



STRATHBOGIE SHIRE COUNCIL
PLANNING COMMITTEE
AGENDA

MEETING TO BE HELD ON TUESDAY 10 MARCH 2015

COMMENCING AT 4.00 P.M.

AT THE EUROA COMMUNITY CONFERENCE CENTRE

Councillors:

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)

Officers:

Steve Crawcour - Chief Executive Officer
Phil Howard - Director, Sustainable Development
Emma Kubeil - Manager, Sustainable Development
Jennifer Dowling - Assistant Manager, Sustainable Development
Roy Hetherington - Director, Asset Services

Business:

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.
3. Apologies
4. Confirmation of Minutes of the Planning Committee meeting held on Tuesday 24 February 2015
5. Disclosure of Interests

6. Planning Reports
7. Other Business

Steve Crawcour
CHIEF EXECUTIVE OFFICER

4 March 2015

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PLANNING COMMITTEE REPORT NO. 1 (ASSISTANT MANAGER, SUSTAINABLE DEVELOPMENT – JENNIFER DOWLING)

6. PLANNING REPORTS

**6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings
~ 22-24 Queen Street, Avenel**

Application Details:

Application is for:	Seven (7) lot subdivision and development of the land for six dwellings
Applicant's/Owner's Name:	Troy Spencer
Date Received:	18 March 2014
Statutory Days:	115
Application Number:	P2014-029
Planner: Name, title & department	Jennifer Dowling Assistant Manager Sustainable Development Sustainable Development Department
Land/Address:	Lot 1 on Title Plan 135878K, Certificate of Title Volume 07024 Folio 749 22-24 Queen Street, Avenel VIC 3664
Zoning:	Township Zone
Overlays:	No Overlay
Under what clause(s) is a permit required?	Clause 32.05-4 Clause 32.05-6
Restrictive covenants on the title?	Nil
Current use and development:	Residential/accommodation

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

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

Summary

- The application is for the development of land at 22-24 Queen Street, Avenel for six additional dwellings and a seven lot subdivision.
- Four of the dwellings will be single storey comprising of two bedrooms, one bathroom and a combined kitchen/living/dining area and will be accessed via a proposed common property driveway located on Ewings Road.
- The two remaining dwellings to be constructed will also be single storey and will have three bedrooms, two bathrooms, a combined kitchen/living/dining area and a single garage as well as one tandem car parking space. Both of these dwellings will be accessed from a shared crossover to be located on Queen Street.

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- The existing dwelling is to be retained with a new crossover to be constructed on Ewings Road.
- The application was advertised and four (4) objections were received. The objections relate to property values, potential occupants, character, design, drainage, traffic and infrastructure.
- Goulburn Valley Water (GVW) and SP-Ausnet were notified of the application. Neither of these authorities have objected subject to conditions to be included on any permit issued.
- APA Group and Vic Roads were also notified of the proposal. Both authorities have consented however have not provided any conditions.
- The application was referred internally to Council's Asset Services department who did not object, subject to conditions.
- The application has not been assessed within the 60 day statutory timeframe due to consultation with the applicant and objectors to the proposal.
- The application is being heard before Planning Committee due to four (4) unresolved objections.
- The proposed dwellings comply with the Objectives and Standards of Rescode (Clause 55 and Clause 56).
- The proposal meets the objectives of the State Planning Policy Framework, Local Planning Policy Framework and the Township Zone.
- It is recommended to issue a Notice of Decision to grant a permit in accordance with the officers recommendation.

RECOMMENDATION

That Council

- **having caused notice of Planning Application No. P2014-029 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 32.05-4 and Clause 32.05-6 of the Strathbogie Planning Scheme in respect of the land known as Lot 1 on Title Plan 135878K, Certificate of Title Volume 07024 Folio 749, 22-24 Queen Street, Avenel VIC 3664, for the Seven (7) lot subdivision and development of the land for six dwellings, in accordance with endorsed plans, subject to the following conditions:

Amended Plans

1. **Prior to the commencement of works, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. Such plans must be generally in accordance with the plan submitted but modified to show:**

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- (a) External storage spaces of 6m³ for all dwellings on the site.
- (b) Water Tanks
- (c) A colour schedule showing the colours and materials that will be used for the development;

Landscaping

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

Engineering Conditions:

4. 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.
5. 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.
6. 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.

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SP-Ausnet Conditions:

The applicant must:

7. Enter into an agreement with SPI Electricity Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
8. Provide electricity easements internal and external to the subdivision in favour of SPI Electricity Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by SPI Electricity Pty Ltd. The provision of reserves for electricity substations may also be required.

Goulburn Valley Water Conditions:

9. Payment of a new customer contribution for water supply to the development, such amount being determined by the Corporation at the time of payment;
10. Provision of separate water services and individual water supply meters to each allotment within the development;
11. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only and to the satisfaction of the Goulburn Valley Region Water Corporation;
12. Payment of a new customer contribution for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
13. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
14. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section;
15. Disconnection of any existing house connection drain, and each allotment to be independently and directly connected to the sewer main via a common drain;
16. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;

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24 Queen Street, Avenel (cont.)

17. A notation is to be placed on the plan of subdivision to note that pursuant to Section 12(2) of the Subdivision Act 1988, there exists "implied easements" over all of the allotments and the common property within the development;

Alternatively, the developer is to provide a two metre wide sewerage easement over the common portion of the house connection drain, in favour of the benefiting land, to the satisfaction of the Goulburn Valley Region Water Corporation;

18. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.

General Conditions

19. Prior to the issue of Statement of Compliance provision for Public Open Space must be made in accordance with Section 18 of the *Subdivision Act 1989*, for the subdivision under the Subdivision Act 1988, by:

(a) paying or agreeing to pay to the Responsible Authority an amount equivalent to 5% of the site value of the land.

20. The owner of the land must enter into an agreement with:

(b) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

(c) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

21. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

22. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

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23. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

24. 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.

25. 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.

26. 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.**

27. 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.**
- (c) the subdivision is not started (Certification) within two (2) years of the date of this permit;**
- (d) the subdivision is not completed (Statement of Compliance) within five(5) years of the date of Certification under the Subdivision Act 1988.**

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.**

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Planning Notes:

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

Proposal

The application proposes a seven (7) lot subdivision and construction of six additional dwellings on the subject site.

The proposed subdivision of the land will contain seven individual lots. Proposed Lot 1 will be accessible from Ewings Road and Lots 2 and 3 will have a shared access directly from Queen Street. Lots 4, 5, 6 and 7 will be accessed from a common property driveway which will be created from Ewings Road. The subdivision will be configured as follows:

- Lot 1 - 387m²
- Lot 2 - 260m²
- Lot 3 - 261m²
- Lot 4 - 255m²
- Lot 5 - 252m²
- Lot 6 - 260m²
- Lot 7 - 232m²
- Common Property - 144 m²

Units 1-4 will be located on lots 4-7 and will each contain two bedrooms, a combined living kitchen/living/dining area, one bathroom and a single garage. Each of these units will front the common property areas with private open spaces to be accommodated on the northern side of the dwellings. Private open space will be located along the road frontage for Units 1 and 2.

Units 5 and 6 will be located on Lot 2 and Lot 3 and will contain three bedrooms, combined living areas, two bathrooms and a single garage with a tandem car parking space in the proposed frontage of the site. These units will have a setback from Queen Street of 4m with the garages of the dwellings set back a further 1.4m from the main frontage of the dwellings to allow for the tandem car parking spaces. Unit 5 will also include an alfresco area within its private open space.

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The existing dwelling on the site is to be retained within the boundaries of proposed Lot 1. Access to the existing dwelling is currently available from Queen Street however it is proposed to relocate this access to Ewings Road where access is proposed to the rear of the site. A carport is to be constructed at the rear of the existing dwelling with private open space identified on the northern side of the dwelling along the Ewings Road frontage.

The new dwellings are proposed to be constructed of brick with colorbond roofing.

Subject site & locality

The subject site is located on the south western corner of Queen Street and Ewings Road and is currently developed with a single dwelling and two sheds. Trees are scattered throughout the site which has a total area of 1981 square metres. Vehicular access is currently available from Queen Street however access is informally available from Ewings Road. The site is generally flat in topography.

Land directly adjacent to the subject site is developed with single dwellings and associated infrastructure along with land on the opposite side of Ewings Road. Diagonally opposite the site is the Avenel cemetery and the former courthouse and police quarters which are now used as the Avenel Community House.

