



STRATHBOGIE SHIRE COUNCIL
PLANNING COMMITTEE
MINUTES

OF THE MEETING HELD ON TUESDAY 11 MARCH 2014

COMMENCING AT 4.00 P.M.

AT THE EUROA COMMUNITY CONFERENCE CENTRE

Councillors: Malcolm Little (Chair)
Colleen Furlanetto
Alister Purbrick
Patrick Storer
Debra Swan
Robin Weatherald
Graeme (Mick) Williams

Officers: Steve Crawcour - Chief Executive Officer
Emma Kubeil – Manager, Economic Growth
Jennifer Dowling – Team Leader, Planning
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

Phil Howard - Director, Sustainable Development
Steven Hicks – Manager, Statutory Services

4. Confirmation of Minutes of the Planning Committee meeting held on Tuesday 25 February 2014

25/14 **CRS WILLIAMS/WEATHERALD** : *That the Minutes of the Planning Committee meeting held on Tuesday 25 February 2014 be confirmed*

CARRIED

5. Disclosure of Interests

Nil

EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order including any Councillor who fails to comply with the Chairperson's direction will be guilty of an offence.

Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person including a Councillor who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

6. Planning Reports
7. Other Business

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PLANNING COMMITTEE REPORT NO. 1 (TEAM LEADER, PLANNING – JENNIFER DOWLING)

6. PLANNING REPORTS

**6.1 Planning Permit Application No. 2013/021
- Use and Development of Land for a Dwelling and Outbuildings in association with an Equine Agistment Enterprise ~ 101 Coombs Road, Mangalore**

Application Details:

Application is for:	Use and development of land for a dwelling and outbuildings in association with an equine agistment enterprise.
Applicant's/Owner's Name:	T & C Development Services Pty Ltd for Michael Joseph O'Connor
Date Received:	26 February 2013
Statutory Days:	252 Days
Application Number:	P2013/021
Planner: Name, title & department	Jennifer Dowling Team Leader – Planning Sustainable Development
Land/Address:	Crown Allotment 18A, Parish of Mangalore, Certificate of Title Volume 07015 Folio 852, 101 Coombs Road Mangalore
Zoning:	Farming Zone
Overlays:	Nil
Under what clause(s) is a permit required?	Clause 35.07-1 Clause 35.07-4
Restrictive covenants on the title?	Nil
Current use and development:	Grazing sheep

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

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

Summary

- The proposal is for the use and development of land for a dwelling and outbuildings associated with an equine agistment enterprise.
- The site is located in the Farming Zone.
- The lot size is approximately 17.3 hectares.
- The subject site is located to the north of Mangalore township.

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association with an Equine Agistment Enterprise ~ 101 Coombs Road,
Mangalore (cont.)

- The application was referred internally to Council's Asset Services Department and Council's Health Officer who offered no objection, subject to conditions.
- The application was advertised to adjoining landholders, no objections have been received to date.
- The application is being presented to Planning Committee as the proposal is for a dwelling on an allotment under the minimum lot size in the Farming Zone, i.e. 100 hectares.
- The application has been assessed outside the 60 day statutory time period due to consultation with the Applicant in relation to the proposed agricultural uses.
- An assessment against the Farming Zone Decision Guidelines, State and Local Policies indicates the proposal is consistent with the provisions of the Strathbogie Planning Scheme.
- It is recommended that Council resolve to Grant a Permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council:

- **Having caused notice of Planning Application No. P2013/021 to be given under Section 52 of the *Planning and Environment Act 1987* and the planning scheme**

and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Permit under the provisions of Clauses 35.07-1 and 35.07-4 of the Strathbogie Planning Scheme in respect of the land known as Crown Allotment 18A, Parish of Mangalore, Certificate of Title Volume 07015 Folio 852, 101 Coombs Road Mangalore for the use and Development of land for a dwelling and outbuildings in association with an equine enterprise, in accordance with endorsed plans, subject to the following conditions:

- 1. Prior to the commencement of the use of the land for a dwelling, the use of the land for equine agistment must be established on site to the satisfaction of the Responsible Authority.**
- 2. Prior to the commencement of the use new or otherwise vehicular entrances to the subject land from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The vehicular crossing must have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and must be at the Applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit.**

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Mangalore (cont.)

Reference should be made to Clause 12.9.2 “Rural Vehicle Crossings” of the Infrastructure Design Manual and the relevant Standard drawing.

