



PLANNING REPORT

158 & 189 Plummers Hill Road, Woodford

28 January 2026

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1. Executive Summary

This application seeks approval for the re-subdivision of land at 153 and 189 Plummers Hill Road, Woodford, as part of a broader farm succession and land consolidation strategy intended to secure the long-term viability of an existing agricultural enterprise.

The proposal is designed to retain the majority of the land in productive agricultural use by containing existing dwellings within small, defined lots, thereby ensuring the balance of the land remains a consolidated farming parcel, free from encumbrance by residential assets and associated fragmentation pressures.

The proposal involves the re-subdivision of three existing titles to create:

- Proposed Lot 1 - approximately 1.54 hectares, containing an existing dwelling;
- Proposed Lot 2 - approximately 8,000 square metres, containing an existing dwelling approved under Planning Permit PL11/177; and
- Proposed Lot 3 - the balance of the land, being a consolidated farming parcel of approximately 49.48 hectares.

The land at 189 Plummers Hill Road is in common ownership (the applicant), who has also agreed to acquire the land at 153 Plummers Hill Road specifically to facilitate this consolidation outcome. Approximately 50 hectares of land is currently used for broad-acre grazing. The proposal is not driven by rural living objectives or the creation of additional residential opportunities, but rather by a desire to increase effective farm size, improve land management efficiency, and support generational transition within the farming operation.

A planning permit is required for the proposal pursuant to:

- Clause 35.07-3 (Subdivision), as the land is located within the Farming Zone and the subdivision involves the creation of lots smaller than 40 hectares;
- Clause 42.01 (Environmental Significance Overlay - Schedule 6), which affects a portion of the land and triggers a permit requirement for subdivision; and
- Clause 44.06 (Bushfire Management Overlay), which applies to part of the land and triggers a permit for subdivision, although the proposal does not facilitate additional development or alter the existing bushfire risk profile.

Lot 2 (PS528487Y) is subject to a Section 173 Agreement dated 13 April 2015, which restricts further subdivision, including the excision of the dwelling. The Agreement was entered into following the approval of the dwelling and is understood to have been intended to manage incremental fragmentation and rural living outcomes at that time.

However, the Agreement did not contemplate, nor was it intended to restrict, a subdivision that consolidates agricultural land and reduces fragmentation. In this context, the continuation of the Agreement would prevent a subdivision outcome that is supported by Clauses 14.01-1S and 14.01-1L of the Planning Policy Framework. Ending the Section 173 Agreement is therefore necessary to facilitate the proposed subdivision and to give effect to contemporary planning policy. Any ongoing land use or right-to-farm matters can be appropriately managed through permit conditions or, if required, a replacement agreement tailored to the reconfigured lots.

Overall, the proposal represents an orderly and proper planning outcome that consolidates productive agricultural land, supports sustainable land management, and aligns with the strategic intent of the Farming Zone. Subject to the granting of a planning permit and the ending of the existing Section 173 Agreement, the proposal warrants support.

2. SITE ANALYSIS

2.1. Subject land

The subject land comprises three titles, being:

153 Plummers Hill Road, Woodford

- Lot 1 on TP866412G.

189 Plummers Hill Road, Woodford

- Lot 2 on PS528487Y
- Lot 1 on TP36985A
- Lot 1 on PS528487Y (which does not form part of this permit application).

Lot 1 on TP866412G is irregular in shape and has an area of approximately 16.65 hectares. The lot contains a dwelling located within the southern 'triangle' of the site. Beyond the dwelling, the land is used for broad acre grazing. Land to the north of the dwelling site (being the southern triangle) is leased and farmed by the owner of 189 Plummers Hill Road. No easements affect this title.

Lot 1 on TP36985A is a small, irregularly shaped parcel with an area of approximately 2.65 hectares. The lot is landlocked, vacant, and not affected by any easements.

Lot 2 on PS528487Y is also irregular in shape and has an area of approximately 32.19 hectares. The lot contains a dwelling constructed around 2014, located close to the Plummers Hill Road frontage. Planning Permit PL11/177 was issued in 2011 for the use and development of the land for a dwelling, which was subsequently constructed in accordance with that approval.

This land is encumbered by an electricity easement (E1) and a Section 173 Agreement (Instrument AL807070N).

The Section 173 Agreement requires that:

- The owner acknowledges that the development and continued use of the rural dwelling in the Farming Zone has been permitted on the basis that the dwelling is reasonably required for the operation of the agricultural activity conducted on the land, and that the dwelling will only be used on that basis.
- The owner acknowledges and accepts the possibility of nuisance from adjoining agricultural operations, including animal husbandry, spray drift, agricultural machinery use, pumps, trucks, and associated hours of operation.
- No further subdivision, including the excision of the dwelling, is permitted in the future.

Operationally, land at **Lot 1 on PS528487Y** forms part of the broader farm and contains a dwelling that supports the operation of the agricultural enterprise. This is evident through the functional connection between Lots 1 and 2 on PS528487Y, including shared access arrangements and the relationship between farm sheds and the dwelling.

Across the three titles, land used for broad acre grazing totals approximately 50 hectares.

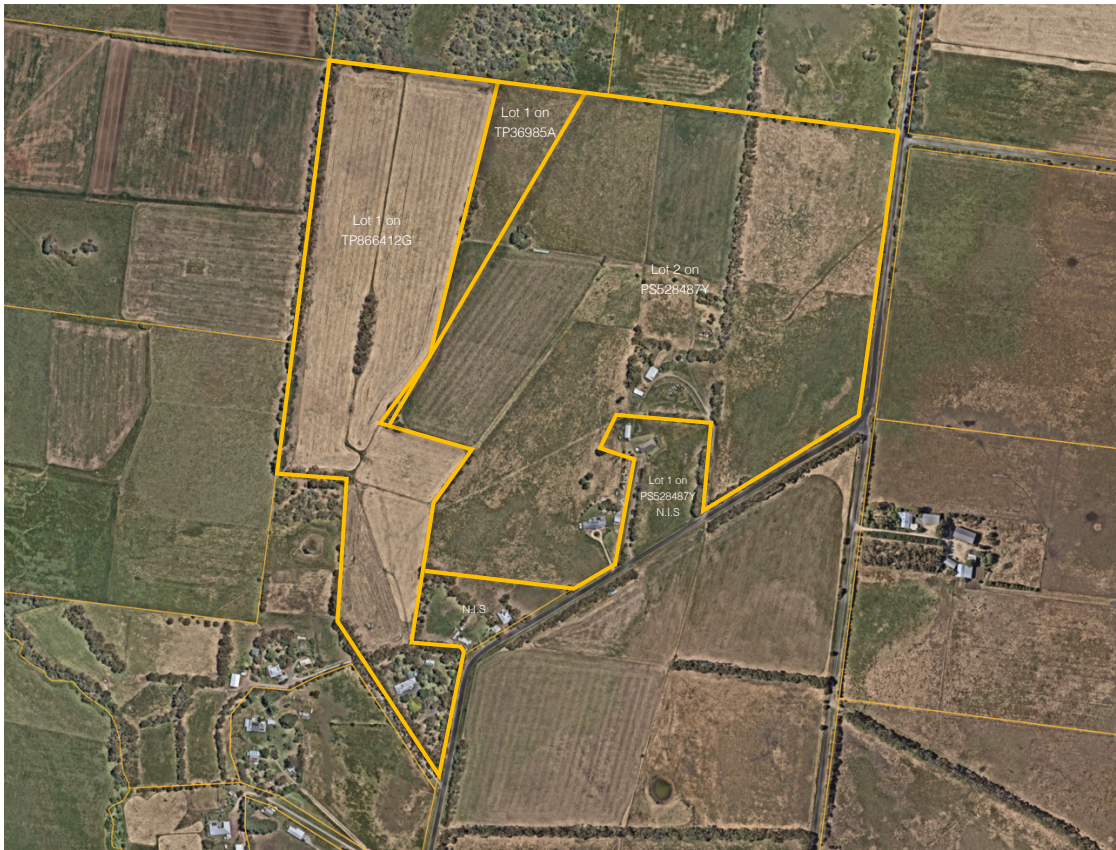


Figure 1: Subject Land

2.2. Surrounds

The surrounding area is zoned Farming Zone and comprises a range of rural landholdings of varying sizes, typically used for broad acre grazing. Smaller rural lots are located to the south of the subject land, between the Plummers Hill Road Estate and a tributary of the Merri River.

Land at 123, 125, 125A and 143 Plummers Hill Road exhibits a rural living and hobby farm character, with dwellings located on smaller parcels relative to the broader farming landscape.

As discussed above, land at Lot 1 on PS528487Y is operationally connected to the subject land and forms part of the broader farming enterprise.

A further small lot containing an existing dwelling is located at 163 Plummers Hill Road. This property has an area of approximately 1.6 hectares and does not have any operational or functional connection to the subject land.

Immediately to the north is 106 Shady Lane, Grassmere, which contains areas of remnant native vegetation protected under the Environmental Significance Overlay - Schedule 6.

3. PLANNING FRAMEWORK

3.1. Policy

Clause 01.02 - Vision for Victoria

The 2050 vision for Victoria promotes sustainable land use, long-term environmental stewardship, and responsible decision-making for future generations. In this context, the proposed re-subdivision supports that vision by consolidating fragmented rural land into a single, viable farming parcel of approximately 50 hectares, strengthening agricultural productivity and reducing land use conflict.

Clause 02.01 - Context

Moyne Shire is located in south-western Victoria and is a predominantly rural municipality encompassing approximately 5,600 square kilometres. The Shire is characterised by extensive agricultural land, with the Moyne and Hopkins Rivers forming key landscape and farming corridors.

The municipality surrounds the City of Warrnambool and is serviced by major regional routes, including the Princes Highway and Hamilton Highway, which support agricultural operations and freight movement across the region.

Moyne Shire's land use is overwhelmingly rural, with a strong focus on grazing agriculture, including dairy, beef, wool and prime lamb production, as well as aquaculture and cropping. Population growth across the Shire is modest and is largely concentrated in settlements, reinforcing the role of inland rural areas for ongoing agricultural production rather than residential expansion.

Clause 02.02 - Vision

The Moyne Shire Council Plan (2021–2025), informed by the My Moyne, My Future 2040 Community Plan, places strong emphasis on stewardship of the Shire's rural land, environmental sustainability and the long-term viability of agriculture. Central to the adopted Vision is the protection of Moyne's fertile volcanic plains and the role of communities as active stewards of land for present and future generations.

In this context, the proposal directly supports the Plan's aspirations by consolidating rural land into a large, viable farming parcel and excising residential uses that are not integral to agricultural production. This outcome reinforces well-planned rural environments, protects the Shire's agricultural way of life, and reduces land use conflict associated with dwellings within the Farming Zone.

The proposal is also consistent with the Plan's priorities to set the standard for sustainable farming practices, support innovation in agriculture, and protect and regenerate land. By strengthening farm size and reducing fragmentation, the re-subdivision supports efficient land management, long-term productivity and environmentally responsible farming outcomes, aligning with Moyne Shire's strategic vision for a resilient and sustainable rural economy.

Clause 02.03-4 Natural resource management

Clause 02.03-4 recognises Moyne Shire as part of the highly productive Western District, where climate, soils and rainfall support intensive and extensive agricultural activity. A key concern identified is the pressure on productive rural land from the proliferation of dwellings on small or fragmented lots, particularly in coastal and peri-urban areas.

The policy is explicit that the construction of dwellings on many existing small rural lots is not consistent with responsible rural land management, particularly where lots are below the minimum size specified in the Farming Zone, isolated from townships, or not genuinely required to support agricultural production. Such outcomes are

identified as leading to land use conflict, loss of productive land, and inefficient demand for infrastructure and services.

In this context, the proposal responds to the policy intent by reversing fragmentation, consolidating rural land into a single large farming parcel, and removing dwellings that are not integral to agricultural use. Rather than facilitating lifestyle or hobby farm outcomes, the proposal strengthens farm viability, protects productive soils, and avoids the incremental residential encroachment identified as a threat to rural land.

The proposal is consistent with Council's strategic direction to protect high-quality agricultural land, limit isolated rural dwellings, and direct lifestyle living to appropriately zoned locations, ensuring the long-term sustainability of agriculture within the Shire.

Clause 14.01-1S Protection of agricultural land

Clause 14.01-1S seeks to protect Victoria's agricultural base by preserving productive farmland and preventing the unplanned loss of agricultural land through inappropriate subdivision or land use change. The clause discourages dispersed housing in rural areas and encourages the consolidation of isolated small lots within rural zones.

The subject land forms part of Moyne Shire's highly productive agricultural land. The proposal responds directly to the strategic intent of Clause 14.01-1S by consolidating fragmented rural landholdings into a single, large farming parcel of approximately 50 hectares, thereby strengthening the long-term productive capacity of the land and avoiding further fragmentation.

