

Date Issued: 2 August 2022

NOTICE OF AN APPLICATION FOR A PLANNING PERMIT

The land affected by the application is located at: **Merton-Strathbogie Road,
Strathbogie VIC 3666**

The application is for a Permit for: **Use and Development for a
Dwelling**

The applicant for the Permit is: **Tomkinson**

The application Reference Number is: **P2022-071**

You may view the application and any documents that support the application on our website at

<https://www.strathbogie.vic.gov.au/services/building-and-planning/planning-applications-currently-advertised/>

or at the office of the Responsible Authority during office hours:

Strathbogie Shire Council 109A Binney Street Euroa
Telephone: (03) 5795 0000

Any person who may be affected by the granting of the Permit may object or make other submissions to the Responsible Authority.

An objection must be sent to the Responsible Authority in writing, include the reasons for the objection and state how the objector would be affected.

The Responsible Authority will not decide on the application before: 23 August 2022

All objections are placed on the relevant Planning Permit application file, which is publicly available at all times. Objections can therefore be read and used by other parties.

An objection form is available from Strathbogie Shire Council office, by phoning Council on (03) 5795 0000 or at <https://www.strathbogie.vic.gov.au/development/statutory-planning/objections>

If you submit an objection, the Responsible Authority will tell you of its final decision.

1715 MERTON-STRATHBOGIE ROAD

POLLY MCQUINNS ROAD

AERIAL NAVAID

65.00

Allot. 4 Sec. B PARISH OF WONDoomAROOK

18.96

VEGETATION
INDICATIVE LOCATIONS ONLY

126.65

36.50

10.00

48.00

41.00

15.00

10.00

123.30

122.00

162.50

MERTON-STRATHBOGIE ROAD

1678 MERTON-STRATHBOGIE ROAD

EXISTING DWELLING

Existing Access
Indicative Location Only

Proposed Building Envelope
Indicative Location Only

Proposed Wastewater Envelope
Indicative Location Only

1669 MERTON-STRATHBOGIE ROAD

GENERAL NOTES

1. TITLE INFORMATION SHOWN ON THIS PLAN IS APPROX. ONLY AND IS BASED ON INFORMATION COLLECTED BY TOMKINSON FROM NORMAL SOURCES AND SOME DISCREPANCIES MAY BE APPARENT. A COMPREHENSIVE INVESTIGATION OF ALIGNMENTS AND FREEHOLD TITLE HAS NOT BEEN MADE.
2. DIMENSIONS, FEATURE LOCATIONS AND AREA SHOWN ON THIS PLAN ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY.
3. TREE CANOPY COVERAGE FOR ILLUSTRATIVE PURPOSES ONLY.
4. DRIVEWAY ACCESS IS INDICATIVE ONLY - DRIVEWAY IS ALREADY CONSTRUCTED, ENABLED BY PRIOR PLANNING PERMIT.
5. BUILDING ENVELOPE FOR DWELLING ENABLES VARIOUS DESIGN OPTIONS FOR DWELLING - TO BE SUBJECT TO DETAILED DESIGN.

A AS SUBMITTED TO CLIENT
REV

REVISION

BY BY EK 8/8/22
DES DWG CHK DATE



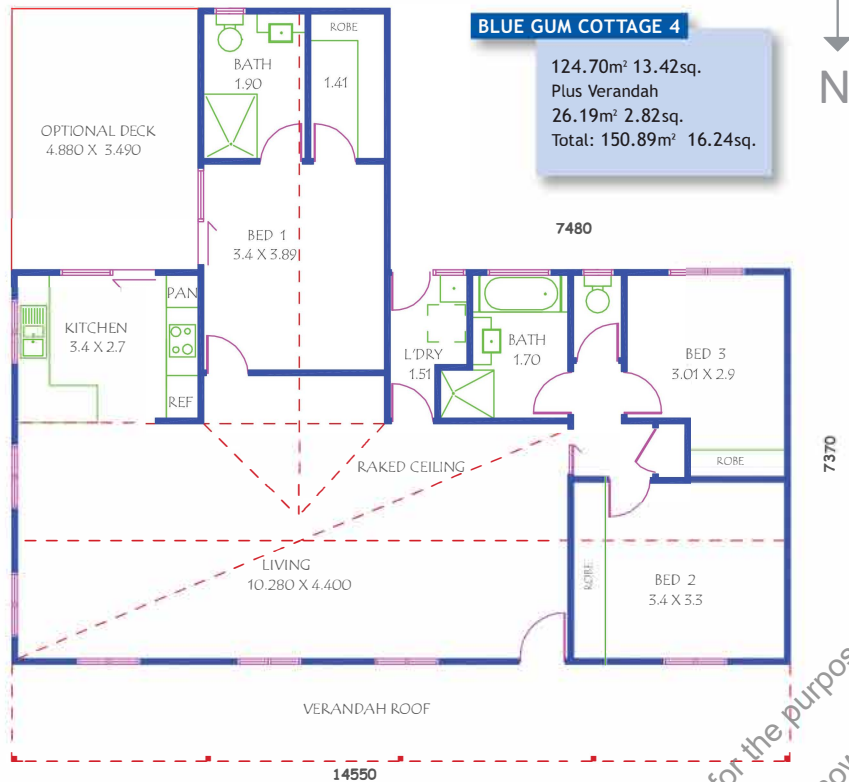
Tomkinson
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USE AND DEVELOPMENT OF A DWELLING
1669 MERTON-STRATHBOGIE ROAD, MERTON
DESIGN RESPONSE PLAN
STRATHBOGIE SHIRE COUNCIL
DWG STATUS: **CONCEPT**
PROJECT & DWG No: 14156 - DRP 1/1 A
REV: A

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PLOT DATE: 08/08/2022 FILE: C:\12\DATA\TOMKB60-1228\114156 - XERRI LAURIE, STRATHBOGIE_4579\PLANNING\CAD\CURRENT\114156 - DRP.DWG

Blue Gum Cottage



ABN 77 079 484 326



MBAV REG No. M1492



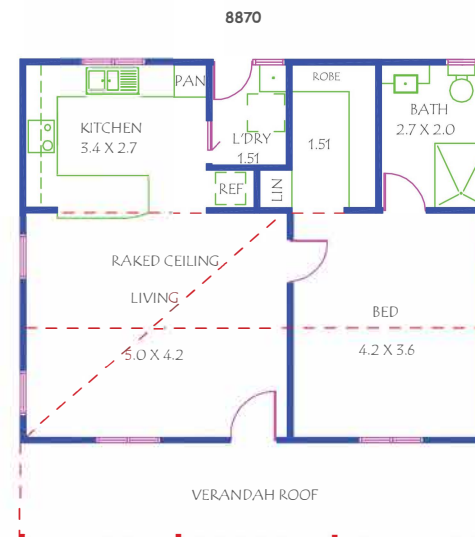
REG No. DB-U28406



REG No. 849681

Blue Gum Cottage

The Blue Gum Cottage is ideal for those clients who want a little nostalgia of a by-gone era, but with modern living. Perfect for that 'Golden Triangle' area or any bush environment.