3. Prior to the commencement of development, the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. Such agreement shall:
 - a. *Prevent the excision of the dwelling from the parent lot.*
4. A memorandum of the agreement is to be entered on title and the cost of the preparation and execution of the agreement and entry on the title is to be paid by the owner.
5. Prior to the commencement of the use all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4 metres.
6. Prior to the commencement of works, a permit to install a septic tank system is required from the Responsible Authority.
7. Prior to the commencement of use, the Owner must provide and install a septic tank system (All Water Waste System or Treatment plant) in accordance with the current Septic Tank Code of Practice, in accordance with the recommendations of the approved Land Capability Assessment and to the satisfaction of the Responsible Authority.
8. Prior to the commencement of works, a Land Capability Assessment must be carried out by a suitably qualified practitioner and submitted to the Responsible Authority for approval, for confirming that all wastewater can be treated and retained on-site in accordance with SEPP (Waters of Victoria) 1988. The assessment must be undertaken in accordance with EPA publication No. 746.
9. All sewerage and sullage emanating from the permitted buildings shall be adequately treated, retained and disposed of within boundaries of the lot in accordance with Clause 40 of the state environmental protection policy (Waters of Victoria) 1988; Septic Tank Code of Practice; and AS/NZS 1547:2012.
10. A reserve effluent disposal area is required to designate, on building or development plans, equivalent in size to the proposed effluent disposal area described within the Land Capability Assessment for the site. The reserve effluent disposal area must not have permanent structures built upon it.
11. The Responsible Authority reserves the right to accept, reject or amend the recommendations of an LCA report.

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Mangalore (cont.)

12. The ingress of surface and seepage water shall be diverted around the perimeter and upslope of the effluent disposal area.
13. 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 or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
14. 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.
15. 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.
16. The dwelling must be used in accordance with the whole farm plan endorsed under this application.
17. The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
18. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
19. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.
20. All external materials to be used in the construction of the buildings hereby permitted shall be of muted tonings and non-reflective to the satisfaction of the Responsible Authority.
21. 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.
22. 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;

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Mangalore (cont.)

(d) Presence of vermin, and;

(e) Others as appropriate.

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

- a. The development is not started within two (2) years of the date of this Permit,
- b. The development is not completed within four (4) years of the date of this Permit.

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

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

Planning Notes;

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

26/14 **CRS WEATHERALD/WILLIAMS** : *That the Recommendation be adopted.*

CARRIED

Proposal

It is proposed to use and develop the land for the purposes of a dwelling and outbuildings in association with an equine enterprise (Agistment) which will provide accommodation for horses over varying lengths of time.

The dwelling will be constructed 126 metres from Station Road and approximately 166 metres from Rawson Road. No elevation or floor plans have been provided.

A number of machinery sheds and horse shelters are also proposed to be constructed.

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- Use and Development of Land for a Dwelling and Outbuildings in
association with an Equine Agistment Enterprise ~ 101 Coombs Road,
Mangalore (cont.)

Subject site & locality

The subject site is located to the north of Mangalore township on Station Road, Mangalore. The site has a total area of 17.3 hectares and is a triangular shape. The site has a frontage to Station Road. The land is currently used for the purposes of grazing sheep.

The site is bound to the south east by railway tracks running south east to north east and the Seymour Avenal Road. To the west is a lot of a similar size to the subject site and further west a railway track running north to south.

Lots surrounding and adjoining the subject site are used for grazing sheep. Within the wider area, dwellings are scattered and the primary use of the surrounding area is predominantly agricultural.

Permit/Site History

There is no relevant history for the subject site.

Public Notification

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

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site

The notification has been carried out correctly.

Council has received no objections to date.

Consultation

Consultation was undertaken with the applicant and owner regarding the proposed agricultural use. Initially the Planning Department had concerns regarding the proposed agricultural use of the land. The applicant provided further information and a meeting was held on site. These concerns have been satisfied.

Referrals

No external Referrals were required as part of this application.

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

6.1 Planning Permit Application No. 2013/021
- Use and Development of Land for a Dwelling and Outbuildings in
association with an Equine Agistment Enterprise ~ 101 Coombs Road,
Mangalore (cont.)

Assessment

The zoning of the land and any relevant overlay provisions

Farming Zone

Purpose

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

A permit is required for the use and development of the land for a dwelling on a lot under the minimum lot size (100ha)

General Issues	Complies	Officers Comment
<i>The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Yes	Assessment against SPPF & LPPF is provided below.
<i>Any Regional Catchment Strategy and associated plan applying to the land.</i>	N/A	There is no relevant regional catchment strategy.
<i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i>	Yes	The application was referred to Council's Health Officer who did not object subject to conditions being included on the permit.
<i>How the use or development relates to sustainable land management.</i>	Yes	The proposed dwelling will be used in conjunction with horse agistment. The land is currently use for sheep grazing, however there is potential to increase the intensity of the use. This application proposes to increase the agricultural use of the land.

