



# 42 WOODHAMS LANE, MORTLAKE, VIC 3272

Planning Report

April 2025

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# 1. Introduction

The application proposes to subdivide the subject land to create 26 individual lots of each with minimum size of 1 hectare and creation of an extension of the public road network to provide services and road access to all proposed lots. The associated removal of limited vegetation to facilitate the construction of road access to the proposed lots. All lots have vehicular access directly from the internal road network, except for Lots 1, 5 & 26 that have the option to obtain vehicular access directly from Woodhams Lane.

## 2. The subject site and surrounds

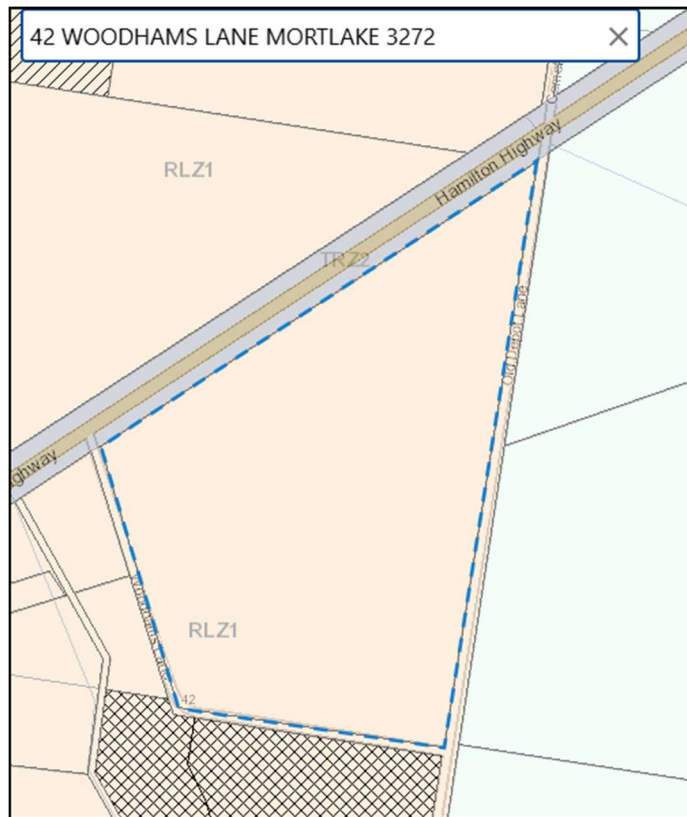
The subject site, 42 Woodhams Lane, Mortlake 3272 is located on the southern side of Hamilton Highway and accessed via Woodhams Lane. The land is formally described as V 11152 F 070 L 5 PS 821690 Mortlake Parish.

The site is accessed by an existing single vehicle crossover to Woodhams Lane which provides access to the existing dwelling on the property.

The site is a rectangular shape with a frontage to Hamilton Highway of 375m and side boundaries of 184m. The overall site area is 28.157 Ha.

The site is currently used for pasture and features a grassed surface with typical rural post-and-wire fencing. The land has an irregular, undulating profile, with its highest point located in the southwest corner at an elevation of 135.50m AHD. The approximate low point, also in the southwest corner, is at 132.0m AHD. Overall, the site slopes naturally from the northeast to the southwest, though the undulating terrain creates several low points where surface water collects and disperses naturally within the site.

Mortlake is a town located in Victoria's Western District, Australia, situated on the Hamilton Highway, approximately 50 kilometers (31 miles) northeast of Warrnambool. It falls within the Shire of Moyne local government area and the federal Division of Wannon. According to census data, Mortlake's population was 941 in 2001, increasing to 996 in 2006 and 1,073 by 2011. The town is renowned for its historic bluestone buildings, many of which date back to the 1850s and are prominently visible along the Hamilton Highway.



## Property Title

There are no restrictions on the title.

TITLE PLAN		EDITION 1	TP 703935K
<b>Location of Land</b> Parish: AT MOUNT SHADWELL PARISH OF MORTLAKE Township: S Section: S Crown Allotment: S Crown Portion: Last Plan Reference: Derived From: VOL 2427 FOL 377 Depth Limitation: NIL		<b>Notations</b> ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
<b>Description of Land / Easement Information</b>		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 2011/03/06 VERIFIED: AC	
LENGTHS ARE IN METRES 1:1000		Sheet 1 of 1 (Scale)	

