

# Does this Planning Application affect you?



Mansfield Shire

OFFICIAL

## Notice of an Application for a Planning Permit

The land affected by the application is located at:

**LOTS 4 5 6 & 7 HEARNS ROAD BOOROLITE VIC 3723**

The application is for a permit to:

**Two (2) Lot Re-Subdivision**

The application reference number is:

**P039/24.**

The responsible authority will not decide on the application before:

**13 May 2024.**



View application

### How can I find out more?

- ▶ You may look at the application and any documents that support the application at the office of the responsible authority, Mansfield Shire Council, 33 Highett Street, Mansfield. This can be done during office hours and is free of charge.
- ▶ You may look at the application and any documents that support the application free of charge at: [www.mansfield.vic.gov.au](http://www.mansfield.vic.gov.au) or scan QR Code.
- ▶ You may also call 03 5775 8555 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, Mansfield Shire Council. This can be done during office hours and is free of charge.

### What are my options?

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority. An objection must be made to the responsible authority in writing, include the reasons for the objection and state how the objector would be affected.

The responsible authority must make a copy of every objection available for any person to inspect free of charge until the end of the period during which an application may be made for review of a decision on the application.

If you object, the responsible authority will tell you its decision.

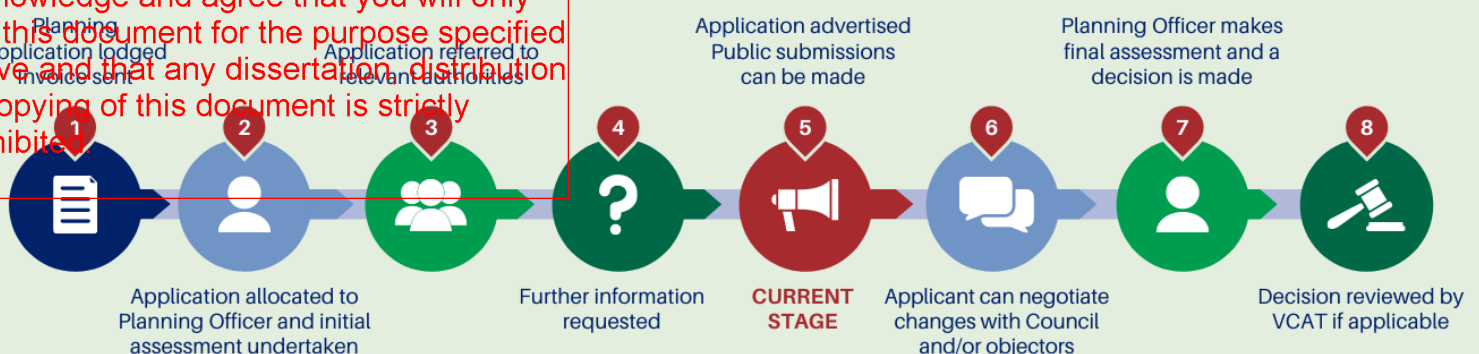
We want to hear from you about this planning proposal



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## Planning Approval Process



MANSFIELD SHIRE COUNCIL

11 APR 2024

FILE NO. 210 P  
E10602

**Office Use Only**

VicSmart?  YES  NO

Specify class of VicSmart application:

Application No.: \_\_\_\_\_ Date Lodged: / /

# Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the back of this form.

**▲ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. If you have any concerns, please contact Council's planning department.**

**▲ Questions marked with an asterisk (\*) must be completed.**

**▲ If the space provided on the form is insufficient, attach a separate sheet.**

**■ Click for further information.**

Clear Form

## Application Type

Is this a VicSmart application?\*

No  Yes

If yes, please specify which VicSmart class or classes: .....

**▲ If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application.**

## Pre-application Meeting

Has there been a pre-application meeting with a Council planning officer?

No  Yes

If 'Yes', with whom?: Nicole Embling

Date: 9/6/2024 day / month / year

## The Land i

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

**Street Address \***

Unit No.: \_\_\_\_\_ St. No.: \_\_\_\_\_ St. Name: Hearns Road

Suburb/Locality: Boorolite Postcode: 3723

**Formal Land Description \***

Complete either A or B.

