
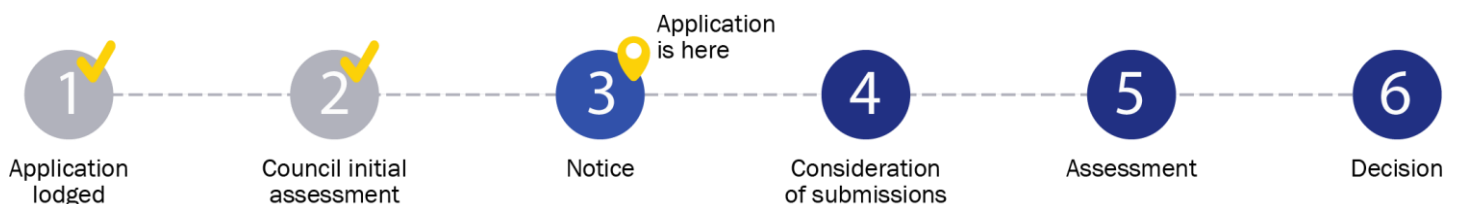


Notice of Application for a Planning Permit

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| | | |
|--|---|--|
| The land affected by the application is located at: | L3 LP6194 1385 Manks Road, Koo Wee Rup VIC 3981 | |
| The application is for a permit to: | Buildings and Works (Construction of an Agricultural Building) | |
| A permit is required under the following clauses of the planning scheme: | | |
| 37.01-4 | Construct a building or construct or carry out works, | |
| 44.04-2 | Construct a building or construct or carry out works | |
| APPLICATION DETAILS | | |
| The applicant for the permit is: | Activate Town Planning Consultancy | |
| Application number: | T240600 | |
| <p>You may look at the application and any documents that support the application at the office of the responsible authority:</p> <p>Cardinia Shire Council, 20 Siding Avenue, Officer 3809.</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.</p> | |  |
| HOW CAN I MAKE A SUBMISSION? | | |
| <p>This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:</p> | | 21 March 2025 |
| <p>WHAT ARE MY OPTIONS?</p> <p>Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.</p> <p>If you object, the Responsible Authority will notify you of the decision when it is issued.</p> | <p>An objection must:</p> <ul style="list-style-type: none"> • be made to the Responsible Authority in writing; • include the reasons for the objection; and • state how the objector would be affected. | <p>The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.</p> |



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ePlanning

Application Summary

Portal Reference A42413F5

Basic Information

Proposed Use Building and works for a new shed
Current Use Agriculture and single dwelling
Cost of Works \$40,000
Site Address 1385 Manks Road Koo Wee Rup 3981

Covenant Disclaimer

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope? Not Applicable, no such encumbrances apply.

Contacts

| Type | Name | Address | Contact Details |
|-------------------|------------------------------------|----------------------------|-----------------|
| Applicant | Activate Town Planning Consultancy | PO BOX 52, Eltham VIC 3095 | [REDACTED] |
| Preferred Contact | Activate Town Planning Consultancy | PO BOX 52, Eltham VIC 3095 | [REDACTED] |

Fees

| Regulation Fee Condition | Amount | Modifier | Payable |
|--------------------------------------|--------------|----------|-------------------|
| 9 - Class 11 Not more than \$100,000 | \$1,265.60 | 100% | \$1,265.60 |
| | Total | | \$1,265.60 |

Documents Uploaded

| Date | Type | Filename |
|------------|---------------------|---------------------------------|
| 18-11-2024 | A Copy of Title | Title_Optimized.pdf |
| 18-11-2024 | Site plans | PPA Floor & Elevation Plans.pdf |
| 18-11-2024 | Site plans | Site Plan v.1.pdf |
| 18-11-2024 | Additional Document | Planning submission.pdf |



Civic Centre
20 Siding Avenue, Officer, Victoria

Council's Operations Centre (Depot)
Purton Road, Pakenham, Victoria

Postal Address
Cardinia Shire Council
P.O. Box 7, Pakenham VC, 3810

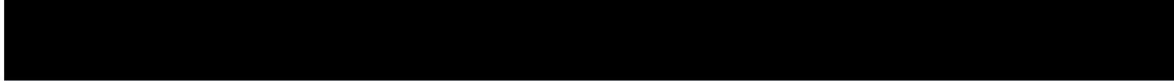
Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am–
5pm
Phone: 1300 787 624
After Hours: 1300 787 624
Fax: 03 5941 3784

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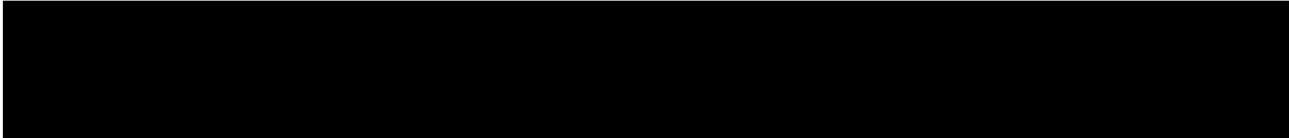
Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit

Lodged By



Submission Date 18 November 2024 - 03:15:PM

Declaration



Civic Centre
20 Siding Avenue, Officer, Victoria

Council's Operations Centre (Depot)
Purton Road, Pakenham, Victoria



Postal Address
Cardinia Shire Council
P.O. Box 7, Pakenham VIC, 3810

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 06590 FOLIO 987

Security no : 124119917897N

Produced 18/11/2024 10:22 AM

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LAND DESCRIPTION

Lot 3 on Plan of Subdivision 006194.

PARENT TITLES :

Volume 04267 Folio 344 Volume 04436 Folio 099

Created by instrument 1849501 16/02/1942

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP006194 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 1385 MANKS ROAD KOO WEE RUP VIC 3981

DOCUMENT END

PLAN OF SUBDIVISION OF
 CROWN ALLOTS. 23, 24, 27, 28, 28A, 29,
 29A, 30, 34, 35 & 35A
PARISH OF KOO-WEE-RUP
 AND CROWN ALLOTS. 99, 100, 101, 101A,
 101B, 102 & 102A
PARISH OF NAR-NAR-GOON

