



STRATHBOGRIE SHIRE COUNCIL

PLANNING COMMITTEE

MINUTES

OF THE MEETING HELD ON TUESDAY 13 JUNE 2017

AT THE EUROA COMMUNITY CONFERENCE CENTRE

COMMENCING AT 4.00 P.M.

| | | |
|---------------------|------------------------|----------------------|
| Councillors: | Malcolm Little (Chair) | (Hughes Creek Ward) |
| | Amanda McClaren | (Lake Nagambie Ward) |
| | John Mason | (Seven Creeks Ward) |
| | Debra Swan | (Lake Nagambie Ward) |
| | Alistair Thomson | (Mount Wombat Ward) |
| | Graeme (Mick) Williams | (Seven Creeks Ward) |

| | |
|------------------|--|
| Officers: | Steve Crawcour - Chief Executive Officer |
| | Emma Kubeil - Manager, Sustainable Development |
| | Cameron Fraser - Principal Planner |
| | Roy Hetherington - Director, Asset Services |
| | David Roff - Director, Corporate and Liveability |

Business:

1. Welcome
2. Acknowledgement of Traditional Land Owners

*'I acknowledge the Traditional Owners of the land on which we are meeting.
I pay my respects to their Elders, past and present'*

3. Apologies

Councillor Kate Stothers (Honeysuckle Creek Ward)
Phil Howard - Director, Sustainable Development

4. Confirmation of Minutes of the Planning Committee meeting held on Tuesday 11 April 2017 and Special Planning Committee meeting held on Friday 21 April 2017

*15/17 **CRS WILLIAMS/MASON** : That the Minutes of the Planning Committee meeting held on Tuesday 11 April 2017 and Special Planning Committee meeting held on Friday 21 April 2017 be confirmed*

CARRIED

5. Disclosure of Interests

Nil.

6. Planning Reports

7. Other Business

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

PLANNING COMMITTEE REPORTS INDEX

| Planning Committee Reports | | | | |
|-----------------------------------|---|--|----------------------------|-------------|
| 6. Planning Reports | | | | |
| Report No. | Application No. | Purpose of Application | Location | Page |
| 6.1 | P2015-100 | Development of Land for an Extension to an Aged Care Facility | 22 Church Street, Nagambie | 1 |
| 6.2 (PP-CF) | P2017-021 | Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry) | 380 Drysdale Road, Euroa | 21 |
| 7. Other Business | | | | |
| 7.1 (DSD-PH) | Planning Applications Received - 5 April to 7 June 2017 | | | 44 |

PLANNING COMMITTEE REPORT NO. 1 (PRINCIPAL PLANNER - CAMERON FRASER)

6. PLANNING REPORTS

**6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie**

| | |
|--|---|
| Application is for: | Development of land for an extension to an aged care facility |
| Applicant's/Owner's Name: | Mr Sam Verrocchi |
| Date Received: | 01 September 2015 |
| Statutory Days: | 85 |
| Application Number: | P2015-100 |
| Planner: Name, title & department | Cameron Fraser Principal Planner Sustainable Development Department |
| Land/Address: | Lots 1, 2, 3 4, 5 and 6 on Title Plan 109759R, Certificate of Title 10052 Folio 902 Crown Allotment 12 Section 4 Township of Nagambie Parish of Tabilk, Certificate of Title 10052 Folio 903 Lot 1 on Plan of Subdivision 042979, Certificate of Title 08185 Folio 160 Lots 1 and 2 on Title Plan 102133A, Volume 10052 Folio 904 22 Church Street, Nagambie VIC 3608 |
| Zoning: | General Residential Zone |
| Overlays: | Land Subject to Inundation Overlay |
| Under what clause(s) is a permit required? | Clause 32.08-6 Clause 44.04-1 |
| Restrictive covenants on the title? | No |
| Current use and development: | Residential/accommodation |

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

It is noted however during the assessment of the application, it was identified that Council's Infrastructure Development Engineer could be perceived to have a conflict of interest. This is due to family members living in Church Street near the development site. Following the author being made aware of this potential conflict, senior officers within Council's Assets Department have reviewed the application and conditions provided by the officer.

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church
Street, Nagambie (cont.)

Summary

- The application proposes an extension of an existing aged care facility
- The proposal includes the addition of 10 new acute rooms (overall increase of 3 acute residents) and three separate bedrooms
- The site is located in the General Residential Zone and is affected in part by the Land Subject to Inundation Overlay
- The property is currently used as an aged care facility
- The subject site has a total area of approximately 8988 square metres
- The application was referred internally to Council's Assets Services department who have not objected, subject to conditions
- The application was referred externally to the Goulburn Broken Catchment Management Authority who has not objected to the proposal. No conditions were required
- The application was advertised to all land owners within two kilometres of the subject site. Two objections remain outstanding. The main issues can be summarised as follows:
 - Traffic movements (including deliveries)
 - Car parking
 - Pedestrian safety
 - Resident access to properties during business hours
- The application has been assessed outside of the 60 day statutory time period due to objections received
- It is recommended that Council resolve to issue a Notice of Decision to grant a permit in accordance with the Officer's recommendation

RECOMMENDATION

That Council

- **having caused notice of Planning Application No. P2015-100 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme**

and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Permit under the provisions of Clause 44.04-1 of the Strathbogie Planning Scheme in respect of the land known as Lots 1, 2, 3, 4, 5 and 6 on Title Plan 109759R, Certificate of Title 10052 Folio 902, Crown Allotment 12 Section 4 Township of Nagambie Parish of Tabilk, Certificate of Title 10052 Folio 903, Lot 1 on Plan of Subdivision 042979, Certificate of Title 08185 Folio 160, and Lots 1 and 2 on Title Plan 102133A, Certificate of Title 10052 Folio 904, 22 Church Street, Nagambie VIC 3608, for the Development of land for an extension to an aged care facility, in accordance with endorsed plans, subject to the following conditions:

- 6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

Consolidation of titles

1. Prior to the commencement of development the titles Lots 1, 2, 3 4, 5 and 6 on Title Plan 109759R, Certificate of Title Volume 10052 Folio 902 Crown Allotment 12 Section 4 Township of Nagambie Parish of Tabilk, Certificate of Title Volume 10052 Folio 903, Lot 1 on Plan of Subdivision Volume 042979, Certificate of Title Volume 08185 Folio 160, Lots 1 and 2 on Title Plan 102133A, Volume 10052 Folio 904 must be consolidated to the satisfaction of the Responsible Authority.

Amended Plans

2. Prior to the commencement of development, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with a minimum of three provided. Such plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) A colour schedule showing the colours and materials that will be used for the development;
 - b) All car parking to be provided on site.

Landscaping Plans

3. Prior to the commencement of works, a landscape plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant with a minimum of 85% of plants being indigenous species.
 - b) Methodology of planting and landscaping maintenance.
 - c) The treatment of all paved areas and lighting.
 - d) Landscape to the front of the site
4. Landscaping and planting of the subject land must be carried out prior to the occupation of any dwelling and the issue of a Statement of Compliance and maintained thereafter to the satisfaction of the Responsible Authority in accordance with the endorsed plan. A 90% survival rate is to be achieved after 6 months of completion of the landscaping. Replanting is to be undertaken until that rate is achieved.

Traffic Impact Assessment Report

5. Prior to the commencement of development, an amended Traffic Impact Assessment Report must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will form part of the permit. The report and associated plans must be generally in accordance with the plans submitted with the application but modified to show:

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

- a) Indent to the existing kerb line to ensure sufficient space to prevent a three-point turn entry and exit into 90° parking space (to prevent any interference with private on-street parking).
- b) All deliveries to park internally, e.g. along western side of the internal kerb line at the main entrance, so as to eliminate any user restrictions along the on-street parking, plus any heavy vehicle reversing on a public road.
- c) Demonstration that a 12.5m single unit truck is able to access the site for delivery purposes to ensure that the occasional use by a larger design vehicle is viable.

Endorsed Plans:

6. The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.

Engineering Conditions:

7. Prior to the occupation of the development vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Crossings must be as per the applicable council standard drawings.
8. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
9. The stormwater system must incorporate principles of Water Sensitive Urban design and be designed so that the rate of storm water runoff from the development must not be more than the rate of runoff from the site prior to the development, all to the satisfaction of the Responsible Authority. The drainage system must be designed in accordance with the requirements of Clause 19 of the IDM "On-site Detention Systems". The on-site storage size for the development must be in accordance with Table 13. The allowable discharge rate to Council drains shall be the lesser of; a) that which is outlined in Table 13 and b) the remaining capacity of the existing pipe (clause 19.3.1 of the IDM).

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

A default allowable discharge rate of 25 l/s/ha may be used in lieu of calculations to determine the remaining capacity of the existing drainage network.

- 10. Drainage system must be constructed before commencement of the use and development as per the approved plans.**
- 11. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991) and to the satisfaction of the Responsible Authority.**
- 12. Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb & channel, trees, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of Responsible Authority.**
- 13. Prior to the commencement of the development, detailed design plans for her area set aside for access must be submitted for approval, to the satisfaction of the responsible authority. When approved, the plans will be endorsed and will form part of the planning permit. The plans must include the following all in accordance with councils adopted 'Infrastructure Design Manual' and the relevant Australian Standards:
 - (a) Dimensioned access and parking bays**
 - (b) Concrete pavement design (or equivalent) for driveway/access**
 - (c) A common area set aside for rubbish and mail collection**
 - (d) Drainage design****
- 14. Appropriate storm water treatment must be provided as per the IDM.**
- 15. Footpath shall be required for the frontage of the development in accordance with clause 13 of the IDM.**

General Conditions

- 16. The external cladding of the proposed buildings, including the roof, must be constructed of new materials of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.**
- 17. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.**
- 18. The development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.**

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

19. The amenity of the area must not be detrimentally affected by the use, through the:

- (a) Appearance of any building, works or materials;
- (b) Transport of materials, goods or commodities to or from the land;
- (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
- (d) Presence of vermin, and;
- (e) Others as appropriate.

Permit Expiry

20. This permit will expire if one of the following circumstances applies:
- (a) The development is not started within two (2) years of the date of this Permit,
 - (b) The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Planning Notes:

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.