**▲ This information can be found on the certificate of title.**

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: \_\_\_\_\_  Lodged Plan  Title Plan  Plan of Subdivision No.: \_\_\_\_\_

OR

B Crown Allotment No.: 444 998A Section No.: \_\_\_\_\_

Parish/Township Name: Boorolite

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## The Proposal

**▲** You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

**i** For what use, development or other matter do you require a permit? \*

### Planning Submission, Why I'm Subdividing

The Ritchie family have owned Delatite Station since 1901 and I have been the custodian of 485 ha of it for 7 years.

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Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Cost \$ 3,560

**▲** You may be required to verify this estimate. Insert '0' if no development is proposed.

If the application is for land within metropolitan Melbourne (as defined in section 3 of the Planning and Environment Act 1987) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit [www.sro.vic.gov.au](http://www.sro.vic.gov.au) for information.

**i** Estimated cost of any development for which the permit is required \*

## Existing Conditions **i**

Describe how the land is used and developed now \*

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Grazing.

Provide a plan of the existing conditions. Photos are also helpful.

## Title Information **i**

Encumbrances on title \*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

## Applicant and Owner Details

Provide details of the applicant and the owner of the land.

### Applicant \*

The person who wants the permit.

Please provide at least one contact phone number \*

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

### Owner \*

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

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## Information requirements


Is the required information provided?

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist.

Yes  No

## Declaration

This form must be signed by the applicant \*

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature

Date: 11/4/2024  
day / month / year





# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>TP444998A</b>
Number of Pages (excluding this cover sheet)	<b>3</b>
Document Assembled	<b>09/04/2024 15:42</b>

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TITLE PLAN		EDITION 2	TP444998A																							
<b>LOCATION OF LAND</b> PARISH: DELATITE TOWNSHIP: CROWN ALLOTMENT: 72A, 72B, 73A, 73B, 74, & 75 (WHOLE) 76, 77A, 77B (PARTS)  LAST PLAN REFERENCE: DERIVED FROM: Vol. 8898 Fol. 261 DEPTH LIMITATION: NIL		<b>NOTATIONS</b> Together with the appurtenant Pipeline easement created by Inst. A624511																								
EASEMENT INFORMATION				THIS PLAN HAS BEEN PREPARED BY LAND VICTORIA FOR TITLE DIAGRAM PURPOSES  Checked by: B.J.S.  Date: 29 / 07 / 15  Assistant Registrar of Titles																						
E - ENCUMBERING EASEMENT. R - ENCUMBERING EASEMENT (ROAD). A - APPURTENANT EASEMENT.																										
Easement Reference	Purpose / Authority	Width (Metres)	Origin		Land benefited / In favour of																					
<div style="border: 1px solid red; padding: 10px; margin: 0 auto; width: 80%;"> <p style="color: red; font-size: 12pt;">This document has been made available for the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose.</p> <p style="color: red; font-size: 12pt;">By taking a copy of this document you acknowledge and agree that you will only use this document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.</p> </div> <p style="font-size: 24pt; font-weight: bold; margin-top: 20px;">SEE SHEET 2 FOR DIAGRAM</p>																										
<table border="1" style="width: 100%; border-collapse: collapse; font-size: 10pt;"> <tr> <th colspan="2" style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2" style="font-size: 8pt;">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr><td style="width: 50%;">LOT 1 = CA 74</td><td> </td></tr> <tr><td>LOT 2 = CA 75</td><td> </td></tr> <tr><td>LOT 3 = CA 76 (pt)</td><td> </td></tr> <tr><td>LOT 4 = CA 72A</td><td> </td></tr> <tr><td>LOT 5 = CA 72B</td><td> </td></tr> <tr><td>LOT 6 = CA 73A</td><td> </td></tr> <tr><td>LOT 7 = CA 73B</td><td> </td></tr> <tr><td>LOT 8 = CA 77A (pt)</td><td> </td></tr> <tr><td>LOT 9 = CA 77B (pt)</td><td> </td></tr> </table>					TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		LOT 1 = CA 74		LOT 2 = CA 75		LOT 3 = CA 76 (pt)		LOT 4 = CA 72A		LOT 5 = CA 72B		LOT 6 = CA 73A		LOT 7 = CA 73B		LOT 8 = CA 77A (pt)		LOT 9 = CA 77B (pt)	
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LENGTHS ARE IN METRES	SCALE —	DEALING / FILE No: GOVERNMENT GAZETTE No:		DEALING CODE: SHEET 1 OF 2																						