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- Use and Development of Land for a Dwelling and Outbuildings in
association with an Equine Aqistment Enterprise ~ 101 Coombs Road,
Mangalore (cont.)

<i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i>	Yes	The subject site is considered to be a small lot suitable for agriculture and a dwelling. The proposed dwelling is setback from the boundary which will allow a buffer between the proposed use and development and the surrounding residential and agricultural uses.
<i>How the use and development makes use of existing infrastructure and service.</i>	Yes	Access to the site is proposed to be via a government road to the west of the subject site.
Agricultural Issues		
<i>Whether the use or development will support and enhance agricultural production.</i>	Yes	The proposed use and development will allow the intensity of the agriculture to increase.
<i>Whether the use or development will permanently remove land from agricultural production.</i>	Yes	The proposed dwelling will allow for an increase in agricultural use. A portion of the site will be removed due to allowing the development of the land for a dwelling. However the dwelling will allow for a more intensive agricultural use.
<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	The subject site is constrained due to the location of the railway tracks to the east and west. There is limited opportunity for expansion due to these physical barriers. It is considered appropriate to allow the use occur independently on the subject site.
<i>The capacity of the site to sustain the agricultural use.</i>	Yes	The subject site is considered capable of sustaining the proposed agricultural use.
<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Yes	The application states that the land is suitable for an agricultural use and has appropriate access to rural infrastructure.
<i>Any integrated land management plan prepared for the site.</i>	n/a	

6.1 Planning Permit Application No. 2013/021
- Use and Development of Land for a Dwelling and Outbuildings in
association with an Equine Aqistment Enterprise ~ 101 Coombs Road,
Mangalore (cont.)

Dwelling Issues	Complies	Officers Comment
<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	Yes	As detailed above the dwelling is unlikely to result in the loss or fragmentation of productive agricultural land. This site is constrained due to the proximity of the railway tracks.
<i>Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</i>	Yes	The dwelling will be associated with agriculture and appropriately setback from the lot boundaries. This is likely to result in realistic expectations and provide an adequate buffer between the dwelling and surrounding agricultural uses.
<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	As detailed above there is limited opportunity for expansion due to the site constraints.
<i>The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.</i>	Yes	The proposed dwelling has been assessed on its merit. Therefore it is unlikely that the proposed dwelling would directly result in the proliferation of dwellings.
Environmental issues		
<i>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</i>	Yes	The application was referred to Council's Environmental Health Officer who assessed the application and did not object to the proposal subject to conditions.
<i>The impact of the use or development on the flora and fauna on the site and its surrounds.</i>	Yes	The proposal does not include the removal of any vegetation and is appropriately located not to damage any vegetation.
<i>The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.</i>	Yes	The proposal does not include the removal of any vegetation.

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- Use and Development of Land for a Dwelling and Outbuildings in
association with an Equine Agistment Enterprise ~ 101 Coombs Road,
Mangalore (cont.)

<i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i>	Yes	As detailed above the application was referred to Environmental Health. Should a permit be issued conditions will be included to ensure the septic system is appropriate.
Design and siting issue		
<i>The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.</i>	Yes	The dwelling has been setback from lot boundaries to provide a buffer distance to the surrounding agricultural uses.
<i>The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</i>	Yes	The proposed siting and design is considered appropriate. Should a permit be issued a condition will be placed on the permit requiring muted tones for all building materials.
<i>The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.</i>	Yes	The proposed dwelling is unlikely to impact the character and appearance of the area.
<i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i>	Yes	The proposed dwelling and associated infrastructure is considered to be appropriately located.
<i>Whether the use and development will require traffic management measures.</i>	Yes	The application was referred to Council's Assets Department who raised no concerns in relation to traffic management measures. A single dwelling is unlikely to unreasonably increase traffic in the area.

A permit is required for the use and development of land for a dwelling as the subject site is less than 100 hectares in area.

- 6.1 Planning Permit Application No. 2013/021
- Use and Development of Land for a Dwelling and Outbuildings in association with an Equine Aqistment Enterprise ~ 101 Coombs Road, Mangalore (cont.)

The State Planning Policy Framework (SPPF)

Clause 11.05-3, Rural productivity

Objective:

- *“To manage land use change and development in rural areas to promote agriculture and rural production.”*

Strategies

- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Limit new housing development in rural areas, including:*
 - *Directing housing growth into existing settlements.*
 - *Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.*
 - *Encouraging consolidation of existing isolated small lots in rural zones.*
- *Restructure old and inappropriate subdivisions.*

Clause 14.01, Agriculture,

Objective:

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

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

Clause 17 Economic Development

Planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity. Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.