16/17 **CRS SWAN/WILLIAMS** : *That the Recommendation be adopted.*

CARRIED

Proposal

It is proposed to extend the existing facility on the site. The proposed extensions are to the front of the building facing Church Street, and to the east of an existing building. The design plans lodged with this application provide clear details of the exact locations of the extension.

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

A total of 10 new single bed *acute* rooms are proposed to be constructed. The extension to the front of the building near Church Street will include 7 of the new *acute* rooms with a new reception and sitting area. This extension is approximately 355.13 square metres.

The proposed extension to the east of the building includes 3 bedrooms and a staff change area. This extension is approximately 82.02 square metres.

Changes to the internal layout of the building will create an additional three *acute* rooms under the existing roofline.

These proposed works will enable Nagambie Health to accommodate an additional 6 residents.

All extensions are proposed to be single storey. The external colours and materials are proposed to be consistent with the existing character of the building being red brick and ironstone Colourbond roof.

The total area of new built form is approximately 437.15 square metres across the 8,988 square metre site.

Subject site & locality

The subject site is located at 22 Church Street in Nagambie. Formally known as Lots 1, 2, 3, 4, 5 and 6 on Title Plan 109759R, Certificate of Title 10052 Folio 902, Crown Allotment 12 Section 4 Township of Nagambie Parish of Tabilk, Certificate of Title 10052 Folio 903, Lot 1 on Plan of Subdivision 042979, Certificate of Title 08185 Folio 160, and Lots 1 and 2 on Title Plan 102133A, Certificate of Title 10052 Folio 904, the site is made up of 10 land parcels.

The land is within the General Residential Zone and is in part affected by the Land Subject to Inundation Overlay.

The site is flat in topography and currently contains Nagambie Health Care. Nagambie Health Care is a not for profit organisation which provides acute and aged care in the Nagambie community.

The site is approximately 8,988 square meters in area. There are a number of single story buildings across the site which forms the many sections of Nagambie Health Care. All buildings are connected. There are three main open space areas on the site, being at the front of the site, in the middle of the buildings and to the west of the buildings. There is car parking on the eastern side of the site.

To the west of the site is Lake Nagambie. To the north and east of the site is standard residential development. Immediately south of the site is Church Street. Further south is standard residential development.

The site is located approximately 530 metres from the centre of Nagambie.

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

Permit/Site History

Yes. A search of Council's electronic records resulted in 5 permits previously being issued for the land. All are in association with the Nagambie Hospital Complex.

- P208/2002: Permit issued on 5 December 2002 for the development of land for an extension to an existing hospital (day room freezer and covered walkway)
- P86/2002: Permit issued on 6 September 2002 for the development of land for an extension to an existing hospital (6 bed addition to the "west lodge")
- P2006/053: Permit issued on 12 April 2006 for alteration & addition of "day room".
- P2011/066: Permit issued on 30 June 2011 for building & works associated with Nagambie Health

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining land owners
- Placing (a) sign on site

The notification has been carried out correctly.

Council has received 4 objections to date. The key issues that were raised in the objections are:

- Lack of car parking
- Detrimental amenity impacts
- Increase in traffic - both vehicles and pedestrian
- Lack of provision for loading and unloading area.

A response to the objections raised is detailed throughout the rest of this report.

Consultation

Following receipt of the objections, copies were provided to the applicant. The applicant provided a response to the objections raised. Following this, a meeting with the objectors and officers of both the Planning and Assets Department was undertaken at the Nagambie Visitor Information Centre. At this meeting, it was agreed that a detailed traffic management plan should be undertaken to which the applicant was agreeable.

The Traffic Impact Assessment Report was provided in December 2016 with amendments/clarifications in March 2017. A copy of the report was forwarded to the four objectors. Following receipt of the report, two objectors have withdrawn. At this time, two objections remain outstanding.

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

Referrals

External Referrals/Notices required by the Planning Scheme:

| Referrals/Notice | Advice/Response/Conditions |
|-------------------------|------------------------------------|
| Section 55 Referrals | GBCMA, no objection |
| Section 52 Notices | GMW, no objection Public Notice |

| Internal Council Referrals | Advice/Response/Conditions |
|-----------------------------------|-------------------------------------|
| Asset Services | No objection, subject to conditions |
| Environmental Health | |

Assessment

The zoning of the land and any relevant overlay provisions

General Residential Zone

Purpose

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.*

A permit is required under the provisions of the General Residential Zone in the Strathbogie Planning Scheme for the development of a residential building. The proposal is consistent with the purposes of the General Residential Zone as it is providing additional housing options for residents in Nagambie and the surrounds.

With Nagambie's aging population, the need for appropriately located residential options is high. This development has been sited appropriately in a residential neighbourhood, and will complement the existing neighbourhood character given the similar size, shape and bulk of the building to other buildings along Church Street.

The proposal will create a net community benefit for Nagambie through the additional rooms being available in the residential aged care facility. It will provide an additional option for those wishing to stay in Nagambie for retirement living, and be within close proximity to necessary health care facilities. As part of the assessment of this application, consideration of the objectives of Clause 55 of the Strathbogie Shire Council is required to be undertaken. This assessment is detailed further into this report. It is considered that the proposal is consistent with these objectives.

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

As such, the proposal is considered to be consistent with the provisions of the General Residential Zone.

Land Subject to Inundation Overlay

Purpose:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment*
- *Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

A permit is required pursuant to Clause 44.04-1 of the Land Subject to Inundation Overlay. The application has been referred to the Goulburn Broken Catchment Management Authority who offered no objection to the permit.

The built form is proposed to be constructed above the 1 in 100 year ARI flood level which is in keeping with the purposes of this Overlay.

The majority of the land within the Land Subject to Inundation Overlay is occupied by a garden and private opens pace for the residents of the facility.

The State Planning Policy Framework (SPPF)

Clause 15.01-2 Urban design principles

Objective

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

Clause 16.02-3 Residential aged care facilities

Objective

- *To facilitate the timely development of residential aged care facilities to meet existing and future needs.*

Clause 19.02-1 Health facilities

Objective

- *To assist the integration of health facilities with local and regional communities.*

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

Clause 19.03-2 Water supply, sewerage and drainage

Objective

- *To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*

Through the appropriate built form, this proposal is considered to be consistent with the relevant State planning policies as outlined above.

The building height, bulk and massing is consistent with those in the street as they are consistently single in storey and constructed of materials with muted tones and textures. The design of the building is not likely to adversely impact the amenity of the area, nor will it dominate the streetscape. The setback is appropriate as it is consistent with other built form along Church Street. The street does not contain any specific architectural characteristics that are likely to conflict with the proposed built form.

The site is suitable to accommodate the proposal as it is located within a predominately residential area, adjacent to the existing Nagambie Hospital.

This extension to the existing residential building is a great outcome for Nagambie as it is currently experiencing population growth, but at the same time the population is aging. There is a demand for this type of housing within Nagambie and the surrounding areas.

As previously mentioned, the aging population of Nagambie requires health facilities to be continually developed to ensure residents have access to the necessary services they require. This extension will provide for 10 more rooms for permanent residents.

The extension to the existing facility will be fully serviced by reticulated water, sewer and electricity.

Given the above, the application is considered to be consistent with the relevant State planning policies within the Strathbogie Planning Scheme.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

Clause 21.03-4 Nagambie

Objective

- *To grow Nagambie as an agricultural service centre as well as a visitor, lifestyle and retirement centre.*

Clause 21.05-3 Social services and infrastructure

Objective

- *To provide networked communities.*

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

As mentioned previously throughout this Report, the proposal will provide a great outcome for the residents of Nagambie and surrounding districts. With the aging and growing population in the Nagambie area, the need for health care and ongoing residential care facilities is high. These additional 10 rooms will contribute to the supply of this type of care in Nagambie.

With these facilities being available in Nagambie, it provides for not only jobs and growth in Nagambie, but the opportunity for residents to care for their health locally, without needing to travel to larger towns or cities to receive treatment or for residential care.

Given this, the application is considered to be consistent with the abovementioned Local planning policies in the Strathbogie Planning Scheme.

Relevant Particular Provisions

Clause 52.06 – Car Parking

Purpose:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The rate of car parking for the proposed extension (overall addition of 10 rooms) at Clause 52.06 of the Strathbogie Planning Scheme is 2. This car parking rate (0.3 spaces per lodging room), although low compared to other residential land uses reflects the car ownership and travel patterns of the permanent occupants of the building. The car parking demand generated by this proposal will be from visitors and staff at the facility.

The proposed additions to the facility provide for an additional three guests. Currently at the facility, there are five acute care rooms of which two rooms have space for two residents (total of seven acute residents). The proposed changes and addition will result in 10 individual acute care rooms at the front of the property. Three additional bedrooms are proposed at the rear of the site which will generate demand for an additional car parking space. Additional car parking is proposed towards the rear of the site. Car parking within Church Street is currently angled parking which is currently accessed by a right hand turn. This will be realigned to 90 degree parking with an additional space proposed. This will assist in addressing car parking demand on Church Street which is in high demand.

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Naqambie (cont.)

This is in part due to the medical centre and to a much lesser extent, residential land uses in Church Street/Callaghan Court. Car parking remains at the rear of the site and will need to be better utilised into the future. The two additional car parking spaces that are required as part of this development are accommodated at the rear of the site satisfying the requirements of this clause for this proposal. Car parking and congestion along Church Street will likely remain and issue however the Traffic Impact Assessment Report prepared as part of this assessment will, once implemented address some of the issues with the site.