Permit/Site History

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

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

- Devaluation of property
- Antisocial occupants of the proposed dwellings
- Traffic issues
- Too many units on the site
- Not in character with township
- Overlooking
- Drainage concerns
- Fire risk for occupants and wider community
- Lack of natural gas
- Lack of medical care in township
- Lack of infrastructure in the township

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The points raised within the objections have been considered through the assessment process of the application. In particular, traffic management, character of the area, overlooking and drainage. These matters are covered by State Planning Policy. The devaluation of property is not considered a planning matter under the Planning and Environment Act 1987.

Consultation

Throughout the assessment of this application, the plans have been amended a number of times to ensure the proposal is compliant with the relevant objectives of Clause 55 and Clause 56. The final plans submitted are the plans which have been advertised and are being considered as part of this report.

A copy of the objections was forwarded to the applicant to respond to the issues raised. The applicant has responded and this response was forwarded to objectors. No objections have been withdrawn.

Referrals

External Referrals/Notices required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	Goulburn Valley Water – No objection, subject to conditions APA Group – No objections, no conditions Ausnet – No objection, subject to conditions
Section 52 Notices	Public Notice VicRoads – No objection

Internal Council Referrals	Advice/Response/Conditions
Asset Services	No objection, subject to conditions

Assessment

The zoning of the land and any relevant overlay provisions

Township 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 residential development and a range of commercial, industrial and other uses in small towns.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*

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- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A permit is required for the development of more than one dwelling and subdivision on land within the Township Zone. When assessing an application for six additional dwellings and a seven lot subdivision of land in this zone, consideration must be given to the requirements of the State and Local Planning Policy Framework as well as the Objectives and Standards of Clause 55 and Clause 56. It is considered that the proposal is consistent with the guidelines and objectives of the state and local policies as well as the objectives of Clause 55 and Clause 56. These are discussed further into this report.

The State Planning Policy Framework (SPPF)

Clause 11.02-1, *Supply of urban land*

Objectives:

- *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*
- *New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.*
- *Planning for housing should include providing land for affordable housing.*

Clause 14.01 - *Planning for urban settlement*

Objectives:

- *To ensure a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses.*
- *To facilitate the orderly development of urban areas.*

Clause 15 - *Built environment and heritage*

Objectives:

- *Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.*

Clause 15.01-5 - *Cultural identity and neighbourhood character,*

Objectives:

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

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Clause 16.01-4 - Medium Density Housing

Objectives:

- *To encourage the development of well-designed medium-density housing which:*
 - *Respects the neighbourhood character.*
 - *Improves housing choice.*
 - *Makes better use of existing infrastructure.*
 - *Improves energy efficiency of housing.*

The proposal is for an infill medium density development within the township area of Avenel in a location very close to a number of community facilities. The proposal is generally consistent with the Clause 16.01-4 which encourages the development of medium-density housing which respects the neighbourhood character, improves housing choice, makes better use of existing infrastructure and improves the energy efficiency of housing. The requirements of Clause 15 have been taken into account and the development will appropriately respond to its landscape, valued built form and cultural context.

The site is located in the centre of town using the existing road network however is located closer to education and other community facilities

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

Consideration has been given to Clause 21.03-1 in relation to *Housing and lot size diversity*:

“Increased options for housing this population will be required, particularly in the four main towns of Euroa, Nagambie, Avenel and Violet Town where there is greater access to both physical and social services. A range of housing options needs to be provided within walking distance to facilities or transport to such facilities, and in a form such as smaller one and two bedroom dwellings. Alternative forms of housing such as retirement or aged care facilities need to be investigated. Diversity in housing options is also important in maintaining a diverse population mix within the Shire.”

Clause 21.03-1, Avenel,

Objectives:

- *To promote and support the sustainable growth of Avenel.*

The Avenel Structure Plan within this Clause identifies the site as being just outside of the ‘Town Centre’. The proposed development of the land for six additional dwellings and a seven lot subdivision is considered to be consistent with local policy which seeks to support growth within the town. The proposal is also considered to be consistent with local policy as it adds to the existing supply of residential land and dwellings.

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Relevant Particular Provisions

Clause 55 – *Two or More Dwellings on a Lot and Residential Buildings* is relevant to the proposal. An assessment of the proposed subdivision against the relevant objectives of this clause is detailed below:

Std No.	Description	Assessment Comments	Complies?
B1	<p>Neighbourhood character</p> <p><i>The design response must be appropriate to the neighbourhood and the site.</i></p> <p><i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</i></p>	<p>The proposed development is in an established residential area. The proposal will provide for six additional dwellings in proximity to the Avenel town centre.</p>	✓
B2	<p>Residential policy</p> <p><i>Written statement of State policy and local planning policy framework</i></p>	<p>The proposal complies with the State and Local Planning Policies. It provides for six additional dwellings within the Avenel town centre.</p>	✓
B3	<p>Dwelling diversity</p> <p><i>Range of dwelling sizes and types for developments of 10 or more dwellings</i></p>	<p>The proposal includes six additional dwellings and the retention of the existing dwelling on the site.</p>	N/A
B4	<p>Infrastructure</p> <p><i>Able to be connected to reticulated services. Capacity of the existing infrastructure.</i></p>	<p>There is existing infrastructure available and the dwellings can be connected to reticulated services.</p>	✓
B5	<p>Integration with the street</p> <p><i>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</i></p> <p><i>Development oriented to the street frontage.</i></p> <p><i>High fencing in front of dwelling should be avoided.</i></p>	<p>The development provides adequate and safe vehicle & pedestrian links.</p> <p>Four of the proposed dwellings will front onto a proposed common property driveway. The driveway is straight allowing for clear lines of sight.</p> <p>Two of the proposed dwellings will front on to Queen Street. The existing dwelling will also face Queen Street however vehicular access will be made available from Ewings Road.</p>	✓
B6	<p>Street setback</p> <p>Minimum Setback from front street (m).</p>	<p>The setback of the proposed dwellings along Queen Street is 4m. The required setback is 6m. The reduced setback is considered appropriate in this instance as the garages of the dwellings will be recessed in a further 1.2m which will reduce the overall bulk in appearance of the development.</p>	✓
B7	<p>Building Height</p> <p><i>9 metres maximum</i></p>	<p>All buildings are less than 9m in height</p>	✓

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B8	Site Coverage <i>60% maximum coverage</i>	The proposal has a maximum site coverage of less than 60%. The overall sight coverage is 51%	✓
B9	Permeability <i>Pervious surfaces 20% min</i>	Pervious surfaces cover at 39% of the site. This meets the standard.	✓
B10	Energy Efficiency <i>Orientation</i> <i>Living areas located on the north side of development.</i> <i>Maximise north facing windows</i>	The dwellings have been designed to maximise north facing windows, living areas and private open spaces areas.	✓
B11	Open Space <i>If any public or communal open space is provided on site it should: be fronted by dwellings, provide outlook for dwellings, be designed to protect any natural features, be accessible and useable.</i>	No communal open space is proposed.	✓
B12	Safety <i>Entrances to dwellings should not be obscured or isolated from the street and internal access ways.</i> <i>Planning which creates unsafe spaces along streets and access ways should be avoided.</i> <i>Developments should be designed to provide good lighting, visibility and surveillance of car parking and internal access ways.</i> <i>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</i>	The entrances to each of the proposed dwellings are visible from the street or internal driveway. No public thoroughfare areas will be created.	✓
B13	Landscaping <i>Protect any predominate landscape character of the neighborhood.</i> <i>To provide appropriate landscaping</i> <i>To encourage the retention of mature vegetation on the site.</i>	A condition will be included on the permit requiring a landscaping plan. The plan must be to the satisfaction of the Responsible Authority and works completed within three months of occupation of the dwellings but before a statement of compliance is issued.	✓
B14	Access <i>Allow convenient, safe and efficient vehicle movements and connections within the development and the street network</i> <i>Forward direction exit</i> <i>Be at least 3 metres wide</i> <i>Have an internal radius of at least 4 metres at changes of direction</i> <i>Accessways width not exceed 33% or frontage >20metre 40%</i>	Access to the dwellings has been designed to enable a sufficient space for vehicles to exit the subject site in a safe and efficient manner. Council Assets Services has requested conditions to be included on the permit. Accessways for this development does not exceed 40% of the lot frontage and is at least 3m wide.	✓