FEATURES:

- James Hardie™ 230mm Primeline® Summit Weatherboards
- Colorbond® Roof 40° Pitch
- Cathedral Ceilings to Living
- 1800mm Verandah Roof
- 2700mm Ceiling Height
- Aluminium Awning Windows with Mock Transom
- Window Canopies
- Decks are optional

BLUE GUM COTTAGE 1

63.6m² 6.85sq.
Plus Verandah
15.97m² 1.72sq.
Total: 79.57m² 8.57sq.



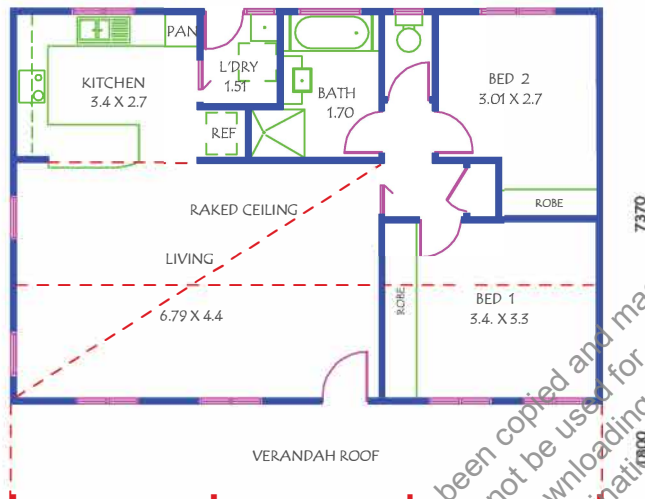
Email:
sales@swenrick.com.au
www.swenrick.com.au

Blue Gum Cottage

Blue Gum Cottage



11060

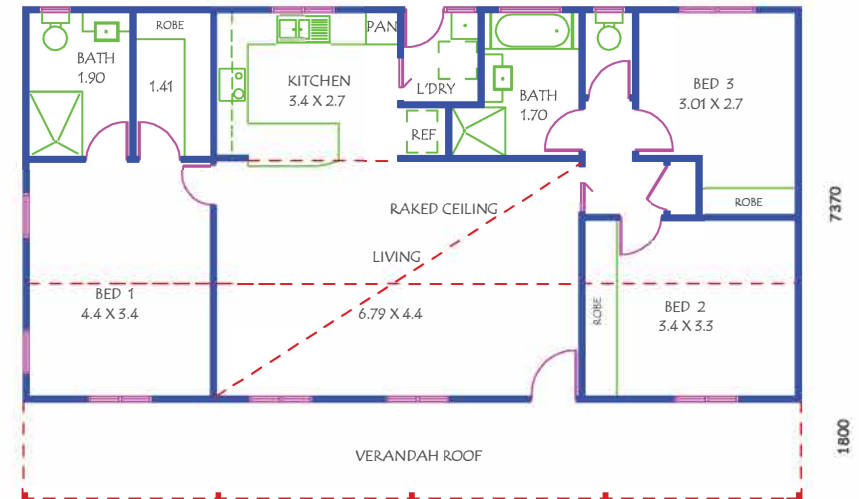


BLUE GUM COTTAGE 2

81.51m² 8.77sq.
 Plus Verandah
 19.91m² 2.14sq.
 Total: 101.42m² 10.91sq.



14550



BLUE GUM COTTAGE 3

107.23m² 11.54sq.
 Plus Verandah
 26.19m² 2.82sq.
 Total: 133.42m² 14.36sq.



SUBMISSION TO STRATHBOGIE SHIRE COUNCIL



Proposed Use and Development of Land for a Dwelling

Corner of Merton-Strathbogies Road & Polly McQuinns Road, Strathbogies, VIC 3666
Allot. 2A Sec. B PARISH OF WONDoomAROOK

May 2022 | Ref: 14156



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DESCRIPTION

Address	Corner of Merton-Strathbogie Road & Polly McQuinns Road, Strathbogie, VIC 3666
Lot Description:	Allot. 2A Sec. B PARISH OF WONDOMAROOK
Project Number	14156
Project Manager	
Reviewed by	
Revision	A
Document Status	Draft
Date	06/05/2022

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1. INTRODUCTION

Tomkinson have been engaged by [REDACTED] (the owner of the land) to prepare this planning permit application seeking approval for the use and development a dwelling at Merton-Strathbogie Road, Strathbogie.

Details of the site and its surrounds are provided in Section 3, details of the proposal are provided in Section 4, and an assessment in relation to the provisions of the Strathbogie Planning Scheme is identified in Section 5.

The following documents must be read in conjunction with this report and are provided as part of the application:

- Copy of Title (Appendix 1)
- Site Context Plan (Appendix 2)
- Design Response Plan (existing conditions and proposed conditions - Appendix 3)
- Dwelling plans (Appendix 4)
- Land Capability Assessment (Appendix 4)

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2. SUMMARY

A Planning permit is required subject to the following planning provisions of the Strathbogie Planning Scheme:

Provision	Clause	Trigger
Farming Zone Mapped Area A "Strathbogie Ranges"	35.07-1	Use and development of a dwelling on a lot less than 40ha;
	35.07-4	A permit is required to construct a building or carry out works associated with a Section 2 use (i.e. a dwelling on a lot less than 40ha)
Erosion Management Overlay - Schedule 4	42.01-2	Construct a building or construct or carry out works.

NOTE:

The property is affected in part by Clause 43.01 Heritage Overlay (Schedule Citation H04). However, the citation relates to the Strathbogie Aerial Navaid, which is located approximately 65m west of the property in the Polly McQuinns Road reserve. Therefore, it is considered that the provisions of Clause 43.01 do not apply to this submission and a permit requirement is not triggered under the Heritage Overlay. Refer to section 5.2.2 for details.

2.1 ABORIGINAL HERITAGE ACT

The subject site is not located within an area of cultural heritage sensitivity. A Cultural Heritage Management Plan is therefore not required for this development pursuant to the Aboriginal Heritage Act 2006.