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

VOLUME 11586 FOLIO 635

Security no : 124114035821Y  
Produced 09/04/2024 03:42 PM

**LAND DESCRIPTION**

Lot 4 on Title Plan 444998A.  
PARENT TITLE Volume 08898 Folio 261  
Created by instrument AL634585P 20/01/2015

**REGISTERED PROPRIETOR**

Estate Fee Simple

**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 TP444998A 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: HEARNS ROAD BOOROLITE VIC 3723

DOCUMENT END

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
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Page 1 of 1

VOLUME 11586 FOLIO 636

Security no : 124114035819C  
Produced 09/04/2024 03:42 PM

**LAND DESCRIPTION**

Lot 5 on Title Plan 444998A.  
PARENT TITLE Volume 08898 Folio 261  
Created by instrument AL634585P 20/01/2015

**REGISTERED PROPRIETOR**

Estate Fee Simple



**ENCUMBRANCES, CAVEATS AND NOTICES**

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**DIAGRAM LOCATION**

SEE TP444998A 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: HEARNS ROAD BOOROLITE VIC 3723

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

Page 1 of 1

VOLUME 11586 FOLIO 637

Security no : 124114035820A  
Produced 09/04/2024 03:42 PM

### LAND DESCRIPTION

Lot 6 on Title Plan 444998A.  
PARENT TITLE Volume 08898 Folio 261  
Created by instrument AL634585P 20/01/2015

### REGISTERED PROPRIETOR

Estate Fee Simple



### ENCUMBRANCES, CAVEATS AND NOTICES

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### DIAGRAM LOCATION

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### ACTIVITY IN THE LAST 125 DAYS

NIL

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Additional information: (not part of the Register Search Statement)

Street Address: HEARNS ROAD BOOROLITE VIC 3723

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

Page 1 of 1

VOLUME 11586 FOLIO 638


Security no : 124114035813H  
Produced 09/04/2024 03:42 PM

**LAND DESCRIPTION**

Lot 7 on Title Plan 444998A.  
PARENT TITLE Volume 08898 Folio 261  
Created by instrument AL634585P 20/01/2015

**REGISTERED PROPRIETOR**

Estate Fee Simple



**ENCUMBRANCES, CAVEATS AND NOTICES**

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**DIAGRAM LOCATION**

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NIL

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# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 25 March 2024 12:29 PM

## PROPERTY DETAILS

Address: **HEARNS ROAD BOOROLITE 3723**  
Lot and Plan Number: **This property has 4 parcels. See table below**  
Standard Parcel Identifier (SPI): **See table below**  
Local Government Area (Council): **MANSFIELD**  
Council Property Number: **A19815**  
Directory Reference: **Vicroads 63 E3**

[www.mansfield.vic.gov.au](http://www.mansfield.vic.gov.au)

## SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



**Area:** 822863 sq. m (82.29 ha)

**Perimeter:** 3661 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

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## PARCEL DETAILS

The letter in the first column identifies the parcel in the diagram above

Lot/Plan or Crown Description	SPI
A Lot 4 TP444998	4\TP444998
B Lot 5 TP444998	5\TP444998
C Lot 6 TP444998	6\TP444998
D Lot 7 TP444998	7\TP444998

## UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**  
Urban Water Corporation: **Goulburn Valley Water**  
Melbourne Water: **Outside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**  
Legislative Assembly: **EILDON**

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PROPERTY REPORT: HEARNS ROAD BOOROLITE 3723



# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 13 August 2023 10:06 AM

## PROPERTY DETAILS

Address: **HEARNS ROAD BOOROLITE 3723**  
Lot and Plan Number: **More than one parcel - see link below**  
Standard Parcel Identifier (SPI): **More than one parcel - see link below**  
Local Government Area (Council): **MANSFIELD**  
Council Property Number: **A19815**  
Planning Scheme: **Mansfield**  
Directory Reference: **Vicroads 63 E3**

[www.mansfield.vic.gov.au](http://www.mansfield.vic.gov.au)

[Planning Scheme - Mansfield](#)

This property has 4 parcels. For full parcel details get the free Property report at [Property Reports](#)

## UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**  
Urban Water Corporation: **Goulburn Valley Water**  
Melbourne Water: **Outside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**  
Legislative Assembly: **EILDON**

## OTHER

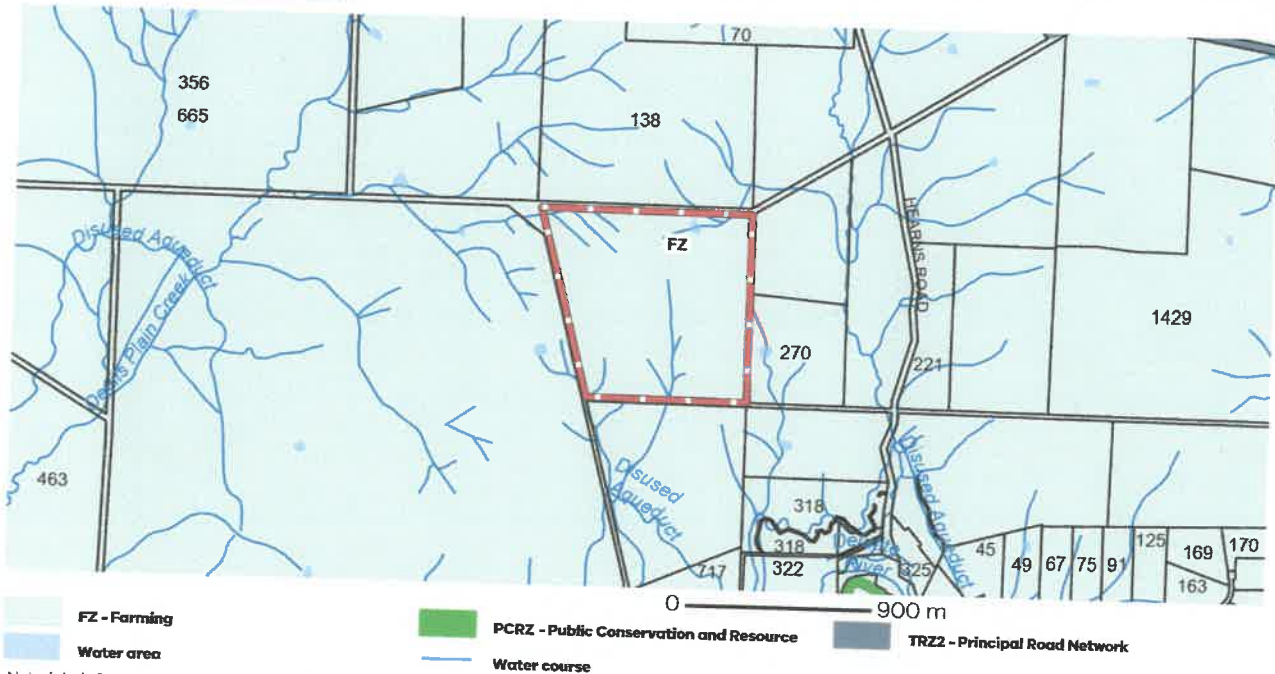
Registered Aboriginal Party: **Taungurung Land and Waters  
Council Aboriginal Corporation**

[View location in VicPlan](#)

## Planning Zones

### FARMING ZONE (FZ)

### SCHEDULE TO THE FARMING ZONE (FZ)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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PLANNING PROPERTY REPORT: HEARNS ROAD BOOROLITE 3723

