



## STRATHBOGIE SHIRE COUNCIL

### PLANNING COMMITTEE

# AGENDA

MEETING TO BE HELD ON TUESDAY 30 JANUARY 2018

AT THE EUROA COMMUNITY CONFERENCE CENTRE

COMMENCING AT 4.00 P.M.

<b>Chair:</b>	Malcolm Little	(Hughes Creek Ward)
<b>Councillors:</b>	Amanda McClaren	(Lake Nagambie Ward)
	John Mason	(Seven Creeks Ward)
	Kate Stothers	(Honeysuckle Creek Ward)
	Debra Swan	(Lake Nagambie Ward)
	Alistair Thomson	(Mount Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

<b>Officers:</b>	Steve Crawcour - Chief Executive Officer
	Phil Howard - Director, Innovation and Performance
	Roy Hetherington - Director, Community Assets
	David Roff – Director, Corporate and Community
	Emma Kubeil – Manager, Planning and Investment
	Cameron Fraser – Principal Planner
	Trish Hall - Technical Officer, Planning

#### **Business:**

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'I acknowledge the Traditional Owners of the land on which we are meeting.  
I pay my respects to their Elders, past and present'*
3. Apologies
4. Confirmation of Minutes of the Planning Committee meeting held on Tuesday 28 November 2017
5. Disclosure of Interests

6. Planning Reports
7. Other Business

Steve Crawcour  
**CHIEF EXECUTIVE OFFICER**

18<sup>th</sup> January 2018

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

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

**6. PLANNING REPORTS**

**6.1 Planning Permit Application No.P2017/061  
-Use and Development of Land for a dwelling including a two (2) lot re-subdivision**

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**Application Details:**

Application is for:	Use and development of land for a dwelling including a two (2) lot re-subdivision
Applicant's/Owner's Name:	CUBBIN, Trevor William
Date Received:	26 June 2017
Statutory Days:	102
Application Number:	P2017-061
Planner: Name, title & department	Cameron Fraser Principal Planner Planning and Investment Department
Land/Address:	Lots 1 and 2 on Title Plan 375905T, Certificate of Title Volume 08582 Folio 020 892 Wormangal-Wahring Road, Wahring VIC 3608
Zoning:	Farming Zone
Overlays:	No Overlay
Under what clause(s) is a permit required?	Clause 35.07-1 Clause 35.07-3 Clause 35.07-4
Restrictive covenants on the title?	No
Current use and development:	Agriculture

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**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*.

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**Summary**

- The application is for the use and development of the land at 892 Wormangal-Wahring Road, Wahring VIC 3608 and a two lot re-subdivision.
- The site has an area of approximately 8.07 hectares, is located in the Farming Zone and is not affected by any overlays.
- The application was advertised to adjoining owners and a sign placed on site, no objections have been received to date.

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- The application was referred internally to Council's Health Officer and Asset Services Department who offered no objection subject to conditions.
- The application has been assessed outside of the 60 day statutory timeframe.
- The application is being heard before Planning Committee for the following reason:
  - the application proposes a dwelling on a lot under the minimum lot size for the area (80 hectares).
- The proposed Lot 1 is small in size and unable to be used viably for agricultural productivity. Although this does not automatically mean a dwelling is suitable, in this instance, the development of a dwelling is considered suitable, taking into consideration the surrounding land uses and the capability of the site to withstand a dwelling.
- The proposed re-subdivision of land is considered suitable as it formalises the lot boundaries as per the built infrastructure on the ground i.e. the road, railway line and fence lines and is considered appropriate and consistent with this local policy.
- The proposal meets the objectives of the State and Local Planning Policy Frameworks and the Farming Zone.
- It is recommended that Council grant a permit in accordance with the Officer's recommendation.

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**Recommendation**

**That Council**

- **having caused notice of Planning Application No. P2017-061 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme**

**and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Permit under the provisions of Clause 35.07-1, Clause 35.07-3 and Clause 35.07-4 of the Strathbogrie Planning Scheme in respect of the land known as Lots 1 and 2 on Title Plan 375905T, Certificate of Title Volume 08582 Folio 020, 892 Wormangal-Wahring Road, Wahring VIC 3608, for the Use and development of land for a dwelling including a two (2) lot re-subdivision, in accordance with endorsed plans, subject to the following conditions:**

**Endorsed Plans:**

1. **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.**

**Land Management Plan:**

2. **Prior to the commencement of works for the dwelling, evidence must be provided to the satisfaction of the Responsible Authority that works detailed in the land management plan have commenced.**

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**Dwelling Construction:**

3. Prior to the commencement of buildings and works, the subdivision approved as part of this permit must be submitted to the Responsible Authority for certification under the *Subdivision Act 1988*.
4. Prior to the commencement of the use of the approved dwelling, the subdivision approved as part of this permit must be completed to the satisfaction of the Responsible Authority.

**Section 173 Agreement:**

5. Prior to the commencement of use, the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. Such agreement shall state:
  - a) That the owner acknowledges and accepts that the possibility of nuisance from adjoining and/ or nearby agricultural operations may occur. The possible off site impacts include but are not limited to dust, noise, odour, waste, vibration, soot, smoke or the presence of vermin, from animal husbandry, animal waste, spray drift, agricultural machinery use, pumps, trucks and associated hours of operation.
  - b) That the use of the land will be carried out in association with the Land Management Plan endorsed as part of this permit.
  - c) That the land may not be further subdivided so as increase the number of lots

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

**Environmental Health Conditions:**

6. All waste water and liquid is to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 60 metres from Portable water reservoir and 60 metres from any watercourse and/or dam (non-potable water supply), on the subject or neighbouring properties and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).

**Engineering Conditions:**

7. Prior to the commencement of the use new or otherwise vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard satisfactory to the Responsible Authority.
8. The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Refer to Clause

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**12.9.2 “Rural Vehicle Crossings” of the Infrastructure Design Manual and to standard drawing SD255.**

- 9 Prior to the commencement of the use/issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.**
- 10 Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.**
- 11 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.**
- 12 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.**
- 13 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. Driveway to access roadway perpendicular and at a suitable location to ensure adequate site distance in both directions.**

**General Conditions:**

- 14 Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.**
- 15 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 *Environmental Protection Act 1970*.**
- 16 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.**
- 17 The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.**
- 18 The external cladding of the proposed buildings, including the roof, must be constructed of new materials of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.**

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**Permit Expiry:**

**19 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 subdivision is not started (Certification) within two (2) years of the date of this permit;**
- (c) The development is not completed within four (4) years of the date of this Permit.**
- (d) the subdivision is not completed (Statement of Compliance) within five(5) years of the date of Certification under the *Subdivision Act 1988*.**

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

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

**Planning Notes:**

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.**
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.**
- A Land Capability Assessment may be required and should be undertaken by a suitability qualified person. The Responsible Authority reserves the right to accept, reject or amend the recommendations of an LCA report.**
- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.**

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**Proposal**

It is proposed to use and develop the land for a dwelling, and to re-subdivide the two lots to create two new lots.

The subdivision proposes to re-subdivide the property to form two lots. Proposed Lot 1 is proposed to measure 7736 square metres in area, and will be generally triangular in



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shape. Proposed Lot 2 is proposed to measure 7.3 hectares in area and be irregular in shape.

The dwelling is proposed to be located on proposed Lot 1. The dwelling is proposed to be setback 20 metres from the southern boundary and 52 metres from the eastern boundary.

The dwelling is proposed to be single storey and rectangular in shape. It is proposed to have a 14 degree pitched Colourbond roof and finished in a woodgrain 'hardi plank' cladding.

