



## Application for Planning Permit for a Subdivision

**Supplied by** Andrew Grey  
**Submitted Date** 15/05/2024

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### Application Details

**Application Type** Planning Permit for a Subdivision  
Version 1  
**Applicant Reference Number** 304325115.402-02B1  
**Responsible Authority Name** Central Goldfields Shire Council  
**Responsible Authority Reference Number(s)** (Not Supplied)  
**SPEAR Reference Number** S229613M  
**Application Status** Lodged with Responsible Authority  
**Planning Permit Issue Date** NA  
**Planning Permit Expiry Date** NA

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### The Land

**Primary Parcel** CHAPLINS ROAD, CARISBROOK VIC 3464  
Lot 2/Plan PS916127  
SPI 2\PS916127  
**Zone:** 36.04 Transport  
32.03 Low Density Residential  
35.03 Rural Living  
**Overlay:** 44.02 Salinity Management  
44.01 Erosion Management  
44.04 Land Subject to Inundation

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### The Proposal

**Plan Number** (Not Supplied)  
**Number of lots** 2  
**Proposal Description** 2 lot subdivision  
**Estimated cost of the development for which a permit is required \$** 0

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### Existing Conditions

**Existing Conditions Description** Vacant land  
**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.

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### Applicant Contact

**Applicant Contact** Mr Andrew Grey  
Stantec Australia Pty Ltd - Ballarat  
1315 Sturt Street, Ballarat, VIC, 3350  
Business Phone: 03 4320 0403

**Applicant**

**Applicant**

(Applicant details as per Applicant Contact)

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**Owner**

**Owner**

Lachlan [REDACTED]  
26 Chaplins Road, Carisbrook, VIC,

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**Declaration**

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

I, Andrew Grey, declare that all the information supplied is true.

**Authorised by  
Organisation**

Andrew Grey  
Stantec Australia Pty Ltd - Ballarat



INVERT R.L. 197.93  
375mm Ø PIPE

PROPOSED CARRIAGEWAY  
EASEMENT IN FAVOUR OF  
LOT 1 LP 71566  
& LOT 2A IN THIS PLAN  
SHOWN CROSS-HATCHED

INVERT R.L. 198.02  
375mm Ø PIPE

**LEGEND**

- TOP OF BANK
- TOE OF BANK
- DRIP LINE
- WING WALL
- BITUMEN - EDGE
- TRACK
- SIGN
- SHED
- ELECTRICITY - POLE
- ELECTRICITY - O/H
- TELSTRA - PIT
- FIRE PLUG
- TAP
- FENCE

Rev.	Date	Amendments
04	10/05/2024	REV. LOT LAYOUT
03	06/05/2024	REV. LOT LAYOUT
02	02/05/2024	ADD PROP. C/WAY EASEMENT
01	15/04/2024	PROPOSED LOT LAYOUT

Drawn	Drawn	ML, PF
PF	Checked	MW, AG
PF	Scale	1:750
PF	Sheet Size	A1
PF	File Ref.	25115-402-02B1-DR02-04.dwg
PF	Sheet No.	1 of 1

Client:
HURSE FAMILY TRUST
Municipality:
CENTRAL GOLDFIELDS SC
SCALE
1:750
LENGTHS ARE IN METRES

**DESIGN RESPONSE PLAN**  
**2 LOT SUBDIVISION**  
 (LOT 2 PS 916127)  
 CHAPLINS ROAD  
 CARISBROOK

**Planning Report**  
**Two Lot Subdivision**  
**22 Chaplins Road, Carisbrook**

Ref No: 304325115

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## Contact Information

Stantec Australia Pty Ltd  
ABN 17 007 820 322

1315 Sturt Street  
Ballarat VIC 3350  
Australia

www.stantec.com

Phone +61 3 5330 8888

## Document Information

Prepared for Hurse Family Trust

Proposal Name 2 Lot Subdivision

Job Reference 304325115

Date 15 May 2024

Version Number 1

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## Author(s)

Name	Andrew Grey	Date	15 May 2024
Job Title	Principal Town Planner		

## Approved By

Name	Lisa Machacek	Date Approved	15 May 2024
Job Title	Project Manager		

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## Document History

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0	02.05.2024	Review	Andrew Grey	Lisa Machacek
1	13.05.2024	Council Lodgment	Andrew Grey	Andrew Grey