Importantly, the proposal removes existing dwellings that are not integral to ongoing agricultural production, rather than facilitating additional housing in the Farming Zone. This outcome is consistent with the policy direction to limit new housing in rural areas, discourage the use of isolated small lots for dwellings, and direct residential growth to existing settlements with appropriate infrastructure and services.

The re-subdivision avoids the permanent removal of productive agricultural land from the State's agricultural base and improves the ability for the land to be managed efficiently as a single farming enterprise. It also reduces the potential for land use conflict with surrounding agricultural operations and supports the continuation of primary production on adjacent land.

Overall, the proposal gives effect to Clause 14.01-1S by prioritising the re-structure of historic subdivisions, protecting productive farmland from incompatible uses, and reinforcing the strategic role of the Farming Zone for agricultural production.

Clause 14.01-1L - Agricultural production

Clause 14.01-1L seeks to minimise the loss and fragmentation of productive agricultural land and to ensure that subdivision outcomes do not prejudice agricultural production.

The proposal involves the excision of two existing dwellings, resulting in the creation of two smaller lots, together with the consolidation of the balance of the land into a single farming parcel of approximately 50 hectares. While the creation of small lots containing dwellings is generally discouraged by this policy, the proposal must be assessed in its entirety, having regard to whether the overall subdivision outcome supports agricultural production.

In this case, the primary strategic outcome of the re-subdivision is the consolidation of productive agricultural land into a single, viable farming parcel that is well in excess of the minimum lot size specified in the Farming Zone. This outcome directly aligns with the policy direction to discourage fragmented rural landholdings and to support the long-term viability and efficient management of agricultural land.

The two dwelling lots contain existing established dwellings and do not facilitate additional residential development or create opportunities for new dwellings. The excised lots are limited in size and are configured to provide adequate separation from surrounding agricultural land, thereby minimising land use conflict and avoiding constraints on ongoing farming activities.

While the policy discourages dwelling excisions in isolation, it also supports subdivisions that enable consolidation of productive agricultural land and improve agricultural outcomes. In this instance, the benefit of creating a large, contiguous farming parcel outweighs the disbenefit of retaining two small dwelling lots, particularly where no additional dwellings are enabled and the agricultural capacity of the balance land is strengthened.

On balance, the proposal is consistent with Clause 14.01-1L as it results in a net improvement to agricultural productivity, reduces land fragmentation, and ensures that agricultural production remains the dominant land use outcome.

3.2. Zone

The subject site is located within the Farming Zone (FZ) under the Moyne Planning Scheme.

The purposes of the Farming Zone include:

- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Subdivision

Pursuant to Clause 35.07-3 (Subdivision) of the Planning Scheme, a permit is required to subdivide land in the Farming Zone. Each lot must meet the minimum area specified in the schedule to the zone, or, where no minimum area is specified, must be at least 40 hectares.

Clause 35.07-3 provides that a permit may be granted to create smaller lots in limited circumstances, including where the subdivision is the re-subdivision of existing lots and the number of lots is not increased.

In this instance, the proposal involves the re-subdivision of existing lots, and the total number of lots is not increased. The subdivision therefore satisfies the threshold requirement under Clause 35.07-3 to consider lots smaller than 40 hectares.

Decision Guidelines

In considering an application under the Farming Zone, the Responsible Authority must consider the decision guidelines set out in Clause 35.07. The following decision guidelines are considered most relevant to the assessment of this application:

- The Municipal Planning Strategy and the Planning Policy Framework.
- How the proposal relates to sustainable land management.

- Whether the site is suitable for the proposal and whether the proposal is compatible with adjoining and nearby land uses.
- How the proposal makes use of existing infrastructure and services.
- Whether the proposal will support and enhance agricultural production.
- Whether the proposal will permanently remove land from agricultural production.
- The potential for the proposal to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

3.3. Overlays

Environmental Significance Overlay - Schedule 6

The Environmental Significance Overlay - Schedule 6 (ESO6) applies to land located in the north-western corner of the subject site. Pursuant to Clause 42.01-2, a permit is required to subdivide land affected by this overlay.

ESO6 applies to areas of remnant native vegetation and habitat protection. In this location, the overlay primarily relates to land to the north of the subject site, including 106 Shady Lane, Grassmere, which contains areas of remnant native vegetation.

The Statement of Environmental Significance recognises that indigenous vegetation within the Shire has been highly depleted due to historic European settlement and broad-scale agricultural use. As a result, all remnant vegetation is considered significant for its biodiversity values, with remaining areas typically occurring as small pockets on private land and along roadsides. These areas provide important habitat and movement corridors for native flora and fauna.

The environmental objectives of ESO6 are to:

- Protect remnant vegetation and habitat areas.
- Promote the maintenance of ecological processes and genetic diversity.
- Encourage the maintenance and development of bio-links between existing areas of remnant vegetation.
- Recognise the importance of structural habitat, particularly where native vegetation is limited.

While a permit is triggered under ESO6, the relevance of the overlay to this proposal is limited. The proposal does not involve the removal, lopping or destruction of native vegetation, nor does it facilitate any change in land use or development that would adversely affect remnant vegetation or habitat values.

The proposed re-subdivision will not prejudice the environmental objectives of ESO6. In practical terms, the consolidation of landholdings has the potential to reduce fragmentation within the overlay area, which may assist with more coherent and effective long-term land and vegetation management.

Accordingly, the proposal is considered to be consistent with the purpose and objectives of ESO6, and no adverse environmental impacts are anticipated as a result of the subdivision.

Bushfire Management Overlay

The Bushfire Management Overlay (BMO) applies to the north-western corner of the subject land. The overlay relates to areas of remnant native vegetation in the locality, including land at 106 Shady Lane, Grassmere.

Pursuant to Clause 44.06-2 a permit is required to subdivide land.

Clause 44.06 sets out application requirements that ordinarily include a bushfire hazard site assessment, a bushfire hazard landscape assessment and a bushfire management statement.

In this instance, while the BMO affects part of the land, the proposal is limited to the re-subdivision of existing lots. The subdivision does not create a new lot wholly within the Bushfire Management Overlay and does not facilitate any additional development or intensification of use.

The proposal does not introduce new dwellings, does not alter existing building envelopes, access arrangements, vegetation patterns or defensible space, and does not change the existing bushfire risk profile of the land. As such, the subdivision will not increase bushfire risk or alter the exposure of people or property to bushfire hazard.

Having regard to the nature of the proposal, the bushfire hazard site assessment, bushfire hazard landscape assessment and bushfire management statement are not relevant to the assessment of this application.

Accordingly, it is requested that the Responsible Authority waive the application requirements pursuant to Clause 44.06, as provided for where the requirements are not relevant to the assessment of the proposal.

3.4. Cultural heritage

The subject land is mapped as being located within an area of cultural heritage sensitivity under the Aboriginal Heritage Regulations 2018.

The proposed activity comprises the re-subdivision of land to create three lots, of which two lots are less than 8 hectares in area. The proposal does not involve significant ground disturbance and does not constitute a subdivision of three or more lots for housing where at least three lots are less than 8 hectares.

Based on an assessment undertaken using the Aboriginal Affairs Victoria (AAV) Cultural Heritage Management Plan screening process, the proposal does not trigger the requirement for a Cultural Heritage Management Plan (CHMP) under the Regulations.

Accordingly, a CHMP is not required for the proposed subdivision.

3.5. Section 173 Agreement - Lot 2 (PS528487Y)

Lot 2 on Plan of Subdivision PS528487Y is subject to a Section 173 Agreement dated 13 April 2015. The Agreement was entered into at the time the dwelling was approved in the Farming Zone and contains provisions that:

- i. The owner acknowledges that the development and continued use of the rural dwelling in the Farming Zone has been permitted on the basis that the dwelling is reasonably required for the operation of the agricultural activity conducted on the land in accordance, and the dwelling will only be used on that basis.
- ii. That the owner acknowledges and accepts the possibility of nuisance from adjoining agricultural operations including animal husbandry, spray drift, agricultural machinery use, pumps, trucks and associated hours of operation.
- iii. That no further subdivision including the excision of the dwelling is permitted in the future.

The intent of the Agreement is understood to have been to manage further fragmentation of Lot 2 following the approval of a dwelling in the Farming Zone and to prevent incremental rural living outcomes that could undermine agricultural use.

However, the Agreement did not contemplate, nor is it considered to have been intended to restrict, the type of subdivision now proposed. The current proposal does not seek to further fragment agricultural land or facilitate additional rural living outcomes. Rather, it achieves the opposite by consolidating the farming component of the site with adjoining agricultural land and limiting residential use to a tightly defined lot around the existing dwelling.

As discussed elsewhere in this report, Lot 2 is already a small lot within the Farming Zone and can already be used for rural living purposes. The proposed subdivision will result in the dwelling being located on a smaller, defined lot, while the balance of the land is consolidated with adjoining farmland to form a larger, more viable agricultural holding. This represents an improved planning outcome that aligns with the objectives of Clauses 14.01-1S and 14.01-1L, which seek to discourage fragmentation and protect productive agricultural land.

In this context, the continuation of the existing Section 173 Agreement would operate to prevent a subdivision outcome that is expressly supported by State and local planning policy. The Agreement, as currently drafted, would frustrate an outcome that strengthens agricultural production and reduces the potential for rural living uses across multiple titles.

It is therefore considered appropriate that the Section 173 Agreement be ended to enable the proposed subdivision to proceed. The cessation of the Agreement can be managed through permit conditions associated with the subdivision approval. Should Council consider it necessary, new agreements could be imposed to secure any ongoing land use or right-to-farm outcomes relevant to the reconfigured lots. However, the existing Agreement is no longer fit for purpose in the context of the proposed land consolidation and should not continue to apply.

4. PLANNING ASSESSMENT

This proposal involves two key components: the consolidation of land into a larger holding exceeding 50 hectares, and the creation of two smaller lots, each containing an existing dwelling. The creation of smaller lots within rural areas requires a precautionary approach to ensure that agricultural productivity and rural character are not undermined.

Before turning to a detailed assessment against the decision guidelines of the Farming Zone (Section 4.2), it is appropriate to first consider the acceptability of creating the two proposed small lots.

4.1. The acceptability of creating a small lot

The site currently comprises three lots with areas of approximately 16.69 hectares, 2.65 hectares and 32.19 hectares. The proposal seeks to re-subdivide these three lots to create two small lots containing existing dwellings and a larger consolidated farming lot.

Proposed Lot 1 will have an area of approximately 1.54 hectares and will be created around the dwelling currently located on the 16.69-hectare lot. Proposed Lot 2 will be limited to a small curtilage of approximately 8,000 square metres and will contain the dwelling currently located on the 32.19-hectare lot. The balance of the land will be consolidated into a single farming parcel of approximately 49.48 hectares.

In relation to the dwelling on the existing 32.19-hectare lot, the potential for rural residential or rural lifestyle use already exists notwithstanding the requirements of the Section 173 Agreement, as Council has previously approved a dwelling on the land. At its current size, there is no certainty that the lot would be independently farmed, and its use for rural living purposes is already established.

The same can be said for the 16.69-hectare lot. The key difference between the existing condition and the proposal is the size of the lot, with Proposed Lot 1 reduced to a defined curtilage around the dwelling rather than retaining a larger landholding that is not functionally related to the dwelling.

Clause 14.01-1L of the Planning Policy Framework seeks to discourage small lot subdivisions (including dwelling excisions and boundary realignments) unless:

- The subdivision supports the consolidation of productive agricultural land.
- The proposed land uses (including dwellings) do not negatively impact the ability to farm and avoid the loss of productive agricultural land.
- Adequate distance is provided around an existing dwelling to lot boundaries to limit impacts from adjacent agricultural activity.
- The subdivision does not result in a concentration of dwellings or small lots that could change the general use and character of the rural area.

In this case, the subdivision clearly supports the consolidation of productive agricultural land, with the creation of a consolidated farming parcel of approximately 49.48 hectares. This outcome strengthens the long-term viability of agricultural use on the land.

The proposed land uses will not negatively impact agricultural production or result in the loss of productive agricultural land. The proposal has the positive outcome of returning land to agricultural use by removing fragmented landholdings that could otherwise be utilised for rural living purposes across multiple titles.

The subdivision does not remove land from productive agriculture. The proposed small lots are limited to existing dwellings and reasonable curtilages. In the case of the 16.69-hectare lot, the dwelling currently has no functional relationship to farming, with the balance of the land leased to the adjoining landowner (the applicant). Similarly, the dwelling on the 32.19-hectare lot is not required for the broader farming operation and does not contribute to agricultural production.

The subdivision will not result in a concentration of dwellings or small lots that would alter the character of the area. There are already several dwellings on small lots within the locality, and the proposal does not introduce additional dwellings. The general rural character of the area will remain unchanged.

On balance, the proposal represents a sound planning outcome that contributes to the maintenance of a greater proportion of productive agricultural land within a single title.