Clause 55 Two or more dwellings on a lot

An application to construct or extend a residential building must be accompanied by an assessment against the provisions of Clause 55 Two or more dwellings on a lot and residential buildings.

| Std No. | Description | Assessment Comments | Complies? |
|---------|---|---|-----------|
| B1 | <p>Neighbourhood character</p> <p><i>The design response must be appropriate to the neighbourhood and the site.</i></p> <p><i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</i></p> | A design response has been provided previously in this report. | ✓ |
| B2 | <p>Residential policy</p> <p><i>Written statement of State policy and local planning policy framework</i></p> | The proposal complies with the State and Local Planning Policies. It provides for ten new rooms within the existing residential aged care facility. | ✓ |
| B3 | <p>Dwelling diversity</p> <p><i>Range of dwelling sizes and types for developments of 10 or more dwellings</i></p> | The proposed development is for an extension to an existing aged care facility which is considered as a Residential Building not a 'dwelling'. It is considered that this objective is not relevant to this proposal. | ✓ |
| B4 | <p>Infrastructure</p> <p><i>Able to be connected to reticulated services. Capacity of the existing infrastructure.</i></p> | There is existing infrastructure available and the rooms can be connected to reticulated services in accordance with the requirements of the relevant authorities.. | ✓ |
| B5 | <p>Integration with the street</p> <p><i>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</i></p> <p><i>Development oriented to the street frontage.</i></p> <p><i>High fencing in front of dwelling should be avoided.</i></p> | <p>The development provides adequate and safe vehicle & pedestrian links.</p> <p>The rooms will front onto an internal driveway. The driveway is straight allowing for clear lines of sight.</p> <p>The proposed development will be located to the front and to the rear of an existing residential building.</p> <p>The development is mainly oriented to the street frontage and will be designed and landscaped to appropriately integrate with the street.</p> | ✓ |

| Std No. | Description | Assessment Comments | Complies? |
|----------------|---|---|------------------|
| B6 | Street setback <i>Minimum Setback from front street (m).</i> | The front setback is proposed to be reduced to 1.98 metres, however this is only for a small area of the frontage and is only for the verandah at the front. While this reduction in setback is less than the standard, it is considered that the objectives of this clause are achieved. The majority of the frontage will be setback approximately 8 metres from the road which is generally consistent with the independent units on the western boundary. | ✓ |
| B7 | Building Height <i>9 metres maximum</i> | The development has a maximum height of 6.7 metres and is consistent with the objective. | ✓ |
| B8 | Site Coverage <i>60% maximum coverage</i> | The proposal has a maximum site coverage of less than 60%. The overall sight coverage is 48%. | ✓ |
| B9 | Permeability <i>Pervious surfaces 20% min</i> | Pervious surfaces cover at 39% of the site. This meets the standard and objective of this clause. | ✓ |
| B10 | Energy Efficiency <i>Orientation</i> <i>Living areas located on the north side of development.</i> <i>Maximise north facing windows</i> | The extension the development provides for 2 rooms with eastern facing windows, 2 rooms with western facing windows and 4 rooms with south facing windows. | |
| B11 | Open Space <i>If any public or communal open space is provided on site it should: be fronted by dwellings, provide outlook for dwellings, be designed to protect any natural features, be accessible and useable.</i> | Open space is currently adequately provided throughout the site. | ✓ |
| B12 | Safety <i>Entrances to dwellings should not be obscured or isolated from the street and internal access ways.</i> <i>Planning which creates unsafe spaces along streets and access ways should be avoided.</i> <i>Developments should be designed to provide good lighting, visibility and surveillance of car parking and internal access ways.</i> <i>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</i> | The entrance to each building is visible from the street. The car park will be modified to provide easy and safe access from the street. No public thoroughfare areas will be created. | ✓ |
| B13 | Landscaping <i>Protect any predominate landscape character of the neighborhood.</i> <i>To provide appropriate landscaping</i> <i>To encourage the retention of mature vegetation on the site.</i> | The existing landscaping and garden will be predominately retained throughout the development however formal landscaping plans would need to be provided and implemented as part of any permit approved for the development.. | ✓ |

| Std No. | Description | Assessment Comments | Complies? |
|----------------|---|---|------------------|
| B14 | <p>Access</p> <p><i>Allow convenient, safe and efficient vehicle movements and connections within the development and the street network</i></p> <p><i>Forward direction exit</i></p> <p><i>Be at least 3 metres wide</i></p> <p><i>Have an internal radius of at least 4 metres at changes of direction</i></p> <p><i>Accessways width not exceed 33% or frontage >20metre 40%</i></p> | <p>Access to the residential building is simple and has been designed to enable a sufficient space for vehicles to exit the subject site in a safe and efficient manner.</p> <p>Council Assets Services has not objected to the proposal subject to conditions.</p> <p>A traffic management plan has been prepared as part of the assessment of this proposal. This requires some updates and once completed will be endorsed to form part of the permit.</p> <p>Accessways for this development does not exceed 40% of the lot frontage and is at least 3m wide.</p> | ✓ |
| B15 | <p>Parking location</p> <p><i>Reasonably close and convenient to dwellings and residential buildings</i></p> <p><i>Be secure</i></p> <p><i>Allow safe and efficient movements within the development</i></p> | <p>Given the use of the land, it is highly unlikely that the residents of the building will have cars. Car parking on the site will be used by staff and visitors to the facility. The car park is located conveniently on site for residents to move safely between their parking space and the residential building.</p> | ✓ |
| B17 | <p>Side and rear yard setbacks</p> <p><i>Side or rear setbacks - 1 m plus 0.3m for every metre of height over 3.6 m up to 6.9m, plus 1m for every metre over 6.9m</i></p> | <p>The proposed extensions are setback approximately 22 metres from the eastern boundary and 18 metres from the western boundary and are consistent with the objectives of this clause.</p> | ✓ |
| B18 | <p>Walls on boundary</p> <p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or carport constructed on or within 1m of a side or rear boundary should not abut a boundary for a length of no more than – 10m plus 25% of the remaining length of the boundary of an adjoining lot</i></p> | <p>No walls are proposed to be on boundaries.</p> | ✓ |
| B19 | <p>Daylight to existing windows</p> <p><i>Impact on existing dwellings</i></p> | <p>There are no adjoining dwellings within proximity of the proposed extensions. To the west of the site is Lake Nagambie and a medical centre is located to the east.</p> | ✓ |
| B20 | <p>North facing windows</p> <p><i>North facing habitable rooms</i></p> | <p>There is no built form within close proximity of the building to the north of the site.</p> | ✓ |
| B21 | <p>Overshadowing Open Space</p> <p><i>The impact of the proposal on the amenity of existing dwellings and their private open space areas</i></p> | <p>There are no buildings within proximity of the site to the south that will be affected by overshadowing.</p> | ✓ |
| B22 | <p>Overlooking</p> <p><i>Habitable room windows balcony, terrace, deck or patio should be located and designed to avoid direct views into a secluded private open space of an existing dwelling. Views should be measured from a height of 1.7metres above floor level with a horizontal distance</i></p> | <p>There are no buildings within close proximity of the site that would have issues with regard to overlooking.</p> | ✓ |

| Std No. | Description | Assessment Comments | Complies? |
|---------|--|--|-----------|
| | <i>of 9m and a 45-degree angle for the setback.</i> | | |
| B23 | <p>Internal views</p> <p><i>Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below of within the same development.</i></p> | There are no internal views between the proposed rooms with the existing rooms. | ✓ |
| B24 | <p>Noise impacts</p> <p><i>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</i></p> <p><i>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account noise sources on immediately adjacent properties</i></p> | The proposal does not include mechanical plants near proposed bedrooms nor is there a plant on existing properties that will result in noise impacts to proposed bedrooms. | ✓ |
| B25 | <p>Accessibility</p> <p><i>The dwelling entries of the ground floor of dwellings and residential buildings should be made accessible to people with limited mobility.</i></p> | All areas of the building have been designed to allow access for people with limited mobility. | ✓ |
| B25 | <p>Dwelling entry</p> <p><i>Entries to dwellings and residential buildings should:</i></p> <ul style="list-style-type: none"> - <i>Be visible and easily identifiable from streets and other public areas.</i> - <i>Provide shelter, a sense of personal address and transitional space around the entry.</i> | The entry to the building is clearly visible from the front of the building and the street. There is also a secondary public access from the car parking area between the building and medical centre. No rooms within the facility are accessed from the outside. It provides a sense of personal address with a transitional space around the entry. | ✓ |
| B27 | <p>Daylight to new windows</p> <p><i>A window in a habitable room should be located to face:</i></p> <ul style="list-style-type: none"> - <i>An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot</i> | Habitable room windows are well located to receive adequate daylight. | ✓ |
| B28 | <p>Private open space</p> <p><i>An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room.</i></p> | The site already contains a large amount of private open space. The proposed extension will not reduce this amount by a margin that will result in a non-compliance with the standard. | ✓ |
| B29 | <p>Solar access to open space</p> <p><i>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</i></p> <p><i>The southern boundary of secluded open space should be setback from any wall on</i></p> | Private open space is located along the northern and western areas of the site, with good solar access. | ✓ |

| Std No. | Description | Assessment Comments | Complies? |
|---------|--|--|-----------|
| | <i>the north side of the space at least (2+0.9h metres, where 'h' is the height of the wall.</i> | | |
| B30 | Storage <i>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</i> | External storage for each of the rooms within the facility is not proposed as part of this development as it is not considered necessary. | ✓ |
| B31 | Design Detail <i>To encourage design detail that respects the existing or preferred neighbourhood character.</i> | The design of the proposed extension to the residential building responds to the existing character of the area. | ✓ |
| B32 | Maximum front fence height <i>Should not exceed 1.5 metres in height when adjoining a road that is not located in a road zone.</i> | No front fences are proposed. | ✓ |
| B33 | Common property <i>Clearly delineate public, communal and private areas.</i> <i>Common property should be functional and capable of efficient management.</i> | The driveway and reserve will be common property and can be clearly delineated. | ✓ |
| B34 | Site services <i>Ensure site services can be installed, maintained and look attractive.</i> | A waste management plan is in place with regard to waste disposal and recycling. All waste is collected and stored in bins located at the rear of the lot. | ✓ |

The decision guidelines of Clause 65

Clause 65.01, *Approval of an application or plan*, states that; *before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

6.1 Planning Permit Application No. P2015-100
Development of Land for an Extension to an Aged Care Facility ~ 22 Church Street, Nagambie (cont.)

- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

There are no relevant incorporated, reference or adopted documents.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues

With regard to the General Residential Zone: the proposed extension to the existing residential building is consistent with the purpose of the zone, as it has been designed and sited appropriately for the site context, as well as providing additional housing choice for residents of Nagambie. Given this, the application is considered to be consistent with the purpose of, and meets the decision guidelines of the General Residential Zone.

With regard to the Land Subject to Inundation Overlay: the application has been referred to the Goulburn Broken Catchment Management Authority who has offered no objection to the application. Given this, the application is considered to be consistent with the purpose of and meets the decision guidelines of the Land Subject to Inundation Overlay.