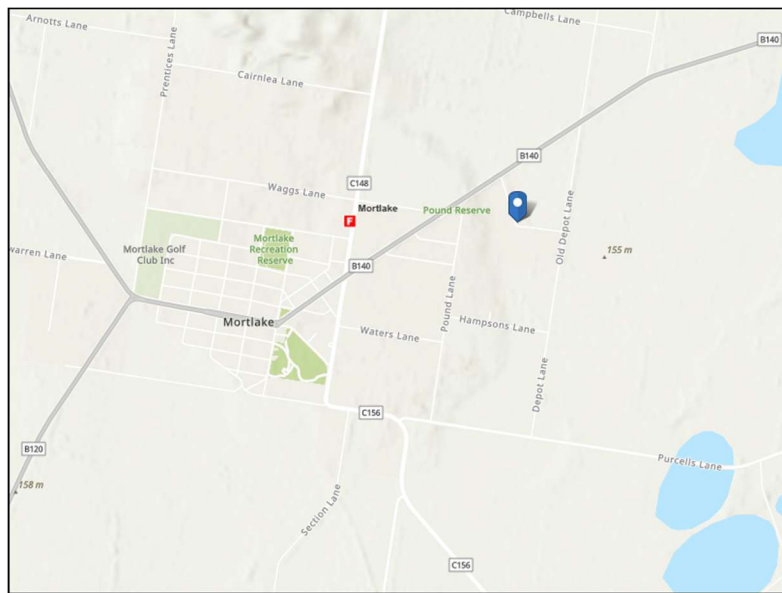


Figure 1: Southwest view from Woodhams Lane



Figure 2: Northwest view from the central location on the site



Figure 3: Old shed view from Woodhams Lane

### 3. Proposal

The proposed development involves the creation of 26 individual lots and the extension of the public road network to provide services and road access to all lots.

The subdivision is not planned as a staged development. However, if it is determined during the detailed design phase that one or more stages can be constructed concurrently, it is requested that the structure of any permission granted accommodates this flexibility.

The lot orientation, size, and configuration are summarized as follows:

- All lots have vehicular access directly from the internal road network, except for Lot 1, 5 and 26, which can obtain vehicular access directly from Woodhams Lane.
- All lots feature an active frontage to the internal road network, including those facing Woodhams Lane, to maximize passive surveillance of the street.
- Lot sizes average 1 hectare.
- The internal road network is designed to provide vehicular access to each lot in a compliant manner, catering to service and emergency vehicles (e.g., waste collection vehicles and CFA vehicles).
- All lots will be connected to onsite waste water system, and all proposed public infrastructure is detailed to comply with relevant standards.



The subject land is located on the outskirts of Mortlake, providing an opportunity to supply high-quality land to the town. The proposal aims to create a new neighborhood consistent with the unique small village character of Mortlake.

Key objectives of the subdivision include:

- Ensuring lots are capable of meeting the design objectives outlined in the Design Guidelines while providing larger-than-average lots to allow flexibility for:
  - The construction of additional outbuildings alongside dwellings on each lot.
  - The construction of both volume-built dwellings and custom-designed residential developments.
- Designing the subdivision layout to enable gravity stormwater services for each lot, ensuring effective storage, filtration, and disposal of stormwater during both 20% AEP and 1% AEP flood events.
- Minimizing road intersections and preserving as much vegetation as possible along the Woodhams Lane roadside.
- Promoting a sense of community through the inclusion of cul-de-sac and court bowl roads.

All services, road, and pedestrian networks will be provided for all stages, should the development be constructed as a single project.

## 4. Planning controls

### Planning Policy Framework

The Planning Policy Framework (PPF) contains general guiding principles in relation to policies and appropriate practices in Victoria. The PPF contains a number of policies which are relevant to the consideration of the application in an overarching sense.

The key elements of the PPF relevant to this proposal include:

- Clause 11 Settlement
- Clause 15 Built environment and heritage
- Clause 17 Economic Development
- Clause 18 Transport
- Clause 19 Infrastructure

### Municipal Planning Strategy

As it is relevant to the proposal, the following analysis is provided to demonstrate that the proposal is consistent with relevant Policy direction.

