

5.3 Use and development of the land for a dwelling - 550 Scanlons Drain Road, CATANI

Responsible GM: Lili Rosic
Author: Tim Heffernan

Recommendation

That Council resolve to issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application T220366 for Use and development of the land for a dwelling on the following grounds:

1. The proposal is inconsistent with Planning Policy Framework and Local Planning Policy Framework, that seeks to discourage non-agricultural and non-soil-based uses that are established on soil of high agricultural valued land, specifically:
 - a. Clause 13.07-1S - Land Use Compatibility
 - b. Clause 14.01-1S - Protection of Agricultural Land
 - c. Clause 14.01-1R - Protection of Agricultural Land – Metropolitan Melbourne
 - d. Clause 14.01-2S - Sustainable Agricultural Land Use
 - e. Clause 21.04-2 - Agriculture
 - f. Clause 22.05 - Westernport Green Wedge Policy
2. The proposal is inconsistent with relevant purposes and decision guidelines of the Special Use Zone – Schedule 1.
3. The proposal is inconsistent with Clause 51.02 - Metropolitan Green Wedge Land: Core Planning Provisions
4. The proposal does not comply with the relevant considerations of Clause 65 and the orderly planning of the area.

Attachments

1. T220366 Locality Map [**5.3.1** - 1 page]
2. T220366 Development Plans [**5.3.2** - 7 pages]
3. T220366 Officer Report [**5.3.3** - 16 pages]

Application Details

| | |
|-------------------------|---|
| APPLICATION NO.: | T220366 |
| APPLICANT: | Sonya Boloski- Lakeside Building Consultants |
| LAND: | 550 Scanlons Drain Road, Catani VIC 3981 (L1 PS326504) |

| | |
|---------------------------------------|---|
| PROPOSAL: | Use and development of the land for a dwelling |
| PLANNING CONTROLS: | Zoning: Special Use Zone Schedule 1 (SUZS1) Overlay: Land Subject to Inundation Overlay (LSIO) |
| NOTIFICATION & OBJECTIONS: | Pursuant to Section 52 of the <i>Planning and Environmental Act</i> , the application was advertised by sending notices in the mail to nearby property owners. No objections were received. |
| KEY PLANNING CONSIDERATIONS: | Inconsistent with Special Use Zone provisions. The land use does <u>not</u> utilise the high-quality soils to their highest capacity. The proposed dwelling would not support and enhance agricultural production. The proposed dwelling is not reasonably required. Potential for land use conflicts – ‘right to farm’ impeded. The proposal is not responsive to Western Port Green Wedge Policy (Clause 22.05). |
| REASON FOR MEETING: | Recommended for refusal |
| RECOMMENDATION: | Notice of Decision to Refuse to Grant a Permit |

Executive Summary

Planning permission is sought for the use and development of the land for a dwelling, comprising four bedroom, meals, family area, lounge, double garage and veranda.

The owners intend to plant crops for the use of making hay and silage, with the crops used to feed the cattle accommodated on their combined sites.

The subject site comprises over 24 hectares of highly productive agricultural land, with the proposed dwelling not supporting or enhancing the agricultural productivity of the land and resulting in the loss and fragmentation of productive agricultural land. The proposed dwelling, positioned in proximity to Scanlon Road streetscape may also induce amenity concerns with nearby farming enterprises.

Relevance to Council Plan

N/A



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[View map online](#)



GENERAL NOTES (NCC 2019 BCA Vol 2)

- ALL MATERIALS AND WORK PRACTICES SHALL COMPLY WITH, BUT NOT LIMITED TO THE BUILDING REGULATIONS 2018, NATIONAL CONSTRUCTION CODE SERIES 2019, THE BUILDING CODE OF AUSTRALIA VOL 2 AND ALL RELEVANT CURRENT AUSTRALIAN STANDARDS (AS AMENDED) REFERRED TO THEREIN.
- UNLESS OTHERWISE SPECIFIED THE TERM BCA SHALL REFER TO NATIONAL CONSTRUCTION CODE SERIES 2019 BUILDING CODE OF AUSTRALIA VOLUME 2
- ALL MATERIALS AND CONSTRUCTION PRACTICE SHALL MEET THE PERFORMANCE REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA, WHERE AN ALTERNATIVE SOLUTION IS PROPOSED THEN, PRIOR TO IMPLEMENTATION OR INSTALLATION, IT FIRST MUST BE ASSESSED AND APPROVED BY THE RELEVANT BUILDING SURVEYOR AS MEETING THE PERFORMANCE REQUIREMENTS OF THE BCA.
- GLAZING INCLUDING SAFETY GLAZING SHALL BE INSTALLED TO A SIZE, TYPE & THICKNESS SO AS TO COMPLY WITH:
 - BCA PART 3.6 FOR CLASS 1 AND 10 BUILDINGS WITHIN A DESIGN WIND SPEED OF NOT MORE THAN N3, AND
 - BCA VOL 1 PART B1.4 FOR CLASS 2 TO 9 BUILDINGS
- WATERPROOFING OF WET AREAS, BEING BATHROOMS, SHOWERS, SHOWER ROOMS, LAUNDRIES, SANITARY COMPARTMENTS AND THE LIKE SHALL BE PROVIDED IN ACCORDANCE WITH AS 3740-2010: WATERPROOFING OF DOMESTIC WET AREAS.

SUSTAINABILITY MEASURES FOR NEW CLASS 1 BUILDINGS.

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ANY HOUSE ENERGY RATING (HERS) REPORT AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STAMPED PLANS ENDORSED BY THE ACCREDITED ENERGY RATER.

SITE BUSHFIRE ATTACK ASSESSMENT.

- REFERENCE DOCUMENT AS 3959-2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS.
- THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT STRUCTURAL AND ALL OTHER CONSULTANTS DRAWINGS/ DETAILS AND WITH ANY OTHER WRITTEN INSTRUCTIONS ISSUED IN THE COURSE OF THE CONTRACT.
- SITE PLAN MEASUREMENTS IN MILLIMETRES - ALL OTHER MEASUREMENTS IN MILLIMETRES U.S.A.C.
- FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- THE BUILDER SHALL TAKE ALL STEPS NECESSARY TO ENSURE THE STABILITY AND GENERAL WATER TIGHTNESS OF ALL NEW AND/OR EXISTING STRUCTURES DURING ALL WORKS.
- THE BUILDER AND SUBCONTRACTORS SHALL CHECK AND VERIFY ALL DIMENSIONS, SETBACKS, LEVELS AND SPECIFICATIONS AND ALL OTHER RELEVANT DOCUMENTATION PRIOR TO THE COMMENCEMENT OF ANY WORKS. REPORT ALL DISCREPANCIES TO THE OFFICE FOR CLARIFICATION

SITE CLASSIFICATION

| | |
|-------------------------------|--|
| SITE CLASSIFICATION AS CLASS: | |
| REFER TO SOIL REPORT NO: | |
| BY: | |

STORMWATER

- 90mm(2) (UPTO 250m²) OR 100mm(2) (OVER 250m²) CLASS 4 UPVC STORMWATER LINE LEAD TO A MINIMUM GRADE OF 1:100 AND CONNECTED TO THE LEGAL POINT OF STORMWATER DISCHARGE. PROVIDE INSPECTION OPENINGS AT 900MM C/C AND AT EACH CHANGE OF DIRECTION.
- THE COVER TO UNDERGROUND STORMWATER DRAINS SHALL BE NOT LESS THAN
 - 100MM UNDER SOIL
 - 50MM UNDER PAVED OR CONCRETE AREAS
 - 100MM UNDER UNREINFORCED CONCRETE OR PAVED DRIVEWAYS
 - 75MM UNDER REINFORCED CONCRETE DRIVEWAYS

AUTHORITIES / CONSULTANTS

| | |
|---------------------------------|--|
| MUNICIPALITY NAME: | |
| SEWERAGE AUTHORITY: | |
| CONSULTING STRUCTURAL ENGINEER: | |
| GEOTECHNICAL ENGINEER: | |
| THERMAL PERFORMANCE ASSESSOR: | |

