



## STRATHBOGIE SHIRE COUNCIL

### PLANNING COMMITTEE

# MINUTES

OF A MEETING HELD ON TUESDAY 9 FEBRUARY 2016

AT THE EUROA COMMUNITY CONFERENCE CENTRE

COMMENCING AT 4.00 P.M.

<b>Councillors:</b>	Malcolm Little (Chair)	(Hughes Creek Ward)
	Colleen Furlanetto	(Seven Creeks Ward)
	Alister Purbrick	(Lake Nagambie Ward)
	Patrick Storer	(Honeysuckle Creek Ward)
	Debra Swan	(Lake Nagambie Ward)
	Robin Weatherald	(Mount Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

<b>Officers:</b>	Steve Crawcour - Chief Executive Officer
	Phil Howard - Director, Sustainable Development
	Emma Kubeil – Executive Manager, Sustainable Development
	Cameron Fraser – Senior Planner
	Roy Hetherington - Director, Asset Services
	David Woodhams – Director, Corporate and Community

#### **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, and the more recent  
custodians of the land'*

3. Apologies

Nil.

4. Confirmation of Minutes of the Planning Committee meeting held on Tuesday 8 December 2015

08/16 **CRS WILLIAMS/STORER** : *That the Minutes of the Planning Committee meeting held on Tuesday 8 December 2015 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

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**PLANNING COMMITTEE REPORT NO. 1 (SENIOR PLANNER – CAMERON FRASER)**

**6. PLANNING REPORTS**

**6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Wahring**

**Application Details:**

Application is for:	Use of land to Store Poultry Manure
Applicant's/Owner's Name:	Lindsay D Essex
Date Received:	22 October 2014
Statutory Days:	400
Application Number:	P2014-122
Planner: Name, title & department	Cameron Fraser Senior Planner Sustainable Development Department
Land/Address:	Crown Allotment E Parish of Bunganail, Certificate of Title Volume 05393 Folio 415 1271 Dargalong Road, Wahring VIC 3608
Zoning:	Farming Zone
Overlays:	Land Subject to Inundation Overlay (Part – Not in development area) Floodway Overlay (Part – Not in development area)
Under what clause(s) is a permit required?	Clause 35.07-1
Restrictive covenants on the title?	Nil
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 is for the use of land to store poultry manure on land at 1271 Dargalong Road, Wahring.
- The application is a retrospective application following complaints from surrounding land owners.
- The application was advertised and nine objections have been received.
- An external referral to the Environmental Protection Authority (EPA) was undertaken as part of the assessment of the application. EPA consented to the proposal subject the Applicant seeking a works approval for the proposed use prior to the commencement of the development.

6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Wahring (cont.)

- As this is a retrospective application, it was agreed by the Applicant and Council Officers in March 2015 that the works approval would be required before a decision was made on the application.
- To date, this information has not been provided.
- The application was referred internally for information to Council's Environmental Health and Assets departments.
- This application has exceeded the 60 statutory timeframe due to allowing the Applicant time to contact EPA and commence discussions for a Works Approval Licence. A total time period of 268 days has been given to the Applicant to provide this information. To date this remains outstanding. Refer to 'Application History' section for full details.
- The application is being heard before Planning Committee as it is recommended to refuse the application.
- Without the required information, Council Officers are unable to appropriately assess the proposal against the relevant objectives and decision guidelines of the Strathbogrie Planning Scheme.
- It is recommended that Council resolve to issue a notice of Refusal to Grant a Permit in accordance with the Officer's recommendation.

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## RECOMMENDATION

### That Council

- **having caused notice of Planning Application No. P2014-122 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 issue a Refusal to Grant a Permit under the relevant provisions of the Strathbogrie Planning Scheme in respect of the land known as Crown Allotment E Parish of Bunganaill, Certificate of Title Volume 05393 Folio 415, 1271 Dargalong Road, Wahring VIC 3608, for the Use of land to Store Poultry Manure, in accordance with the submitted plans, on the following grounds:**

- 1. Insufficient information has been provided to undertake a comprehensive assessment of the proposed use of land to store poultry manure on the subject site.**
- 2. Insufficient information has been provided, and therefore an assessment against the State Planning Policy Framework (SPPF) is unable to determine if the application is consistent with the SPPF.**
- 3. Insufficient information has been provided, and therefore an assessment against the Local Planning Policy Framework (LPPF) is unable to determine if the application is consistent with the LPPF.**
- 4. Insufficient information has been provided to determine the specific use of the land in accordance with the Victorian Planning Provisions (VPP's).**

6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Warring (cont.)

RECOMMENDATION (cont.)

09/16 **CRS SWAN/WILLIAMS** : *That the Recommendation be adopted.*

**CARRIED**

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**Proposal**

This is a retrospective application for the use of land for the storage of poultry manure. Approximately 420 tonnes of poultry manure will be delivered to the site every two months which is then stored on a previously constructed concrete pad before being spread on the landowners property as part of their farming operations or the manure is sold to surrounding farmers and landowners to use as fertilizer on their properties.

The proposed maximum capacity for the use will be 2,000 tonnes, all of which will be stored on the concrete pad. The length of time in which manure will be stored is largely dependent on the weather conditions and demand at a particular time.

A concrete pad has already been constructed in the centre of the property adjacent to an existing irrigation channel. The pad has a total area of 7,112 square metres and is located 817m from the southern boundary and 806m from the eastern boundary of the site. Access to the pad is available via existing tracks within the property.

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**Subject site & locality**

The subject site is located at No. 1271 Dargalong Road, Warring on the north eastern intersection of Dargalong and Bunganail Roads in Warring.

The subject site is square in shape and contains three frontages including a 1,613 metre frontage to Dargalong Road (to the west), a 1,586 metre frontage to Bunganail Road (to the south) and a 1,610 metre frontage to Youngs Road (to the east). The site encompasses a total site area of 256 hectares.

The site is currently used primarily for agricultural purposes and contains agricultural shedding and a dwelling with associated infrastructure. The land is flat in topography with vegetation scattered throughout the site. An irrigation channel runs in an east-west direction through the middle of the property.

A watercourse is located in the south eastern corner of the site which is seasonal in its flow and is heavily vegetated.

Land surrounding the subject site is similarly developed with single dwellings and associated agricultural infrastructure on larger allotments.

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**Application History**

The following is a chronological assessment of all documented steps of the application to date and communication with the Applicant:

- 22 October 2014 – Application documentation received
- 27 October 2014 – Application acknowledged

6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Warring (cont.)

- 6 November 2014 – Further information requested
- 18 November 2014 – Further information received
- 28 November 2014 – Application referred
- 6 January 2015 – Referral response received from EPA
- 2 December 2014 – Application Advertised
- 19 January 2015 – Advertising Completed (9 objections received)
- 18 February 2015 – Response to objections received from objector
- 5 March 2015 – Copy of response forwarded to objectors
- March 2015 – Council Officers and Applicant agreed that EPA Works approval would be provided as part of application
- 2 April 2015 – Mediation Session between Council Officers, the Applicant and Objectors
- 11 May 2015 – Applicant verbally advised that EPA works approval would be required before a decision was made and the application would be placed on hold until this information was provided.
- 13 August 2015 – Telephone discussion with EPA confirmed no application or enquiry had been made in relation to the required works approval
- 29 September 2015 – Telephone discussion with Applicant who advised information would be submitted by 2 October 2015
- 24 November 2015 – EPA advised no application for a works approval had been received
- 7 December 2015 – Applicant advised that unless works approval is provided by 1 February 2016, Officers would make a recommendation based on the information currently available.

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**Permit/Site History**

A search of Council's electronic records system shows that no planning permits have previously been issued for this land. This application has been made following complaints received by Council Officers in relation to the proposed use.