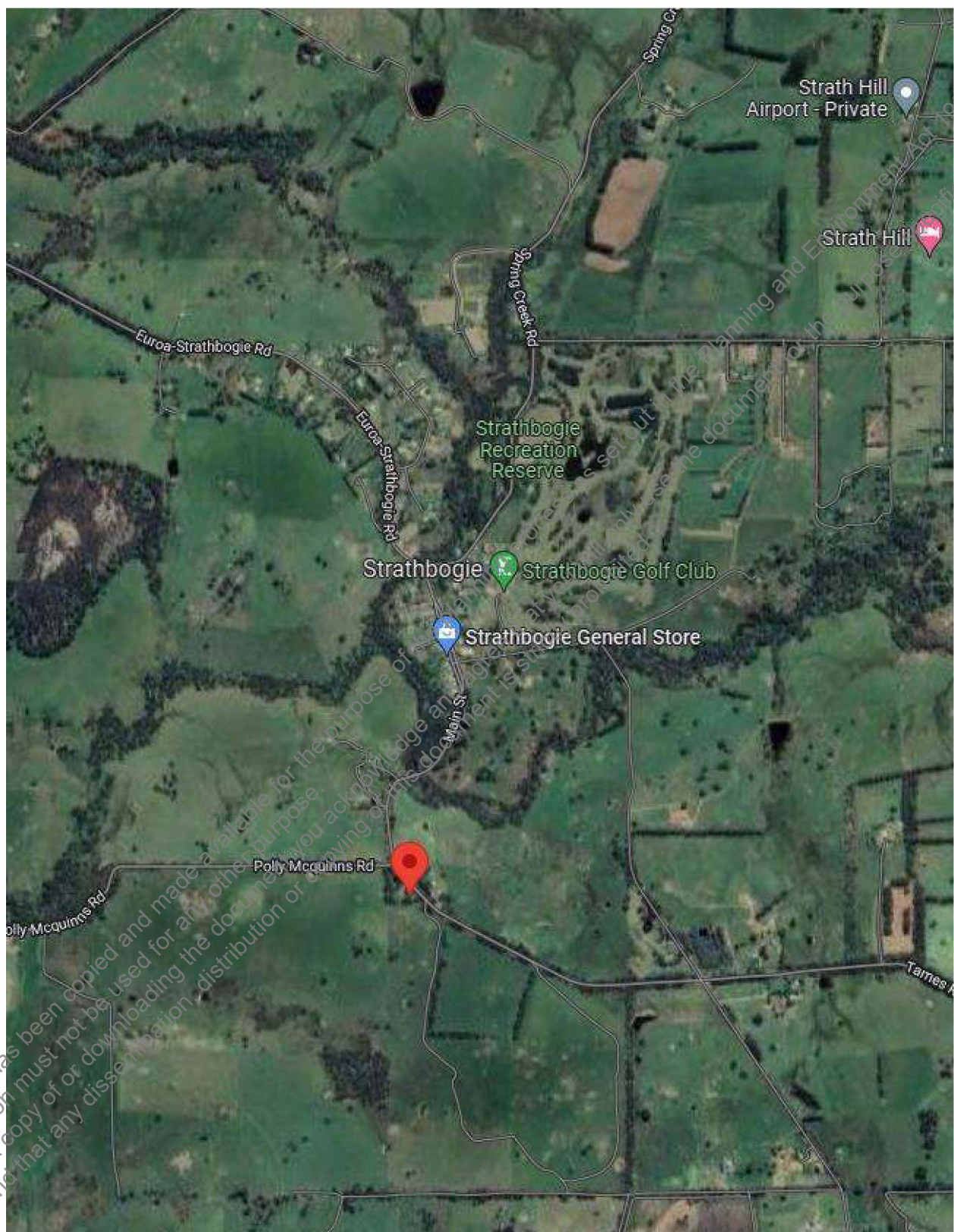


Figure 1: Surrounding Site Context – Google 2022

3. SITE AND SURROUNDS

The subject site is located on the corner of Merton-Strathbogie Road & Polly McQuinns Road, Strathbogie, and formally identified as Allotment 2A Sec. B of the Parish of Wondoomarook and approximately 8094m² in area – See Appendix 1 for Title details. Having never been formally addressed, the nearest formal identifier for the property is the adjoining property to the south, 1669 Merton-Strathbogie Road.



Figure 2 – Subject site pictured from Merton-Strathbogie Road frontage

The property is located approximately 1.5km from the Strathbogie township to the north and 24km from the district's main supply town Euroa. The site is locally identified as the location of former Strathbogie State School which operated from 1879 to 1968.





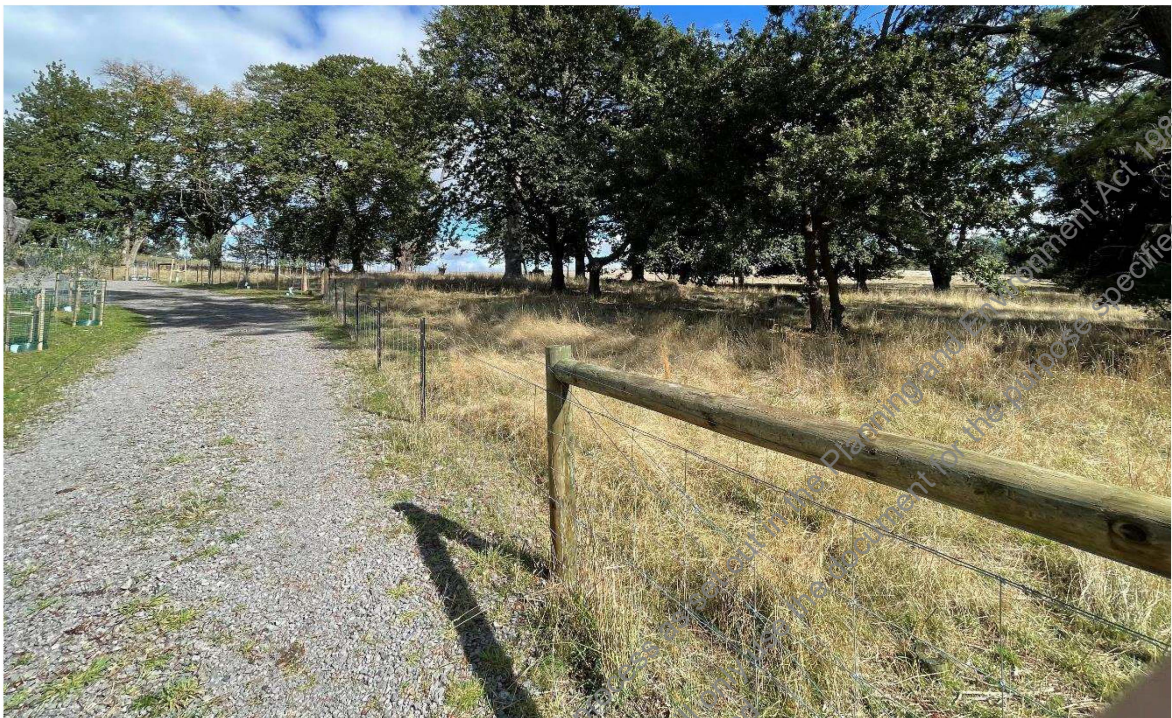
Figure 3 & 4 (above) - Merton-Strathbogie Road frontage bearing North. Pictured from crossover

The site features an approximate frontage of 140m to Merton-Strathbogie Road and contains a mixture of mostly exotic vegetation at various levels of maturity, some of which was most likely associated with the former use of the site for a school. Following the general topography of the area, land rises east-west across the site. A cleared, levelled and gravelled area has been established in a central location which contains a single shed with attached water tank, all of which were developed in accordance with a previous planning permit. The shed is accessed via an existing formed driveway and crossover from Merton-Strathbogie Road – See figure 3.

The subject site has access to telecommunications and electricity. The property and adjoining allotments are fenced in typical rural post and wire fencing. No waterways are located on or in close proximity of the property.



Figure 5 – Existing access to property



Figures 6 – Existing formed Driveway into the site.