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B15	<p>Parking location</p> <p><i>Reasonably close and convenient to dwellings and residential buildings</i></p> <p><i>Be secure</i></p> <p><i>Allow safe and efficient movements within the development</i></p>	<p>All dwellings are provided with a single lock-up garage, located in proximity to the front entrances of each dwelling. Units 5 and 6 require two car parking spaces. These spaces are provided in a tandem arrangement with cars to park on the driveway in the garage.</p> <p>The existing dwelling will have a carport constructed at the rear with a tandem space to be provide between the carport and Ewings Road.</p>	✓
B17	<p>Side and rear yard setbacks</p> <p><i>Side or rear setbacks - 1 m plus 0.3m for every metre of height over 3.6 m up to 6.9m, plus 1m for every metre over 6.9m</i></p>	<p>Where buildings are not proposed on boundaries of the site, the minimum setback objectives of the standard have been achieved.</p>	✓
B18	<p>Walls on boundary</p> <p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or carport constructed on or within 1m of a side or rear boundary should not abut a boundary for a length of no more than – 10m plus 25% of the remaining length of the boundary of an adjoining lot</i></p>	<p>Each of the dwellings has at least one wall located on or within 200mm of a side or rear boundary. The length of walls on boundaries does not exceed the maximum requirement permitted by the standards.</p>	✓
B19	<p>Daylight to existing windows</p> <p><i>Impact on existing dwellings</i></p>	<p>The proposed dwellings will not impact on daylight to existing dwellings.</p>	✓
B20	<p>North facing windows</p> <p><i>North facing habitable rooms</i></p>	<p>North of the site is the Ewings Road road reservation. The proposal is unlikely to impact on north facing windows of the dwelling on the opposite side of the road.</p>	✓
B21	<p>Overshadowing Open Space</p> <p><i>The impact of the proposal on the amenity of existing dwellings and their private open space areas</i></p>	<p>Overshadowing from the proposal into adjoining lots will be minimal and will not be into areas of secluded open space.</p>	✓
B22	<p>Overlooking</p> <p><i>Habitable room windows balcony, terrace, deck or patio should be located and designed to avoid direct views into a secluded private open space of an existing dwelling. Views should be measured from a height of 1.7metres above floor level with a horizontal distance of 9m and a 45-degree angle for the setback.</i></p>	<p>The proposed dwellings are single storey and have a 1.8m fence. Overlooking to adjoining properties will be in accordance with the relevant standard.</p>	✓

6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings ~ 22-24 Queen Street, Avenel (cont.)

B23	<p>Internal views</p> <p><i>Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below of within the same development.</i></p>	As the dwellings are single storey, there will be no internal views between the dwellings.	✓
B24	<p>Noise impacts</p> <p><i>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</i></p> <p><i>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account noise sources on immediately adjacent properties</i></p>	The proposal does not include mechanical plants near proposed bedrooms nor is there a plant on existing properties that will result in noise impacts to proposed bedrooms.	✓
B25	<p>Accessibility</p> <p><i>The dwelling entries of the ground floor of dwellings and residential buildings should be made accessible to people with limited mobility.</i></p>	Low floor levels provide easy and efficient accessibility to the dwellings.	✓
B25	<p>Dwelling entry</p> <p><i>Entries to dwellings and residential buildings should:</i></p> <ul style="list-style-type: none"> - <i>Be visible and easily identifiable from streets and other public areas.</i> - <i>Provide shelter, a sense of personal address and transitional space around the entry.</i> 	Each dwelling's entry is well defined. A porch area at the entrance of the dwelling provides a comfortable access to the dwelling.	✓
B27	<p>Daylight to new windows</p> <p><i>A window in a habitable room should be located to face:</i></p> <ul style="list-style-type: none"> - <i>An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot</i> 	Habitable room windows are well located to receive adequate daylight.	✓
B28	<p>Private open space</p> <p><i>An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room.</i></p>	The application proposes greater than 40m ² secluded private open space with all spaces being directly accessible from the living areas of all the proposed dwellings.	✓

6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings ~ 22-24 Queen Street, Avenel (cont.)

B29	<p>Solar access to open space</p> <p><i>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</i></p> <p><i>The southern boundary of secluded open space should be setback from any wall on the north side of the space at least $(2+0.9h)$ metres, where 'h' is the height of the wall.</i></p>	<p>The orientation of the lots allows for private open space to be located to the north (rear or side) of the lot. The secluded private open space to each lot is located to the north of the dwelling.</p>	✓
B30	<p>Storage</p> <p><i>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</i></p>	<p>There is sufficient space within the rear private open space areas to provide 6 cubic metres for storage. These facilities have not been shown on the plans submitted however will be required by way of condition on permit.</p>	✓
B31	<p>Design Detail</p> <p><i>To encourage design detail that respects the existing or preferred neighbourhood character.</i></p>	<p>The design of the proposed dwellings responds to the existing character of the area.</p>	✓
B32	<p>Maximum front fence height</p> <p><i>Should not exceed 1.5 metres in height when adjoining a road that is not located in a road zone.</i></p>	<p>No front fences are proposed for Units 5 and 6 and the existing dwelling. Units 1 and 2 have been designed to front common property with higher fences proposed along the Ewings Road. This is considered appropriate as Ewings Road is the side boundary for the existing building as well as the proposed dwellings. Retaining a higher front fence in this area is unlikely to impact on the streetscape as it is similar to its current appearance.</p>	✓
B33	<p>Common property</p> <p><i>Clearly delineate public, communal and private areas.</i></p> <p><i>Common property should be functional and capable of efficient management.</i></p>	<p>The driveway to units 1 – 4 will be common property and can be clearly delineated.</p>	✓
B34	<p>Site services</p> <p><i>Ensure site services can be installed, maintained and look attractive.</i></p>	<p>The application states that all mailboxes will be located at the entrance to the driveway and there is sufficient space for storage of bins.</p>	✓

6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings ~ 22-24 Queen Street, Avenel (cont.)

Clause 56 – Residential Subdivision is relevant to the proposal. An assessment of the proposed subdivision against the relevant objectives of this clause is detailed below:

Std No.	Objective	Assessment Comments	Complies?
C6	Neighbourhood character objective To design subdivisions that respond to neighbourhood character.	The proposed subdivision will provide for a higher density infill development in close proximity to the centre of Avenel. The proposed residential lots have been designed in a manner which best integrates with the existing character of the area.	✓
C8	Lot area and building envelopes objective To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.	With the exception of Lot 1, all lots are below 300 square metres in area. It has been demonstrated through the plans and documentation submitted as well as the assessment above that each of the lots are able to be developed in a manner which respects the constraints of the site and the amenity of the surrounding area. .	✓
C9	Solar orientation of lots objective To provide good solar orientation of lots and solar access for future dwellings.	The layout of the proposed lots will mean solar efficient dwellings are able to be constructed on the lots. This has been demonstrated through the plans submitted and has been discussed above in this report.	✓
C10	Street orientation objective To provide a lot layout that contributes to community social interaction, personal safety and property security.	Each of the proposed lots is oriented towards the street or the proposed common property driveway which will contribute to the interaction and personal safety of existing and future residents of the area.	✓
C11	Common area objectives To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network.	A common property driveway is to be created for lots 4 – 7 to provide vehicular an pedestrian access. This common property will be the responsibility of lots 4-7 to maintain.	✓

6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings ~ 22-24 Queen Street, Avenel (cont.)

C12	<p>Integrated urban landscape objectives</p> <p>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</p> <p>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</p> <p>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</p> <p>To provide for integrated water management systems and contribute to drinking water conservation.</p>	<p>The proposed subdivision will integrate with the existing streetscape.</p> <p>No landscaping plans have been provided however will be required by way of condition. Landscaping will be required to be completed within three months of the occupation of the units and before a Statement of Compliance is issued.</p>	✓
C15	<p>Walking and cycling network objectives</p> <p>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p> <p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p>	<p>The proposed lots are located close to existing recreation facilities and are only a short distance from the commercial centre of Avenel.</p>	✓
C17	<p>Neighbourhood street network objective</p> <p>To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.</p>	<p>The proposed subdivision will utilise the existing road network which will ensure ongoing ease of movement for all types of traffic including vehicular and pedestrian.</p>	✓
C18	<p>56.06-5 Walking and cycling network detail objectives</p> <p>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</p> <p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	<p>Footpaths and roads will be constructed as required, and in accordance with the requirements of Council's Asset Services department.</p>	✓
C20	<p>56.06-7 Neighbourhood street network detail objective</p> <p>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</p>	<p>All roadways and footpaths will be constructed in accordance with the requirements of the Responsible Authority.</p>	✓
C21	<p>Lot access objective</p> <p>To provide for safe vehicle access between roads and lots.</p>	<p>Access to all lots will be via proposed crossovers to be constructed from the existing road network or the proposed common driveway to be located from Ewings Road.</p>	✓

6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings ~ 22-24 Queen Street, Avenel (cont.)