Council's Planning Compliance Officers have previously consulted with the Applicant and complainants and advised that planning approval is required.

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**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 9 objections to date. The key issues that were raised in the objections are:

- Odour
- Mental and Physical Health impacts from stored manure and airborne particles
- Smell
- Property Values

6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Warring (cont.)

- Flooding
- Environmental damage
- Spontaneous Combustion of stored manure
- Fire risks
- Increase in flies and insects
- Appearance
- Potential contamination of ground water supply.
- Potential water pollution to adjacent creek.

**Consultation**

Following the completion of the advertising period, the Applicant provided a response to the objections. A copy of this response was then forwarded to each of the objectors who requested a mediation session.

Mediation was undertaken with the Applicant and objectors on 2 April 2015, however the issues raised by the objectors were unable to be resolved.

To date, no objections have been withdrawn.

**Referrals**

External Referrals/Notices required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	EPA - No objection, subject to conditions
Section 52 Notices	N/A

Internal Council Referrals	Advice/Response/Conditions
Environmental Health	No objection, subject to conditions

The Environment Protection Authority (EPA) did not object to Council issuing a planning permit provided conditions are included on a permit which requires the proponent to obtain a works approval from the EPA prior to the commencement of the use of land for storage (poultry manure) prior to any works beginning.

As this is a retrospective application, it was agreed between Council Officers and the applicant in March 2015 that this would be provided before the application would proceed.

**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.*



6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Wahring (cont.)

- *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.*

A permit is required for the proposed use of land. It has been determined the proposed use of the land within the Victoria Planning Provisions is best defined as a 'Store'.

Without all of the necessary information, officers are unable to assess whether or not the proposal is consistent with the purpose and decision guidelines of the Farming Zone. Concerns have been identified in relation to the impact of the proposed use on the amenity of surrounding land uses as well as the implications for sustainable agriculture and the natural environment in the immediate and wider area.

**The State Planning Policy Framework (SPPF)**

Officer's understanding of the information provided identifies the following Clauses of the State Planning Policy Framework may be relevant to the proposal:

- Clause 11.05-3, *Rural Productivity*
- Clause 11.10-1, *A diversified economy*
- Clause 11.10-2, *Environmental assets*
- Clause 13.02-1, *Floodplain Management*
- Clause 13.04-2, *Air quality*
- Clause 13.05-1, *Bushfire planning strategies and principles*
- Clause 14.01-1, *Protection of agricultural land*
- Clause 14.01-2, *Sustainable agricultural land use*
- Clause 14.02-1, *Catchment planning and management*
- Clause 14.02-2, *Water quality*
- Clause 19.03-2, *Water supply, sewerage and drainage*
- Clause 19.03-3, *Stormwater*
- Clause 19.03-5, *Waste and resource recovery*

With insufficient information having been provided, Officers are unable to appropriately assess whether or not the proposal is consistent with the objectives of the State Planning Policy Framework.

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

Officer's understanding of the information provided identifies the following Clauses of the State Planning Policy Framework may be relevant to the proposal:

- Clause 21.02-4, *Rural Zones*
- Clause 21.04-3, *Water*
- Clause 21.04-4, *Native vegetation and biodiversity*
- Clause 21.04-7, *Bushfire*

6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Wahring (cont.)

- Clause 21.06-2, *Adapting and diversifying agriculture*
- Clause 22.02, *Sustainable Intensive Agriculture*

With insufficient information having been provided, officers are unable to appropriately assess whether or not the proposal is consistent with the objectives of the Local Planning Policy Framework.

**Relevant Particular Provisions**

There are no general or particular provisions relevant to this proposal.

**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.*

The applicant has not provided sufficient information for Officers to assess the likely amenity impacts on the surrounding land resulting from the use. Furthermore, the potential social and environmental impacts associated with the proposal also cannot be quantified nor addressed due to lack of information provided by the Applicant.

**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.

6.1 Planning Permit Application No. P2014/122  
- Use of Land to store Poultry Manure ~ 1271 Dargalong Road, Warring (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.

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**Summary of Key Issues**

- Insufficient information has been provided for Officers to undertake a comprehensive assessment of the proposal.
  - The Applicant has been advised both in writing and verbally that further information is required to undertake an appropriate assessment of the proposal.
  - Officers are not satisfied that the proposed use of the land will not impact on the environment or on the amenity of surrounding land uses in the wider area.
  - Without sufficient information to assess the application, it is recommended that the application be refused.
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**Conclusion**

After due assessment of all the relevant factors, it is considered appropriate to issue a notice of refusal to grant a permit.

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**Attachments**

Site Map



**PLANNING COMMITTEE REPORT NO. 2 (SENIOR PLANNER – CAMERON FRASER)**

**6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore**

**Application Details:**

Application is for:	Use & Development of land for two (2) dwellings
Applicant's/Owner's Name:	Living Street Designs Pty Ltd
Date Received:	26 May 2015
Statutory Days:	98
Application Number:	P2015-063
Planner: Name, title & department	Cameron Fraser Senior Planner Sustainable Development Department
Land/Address:	Lot 2 on Title Plan 809794L, Certificate of Title Volume 06329 Folio 720 134 Aerodrome Road, Mangalore VIC 3663
Zoning:	Farming Zone
Overlays:	Airport Environs Overlay, Public Acquisition Overlay (Part - Not in development area)
Under what clause(s) is a permit required?	Clause 35.07-1 Clause 35.07-4 Clause 45.02-1 Clause 45.02-2
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 proposal is for the use and development of land for two (2) dwellings.
- The site has an area of 25.4 hectares and is located in the Farming Zone.
- The application was referred to Mangalore Airport under Section 55 of the *Planning and Environment Act 1987* who have objected to the proposal.
- Mangalore Airport have objected on the grounds that the proposal limits growth and operational opportunities of the Airport.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

- As Mangalore Airport are a Determining Referral Authority under Clause 66 of the Strathbogie Planning Scheme, the application must be refused pursuant to Section 66(2) of the *Planning and Environment Act 1987*.
- The application was referred internally to Council's Health Officer and Asset Services Department who offered no objection subject to conditions.
- The EPA was notified of the application and have advised that they have no objections to the proposal, subject to conditions.
- The application was advertised to adjoining land holders, no objections have been received.
- The application proposes two dwellings on land in the Farming Zone without detailed justification as to why two dwellings are required.
- Due to insufficient information, officers are unable to appropriately assess the proposal against the decision guidelines of the Farming Zone or Clause 22.01 of the Strathbogie Planning Scheme.
- The application is being presented to Planning Committee as it is recommended that the application be refused.
- The application has been assessed outside the 60 day statutory time period due to the time given to the Applicant to consult with the Mangalore Airport.
- It is recommended that Council resolve to Refuse to Grant a Permit in accordance with the Officer's recommendation.

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## RECOMMENDATION

### That Council

- having caused notice of Planning Application No. P2015-063 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 issue a Refusal to Grant a Permit under the provisions of Clause 35.07-1, Clause 35.07-4 FZ, Clause 45.02-1 and Clause 45.02-2 of the Strathbogie Planning Scheme in respect of the land known as Lot 2 on Title Plan 809794L, Certificate of Title Volume 06329 Folio 720, 134 Aerodrome Road, Mangalore VIC 3663 for the Use & Development of land for two (2) dwellings on the following grounds:

1. Insufficient information has been provided to undertake a comprehensive assessment of the use and development of the proposed dwellings against the decision guidelines of the Farming Zone and Local Planning Policy Clause 22.01 of the Strathbogie Planning Scheme.
2. The proposal is not considered to be orderly and proper planning.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road,  
Mangalore (cont.)