The township of Strathbogie generally serves as a lifestyle/rural living location with most allotments in the township developed with dwellings. A general store provides retail and basic supplies for residents and passing tourist trade and a golf course in the town still actively operated for the use of residents and visitors to the area – See figure 1 and Appendix 2 for Site context details.

No waterways or drainage lines traverse the site or are in close proximity of the area. The site is located in the Seven Creeks (Euroa) proclaimed water supply catchment area and located approximately 300m from the Seven Creeks frontage.

The property and all adjoining allotments are located in the Farming zone, transitioning to Township zone allotments associated with residential areas of Strathbogie to the north. Typical of many rural areas surrounding a township, a pattern of fragmentation in agricultural allotments has developed over time, with very little broadacre capable allotments remaining. Allotment sizes on all aspects of the property are typical of the Farming Zone ranging from 40ha-80ha, moving to lot sizes more akin to the Township zone (750m²-3500m²) to the North.

Agricultural land uses in the area are generally limited to low-scale grazing or domestic pursuits associated with rural living or hobby farming. The agricultural capacity of the surrounding area is generally limited to grazing, with limited potential for cropping or fodder production due to smaller allotment sizes, vegetation, rocky terrain and hilly topography. Being located on the periphery of the Strathbogie township, lots to the north and east of the site essentially serve as an extension of the rural-living context of Strathbogie with both allotments developed with dwellings. A pattern of dwellings on smaller lots (less than 40ha) is observed in the broader surrounding area with a number of dwellings excised from larger holdings on smaller lots of 2-5ha – See Appendix 1 for details.



4. THE PROPOSAL

This application seeks approval for the Use and Development of a compact single-storey dwelling on the subject land.

The proposed dwelling is a typical 'miner's cottage' style design with an open gable/skillion roof, 3 bedrooms, two bathrooms, built in robes, laundry and combined kitchen, living and meals area. Gross floor area will be approximately 107.5m². Refer to Appendix 3 for dwelling plans – "Blue Gum Cottage 3".

The dwelling is proposed to be setback approx. 41m from the property frontage/easternmost boundary in line with the general alignment of the shed, which is the most suitable location considering the location of an existing cleared and levelled area, existing access, setbacks from the road, an existing dwelling to the east of the site and proposed effluent field location. A building envelope and indicative wastewater envelope has been assigned on for the dwelling which will be finalised in detailed construction and footing plans. Refer to Appendix 4 for design response plan.

All wastewater is proposed to be treated and retained within the subject site, in accordance with the Land Capability Assessment prepared to accompany the submission. A 600m² wastewater envelope based has been assigned on plans, well in excess of requirements for the proposed 3-bedroom dwelling. See Appendix 5 for details

The proposed dwelling will comply with bushfire requirements in accordance with the relevant Building standards for a Bushfire Prone Area and constructed in materials sympathetic to the surrounding landscape. The building will be finished in Muted colours and tones so as not to detract from the visual amenity of the area.

It is considered that the existing crossover and driveway to the site is of a suitable standard to accommodate emergency vehicles and will not require any upgrades/alteration. However, should any upgrades be identified, works will be undertaken to the satisfaction of the Responsible Authority.

Access to the site for the dwelling will be provided via the existing crossover and formed driveway. Electricity and Telecommunications connections are available in the immediate vicinity.

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5. PLANNING CONTROLS

5.1 Municipal Planning Strategy

CLAUSE	RESPONSE
Clause 02.03 – Strategic Directions:	The proposal accords with the Strategic directions of the Municipal Planning Strategy.
<ul style="list-style-type: none">- 02.03-1 Settlement- 02.03-2 Environmental values and biodiversity- 02.03-3 Environmental Risk- 02.03-4 Natural Resource Management<ul style="list-style-type: none">o Agriculture- 02.03-5 Built Environment and Heritage<ul style="list-style-type: none">o Designo Heritage- 02.03-6 Housing	<p>The property is located on the periphery of the Strathbogie township, with both properties between the township and the site developed with dwellings (See Appendix 2). Development of a dwelling on a small, underutilised allotment is a logical extension/consolidation of the existing residential context of the settlement.</p> <p>Development of a dwelling on an otherwise underutilised allotment will ensure its ongoing management and protection against pest plants and animals which in turn contributes to the protection of surrounding agricultural land.</p> <p>The property is located in a Bushfire prone area. However, bushfire risk to the proposed dwelling is low as there are no interfaces with any classifiable hazards beyond grassland within the immediate surrounds.</p> <p>The subject site is an undeveloped Crown allotment too small to support an agricultural enterprise and somewhat anomalous due to its location within an area zoned for farming purposes. Due to its small size, it is of little consolidation value to adjoining farmland or viable as a supplementary allotment to a larger agricultural enterprise.</p> <p>The surrounding pattern of land use is unlikely to conflict with development of a dwelling on the site due to the low-scale nature of agricultural uses and somewhat limited productive capacity. However, the owner acknowledges the possibility of nuisance from adjoining or nearby agricultural operations may occur and open to appropriate agreements acknowledging this should a planning permit be granted.</p> <p>The proposed design is modest and compact and unlikely to be highly visible when viewed from within the surrounding landscape due to its small size and existing vegetation coverage, thereby maintaining the aesthetic amenity of the area.</p> <p>The subject site is the former location of the Strathbogie State School and contains commemorative signage recognising it's heritage significance to the local area. Vegetation formerly associated with the school is still planted throughout the site (Pictured in Figure 2).</p> <p>The site is also located within proximity of the Strathbogie Aerial Navaid - The word STRATHBOGIE is marked out in letters approximately 2.5 metres high, formed by stones embedded in the ground and painted white. The site is registered on the Victorian Heritage register and of local significance. Development of a dwelling on the site will not detract from the significance of the heritage sites. Conversely, development of a dwelling will ensure the long-term maintenance of the vegetation formerly associated with the school and protection of the commemorative signage.</p>



Development of a dwelling will also provide passive surveillance of the NavAid site, ensuring its protection against damage.

It is expected that in the event of an approved planning permit, conditions will stipulate the retention and protection of the commemorative signage onsite.

The subject site is an appropriate site to provide housing. The location of the compact site on the periphery of the residential areas of the township between two properties developed with dwellings lends itself to the logical progression of development. The proposed dwelling is more akin to infill rather than urban expansion of the township of Strathbogie. Being bordered by Potty McQuinns Road and Merton-Strathbogie Road, the property only features one direct interface with an agricultural allotment and a dwelling is located opposite. Sufficient buffers are provided between the proposed dwelling and property boundaries to ensure the protection of any agricultural operations on the adjoining land and the amenity of future residents of the proposed dwelling. Appropriate agreements can be applied acknowledging the potential for nuisance form agricultural operations.



