

LEGAL POINT OF DISCHARGE & LOCAL DRAINAGE INFORMATION REGULATION 133(2)

Council Ref No: BP30098/21 **Date:** 1/11/2021 **Property Number:** 124209

Applicant: PSI Global Pty Ltd **Address:** Level 4 10 Nexus Court MULGRAVE VIC 3170

Property Details:			
ADDRESS	28 Romano Drive PYALONG VIC 3521		
LOT	7	LP/PS	544029

BRIEF DESCRIPTION OF PROPOSED BUILDING: Construction of a dwelling

The above location is required to:

- Connection to underground stormwater network is not currently available at this property therefore stormwater must be contained and disposed of within the property. Disperse over land below building via rock beaching line whilst ensuring that no overland flow is directed towards neighbouring properties.

If you have any questions regarding this matter please contact the Mitchell Shire Council Engineering Department on 5734 6200.

Regards,

Basir Azizi
Development Engineer
Mitchell Shire Council

Nicola Enright

From: paul dawson <paul_d_dawson@hotmail.com>
Sent: Friday, 13 May 2022 3:08 PM
To: Nicola Enright
Cc: Sam Woodard
Subject: Fw: LCA Enquiry - 28 Romano Drive PYALONG

Hi Nicola and Sam.

Upon further investigation with the Environmental health office at Mitchell Shire, we will not require an LCA. Please see below correspondence with Hannah from the Environmental Health Office.

She is happy to discuss anything with you Nicola if you have any questions for her. She isn't sure why Fawaz said we would need one, she has checked with the Planning team who have different staff members in today) and they have said we will not need one. She said that it is the Environmental office that provides us with the actual Septic permit not the Planning team.

Thankyou both for your help on this.

Regards,

Paul Dawson

From: Hannah Shanks-Colla <Hannah.ShanksColla@mitchellshire.vic.gov.au>
Sent: Friday, 13 May 2022 2:53 PM
To: paul dawson <paul_d_dawson@hotmail.com>
Subject: RE: LCA Enquiry - 28 Romano Drive PYALONG

Hi Paul,

As discussed, Environmental Health do not require a Land Capability Assessment for the purposes of your onsite domestic wastewater system as the property;

- Is larger than 4000-5000m2
- Is not located within an environmentally significant overlay, flood overlay, or inundation overlay
- Does not contain any other constraining features such as trees, dams, waterways

I have communicated with Council's planning team who have advised that their requirements are based on whether environmental health require an LCA.

Should you have any further questions, please let me know.

Regards,



Hannah Shanks-Colla
Environmental Health Officer - Environmental Health Services
Hannah.ShanksColla@mitchellshire.vic.gov.au

Mitchell Shire Council - 113 High Street, Broadford 3658
T +61 3 5734 6200 | F +61 3 5734 6222 |
Office Hours –Monday to Friday – 8:30am to 5pm



From: paul dawson <paul_d_dawson@hotmail.com>
Sent: Thursday, 12 May 2022 10:07 AM
To: Mitchell Shire Council <Mitchell@mitchellshire.vic.gov.au>
Subject:

Hello

I spoke with Jody a few months ago regarding my property 28 Romano Drive, Pyalong not requiring an LCA as it's not near a waterway

Can someone please give me a call regarding this as the company I am employing to do the planning permit for me requires it in writing

Regards,
Paul Dawson
0422 835 874

Get [Outlook for Android](#)

Get [Outlook for Android](#)