**3. Mangalore Airport, as a determining referral authority, object on the following grounds, that;-**

- (a) The proposal sits directly under the flight path of the Mangalore runway (No. 05/23) and is situated 1.10 kilometres to the south west of the threshold of this runway.
- (b) The site is located within an area designated for expansion by the airport, which will result in increasing use of the runway.
- (c) Long term plans are in place which involves an airfreight operation. In addition, the airport owner is currently in discussion with a major international airfreight operator that could see the airport used for airfreight operations.

***CRS FURLANETTO/SWAN –***

**Amendment:**

**That:**

Pursuant to Section 84 of the Planning and Environment Act 1987, had Council been in a position to determine the application it would have resolved to issue a Notice of Refusal for Planning Permit Application P2015-063 for the use and development of land for two (2) dwellings in respect to the land known as Lot 2 on Title Plan 809794L, Certificate of Title Volume 06329 Folio 720, 134 Aerodrome Road, Mangalore VIC 3663 on the following grounds:

- 1. Insufficient information has been provided to undertake a comprehensive assessment of the use and development of the proposed dwellings against the decision guidelines of the Farming Zone and Local Planning Policy Clause 22.01 of the Strathbogie Planning Scheme.
- 2. The proposal is not considered to be orderly and proper planning.
- 3. Mangalore Airport, as a determining referral authority object on the following grounds, that;-
  - (a) The proposal sits directly under the flight path of the Mangalore runway (No. 05/23) and is situated 1.10 kilometres to the south west of the threshold of this runway.
  - (b) The site is located within an area designated for expansion by the airport, which will result in increasing use of the runway.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road,  
Mangalore (cont.)

RECOMMENDATION (cont.)

**(c) Long term plans are in place which involves an airfreight operation. In addition, the airport owner is currently in discussion with a major international airfreight operator that could see the airport used for airfreight operations.**

10/16

***ON BEING PUT, THE MOTION WAS CARRIED***

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**Proposal**

The application proposes the use and development of land for two dwellings. More specifically, one dwelling will be constructed and used by the owners of the property, whilst the second dwelling is to be used as a manager's residence.

The owners dwelling is proposed to be constructed of rendered brickwork with corrugated roofing and will contain four bedrooms, three bathrooms, a combined kitchen/family area, an office, a dining room, a living room, a billiard room, a gym, a theatre, a triple garage as well as a separate deck and balcony over two levels.

This dwelling is proposed to be located approximately 110 metres from the site's northern boundary on Aerodrome Road and 90 metres from the western boundary on O'Connors Road. The dwelling is proposed to be accessed via a crossover from Aerodrome Road and a proposed internal road.

The managers dwelling will constructed of similar materials and finishes as the owners dwelling and is proposed to contain four bedrooms, two bathrooms a combined kitchen/meals/family area and a separate living room on one level. This dwelling will be constructed 220 metres from the northern boundary and 35 metres from the western boundary. Access to the dwelling is proposed to be via the proposed internal road which is to be constructed for access to the owners dwelling.

The application originally proposed a greyhound facility which consisted of two main structures including a nursery for pup whelping as well as a larger kennel facility to house up to 200 racing dogs. Within the larger kennel facility a kitchen area and toilets for staff was to be provided as well as an area for dog health management and veterinary services.

A training facility including larger fenced off exercise yards was also to be included. A third structure was proposed to be constructed which would be used for housing injured dogs as well as those needing to be quarantined from other dogs at the facility. The Applicant amended the application to remove the proposed animal keeping and training.



6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

At the same time the Applicant sought a Certificate of Compliance from Council stating the animal keeping was ancillary to the 'as of right use' for training. Council determined the proposed animal keeping was not ancillary to greyhound training. The Applicant was offered the opportunity to amend the permit application to the original proposal following the Certificate of Compliance decision however the Applicant declined this offer.

The application must now be assessed based only on the proposed two dwellings.

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**Subject site & locality**

The subject site is located on the south west corner of the Aerodrome Road and O'Connors Road, Mangalore intersection at No. 134 Aerodrome Road, Mangalore and is more formally described as Lot 2 on Title Plan 809794L (Vol 06329/Fol 220). The site encompasses a total site area of approximately 25.4 Hectares and comprises of two street frontages including a 789.4 metre frontage to Aerodrome Road and a 265.8 metre frontage to O'Connors Road.

The site is flat and is currently used for periodic sheep grazing and contains two dams and scattered vegetation. In addition to the scattered vegetation, a small plantation of trees is located along an existing drainage line within the eastern portion of the site. This small plantation runs from the northern boundary of the site directly south into the neighbouring property.

The site's immediate surrounds can be described as follows:

- To the north is Aerodrome Road, opposite is land which is of a similar size to the subject site and used for agricultural activity. Approximately 523 metres to the north east of the site (at its closest point) is the Mangalore Airport which is in operation and is dependent on weather conditions and service demand. This airport typically operates as a flight training centre.
- To the south is Lot 1 on Title Plan 809794L which is a similar sized allotment and used for agricultural purposes. This is typical of land use and development further south of the site which is also land located in the Farming Aone and used for agricultural purposes. Smaller allotment sizes are more evident to the west of O'Connors Road, however rural residential development is not common within this area.
- To the west is Allotment No. 6A2 Section E, Parish of Avenel which is vacant farmland. Land further west is also used for agricultural purposes. Approximately 770 metres west is Goulburn Valley Freeway.
- To the east is O'Connors Road, is Lot 1 on Lot Plan 128725 which is vacant land used for agricultural purposes. Approximately 530 metres east of the site is an existing railway line which provides train services between Melbourne and Albury. In addition, Avenel Township is located approximately 6.4 kilometres east of the subject site.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

Telecommunications and electricity services are available from the site's frontage. There is also an existing bore on the site.

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**Permit/Site History**

A search of Council's electronic records system shows that no previous planning permits have been issued for the subject site.

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**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 no objections to date.

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**Consultation**

The application was referred to Mangalore Airport under Section 55 of the *Planning and Environment Act 1987* who objected to the proposal. Council allowed a substantial amount of time for the Applicant to meet with the airport owner to discuss the objection however no resolution was reached and as such, the objection has not been withdrawn.

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**Referrals**

Internal and external Referrals/Notices required by the Planning Scheme are outlined below:

<b>Referrals/Notice</b>	<b>Advice/Response/Conditions</b>
Section 55 Referrals	Mangalore Airport – Objection received
Section 52 Notices	Public Notice to EPA – No objection, subject to conditions

<b>Internal Council Referrals</b>	<b>Advice/Response/Conditions</b>
Asset Services	No objections, subject to conditions
Health Department	No objections, subject to conditions

Mangalore Airport (as the Airport Owner) are listed in the Schedule to Clause 66.04 of the Strathbogie Planning Scheme as a Determining Referral Authority. Pursuant to Section 61(2) of the *Planning and Environment Act 1987*:

- *The responsible authority must decide to refuse to grant the permit if a relevant determining referral authority objects to the grant of the permit.*

As the Mangalore Airport have objected to the proposal, the application must be refused. This is discussed further into the report.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road,  
Mangalore (cont.)

**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.'*

Pursuant to the Table of Uses at Clause 35.07-1, the use of land for a dwelling is a Section 1 use provided it is the only dwelling on the lot, the lot is 100 hectares and it meets the requirements of Clause 35.04-2. Given that the proposal does not meet the above conditions, the use becomes a Section 2 use, permit required, land use.

A planning permit is also required under the provisions of Clause 35.07-4 to construct a building or to construct or carry out works associated with a Section 2 use.

Under the provisions of this zone and the requirements of Clause 65 of the Strathbogie Planning Scheme, consideration must be given to the agricultural capacity of the land as well as a number of environmental and amenity impacts to determine if the use and development of land for the purposes of dwellings is an appropriate planning outcome.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road,  
Mangalore (cont.)

