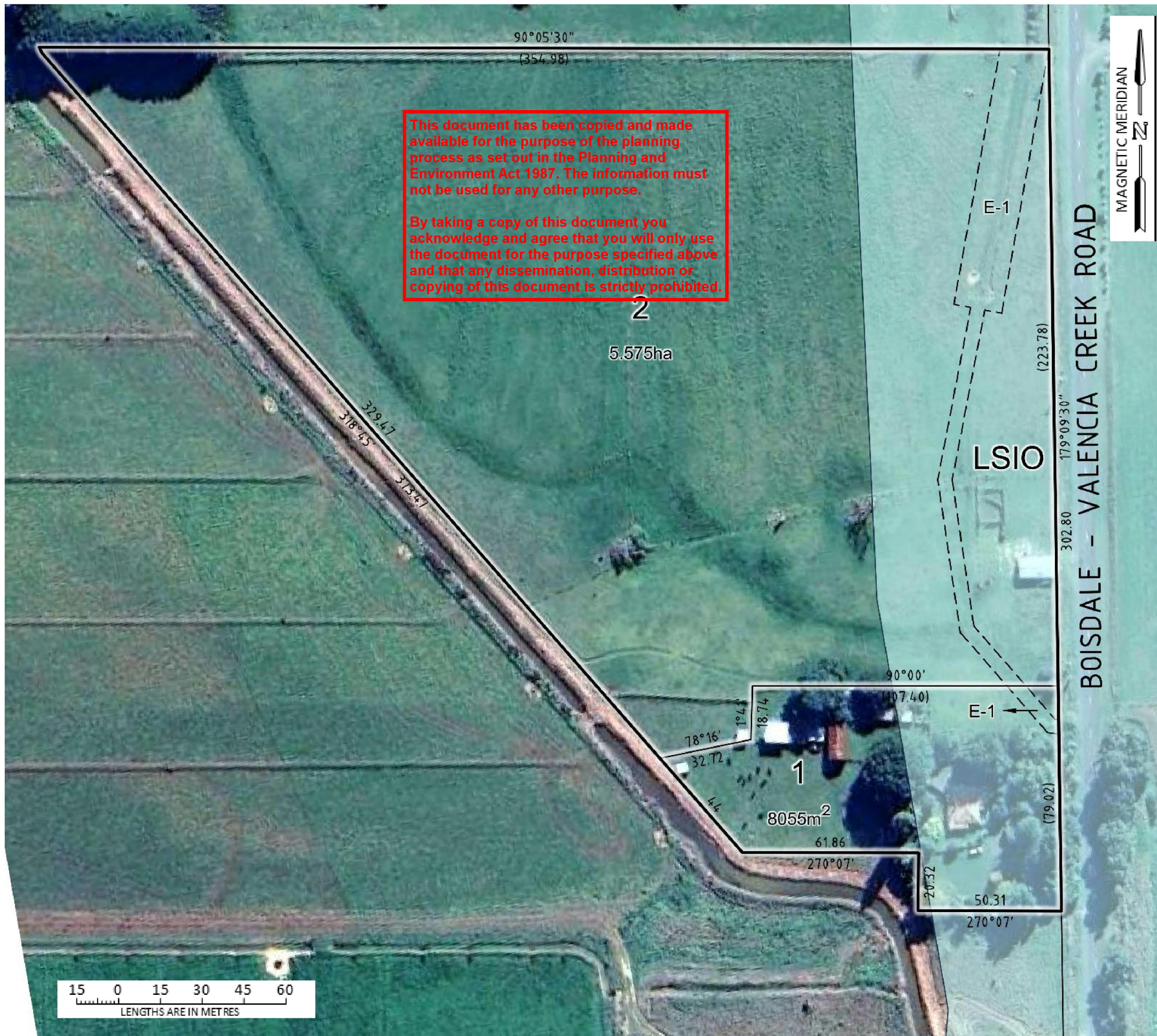
Proposed Lot 1 has been designed to allow the retention of existing native vegetation on the property, noting that the trees that it will run past are all planted. It will gain access via the existing crossover to Lot 1 on LP113305.

Proposed Lot 2 will gain access via the existing crossover to Lot 2 on LP11305, i.e. the one next to the former dairy.

As shown opposite, this layout will not change the capacity of either lot to gain access to Boisdale-Valencia Creek Road during a 1% AEP flood event.

As can be seen opposite, the easement (E-1) will run through both proposed lots. However, it does not appear to contain any assets.

As shown below, both lots will have access to reticulated electricity.



**PROPOSED PLAN OF SUBDIVISION SHOWN WITH RESPECT TO THE RETICULATED ELECTRICITY SUPPLY**



## Planning Policy Framework & Municipal Planning Strategy:

The proposed re-subdivision seeks to increase the buffer from farming uses and annexe existing domestic outbuildings into a small house lot prior to its separate sale. The proposed smaller lot has been designed to minimise the amount of land lost to agriculture by only annexing land at the rear of the house and around the sheds that is not irrigated and has not been used for agriculture. The lot layout still affords both properties ongoing access to Boisdale-Valencia Creek Road to facilitate evacuation during a 1%AEP flood.

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

- **Clauses 14.01-1S** and **14.01-1R** as it will:
  - Reduce the likelihood of conflict across the interface between a rural residential use and a farming use;
  - Not remove viable farmland from agricultural production;
  - Retain easy access to the services in Maffra via a bitumen road in excellent condition, i.e. Boisdale-Valencia Cree Road; and,
  - Not create a new land use that would impact agricultural production on other farms in the area in a significant manner.
- **Clause 13.03-1S** as it will neither change the risk to life & property or inhibit the capacity of either lot to be evacuated during a flood, as can be seen opposite.

### The purpose of the zone and overlays:

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

- Ensuring that the creation of the proposed smaller lot will not lead to a change of land use or any works that would impact upon the use of adjoining land for agriculture;
- Avoiding the loss of viable farmland, noting that no agricultural land is being annexed into the smaller lot; and,
- Avoiding the need for vegetation removal, noting that only planted trees are impacted.

The proposed re-subdivision has been designed to comply with the purpose of **Clause 44.03 & 44.04** by avoiding any alterations to the existing lot boundaries that would inhibit the evacuation of either property, or cause an unacceptable risk to life or property, in the event of a flood, as shown opposite.

### 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 35.07-6** by:

- Avoiding the need for any works that would impact upon declared watercourses, water bodies or floodplains, in accordance with the objectives of the West Gippsland Catchment Management Authority;
- Not creating land uses that would impact upon soil or water quality;
- Ensuring the creation of the smaller lot will not result in the loss of viable agricultural land;
- Not limiting agricultural use of adjoining and nearby agricultural land; and,
- Avoiding the need for removal of any significant vegetation.

As required by **Clauses 44.03-8 & 44.04**, the proposed re-subdivision is designed to avoid impacting the capacity of both properties to be evacuated in the event of a flood.

### Orderly Planning:

The proposed re-subdivision has been designed to allow the existing landowner to provide

PROPOSED PLAN OF SUBDIVISION WITH THE LAND SUBJECT TO INUNDATION OVERLAY SHOWN SHADED BLUE



a better buffer around her existing dwelling and retention of access to existing domestic sheds prior to its separate sale. 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 re-subdivision will annexe 4,879m<sup>2</sup> of unfarmed land into a small house lot in order to improve the house's buffer from irrigated farmland. So, there will be no change in land use. 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 re-subdivision does not necessitate any significant works near watercourses or irrigation