## Clause 02.03-1 Settlement

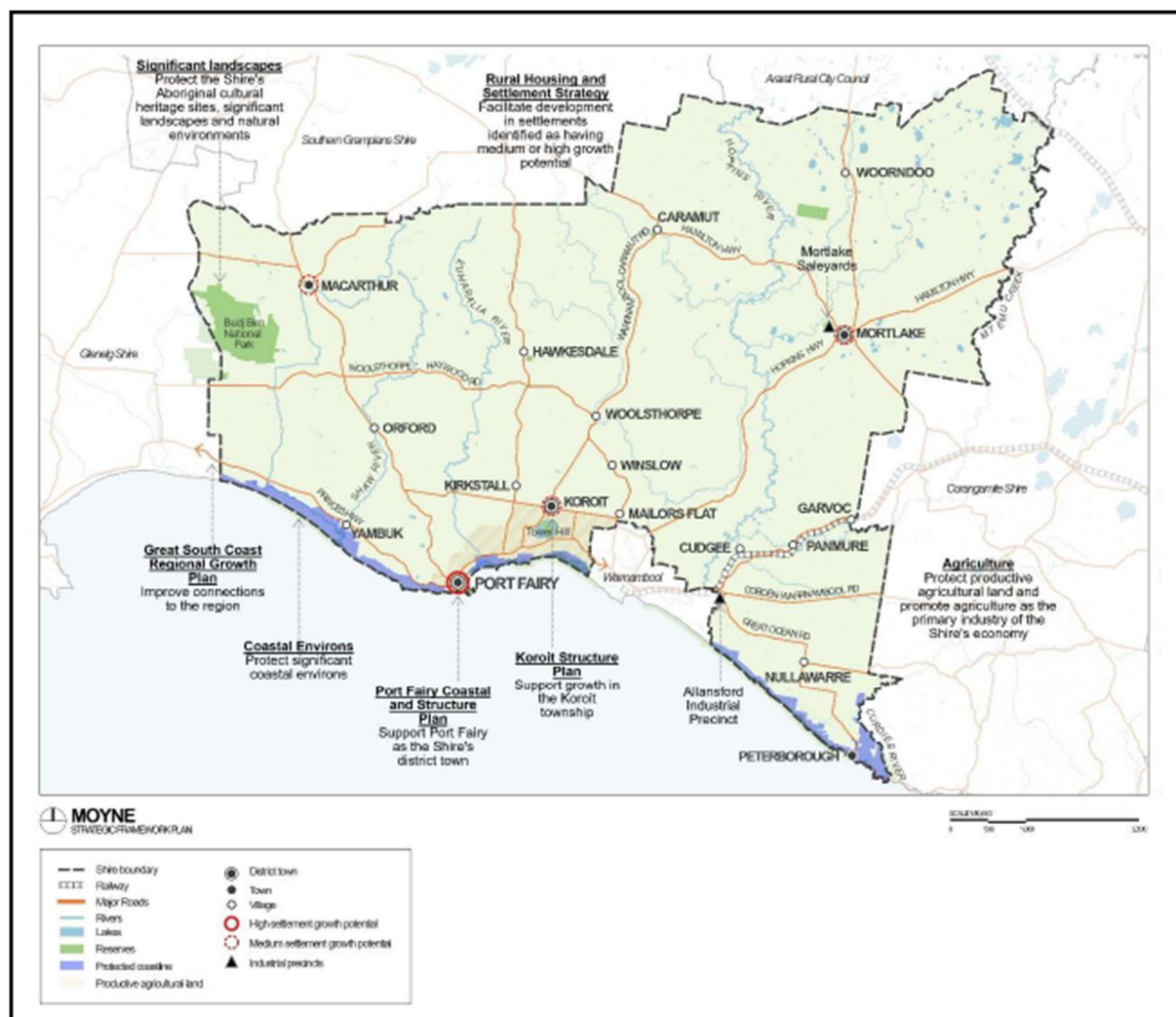
### Settlement Hierarchy

The settlement pattern of the Shire comprises of several urban centres and many small settlements, located on the coast and within productive agricultural areas.

The district towns and predominant service centres are Port Fairy, Koroit and Mortlake. Each settlement within the Shire has a different capacity and role in providing for growth and services to their respective local community.

### Mortlake

Clause 02.04 Moyne Strategic Framework Plan: Mortlake is identified as a 'Medium Settlement Growth Potential' within the Moyne Strategic Framework Plan. Mortlake is located at the foot of Mount Shadwell. It is a service centre for the surrounding farming country and the northern part of the Shire, providing a range of community and recreational facilities. It has excellent road access to other regional centres, including Warrnambool, Geelong and Hamilton. There is a regional livestock exchange and a regional quarry nearby, and a 550 megawatt (MW) gas-fired power station 12 kilometres to the west of the town. There are a number of historic bluestone buildings within Mortlake considered to be some of the finest in the State.



