

SALTER SURVEYING PTY LTD

A.C.N 633 493 820 A.B.N 73 633 493 820

LAND SURVEYORS & PLANNING CONSULTANTS

52A Sydney Street P.O. Box 154 Ph: (03) 5782 1414
Kilmore 3764 Kilmore 3764 (03) 5782 1644

Email: info@salterptyltd.com.au

Our Ref: 11763

SPEAR ref: S174759C

Friday, 7 May 2021

Ricardo Ramos
Acting Manager – Development Approvals
Mitchell Shire Council
113 High Street
BROADFORD VIC 3658

Dear Ricardo,

Re: New Planning Permit Application

SPEAR reference S174759C

Two lot subdivision

Lot 36 on LP217048

11 Bindley Court Kilmore

Enclosed herewith is a new application for a planning permit for a two lot subdivision at the above mentioned property address.

The property has the address of 11 Bindley Court Kilmore and is located within the Low Density Residential Zone (LDRZ) of the Mitchell Shire planning scheme. There are no planning scheme overlays that encumber this parcel.

There are no restrictive covenants registered on the certificate of title that prevents the land from being further subdivided.

The requirements of the LDRZ are generally such that each lot must be at least 4000m² in area – in the absence of reticulated sewerage or 2000m² in area where reticulated sewerage is available. For this particular application there is no reticulated sewerage available to the area.

The overall site area is 1.873 hectares (as indicated on the certificate of title). The property is located at the western end of Bindley Court with the shape of the parcel being trapezoidal with a frontage of the property to Bindley Court being 45 metres.

The property is a lot on LP217048C where the parcels in that subdivision vary in size from just under 5000m² to just under 2 hectares in area. The lot numbers shown on the LP are numbered as 19 to 36 and 47 and 53 for a total of 21 lots. I have not included

in the assessment the other parcels that were created in earlier and later stages for that development.

The application proposes to create one additional allotment with the existing dwelling to remain on lot 1 with an area of 6683m². The balance parcel that does not contain a dwelling has an area of 1.205 hectares. The smallest of the two lots (6683m²) is larger in area than all except 5 lots in the original subdivision LP217048C. To the west of the land in this subdivision is the development of Highfield Way (Plan of subdivision PS738588V). That land was subdivided in 2017. The allotments in that subdivision vary in area from 7500m² to 1.5 hectares. There is no linking road proposed from that development to the direction of the land in this application nor is there the likelihood of any future link roads to the north (to Curry Road) or south to Gehrey's Lane). It is therefore fair and reasonable to assess that the application is no restrictive on the future direction or development of the area for future residential development.

The proposed boundary between the two lots is to accord with the existing fence line as shown on the plan of proposed subdivision.

The land itself is generally flat to undulating.

The land has minimal stands of native vegetation with the majority of native vegetation being that which has been planted by the current and previous owners. Native vegetation on lot 1 forms part of the garden area adjacent to the dwelling. Native vegetation on lot 2 only exists adjacent (in part) to the western and northern boundary fence lines. It is not proposed to remove any native vegetation as a result of this subdivision. It should be noted that the resulting parcel areas are greater in area than 4000m² and with the removal of native vegetation being controlled by the various provisions of clause 52.17 of the Mitchell Shire planning scheme. There will most likely be a need to remove some of the exotic vegetation that form part of the vegetation plantation screens (large Pine trees).

Access to lot 1 will remain whilst lot 2 will require a new access point to generally be in accordance with that as shown on the plan of proposed subdivision.

A dwelling and non-habitable building envelope has been shown on the plan of proposed subdivision. The existing effluent field for the dwelling on lot 1 is currently located on lot 2. This will need to be removed and relocated to lot 1 in accordance with the recommendation and advice as provided in the Land Capability Assessment included with this application.

The land is not located within an area of cultural sensitivity and is therefore exempt from the requirements of section 46 of the Aboriginal Heritage Act and the application does not need to supply a Cultural Heritage Management Plan.

The plan of proposed subdivision included with this application includes the following key (but not limited to) information:-

- Proposed lot boundaries -- to accord with existing fence line
- Lot dimensions
- Lot areas

- Existing dwelling and outbuildings
- Existing and proposed access points to Bindley Court
- Driveway access to the dwelling and outbuildings
- Vegetation
- Aerial image overlay
- Other

It is proposed for the proposed subdivision to be approved under the various provisions of clause 32.03 of the Mitchell Shire planning scheme. Clause 32.03-6 It is required to address clauses 56.07-1 to 56.07-4 of the Mitchell Shire planning scheme.

The documents as uploaded onto SPEAR to support this application are as follows:-

- Plan of proposed subdivision my reference EGA11763PP – version 1
- Plan of proposed subdivision my reference EGA11763PP – version 1 with an aerial image overlay
- Current copy of the certificate of title
- Clause 56 Planning report
- This covering letter
- The planning permit application fee for the amount of \$1318.10
- Land Capability Assessment prepared by Rob Krainz of Ecovision

I trust that the information supplied is sufficient in order for this application to proceed however should you have any queries or require any additional information then please contact me in my office at your earliest convenience.