C22	<p>Drinking water supply objectives To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.</p>	<p>Drinking water will be provided to each of the lots in accordance with the requirements of Goulburn Valley Water.</p>	✓
C23	<p>56.07-2 Reused and recycled water objective To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p>	<p>On site water recycling and reuse will be able to be incorporated into each of the lots at the time of development.</p>	✓
C24	<p>Waste water management objective To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p>	<p>All waste water generated from the lots will be required to be in accordance with the requirements of Goulburn Valley Water.</p>	✓
C25	<p>Urban run-off management objectives To minimise damage to properties and inconvenience to residents from urban run-off. To ensure that the street operates adequately during major storm events and provides for public safety. To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p>	<p>On site water management and discharge will be undertaken in accordance with the requirements of the Responsible Authority.</p>	✓
C26	<p>56.08-1 Site management objectives To protect drainage infrastructure and receiving waters from sedimentation and contamination. To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>	<p>Throughout construction, the site will be managed in accordance with the requirements of the responsible authority.</p>	✓
C27	<p>Shared trenching objectives To maximise the opportunities for shared trenching. To minimise constraints on landscaping within street reserves.</p>	<p>Where possible, shared trenching will be utilised.</p>	✓
C28	<p>Electricity, telecommunications and gas objectives To provide public utilities to each lot in a timely, efficient and cost effective manner. To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>	<p>Electricity and telecommunications will be available to the lot in accordance with the requirements of the relevant authorities. Reticulated Gas is not available in Avenel.</p>	✓
C29	<p>Fire hydrants objective To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p>	<p>The proposed subdivision will utilise the existing network of Fire Hydrants.</p>	✓

6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings ~ 22-24 Queen Street, Avenel (cont.)

C30	<p>Public lighting objective</p> <p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p>	<p>No additional public lighting is proposed.</p> <p>No additional roads are being constructed.</p>	✓
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The decision guidelines of Clause 65

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

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

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

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

There are no relevant incorporated, reference or adopted documents.

Relevant Planning Scheme amendments

Planning Scheme Amendment C004 seeks to implement the recommendations of the Strathbogie Shire Heritage Study Stage 2, 2013 into the Strathbogie Planning Scheme. The study identifies a number of significant sites and precincts throughout the shire. The subject site has been identified as part of the Avenel Residential Precinct with the dwelling on the subject site identified as being contributory to the heritage value of the precinct.

6.1 Planning Permit Application No. P2014/029
- Seven (7) Lot Subdivision and Development of the Land for Six Dwellings ~ 22-
24 Queen Street, Avenel (cont.)

The citation of the property within the study identifies the dwelling on site to have the following notable features:

- *Rendered, but initially may have been face brick tall chimneys, porch with wall and squat fluted Tuscan columns.*

The amendment proposes the introduction of the Heritage Overlay on subject site. While the Heritage Overlay is not a permit trigger, Council should have consideration to the proposal. The proposed amendment has finished exhibition, there are a number of submissions which have yet to be resolved.

The proposal includes the retention of the existing dwelling on the site and the heritage values of the precinct are unlikely to be significantly impacted upon by this proposal.

Risk Management

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

Strategic Links – policy implications and relevance to Council Plan

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

Summary of Key Issues

With regard to the Township Zone: The proposal provides for an infill development of a large site within close proximity to the centre of Avenel. The proposal is consistent with all of the relevant objectives of Clause 55 and Clause 56.

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



Conclusion

After due assessment of all the relevant factors, it is recommended to issue a Notice of Decision to grant a permit in accordance with the officers recommendation.

Attachments

Site Plan



 <p>Strathbogie Shire</p>	<p>Shire Of Strathbogie</p>	<p>Disclaimer Note This map is a representation of the information currently held by Strathbogie Shire Council. While every effort has been made to ensure the accuracy of the data, Council disclaims all liability for any loss, cost, damage or injury, howsoever arising or connected with the use of this data. Any feedback on omissions or errors would be appreciated. Contains Council Information © Strathbogie Shire Council Contains VicMap Information © Department of Environment, Land, Water & Planning</p>	
	<p>Prepared By: Jennifer Dowling</p>		

PLANNING COMMITTEE REPORT NO. 2 (ASSISTANT MANAGER, SUSTAINABLE DEVELOPMENT – JENNIFER DOWLING)

**6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley**

Application Details:

Application is for:	Development of land for an extension to existing dwelling and the addition of relocatable portables
Applicant's/Owner's Name:	Neal Cartledge
Date Received:	09 October 2014
Statutory Days:	89
Application Number:	P2014-117
Planner: Name, title & department	Jennifer Dowling Assistant Manager Sustainable Development Sustainable Development Department
Land/Address:	Lot 4 on Plan of Subdivision 125177, Certificate of Title Volume 09313 Folio 326 321 Alexandersons Road, Locksley VIC 3665
Zoning:	Farming Zone
Overlays:	No Overlay
Under what clause(s) is a permit required?	Clause 35.07-4
Restrictive covenants on the title?	No
Current use and development:	Residential/accommodation

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

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

Summary

- The proposal is for the development of land for a dwelling extension and the installation of two portable classrooms to be used as accommodation in association with an existing use.
- The site has an area of 21.64ha and is located in the Farming Zone.
- The application was referred internally to Council's Health Officer and Asset Services Department who offered no objection subject to conditions.
- An assessment against the Farming Zone Decision Guidelines, State and Local Policies indicates the proposal is consistent with these provisions of the Strathbogie Planning Scheme.
- The application was advertised to adjoining land holders and two objections have been received.

6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

- The objections raise issues in relation to traffic, pollution, additional guests and the non-compliance of the proposal with the Farming Zone
- One objection has since been withdrawn
- The application is being presented to Planning Committee as objections have been received.
- The application has been assessed within the 60 day statutory time period.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council:

- having caused notice of Planning Application No. P2014-117 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 and Notice of Decision to Grant a Permit under the provisions of Clause 35.07-4 of the Strathbogie Planning Scheme in respect of the land known as Lot 4 on Plan of Subdivision 125177, Certificate of Title Volume 09313 Folio 326, 321 Alexandersons Road, Locksley VIC 3665, for the Development of land for an extension to existing dwelling and the addition of relocatable portables , in accordance with endorsed plans, subject to the following conditions:

Environmental Health Conditions:

1. Prior to the commencement of works, a permit to install a septic tank system is required from the Responsible Authority. An application to alter the existing septic tank may also be required if deemed wastewater generation will be increased.
2. 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:

3. Prior to occupation of the buildings, 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.
4. 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.

6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

5. **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.**
6. **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

7. **Not more than 65 people who do not permanently reside on the property may be accommodated on the site at any one time.**
8. **Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.**
9. **The approved accommodation buildings 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 approved accommodation units (portable buildings) must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.**
11. **The approved accommodation units (portable buildings) must be connected to a reticulated electricity supply or have an alternative energy source.**
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:**
 - (f) **Appearance of any building, works or materials;**
 - (g) **Transport of materials, goods or commodities to or from the land;**
 - (h) **Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;**

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- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

- (i) Presence of vermin, and;
- (j) Others as appropriate.

15. This permit will expire if one of the following circumstances applies:

- (e) The development is not started within two (2) years of the date of this Permit,
- (f) 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.
- 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.

Proposal

The application proposes the extension of an existing dwelling as well as the installation of two former portable classrooms to create additional bedrooms for guests using existing accommodation on the site.

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- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

The extension of the existing dwelling proposes to enclose the existing verandah on the eastern side. The external walls of the extension will be timber similar to the existing dwelling and will have a total area of approximately 20 square metres.

It is also proposed to install two classroom buildings on the site to be used as an extension to an existing accommodation facility operating from the site. The classrooms will be joined to form two large bedrooms capable of containing up to six people each. The number of guests at the accommodation facility is not proposed to increase from its current limit of 65. The extension will provide more flexible space for guests. The classrooms are of a timber and glass construction and are portable buildings. The facilities will be used by larger groups such as school camps and sporting teams. In accordance with the existing use permitted on site.