STEP AND LANDINGS

- STEP SIZES (OTHER THAN FOR SPIRAL STAIRS) TO BE:
 - RISERS (R) 190MM MAXIMUM AND 115MM MINIMUM
 - GOINGS (G) 355MM MAXIMUM AND 240MM MINIMUM
 - R₁ + G₁ = 700MM MAXIMUM AND 550MM MINIMUM
- WITH LESS THAN 125MM MAXIMUM GAP BETWEEN OPEN TREADS
- ALL TREADS, LANDINGS AND THE LIKE TO HAVE A SLIP-RESISTANCE CLASSIFICATION OF P3 OR R10 FOR DRY SURFACE CONDITIONS AND P4 OR R11 FOR WET SURFACE CONDITIONS, OR A NOSING STRIP WITH A SLIP-RESISTANCE CLASSIFICATION OF P3 FOR DRY SURFACE CONDITIONS AND P4 FOR WET SURFACE CONDITIONS.
- PROVIDE BARRIERS WHERE CHANGE IN LEVEL EXCEEDS 1000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS, BARRIERS (OTHER THAN TENSIONED WIRE BALUSTRADES) TO BE:
 - 1000MM MIN. ABOVE FINISHED SURFACE LEVEL OF BALCONIES, LANDINGS OR THE LIKE, AND
 - 865MM MIN. ABOVE FINISHED SURFACE LEVEL OF STAIR NOSING OR RAMP, AND
 - VERTICAL WITH LESS THAN 125MM GAP BETWEEN, AND
 - ANY HORIZONTAL ELEMENT WITHIN THE BALUSTRADE BETWEEN 150MM AND 760MM ABOVE THE FLOOR MUST NOT FACILITATE CLIMBING WHERE CHANGES IN LEVEL EXCEEDS 4000MM ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS.
- WIRE BARRIER CONSTRUCTION TO COMPLY WITH BCA PART 3.9.2.3 FOR CLASS 1 AND 10 BUILDINGS AND NCC 2019 BCA VOLUME 1 PART D2.1.6 FOR OTHER CLASSES OF BUILDINGS.
- TOP OF HAND RAILS TO BE 865MM MINIMUM ABOVE STAIR NOSING AND FLOOR SURFACE OF RAMPS.
- WINDOW SIZES NOMINATED ARE NOMINAL ONLY. ACTUAL SIZE MAY VARY ACCORDING TO MANUFACTURER. WINDOWS TO BE FLASHED ALL AROUND.
- WHERE THE BUILDING (EXCLUDES A DETACHED CLASS 10) IS LOCATED IN A TERMITE PRONE AREA THE AREA TO UNDERSIDE OF BUILDING AND PERIMETER IS TO BE PROVIDED WITH A TERMITE MANAGEMENT SYSTEM.
- CONCRETE STUMPS UP TO 1400MM LONG TO BE 100MM X 100MM (1 NO. H.D. WIRE) 1401MM TO 1800MM LONG TO BE 100MM X 100MM (2 NO. H.D. WIRES) 1801MM TO 3000MM LONG TO BE 125MM X 125MM (2 NO. H.D. WIRES)
- 100MM X 100MM STUMPS EXCEEDING 1200MM ABOVE GROUND LEVEL TO BE BRACK WHERE NO PERIMETER BASE BRICKWORK PROVIDED.
- BUILDINGS IN MARINE OR OTHER EXPOSURE ENVIRONMENTS SHALL HAVE MASONRY UNITS, MORTAR AND ALL BUILT-IN COMPONENTS AND THE LIKE COMPLYING WITH THE DURABILITY REQUIREMENTS OF TABLE 4.1 OF AS4773.1-2010 MASONRY IN SMALL BUILDINGS PART 1: DESIGN
- ALL STORMWATER TO BE TAKEN TO THE LEGAL POINT OF DISCHARGE TO THE RELEVANT AUTHORITIES APPROVAL.
- INSTALLATION OF ALL SERVICES SHALL COMPLY WITH THE RESPECTIVE SUPPLY AUTHORITY REQUIREMENTS.
- THE BUILDER AND SUBCONTRACTOR SHALL ENSURE THAT ALL STORMWATER DRAINS, SEWER PIPES AND THE LIKE ARE LOCATED AT A SUFFICIENT DISTANCE FROM ANY BUILDINGS FOOTING AND/OR SLAB EDGE BEAMS SO AS TO PREVENT GENERAL MOISTURE PENETRATION, DAMPNESS, WEAKENING AND UNDERMINING OF ANY BUILDING AND ITS FOOTING SYSTEM.
- THESE PLANS HAVE BEEN PREPARED FOR THE EXCLUSIVE USE BY THE CLIENT OF SJD HOMES (THE DESIGNER) FOR THE PURPOSE EXPRESSLY NOTIFIED TO THE DESIGNER. ANY OTHER PERSON WHO USES OR RELIES ON THESE PLANS WITHOUT THE DESIGNER'S WRITTEN CONSENT DOES SO AT THEIR OWN RISK AND NO RESPONSIBILITY IS ACCEPTED BY THE DESIGNER FOR SUCH USE AND/OR RELIANCE.
- A BUILDING PERMIT IS REQUIRED PRIOR TO THE COMMENCEMENT OF THESE WORKS. THE RELEASE OF THESE DOCUMENTS IS CONDITIONAL TO THE OWNER OBTAINING THE REQUIRED BUILDING PERMIT.
- THE CLIENT AND/OR THE CLIENT'S BUILDER SHALL NOT MODIFY OR AMEND THE PLANS WITHOUT THE KNOWLEDGE AND CONSENT OF SJD HOMES EXCEPT WHERE A REGISTERED BUILDING SURVEYOR MAKES MINOR NECESSARY CHANGES TO FACILITATE THE BUILDING PERMIT APPLICATION AND THAT SUCH CHANGES ARE PROMPTLY REPORTED BACK TO SJD HOMES.
- THE APPROVAL BY THE OFFICE OF A SUBSTITUTE MATERIAL WORK PRACTICE, VARIATION OR THE LIKE IS NOT AN AUTHORIZATION FOR ITS USE OR A CONTRACT VARIATION. ANY SAID VARIATIONS MUST BE ACCEPTED BY ALL PARTIES TO THE AGREEMENT AND WHERE APPLICABLE THE RELEVANT BUILDING SURVEYOR PRIOR TO IMPLEMENTING THE SAID VARIATION.



MONTROSE 320 - RH (MODIFIED)

BUSHFIRE ATTACK LEVEL:- (BAL)
BAL-12.5 -EMBER ATTACK

ALL HOMES TO COMPLY WITH AS 3959-2009 (BAL)

WIND SPEED ASSESSMENT:

MAXIMUM DESIGN GUST WIND SPEED FOR THIS SITE IS:
IMPORTANT NOTE:
THE WIND SPEED CALCULATION IS TAKEN FROM THE JOB SPECIFIC JOB REPORT (FRONT PAGE)
STANDARD HOMES ARE DESIGNED TO SUIT A MINIMUM WIND GUST SPEED OF 33 m/s

| ISSUE | AMENDMENT DETAILS |
|-------|---|
| A | INITIAL WORKING DRAWINGS ISSUED RG 01/09/22 |
| B | |
| C | |
| D | |
| E | |
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PROPOSED:
HOUSE & GARAGE
HOUSE TYPE:
MONTROSE 320 - RH (MODIFIED)

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SIGNED BUILDER:

SIGNED OWNER:

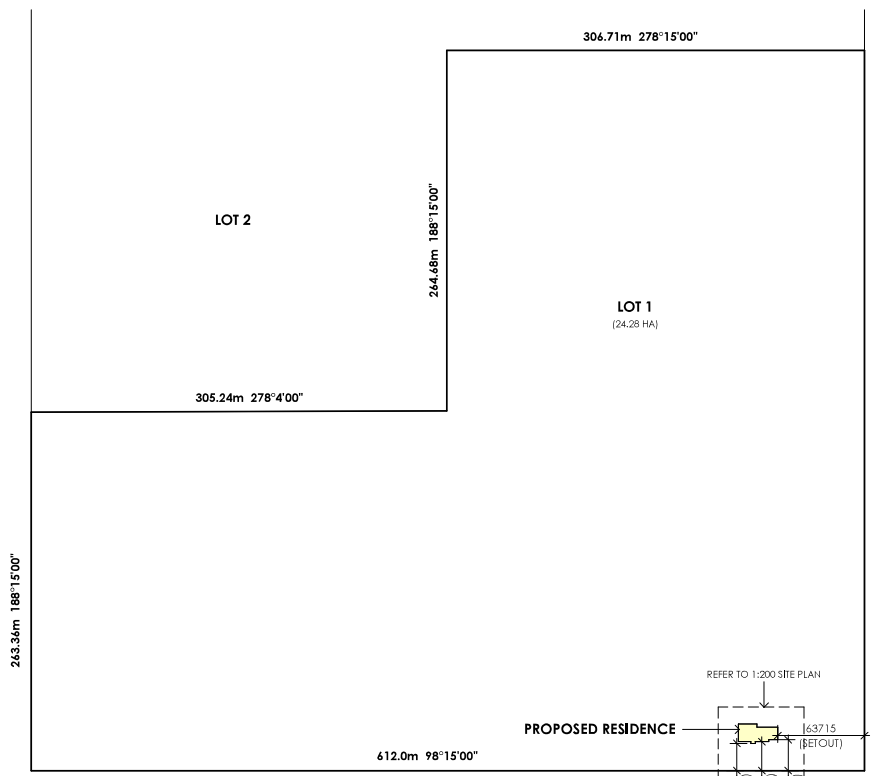
DATE:

CLIENT:
M. & A. MARSON
SITE ADDRESS:
**LOT 1, NO. 550 SCANLONS DRAIN ROAD
CATANI, 3981**

| | |
|---|-----------------------|
| DRAWING TITLE: GENERAL NOTES | |
| BS10: A | |
| BS16 DATE: 01.09.22 | |
| SCALE: | MASTER DATE: 13.09.21 |
| DRAWN: JG | CHECKED: TLG |
| SHEET NO: 01 | OF: 09 |

| SITE COVERAGE ANALYSIS | | |
|------------------------|--------------------------|--------|
| BUILDING AREA | 333.47 m ² | 0.14% |
| PERMEABLE AREA | 242485.18 m ² | 99.86% |
| TOTAL SITE AREA | 242818.65 m ² | 100% |

- BUSHFIRE REQUIREMENTS - BAL 12.5**
- ALL CEILING IN THE EXTERNAL WALL MATERIALS TO BE SEALED COVERED OR DAMPED TO PREVENT GAPS OR CRACKS MAX 3mm.
 - GAPS BETWEEN DOORS AND DOOR JAMBS, HEADS AND SILLS (WHICH SHOULD BE TO BE MAX 3mm, ALTERNATIVELY 8 SMALL GAPS) EXCLUDED.
 - PROTECT INTERNAL OR EXTERNAL SCREENING TO ALL OPENABLE DOORS AND WINDOWS SCREENING SHALL HAVE MINIMUM 1.5mm BRONZE OR ALUMINIUM ANGLE OF CORROSION RESISTANT STEEL.
 - PROTECT ALL INTERNAL DOORS TO COMPLY WITH ONE OF THE FOLLOWING:
 - PROTECT EXTERNAL SCREENING TO THE DOORS SCREENING SHALL HAVE MINIMUM 1.5mm ANGLE AND AN ANGLE OF CORROSION RESISTANT STEEL BRONZE OR ALUMINIUM.
 - DOORS MUST BE:
 - 30mm MIN. SOLID RUBBER FOR THE FIRST 400mm ABOVE THE DOOR.
 - BE PROVIDED WITH AN ANGLE CORROSION RESISTANT STEEL BRONZE OR ALUMINIUM FOR THE REST 400mm.
 - MUST BE SET IN TO THE DOOR FRAME.
 - PROTECT EXTERNAL SCREENING TO THE DOORS SHALL HAVE MINIMUM 1.5mm BRONZE OR ALUMINIUM ANGLE FROM THE GROUND WITH WEATHER RESISTANT EXCLUSIONS TO THE BASE OF THE DOORS.
 - PROTECT EXTERNAL GAPS TO DOORS WITH ONE OF THE FOLLOWING MEASURES:
 - PROTECT EXTERNAL SCREENING WITH AN ANGLE APPROXIMATE 30mm ANGLE OF CORROSION RESISTANT STEEL BRONZE OR ALUMINIUM.
 - GLAZED TO BE 1.5mm SHEET GLASS, DOOR FRAME SHALL BE METAL OR RESISTANT TO WEATHER AND CORROSION RESISTANT STEEL BRONZE OR ALUMINIUM.
 - GARAGE ROLLER PANEL LIFT DOOR TO BE PROVIDED WITH 400mm OF GAP ABOVE THE DOOR TO BE COVERED WITH:
 - 1.5mm ANGLE OF CORROSION RESISTANT STEEL BRONZE OR ALUMINIUM.
 - 30mm MIN. SOLID RUBBER.
 - 300mm MIN. SHEET GLASS.
 - GARAGE DOORS TO BE SET WITH AN ANGLE APPROXIMATE 30mm ANGLE OF CORROSION RESISTANT STEEL BRONZE OR ALUMINIUM ANGLE FROM THE GROUND WITH WEATHER RESISTANT EXCLUSIONS TO THE BASE OF THE DOORS.
 - ROOF SHALL BE SET TO BE 150mm ABOVE THE DOOR CONTACT WITH THE DOOR.
 - ROOF SHALL BE SET TO BE 150mm ABOVE THE DOOR CONTACT WITH THE DOOR.
 - ROOF SHALL BE SET TO BE 150mm ABOVE THE DOOR CONTACT WITH THE DOOR.
 - ANY ROOF CRACKS, JOINTS OR SEALS, ARE TO BE SET WITH AN ANGLE APPROXIMATE 30mm ANGLE OF CORROSION RESISTANT STEEL BRONZE OR ALUMINIUM.
 - ANY ABOVE GROUND EXPOSED WIRING & CABLE SUPPORTS TO BE METAL.
- WHERE APPLICABLE THE PROPOSED DEVELOPMENT MUST COMPLY WITH ANY BUSHFIRE MANAGEMENT PLAN REQUIREMENTS.**