LP 6194
 EDITION 3
 PLAN MAY BE LODGED 17/10/13

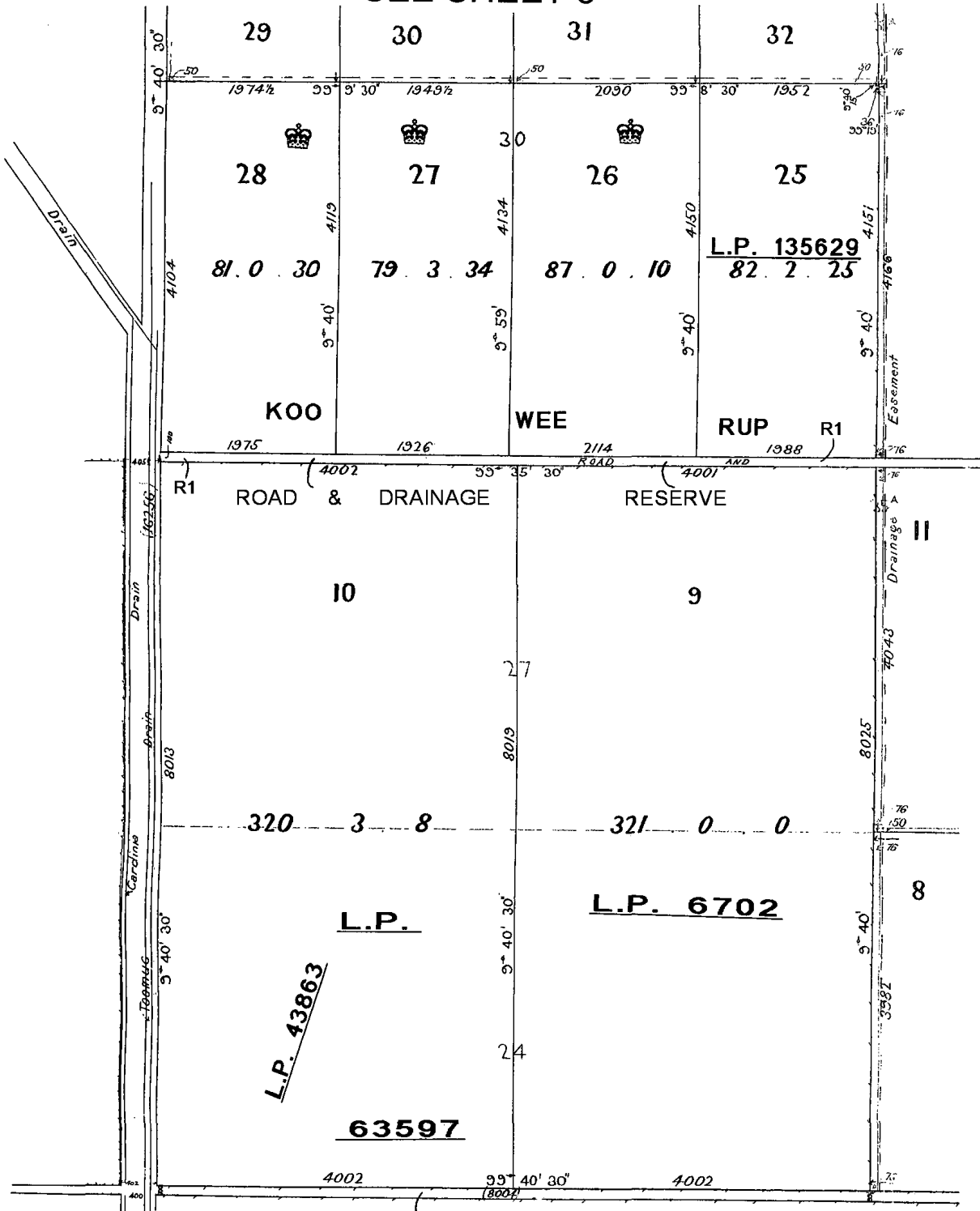
3 SHEETS
SHEET 1

COUNTY OF MORNINGTON
 VOL. 2844 FOL. 676

COLOUR CODE
 E-1 & E-3 = BLUE
 R1 = YELLOW

Measurements are in Links
 Conversion Factor
 LINKS x 0.201168 = METRES
SEE SHEET 3

ENCUMBRANCES
 AS TO THE LAND MARKED E-3 & R1
 ANY EASEMENTS AFFECTING
 THE SAME



SEE SHEET 2

MANKS ROAD

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WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

LP 6194

3 SHEETS
SHEET 3



SEE SHEET 2

SEE SHEET 1

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11 February 2025

Cardinia Shire Council
Town Planning Department
Email – mail@cardinia.vic.gov.au

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Dear Sir / Madam,

**RE: 1385 Manks Road, Koo Wee Rup
Application for Planning Permit – Building and Works (New farm shed)**

We act on behalf of the owner of the above land in preparing an application for a planning permit seeking approval to construct a new shed building on the land. The submission provides a description of the site, the planning controls affecting the land, permit triggers and discussion of the application.

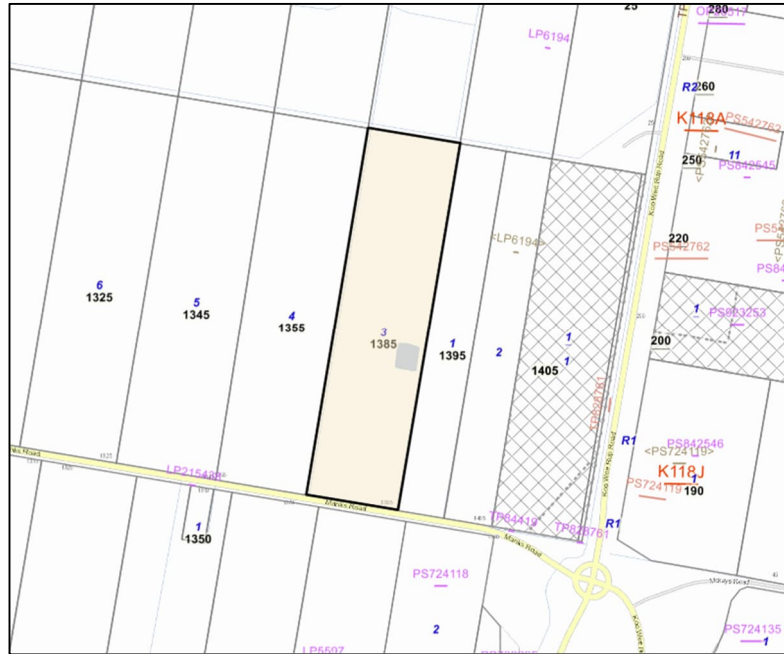
Site description

| | |
|----------------------|---|
| Site shape | Regular. Refer to title |
| Site area | 16.17ha |
| Dimensions | South (frontage), 201 metres East, 804 metres West, 803 metres North, 201 metres |
| Existing development | Single dwelling positioned towards the south-east corner and towards Manks Road. A shed is located to the north and rear positioned approximately 50 metres from the dwelling. This shed is used to store cars which are collected by the owner and restored as a hobby along with personal storage items. Refer to site photos showing various vehicles. |
| Existing use | Agriculture (grazing animal production) and single dwelling use. Based on Google aerial view it is apparent the land has been used for livestock grazing for at least over 20 years. Based on local conditions it appears likely this use has operated for 30+ years. The land supports beef cattle and approximately 70-80 head of cattle. |
| Access | Provided along Manks Road via a gravel crossing. Refer to site aerial. |
| Topography | Refer to the submitted survey plan. |
| Vegetation | There are no trees or shrubs located on the site of the proposed shed. |
| Title | The land is not encumbered by any section 173 agreement, covenant or other form of restriction. |

| | |
|----------|---|
| Easement | Title details show no easements affecting the site. |
|----------|---|

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Cadastral plan provided below.