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

Clause 22.01 Housing and house lot excisions in the Farming Zone

Policy

Dwellings on small lots

The construction of a new dwelling on an existing small lot will be discouraged unless it meets all of the following requirements:

- *The lot is accessed by an all weather road and has appropriate service provisions.*
- *Emergency ingress and egress is at an appropriate standard.*

6.1 Planning Permit Application No. 2013/021
- Use and Development of Land for a Dwelling and Outbuildings in association with an Equine Agistment Enterprise ~ 101 Coombs Road, Mangalore (cont.)

- *The dwelling will not inhibit the operation of agriculture and rural industries.*
- *The site must be able to contain and treat onsite effluent and wastewater in accordance with the relevant Code of Practice and Australian Standards, and;*
- *Meets at least one of the following requirements:*
 - *The dwelling should be associated with a sustainable rural pursuit that requires a dwelling on the land to manage that pursuit. The application should be supported by a farm management plan that justifies the need for a dwelling to assist in the operation of the farm.*
 - *The applicant can substantiate that the land has no agricultural potential due to environmental significance and the dwelling is to be used in conjunction with sustainable land management and the significant vegetation is protected on title.*
 - *The lot has been identified in the Strathbogie Shire Rural Residential Strategy, 2004 as rural residential; implying that that there is an historic use and development pattern. Consideration should be given to the recommendations in the Strategy.*
 - *The applicant is proposing to consolidate one or more lots in the same ownership with the subject land prior to the construction of the dwelling.*

If a permit is granted for the use and development of a dwelling on a small lot, the applicant will be required to enter an agreement under Section 173 of the Planning and Environment Act:

- *Prevent the excision of the dwelling from the parent lot.*

Assessment:

The applicant has submitted a comprehensive Whole Farm Plan which demonstrates that a dwelling and associated shedding is required to facilitate horse agistment. The land is currently under-utilised for sheep grazing and the proposed horse agistment will provide an alternative agricultural use which is more intense on this small site. It is considered that the proposal is consistent with the relevant policies within the State Planning Policy Framework.

In this instance, and as the land will be continually managed in accordance with the Whole Farm Management, it is considered unlikely that a conflict over residential versus agricultural land uses is likely to result from the proposal. The land is considered to be marginal for traditional agriculture however is considered appropriate for equine industries due to its topography and its proximity to the Hume and Goulburn Valley Freeways and equine facilities in surrounding towns. A dwelling is required to be constructed on this lot to allow for ongoing maintenance and care of the horses to be kept on the land.

6.1 Planning Permit Application No. 2013/021
- Use and Development of Land for a Dwelling and Outbuildings in
association with an Equine Agistment Enterprise ~ 101 Coombs Road,
Mangalore (cont.)

It is considered in this instance that the proposal is representative of a genuine small scale farming enterprise rather than a 'rural-residential' development. Given that the land will be managed in accordance with a Whole Farm Plan, the proposal is not deemed to remove the agricultural potential of the land but instead will utilise the agricultural viability of the property as far as possible. Should a permit be issued a section 173 Agreement will be required to prevent the excision of the dwelling from the parent lot.

As described above, it is considered that the construction of the proposed dwelling on the lot will not result in a conflict between the residential amenity expectations of the resident and the agricultural production capabilities of adjoining landholders as the site will be operated as a horse agistment enterprise. The applicant intends to utilise the capabilities of the subject land for agricultural purposes. It is unlikely that the construction of a dwelling on the land is likely to result in the applicant placing pressure on adjoining farmers to limit agricultural operations for reasons of noise, dust, spraying etc., as similar effects will result from the agricultural use of the subject land.

Relevant Particular Provisions

The decision guidelines of Clause 65

Clause 65.01, Approval of an application or plan, of the Strathbogie Planning Scheme is relevant to this proposal. It states that the following must be considered when assessing an application:

- *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.*

6.1 Planning Permit Application No. 2013/021
- Use and Development of Land for a Dwelling and Outbuildings in
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Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

No relevant adopted State Policies.

Relevant incorporated or reference documents

No relevant incorporated or reference documents.

Relevant Planning Scheme amendments

No relevant incorporated or reference documents.

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 Zone, it is considered that the proposed dwelling is reasonably required for the management of the proposed equine agistment enterprise.

The application was not required to be externally referred.

The application was advertised and no objections have been received.

The application was referred internally to Council's Engineering and Health departments. Neither department has objected but both require conditions to be included on the permit. These conditions relate to access, stormwater and sediment control and the provision of an on-site waste water treatment system.