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## Attachments

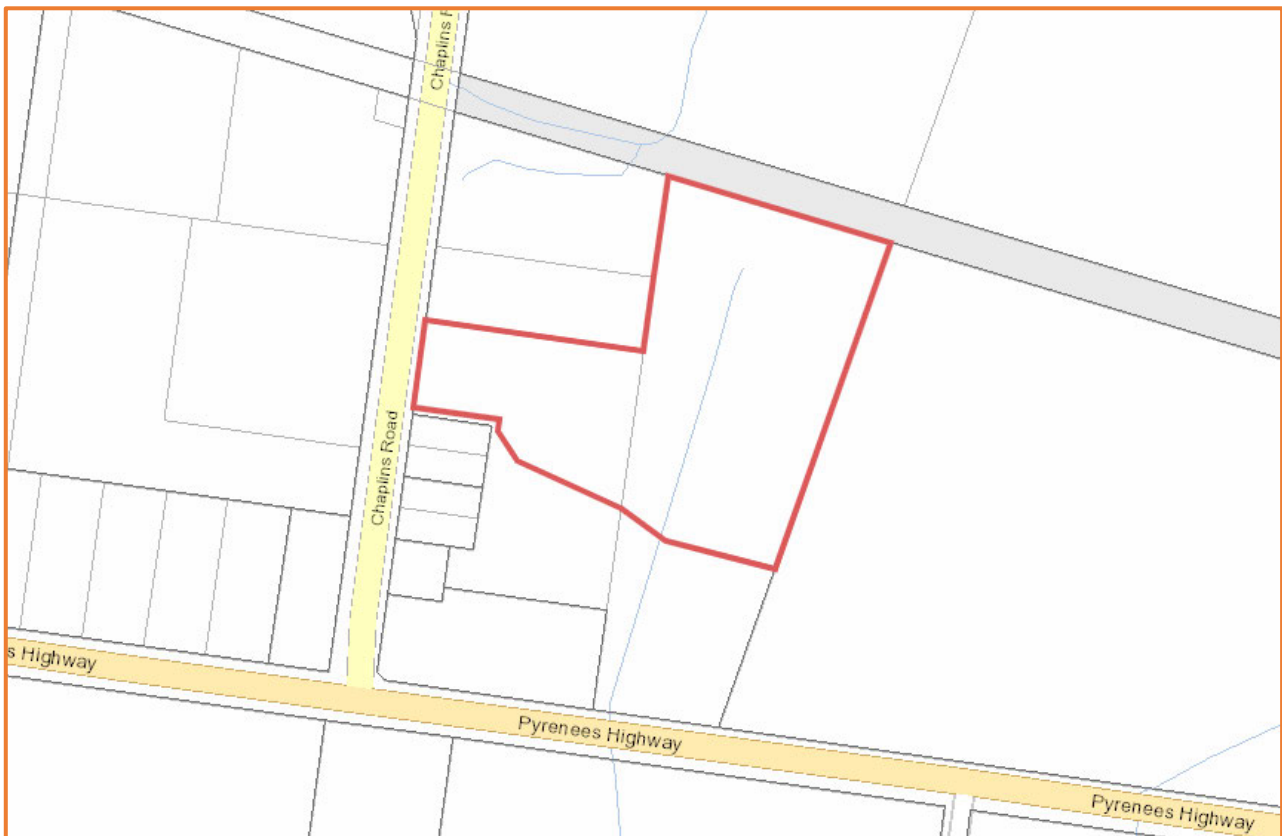
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- Attachment 1 Application Form (SPEAR)
- Attachment 2 Copy of Titles and Title Plans
- Attachment 3 Design Response Plan

## 1. Introduction

Stantec has been engaged by Hurse Family Trust to submit a Planning Permit Application on their behalf for a subdivision of land situated at 22 Chaplin's Road, Flagstaff - outlined in blue below. The land is 4 hectares in area and will be formally known as Lot 2 on PS916127 and will be created in accordance with a subdivision approved by Planning Permit D002/23.

At the time of writing PS916127 had been released for lodgement to the title's office. Existing parent titles are Lot 6 LP114330 (Vol. 9103 Fol. 324) and Lot 1 LP122783 (Vol. 10234 Fol. 975).



Map showing extent of land subject to this application

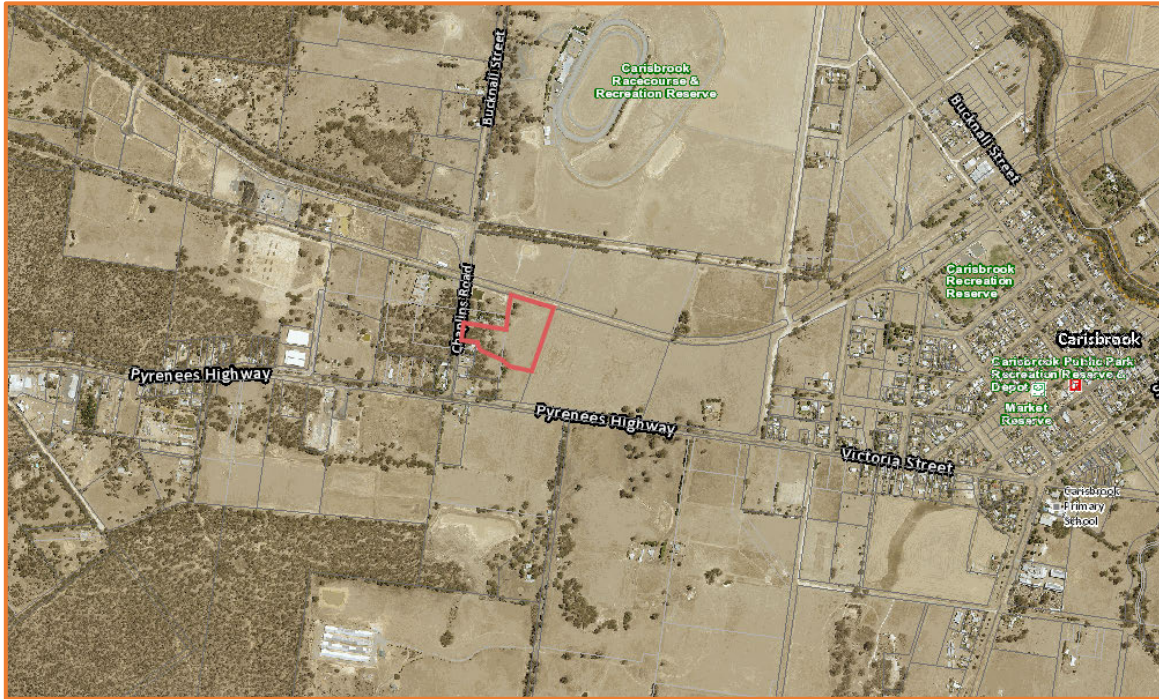
## 2. Permit Triggers

A permit is required for the proposed development pursuant to the following provision of the Central Goldfields Planning Scheme:

>	<b>Rural Living Zone</b>	35.03-3	Subdivision of Land
>	<b>Erosion Management Overlay</b>	44.01-5	Subdivision of Land
>	<b>Salinity Management Overlay</b>	44.02-2	Subdivision of Land
>	<b>Land Subject to Inundation Overlay</b>	44.04-3	Subdivision of Land

### 3. Subject Site and Context

The site is situated on the east side of Chaplins Road. It is located approximately 3 km east of Maryborough's urban fringe and approximately 1 km west of Carisbrook



Aerial photograph of site and locality

The site is irregular in shape with frontage Chaplins Road of approximately 62 metres and an overall area is approximately 4 hectares.



Aerial Photograph of Site and Surrounding Land



The land does not contain any buildings and has a consistent fall from west down to east. Properties to the north and south adjacent Chaplins Road developed and used for rural residential purposes. Power and water are available in Chaplins Road. The site contains native trees on its western side.

State government mapping systems shows a watercourse to exist along the centre of the site. This is a small channelised drain which previously supplied settling ponds at the abattoirs to the south. A natural watercourse is located to the north-east of the site.



The site is predominantly within the Rural Living Zone. A pocket of land (within 50 metres of Chaplins Road) are within the Low Density Residential Zone.

All of the land is affected by the Erosion Management Overlay and partially affected by the Salinity Management Overlay and the Land Subject to Inundation Overlay.

The site is not within an area of Aboriginal cultural heritage sensitivity

## 4. Proposal

The application proposes a 2 lot subdivision. Lot 2A would be 1.88ha in area and Lots 2B would be 2.18ha in area.

Both lots would have access from Chaplins Road and the proposed new boundary would have a dogleg alignment largely following existing fence lines.

As per the design response plan below, a carriageway easement would be created to provide Lot 2A with access to Chaplins Road via an existing gravel carriageway whilst avoiding the removal of native vegetation.

No native vegetation removal is proposed and there would be no consequential loss of native vegetation as a result of the subdivision because:

- Access arrangement for both proposed lots will utilise the existing gravel carriageway.
- Native vegetation along existing fence lines is currently subject to the fence's exemption at the table to Clause 52.17-7.

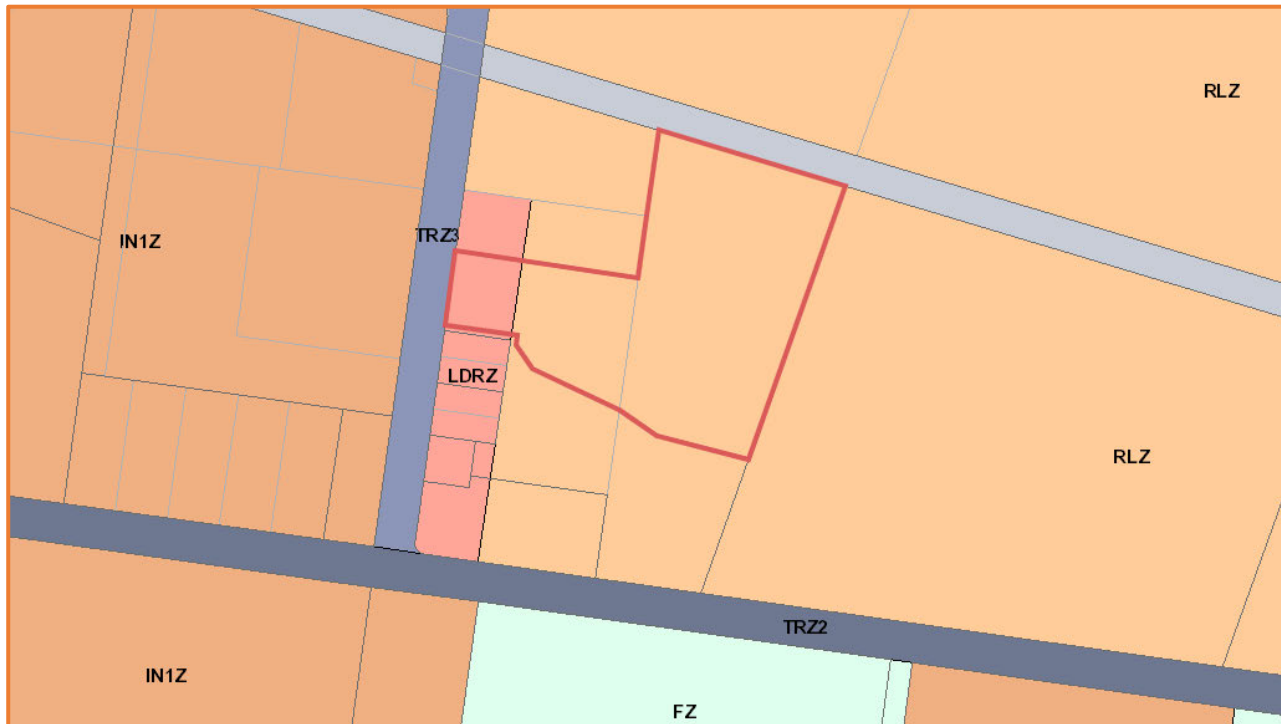


Proposed Plan of Subdivision

## 5. Zoning

### 5.1 Rural Living Zone

The subject site is predominantly situated within the Rural Living Zone of the Central Goldfields Planning Scheme.