Source: Land.Vic

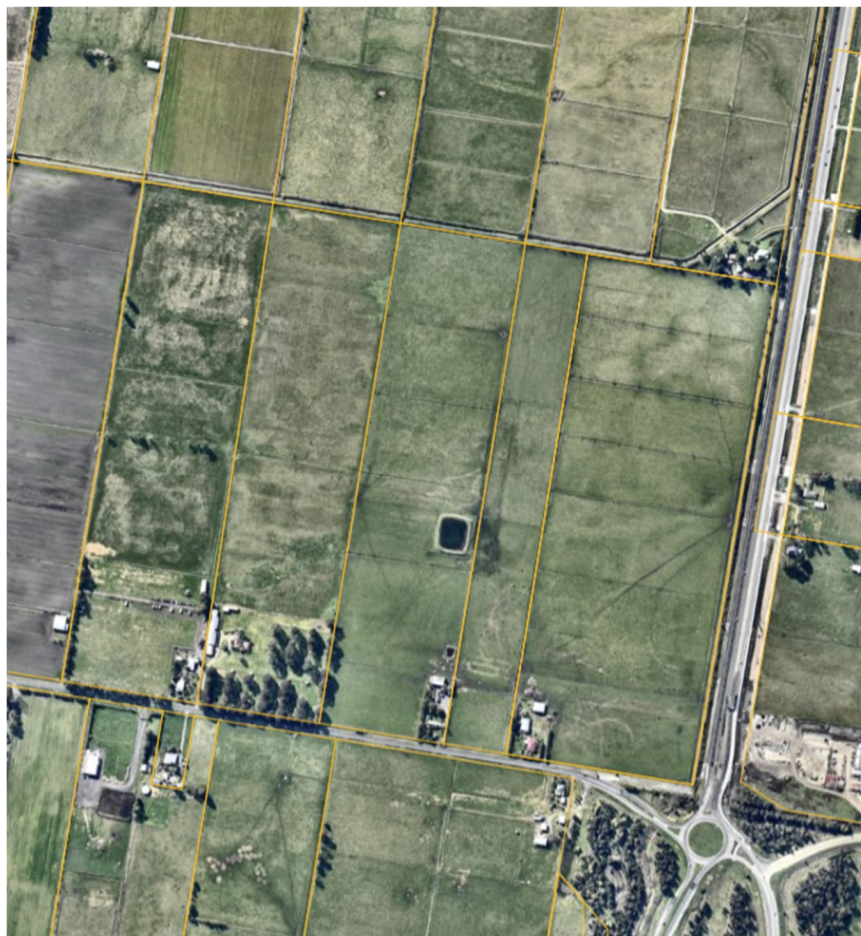


Photo: Aerial view of site and surrounds (Nearmap)



Site of proposed shed and existing buildings. Proposed shed position west of existing larger shed. (Nearmap)



View to site from Manks Road (Google)

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View to site from Manks Road (Google)

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Surrounding land

Surrounding use and development supports primarily agricultural related uses including cattle grazing, crop growing and horse keeping along with rural residential use. The east adjoining land at 1/1395 Manks Road is also owned by our client also used for grazing animal production. Development consists of single dwellings and farm buildings including large and medium sized metal shed buildings such as shown below.

Proposal

- Construction of a new farm shed.
- The position of the shed is setback 111 metres from Manks Road and 15.5 metres from the east property boundary as detailed on the submitted plans.
- The shed is positioned on land which is cleared of vegetation and supports exotic grass.
- The shed will be setback approximately 70 metres from the existing dwelling on the site. The proposed shed will be located approximately 165 metres from the closest external dwelling, being located on the east adjoining land at 1405 Manks Road.
- The shed is enclosed on all sides with two roller doors to its northern elevation and one roller door on its east wall for vehicle access.
- The proposal consists of a typical farm building form with gabled roof design.
- The proposed shed measures 27 metres long, 18 metres deep yielding a total floor area of 486 square metres.

- The structure will achieve a maximum height of 7.4 metres at the roof apex from natural ground level with its walls 5.1 metres high.
- The shed will support a dirt/earth floor rather than concrete slab.
- The external material will consist of metal sheeting being, being typical for such buildings. The shed will be a grey colour.
- Drainage runoff from the shed will be directed to rainwater tanks located in proximity to the new shed. No planning approval is required for new rainwater tanks.
- The shed will be used for storage of farm machinery and equipment associated with agricultural use, for the storage of hay along with workshop area.
- The owner is currently using a shed on land to the east at 1405 Manks Road, being owned by the family, for machinery and hay storage.
- The proposed shed will be the only shed used for agricultural purposes with the existing shed retained for personal storage use.
- No amenities will be provided within the shed.

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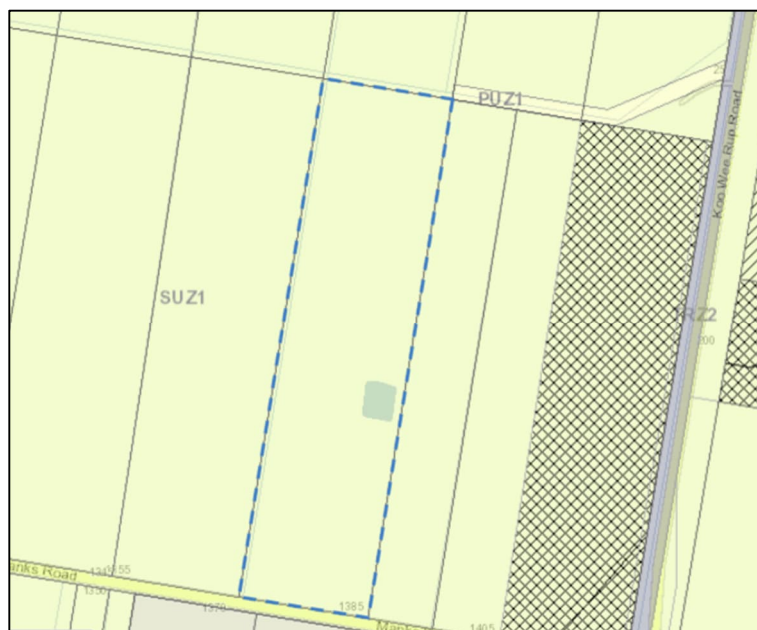
Planning controls & permit triggers

The land is subject to the following planning controls of the Cardinia Planning Scheme.

Special Use Zone 1 - A permit is required for buildings and works as the proposed shed will be used in association with a section 2 use, supports a floor area which exceeds 200 square metres and will be located within 20 metres of a property boundary.

Land Subject to Inundation Overlay – A permit is required for buildings and works for the proposed shed.

Public Acquisition Overlay – No permit is required as the proposed works are located external to the overlay.