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

Conclusion

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

Attachments

Site Plan



PLANNING COMMITTEE REPORT NO. 2 (TEAM LEADER, PLANNING – JENNIFER DOWLING)

**6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~
Lydiards Road, Euroa**

Application Details:

Application is for:	Use and development of the land for a dwelling and outbuilding
Applicant's/Owner's Name:	T Miller
Date Received:	16 December 2013
Statutory Days:	63 Days
Application Number:	P2013-154
Planner: Name, title & department	Jennifer Dowling Team Leader Planning Sustainable Development
Land/Address:	Crown Allotment 7 Section A2 Parish of Euroa, Certificate of Title Volume 03963 Folio 432, Lydiards Road, Euroa
Zoning:	Farming Zone
Overlays:	Land Subject to Inundation Overlay
Under what clause(s) is a permit required?	Clause 35.07-1 Clause 35.07-4 Clause 44.04-1
Restrictive covenants on the title?	n/a
Current use and development:	Vacant Land

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

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

Summary

- The proposal is for the use and development of land for a dwelling and outbuilding.
- The site is located in the Farming Zone.
- The lot size is approximately 2 hectares.
- The character of the area is rural residential.
- The subject site is identified in the Strathbogie Shire Rural Residential Strategy 2004 as Rural Residential.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

- The application was referred internally to Council's Asset Services Department and Council's Health Officer who offered no objection, subject to conditions.
- An assessment against the Farming Zone, Land Subject to Inundation Overlay and State and Local Policies indicates the proposal is consistent with these provisions of the Strathbogie Planning Scheme.
- The application was advertised to adjoining landholders, no objections have been received to date.
- The application is being presented to Planning Committee as the proposal is for a dwelling on an allotment under the minimum lot size in the Farming Zone, i.e. 40 hectares.
- The application has been assessed outside the 60 day statutory time period due to an extended advertising period to take account of the Christmas Holidays.
- It is recommended that Council resolve to Grant a Permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council:

- *having caused notice of Planning Application No. P2013-154 to be given under Section 52 of the Planning and Environment Act 1987 and the planning scheme*

and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Permit under the provisions of Clause 35.07-1, Clause 35.07-4 and Clause 44.04-1 of the *Strathbogie Planning Scheme* in respect of the land known as Crown Allotment 7 Section A2 Parish of Euroa, Certificate of Title Volume 03963 Folio 432, Lydiards Road, Euroa for the use and development of the land for a dwelling and outbuilding, in accordance with endorsed plans, subject to the following conditions:

- 1. Prior to the commencement of the use vehicular entrances to the subject land from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The vehicular crossing must have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required must be in accordance with the requirements of the relevant Authority and must be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to the relevant clause of the Infrastructure Design Manual.**

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

2. **Prior to the commencement of the use all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.**
3. **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.**
4. **Prior to the commencement of use, the Owner must provide and install a septic tank system (All Water Waste System or Treatment plant) in accordance with the current Septic Tank Code of Practice, in accordance with the recommendations of the approved Land Capability Assessment and to the satisfaction of the Responsible Authority.**
5. **All sewerage and sullage emanating from the permitted buildings must be adequately treated, retained and disposed of within boundaries of the lot in accordance with Clause 40 of the state environmental protection policy (Waters of Victoria) 1988; Septic Tank Code of Practice; and AS/NZS 1547:2012.**
6. **A reserve effluent disposal area is required, on building or development plans, equivalent in size to the proposed effluent disposal area described within the Land Capability Assessment for the site. The reserve effluent disposal area must not have permanent structures built upon it.**
7. **The Responsible Authority reserves the right to accept, reject or amend the recommendations of an LCA report.**
8. **The ingress of surface and seepage water must be diverted around the perimeter and upslope of the effluent disposal area.**
9. **All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.**
10. **Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991) and to the satisfaction of the Responsible Authority.**
11. **Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb& channel, trees, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of Responsible Authority.**

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

12. The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.
13. The building must not be used at any time for the purposes of human habitation.
14. The amenity of the area must not be detrimentally affected by the use, through the:
 - (a) Appearance of any building, works or materials;
 - (b) Transport of materials, goods or commodities to or from the land;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (d) Presence of vermin, and;
 - (e) Others as appropriate.