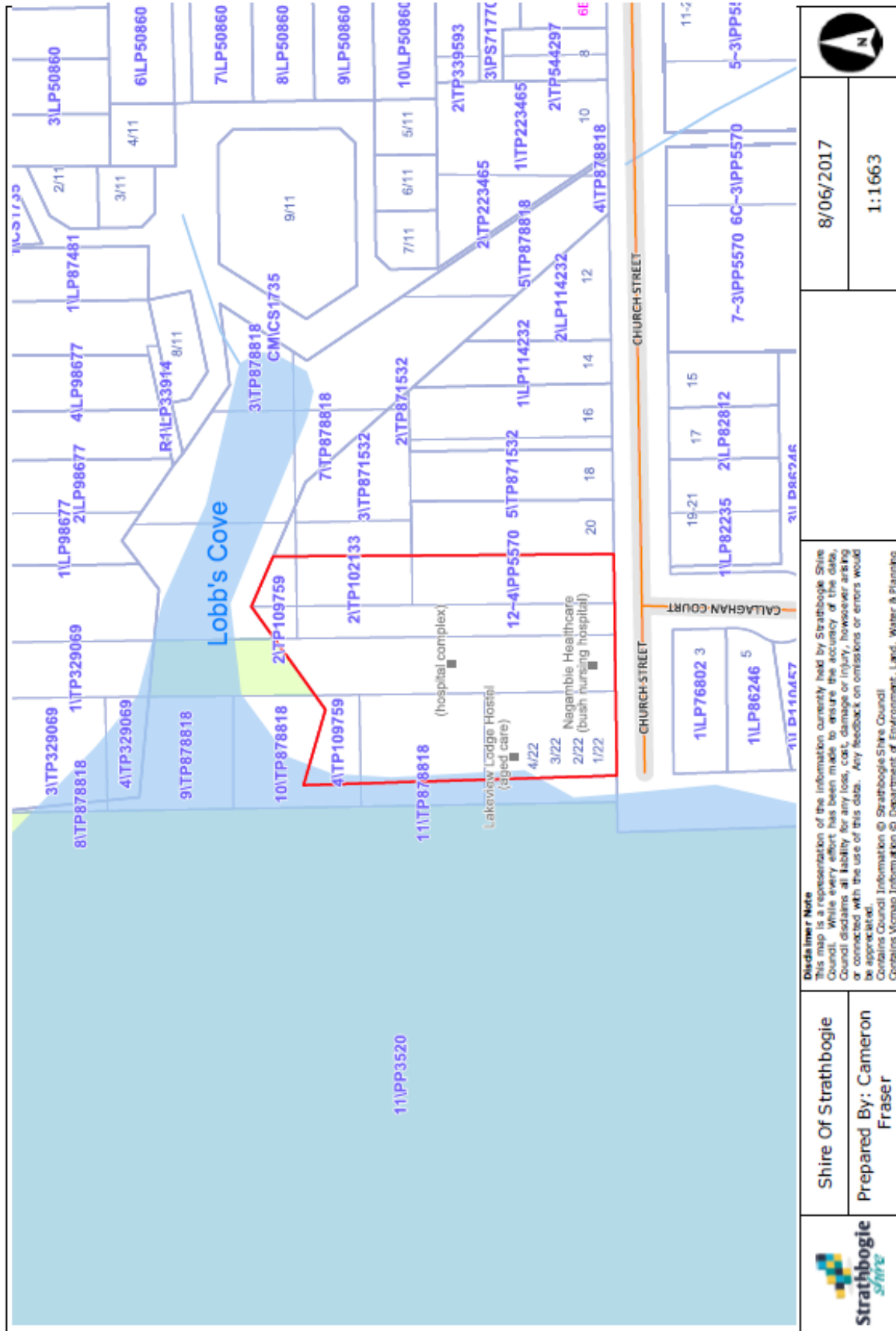
In summary, the proposal meets the objectives of the State Planning Policy Framework, Local Planning Policy Framework, General Residential Zone and Land Subject to Inundation Overlay.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to grant a planning permit, subject to conditions.

Attachments

Site Map

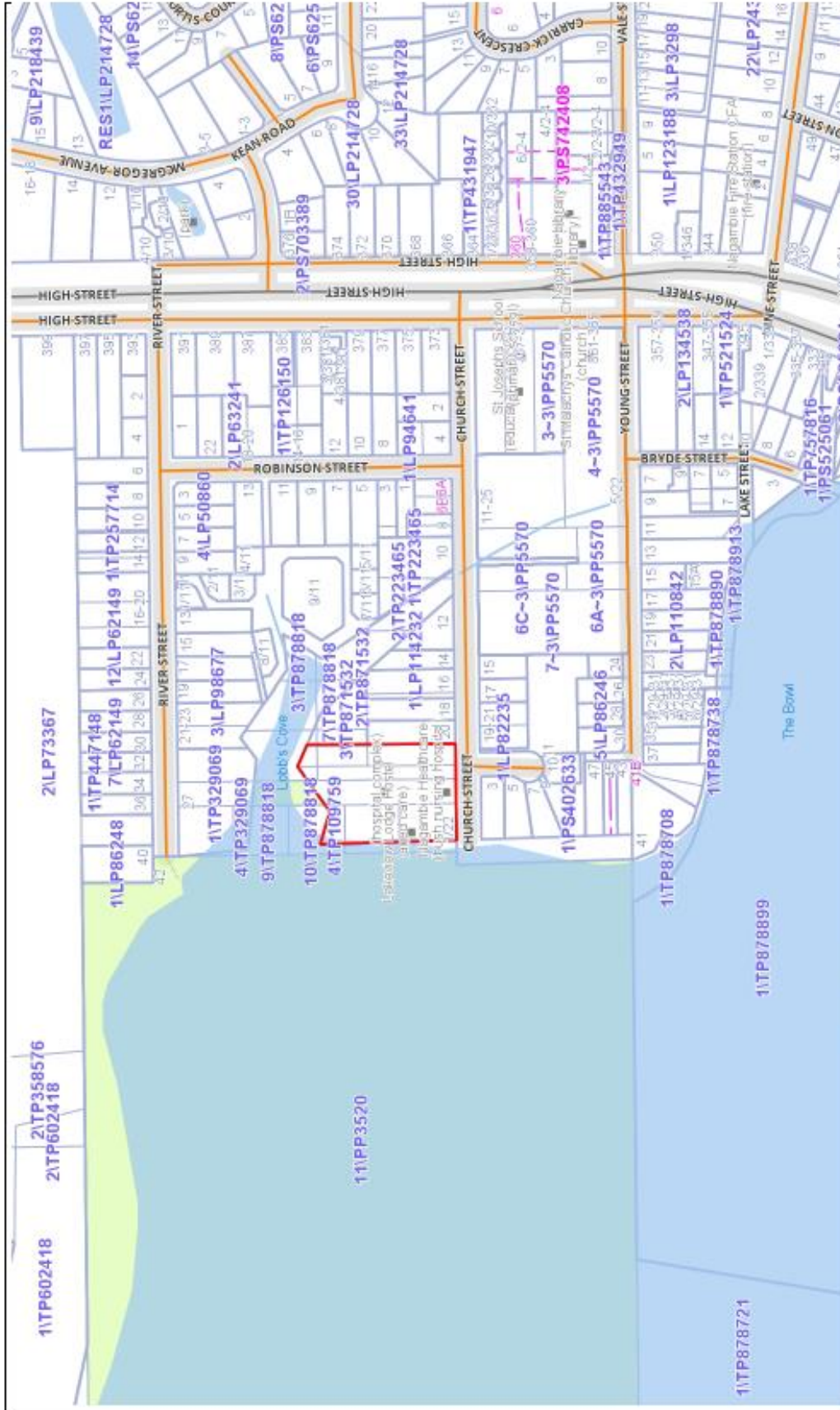


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Shire Of Strathbogie
 Prepared By: Cameron Fraser





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PLANNING COMMITTEE REPORT NO. 2 (PRINCIPAL PLANNER - CAMERON FRASER)

**6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa)**

| | |
|--|---|
| Application is for: | Use and development of land for a free range layer farm (intensive animal husbandry) |
| Applicant's/Owner's Name: | Scolexia Pty Ltd |
| Date Received: | 14 March 2017 |
| Statutory Days: | 85 |
| Application Number: | P2017-021 |
| Planner: Name, title & department | Cameron Fraser Principal Planner Sustainable Development Department |
| Land/Address: | Crown Allotment 10C Section 3 Parish of Branjee Certificate of Title Volume 10721 Folio 831 380 Drysdale Road, Euroa VIC 3666 |
| Zoning: | Farming Zone |
| Overlays: | No Overlay |
| Under what clause(s) is a permit required? | Clause 35.07-1 Clause 35.07-4 |
| Restrictive covenants on the title? | No |
| Current use and development: | Agriculture |

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

Summary

- The application proposes the use and development of land for a free range layer egg farm
- The site is located within the Farming Zone and is not affected by any overlays
- The property is currently used for grazing and cropping purposes and contains scattered vegetation and a single dwelling with associated shedding
- The subject site has a total area of approximately 26.9 hectares
- The application was referred internally to Council's Assets Services department and Environmental Health Department who have not objected to the development subject to a number of conditions

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

- The application was referred externally to the Country Fire Authority, Goulburn Murray Water and the Goulburn Broken Catchment Management Authority who have not objected to the proposal
- Goulburn Murray Water have provided conditions to be included on any permit issued
- The application was advertised to all land owners within two kilometres of the subject site. Two objections have been received. The main issues can be summarised as follows:
 - Noise
 - Odour
 - Decreased property value
 - No buffer zones
 - Increase of foxes in the area
 - Detrimentially impact surrounding sky diving business
 - Above ground power supply will impact adjoining sky diving business
- The application has been assessed outside of the 60 day statutory time period due to objections received
- It is recommended that Council resolve to issue a Notice of Decision to grant a permit in accordance with the Officer's recommendation

RECOMMENDATION

That Council

- **having caused notice of Planning Application No. P2017-021 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme**

and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Issue a Permit under the provisions of Clause 35.07-1 and Clause 35.07-4 of the Strathbogie Planning Scheme in respect of the land known as Certificate of Title Volume 10721 Folio 831 Crown Allotment 10C Section 3 Parish of Branjee, 380 Drysdale Road, Euroa VIC 3666, for the Use and development of land for a free range layer farm, in accordance with endorsed plans, subject to the following conditions:

Section 173 Agreement

1. **Prior to the commencement of use, the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. Such agreement shall:**
 - a) **Recognise potential amenity/operational issues resulting from the existing air strip (currently operating as a Sky Dive facility) on land to the west of the site.**

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

A memorandum of the agreement is to be entered on title and the cost of the preparation and execution of the agreement and entry on the title is to be paid by the owner.