#### Strategic directions

- Direct growth to settlements in accordance with their role and function specified in the Moyne Shire settlement hierarchy at Table 1.
- Encourage growth within clearly established boundaries of settlements to protect their character and adjoining farmland, and ensure that the environmental and landscape values are not compromised.
- Promote Mortlake as an agribusiness, retail and service centre for the surrounding region.

Table 1: Moyne Shire Settlement Hierarchy

Settlement status	Expansion and infill capacity	Name of settlement
<b>District Town</b>  Settlements with large and diverse populations. These towns provide a variety of services to surrounding settlements. Variety of housing and moderate employment base. Popular visitor and retirement destinations	<ul style="list-style-type: none"><li>• Moderate growth capacity.</li><li>• Identified potential for some growth beyond urban zoned land and through infill development within defined settlement boundaries.</li></ul>	Port Fairy  Koroit  <b>Mortlake</b>

Response: The proposal is located within the settlement boundary and designated for residential development. While the broader strategy identifies Mortlake as having low to moderate growth capacity, the subject land provides a distinctive opportunity to enhance the town's residential land supply.

By contributing significantly to the available housing stock, this proposal supports the goal of limiting out-of-settlement development and promoting concentrated growth within established boundaries. It aligns with Mortlake's strategic vision and development objectives.

## 02.03-3 Environmental risks and amenity

### 02.03.3 Bushfire

The municipality faces complex fire risk in agricultural, forested, urban bushland, rural residential and coastal areas.

Response: The proposed extensions appropriately respond to bushfire risk in a bushfire prone area as per the Bushfire Assessment (submitted with the application).

## **Clause 02.03-6 Housing**

The population of the Shire is growing, however, it is ageing and household size is declining.

A significant proportion of dwellings in the coastal towns are not permanently occupied, serving as holiday homes. This contributes to a lack of affordable worker accommodation, particularly during peak tourism periods.

Housing affordability and availability of long-term rental stock is declining in the Shire, and there is limited dwelling diversity, due to a low proportion of medium density and small dwellings in urban areas.

There is a need to provide well-located and accessible housing in the Shire to accommodate demand and attract new residents. However, housing growth is subject to infrastructure constraints, and can compromise environmental, heritage, landscape and neighbourhood character values.

### **Strategic directions**

- Encourage population growth within all areas of the Shire.
- Encourage a range of accommodation opportunities in settlements, including medium density housing, to suit the needs of the Shire's residents.
- Support residential development densities that protect the heritage value and neighbourhood character of settlements.
- Direct rural living development to areas already zoned for this purpose within and on the periphery of existing settlements to enable access to available community facilities and physical infrastructure.
- Discourage rural residential development in areas of agricultural, cultural heritage, environmental or landscape value.

Response: The proposal complies with the strategic directive to direct rural living development to areas already zoned for this purpose within and on the periphery of existing settlements. This ensures future residents have access to available community facilities and physical infrastructure.

Additionally, the proposal aligns with the strategy to discourage rural residential development in areas of agricultural, cultural heritage, environmental, or landscape value. By situating the development within the settlement boundary and a designated residential zone, it avoids impacting sensitive or high-value areas, further demonstrating its compliance with the strategic vision for Mortlake's growth and development.

## **Clause 02.03-9 Development Infrastructure**

The design, management and delivery of infrastructure are key issues for Council. Council has adopted the Infrastructure Design Manual (IDM) (prepared by the Local Government Infrastructure Design Association) which includes guidelines for the design and construction

of infrastructure, including roads, drainage, stormwater, car parking, landscaping, access, earthworks, public lighting and intersection treatments.

#### Strategic directions

- Provide clear and consistent guidelines for the planning, design and construction of infrastructure.
- Provide timely, efficient, cost-effective and sustainable development infrastructure that meets the needs of the community.
- Encourage and maintain a range of recreational, cultural and entertainment facilities that serve the needs of all age groups in the community.
- Protect sewerage treatment plants from encroachment by use or development that would compromise the ability of the plants to function safely and effectively.

Response: The proposed subdivision, provides a comprehensive and cohesive design response that aligns with the relevant policy objectives. The Engineering and Stormwater Management Plan include:

- **Land Capability Report for on-site waste water management:** The subdivision ensures access to all necessary services, including water, on-site waste water, and stormwater, through integration with existing public infrastructure.
- **Safe and Efficient Road Formation:** The proposed design incorporates public road formations that prioritize safety and efficiency. The shared pedestrian and vehicular access ways are designed to accommodate both general traffic and specialized vehicles, such as waste collection and emergency service vehicles. See Traffic Impact Assessment Report for more details.
- **Stormwater Management:** The SWMP confirms that post-development stormwater flows will align with pre-development levels, ensuring compliance with environmental targets. The plan also meets the pollutant reduction requirements outlined in the State Planning Policy at Clause 19.03-3S, supporting best practice environmental outcomes.