Zoning Map of site and surrounding land

The purpose of the Rural Living Zone is:

- > To implement the Municipal Planning Strategy and the Planning Policy Framework.
- > To provide for residential use in a rural environment.
- > To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- > To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- > To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision

**Response:** *The proposal creates an opportunity for an additional dwelling in a rural environment which already contains several residential uses on similar sized lots. The proposed subdivision has been designed to protect and enhance the environmental values of the area, in particular the native trees. The submitted design response plan provides for sustainable land management practices.*

## Subdivision

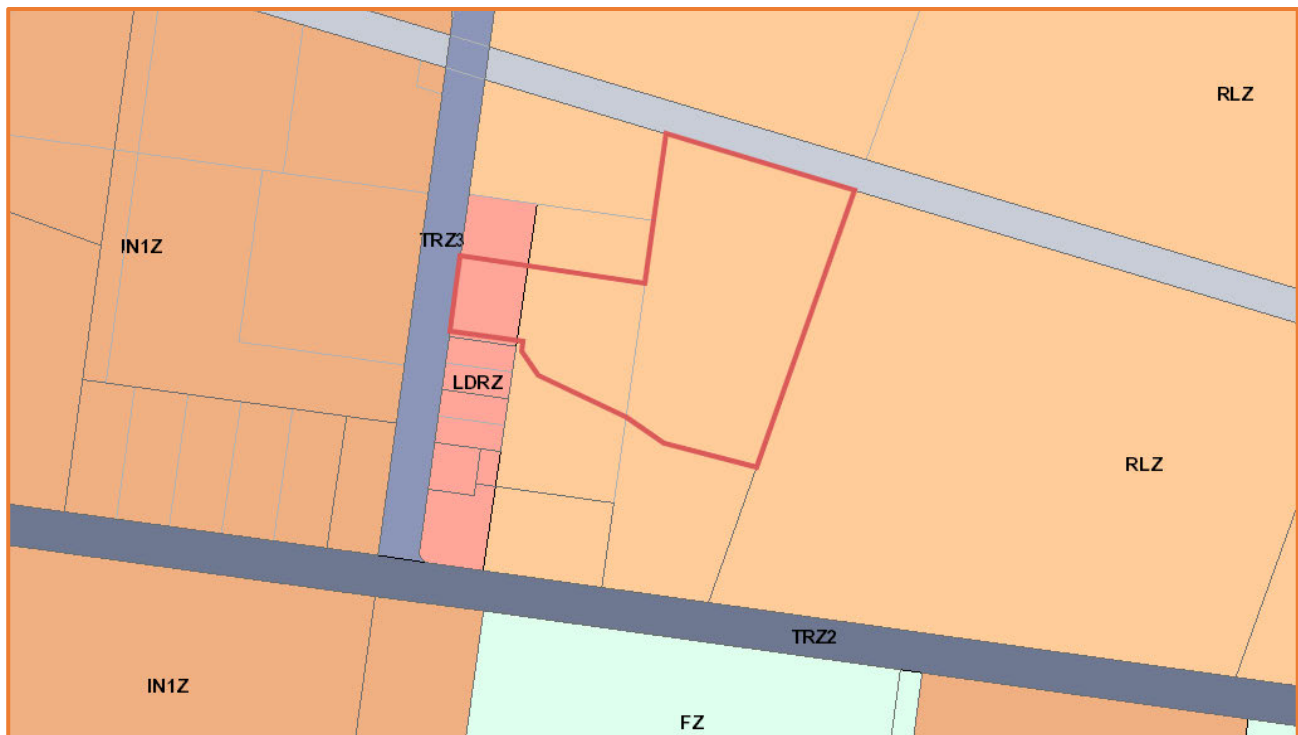
Under Clause 35.03-3 of the Central Goldfields Planning Scheme, a Planning Permit is required to subdivide land. The minimum subdivision area specified in the schedule to the zone is 2 hectares where there is reticulated water. The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone, therefore the creation of a lot below 2 hectares is in accordance with Clause 35.03-3.

The proposal responds favourably to the relevant decision guidelines which are listed below with response provided to each:

Decision Guideline	Response
The Municipal Planning Strategy and the Planning Policy Framework.	A response to the relevant policies is provided at section 8 of this report.
The capability of the land to accommodate the proposed use or development.	Future dwellings can be accommodated on the land given the proposed area of each lot and because there are no designated waterways on the land.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses	Each lot can accommodate the proposed use and adjoining land is used for the same purpose on smaller lot sizes.
The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.	The proposal will have minimal impacts on the native vegetation and no impact on waterways near the site.
The impact of the use or development on the flora, fauna and landscape features of the locality.	The proposal minimises the removal of native vegetation to allow practical access.
The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	There is a need to retain native vegetation and this is achieved through the proposed subdivision design.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	There are cleared areas at the rear of both lots which are an appropriate distance from lot boundaries and waterways..

## 5.2 Low Density Residential Zone

The subject site is also partially situated within the Low Density Residential Zone.