Endorsed Plans:

2. The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.

Environmental Health Conditions:

3. All waste water and liquid is to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply), on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).
4. A Land Capability Assessment (Medium Risk Template) must be provided for this proposal to determine if wastewater can be contained on site before any further comment can be made by the Environmental Health Department.
5. Adherence to the management plan of how each of the following potential issues will be adequately controlled:
 - (a) Disposal of waste products
 - (b) Disposal of carcasses
 - (c) Dust issues
 - (d) Lighting issues
 - (e) Noise
 - (f) Odour issues
 - (g) Disposal of wastewater / drainage
 - (h) Littering issues

Engineering Conditions:

6. Prior to the commencement of the use/ issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection an approved pavement in either asphalt or concrete must be constructed at the entrance to the site on Drysdale Road to protect the existing seal from turning movements by heavy vehicles entering/exiting the site. The length of pavement required will match the extent of a B-Double turning movement entering/exiting the site.
7. Prior to the commencement of the use/ issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection a new vehicular entrance to the subject land from the road shall be constructed at a location and of a size and standard satisfactory to the Responsible Authority.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Access shall be to "Typical B Double Vehicle Crossing (Rural Entrance)" standard. SD265 of the Infrastructure Design Manual shall be referred to. www.designmanual.com.au

- 8. Prior to the commencement of the use/issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.**
- 9. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.**
- 10. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991) and to the satisfaction of the Responsible Authority.**
- 11. Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb & channel, trees, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of Responsible Authority.**

GMW Conditions

- 12. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).**
- 13. All wastewater from the proposed amenities building must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Approval.**
- 14. Stormwater run-off from the roof of the shed must be directed to storage tanks with the overflow discharged in a manner which does not cause soil erosion or transport of sediment to any waterway.**

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

Consideration must be given to the capacity of the tanks required and their ability to cater for storm events from such a large roof area.

- 15. The floors of the shed must be constructed with an impervious surface or of clay compacted to achieve a design permeability of 1 x 10⁻⁹ m/sec. The shed must be designed to ensure that all litter can be retained within the shed until removal following bird removal.**
- 16. Potentially contaminated stormwater and drainage from hard stand, areas around the shed and free range areas must be directed to retention dams which must be designed with a capacity and freeboard to enable the run-off from a 1 in 10 year storm to be retained. The overflow from these dams must be designed such that no water is discharged off-site or to any waterways. Overflow must not cause erosion.**
- 17. Contaminated litter removed from the sheds at the end of each growing cycle must be transported off site by an approved contractor to an approved site.**
- 18. There must be no litter from the sheds stockpiled on the site. Any temporary storage areas for wet litter must have an impermeable base and bunding to ensure contaminated run-off does not discharge from the temporary storage area.**
- 19. No concentrated bird effluent shall be discharged from the development site or permitted to enter any surface drainage systems.**
- 20. All dead birds must be disposed of off-site or managed on-site to the satisfaction of the Environment Protection Authority.**
- 21. The Environmental Management Plan must include a soil nutrient monitoring program. The rate of application of nutrient to the range areas must ensure relevant N, P and K uptake such that there can be no discharge of excess nutrients to any waterways.**

General Conditions:

- 22. No more than 80,000 birds are to be housed at any one time on the site.**
- 23. No more than one shed used for the keeping of birds is to be erected at any one time.**
- 24. Access to the building must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.**

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

25. The amenities building must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
26. All buildings must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
27. All buildings must be connected to a reticulated electricity supply or have an alternative energy source.
28. All reticulated services from Drysdale Road to the approved **buildings** must be constructed underground to the satisfaction of the Responsible Authority.
29. The external cladding of the proposed buildings, including the roof, must be constructed of new materials of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.
30. If the Responsible Authority determines that the amenity of nearby residents is adversely affected by the emission of an unreasonable level of offensive odour from the land, the Permit Holder must to the satisfaction of the Responsible Authority take such action as is required to prevent those emissions, which may include adjusting stocking density in the ~~broiler~~ **poultry** sheds, immediately removing bird litter, or any other actions reasonably required to prevent further emissions of offensive odour delete.
31. The amenity of the area must not be detrimentally affected by the use, through the:
 - (a) Appearance of any building, works or materials;
 - (b) Transport of materials, goods or commodities to or from the land;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (d) Presence of vermin, and;
 - (e) Others as appropriate.

Permit Expiry:

32. This permit will expire if one of the following circumstances applies:
 - (c) The development is not started within two (2) years of the date of this Permit,
 - (d) The development is not completed within four (4) years of the date of this Permit.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Planning Notes:

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.
- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.

17/17 **CRS McCLAREN/WILLIAMS** : *That the Recommendation be adopted, subject to amendments to Conditions 28 and 30, as shown highlighted.*

CARRIED

Proposal

It is proposed to use and develop the land for a free range layer farm (intensive animal husbandry) at 380 Drysdale Road, Euroa.

It is proposed to accommodate approximately 80,000 birds on the site. Birds will be delivered to the farm when they are 16 weeks old and will stay until they are approximately 72 weeks of age.

At approximately 20 weeks of age the birds will begin laying eggs and be allowed into the free-range area. Eggs produced by the layers are transported to the centre of the bird house section via an automatic nest box and conveyor system where the eggs are then transferred to the packing room. In the packing room, eggs will be collected daily, packed and then stored in the cool room in readiness to be sent off-farm by truck.

The following buildings and works are proposed:

- One shed with various sections including 2 x bird houses, and 1 packing room. This shed is 288 metres long, 23.4 metres wide and proposed to be 4 metres high, with a total floor area of 6,739.2 square metres. This shed will be setback 331.8 metres from Drysdale Road and 50.7 metres from Airstrip Road.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

- Adjacent to the aforementioned shed, a building will adjoin this to the north and will contain a packing room, a cool room, staff amenities facility and office. This building will be 14.4 metres long and 5 metres wide with a total floor area of 72 square metres.
- One potable water storage tank with a 340,000L capacity, to be located to the north of the amenities area of the building. This tank will include 144,000L to be set aside for firefighting purposes.
- Two firefighting tanks with a 144,000L capacity (one per end of the building).
- Four feed silos, to be located to the south of the packing room, which is in the centre of the building.

All building materials will be of muted tones. The roof will be galvanised steel with the walls being made of concrete to restrict access to vermin to the shed and conversely egress of material to the outside environment.

Access to the end of the shed will be by double doors. Personal access doors will be located around the building including the packing room.

Site access hours will be from 6am until 6pm every day. Extended working hours are required at the end of a batch where a team of not more than 5 employees would visit the site to remove the birds and clean the layer sheds. This would occur up to twice per year.

3 people will be employed full-time, with the occasional casual employee required (for instances such as is required at the end of a batch, as mentioned previously).

7 formalised car parking spaces have been provided, with a large amount of informal car parking available on the site.

Vehicle access will be provided via a new crossover from Drysdale Road, approximately 186.8 metres from the Drysdale Road and Airstrip Road intersection.

Stormwater will be captured and retained in the retention basin to the northern area of the site.

Subject site & locality

The subject site is located at 380 Drysdale Road, Euroa. The land is formally identified as Certificate of Title Volume 10721 Folio 831 Crown Allotment 10C Section 3 Parish of Branjee and is approximately 26 hectares in size. The site is rectangular in shape, and is bound by Drysdale Road to the south, Airstrip Road to the west, and the property known as 276 Siems Road, Euroa to the north and east.

The site is flat in topography with vegetation along all boundaries of the site. The balance of the site is clear of vegetation with the exception of several scattered trees.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

The built form on the site includes a dwelling and associated shedding, located approximately 50 metres from the southern boundary.

The site is within the Farming Zone with no overlays applied to the land. Land uses in the area are mixed. To the north, east and south of the site is land within the Farming Zone which is used for agriculture, typically dry land cropping.

To the west of the site is partly used for dryland cropping, but is also partly used for an air field which is currently home to *The Parachute School*. This facility is open for people to learn how to skydive.

The subject site is located approximately 4.5 kilometres to the west of Euroa.

Permit/Site History

A search of Council's electronic records system shows that the following planning permits have been issued for the site:

- Planning Permit P2004/179 was issued on 25/02/2005 for the construction of a dwelling and major commercial greyhound establishment. This permit has since expired.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining land owners
- Placing (a) sign on site

The notification has been carried out correctly.

Council has received two objections to date. The key issues that were raised in the objections are:

- Noise
- Odour
- Decreased property value
- No buffer zones
- Increase of foxes in the area
- Detrimentially impact surrounding sky diving business
- Above ground power supply will impact adjoining sky diving business

Officer Response:

With regard to the issues raised in relation to the operation of the adjoining sky diving business, the applicant has advised that the operation of aircraft, and in particular noise is unlikely to impact on the birds at the facility. It is considered that the two uses can successfully coexist however it should be a condition on any permit issued that the applicant enter an agreement under Section 173 of the *Planning and Environment Act 1987* acknowledging the use of the adjoining parcel as a skydive facility and aircraft noise and operation may affect the site from time to time. The other issue raised was in relation to power between Drysdale Road and the proposed building and the potential issues with accidents from skydivers landing on the site with a powerline.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

To eliminate this risk, it is considered appropriate that a condition be placed on any permit issued which requires power on the site to be placed underground.

The issues raised in relation to noise and odour have been sufficiently addressed in the environmental management plan. These can be appropriately managed provided the permit holder operates in accordance with this plan. This would be endorsed as part of any permit issued. The impact of a development on surrounding land values is not a valid consideration under the provisions of either the Strathbogrie Planning Scheme or the *Planning and Environment Act 1987*.