Subject site & locality

The subject site is triangular in shape and has a total area of approximately 21.64 hectares. The site is located towards the end of Alexandersons Road and is vegetated in part. The Burnt Creek crosses the site in an east-west alignment towards the bottom of the site near the existing buildings.

The site contains a single dwelling and associated infrastructure as well as some agricultural buildings and an accommodation facility which has been operating on the site for a number of years and caters to large groups such as schools and sporting teams.

Land surrounding the subject site is generally used for agriculture with some lots developed with dwellings and associated shedding. The surrounding lots contain scattered vegetation and the Burnt Creek. The immediate area is generally flat in topography however becomes more undulating towards the hills located approximately 1.5km to the east of the site.

Permit/Site History

A search of Council's electronic records system shows that the following planning permit has been issued for the subject site:

- Planning Permit 379 issued by Shire of Goulburn 22 December 1992 allowed the use and development of land for the purposes of an education/tourist farm.
- The use and development permitted by this permit continues to operate and the proposal relates to an extension of this permitted use. The proposal does not breach any of the conditions of this permit.

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

6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

The notification has been carried out correctly.
 Council has received 2 objections to date. The key issues that were raised in the objections are:

- Increase in visitors to the site
- Local road network not capable of containing expansion of use
- Use of land not consistent with the Farming Zone
- Increase in bushfire risk
- Impact on local creeks

One objection has since been withdrawn.

A number of issues raised in the objections received relate to the use of the facility. As will be discussed further into this report, the use of the land for accommodation is established and the number of guests is not proposed to increase.

Consultation

A copy of the objections was forwarded to the applicant who provided a response to council which was forwarded to both objectors.

As a result, one objection has been withdrawn.

Referrals

External Referrals/Notices required by the Planning Scheme:

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

Internal Council Referrals	Advice/Response/Conditions
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

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.*

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- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

A permit is required for the development of land where buildings and works are less than 100m from a water course and buildings and works associated with a Section 2 Use. In relation to the dwelling extension, it is unlikely that closing in the verandah would impact on the health of the nearby watercourse. The proposed extension is located approximately 50m from the nearby creek and is unlikely to lead to an increase in stormwater.

The proposed accommodation buildings are also unlikely to impact on the health of the nearby watercourse. The buildings are approximately 90m from the watercourse. As there are no additional guests, the amount of wastewater generated from the use is not expected to change. As such, the impact on the creek will be minimal.

The proposed buildings and works are considered appropriate. Existing vegetation, as well as the distances between the buildings and adjoining properties will reduce the visual impact of the proposed portable classrooms which will provide additional more flexible space where guests can be accommodated. The number of people to be accommodated at the site is not proposed to change and the additional rooms are to provide additional space, not an increase in capacity. The applicant has advised that currently, at full capacity, up to 65 people are able to be accommodated. It is proposed that a condition is imposed on any permit issued which caps guest numbers at 65 at any one time.

The State Planning Policy Framework (SPPF)

Clause 13.03-2 - Erosion and Landslip of the Strathbogie Planning Scheme seeks to:

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

The proposal is unlikely to have any erosion implications. No vegetation is proposed to be removed and the works associated with relocating two transportable building to the site will be minimal.

Clause 13.03-3- Salinity

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

The proposal is unlikely to have any salinity implications. The buildings are to be located away from the waterway on site and no vegetation is proposed to be removed.

6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

Clause 13.05 - Bushfire

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

The number of people to be accommodated on the site is not proposed to increase through this development. The bushfire implications of the proposal, particularly given the existing use of the site, are expected to be minimal. Bushfire mitigation requirements for the buildings proposed will be required as part of the building permit.

Clause 14.01-1 – Protection of agricultural land of the Strathbogie Planning Scheme, objective:

- *In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:*
 - *The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.*
 - *The compatibility between the proposed or likely development and the existing uses of the surrounding land.*
- *Planning for rural land use should consider:*
 - *land capability; and*
 - *the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*

The proposed development will be undertaken in an area of the site that is currently used for residential and accommodation purposes. The use of the land for agriculture outside of these areas can continue. The development of the site will not detract from the agricultural use of the subject site or surrounding area.

Clause 14.02-2 – Water Quality of the Strathbogie Planning Scheme, objective:

- *To protect water quality.*

The application has been referred to Council's Environmental Health Officer who has consented to the proposal subject to conditions. As the proposal will not increase the number of guests on the site, it is considered unlikely that the development will significantly impact on water quality in the area.

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

21.02-6 Building Material – Muted Tones

Overview

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

6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

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.

A condition will be included on any permit issued which requires the use of muted tones to ensure the development appropriately blends with the surrounding environment.

Clause 21.03-5, Environment, of the Strathbogie Planning Scheme states:

- Wildfire threat is associated with heavily vegetated and steep areas within the Shire, particularly the Strathbogie Ranges. In consultation with the Country Fire Authority, wildfire risk environments must be identified in the Planning Scheme. In addition, fire hazards must be considered in planning decisions affecting wildfire risk environments to avoid intensifying the risk through inappropriately located or designed uses or developments.*

It is considered the proposal does not increase the risk of fire.

Relevant Particular Provisions

No Particular Provisions are considered relevant to this proposal.

Relevant General Provisions

Clause 63 – Existing Uses

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.*
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.*
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.*
- Proof of continuous use for 15 years is established under Clause 63.11.*
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.*

As detailed previously within this report, a planning permit has been issued for the use and development of the land for accommodation. The use of the site for accommodation has been ongoing for almost 20 years.

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.*

6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)

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

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

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

There are no relevant incorporated, reference or adopted documents.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

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

Strategic Links – policy implications and relevance to Council Plan

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

Summary of Key Issues

With regard to the Farming Zone: The proposed development meets the decision guidelines of the zone. The development of the land is sited in an area that is already used for accommodation and a dwelling and is unlikely to impact on the health of the nearby waterway.

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

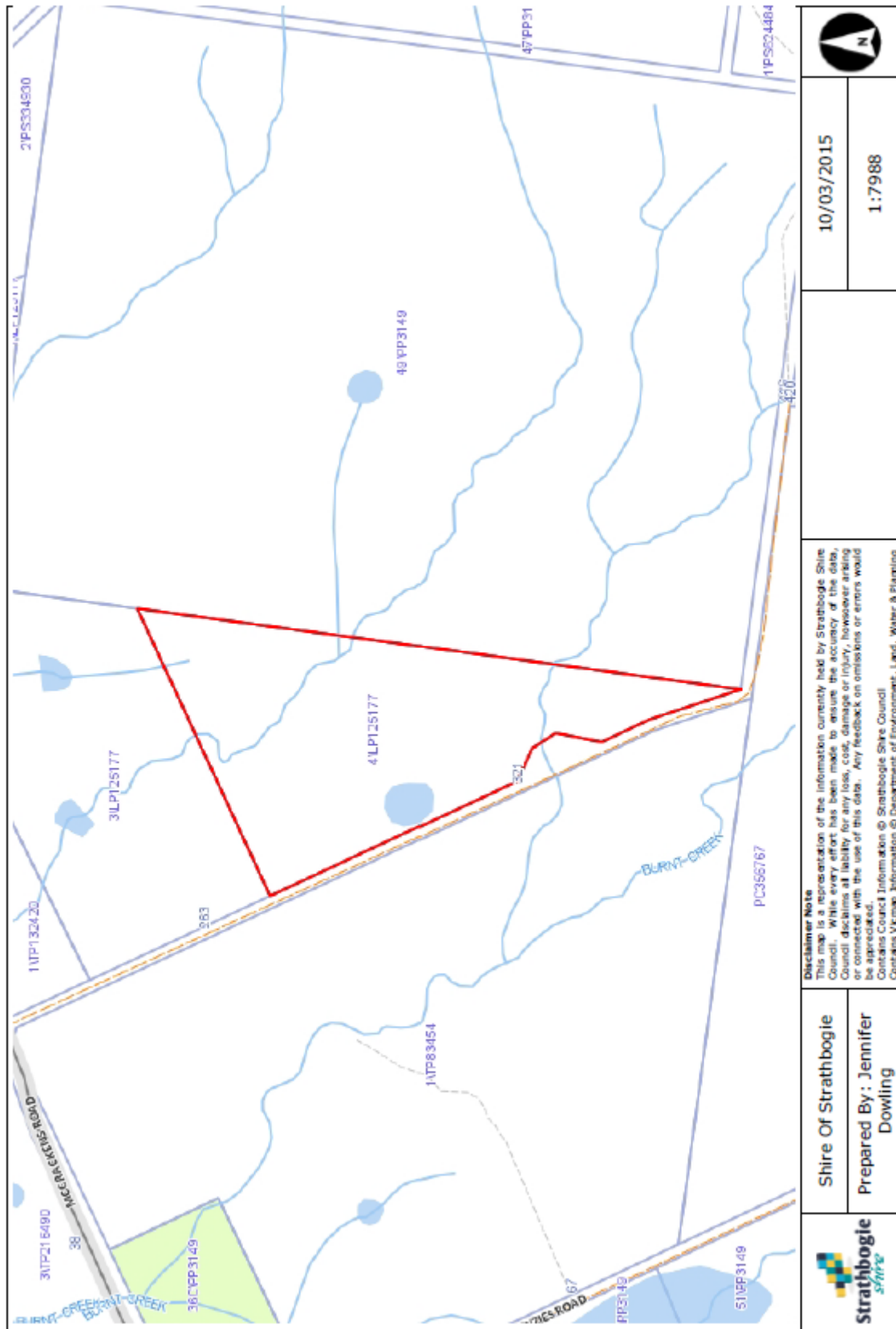
6.2 Planning Permit Application No. P2014/117
- Development of Land for an Extension to Existing Dwelling and the Addition of Relocatable Portables ~ 321 Alexandersons Road, Locksley (cont.)