15. Goulburn Broken Catchment Management Authority Conditions

The finished floor level of the proposed dwelling and outbuilding must be constructed at least 300 millimetres above the 100-year ARI flood level of 171.1 metres AHD, i.e. 171.4 metres AHD, or higher level deemed necessary by the responsible authority

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

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

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

Planning Notes:

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

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

- **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.**
- **You are required to consult a suitably qualified person to conduct a Land Capability Assessment for the proposed new dwelling. The LCA must consider, soil profiles, soil percolation rates wastewater generation per bedroom/studies**
- **Flood-prone areas: Onsite wastewater management systems are generally not suitable for areas likely to flood more frequently than every 20 years (on average) unless the treatment system is watertight and has mechanisms in place which prohibit floodwaters or wastewater from the land application system from flowing into the tank and from the tank into the premises. Systems which are not watertight may only be installed in areas that have an 'annual exceedance probability' (AEP) of flooding of more than 20 years (i.e. are likely to flood less frequently than every 20 years).**
- **Goulburn Broken Catchment Management Authority, please note that the 100-year ARI is not the maximum possible flood. There is always a possibility that a flood larger in height and extend, than the 100-year ARI flood may occur in the future.**

25/14 **CRS FURLANETTO/SWAN** : *That the Recommendation be adopted.*

CARRIED

Proposal

The application proposes the use and development of the land for a dwelling and outbuilding. The dwelling is proposed to be located to the centre of the lot, 71 metres from the northern (front) boundary, 42 metres from the eastern (side) boundary and 32.5 metres from the western (side) boundary. The dwelling is proposed to have an area of approximate 281.48 metres squared and a height of 5.07 metres squared. It is proposed to include a kitchen, dining and lounge, laundry, two bedrooms, one with an ensuite, an activities room, den, bathroom and garage.

The outbuilding is proposed to be located to the rear of the dwelling approximately 100 metres from the northern (front) boundary and 23 metres from the western boundary. The outbuilding is proposed to have an area of 77.87 metres squared and a height of 4.163 metres.

Subject site & locality

The subject site is located to the north of Euroa. The site has an area of approximately 2 hectares and is a rectangular shape. The site has a frontage to and access to Lydiards Road. The site is currently vacant.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

The adjoining and surrounding lots vary in size. To the north, west the lots are generally larger lots used for small scale agriculture and frequently occupied by a dwelling. To the south and east the lots have been subdivided into 2ha lots and are generally occupied by a dwelling. Further south is the township of Euroa.

Permit/Site History

There are is no relevant history for the site.

Public Notification

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

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site

The notification has been carried out correctly. No objections have been received today.

Consultation

Consultation was not required.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	Goulburn Broken Catchment Management Authority, no objection, subject to conditions
Section 52 Notices	Public notice – no objections received

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

Assessment

The zoning of the land and any relevant overlay provisions

Farming Zone

The purpose of the Farming Zone is to:

- *Implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and Local Planning Policies.*
- *Provide for the use of land for agriculture.*

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

- *Encourage the retention of productive agricultural land.*
- *Ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.*
- *Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *Protect and enhance natural resources and the biodiversity of the area.*

A permit is required for use and development of the land for a dwelling on a lot less than the minimum lot size (40ha).

General Issues	Complies	Officers Comment
<i>The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Yes	Assessment against SPPF & LPPF is provided below.
<i>Any Regional Catchment Strategy and associated plan applying to the land.</i>	N/A	There is no relevant regional catchment strategy.
<i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i>	Yes	The application was referred to Councils Health Officer who did not object subject to conditions being included on the permit.
<i>How the use or development relates to sustainable land management.</i>	Yes	The site has an area of approximately 2ha and is currently vacant of any buildings. There is limited opportunity to use the land for agriculture. The proposed dwelling is likely to ensure the land is maintained in terms of vermin and weeds.
<i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i>	Yes	The subject site is considered to be a small lot suitable for a residential use. The application proposes to setback the dwelling from the adjoining boundaries. This allows a buffer between the proposed use and development and the surrounding residential and agricultural uses.
<i>How the use and development makes use of existing infrastructure and service.</i>	Yes	Access is proposed to be via a government road to the north of the subject site.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

Agricultural Issues		
<i>Whether the use or development will support and enhance agricultural production.</i>	No	The subject site has an area of approximately 2ha. The site is characterised as rural residential. The proposed dwelling is unlikely to support agricultural production. However given the size of the lot, surrounding land uses and proximity to Euroa town centre it is unlikely that the site would be used for agriculture.
<i>Whether the use or development will permanently remove land from agricultural production.</i>	Yes	Given the size of the lot it is considered that the subject site is already removed from agriculture. The proposed development is unlikely to have an impact on the potential future use of the land for agriculture.
<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	Given the adjoining land uses and lot sizes there is unlikely to be any operation or expansion of agricultural land uses.
<i>The capacity of the site to sustain the agricultural use.</i>	Yes	The site has limited capacity as detailed above due to its size.
<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Yes	The quality of the land in this area is generally considered productive. However as detailed above the lot had an area of approximately 2 ha.
<i>Any integrated land management plan prepared for the site.</i>	n/a	As detailed above the site is not capable of accommodating a large or intensive agricultural use.
Dwelling Issues	Complies	Officers Comment
<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	Yes	As detailed above the dwelling is unlikely to result in the loss or fragmentation of productive agricultural land.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