Yours faithfully,



Duncan Salter

SALTER SURVEYING Pty Ltd

This copied document is made available for the sole purpose of enabling its consideration & review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

ResCode Assessment Summary
Clause 56 – Residential Subdivision
Address: 11 Bindley Court Kilmore
Reference 11763 - Version 1

Prepared by:
Salter Surveying Pty. Ltd.
52A Sydney Street Kilmore

<p>Clause 56.07-1 Drinking water supply objectives</p>	<p>It is proposed to connect the subdivision to the reticulated water supply that is available in the adjacent street networks. The service authority is Goulburn Valley Water.</p>
<p>Clause 56.07-2 Reused and recycled water objective</p>	<p>The lots as proposed are significant in size to allow for the reuse and recycling of water.</p>
<p>Clause 56.07-3 Waste water management objective</p>	<p>It is not proposed to connect this subdivision to a reticulated sewerage system. On-site effluent is proposed in accordance with the Land Capability Assessment submitted with this application. The service authority is Goulburn Valley Water.</p>
<p>Clause 56.07-4 Urban run-off management objectives</p>	<p>The control of stormwater will be to the satisfaction of the relevant authority. The land falls to the existing street network and there is constructed drainage within those streets. It would be anticipated that the stormwater be directed into the existing drainage network.</p>

From www.planning.vic.gov.au at 07 May 2021 08:34 AM

PROPERTY DETAILS

Lot and Plan Number: **Lot 36 LP217048**
 Address: **11 BINDLEY COURT KILMORE 3764**
 Standard Parcel Identifier (SP): **36\LP217048**
 Local Government Area (Council): **MITCHELL**
 Council Property Number: **105685**
 Planning Scheme: **Mitchell**
 Dictionary Reference: **Melway 615 C11**

www.mitchellshrevevic.gov.au

[Planning Scheme Mitchell](#)

UTILITIES

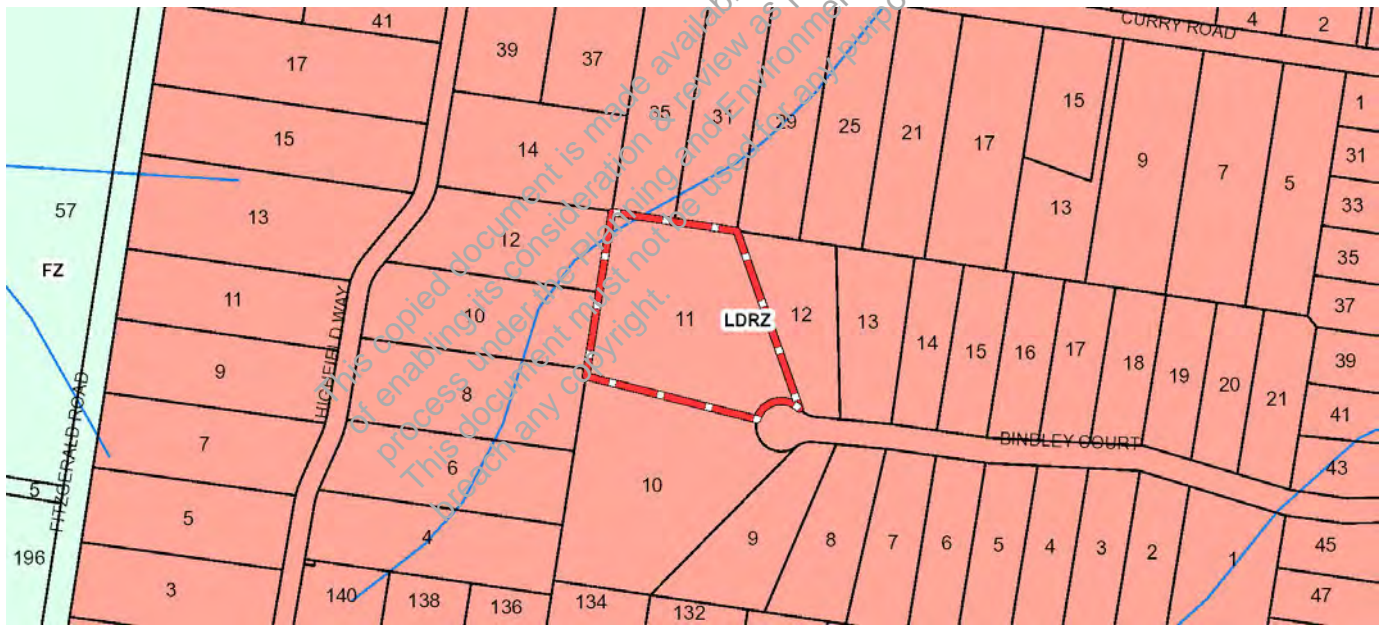
Rural Water Corporation: **Goulburn-Murray Water**
 Urban Water Corporation: **Grampians Wimmera Mallee Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**
[View location on VcPlan](#)