Figure 5 – Existing Vegetation onsite – Northeast corner



5.2 Planning Policy Framework

The following Planning Policy Framework (PPF) clauses are considered relevant to this proposal:

CLAUSE	RESPONSE
Clause 11 – Settlement Clause 11.01-1S - Settlement Clause 11.01R – Settlement - Hume Clause 11.01-1L-05: Strathbogie	<p>The proposed dwelling is considered to be in a suitable location considering proximity of the Strathbogie township and pattern of surrounding land use.</p> <p>Land within this area, including the subject site, is generally no longer suitable for broadacre-style or highly productive farming activities. This is due to the predominant use of the surrounding land for rural residential-style development and the limited availability of larger allotments (or collections of smaller allotments) in common ownership.</p> <p>The proposed use and development of a dwelling is consistent with the broader extension of the Township, which is already substantially developed for rural residential style uses, rather than intensive or highly productive agricultural uses. The majority of properties in the area have been developed with residences, as have the properties between the subject site and Strathbogie (See Appendix 2 – Site Context Plan). The proposal for a dwelling on the subject site is in keeping with the surrounding land use pattern and would not result in the loss of productive agricultural land in the area.</p> <p>Development of a dwelling on the property will allow the long-term maintenance of otherwise neglected site with no agricultural potential. A dwelling will allow the owner to move into the area permanently and become an active member of the Strathbogie community and contributing to it's sustainability as a small settlement.</p> <p>Development of a dwelling on the site will not detract from the village character of the town as the subject allotment is essentially an infill opportunity on the periphery of the settlement and between two developed properties and does not constitute urban expansion. Subsequently, development of a dwelling will not encroach on the existing break between farming and residential areas of the township.</p> <p>The subject site has been reviewed against the Hume Regional Growth Plan and is not identified as an area of <i>Strategic agricultural land of national or sub regional significance</i>. The Strathbogie region is identified as an area within a declared water supply catchment and therefore consideration has been given and a Land Capability Assessment has been undertaken to inform appropriate standards for development.</p>
Clause 12 – Environmental and Landscape Values Including: Clause 12.01S- Protection of Biodiversity	<p>The subject site is an underutilised former school site that has been underutilised due to its limited agricultural capacity and minimal consolidation value with adjoining land due to its small size.</p> <p>Use and development of a dwelling will ensure the presence of a full-time land manager onsite to manage pest plants and animals and improve overall management as a result of general management practises associated with rural living.</p>



	<p>The dwelling has been sited to take advantage of an existing cleared and levelled area on site. No native vegetation removal is required to facilitate construction of the dwelling or effluent fields.</p>
<p>Clause 13 – Environmental Risks</p> <p>Clause 13.02-1S – Bushfire Planning</p> <p>13.02-1L – Bushfire</p> <p>13.04-2S: Erosion and Landslip</p>	<p>The site is located in a Bushfire Prone Area and affected by the Erosion Management Overlay.</p> <p>Bushfire risk to the site is very low. There are no classifiable hazards (beyond Grassland) within 150m of the site. The dwelling will be required to achieve a BAL12.5 construction rating in line with Building Code requirements for a Bushfire Prone Area, ensuring sufficient landscape defence in the event that the dwelling were subject to ember attack from a bushfire in the broader landscape. The direct approach of a grassfire to the site is unlikely due to reduced fuel load in grazing areas surrounding the site during peak fire season. However, should a grassfire occur it is unlikely to be of an intensity that would threaten life or property.</p> <p>Development of a dwelling will not contribute to erosion or landslip. The property already contains an existing driveway and crossover that has been constructed to the requirements of the responsible authority as part of a previous planning permit (P2019-121).</p> <p>The dwelling will be constructed on an existing, cleared and levelled area and drained to the satisfaction of the responsible authority. The site features good drainage as a result of its topography, naturally discharging to council infrastructure in Strathbogie-Merton Road.</p> <p>Minimal excavation (beyond site preparation) will be required to facilitate construction of the dwelling. No vegetation removal is required to facilitate construction of the dwelling or effluent fields, allowing for its continued contribution to preventing erosion and landslip on the property.</p>
<p>Clause 14</p> <p>Natural Resource Management</p> <p>Clause 14.01-1S</p> <p>– Protection of Agricultural Land</p> <p>Clause 14.01L – Housing and house lot excisions in rural areas</p>	<p>The subject site is located in a location that is essentially the established rural-residential enclave of Strathbogie and generally unsuitable for primary production or broadacre activities due to fragmented land. The proposal promotes the clustering of like development.</p> <p>The proposed use and development of the land for a dwelling will result in improved land management, in particular for pests and weeds and will contribute to ongoing management for conservation of the former school site.</p> <p>The proposed Use and development will not remove productive agricultural land from production and there are no agricultural activities on adjoining or adjacent land that will be impacted by the proposal.</p> <p>The subject site is located in a low-scale agricultural setting with an established pattern of rural-residential uses in surrounding land. The proposal is in keeping with the prevailing pattern of land-use.</p> <p>The land is capable of retaining and treating wastewater onsite, as demonstrated in the Land Capability Assessment – Appendix 5.</p> <p>While the proposal essentially calls for a non-agricultural use of the land, opportunities will remain available on the site for low-scale or domestic agricultural pursuits in accordance with the Farming Zone following development of a dwelling. Development of a dwelling will</p>



	<p>still allow for establishment of niche or specialized agricultural pursuits.</p> <p>Use and development of a dwelling will allow for the ongoing management of pest plants and animals onsite that would otherwise go unchecked and potentially impact on surrounding agricultural land.</p> <p>The site is of little consolidation value with adjoining holdings due to its small size and limited return on investment, nor is it viable for offsite for stock finishing, grazing or fodder production in conjunction with a larger agricultural business.</p> <p>The subject allotment has not been identified in the <i>Strathbogie Shire Rural Residential Strategy (Strathbogie Shire Council, 2004)</i> as rural residential. However, it is somewhat anomalous due to its former use as a school and has no history of use and development for residential purposes. Due to its significant size constraints and limiting factors for agricultural use, a residential use is considered to be appropriate in this instance. Noting the amount of development that has occurred in the area since development of the strategy in 2004, the surrounding context can essentially be regarded as rural-residential in nature. However, no rezoning in the areas has occurred since development of the strategy. Considering the intent of the strategy and surrounding residential context, the site and surrounds should otherwise be eligible for inclusion (in principle) for rural-residential use in accordance with the strategy.</p>
<p>Clause 14.02-1S</p> <p>Catchment planning and management</p>	<p>The subject site is located within the Seven Creeks (Euroa) proclaimed catchment area.</p> <p>An application to use, construct a building or construct or carry out works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic supply must be referred to the relevant water board or water supply authority who are the determining authority under Section 55 of the <i>Planning and Environment Act 1987</i>. Hence, the application must be considered by the water authority before it can be determined by council.</p> <p>The proposal will have no impact on catchment health. The proposed dwelling is not located within proximity of any drainage lines, dams or water courses and wastewater can be treated and retained onsite to ensure no impacts on groundwater or nutrient loading within the catchment area - As demonstrated in the Land Capability Assessment prepared to accompany the submission. See Appendix 5.</p> <p>Appropriate drainage solutions can be implemented for the dwelling to ensure no net increase in stormwater flows over boundaries or into nearby watercourses as a result of its construction.</p> <p>Appropriate measures will be applied during construction to restrict sediment discharge from the property. All silt and sediment will be retained on site during the construction phase to the satisfaction of the Responsible Authority carried out in accordance with Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991).</p>



Clause 15 – Built Environment and Heritage

15.01-2L: Building Design

15.01-6: Design for Rural Areas

15.03-1S Heritage Conservation

The proposed compact scale and design of the dwelling is compatible with the rural context of the area and appropriately located so it is appropriately screened by existing vegetation onsite.