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## Planning Overlays

### ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

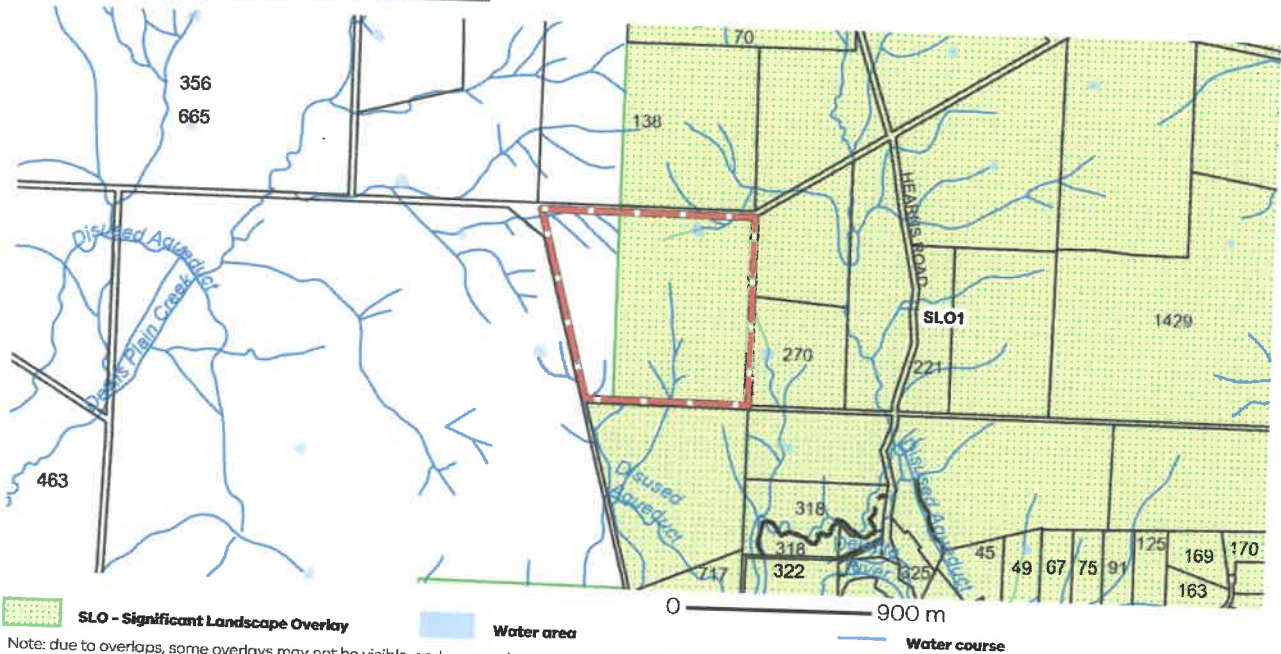
#### ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 (ESO2)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

### SIGNIFICANT LANDSCAPE OVERLAY (SLO)

#### SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1 (SLO1)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in the Shire of Booroomba (as required by Section 322(1b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT: HEARNS ROAD BOOROLITE 3723