A condition will be placed on the permit requiring fully dimensioned floor and elevation plans of the dwelling.

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**Subject site & locality**

The subject site is located at 892 Wormangal-Wahring Road, Wahring. The site is more formally identified as Lots 1 and 2 on Title Plan 375905T, Certificate of Title Volume 08582 Folio 020. The total area of the site measures approximately 8.07 hectares in area.

The site is divided centrally by the Shepparton-Melbourne Railway Line and Wormangal-Wahring Road (running in parallel to each other). Lot 1 is made up of 2 parts and is separated by the railway line and the road. Lot 2 is located immediately to the east of Lot 1. The land to the west of the railway line and road measures 7736 square metres in area, with the land to the east of the railway line and road measuring 7.3 hectares in area.

The site is relatively flat in topography and is zoned Farming with no overlays applicable. The part of the site on the western side of the railway line currently contains the old Wahring CFA shed, with the balance of this land being clear from built form.

The part of the site on the eastern side of the railway line is predominately clear and used for agriculture, with the exception of the dwelling and associated shedding in the southern area of the site, with vehicular access via Wormangal-Wahring Road. There are scattered paddock trees across the site, with more vegetation near the dwelling on site.

The site is bound by Wahring-Euroa Road to the north, Coulter Lane to the west and south-west, and adjoining agricultural properties to the south and east.

To the immediate north of Wahring-Euroa Road there are a number of small rural properties with dwellings and associated shedding.

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The site is located approximately 10 kilometres north-east of Nagambie.

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**Permit/Site History**

A search of Council's electronic records results in two planning permits previously being issued for the subject site.

- P2014-124 was issued on 11 November 2014 for development of land for a machinery shed extension.
- P111/2003 was issued on 21 July 2003 for development of land for a machinery shed.

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**Public Notification**

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

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

The notification has been carried out correctly.

Council has received no objections to date.

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**Consultation**

No consultation has been required to be undertaken.

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**Referrals**

External Referrals/Notices required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 52 Notices	VicTrack – no objections Public Notice

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

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## **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 a two lot subdivision of land and the use and development of land for a dwelling pursuant to Clauses 35.07-1, 35.07-3 and 35.07-4 of the Farming Zone in the Strathbogie Planning Scheme. Although the subject site is less than the minimum lot size for a dwelling as of right, the proposal is considered to be worthy of support. The re-subdivision of land is also considered appropriate as no new lots are being created.

Proposed Lot 1 is small in size and unable to be used viably for agricultural productivity. Although this does not automatically mean a dwelling is suitable, in this instance, the development of a dwelling is considered suitable, taking into consideration the surrounding land uses and the capability of the site to withstand a dwelling.

Submitted with the application is a land management plan that has identified the key actions the proponent intends to implement on the site, with regard to environmental improvements such as native vegetation enhancement, development of wildlife habitats and the eradication of pest plants and animals. Should a permit be issued, this land management plan will be endorsed and form part of the permit.

The design of the dwelling is considered appropriate and consistent with the characteristic of the agricultural area, given the dwelling is single storey in height. When assessing an application in the Farming Zone, consideration must be given to the Decision Guidelines at Clause 35.07-6. Below is an assessment against these decision guidelines:

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<b>General Issues</b>	<b>Complies</b>	<b>Officers Comment</b>
<i>The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Yes	Assessment against SPPF & LPPF is provided below.
<i>Any Regional Catchment Strategy and associated plan applying to the land.</i>	N/A	There is no relevant regional catchment strategy.
<i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i>	Yes	The application has been referred to Council's environmental health department who has consented to this application, subject to conditions. Given this, it is considered the land is capable of treating effluent waste on site.
<i>How the use or development relates to sustainable land management.</i>	Yes	The nature of the subject site including its size and location limit the capacity for agricultural production. However, in the application documentation, the applicant has indicated they will participate in environmental improvements for the land. These will be required to have commenced prior to the construction of a dwelling on the land.
<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 proposed use of the land for a dwelling is compatible with the surrounding land uses, given there is a large number of rural dwellings in the immediate area.
<i>How the use and development makes use of existing infrastructure and service.</i>	Yes	Access is proposed via the existing crossover from Coulter Lane.
<b>Agricultural Issues</b>		
<i>Whether the use or development will support and enhance agricultural production.</i>	Yes	The proposal will support proposed environmental improvements of the land.
<i>Whether the use or development will permanently remove land from agricultural production.</i>	Yes	The area of land where the building envelope is sited has already been removed from agricultural production.

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<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	It is considered the development will not limit the operation of adjoining and nearby agricultural uses given the siting of the dwelling, and the number of rural dwellings in existence in the immediate area.
<i>The capacity of the site to sustain the agricultural use.</i>	Yes	The proposed site for the new dwelling is of a size that is unlikely to withstand agricultural development.
<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Yes	The land is not identified as a significant piece of farming land.
<i>Any integrated land management plan prepared for the site.</i>	Yes	A land management plan has been prepared and submitted with the application documentation. This will be endorsed and form part of any permit issued for this proposal. Implementation of this plan will be required to have commenced prior to the construction of the dwelling proposed as part of this application.
<b>Dwelling Issues</b>	<b>Complies</b>	<b>Officers Comment</b>
<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	Yes	The proposed dwelling and shed will not result in the loss or fragmentation of productive agricultural land, as the site is considered to be currently removed from agricultural production.
<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 use of the land for a dwelling is unlikely to impact on the surrounding agricultural properties. The dwelling has been sited on the lot away from the boundaries to ensure little to no impact is made to the adjoining agricultural properties from the dwelling.
<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	The use of the land for a dwelling is very unlikely to limit the expansion of adjoining agricultural entities. Given the site's small size, it is unlikely this site would be desirable for consolidation of

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		adjoining agricultural properties in the future.
<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	Given the number of dwellings in the area, it is considered there is already a proliferation of dwellings in the area. This dwelling is not going to be the dwelling that will confirm the area as a concentration of dwellings.
<b>Environmental issues</b>		
<i>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</i>	Yes	The dwelling has been sited appropriately on the site. No vegetation is required to be removed for the dwelling, or for the effluent disposal area. In addition, the applicant has put forward information regarding the improvements intended for the environmental values of the land, such as revegetating species.
<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. It is not anticipated the dwelling will impact the flora and fauna on site.
<i>The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.</i>	Yes	The proposal does not include the removal of any vegetation.
<i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i>	Yes	On site effluent disposal will be carried out in accordance with the requirements of the Responsible Authority.
<b>Design and siting issue</b>		
<i>The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.</i>	Yes	The building envelope is located appropriately on site from the boundaries and in a clear area away from significant vegetation.
<i>The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment,</i>	Yes	The proposed siting is considered appropriate. Should a permit be issued, a condition will be placed

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<i>major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</i>		on the permit requiring muted tones on the exterior of the dwelling.
<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 detract from the existing character and amenity values of the area.
<i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i>	Yes	The proposed building envelope is considered to be appropriately located on the site away from significant vegetation, sightlines, and significant features.
<i>Whether the use and development will require traffic management measures.</i>	Yes	As the proposal is for a single dwelling only, it is deemed not necessary for there to be traffic management measures implemented.

Taking into consideration all of the above, it is considered this application is consistent with the purposes of the Farming zone, meets the decision guidelines and is worthy of a planning permit to be issued.