Zone map



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Overlay map



Overlay map



Consideration

Special Use Zone 1 – Horticultural preservation

The proposal is consistent with the purpose of the zone including:

- *To preserve land of high agricultural quality for horticulture and other farming activities.*
- *To discourage non-agricultural and non-soil based uses establishing on soil of high agricultural value.*
- *To protect the area from the encroachment of urban and rural residential type development.*
- *To minimise the potential for conflict between residents and normal farming practices that are related to the conduct of agricultural activities.*
- *To encourage sustainable farming activities based on whole farm and catchment planning principles on an individual and community basis.*

It is submitted that the proposed works are entirely appropriate and consistent with the planning outcomes supported by the SUZ1 as it consists of a form of development which supports the ongoing use of the land agricultural and farming purposes. The size of the shed is less than 500 square metres consistent with zone. As noted, the owner is currently using the shed on the land at 1405 Manks Road to store farm machinery and hay associated with their land. This land is within separate ownership although of the same family, being the subject site's mother. The new shed is proposed to manage a potential future scenario whereby the adjoining land may be sold into the future. This application will allow the establishment of a shed on the owner's land used for farming purposes.

The type of development proposed represents a typical farm shed, is similar to existing structures found in the area, including along Manks Road supporting rural uses. The shed is sited for co-located with existing buildings and does not divide or interrupt the use of land for agriculture. As the building is proposed to be positioned to the rear of an existing shed and the existing dwelling views to the new building from Manks Road will be minimal. Therefore, our opinion is the proposal represents a straightforward and uncontroversial application which should be supported by Council.

The below sets out a response to relevant decision guidelines of the zone.

- *The Land Capability Study for the Cardinia Shire (February 1997).*

Response: The proposal supports a new building which does not include amenities requiring onsite wastewater treatment. We don't foresee any limitation on the proposal as a result of the above study and note there is no change to the existing land use.

- *Whether the land is liable to flooding and any advice received from Melbourne Water.*

Response: The application adopts the minimum floor level requirement of Melbourne Water to achieve satisfactory flood freeboard.

- *Whether the use, building, works or subdivision will be detrimental to the horticultural significance of the area.*

Response: The proposal will support the continued use of the land for agriculture. The land does not currently support horticultural use. The proposed building will not impact any



other land from undertaking horticultural use and does not impact the ability of the site to support a form of horticulture into the future.

- *Whether the dwelling is reasonably required for the operation of the rural activity being conducted on the land.*

Response: Not applicable to the application.

- *Whether the use utilises the high quality soils for horticultural or agricultural pursuits.*

Response: Not applicable to the application as no change in land use is proposed.

- *The impact of the use, building, works or subdivision on the character and appearance of the area.*

Response: The proposed building will have negligible impact on the character of appearance of the area. The shed will be positioned to the rear of the existing shed, therefore significantly limiting its view from Manks Road. The shed is generously setback from Manks Road at 111 metres further reducing its visual impact. The height, form and size of the building is consistent with other farm buildings in the area and will not present as a foreign development type. The locality is characterised by farming use and associated buildings and therefore the building will be successfully accepted into the local character.

- *Whether the site is suitable for the use, building, works or subdivision and the compatibility of the proposal with adjoining and nearby farming and other land uses.*

Response: The proposed shed represents a suitable and complementary building for agricultural use. The proposed shed is compatible with adjoining land use which supports agricultural and single dwelling use consistent with the subject land. The proposed building will not impact any other land from supporting farming use.

Land Subject to Inundation Overlay

The application will be referred to Melbourne Water to determine the applicable flood level applying to the site of the proposed shed which will determine the required finished floor level and freeboard requirements. The proposed shed has adopted the minimum floor level requirement of Melbourne Water.

The above details that the proposal represents a satisfactory planning outcome for the site as it responds favourably to the relevant planning controls affecting the land. As such, we anticipate the issue of a permit in this instance. The following documents are provided in support of the application.

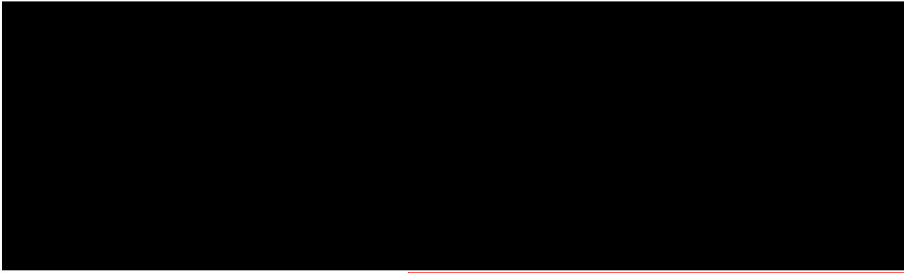
- Completed application form.
- Current copy of title.
- Application fee
- Proposed plans

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For further discussion please contact the undersigned on either 0430 588 237 or at info@activatetownplanning.com.au.

Yours sincerely,



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activity is a high impact activity. There is a case that significant ground disturbance would not occur for the proposal as the proposed shed requires site filling to achieve the required finished floor level rather than any excavation to natural ground level. Notwithstanding, for this purpose we will say there will likely be some level of ground disturbance under regulation 46(1).

A CHMP may be required where the proposed building is to be used for any of the uses listed under regulation 46(b). The use of the proposed shed is for agricultural purposes and specifically grazing animal production which falls under the broader land use terms of animal production. The use of the land is not a use listed under regulation 46(b). Therefore, no mandatory CHMOP is required for the application.

We note that the land use of 'intensive animal husbandry' is included under regulation 46(2) although this is a different and specific agricultural use from that operating on the land.

Concerning regulation 58, this is not relevant as the application does not propose a new land use whilst the current use for animal grazing production is not listed under regulation 46(2).

The above confirms that no CHMP is required under the Aboriginal Heritage Regulations.

- 2) Amended plans are submitted addressing the requested items.
- 3) Amended plans are submitted addressing the requested items.
- 4) A plan is prepared showing the location of the proposed workshop area. The site plan shows the location of the existing shed and its location and setback from the proposed shed. The previous submission details how this shed is used, being to house a number of vehicles of the land owner and not used for agricultural purposes. It is unclear what further details are requested for the existing building. Detailed floor plans should not be required for an existing building not subject to the application and where its use has been outlined for private vehicle storage and car workshop.
- 5) An amended town planning submission is provided addressing the requested items. Our client also owns and farms the east adjoining land at 1/1395 Manks Road highlighted in yellow below. Our client's mother owns the land at 1405 Manks Road to the east shown in blue. The land at 1405 Manks Road will be sold in the future as they will be retiring from farming. Our client currently stores their farm equipment on the land at 1405. The proposed shed is needed so that they can secure farm equipment storage on their own land and avoid the situation where the below blue land is sold and they do not have suitable onsite farm storage.

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The inclusion of two sheds supporting agricultural use for the land shown above in yellow is not unreasonable. There are multiple examples, including the land shown in blue, of similar sized land holdings supporting agricultural use which support more than one single farm shed. We submit that it is evident the addition of one shed would not represent an unusual or uncharacteristic building within the rural context and that the proportion of the land supporting agricultural use and buildings is appropriate.

The below provides an indicative layout of farm storage items for the proposed shed.

