

Form 2

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	16 Raapita Road TOORLOO ARM 3909 Lot: 2 PS: 649966
The application is for a permit to:	Buildings and Works for an Agricultural Outbuilding
The applicant for the permit is:	Lake Tyers Beach Design
The application reference number is:	5.2023.360.1
You may look at the application and any documents that support the application on the website of the responsible authority.	COVID-19 Omnibus (Emergency Measures) Bill 2020 now modifies the requirement of Form 2 so that <i>Planning documents previously required to be physically available to view at local government offices are now only required to be available for online inspection.</i>

This can be done anytime by visiting the following website:

<https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

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 will not decide on the application before:	Subject to applicant giving notice
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**If you object, the Responsible Authority will tell you its decision.**

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

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

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VOLUME 11368 FOLIO 602

Security no : 124109044652H  
Produced 13/09/2023 09:15 AM

### LAND DESCRIPTION

Lot 2 on Plan of Subdivision 649966K.  
PARENT TITLE Volume 09455 Folio 018  
Created by instrument PS649966K 09/08/2012

### REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors

### 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.

AGREEMENT Section 173 Planning and Environment Act 1987  
AJ353154B 05/12/2011

### DIAGRAM LOCATION

SEE PS649966K FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX068802J (E)	CONV PCT & NOM ECT TO LC	Completed	20/07/2023
AX171889R (E)	DISCHARGE OF MORTGAGE	Registered	21/08/2023
AX171890H (E)	TRANSFER	Registered	21/08/2023

-----END OF REGISTER SEARCH STATEMENT-----

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

Street Address: 16 RAAPITA ROAD TOORLOO ARM VIC 3909

### ADMINISTRATIVE NOTICES

NIL

eCT Control 19052X ENGEL & PARTNERS  
Effective from 21/08/2023

DOCUMENT END

# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>PS649966K</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>13/09/2023 09:16</b>

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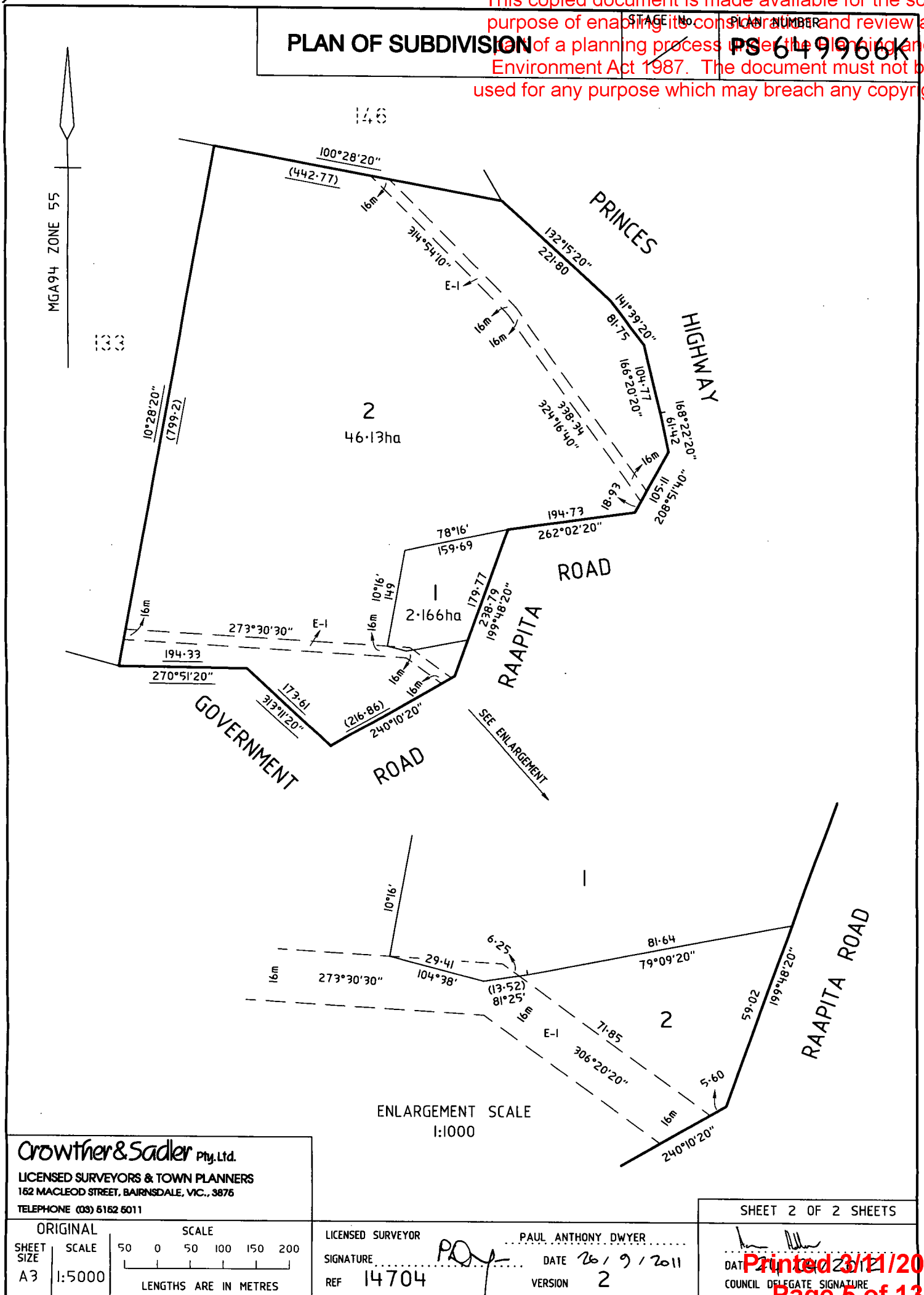
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**PS649966K**