The engineering concept adopts the requirements and best practice standards outlined in the Infrastructure Design Manual (IDM), ensuring the proposal meets high-quality standards for residential development.

By integrating these elements, the proposed subdivision demonstrates consistency with the strategy and a strong commitment to sustainable and efficient urban planning principles.

## Planning Policy Framework

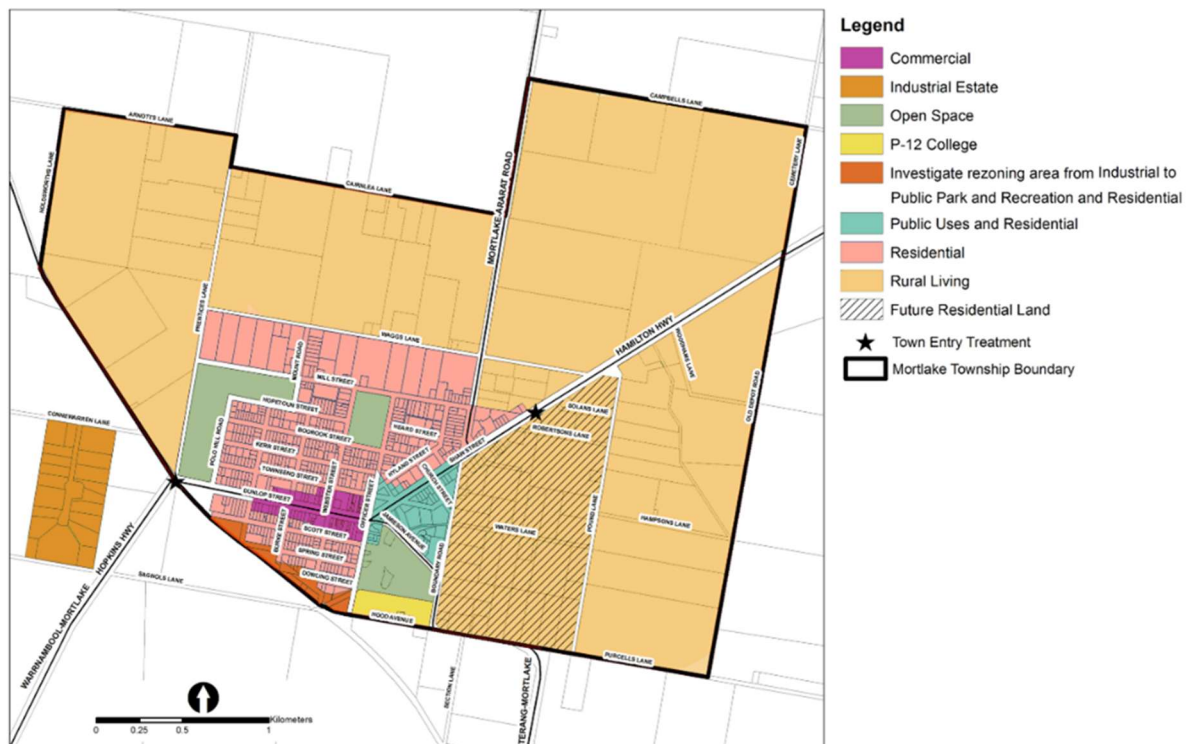
### Clause 11.01-11-05 Settlement – Mortlake

#### Strategies

- Encourage development within Mortlake that respects the town's historic character, surrounding rural land and the natural landscape.
- Strengthen the town centre as a hub for commercial development and a community focal point.

- Direct commercial development to Dunlop Street between Webster Street and Officer Street.
- Support infill development in proximity to the town centre.
- Support further industrial development in the industrial estate and facilitate opportunities for manufacturing and industrial use and development.
- Provide support services within Mortlake to support the Western Victoria Livestock Exchange (WVLX).
- Ensure that the siting and design of development, including subdivision, maintains the open rural character of the town and key views to Mount Shadwell.

## Mortlake Framework Plan



Response: The proposed subdivision is situated within the settlement boundary. The lot sizes are thoughtfully designed to ensure diversity, with frontage widths and shapes that align with the Rural Living zone objectives.

The subdivision offering flexibility while maintaining adequate capacity to meet the established design guidelines for rural residential development. The proposal is consistent with the Strategy and reinforces principles of responsible and sustainable development.