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PROPOSED:
HOUSE & GARAGE

HOUSE TYPE:
MONTROSE 320 - RH (MODIFIED)

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SIGNED BUILDER:

SIGNED OWNER:

DATE:

CLIENT:
M. & A. MARSON

SITE ADDRESS:
LOT 1, NO. 550 SCANLONS DRAIN ROAD
CATANI, 3981

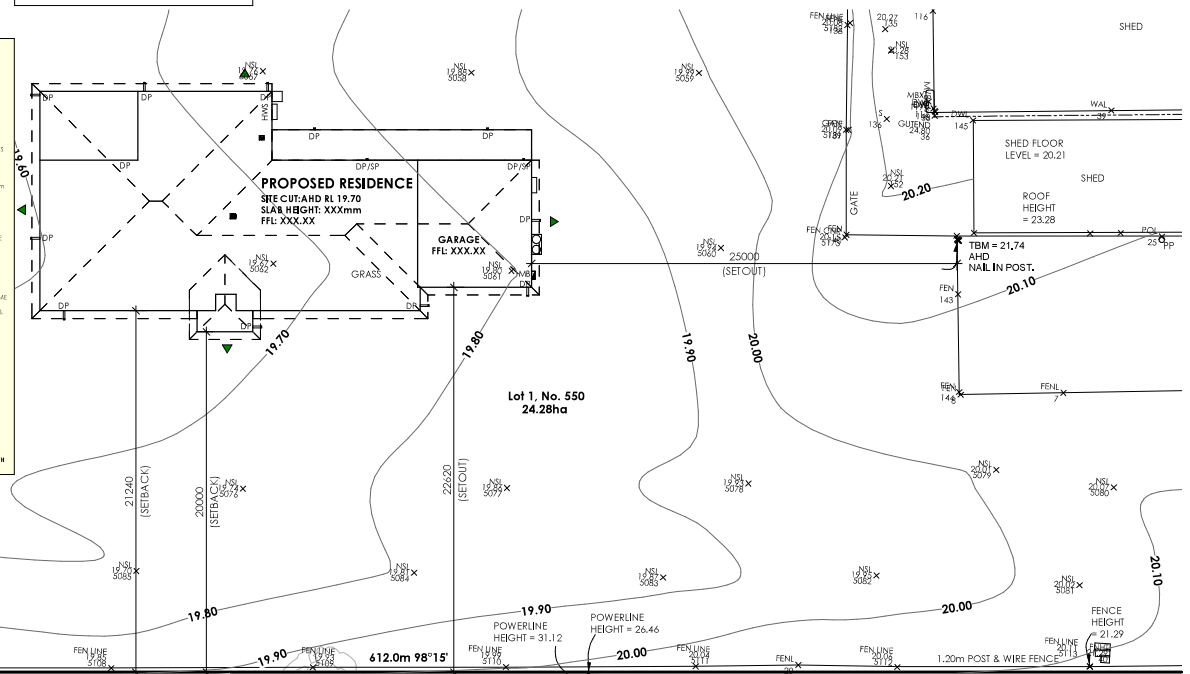
| DRAWING TITLE: | |
|----------------------|-----------------------|
| LOCALITY PLAN | |
| ISSUE: A | |
| ISSUE DATE: 01.09.22 | MASTER DATE: 13.09.21 |
| DRAWN: JG | CHECKED: TLG |
| SHEET NO: 02 | OF: 09 |

| | | | | | | | | | | | | | |
|---|--|---|---|--|---------------|-----------------------|-------|----------------|--------------------------|--------|-----------------|--------------------------|------|
| <p>DRAINAGE NOTES:</p> <ul style="list-style-type: none"> SEE DRAWING GENERAL COMPLY WITH CCC 3.1.2 DRAINAGE AND PROTECT FROM ALL FURBERS SPACE COVERS BASE OF CURVE SHOULD BE TYPED AT 100MM AND DRAIN SHALL BE PROTECTED BY CURBING/RAILING TEMPORARY DOWNPIPES CONNECTED TO THE STORMWATER SYSTEM TO BE REMOVED AS PER THE COVERING COMPACTED CONCRETE LEGAL POINT OF DISCHARGE AT THE POINT OF DISCHARGE CONCRETE SUBJECT AREA FROM HOUSE FOOTINGS TO MINIMUM ALL TO USE GRASS/SLIP TRIP TO BE CONNECTED TO STORMWATER SYSTEM AS DIRECTED TO LEGAL POINT OF DISCHARGE PROTECT AS DIRECTED AS BASE OF CUT GRADED TO BE FIT TO SYSTEM IF FIT TO BE CONNECTED TO ADRAIN/BI/BI DESCRIBED TO LEGAL POINT OF DISCHARGE AS PER STORMWATER SYSTEM | <p>SITE CUT/FILL LEGEND & NOTES</p> <ul style="list-style-type: none"> DENOTES AREA OF SITE CUT DENOTES AREA OF SITE FILL <p>NOTE: PENETRATIONS THROUGH THE SISALATION PAPER ARE TO BE TAPED AROUND CAREFULLY TO ENSURE ANY GAPS ARE SEALED.</p> <p>NOTE: BUILDER RESERVES THE RIGHT TO ALTER THE SITE CUT HEIGHT TO THEIR DISCRETION, PENDING CONDITIONS ON SITE</p> | <p>SITE SCRAPE NOTE SCRAPE SITE TO REMOVE ALL SURFACE VEGETATION & PROVIDE LEVEL BUILDING PLATFORM. PROVIDE ADDITIONAL SCRAPE TO GARAGE TO ACCOMMODATE A 85 mm STEPDOWN. NOTE: 45 ° EASTER ANGLE</p> <p>STORMWATER LAYOUT STORMWATER DRAIN LAYOUT IS FOR INDICATIVE PURPOSES ONLY & WILL BE INSTALLED AS PER THE DRAINAGE SUB-CONTRACTORS DISCRETION.</p> | <p>TERMITES TREATMENT REQUIRED PROVIDE TERMITES TREATMENT BY ACCORDANCE WITH AS 3699</p> <p>EXTERNAL STEPS PROVIDE STEPS OR BUILD UP SOIL AROUND EXTERNAL DOORS WHERE THRESHOLD OF THE DOOR EXCEEDS 190MM</p> | <p>SITE COVERAGE ANALYSIS</p> <table border="1"> <tr> <td>BUILDING AREA</td> <td>333.47 m²</td> <td>0.14%</td> </tr> <tr> <td>PERMEABLE AREA</td> <td>24248.518 m²</td> <td>99.86%</td> </tr> <tr> <td>TOTAL SITE AREA</td> <td>242818.65 m²</td> <td>100%</td> </tr> </table> | BUILDING AREA | 333.47 m ² | 0.14% | PERMEABLE AREA | 24248.518 m ² | 99.86% | TOTAL SITE AREA | 242818.65 m ² | 100% |
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| PERMEABLE AREA | 24248.518 m ² | 99.86% | | | | | | | | | | | |
| TOTAL SITE AREA | 242818.65 m ² | 100% | | | | | | | | | | | |

BUSHFIRE REQUIREMENTS - BAL 12.5

- ALL EXTERIOR WALL MATERIALS ARE TO BE SEALED COVERED OR COATED TO PROTECT AGAINST SPARKS 30mm
- GAPS BETWEEN DOORS AND DOOR JAMBLS HEADS AND SILLS OVER SHIELDS ARE TO BE MAX 30mm, ALTERNATIVELY 8 SMALL DRAIN EXCLUSIONS
- PROVIDE INTERNAL OR EXTERNAL SCREENS TO ALL OPENABLE DOORS TO PROTECT AGAINST EXTERNAL BRANCHED ALUMINIUM BRANCH OF ALUMINIUM BRANCH OF ALUMINIUM
- SCREENS ARE TO BE PROTECTED TO COMPLY WITH ONE OF THE FOLLOWING:
 - A. FROM EXTERNAL SCREENS TO ALL OPENABLE DOORS WITH MAXIMUM 20mm APERTURE AND MAXIMUM OF CORROSION RESISTANT STEEL BRACKET OF ALUMINIUM
 - B. DOORS MUST BE:
 - o 30mm TYPICAL SCHEDULE FOR THE FIRST 400mm FROM THE DOOR
 - o BE PROVIDED WITH A HOCH COMBUSTIBLE MATERIAL ON THE EXTERIOR FACE
 - o MUST BE FITTED TO THE DOOR FRAME
 - o PROTECT DOOR FRAME WITH 19mm SHEET GUMS, DOOR FRAME SHALL BE METAL OR COMPOSITE REINFORCED METAL AND EXCLUDES GLASS TO THE BASE OF THE DOORS.
 - C. PROVIDE EXTERNAL GUARDS TO COMPLY WITH ONE OF THE FOLLOWING MEASURES:
 - A. FROM EXTERNAL SCREENS WITH A MAX APERTURE OF 20mm MADE OF CORROSION RESISTANT STEEL BRACKET OF ALUMINIUM
 - B. GUARDS TO BE 19mm SHEET GUMS, DOOR FRAME SHALL BE METAL OR COMPOSITE REINFORCED METAL AND EXCLUDES GLASS TO THE BASE OF THE DOORS
- PROTECT GARAGE DOORS TO COMPLY WITH ONE OF THE FOLLOWING MEASURES:
 - A. HOCH COMBUSTIBLE MATERIAL OR
 - B. 19mm SHEET GUMS
- GARAGE DOORS TO BE METAL OR COMPOSITE REINFORCED METAL OR COMPOSITE REINFORCED METAL AND EXCLUDES GLASS TO THE BASE OF THE DOORS.
- PROTECT ROOF PANELS TO COMPLY WITH ONE OF THE FOLLOWING MEASURES:
 - A. HOCH COMBUSTIBLE MATERIAL OR
 - B. 19mm SHEET GUMS
- ROOF PANELS TO BE METAL OR COMPOSITE REINFORCED METAL AND EXCLUDES GLASS TO THE BASE OF THE DOORS.
- ROOF PANELS TO BE METAL OR COMPOSITE REINFORCED METAL AND EXCLUDES GLASS TO THE BASE OF THE DOORS.
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WHERE APPLICABLE THE PROPOSED DEVELOPMENT MUST COMPLY WITH ANY BUSHFIRE MANAGEMENT PLAN REQUIREMENTS