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

Clause 14.01-1 Protection of agricultural land

*Objective*

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

Clause 14.01-2 Sustainable agricultural land use

*Objective*

- *To encourage sustainable agricultural land use.*

The proposal is considered to be consistent with this State planning policy as detailed in the Strathbogie Planning Scheme. Although this land is not identified as locally or regionally significant, the use of the land for a dwelling is considered appropriate to support ongoing management of the land in accordance with the application documentation. Improvement of the subject site in terms of land management will likely be of greater benefit to surrounding land owners. Given this, the proposal is considered appropriate.

Clause 16.02-1 Rural residential development

*Objective*

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

Given the settlement pattern with existing dwellings in the immediate area along Wahrung-Euroa Road this proposed dwelling is unlikely to create a "rural residential

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development". The use of this property for a dwelling will assist in the management and conservation of environmental values on the land. As such, this site is considered to be consistent with this State planning policy as detailed in the Strathbogie Planning Scheme.

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

*Clause 21.02-3 Rural Residential*

*Objective*

- *To promote the Strathbogie Shire as a sustainable rural living destination whilst minimising impact on productive agricultural land and/or the natural environment.*

It is considered that the proposed use for a dwelling with limited agricultural component is consistent with this objective, in that there will not be any adverse impacts on productive agricultural land and a better environmental outcome overall. Further, the site is constrained in such a way that it has only limited agricultural potential itself.

*Clause 21.02-4 Rural Zones*

*Objective*

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

The proposal is consistent with these objectives and will not affect established farming areas. The previously discussed Section 173 agreement will ensure that owners clearly understand that it is an agricultural area.

21.02-6 Building Material – Muted Tones

*Objective*

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

The dwelling is proposed to be constructed of muted tones. The materials are unlikely to impact the aesthetic amenity currently enjoyed in the area. As such, this proposed is considered to be consistent with this Local planning policy within the Strathbogie Planning Scheme.

*Clause 22.01-3 Policy*

*Dwellings on small lots in the Farming Zone*

*Policies:*

- *The construction of a new dwelling on an existing small lot will be discouraged unless it meets all of the following requirements:*
  - *The lot is accessed by an all-weather road and has appropriate service provisions.*
  - *Emergency ingress and egress is at an appropriate standard.*
  - *The dwelling will not inhibit the operation of agriculture and rural industries.*



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- *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 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.*

It is considered the proposed dwelling meets the abovementioned policy requirements. The dwelling will be accessed via an all-weather road, and will be serviced adequately. The dwelling is not likely to impact on surrounding agricultural properties given the siting of the dwelling on site. The site is capable of treating all waste on site. The dwelling is associated with environmental improvements proposed for the site, given the site is considered too small for a viable agricultural use. As such, this proposal being considered on its merit is worthy of Council's support.

It is generally policy within the Strathbogie Planning Scheme that any permit issued for the use and development of a dwelling on a lot under the minimum size requires the permit holder enter into an agreement under Section 173 of the *Planning and Environment Act 1987* which prohibits further subdivision of the land. This is considered appropriate in this instance. This agreement prohibits the subdivision of the land and also requires that the land be continually managed. Failure to do so would be in breach of this legally binding agreement.

Re-subdivision (Including Boundary Realignments)

- *An application for re-subdivision will only be supported if the application meets the following requirements:*
  - *The proposal results in improved agricultural productivity through, for example, the adjustment of a boundary that accounts for existing infrastructure over 5 years old or topographic features on the site; and*
  - *The proposal does not create lot/s for the sole purpose of creating a new lot which has the potential for a dwelling.*

The proposed re-subdivision of land is considered suitable as it is formalising the lot boundaries per the built infrastructure on the ground i.e. the road, railway line and fence lines. Considering this the re-subdivision of land is considered appropriate and consistent with this local policy.

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**Relevant Particular Provisions**

There are no particular provisions considered applicable to this application.

**The decision guidelines of Clause 65**

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

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

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

There are no relevant adopted State policies.

**Relevant incorporated, reference or adopted documents**

There are no relevant incorporated, reference or adopted documents.

**Relevant Planning Scheme amendments**

There are no relevant planning scheme amendments.

**Risk Management**

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

**Strategic Links – policy implications and relevance to Council Plan**

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

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**Summary of Key Issues**

With regard to the Farming Zone: the application is considered to be suitable as no new lots are being created smaller than the minimum lot size in the Farming Zone, and the

6.1 Planning Permit Application No.P2017/061  
-Use and Development of Land for a dwelling including a two (2) lot re-subdivision

dwelling is suitable for the site given the number of existing rural dwellings in the immediate area.

In summary, the proposal meets the objectives of the State Planning Policy Framework, Local Planning Policy Framework, Farming Zone and No Overlay.