## 12.01-2S Native vegetation management

### Objective

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

## Strategies

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017):

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

Response: The proposed subdivision has been designed to minimize the removal of native vegetation, in alignment with best-practice principles and relevant environmental policies. The approach to native vegetation management includes:

Avoidance: The design prioritizes the retention of native vegetation by carefully planning lot boundaries, infrastructure placement, and road alignments to avoid the removal, destruction, or lopping of vegetation wherever possible.

Minimization: Where removal, destruction, or lopping of native vegetation is unavoidable, the proposal ensures that impacts are minimized. This is achieved through strategic site planning and the adoption of measures that reduce disturbance to surrounding vegetation and ecosystems.

Offsets: For any native vegetation that must be removed, the proposal provides offsets to compensate for biodiversity impacts. These offsets will be consistent with statutory requirements and designed to ensure a net gain in biodiversity, contributing to the long-term protection and enhancement of the local environment.

By incorporating these measures, the proposal demonstrates a strong commitment to preserving biodiversity and minimizing ecological impacts while facilitating sustainable development.

## Clause 13.02 – Bushfire

Clause 13.02 applies to land designated as a bushfire-prone area. The policy seeks to enhance the resilience of settlements and communities to bushfires by implementing risk-based planning strategies that prioritise the safeguarding of human life. This principle underpins all bushfire management strategies, ensuring that development does not increase risk to life and incorporates appropriate mitigation measures.

It ensures a balance between accommodating residential growth and managing environmental risks, particularly bushfire hazards. The subject land is located in a Bushfire Prone Area (BPA). The dwellings on the proposed lots will be designed and constructed to meet the requirements of Bushfire Attack Level (BAL) 12.5. By adhering to BAL-12.5

construction standards, maintaining defensible space, and providing firefighting water supplies, the development prioritizes safety and sustainability while preserving the rural character of the area. Please refer to the BPA report - enclosed.

## Clause 19.03-3S Infrastructure Design and Provision

### Objective

To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

### Strategies

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.
- Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.
- Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

- Ensure land is set aside for water management infrastructure at the subdivision design stage.

- Minimise the potential impacts of water, sewerage and drainage assets on the environment.
- Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.
- Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.
- Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.

Response: The proposed subdivision incorporates Integrated Water Management principles, supported by the Stormwater Management Report, to sustainably manage water resources, including stormwater, wastewater, and potable water. The design prioritizes efficient water use, flood risk minimization, and climate resilience while protecting waterways and reducing infrastructure costs. Strategies include utilizing alternative water sources, integrating water into landscapes, managing stormwater quality and quantity per the report, and ensuring sewerage provision. This approach enhances environmental quality and supports sustainable urban planning.

## Planning Zone and Overlays

The site is within Rural Living Zone, Schedule 1 (RLZ1) and there is no overlay that affects the site.

The purpose of the Rural Living Zone is as follows:

- 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.

## Clause 35.03-3 Subdivision

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 2 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- 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 into 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.
- A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

### **Decision guidelines**

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:

#### **General issues**

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.

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 a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

#### **Agricultural issues**

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.

#### **Environmental issues**

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, 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.

#### Design and siting issues

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.

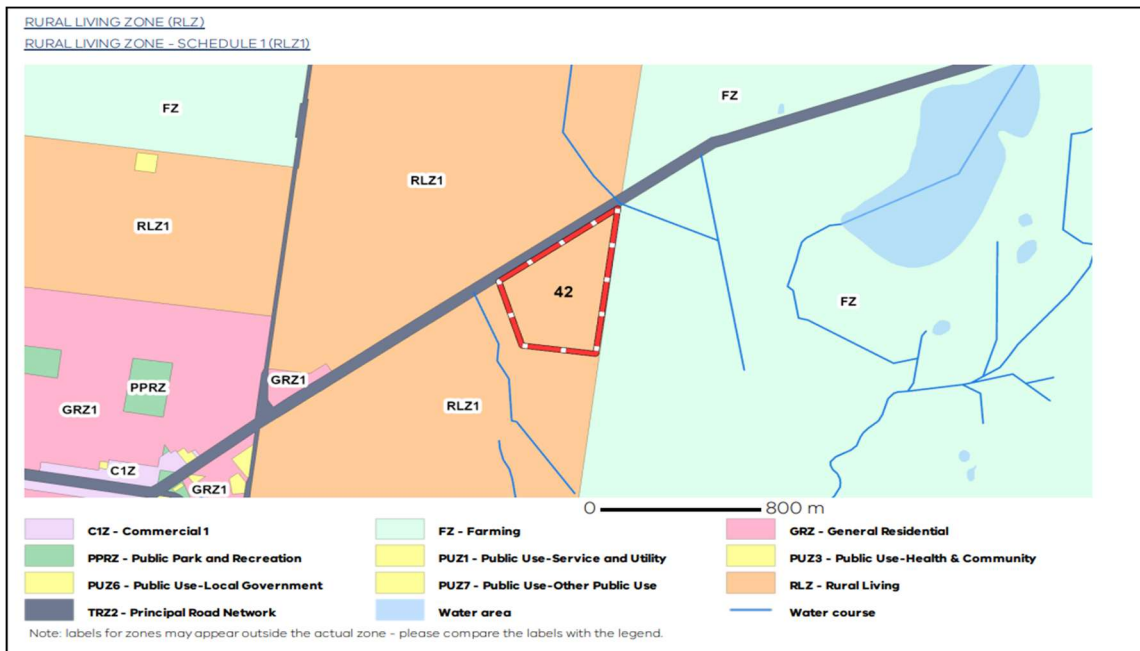
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