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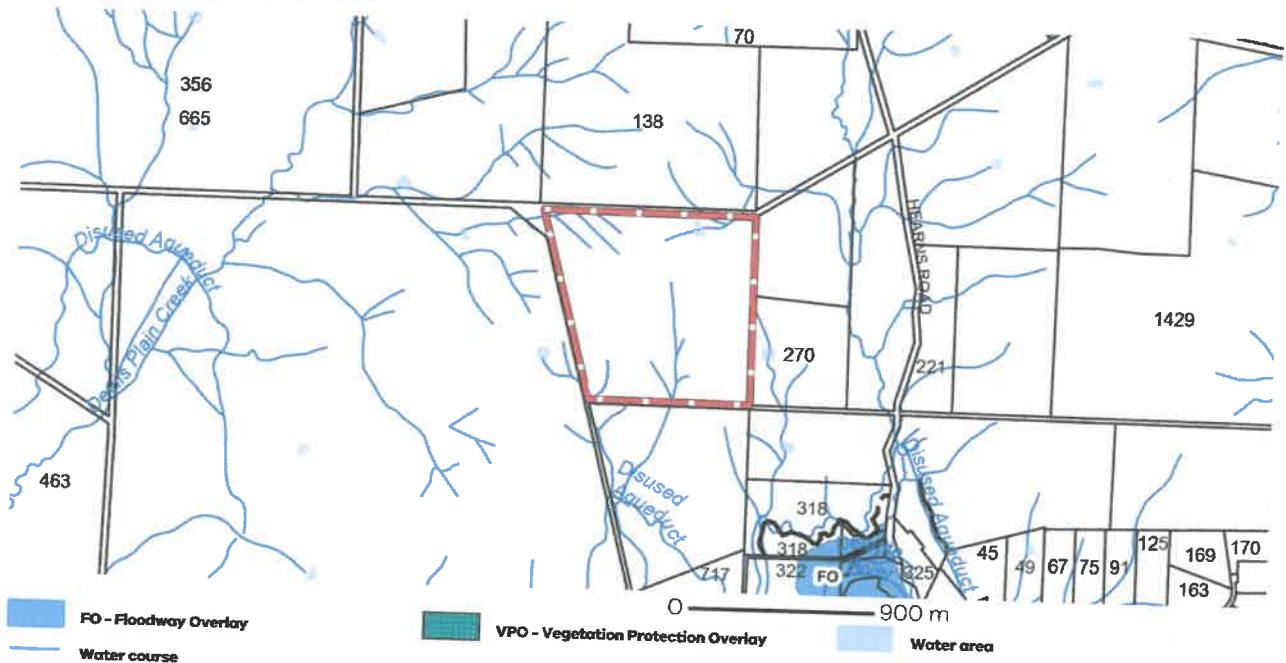
## Planning Overlays

### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

FLOODWAY OVERLAY (FO)

VEGETATION PROTECTION OVERLAY (VPO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

## Further Planning Information

Planning scheme data last updated on 10 August 2023.

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. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land 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 exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.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://mapshare.maps.vic.gov.au/vicplan>

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

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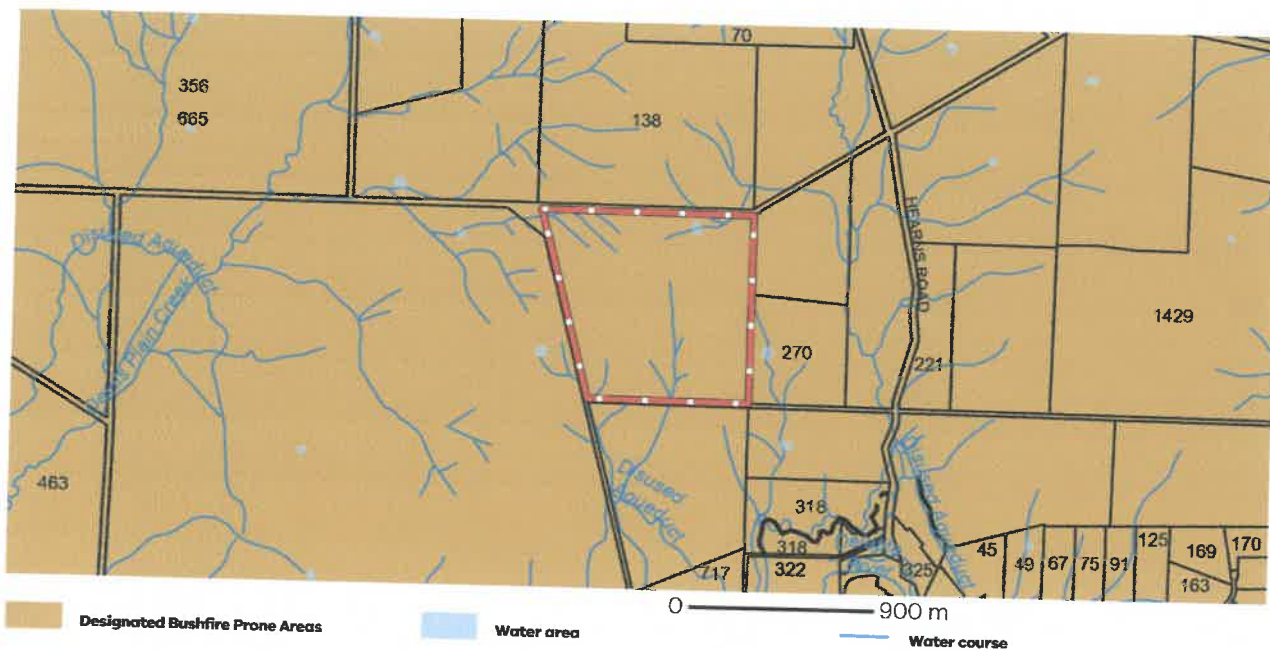
Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a Shire and a vendor is required by section 32C (b) of the Sale of Land 1962 (Vic).