Zoning Map of site and surrounding land

The purpose of the Low Density Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

**Response :** *The proposal is consistent with the purpose of the zone in that it will allow for low density residential development which makes use of existing utilities and is in a location that is in close proximity to educational, recreational, community and commercial facilities in Maryborough. The lots are of sufficient size and orientation to allow for the construction of future dwellings consistent with existing neighbourhood character.*

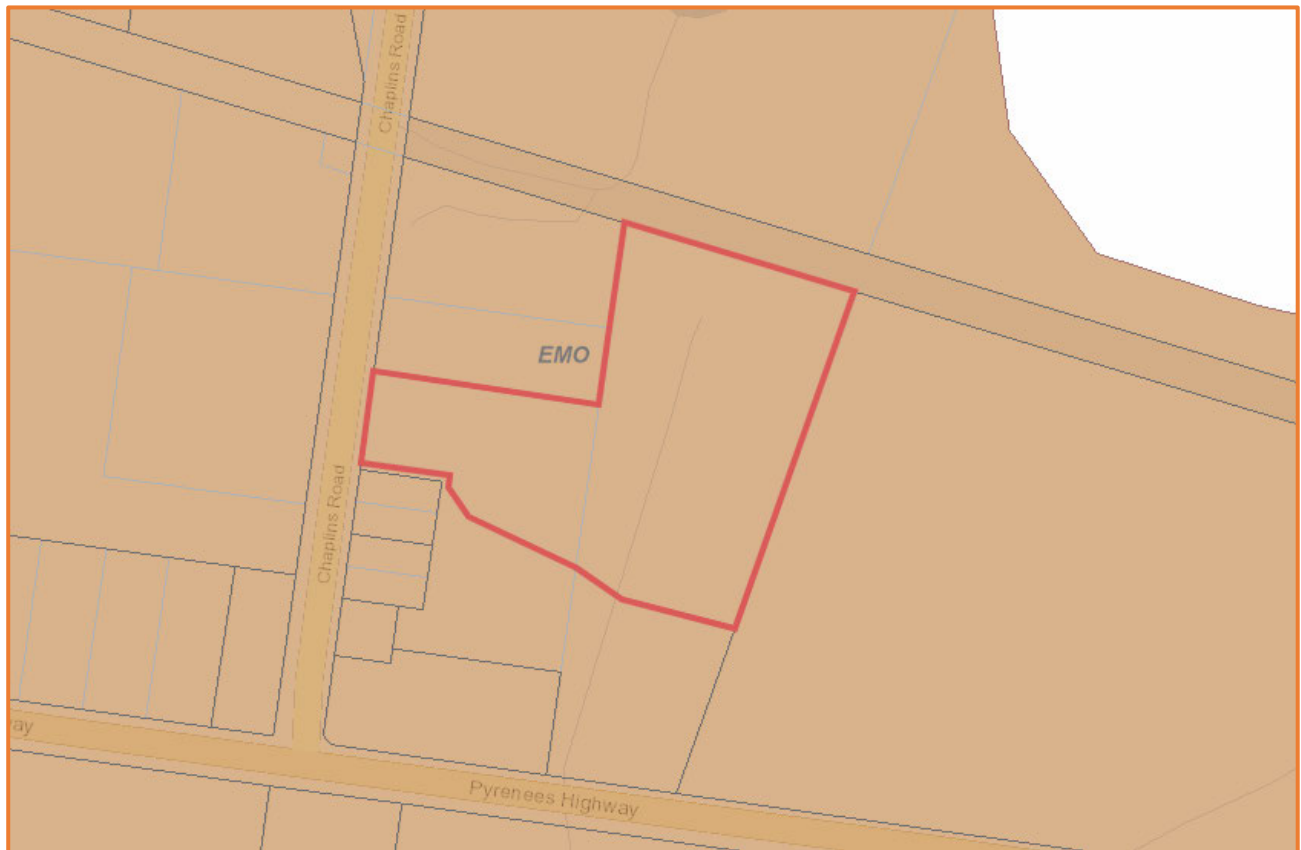
### Subdivision

Under Clause 32.03-3 of the Planning Scheme, a permit is required to subdivide land included within the Low Density Residential Zone. The minimum lot size for unsewered land is 0.4 hectares in area which both lots comfortably meet.

## 6. Overlays

### 6.1 Erosion Management Overlay

The subject site is entirely affected by the Erosion Management Overlay.



Extent of EMO across subject site

A permit is required to subdivide and remove vegetation from land affected by this overlay.