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|---|---|--|---|--|
| <p>433 Princes Hwy Officer VIC 3609 Ph: 9095 8000 Fax: 9095 8010 info@sidhomes.com.au</p> <p>BL No. CDB-U 56523 © ALL RIGHTS RESERVED</p> | <p>PROPOSED: HOUSE & GARAGE</p> <p>HOUSE TYPE: MONTROSE 320 - RH (MODIFIED)</p> | <p>SIGNED BUILDER: _____</p> <p>SIGNED OWNER: _____</p> <p>DATE: _____</p> | <p>CLIENT: M. & A. MARSON</p> <p>SITE ADDRESS: LOT 1, NO. 550 SCANLONS DRAIN ROAD CATANI, 3981</p> | <p>DRAWING TITLE: SITE PLAN</p> <p>BS18: A</p> <p>BS18 DATE: 01.09.22</p> <p>SCALE: 1 : 200</p> <p>DRAWN: JG</p> <p>CHECKED: TLG</p> <p>SHEET NO: 02A OF 09</p> |
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PROVIDE 50mm RECESS TO SLAB FOR
FLUSH TILED SHR BASES IN BATHROOM
AND ENSUITE

GENERAL NOTES

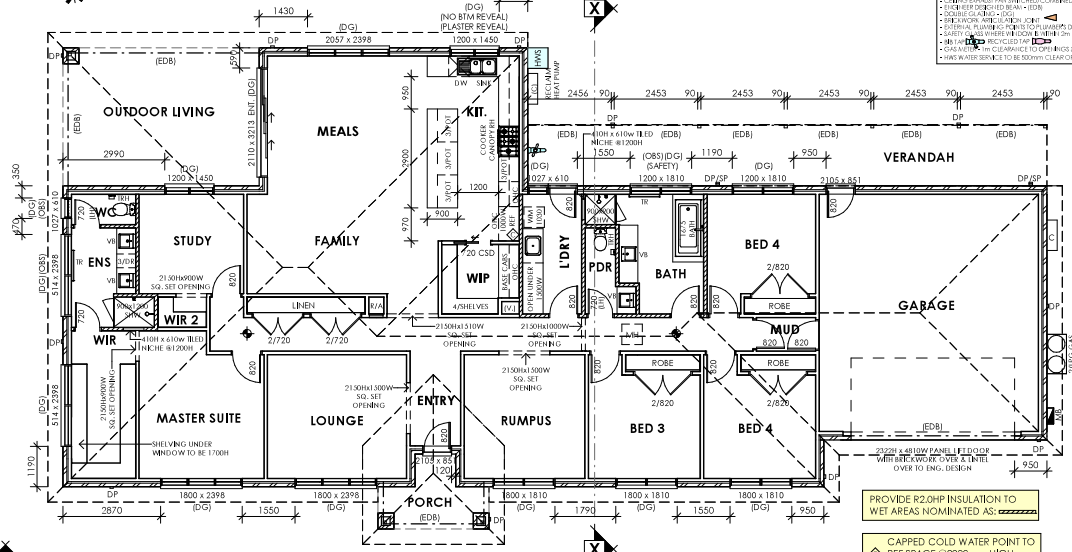
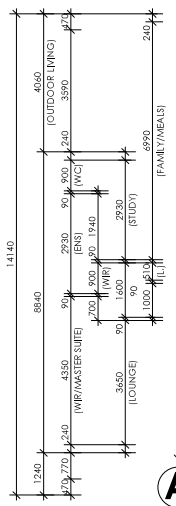
- DIMENSIONS ARE THE PREFERENCE DIMENSIONS UNLESS OTHERWISE STATED
- BUILDERS MUST VERIFY ALL DIMENSIONS AND SPACES ARE CORRECT BEFORE COMMENCEMENT OF WORK
- UNLESS OTHERWISE INDICATED ALL WALLS (INCLUDING CEILING) TO BE FINISHED TO FACE UNLESS NOTED OTHERWISE
- CEILING SHALL BE 2500mm HIGH UNLESS OTHERWISE NOTED
- FLOOR FINISH SHALL BE 20mm GRAB NOTED WITH ASTERISK (*)
- DOOR FINISH SHALL BE 20mm GRAB NOTED WITH ASTERISK (*)
- DOOR TO BED ROOMS SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO BATHROOMS SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO LIVING AREAS SHALL BE 1200mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO KITCHEN SHALL BE 1200mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO STUDY SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO MASTER SUITE SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO GARAGE SHALL BE 2400mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO VERANDAH SHALL BE 1800mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO PORCH SHALL BE 1800mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO ENTRY SHALL BE 1200mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO WIP SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO PDR SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO BATH SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO BED ROOMS SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO MUD ROOM SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO ROBE CLOSET SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO LINEN CLOSET SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO WIR SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO ENSUITE SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO WIP SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO PDR SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO BATH SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO BED ROOMS SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO MUD ROOM SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO ROBE CLOSET SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO LINEN CLOSET SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO WIR SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED
- DOOR TO ENSUITE SHALL BE 1000mm WIDE UNLESS OTHERWISE NOTED



REFER SHEET 03A FOR DIMENSIONS



REFER SHEET 03A FOR DIMENSIONS

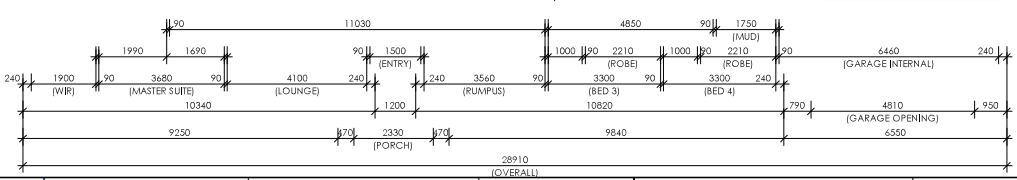


PROVIDE R2.0HP INSULATION TO
WET AREAS NOMINATED AS:

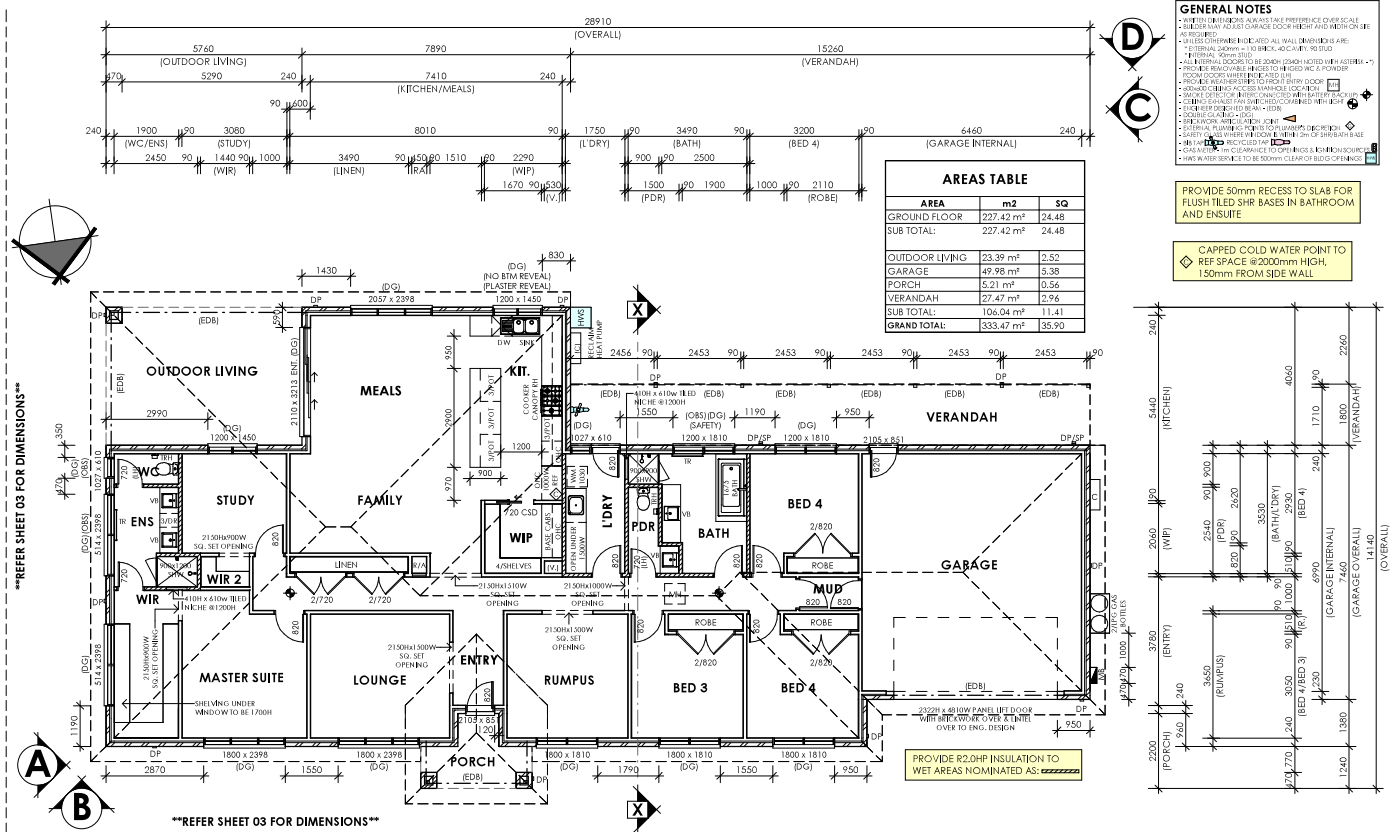
◇ CAPPED COLD WATER POINT TO
REF SPACE @2000mm HIGH,
150mm FROM SIDE WALL