An assessment of the proposal against the relevant decision guidelines at Clause 35.07-6 of the Farming Zone is detailed below:

<b>General Issues</b>	<b>Complies</b>	<b>Officers Comment</b>
<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	The application was referred to Councils Health Officer who did not object subject to conditions being included on the permit.
<i>How the use or development relates to sustainable land management.</i>	No	Sufficient information has not been provided to determine the suitability of the proposed dwellings in association with a racing dog training facility.
<i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i>	No	Sufficient information has not been provided to assess the application against this guideline.
<i>How the use and development makes use of existing infrastructure and service.</i>	Yes	All services will be required to be connected to the site as part of its development.
<b>Agricultural Issues</b>		
<i>Whether the use or development will support and enhance agricultural production.</i>	No	The owners dwelling will support the dog training facility which will be undertaken on the site (as of right land use), however insufficient information has been provided to assess the appropriateness of the second residence on the site and what purpose this dwelling will serve.
<i>Whether the use or development will permanently remove land from agricultural production.</i>	Yes	The proposed dwellings would result in some land being permanently removed from agricultural production however this would be a minor portion of the overall site and is therefore considered appropriate.
<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	The proposed use and development of the site may limit the operation and expansion of existing agricultural use of land to the west due to the proximity of the dwellings to the western site boundary.  The proposed dwellings are unlikely to impact on any other nearby agricultural use and therefore, given the limited potential for impact, the proposed dwellings are considered appropriate under this guideline.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road,  
Mangalore (cont.)

<i>The capacity of the site to sustain the agricultural use.</i>	N/A	The application does not seek approval for any agricultural activity on the site.
<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Yes	The proposed use and development of the land is unlikely to impact on the amenity of surrounding agricultural resources and infrastructure.
<i>Any integrated land management plan prepared for the site.</i>	No	An amended land management plan has not been prepared which takes into consideration the removal of the Greyhound Kennel Complex and therefore the need for a second dwelling on the site.
<b>Dwelling issues</b>		
<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	Yes	The subject site will be used for agricultural activity (dog training facility) and the proposed dwellings are contained to the western portion of the site. As such, it is considered that the proposal will not result in the fragmentation of agricultural land.
<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>	Yes	Agricultural activity surrounding the site is largely for cropping and grazing. It is considered that any potential amenity impacts onto the proposed dwellings will be from the property to west, however will be minimal and could be managed accordingly.
<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	The proposed dwellings will not adversely affect the operation of the existing cropping and grazing activities undertaken on the property abutting to the site to the west.  Furthermore, the subject site will be used for agricultural purposes therefore the potential for expansion of adjoining or nearby agricultural uses onto the site is minimal.
<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>	Yes	The proposal will result in a higher concentration of dwellings on the site however will not result in the proliferation of housing in the area, nor the use of the site for agricultural purposes given that a dog training facility will operate on the site.
<b>Environmental issues</b>		
<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 application was referred to Council's Environmental Health Officer and the Environmental Protection Authority who assessed the application and did not object to the proposal subject to conditions.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road,  
Mangalore (cont.)

<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 and is appropriately located not to damage 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>	No	An updated Land Capability Assessment for the amended site layout has not been provided and the location of the on-site effluent disposal area is unknown. Insufficient information has been provided to assess this guideline.
<b>Design and siting issue</b>		
<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 proposed buildings and works will be undertaken towards the western portion of the site which will allow for appropriate separation of all uses from adjoining properties and agricultural land uses. This is considered an appropriate location.
<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, built form and design of the proposed dwellings is considered appropriate and will not result in any adverse impact onto surrounding properties.  Should a permit be issued a condition will be placed on the permit requiring muted tones. Plans have been submitted to Council for consideration. A colour schedule will be required should a permit be issued.
<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 buildings and works are unlikely to impact the character and appearance of the area given the distance of the dwellings from the public realm and absence of any Neighbourhood Character Overlays, Heritage Overlays, Design or Development Overlays or Significant Landscape Overlays affecting the subject site.
<i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i>	Yes	The proposed buildings and works are considered to be appropriately located within the site.
<i>Whether the use and development will require traffic management measures.</i>	Yes	The application was referred to Councils Assets Department who raised no concerns in relation to traffic management measures.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

**Airport Environs Overlay – Schedule 2**

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 areas which are or will be subject to high levels of aircraft noise, including areas where the use of land for uses sensitive to aircraft noise will need to be restricted.*
- *To ensure that land use and development are compatible with the operation of airports in accordance with the appropriate airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.*
- *To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in new dwellings and other noise sensitive buildings.*
- *To limit the number of people residing in the area or likely to be subject to significant levels of aircraft noise.’*

Pursuant to the provisions of Clause 45.02-1 relating to the use of land, any requirement in a Schedule to the Airport Environs Overlays must be met. In addition, Clause 54.02-2 relates to the construction of buildings and states:

- *‘Any new building must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics – Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.’*

Schedule 2 to the Airport Environs Overlay states that an application to use the land for accommodation must be referred to the airport owner under Section 55 of the *Planning and Environment Act 1987* unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the airport owner.

The application was referred to the Mangalore Airport under Section 55 of the *Planning and Environment Act 1987* in accordance with the above requirements. The airport objected to this proposal on the following grounds:

1. *‘The proposal sits directly under the flight path for our main runway 05/23 and is situated 1100 metres to the south west of the threshold of this runway. Refer to the attached location plan.*
2. *The airport currently operates as a training venue for pilots, and we have plans for considerable expansion of the airport that will see increasing use of this runway.*
3. *We have longer term plans involving an airfreight operation and are currently in discussion with a major international airfreight operator that could see the airport used for airfreight operations.’*

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

The amended proposal was not required to be re-referred to the Mangalore Airport.

Section 61(2) of the *Planning and Environment Act 1987* states:

- *The responsible authority must decide to refuse to grant the permit if a relevant determining referral authority objects to the grant of the permit.*

As the Mangalore Airport (as the Airport Owner) are a determining referral authority and have objected to the proposal, Council must refuse the application.

Given the outstanding objection from Mangalore Airport, it is considered that the proposal is inconsistent with the purpose and decision guidelines of the Airport Environs Overlay.

**The State Planning Policy Framework (SPPF)**

**Clause 13.04-1, Noise abatement,**  
*Objective,*

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

The proposed dwellings do not incorporate any noise attenuation measures to protect the amenity of future residents from the noise impacts associated with Mangalore Airport.

**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.*

Were Council in a position to issue a permit, conditions on the permit would require appropriate treatment of effluent to ensure the surrounding water quality is not impacted.

**Clause 14.02-2 Water quality,**  
*Objective,*

- *To protect water quality.*

Were Council in a position to issue a permit conditions on the permit would require appropriate treatment of effluent to ensure the surrounding water quality is not impacted. Other conditions would be applied to manage stormwater and the discharge of wastewater. EPA had no objection to the proposal.

**Clause 16.02-1, Rural residential development,**  
*Objective,*

- *To identify land suitable for rural living and rural residential development.*

Appropriate justification has not been provided by the applicant for a second dwelling on the site.



6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road,  
Mangalore (cont.)

**Clause 18.04-2, Planning for airports,**

*Objective,*

- *To strengthen the role of Victoria's airports within the State's economic and transport infrastructure and protect their ongoing operation.*

The proposed dwellings have been identified by the Mangalore Airport as being an incompatible land use and will prohibit their ability to expand the airport in the future, in accordance with their long term plans.