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ORIGINAL SHEET SIZE A3  
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## **Whelan Shed**

16 Raapita Road – Toorloo Arm.  
Proposed Rural Store.

### **Planning Report -**

#### **Property Details:**

**Address:** 16 Raapita Road – TOORLOO ARM (Lot 2 PS 649 966)

**Zone:** FZ1 – Farming Zone – Schedule to the Farming Zone 1.

**Overlays:** 'EMO' – Erosion Management Overlay

'BMO' – Bushfire Management Overlay – Works Not within Mapped Area

'DDO7' – Design and Development Overlay

'VPO' – Vegetation Protection Overlay

'ESO' – Environmental Significance Overlay – Works Not within Mapped Area

'Areas of Aboriginal Cultural Heritage Sensitivity' – Works Not within Mapped Area

**Proposal:** Rural Store – For storing Farm related Machinery and equipment.

#### **Existing Conditions:**

Access to the allotment is via an existing gravel roadway 'Raapita road' approx. 150m from the Princes highway.

An existing gravel driveway extends to the existing Shed located in the eastern corner of the allotment. The allotment is mostly free from vegetation for use for cattle with an existing area adjacent the highway corridor used for growing Avocados and lemons. The area proposed for the new shed adjacent the existing shed is free from vegetation and mostly level.

The proposed building site is relatively flat currently for use for vehicle movement and storing of farm equipment externally. A dam exists West of the proposed building site near to the entry gate. The North Eastern boundary abuts the Princes highway following a cut embankment down to the roadway.

The Proposed shed site is positioned away from the Princes highway approx. 134m and is screened by vegetation and the embankment at the roadway.

Refer attached photograph's for existing conditions.

## Whelan Shed

16 Raapita Road – Toorloo Arm.  
Proposed Rural Store.

### **35.07 'Farming Zone' FZ & Schedule 1 to the Farming Zone**

#### **35.07-1 Table Of Uses** – Section 2 use 'Rural Store' exceeding scheduled area

Permit required for - Gross Floor Area greater than 100sqm.  
- Not the Only Rural Store on the lot.