AREAS TABLE

| AREA | m2 | SQ |
|----------------|-----------------------|-------|
| GROUND FLOOR | 227.42 m ² | 24.48 |
| SUB TOTAL: | 227.42 m ² | 24.48 |
| OUTDOOR LIVING | 23.39 m ² | 2.52 |
| GARAGE | 49.98 m ² | 5.38 |
| PORCH | 5.21 m ² | 0.56 |
| VERANDAH | 27.47 m ² | 2.96 |
| SUB TOTAL: | 106.04 m ² | 11.41 |
| GRAND TOTAL: | 333.47 m ² | 35.90 |



| | | | | |
|--|--|---|--|--|
|  <p>433 Princes Hwy Officer VIC 3609 Ph: 9095 8000 Fax: 9095 8010 info@sjdhomes.com.au BL No. CDB-U 56523 © ALL RIGHTS RESERVED</p> | <p>PROPOSED: HOUSE & GARAGE</p> <p>HOUSE TYPE: MONTROSE 320 - RH (MODIFIED)</p> | <p>SIGNED BUILDER:</p> <p>SIGNED OWNER:</p> <p>DATE:</p> | <p>CLIENT: M. & A. MARSON</p> <p>SITE ADDRESS: LOT 1, NO. 550 SCANLONS DRAIN ROAD CATANI, 3981</p> | <p>DRAWING TITLE: GROUND FLOOR PLAN</p> <p>BSU: A</p> <p>BSU DATE: 01.09.22</p> <p>SCALE: 1 : 100</p> <p>DATE: 13.09.21</p> <p>DRAWN: JG CHECKED: TLG</p> <p>SHEET NO.: 03 OF: 09</p> |
| | <p>(OVERALL)</p> | | | |
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- GENERAL NOTES**
- ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 - ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS AND SPECIFICATIONS.
 - UNLESS OTHERWISE SPECIFIED ALL WALLS AND PARTITIONS ARE TO BE CONCRETE BLOCKWORK TO BE FINISHED WITH PLASTER AND PAINT.
 - INTERNAL DOORS TO BE 600mm WIDE UNLESS OTHERWISE SPECIFIED.
 - EXTERNAL DOORS TO BE 800mm WIDE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOMS TO BE VENTILATED WITH EITHER MECHANICAL OR NATURAL MEANS.
 - ALL ROOFS TO BE 12% FALL UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH CONCRETE OR TERRAZZO UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH CEILING UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH GUTTERS AND DOWNPIPPES UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH INSULATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH FLASHING UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH DRAINAGE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH VENTILATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH LIGHTING UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH FURNITURE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH FITTINGS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ACCESSORIES UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH FINISHES UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH DETAILS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH CONSTRUCTION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH MATERIALS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH METHODS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH TOOLS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH EQUIPMENT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH SUPPLIES UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH LABOR UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH OVERSIGHT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH MANAGEMENT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH COMMUNICATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH COORDINATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH COLLABORATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH TEAMWORK UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH POSITIVE ATTITUDE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH RESPECT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH INTEGRITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ETHICAL BEHAVIOR UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HONESTY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH TRANSPARENCY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ACCOUNTABILITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH RESPONSIBILITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH COMMITMENT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH DEDICATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH PASSION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ENTHUSIASM UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ENERGY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ENERGETICNESS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH DETERMINATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH PERSEVERANCE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH PERSISTENCE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH RESILIENCE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH FLEXIBILITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ADAPTABILITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH OPEN-MINDEDNESS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH INNOVATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH CREATIVITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ORIGINALITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH IMAGINATION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH IDEAS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH SOLUTIONS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH RESULTS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH ACHIEVEMENT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH SUCCESS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH EXCELLENCE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH PERFECTION UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH STANDARDS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH QUALITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH PERFORMANCE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH EFFICIENCY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH EFFECTIVENESS UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH PRODUCTIVITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH OUTPUT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH THROUGHPUT UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH CAPACITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH PERFORMANCE UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH QUALITY UNLESS OTHERWISE SPECIFIED.
 - ALL ROOFS TO BE FINISHED WITH HIGH PERFORMANCE UNLESS OTHERWISE SPECIFIED.

- PROVIDE 50mm RECESS TO SLAB FOR FLUSH TILED SHR BASES IN BATHROOM AND ENSUITE
- CAPPED COLD WATER POINT TO REF SPACE #2000mm HIGH, 150mm FROM SIDE WALL

SJD homes

433 Princes Hwy
Officer VIC 3809
Ph: 9095 8000
Fax: 9095 8010
info@sjdhomes.com.au
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PROPOSED:
HOUSE & GARAGE

HOUSE TYPE:
MONTROSE 320 - RH (MODIFIED)

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SIGNED BUILDER:
SIGNED OWNER:
DATE:

CLIENT:
M. & A. MARSON

SITE ADDRESS:
LOT 1, NO. 550 SCANLONS DRAIN ROAD
CATANI, 3981

DRAWING TITLE: GROUND FLOOR PLAN

| | |
|--------------|----------|
| BS16: | A |
| BS16 DATE: | 01.09.22 |
| SCALE: | 1 : 100 |
| DRAWN: | JG |
| CHECKED: | TLG |
| MATTER DATE: | 13.09.21 |
| SHEET NO: | 03A |
| OF: | 09 |

EXTERNAL DOOR THRESHOLDS:
THRESHOLDS OF EXTERNAL DOORS TO BE NO GREATER THAN 230mm ABOVE THE ADJOINING SURFACE



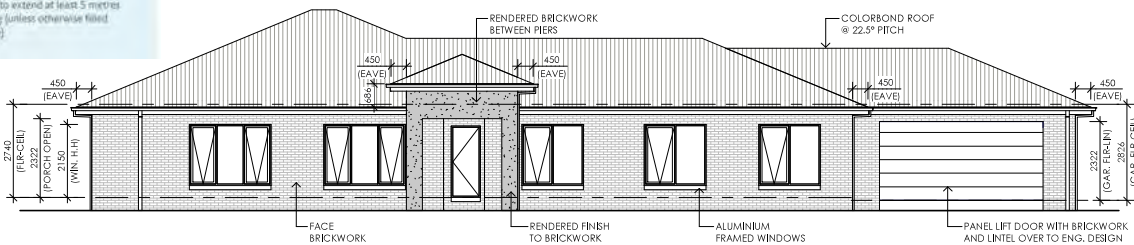
Flood zone 1 requirements - dwellings

- Flood zone 1 contains the majority of the District and the 1 per cent AEP flood depth is approximately 300 millimetres above the average surrounding ground level.
- Floor levels of any new dwelling are to be a minimum of 600 millimetres above the applicable flood level.
- For dwellings on stumps, a fill pad is to be a minimum of 150 millimetres above the applicable flood level.
- For slabs on ground, a fill pad is to be a minimum of 450 millimetres above the applicable flood level.
- Fill pad area:
 - for dwellings on lots less than 800 square metres, a fill pad is to cover the building envelope (unless otherwise filled at subdivision stage)
 - for dwellings on lots greater than 800 square metres, a fill pad is to extend at least 5 metres beyond the building (unless otherwise filled at subdivision stage)



ELEVATION A - WEST

1 : 100



ELEVATION B - NORTH

1 : 100

MWA-1265976

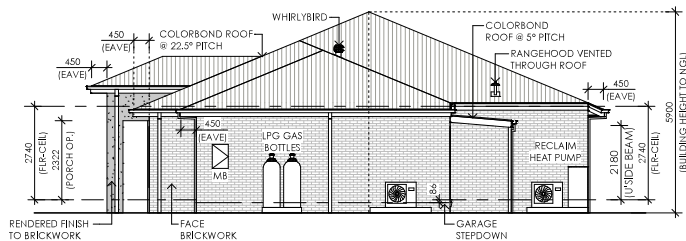
12349 FOR OFFICE USE ONLY

| | | | | |
|--|---|---|---|--|
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| | <p>HOUSE TYPE: MONTROSE 320 - RH (MODIFIED)</p> | <p>SIGNED OWNER: _____</p> | <p>DATE: _____</p> | <p>SITE ADDRESS: LOT 1, NO. 550 SCANLONS DRAIN ROAD CATANI, 3981</p> |

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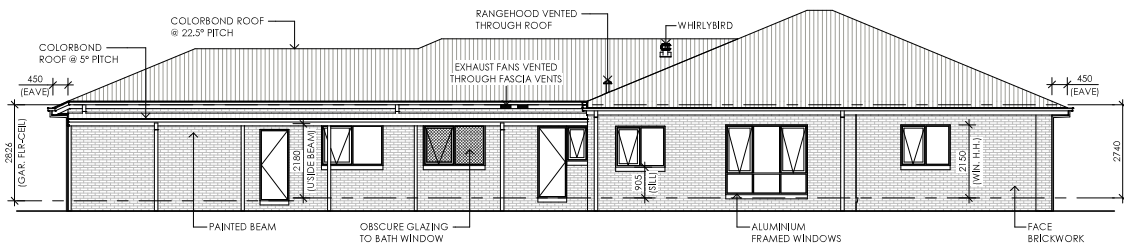
EXTERNAL DOOR THRESHOLDS:
THRESHOLDS OF EXTERNAL DOORS TO BE NO GREATER THAN 230mm ABOVE THE ADJOINING SURFACE

 RENDERED BRICKWORK



ELEVATION C - WEST

1 : 100



ELEVATION D - SOUTH

1 : 100



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PROPOSED:
HOUSE & GARAGE

HOUSE TYPE:
MONTROSE 320 - RH (MODIFIED)

THIS WORK IS THE PROPERTY OF SJD HOMES AND ANY COPYING OR ALTERING OF THE DRAWINGS SHALL NOT BE UNDERTAKEN WITHOUT WRITTEN PERMISSION FROM SJD HOMES

SIGNED BUILDER:

SIGNED OWNER:

DATE:

CLIENT:

M. & A. MARSON

SITE ADDRESS:

LOT 1, NO. 550 SCANLONS DRAIN ROAD

CATANI, 3981

DRAWING TITLE:

ELEVATIONS

ISSUE: A

ISSUE DATE: 01.09.22

SCALE: 1 : 100

MASTER DATE: 13.09.21

DRAWN: JG

CHECKED: TLG

SHEET NO: 04A

OF: 09

APPLICATION FOR CONSIDERATION
REFUSAL
 OFFICER REPORT



Application Details:

| | | | |
|--|--|---|--|
| Proposal | Use and development of the land for a dwelling | | |
| Applicant | Sonya Boloski - Lakeside Building Consultants | | |
| Date Received: | 27 May 2022 | | |
| Statutory Days: | 389 (as of late June 2023) | | |
| Section 50/50A/57A Amendment | <input checked="" type="checkbox"/> None | <input type="checkbox"/> Yes, date: <insertdate> | |
| Application Number | T220366 | | |
| Planner | Tim Heffernan | | |
| Land/Address | 550 Scanlons Drain Road, Catani VIC 3981 (L1 PS326504) | | |
| Property No. | 4756050600 | | |
| Zoning | Special Use Zone Schedule 1 (SUZ1) | | |
| Overlay/s | Land Subject to Inundation Overlay (LSIO) | | |
| Permit Trigger(s) | <ul style="list-style-type: none"> • Pursuant to Schedule 1 of Clause 37.01 of the Special Use Zone, a permit is required to use the land for a dwelling. • Pursuant to Schedule 1 of Clause 37.01 of the Special Use Zone, a permit is required to construct a building or construct or carry out works associated with a Section 2 Use (Dwelling). • Pursuant to Schedule 1 of Clause 37.01 of the Special Use Zone, a permit is required to construct a building with a gross floor area that exceeds 200 square metres. • Pursuant to Clause 44.04-2 of the Land Subject to Inundation Overlay, a permit is required to construct a building or to construct or carry out works. | | |
| Aboriginal Cultural Sensitivity | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes; a CHMP is: | |
| | | <input type="checkbox"/> Not required The development of a single dwelling on a lot is not a 'high impact activity' as defined under the Aboriginal Heritage Regulations 2018 and therefore a Cultural Heritage | <input type="checkbox"/> Required <CHMP no.> |

| | | | |
|----------------------------------|--|--|--|
| | | Management Plan is not required. | |
| Section 55 Referrals | <input type="checkbox"/> None | <input checked="" type="checkbox"/> Yes, list below: | |
| | <ul style="list-style-type: none"> ▪ Melbourne Water | | |
| Registered restrictions on Title | <input checked="" type="checkbox"/> None | <input type="checkbox"/> Yes, list below: | |
| Recommendation | <input type="checkbox"/> Permit <input type="checkbox"/> NOD <input checked="" type="checkbox"/> Refusal | | |
| Ward Councillor communications | <input checked="" type="checkbox"/> None | <input type="checkbox"/> Yes | |
| Documents relied on | <ul style="list-style-type: none"> ▪ Development Plans prepared by SJD homes, dated September 2022 ▪ Town Planning submission prepared by Lakeside Building Consultants, dated September 2022 ▪ Land Capability Assessment prepared by Soil Test Express, dated 26 August 2022 ▪ Title Documents ▪ Melbourne Water flood level certificate, dated December 2021 | | |
| Full plans and documents | T220366 PA Development Package.pdf | | |

Proposal

Planning permission is sought for use and development of the land for a dwelling as follows.