<i>Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</i>	Yes	The dwelling is surrounded by rural residential uses and is proposed to be setback from all boundaries.
<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	As detailed above the dwelling is not in proximity to large agricultural uses and is therefore unlikely to affect the operation and expansion of adjoining and nearby agricultural uses.
<i>The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.</i>	Yes	The proposed dwelling has been assessed on its merit. Therefore it is unlikely that the proposed dwelling would directly result in the proliferation of dwellings.
Environmental issues		
<i>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</i>	Yes	The application was referred to Council's Environmental Health Officer who assessed the application and did not object to the proposal subject to conditions.
<i>The impact of the use or development on the flora and fauna on the site and its surrounds.</i>	Yes	The proposal does not include the removal of any vegetation and is appropriately located not to damage any vegetation.
<i>The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.</i>	Yes	The proposal does not include the removal of any vegetation.
<i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i>	Yes	Should a permit be issued a condition will be included requiring a permit for a septic tank.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

Design and siting issue		
<i>The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.</i>	Yes	As detailed above the dwelling is appropriately setback from the adjoining boundaries.
<i>The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</i>	Yes	The proposed siting and design is considered appropriate. Should a permit be issued a condition will be placed on the permit requiring muted tones.
<i>The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.</i>	Yes	The proposed dwelling is unlikely to impact the character and appearance of the area.
<i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i>	Yes	The proposed dwelling and associated infrastructure is considered to be appropriately located.
<i>Whether the use and development will require traffic management measures.</i>	Yes	The application was referred to Councils Assets Department who raised no concerns in relation to traffic management measures. A single dwelling is unlikely to unreasonably increase traffic in the area.

Clause 44.04 Land Subject to Inundation Overlay

Purpose

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

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

- *Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

A permit is required for buildings and works, including the development of the land for a dwelling.

The State Planning Policy Framework (SPPF)

Clause 11.05-3, Rural productivity

Objective:

- *“To manage land use change and development in rural areas to promote agriculture and rural production.”*

Strategies

- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Limit new housing development in rural areas, including:*
 - *Directing housing growth into existing settlements.*
 - *Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.*
 - *Encouraging consolidation of existing isolated small lots in rural zones.*
- *Restructure old and inappropriate subdivisions.*

Clause 14.01, Agriculture,

Objective:

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

Clause 17 Economic Development

Planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity. Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.

Assessment:

The proposed dwelling is in an area of existing settlement and is in keeping with the character of the area. The proposed dwelling is considered to be in accordance with the above policy.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

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

Clause 22.01 Housing and house lot excisions in the Farming Zone

Policy

Dwellings on small lots

The construction of a new dwelling on an existing small lot will be discouraged unless it meets all of the following requirements:

- *The lot is accessed by an all weather road and has appropriate service provisions.*
- *Emergency ingress and egress is at an appropriate standard.*
- *The dwelling will not inhibit the operation of agriculture and rural industries.*
- *The site must be able to contain and treat onsite effluent and wastewater in accordance with the relevant Code of Practice and Australian Standards, and;*
- *Meets at least one of the following requirements:*
 - *The dwelling should be associated with a sustainable rural pursuit that requires a dwelling on the land to manage that pursuit. The application should be supported by a farm management plan that justifies the need for a dwelling to assist in the operation of the farm.*
 - *The applicant can substantiate that the land has no agricultural potential due to environmental significance and the dwelling is to be used in conjunction with sustainable land management and the significant vegetation is protected on title.*
 - *The lot has been identified in the Strathbogie Shire Rural Residential Strategy, 2004 as rural residential; implying that that there is an historic use and development pattern. Consideration should be given to the recommendations in the Strategy.*
 - *The applicant is proposing to consolidate one or more lots in the same ownership with the subject land prior to the construction of the dwelling.*

If a permit is granted for the use and development of a dwelling on a small lot, the applicant will be required to enter an agreement under Section 173 of the Planning and Environment Act:

- *Prevent the excision of the dwelling from the parent lot.*

Assessment:

The proposed dwelling meets the above requirements as detailed below:

- Access can be gained via an all weather road.
- Emergency ingress and egress is considered to be at an appropriate standard.
- As detailed above the dwelling will not inhibit the operation of agriculture and/or rural industries.
- The site will be able to accommodate wastewater disposal.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

- The subject site is identified in the Strathbogie Shire Rural Residential Strategy 2004 as rural residential.
- A section 173 Agreement will not be required given the character of the area and the size of the subject site.