This conclusion is supported by Tribunal decisions in comparable circumstances. In *Carson v Wangaratta CC*¹, the Tribunal considered a proposal involving the creation of a small lot containing an existing dwelling alongside the consolidation of land into a larger agricultural holding. Member Naylor observed:

28. ... On the one hand, smaller lots can be considered undesirable in planning terms. On the other hand, the planning scheme still enables the creation of smaller lots in particular circumstances. In this planning scheme those circumstances are sought to be articulated in, for example, both the subdivision and house lot excision policies. The house lot excision policy requirements are met by this proposal even though they do not apply. For the reasons already explained, various policy aspirations relevant to a re-subdivision are also met, and this proposal is an acceptable outcome.
29. There are also benefits that flow from this planning proposal. The Applicant is correct in pointing out that there can be difficulties in farming a lot of about 25 hectares (as per the existing lot size). The larger the allotment for agricultural production, the better the chances of its maintenance long term. Hence the gains for productive agricultural land in this case are a consolidated large agricultural land holding with restrictions that will prevent its further subdivision and a house being built upon it. On balance, this is a good planning outcome that contributes to the maintenance of a greater proportion of productive agricultural land across the two existing lots.

For similar reasons, the proposed subdivision in this case is an acceptable outcome that aligns with both State and local planning policy objectives for agricultural land protection and consolidation.

4.2. Farming Zone Decision Guidelines

The following provides an assessment of the most relevant decision guidelines under the Farming Zone.

The Municipal Planning Strategy and the Planning Policy Framework.

The proposal is consistent with Clauses 14.01-1S and 14.01-1L, which seek to protect productive agricultural land, discourage dispersed housing in rural areas, and minimise the fragmentation of farmland.

The existing pattern of subdivision already includes small lots containing dwellings that can be used for rural living purposes. In the absence of this proposal, these lots could continue to function independently of any broader farming enterprise, perpetuating land fragmentation.

In this context, the re-subdivision represents an improved outcome sought by policy. In accordance with Clause 14.01-1S, the proposal consolidates fragmented rural land into a single farming parcel of approximately 50 hectares, strengthening the long-term productive capacity of the land and avoiding further fragmentation. Rather

¹ Carson v Wangaratta Rural CC [2023] VCAT 1326

than facilitating additional housing, the proposal restructures existing subdivisions by 'excising' dwellings that are not integral to agricultural production from the consolidated farming title.

While Clause 14.01-1L generally discourages small lot subdivisions, the proposal must be assessed in its entirety. The two dwelling lots are tightly constrained, contain existing dwellings, curtilage and wastewater treatment areas, and do not enable further residential development. The net outcome is a large, contiguous farming parcel that improves agricultural viability, reduces land use conflict, and better aligns with the strategic intent of the Farming Zone.

On balance, the proposal delivers a clear net agricultural benefit and represents a planning outcome expressly contemplated and supported by Clauses 14.01-1S and 14.01-1L.

How the proposal relates to sustainable land management.

The proposal supports sustainable land management by reversing historic land fragmentation and consolidating rural land into a single, viable farming parcel capable of being managed efficiently over the long term. By strengthening farm size and reducing the number of separately managed lots, the proposal enables more coherent land stewardship, improved agricultural productivity, and better environmental outcomes.

The existing small lots already contain dwellings and can be used for rural living purposes, which can limit coordinated land management and increase the potential for land use conflict. The re-subdivision represents an improved outcome by removing residential uses that are not integral to agricultural production from the consolidated farming land, thereby supporting sustainable farming practices and reducing ongoing pressure on productive soils.

By prioritising agricultural use, minimising further fragmentation, and supporting efficient land management within the Farming Zone, the proposal aligns with the principles of sustainable land use and promotes responsible stewardship of rural land for current and future generations.

Whether the site is suitable for the proposal and whether the proposal is compatible with adjoining and nearby land uses.

The site is suitable for the proposed re-subdivision. The consolidation of the balance of the land into a single farming parcel improves land use efficiency and aligns with the intended agricultural use of the land. The existing dwellings are provided with sufficient lot size and curtilage to function independently and to minimise potential impacts from adjoining agricultural activities. The proposal is compatible with adjoining and nearby land uses, which are predominantly agricultural, and reduces the potential for land use conflict by reinforcing agriculture as the dominant land use outcome.

How the proposal makes use of existing infrastructure and services.

The proposal makes efficient use of existing infrastructure and services. The existing dwellings are already serviced, and the re-subdivision does not generate any additional demand for infrastructure. No new infrastructure or service upgrades are required as part of the proposal.

Whether the proposal will support and enhance agricultural production.

The proposal will support and enhance agricultural production by consolidating fragmented rural land into a single, viable farming parcel. This outcome improves land management efficiency, strengthens long-term farm viability, and reinforces agricultural use as the primary land use within the Farming Zone.

Whether the proposal will permanently remove land from agricultural production.

The proposal will not permanently remove land from agricultural production. Instead, the consolidation of land into a single farming parcel protects the ongoing agricultural use of the land by reducing fragmentation and limiting the potential for rural living outcomes across multiple titles.

The potential for the proposal to limit the operation and expansion of adjoining and nearby agricultural uses.

The proposal will not limit the operation or expansion of adjoining or nearby agricultural uses. No new sensitive land uses are introduced, and the configuration of the existing dwellings, with adequate separation and curtilage, minimises the potential for land use conflict with surrounding agricultural activities.

The capacity of the site to sustain the agricultural use.

The site has the capacity to sustain ongoing agricultural use and is already being actively farmed by the permit applicant. The consolidation of the land into a single farming parcel strengthens this capacity by enabling more efficient and coordinated farm management.

The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.

The land exhibits suitable agricultural qualities, including productive soils, access to water, and appropriate access to rural infrastructure. These characteristics support ongoing agricultural use and are reinforced by the consolidation of the land into a single, efficiently managed farming parcel.

4.3. Does the proposal appropriately respond to the decision guidelines of Clause 65.01 and provide for a net community benefit?

The proposal has been assessed against the decision guidelines of Clause 65.01 of the Moyne Planning Scheme and provides a positive and balanced response to the objectives of orderly and proper planning, resulting in a clear net community benefit.

The re-subdivision responds appropriately to the Municipal Planning Strategy and the Planning Policy Framework by prioritising the protection and consolidation of productive agricultural land. The proposal restructures existing rural subdivisions in a manner that strengthens agricultural productivity, reduces land fragmentation, and reinforces agriculture as the dominant land use within the Farming Zone.

The proposal makes efficient use of existing land and infrastructure, does not introduce new dwellings or sensitive land uses, and avoids additional demand on services. By consolidating rural land into a single, viable farming parcel, the proposal supports sustainable land management, reduces land use conflict, and improves the long-term capacity of the land to be farmed.

From a broader community perspective, the proposal supports Moyne Shire's agricultural economy, protects productive rural land from incremental residential encroachment, and aligns with State and local policy objectives to discourage dispersed rural living. These outcomes contribute to the long-term sustainability of the rural landscape and the community that relies upon it.

Overall, the proposal represents an orderly and strategic planning outcome that appropriately responds to the decision guidelines of Clause 65.01 and delivers a clear net community benefit.

5. CONCLUSION

The proposal has been comprehensively assessed against the relevant provisions of the Moyne Planning Scheme, including the Planning Policy Framework, the purposes of the Farming Zone, and the decision guidance of Clauses 14.01-1S, 14.01-1L, 32.08 and 65.01.

The assessment demonstrates that the proposal delivers a sound and strategically aligned rural planning outcome. By consolidating fragmented landholdings into a single, viable farming parcel of approximately 50 hectares, the proposal strengthens agricultural productivity, supports sustainable land management, and reinforces agriculture as the dominant land use outcome within the Farming Zone. The excision of existing dwellings does not facilitate additional residential development and represents an improved outcome where small lots already exist and could otherwise be used for rural living purposes.

The proposal makes efficient use of existing infrastructure and services, does not introduce new sensitive land uses, and is compatible with adjoining and nearby agricultural activities. Adequate curtilage and separation are provided around the existing dwellings to minimise land use conflict and protect the ongoing operation and expansion of surrounding agricultural uses.

Overall, the proposal represents an orderly and proper planning outcome that is consistent with State and local planning policy and delivers a clear net community benefit through the protection of productive agricultural land and the long-term sustainability of farming within the Shire.

On this basis, it is considered that the proposal satisfies the relevant provisions of the Moyne Planning Scheme and that a planning permit should be issued.

DOCUMENT CONTROL

Version Number	Date	Summary of changes	Reviewed by
2	28/01/2026	Final report for lodgement	
1	23/01/2026	Draft for client review	

DATED

SECTION 173 AGREEMENT

PROPERTY: 189 PLUMMERS HILL ROAD, WOODFORD, 3281

MOYNE SHIRE COUNCIL

PLANNING & ENVIRONMENT ACT

-and-

AGREEMENT PURSUANT TO SECTION 173

AFFECTED LAND:

189 PLUMMBERS HILL ROAD, WOODFORD

**BEING LOT 2 ON PLAN OF SUBDIVISION PS528487Y BEING THE LAND
DESCRIBED IN CERTIFICATE OF TITLE VOLUME 11028 FOLIO 962**

THIS AGREEMENT made the *8th* day of *April* 2015 ✓

BETWEEN:

The Responsible Authority: **MOYNE SHIRE COUNCIL** ("the Council")

The Owner:

WHEREAS:

1. The owner is registered proprietor of all that piece of lands described in lot 2 PS 528487Y being Certificate of Title Volume 11028 Folio 962 ("the land").
2. The land is affected by the provisions of the Moyne Planning Scheme ("the scheme")
3. The Council is the responsible authority under the Planning & Environment Act 1987 ("the Act") for the purposes of the Scheme
4. Pursuant to Planning Permit No. PL11/177 (a copy of which is annexed hereto) the Council has allowed the owner to use and develop the land for a dwelling.
5. Condition 1 of the Planning Permit provides as follows:-

AL807070N

13/04/2015 \$116.50 173



"1) Prior to commencement of the development, the owner must enter into an agreement with the responsible authority made pursuant to section 173 of the *Planning and Environment Act 1987* (the Act) and make application to the Registrar of Titles to have the agreement registered on the title to the land under section 181 of the Act which provides that:

- i. *The owner acknowledges that the development and continued use of the rural dwelling in the Farming Zone has been permitted on the basis that the dwelling is reasonably required for the operation of the agricultural activity conducted on the land in accordance, and the dwelling will only be used on that basis.*
- ii. *That the owner acknowledges and accepts the possibility of nuisance from adjoining agricultural operations including animal husbandry, spray drift, agricultural machinery use, pumps, trucks and associated hours of operation.*
- iii. *That no further subdivision including the excision of the dwelling is permitted in the future."*

6. Condition1 of the planning permit requires the owner of the land shall enter into an agreement with Council pursuant to Section 173 of the Act and for this agreement to be registered at the Titles Office pursuant to Section 181 of the Act.

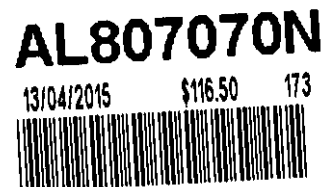
BY THIS AGREEMENT IT IS AGREED AND COVENANTED:

1. OPERATION

- 1.1 This agreement is made pursuant to Section 173 of the Act.
- 1.2 This agreement shall come into force on execution by both parties
- 1.3 The covenants of this agreement shall run with the land.

2. INTERPRETATION

2.1 LOT



In this agreement "lot" means any and each lot shown on the subdivision plan.

2.2 OWNER

In this agreement the word "Owner" unless the contrary intention appears, shall be deemed to include its successors assigns and transferees and the obligations imposed on and assumed by

shall be binding on the successors transferees purchasers mortgagees assigns of

and any other person obtaining possession of the whole or part of the land as if each of those successors separately executed this agreement; and

If the Owner holds the land in a trust capacity, "Owner" shall include the beneficiaries of the trust in relation to which it holds such as land. Where such trust relationship exists the Owner in executing this agreement does so intending to assume not only personal liability, but also to bind the trust for which it acts as trustee.

If the Owner is constituted by more than one person any obligation imposed by this agreement on the Owner shall be imposed on those persons jointly and severally.

2.3 COUNCIL

In this agreement the word "Council" shall include the Shire's successors and its successors as responsible authority for town planning control in the area in which the land is situate.