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**Conclusion**

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

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**Attachments**

Site Plan

Plan of Subdivision

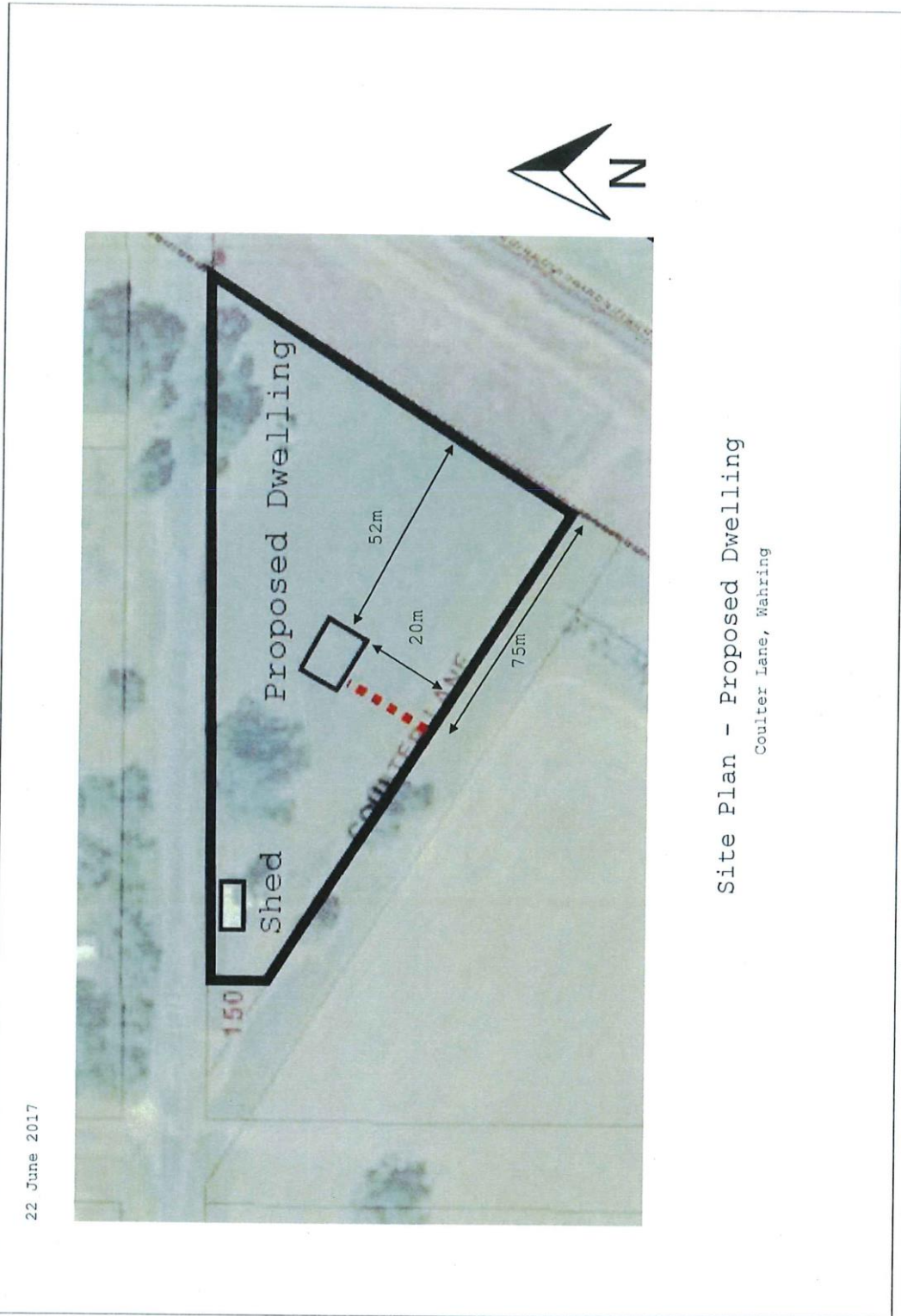
Locality Map

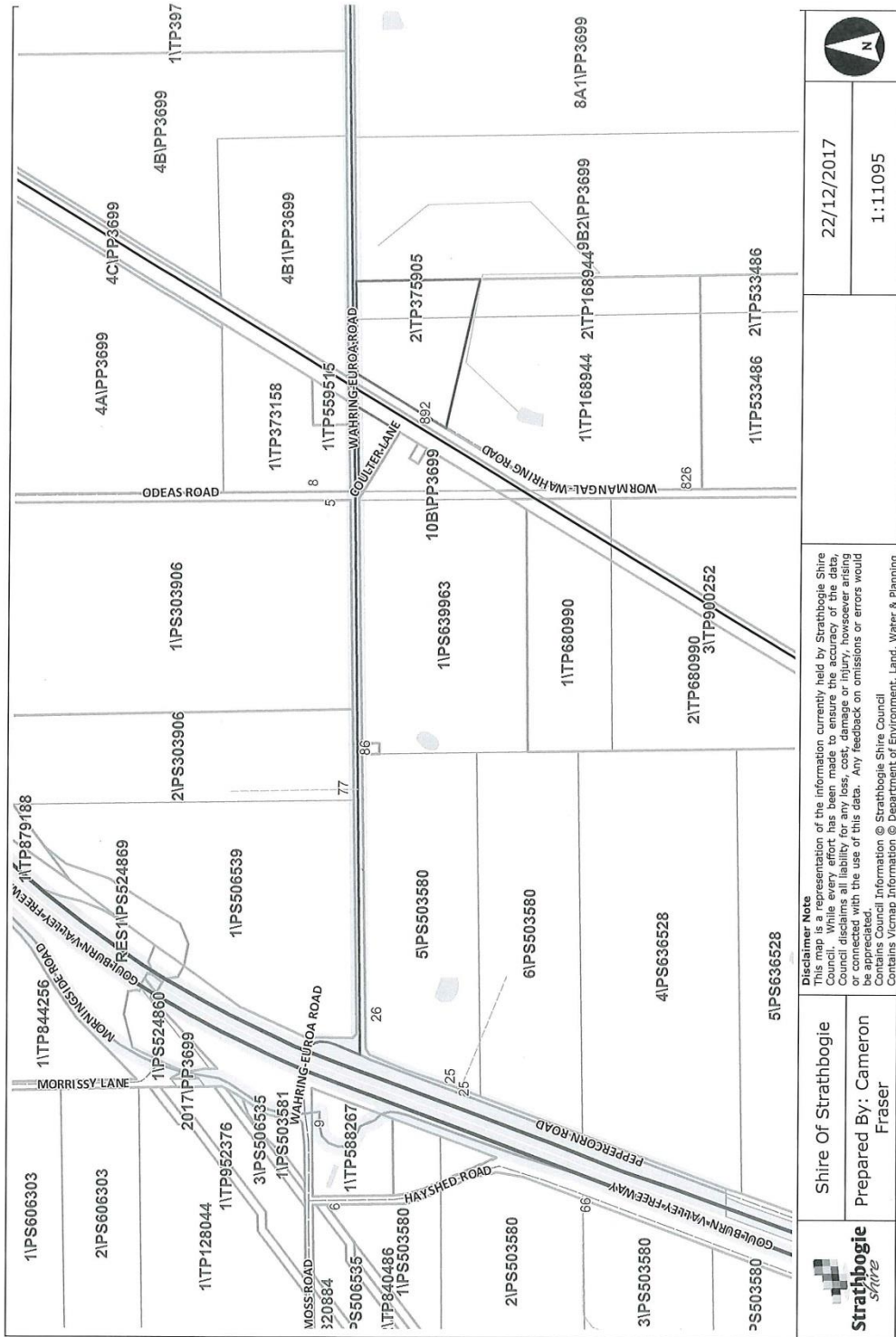
22 June 2017

Trevor Cubbin - 892 Wormangal-Wahring Road, Wahring  
Existing Lots: Lot 1 & 2 TP375905



Proposed Two Lot Re-subdivision





	<b>Shire Of Strathbogie</b> Prepared By: Cameron Fraser	<b>Disclaimer Note</b> This map is a representation of the information currently held by Strathbogie Shire Council. While every effort has been made to ensure the accuracy of the data, Council disclaims all liability for any loss, cost, damage or injury, howsoever arising or connected with the use of this data. Any feedback on omissions or errors would be appreciated. Contains Council Information © Strathbogie Shire Council Contains Vicmap Information © Department of Environment, Land, Water & Planning	
	22/12/2017 1:11095		

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

**6.2 Planning Permit Application No.2016/100**  
**Use and Development of land to extend the existing residential village**

**Application Details:**

Application is for:	Development of land to extend the existing residential village
Applicant's/Owner's Name:	Mr Troy Spencer of; T & C Development Services Pty Ltd
Date Received:	20 July 2016
Statutory Days:	110
Application Number:	P2016-100
Planner: Name, title & department	Cameron Fraser Principal Planner Planning & Investment Department
Land/Address:	Lot 1 on Title Plan 588301Q Certificate of Title Volume 11437 Folio 568 123-133 High Street, Nagambie VIC 3608
Zoning:	General Residential Zone
Overlays:	No Overlay
Under what clause(s) is a permit required?	Clause 32.08-2 Clause 32.08-6
Restrictive covenants on the title?	No Nil
Current use and development:	Residential/accommodation

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

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

**Summary**

- This application is for the development of land at 123-133 High Street, Nagambie.
- The site measures approximately 4.05 ha and is a large rectangular parcel of land.
- The subject site is occupied by Kelvin Grove Residential Village and currently has 49 dwellings, a managers residence, swimming pool and community facility for the residents.
- The application proposes to extend the existing Residential Village to accommodate an additional 28 dwellings in association with the existing use of the site.

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Development of land to extend the existing residential village

- The land is zoned General Residential Zone and has an existing established use.
- The application has been advertised and Council has received 1 objection.
- The application has been referred internally to Council's Asset Services Department who offered no objection subject to conditions.
- The application was advertised externally to the CFA, Goulburn Valley Region Water Corporation and Ausnet, all who offered no objection to the proposal subject to conditions.
- The application has been assessed outside the 60 day statutory timeframe due to amended plans.
- The application is being heard before Planning Committee due to 1 unresolved objection.
- The proposal meets the objectives of the State and Local Planning Policy Frames and the General Residential Zone.
- It is recommended that Council resolve to issue a Notice of Decision to grant a permit in accordance with the officers recommendation.