Clause 65

Decision Guidelines

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 other policies/strategies to be considered.

Relevant incorporated, reference or adopted documents

There are no other documents to be considered.

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.

6.2 Planning Permit Application No. P2013/154
- Use and Development of the Land for a Dwelling and Outbuilding ~ Lydiards Road, Euroa (cont.)

Summary of Key Issues

The proposal is for the use and development of land for a dwelling and an outbuilding. The site is within the Farming Zone and is less than the area specified in the Schedule to the Farming Zone for a dwelling, 40 hectares.

With regard to the Farming Zone:

- The application was referred to Engineering who did not object subject to conditions regarding vehicle access, management of silt and erosion, storm water management and damage to assets. These conditions will be included on the permit, should a permit be issued.
- The application was referred to Council's Environmental Health Officer who did not object subject to conditions. The conditions refer to a permit being required for a septic system and associated works. These conditions will be included on the permit, should a permit be issued.

With regard to the Land subject to Inundation Overlay:

- The application was referred to Goulburn Broken Catchment Management Authority who did not object subject to conditions regarding a floor level. Should a permit be issued these conditions will be included on the permit.

The proposal is consistent with the purpose of the Farming Zone and Land Subject to Inundation Overlay and meets the objectives of the State Planning Policy Framework and Local Planning Policy Framework.

Conclusion

After due consideration of all the relevant factors, it is considered that a Permit should be granted in accordance with the officers recommendation.

Attachments

Site Plan



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

7. OTHER BUSINESS

**7.1 Planning Applications Received
- 5 February to 6 March 2014**

Following are listings of Planning Applications Received for the period 5 February to 6 March 2014.

RECOMMENDATION

That the report be noted.

26/14 CRS WILLIAMS/FURLANETTO : That the Recommendation be adopted.

CARRIED

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.10 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date

List of Planning Applications Received

5 February to 6 March 2014

Application Number Display	Planner Name	Lodged Date	Reason For Permit	Applicant Name	Site Address Full Address
P2014-009	Jennifer Dowling	7/02/2014	Development of land for one dwelling on each lot	Roady Macey	13-23 Saxon Street, Euroa VIC 3666
P2014-010	Emma Kubeil	7/02/2014	Use & development of land for a broiler farm of 800,000 birds in sixteen sheds and associated dwellings and infrastructure	Fernando Ferreira	22 Wormangal-Wahring Road, Nagambie VIC 3608
P2014-011	Steven Hicks	11/02/2014	Twelve (12) lot staged subdivision	Gary Steigenberger	9 Racecourse Road, Nagambie VIC 3608
P2014-012	Emma Kubeil	11/02/2014	Development of land for a carport extension to a dwelling	Neal Cartledge Pty Ltd	177 Brookleigh Road, Strathbogie VIC 3666
P2014-013	Emma Kubeil	12/02/2014	Twelve (12) lot subdivision	David Robb	8 Orchid Street, Violet Town VIC 3669
P2014-014	Emma Kubeil	13/02/2014	Twelve (12) lot subdivision	Jane Macey - Spiire	75 Cowslip Street, Violet Town VIC 3669
P2014-015	Jennifer Dowling	13/02/2014	Use and development of the land for a dwelling	Ms. Julie Mitchell	307 Wattlevale Road, Mitchellstown Victoria 3608
P2014-016	Jennifer Dowling	20/02/2014	Development of land for a shed	Brendan Dalrymple	272 Ewings Road, Avenel VIC 3664
P2014-017	Jennifer Dowling	20/02/2014	Use & development of land for a dwelling in the Farming Zone and Erosion Management Overlay	Graeme Schneider - Monger & Tomkinson	64 Brookleigh Road, Strathbogie VIC 3666
P2014-018	Steven Hicks	25/02/2014	Two (2) lot subdivision	Graeme Schneider - Monger & Tomkinson	1700 Euroa-Strathbogie Road, Kithbrook VIC 3666
P2014-019	Jennifer Dowling	27/02/2014	Two (2) lot subdivision	Graeme Schneider - Monger & Tomkinson	47 Wattlevale Road, Bailleston VIC 3608
P2014-020	Steven Hicks	26/02/2014	Amend Planning permit P2010/116 to include boundary realignment	Lance Marke	134 Burrows Lane, Avenel VIC 3664
P2014-021	Jennifer Dowling	24/02/2014	Use & development of land for a dwelling and native vegetation removal	Troy Spencer	Wilkinsons Lane, Euroa VIC 3666

Total = 13