Consultation

A copy of the objections was forwarded to the applicant who has responded to the objections raised.

A copy of this response was forwarded to the objectors for review.

To date, no objections have been withdrawn.

Referrals

External Referrals/Notices required by the Planning Scheme:

| Referrals/Notice | Advice/Response/Conditions |
|----------------------|--|
| Section 55 Referrals | Nil |
| Section 52 Notices | CFA – no objection. GBCMA – no objection. GMW – no objection, subject to conditions. |

| Internal Council Referrals | Advice/Response/Conditions |
|----------------------------|--------------------------------------|
| Asset Services | No objection, subject to conditions. |
| Environmental Health | No objection, subject to conditions. |

Assessment

The zoning of the land and any relevant overlay provisions

Farming Zone

Purpose:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *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.*

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

A permit is required for the use and development of land for a free range layer farm at 380 Drysdale Road, Euroa, per the requirements of Clause 35.07-1 and Clause 35.07-4 of the Farming Zone in the Strathbogie Planning Scheme.

The proposal for a free range layer farm is consistent with the purpose of the Farming Zone as it is proposed to provide a new agricultural development. This new development will provide for new jobs to the area and will support other layer type businesses.

The proposal has been sited appropriately away from dwellings in the area to aim to minimise the impact the proposed development may have on existing dwellings, and the potential impact existing dwellings may have on the proposed development.

A response to the relevant decision guidelines at Clause 35.07-6 is detailed below.

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 | Complies | Officers Comment |
|--|-----------------|--|
| <i>The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i> | Yes | Assessment against SPPF & LPPF is provided below. |
| <i>Any Regional Catchment Strategy and associated plan applying to the land.</i> | N/A | There is no relevant regional catchment strategy. |
| <i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i> | Yes | Given the size of the lot, it is considered to be more than capable of disposing of effluent disposal from the proposed development. This has been approved by Council's Environmental Health Department |
| <i>How the use or development relates to sustainable land management.</i> | Yes | The land will be fenced appropriately to ensure areas of biodiversity are protected from birds (chickens). |

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

| | | |
|---|------------|--|
| <p><i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i></p> | <p>Yes</p> | <p>Given that the proposed development is for an agricultural purpose, it is considered appropriate for this 26 hectare site in the Farming Zone.</p> <p>There are no dwellings within 500 metres of the site that are likely to be impacted by this development.</p> <p>The proposal is compatible with the surrounding agricultural uses, particularly the cropping entities.</p> <p>The sky diving business to the west of the site is unlikely to be impacted from the development as it is setback a safe distance from the airstrip.</p> |
| <p><i>How the use and development makes use of existing infrastructure and service.</i></p> | <p>Yes</p> | <p>A new crossover is proposed to provide safe vehicle access.</p> |
| <p>Agricultural Issues</p> | | |
| <p><i>Whether the use or development will support and enhance agricultural production.</i></p> | <p>Yes</p> | <p>The free range layer farm will enhance the agricultural production in the area, as it is an additional agricultural business to the area.</p> |
| <p><i>Whether the use or development will permanently remove land from agricultural production.</i></p> | <p>Yes</p> | <p>As the development is for agriculture, it is not proposed to remove the land from agricultural production.</p> |
| <p><i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i></p> | <p>Yes</p> | <p>The proposal is unlikely to limit the neighbouring operations nor will it limit the expansion of nearby agricultural uses. The use of the land is unlikely to impact the surrounding area as there is not a large amount of emissions, dust or noise from the site.</p> |

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

| | | |
|---|-----------------|---|
| <i>The capacity of the site to sustain the agricultural use.</i> | Yes | The site is of a size to sustain an agricultural use, as has been demonstrated in the site plans. The site is more than big enough to cater for 80,000 birds. The recommendations for free range birds identify the site as being able to cater for 260,000 birds. This proposal is well under this amount, therefore making it a suitable sized site for the proposal. |
| <i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i> | Yes | The lot does not carry any significant agricultural qualities. |
| <i>Any integrated land management plan prepared for the site.</i> | Yes | An environmental management plan has been submitted to Council with the application documentation. This plan is considered appropriate to cater for the maintenance of the land in line with the proposed use. |
| Dwelling Issues | Complies | Officers Comment |
| <i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i> | N/A | There is no dwelling proposed as part of this development. |
| <i>Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</i> | | |
| <i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i> | | |
| <i>The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.</i> | | |

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

| | | |
|--|-----|---|
| Environmental issues | | |
| <i>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</i> | Yes | The development is unlikely to impact the natural features of the land. The land is flat with no significant features. Animal waste will be collected and removed from the site to ensure the soil quality is maintained. Waste water will be retained on site to ensure the water quality is not detrimentally impacted. |
| <i>The impact of the use or development on the flora and fauna on the site and its surrounds.</i> | Yes | The proposal does not include the removal of any vegetation. |
| <i>The need to protect and enhance the biodiversity of the area, including the retention of 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.</i> | Yes | The proposal does not include the removal of any vegetation. |
| <i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i> | Yes | On site effluent disposal will be carried out in accordance with the requirements of the Responsible Authority and Goulburn Murray Water. |
| Design and siting issue | | |
| <i>The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.</i> | Yes | The building has been located centrally on site to be setback from the road, and to ensure the business can be set up to best suit their operation, without impacting surrounding land uses. |
| <i>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.</i> | Yes | The proposed siting is considered appropriate. Should a permit be issued, a condition will be placed on the permit requiring muted tones to ensure the development appropriately blends with the aesthetic environment. |

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

| | | |
|--|-----|--|
| <i>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.</i> | Yes | The proposed building is unlikely to detract from the existing character and amenity values of the area. |
| <i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i> | Yes | The proposed building and associated infrastructure (tanks and silos) is considered to be appropriately located. |
| <i>Whether the use and development will require traffic management measures.</i> | Yes | The proposal does not require traffic management measures, due to the low amount of traffic being generated. |

Given the above, this application is considered to be consistent with the purpose and decision guidelines of the Farming Zone.

The State Planning Policy Framework (SPPF)

Clause 12.04-1 Environmentally sensitive areas

Objective:

- *To protect and conserve environmentally sensitive areas.*

The subject site has not been identified as being environmentally sensitive. Consideration must be given to the potential impact of the proposal on the dams and irrigation channel located on and near the property. The buildings and works associated with the proposed use will be appropriately designed and managed to ensure the buildings and works do not impact on nearby waterways and other environmental features including vegetation.

Clause 12.04-2 Landscapes

Objective:

- *To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.*

The subject site and the surrounding area have not been identified as having any significant landscape values. The proposal will not detract from the visual amenity of the area.

Clause 13.03-2 Erosion and landslip

Objective:

- *To protect areas prone to erosion, landslip or other land degradation processes.*

Buildings and works proposed as part of the development are not considered likely to have significant erosion implications. Works proposed, including drainage and the proposed storm water retention basins will be required to be stabilised upon their completion. This will be required by way of condition on any permit issued.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

Clause 13.03-3 Salinity

Objective:

- *To minimise the impact of salinity and rising watertables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt loads in rivers.*

Buildings and works proposed as part of the development are not considered likely to have significant salinity implications. Works proposed, including drainage and the proposed storm water retention basins will be required to be stabilised upon their completion. This will be required by way of condition on any permit issued.

Clause 13.04-1 Noise abatement

Objective:

- *To assist the control of noise effects on sensitive land uses.*

The noise generated by the proposal will largely be internal to the shed and is unlikely to impact on the amenity of surrounding land owners and occupiers. Noise emissions are required to be in accordance with the relevant code which will be enforced by way of conditions on any permit issued. Traffic movements to and from the site will be restricted to which is unlikely to impact on the amenity of surrounding land owners and occupiers.

Clause 13.04-2 Air quality

Objective:

- *To assist the protection and improvement of air quality.*

The impact of the proposed free range egg laying facility on air quality will be in accordance with the relevant codes and guidelines. Provided the facility is appropriately managed, it is unlikely there will be any significant impact on air quality in the area.

Clause 14.01-1 Protection of agricultural land

Objective

- *To protect productive farmland which is of strategic significance in the local or regional context.*

The proposal is considered to be consistent with this State planning policy as detailed in the Strathbogie Planning Scheme. Although this land is not identified as locally or regionally significant, the need to protect the land for agriculture is still high. As the land is to be used for agriculture, it is considered to be a good outcome for the site.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

Clause 14.01-2 Sustainable agricultural land use

Objective

- *To encourage sustainable agricultural land use.*

The use of the land for a layer farm is considered to be an appropriate agricultural land use. It is sustainable and will endeavour to protect the biodiversity of the site from birds by fencing. The site is capable of withstanding the number of birds proposed without detrimentally impacting the surrounding agricultural entities. Given this, the proposal is considered consistent with this State planning policy as detailed in the Strathbogie Planning Scheme.

Clause 14.02-1 Catchment planning and management

Objective:

- *To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.*

The proposed development is unlikely to generate significantly polluted runoff that would impact on the health of the catchment. Runoff from the proposed buildings will be treated twice on site through natural processes. The cleaning of the sheds will not produce excess runoff that will impact on the catchment. The proposed management systems, to be implemented as part of the proposal will assist in the protection of the catchment, surrounding waterways, water bodies and underground water supplies.

Clause 14.02-2 Water quality

Objective:

- *To protect water quality.*

Run off water from the buildings will be treated naturally before re-entering surrounding water bodies and is unlikely to impact on water quality in the area.

Clause 14.02-3 Water conservation

Objective:

- *To ensure that water resources are managed in a sustainable way.*

The proposal is unlikely to place an excessive demand on water supplies. Most of the water required as part of the proposal will be harvested with rainwater tanks. In emergency situations, water will be trucked on to the site however it is expected this will not be frequently required.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

Clause 18.02-4 Management of the road system

Objective:

- *To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.*

The proposed development will utilise the existing road network and proposed the construction of two new vehicular access points. This has been consented to by Council's Assets Department who have specified a number of conditions as stated in the recommendation of this report.