Whether the use or 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 Mineral Resources (Sustainable Development) Act 1990.

Response: The proposed subdivision complies with Clause 33.03-1 of the Rural Living Zone (RLZ), meeting the Schedule 1 requirement of a minimum 1.0-hectare lot size for all 26 lots. It aligns with the Municipal Planning Strategy, Planning Policy Framework, and relevant Regional Catchment Strategy, ensuring compatibility with adjoining land uses. The design minimizes environmental impacts, retains biodiversity, and includes provisions for revegetation and effluent management to protect soil and water quality. Infrastructure and traffic considerations are addressed, with no adverse effects anticipated. The proposal supports sustainable development, preserves the rural character, and adheres to all decision guidelines under Clause 33.03-1.



## Permit Triggers

Proposed use	Planning Scheme Provisions	Comments
Subdivision	Pursuant to Clause 35.03-3, permit is required to subdivide the land.	The proposed subdivision comprises of 26 individual lots.

## Particular Provisions

### Clause 52.17 Native Vegetation

Clause 52.17 of the Moyne Planning Scheme sets permit requirement to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply to Vehicle Access from Public Roads under Clause 52.17-7, a permit is not required for:

*“Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.*

*This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.*

*This exemption does not apply where there is a practical opportunity to site the access way to avoid the removal, destruction or lopping of native vegetation.*

*In this exemption, roadside and public road have the same meanings as in section 3 of the Road Management Act 2004.*

*Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road."*

### **Response to Clause 52.17 – Native Vegetation**

The subject site predominantly comprises grasslands and low-density vegetation, with planted trees located along the Hamilton Highway. The existing vegetation has been carefully considered in the design of the proposed subdivision to minimize any environmental impact while maintaining the site's rural character. Additionally, appropriate land management practices will be implemented to reduce bushfire risk while preserving the natural landscape.

A review of the Native Vegetation Removal (NVR) mapping indicates that the site falls within Location 1, which signifies a low biodiversity risk under the native vegetation regulations. Given this classification, any potential impact from vegetation removal is considered minimal, aligning with the environmental objectives of the Moyne Planning Scheme. Furthermore, the surrounding area is characterized by limited forested vegetation, further reducing potential ecological consequences.

### **Compliance with Clause 52.17 – Native Vegetation**

Clause 52.17 of the Moyne Planning Scheme establishes the requirement for a permit to remove, destroy, or lop native vegetation unless a specified exemption applies. In this instance, the proposal does not involve the removal of any native vegetation.

However, under Clause 52.17-7, an exemption applies to the removal of native vegetation where it is required for vehicle access to a public road. The exemption states:

*"Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.*

*This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.*

*This exemption does not apply where there is a practical opportunity to site the access way to avoid the removal, destruction or lopping of native vegetation."*

The proposed subdivision has been designed to ensure that no native vegetation removal is required. If vehicle access is needed in the future, it will be designed to comply with Clause 52.17-7, ensuring that any necessary vegetation removal is minimized and only undertaken where there is no practical alternative. Moreover, any required works within the road reserve will be subject to written consent from the coordinating road authority, in accordance with the Road Management Act 2004.