STATE ELECTORATES

Electorate Council: **NORTHERN VICTORIA**
 Electorate Assembly: **EUROA**
 Registered Aboriginal Name: **Taungurung Land and Waters Council**
 Party: **Aboriginal Corporation**

Planning Zones

[LOW DENSITY RESIDENTIAL A ZONE \(LDRZ\)](#)
[SC EDUCATION LOW DENSITY RESIDENTIAL A ZONE \(LDRZ\)](#)



FZ - Farming **LDRZ - Low Density Residential** **Water course**

No: a e s o z e s a y a p p e a o s d e e a c a z o e - p e a s e c o p a e e a b e s w e e g e d

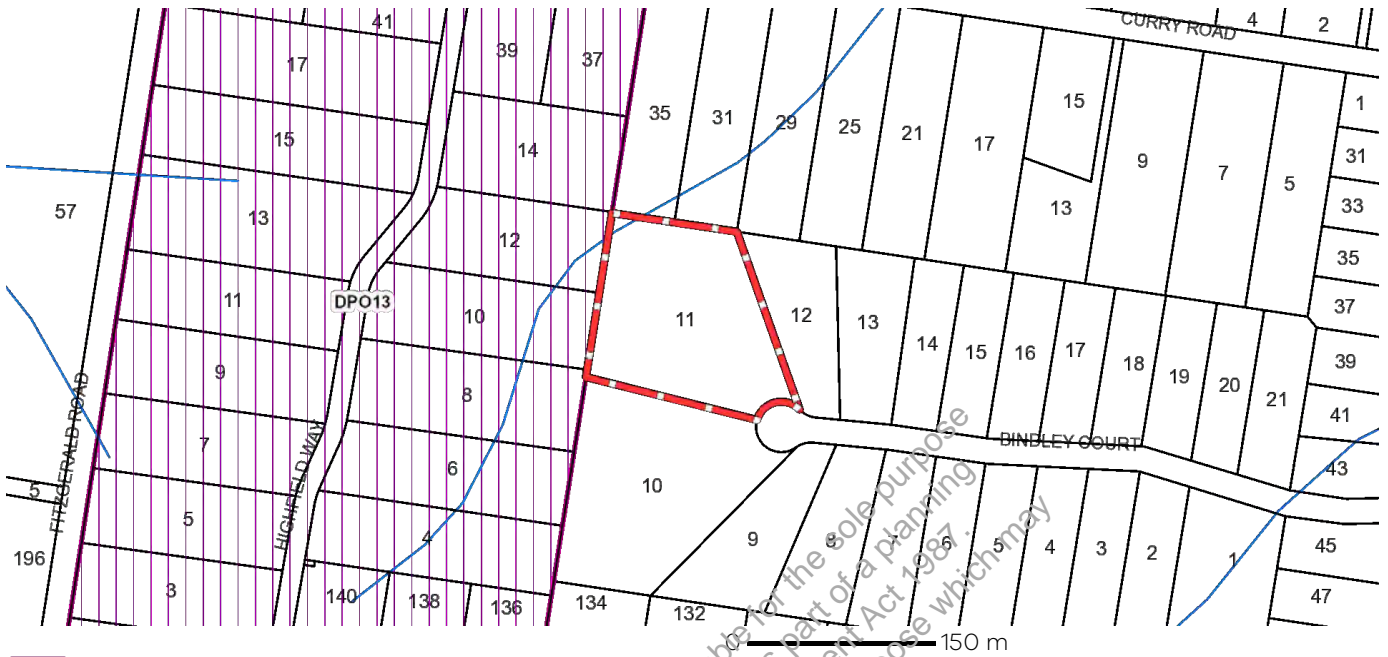
Copyright © - State Government of Victoria
 Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.
 Read the full disclaimer at <https://www2.de.wv.vic.gov.au/disc/aimer>

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Goods Act 1962 (Vic)

Planning Overlay

None of the overlays and the development plan are shown.

DEVELOPMENT PLAN OVERLAY (DPO)



No development overlays, so development is subject to the local council's planning scheme. For more information, visit <https://www.planning.vic.gov.au>

Further Planning Information

Planning scheme data last updated on 5 May 2021.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land and information about the State and local council planning scheme and operational provisions of the local planning scheme that may affect the use of this land and can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>.

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about existing planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at [andata https://www.andata.vic.gov.au](https://www.andata.vic.gov.au).

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshere.maps.vic.gov.au/vcp/plan>.

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>.

Native Vegetation Removal

Unless exempt, native vegetation removal from this property requires a planning permit under Clause 5217 of the local planning scheme. For more information see [Native Vegetation \(Clause 5217\)](#) with local variations in [Native Vegetation \(Clause 5217\) Schedule](#).

To identify proposed native vegetation removal from this property visit the [Native Vegetation Information Management System](#).

For information on preparing a planning permit application to remove native vegetation refer to the [Applicants Guide](#) [Applications to remove destroy or lop native vegetation](#) or contact the relevant responsible authority.

This copied document is made available for the sole purpose of enabling its consideration & review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.