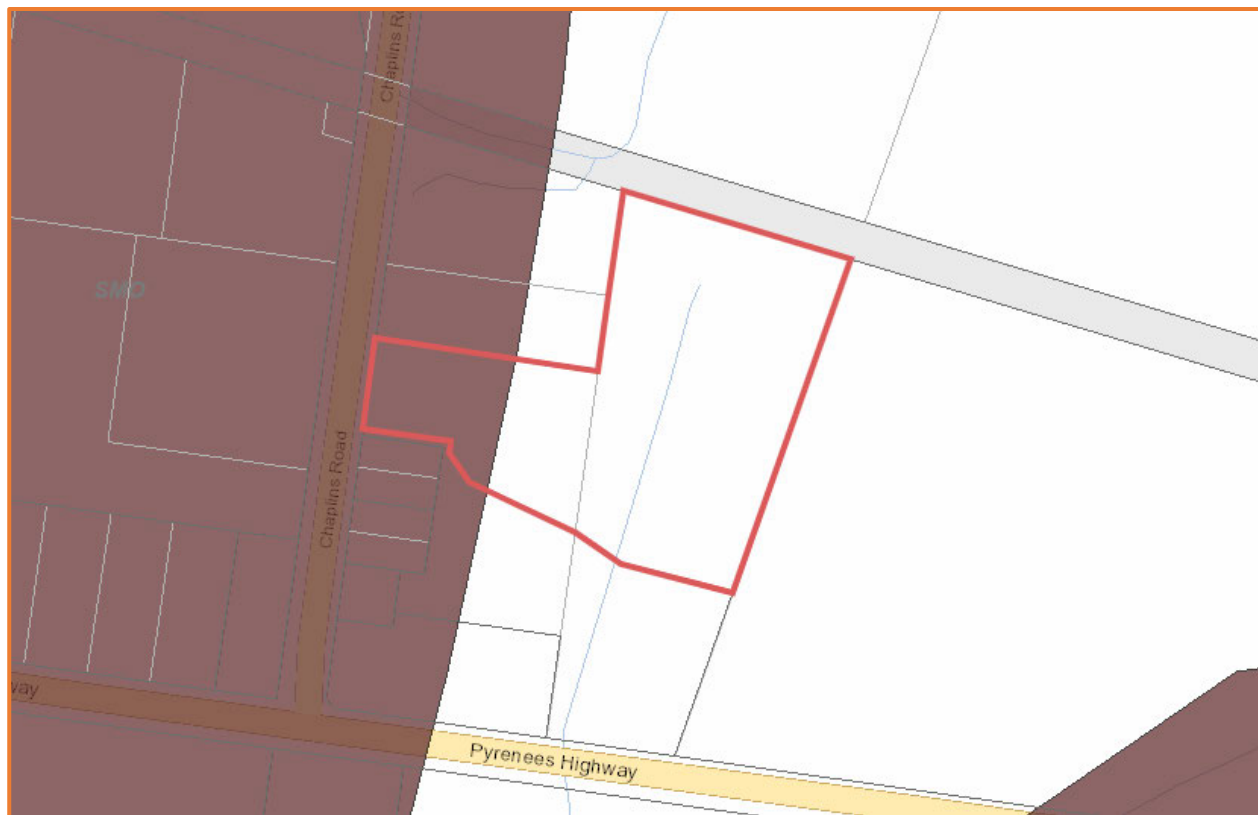
The purpose of the overlay is as follows:

- > To implement the Municipal Planning Strategy and the Planning Policy Framework.
- > To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

**Response:** *The proposal will have no impact on the purpose of this overlay. The land is relatively flat and soil in good condition. This is evident from aerial photography where there is no sign of land degradation. Vegetation removal will be avoided.*

## 6.2 Salinity Management Overlay

The subject site is entirely affected by the Salinity Management Overlay.



Extent of SMO across subject site

A permit is required to subdivide land affected by this overlay.

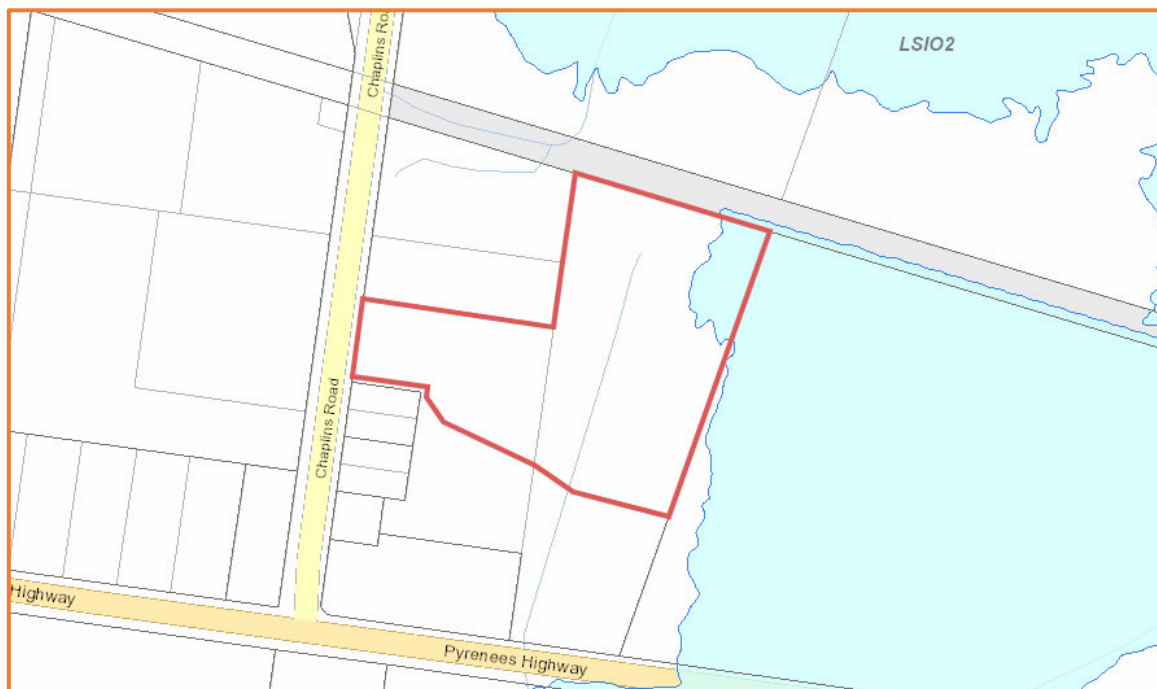
The purpose of the overlay is as follows:

- > To implement the Municipal Planning Strategy and the Planning Policy Framework.
- > To identify areas subject to saline ground water discharge or high ground water recharge.
- > To facilitate the stabilisation of areas affected by salinity.
- > To encourage revegetation of areas which contribute to salinity.
- > To encourage development to be undertaken in a manner which brings about a reduction in salinity recharge.
- > To ensure development is compatible with site capability and the retention of vegetation and complies with the objectives of any salinity management plan for the area.
- > To prevent damage to buildings and infrastructure from saline discharge and high water table.