**Clause 18.04-3, Planning for airfields,**

*Objective,*

- *To facilitate the siting of airfields and extensions to airfields, restrict incompatible land use and development in the vicinity of airfields, and recognise and strengthen the role of airfields as focal points within the State's economic and transport infrastructure.*

The subject site is located within the Airport Environs Overlay and whilst the proposal is unlikely to affect the current operations of the airport, the owner has indicated that the proposal will constrain future expansion plans for the airport.

In addition, the proposed dwellings are likely to experience adverse amenity impacts from the operation of the airport and no noise attenuation measures have not been provided to ameliorate these concerns.

**Clause 19.03-2, Water supply,**

*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.*

Reticulated water and sewerage are not provided to the site and as such, the proposal incorporates rain water tanks and a bore to provide water to the site. In addition, an onsite waste water treatment facility is proposed to deal with wastewater.

Were Council in a position to issue a permit, conditions on the permit could require appropriate treatment of effluent to ensure the surrounding water quality is not impacted subject to the findings of a Land Capability Assessment. Other conditions would be applied to manage stormwater and the discharge of wastewater. EPA had no objection to the proposal.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

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

**Clause 21.02-4, Rural Zones**, contains the following relevant strategy:

- *Limit inappropriate uses within farming areas, including dwellings not required to support an agricultural use.*

The proposal incorporates two dwellings on the site which have no agricultural justification. As sufficient justification has not been provided by the Applicant for the dwellings, the proposal does not meet the above strategy.

**Clause 21.02-6, Building Material – Muted Tones**,  
*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.*

Were Council in a position to issue a planning permit, a condition could be placed on a planning permit requiring the use of material and finishes to be in muted tones and to be non-reflective, to blend in with the surrounding environment and to minimise impact on the surrounding aesthetic environment.

**Clause 21.04-3, Water**,  
*Objective*,

- *To manage our water resources.*

Were Council in a position to issue a permit, conditions on the permit would require appropriate treatment of effluent to ensure the surrounding water quality is not impacted. Other conditions would be applied to manage stormwater and the discharge of wastewater. EPA had no objection to the proposal.

**Clause 21.06-2, Adapting and diversifying agriculture**,  
*Objective*,

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

The proposal provides a new opportunity for agriculture on the subject site which is compatible with the current land zoning however doesn't meet the objectives of the overlay affecting the site.

**Clause 22.01, Housing and House Lot Excisions in the Farming Zone**,  
*Policy*:

Two or more dwellings on a lot

*The construction of two or more dwellings on a lot will generally be discouraged unless it can be demonstrated that following requirements can be met:*

- *The additional dwelling/s is/are required for a caretaker assisting in the operation of the farm, such as a farm manager or leading hand (other than the landowner).*
- *The dwelling/s will not inhibit the rights of existing agricultural enterprises to continue operations.*

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

The amended application does not provide sufficient information to assess the proposal against Clause 22.01. The original application proposed animal keeping and racing dog training. The two dwellings were justified on these uses. The application has been amended to only propose two dwellings. Animal training is a Section 1 use and it is Council's understanding that this use is proposed to occur on site. The use of the land for training only is not considered sufficient to justify two dwellings on the site.

**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.*

The proposal seeks approval for the use and development of the site for two dwellings only. The use of the site for animal training is a Section 1 use and does not require planning approval from Council. There is no policy support within the Planning Scheme to support two dwellings on the site without a detailed justification as to how two dwellings on the site will support its agricultural use. Support of the proposal in the absence of an agricultural land use is not considered to be orderly planning in accordance with this clause.

In addition, the proposal limits any future expansion opportunities or operational objectives of the Mangalore Airport and does not accord with the provisions of the AEO.

6.2 Planning Permit Application No. P2015/063  
- Use and Development of Land for Two (2) Dwellings ~ 134 Aerodrome Road, Mangalore (cont.)

It is considered that all environmental matters relating to the management of stormwater, waste water and effluent disposal can be appropriately managed through the inclusion of conditions on permit (as per the recommendations of the EPA and Council's Assets and Environmental Health Departments), on balance with planning policy and lack of justification for the dwellings and the objection from Mangalore Airport, the application cannot be supported.

**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.

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**Summary of Key Issues**

With regard to the Farming Zone:

- Overall insufficient information has been provided by the Applicant to justify the need for the proposed dwellings.

With regard to the Airport Environs Overlay:

- The application was referred to Mangalore Airport under Section 55 of the *Planning and Environment Act 1987*, who have objected to the proposal.
- Mangalore Airport are a determining referral authority under the schedule to Clause 66 of the Strathbogie Planning Scheme.
- As such the application must be refused pursuant to Section 66(2) of the *Planning and Environment Act 1987*.

In summary, the proposal overall does not meet the objectives of the State Planning Policy Framework, Local Planning Policy Framework, Farming Zone and the Airport Environs Overlay.

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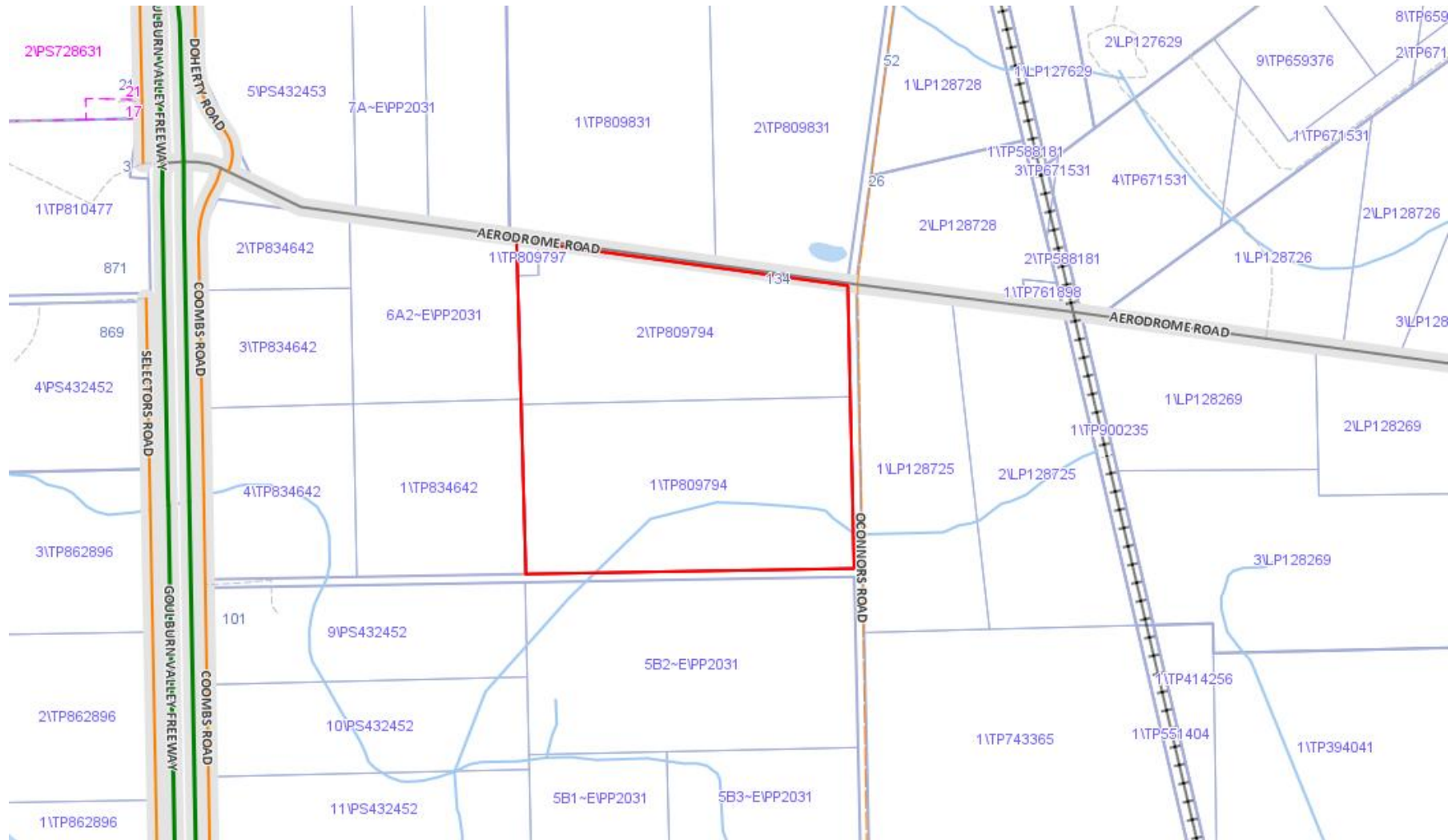
**Conclusion**

After due assessment of all the relevant factors, it is recommended that Council resolve to issue a notice of Refusal to grant a permit as per the officers recommendation.