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**Recommendation  
That Council**

- **having caused notice of Planning Application No. P2016-100 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme, and**

**having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* issues a Notice of Decision to Grant a Permit under the provisions of Clause 32.08-2 and Clause 32.08-6 of the Strathbogie Planning Scheme in respect of the land known as Lot 1 on Title Plan 588301Q Certificate of Title Volume 11437 Folio 568, 123-133 High Street, Nagambie VIC 3608, for the development of land to extend the existing residential village, in accordance with endorsed plans, subject to the following conditions:**

**Amended Plans:**

1. **Prior to the commencement of buildings and works, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. Such plans must be generally in accordance with the plan submitted but modified to show:**
  - **Floor and elevations plans for the dwelling proposed on Site 1.**
  - **Schedule of colours and materials for the dwelling proposed on Site 1.**

**Engineering Conditions:**

2. **Prior to the commencement of works, a dust management plan to the satisfaction of the Responsible Authority, must be lodged for approval, which must detail what measures are proposed to minimise dust during the construction phase.**
3. **Prior to the commencement of buildings and works, detailed design plans for the development must be submitted for approval, to the satisfaction of the responsible authority. When approved, the plans will be endorsed and**



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4. will form part of the planning permit. The plans must include the following all in accordance (where applicable) with councils adopted 'Infrastructure Design Manual':
  - (a) Full sealed access following the existing stage design including sealing of the proposed turning area on suitable pavement design.
  - (b) All infrastructure including drainage, public lighting and utility services.
  - (c) Vehicle crossing for each lot.
  - (d) Drainage design.
  - (e) All surface details including pavement profile details.
  - (f) Lot grading for all proposed lots.
  - (g) Fencing of any permanent water bodies.
  - (h) Kerb and channel and sealed pavement design for High Street Service Lane for the frontage of the development.
  - (i) Appropriate speed control devices and signage.
5. Prior to the occupation of the approved sites all works must be completed in accordance with the endorsed plans to the satisfaction of the responsible authority.
6. Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb & channel, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of the Responsible Authority.
7. 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. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
8. The drainage system must be designed to incorporate principles of Water Sensitive Urban design and be designed so that the rate of storm water runoff from the development must not be more than the rate of runoff from the site prior to the development, all to the satisfaction of the Responsible Authority. The drainage design must incorporate on site storage for as per the IDM.
9. In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the Responsible Authority.
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.

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**Goulburn Valley Water Conditions:**

11. **Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;**
12. **Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;**
13. **Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.  
All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section;**
14. **The developer needs to verify the existing 150mm diameter gravity sewer in Hihett Street has adequate depth for servicing the whole development area to achieve a minimum grade of 1 in 150;**
15. **Please note any structures need to be located outside of easements and have minimum 1 metre clearance from the edge of any Corporation assets.**

**AusNet Conditions:**

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

**Car Parking:**

18. **All new dwellings constructed must provide car parking at the following rates:**
  - **Dwellings with one or two bedrooms must have one car parking space on site.**
  - **Dwellings with three or more bedrooms must have two car parking spaces on site.****Any studies or studios that are separate rooms are counted as bedrooms.**

**General Conditions:**

19. **Any new dwelling constructed 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.**

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20. Any new dwelling constructed must be connected to a reticulated electricity supply or have an alternative energy source approved by the Responsible Authority.
21. The external cladding of the proposed buildings, including the roof, must be constructed of new materials of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.
22. Any new dwelling constructed within the approved sites must be single storey.
23. The amenity of the area must not be detrimentally affected by the use, through the:
  - (a) Appearance of any building, works or materials;
  - (b) Transport of materials, goods or commodities to or from the land;
  - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
  - (d) Presence of vermin, and;
  - (e) Others as appropriate.

Permit Expiry:

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

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

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

Planning Notes:

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

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**Proposal**

It is proposed to develop the land for an additional twenty-eight (28) dwellings in association with the established residential village, and to construct a verandah at the southern end of the existing amenities building.

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The additional 28 dwellings will be contained on building envelopes on individual sites. 28 sites are proposed, ranging in area from 295 square metres to 341 square metres.

Each site will gain vehicular access via a new 4.65 metre wide internal access road, which will connect to the existing internal access road on site.

A drainage basin is proposed to be constructed between sites 24 and 25.

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**Subject site & locality**

The subject site is located at 123-133 High Street, Nagambie. Formally described as Lot 1 on Title Plan 588301Q Certificate of Title Volume 11437 Folio 568, the site measures approximately 4.047 hectares in area, is flat in topography and rectangular in shape.

The site currently contains a retirement village known as Kelvin Grove Residential Village and contains forty-nine (49) dwellings, a manager's residence, a swimming pool and a community facility. The village operates as a 'lifestyle' resort open to people over the age

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of 55 and provides permanent residential accommodation in transportable homes owned by the residents on a small site leased by the operators of the village. This built form takes up the majority of the central area of the site. There is a vacant area in the western part of the site that will accommodate the proposed 28 new dwellings.

With the exception of a shed associated with the manager's residence (setback approximately 27 metres), the majority of the built form on site is setback approximately 75 metres from the road frontage. The area between the road and the built form is landscaped into a garden and lawn area.

The site has a 100 metre frontage to High Street and is 402 metres in depth. The site gains access via a crossover High Street.

The site is within the General Residential Zone with no overlays applying to the land.

The land to the north of the site is within the General Residential Zone and is used as a caravan park.

The land to the west of the site is within the Farming Zone and is used for agriculture, typically cropping.

The land to the south of the site is within the General Residential Zone and is predominantly vacant. There are two dwellings located to the south-east of the site.

The land to the east of the site, on the opposite side of High Street is used for residential purposes with lot sizes of approximately 4000 square metres.

The site is generally located in the southern area of the township of Nagambie, being approximately 1 kilometre from the commercial centre of Nagambie.

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**Permit/Site History**

A search of Council's electronic records shows that two planning permits have previously been issued for the subject site.

- Planning Permit P2011/072 was issued on 27/07/2011 for the removal of box trees.
- Planning Permit P2004/100 was issued on 26/06/2004 for the construction of community hall, garage and workshop for management.

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**Public Notification**

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

- Sending letters to adjoining land owners
- Placing (a) sign on site
- Placing a notice in the newspaper

The notification has been carried out correctly.

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

- Inadequate water supply for development.

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- Increase in dust.
- Increased noise from amenities building extension.

Officers Response:

The increase in dust, both during construction by machinery and upon completion with tenant and operational traffic is considered a reasonable ground for objection, particularly in a residential area. To minimise any impacts of this, should a permit be issued, appropriate site management during construction and the sealing of roads upon completion (and prior to residential use) could be managed by way of conditions on any permit issued and has been included in the recommendation.

Water supply in Nagambie has been raised as an issue in relation to previous applications received by council for larger scale residential development in the past. It is understood that the issue with 'water supply' is an issue with the infrastructure. This application has been referred to Goulburn Valley Water who has consented to the proposal. It should be noted that the provision and management of water supply infrastructure is the responsibility of Goulburn Valley Water. Goulburn Valley Water are upgrading their town water supply system and strategically plan for growth within Nagambie.

The proposed extension to the amenities building as originally proposed is a freestanding verandah to be used in conjunction with the existing amenities building. The amenities' building is open only to residents (and guests). The inclusion of a verandah to be used in conjunction with this existing facility is considered unlikely to impact significantly on the

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amenity of the adjoining land owner. Noise levels are required to comply with any relevant local law and EPA guidelines.

**Consultation**

Following receipt of the objection, a copy was forwarded to the applicant who provided a written response.

A copy of this response was forwarded to the applicant. To date, the objector has not withdrawn their objection.

**Referrals**

External Referrals/Notices required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	CFA – no objection, subject to conditions.
Section 52 Notices	Goulburn Valley Water – no objection, subject to conditions. AusNet – no objection, subject to conditions.