2.4 In this agreement, unless the context otherwise requires:

2.4.1 Words denoting the singular number shall include the plural and vice versa.

2.4.2 Words denoting any gender shall include all genders



- 2.4.3 Where a word or phrase is defined, other parts of speech and grammatical forms of that words or phrase shall have corresponding meanings.
- 2.4.4 Words denoting natural persons shall include corporations and vice versa.
- 2.4.5 References to clauses and schedules are to clauses of and schedules to this agreement.
- 2.4.6 Headings are for convenience only and do not effect interpretation.
- 2.4.7 References to any party to this agreement or instrument shall include the party's successors and permitted assigns.
- 2.4.8 Reference to any agreement or instrument shall be also to such agreement or instrument as amended, novated, supplemented, varied or replaced from time to time.
- 2.4.9 References to any legislation or to any provision of any legislation shall include any modification or re-enactment of that legislation and any legislation provision substituted for, and all regulations and statutory instruments issued under such legislation or provision.
- 2.4.10 As the case may be, a reference to a right or obligation of any two or more persons confers that right, or imposes that obligation, jointly and severally.

3. AGREEMENT

The owner agrees:

- i. The owner acknowledges that the development and continued use of the rural dwelling in the Farming Zone has been permitted on the basis that the dwelling is reasonably required

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for the operation of the agricultural activity conducted on the land in accordance, and the dwelling will only be used on that basis.

- ii That the owner acknowledges and accepts the possibility of nuisance from adjoining agricultural operations including animal husbandry, spray drift, agricultural machinery use, pumps, trucks and associated hours of operation.
- iii. That no further subdivision including the excision of the dwelling is permitted in the future.

4. REGISTRATION

The parties shall do all things necessary to enable the Council to register this agreement pursuant to Section 181 of the Act.

5. DISCLOSURE

The Owner shall not sell mortgage or part with possession of the land or any part of it without first disclosing to its successors the existence and nature of this agreement.

6. COSTS OF AGREEMENT

The Owner forthwith on demand shall pay to the Council the Council's costs and expenses (as between the solicitor and own client) of and incidental to this agreement and of anything consequent on it or in furtherance of it.

7. DEFAULT

If the Owner fails to comply with this agreement the Council may serve on the Owner or on the owner of that part of the land in respect of which there has been a failure of compliance a notice in writing specifying the works, matters and things ("the Remedial Works") in respect of which the relevant owner is in default. If such default continues for thirty days after the service of such notice the Council by



its employees or contractors may enter upon the land and cause the Remedial Works to be done.

A notice served on the Owner pursuant to this clause may set out the costs (as estimated by the Council) of carrying out the Remedial Works. If the Owner does not comply with the notice within thirty days the Council may serve on the Owner a demand in writing for the amount of the estimated costs. The amount then shall become a debt due and payable by the relevant owner to the Council.

As soon as practicable after the completion of the Remedial Works the Council shall certify the actual costs of the Remedial Works. The difference between a sum paid to the Council as the estimated costs, and the actual costs, shall be paid by the relevant owner to the Council or if there is excess, repaid by the Council to the relevant owner.

8. COUNCIL AS ATTORNEY FOR OWNER

The Owner hereby appoints the Council as its attorney to do all things the Owner is capable of doing for the purposes of giving effect to this agreement or necessary to give effect to any of the duties or obligations imposed on the Owner pursuant to this agreement and hereby authorises the Council to do and will ratify whatever the Council lawfully shall do or cause to be done under this power of attorney.

9. NOTICES

Any notice required under this agreement may be served by delivering it to the Officer at its last known address within the rating records of the Council. Any notice posted shall be deemed to have been served at the expiration of twenty-four hours from the time of posting.

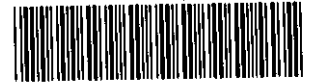
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13/04/2015 \$116.50 173



AL807070N

13/04/2015 \$116.50 173



10. SUCCESSORS BOUND

Without limiting the operation or effect which this agreement has apart from this sub-clause, the Owner shall ensure that its successors:___

10.1 Give effect to and do all acts and sign all documents which are required of them to give effect to this agreement; and

10.2 Execute under the seal a deed agreeing to be bound by the terms of this agreement.

The obligation imposed on the Owner by sub-clause 1 of this shall cease for such time as there appears in the register book at the officer of the Registrar of Titles a memorandum of this agreement.

11. RELEASE

On a person ceasing to own any part of the land that person shall be released from the obligations of that person as an owner under this agreement, save to the extent that any right has arisen against such owner prior to such cessation.

12. FURTHER DOCUMENTATION AND ACTION

Each of the parties shall sign and execute all such further documents and deeds and do all acts and things as the other party reasonably shall require for giving effect to this agreement.

13. DISPUTE

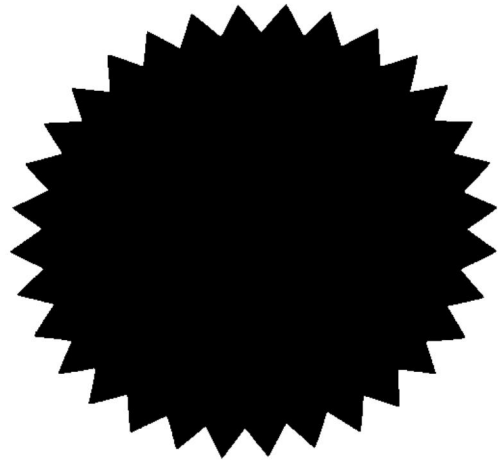
Should any dispute or difference arise between the parties with respect to the interpretation of this agreement, its application, such dispute or difference shall be determined by a person appointed by the parties by agreement, or failing agreement, by a person qualified in the area of the dispute or difference and appointed by the Secretary as defined in the Act.

AL807070N

13/04/2015 \$116.50 173
[Barcode]

EXECUTED AS A DEED

THE COMMON SEAL of the)
MOYNE SHIRE COUNCIL was hereunto affixed)
in the presence of:)



SIGNED by [Signature])
in the presence of:

Witness.

SIGNED by [Signature])
in the presence of:

Witness

SIGNED by [Signature])
in the presence of:

Witness

SIGNED by [Signature])
in the presence of:

Witness

AL807070N

13/04/2015 \$116.50 173



ANNEXURE 1:

Planning Permit



Application for Planning Permit for a Subdivision

Supplied by
Submitted Date 29/01/2026

Application Details

Application Type Planning Permit for a Subdivision
Version 1
Applicant Reference Number 26-1649
Responsible Authority Name Moyne Shire Council
Responsible Authority Reference Number(s) (Not Supplied)
SPEAR Reference Number S262745A
Application Status Submitted
Planning Permit Issue Date NA
Planning Permit Expiry Date NA

The Land

Primary Parcel
189 PLUMMERS HILL ROAD, WOODFORD
VIC 3281
Lot 2/Plan PS528487
Volume 11028/Folio 962
SPI 2\PS528487
CPN 501531
Zone: 35.07 Farming
Overlay: 42.01 Environmental Significance
44.06 Bushfire Management

Parcel 2
153 PLUMMERS HILL ROAD, WOODFORD
VIC 3281
Lot 1/Plan TP866412
Volume 10899/Folio 138
SPI 1\TP866412
CPN 501527
Zone: 35.07 Farming
Overlay: 42.01 Environmental Significance
44.06 Bushfire Management

Parcel 3
189 PLUMMERS HILL ROAD, WOODFORD
VIC 3281
Lot 1/Plan TP836985
Volume 10781/Folio 728
SPI 1\TP836985
CPN 501531
Zone: 35.07 Farming
Overlay: 42.01 Environmental Significance
44.06 Bushfire Management

The Proposal

Plan Number (Not Supplied)
Number of lots 3
Proposal Description 3-Lot Subdivision (Re-Subdivision)End S173 Agreement
Estimated cost of the development for which a permit is required \$ 0

Existing Conditions

Existing Conditions Description Two Dwellings; Land used for broad acre grazing
Title Information - Does the proposal breach an encumbrance on Title? The proposal breaches an encumbrance on title, such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope.
Additional comments The application includes a proposal to end the S173 agreement.

Applicant Contact

Applicant Contact MPAA Studio

Applicant

Applicant (Applicant details as per Applicant Contact)

Owner

Owner 1

Owner 2

Owner 3

Owner 4

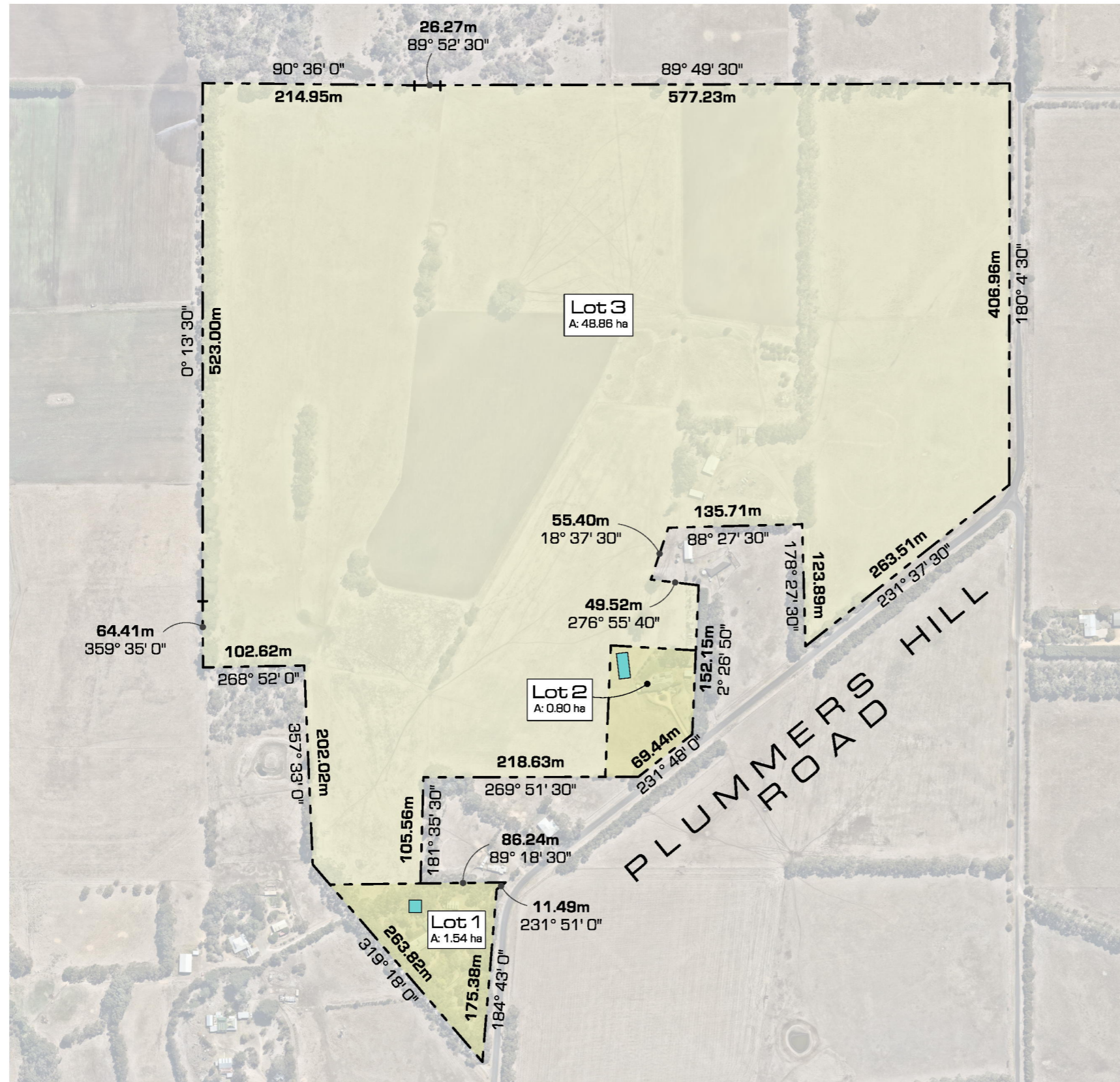
Owner 5

Declaration

I, _____, declare that the owner (if not myself) has been notified about this application.

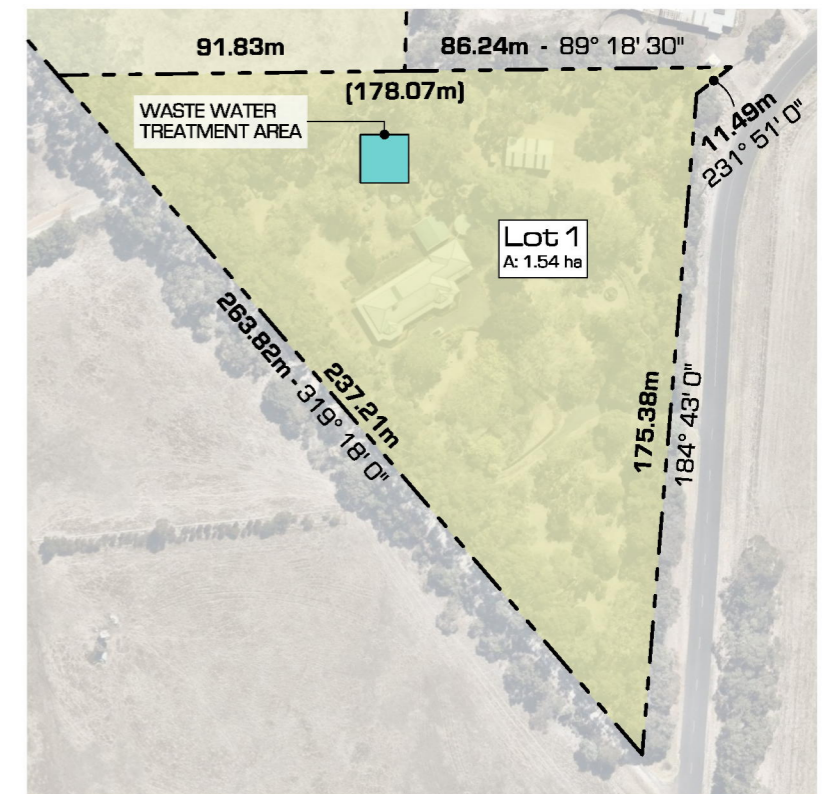
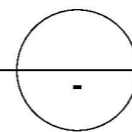
I, _____ declare that all the information supplied is true.