**Response:** *Vegetation removal will be avoided. The land does not contain any natural watercourse (only a man-made drainage line), there is no evidence of ground water recharge and ground works required to facilitate the subdivision are minimal. Future dwellings would be constructed on the high parts of the land away from the water table.*

### 6.3 Land Subject to inundation Overlay

A small portion of the site is included within the Land Subject to Inundations Overlay – Schedule 2



Minimal Extent of Land Subject to Inundation Overlay across eastern part of Site

- > The purpose of the Land Subject to Inundation Overlay is:
- > To implement the Municipal Planning Strategy and the Planning Policy Framework.
- > To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.
- > To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- > To minimise the potential flood risk to life, health and safety associated with development.
- > To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.
- > To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.
- > To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

Pursuant to Clause 44.04-3 a **permit is required to subdivide land**. The application should be referred to Catchment Management Authority.

**Response:** Both proposed lots could achieve safe access and accommodate buildings outside the extent of the land subject to inundation overlay.



## 7. Particular Provisions

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### 7.1 Public Open Space Contribution and Subdivision

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

**Response:** *The subdivision would result in a net increase of just one rural residential lot, therefore the subdivision will not create a demand for public open space. It is therefore our opinion that it would be inappropriate for Council to require a contribution under Section 18 of the Subdivision Act 1988.*

### 7.2 Native Vegetation

Under the provisions of Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

Native vegetation is defined at Clause 73.01 of the Victorian Planning Provisions as 'plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'

Native vegetation removal has been avoided through the design of the subdivision by utilising existing fence lines and access arrangements.

## 8. Policy Context

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It is considered that the submission demonstrates that the proposal is consistent with the following relevant strategies contained in the Planning Policy Framework: -

### 8.1 Planning Policy Framework

**11.01-1S – Settlement** – The objective of which is to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

**11.01-1L – Settlement – Central Goldfields** – Provide low density and rural living opportunities around the periphery of Maryborough and other centres where they do not conflict with environmental and agricultural objectives and where infrastructure can be supplied in a cost-effective way.

**12.01-1S Protection of Biodiversity**- Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:

- > Cumulative impacts.
- > Fragmentation of habitat.
- > The spread of pest plants, animals and pathogens into natural ecosystems.

Avoid impacts of land use and development on important areas of biodiversity

**Response:** *The proposal will avoid the removal of any native vegetation.*

**13.02 – Bushfire** – This policy aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

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

**Response:** *The risk of bushfire to people, property and community infrastructure would not be increased by the subdivision.*

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

**Response:** *The site is not within an area of Aboriginal cultural heritage sensitivity*

## 9. Conclusion

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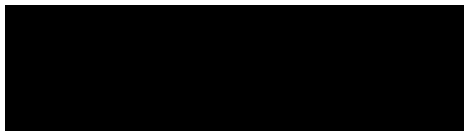
This application proposes a two lot subdivision of land which is in the Rural Living Zone and the Low Density Residential Zone. The subdivision meets the minimum lot size requirements of both zones.

The subdivision has been configured to avoid native vegetation removal.

The proposal will not have an impact on the objectives to be achieved by the other environmental overlays that effect the site.

The proposal is consistent with the State and Local Planning Policy context in relation to rural residential development.

For the reasons outlined in this report, it is considered that the proposed subdivision is appropriate and should therefore be supported by Council subject to reasonable planning permit conditions.



.....  
Andrew Grey

Principal Town Planner

# PLAN OF SUBDIVISION

EDITION 1

**PS 916127 T**

## LOCATION OF LAND

PARISH : CARISBROOK  
TOWNSHIP : CARISBROOK  
SECTION : Y  
CROWN ALLOTMENT : 4 (PART)  
CROWN PORTION :  
TITLE REFERENCES : VOL. 9103 FOL. 324  
VOL. 10234 FOL. 975  
LAST PLAN REFERENCES : LOT 6 LP 114330 (TP 629137C) &  
LOT 1 LP 122783  
POSTAL ADDRESS : 26 CHAPLINS ROAD,  
(At time of subdivision) CARISBROOK, 3464.  
MGA Co-ordinates  
(of approx centre of land in plan) E 748 330 ZONE: 54  
N 5 896 245 GDA 2020

Council Name: Central Goldfields Shire Council

Council Reference Number: 002/23  
Planning Permit Reference: 002/23  
SPEAR Reference Number: S217704S

### Certification

This plan is certified under section 6 of the Subdivision Act 1988

### Statement of Compliance

This is a statement of compliance issued under section 21 of the Subdivision Act 1988

### Public Open Space

A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has not been made

Digitally signed by: Michelle Hutchings for Central Goldfields Shire Council on 19/03/2024

## VESTING OF ROADS AND/OR RESERVES

## NOTATIONS

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

## NOTATIONS

DEPTH LIMITATION does not apply to the land in this plan

SURVEY:  
This plan is based on survey.