#### **35.07-2 Use Of Land For a Dwelling** – Not Applicable.

#### **35.07-3 Subdivision** – Not Applicable.

#### **35.07-4 Buildings and Works** – A building or works associated with a use in Section 2 Permit required.

#### Building Setbacks –

Road zone 1 – the Building exceeds the scheduled 100m setback distance.

Minimum Boundary Setbacks – The Building exceeds the scheduled 5m setback from any other boundary.

Minimum Setback form a Dwelling not in the same ownership – The Building exceeds the scheduled 100m setback from a Dwelling.

#### Earthworks -

There is no requirement within the schedule for Earthworks.

#### **35.07-5 Application requirements for dwellings** – Not Applicable.

#### **35.07-6 Decision Guidelines –.**

#### **General Issues –**

It is believed that the Proposal for a second Rural store for use for Farm related machinery would be suitable within the large allotment. The existing and proposed shed do not require effluent disposal, however if required suitable areas exist for use as an effluent field.

The use of a Rural store to store farm equipment would be suitable within the allotment. The proposed location is greater than the required boundary offsets and distances to adjoining dwellings.

#### **Agricultural Issues –**

The proposal will not further impact the use for agriculture. The large allotment currently allows existing Agricultural activities for use with cattle and growing of produce. The position of the Proposed shed towards the front portion of the allotment allows for the continuation of cattle feeding to the larger rear area.

The proposal will not further affect nearby Farming/Agricultural activities or the expansion of agricultural activities on adjacent allotments.

## Whelan Shed

16 Raapita Road – Toorloo Arm.  
Proposed Rural Store.

**Dwelling Issues –** Not Applicable – Dwelling not proposed.

Any future development to include a Dwelling within the site would not result in loss or fragmentation of productive agricultural land. A future Dwelling site has been considered by the land owner further away from the Princes Highway. A suitable area exists to accommodate a Dwelling and required waste water disposal area. A future Dwelling in its proposed location would not affect issues outlined for the zone.

## **Environmental Issues –**

It is believed that the Building proposal would provide minimal impact on environmental issues outlined. The proposed building site is free from vegetation, with a cluster of native trees existing near to Raapita road approx. 10m in distance from the shed location.

Further development would include planting of native Trees & shrubs to enhance the allotment nearer to the highway, along the existing driveway and road side boundaries to encourage flora & fauna and promote the biodiversity outlined.

Noise and dust issues would not be of concern from the Building proposal and associated farm activities. An all weather driveway would be extended for the proposed shed, and would be located away from neighboring dwellings, screened by the existing trees.

Large rainwater storage tanks are proposed to ensure there is minimal impact to the site.

## **Design and Siting Issues:**

An existing Rural store has been constructed adjacent the proposed shed which aids further approval to provide additional enclosed equipment storage.

The proposed shed has been positioned beyond existing sheds located on the adjacent property across Raapita road, this ensures the building is totally screened from the distant Dwelling and that no further impact to the Dwellings amenity and current rural outlook occurs.

Offsets to the proposed Rural store exceed the required distance from the Princes Highway and side boundaries. The location near to the roadway and existing shed ensures the larger land area can remain for use for agriculture.

The position proposed also provides a large distance from the Colquhoun State forest which exists further North suitable for Bushfire attack requirements.

The shed proposed would not be visible from the Prince's highway and would be screened by trees and a natural embankment. The shed has been shown cut into the natural surface at the rear to avoid excessive height.

Power is currently available at the site to the existing shed. An all-weather access driveway also exists. An existing gravel crossover from the Raapita roadway provides sufficient space to safely enter and exit the site on to the Princes Highway.

The shed proposed uses dark charcoal metal sheet cladding (Colorbond finish) to ensure it is sympathetic to the environment and its surroundings.

## Whelan Shed

16 Raapita Road – Toorloo Arm.  
Proposed Rural Store.

### 35.07-7 Advertising Signs – Not Applicable

### 44.01 Erosion Management Overlay

An *Erosion Management Overlay* exists across the site which would be appropriately addressed by use of retaining walls, sub-surface drainage and future planting.