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**Attachments**

Site Map



**PLANNING COMMITTEE REPORT NO. 3 (SENIOR PLANNER – CAMERON FRASER)**

**6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho**

**Application Details:**

Application is for:	Use and development of land for a dwelling and shed
Applicant's/Owner's Name:	T & C Development Services
Date Received:	17 September 2015
Statutory Days:	70
Application Number:	P2015-108
Planner: Name, title & department	Cameron Fraser Senior Planner Sustainable Development Department
Land/Address:	Crown Allotment 70 Parish of Boho, Certificate of Title Volume 02814 Folio 643 Upper Boho Road, Boho VIC 3669
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 proposal is for the use and development of land for a dwelling and shed in conjunction with a proposed pomegranate orchard on the site.
- The site has an area of 24.02 hectares and is located in the Farming Zone.
- The site is not affected by any overlays.
- The application was referred internally to Council's Health Officer and Asset Services Department who offered no objection subject to conditions.
- The application was advertised to adjoining landholders, one objection has been received.
- The objection raised issues in relation to the agricultural limitations of the site, lack of residential services available, and the impact on amenity.

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

- An assessment against the Farming Zone as well as State and Local Policies indicates the proposal is consistent with these provisions of the Strathbogie Planning Scheme.
- The application is being presented to Planning Committee as an objection has been received.
- The application has been assessed outside the 60 day statutory time period due to detailed assessment and consultation with objectors and the Applicant.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

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## RECOMMENDATION

### That Council

- **having caused notice of Planning Application No. P2015-108 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 issue a Notice of Decision to Grant 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 Crown Allotment 70 Parish of Boho, Certificate of Title Volume 02814 Folio 643, Upper Boho Road, Boho VIC 3669, for the Use and development of land for a dwelling and shed, 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 ensure:**
  - (a) **No further subdivision of the land, including house lot excision, which increases the number of lots.**
  - (b) **The use of the land for a dwelling must be undertaken in accordance with and agricultural use of the property.**

**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.**

### Environmental Health Conditions:

2. **Prior to the commencement of works, a permit to install a septic tank system is required from the Responsible Authority.**

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

3. The effluent disposal field must be located 60 metres from the nearest waterway, dam, lake or reservoir (non-potable water supply) to the satisfaction of the Responsible Authority.

**Engineering Conditions:**

4. Prior to the commencement of the use 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.
5. 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.
6. 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.
7. 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.

**General Conditions:**

8. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
9. The dwelling 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*.
10. The dwelling 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.
11. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.



6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

12. 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.
13. 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.
14. 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.
15. 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.
- A Land Capability Assessment may be required and should be undertaken by a suitability qualified person. The Responsible Authority reserves the right to accept, reject or amend the recommendations of an LCA report.

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

- **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.**

11/16 **CRS SWAN/WILLIAMS** : *That the Recommendation be adopted.*

**CARRIED**

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**Proposal**

The application is for the use and development of the land for a single dwelling and an agricultural shed. The dwelling will be constructed approximately 47 metres from Upper Boho Road on the sites eastern boundary and 239 metres from the southern boundary of the property. Access to the property will be made available from Upper Boho Road.

The dwelling will be constructed of bricks with Colorbond roof cladding. The dwelling will contain four bedrooms, a study, two bathrooms, a combined kitchen/living/dining area and a separate living area as well as an outdoor area and will have a total area of 186.02 square metres.

The proposed shed is to be used for agricultural purposes and will be constructed of Colorbond wall and roof cladding. The shed will be 21 metres in length and 6 metres wide.

The use of the land for a dwelling will be undertaken in conjunction with a pomegranate orchard to be established on the site. The orchard will require ongoing maintenance and management. The Applicant has submitted a Whole Farm Plan with the application which outlines these responsibilities.

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**Subject site & locality**

The subject site is irregular in shape and is located on the western side of Upper Boho Road. The site has an area of approximately 24.02 hectares and is generally clear of native vegetation. Access to the site is currently available from Upper Boho Road.

The land is bound by Upper Boho Road to the east, private land to the south and unmade road reservations to the north and west. The land is undulating in topography and is currently clear of any development.

Land surrounding the site is used primarily for agricultural purposes with some dwellings scattered throughout the area.

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**Permit/Site History**

A search of Council's electronic records system shows that no planning permits have previously been issued for the subject site.

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

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**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 one objection to date. The key issues that were raised in the objection are:

- The subject site is less than the minimum lot size for a dwelling
- The land is suitable only for grazing sheep
- There is no natural water source on the land
- Scare guns may be required for the orchard which will affect the serenity of the area
- Significant gum trees will need to be cleared
- No rubbish collection is currently available to this site.
- The potential for chemicals on the site will impact on the surrounding environment and agriculture.

**Officer's Response:**

Although the site is less than 40 hectares in area, the use of the land for a dwelling is not prohibited under the provisions of the Strathbogie Planning Scheme. The Applicant proposes to establish and maintain a pomegranate orchard on the site which will require ongoing maintenance. The land is zoned for agricultural purposes and it is acknowledged that scare guns may be required to be used as part of the proposed agricultural use. This use is considered appropriate within the Farming Zone where the amenity expectations of residential land use cannot be given the same level of consideration as it would be in a more appropriate zone for residential development.

The use of chemicals as part of the proposed use will be subject to strict state regulations governing the use of chemicals and the environmental impact both within the subject site and on surrounding land and waterways.

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**Consultation**

A copy of the objection was forwarded to the permit Applicant who has provided a response. The response of the objector acknowledges that the land is zoned for agricultural purposes and will be used as such. Responses to all points made in the objection were made by the objector.

A copy of the response was forwarded to the objector who is yet to withdraw their objection. As a result, the application must be considered with this objection.

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

**Referrals**

External Referrals/Notices required by the Planning Scheme:

<b>Referrals/Notice</b>	<b>Advice/Response/Conditions</b>
Section 55 Referrals	Nil
Section 52 Notices	Public Notice

<b>Internal Council Referrals</b>	<b>Advice/Response/Conditions</b>
Asset Services	No objection, subject to conditions
Health Department	No objection, subject to conditions

**Assessment**

**The zoning of the land and any relevant overlay provisions**

**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.*

A permit is required for the use of land for a dwelling in the Farming Zone. A permit is also required for the proposed shed as it is located within 100 metres of a dwelling not in the same ownership. The application proposes a single dwelling on the site which has a total area of 24.02 hectares. The minimum lot size for a dwelling permitted with no planning approval is 40 hectares. When assessing the provisions of the zone, consideration must be given to how the dwelling could impact the adjoining land users as well as the adjoining land users impacting the proposed dwelling. These are considered in detailed in the table below:

<b>General Issues</b>	<b>Complies</b>	<b>Officers Comment</b>
<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.

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road,  
Boho (cont.)