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In relation to the existing shed, our client is entitled to continue to pursue their car collection and restoration hobby on their land. Their interest represents a legitimate hobby and we say the land is better placed to support such a hobby compared to a more metropolitan setting or smaller land size where impacts to other land are more likely to occur. The use of this shed does not impact any other land, is well setback from the property frontage, is consolidated with the dwelling and does not impact the agricultural productivity of the land. Therefore, we say our client should have the right to continue to pursue their hobby interest and that their hobby should not undermine their ability to gain planning approval for the proposed new shed.

We understand the submitted information satisfactorily responds to Council's further information request to allow the application to proceed to notice. In the unlikely event this is not the case we request an extension of time under section 54A of the Act. For further discussion please contact the undersigned on either 0430 588 237 or at info@activatetownplanning.com.au.



Yours sincerely,



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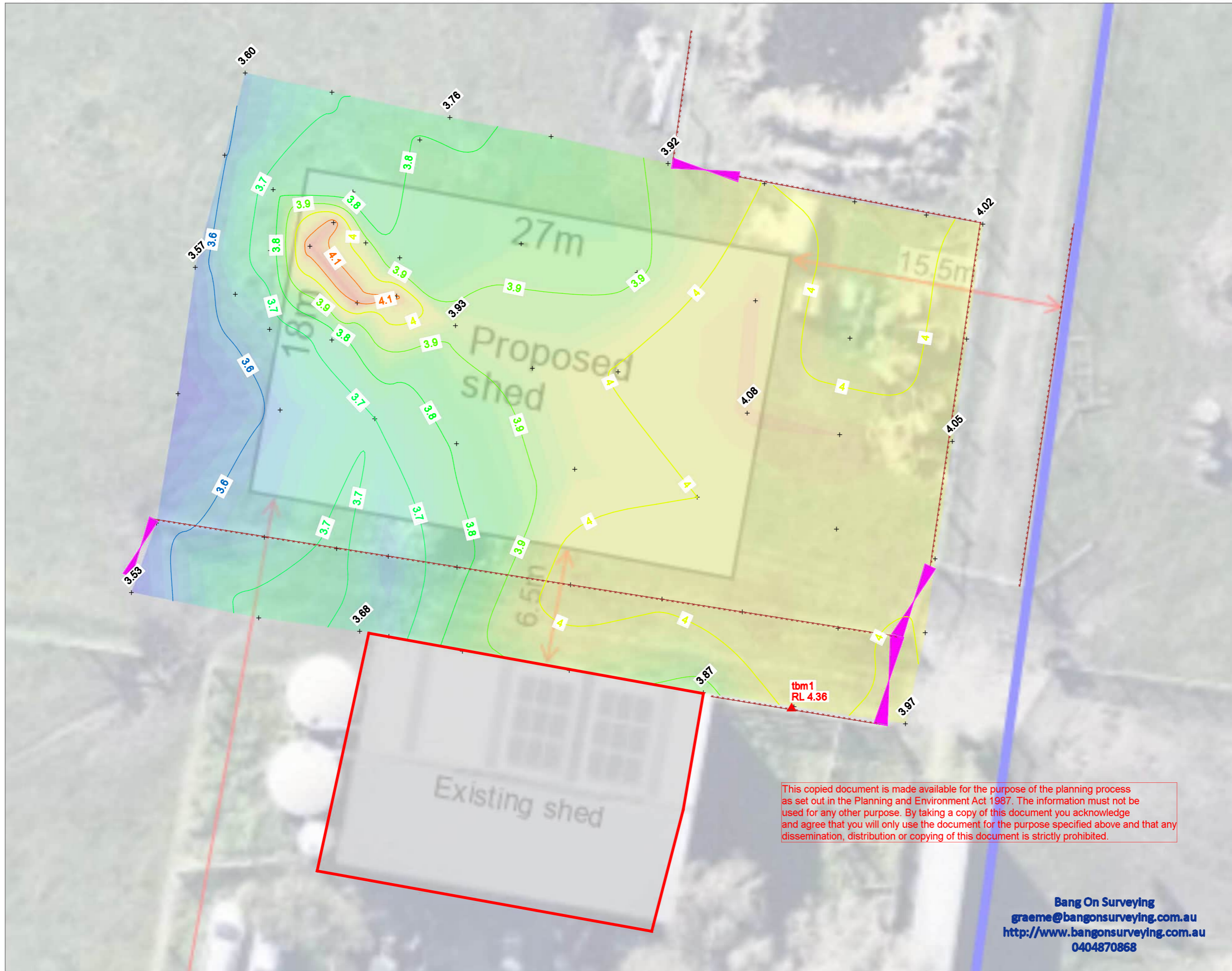
Scale: 1:10,000 @A3



Scale: 1:750 @A3

○ Rainwater tank, 7KL (H2.3m, Diameter 1.9m)



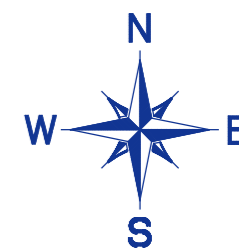


KEY PLAN:

SITE ADDRESS:
1385 Manks Rd.
Koo Wee Rup

LEGEND/NOTES:
AHD Levels
RTK GPS (NTRIP)
0.1m Contours
Scale 1:200 @ A3

ORIENTATION:



PROJECT:

DETAILS:
Detail Survey

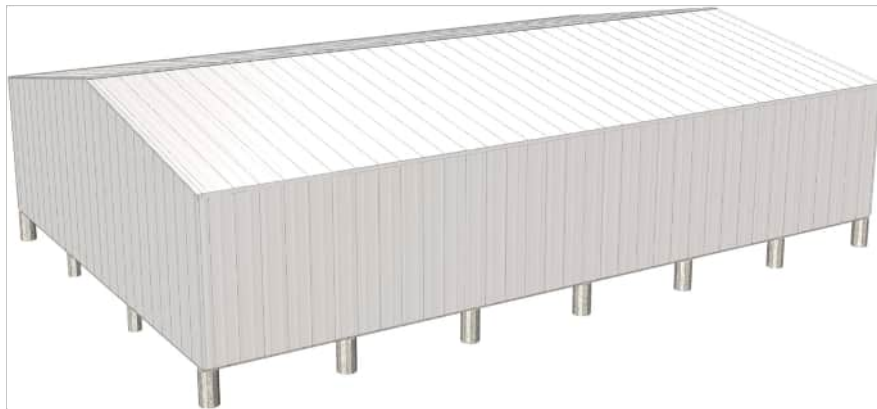



Bang On Surveying
graeme@bangonsurveying.com.au
http://www.bangonsurveying.com.au
0404870868