Proposed dwelling

The proposed dwelling will comprise of four bedrooms, one with ensuite, meals, family, rumpus and lounge areas, double garage (49.98m²), veranda (27.47m²) and entrance porch.

Building dimensions: 28.9m length / 14.14m width / 333.4m building area

Building height 5.9m, Colourbond roof with 22.5 pitch

Proposed dwelling is proposed to be setback 20m from the northern boundary (Scanlons Drain Road reserve)

Proposed finishes/ materiality – Mixture of 'brownish' brickwork, rendered face brickwork, aluminium framed windows

Miscellaneous

Proposed 360m² septic field

Intended land use

The owners intend to plant crops for the use of making hay and silage, with the crops used to feed the cattle accommodated on these combined sites (see below).

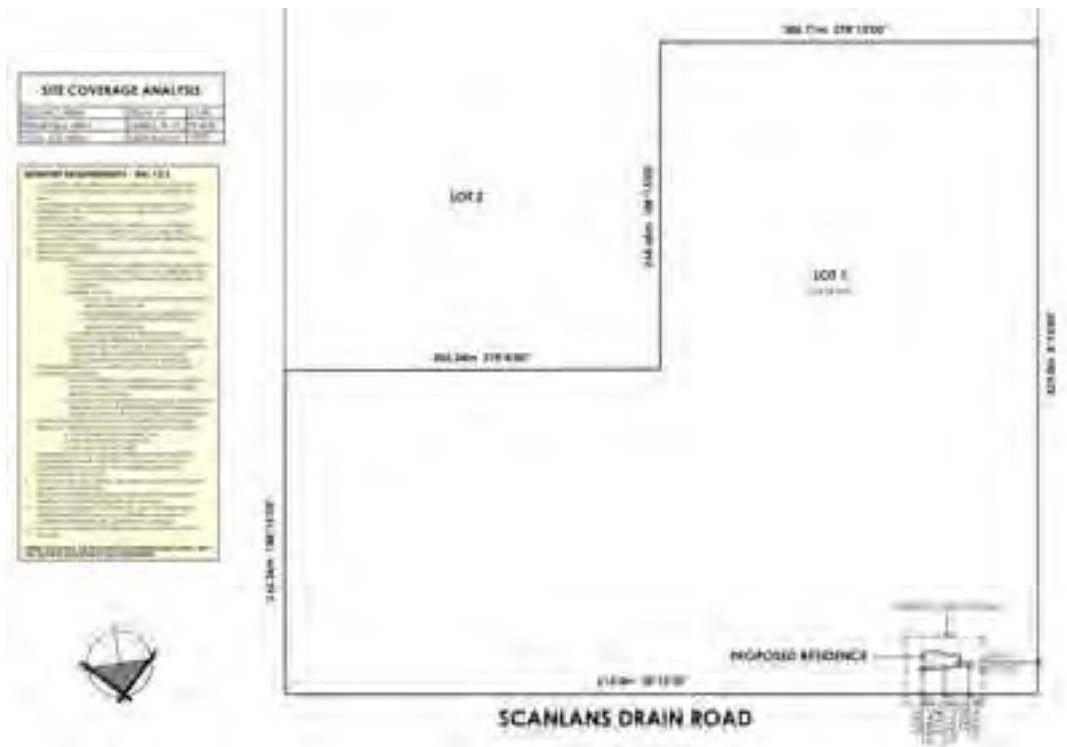


Image 1- Proposed locality plan. Source: SJD Homes.

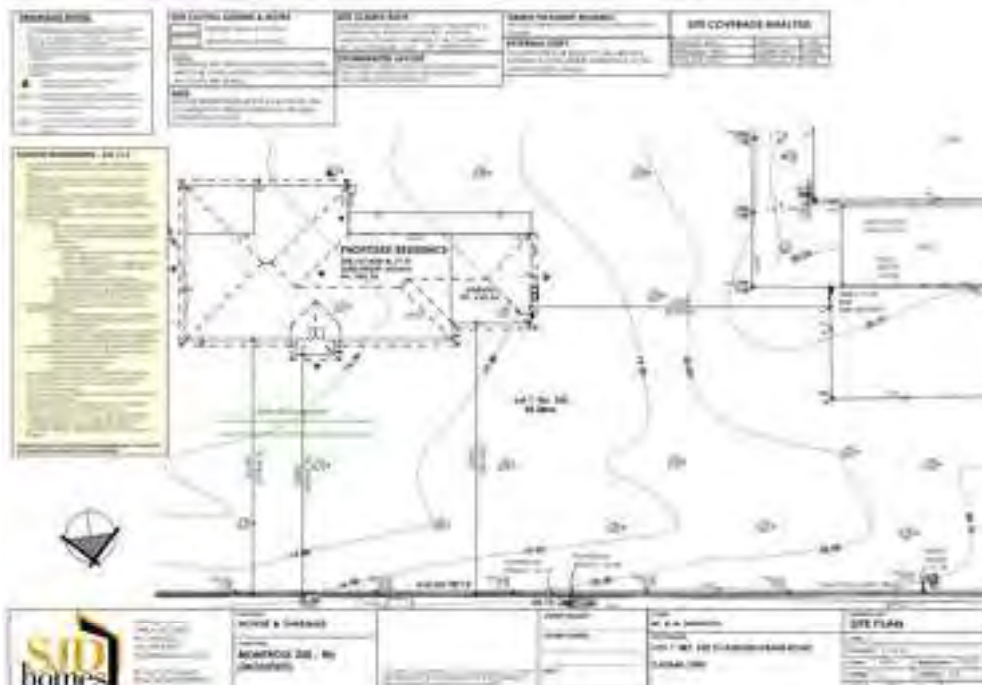


Image 2- Proposed site plan. Source: SJD Homes.

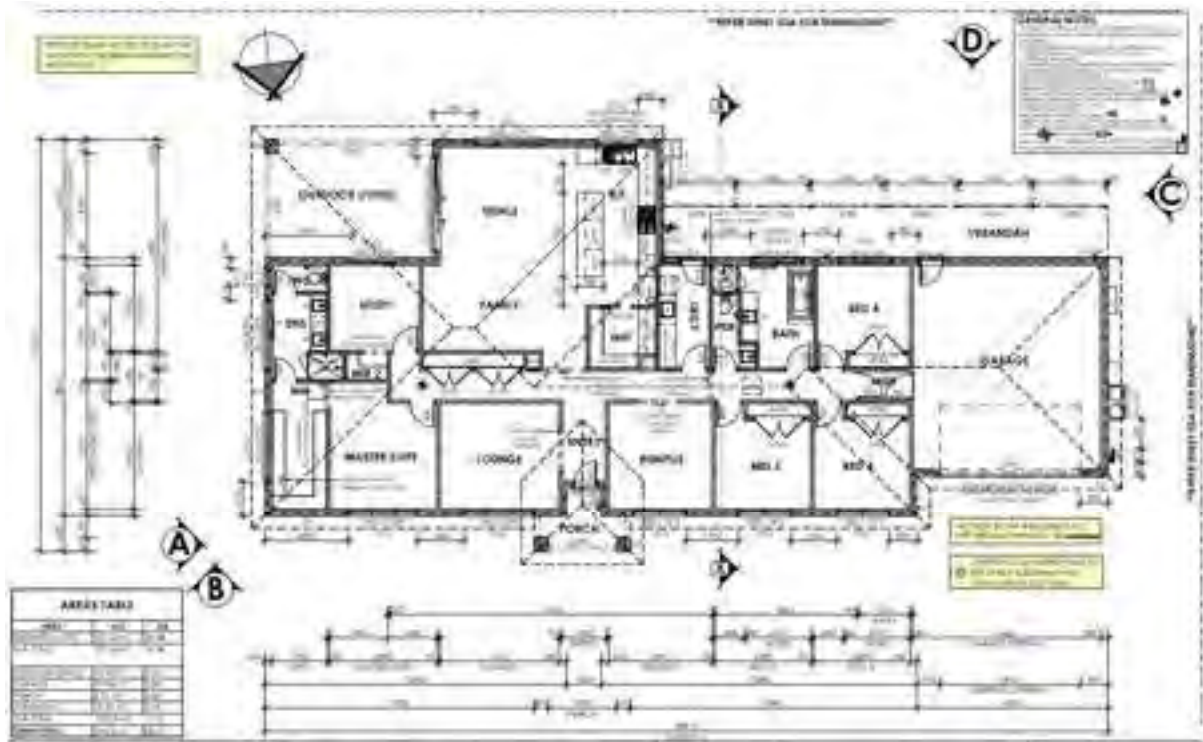


Image 3- Proposed ground floor layout. Source: SJD Homes.





Image 4- Proposed elevations. Source: SJD Homes.