Conclusion

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

Attachments

Site Plan



	Shire Of Strathbogie Prepared By: Jennifer Dowling	Disclaimer Note This map is a representation of the information currently held by Strathbogie Shire Council. While every effort has been made to ensure the accuracy of the data, Council disclaims all liability for any loss, cost, damage or injury, however arising or connected with the use of this data. Any feedback on omissions or errors would be appreciated. Contains Council Information © Strathbogie Shire Council Contains VMap Information © Department of Environment, Land, Water & Planning	10/03/2015 1:7988	

PLANNING COMMITTEE REPORT NO. 3 (MANAGER, SUSTAINABLE DEVELOPMENT – EMMA KUBEIL)

7. OTHER BUSINESS

7.1 Strathbogie Planning Scheme Amendment C32

Author & Department

Manager, Sustainable Development / Sustainable Development Directorate

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

Strathbogie Planning Scheme Amendment C32 was prepared by the Strathbogie Shire Council as the Planning Authority at the request of Euroa Developments Pty Ltd.

The amendment applies to approximately 67 hectares of land to the south west of Euroa, known as Lot 2 PS300732, 72 Golf Course Road, Euroa. It is generally bound by Euroa Main Road to the north west, Golf Course Road and the Euroa Golf Course to the east, the Hume Freeway to the south and the Euroa Arboretum to the west, as shown on the plan below.



Figure 1 – Subject Site

Strathbogie Planning Scheme Amendment C32 proposes to:

- Rezone the land from Farming Zone to Low Density Residential Zone.
- Apply the Development Plan Overlay with a new Schedule to the whole of the Site.
- Apply a Vegetation Protection Overlay to part of the site to enhance the protection of the remnant vegetation on the western boundary between the subject site and the Euroa Arboretum (refer to Image 2).

7.1 Strathbogrie Planning Scheme Amendment C32 (cont.)

- Apply a Environmental Significance Overlay to part of the land at the request of Goulburn Valley Water to ensure that land uses do not impact on the operation or expansion for sewerage and waste water treatment and disposal at 34 Euroa Tip Road, Euroa (Euroa Sewerage Ponds), refer to Image 3.

The Urban Floodway Zone and Floodway Overlay currently applying to the land will not be altered (refer to Image 4).



Image 2 – Area proposed to have the Vegetation Protection Overlay applied

7.1 Strathbogie Planning Scheme Amendment C32 (cont.)



Image 3 – Area proposed to have the Environmental Significance Overlay applied

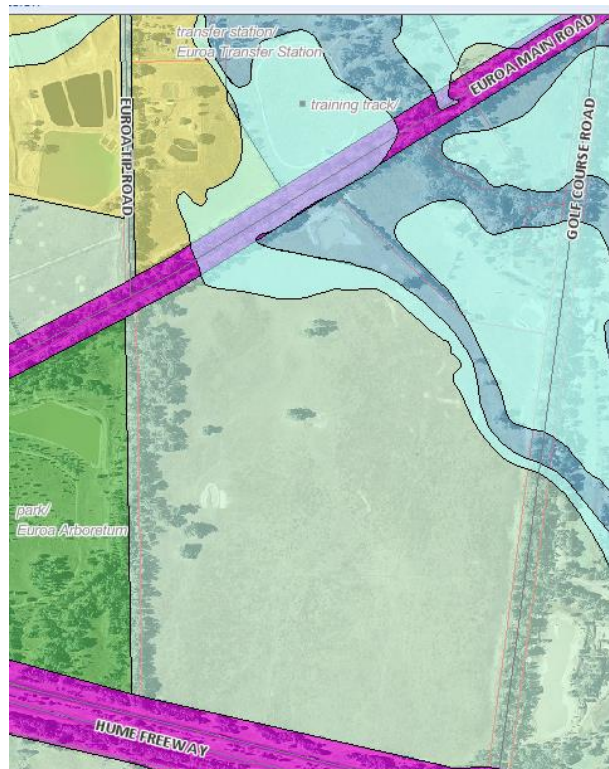


Image 4 – Existing Urban Flood Zone and Floodway Overlay

7.1 Strathbogie Planning Scheme Amendment C32 (cont.)

Formal exhibition of the amendment was undertaken from the 18 September 2014 to the 20 October 2014. Notice was given to; prescribed Ministers, Referral Authorities and adjoining landowners. Additionally a public notice was placed in the Government Gazette and Euroa Gazette.

Six (6) submissions were received from referral authorities, as detailed in attachment 1, with the Goulburn Valley Water and APA Group providing no objection. VicRoads, Department of Environmental and Primary Industries, Goulburn Murray Water and Goulburn Broken Catchment Management Authority requested minor changes to the proposed Schedule 4 to the Development Plan Overlay. The requested changes have been made to the proposed schedule.

Two (2) submissions were received from members of the public with both posing an objection to the proposed amendment, refer to the Submission Table at Attachment 1. Council Officers provided an opportunity for mediation to resolve the concerns which included phone calls, letters and a mediation meeting held individually between submitters, Council Officers and the landowner.

Neither of the submitters have withdrawn their objection, therefore for the amendment to proceed, an Independent Panel is required to allow all parties to be heard.

RECOMMENDATION

That Strathbogie Shire Council;

- 1. Requests the Minister for Planning appoint an Independent Planning Panel to consider the unresolved submissions received to the public exhibition of Amendment C32 to the Strathbogie Planning Scheme, in accordance with Part 8 of the *Planning and Environment Act 1987*.**
- 2. Resolve that Councils' position is to support the Amendment in its current form including the changes made post exhibition.**
- 3. Write to the submitters, informing them of Council's decision to proceed to a Planning Panel Hearing.**
- 4. Confirm that the cost of the Panel Hearing must be paid by the proponent, i.e. as per the direct charge by Planning Panels Victoria.**

Background

The *Development Plan Report: Euroa and Avenel Rural Residential Development, April 2010*, identified the subject land as suitable future rural residential development. As the land is currently within the Farming Zone, the provisions of the Strathbogie Planning Scheme do not allow subdivision for residential allotments, an amendment to the planning scheme is required to facilitate the low density residential development of the land.

7.1 Strathbogie Planning Scheme Amendment C32 (cont.)

In 2009, Council resolved to seek authorisation to commence the Planning Scheme Amendment and conditional authorisation was granted. Conditions relating to native vegetation on site needed to be addressed and the inclusion of a Vegetation Protection Overlay. Due to the complexity of the nature of completing an assessment of the site for Native Vegetation, the authorisation lapsed.

Having regard for the landowner, it was determined to continue with the rezoning of the land. Council officers reviewed the file and completed an assessment of the site. A Land Capability Assessment was carried out and consultation with Council's Environmental Health Officer and Goulburn Valley Region Water Corporation was undertaken. In addition consultation with the Department of Environment and Primary Industries occurred to resolve concerns in relation to native vegetation.