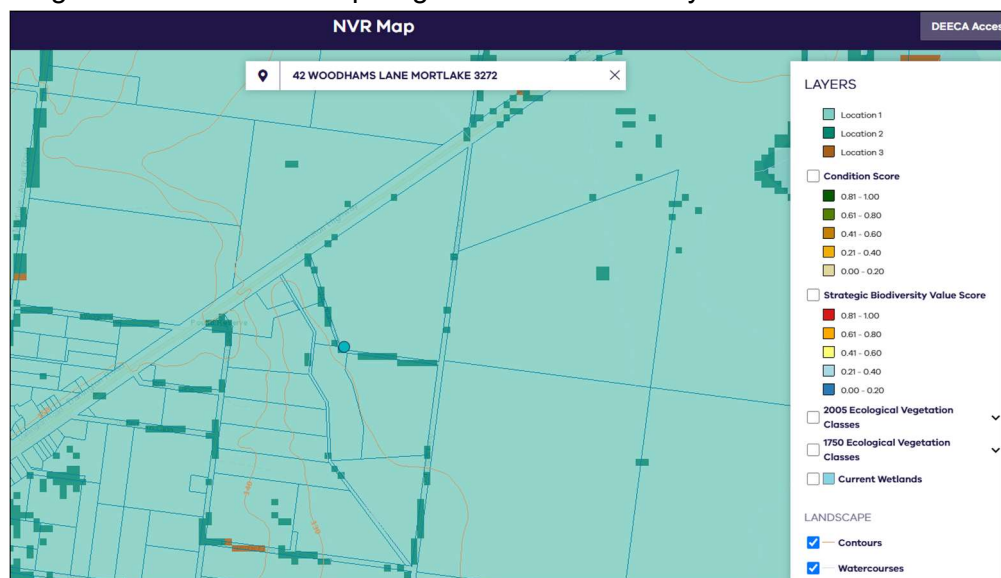
## Conclusion

The proposal is fully compliant with Clause 52.17 of the Moyne Planning Scheme, as no native vegetation removal is proposed. If future access requirements necessitate vegetation removal, all efforts will be made to minimize disturbance and comply with the applicable exemptions. The proposal maintains the environmental integrity of the site while ensuring practical and safe access arrangements.





Image above shows VicMap Vegetation – tree density



Source: NVR Map, <https://www.environment.vic.gov.au/native-vegetation/NVRMap>

## Clause 53.01 Public Open Space Contribution and Subdivision

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 proposed subdivision includes a monetary contribution for public open space, as required under Section 18 of the Subdivision Act 1988. This contribution ensures compliance with statutory obligations and supports the provision of public open space to benefit the broader community. By facilitating the enhancement and maintenance of recreational and green spaces, the proposal aligns with the planning framework's goals to promote sustainable, liveable, and well-connected communities while balancing development with the need for accessible public amenities.

## Bushfire Prone Area (BPA)

The subject site is within BPA. A detailed assessment against the relevant statutory planning requirements under the Moyne Planning Scheme, including provisions for the Rural Living Zone Schedule 1 is enclosed with the permit application.

## Onsite Wastewater Management for the Proposed Subdivision

As part of the proposed subdivision, an onsite wastewater report will be provided at the building permit stage to ensure that wastewater is managed sustainably. A condition on the planning permit is appreciated, requiring the inclusion of a suitable wastewater treatment system.

The enclosed Land Capability Assessment (LCA) evaluates whether wastewater can be sustainably managed and absorbed within the property boundaries without negatively impacting the beneficial uses of surface waters and groundwater.

A detailed wastewater management system will be submitted at the building permit stage, ensuring compliance with environmental and public health standards. The LCA proposes an appropriate onsite wastewater management system tailored to the site's conditions, including:

- Site and soil condition analysis
- Monitoring and management recommendations
- Long-term sustainability measures

By implementing these measures, the development will ensure effective wastewater treatment and environmental sustainability.

## 5. Conclusion

The proposed development is well-suited to the site, taking into account its opportunities and constraints. It represents an appropriate land use that will provide employment and contribute to the local economy. The proposal complies with the relevant statutory and strategic controls and aligns with the objectives set out in the Moyne Planning Scheme. It is compatible with the rural character of the area.

The proposed subdivision supports State and Local Planning Policies by introducing a new residential development within an identified settlement boundary, enhancing land supply diversity in Mortlake. The subdivision ensures that each lot has sufficient capacity for future rural residential development, in keeping with the small-scale seaside village character of the area.

Each lot will be connected to essential services and the existing road network, promoting safe access. The development also provides opportunities for passive surveillance and activation of public spaces and surrounding areas.

The proposal is a positive response to the site and surrounding environment, and it is requested that Council grant a planning permit, subject to necessary conditions, following due process.