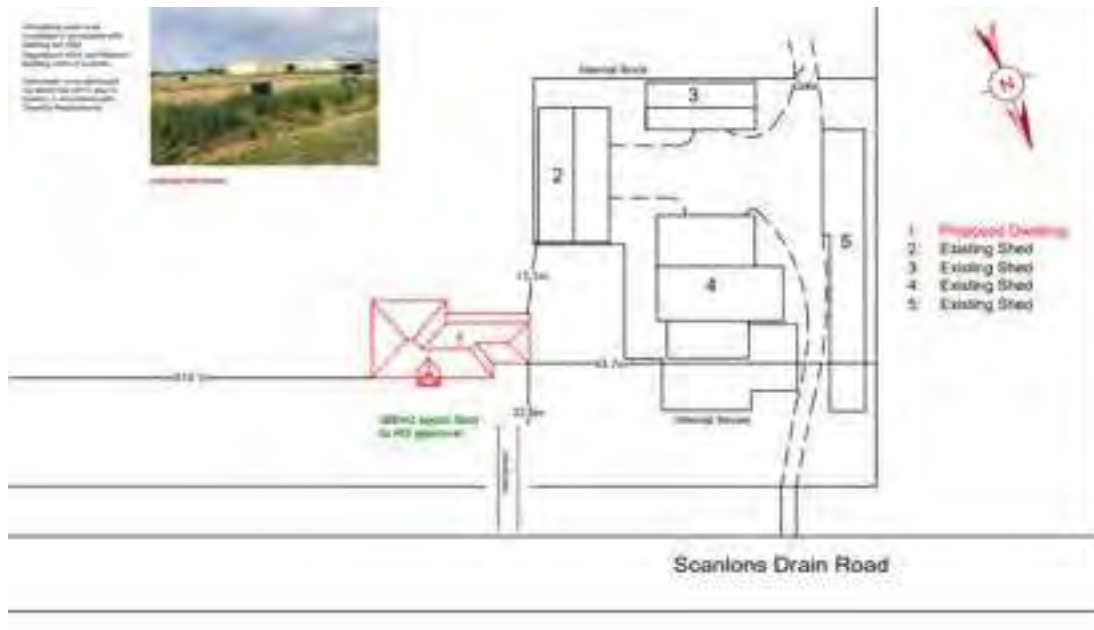


Image 5- Existing shed plan and proposed dwelling. Source: SJD Homes

Subject site & locality



Image 6- Subject site (Lot 1) with property boundaries shown. Source: Nearmap 2023.

An inspection of the site and the surrounding area has been undertaken (December 2022).

The site is formally described as Lot 1 on Plan of Subdivision 326504D. Lot 1 has a total area of 24.28ha with the shape of the lot lineal.

The subject site is a corner allotment, to the southern side of Scanlons Drain Road and intersection of Taplins Road, with a 612 metre frontage to Scanlons Drain Road and 260 metre frontage to Taplins Road.

The site is largely vacant apart from three farming sheds positioned near the north-western boundary. An unsealed crossover is off Scanlons Drain Road, with a further, unsealed crossover located off Taplins Road.

The topography of the land has a gentle slope and is largely devoid of vegetation (trees).



Image 7- Plan of Subdivision 326504D.

The main characteristics of the surrounding area are:

- Large land allotments, with a mixture of grassland and treated top soil
- Predominately farming district, open and expansive
- Canopy tree vegetation along Scanlons Drain Road

The table below outlines the abutting land to the subject site:

| | | |
|-------|--|---|
| North | 495 Scanlons Drain Road & 245 Taplins Road, Catani | Agricultural land with a dwelling located in close proximity to Scanlons Drain Road and a dwelling located near south-east corner respectively. |
| East | 220 Taplins Road, Catani | Dwelling to centre of the lot, surrounded by agricultural land |
| South | 175-205 Taplins Road, Catani | Agricultural land with dwelling located near Taplins Road |
| West | 470 Scanlons Drain Road, Catani | Agricultural land with dwelling orientated in close proximity to Scanlons Drain Road |



Image 8- Subject area zoning (Special Use & Green Wedge). Source: VicPlan, 2023.



Image 9- Aerial view of surrounding area. Source: NearMap 2023.

Permit/Site History

There is no recent Planning Permit history for the subject site.

Planning Scheme Provisions

Zone

The land is subject to the following zones:

- Special Use Zone Schedule 1 (SUZ1)

Overlays

The land is subject to the following overlays:

- Land Subject to Inundation Overlay (LSIO)

Planning Policy Framework (PPF)

The relevant clauses of the PPF include:

- Clause 11 Settlement
- Clause 11.01-1R Green Wedges- Metropolitan Melbourne
- Clause 13.03-1S Floodplain Management
- Clause 11.03-3S Peri-urban areas
- Clause 13.07-1S Land Use Capability
- Clause 14.01-1S Protection of agricultural land
- Clause 14.01-1R Protection of agricultural land – Metropolitan Melbourne
- Clause 14.01-2S Sustainable Agricultural Land Use

- Clause 15.01-2S Building design
- Clause 15.01-6S Design for rural areas
- Clause 16.01-3S Rural residential development

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF include:

- Clause 21.01 Cardinia Shire Key Issues and Strategic Vision
- Clause 21.03-4 Rural townships
- Clause 21.03-5 Rural residential and rural living development
- Clause 21.04-2 Agriculture
- Clause 22.05 Western Port Green Wedge Policy

Relevant Particular/General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions
- Clause 65 Decision Guidelines
- Clause 66 Referral and notice provisions
- *Cardinia Western Port Green Wedge Management Plan (Incorporated Document - May 2017)*

Planning Permit Triggers

The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Schedule 1 of Clause 37.01 of the Special Use Zone a permit is required to use the land for a dwelling.
- Pursuant to Schedule 1 of Clause 37.01 of the Special Use Zone a permit is required to construct a building or construct or carry out works associated with a Section 2 use (Dwelling).
- Pursuant to Schedule 1 of Clause 37.01 of the Special Use Zone a permit is required to construct a building with a gross floor area that exceeds 200 square metres.
- Pursuant to Clause 44.04-2 of the Land Subject to Inundation Overlay a permit is required to construct a building or to construct or carry out works.

Note – The dwelling must be the only dwelling on the lot, the lot must be at least 10 hectares and must meet the requirements of Clause 2 of the Schedule. Agriculture use is considered ‘as of right’.

Public Notification

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

- Sending notices to the owners and occupiers of adjoining land.

Council has received no objections to date.

Referrals

External Referrals/Notices:

| Referrals/ Notice | Referral Authority | Brief summary of response |
|-----------------------------|--------------------|--------------------------------------|
| Section 55 Referrals | Melbourne Water | Received 21 February 2023. |
| | Determining | No objection (subject to conditions) |
| Section 52 Notices | | n/a |

Internal Referrals:

| Internal Council Referral | Advice/ Response/ Conditions |
|---------------------------|--------------------------------------|
| Engineering | No objection (subject to conditions) |
| Health | No objection (subject to conditions) |

Assessment

Response to Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

The application for a planning permit has been assessed against the decision guidelines of all relevant Clauses of the Cardinia Planning Scheme, including Planning Policy Framework, where the proposed use application has been determined to be inconsistent with these requirements.

Special Use Zone – Schedule 1

The subject site is on land, zoned Special Use Zone – Schedule 1.

The zone was specifically established within an area of the Koo Wee Rup Swamp that contains soil recognised as being of high quality, making it agricultural land of state significance. This highly productive agricultural and horticultural area plays a vital role in providing food for Victoria's population and food security.

Its purpose is:

- *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.*

The following decision guidelines of the Special Use Zone – Schedule 1 have also been considered:

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

- *Whether the land is liable to flooding and any advice received from Melbourne Water.*
- *Whether the use, building, works or subdivision will be detrimental to the horticultural significance of the area.*
- *Whether the dwelling is reasonably required for the operation of the rural activity being conducted on the land.*
- *Whether the use utilises the high quality soils for horticultural or agricultural pursuits.*
- *The impact of the use, building, works or subdivision on the character and appearance of the area.*
- *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*

Under this zone, a 'dwelling' is a Section 2- permit required discretionary land use, therefore the burden is on applicants to justify the dwelling is reasonably required and directly associated with supporting an agricultural or horticultural activity/enterprise that will not cause any material detriment to any surrounding, established farming practices.

Furthermore, this burden is placed on applicants to prevent the incremental loss of agricultural land by the encroachment of rural residential development and other incompatible uses.

There are many VCAT cases which find that this type of use does not justify a dwelling, including in *Noonan v Mount Alexander SC* [2017] VCAT 412 (22 March 2017), where the Tribunal Member summarised "the planning scheme is clear in that new dwellings that require permission for use on lots that are distant from settlements and associated facilities in the FZ are to be discouraged, particularly if they are not tapping into arrangements that can clearly support, enhance or facilitate the expansion of productive agricultural land use. Furthermore, the presence of other existing dwellings in the area whether historical or newly erected does not indicate that allowing another one is orderly planning."

Farm management Plan

In addition to the intended land use, the applicant oversees cattle and breeds the Black Angus Heifers with farm operations spread across the three farming properties as follows:

| Address: | Suburb | Size |
|-----------------------------|--------|------|
| 550 Scanlons Drain Road | Catani | 24ha |
| 490 Number Seven Drain Road | Catani | 16ha |
| Taplins Road | Catani | 27ha |
| Total: 67ha | | |

No information was provided pertaining to agricultural activity, staffing, stocking rate and, projected stock numbers, paddocks layout, management of soil, grazing management, herbicide use, pest management and water use.

Weed Management

A generic, minor statement was provided, with the applicant stating that the landowner holds over 55 years of land management expertise, however no specific weed management provided.

Financial

Applicant has over 55 years in the industry, with prior potato farming/ enterprise experience.

In summarizing the application package, Lot 1 comprises over 24 acres of highly productive agricultural land, with a statement that the landowners intend to plant crops for the use of making hay and silage,

with the full extent of the crops not fully disclosed. Furthermore, the owner, who has considerable experience overseeing cattle and breeds Black Angus Heifers, plans to rotate the cattle stock across the lot in conjunction with the other two lots within their ownership.

Overall, the information provided by the applicant, is very limited, yet simply reaffirms the presiding use of the land for the management/rotation of cattle (animal husbandry), supported by a mixture of planted crop for hay and silage. In other words, no soil-based activities are proposed.

The importance of utilizing high-quality soils cannot be understated, given the integral role of productive agricultural and horticultural areas in providing food for Victoria's population and food security. Notably, a large proportion of Cardinia's Western Port Green Wedge has some of the best agricultural soil in Melbourne, providing much of Victoria's asparagus, celery, leeks, herbs and silver beet. This is reiterated in Clause 22.05, Western Port Green Wedge Policy, a key reference document that recognises Western Port's key attributes, including its environment, established agriculture industry and, rich agricultural soils.

In assessing the provided application information, it is concluded that the anticipated land use does not utilise the high-quality soils to their highest capacity i.e. growing crops in the ground, which is vastly inconsistent with the intent of the Special Use Zone – Schedule 1. The proposed dwelling would not support and enhance agricultural production and would result in the loss and fragmentation of productive agricultural land. As such, it is concluded that the proposed dwelling is not reasonably required for the operation of the agricultural activity on the site. As stated in Noonan v Mount Alexander SC [2017] VCAT 412, *'The plans do not reveal how agricultural use of the site would be enhanced. There was no indication of whether or where stock yards, for example would be constructed or what would actually change in terms of agricultural outputs that are in addition or different from what currently occurs on the site.'*

As part of the application package, the owner intends to 'wind down' and *'now wish to enjoy life in a home with good conditions including heating and cooling with plenty of light – a luxury they have not enjoyed for many years.'* Regardless, an option is available to the landowners to apply for a replacement dwelling on their current homesite, rather than develop an additional dwelling in the Special Use Zone.