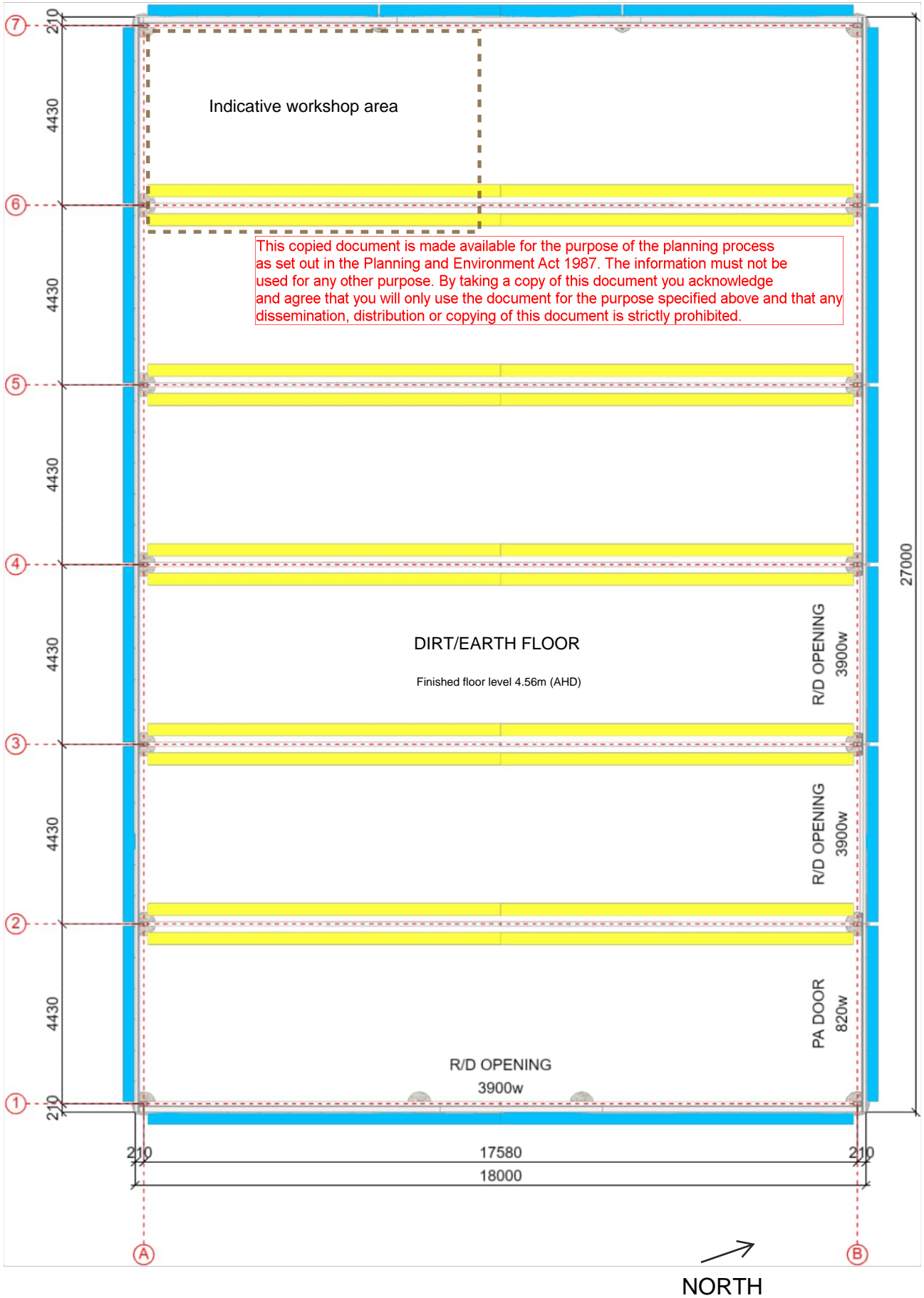
| | | |
|-----------------------|-----------------------|-------------|
| DRAWN BY | CHECKED BY | DATE |
| GR | JK | 23/01/2025 |
| PROJECT NUMBER | DRAWING NUMBER | REV |
| A513 | D001 | 0 |




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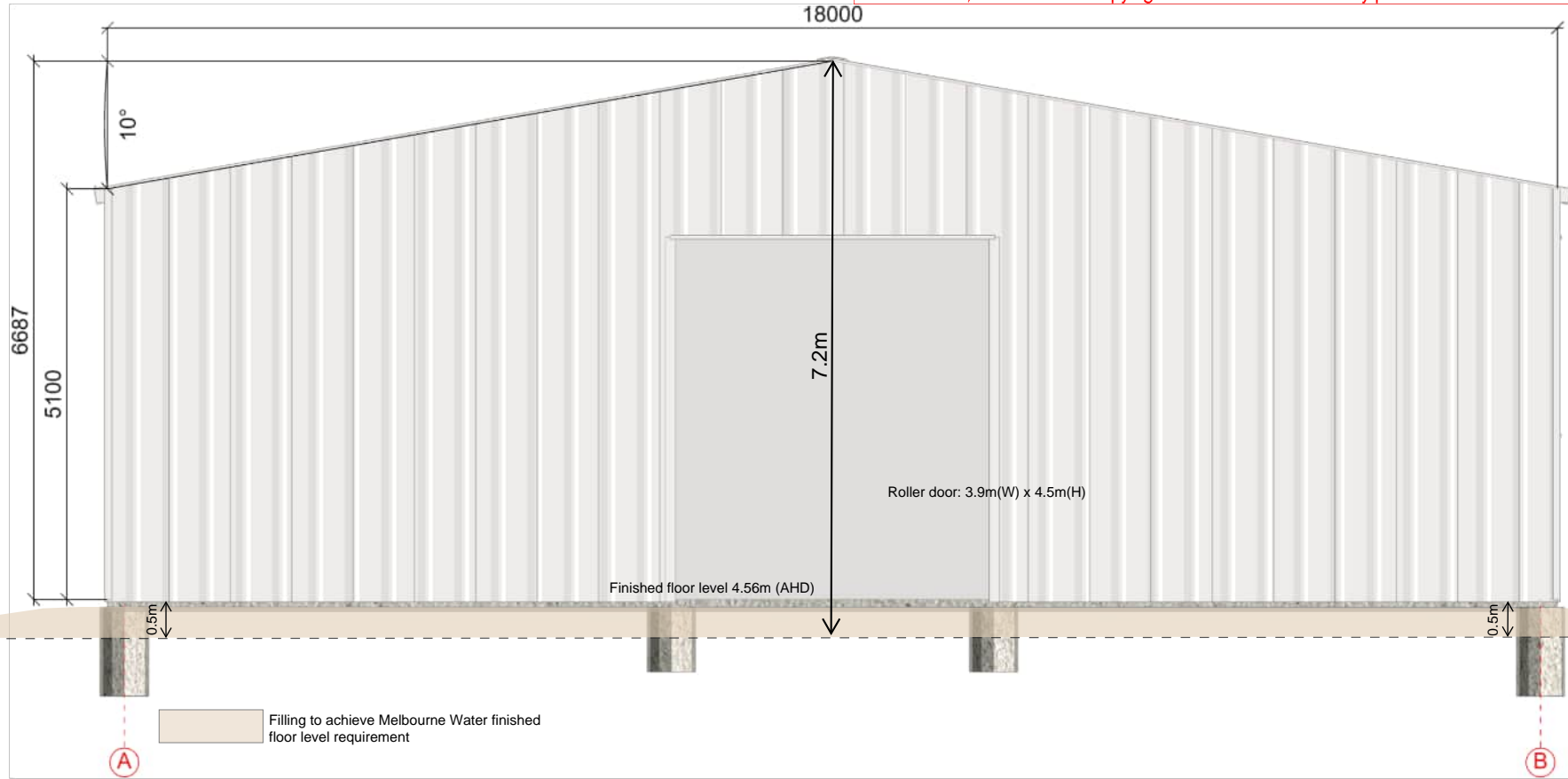
| | | | | | |
|--|--|---|---|----------------|----------|
| |  | SHEET 1 OF 12 DATE 25/09/2024 NOTE NOT FOR CONSTRUCTION | SAMMY INVERNO MANKS RD KOO WEE RUP VIC 3981 PICTORIAL VIEWS | | |
| | | CUSTOMER SIGNATURE | ACTIVE | BLA0126 | 2 |