Clause 35.03 Report Proposed Dwelling 28 Romano Drive, Pyalong



BRUCE MACTIER

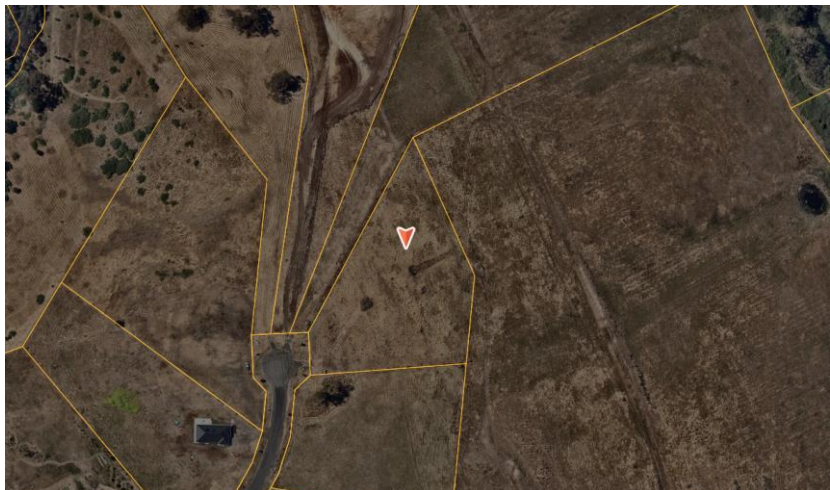
BUILDING DESIGNERS

WE BUILD ON YOUR IDEAS

Level 2, 4 Welsford Street
Shepparton, 3630
Shop 3/11-13 Sydney Street
Kilmore, 3764

(03) 5822 1255
admin@brucemactier.com
www.brucemactier.com.au

Job: 20820
Version 1 – 16th June, 2020



Objective	Response
35.03 RURAL LIVING ZONE <small>31/07/2018</small> DESCRIPTION AND DESIGN RESPONSE	
<p>35.03 Rural Living Zone</p> <p>Shown on the planning scheme map as RLZ with a number (if shown).</p> <p>Purpose To implement the Municipal Planning Strategy and the Planning Policy Framework.</p> <p>To provide for residential use in a rural environment.</p> <p>To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.</p> <p>To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.</p> <p>To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.</p>	<p>Rural Living Zone Description and Design Response</p> <p>The dwelling meets the Municipal Planning Strategy and the Planning Policy Framework by providing diversity in density of living.</p> <p>Rural living will allow for the resident to live in a rural setting. The surrounding properties are of similar size and use as the proposed.</p> <p>The block will not be used for Agricultural use.</p> <p>The dwelling will have minimal effect on natural resources, biodiversity and heritage values.</p> <p>The dwelling will be a sustainable use of land and have minimal effect on the infrastructure.</p>
35.03-1 TABLE OF USES <small>04/05/2022</small>	
<p>Section 1 – Permit not required</p> <p>Dwelling (other than Bed and breakfast).</p> <p>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares.) Must be the only dwelling on the lot. Must meet the requirements of Clause 35.03-2</p> <p>Section 2 – Permit required</p> <p>Dwelling (other than Bed and Breakfast if section 1 condition is not met) Must meet the requirements of clause 35.03-2</p>	<p>There will be only one dwelling on the lot.</p> <p>The lot size is 1.166 ha. Therefore, a permit will be required</p> <p>Permit required as block size is 1.166 ha</p>
35.03-2 USE OF LAND FOR A DWELLING <small>01/07/2021</small>	Response
<p>A lot used for a dwelling must meet the following requirements:</p> <ul style="list-style-type: none"> • Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles. • Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the environment protection regulations under the 	<ul style="list-style-type: none"> • Access to the dwelling is provided by a sealed all-weather road which can accommodate emergency vehicles. • There will be a septic tank system in place, which will be positioned in accordance with relevant authorities' requirements

<p>Environment Protection act 2017 for an onsite wastewater management system</p> <ul style="list-style-type: none"> The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source. <p>These requirements also apply to a dependent person's unit.</p>	<ul style="list-style-type: none"> Town water is connected. Town water is available. The dwelling will be connected to power. Power is available.
<p>35.07-3 SUBDIVISION 31/07/2018</p>	<p>Response</p>
<p>A permit is required to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 20 hectares.</p> <p>A permit may be granted to create smaller lots if any of the following apply:</p> <ul style="list-style-type: none"> The subdivision is the re-subdivision of existing lots and the number of lots is not increased. The number of lots is no more than the number the land could be subdivided in accordance with a schedule to this zone. The subdivision is by a public authority or utility service provider to create a lot for a utility installation. 	<p>Not Relevant</p>
<p>35.03-4 BUILDING AND WORKS 22/03/2022</p>	<p>Response</p>
<p>A permit is required to construct or carry out any of the following: A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:</p> <ul style="list-style-type: none"> - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified 	<p>Relevant – We are applying for a planning Permit.</p>