Clause 19.03-3 Stormwater

Objective(s):

- *To reduce the impact of stormwater on bays and catchments.*

The proposed development is unlikely to impact on the surrounding catchment as a result of storm water. Storm water will be treated on site through natural processes before being discharged from the site in accordance with Council requirements.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

21.02-6 Building Material – Muted Tones

Overview

- *The Shire has significant natural landscapes and views which provide an important asset, and opportunity for tourism and economic development. Buildings can be intrusive in this type of environment if constructed of materials which are not sympathetic to the surrounding environment.*

Objective

- *To ensure that all structures blend in with the surrounding environment and that the aesthetic amenity of the area is preserved and/or enhanced.*

The shed is proposed to be constructed of muted tones, such as concrete and galvanised steel roofing. As such, this proposal is considered to be consistent with this Local planning policy within the Strathbogie Planning Scheme.

Clause 21.06-2 Adapting and diversifying agriculture

Objective:

- *To support and encourage the retention and diversification of agriculture.*

The proposed development of land for a free range egg laying facility will contribute to the diversification of agriculture within this area of the shire. The land is currently vacant and is somewhat underutilised as an agricultural parcel of land. The proposed poultry facility will provide for an agricultural use of the site which potentially can provide economic benefit to the region.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

Clause 21.07-3 Traffic Management

Objective:

- *To ensure the safety and efficient functioning of the roads for a variety of users while providing sustainable transport options.*

The traffic management implications are considered minimal and have been consented to by Council's Assets Department. The existing road network is considered capable of appropriately managing the expected increase in traffic volumes.

Clause 21.07-5 Drainage

Objective:

- *To ensure that appropriate drainage infrastructure is installed and maintained.*

On site drainage systems and facilities will be constructed to the satisfaction of the Responsible Authority.

Clause 22.02 Sustainable Intensive Agriculture

Objectives

- *To ensure that all development is appropriately located.*
- *To ensure that all applications have addressed, considered and will implement sustainable use and development practices.*
- *To encourage innovation, quality design and environmentally sustainable intensive agriculture.*
- *To encourage businesses to implement the highest standards and be leaders in their industry.*
- *To support development growth through partnerships between EPA Victoria and other relevant authorities.*
- *To investigate and implement appropriate planning controls such as planning scheme overlays to buffer development from encroachment by sensitive uses.*

The proposed intensive agriculture practice is considered to be consistent with this Local policy in the Strathbogie Planning Scheme. The applicant has satisfied the above objectives through their written application. The applicant submitted an environmental management plan that has clearly demonstrated compliance with the requirements of this policy.

The proposal is unlikely to detrimentally impact the soil and water quality, as has been demonstrated previously through this report, and taking into consideration the proposed maintenance and upkeep as detailed in the proposal section of this report.

Given this, the application is considered to be consistent with this local policy of the Strathbogie Planning Scheme.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

Relevant Particular Provisions

Clause 52.31 – *Broiler Farms*, of the *Strathbogie Planning Scheme* is considered relevant to this proposal. The purpose of this clause is:

- *To facilitate the establishment and expansion of broiler farms in a manner that is consistent with orderly and proper planning and the protection of the environment.*

Clause 52.31 of the Strathbogie Planning Scheme applies to the use and development of land for broiler farms and provides specific guidelines around stocking densities, setbacks, buffer areas etc. This clause does not apply to the proposed free range layer facility. At this time, there is no formal code for free range facilities or egg layers.

The decision guidelines of Clause 65

Clause 65.01, *Approval of an application or plan*, states that; *before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

There are no relevant incorporated, reference or adopted documents.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

6.2 Planning Permit Application No. 2017-021
Use and Development of Land for a Free-Range Layer Farm (Intensive Animal Husbandry ~ 380 Drysdale Road, Euroa (cont.))

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues

With regard to the Farming Zone: the proposed free range layer farm is consistent with the purpose and decision guidelines of the Farming Zone and will contribute to the ongoing use of the land for agriculture.

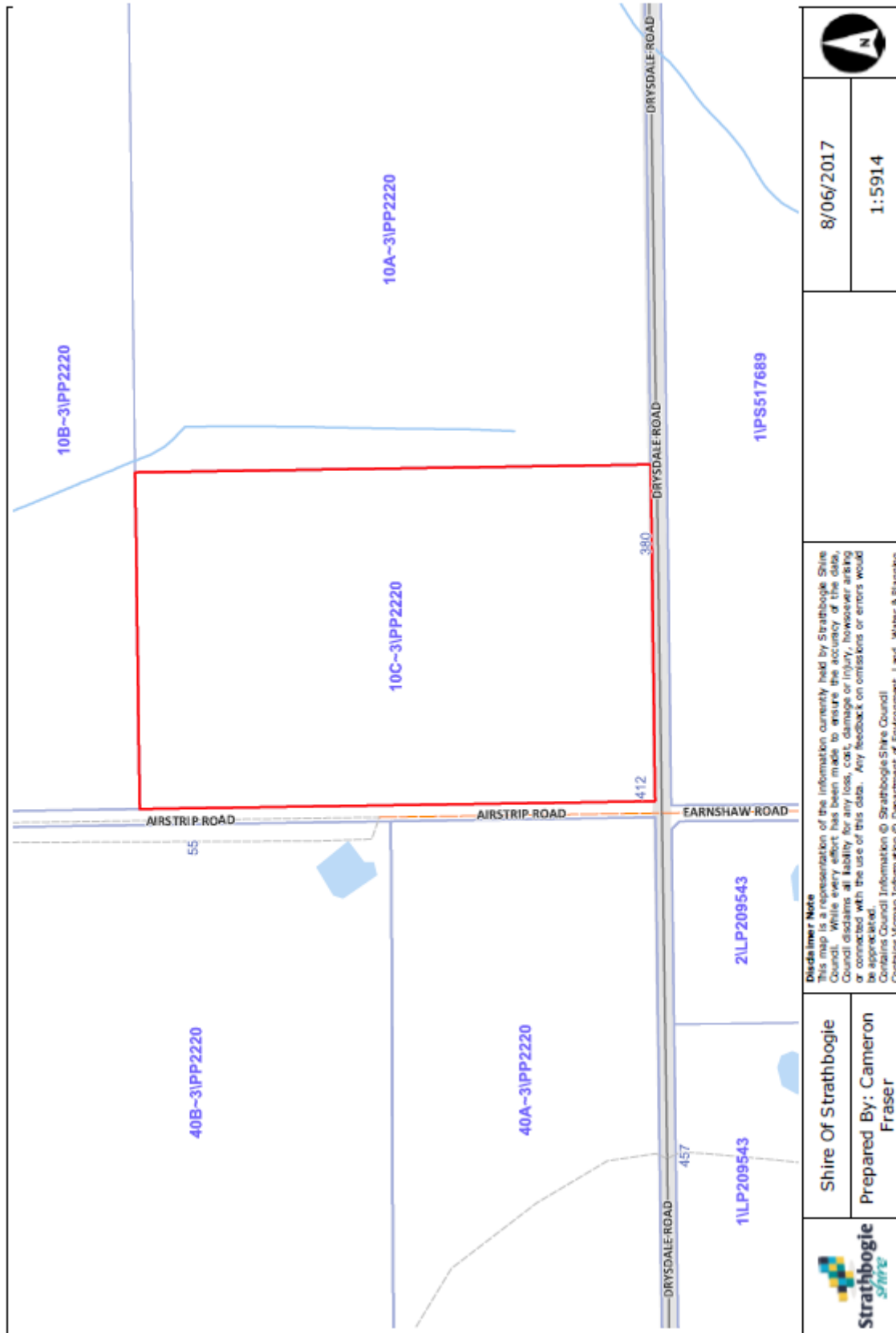
In summary, the proposal meets the objectives of the State Planning Policy Framework, Local Planning Policy Framework and the Farming Zone.

Conclusion

After due assessment of all the relevant factors, it is recommended that Council resolve to issue a Notice of Decision to grant a permit in accordance with the Officer's recommendation.

Attachments

Site Map



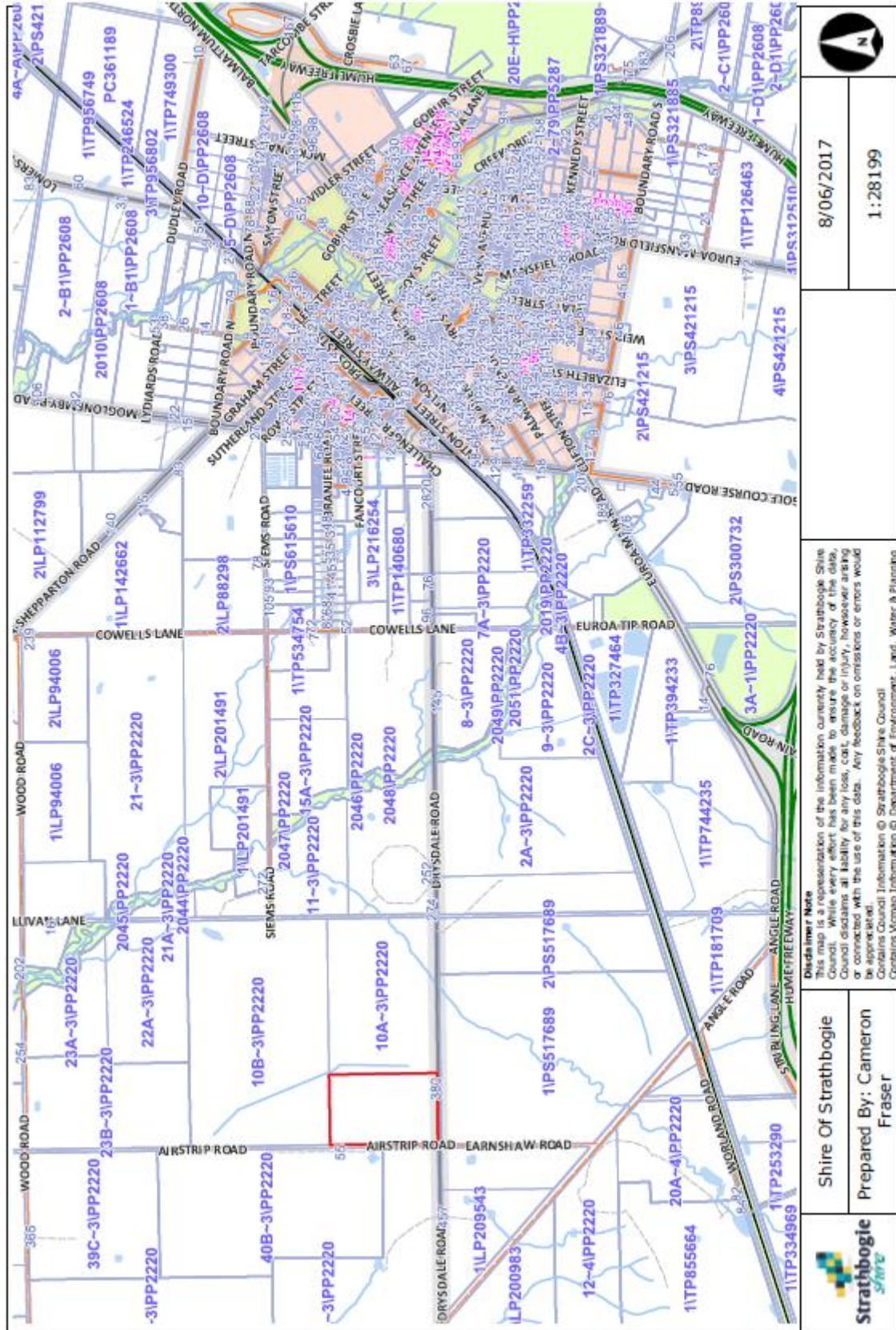
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Shire Of Strathbogie
 Prepared By: Cameron Fraser