Cut and filled areas have been previously developed and will remain properly retained or battered with required subsoil drainage. Native planting is proposed adjacent the Southern side boundary to address erosion concerns.

Refer attached drawings 23015 tp1.1 – tp1.3 for Floor plan, Elevations & Site Plan.

#### 44.01-1 Buildings and Works –

A permit is required to construct a building or carry out works.

The schedule to the EMO does not provide an exemption for a non-habitable building with a gross floor area exceeding 200sqm.

#### 44.01-2 Vegetation Removal -

The proposal does not include vegetation removal.

#### 44.01-3 Table of Exemptions – Not Applicable.

#### 44.01-4 Subdivision – Not Applicable.

#### 44.01-5 Application Requirements –

As per Part 3 of the 'Schedule to the Erosion management Overlay' the land has already been developed and the proposal does not require the removal of vegetation. A Geotechnical risk assessment is not required.

There is no existing erosion, landslip or land degradation surrounding the proposed building site. Existing embankments have been graded to avoid erosion and grass allowed to grow. The proposed building area has been developed previously with Planning Approval to ensure storm water and surface water are directed appropriately around the site.

Refer to attached drawings for extent of cut area.

### 42.02 Vegetation Protection Overlay – Not Applicable. The works proposed are not in a mapped area.

A significant band of Native vegetation exists forming a corridor for the Prince's highway, the existing shed and proposed shed are located away from the mapped area.

### 43.02 Design Development DDO7 – The works proposed are within the mapped area.

DDO7 is in relation to Highway Corridors being the area adjacent the Princes Highway. The DDO sets a minimum offset of 40m, which is exceeded.



## Whelan Shed

16 Raapita Road – Toorloo Arm.  
Proposed Rural Store.

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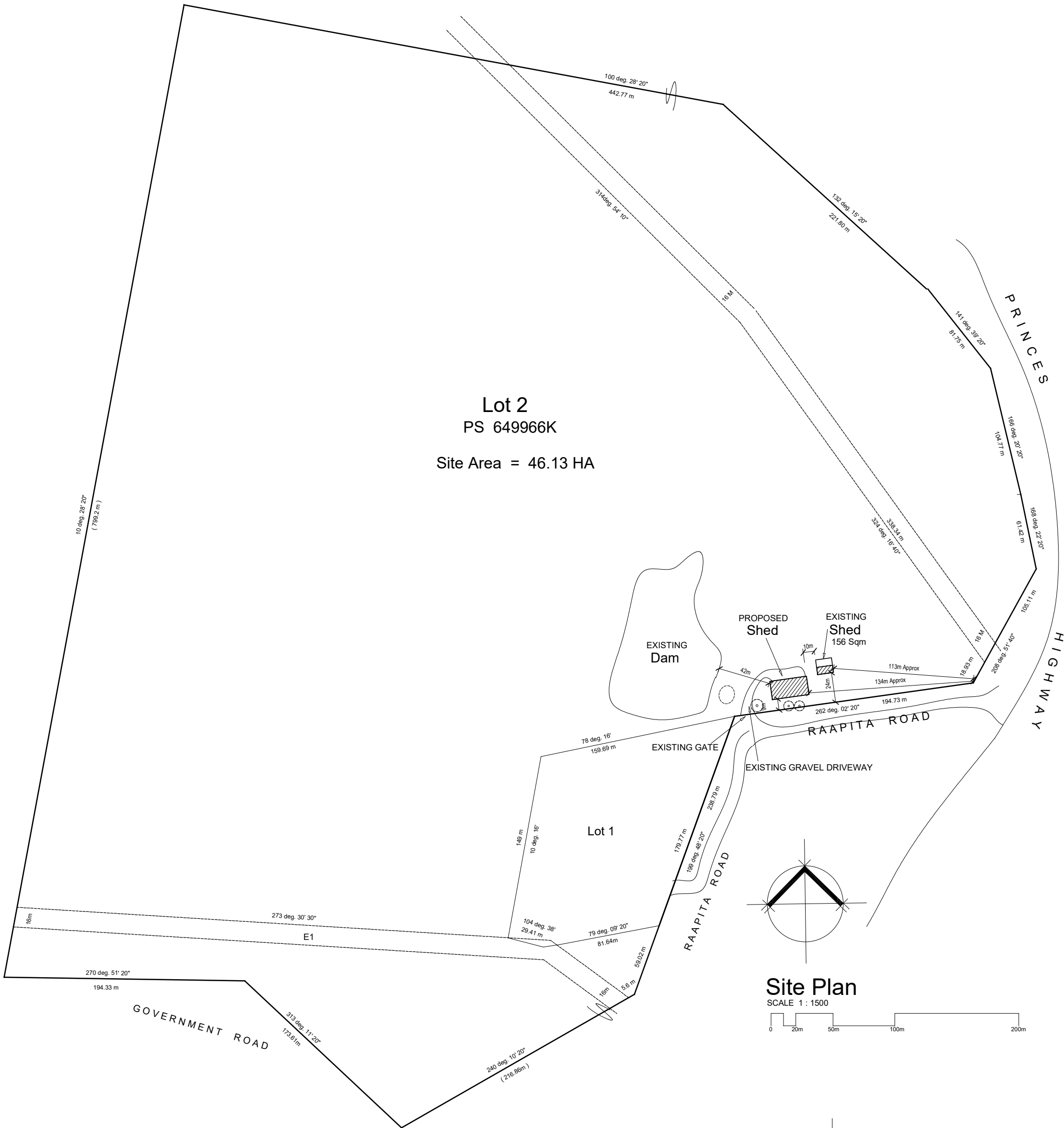
**44.06 Bushfire management Overlay – Not Applicable.** The works proposed are not in a mapped area.