Council at its meeting of 10 December 2013 resolved:

1. That Strathbogie Shire Council seek authorisation from the Minister for Planning to prepare Amendment C32.
2. That, upon receipt of the Minister's authorisation, Strathbogie Shire Council prepare and exhibit Amendment C32 to the Strathbogie Planning Scheme, formally exhibiting the amendment for a period of not less than one calendar month after the date that notice is published in the Government Gazette.

Alternative options

Council may wish to consider the request as not appropriate and not process the amendment any further.

Risk Management

There are no risk management issues associated with the submission.

Strategic links - policy implications and relevance to Council Plan

The proposed framework is consistent with the strategic intent of the Council Plan; in particular Goal 7 *An organisation that meets the community's needs and expectations with responsive, innovative customer service and management (Organisation)*.

This area is also identified in the Euroa Structure Plan within the Strathbogie Planning Scheme Municipal Strategic Statement for *"Future residential & rural living growth"*.

Best Value/National Competition Policy (NCP)/Trade Practices Act (TPA) Implications

The submission is consistent with NCP policy.

Financial/Budgetary implications

This is a proponent driven amendment, and thus Council's costs are contained within the existing operational budget. The cost of panel is to be worn by the applicant as it is a proponent driven amendment, not Council.

7.1 Strathbogie Planning Scheme Amendment C32 (cont.)

Economic implications

The amendment will assist in creating a variety of lot sizes which are currently unavailable within the Euroa Township. This amendment will have positive economic implications.

Environmental/Amenity implications

The application of the Vegetation Protection Overlay is required to protect significant vegetation along the northern and western boundaries of the site.

The inclusion of part of the site in the Environmental Significance Overlay has come at the request of Goulburn Valley Water (GVW) due to the location of the Euroa Wastewater Management Facility to the north of the site. GVW and Council recognise the need to provide a buffer around this facility to protect it and provide security for its long term operations.

Community implications

The proposed amendment implements the objectives of the *Planning and Environment Act 1987* as it will facilitate the fair, orderly, economic and sustainable rural residential use and development of the land.

The application of the Development Plan and Vegetation Protection Overlays seek to ensure the achieving of an orderly and integrated development which provides for the protection of natural resources and the maintenance of ecological processes while creating an efficient and pleasant environment for future residents and visitors.

The application of the Environmental Significance Overlay to part of the site also implements the objectives of planning in Victoria as it recognises an established and important land use and seeks to protect the continued operations of this facility into the future.

Victorian Charter of Human Rights and Responsibilities Act 2006

The report content is consistent with Council's responsibilities under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

The process to Planning Scheme Amendments is governed by the *Planning and Environment Act 1987*. Final approval is given by the Minister for Planning.

Consultation

Full public exhibition and notification was undertaken as required under the *Planning and Environment Act 1987*. Notification included:

- Notice in the Government Gazette
- Notice in the Euroa Gazette
- Notice sent to all potential affected land owners
- Notice sent to Referral Authorities
- Notice sent to Prescribed Ministers
- Public stand in Euroa main street

7.1 Strathbogie Planning Scheme Amendment C32 (cont.)

Six (6) submissions were received from referral authorities, as detailed in attachment 1, with the Goulburn Valley Water and APA Group providing no objection. VicRoads, Department of Environmental and Primary Industries, Goulburn Murray Water and Goulburn Broken Catchment Management Authority requested minor changes to the proposed Schedule 4 to the Development Plan Overlay. The requested changes have been made to the proposed schedule.

Two (2) submissions were received from members of the public with both posing an objection to the proposed Amendment, refer to the Submission Table at Attachment 1. Council Officers provided an opportunity for mediation to resolve the concerns which included phone calls, letters and a mediation meeting held individually between submitters, Council Officers and the landowner.

Attachments

1. Submission Table
2. Proposed Schedule 4 of Development Plan Overlay (Post Exhibition)

Planning Scheme Amendments C32 – Table 1

Referral Authority	Submission Points	Officer Comments
VicRoads 8 May 2014	VicRoads has reviewed the supporting documentation of the proposed Planning Scheme Amendment and does not object to Council's adoption of the amendment subject to the following changes to Schedule 4 to the Development Plan Overlay: <ul style="list-style-type: none"> ▪ The seventh dot point under 'the Development Plan must include, where required by the Responsible Authority' to read: <p><i>A traffic impact assessment report, to the satisfaction of the Roads Corporation (VicRoads), that identifies:</i></p> 	Change made to the Development Plan Overlay Schedule.
Goulburn Valley Region Water Corporation 1 October 2014	The Corporation has investigated the Planning Permit application forward under Section 52 of the Planning and Environment Act 1987 and does not object to Council granting the permit. The proposed Environmental Significance Overlay varies from Goulburn Valley Water's Waste Management Facility buffer zone. Goulburn Valley Water seeks assistance of Strathbogie Shire Council in reducing the potential for future land-use conflicts by ensuring that the buffers associated with the facility are not threatened by future development.	Goulburn Valley Water has referred to the incorrect section of the Act in error. Noted
Department of Environment and Primary Industries 8 April 2014	The DEPI recommended the following: That native vegetation protection be addressed as part of the rezoning. A report be sought to address the mapped values of the newly incorporated Biodiversity Assessment Guidelines.	The protection of native vegetation has been addressed through the application of a Vegetation Protection Overlay. The Development Plan Overlay Schedule amended to ensure the flora and fauna survey is prepared in accordance with the most current Biodiversity Assessment Guidelines.
Goulburn Broken Catchment Management Authority 13 October 2014	The Authority's assessment for this amendment is based on the <i>"Floodplain Management Principles and Best Practice Assessment for Land Use and Development"</i> (Copy attached), which for greenfield sites advocates: <ul style="list-style-type: none"> • The extent of development is limited to 0.3 metres below the 1% AEP flood level. • Accessways must be available, where the depth of flooding is less than 0.3 metres • Natural overland flow paths should be retained in principle. 	Objection withdrawn The Development Plan Overlay has been amended as suggested.

	<p>With regard to Schedule 4 to the Development Plan overlay, the Authority advises that the dot point:</p> <ul style="list-style-type: none"> • A land capability assessment, unless a development will be connected to a reticulated sewerage network. <p>should be removed because this development is to be connected to a reticulated sewerage network.</p> <p>1. The developer is required to submit a concept plan showing crossings and building envelopes that meets the above criteria before this amendment can be supported.</p>	
<p>Goulburn-Murray Water 18 October 2014</p>	<p>Goulburn-Murray Water has not objection on the basis that changes are made to the proposed Schedule to the Development Plan Overlay by including the following to Section 3.0 Requirements for development plan:</p> <ul style="list-style-type: none"> • Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of Goulburn Valley Water. • The development plan must show exclusion zones to prevent future buildings and works being located within the Urban Floodway Zone. • All references to effluent disposal envelopes and the requirement for land capability assessment need to be removed from Section 3.0 of Schedule 4. • There is a water feature that transects the western half of the subject land. Appropriate setbacks for buildings and infrastructure (a minimum of 30 metres) should be considered in the design layout for the development. 	<p>The proposed Schedule 4 to the Development Plan Overlay has been altered as requested by Goulburn-Murray Water.</p>
<p>APA Group</p>	<p>No objection to the amendment</p>	<p>Noted</p>
<p>CFA</p>		<p>The application was referred to the CFA however they failed to reply.</p>
<p>Jenny & John Buerckner 17 October 2014</p>	<p>Concerns the future development will increase drainage and flooding issues in the area.</p>	<p>Refer to Panel.</p> <p>The area significantly impacted from floodwaters is not proposed to be rezone. The proposed Schedule 4 to the Development Plan Overlay requires careful consideration of drainage and flooding, including the preparation of a</p>

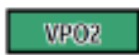
		<p>drainage and flood investigation report prior to a Development Plan being approved for the site. The amendment was referred to the relevant floodplain and drainage authorities, who did not object.</p>
<p>Euroa Arboretum 19 October 2014</p>	<p>The Euroa Arboretum has suggested the following:</p> <ul style="list-style-type: none"> - The land within the proposed ESO2 and VPO2 and additional land to the north and west be consolidated into the Arboretum and managed by the Arboretum Committee of Management - The balance of the land be managed with stringent conditions to ensure flora and fauna values of the Arboretum are not diminished or compromised. These conditions would include: <ul style="list-style-type: none"> - A restriction on pets so that no cates are to be owned and a maximum of 2 dogs per building envelope. - Apply planting guidelines to ensure gardens are developed to include local species and prohibit invasive species. 	<p>Refer to Panel.</p> <p>The land adjacent to the Arboretum is proposed to be protected with VPO2 and ESO2, refer to attached maps. It is considered the controls within these Overlays and the Strathbogie Planning Scheme are sufficient to ensure the flora and fauna values of the site and its surrounds are not impacted by the proposed low density residential development of the site.</p>

STRATHBOGIE PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Map 17VPO

LEGEND

-  VPO2
- VEGETATION PROTECTION OVERLAY - SCHEDULE 2

AMENDMENT C32

PREPARED BY: INFORMATION SERVICES
Statutory Planning Systems Reform
Planning, Heritage and Urban Design

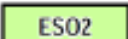


STRATHBOGIE PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Map 17ESO

LEGEND

	ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2
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AMENDMENT C32

PREPARED BY: INFORMATION SERVICES
Statutory Planning Systems Reform
Planning, Heritage and Urban Design



STRATHBOGIE PLANNING SCHEME

DD/MM/YYYY
Proposed C32

SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4

EASTERN GATEWAY, EUROA

1.0 Requirement before a permit is granted

DD/MM/YYYY
Proposed C32

Before any new use, development or subdivision commences, a development plan must be prepared and approved by the Responsible Authority.