Authorised by Organisation



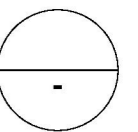
PROPOSED SUBDIVISION PLAN

1:5000



LOTS 1 & 2

1:2000



Co Lab, Level 1 - 1 Dispensary Lane
Warrnambool VIC 3280
Phone: (03) 5562 9443
www.mppastudio.co
ABN 53253414622

© MPAA STUDIO 2025

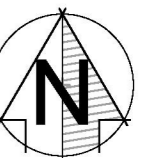
revision:	description:	date:
-	-	-

NOT FOR CONSTRUCTION

ALL WORKS TO BE CARRIED OUT IN STRICT COMPLIANCE WITH THE NATIONAL CONSTRUCTION CODE (NCC) OF AUSTRALIA. CONTRACTORS TO CHECK ALL SITE DIMENSIONS & LEVELS BEFORE COMMENCEMENT OF WORK. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE.

project:	PROPOSED TITLE REALIGNMENT AT PLUMMERS ROAD, WOODFORD VIC. 3281
client:	
drawing title:	PROPOSED SUBDIVISION PLAN

date:	JAN, 2026
scale:	AS SHOWN A3
designed by:	SM/CM
drawn by:	MD
project no.:	26-1649
rev.:	



dwg no: TP2 of TP2

From www.planning.vic.gov.au at 29 January 2026 12:53 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot 2 PS528487**
 Address: **189 PLUMMERS HILL ROAD WOODFORD 3281**
 Standard Parcel Identifier (SPI): **2\PS528487**
 Local Government Area (Council): **MOYNE**
 Council Property Number: **501531 (Part)**
 Planning Scheme: **Moyne**
 Directory Reference: **Vicroads 89 J6**

www.moyne.vic.gov.au

[Planning Scheme - Moyne](#)

This parcel is one of 3 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
 Urban Water Corporation: **Wannon Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **POWERCOR**

STATE ELECTORATES

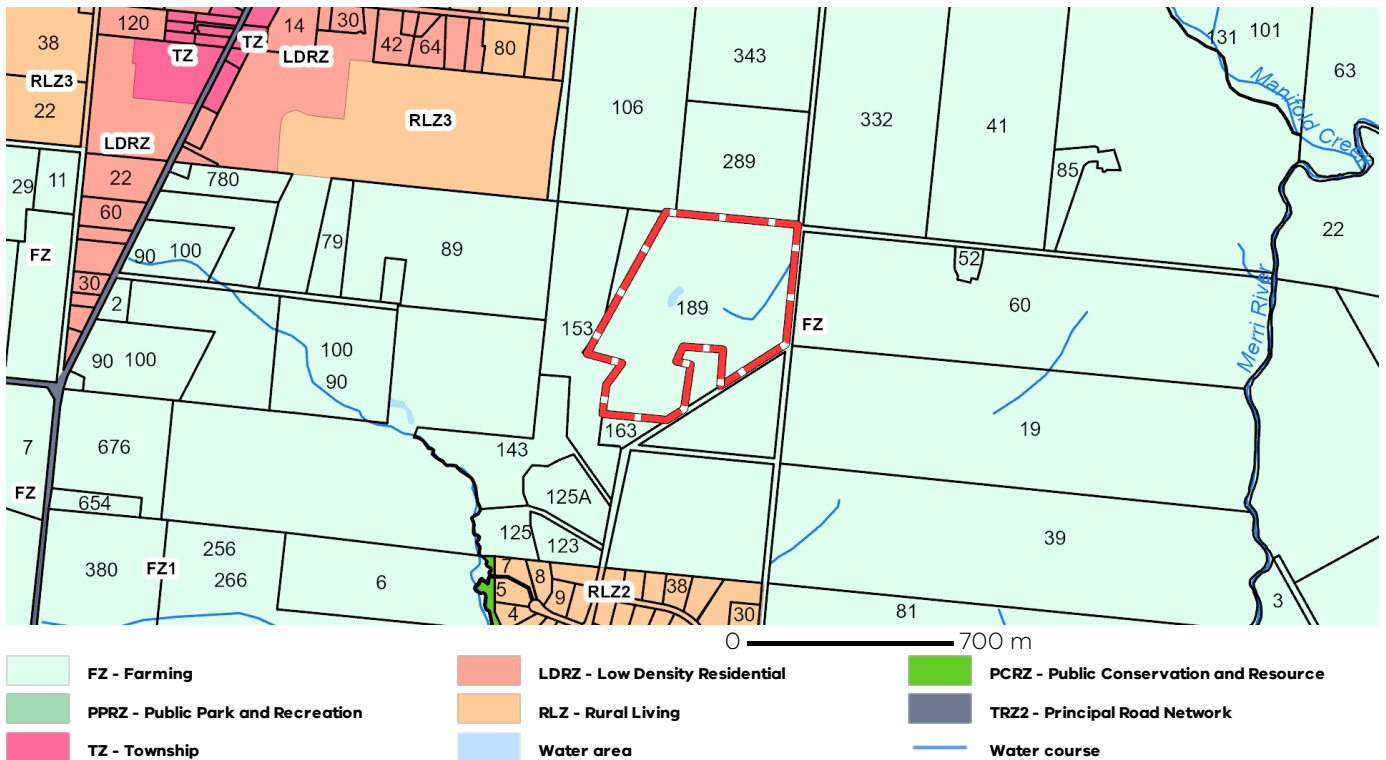
Legislative Council: **WESTERN VICTORIA**
 Legislative Assembly: **SOUTH-WEST COAST**
OTHER
 Registered Aboriginal Party: **Eastern Maar Aboriginal Corporation**
 Fire Authority: **Country Fire Authority**

[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\) \(MOYNE\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\) \(MOYNE\)](#)



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

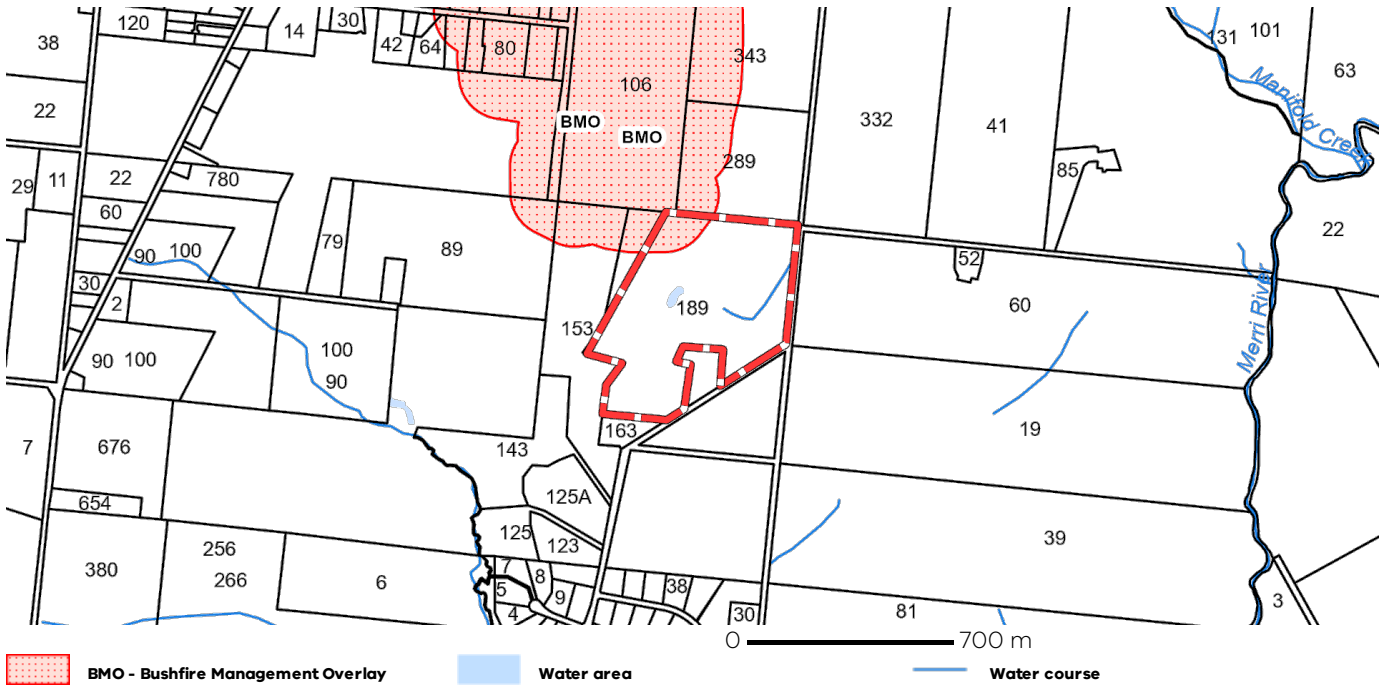
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 Read the full disclaimer at <https://www.vic.gov.au/disclaimer>

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 as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlays

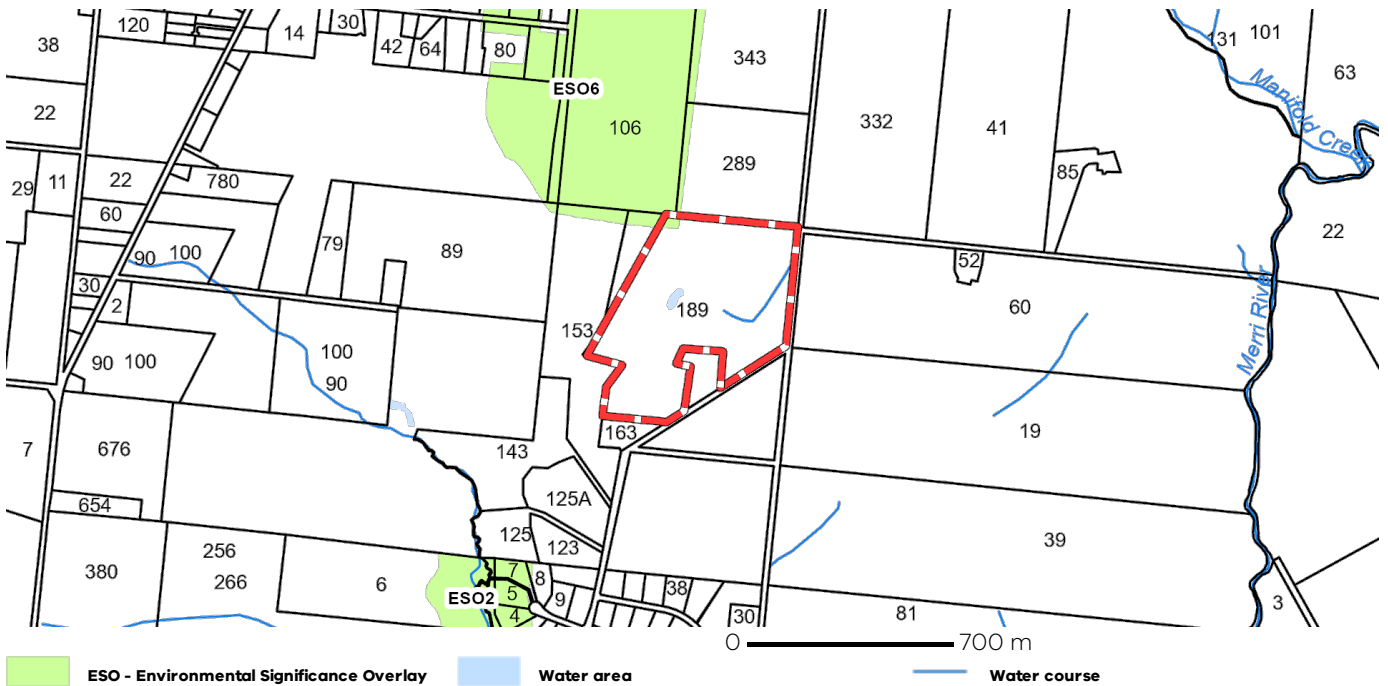
BUSHFIRE MANAGEMENT OVERLAY (BMO) (MOYNE)