The proposed dwelling will be finished in muted tones sympathetic to the surrounding area and constructed with non-reflective materials and cladding.

The rural character of the area will be unaffected by the proposed dwelling and sited in such a way that it will not detract from views to and from within the landscape when traveling along Merton-Strathbogie Road. While the dwelling is located in a relatively elevated location, existing vegetation screening onsite ensures that the proposed dwelling is screened from view and not visually prominent.

The site is identified as the former location of the Strathbogie State School. However, the school is not identified under the Heritage Overlay or on the Victorian Heritage register. No contributory elements of the school remain onsite, however it is likely that some of the more established vegetation onsite was planted in the later years of school's operation prior to its closure in 1958. Development of a dwelling will ensure the long-term maintenance and protection of the vegetation and the retention of its heritage value to the local area.

The subject site is affected by the Heritage Overlay and associated citation relating to the Strathbogie Aerial NavAid nearby on Polly McQuinns Road. The site is in proximity of the Heritage place. However, it does not contain any contributory elements or curtilage relating to the NavAid. Development of a dwelling will not detract from the significance of the heritage place as it will be appropriately located so as to be screened when viewing the NavAid. No crossovers are proposed onto Polly McQuinns Road, ensuring the protection of the site's curtilage.

Clause 16- Residential Development

16.01-3L: Rural residential development

The subject site is located in the broader established rural-residential context and the proposed dwelling is consistent with the surrounding pattern of land-use with infrastructure available to support a dwelling.

Farming zone land in the immediate area is no longer appropriate for broadacre or intensive agricultural uses and the subject site is not suitable for agriculture (beyond domestic or niche pursuits). The proposed dwelling will not result in the loss of productive agricultural land. The adjoining land is generally unsuitable for broadacre cropping and the proposed dwelling will be appropriately setback from boundaries to ensure any amenity impacts from future adjoining agricultural activity are negligible.

Pursuant to the requirements of the Farming Zone and associated minimum lot sizes, further subdivision of the site is not feasible.

Development of the dwelling is the logical progression of what is essentially the peripheral residential area of the Strathbogie Township. An additional dwelling in this area will not detract from the rural aspect of the area and is appropriate in its siting and scale so as not to become visually dominant in the landscape.



5.3 Zone/Overlays

5.3.1 Clause 35.07 Farming Zone:

The land is included within the Farming Zone (FZ) under the Strathbogie Planning Scheme. The purpose of the Farming Zone is to ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture and to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Pursuant to the requirements of the Farming Zone, the following planning permit triggers apply to the proposal:

Planning Scheme provision	Permit Trigger
Clause 35.07-1	Use of land for a dwelling (Section 2 Use) – Under 40ha site area
Clause 35.07-4	Buildings and works associated with a Section 2 Use

Use of the land for a dwelling must meet the requirements of Clause 35.07-2 which are addressed as follows:

Standard	Response
<i>Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles</i>	<p>The proposed dwelling will be accessed via an existing drive way and crossover from the Merton-Strathbogie Road frontage. Merton-Strathbogie Road provides access from the Strathbogie township and nearby Euroa via the broader road network which are all-weather roads with dimensions adequate to accommodate emergency vehicles.</p> <p>The existing driveway and access arrangements can accommodate emergency service vehicles and enable them to turn around within the property,</p>
<i>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.</i>	<p>The dwelling will be connected to a wastewater treatment system, in line with the recommendations of the Land Capability Assessment (Appendix 5). The LCA provides guidance as to the design of the wastewater treatment system to ensure effluent is treated and retained on site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environmental Protection Act.</p> <p>The system will be located and installed in accordance with the recommendation of the LCA and to the satisfaction of the responsible authority.</p>
<i>The dwelling must be connected to a reticulated potable water supply or have an alternative water supply with adequate storage for domestic use as well as firefighting purposes.</i>	<p>No reticulated water is available to the property. Appropriate size rainwater tanks will be installed as an alternative source of water supply for domestic, stock and firefighting purposes, and be in line with regulations (i.e. minimum 10,000 litres dedicated for firefighting purposes).</p>
<i>The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.</i>	<p>Reticulated power is available within close proximity of the site. Connections will be provided in accordance with the requirements of the authority.</p>



Clause 35.07-6 – Response to Decision Guidelines

The following is a response as relevant to the proposal to the Decision Guidelines at Clause 35.07-6:

General issues

- ▶ The proposal has been considered against the Planning Policy Framework as provided in Section 5.1 and 5.2 of the submission.
- ▶ The proposal aligns with the vision and principles of the Goulbourn Broken regional Catchment Strategy, in that the proposed dwelling will protect natural assets, in particular the waterway and water quality, and enable more active control of pest plants and animals on site.
- ▶ All wastewater from the proposed dwelling will be retained, treated and managed on site with a wastewater disposal system that meets the requirements of the Septic Tank Code of Practice and the requirements of the Responsible Authority (refer to the Land Capability Assessment – Appendix 5).
- ▶ The proposal is consistent with the surrounding pattern of use and development of surrounding properties along Merton-Strathbogrie Road and Polly McQuinns Road, and further towards Strathbogrie.
- ▶ The dwelling will connect to all available reticulated services and utilise the existing road network and crossover for access.

Agricultural issues

- ▶ The land's small size and location make it generally unsuitable for traditional broadacre agricultural practices nor is the surrounding land use context due to a pattern of fragmentation and changing land-use to rural-residential over time. The proposed dwelling and associated domestic uses of the property will enable the property to be more actively managed, in particular for pest plants and animals.
- ▶ The proposed Use and development will not remove productive agricultural land from production and there are no agricultural activities on adjoining or adjacent land that will be impacted by the proposal. Opportunities are still available for very low-scale or domestic agricultural pursuits in accordance with the Farming Zone following development of a dwelling. The development of a dwelling will not preclude the use of the property from small scale or niche agricultural pursuits that are consistent with the purpose of the Farming Zone.
- ▶ The Land Capability Assessment accompanying this submission (Appendix 5) demonstrates that the property is capable of treating and retaining wastewater and effluent on site in accordance with the Septic Tank Code of Practice and Council's Environmental health requirements.
- ▶ The adjoining land is predominately used and developed for rural-residential uses with small scale rural and domestic stock use. The proposed use of the land will not have any adverse impact on the surrounding land uses. The proposal is consistent with this existing land use pattern.