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

**Assessment**

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

**General Residential Zone**

Purpose:

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

A permit is required for the development of land for an additional twenty-eight (28) dwellings and buildings and works for an extension to the amenities building.

As detailed below, the application is consistent with the relevant State and Local Planning Policies of the Strathbogie Planning Scheme.

6.2 Planning Permit Application No.P2016/100  
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The proposal is considered to be consistent with the purpose of the General Residential Zone as the development is consistent with the characteristics of the existing development on site, and the character of the broader area.

The proposal offers a different housing option to the majority of housing readily available in Nagambie. The type of housing being offered through this development is also in high demand given the aging population of the Strathbogie Shire. The type of residential use proposed is for permanent tenanted dwellings. These sites cannot be used for temporary holiday type accommodation without the appropriate planning approval.

The proposal is considered to be meet the Decision Guidelines of the General Residential Zone as the development is consistent with the SPPF and LPPF and meets the purpose of the zone.

Given this, the application is considered to be worthy of Council support.

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

Clause 15.01 *Urban environment*

*Objective*

- *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

The proposal is considered to be consistent with this State policy as it is extending an existing community that has a good sense of place through the built form, landscaping characteristics on the site, and the way the residents on site use the land.

Clause 16.01-1 *Integrated housing*

*Objective*

- *To promote a housing market that meets community needs.*

Given the aging population of Nagambie and the broader Strathbogie Shire, the application is considered to be promoting a housing market that is suitable to the community's needs. Therefore, the development is consistent with this State policy.

Clause 16.01-5 *Housing affordability*

*Objective*

- *To deliver more affordable housing closer to jobs, transport and services.*

The proposed housing development is sited appropriately in Nagambie, and will form part of an existing residential community. The site benefits from relatively close access to commercial services within Nagambie, and good links to vehicular transport.

Clause 18.02-5 *Car parking*

*Objective*

- *To ensure an adequate supply of car parking that is appropriately designed and located.*

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Each dwelling will have at least one car parking space. An additional 14 visitor car parking spaces have also been included in the extension to the residential village.

Considering this, the proposed car parking for the development is considered adequate and meets this State policy.

Clause 19.03-2 *Water supply, sewerage and drainage*

*Objective*

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

Each dwelling will be connected to the necessary reticulated infrastructure as required by the relevant authorities. As such, the development is considered to be consistent with this State policy.

Considering all of the above, the application is considered to be consistent with the relevant State Planning Policies as detailed within the Strathbogie Planning Scheme.

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

Clause 21.03-4 *Nagambie*

*Objective*

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

The proposal is considered to be consistent with this Local policy as it is providing additional housing options for the growing aged population of Nagambie. The extension of the existing residential village is also likely to contribute to the lifestyle ambience that is currently enjoyed in Nagambie.

Clause 21.05-3 *Social services and infrastructure*

*Objective*

- *To provide networked communities.*

The residential village has existing community facilities on site. The proposal also includes an extension to the communal amenities building. This extension will be a good outcome for the site. Given there will be an increase to the number of dwellings on the site, the need for a larger communal amenities area is high.

Considering the above, the application is considered to be consistent with the above mentioned Local Planning Policy of the Strathbogie Planning Scheme.

**Relevant Particular Provisions**

Clause 52.06 Car Parking

The purpose of this particular provision is:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*



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

The proposed development requires 1 car space per dwelling with one or two bedrooms, 2 car spaces per dwelling with three or more bedrooms, and 1 car parking space for visitors per five dwellings.

A condition will be placed on the permit to require the car parking spaces be provided for the dwellings. The proposal includes 14 car parking spaces for visitors, which meets the visitor parking requirement.

Clause 56 Residential Subdivision

*Purpose:*

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create livable and sustainable neighbourhoods and urban places with character and identity.*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
  - *Metropolitan Melbourne growth areas.*
  - *Infill sites within established residential areas.*
  - *Regional cities and towns.*
- *To ensure residential subdivision design appropriately provides for:*
  - *Policy implementation.*
  - *Livable and sustainable communities.*
  - *Residential lot design.*
  - *Urban landscape.*
  - *Access and mobility management.*
  - *Integrated water management.*
  - *Site management.*
  - *Utilities.*

*Requirement*

- *An application to subdivide land:*
  - *Must be accompanied by a site and context description and a design response.*
  - *Must meet all of the objectives included in the clauses specified in the zone.*
  - *Should meet all of the standards included in the clauses specified in the zone.*

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Although this application is not strictly a subdivision application, the premise and objectives of Clause 56 are considered to be applicable, and worthy of an assessment for this application. The applicant intends to develop the land with an number of sites, similar to a vacant land subdivision where future tenants will secure lots and bring their own relocatable dwellings to the sites.

*Clause 56.02-1 Strategic implementation objective*

- *To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.*

(Relevant Standard C1)

**Complies**

The layout and design of the subdivision is consistent with relevant objectives listed in the Nagambie Growth Management Strategy in relation to new residential development. The layout of the development is consistent with the character of nearby residential development and will integrate well with the existing township.

*Clause 56.03-4 Built environment objective*

- *To create urban places with identity and character.*

(Relevant Standard C5).

**Complies**

The proposed subdivision is a well designed development which will provide a range of opportunities for future residents of the town. The site is within a walkable distance to a range of services and facilities and will contribute to the growth of Nagambie.

The size of the proposed lots will appeal to a range of prospective land owners while being consistent with the existing character of other established areas of Nagambie.

*Clause 56.04-1 Lot diversity and distribution objectives*

- *To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.*
- *To provide higher housing densities within walking distance of activity centres.*
- *To achieve increased housing densities in designated growth areas.*
- *To provide a range of lot sizes to suit a variety of dwelling and household types.*

(Relevant Standard C7)

**Complies**

Lot sizes in the development range from 295 square metres to 341 square metres and are generally rectangular and are orientated in a north-south direction.

*Clause 56.04-2 Lot area and building envelopes objective*

- *To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.*

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(Relevant Standard C8)

**Complies**

All lots include a 10x15 metre building envelope on site.

*Clause 56.04-3 Solar orientation of lots objective*

- *To provide good solar orientation of lots and solar access for future dwellings.*

(Relevant Standard C9)

**Complies**

All lots are of an appropriate size which will all for good solar access for future dwellings.

*Clause 56.04-4 Street orientation objective*

- *To provide a lot layout that contributes to community social interaction, personal safety and property security.*

(Relevant Standard C10)

**Complies**

All lots are orientated to the internal access road.

*Clause 56.04-5 Common area objectives*

- *To identify common areas and the purpose for which the area is commonly held.*
- *To ensure the provision of common area is appropriate and that necessary management arrangements are in place.*
- *To maintain direct public access throughout the neighbourhood street network.*

(Relevant Standard C11)

**Complies**

No common property is proposed.

*Clause 56.05-1 Integrated urban landscape objectives*

- *To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.*
- *To incorporate natural and cultural features in the design of streets and public open space where appropriate.*
- *To protect and enhance native habitat and discourage the planting and spread of noxious weeds.*
- *To provide for integrated water management systems and contribute to drinking water conservation.*

(Relevant Standard C12)

**Complies**

A formal landscaping plan will be required by way of condition on any permit issued and will be required to be completed to the satisfaction of the Responsible Authority.

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*Clause 56.05-2 Public open space provision objectives*

- *To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.*
- *To provide a network of public open space that caters for a broad range of users.*
- *To encourage healthy and active communities.*
- *To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.*
- *To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.*

(Relevant Standard C13)

**Complies**

Not applicable.