<i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i>	Yes	The land is of a size that is capable of accommodating a dwelling and an effluent disposal area.
<i>How the use or development relates to sustainable land management.</i>	Yes	No native vegetation is proposed to be removed as part of this application. It is considered the site will be sustainably managed and protected. The proposed dwelling is likely to ensure the land is maintained in terms of vermin and weeds.
<i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i>	Yes	As the dwelling will support a pomegranate orchard, the subject site is suitable for the new dwelling. As the area contains other boutique agricultural industries, the development of the land is compatible with the surrounding area.
<i>How the use and development makes use of existing infrastructure and service.</i>	Yes	Access to the site is available via an existing crossover which will be required to be upgraded as part of this development. The dwelling has been sited in an appropriate location to make use of existing clear land.
<b>Agricultural Issues</b>		
<i>Whether the use or development will support and enhance agricultural production.</i>	Yes	The dwelling will support a new pomegranate orchard. The variety of pomegranate to be produced on the site has been chosen based on the constraints of the site. The site will be enhanced through the development of the new agricultural venture.
<i>Whether the use or development will permanently remove land from agricultural production.</i>	No	The dwelling will not prevent further agricultural development of the land, as it supporting a proposed agricultural land use.
<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	No	Given the adjoining land uses, the new dwelling on site is unlikely to limit operation or expansion of the nearby agricultural uses.
<i>The capacity of the site to sustain the agricultural use.</i>	Yes	The site is a suitable size to sustain the agricultural use.
<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Yes	The quality of the land in this area is generally considered somewhat productive.

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road,  
Boho (cont.)

<i>Any integrated land management plan prepared for the site.</i>	Yes	A Whole Farm Plan and Management Action Plan for the site have been prepared to support the dwelling and agricultural business.
<b>Dwelling Issues</b>		
<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	No	The dwelling will not result in a loss of productive agricultural land as there is a supporting agricultural use.
<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>	No	Due to the nature of the agricultural pursuits in the area, it is unlikely the dwelling will be affected by adjoining activities.
<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	No	It is unlikely the dwelling will adversely impact the operation of nearby land uses due to the siting of the dwelling on the land.
<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>	No	It is considered unlikely there will be a concentration of dwellings in the area.
<b>Environmental issues</b>		
<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 dwelling is unlikely to adversely impact upon the natural physical features of the site.
<i>The impact of the use or development on the flora and fauna on the site and its surrounds.</i>	Yes	The siting of the dwelling and proposed agricultural land use have been chosen to minimise the impact on the existing flora and fauna on the site.
<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	As no vegetation is proposed to be removed as part of this application, it is considered the biodiversity of the area will remain protected.

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

<i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i>	Yes	The on-site effluent area has been located in a clear space away from significant native vegetation to assist in the protection of the vegetation. This has been approved by Council's Environmental Health Department.
<b><i>Design and siting issue</i></b>		
<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 dwelling and shed have been sited in an appropriate location on site away from native vegetation, and in an area of the site that does not restrict the productive agricultural uses of the land.
<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 dwelling and shed have been designed to sit appropriately in the landscape and will be constructed with natural colours and tones.
<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 dwelling and shed are unlikely to impact the character and appearance 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 dwelling and shed have been sited near the existing water and power supply.
<i>Whether the use and development will require traffic management measures.</i>	Yes	The application was referred to Council's Assets Department who raised no concerns in relation to traffic management measures. A single dwelling is unlikely to unreasonably increase traffic in the area.

**The State Planning Policy Framework (SPPF)**

Clause 13.05-1, *Bushfire planning strategies and principles*

*Objective*

- *To assist to strengthen community resilience to bushfire.*

Clause 14.01-1 Protection of agricultural land

*Objective:*

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

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

Clause 14.01-2 Sustainable agricultural land use

*Objective:*

- *To encourage sustainable agricultural land use.*

The proposed dwelling is consistent with the State Planning Policy Framework. The subject property and surrounding area is used for agricultural purposes. The proposed dwelling is supported by the new pomegranate orchard proposed for the site. The proposal will allow for the sustainable land management and possible enhancement of agricultural production by providing an opportunity to diversify and increase the agricultural possibilities of the site.

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

Clause 21.02-4 Rural Zones

*Objectives:*

- *To protect and maintain established farming areas.*
- *To ensure suitable land is available to provide for emerging rural enterprises, e.g. intensive animal husbandry, horticulture and equine industry.*

The proposed dwelling is consistent with this policy. The dwelling will support a proposed pomegranate orchard on the site. The owner of the land will also be required to enter into a Section 173 Agreement with Council to ensure the dwelling's continued association with an agricultural land use.

21.02-6 Building Material – Muted Tones

*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 dwelling is unlikely to adversely affect neither the surrounding environment nor the aesthetic amenity of the area due to the design of the dwelling, and colours chosen for the exteriors. To ensure this, a condition should be placed on any permit issued which requires the dwelling to be constructed of muted tones.

Clause 22.01-3 Dwellings on small lots in the Farming Zone

*Policies:*

- *The construction of a new dwelling on an existing small lot will be discouraged unless it meets all of the following requirements:*
  - *The lot is accessed by an all-weather road and has appropriate service provisions.*
  - *Emergency ingress and egress is at an appropriate standard.*
  - *The dwelling will not inhibit the operation of agriculture and rural industries.\*
  - *The site must be able to contain and treat onsite effluent and wastewater in accordance with the relevant Code of Practice and Australian Standards, and;*



6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

- *Meets at least one of the following requirements:*
  - *The dwelling should be associated with a sustainable rural pursuit that requires a dwelling on the land to manage that pursuit. The application should be supported by a farm management plan that justifies the need for a dwelling to assist in the operation of the farm.*
  - *The applicant can substantiate that the land has no agricultural potential due to environmental significance and the dwelling is to be used in conjunction with sustainable land management and the significant vegetation is protected on title.*
  - *The lot has been identified in the Strathbogrie Shire Rural Residential Strategy, 2004 as rural residential; implying that that there is an historic use and development pattern. Consideration should be given to the recommendations in the Strategy.*
  - *The applicant is proposing to consolidate one or more lots in the same ownership with the subject land prior to the construction of the dwelling.*

The proposed dwelling is to be constructed and used as part of a proposed pomegranate orchard to be established on the site. The variety of pomegranate has been selected with regard climatic and other constraints of the land. A Whole Farm Plan has been prepared which demonstrates the proposed use of the land for agriculture and the need for a dwelling on the site.

It is generally policy within the Strathbogrie Planning Scheme that any permit issued for the use and development of a dwelling on a small lot requires the permit holder enter into an agreement under Section 173 of the *Planning and Environment Act 1987* which prohibits further subdivision of the land. In this instance, it is considered that this agreement should be required. This agreement will be required to be registered on the title of the land prior to the commencement of the use of the land. To ensure the land continues to be used for agricultural purposes in accordance with this policy, this agreement should also require that the dwelling be used in conjunction with an agricultural land use at all times.

**Relevant Particular Provisions**

No particular provisions are considered relevant to this proposal.

**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.*

6.3 Planning Permit Application No. P2015/108  
- Use and Development of Land for a Dwelling and Shed ~ Upper Boho Road, Boho (cont.)

- *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.

**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.

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**Summary of Key Issues**

With regard to the Farming Zone: The proposed dwelling is consistent with the purpose and decision guidelines of the Farming Zone and will support 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, Farming Zone and No Overlay.

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**Conclusion**

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of decision to Grant a planning permit, in accordance with the Officers recommendation.

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**Attachments**

Site Map



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**PLANNING COMMITTEE REPORT NO. 4 (DIRECTOR, SUSTAINABLE DEVELOPMENT - PHIL HOWARD)**

**7. OTHER BUSINESS**

**7.1 Planning Applications Received  
- 2 December 2015 to 3 February 2016**

Following are listings of Planning Applications Received for the period 2 December 2015 to 3 February 2016.