STAGING:  
This is not a staged subdivision.  
Planning Permit No. D002/23

This survey has been connected to permanent marks No(s). 31, 59  
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	GAS SUPPLY	3	C/E J48497	GAS AND FUEL CORPORATION OF VICTORIA LOT 1 IN THIS PLAN
E-2	CARRIAGEWAY	SEE PLAN	THIS PLAN	



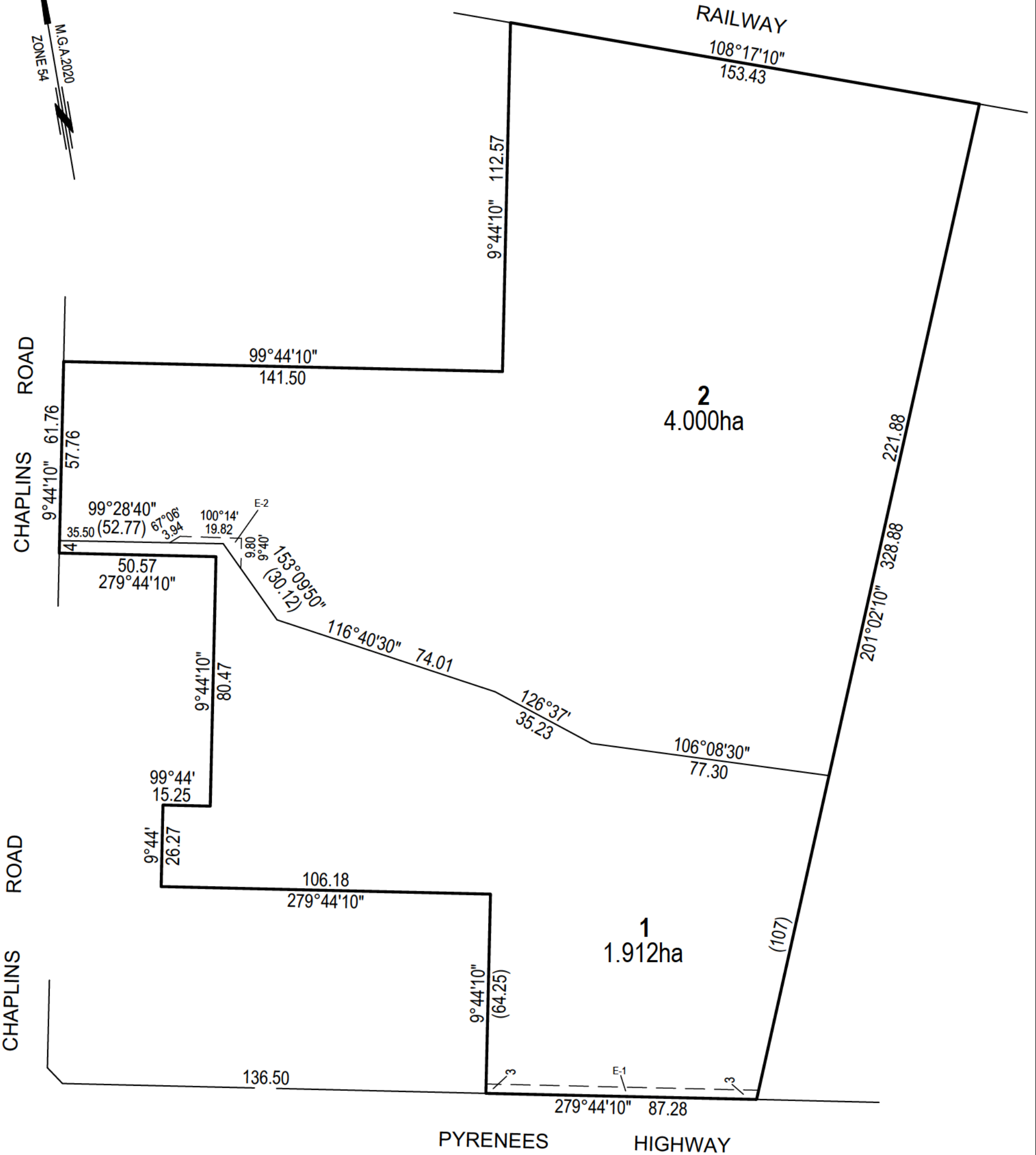
Stantec Australia Pty. Ltd.  
ABN: 17 007 820 322  
1315 Sturt Street (PO Box 563W, Ballarat West), Ballarat, VIC Australia 3350  
Tel: 03 5330 8888 Fax: 03 5333 3815  
Email: BusinessServices.VIC@stantec.com Web: www.stantec.com/australia

FILE REF: 304325115-PS916127T-04.dwg  
DATE: 12/03/2024

Digitally signed by: Michael Wilson, Licensed Surveyor,  
Surveyor's Plan Version (04),  
12/03/2024, SPEAR Ref: S217704S

ORIGINAL SHEET  
SIZE: A3

SHEET 1 OF 2

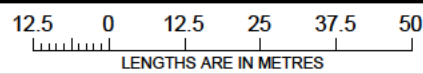


FILE REF: 304325115-PS916127T-04.dwg



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

SCALE  
 1:1250



Digitally signed by: Michael Wilson, Licensed Surveyor,  
 Surveyor's Plan Version (04),  
 12/03/2024, SPEAR Ref: S217704S

ORIGINAL SHEET  
 SIZE: A3

SHEET 2

Digitally signed by:  
 Central Goldfields Shire Council,  
 19/03/2024,  
 SPEAR Ref: S217704S

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

Page 1 of 1

VOLUME 08628 FOLIO 383

Security no : 124114443317T  
Produced 24/04/2024 04:31 PM

**LAND DESCRIPTION**

Lot 1 on Plan of Subdivision 071566.  
PARENT TITLE Volume 07740 Folio 179  
Created by instrument C507606 07/06/1966

**REGISTERED PROPRIETOR**

Estate Fee Simple

[REDACTED]

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AN835070M 16/05/2017  
AUSTRALIA AND NEW ZEALAND BANKING GROUP 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 or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE LP071566 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: 26 CHAPLINS ROAD CARISBROOK VIC 3464

**ADMINISTRATIVE NOTICES**

NIL

[REDACTED]

DOCUMENT END