*Clause 56.06-4 Neighbourhood street network objective*

- *To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.*

(Relevant Standard C17)

**Complies**

The internal road/pedestrian and cycling networks provide for safe efficient movement throughout the development and on to the existing road network. The application has been referred to Council's Assets Department who have consented to the proposal.

*Clause 56.06-5 Walking and cycling network detail objectives*

- *To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.*
- *To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.*

(Relevant Standard C18)

**Complies**

Pedestrian and cycle facilities will be designed and constructed in accordance with the requirements of the Infrastructure Design Manual and have been consented to by Council's Assets Department. The proposal is consistent with this objective.

*Clause 56.06-6 Public transport network detail objectives*

- *To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.*
- *To provide public transport stops that are accessible to people with disabilities.*

(Relevant Standard C19)

**Complies**

No public transport is proposed within the development. It is envisioned that should demand dictate a need for public transport through the development into the future, this would be able to be provided.

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Access to public transport outside of the development will be available through proposed and existing road and footpath infrastructure.

*Clause 56.06-7 Neighbourhood street network detail objective*

- *To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.*

(Relevant Standard C20)

**Complies**

All roads and footpaths will be designed and constructed in accordance with the requirements of the Infrastructure Design Manual and have been consented to by Council's Assets Department. The proposal is consistent with this objective.

*Clause 56.06-8 Lot access objective*

- *To provide for safe vehicle access between roads and lots.*

(Relevant Standard C21)

**Complies**

Each lot is able to be accessed via a proposed crossover which will be constructed as part of the development. All crossovers along the proposed internal road network will be constructed in accordance with the requirements of the Infrastructure Design Manual to the satisfaction of the Responsible Authority.

*Clause 56.07-1 Drinking water supply objectives*

- *To reduce the use of drinking water.*
- *To provide an adequate, cost-effective supply of drinking water.*

(Relevant Standard C22)

**Complies**

Drinking water will be provided in accordance with the requirements of Goulburn Valley Water.

*Clause 56.07-2 Reused and recycled water objective*

- *To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.*

(Relevant Standard C23)

**Complies**

Recycling of water within the development is not proposed.

*Clause 56.07-3 Waste water management objective*

- *To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.*

(Relevant Standard C24)

**Complies**

Reticulated sewerage will be provided in accordance with the requirements of Goulburn Valley Water

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*Clause 56.07-4 Urban run-off management objectives*

- *To minimise damage to properties and inconvenience to residents from urban run-off*
- *To ensure that the street operates adequately during major storm events and provides for public safety.*
- *To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.*

(Relevant Standard C25)

**Complies**

Some detail of stormwater runoff design and management has been provided with this application however more detailed plans will be required by way of condition on any permit issued. This will be required to be carried out in accordance with the requirements of the Infrastructure Design Manual and must be approved by Council's Assets department.

*Clause 56.08-1 Site management objectives*

- *To protect drainage infrastructure and receiving waters from sedimentation and contamination.*
- *To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.*
- *To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.*

(Relevant Standard C26)

**Complies**

The site will be managed throughout construction of the development through conditions on any permit issued in accordance with the requirements of Council's Assets department.

*Clause 56.09-1 Shared trenching objectives*

- *To maximise the opportunities for shared trenching.*
- *To minimise constraints on landscaping within street reserves.*

(Relevant Standard C27)

**Complies**

Where possible, shared trenching will be utilised.

*Clause 56.09-2 Electricity, telecommunications and gas objectives*

- *To provide public utilities to each lot in a timely, efficient and cost effective manner.*
- *To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.*

(Relevant Standard C28)

**Complies**

Reticulated electricity will be provided in accordance with the requirements of Ausnet Services.

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Telecommunications will be provided in accordance with the requirements of the relevant authority.

Reticulated gas is not available in Nagambie.

*Clause 56.09-3 Fire hydrants objective*

- *To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.*

(Relevant Standard C29)

**Complies**

Fire hydrants will be provided in accordance with the requirements of the CFA.

*Clause 56.09-4 Public lighting objective*

- *To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.*
- *To provide pedestrians with a sense of personal safety at night.*
- *To contribute to reducing greenhouse gas emissions and to saving energy.*

(Relevant Standard C30)

**Complies**

Public lighting within both the road network and public open space will be provided in accordance with the requirements of the Infrastructure Design Manual to the satisfaction of the Responsible Authority, as set out in conditions on any permit issued.

Considering the above, it is considered the application meets the objectives and standards of Clause 56 Residential Subdivision.

**The decision guidelines of Clause 65**

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

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

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Development of land to extend the existing residential village

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

There are no relevant adopted State policies.

**Relevant incorporated, reference or adopted documents**

There are no relevant incorporated, reference or adopted documents.

**Relevant Planning Scheme amendments**

There are no relevant planning scheme amendments.

**Risk Management**

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

**Strategic Links – policy implications and relevance to Council Plan**

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

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**Summary of Key Issues**

With regard to the General Residential Zone: the development of land for an extension to the existing residential village is considered to be a good planning outcome, as it will complement the existing use of the land, and will provide more of a housing choice for Nagambie.

In summary, the proposal meets the objectives of the State Planning Policy Framework, Local Planning Policy Framework, General Residential Zone and No Overlay.

---

**Conclusion**

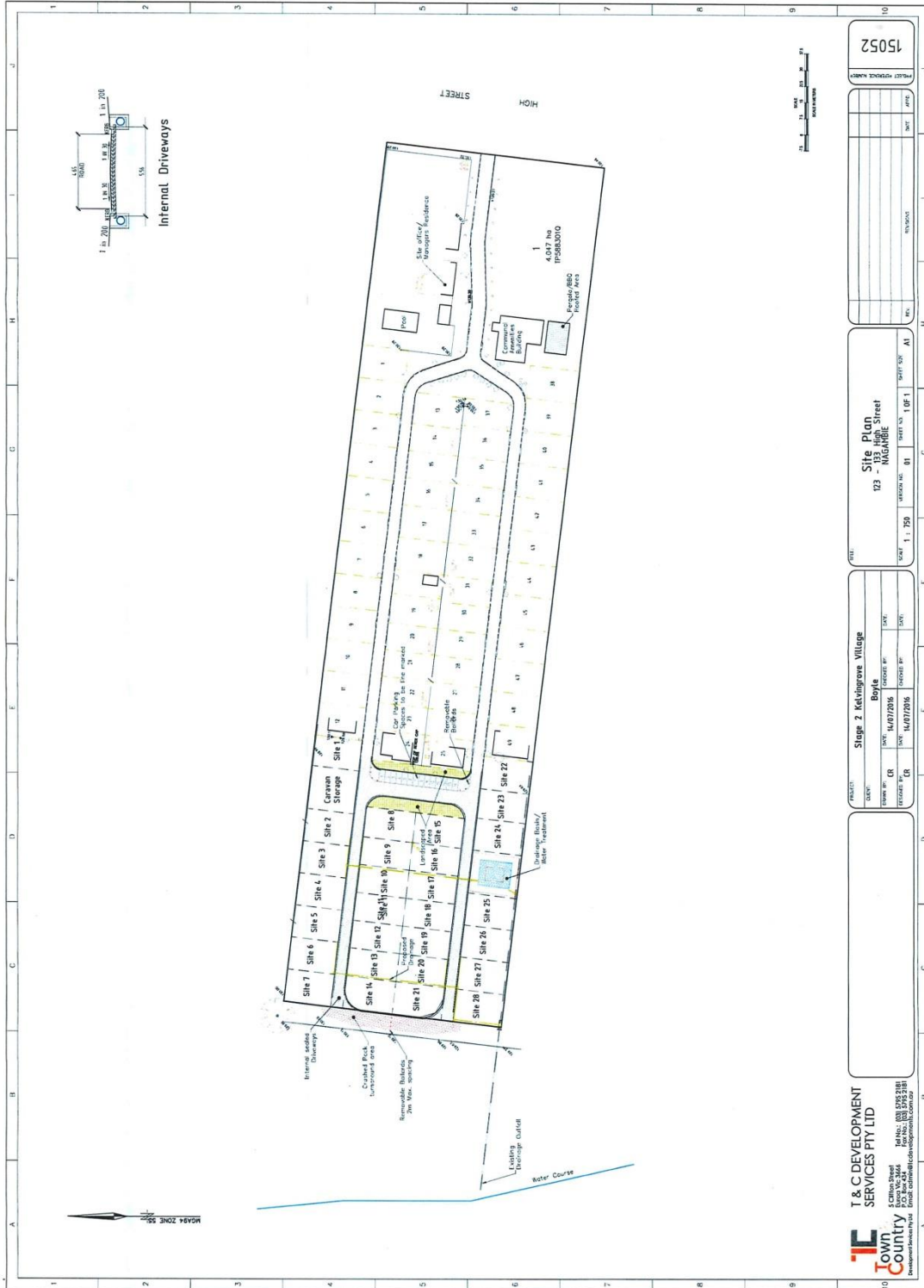
After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to grant a planning permit, subject to conditions.