**RECOMMENDATION**

**That the report be noted.**

12/16 **CRS FURLANETTO/STORER** : *That the Recommendation be adopted.*

**CARRIED**

**THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.40 P.M.**

Confirmed as being a true and accurate record of the Meeting

.....  
Chair

.....  
Date

## Planning Applications Received

Wednesday, 2 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
111-115 High Street, Nagambie VIC 3608	P2015-160	Two (2) lot re-subdivision	North East Survey Design	\$0.00 *
1153 Geodetic Road, Molka VIC 3666	P2015-070 - 1	Extension to a dwelling	Sunshine Home Construction	\$0.00 *

Thursday, 3 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
140 Vearings Road, Avenel VIC 3664	P2015-151	Two (2) lot subdivision and removal of 173 Agreement	T & C Developments-Troy Spencer	\$0.00 *

Friday, 4 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
488 Cullens Road, Molka VIC 3666	P2015-152	Three lot re-subdivision	Troy Spencer	\$0.00 *

Monday, 7 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
222 Faithfull Road, Longwood East VIC 3666	P2015-153	Use & Development of Land for the operation of a greyhound breeding and rearing facility.	Michael Barry	\$50,000.00

Tuesday, 8 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
17 Armstrong Avenue, Strathbogie VIC 3666	P2015-156	Development of land for a storage shed to be attached to an existing shed	Strathbogie Golf Club	\$8,500.00
84-102 Livingstone Street, Avenel VIC 3664	P2015-154	Development of land for a dwelling and garage	T & C Developments-Troy Spencer	\$320,000.00
Areodrome Road, AVENEL VIC 3664	P2015-157	Removal of native vegetation twenty-seven (27) trees	Strathbogie Shire Council - Gary Washusen	\$108,000.00
Euroa Strathbogie Road, KELVIN VIEW VIC 3666	P2015-159	Removal of native vegetation three (3) trees	Strathbogie Shire Council - Gary Washusen	\$12,000.00

Longwood Ruffy Road, LONGWOOD EAST VIC 3666	P2015-155	Removal of native vegetation thirty (30) trees	Strathbogie Shire Council - Gary Washusen	\$120,000.00
Moglonemby Road, RIGGS CREEK VIC 3666	P2015-158	Removal of native vegetation nine (9) trees	Strathbogie Shire Council - Gary Washusen	\$36,000.00

### Wednesday, 9 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
294-298 High Street, Nagambie VIC 3608	P2015-165	Development to an existing building	Gordon Hamilton	\$30,000.00

### Thursday, 10 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
270 Wattlevale Road, Mitchellstown VIC 3608	P2015-014 - 2	Use and Development of land for the construction of a dwelling	Ellen Hogan & Associates	\$0.00 *

### Friday, 11 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
23 Kettels Road, Kirwans Bridge VIC 3608	P2015-163	Use and development of land for a jetty	Peter Mawson	\$15,000.00
24 Penrose Street, Nagambie VIC 3608	P2015-065 - 1	Development of land for two units	JDesign Group - Andrew White	\$0.00 *

### Tuesday, 15 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
470 Mitchellstown Road, Mitchellstown Victoria 3608	P 50/2002 - 2	Variation to an existing liquor licence	John Beresford	\$0.00 *

### Wednesday, 16 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
1462 Murchison-Violet Town Road, Arcadia South VIC 3631	P2015-164	Two (2) lot subdivision (House Excision)	Brendan Kennedy	\$0.00 *
21 Mansfield Road, Euroa VIC 3666	P2015-162	Development of land for a replacement storage shed	Scott & Gerri Embling	\$9,800.00
James Track, Boho VIC 3669	P2015-161	Two (2) lot re-subdivsion	T & C Developments-Troy Spencer	\$0.00 *

Thursday, 17 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
158 Horse Gully Road, Balmattum VIC 3666	P2013-139 - 2	Use & development of land for a dwelling	Town and Country	\$0.00 *

Monday, 21 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
Maggies Lane, Ruffy Victoria 3666	P2013-061-1	Development & use of land for a dwelling shed and artist studio associated with a commercial herb farm	Stephen & Kim McWilliam	\$0.00 *

Tuesday, 22 December 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
26 Hunter Street, Euroa VIC 3666	P2015-166	Subdivision two (2) lots	Monger & Tomkinson	\$0.00 *

Monday, 4 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
12 & 14 Main Street, Strathbogie Victoria 3666	P2013/020-1	Use and development of the land for a restaurant, business identification signage, reduction of car parking requirements and a liquor licence.	Doug Watson	\$0.00 *
282 Galls Gap Road, Gooram VIC 3666	P2016-001	Two (2) lot re subdivision and removal of part of a carriageway easement	Eric Salter Pty Ltd	\$0.00 *

Tuesday, 5 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
36 Kennedy Street, Euroa VIC 3666	P2014-098 - 2	Development of land for Residential Age Care Facility	Urbis Pty - Clare Warren	\$0.00 *

Wednesday, 6 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
11 Dunns Lane, Creightons Creek VIC 3666	P2016-002	Development of land for a shed	Gregory Jamieson	\$25,116.92

Thursday, 7 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
100 Mt Bernard Lane, Avenel VIC 3664	P2014-004 - PC1	Use & development of land for a dwelling	Deborah Whithear	\$0.00 *

Tuesday, 12 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
Curries Road, Pranjip VIC 3666	P2016-003	Use & development of land for the construction of a dwelling and shed	Will Johanson	\$250,000.00

Thursday, 14 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
48 Branjee Road, Euroa VIC 3666	P2016-004	Development of land for a garage	Stewart Richards	\$9,254.00

Wednesday, 20 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
101 Coombs Road, Mangalore VIC 3663	P2016-006	Use and development of land for a single dwelling	Town and Country	\$312,000.00
17A Lily Street, Violet Town VIC 3669	P2015-145 - PC1	Development of land for a single dwelling	Fredrick Merritt	\$0.00 *

Friday, 22 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
Euroa-Strathbogie Road, Strathbogie VIC 3666	P2016-007	Use and development of land for a storage shed	Peter Roberts	\$11,000.00

Monday, 25 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
31 Magilton Drive, Strathbogie VIC 3666	P2016-008	Development of land for a single dwelling and garage	Robert Gilbert	\$120,000.00



Friday, 29 January 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
1891 Creightons Creek Road, Creightons Creek VIC 3666	P2016-014	Development of land for a farm shed	David McDonald	\$6,250.00
440 Weibye Track, Ruffly VIC 3666	P2016-010	Development of land for the construction of a shed	Allan Wyatt	\$35,000.00
61 Vickers Road, Nagambie VIC 3608	P2016-009	Use of land for a liquor license	Tar & Roses Pty Ltd	\$0.00 *

Monday, 1 February 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
22 Kirkland Avenue, Euroa VIC 3666	P2016-012	Change and extension of use for a place of assembly and restricted recreation facility	Fiona Nation	\$0.00 *
533 Zanelli Road, Nagambie VIC 3608	P2016-011	Use and development of land for the storage of poultry manure	Seymour Organic Fertiliser Pty Ltd	\$100,000.00
8 Magiltan Drive, Strathbogie VIC 3666	P2016-013	Use and Development of land to build a dwelling and shed	Edward Paterson	\$170,000.00
Cowslip Street, Violet Town VIC 3669	P2015-009 - PC1	Development of land for a single dwelling on each allotment	Nick Bradley	\$0.00 *

\*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- <b>PC 1</b>	Plans to comply with a condition on the permit
P2014-001-1	Proposed amendment to a planning permit