<p>must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.</p> <ul style="list-style-type: none"> - A rainwater tank. • Earthworks specified in a schedule to this zone, if on land specified in a schedule. • A building which is within any of the following setbacks: <ul style="list-style-type: none"> - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road specified in the schedule to this zone or, if no setback is specified, 30 metres. - The setback from any other road or boundary specified in the schedule to this zone. - The distance from a dwelling not in the same ownership specified in the schedule to this zone. - 100 metres from a waterway, wetlands or designated flood plain. - A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> . 	<p>Not applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>
<p>35.03-5 DECISION GUIDELINES 22/03/2022</p>	<p>Response</p>
<p>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:</p> <p>General issues</p> <ul style="list-style-type: none"> • The Municipal Planning Strategy and the Planning Policy Framework • Any Regional Catchment Strategy and associated plan applying to the land. • The capability of the land to accommodate the proposed use or development. • Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses. 	<p>The Dwelling will provide diversity in density of living with in the municipality.</p> <p>Not Applicable</p> <p>The land is capable of accommodating the dwelling</p> <ul style="list-style-type: none"> - The lot is larger than 4000-5000m2 - Is not located within an environmentally significant overlay, flood overlay or inundation overlay. - Does not contain any other constraining features such as tree's, dams, waterways. <p>Please refer to email from Hannah Shanks-Colla (Environmental Health Officer, Mitchell Shire Council)</p> <p>The adjoining properties are of similar low-density residences; therefore, this site is suitable for a single residential development.</p>

<ul style="list-style-type: none"> • The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> <p>Agricultural issues</p> <ul style="list-style-type: none"> • The capacity of the site to sustain the agricultural use. • Any integrated land management plan prepared for the site. • The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses. <p>Environmental issues</p> <ul style="list-style-type: none"> • 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 impact of the use or development on the flora and fauna and landscape features of the locality. • 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. • The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation. <p>Design and siting issues</p> <ul style="list-style-type: none"> • The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts. • The impact on the character and appearance of the area or features of architectural, historic, or scientific significance or of natural scenic beauty or importance. • The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications, and sewerage facilities. 	<p>Not applicable</p> <p>Not applicable as the lot is too small for agricultural purposes</p> <p>Connection to underground stormwater network is not currently available at this property therefore stormwater must be contained and disposed of within the property. Disperse over land below building via rock beaching line whilst ensuring that no overland flow is directed towards neighbouring properties. As per correspondence from Basir Aziz Development Engineer Mitchell Shire Council</p> <p>The back part of the site will not be built on which will allow for natural vegetation to be retained and land rejuvenation to occur.</p> <p>There will be a septic tank system in place which will be positioned in accordance with relevant authorities' requirements.</p> <p>The proposed dwelling will have minimal impact on the environment, major roads and vistas. The external materials used are weatherboard and bricks.</p> <p>The proposed dwelling is keeping with the surrounding properties. There is no significant historic or architectural character in the area to replicate.</p> <p>The proposed dwelling will have little effect on the existing roads. The dwelling will be connected to reticulated services – Electricity and water subject to the authorities indicating there is capacity in their system.</p>
---	---

<ul style="list-style-type: none"> • Whether the use and development will require traffic management measures. • The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> . 	<p>The dwelling will have minimal impact on traffic.</p> <p>Not Applicable</p>
<p>35.03-6 ADVERTISING SIGNS 31/07/2018</p>	<p>Response</p>
<p>Sign requirements are at Clause 52.05. This zone is in Category 3.</p>	