- ▶ While zoned for farming purposes, the land is constrained by the size of the parcel and existing stands of vegetation inhibiting the site from being able to be utilised for any substantial farming pursuit. The non-native vegetation existing on the site reflects the former traditional use as a school comprising of large old Pine trees and Cypress.
- ▶ The site is of little consolidation value with adjoining holdings due to its small size and subsequent lack of return on investment, nor is it viable for offsite stock finishing, grazing or fodder production in conjunction with a larger agricultural enterprise.
- ▶ The proposed new dwelling will not impact negatively on the agriculture productivity of the land, given its low productive potential and surrounding residential uses. The capacity of the land to support low-scale, domestic or niche uses is enhanced by the development of a dwelling.

Dwelling issues

- ▶ The provision of a dwelling on this allotment will not result in loss or fragmentation of productive farm land, rather enabling more active management of the land for sustainable management (esp. pest plant and animal management). The presence of a full-time manager onsite will allow for the implementation of ongoing management strategies.
- ▶ The dwelling will not be adversely affected by agricultural activities on adjacent land, nor will it adversely affect operation and/or expansion of nearby agricultural uses.
- ▶ This area already contains a concentration of dwellings in the area, with this lot being one of the last to be developed with a dwelling. Development of this lot for a dwelling is considered to be in keeping with the prevailing use and character of surrounding properties.
- ▶ The proposed dwelling on the site will enable the owner of the land to relocate to the area and manage the property whilst also becoming a member of the community. An existing shed is on the site which currently stores equipment for ongoing maintenance of property.
- ▶ A whole farm management plan has not been provided for the site due to the small scale of the property. It is considered that conservation of the former state school site with a residence will contribute to and enhance a prominent corner block to the entrance of Strathbogie Township and provide for regular ongoing general site maintenance, it is considered the proposed dwelling is an appropriate outcome for the land.

Environmental issues

- ▶ The subject land is an underutilised crown allotment that is anomalous to the farming zone due to its former use as a school. Development of the land for a dwelling and management in line with general management practises associated with a dwelling will result in a net environmental benefit to the site due to:
 - An approved waste water system to treat and retain effluent.
 - Retention and improvement of existing vegetation onsite and revegetation/removal of pest plants species such as blackberries.
 - More active management of the site due to a permanent dwelling being constructed on the site, resulting in more effective onsite management of any pest plants and animals.
- ▶ No vegetation removal is required to facilitate construction of the dwelling.

Design and siting issues

- ▶ It is considered that the proposed location of the dwelling avoids adverse impacts on landscape features, views from Merton-Strathbogie Road and vistas by siting to take advantage of vegetation screening and topography.
- ▶ The siting and location of the dwellings will not result in the loss of any native vegetation
- ▶ The use of non-reflective building materials and muted colours contributes to the dwelling blending into the landscape.
- ▶ The modest size of this dwelling will result in no adverse impacts on the environmental, natural resource, aesthetic or amenity values of the area. Existing exotic vegetation along property boundaries will assist in screening the dwelling from Merton-Strathbogie Road and provide some protection from wind.
- ▶ Sufficient setbacks are available from nearby dwellings (in particular the dwelling to the East – figure 6) to ensure no amenity impacts as a result of the proposed dwelling.
- ▶ The dwelling will be setback approx. 41m (subject to detailed design) from the property frontage, which is the most suitable location considering the location of an existing cleared and levelled area and appropriate provision of access to the dwelling for emergency vehicles.
- ▶ Neighbouring dwellings varying in their setbacks between 20m and 100m in some cases. However, the proposed dwelling and setback is consistent with the character of blocks in the immediate vicinity of the subject site and maintains the rhythm of setback observed on adjoining and opposite allotments.



Figure 6 – Facing east from Crossover – Land opposite the subject site developed with a dwelling (pictured right) on Merton Strathbogie Road

5.3.2 Clause 43.01 Heritage Overlay (H04)

The purpose of the Heritage Overlay (as relevant to the proposal) is to conserve and enhance heritage places of natural or cultural significance, to conserve and enhance those elements which contribute to the significance of heritage places while ensuring that development does not adversely affect the significance of heritage places.



Figure 7 – Heritage Overlay coverage on site.

The property is affected in part by the Heritage Overlay – (Schedule Citation H04) which relates to Strathbogie Aerial Navaid, located approximately 65m west of the property in the Polly McQuinn's Road reserve – See figure 7.

Therefore, noting the location of the Navaid in relation to the subject site the Heritage Overlay affecting the site is considered to be anomalous and/or incorrectly applied and does not directly affect the use or development of the subject land. Subsequently an assessment against HO provision has not been provided with this submission.



Figure 8 – Actual NavAid location in relation subject site.



5.3.3 Clause 44.01-2 – Erosion Management Overlay

The purpose of the Erosion Management Overlay includes to protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbances and inappropriate development.

Pursuant to clause 44.01-2, a permit is required to construct a building or construct or carry out works associated with the dwelling.

CLAUSE 44.01-6 – APPLICATION REQUIREMENTS	
Existing site conditions	<p>The subject site is currently developed with a shed and driveway. Works were undertaken to prepare the site for construction of the shed in accordance with Planning Permit P2019-121 and the requirements of the responsible authority for management of erosion prone-land during and after construction.</p> <p>The site drains to council infrastructure on Merton-Strathbogrie Road and stormwater runoff from the shed drains to a dedicated tank onsite.</p>
Extent of any proposed earthworks	<p>The existing cleared and levelled area established as part of works to construct the shed will be utilised as a pad site for the proposed dwelling. No works beyond minor site cut to prepare the dwelling pad will be required. No further upgrades to the existing formed access are required.</p>
The means proposed to stabilise disturbed areas	<p>The site does not contain any evidence of landslip or disturbed areas and the extensive coverage of mature vegetation has ensured stability of soils across the site.</p> <p>Runoff from the dwelling will be captured in rainwater tanks to form potable water supply with any overflow or surface water conveyed to a legal point of discharge to the satisfaction of the responsible authority.</p> <p>A Land Capability Assessment has been prepared to demonstrate the ability of soils onsite to treat and retain wastewater. Refer to Appendix 5.</p>

Clause 44.01-8 - Response to Decision Guidelines

The following response provided to the decision guidelines of EMO, as applicable to the proposal:

- The proposal accords with the Municipal Planning Strategy and the Planning Policy Framework as demonstrated in section 5 of this submission.
- The site will be managed during construction in accordance with the requirements of the responsible authority for erosion control. All silt and sediment will be retained on site during the construction phase to the satisfaction of the Responsible Authority carried out in accordance with Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991).
- Due to its compact form, construction of the dwelling will not result in a concentration of stormwater or surface flows over the boundary of the property. An appropriate drainage design will be developed utilising a mix of detention and retention solutions to the satisfaction of the responsible authority.
- No vegetation removal is required to facilitate construction of the dwelling. The existing access is already formed and drained, having been constructed in accordance with a previous planning permit.
- An appropriate cleared and levelled area is already available to construct the dwelling, eliminating the need to further disturb soils onsite. The proposed building envelope has been located to avoid the requirement of further works to stabilise the site. The building site has already been stabilised with appropriate batters applied during construction of the shed, Existing batters that are damaged or altered during construction will be repaired and reinstated.
- A Land Capability Assessment (Appendix 5) has been prepared demonstrating the ability of soils onsite to treat and retain wastewater for a 4-bedroom dwelling (exceeding the requirements of the proposed 3 bedroom dwelling), with the proposed wastewater field sized accordingly. The Wastewater field will be located in an existing cleared areas to avoid disturbing further soil and to avoid unnecessary vegetation removal. See Appendix 3 for details.