LEGEND: BLUE - FULLY CLAD WALL, YELLOW - OPEN WALL, PURPLE - PARTIALLY CLAD WALL

| | | | |
|---|--|--|---------|
|  | SHEET 8 OF 12 DATE 25/09/2024 NOTE NOT FOR CONSTRUCTION READ IN CONJUNCTION WITH ALL ELEVATIONS | SAMMY INVERNO MANKS RD KOO WEE RUP VIC 3981 TOP | |
| | CUSTOMER SIGNATURE | ACTIVE | BLA0126 |
| | | | 2 |

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EAST ELEVATION

EXTERNAL MATERIAL - 'COLORBOND'
METAL SHEET CLADDING

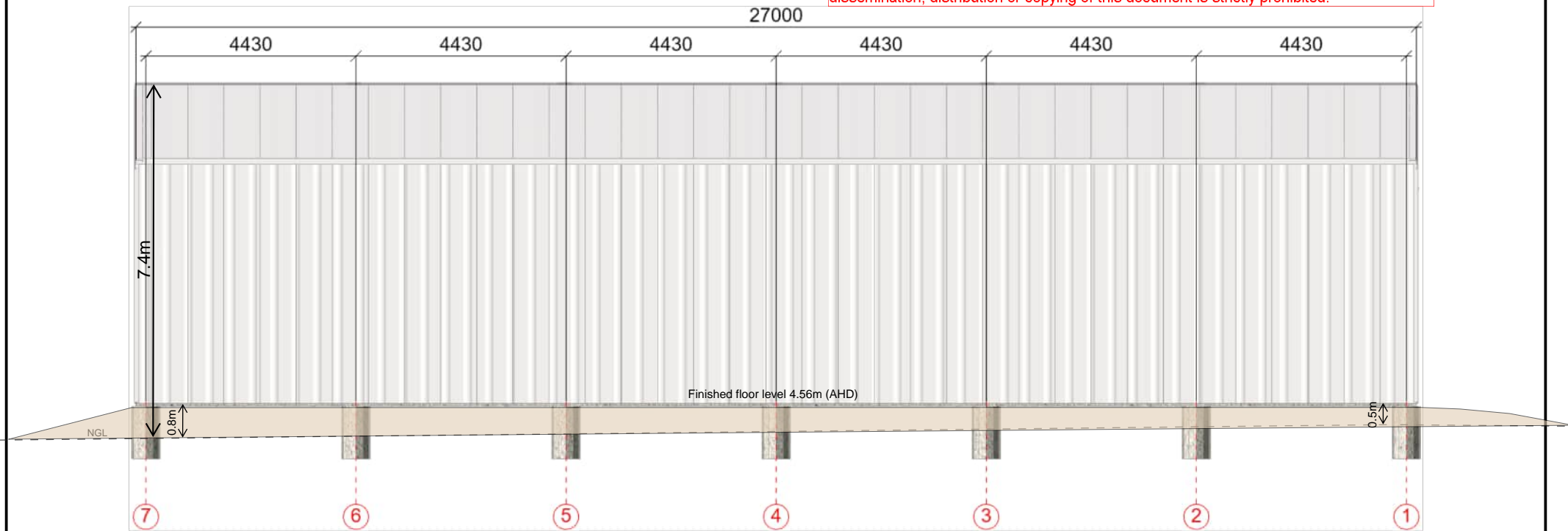
COLOUR - GREY



Melbourne Water flood level: 4.41m(AHD)
Melbourne Water min floor level: 4.56m(AHD)

| | | | | | | |
|--|--|--|---|---------------|----------------|----------|
| |  | <p>SHEET 9 OF 12 DATE 25/09/2024 NOTE NOT FOR CONSTRUCTION READ IN CONJUNCTION WITH ALL ELEVATIONS</p> <p>CUSTOMER SIGNATURE</p> | <p>SAMMY INVERNO MANKS RD KOO WEE RUP VIC 3981 FRONT</p> | <p>ACTIVE</p> | <p>BLA0126</p> | <p>2</p> |
|--|--|--|---|---------------|----------------|----------|