## Designated Bushfire Prone Areas

**This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.**

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

## Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52:17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52:17\)](#) with local variations in [Native Vegetation \(Clause 52:17\) Schedule](#).

To help identify native vegetation on this property and the application of Clause 52:17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [PictureKit \(environment.vic.gov.au\)](#)

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Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

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 under the Building Act 1962 (Vic).

PLANNING PROPERTY REPORT: HEARNS ROAD BOOROLITE 3723

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## Mansfield's planning polices relevant to this application:

### Landscapes

Council's strategic directions for environmental and landscapes values are to:

- Protect areas of remnant vegetation for their environmental, habitat and scenic values, including roadside vegetation, riparian environments, scattered trees and native grasslands.
- Protect the landscape character of the Shire and significant landscape features including large old trees, visually significant ridges and view corridors.
- Protect the environmental, landscape and visual significance of rural areas, mountain and environmental features and alpine approach areas.

**This application accords with all the above polices..**

### Agriculture

Council's strategic directions for the management of agricultural land are to:

- Protect productive agricultural land from land fragmentation and incompatible use and development

**This application is reducing the number of lots and consolidating rather than fragmenting the land.**

- Protecting the on-going viability of agricultural land for agricultural purposes particularly from amenity conflicts arising from dwellings.

**The application is reducing the number of lots to ensure larger land parcels are available for agricultural purposes**

- Support diversifying the agricultural base to include the development of viticulture, horticulture, and more intensified agricultural pursuits.

**Not applicable to this application.**

### Water and Declared Special Water Supply Catchments

Council's strategic directions for catchment planning and management are to:

- Protect the environmental significance and visual amenity of local water sources and Special Water Supply Catchments.

**The application positively supports this policy.**

- Avoid development in catchments that is detrimental to water quality.

**The application supports this policy.**

- Minimise the cumulative impact of onsite wastewater treatment systems on the water quality of Declared Special Water Supply Catchments.

**The application supports this policy.**

Clause 14.01-1L

Dwellings and subdivisions in rural areas

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## Objective

**To protect productive agricultural land from competing and inappropriate land uses, including residential use not associated with agriculture.**

To prevent dwelling excisions and the development of existing small rural allotments from prejudicing any existing surrounding agricultural activities.

Discourage dwellings and subdivision (including house lot excisions) unless:

- It is required to support the agricultural use of the land.
- Off-site impacts and land use conflicts can be minimised and it will not result in reduced agricultural capability of the land or long-term viability of rural production in the area.
- It will result in no net loss of vegetation.
- Any development is sited, designed and constructed to mitigate bushfire risks.
- The provision of necessary infrastructure for the dwelling or lot created (such as access to potable water supply, effluent disposal and stormwater drainage systems) is consistent with the capability of the land.

Plan for the lot created for an existing dwelling to be the smallest practicable lot based on the characteristics of the site including necessary setbacks from the road frontage, dams, topography and vegetation.

Site and design development to not adversely impact existing rural activities conducted on site and on adjoining land.

Avoid development (including subdivision) that is likely to lead to a concentration of small lots or dwellings and change the use and development of an area or result in a loss of its rural character, unless the clustering of dwellings will not limit the productive use and development of adjacent agricultural land.

**My application is not at odds with these policies.**

By reducing the number of lots from 4 to 2 I am supporting the planning scheme's ultimate goal of protecting the amenity of our rural/farming landscape.

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Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2024 200 m

Measure distance  
Total distance: 4.82 km (2.99 mi)

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