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

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO) (MOYNE)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 6 (ESO6) (MOYNE)



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

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

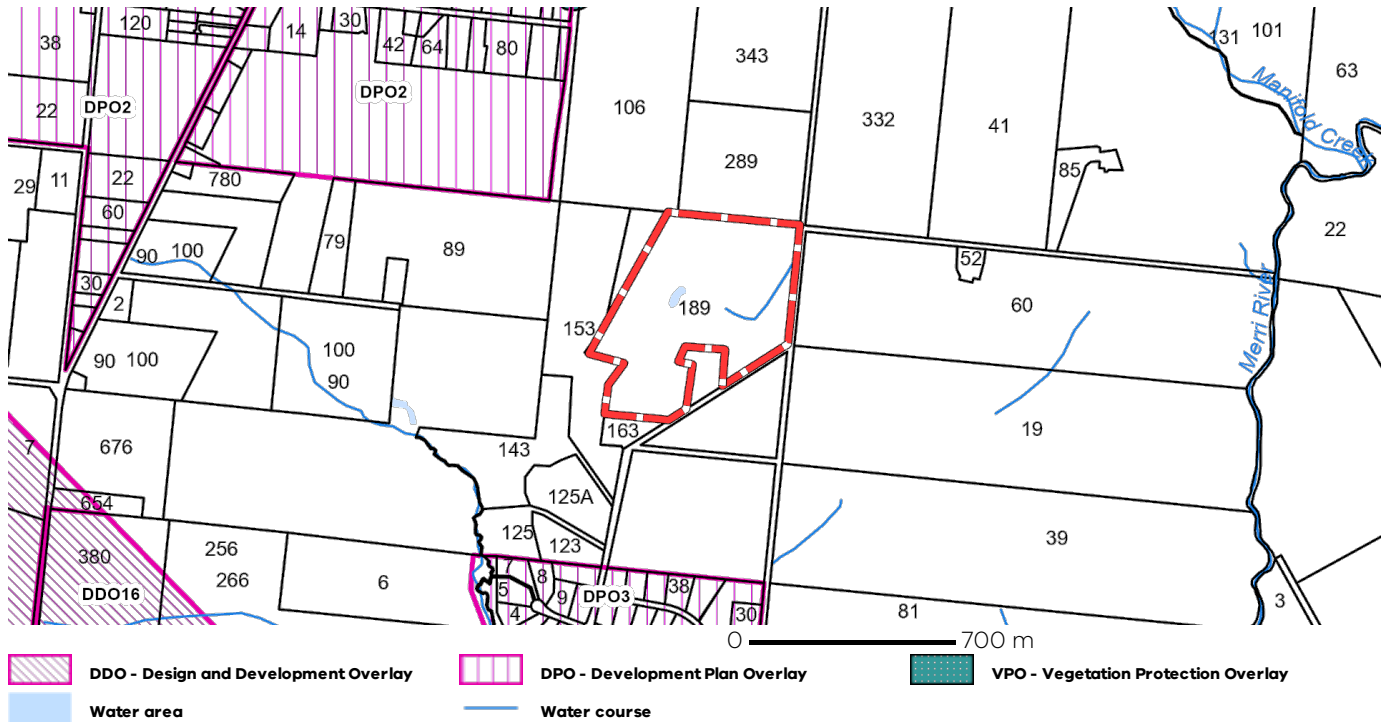
[DESIGN AND DEVELOPMENT OVERLAY \(DDO\) \(MOYNE\)](#)

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\) \(WARRNAMBOOL\)](#)

[DEVELOPMENT PLAN OVERLAY \(DPO\) \(WARRNAMBOOL\)](#)

[DEVELOPMENT PLAN OVERLAY \(DPO\) \(MOYNE\)](#)

[VEGETATION PROTECTION OVERLAY \(VPO\) \(MOYNE\)](#)



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

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

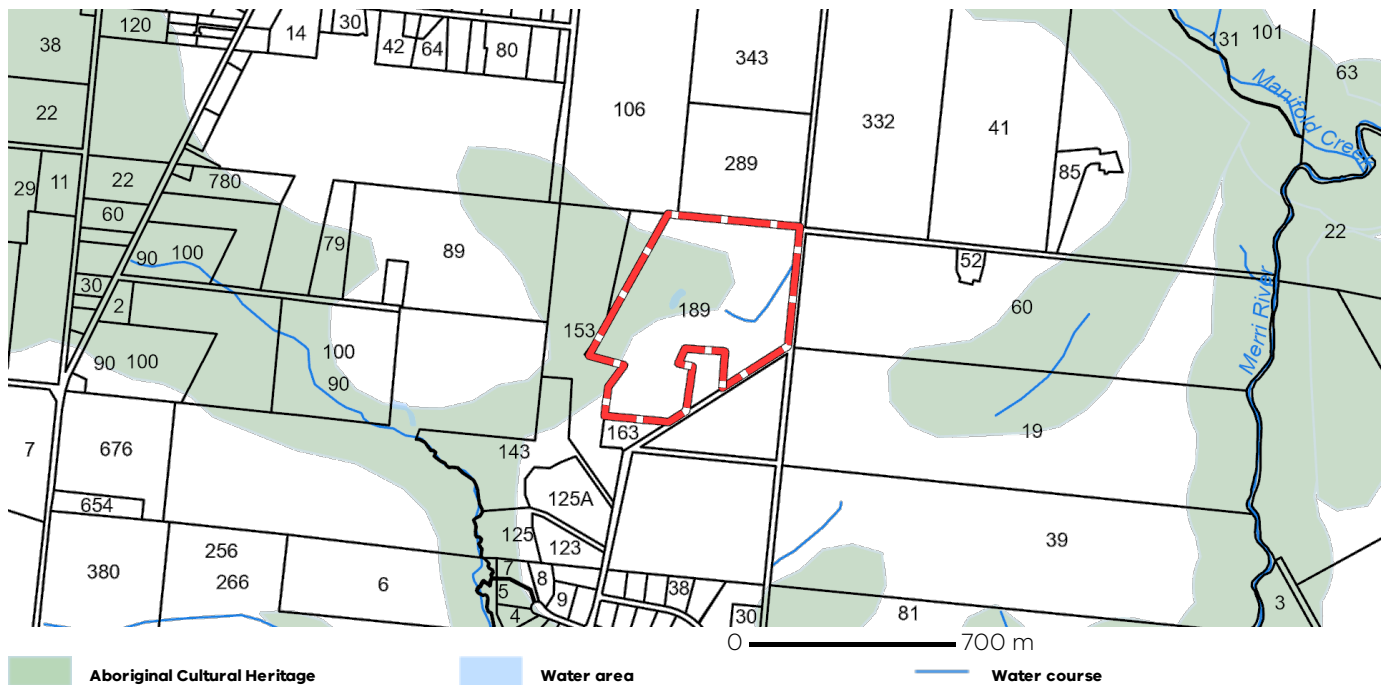
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <https://heritage.achris.vic.gov.au/aavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.firstpeoplesrelations.vic.gov.au/aboriginal-heritage-legislation>



Further Planning Information

Planning scheme data last updated on 23 January 2026.

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.vic.gov.au/vicplan/>

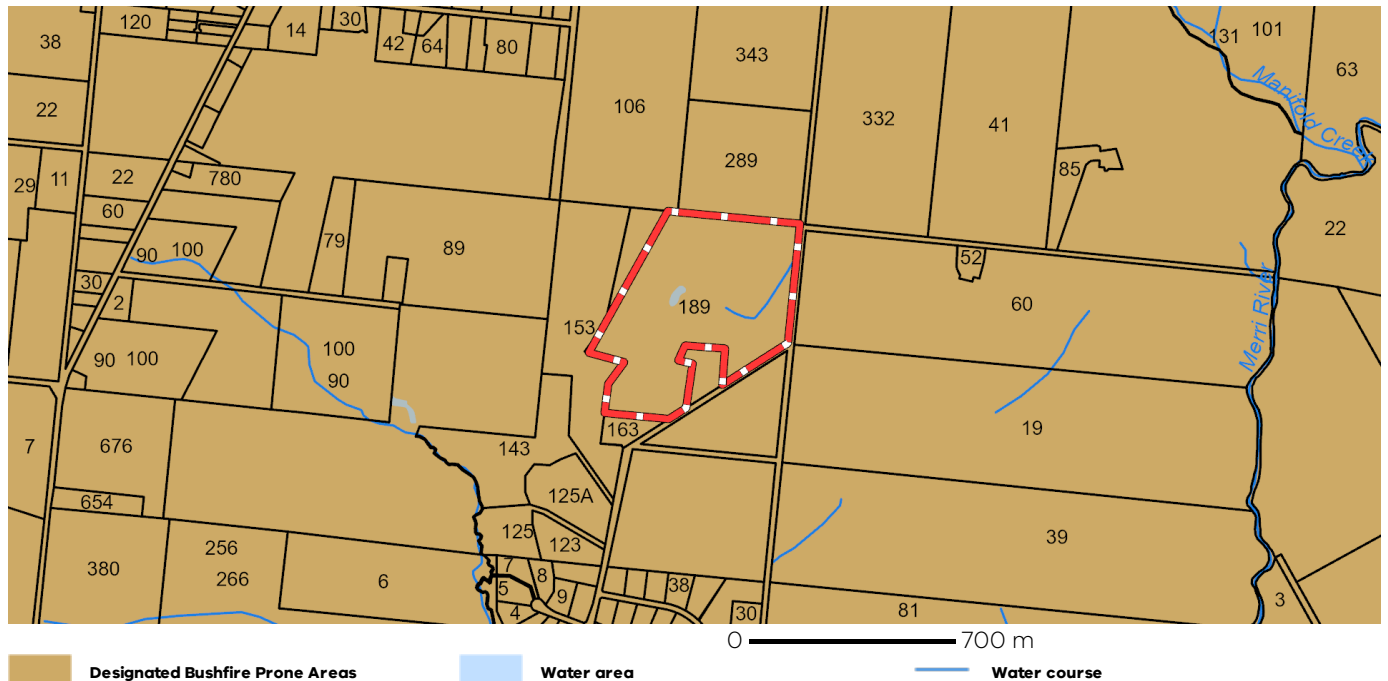
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This parcel 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 Victoria 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 Regulations Map (NVR Map) <https://mapshare.vic.gov.au/nvr/> and [Native vegetation \(environment.vic.gov.au\)](http://www.environment.vic.gov.au) or please contact your relevant council.

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

From www.planning.vic.gov.au at 29 January 2026 12:53 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot 1 TP866412**
 Address: **153 PLUMMERS HILL ROAD WOODFORD 3281**
 Standard Parcel Identifier (SPI): **1\TP866412**
 Local Government Area (Council): **MOYNE**
 Council Property Number: **501527**
 Planning Scheme: **Moyne**
 Directory Reference: **Vicroads 89 J6**

www.moyne.vic.gov.au

[Planning Scheme - Moyne](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
 Urban Water Corporation: **Wannon Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **POWERCOR**