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**Attachments**

Site Layout Plan  
Locality Map





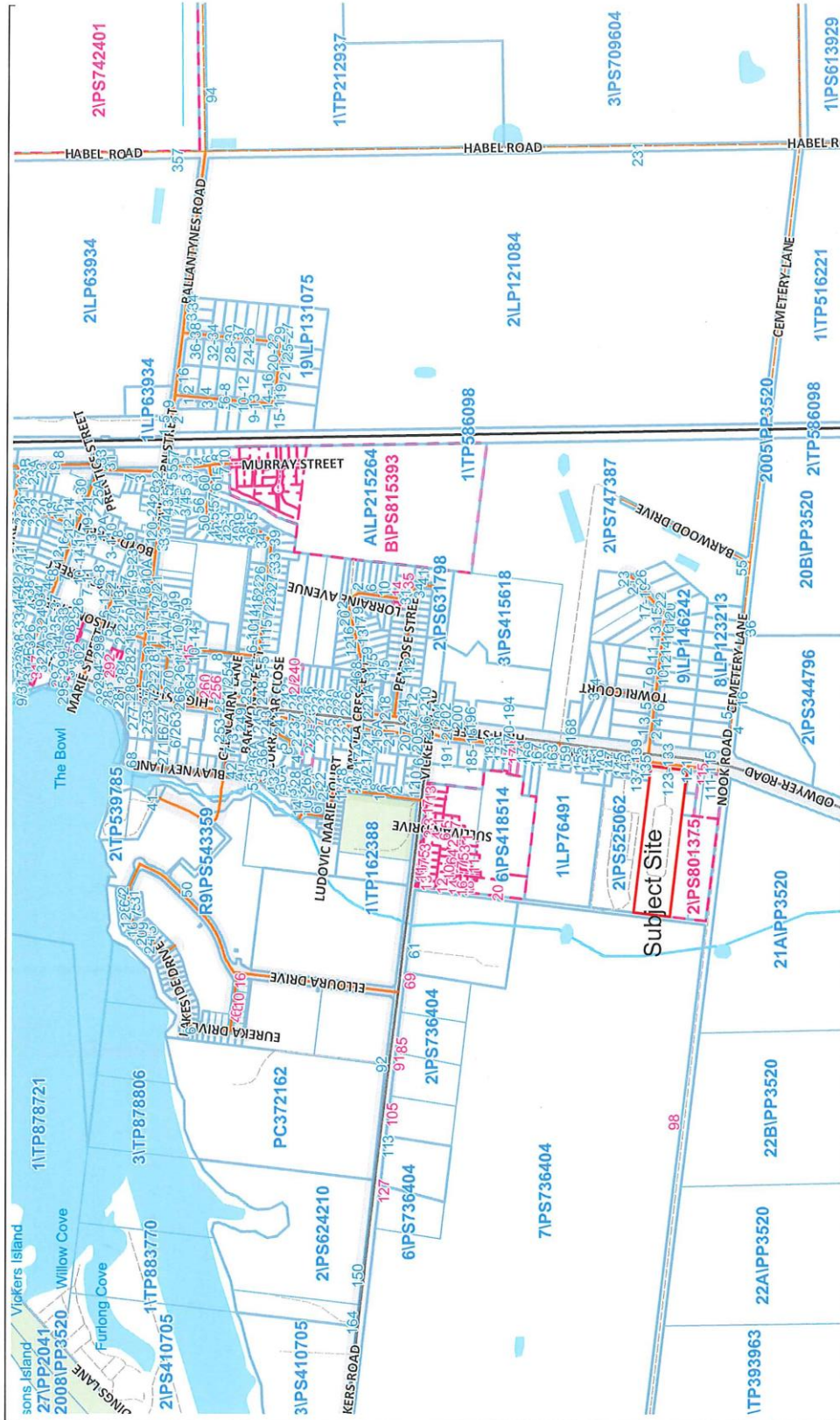
**T & C DEVELOPMENT SERVICES PTY LTD**  
 5 Collins Street, Melbourne, Vic 3000  
 Email: info@tandcdevelopment.com.au


**Town County**  
 Development Services Pty Ltd  
 Email: admin@towncounty.com.au

**PROJECT:** Stage 2 Kallivigoro Village  
**CLIENT:** Boyle  
**DESIGNER:** CR  
**DATE:** 14/07/2016  
**PROJECT NO.:** 14/07/2016

**FILE:** Site Plan Sheet  
 123 - MAGNABLE  
 SHEET NO. 01  
 SHEET NO. 01  
 SHEET NO. 01  
 SHEET NO. 01  
 SHEET NO. 01

**PROJECT NUMBER:** 15052



 <p>Shire Of Strathbogie</p>	<p>Prepared By: Emma Kubel</p>	<p>Disclaimer Note                  This map is a representation of the information currently held by Strathbogie Shire Council. While every effort has been made to ensure the accuracy of the data, Council disclaims all liability for any loss, cost, damage or injury, howsoever arising or connected with the use of this data. Any feedback on omissions or errors would be appreciated.                  Contains Council Information © Strathbogie Shire Council                  Contains Vicmap Information © Department of Environment, Land, Water &amp; Planning</p>	<p>4/01/2018</p>
			<p>1:13771</p>

**7. OTHER BUSINESS**

**7.1 Planning Applications Received  
- 17 November 2017 to 17 January 2018**

Following are listings of Planning Applications Received for the period 17 November 2017 to 17 January 2018.

**RECOMMENDATION**

**That the report be noted.**

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

## Planning Application Received

Thursday, 21 December 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
16 Queen Street, Avenel VIC 3664	P2017-144	Development of land for a motor room bay building, emergency vehicle parking area and internal alterations to existing fire station	Tony Jakobovic	\$280,000.00

Friday, 22 December 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
167 Halsalls Lane, Creightons Creek VIC 3666	P2018-001	Development of land for an agricultural shed	Treelawney Pty Ltd	\$90,000.00

Tuesday, 2 January 2018

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
21 Granite Court, Euroa VIC 3666	P2018-002	Use and development of land for a dwelling	LEASE, Edward	\$225,000.00

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

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