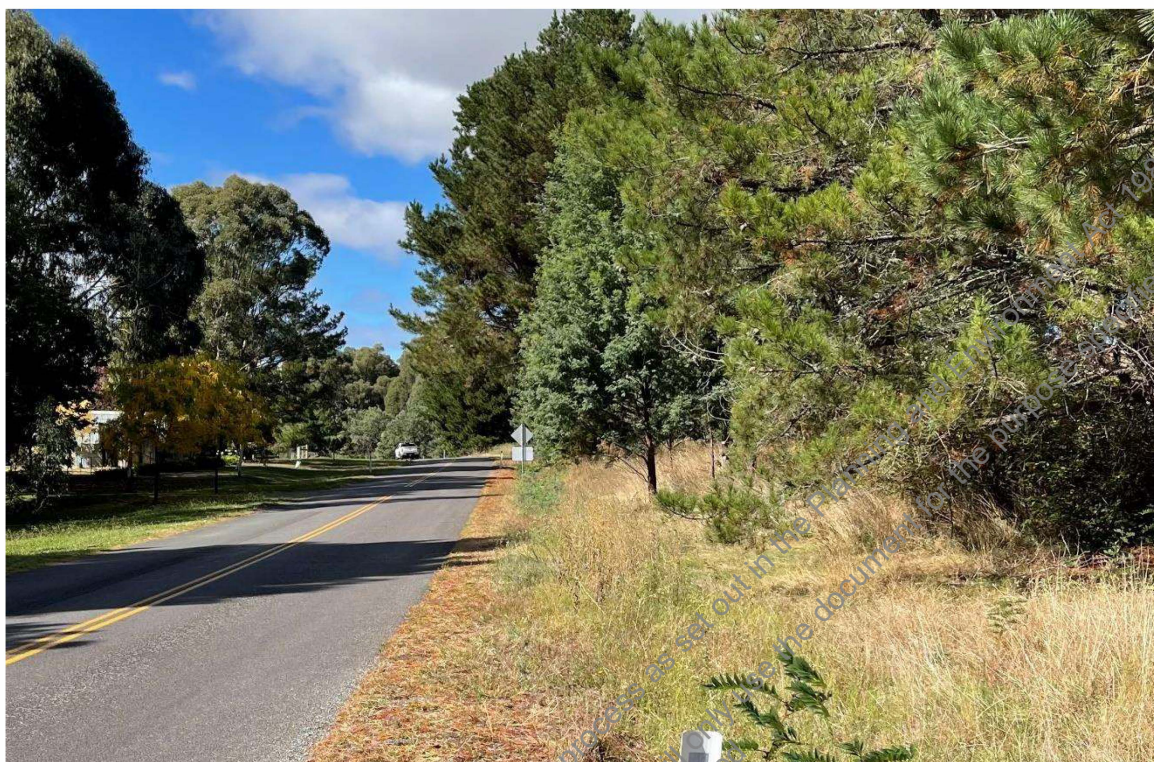


Figure 9 – Merton-Strathbogie Road Frontage – Bearing South – Subject site pictured right.

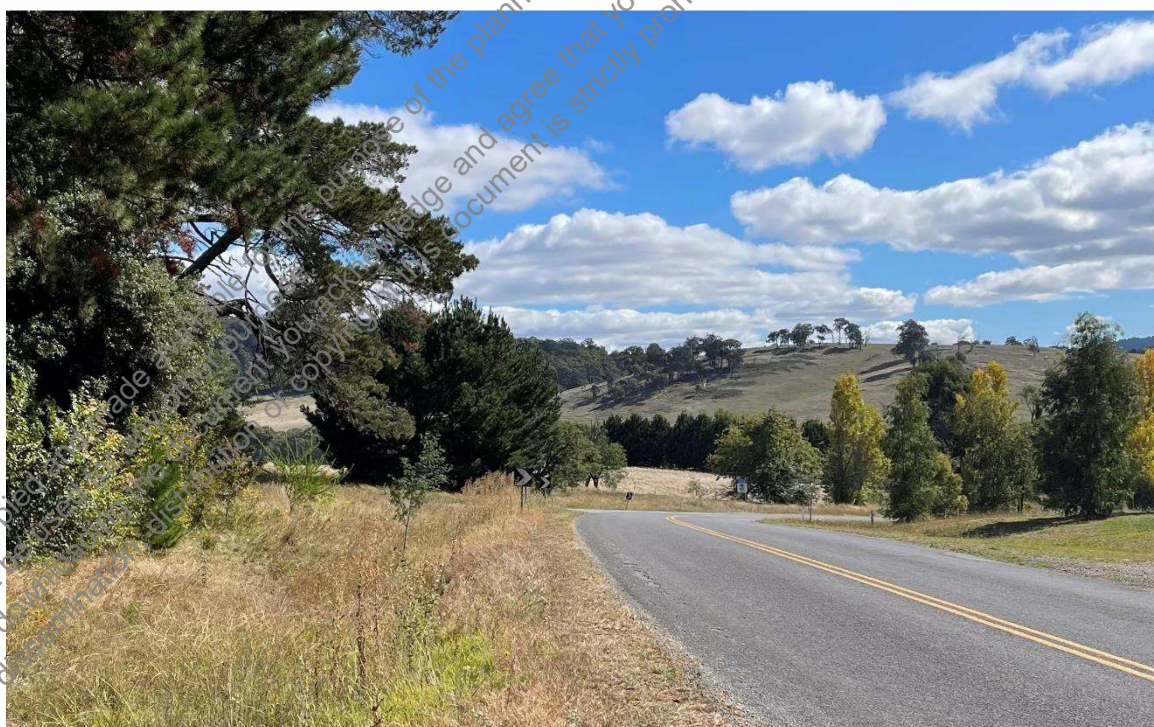


Figure 10 – Merton-Strathbogie Road Frontage – Bearing North - Subject site frontage pictured left.

6. PARTICULAR PROVISIONS

None relevant to the proposal.



7. CONCLUSION

The proposed Use and Development of a dwelling on land at the Corner of Merton-Strathbogie Road & Polly McQuinns Road, Strathbogie (Allot. 2A Sec. B PARISH OF WONDOOMAROOK) is consistent with the relevant objectives and policies as stated in the Municipal Planning Statement and Planning Policy Framework of the Strathbogie Planning Scheme.

Use and development of a dwelling will not remove agricultural land from production or result in offsite impacts on adjoining activity and is considered to be the most appropriate use for an under utilised allotment with very little productive value. The proposed development is compatible with and complementary to the surrounding environment and is considered to maintain the landscape character of the area.

Use and development of a dwelling on the property will enable more active management of the property and consistent with the surrounding pattern of land use when considering the existing settled nature of the area.

The proposal is commended to Council and, on behalf of our client, we look forward to a positive outcome from the application.

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