STATE ELECTORATES

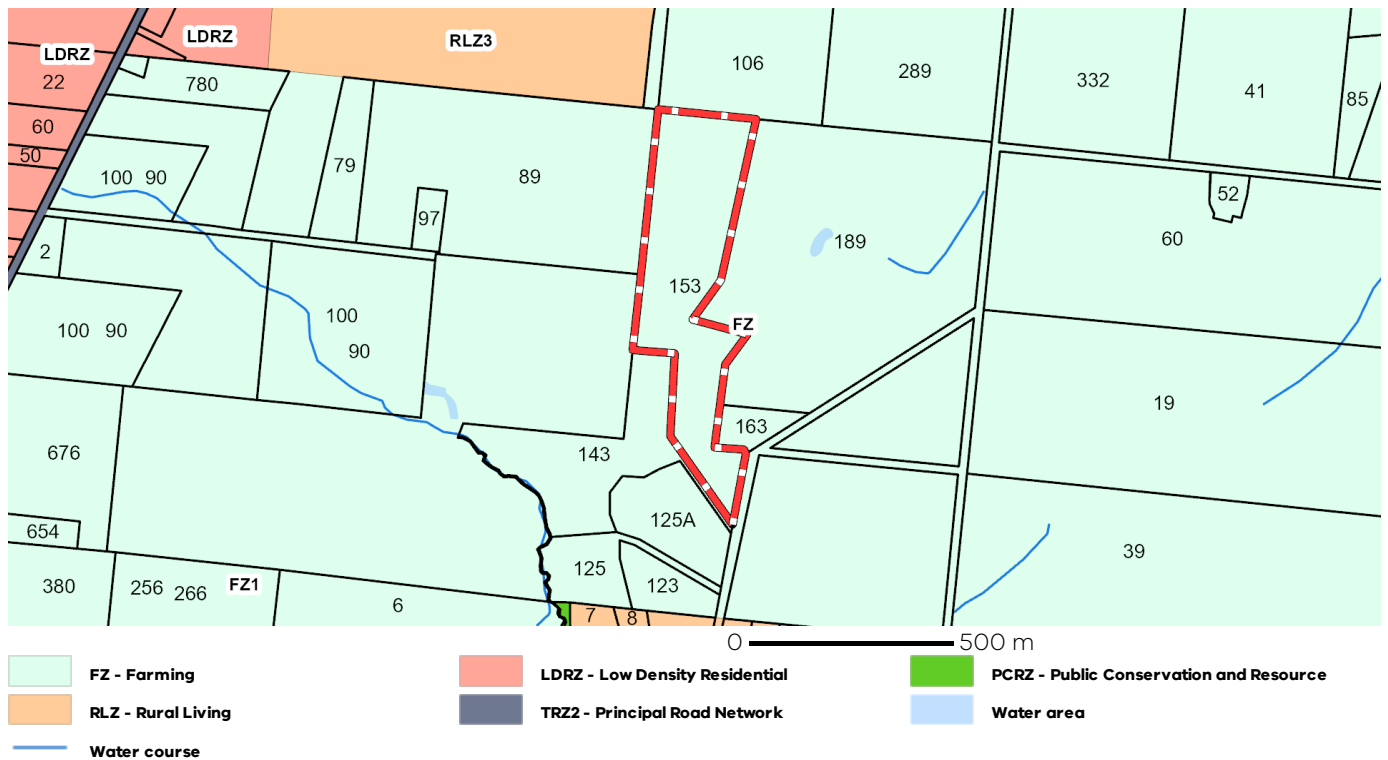
Legislative Council: **WESTERN VICTORIA**
 Legislative Assembly: **SOUTH-WEST COAST**
 Registered Aboriginal Party: **Eastern Maar Aboriginal Corporation**
 Fire Authority: **Country Fire Authority**

[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\) \(MOYNE\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\) \(MOYNE\)](#)



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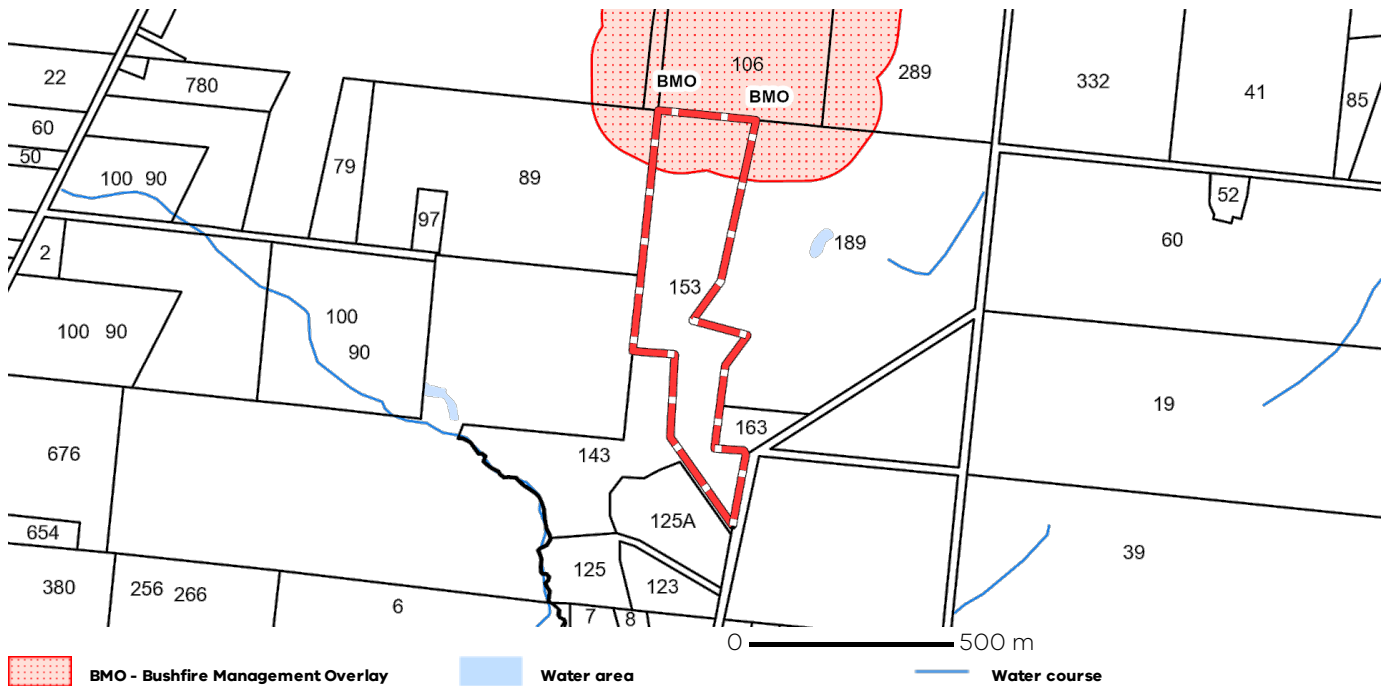
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Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO) (MOYNE)



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

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO) (MOYNE)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 6 (ESO6) (MOYNE)



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

Planning Overlays

OTHER OVERLAYS

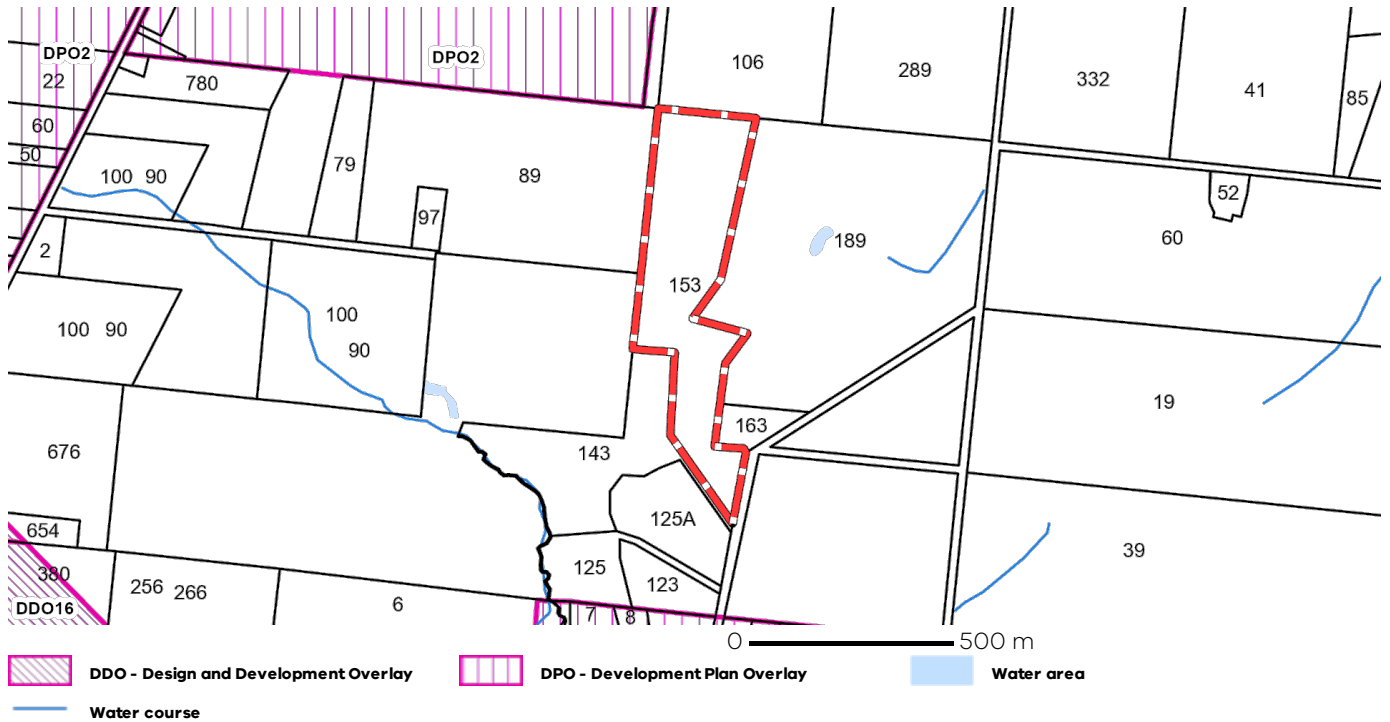
Other overlays in the vicinity not directly affecting this land

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\) \(MOYNE\)](#)

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\) \(WARRNAMBOOL\)](#)

[DEVELOPMENT PLAN OVERLAY \(DPO\) \(WARRNAMBOOL\)](#)

[DEVELOPMENT PLAN OVERLAY \(DPO\) \(MOYNE\)](#)



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

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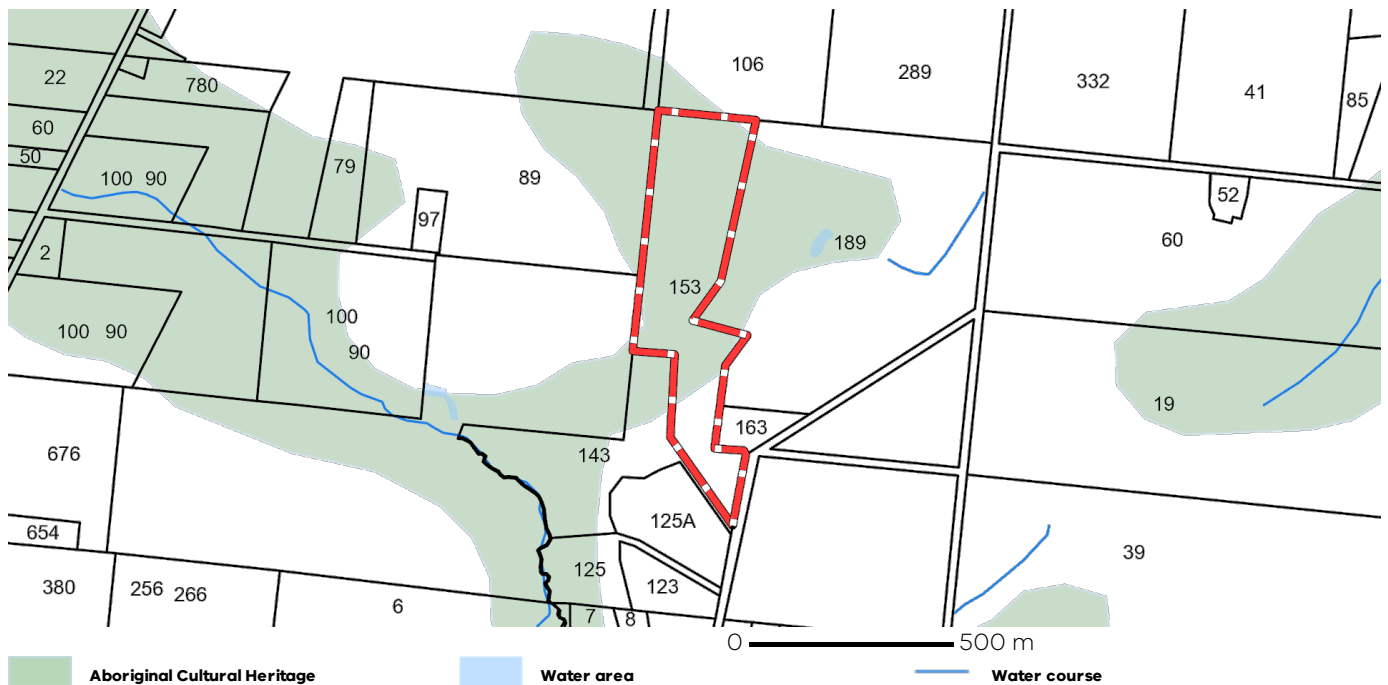
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Further Planning Information

Planning scheme data last updated on 23 January 2026.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