A permit may be granted before a development plan has been prepared for the purpose of:

- subdividing land into two allotments or re-subdividing existing allotments so as to not increase the number of lots;
- a single dwelling on a lot; or
- any buildings and works associated with the ongoing maintenance or operation of the subject site.

2.0 Conditions and requirements for permits

DD/MM/YYYY
Proposed C32

An application for planning permit must include, a stormwater management plan detailing how stormwater will be collected and treated within the development. The plan must be prepared in accordance with the Infrastructure Design Manual and consider ongoing maintenance of the stormwater management measures.

Conditions, as appropriate, must be included on any planning permit issued to subdivide or develop land with regard to recommendations made by the assessments and specialist reports submitted in support of the Development Plan.

3.0 Requirements for development plan

DD/MM/YYYY
Proposed C32

A Development Plan must be prepared to the satisfaction of the Responsible Authority to guide the future subdivision, use and development of land known as Eastern Gateway Euroa.

The Development Plan may be amended to the satisfaction of the Responsible Authority.

The Development Plan must demonstrate, as appropriate:

- General consistency with the *Euroa & Avenel Rural Residential Development – Development Plan Report April 2010*
- The proposed subdivision layout or the proposed development of the land, including roads, lot size, areas of open space and recreation, pedestrian and bicycle links, equestrian trails, drainage retention areas, and any staging of the development.
- Building envelope/exclusions area concept plan showing crossings and building envelopes complying with the following:
 - Limiting extent of development to 0.3 metres below the 1% AEP flood level.
 - Accessways provided where the depth of flooding is less than 0.3 metres
 - Natural overland flow paths should be retained in principle.

STRATHBOGRIE PLANNING SCHEME

- Appropriate building/infrastructure setbacks (a minimum of 30 metres) to water features
- Exclusion areas within the Urban Floodway Zone
- The development plan must show exclusion zones to prevent future buildings and works being located within the Urban Floodway Zone.
- Appropriate setbacks for buildings and infrastructure (a minimum of 30 metres) should be considered in the design layout for the development.
- Responsiveness to the site's constraints and opportunities and adjoining land uses and neighbouring buildings and works.
- The location of any significant environmental, cultural, heritage and/or ecological (faunal and/or floral) features including remnant vegetation, habitat corridors, wetlands, watercourses, fire or flood prone and saline areas, and historic sites.
- Stormwater management methods, including the location of any on-site drainage retention facilities.
- Arrangements for the provision of all physical infrastructure to the land including vehicle access arrangements.
- The protection and enhancement of the existing Euroa Arboretum on the western boundary of the site.

The Development Plan must include, where required by the Responsible Authority:

- An environmental assessment of the land, involving a flora and fauna survey, which, among other things, identifies the health and habitat value of all native vegetation and prepared in accordance with current Biodiversity Assessment Guidelines.
- A vegetation management plan for the remnant vegetation along the western and southern boundaries of the site.
- A drainage and flood investigation report to determine the requirements for mitigating works to manage the retaining and redirecting of flows from the designated water way of the western side of the development plan area. The investigation report will also need to incorporate the Castle Creek anabranch and the minor waterway in the northern portion of the subject site.
- A preliminary survey of the area for aboriginal archaeological sites and preliminary cultural heritage assessment to determine whether a Cultural Heritage Management Plan, in terms of the Aboriginal Heritage Act 2006, is required.
- A preliminary soil assessment demonstrating the extent of any contaminated soils that may exist on the subject land and, if detected, a more detailed assessment outlining the location of the contaminated soil, the type of contaminants detected, and the strategies required to be undertaken to decontaminate the affected areas in accordance with the Minister's Direction No. 1 – Potentially Contaminated Land.
- A traffic impact assessment report to the satisfaction of the Roads Corporation (VicRoads), that identifies:
 - Appropriate access and circulation of vehicles on the existing and future road network.
 - The works necessary to accommodate traffic generated by the development and to mitigate any adverse impacts of the development.
 - The trigger points for any additional traffic infrastructure such as upgrades to existing intersections.
 - Considers the broader arterial road network
- An acoustic report to consider the noise impact and mitigation measures for the Hume Freeway.

STRATHBOGIE PLANNING SCHEME

- An infrastructure plan approved by the Responsible Authority, which identifies the anticipated staging and timing of the provision of infrastructure. The infrastructure plan should address, as appropriate:
 - The provision, staging and timing of stormwater drainage works.
 - The provision, staging and timing of roadworks, both internal and external in accordance with the approved traffic management plan.
 - The provision, staging and timing of landscaping works for local parks, stormwater drainage reserves and regional landscaping works.
 - The securing of the infrastructure and utility services as may be necessary by way of an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* or by other means acceptable to the Responsible Authority.
 - Any other infrastructure related matter reasonably requested by the Responsible Authority associated with the subdivision of land.
 - Identification of any agency or person responsible for provision of particular items of infrastructure.

Before approving the Development Plan, the Responsible Authority must consider the following, and may include conditions where appropriate:

- The environmental, ecological, landscape, archaeological, cultural heritage and historical values and features of the site.
- The provision of at least 100,000 litres of static water storage where reticulated water is not available and at least 20,000 litres where reticulated water is available for fire fighting purposes and onsite use.
- The need for any agreement to be made pursuant to the provisions of Section 173 of the *Planning and Environment Act 1987* with respect to matters arising from the proposed use and development.
- Any requirements and/or views of the Strathbogie Shire Council and referral authorities regarding urban design and landscaping, traffic works, stormwater disposal, engineering works, environmental protections and enhancement, sewerage, drainage, fire or flood mitigation works required to properly service the proposed use and development of the land.

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

7.2 Planning Applications Received
- 18 February to 4 March 2015

Following are listings of Planning Applications Received for the period 18 February to 4 March 2015.

RECOMMENDATION

That the report be noted.

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

Planning Applications Received

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19 February 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
11-13 Binney Street, Euroa VIC 3666	P2015-021	Development of land for an extension to an existing building to provide an undercover storage area	Housemart Design	\$75,000.00

20 February 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
Cowslip Street, Violet Town VIC 3669	P2014-112 - 1	Use and development of land for leisure and recreation (wetland)	Sam Campi	\$0.00 *

23 February 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
181 Millards Lane, Euroa VIC 3666	P2015-016	Two Lot Subdivision	Troy Spencer	\$0.00 *
34 Euroa Tip Road, Euroa VIC 3666	P2015-019	Use and Development of land for a Minor Waste Depot	Goulburn Valley Water	\$7,000.00
67 Railway Street, Euroa VIC 3666	P2015-022	Removal of easement	CAF Consulting	\$0.00
Monea Road, Locksley VIC 3665	P2015-024	Use and Development of land for a single dwelling and shed for animal husbandry	Mary Taylor	\$240,000.00

26 February 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
523 Lomers Road, Balmattum VIC 3666	P2015-023	Subdivision - Realignment of boundaries to form 3 lots	Monger & Tomkinson- Graeme Schneider	\$0.00 *

03 March 2015

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
Maggies Lane, Ruffy VIC 3666	P2015-025	Development of land for a shed	Laurie Young	\$15,206.00

Total = 8

*NB – 'Not applicable' in Cost of Works means either no development, endorsement of plans or amendment to the original permit