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EXTERNAL MATERIAL - 'COLORBOND'
METAL SHEET CLADDING

COLOUR - GREY



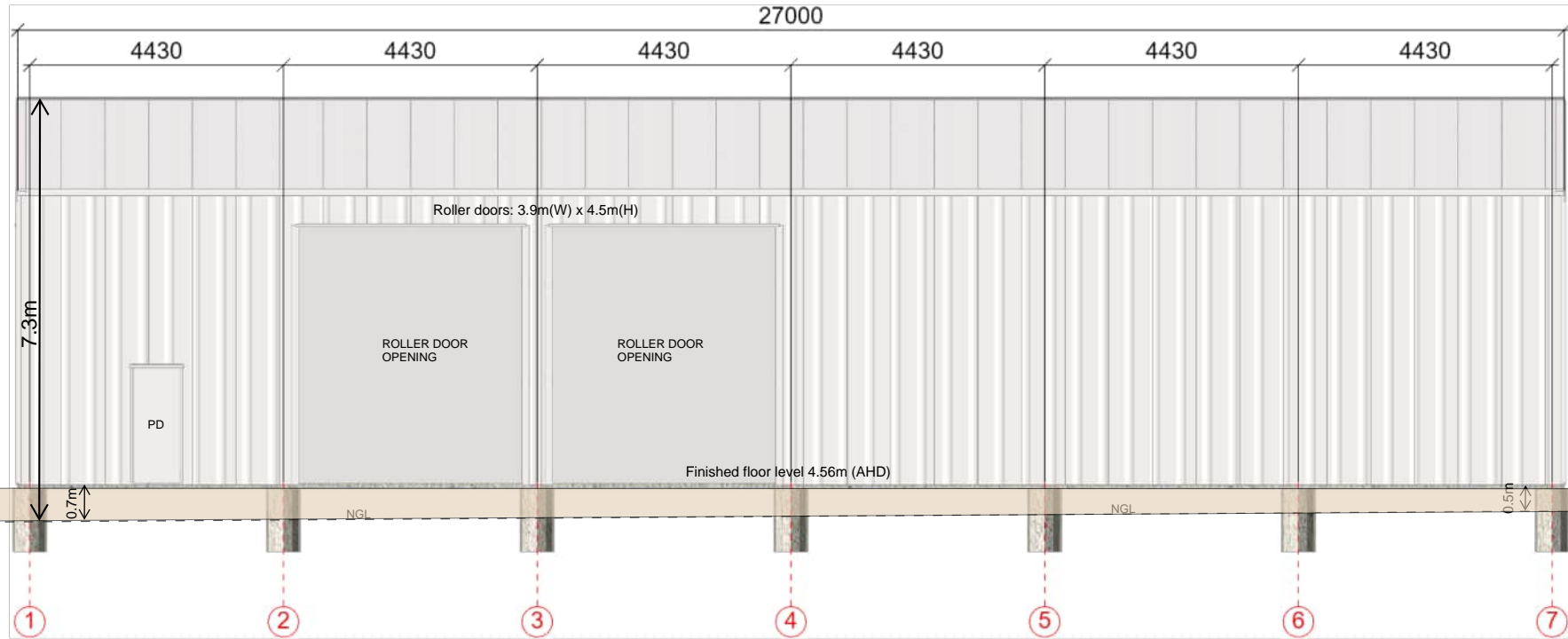
SOUTH ELEVATION

Filling to achieve Melbourne Water finished floor level requirement

Melbourne Water flood level: 4.41m(AHD)
Melbourne Water min floor level: 4.56m(AHD)

| | | | | | | |
|--|--|---|--|---------------|----------------|----------|
| |  | <p>SHEET 10 OF 12 DATE 25/09/2024 NOTE NOT FOR CONSTRUCTION READ IN CONJUNCTION WITH ALL ELEVATIONS</p> <p>CUSTOMER SIGNATURE</p> | <p>SAMMY INVERNO MANKS RD KOO WEE RUP VIC 3981 LEFT</p> | <p>ACTIVE</p> | <p>BLA0126</p> | <p>2</p> |
|--|--|---|--|---------------|----------------|----------|

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EXTERNAL MATERIAL - 'COLORBOND'
METAL SHEET CLADDING

COLOUR - GREY



NORTH ELEVATION

Filling to achieve Melbourne Water finished floor level requirement

Melbourne Water flood level: 4.41m(AHD)
Melbourne Water min floor level: 4.56m(AHD)



SHEET 11 OF 12
DATE 25/09/2024
NOTE NOT FOR CONSTRUCTION
READ IN CONJUNCTION WITH ALL ELEVATIONS

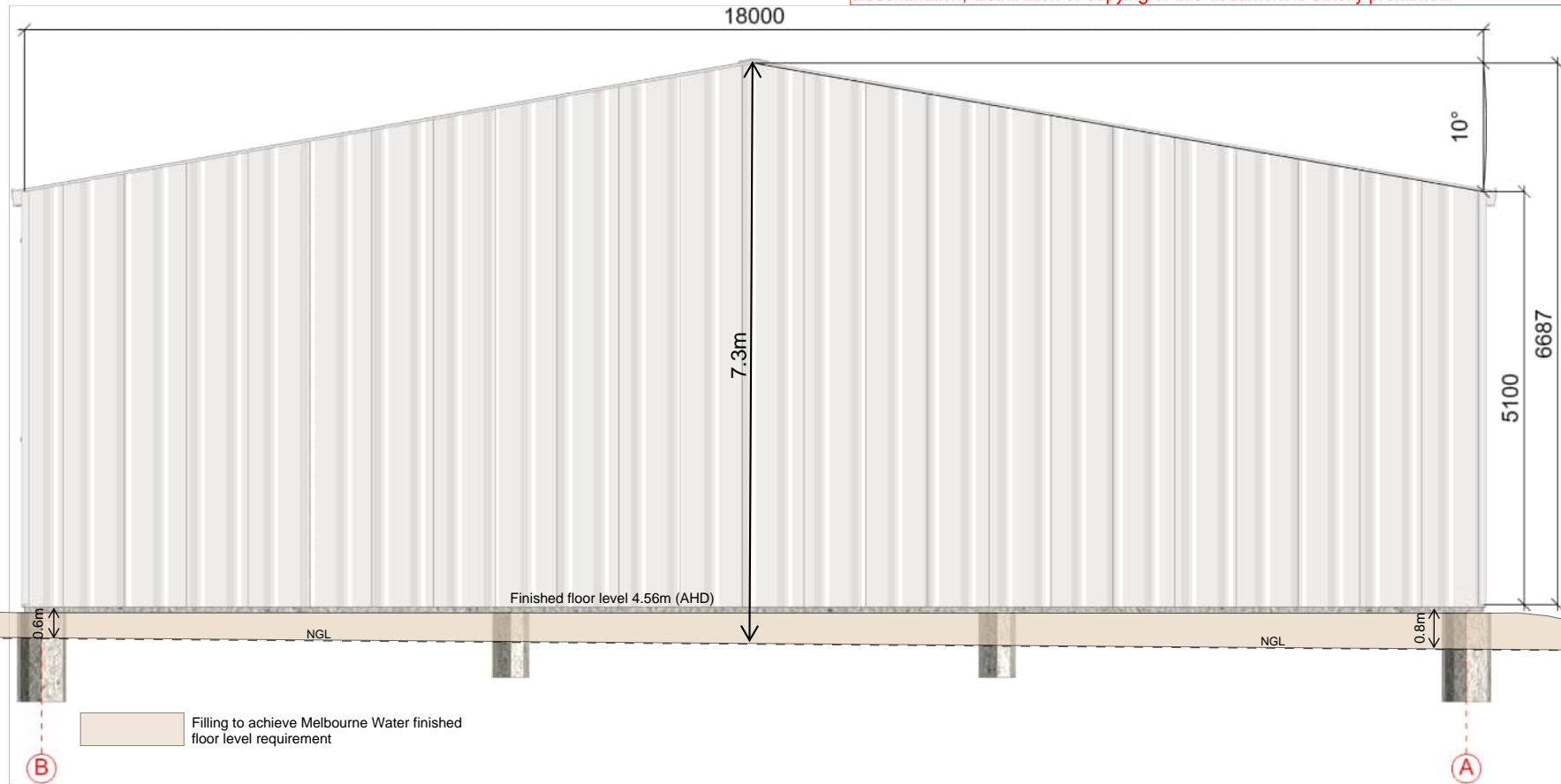
CUSTOMER SIGNATURE

SAMMY INVERNO
MANKS RD
KOO WEE RUP VIC 3981
RIGHT

ACTIVE

BLA0126

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EXTERNAL MATERIAL - 'COLORBOND'
METAL SHEET CLADDING

COLOUR - GREY



WEST ELEVATION

Melbourne Water flood level: 4.41m(AHD)
Melbourne Water min floor level: 4.56m(AHD)



SHEET 12 OF 12
DATE 25/09/2024
NOTE NOT FOR CONSTRUCTION
READ IN CONJUNCTION WITH ALL ELEVATIONS

CUSTOMER SIGNATURE

SAMMY INVERNO
MANKS RD
KOO WEE RUP VIC 3981
BACK

ACTIVE

BLA0126