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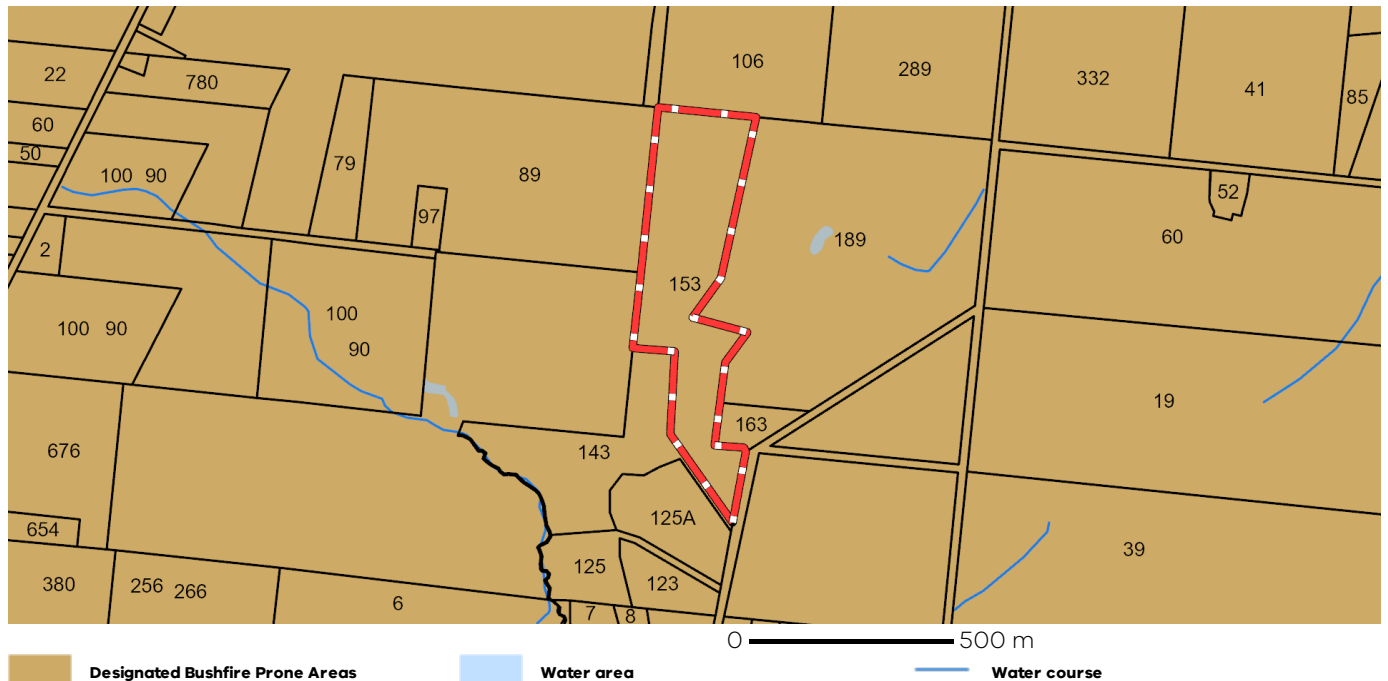
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Designated Bushfire Prone Areas

This parcel 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.

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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.

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Native Vegetation

Native plants that are indigenous to Victoria 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](#)

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From www.planning.vic.gov.au at 29 January 2026 12:53 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot 1 TP836985**
 Address: **189 PLUMMERS HILL ROAD WOODFORD 3281**
 Standard Parcel Identifier (SPI): **1\TP836985**
 Local Government Area (Council): **MOYNE**
 Council Property Number: **501531 (Part)**
 Planning Scheme: **Moyne**
 Directory Reference: **Vicroads 89 J6**

www.moyne.vic.gov.au

[Planning Scheme - Moyne](#)

This parcel is one of 3 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
 Urban Water Corporation: **Wannon Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **POWERCOR**

STATE ELECTORATES

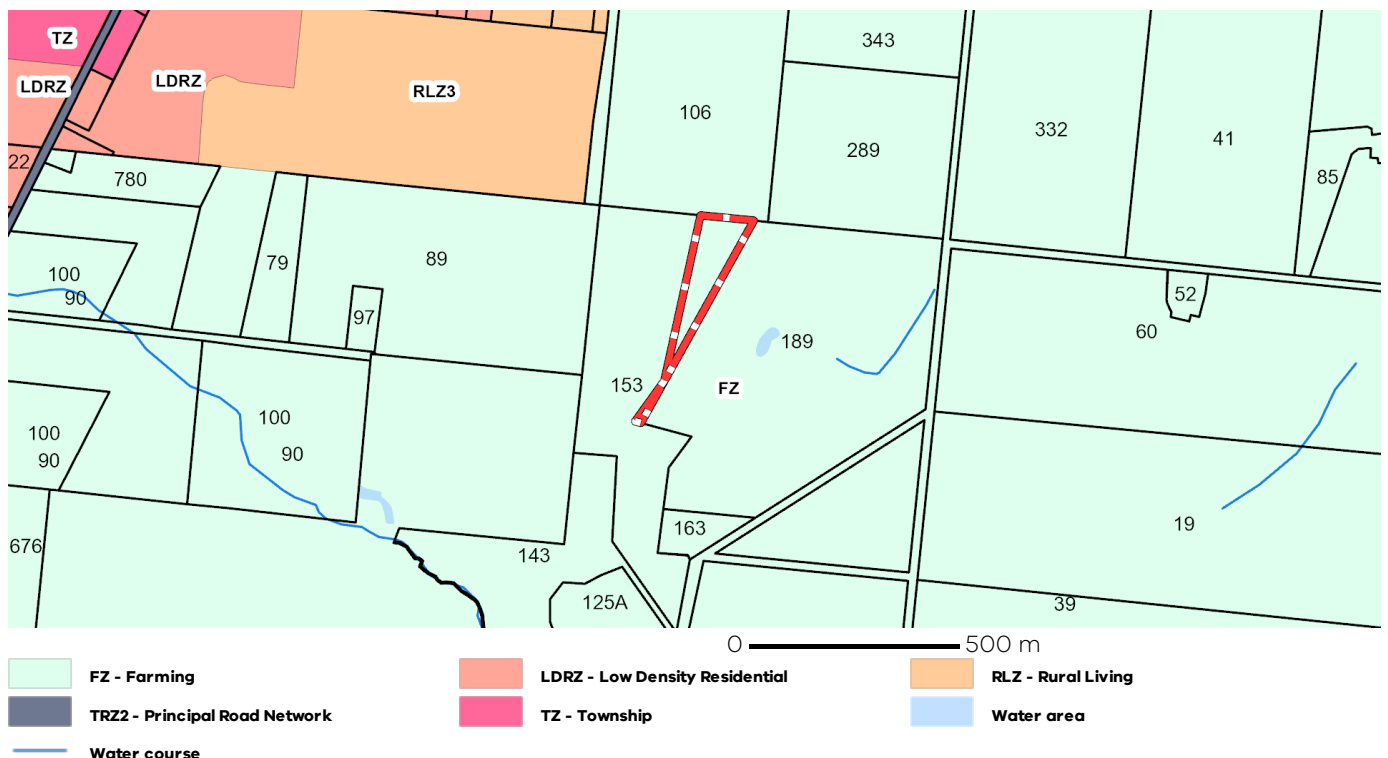
Legislative Council: **WESTERN VICTORIA**
 Legislative Assembly: **SOUTH-WEST COAST**
OTHER
 Registered Aboriginal Party: **Eastern Maar Aboriginal Corporation**
 Fire Authority: **Country Fire Authority**

[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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 Read the full disclaimer at <https://www.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 as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)



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

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 6 (ESO6)



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

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

DEVELOPMENT PLAN OVERLAY (DPO)



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

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

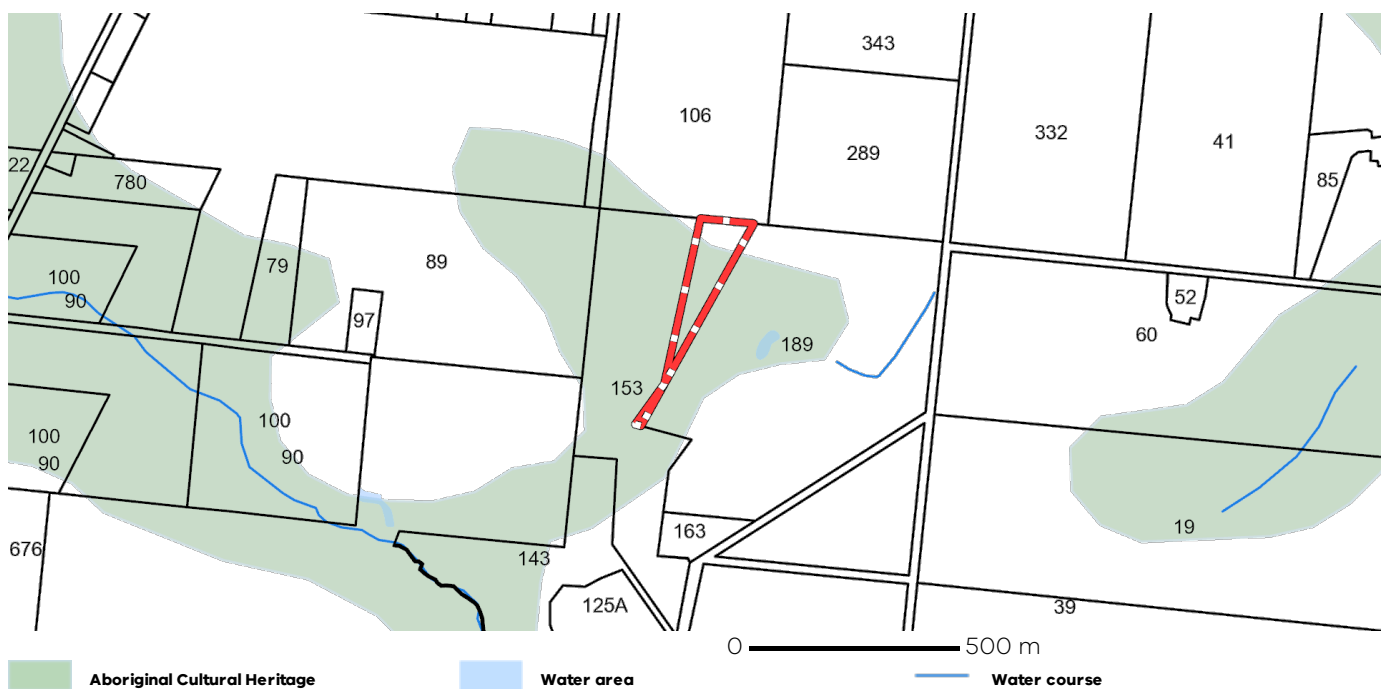
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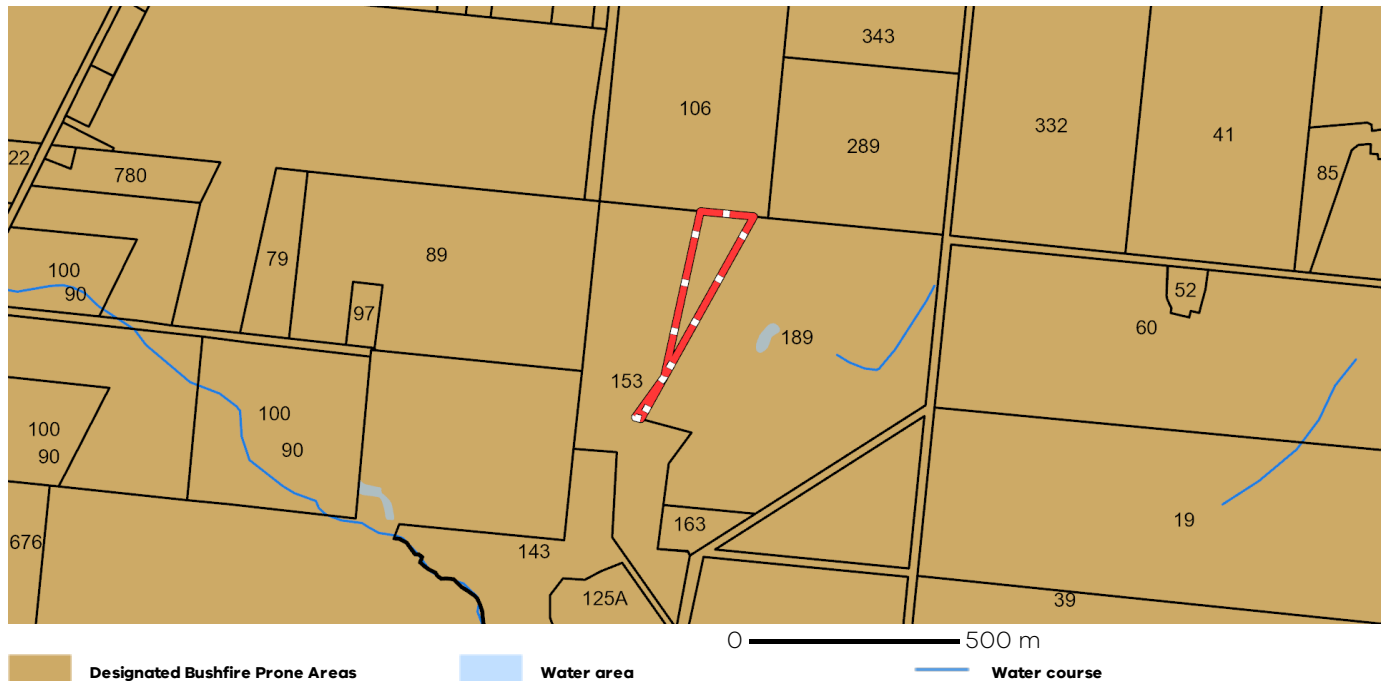
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