Whilst it could be argued that a dwelling may be required on the land to supervise a large amount of Black Angus cattle as part of their fattening process, the applicant proposes the owner will run a small amount of cattle to be rotated over three lots within their ownership, with one of the lots, in Caldermeade, already housing an existing dwelling where the owners currently reside.

Lastly, the approval of a dwelling in the proposed location may create future land use and 'right to farm' conflicts between potentially conflicting land uses and developments and therefore, its siting must be carefully considered. The applicant proposes the dwelling to the north-west corner of the site, setback 20 metres from the northern boundary. The presence of dwellings can impact the viability of farming on adjoining land due to offsite amenity impacts associated with agriculture such as noise and drifting of agricultural sprays and fertilisers. This contention was also summarized in Noonan v Mount Alexander SC [2017] VCAT 412, *'the presence of a new dwelling reinforces the potential for difficulties and inhibiting the future expansion or conduct of agricultural activities on the site and surrounding the site. Such an effect would be detrimental to achieving the outcomes sought by the FZ and policy framework.'*

Given the above it is not considered that the dwelling is reasonably required for the existing and proposed use of the land. On balance, the proposal does not comply with the purpose of the Special Use Zone – Schedule 1.

Response to Western Port Green Wedge Policy (Clause 22.05)

As marked with the yellow star, the subject site is located within Council's Western Port Green Wedge area, Precinct 1: Agriculture, horticulture and soil-based food production.



Image 10- Cardinia Green Wedge Precinct with site identified via yellow star.

Precinct 1 vision is as follows:

Precinct 1 will be the hub of, agriculture, horticulture and soil-based food production within the Cardinia Western Port Green Wedge, taking advantage of its highly versatile soils, vegetable production (in particular asparagus), dairy and beef farming, other agricultural pursuits, potential access to Class A recycled water and the important role this precinct plays in food security. Land within the SUZ1 part of the precinct will be prioritised for soil-based agricultural and horticultural use and soil based food production with a focus on the consolidation of lots to support the economic viability of the agricultural and horticultural industry.

Future directions and land uses are also stipulated, including:

- *Soil-based agriculture to be the primary activity within the Special Use Zone – Schedule 1*
- *Discourage the use of non-soil-based agriculture (e.g. poultry farms, animal husbandry, horse riding schools etc.) being located on soils within the Special Use Zone – Schedule 1.*
- *Encourage non-soil based agricultural uses (e.g. animal husbandry, beef and dairy farming etc.) to the land surrounding the Special Use Zone - Schedule 1.*

In summarizing the above, the precinct has a strong and particular focus on horticultural activities including crop raising, with a focus on discouraging non-soil-based uses and development from the area to aid in promoting and enhancing the significant soil and landscape qualities in the local area.

In this instance, the proposed primary land use, involving cattle that is primarily grazing and being rotated between lots, does not constitute soil-based agriculture, while notably, cattle grazing underutilises the high-quality soils which can be better used for soil-based food production. Any non-soil-based agriculture, which the proposal references as part of their land management, is strongly discouraged.

As such, the proposal is inconsistent with the Westernport Green Wedge Management Plan in supporting sustainable farming production.

Protection of agricultural land: State and local policies

Rapid population growth has increasingly threatened agricultural land in the Shire, in response, both the State Government and Council have adopted and strengthened policies relating to the preservation of agricultural land.

Notably, Clauses 14.01-1S (Protection of agricultural land) and 14.01-1R (Protection of agricultural land – Metropolitan Melbourne) have objectives and strategies that seek to protect and support areas of agricultural production. In particular, a key objective, being:

- *Protect strategically important agricultural and primary production land from incompatible uses.*
- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*

Additionally, Clause 14.01-1R aims to protect agricultural land in Metropolitan Melbourne's green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations.

The proposal is contrary to policies related to agriculture as it seeks to establish a new dwelling use while using the land for cattle which does not utilise the high-quality soils.

Clause 21.01-3: Cardinia Shire Key Issues & Strategic Vision

Clause 21.01 Cardinia Shire Key Issues and Strategic Vision identifies Western Port as a major landscape feature and that a key influence within the Shire is urban growth, including urban pressures on the rural hinterland and management of green wedge areas.

The following relevant key issues are identified:

- *The protection of the Koo Wee Rup swamp area which contains important groundwater reserves and horticultural soils in the Western Port basin.*
- *The management of urban growth, including urban pressures on the rural hinterland.*
- *The protection and sustainable use of agricultural land.*

On balance, the proposed use and development raises conflict with these key issues because it will result in the degradation and loss of agricultural land in the Koo Wee Rup Swamp area.

Clause 21.04-2: Agriculture

Clause 21.04-2 (Agriculture) provides local content to support Clause 14.01 of the Planning Policy Framework, with a key objective of the Clause to maintain agriculture as a strong and sustainable economic activity within the municipality.

Several strategies give effect to the policy's objective:

- *Protect agricultural land, particularly areas of high quality soils, from the intrusion of urban uses, inappropriate development and fragmentation which would lead to a reduction in agricultural viability, the erosion of the right of farmers to farm land, and ultimately the loss of land from agricultural production.*
- *Recognise the growing demand for food, both domestically and internationally, and capitalise on opportunities to export fresh produce and processed food products.*
- *Provide for the restructuring of lots in agricultural areas to reduce the impact of old and inappropriate subdivisions on the agricultural viability of the area.*
- *Ensure the use or development, including subdivision, of agricultural land takes into consideration land capability.*

The proposed use and development are unconnected to any soil-based agricultural activity on the site and will further fragment crucial agricultural land, which will lead to a reduction in agricultural viability on the subject site and within the surrounding Catani area. Establishing a residential use will remove this land from the Shire's agricultural base, which is recognised as an important asset State-wide.

Other relevant considerations

Clause 13.03-1S: Floodplain management

The objective of Clause 13.03-1S is to assist the protection of:

- *Life, property and community infrastructure from flood hazard,*
- *The natural flood carrying capacity of rivers, streams and floodways,*
- *The flood storage function of floodplains and waterways,*
- *Floodplain areas of environmental significance or of importance to river health.*

A key strategy is to avoid intensifying the impact of flooding through inappropriately located use and development. In considering the key strategy, the property is located within the Koo Wee Rup Flood Protection District and is subject to flooding. In accordance with the Land Subject to Inundation Overlay, the susceptibility of the development to flooding and flood damage has been considered. With adequate construction measures implemented, the proposed development can appropriately address these concerns.

Clause 44.04: Land Subject to Inundation Overlay (LSIO)

The Land Subject to Inundation Overlay (LSIO) identifies areas where a 1 in 100 Year flood or floodplain area determined by a floodplain management authority warrants protection from flood hazards. These measures ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

The Application was referred to Melbourne Water, which had no objection subject to conditions.

The proposal is consistent with the provisions of the Land Subject to Inundation Overlay.

Clause 51.02: Metropolitan Green Wedge Land: Core Provisions

Clause 51.02 seeks to protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values. It ensures that the scale of the proposed use is compatible with the non-urban characteristics of metropolitan green wedge land.

The Clause applies to the application as the subject site is within land within Metropolitan Melbourne outside an Urban Growth Boundary and within the Special Use Zone – Schedule 1.

The proposal has determined to be contrary to the purposes of Clause 51.02 (Metropolitan Green Wedge Land: Core Planning Provisions) through the provision of a dwelling resulting in the net loss of prime agricultural land. The proposed dwelling, positioned in proximity to Scanlon Road streetscape may also induce amenity concerns with nearby farming enterprises. As previously stated, the presence of dwellings can impact the viability of farming on adjoining land due to offsite amenity impacts associated with agriculture such as noise and drifting of agricultural sprays and fertilisers.

Clause 65 Decision Guidelines

The application has been assessed against the Clause 65 – Decision Guidelines.

It is important to consider that just because the planning scheme identifies that a permit can be issued for a certain land use, it does not mean that it should. The proposal must have regard for the purpose of the relevant policy and Zone and demonstrate that by allowing it by way of a permit, that it does not inhibit or adversely impact established and 'as of right' uses in the surrounding area.

In assessing the application with the information provided by the applicant, the use of land for a dwelling is not considered appropriate with the zone and planning policies and should be refused.

On several ground, the application fails to address the objectives of the Special Use Zone, various Planning Policies and Local Policies, including the Westernport Green Wedge Management Plan.

The subject site comprises over 24 hectares of highly productive agricultural land, which the proposed dwelling would not support nor enhance the agricultural production on the land. The dwelling will although, create a fragmentation of productive agricultural land and a permanent loss of agricultural land.

The proposed dwelling will not contribute to the orderly planning of the area.

Conclusion

There are more than adequate grounds to refuse to grant a planning permit based on the inconsistencies and failure of the proposal to adequately meet objectives of the relevant MPS, PPF, LPPF, the core purpose of the Special Use Zone, Schedule 1, Clause 22.05 and the Westernport Green Wedge Management Plan.

In essence, the proposed dwelling will not contribute to the orderly planning of the area.



The lack of justification combined with the extremely limited information provided merely demonstrates that a dwelling is in fact not reasonably required to support the 'agricultural operation'. Approval of this application would likely see an extremely finite resource, agricultural land, permanently removed from production and therefore it should not be supported.

Recommendation

Refusal to Grant a Planning Permit

That Council having caused notice of Planning Application No. T220366 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse to Grant a Permit in respect of the land known and described as 550 Scanlons Drain Road Catani (L1 PS326504) for the Use and development of the land for a dwelling under the following grounds:

1. The proposal is inconsistent with Planning Policy Framework and Local Planning Policy Framework, that seeks to discourage non-agricultural and non-soil-based uses that are established on soil of high agricultural valued land, specifically Clauses:
 - a. 13.07-1S Land Use Compatibility
 - b. 14.01-1S - Protection of Agricultural Land
 - c. 14.01-1R - Protection of agricultural land – Metropolitan Melbourne
 - d. 14.01-2S - Sustainable Agricultural Land Use
 - e. 21.04-2 - Agriculture
 - f. 22.05 - Westernport Green Wedge Policy
 - g. 51.02 - Metropolitan Green Wedge Land: Core Planning Provisions.
2. The proposal is inconsistent with relevant purposes and decision guidelines of the Special Use Zone – Schedule 1.
 - The proposal is inconsistent with the *Cardinia Western Port Green Wedge Management Plan (Incorporated Document - May 2017)*
3. The proposal does not comply with the relevant considerations of Clause 65 and the orderly planning of the area.

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| Planner Responsible: | Tim Heffernan | Team Leader / Coordinator | Rachael Blandthorn |
| Signature: |  | Signature: |  |
| Date: | 4 July 2023 | Date: | 5 July 2023 |