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PLANNING COMMITTEE REPORT NO. 3 (DIRECTOR, SUSTAINABLE DEVELOPMENT - PHIL HOWARD)

7. OTHER BUSINESS

**7.1 Planning Applications Received
- 5 April to 7 June 2017**

Following are listings of Planning Applications Received for the period 5 April to 7 June 2017.

RECOMMENDATION

That the report be noted.

18/17 CRS SWAN/McCLAREN : That the Recommendation be adopted.

CARRIED

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.32 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date

Planning Applications Received

Wednesday, 5 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---------------------------------|----------------------------|---|----------------|---------------|
| 450 Penny Lane, Gooram VIC 3666 | P2017-028 | Development of land for a agricultural shed | Lindsay Brown | \$19,192.00 |

Thursday, 6 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|----------------------------------|----------------------------|---|----------------|---------------|
| 15 Queen Street, Avenel VIC 3664 | P2017-029 | Buildings and works within a road zone (formalised car parking) | Phil Squires | \$35,000.00 |

Tuesday, 11 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--------------------------------------|----------------------------|---|------------------------------------|---------------|
| 1 Turnbull Street, Euroa VIC 3666 | P2017-030 | Development of land for a toilet block | Sam Verrocchi | \$40,000.00 |
| 4 Lilac Street, Violet Town VIC 3669 | P2017-032 | Two (2) lot subdivision | OLSEN, Bruce William | \$0.00 * |
| Temple Court, Miepoll VIC 3666 | P2017-031 | Development of land for a dwelling and a shed | Konstadinos and Luisa Giambalkaris | \$180,000.00 |

Wednesday, 12 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---|----------------------------|--|-----------------------|---------------|
| 1195 Euroa-Strathbogie Road, KELVIN VIEW VIC 3666 | P2017-003 - 2 | Development of Land for an Agricultural Shed | GLAZEBROOK, Emma Joan | \$0.00 * |

Tuesday, 18 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---------------------------------------|----------------------------|---|----------------------------------|---------------|
| 1 Bank Street, Avenel VIC 3664 | P2017-033 | Development of a replacement balcony | Bruce Mactier Building Designers | \$100,000.00 |
| 17A Lily Street, Violet Town VIC 3669 | P2015-145 - 1 | Development of land for a single dwelling | Ray Novosel | \$0.00 * |

Wednesday, 19 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|----------------------------------|------------------------|---------------|
| 41 Primrose Street, Violet Town VIC 3669 | P2016-114 - 1 | Subdivide land into two (2) lots | MYERS, Howard Geoffrey | \$0.00 |

Friday, 21 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|---|------------------|---------------|
| 277-279 High Street, Nagambie VIC 3608 | P2016-106 - 1 | Buildings and works associated with the extension of an existing motel (12 motel rooms) and a reduction in car parking requirements | Briana Barnes | \$0.00 * |
| 8 Queen Street, Avenel VIC 3664 | P2017-035 | Use of land for two (2) advertising signs | MCDONALD, Alison | \$400.00 |
| 88 Allowah Court, Whroo VIC 3612 | P2017-034 | Use and development of land for a dwelling | Swanbuild | \$370,000.00 |

Wednesday, 26 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|----------------------------|--------------------------|---------------|
| 111-115 High Street, Nagambie VIC 3608 | P2015-160 - 1 | Two (2) lot re-subdivision | North East Survey Design | \$0.00 * |
| Hovell Street, Avenel VIC 3664 | P2017-036 | Five (5) lot subdivision | SAUNDERS, Michael John | \$0.00 * |

Thursday, 27 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---|----------------------------|--|---------------------------------|---------------|
| 122 Delatite County Road, Gooram VIC 3666 | P2017-037 | Use and development of land for a dwelling | T & C Developments-Troy Spencer | \$325,000.00 |

Friday, 28 April 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|---|------------------|---------------|
| 1175 Lambing Gully Road, Avenel VIC 3664 | P2016-157 - 1 | Development of land for the extension of existing winery/restaurant/office building | Matt Fowles | \$0.00 * |
| 1175 Lambing Gully Road, Avenel VIC 3664 | P2017-038 | Development of land for warehouse and office associated with existing winery facility | Matt Fowles | \$350,000.00 |
| 217a High Street, Nagambie Victoria 3608 | P2012/080-1 | Seven Lot Subdivision | Onley Consulting | \$0.00 * |

Tuesday, 2 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|--------------------------------|----------------|---------------|
| 325 Aerodrome Road, Mangalore VIC 3663 | P2016-144 - 1 | Development of land for a shed | Ray Cronin | \$0.00 * |

Wednesday, 3 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|--|------------------|---------------|
| 1443 Bonnie Doon Road, Boho South VIC 3669 | P2017-040 | Use of land for a place of assembly (pathfinder expedition camp) | Simon Gigliotti | \$0.00 * |
| Taylor Drive, Miepoll VIC 3666 | P2017-041 | Use and development of land for a dwelling and a shed | Graeme Schneider | \$200,000.00 |

Monday, 8 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---|----------------------------|--|----------------|---------------|
| 38 McLeod Street, Kirwans Bridge VIC 3608 | P2017-039 | Use and development of land for a dwelling | Ann Dennis | \$350,000.00 |

Tuesday, 9 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|---|----------------|---------------|
| 167 Halsalls Lane, Creightons Creek VIC 3666 | P2017-042 | Use and development of land for the manufacture of shotshell ammunition and related works | Paul Mitchell | \$350,000.00 |

Wednesday, 10 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|--|---------------------------------|---------------|
| Murchison-Violet Town Road, Violet Town VIC 3669 | P2017-043 | Use and development of land for a dwelling | T & C Developments-Troy Spencer | \$320,000.00 |

Thursday, 11 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|--|-----------------------------|---------------|
| 33-35 Industrial Crescent, Nagambie VIC 3608 | P2017-044 | Relocation and installation of a cement silo | CEA Consolidated Industries | \$84,500.00 |

Wednesday, 17 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|-------------------------|------------------------------|---------------|
| 229-231 High Street, Nagambie VIC 3608 | P2017-045 | Residential subdivision | SCOPEL, Lorena Antonia Maria | \$0.00 * |

Friday, 19 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|--|----------------|---------------|
| 10 McLeod Street, Kirwans Bridge Victoria 3608 | P2013-088 - 1 | Development of land for an extension to an existing dwelling | Shane DeAraugo | \$20,000.00 |

Monday, 22 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|---|--------------------------|---------------|
| 111-115 High Street, Nagambie VIC 3608 | P2015-160 - 2 | Two (2) lot re-subdivision | Karen Watson | \$0.00 * |
| 50 Elloura Drive, Nagambie VIC 3608 | P2017-046 | 198 lot subdivision, two (2) super lots, two (2) landscaping reserves and associated road network | Elloura Nagambie Ptd Ltd | \$0.00 * |

Tuesday, 23 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---|----------------------------|--------------------------------|-------------------|---------------|
| 100 Watkins Road, Creek Junction VIC 3669 | P2017-047 | Development of land for a shed | Brianna Pattinson | \$60,000.00 |

Wednesday, 24 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|---|----------------|---------------|
| 188 Goulburn Weir-Murchison Road, Goulburn Weir VIC 3608 | P2017-048 | Development of land for a swimming pool enclosure | ANTON, Gerrit | \$120,000.00 |

Tuesday, 30 May 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|-------------------------------------|----------------------------|---|------------------|---------------|
| 533 Zanelli Road, Nagambie VIC 3608 | P2017-049 | Use and development of land for a clay quarry | Scolexia Pty Ltd | \$100,000.00 |

Thursday, 1 June 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---|----------------------------|---|----------------|---------------|
| 339 Kippings Road, Strathbogie VIC 3666 | P2016-060 - 1 | Development of land for a dwelling, shed and a driveway | Ben Willick | \$0.00 * |

Monday, 5 June 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|---------------------------------------|----------------------------|--|-----------------------|----------------|
| 299 Millards Lane, Euroa VIC 3666 | P2017-050 | Use and development (including earthworks and vegetation removal) associated with a utility installation | Goulburn Valley Water | \$9,000,000.00 |
| 421 Shorts Road, Strathbogie VIC 3666 | P2017-051 | Development of land for a garage | Jo Simms | \$45,000.00 |

Wednesday, 7 June 2017

| Site Address | Application Number Display | Application Description | Applicant Name | Cost Of Works |
|--|----------------------------|--|--------------------|---------------|
| 362 Euroa-Mansfield Road, Euroa VIC 3666 | P2017-052 | Use and development of land for a dwelling | CLARKE, Yvonne Jan | \$300,000.00 |

*NB – '\$0.00 in Cost of Works means either no development, endorsement of plans or amendment to the original permit

| Example Legend | Description |
|----------------|---|
| P2014-001 | Planning permit application |
| P2014-001-1 | Proposed amendment to a planning permit |