**Above –** Existing Entry gate and gravel driveway into the site off Raapita road. The existing shed is visible beyond the trees.



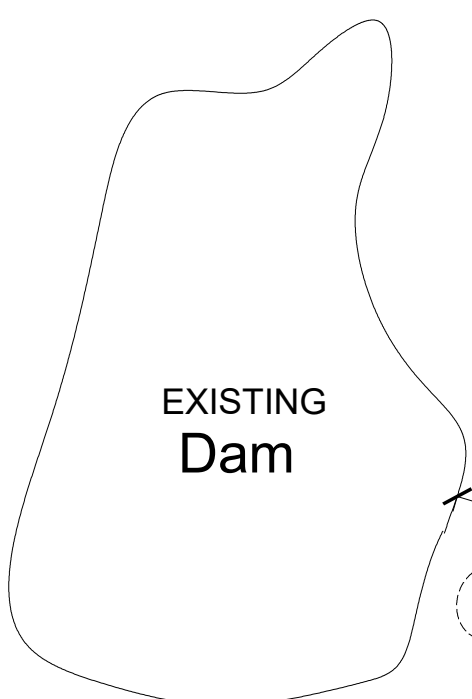
**Above –** View from the driveway looking east across the proposed building site. The existing Agricultural Store is visible beyond





Lot 2  
PS 649966K

Site Area = 46.13 HA



PROPOSED  
Shed

EXISTING  
Shed  
156 Sqm

EXISTING  
Dam

EXISTING GATE

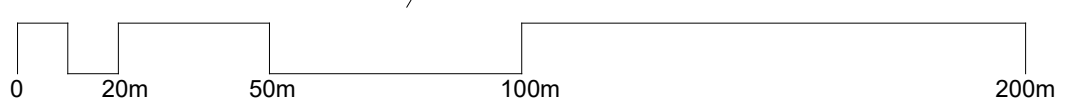
EXISTING GRAVEL DRIVEWAY

RAAPITA ROAD

HIGHWAY

Lot 1

Site Plan  
SCALE 1 : 750



Whelan Development Raapita Road - Toorloo Arm

L a k e T y e r s B e a c h

D e s i g n .  
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Job No: 23015

